

City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042
City Council Meeting
February 21, 2012

7:00 p.m.

Planning Commission Interviews at 6:30 p.m.

- A. CALL TO ORDER:
- B. PLEDGE OF ALLEGIANCE:
- C. ATTENDANCE: ___ Johnston ___ Emmons ___ Park ___ Pearson ___ Smith
- D. APPROVAL OF AGENDA: (The approved agenda is the order in which the City Council will do its business.)
- E. ORDER OF BUSINESS: (This is the way that the City Council runs its meetings so everyone attending the meeting or watching the meeting understands how the City Council conducts its public business.)
- F. GROUND RULES: (These are the rules of behavior that the City Council adopted for doing its public business.)
- G. ACCEPT MINUTES:
 - 1. Accept February 8, 2012, City Council minutes
- H. PUBLIC COMMENTS/INQUIRIES: In order to be sure that anyone wishing to speak to the City Council is treated the same way, meeting attendees wishing to address the City Council on any items NOT on the regular agenda may speak for up to three minutes.)
 - 1. Lake Elmo Jaycees Donation – Sarah Quick
 - 2. South Washington Watershed District – Matt Moore
- I. REPORTS AND ANNOUNCEMENTS:
(These are verbal updates and do not have to be formally added to the agenda.)
 - Mayor and Council
 - Administrator
 - Planning Director
 - City Attorney
 - City Engineer

- J. CONSENT AGENDA: (Items placed on the Consent Agenda by City Staff and the Mayor because they are not anticipated to generate discussion. Items may be removed at City Council's request.)
 - 2. Approve Payment of Disbursements and Payroll
 - 3. Authorize Signatures for Payment of Funds from Lake Elmo Bank

- K. REGULAR AGENDA:
 - 4. Planning Commission: Second Alternate Appointment
 - 5. Keats Avenue North: MSA Street Improvements – Resolution Requesting a Design Variance from State Aid Operations
 - 6. MNDNR Watershed Grant
 - 7. Property / Building for the Lake Elmo Library
- L. Adjourn

CLOSED MEETING:
 The Lake Elmo City Council will hold a closed meeting regarding real estate negotiations.

**LAKE ELMO COUNCIL MINUTES
DRAFT**

City of Lake Elmo
City Council Minutes

February 8, 2012

Acting Mayor Emmons called the meeting to order at 7:05 p.m.

PRESENT: Council Members Park, Pearson, and Smith

ABSENT: Mayor Johnston

Also Present: City Administrator Zuleger, Attorney Snyder, City Engineer Griffin, Planning Director Klatt, and Interim City Clerk Luczak

APPROVAL OF AGENDA:

MOTION: Council Member Pearson moved to approve the February 8, 2012, City Council Agenda. Council Member Park seconded the motion. The motion passed 4-0.

ACCEPTED MINUTES:

The January 17, 2012, City Council minutes were accepted by consensus of the City Council.

PUBLIC COMMENTS/INQUIRIES:

Dustin Olson, Stillwater Area High School, introduced himself and was attending his first City Council meeting.

REPORTS:

Acting Mayor Emmons was appreciative of the recent progress made by the I-94 and Old Village Work Groups.

Council Member Smith informed the Council that she and Steve DeLapp put together a vision of what the Old Village could look like for the site behind the Lake Elmo Lumber property. It's a starting, working point to meet with the Administrator and a developer, and should be on the City website within 30 days. She thanked Steve DeLapp, the I-94 and Old Village Work Groups.

Council Member Pearson attended the I-94 Work Group meeting; he also attended a METC meeting last week.

Council Member Park welcomed the new Administrator.

City Administrator Zuleger introduced himself and provided a brief background regarding proper organizational structure; financial indebtedness; operational administration; community engagement.

City Attorney Snyder reported he had filed the detachment appeal.

Planning Director Klatt informed the Council that the dilapidated building on 10th Street will be demolished, possibly as a Fire Dept. burn project; the I-94 and Old Village Work Groups are meeting regularly; Planning Dept. received first land use plan variance and Public Hearing is scheduled.

Interim City Clerk Luczak reported that there was one opening for a Second Alternate on the Planning Commission. Interviews will be held at 6:30 p.m. on February 21, 2012, prior to the City Council meeting.

CONSENT AGENDA:

MOTION: Council Member Smith moved to approve the Items 3 and 4 of the Consent Agenda. Council Member Park seconded the motion. The motion passed 4-0.

- Agreement for Services between the City of Oakdale and City of Lake Elmo
- Authorization to Apply for MnDOT Community Roadside Landscaping Partnership Program and Authorized Primary Contact Person; Resolution 2012-001.

Council Member Pearson received clarification of a Fire Dept. expense.

MOTION: Council Member Pearson moved to approve the Item 2 of the Consent Agenda. Council Member Smith seconded the motion. The motion passed 4-0.

- Approved disbursements in the amount of \$141,695.79.

REGULAR AGENDA:

Receive Public Comments regarding Possibility of Purchasing Property for Library

Acting Mayor Emmons stated that the City Council was accepting residents input of the pros and cons of purchasing a building for the Lake Elmo Library.

City Administrator Zuleger explained the options the City requesting resident input regarding financing options; "pay as you go" conventional loan; use of the remaining bonding proceeds in the City Hall/Public Works subject to any issuance clause; new bond issue.

**LAKE ELMO COUNCIL MINUTES
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Council Member Smith stated a third possibility of renting a building in the Old Village, and then determining the long-term possibilities. Additional discussion ensued about other locations and how to combine green space for the Library and City Hall in the Old Village.

City Council Members discussed bonding vs. bonding; the rent option was still available; cost in terms of leasing; currently utilizing a building City-owned; rental income not dependable source of income; estimated cost of repairs; available money was originally bonded for City Hall and Public Works building.

Rosemary Meier, 11284 32nd Street N., spoke in favor of purchasing the “clock” building; donated books currently stored in Public Works and Parks buildings; Interim Library is not a destination library.

Sarah Linder, 11108 12th Street N., spoke in favor. Due diligence done: rent vs. purchase, budgets, repairs within library levy, no new taxes, volunteers, weekly Library Board meetings, and fostering sense of community.

Todd Williams, 3025 Lake Elmo Ave. N., commented that the City Council elected to leave the Washington County Library system and now they need to act. Opportunity appreciated asset, good use of taxpayer money, tremendous outpouring of books and time for Council to act.

Paul Pallmeyer, 8989 Lake Jane Trl. N., asked about a referendum to let the people determine if residents want a library on a permanent basis.

Attorney Snyder informed Council and residents not an option as tonight’s meeting is part of the process.

Justin Bloyer, 8881 Jane Rd. N., commented that the City Council moved from looking at the set-up at the Art Center, then the Rosalie E. Wahl Library (Lee) building. He stated the vocal minority spoke in favor but would like to see if the library is a viable option before purchasing.

Marjorie Williams, 3023 Lake Elmo Ave. N., commented that the State mandates the money must be set aside yearly for the library levy. A library increases foot traffic, businesses, and enhances downtown.

Council Member Smith read email from resident Liz Johnson, not in favor of purchasing a building.

Richard Heath, 11590 21st St. N., requested confirmation of residents supporting the library; utilize a voucher system; City should lease the building with an option to buy.

Council Members discussed the voucher system, and are aware that business owners support a library. The City Council thanked the residents for their attendance and providing their comments.

Council recessed at 8:40 p.m.

The meeting reconvened at 8:45 p.m.

Council Member Park requested an Agenda change, moving the Regular Agenda Item K9 to K7 (Durand Variance).

MOTION: Council Member Park moved to changed Regular Agenda Item No. 9 (Durand Septic Variance) to Regular Agenda Item 7. Council Member Pearson seconded the motion. The motion passed 4-0.

Variance on Lake Elmo Avenue: Clyde Durand

Planning Director Klatt updated the Council about the non-compliance septic system at 2860 Lake Elmo Avenue. The City Council had requested alternative designs since the property owner had requested several setback variances and additional options were explored.

City Council discussed concerns about reliability of the system, holding tanks, treatment options, and the Ordinary High Water.

Paul Brandt, Soil Investigation and Design, provided additional background information on the septic design to be installed.

Attorney Snyder recommended the property owner sign a document regarding the conditions of approval and have it recorded against the property.

MOTION: Council Member Smith moved to approve Resolution 2012-002 (A) approving setback variances related to the Construction of a Subsurface Sewage Treatment Systems at 2860 Lake Elmo Avenue North, with the findings to allow the placement of a sewage treatment system within 39 feet from the Ordinary High Water Elevation (OHW) of Lake Elmo, and to allow the installation of a septic tank five feet from an occupied building and a treatment and dispersal area within ten feet of an occupied building. Council Member Park seconded the motion. The motion passed 4-0.

Demonstrative-Highlands Area Street Improvements – Accept Feasibility Report and Call for Public Improvement Hearing

City Engineer Griffin presented the findings of the Feasibility Report for the Demonstrate Highlands Area Street Improvements. The Feasibility Report was completed in accordance with Minnesota Statute Chapter 429 and was authorized on December 6, 2011. Accepting this report allows the calling of a Public Improvement

**LAKE ELMO COUNCIL MINUTES
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Hearing and keeps the project on schedule for potentially being constructed in 2012. Acceptance of this report is the first step of the procedural action required to move into a “hearing” and does not mandate action by the City Council to proceed with the project.

MOTION: Council Member Smith moved to adopt Resolution No. 2012-002 Accepting the Feasibility Report for the Demontreville Highlands Area Street Improvements and Calling for a Public Improvement Hearing to be held on March 6, 2012. Council Member Pearson seconded the motion. The motion passed 4-0.

Keats Ave. N. MSA Street and Trunk Watermain Improvements – Accept Feasibility Report and Call for Public Improvement Hearing

City Engineer Griffin presented the findings of the Feasibility Report for the Keats Avenue N. MSA Street and Trunk Watermain Improvements. The Feasibility Report was completed in accordance with Minnesota Statute Chapter 429 and was authorized on December 6, 2011. Accepting this report allows the calling of a Public Improvement Hearing and keeps the project on schedule for potentially being constructed in 2012. Acceptance of this report is the first step of the procedural action required to move into a “hearing” and does not mandate action by the City Council to proceed with the project.

MOTION: Council Member Smith moved to adopt Resolution No. 2012-003 Accepting the Feasibility Report for the Keats Avenue North: MSA Street and Trunk Watermain Improvements and Calling for a Public Improvement Hearing to be held on March 6, 2012. Council Member Park seconded the motion. The motion passed 4-0.

Lighting Ordinance

Planning Director Klatt requested the City Council authorize the Planning Commission to proceed with updating the City’s lighting ordinance.

Justin Bloyer, 8881 Jane Road N., stated that lighting was a safety issue and requested the Planning Commission look at the idea of exempting lighting at the lakeside of the home.

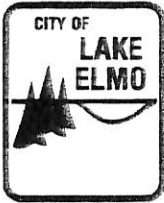
Council Members recognized the property owner safety issues and directed the Planning dept. to review the lake owners concerns.

MOTION: Council Member Pearson moved to affirm the Planning Commission to revisit updating the City’s lighting ordinance. Council Member Smith seconded the motion. The motion passed 4-0.

The meeting adjourned at 10:46 p.m.

Respectfully submitted by Carole Luczak, Interim City Clerk

Resolution 2012-001: Authorized Application for MnDOT Community Roadside
Landscaping Partnership Program and Authorized Primary Contact
Person
Resolution 2012-002: Approved Setback Variances Related to the Construction of a
Subsurface Sewage Treatment System at 2860 Lake Elmo Ave. N.
Resolution 2012-003: Received and Accepted Feasibility Report for Demonstration
Highlands Area Street Improvements and Calling Hearing on
Improvements
Resolution 2012-004: Received and Accepted Feasibility Report for Keats Avenue
North: MSA Street and Trunk Watermain Improvements and
Calling Hearing on Improvements



MAYOR & COUNCIL COMMUNICATION

DATE: 2/21/2012
CONSENT
ITEM #: 2
MOTION *as part of Consent Agenda*

AGENDA ITEM: Approve Disbursements in the Amount of \$333,388.18

SUBMITTED BY: Joe Rigdon, Interim Finance Director

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Joan Ziertman, Finance Consultant

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to approve disbursements in the amount of \$333,388.18. No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

BACKGROUND INFORMATION: The City of Lake Elmo has fiduciary authority and responsibility to conduct normal business operation. Below is a summary of current claims to be disbursed and paid in accordance with State law and City policies and procedures.

Claim #	Amount	Description
ACH	\$ 6,989.46	Payroll Taxes to IRS 2/9/2012
ACH	\$ 1,159.65	Payroll Taxes to MN Dept. of Revenue 2/9/2012
ACH	\$ 3,814.69	Payroll Retirement to PERA 2/9/2012
DD3786 – DD3822	\$ 25,532.67	Payroll Dated 2/9/2012 (Direct Deposit)
38053-38055	\$ 746.90	Payroll Dated 2/9/2012 (Payroll Paper Checks)
38056-38107	\$292,804.81	Accounts Payable Dated 2/21/2012
1285-1324	\$ 2,340.00	Accounts Payable Dated 2/21/2012 (Library Checks)
TOTAL	\$ 333,388.18	

STAFF REPORT: City staff has compiled and reviewed the attached set of claims. All appears to be in order and consistent with City budgetary and fiscal policies and Council direction

RECOMMENDATION: It is recommended that the City Council approve as part of the Consent Agenda proposed disbursements in the amount of \$333,388.18.

Alternatively, the City Council does have the authority to remove this item from the Consent Agenda or a particular claim from this item and further discuss and deliberate prior to taking action. If done so, the appropriate action of the Council following such discussion would be:

“Move to approve the February 21, 2012, Disbursements as Presented [and modified] herein.”

ATTACHMENTS:

- 1. Accounts Payable Dated 2/21/2012

SUGGESTED ORDER OF BUSINESS (if removed from the Consent Agenda):

- Questions from Council to Staff..... Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion..... Mayor Facilitates

Accounts Payable To Be Paid Proof List

User: Joan z

Printed: 02/14/2012 - 3:20 PM

Batch: 040-12-2011

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
TITANAPP Titan Apparel & Sportswear Cor										
12	12/28/2011	1,680.50	0.00	02/21/2012	Restock T-shirts		-			No 0000
101-420-2220-44170	Uniforms									
	12 Total:	1,680.50								
	TITANAPP Total:	1,680.50								
UNITEDPR NorthMarq										
12/31/2011	12/31/2011	312.00	0.00	02/21/2012	Semi-annual easement billing- Eagle Pt		-			No 0000
101-410-1320-44300	Miscellaneous									
	12/31/2011 Total:	312.00								
	UNITEDPR Total:	312.00								
WAS-SHER Washington County										
71585	02/08/2012	228,065.01	0.00	02/21/2012	Law Enforcement Svc Jul - Dec 2011		-			No 0000
101-420-2100-43150	Law Enforcement Contract									
	71585 Total:	228,065.01								
	WAS-SHER Total:	228,065.01								
	Report Total:	230,057.51								

Accounts Payable To Be Paid Proof List

User: Joan z
 Printed: 02/14/2012 - 3:45 PM
 Batch: 006-02-2012

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	PO Line #
ALMTTM Alm Tim											
Ck Req	02/07/2012	5,000.00	0.00	02/21/2012	Refund Escrow 11544 58th St #8016		-			No	0000
803-000-0000-22900	Deposits Payable										
	Ck Req Total:	5,000.00									
	ALMTTM Total:	5,000.00									
AMERICAN American Eng and Testing, Inc.											
53803	01/31/2012	2,332.30	0.00	02/21/2012	Geotech Report for 2012-2013 Street		-			No	0000
418-480-8000-43030	Engineering Services										
	53803 Total:	2,332.30									
	AMERICAN Total:	2,332.30									
ARAM Aramark, Inc.											
629-7419560	01/26/2012	22.86	0.00	02/21/2012	Uniforms		-			No	0000
101-430-3100-44170	Uniforms										
629-7419560	01/26/2012	21.38	0.00	02/21/2012	Soap		-			No	0000
101-430-3100-42150	Shop Materials										
	629-7419560 Total:	44.24									
629-7424530	02/02/2012	22.86	0.00	02/21/2012	Uniforms		-			No	0000
101-430-3100-44170	Uniforms										
	629-7424530 Total:	22.86									
629-7426424	01/30/2012	169.54	0.00	02/21/2012	Linen City Hall		-			No	0000
101-410-1940-44010	Repairs/Maint Contractual Bldg										
	629-7426424 Total:	169.54									
629-7429549	02/09/2012	22.86	0.00	02/21/2012	Uniforms		-			No	0000
101-430-3100-44170	Uniforms										
	629-7429549 Total:	22.86									
	ARAM Total:	259.50									
BELMONT Belmont Mike											
Ck Req	02/07/2012	1,500.00	0.00	02/21/2012	Refund Escrow 5682 57th St Cir #6537		-			No	0000
803-000-0000-22900	Deposits Payable										

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Ck Req Total:		1,500.00								
BELMONT Total:		1,500.00								
BIFFS Biffs Inc.										
W455184	02/08/2012	61.29	0.00	02/21/2012	Portable Restrooms		-	No		0000
101-450-5200-44120	Rentals - Buildings									
W455184 Total:		61.29								
BIFFS Total:		61.29								
CARQUEST Car Quest Auto Parts										
2055-247767	01/26/2012	258.17	0.00	02/21/2012	Batteries 99-2 Loader		-	No		0000
101-430-3125-44040	Repairs/Maint Eqpt									
2055-247767 Total:		258.17								
2055-248678	02/07/2012	22.62	0.00	02/21/2012	Blower Switch		-	No		0000
101-430-3120-42210	Equipment Parts									
2055-248678 Total:		22.62								
2055-249144	02/13/2012	35.80	0.00	02/21/2012	Filter Battery Terminal grease gun		-	No		0000
101-430-3120-42210	Equipment Parts									
2055-249144	02/13/2012	9.28	0.00	02/21/2012	Oil & Grease		-	No		0000
101-430-3120-42120	Fuel, Oil and Fluids									
2055-249144 Total:		45.08								
CARQUEST Total:		325.87								
COMCAST COMCAST										
02212012	02/21/2012	7.90	0.00	02/21/2012	Monthly Service		-	No		0000
101-420-2220-44300	Miscellaneous									
02212012 Total:		7.90								
COMCAST Total:		7.90								
COMPENSA Compensation Consultants, Ltd										
Feb 12	02/02/2012	40.00	0.00	02/21/2012	Monthly FSA Admin Fee Feb 2012		-	No		0000
101-410-1320-44300	Miscellaneous									
Feb 12 Total:		40.00								
COMPENSA Total:		40.00								
COVERALL Coverall of The Twin Cities										
7070174680	02/01/2012	321.38	0.00	02/21/2012	Cleaning City Hall & Annex		-	No		0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
7070174680 Total:		321.38								

Invoice #	Inv Date	Amount	Quantity	Print Date	Description	Reference	Task	Type	PO #	Close	POLine #
COVERALL Total:		321.38									
CTYBLOOM City of Bloomington											
Jan 2012	01/31/2012	40.00	0.00	02/21/2012	Lab Bacteria Tests		-		No		0000
601-494-9400-42270	Utility System Maintenance										
Jan 2012 Total:		40.00									
CTYBLOOM Total:		40.00									
CTYOAKDA City of Oakdale											
10000460-01	02/29/2012	2,542.34	0.00	02/21/2012	Water Service 194		-		No		0000
601-494-9400-43820	Water Utility										
10000460-01 Total:		2,542.34									
CTYOAKDA Total:		2,542.34									
CTYROSEV City of Roseville											
215722	02/01/2012	1,652.08	0.00	02/21/2012	Monthly IT Services Feb 2012		-		No		0000
101-410-1450-43180	Information Technology/Web										
215722 Total:		1,652.08									
CTYROSEV Total:		1,652.08									
CUMMINGS Cummings Mary Jo											
02/21/2012	02/21/2012	1,800.00	0.00	02/21/2012	40 Hours of Consulting Services		-		No		0000
206-450-5300-43150	Contract Services										
02/21/2012 Total:		1,800.00									
CUMMINGS Total:		1,800.00									
EMERGAUT Emergency Automotive tech, Inc											
Jc020112-12	01/02/2012	26.06	0.00	02/21/2012	Switch for 03-1		-		No		0000
101-430-3120-42210	Equipment Parts										
Jc020112-12 Total:		26.06									
EMERGAUT Total:		26.06									
ENVENTTS ENVENTTS											
737500	02/01/2012	456.22	0.00	02/21/2012	Telephone/Data Service - PW Feb 2012		-		No		0000
101-430-3100-43210	Telephone										
737500 Total:		456.22									
738507	02/01/2012	569.20	0.00	02/21/2012	Telephone/Data Service - CH Feb 2012		-		No		0000
101-410-1940-43210	Telephone										
738507 Total:		569.20									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	POLine #
	ENVENTIS Total:	1,025.42									
FASTENAL Fastenal											
MNOAK	01/23/2012	32.60	0.00	02/21/2012	Hardware		-			No	0000
101-430-3100-42210	Equipment Parts										
	MNOAK Total:	32.60									
FASTENAL Total:		32.60									
FERGUSON Ferguson Waterworks, Inc.											
SO1347656.001	01/26/2012	30.54	0.00	02/21/2012	Tax for Repair Clamps		-			No	0000
601-494-9400-42300	Water Meters & Supplies										
	SO1347656.001 Total:	30.54									
FERGUSON Total:		30.54									
HAWKINS Hawkins, Inc.											
3305311	01/31/2012	81.89	0.00	02/21/2012	Chemical Injection Fittings		-			No	0000
601-494-9400-42270	Utility System Maintenance										
	3305311 Total:	81.89									
HAWKINS Total:		81.89									
KLMENG KLM Engineering, Inc.											
01/25/2012	01/25/2012	800.00	0.00	02/21/2012	Plan Review for AT & T Antenna Upgrade		-			No	0000
101-410-1930-43030	Engineering Services										
	01/25/2012 Total:	800.00									
KLMENG Total:		800.00									
LEOIL Lake Elmo Oil, Inc.											
01/31/2012	01/31/2012	63.50	0.00	02/21/2012	Fuel		-			No	0000
101-420-2220-42120	Fuel, Oil and Fluids										
	01/31/2012 Total:	63.50									
648503	01/31/2012	38.02	0.00	02/21/2012	Fuel		-			No	0000
101-430-3120-42120	Fuel, Oil and Fluids										
	648503 Total:	38.02									
LEOIL Total:		101.52									
Lillie Newspapers Inc. Lillie Suburban											
01/31/2012	01/31/2012	20.50	0.00	02/21/2012	PZ Notice		-			No	0000
101-410-1320-43510	Legal Publishing										
	01/31/2012 Total:	20.50									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Liflfe Total:		20.50								
LOFF Loffler Companies, Inc.										
1357255	02/01/2012	293.26	0.00	02/21/2012	Copy Machine Overage & Base Feb 2012		-	No		0000
101-410-1940-44040	Repairs/Maint Contractual Eqpt	293.26								
1357255 Total:		293.26								
LOFF Total:		293.26								
MALMQ Malinquist Greg										
02/13/2012	02/13/2012	64.00	0.00	02/21/2012	Reimburse Meals @ Training		-	No		0000
101-420-2220-44370	Conferences & Training	64.00								
02/13/2012 Total:		64.00								
MALMQ Total:		64.00								
MARONEY'S Maroney's Sanitation, Inc										
418940	02/03/2012	108.32	0.00	02/21/2012	Waste Removal - City Hall		-	No		0000
101-410-1940-43840	Refuse	108.32								
418940	02/03/2012	47.68	0.00	02/21/2012	Waste Removal - Fire		-	No		0000
101-420-2220-43840	Refuse	47.68								
418940	02/03/2012	207.82	0.00	02/21/2012	Waste Removal - Public Works		-	No		0000
101-430-3100-43840	Refuse	207.82								
418940	02/03/2012	207.82	0.00	02/21/2012	Waste Removal - Parks		-	No		0000
101-450-5200-43840	Refuse	207.82								
418940 Total:		571.64								
MARONEY'S Total:		571.64								
MARV'S Marv's Professional Tools										
245847	02/09/2012	73.69	0.00	02/21/2012	Socket Adapter & Wire holder		-	No		0000
101-430-3100-42400	Small Tools & Minor Equipment	73.69								
245847 Total:		73.69								
MARV'S Total:		73.69								
MENARDSO Menards - Oakdale										
61266	01/30/2012	15.23	0.00	02/21/2012	Soap, Scrubber, Air Fresh		-	No		0000
101-430-3100-42150	Shop Materials	15.23								
61266 Total:		15.23								
61514	01/31/2012	17.98	0.00	02/21/2012	License Doc Frames, Air Freshener		-	No		0000
101-430-3100-42150	Shop Materials	17.98								
61514	01/31/2012	52.56	0.00	02/21/2012	Wellhouse Caulk		-	No		0000
601-494-9400-44300	Miscellaneous	52.56								
61514 Total:		70.54								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
63421	02/07/2012	31.47	0.00	02/21/2012	Wellhouse II furnace Ducts		-	No		0000
601-494-9400-44300	Miscellaneous									
	63421 Total:	31.47								
63749	02/08/2012	51.16	0.00	02/21/2012	Lock out Tag Out Hardware		-	No		0000
101-430-3100-44300	Miscellaneous									
	63749 Total:	51.16								
	MENARDSO Total:	168.40								
MENARDST Menards - Stillwater										
53039	02/09/2012	69.89	0.00	02/21/2012	Maintenance Station #1		-	No		0000
101-420-2220-44010	Repairs/Maint Bldg									
	53039 Total:	69.89								
	MENARDST Total:	69.89								
METCOU Metropolitan Council										
981252	02/02/2012	1,081.28	0.00	02/21/2012	Monthly Wastewater Service - March 2012		-	No		0000
602-495-9450-43820	Sewer Utility - Met Council									
	981252 Total:	1,081.28								
	METCOU Total:	1,081.28								
MFRA McCombs Frank Roos Assoc Inc.										
70040	02/01/2012	1,698.66	0.00	02/21/2012	Planning Services - January 2012		-	No		0000
101-410-1910-43150	Contract Services									
	70040 Total:	1,698.66								
	MFRA Total:	1,698.66								
MILLEREX Miller Excavating, Inc.										
16046	01/31/2012	1,510.25	0.00	02/21/2012	Water Main Excavation & Materials		-	No		0000
601-494-9400-44030	Repairs\Maint Imp Not Bldgs									
	16046 Total:	1,510.25								
	MILLEREX Total:	1,510.25								
MILLSCOL Mills Cole										
02/13/2012	02/13/2012	55.00	0.00	02/21/2012	Planning Commission 2/13/12		-	No		0000
101-410-1450-43620	Cable Operations									
	02/13/2012 Total:	55.00								
	MILLSCOL Total:	55.00								

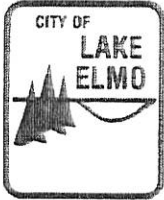
Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
MNAWWA Minnesota AWWA										
Reg Fee	02/14/2012	125.00	0.00	02/21/2012	Water Operator Training		-	No		0000
601-494-9400-44370	Conferences & Training									
	Reg Fee Total:	125.00								
	MNAWWA Total:	125.00								
NAMERICA North American Salt Company										
70791877	01/26/2012	14,632.94	0.00	02/21/2012	Road Salt		-	No		0000
101-430-3125-42290	Sand/Salt									
	70791877 Total:	14,632.94								
	NAMERICA Total:	14,632.94								
NASALTCO North American Salt Company										
70793885	01/30/2012	5,624.34	0.00	02/21/2012	Road Salt		-	No		0000
101-430-3125-42290	Sand/Salt									
	70793885 Total:	5,624.34								
	NASALTCO Total:	5,624.34								
NFPA NFPA										
02/13/2012	02/13/2012	950.00	0.00	02/21/2012	Annual NFPA Code Renewal		-	No		0000
101-420-2220-44330	Dues & Subscriptions									
	02/13/2012 Total:	950.00								
	NFPA Total:	950.00								
PRESSA Anastasia Press										
02/08/2012	02/08/2012	68.75	0.00	02/21/2012	CC Mtg 02/8/12		-	No		0000
101-410-1450-43620	Cable Operations									
	02/08/2012 Total:	68.75								
	PRESSA Total:	68.75								
PROSTAFF PROSTAFF										
102-846021	02/12/2012	612.26	0.00	02/21/2012	Temp Sys W/E 1/29/12		-	No		0000
101-410-1320-41010	Full-time Salaries									
	102-846021 Total:	612.26								
102-847042	02/14/2012	558.00	0.00	02/21/2012	Temp Sys W/E 2/5/12		-	No		0000
101-410-1320-41010	Full-time Salaries									
	102-847042 Total:	558.00								
	PROSTAFF Total:	1,170.26								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	POLine #
RIVRCOOP River Country Cooperative											
01/31/2012	01/31/2012	683.09	0.00	02/21/2012	Fuel		-			No	0000
101-420-2220-42120	Fuel, Oil and Fluids										
	01/31/2012 Total:	683.09									
	RIVRCOOP Total:	683.09									
ROGERS Rogers Printing Services, Corp											
18448	02/02/2013	39.54	0.00	02/21/2012	Business Cards - Zulger		-			No	0000
101-410-1320-44300	Miscellaneous										
	18448 Total:	39.54									
	ROGERS Total:	39.54									
S&T S&T Office Products, Inc.											
01PA1369	01/31/2012	27.57	0.00	02/21/2012	Office Supplies		-			No	0000
101-410-1320-42000	Office Supplies										
	01PA1369 Total:	27.57									
	S&T Total:	27.57									
SAMSCCLUB Sam's Club											
02/12/2012	02/12/2012	35.00	0.00	02/21/2012	Membership Renewal Fee		-			No	0000
101-410-1320-44300	Miscellaneous										
02/12/2012	02/12/2012	56.34	0.00	02/21/2012	Rehab & Station Supplies		-			No	0000
101-420-2220-44300	Miscellaneous										
02/12/2012	02/12/2012	18.44	0.00	02/21/2012	Record Storage Boxes		-			No	0000
101-420-2220-42400	Small Tools & Equipment										
02/12/2012	02/12/2012	35.00	0.00	02/21/2012	Membership Renewal		-			No	0000
101-420-2220-44330	Dues & Subscriptions										
02/12/2012	02/12/2012	52.99	0.00	02/21/2012	City Hall Supplies		-			No	0000
101-410-1320-42000	Office Supplies										
	02/12/2012 Total:	197.77									
2154	02/13/2012	213.93	0.00	02/21/2012	Ink Cartridges		-			No	0000
101-430-3100-42000	Office Supplies										
2154	02/13/2012	74.86	0.00	02/21/2012	Printer		-			No	0000
101-430-3100-42400	Small Tools & Minor Equipment										
	2154 Total:	288.79									
	SAMSCCLUB Total:	486.56									
SULLIVAN Sullivan Wendy											
Ck Req	02/06/2012	61.50	0.00	02/21/2012	Refund Overpayment of SW Account		-			No	0000
603-000-0000-37100	Surface Water Utility Sales										
	Ck Req Total:	61.50									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	PO Line #
SULLIVAN Total:											61.50
TDS TDS METROCOM - LLC											
651-779-8882	02/12/2012	167.46	0.00	02/21/2012	Analog Lines - Fire		-		No		0000
101-420-2220-43210	Telephone										
651-779-8882	02/12/2012	159.53	0.00	02/21/2012	Analog Lines - Public Works		-		No		0000
101-430-3100-43210	Telephone										
651-779-8882	02/12/2012	106.77	0.00	02/21/2012	Analog Lines - Lift Station Alarms		-		No		0000
602-495-9450-43210	Telephone										
651-779-8882	02/12/2012	42.90	0.00	02/21/2012	Analog Lines - Well House #2		-		No		0000
601-494-9400-43210	Telephone										
TDS Total:											476.66
TKDA TKDA, Inc.											476.66
02/09/2012	02/09/2012	294.55	0.00	02/21/2012	General Engineering Svc - Streets		-		No		0000
409-480-8000-43030	Engineering Services										
02/09/2012 Total:											294.55
TKDA Total:											294.55
VISA-SL VISA											
01/1/2012	01/1/2012	300.00	0.00	02/21/2012	Gov's Conf Registration		-		No		0000
101-420-2220-44370	Conferences & Training										
01/1/2012	01/1/2012	56.12	0.00	02/21/2012	Replace battery for thermal camera		-		No		0000
101-420-2220-44040	Repairs/Maint Eqpt										
01/1/2012	01/1/2012	74.93	0.00	02/21/2012	Pizza for council Meeting		-		No		0000
101-410-1410-44300	Miscellaneous										
01/1/2012	01/1/2012	58.28	0.00	02/21/2012	Books for Planning/Building Dept		-		No		0000
101-420-2400-44350	Books										
01/1/2012 Total:											489.33
VISA-SL Total:											489.33
WAS-PH Washington County											
10348	02/07/2012	60.00	0.00	02/21/2012	Hazardous Waste Generators License		-		No		0000
101-430-3100-44330	Dues & Subscriptions										
10348 Total:											60.00
WAS-PH Total:											60.00
WATERCON Water Conservation Sys Inc.											
2977	02/01/2012	242.95	0.00	02/21/2012	Leak Detection Service		-		No		0000
601-494-9400-44300	Miscellaneous										

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	2977 Total:	242.95								
	WATERCON Total:	242.95								
WOODMECH Woodbury Mechanical, Inc										
Well #2	01/27/2012	4,055.00	0.00	02/21/2012	Payment to Plumber for Well #2		-	No		0000
601-494-9400-42270	Utility System Maintenance									
	Well #2 Total:	4,055.00								
	WOODMECH Total:	4,055.00								
XCEL Xcel Energy										
51-0117417-0	02/14/2012	33.36	0.00	02/21/2012	Welcome Sign		-	No		0000
101-430-3160-43810	Street Lighting									
	51-0117417-0 Total:	33.36								
51-4504807-7	02/14/2012	123.51	0.00	02/21/2012	Lights @ Legion Park		-	No		0000
101-450-5200-43810	Electric Utility									
51-4504807-7	02/14/2012	24.91	0.00	02/21/2012	Lift Station		-	No		0000
602-495-9450-43810	Electric Utility									
51-4504807-7	02/14/2012	61.90	0.00	02/21/2012	Traffic Lights		-	No		0000
101-430-3160-43810	Street Lighting									
	51-4504807-7 Total:	210.32								
51-4572945-7	02/14/2012	27.64	0.00	02/21/2012	Street Lights		-	No		0000
101-430-3160-43810	Street Lighting									
	51-4572945-7 Total:	27.64								
51-4576456-3	02/14/2012	880.60	0.00	02/21/2012	Fire Station 2		-	No		0000
101-420-2220-43810	Electric Utility									
	51-4576456-3 Total:	880.60								
51-4580376-5	02/14/2012	391.73	0.00	02/21/2012	City Hall		-	No		0000
101-410-1940-43810	Electric Utility									
51-4580376-5	02/14/2012	28.82	0.00	02/21/2012	Traffic Lights		-	No		0000
101-430-3160-43810	Street Lighting									
51-4580376-5	02/14/2012	947.82	0.00	02/21/2012	City Hall		-	No		0000
101-410-1940-43810	Electric Utility									
	51-4580376-5 Total:	1,368.37								
51-4733556-8	02/14/2012	9.65	0.00	02/21/2012	Tennis Courts		-	No		0000
101-450-5200-43810	Electric Utility									
	51-4733556-8 Total:	9.65								
51-5044219-0	02/14/2012	310.44	0.00	02/21/2012	Parks Building		-	No		0000
101-450-5200-43810	Electric Utility									
	51-5044219-0 Total:	310.44								
51-5275289-3	02/14/2012	10.12	0.00	02/21/2012	Pebble Park		-	No		0000
101-450-5200-43810	Electric Utility									
	51-5275289-3 Total:	10.12								
51-5356323-8	02/14/2012	1,231.50	0.00	02/21/2012	Wells 1 & 2		-	No		0000
601-494-9400-43810	Electric Utility									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
51-5522332-2	02/14/2012	1,231.50								
101-430-3160-43810	Street Lighting	33.26	0.00	02/21/2012	Traffic Lights		-		No	0000
51-5747685-4	02/14/2012	33.26								
101-450-5200-43810	Electric Utility	162.11	0.00	02/21/2012	Arts Center		-		No	0000
51-5747685-4	Total:	162.11								
51-5916043-7	02/14/2012	16.54								
602-495-9450-43810	Electric Utility	16.54	0.00	02/21/2012	Lift Station		-		No	0000
51-5916043-7	Total:	16.54								
51-6429583-8	02/14/2012	14.51								
602-495-9450-43810	Electric Utility	14.51	0.00	02/21/2012	Lift Station		-		No	0000
51-6429583-8	Total:	14.51								
51-6433976-2	02/14/2012	250.17								
101-420-2220-43810	Electric Utility	250.17	0.00	02/21/2012	Fire Station 1		-		No	0000
51-6433976-2	Total:	250.17								
51-6625457-1	02/14/2012	314.90								
101-450-5200-43810	Electric Utility	314.90	0.00	02/21/2012	Legion Park		-		No	0000
51-6625457-1	Total:	314.90								
51-6736544-2	02/14/2012	1,868.06								
101-430-3160-43810	Street Lighting	1,868.06	0.00	02/21/2012	Street Lights		-		No	0000
51-6928283-3	02/14/2012	21.33								
101-430-3160-43810	Street Lighting	21.33	0.00	02/21/2012	Traffic Lights		-		No	0000
51-6928283-3	Total:	21.33								
51-6956201-4	02/14/2012	29.38								
101-450-5200-43810	Electric Utility	29.38	0.00	02/21/2012	VFW Ballfields		-		No	0000
51-6956201-4	Total:	29.38								
51-7538112-1	02/14/2012	2,724.69								
101-430-3100-43810	Electric Utility	2,724.69	0.00	02/21/2012	Public Works		-		No	0000
51-7538112-1	Total:	2,724.69								
51-8126093-5	02/14/2012	143.98								
601-494-9400-43810	Electric Utility	143.98	0.00	02/21/2012	Water Tower 2		-		No	0000
51-8126093-5	Total:	143.98								
51-8711719-3	02/14/2012	11.07								
101-430-3160-43810	Street Lighting	11.07	0.00	02/21/2012	Speed Sign Hwy 5		-		No	0000
51-8711719-3	Total:	11.07								
XCEL Total:		9,672.00								
Report Total:		62,747.30								



MAYOR & COUNCIL COMMUNICATION

DATE: 2/21/12
CONSENT
ITEM #: 3
MOTION

AGENDA ITEM: Authorize Signatures for Payment of Funds from the Lake Elmo Bank

SUBMITTED BY: Joe Rigdon, Interim Finance Director

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Carole Luczak, Interim City Clerk

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is respectfully requested to approve Resolution 2012-XX authorizing the Mayor, Acting Mayor, City Administrator and Finance Director as primary and secondary signatures on checks for payment of claims and withdraw funds on deposit with the Lake Elmo Bank.

BACKGROUND INFORMATION: Current City policy requires two signatures on all checks drawn from the Lake Elmo Bank. Please note that the City has no other Checking Accounts at the Lake Elmo Bank or any other financial institution.

STAFF REPORT: The City has historically utilized two members from the City Council to sign checks drawn from the Lake Elmo Bank. Staff has reviewed this practice with the Auditor and League of Minnesota Cities Financial personnel and has determined that a policy of utilizing one signature from an elected official and one from an appointed Staff member creates an additional degree of fiduciary "checks and balances" for funds withdraw from the bank.

RECOMMENDATION: Based upon the above background information and staff report, it is recommended that the City Council approve Resolution No. 2012-XX by undertaking the following action:

"Move to approve Resolution No. 2012-XX Authorizing the Mayor and City Administrator as Primary Signatures and Acting Mayor and Finance Director as secondary signatures for all payments of money and withdraw funds on deposit with the Lake Elmo Bank."

ATTACHMENTS:

1. Resolution 2012-XX

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation City Administrator
- Questions from Council to Staff Mayor Facilitates
- Public Input, if Appropriate Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION NO. 2012-XX

A Resolution Authorizing Signatures for Payment of Funds from the Lake Elmo Bank

WHEREAS, on February 21, 2012, the City designated the Lake Elmo Bank as one of the official depository for funds of the City of Lake Elmo; and

NOW, THEREFORE, BE IT RESOLVED, the Lake Elmo City Council hereby approves the following:

1. The Mayor and City Administrator shall be primary signatures on all checks and order for payments and withdraw funds on deposit with the Lake Elmo Bank.
2. The Deputy Mayor and Finance Director shall be the secondary signatures on all checks and order for payments and withdraw funds on deposits with the Lake Elmo Bank, in the event absence of one of the primary signatures or an urgent special check is required.
3. Current Mayor Dean A. Johnston, Acting Mayor Brett Emmons, and City Administrator Dean A. Zuleger will serve in these capacities. Facsimile signatures may be used to all sign all checks and orders for payment of money and withdraw funds on deposit with the Lake Elmo Bank.
4. This Resolution shall continue to be in effect until modified by the City Council and express written notice of its rescission or modification has been received and recorded by the Lake Elmo Bank.

ADOPTED, by the Lake Elmo City Council this 21st day of February, 2012.

Date: February 21, 2012

CITY OF LAKE ELMO

By: _____
Dean A. Johnston
Mayor

ATTEST:

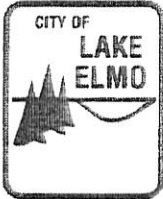
Dean A. Zuleger
City Administrator

(Seal)

Carole Luczak
Interim City Clerk

I hereby certify that the foregoing Resolution is a true and correct copy of a resolution presented to and adopted by the Council of the City of Lake Elmo at a duly authorized meeting thereof held on 8th day of February, 2012, as shown by the minutes of said meeting in my possession.

CERTIFICATION



MAYOR & COUNCIL COMMUNICATION

DATE: 2/21/12
REGULAR
ITEM #: 4
MOTION

AGENDA ITEM: Planning Commission: Appointment

SUBMITTED BY: Carole Luczak, Interim City Clerk

REVIEWED BY: Dean A. Zuleger, City Administrator

SUMMARY AND ACTION REQUESTED: Pursuant to City Council direction, the City Council is respectfully requested to consider appointing a Second Alternate to the Planning Commission, as per City Code §32.027. The recommended motion to undertake this action is:

SUGGESTED MOTION: *“Move to appoint _____ as Second Alternate to the Planning Commission, as discussed and agreed to at tonight’s City Council meeting.”*

BACKGROUND INFORMATION: Due to recent changes in the Planning Commission, there is currently an opening for a Second Alternate. The City has one application on file for the opening, which the City Council has interviewed today.

RECOMMENDATION: Based upon the above background information, it is recommended that the City Council appoint one applicant to fill the opening, by undertaking the following action:

“Move to appoint _____ as Second Alternate to the Planning Commission, as discussed and agreed to at tonight’s City Council meeting.”

ATTACHMENTS:

1. Planning Commission Application
2. Lake Elmo City Code §32.027

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation City Administrator
- Questions from Council to Staff Mayor Facilitates
- Public Input, if Appropriate Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, Minnesota 55042
651.777.5510 Fax 777.9615

JAN 18 2012

JAN 18 2012

APPLICATION FOR PLANNING COMMISSION APPOINTMENTS

Date: 9 / 1 / 2011

Name Justin Bloyer

Address 8881 Jane Rd N

Phone Number W) 651.334.9721 H) 651.777.7944

1. What do you consider to be the major planning and development issues confronting the City of Lake Elmo? The development of the town to conform with the met council's requirement for 2014 and beyond.
2. What do you see as the role and function of the Planning Commission?
To provide information and guidance to the council regarding all macro planing and building decisions within the city.
3. What experience and qualifications do you have that you feel will contribute to the Planning Commission's work and which will enable you to provide a service in this regard?
I have lived in Lake Elmo most of my life so I know what the desired feel of the city should be keeping in mind the required changes ahead.
Please contact me for an in depth discussion on my background.
4. How much time do you have, or are you willing to devote to Planning Commission activities?
My work schedule is very flexible.
5. What property or development interest, either direct or indirect, do you have within Lake Elmo?
Only my personal home.

Please complete and return to the City Office

§ 32.027 COMPOSITION.

(A) *Generally.* The Planning Commission shall consist of 7 voting members and 2 non-voting alternate members. The voting members shall be appointed for a 3-year term so that only 1/3 of the appointments will expire on December 31 of each year. Voting members may not serve more than 2 consecutive terms. Appointment to an additional term(s) will be considered with the available applicant pool. Alternate members shall be appointed to serve until there is a vacancy on the Planning Commission. The City Council shall appoint a first alternate and a second alternate who shall become voting members in the order of their appointment upon a vacancy on the Commission.

(1997 Code, § 210.03) (Am. Ord. 97-96, passed 1-15-2002; Am. Ord. 97-147, passed 2-15-2005; Am. Ord. 97-200, passed 11-5-2007; Am. Ord. 08-046, passed 6-21-2011)

(B) *Special appointments.*

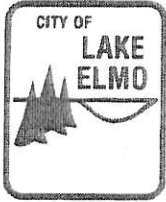
(1) At the discretion of the City Council, up to 5 additional appointments can be made to the Planning Commission, for each special project, including but not limited to Environmental Management, Maintenance Advisory, and the Old Village, to assist with special projects currently in process, or directed by the City Council to be studied, drafted, and completed.

(2) The term of the special appointments shall expire 2 years from the date of appointment, or upon completion of the special project, whichever is first. Any special appointee may request reappointment if the specific project is not completed in that time.

(3) (a) Special project appointees shall have full voting privileges only on issues specifically related to the special project.

(b) Full voting privileges for the regular Planning Commission shall remain consistent with this section.

(Ord. 97-67, passed 1-2-2001; Am. Ord. 97-70, passed 1-16-2001)



MAYOR & COUNCIL COMMUNICATION

DATE: 2/21/2012
CONSENT
ITEM #: 5
MOTION *Resolution # 2012-xxx*

AGENDA ITEM: Keats Avenue North: MSA Street Improvements – Resolution Requesting a Design Variance from State Aid Operations

SUBMITTED BY: Jack Griffin, City Engineer

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Ryan Stempiski, Assistant City Engineer

SUMMARY AND ACTION REQUESTED: The City Council is respectfully requested to consider adopting Resolution No. 2012-XXX requesting a design variance from State Aid Operations to allow for 11-foot drive lanes (12-foot standard), 5 foot shoulders (6 foot standard), and a recovery zone of 15-feet (30 feet standard) when Keats Avenue North is reconstructed from 47th Street North to Trunk Highway 36. No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

STAFF REPORT: Council approval of the Resolution requesting a design variance from State Aid Operations standards is required as a part of the variance application process. The next quarterly State Aid Variance Committee meeting is scheduled for Thursday, March 22, 2012. In order to have the City's variance request reviewed and considered at this March meeting, the City must submit a fully completed application by March 1, 2012. Therefore staff is requesting the Council to consider approval of this request in order to facilitate the variance application schedule.

Keats Avenue North, from 47th Street North to Trunk highway 36, is a designated Municipal State Aid route within the City of Lake Elmo. It is a rural section roadway with a 24 foot wide bituminous surface and four foot gravel shoulders. The current speed limit is 45 mph. With the pavement surface showing significant distresses indicating subgrade failures, Keats Avenue North is scheduled for reconstruction in 2012.

The Feasibility Report for the Keats Avenue North: MSA Street and Trunk Watermain Improvements was completed and presented to the City Council on February 7, 2012. For the street reconstruction, it is recommended that Keats Avenue North be reconstructed as a 10 ton road using 11 foot driving lanes with four foot paved shoulders and one foot gravel shoulders. The four foot paved shoulders are needed to maintain adequate space to accommodate pedestrian/bicycle use. The reduced driving lane width will serve to keep the final lane/shoulder

section within the current existing road foot print. Staying within the existing foot print will control the construction limits and impacts thereby significantly reducing ditch restoration, driveway and culvert replacement work. In order to utilize Municipal State Aid Funding a variance request will need to be approved to reduce the lane width, shoulder width and recovery area from State Aid Operations standards.

RECOMMENDATION: Based upon the above staff report, the City Council is respectfully requested to consider adopting, *as part of the Consent Agenda*, Resolution No. 2012-XXX requesting a design variance from State Aid Operations to allow for 11-foot drive lanes (12-foot standard), 5 foot shoulders (6 foot standard), and a recovery zone of 15-foot when Keats Avenue North is reconstructed from 47th Street North to Trunk Highway 36.

Alternatively, the City Council does have the authority to remove this item from the *Consent Agenda*, table this item for future consideration, or further discuss, deliberate and/or, if appropriate, amend the recommended motion prior to taking action. If the latter is done so, the appropriate action of the Council following such discussion would be:

“Move to adopt Resolution No. 2012-XX requesting a design variance from State Aid Operations to allow for 11-foot drive lanes (12-foot standard), 5 foot shoulders (6 foot standard), and a recovery zone of 15-foot (30 feet standard) when Keats Avenue North is reconstructed from 47th Street North to Trunk Highway 36
[and as amended and/or modified at tonight’s meeting].”

ATTACHMENTS:

1. Resolution No. 2012-XXX

SUGGESTED ORDER OF BUSINESS (if removed from the Consent Agenda):

- Questions from Council to Staff..... Mayor Facilitates
- Call for Motion..... Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

**CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA**

RESOLUTION NO. 2012-XXX

**A RESOLUTION REQUESTING A DESIGN VARIANCE FROM
STANDARDS FOR STATE AID OPERATIONS FOR
KEATS AVENUE NORTH MSA STREET IMPROVEMENTS
STATE AID PROJECT XXX-XXX-XXX**

WHEREAS, the City of Lake Elmo is preparing plans for State Aid Project XXX-XXX-XXX, the reconstruction of Keats Avenue North, from 47th Street North to Trunk Highway 36, a Municipal State Aid designated roadway; and

WHEREAS, Minnesota Rules for State Aid Operation 8820.9920 require 12-foot lane widths, 6 foot shoulders, and a 30 foot recovery area, for MSAS Rural Reconstruction Projects with projected ADT greater than 1,500; and

WHEREAS, Minnesota Rules for State Aid Operation 8820.3300 provides that a political subdivision may request a variance from the Rules; and

WHEREAS, the City is requesting design variances from standard to allow for 11-foot lane widths, 5 foot shoulders, and a 15 foot recovery area to allow for a more context sensitive roadway; that better fits the roadway within the limitations and constraints of its adjacent terrain; avoids significant project cost increases that would be required to retrofit the roadway drainage system, in-slopes, and back slopes for the added recovery area; and avoid significant additional costs for right-of-way acquisition.

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby requests a design variance from the Minnesota Department of Transportation State Aid Operations Rules Chapter 8820.9920 (Minimum Design Standards; Rural and Suburban Undivided; New or Reconstruction Projects) to allow 11-foot lane widths, 5 foot shoulders, and a 15 foot recovery area in lieu of 12-foot lane widths, 6 foot shoulders, and a 30 foot recovery area;

BE IT FURTHER RESOLVED, that City Council hereby indemnifies, saves and holds harmless the State of Minnesota and its agents and employees of and from claims, demands, actions, or causes of action arising out of or by reason of the granting of the variance. The City further agrees to defend at its sole cost and expense any action or proceeding commenced for the purpose of asserting any claim arising as a result of the granting this variance.

(Seal)

Carole Luczak
City Clerk

I hereby certify that the foregoing Resolution is a true and correct copy of a resolution presented to and adopted by the Council of the City of Lake Elmo at a duly authorized meeting thereof held on 21st day of February, 2012, as shown by the minutes of said meeting in my possession.

CERTIFICATION

Dean A. Zulieger
City Administrator

ATTEST:

By: Dean A. Johnston
Mayor

Date: _____, 2012
CITY OF LAKE ELMO



MAYOR & COUNCIL COMMUNICATION

DATE: February 17, 2012

REGULAR

ITEM #: #6

MOTION / \$\$ Fiscal Impact

AGENDA ITEM: MDNR Watershed Grant

SUBMITTED BY: Justin Bloyer, President, Tri-Lakes Improvement Association

THROUGH: Dean Johnston, Mayor

REVIEWED BY: Dean Zuleger, City Administrator

SUMMARY AND ACTION REQUESTED: The Lake Elmo Tri-Lakes Association is requesting \$2,000 (40% of anticipated budget) from the City of Lake Elmo for water craft inspections. The \$2,000 represents a matching grant to funds *pledged* by the Valley Branch Watershed District, with an additional 20% or \$1,000 from the MNDNR.

FISCAL IMPACT: \$2,000

**Funding Source: Option A - Undesignated Fund Balance Transfer
Option B – Parkland Dedication Fund**

BACKGROUND INFORMATION: The Lake Elmo Tri-Lakes Association is intending to submit a grant to the MN Department of Natural Resources for watercraft inspections at public boat landings to mitigate the spread of aquatic invasive species, namely zebra mussels, Eurasian milfoil and spiny waterflea. The grant is predicated on a cooperative partnership between the Tri-Lakes Association, the City of Lake Elmo, and the Valley Branch Watershed. Funds will be used to 600 hours of boat landing inspections between Memorial Day and Labor Day. The funds requested are \$5,000, with \$4650 allocated for inspection costs.

STAFF REPORT: The Tri-Lakes are frequented by sportsman for bass fishing and have “catch and release” status. Grant funds will be used at Tri-Lakes public landings to inspect boats with the intention of minimizing the spread of invasive species to Lake Jane, Lake Olson, lake Demontreville, and Lake Elmo. The grant application has multi-stakeholder support and the budget is realistically constructed to expect that execution is highly probable.

The 2012 Budget has no planned contingency or reserve funds for this expenditure and only \$1500 in discretionary funds in the Culture & Recreation (5200) Account. There is however sufficient funds in the Undesignated Fund Balance or the Parkland Dedication Fund to satisfy the matching grant request.

RECOMMENDATION: Based upon the above background information and staff report, it is recommended that the City Council approve matching funds of \$2,000 for the 2012 MNDNR Watercraft Inspection for the mitigation of invasive species in Lake Elmo Lakes from either:

- A. The City of Lake Elmo Undesignated Fund Balance; or
- B. The City of Lake Parkland Dedication Fund

The Staff further recommends that this expenditure of matching funds be contingent on the securing of matching funds from the Valley Branch Watershed District.

ATTACHMENTS:

- 1. Tri-Lakes 2012 Grant Application for Watershed Inspections

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation..... Justin Boyer, President
..... Tri-Lakes Improvement Association
- Questions from Council to Staff..... Mayor Facilitates
- Public Input, if Appropriate..... Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates



2012 Grant Application for Watercraft Inspections

Application Procedure

Applications are due by **Wednesday, February 15th, 2012**. They must be received on this day by mail, email, or fax. E-mail submissions are encouraged. You may also hand deliver your application on or before February 15th during normal business hours (8:00 a.m. - 4:30 p.m., Monday – Friday).

You will be notified when your application is received. If you do not receive a notification, please contact Wendy Crowell (651-259-5085).

Submit applications to: Wendy Crowell, MN Department of Natural Resources, 500 Lafayette Rd, Box 25, St Paul MN 55155 wendy.crowell@state.mn.us

On February 16th, 2012 the name and address of all applicants, and the amounts requested become public. All other data is nonpublic until the negotiation of the grant agreement(s) with the selected grantees is completed. After the application review process is completed, all data (except trade secret data) becomes public. Data created during the evaluation process is nonpublic until the negotiation of the grant agreements with the selected grantees is completed.

Project Title **Tri-Lakes watercraft inspection project** _____

Lead Organization **Tri-Lakes Improvement Association** _____

County where project will occur **Washington** _____

Project Lead – Name/Title **Justin Bloyer, President of Tri Lakes Improvement Assn** _____

Address **8881 Jane Road North** _____

City **Lake Elmo** _____ State **MN** _____ ZIP **55042** _____

Phone **651-334-9721** _____ other phone _____

E-mail **jwbloyer@aol.com** _____

Partner Organization **Lake Demontreville/Olson Homeowners Assn** _____

Name/Title **Roger Johnson, President of Lake Demontreville/Olson Assn** _____

Address **8048 Hill Trail North** _____

City **Lake Elmo** _____ State **MN** _____ ZIP **55042** _____

Phone **651-777-7766** _____ E-mail **rocan1@comcast.net** _____

1. Name Valley Branch Watershed District		Title David Bucheck, President	Organization VBWD Board
Address P.O. Box 838, Lake Elmo, 55042			
Telephone 651-770-1730		Email djbucheck@yahoo.com	
2. Name City of Lake Elmo		Title Dean Johnston, Mayor	Organization City Council
Address 3800 Laverne Avenue North, Lake Elmo, Minnesota 55042			
Telephone 651-777-5510		Email deanjohnston@comcast.net	

Additional Project Partners:

Please list any other project partners that will help fund this project.

Partner Organization Lake Elmo Homeowners Assn
 Name/Title Wendy Griffin, President of Lake Elmo Assn
 Address 2835 Lake Elmo Ave N.
 City Lake Elmo
 State MN ZIP 55042
 Phone 651-777-7356
 E-mail wgriff@mnwdc.org

Partner Organization Lake Jane Homeowners Assn
 Name/Title John Hamerly, President of Lake Jane Homeowners Assn
 Address 9429 Jane Road North
 City Lake Elmo
 State MN ZIP 55042
 Phone 651-235-4060
 E-mail johnhamerly@comcast.net

Project Description

Lake name(s) where inspections will occur. Include specific accesses on lakes if desired:

Lake: Demontreville & Olson

Accesses: Public Landing on West shore of Lake Demontreville

Lake: Jane

Accesses: Public Landing on South shore

Lake: Elmo

Accesses: Public Landing on West shore in Lake Elmo Park Preserve Park

Proposed start and end dates for the inspections:

Start date: May 26, 2012

End date: September 1, 2012

The maximum amount of inspection hours available is 1,000

Amount of Requested Inspection Hours:

600 inspection hours are requested with the financial responsibility not to exceed \$4650.

$$(600\text{hrs}/2 = 300 \text{ hrs@ } \$15.50 = \$4650)\underline{\hspace{2cm}}$$

Proposed timing of inspections: *How many hours per week? Other specifics on their desired schedules.*

Our priority is to have inspections on all 13 weekends from May 26 to September 3 as well as the July 4 and Labor day holiday. These are the peak use times when all parking spaces at the landing are generally filled. Some off-peak weekday inspections could also be scheduled. The proposed inspection times are shown below.

13 Saturdays	x 6 hrs = 78 hrs/access	x 3 lakes = 234 hrs
13 Sundays	x 6 hrs = 78 hrs/access	x 3 lakes = 234 hrs
July 4 th	x 4 hrs = 4 hrs/access	x 3 lakes = 12 hrs
Labor day Sept 3	x 4 hrs = 4 hrs/access	x 3 lakes = 12 hrs
9 Random weekdays	x 4 hrs = 36 hrs/access	x 3 lakes = 108 hrs
<hr/>		
Total hours	= 200 hrs/access	x 3 lakes = 600 hrs/ total

This is a cooperative hiring program for DNR watercraft access inspectors at proposed water accesses. By submitting this application you are agreeing to pay the DNR \$15.50 per hour for half of the inspection hours you have requested. If the DNR is unable to provide the entire amount of hours requested then you will only be responsible for paying \$15.50 per hour for **half** of the inspection hours that were actually done.

Describe the local need for the watercraft inspections.
Please describe how your proposed watercraft inspections meet the grant criteria listed in the announcement.

Lake Jane, Demontrville/Olson, and Elmo are very popular east metro Bass fishing lakes which have special "Catch and Release" restrictions. Lake Elmo and Demontrville are already infested with Eurasian milfoil. The public access locations for these lakes are often filled to capacity. Lake Demontrville access has 21 parking stalls, Lake Jane has 8 stalls, and Lake Elmo has 25 stalls. Prior Lake and Lake Minnetonka are popular west metro area Bass fishing destinations which are already infested with Zebra Mussels. Fishermen and some recreational boaters who visit those west metro lakes also use our east metro lakes which pose a potential threat of zebra mussel contamination.

Fishermen and some recreational boaters who visit Lake Jane, Demontrville/Olson, and Elmo may also use Silver Lake, White Bear Lake, Bald Eagle Lake, and the St Croix River which are all located within 10 miles. These and many other metro waterways are already infested with Eurasian milfoil. And, the St. Croix River also has Zebra Mussels.

The intent of this project is to reduce the possibility of Zebra Mussel introduction to Lake Jane, Demontrville/Olson and Elmo and to protect against any additional contamination of Eurasian milfoil from other waters. It will also protect nearby lakes from any Eurasian milfoil being carried to other lakes from Lake Demontrville and Lake Elmo.

Lake Jane, Demontrville/Olson, and Elmo are connected via the Valley Branch Watershed and are all located within the City of Lake Elmo, in Washington County. In addition to funding by the lakeshore home-owners associations of each lake, this project is also supported and funded by the Valley Branch Watershed District, the City of Lake Elmo, and the Tri Lakes Improvement Assn which is a community improvement organization serving the City of Lake Elmo's NW quadrant. The Tri Lakes Improvement Assn is the coordinating body for this project.

Criteria 1. Waters known to be popular destinations for boaters leaving spiny waterflea or zebra mussel infested waters:

Our lakes are designated "Catch and Release" Bass lakes which make them very popular among avid Bass fishermen. The St Croix River, Prior Lake, and Lake Minnetonka are also popular Bass fishing destinations and are already infested with Zebra Mussels. Fishermen and some recreational boaters who visit those waters also use our lakes and therefore pose a potential threat of zebra mussel contamination.

Criteria 2. High-use water accesses; based on the number of parking spaces and past watercraft inspector observations.

Lake Demontreville access has 21 parking stalls, Lake Jane has 8 stalls, and Lake Elmo has 25 stalls.

Lake Demontreville and Lake Elmo had DNR sponsored watercraft inspections in prior years. They are both scheduled for increased DNR inspections for 2012. This grant proposal is intended to initiate Lake Jane inspections and to add more inspection hours to those already scheduled by the DNR at the Lake Demontreville and Lake Elmo landings.

Criteria 3. Waters located in high-use or popular traveler destination areas

Lake Jane, Demontreville/Olson, and Elmo are very popular east metro lakes. Their public access locations are often filled to capacity.

Criteria 4. Water accesses near, or on, zebra mussels and/or spiny waterflea infested waters;

St. Croix River accesses in Stillwater and Bayport are within 10 miles of our lakes.

Criteria 5. Waters near or infested with other invasives species (besides zebra mussels or spiny waterfleas)

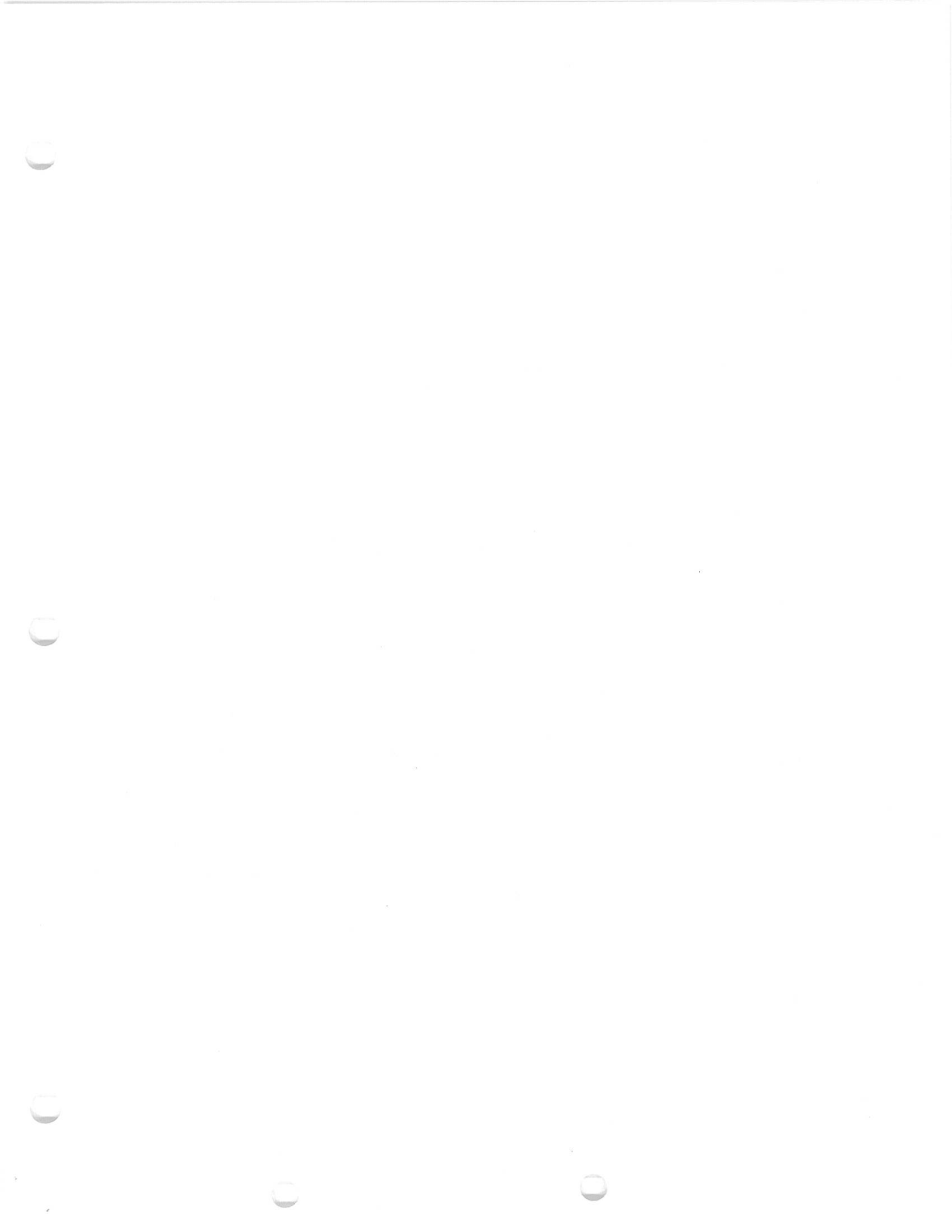
Mille Lac Lake is the nearest Spiny Waterflea infested water.

Criteria 6. Water accesses that are on one waterbody or on several waterbodies that are close together (approximately 10 miles apart), so that one inspector can cover the entire project area;

The accesses for Lake Demontreville/Olson and Lake Elmo are within a 5 mile radius of the Lake Jane access.

Please add any other information about this project you think is relevant

See above description of project.





MAYOR & COUNCIL COMMUNICATION

DATE: February 16, 2012

REGULAR

ITEM #: 7

Discussion: **MOTION**

AGENDA ITEM: Property / Building for the Lake Elmo Library

SUBMITTED BY: Dean Zuleger, Administrator

THROUGH: Dean Zuleger, Administrator

REVIEWED BY: Mary Cummings, Library Consultant

SUMMARY AND ACTION REQUESTED: The City Council is respectfully requested to consider constructing an offer to purchase certain properties for the purpose of housing a community-sponsored library.

BACKGROUND INFORMATION: After a series of events dating back to 2003, the City of Lake Elmo approved a resolution (July 19, 2011 – Res. 2011-029) establishing a Municipal Library. Subsequently, a statutorily-affirmed Library Board has been formed and been performing due diligence on the creation of policies, operating procedures, and logistics including the acquisition of appropriate infrastructure to house a Municipal Library. In this course (while operating out of a temporary facility), the Library Board has determined through spatial analysis the minimum square footage to accommodate the immediate and future needs of Library operations that include, but are not limited to, book inventory and display, public accommodations, parking, and administration. Initially, the Library Board focused their attention on what is commonly known as the “Lee Building” – which had housed the former Washington County Rosalie E. Wahl Library. As a result of a book donation drive and modification in the scope of services, the Library Board concluded that a larger facility may be needed. Other sites were considered, but not entertained based on City / Library Board sentiment that the establishment of a Municipal Library could serve as a development catalyst in the traditional downtown of Lake Elmo (“Old Village”).

During this same time, another building, commonly known as the “Clock Building” became available due to foreclosure. It was determined by the Library Board that this building met the minimum specifications needed for desired library operations and that due diligence should be performed to determine suitability. This due diligence included a property condition report completed by Partner Engineering & Science (January, 2012), a utilization design (DeLapp, February 2012), and an informal real estate market assessment (Welsh Colliers, February 2012) that included a discovery of a recent appraisal that determined a current building value.

At the end of the due diligence process, a building appraisal at \$249,000 and necessary repairs of \$182,000 noted a potential summary of costs for the "Clock Building" at a total of \$431,600. On January 11, 2011, the Library Board unanimously approved the following motion:

"Based on the current information, the Lake Elmo Library Board requests the lake Elmo City Council to proceed with the purchase of the "Clock Building" at 3537 Lake Elmo Avenue North".

At the January 17, 2011 Council Meeting, the consensus of the Library Board was communicated to the Council. After an ensuing discussion on the purchase of a building, possible alternatives, and action in a timely manner, the Council determined that the issue **required additional input from residents** and authorized by a 5-0 vote to hold a public comment period at the February 8, 2012 Council Meeting. The Council then entered into closed session for the purposes of negotiations (MN State Stats. 13 D. 05 (3) (C)). The Council voted 4-1 (Smith = nay) to engage the services of Welsh Colliers Companies for acquisition of property for the library.

During the interim period between January 17, 2012 and February 8, 2012 Council Meetings, City staff began to assemble financial data and funding options for the purchase of a library building. These options included conventional bonding, an internal loan from the City to the Library Board using unspent borrowed proceeds (2004A G.O. Bonds), lease option to purchase and lease only. This analysis did not focus on a specific site.

On February 8, 2012 the Library Board determined that they were comfortable with the City exploring the internal loan option with an understanding that this financing would require use of the available library levy (approx. \$261,000 per annum) for remediation and repair on a "pay as you go" basis. At the February 8, 2012 City Council meeting a public comment session was held on the topic of purchasing a library building. At this meeting (4) residents spoke against the purchase (inc. correspondence read into the record) and (4) Library Board members / spouses spoke in favor of the purchase. The City Council directed staff to evaluate (4) options for building acquisition: bonding, internal loan, lease option to buy and leasing. The direction tacitly focused the evaluation on two sites: the "Clock Building" and the "Lee Building".

On February 15, 2012 the Library Board reaffirmed their preference for the "Clock Building" - 3537 Lake Elmo Avenue North, citing superior suitability and space for current and planned library operations.

STAFF REPORT:

At the direction of the Council, City staff has evaluated the four distinct options for the acquisition of building space for the Municipal Library. At the advice of legal counsel the financial specifics of each option will be discussed in closed session at the February 21, 2012 Council Meeting to allow the policy-making body to determine a negotiation strategy that will represent the best fiduciary course of acquisition and protect taxpayer's interest. Welsh Colliers (by report), Mary Cumming (Library Consultant) and Dave Snyder, Lake Elmo City Attorney have been invited to provide a full spectrum of knowledge and expertise as to the best purchase

option. However, there are some general comments regarding the purchase that can be discussed at this time.

Key to any of the building space options considered is the impact on the ability of the Library Board to conduct successful operations when transitioning from the Art Center to a new facility. The Library Board has preliminarily budgeted \$250,380 of the \$261,000 of available library levy for operations with \$9,632 in a contingency / reserve fund.

The **bonding option** was developed with a “turn-key” approach to purchase and repair of a facility that only allocates library levy use for debt service over the life of the bond (10 Years), however financing / issuance costs could be substantial based on the purchase price and will have an impact on the City’s debt ratio. The **internal loan option** (with a four-year accelerated payback to the City) would require that a certain portion of the library levy be used for debt service and “pay as you go” incremental repairs that could limit fund availability during the infancy of operation. This option will push back a variety of smaller, non-critical capital improvement projects planned by the City of Lake Elmo. The **lease to purchase option** (with a % of the lease payment applicable to purchase) provides a certain equity position and allows for flexibility to determine suitability for operation without the responsibility for long-term repairs. This option is structured using a 20 year amortization and a 5 year balloon payment. The **lease option** offers no equity position but creates a fixed annual building expense and the flexibility to move the site based on library success / failure. A financial analysis will be presented in closed session so as to not compromise the City of Lake Elmo’s real estate bargaining position, but in general terms, the impact on the annual library levy for building expense range from 9-28% of the overall available funds.

RECOMMENDATION: Based upon the above background information and staff report, it is recommended that the City Council convene to close session to discuss funding and negotiating options for the purchase / lease of a building for use as a Municipal Library and that this close session focus on four policy issues:

1. Practical affordability for both the Library Board and City of Lake Elmo;
2. Short and Long-Term Effects on the City of Lake Elmo’s Financial Position;
3. The Selected Option’s Impact on the Library’s Board Operational Functionality;
4. Financial and Asset Management Contingences Based on the Success of the Library.

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation.....City Administrator
- Questions from Council to Staff.....Mayor Facilitates
- Public Input, if AppropriateMayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion.....Mayor Facilitates

