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an Johnston
ouncil members:
Rita Conlin
Steve DeLapp
Liz Johnson
Anne Smith

Lake Elmo City Council

Tuesday

September 20, 2005

3800 Laverne Avenue No.
Lake Elmo, MN 55042
777-5510 777-9615 (fax)

Please read:

Since the City Council does not have time to discuss every point presented, it may appear that decisions are preconceived. However, staff provides background information to the City Council on each agenda item in advance; and decisions are based on this information and experience. In addition, some items may have been discussed at previous council meetings.

If you are aware of information that has not been discussed, please fill out a "Request to Appear Before the City Council form; or, if you came late, raise your hand to be recognized. Comments that are pertinent are appreciated. Items may be continued to a future meeting if additional time is needed before a decision can be made.

Agenda

City Council Meeting Convenes 7:00 PM

Pledge of Allegiance

1. Agenda

2. Minutes:

July 5, 2005, September 6, 2005

3. PUBLIC INQUIRIES/INFORMATIONAL:

A. PUBLIC INQUIRIES:

B. PUBLIC INFORMATIONAL:

Public Inquiries/Informational is an opportunity for citizens to bring the Council's attention any items not currently on the agenda. In addressing the Council, please state your name and address for the record, and a brief summary of the specific item being addressed to the Council. To allow adequate time for each person wishing to address the Council, we ask that individuals limit their comments to three (3) minutes. Written documents may be distributed to the Council prior to the meeting or as bench copies, to allow a more timely presentation.

4. CONSENT AGENDA

A. Resolution No. 2005-097: Approving claims

B. Resolution No. 2005-098: Partial Payment No. 3 for Water System Interconnect - Phase I

Those items listed under the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion under a Consent Calendar format. There will be no separate discussion of these items unless a Council member so requests, in which event, the item will be removed from the general order of business and considered separately in its normal sequence on the agenda.

5. FINANCE

A. Monthly Operating Report

6. NEW BUSINESS

7. MAINTENANCE/PARK/FIRE/BUILDING:

A. Fire Department: Appoint Doug Pepin and Brad Winkels as District Fire Chiefs

B. Update on Building Dept. Activities: Jim McNamara

<p>8. CITY ENGINEER'S REPORT:</p> <p>A. Update: Confirmation of Sessing Drainfield Size</p> <p>B. Resolution No. 2005-99: Award Bids for Public Works Facility</p> <p>C. Resolution No. 2005-100: Award Bid for Water System Interconnect – Phase III</p> <p>D. Resolution No. 2005-101: Award Bid for Hilltop Avenue Project</p>	<p>Tom Prew</p>	
<p>9. PLANNING, LAND USE & ZONING:</p> <p>A. Deer Glen Amended OP Concept Plan: Resolution No. 2005-102</p> <p>B. CDBG – Contract for Services</p>	<p>C. Dillerud</p>	
<p>10. CITY ATTORNEY'S REPORT:</p> <p>A.</p>		
<p>11. CITY ADMINISTRATOR'S REPORT:</p> <p>A. Extending Public Water Supply-3M</p>		
<p>12. CITY COUNCIL REPORTS:</p> <p>A. Mayor Johnston</p> <p>B. Council Member Conlin</p> <p>C. Council Member DeLapp: Notification for Council Committee Meetings</p> <p>D. Council Member Johnson</p> <p>E. Council Member Smith</p>		

LAKE ELMO CITY COUNCIL MINUTES

JULY 5, 2005

1. AGENDA
2. MINUTES: June 21, 2005
3. PUBLIC INQUIRIES/INFORMATIONAL:
 - A. Public Inquiries:
 - B. Public Informational
4. CONSENT AGENDA:
 - A. (1) Resolution No. 2005-068: Approving Claims
(2) Resolution No. 2005-069: Approving Claims
 - B. Feasibility Report for Water Systems Interconnect; Supplemental Authorization No. 1 for Professional Services
 - C. Phase II Construction – Extension of Completion Date
5. FINANCE
6. NEW BUSINESS:
 - A. Xcel Fly Ash Committee: Add two alternates – Mayor Johnston
7. MAINTENANCE/PARK/FIRE/BUILDING:
 - A. Parks Department: Washington County Cooperative Deer Hunt
 - B. Fire Department Report and Job Description – Verbal
8. CITY ENGINEER'S REPORT:
 - A. Resolution No. 2005-070: Feasibility Report for Hilltop
9. PLANNING, LAND USE & ZONING:
 - A. Farms of Lake Elmo: OP Stage Plan/Preliminary Plat, Conditional Use Permit; Resolution No. 2005-071
 - B. Request for Safety Street Light: Tapestry Project
 - C. Lake Elmo Development Company OP Concept – Bergman, Resolution No. 2005-072 – TABLED until July 19th
 - D. Village Area Master Planner
10. CITY ATTORNEY'S REPORT:
 - A. Legislative, Finance, Legal, Personnel Committee Report – Sessing/Ziertman
11. CITY ADMINISTRATOR'S REPORT:
 - A. Library – Mayor to discuss possible action.
 - B. Calendar for Comprehensive Plan
12. CITY COUNCIL REPORTS:

Mayor Johnston called the Council meeting to order at 7:00 p.m. in the Council chambers. PRESENT: Conlin, Smith, Johnston, Johnson, DeLapp, City Engineer Prew, City Attorney Filla, Fire Chief Malmquist, Public Works Supervisor Mike Bouthilet, Finance Director Tom Bouthilet, and City Administrator Rafferty.

1. AGENDA

Remove 9B. per the request of the developer.

M/S/P Smith/Johnson- to approve the July 5, 2005 City Council as amended. (Motion passed 5-0.)

2. **MINUTES:** June 21, 2005

M/S/P Conlin/Johnson - to approve the June 21, 2005 City Council minutes, as amended. (Motion passed 5-0).

3. **PUBLIC INQUIRIES/INFORMATIONAL:**

A. Public Inquiries:

Bob Johnson, 10327 47th Street N., asked if the City would blacktop the rest of 50th Street and Kimbro Avenue. The City Engineer responded this road construction is forecasted for 2009.

B. Public Informational

4. **CONSENT AGENDA:**

A. (1) Resolution No. 2005-068: Approving Claims

M/S/P Smith/DeLapp - to adopt Resolution No. 2005-068, A Resolution Approving Claim Numbers 265, 266, 267, DD453 through DD462, 27522 through 27539, which were used for Staff Payroll dated June 23, 2005 claims 27540 through 27576, in the total amount of \$228,960.58. (Motion passed 5-0).

(2) Resolution No. 2005-069: Approving Claims

M/S/P Smith/DeLapp - to adopt Resolution No. 2005-069, A Resolution Approving Claims Number 27577 in the total amount of \$270.00. (Motion passed 4-0-1: Johnson reclude herself for personal issues.)

B. Feasibility Report for Water Systems Interconnect; Supplemental Authorization No. 1 for Professional Services

M/S/P Smith/DeLapp - to authorize the City Administrator to sign the Supplemental Authorization No. 1, Feasibility Report for Water Systems Interconnect which reflects compensation of \$60,000 for this Supplemental Authorization No. 1 added to the original authorized amount of \$18,000. (Motion passed 5-0).

C. Phase II Construction - Extension of Completion Date

In his memo dated June 30, 2005, the City Engineer reported the contractor for Phase II work is requesting an extension of the completion date for the project from August 1, 2005 to September 1, 2005. This is an extension request due to the wet weather we have been experiencing. The City Engineer recommended the City process a Change Order to extend the completion date to September 1, 2005 which will allow the contractor an adequate amount of time to safely complete the Project.

M/S/P Smith/DeLapp – to approve the extension of the completion date from August 1, 2005 to September 1, 2005 for the Phase II Construction, per the City Engineer's recommendation. (Motion passed 5-0).

5. **FINANCE**

6. **NEW BUSINESS:**

A. **Xcel Fly Ash Committee: Add two alternates – Mayor Johnston**

Mayor Johnston suggested that the Council add two alternates to the Xcel Fly Ash Committee. Mayor Johnston, Council members Johnson and Smith indicated their interest to serve on this committee and would attend the last three Wednesday meetings.

M/S/P Johnston/Conlin – to appoint Anne Smith and Liz Johnson, as committee members and Mayor Johnston as an alternate member. There will be a meeting notice of a possible quorum of the council attending next three Fly Ash meetings. (Motion passed 5-0.)

7. **MAINTENANCE/PARK/FIRE/BUILDING:**

A. **Parks Department: Washington County Cooperative Deer Hunt**

M/S/P Smith/Johnson - to authorize an antlerless only deer hunt in Sunfish Park in cooperation with Washington County for two weekends during deer hunting season in the Fall of 2005, per the recommendation of the Public Works Supervisor. (Motion passed 5-0).

B. **Fire Department Report and Job Description – Verbal**

The Administrator summarized Ordinance 97-141, adopted by the City Council, defines the positions, how those positions would report and the selection process. There is a clarification of job descriptions and duties of the chief and captains. The City will be advertising for a district chief and captains.

Fire Chief Malmquist reported the four new recruits, Richard Myran, Marie Duffert, Maurice "Mo" Butler and Ty Jacobson, have met the requirements to be probationary members

M/S/P Johnson/Conlin – to approve the appointment of Richard Myran, Marie Duffert, Maurice "Mo" Butler and Ty Jacobson, as probationary members on the Fire Department, per the recommendation of Fire Chief Malmquist. (Motion passed 5-0.)

8. **CITY ENGINEER'S REPORT:**

A. **Resolution No. 2005-070: Feasibility Report for Hilltop**

The City Engineer presented the Council the Feasibility Report for 2005 Street Repairs, Hilltop Avenue.

M/S/P DeLapp/Johnson - to adopt Resolution No. 2005-070, A Resolution Receiving the Feasibility Report and calling a Hearing on August 2nd on Street Repairs for Hilltop Avenue. (Motion passed 5-0).

9. PLANNING, LAND USE & ZONING:

A. Farms of Lake Elmo: OP Stage Plan/Preliminary Plat, Conditional Use Permit: Resolution No. 2005-071

The City Planner reported the Planning Commission adopted a recommendation to approve the OP Development Stage Plan, OP Conditional Use Permit and Preliminary Plat of the "Farms of Lake Elmo". The Plan designates 30 SFD lots, but also designated three outlots that could become SFD lots should the OP ordinance be amended in the future from 0.40 to 0.45 dwelling units per buildable acre. The calculations and mapping regarding Preserved Open Space must be adjusted to comply with OP ordinance standards as well. In all other respects the Development Stage Plan and Plat reflects the approved Concept Plan and conditions of approval.

The Parks Commission reviewed the Plan and recommended the Public trail link running east/west through the site as consistent with the Trail System Plan. Credit for that trail construction (and easement dedication) as a Public trail will be credited to the Park Dedication calculation of \$143,460.

Tim Freeman, Folz Freeman, Erickson, Inc, provided a memo that addressed the City Engineer's report. The following were items of concern:

Plat – The plat states that a driveway easement thought the Outlot should be platted for the exception parcel in case the property owner wants to abandon their existing driveway. He has had conversations with this property owner, and they like their driveway as it is. The other issue is putting an easement between two of the new homes or behind the new homes is intrusive.

Streets – We strongly disagree with the engineer's assessment of the code requiring concrete curb and gutters. The lot widths in this development make installing concrete curb and gutter cost prohibitive. The City has never required concrete curb and gutter in OP Developments in the past.

M/S/ Johnston/DeLapp - to change concrete curbs to asphalt curbs in the OP developments. Council members Conlin, Smith, and Johnson would like to look at the whole package, not jus OP developments. (Motion Withdrawn)

Council member DeLapp said he didn't like the double road coming into the development and the trail already exceeded the trail requirements.

Mike Bouthilet said there has been preliminary discussion with Washington County who had not made a decision if there would be a trail into the Regional Park. He said it was important to do the segment out to 31st Street and the money would come out of the park dedication requirement.

M/S/P Johnston/Johnston – to approve placing of water stub and easement for water in both cases. (Motion passed 5-0).

Council member DeLapp suggested an amendment to request that the Minnesota Land Trust make a provision to not disallow the property owner to relocate the driveway that might be convenient. (Motion passed 5-0).

M/S/P DeLapp/Johnston – to request that the Minnesota Land Trust make a provision to not disallow the property owner to relocate the driveway that might be more convenient as determined by the property owner. (Motion passed 5-0).

M/S/P Smith, Johnston – to extend trail up to 31st Street to west of Outlot C paid for from the Parks Commission Fund. If Washington County doesn't allow an entrance to the Regional Park, then the trail extension will be eliminated. (Motion passed 5-0).

Council member Conlin asked for a parking lot because she thought it would be safer.

M/S/P Conlin/Johnson - to accept the engineer's recommendation for a parking lot for 5 spaces by the park in the neighborhood. (Motion passed 4-1:Smith.)

M/S/P DeLapp/Johnson - to adopt Resolution No. 2005-071, as amended by previous council actions and staff recommendations for asphalt curbs according to plan, A Resolution Approving the OP Development Stage Plan/CUP and Preliminary Plat of "Farms of Lake Elmo" per plans staff dated June 27 2005, and subject to conditions listed. (Motion passed 5-0).

B. Request for Safety Street Light Tapestry Project: Developer Requested Agenda Item Deleted

C. Lake Elmo Development Company:OP Concept – Bergman, Resolution No. 2005-072 – NOT ADOPTED

Mayor Johnston suggested that this OP Concept Plan be sent to the Parks Commission for their review and comments.

M/S/P Johnston/Johnson – to table the Lake Elmo Development Company OP Concept Plan and send the plan to the Parks Commission for their review. (Motion passed 5-0.)

D. Village Area Master Planner

The Council directed staff to again present the Master lanner RFQ for Council consideration, which was provide. Staff has solicited the interest of Dewey Thorbeck to continue/expand/modify his earlier work as the Village Area Master Planer. The City Planner advised that Mr. Thorbeck could offer the expanded planning/coordination efforts by the City the advantage of intimate knowledge of the current Plan version. The Planner suggested a City Council Workshop be scheduled for the Council to discuss with Mr. Thorbeck what the Council's expectations would be for the Master Planner.

Council member DeLapp said he didn't want to see four landowners coming up with a plan they agreed upon and suggested using Bob Engstrom as the Village Area Master Planner.

Council member Johnson stated because time is short and it is important to share more details, the City should pursue Thorbeck option which would save us a lot of time.

M/S/ Johnson/Smith – to authorize staff to move in the direction of hiring Dewey Thorbeck as the Village Area Master Planner for the process of completing the Village Area Plan.

Council member Smith said Mr. Thorbeck is an architect and said she though the City should use Bob Engstrom who has developed The Fields, a development the City wants.

Mayor Johnston said if we really want a master planner we let six months go by. He said the landowners have indicated they will cooperate and the City is not looking for a master planer that conflict with our plan.

M/S/P Johnson/Johnston - to authorize staff to move forward for request of qualifications and adding in the items of standards, development workshop with developer and a then hold a workshop with the City Council. (Motion passed 5-0.)

10. **CITY ATTORNEY'S REPORT:**

A. Legislative, Finance, Legal, Personnel Committee Report – Sessing/Ziertman
At the Special Committee Meeting of June 30, 2005, members heard additional testimony from both parties and City staff. Mayor Johnston, Committee Chair Johnson and Council Members DeLapp and Smith attend the Special Committee Meeting. The Committee adopted the six recommendations to the City Council regarding these issues/allegations discussed by the Committee. Rod Sessing verbally responded to questions and summarized the history of the scope of activity on his property, 5699 Keats Avenue.

The Council discussed the six recommendations from the FLLP Committee and made the following motions:

M/S/P Johnston/Smith – to approve the action recommended in Item No. 1. The Staff and the City Attorney be directed to proceed with execution of the Building Official's earlier Order to remove the partially complete three sided structure on the Sessing property for which no building permit was obtained, but is required. (Motion passed 5-0).

Attorney Filla noted that Resolution Number 97-37 he referred to was actually Resolution No. 99-37, which laid out the history to use fieldstone. Attorney Filla indicate he sent Attorney Snyder a copy of Resolution No. 99-37.

The Council said once the City knows what the grading issues are; the staff will look at maintenance of the retaining wall. The staff does not have topographic information. M/S/P Johnston/Johnson - to delay Item No. 2 until historic topographic information is submitted for Item No. 3. (Motion passed 5-0).

M/S/P Johnson/Johnston – that staff be directed to research historic topographic information to determine the extent to which the grading of the Sessing property since 1980. has altered natural drainage in violation of the City regulations...delete these last words. (Motion passed)

Rod Sessing handed out a list of 17 businesses in the City where people are allegedly operating a business out of their home.

Jean Anderson, Attorney representing the Sessings, pointed out home occupations have been on the increase in September 11th and the City ordinance is too broad and needs to be amended to support small businesses so people can make a living out of their homes. She suggested placing a moratorium in order to revise the Home Occupation Ordinance to reflect reality.

Attorney Filla explained the City is saying if you are selling products and have an inventory in the house, as stated by Mr. Sessing in his literature he handed out is contrary to the Home Occupation definition. If the City learns of other identical businesses in the City, he would ask the staff to pursue an investigation.

Council member Johnson said she didn't want this to become a witch hunt, but would like to have the Planning Commission work on Home Occupation and then work on compliance.

Mayor Johnston said the Council could delay this for 60 days in order for the Planning Commission to work on home occupation;

Steve Ziertman asked that the City enforce the code as written and proceed with the cease and desist order.

M/S/P Smith/Johnston – it is inappropriate for the Planning Commission to discuss this when we have a comprehensive plan to complete and is asking staff and the City Attorney to proceed with the "Cease and Desist" Order issued by the City regarding the conduct of an illegal home occupation at the Sessing Residence and uphold our code. (Motion passed 4-1:Johnson said she would like the Planning Commission to finish their work so we can deal with all home occupations as one unit.).

M/S/P DeLapp/Conlin – to direct staff with recommendations no. 5 and 6 regarding the size of the principal structure and sizes of accessory structures confirmed relative to code and determine what uses are in there. (Motion passed 5-0.)

11. CITY ADMINISTRATOR'S REPORT:

A. Library – Mayor to discuss possible action.

Mayor Johnson reported he attend the Washington County Board Meeting which they would have answer within 10 to 14 days considering what to do with the library. He said the estimates have come in higher than what was placed in the budget. He will have more information in a week.

B. Calendar for Comprehensive Plan

Council member DeLapp stated he would be out of town on July 11th. He added that the landowners of RAD2 are not happy with the proposal.

Mayor Johnston suggested each council member could submit their input to the Planning Commission by e-mail or to the Administrator by Wednesday.

Council member Conlin asked that the map that was presented at the Planning Commission be sent along with the Planning Commission's rationale.

Council member Smith asked that they also discuss parcels with 3 houses per acre to use some of the sewer.

M/S/P Johnson/Smith - to approve the proposed calendar for the Comprehensive Plan. (Motion passed 4-1: DeLapp would like to submit the Comprehensive Plan the Council would approve and let the Met Council have a chance to accept it.)

12. CITY COUNCIL REPORTS:

Mayor Johnston explained he attended the Washington County workshop with neighboring cities and they have done a marvelous job with their trail plan and water runoff.

Council member thanked everyone, Liz and Steve Johnson, Jeanette Behr, who worked on the 4th of July parade.

The Council adjourns the meeting at 10:40 p.m.

Respectfully submitted by Sharon Lumby, City Clerk

Resolution No. 2005-068 Approving Claims

Resolution No. 2005-069 Approving Claims

Resolution No. 2005-070 Feasibility Report for Hilltop Avenue

Resolution No. 2005-071 Farms of Lake Elmo

LAKE ELMO CITY COUNCIL MINUTES

SEPTEMBER 6, 2005

1. AGENDA
2. Minutes: August 16, 2005
3. PUBLIC INQUIRIES/INFORMATIONAL:
 - A. Public Inquiries
 - B. Public Informational:
 - (1) Deer Hunting Lottery: 6 hunters, 2 alternates
 - (2) Sessing Appeal
 - (3) Community Buckthorn Project
4. CONSENT AGENDA:
 - A. Resolution No. 2005-089: Approving Claims
 - B. Partial Payment Phase I Interconnect Water Main Project – Resolution No. 2005-090 - DELETED
 - C. Partial Payment Phase II Interconnect Water Main Project – Resolution No. 2005-090
5. FINANCE:
 - A. Adoption of Proposed Tax Levy and 2005 Budget – Resolution No 2005-091
 - B. Set Truth n' Taxation Hearing Dates: Resolution No. 2005-092
6. NEW BUSINESS:
 - A. Reschedule September 13th Council Committee Meetings to September 14th
7. MAINTENANCE/PARK/FIRE/BUILDING:
 - A. Fire Dept.: Recommendation to confirm Fire Chief Malmquist Appointment
8. CITY ENGINEER'S REPORT:
 - A. Resolution No. 2005-093: Approve Elevated Storage Tank #2
 - B. Resolution No. 2005-094: Order Assessment Hearing for Hilltop Avenue
9. PLANNING, LAND USE & ZONING:
 - A. Park Meadows – Resolution No. 2005-095: Comprehensive Plan Amendment; Ordinance No. 97-162: Rezoning; Resolution No. 2005-096: Preliminary Plat
 - B. Deer Glen Amended OP Concept Plan: Resolution No 2005- NOT ADOPTED
10. CITY ATTORNEY'S REPORT:
 - A. Litigation Report
11. CITY ADMINISTRATOR'S REPORT:
12. CITY COUNCIL REPORTS:

Mayor Johnston called the meeting to order at 7:00 p.m. in the Council chambers.
PRESENT: Smith, Johnston, Johnson, DeLapp, City Engineer Prew, City Attorney Filla,
Finance Director Tom Bouthilet, City Planner Dillerud and Administrator Rafferty.
ABSENT: Council member Conlin.

1. AGENDA

Delete 4B per the City Engineer.

M/S/P Johnson/DeLapp - to approve the September 6, 2005 City Council agenda, as amended. (Motion passed 4-0).

2. Minutes: August 16, 2005

M/S/P Smith/Johnson - to approve the August 16, 2006 City Council Minutes, as amended. (Motion passed 3-0-1:Abstain:DeLapp).

Minutes: July 5, 2005

The Council received the July 5, 2005 City Council minutes at the meeting.

M/S/P Smith/Johnson - to table the July 5, 2005 City Council minutes until the September 20th Council Meeting. (Motion passed 4-0).

3. PUBLIC INQUIRIES/INFORMATIONAL:

A. Public Inquiries: NONE

B. Public Informational:

1. Deer Hunting Lottery: 6 hunters, 2 alternates

The Council drew names for six hunters and two alternates for the Deer Hunt in Sunfish Park. An informational meeting will be held on November 2, 7 p.m., at Lake Elmo City Hall.

The following names were drawn:

1. Michael Reinhardt, 4690 Lake Elmo Avenue N.
2. Richard Posel, 8969 36th Street
3. Don Pinz, 8309 38th Street N.
4. John Burns, 11140 20th Street
5. David W. Esch, 8032 Hill Trail N.
6. Pat Dean, 8028 Hill Trail N.

Alternates:

1. Steve Chlebech, 9018 31st Street
2. Colin Chlebech, 9018 31st Street

2. Sessing Appeal

By his letter of August 23, 2005, Rod Sessing has appealed the Administrative Determinations/Orders by Zoning Administrator McNamara regarding the property at 5699 Keats Avenue. A copy of Mr. McNamara's Determinations/Orders, Mr. Sessing's appeal letter, and a September 1 letter from Joan and Steve Ziertman regarding this Appeal was provided.

The City Council has the discretion to consider an appeal of Item Nos. 1 and 2 listed in the Building Official's letter of August 16, 2005, but the Council is required to consider the appeal of Item No. 3 pursuant to Section 700.051C (Page 700-3) of the Lake Elmo Municipal Code.

Rod Sessing summarized the installation history of his drainfield and stated there was a preliminary septic as built and a final as built from the same engineering company in the file. He said the City did inspections and never notified him that the septic/drainfield was not in compliance with the code. He noted that the system has been working properly.

City Engineer Prew explained he reviewed both as built that were in the address file and determined there was not enough drainfield to match either of the as built on file. (See Item No. 3 of Jim McNamara's letter of August 16, 2005.)

Rod Sessing, referring to Tom Prew's memo dated August 9, 2005, stated Prew's figures did not take into consideration the roofline. He said the City did not request a grading permit in 1997. The grading plan which showed the drainage going to the north property line was approved by Tom Prew and Jim McNamara. He said two weeks after, the memo came out stating the runoff should slope to the south and gutters needed to be installed on the north side of the pole building. Sessing stated the City is holding \$1,000 escrow from his building/grading permit and this money should be released to him.

M/S Smith/DeLapp - to require Rod Sessing to comply with Item No. 3: The drainfield size should be increased by 50-55 feet, as stated in the Building Official's letter dated August 16, 2005 to bring the house into compliance.

M/S/P DeLapp/Johnston - to amend the motion requiring Rod Sessing to bring the drainfield size into code compliance instead of a measurement requirement. (Motion passed 3-1: Smith.)

M/S/P Smith/DeLapp - to require Rod Sessing to determine that the drainfield size will be brought into code compliance and match the original as built plan in the City's file and prove to the engineer and building official that the length of the existing trenches are added on accordingly. The staff will come back in two weeks with an update. (Motion passed 4-0)

M/S/P DeLapp/Johnston - to support staff correction items No. 1 and No. 2 listed in the Building Official's letter dated August 16, 2005. (Motion passed 4-0.)

3. Community Buckthorn Project

Joan Ziertman, Community Improvement Commission Chair, announced volunteers are needed to help with the Community Buckthorn Project on October 22, 2005, 7:30-11:30 a.m. at Kleis Park. She asked if anyone wanted to donate refreshments they should give her a call.

M/S/P DeLapp/Johnston - which the City will contribute up to \$50.00 for snacks and refreshments for the Community Buckthorn Project volunteers. (Motion passed 4-0).

4. CONSENT AGENDA:

A. Resolution No. 2005-089: Approving Claims

M/S/P DeLapp/Johnson – to adopt Resolution No. 2005-089, Approving Claim Numbers 275 through 278, DD485 through DD516, 27811 through 27823, 27825 through 27835 which were used for Staff Payrolls dated August 16, 2005 and September 1, 2005; claims 279, 27824, 27836 through 27902, in the total amount of \$445,442.33. (Motion passed 4-0).

B. Partial Payment Phase I Interconnect Water Main Project – Resolution No. 2005-090 – DELETED per Request of City Engineer

C. Partial Payment Phase II Interconnect Water Main Project – Resolution No. 2005-090

M/S/P DeLapp/Johnson – to adopt Resolution No. 2005-091, A Resolution Approving Partial Payment No. 1 to G.M. Contracting for Water System Interconnect – Phase II in the amount of \$325,617.58. (Motion passed 4-0).

5. FINANCE:

A. Adoption of Proposed Tax Levy and 2006 Budget – Resolution No 2005-091

The Finance Director provided Resolution No. 2005-092 adopting the proposed 2006 budget and the 2005 tax levy, collectible 2006 in the amount of \$2,154,868. He indicated that the proposed amount certified to Washington County by September 15, 2005 cannot be increased; however the City does retain the authority to lower the Levy.

M/S/P Johnson/Smith – to adopt Resolution No. 2005-091 for the proposed 2005 Tax Levy, collectible in 2006 and the 2006 Proposed Budget. (Motion passed 4-0).

B. Set Truth n' Taxation Hearing Dates: Resolution No. 2005-092

The Finance Director recommended that the Council consider Monday, December 5th at 7:00 p.m. and a continuation hearing (if necessary) on Monday, December 12th at 5:30 p.m. for the Truth in Taxation Public Hearings.

M/S/P Johnson/DeLapp – to adopt Resolution No. 2005-092 setting the Truth in Taxation Public Hearing dates for the 2005 Tax Levy and the 2006 Budget. (Motion passed 4-0).

6. NEW BUSINESS:

A. Reschedule September 13th Council Committee Meetings to September 14th

M/S/P DeLapp/Johnson – to reschedule the September 13th Council Committee Meetings to September 14, 2005. (Motion passed 4-0).

7. MAINTENANCE/PARK/FIRE/BUILDING:

A. Fire Dept.: Recommendation to confirm Fire Chief Malmquist Appointment

On September 24, 2004 the Council adopted Ordinance No. 97-141 relating to the organization and operation of the Fire Department. At that time the City Administrator recommended that the officers in place would remain until he had enough time and information to move forward with the officer appointment process as defined in the new Ordinance. The City Administrator indicated each Fire Department member received a written notice that all positions for officers were being open for application and inviting each member to apply if they so choose. The notice was posted on the Fire Department bulletin board and announced at the department meeting.

One application was received for Chief, two applications for District Chief and five applications for Captain. The City Administrator designed a selection/interview process for the Chief's position including the establishment of the interview panel which included the Chair of the FLLP Committee should staff the interview panel with the Mayor and the Administrator. Chief Malmquist was interviewed for the position and determined by the panel that he was well suited for the position of Fire Chief.

M/S/P Johnston/Smith – to confirm Chief Gregory Malmquist as the Lake Elmo Fire Chief consistent with the process adopted in Ordinance No. 97-141. (Motion passed 4-0).

Chief Malmquist announced that the department purchased helmets for the Explorers out of the raffle money. He said the officers were in the process of comparing the three bids for the new fire truck.

8. CITY ENGINEER'S REPORT:

A. Resolution No. 2005-093: Approve Elevated Storage Tank #2

The City Engineer reported that plans are completed for the Elevated Storage Tank No. 2 to be located next to the new Public Works Building. He said the schedule should allow this tank to be in operation by next fall depending on the style of tank chosen. Other than the name "Lake Elmo" no logo was included at this time. The color of the tank will be reviewed once the bids are received and a size and style is recommended.

M/S/P Smith/Johnson - to adopt Resolution No. 2005-093, A Resolution Approving Plans and Specifications and Ordering Advertisement for Bids for Elevated Storage Tank No. 2. (Motion passed 4-0) (DeLapp stated this is where people come into Lake Elmo and it looks like Woodbury or Eden Prairie).

B. Resolution No. 2005-094: Order Assessment Hearing for Hilltop Avenue

M/S/P Johnson/DeLapp - to adopt Resolution No. 2005-094, A Resolution for a Hearing on October 4, 2005, on Proposed Assessment for the Improvement of Hilltop Avenue North. (Motion passed 4-0.)

9. PLANNING, LAND USE & ZONING:

A. Park Meadows – Resolution No. 2005-095:Comprehensive Plan Amendment: Ordinance No. 97-162:Rezoning; Resolution No. 2005-096:Preliminary Plat

The City Planner reported that the Planning Commission adopted a recommendation for approval of multiple applications to develop a 28 acre site adjacent to Sunfish Park for 8 single family building lots. An existing structure on the site would be removed. The concurrent applications are to allow a Residential Estates development on land currently land use guided as RAD and zoned RR. The applicants, J.P. Bush Homes and Barbara Berquist, submitted a reconfigured plat drawing and legal documents purposed to provide the City sufficient street easement to connect with the proposed public street within the plat. The Planner noted that the City Engineer has not confirmed concurrence with the details of the drainage plan.

Council member DeLapp pointed out that in the Residential Zoning Code the principal building setback from the property line is a 100 feet and Lot 8 shows only 80 feet.

Joel Anez, Land Surveyor, responded that the 80 feet setback on Lot 8 does meet the code because it is a corner lot.

The City Planner concurred that “corner lot” reference from the City Code was correct, and that he suggests that the subject lot could be considered a corner lot. Therefore, in his opinion the plat does meet Code standards of design.

M/S/P Johnson/Smith – to adopt Resolution No. 2005-095, A Resolution Approving a Comprehensive Plan Amendment to reclassify the site from RAD to RED to J.P. Bush Homes and Barbara Berquist, subject to Metropolitan Council concurrence. (Motion passed 4-0).

M/S/P Johnson/Smith – to adopt Ordinance 97-162, An Ordinance Amending Section 300.07 “Zoning District Map” of the Lake Elmo Municipal Code rezoning the J.P. Bush and Barbara Berquist site from Rural Residential (RR) to Residential Estates (RE). (Motion passed 4-0).

M/S/P Johnson/Smith – to adopt Resolution No. 2005-096, A Resolution Approving the Preliminary Plat of Park Meadows. (Motion passed 4-0).

B. Deer Glen Amended OP Concept Plan:Resolution No 2005-096

The City Planner reported he received an amended OP Concept Plan for Deer Glen late Friday after the Council agenda was mailed out. He explained there is no engineering report because the city engineer has not seen the plan.

Paul Danielson, the applicant’s engineer, said he put together a plan responsive to Council and neighborhood concerns. The plan has met the minimum lot size, required open space and a landscape plan. Slides were presented showing how the proposal

worked with the land. Danielson said he did not realize they had to put together a complete submittal.

Attorney Filla noted the concept plan was submitted to the City on July 5. He said that normally a 60-day extension would bring you to September 5th, but in this case the Council granted one more day, to September 6th Council meeting. He said the Council needed to take action on the submitted original plan or reach an agreement to add time to revise the amended concept plan submitted on September 6th. Filla said the Council needs to take the time so the City Engineer, VBWD and the Fire Chief can report on the revised plan.

Joan Ziertman voiced her concern on the maintenance of the wastewater system in that the wastewater system is 100 feet from their property line.

M/S/P DeLapp/Johnson - to accept the applicants request for a two week extension for submission requirements on the revised OP Concept plan for Deer Glen which was reviewed by the Council at this September 6th meeting. (Motion passed 4-0).

10. CITY ATTORNEY'S REPORT:

A. Litigation Report

Attorney Filla gave a brief litigation report.

11. CITY ADMINISTRATOR'S REPORT:

12. CITY COUNCIL REPORTS:

Mayor Johnston said the AMM committees he is on have become much more proactive and has seen support on issues that we as a community are experiencing. He reported he had the opportunity to take a tour of the new library building and was cautionary optimistic for opening in November.

Council member Johnson reported that because of the damage done by Hurricane Katrina there is a high need for available housing.

Council member Smith said she would like to see an action task list, a simple update every two weeks. This item will be discussed at another meeting.

The Council adjourn the meeting at 9:12 p.m.

APPROVED MINUTES: September 6, 2005
LAKE ELMO CITY COUNCIL MINUTES

AUGUST 16, 2005

1. AGENDA
2. MINUTES: August 2, 2005
3. PUBLIC INQUIRIES/INFORMATIONAL:
 - A. Public Informational
4. CONSENT AGENDA:
 - A. Resolution No. 2005-083: Approving Claims
 - B. Escrow Reduction: Tapestry
5. FINANCE:
 - A. Monthly Operating Report
6. NEW BUSINESS:
7. MAINTENANCE/PARK/FIRE/BUILDING:
 - A. Update on Building Activities: Jim McNamara
8. CITY ENGINEER'S REPORT:
 - A. Stonegate Street Vacation
 - B. Ordinance No. 97-161: Klondike Stop Sign
 - C. Resolution No. 2005-084: Approve Plans for Hilltop Avenue
 - D. Resolution No. 2005-085: Approve Plans Watermain Interconnect Phase III
9. PLANNING, LAND USE & ZONING:
 - A. Resolution No. 2005- : Amended OP Concept Plan – Deer Glen – NOT ADOPTED
 - B. Resolution No. 2005-086: OP Development Stage Plan, CUP and Preliminary Plat – Discover Crossing
 - C. Section 520 Site Plan Amendment: Village North Office Park
 - D. Resolution No. 2005-087: Variance to Lot Size – Hardy
 - E. Resolution No. 2005-088: Comprehensive Plan
10. CITY ATTORNEY'S REPORT:
11. CITY ADMINISTRATOR'S REPORT:
12. CITY COUNCIL REPORTS:

1. AGENDA:

M/S/P DeLapp/Johnson - to approve the August 16, 2005 City Council agenda, as amended. (Motion passed 5-0).

2. MINUTES: August 2, 2005

M/S/P Johnson/Conlin - to approve the August 2, 2005 City Council Minutes, as amended. (Motion passed 5-0).

6. NEW BUSINESS:

7. MAINTENANCE/PARK/FIRE/BUILDING:

A. Update on Building Activities: Jim McNamara

The Building Official reported there were no new residential or commercial permits issued for July, 2005. He explained that Link Recreational, 9200 Hudson Blvd., has a permit to redo their parking lot and an excavating/grading permit for better runoff. A letter of credit has been submitted to the City.

8. CITY ENGINEER'S REPORT:

A. Stonegate Street Vacation

The City Engineer reported he has surveyed the cul-de-sacs at Jewel Avenue and Julep Court to determine how to structure the vacations. Drawings were provided to the council and, if approved, the legal would be prepared.

In his memo dated, August 12, 2005, the City Engineer indicated at Julep Court the City can vacate 5 feet of street right-of-way without impacting the paved portion of the cul-de-sac. He said he had no issues with the 8th street vacation as it would run from the west right-of-way line of Julep Avenue to the west plat boundary.

The City Engineer explained the City can vacate the south 5 feet of Jewel Avenue; however, the property would revert to the City. The City cannot vacate the property in front of the residential lots unless we would remove a portion of the paved part of the cul-de-sac. The paved portion of the cul-de-sac is used by the public and should not be removed. The engineer did not recommend approval.

Fire Chief Malmquist explained that fire trucks would be stationed north of 10th Street and asked the Council to ensure that vehicles could reach neighborhoods as quickly as before. He voiced his concern for future roads as the property north of 10th Street develops and didn't want to see limiting additional access off of 10th Street. The Chief stated that if only access is from down on the frontage road, you are adding 4 minutes to response time and if you cut off their access it will take longer.

M/S/P DeLapp/Johnson - to direct staff draft to draft a resolution to result in a vacation of the three access points as described by the City Engineer. (Motion passed 5-0.)

The Fire Chief said if these areas are vacated, he wanted the City to ensure the Fire Department, etc, have good access in the future.

M/S/P Smith/DeLapp - that the City assures the Fire Department and Sheriff's Department, and any other emergency vehicles, will have access that is needed consistent with comments of the Chief Malmquist for all future developments. (Motion passed 3-2: Johnson, DeLapp).

Paul Danielson, the applicant's engineer, said the applicant had meetings with adjacent property owners. He said in order to accommodate neighbor's concerns the lots along the entrance road were shortened up and closer to roadway, 5 lots were changed to 4; and a trail created as a walking loop so it's not close to the house. He said they have brought in Damon Farber and Assoc., an urban landscape firm to assist with landscape planning for the site. He said the septic system has always been planned for a joint system with the church site.

Joan and Steve Ziertman presented their reasons against the proposed concept plan and their memo is attached hereto and made part of the Minutes.

Council members Smith and Conlin both said that they dislike the configuration of 4 lots on the east/west street which sit by themselves because it does not make a cohesive neighborhood.

Council member Smith suggested redesign of the OP Plan to take the 4 houses out and to utilize the natural features of the land to provide an alternative design with those lots grouped with the balance of the OP lots. She suggested that if the applicants move the church to the north they could place the four houses in the vacated area south of the church.

Mayor Johnston and Council member DeLapp said they supported all the comments made by Council Members Smith and Conlin.

Peter Beck, Attorney for the applicant, stated his client could go back to the 48 acre OP plan. He said the Council wanted them to add the 20 acres. He noted that the applicants didn't ask to add the 20 acres and additional lots. Beck said the church took 9 years to get the church plan approved and wouldn't want to open this up.

Mayor Johnston asked if the applicant would be willing to withdraw the application. Attorney Beck said the applicant would rather have it tabled to a date certain, and would like two weeks. The Planner noted that the completed application date is July 5th.

M/S/P DeLapp/Smith – to table the concept plan of Deer Glen until the September 6th Council meeting so the applicant can address the four lots in question. (Motion passed 5-0.).

Council member DeLapp asked about the road extension to the east property line and for input from the Fire Department.

Peter Beck stated the applicant will come back with the plan both ways regarding the road extension.

C. Section 520 Site Plan Amendment: Village North Office Park

The City Planner reported this is a proposal to modify the site plan of a previously approved project to construct a 10,000 square foot office building on 39th Street North – Brookman Addition. The revised plan re-orientes most of the off-street parking from the front of the building to the rear and side of the building, and enhances the landscaping that will be installed. The Planner said the new site design requires a slight increase to the area of the site, which can be processed by staff as a Lot Line Adjustment.

M/S/P Johnston/Johnson- to approve an amendment to the Section 520 Site Plan for “Village North” per plans staff-dated August 4, 2005, as recommended by the Planning Commission, subject to the following conditions:

1. Compliance with the recommendations of the City Engineer—specifically regarding wastewater treatment (temporary and permanent).
2. Compliance with the recommendations of the Valley Branch Watershed District as found to be reasonable and practical by the City Engineer.
3. Submission by the applicant of exterior lighting plans in compliance with Section 1350 prior to the issuance of a Building Permit. (Motion passed 5-0.)

D. Resolution No. 2005-087: Variance to Lot Size – Hardy

The City Planner reported Linda Hardy has asked for a zoning variance to allow a parcel-of-record that is non-conforming by area to be used for a single family dwelling site. The parcel is slightly over 17,000 sq.ft. and the minimum buildable parcel-of-record is 43,560 sq.ft. The applicant is proposing to move an existing 19th century farm house to the parcel. The Planning Commission’s recommendation includes a condition that the applicant must demonstrate that the parcel provides a sufficient area of soils suitable for both a primary and secondary septic drain field of a size suitable for the dwelling proposed. The Planner said he received a report that the soils on the lot are acceptable for a septic/drainfield designed for a 3 bedroom house and there is no room for a second drainfield unless it is a mound system.

Council member Smith said that she is concerned that approval of the application would open the door for people to place old buildings on substandard lots.

Attorney Filla said that by distinguishing this farmhouse, the City would avoid setting a precedent for other requests. He said it would be appropriate for the Council to specify that a long distance move would result in structural damage and unfavorable costs to the applicant. He said documents regarding the variance should discuss the comprehensive plan’s interest in the preservation of historic buildings.

Linda Hardy voiced her concern that the developer would tear down the house because she did not have a firm date for the house to be moved. Planner Dillerud responded that

Council member DeLapp commented that the Comprehensive Plan did not address the transfer of development rights. Planner Dillerud responded that TDR is not a Comp Plan issue.

Council member DeLapp said he thought this was his opportunity to bring the comments he had on the Comp Plan.

Attorney Filla pointed out that if changes are made to the comp plan after adoption, then the City would have to send a corrected copy to the neighboring communities.

Mayor Johnston stated the City has to approve the Comp Plan tonight so the City can meet its schedule.

M/S/P Johnson/Conlin – to call the question. (Motion passed 4-0).

Council member DeLapp stated this Comprehensive plan is a disgrace to the City and departed the meeting at 11:15 p.m.

M/S/P Johnston/Johnson - to adopt Resolution No. 2005-089, A Resolution Approving the 2010-2030 Lake Elmo Comprehensive Plan, including modifications Items 1-10 recommended by the Planning Commission, excluding the Eischen/Dupuis property from the Village Area per their written request, adding statement that the Lake Elmo Park Reserve should stay as a Reserve and not be changed to a Regional Park, and to include Parks Commissioner Blackford's comments on mountain biking not being permitted in Sunfish Park. The Comprehensive Plan will be submitted to the surrounding communities for their review. (Motion passed 4-0: Council member DeLapp was not present for the vote.).

Council member Conlin stated that Council member DeLapp chose to leave before speaking his piece. She said he was not driven out of here.

Council member Smith stated the Council listened to the other Council members' points, but didn't let Council member DeLapp have his say. She said that the Mayor had stated previously that there would be a discussion afterwards. Smith added that this is a Council of five members.

10. CITY ATTORNEY'S REPORT:

11. CITY ADMINISTRATOR'S REPORT:

12. CITY COUNCIL REPORTS:

The Council adjourn the meeting at 11:25 p.m.

Respectfully submitted by Sharon Lumby, City Clerk

Resolution No. 2005-083 Approve Claims

Resolution No. 2005-084 Approve Plans for Hill Top Avenue

5A.
YA.

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

**RESOLUTION NO. 2005-097
RESOLUTION APPROVING CLAIMS**

BE IT RESOLVED THAT Claim Numbers 280, 281, DD517 through DD528, 27903 through 27935, were used for Staff Payroll dated September 15th, 2005; claims 27936 through 27982, in the total amount of \$411,353.13 are hereby approved.

ADOPTED, by the Lake Elmo City Council on the 20th day of September, 2005.

Dean A. Johnston
Mayor

ATTEST:

Martin J. Rafferty
City Administrator

Accounts Payable Computer Check Proof List

User: administrator

Printed: 09/15/2005 - 12:37 PM

SPRINGBROOK SOFTWARE

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: AmeriMar 13081 13105	AmeriMark Direct Recycling - Pens, Rulers, Coolers Recycling - Flyers, Rulers Check Total:	909.50 1,130.00 2,039.50	09/20/2005 09/20/2005	Check Sequence: 1 101-430-3200-42100 101-430-3200-42100	ACH Enabled: No
Vendor: ARAM 629-3802358	Aramark Linen - City Hall Check Total:	53.16 53.16	09/20/2005	Check Sequence: 2 101-410-1940-44010	ACH Enabled: No
Vendor: ASPENMI 62749	Aspen Mills, Inc. Glow garment - Fire Dept Check Total:	10.00 10.00	09/20/2005	Check Sequence: 3 101-420-2220-44170	ACH Enabled: No
Vendor: BIFFS W267149 W267150 W267151 W267152 W267153 W267154 W267155 W267156	Biff's Inc. Rental - Portable - Sunfish Lake Park Rental - Portable - Lions Park Rental - Portable - VFW Park Rental - Portable - DeMontreville Park Rental - Portable - Reid Park Rental - Portable - Tablyn Park Rental - Portable - Pebble Park Rental - Portable - Stonegate Park Check Total:	74.26 148.52 74.26 74.26 74.26 74.26 94.26 74.26 688.34	09/20/2005 09/20/2005 09/20/2005 09/20/2005 09/20/2005 09/20/2005 09/20/2005 09/20/2005	Check Sequence: 4 101-450-5200-44120 101-450-5200-44120 101-450-5200-44120 101-450-5200-44120 101-450-5200-44120 101-450-5200-44120 101-450-5200-44120 101-450-5200-44120	ACH Enabled: No
Vendor: BRINES 60970	Brine's Market Bagged Lunches SD#834 Elections Check Total:	101.48 101.48	09/20/2005	Check Sequence: 5 101-410-1410-44300	ACH Enabled: No
Vendor: BUELOW 5742	Buelow Excavating Rental of Excav. Equipment	500.00	09/20/2005	Check Sequence: 6 603-496-9500-44030	ACH Enabled: No

500.00

Check Total:

ACH Enabled: No

Vendor: BURBBLAC

6534

7013

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101-430-3100-43150
101-450-5200-44030

724.20 09/20/2005

255.60 09/20/2005

979.80

Check Total:

ACH Enabled: No

Vendor: CARQUEST

11400

11563

2055-ID-8249

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101-430-3100-42210
101-430-3100-42210
101-430-3100-42210

9.76 09/20/2005

80.37 09/20/2005

56.03 09/20/2005

146.16

Check Total:

ACH Enabled: No

Vendor: COHEN

Travel 082905

Check Sequence: 9
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40.50 09/20/2005

40.50

Check Total:

ACH Enabled: No

Vendor: COPYMAG

64155

Copy Images, Inc.
Monthly Copier Maint.Check Sequence: 10
101-410-1940-44040

256.62 09/20/2005

256.62

Check Total:

ACH Enabled: No

Vendor: CPTLECO

651-207-1000

CP Telecom
Telephone Service - City Hall - August05Check Sequence: 11
101-410-1940-43210

531.90 09/20/2005

531.90

Check Total:

ACH Enabled: No

Vendor: DENNYK

Permit 4436

Denny Kelly LTD
Dep. Refund for 8841 Lake Jane Trl.Check Sequence: 12
803-000-0000-22900

1,000.00 09/20/2005

1,000.00

Check Total:

ACH Enabled: No

Vendor: EMERGAPP

22785

22928

Emergency Apparatus Maint.
RS Suction Butterfly - Repl. - 3173
Retarder, Pkg Brake - 3183Check Sequence: 13
101-420-2220-44040
101-420-2220-44040

1,736.37 09/20/2005

1,802.87 09/20/2005

3,539.24

Check Total:

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Vendor: FARMERS

1057

1057

Farmers Union Co-Op Oil
Fuel - Bldg. Dept.
Car Wash - Bldg. Dept.Check Sequence: 14
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35.40 09/20/2005

11.44 09/20/2005

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Vendor:FOUR 23-040566	Four Seasons Service Supplies - City Hall Check Total:	55.31 55.31	09/20/2005	Check Sequence: 16 101-410-1940-44300	ACH Enabled: No
Vendor:GALIOV 01548556 01548556	Hristo Galiov Printer Cartridges - Fire Dept Mouse, Date Stamp - Admin Check Total:	56.22 45.03 101.25	09/20/2005 09/20/2005	Check Sequence: 17 101-420-2220-42000 101-410-1320-42000	ACH Enabled: No
Vendor:GARELICK 68862	Garellick Steel Co, Inc Steel bars Check Total:	109.76 109.76	09/20/2005	Check Sequence: 18 101-430-3100-42150	ACH Enabled: No
Vendor:GENESIS IVC00748	Next Genesis Productions Monthly Software Support Check Total:	900.00 900.00	09/20/2005	Check Sequence: 19 101-410-1520-43180	ACH Enabled: No
Vendor:GMCONTR 13186.000.003	G.M. Contracting, Inc. Water Sys. Phase II - Proj.13186.000.003 Check Total:	325,617.58 325,617.58	09/20/2005	Check Sequence: 20 601-494-9400-46400	ACH Enabled: No
Vendor:HAGBERGS Account 10	Hagbergs Country Market City Hall Supplies Check Total:	51.96 51.96	09/20/2005	Check Sequence: 21 101-410-1320-44300	ACH Enabled: No
Vendor:LEAGMN 2005-2006	League of MN Cities Annual City Membership Check Total:	5,687.00 5,687.00	09/20/2005	Check Sequence: 22 101-410-1110-44330	ACH Enabled: No
Vendor:LEAGUE Mayors 2006	League of Minnesota Cities Annual - MN Mayors Assn.	20.00	09/20/2005	Check Sequence: 23 101-410-1110-44370	ACH Enabled: No

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Vendor:MARONEYS 114404 114404 114404	Maroney's Sanitation, Inc Refuse - City Hall Refuse - Public Works Refuse - Parks Check Total:	95.89 95.89 183.96 375.74	09/20/2005 09/20/2005 09/20/2005	Check Sequence: 25 101-410-1940-43840 101-430-3100-43840 101-450-5200-43840	ACH Enabled: No
Vendor:MCLBOD 1813809	McLeod USA Telephone Service - Well 2 Check Total:	43.74 43.74	09/20/2005	Check Sequence: 26 601-494-9400-43210	ACH Enabled: No
Vendor:MENARDST 95717	Menards - Stillwater Color Film - Fire Dept. Check Total:	73.94 73.94	09/20/2005	Check Sequence: 27 101-420-2220-42000	ACH Enabled: No
Vendor:MILLEREX 10917 10917	Miller Excavating, Inc. Grading Ditch, Haul, Grade Check Total:	459.25 2,508.50 2,967.75	09/20/2005 09/20/2005	Check Sequence: 28 101-430-3100-43150 603-496-9500-44010	ACH Enabled: No
Vendor:MNLABOR B42 351R0706781	LABOR AND INDUSTRYMN DEPT OF Boiler Certification Check Total:	10.00 10.00	09/20/2005	Check Sequence: 29 101-430-3100-44300	ACH Enabled: No
Vendor:NWLASERS SI00025985 SI00026061	Northwest Lasers, Inc. Laserlevel, Tripod, Rod Manhole Pick Check Total:	1,575.00 29.00 1,604.00	09/20/2005 09/20/2005	Check Sequence: 30 101-430-3100-45800 101-430-3100-45800	ACH Enabled: No
Vendor:OAKDALE 1000039700 1000046000	City of Oakdale Water - North Pit Water - South Pit	2,352.56 9,926.63	09/20/2005 09/20/2005	Check Sequence: 31 601-494-9400-43820 601-494-9400-43820	ACH Enabled: No

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162346	Paper	120.63	09/20/2005	101-410-1320-42000	
162346	Post-it, pads	11.78	09/20/2005	101-420-2220-42000	
938186	Toners - Finance	168.25	09/20/2005	101-410-1520-42000	
938186	Paper	22.31	09/20/2005	101-410-1910-42000	
	Check Total:	338.05			
Vendor:ONECALL	Gopher State One-CallOne Call Concepts, Inc			Check Sequence: 33	ACH Enabled: No
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Vendor:PETTYCI	Petty Cash			Check Sequence: 34	ACH Enabled: No
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09142005	Dinner- El. Judges SB Election	85.00	09/20/2005	101-410-1410-44300	
	Check Total:	134.48			
Vendor:PLUNKETT	Plunkett's Pest Control			Check Sequence: 35	ACH Enabled: No
765592	Extermination - August 2005	59.11	09/20/2005	101-410-1940-44010	
	Check Total:	59.11			
Vendor:PRESS	StevenPress			Check Sequence: 36	ACH Enabled: No
09062005	Cablecast - Council Meeting 09/06/05	54.00	09/20/2005	101-410-1320-43620	
	Check Total:	54.00			
Vendor:QUICKSI	Quicksilver			Check Sequence: 37	ACH Enabled: No
6251572	Comp. Plan Delivery	176.02	09/20/2005	101-410-1910-43020	
	Check Total:	176.02			
Vendor:REED	Reed Business Information			Check Sequence: 38	ACH Enabled: No
2999993	Bid Publication - Water System	179.78	09/20/2005	101-410-1320-43510	
2999994	Bid Publication - 2005 Street Repairs	149.78	09/20/2005	101-410-1320-43510	
	Check Total:	329.56			
Vendor:Rivertwn	RiverTown Newspaper Group			Check Sequence: 39	ACH Enabled: No
50035963	Legal Publications	276.33	09/20/2005	101-410-1320-43510	

Check Total:		276.33			
Vendor: RUD	Diane Prince-Rud			Check Sequence: 40	ACH Enabled: No
09/06-09/14	Clorox, Bags	13.80	09/20/2005	101-410-1940-42110	
09/06-09/14	Cleaning - City Hall	240.00	09/20/2005	101-410-1940-44010	
09/06-09/14	Cleaning - Fire Hall	240.00	09/20/2005	101-420-2220-44010	
Check Total:		493.80			
Vendor: STEPHENS					
7734	Stephens Publishing Co.	180.00	09/20/2005	Check Sequence: 41	ACH Enabled: No
	Pencils for Fire Prevention	180.00		101-420-2220-42090	
Check Total:					
Vendor: SUNSET	Sunset Printing \$ Adv. Spec. Co	24.95	09/20/2005	Check Sequence: 42	ACH Enabled: No
57249	History of the Am. Firefighter	24.95		101-420-2220-44350	
Check Total:					
Vendor: TRISTATE	Tri State Bobcat, Inc.			Check Sequence: 43	ACH Enabled: No
S09301	Bobcat Angle Broom	3,338.19	09/20/2005	410-480-8000-45400	
S09302	Bobcat Flail Cutter	7,622.82	09/20/2005	410-480-8000-45400	
Check Total:		10,961.01			
Vendor: TRKUTI	Truck Utilities	48.73	09/20/2005	Check Sequence: 44	ACH Enabled: No
0146246	Parts - Public Works	48.73		101-430-3100-42210	
Check Total:					
Vendor: TWINCIT	Twin City Water Clinic, Inc.			Check Sequence: 45	ACH Enabled: No
1806	Bacteria Analysis August 2005	20.00	09/20/2005	601-494-9400-43030	
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Vendor: WORLDPT	World Point ECC, Inc.			Check Sequence: 46	ACH Enabled: No
266351	CPR Shields, Masks	598.75	09/20/2005	101-420-2220-42080	
Check Total:		598.75			
Vendor: XCEL	Xcel Energy			Check Sequence: 47	ACH Enabled: No
39447569	Tennis Courts	11.22	09/20/2005	101-450-5200-43810	
39471727	Pebble Park	28.73	09/20/2005	101-450-5200-43810	
39502644	3675 Layton Ave	7.43	09/20/2005	101-450-5200-43810	

Invoice No

Description

Amount Payment Date Acct Number

Reference

Check Total:

47.38

Total for Check Run:
Total Number of Checks:

374,423.57
47

4B.

TKDA

ENGINEERS • ARCHITECTS • PLANNERS

1500 Piper Jaffray Plaza
444 Cedar Street
Saint Paul, MN 55101-2140

(651) 292-4400
(651) 292-0083 Fax
www.tkda.com

September 2, 2005

Honorable Mayor and City Council
City of Lake Elmo, Minnesota

Re: Partial Payment No. 3
Water System Interconnect - Phase I
City of Lake Elmo, Minnesota
TKDA Project No. 13186.000

Dear Mayor and City Council:

The Contractor has had difficulty getting his pipe to pass the hydrostatic test due to leaks at many of the connections. They have been working to repair these. If they are complete with this work before the City Council meeting we will ask for approval, otherwise we will pull this item from the agenda.

City Council Action Requested

Approve Partial Payment No. 3 in the amount of \$135,676.36.

Sincerely,

Thomas D. Prew, P.E.
City Engineer

TDP:art
Enclosures

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

RESOLUTION NO. 2005-098

**A RESOLUTION APPROVING PARTIAL PAYMENT NO. 3
TO CHRIS RILEY UTILITIES, INC.
FOR WATER SYSTEM INTERCONNECT – PHASE I**

BE IT RESOLVED, that the Lake Elmo City Council hereby approves Partial Payment No. 3 to Chris Riley Utilities, Inc. in the amount of \$135,676.36 for work improvements to the Water System Interconnect Project – Phase I, verified by the City Engineer in his memo dated September 2, 2005.

ADOPTED by the Lake Elmo City Council the 20th day of September, 2005.

Dean Johnston, Mayor

ATTEST:

Martin Rafferty, City Administrator

Project No. 13186.000.002 Cert. No. 3 St. Paul, MN, September 2, 2005
To City of Lake Elmo, Minnesota Owner
This Certifies that Chris Riley Utilities, Inc., Contractor
For Water System Interconnect - Phase I
Is entitled to One Hundred Thirty-Five Thousand Six Hundred Seventy-Six Dollars and 36/100 - (\$ 135,676.36)
being 3rd estimate for partial payment on contract with you dated April 5, 2005
Received payment in full of above Certificate.

TKDA

Chris Riley Utilities, Inc.
_____, 20____

Thomas D. Prew, P.E.

RECAPITULATION OF ACCOUNT

	CONTRACT PLUS EXTRAS	PAYMENTS	CREDITS
Contract price plus extras	\$ 348,626.18		
All previous payments		\$ 174,017.70	
All previous credits			
Extra No.			
" "			
" "			
" "			
Credit No.			\$ -
" "			
" "			
" "			
AMOUNT OF THIS CERTIFICATE		\$ 135,676.36	
Totals	\$ 348,626.18	\$ 309,694.06	\$ -
There will remain unpaid on contract after payment of this Certificate		\$ 38,932.12	
	\$ 348,626.18	\$ 348,626.18	\$ -

TKDA
Engineers-Architects-Planners Saint Paul, Minnesota 55101

PERIODICAL ESTIMATE FOR PARTIAL PAYMENTS

Estimate No. 3 Period Ending August 30, 20 05 Page 1 of 1 Project No. 13186.000.002
Contractor Chris Riley Utilities, Inc. Original Contract Amount \$348,626.18
Project Water System Interconnect Phase I
Location City of Lake Elmo, Minnesota

Total Contract Work Completed	\$	<u>325,993.75</u>
Total Approved Credits	\$	<u>0.00</u>
Total Approved Extra Work Completed	\$	<u>0.00</u>
Approved Extra Orders Amount Completed	\$	<u>0.00</u>
Total Amount Earned This Estimate	\$	<u>325,993.75</u>

Less Approved Credits	\$	<u>0.00</u>
Less <u>5</u> % Retained	\$	<u>16,299.69</u>
Less Previous Payments	\$	<u>174,017.70</u>
Total Deductions	\$	<u>190,317.39</u>
Amount Due This Estimate	\$	<u>135,676.36</u>

Contractor Chris Riley Utilities, Inc.

Date _____

Engineer Thomas D. Prew, P.E.

Date September 2, 2005

WATER SYSTEM INTERCONNECT - PHASE I
CITY OF LAKE ELMO, MINNESOTA
TKDA PROJECT NO. 13186.000

ITEM NO.	DESCRIPTION	UNIT	CONTRACT QUANTITY	QUANTITY TO DATE	UNIT PRICE	AMOUNT TO DATE
	BASE BID					
1	MOBILIZATION	LS	1.0	1.0	\$ 15,000.00	\$ 15,000.00
2	REMOVE & DISPOSE OF BIT. PAVEMENT	SY	210.0	58.0	\$ 5.00	\$ 290.00
3	SAW CUT BIT. PAVEMENT	LF	75.0	-	\$ 1.00	\$ -
4	PATCH BIT. PAVEMENT 4" THICK	SY	210.0	-	\$ 18.00	\$ -
5	REMOVE & REPLACE CMP CULVERT	LF	70.0	30.0	\$ 12.00	\$ 360.00
6	SEEDING, INCL. SEED, FERTILIZER & WOOD FIBER BLANKET	SY	900.0	900.0	\$ 1.50	\$ 1,350.00
7	SODDING TYPE LAWN	SY	200.0	-	\$ 2.50	\$ -
8	CL-5	TN	30.0	-	\$ 9.00	\$ -
9	BIT. PAVEMENT FOR DRIVEWAY 2" DEPTH	TN	154.0	-	\$ 50.00	\$ -
10	CONNECT TO EXIST. WATERMAIN	EA	1.0	1.0	\$ 1,200.00	\$ 1,200.00
11	6" DIP CL-52 WATERMAIN	LF	42.0	24.0	\$ 33.82	\$ 811.68
12	8" DIP CL-50 WATERMAIN	LF	15.0	12.0	\$ 45.86	\$ 550.32
13	DIR. DRILL 16" (DIP) HDPE DR 17	LF	6,649.0	6,649.0	\$ 40.48	\$ 269,151.52
14	6" RES. SEAT GATE VALVE & BOX	EA	6.0	6.0	\$ 888.42	\$ 5,330.52
15	8" RES. SEAT GATE VALVE & BOX	EA	1.0	1.0	\$ 1,179.32	\$ 1,179.32
16	16" BUTTERFLY VALVE & BOX	EA	4.0	5.0	\$ 2,610.91	\$ 13,054.55
17	6" HYDRANT (7'-6" BURY)	EA	6.0	6.0	\$ 2,720.14	\$ 16,320.84
18	MJ DIP COMPACT FITTINGS	LB	4,109.0	465.0	\$ 3.00	\$ 1,395.00
19	TYPE LV-3 BIT. NON-WEAR COURSE MIXTURE	TN	-	-	\$ -	\$ -
20	TYPE LV-4 BIT. WEAR COURSE MIX	TN	-	-	\$ -	\$ -
21	BITUMINOUS MATERIAL FOR TACK COAT	GA	-	-	\$ -	\$ -
22	TOPSOIL BORROW	CY	-	-	\$ -	\$ -
23	SODDING	SY	-	-	\$ -	\$ -

TOTAL ESTIMATE NO. 3

\$ 325,993.75

5A.

Monthly Operating Report

As of 9/20/2005 (Period 9)	Budget	Amount	Variance	Comments
Mayor & Council				
Part-time Salaries	12,100	6,050	6,050	
FICA Contributions	875	375	500	
Medicare Contributions	204	88	116	
Travel Expense	4,000	0	4,000	
Miscellaneous	8,500	4,894	3,606	
Dues & Subscriptions	8,000	8,376	-376	
Conferences & Training	5,000	454	4,546	
Sub-Total	38,679	20,237	18,442	
Administration				
Full-time Salaries	128,235	87,768	40,467	
PERA Contributions	7,091	4,079	3,012	
FICA Contributions	7,951	5,479	2,472	
Medicare Contributions	1,859	1,282	577	
Health/Dental Insurance	19,132	13,434	5,698	
Workers Compensation	1,740	1,722	18	Annual Premium Paid
Office Supplies	7,000	4,125	2,875	
Printed Forms	800	417	383	
Newsletter/Website	15,000	14,670	330	
Postage	9,500	5,585	3,915	
Travel Expense	4,200	698	3,502	
Legal Publishing	6,000	4,631	1,369	
Insurance	35,000	30,963	4,037	Annual Premium Paid
Cable Operation Expense	1,200	1,758	-558	Special Council Meetings
Miscellaneous	7,200	23,782	-16,582	Code Codification \$12,487 (not Budgeted), Use Tax, Christmas Lights.
Dues & Subscriptions	2,250	2,208	42	
Books	500	0	500	
Conferences & Training	2,500	102	2,398	
Professional Development	2,000	160	1,840	
Transfer Out	195,032	0	195,032	
Sub-Total	454,190	202,863	251,327	
Elections				
Part-time Salaries	1,100	0	1,100	
FICA Contributions	68	0	68	
Medicare Contributions	16	0	16	
Office Supplies	50	0	50	
Printed Forms	100	0	100	
Travel Expense	100	0	100	
Miscellaneous	250	241	9	
Conferences & Training	500	0	500	
Other Equipment	350	340	10	Accuvote Equipment Annual Maint. Paid
Sub-Total	2,534	581	1,953	

	Budget	Amount	Variance	Comments
Finance				
Full-time Salaries	61,798	36,560	25,238	
PERA Contributions	3,417	1,993	1,424	
FICA Contributions	3,831	2,270	1,561	
Medicare Contributions	896	531	365	
Health/Dental Insurance	7,969	5,505	2,464	
Workers Compensation	839	830	9	Annual Premium Paid
Office Supplies	700	725	-25	
Printed Forms	809	657	152	
Software Support	8,995	13,904	-4,909	Annual Accounting Software Maintenance Paid (note: incl. support-all Dept.)
Hardware Support	3,701	1,283	2,418	
Software Programs	1,560	0	1,560	
Travel Expense	2,000	48	1,952	
Miscellaneous	700	721	-21	Spec. Assessment Billing By Wash Cty \$450.00
Dues & Subscriptions	100	140	-40	
Books	200	0	200	
Conferences & Training	1,000	40	960	
Sub-Total	98,515	65,207	33,308	
Accounting Services				New Annual State Reporting requirements
Assessing Services	22,000	26,082	-4,082	
City Attorney - Civil	38,000	29,366	8,635	
City Attorney - Criminal	26,000	29,003	-3,003	Revenue Offset Account
	45,000	28,916	16,084	
Planning & Zoning				
Full-time Salaries	64,631	48,334	16,297	
PERA Contributions	3,574	4,481	-907	
FICA Contributions	4,007	3,017	990	
Medicare Contributions	937	706	231	
Health/Dental Insurance	7,962	11,235	-3,273	
Workers Compensation	877	868	9	Annual Premium Paid
Office Supplies	500	1,612	-1,112	Comp Plan Materials
Printed Forms	500	437	63	
Zoning Ordinance Dev - CDBG	5,000	0	5,000	
Cimarron Study - CDBG	24,000	0	24,000	
Comprehensive Planning	10,000	61,875	-51,875	Comp Plan Amendment
Engineering Services	0	0	0	
Travel Expense	2,700	775	1,925	
Cable Operation Expense	1,200	871	329	
Miscellaneous	200	360	-160	
Dues & Subscriptions	500	800	-300	
Books	200	467	-267	
Conferences & Training	2,000	565	1,435	
Sub-Total	128,788	136,404	-7,616	
Engineering Services				
	27,861	24,258	3,604	

	Budget	Amount	Variance	Comments
Attorney Fees	25,000	1,466	23,534	
Gov't Building				
Cleaning Supplies	300	289	11	
Building Repair Supplies	500	414	86	
Telephone	5,100	4,314	786	
Insurance	0	277	-277	
Electric Utility	6,500	5,551	949	Anticipated Electric Rates exceeded Budgeted Estimate
Refuse	2,000	926	1,074	
Repairs/Maint Contractual Bldg	10,000	7,686	2,314	
Repairs/Maint Contractual Eqpt	7,000	3,210	3,790	
Miscellaneous	500	648	-148	
Sub-Total	31,900	23,315	8,585	
Law Enforcement Services	327,633	339,857	-12,224	
Fire				
Full-time Salaries	12,999	10,788	2,211	
Part-time Salaries	117,200	88,694	28,506	
PERA Contributions	719	2,188	-1,469	
FICA Contributions	8,034	6,171	1,863	
Medicare Contributions	1,879	1,443	436	
Health/Dental Insurance	1,677	1,618	59	
Workers Compensation	3,580	3,543	37	Annual Premium Paid
Office Supplies	1,000	570	430	
Printed Forms	500	34	466	
EMS Supplies	1,500	1,064	436	
Fire Prevention	4,000	1,237	2,764	
Fuel	4,500	2,476	2,024	
Equipment Parts	500	575	-75	
Building Repair Supplies	200	315	-115	
Small Tools & Equipment	1,200	1,276	-76	
Physicals	4,000	3,215	785	
Telephone	3,500	3,683	-183	
Radio	7,500	3,232	4,268	
Internet	700	0	700	
Travel Expense	3,000	3,335	-335	
Vehicle Insurance	14,850	13,197	1,653	Annual Premium Paid
Electric Utility	5,700	3,824	1,876	Anticipated Electric Rates exceeded Budgeted Estimate
Repairs/Maint Contractual Bldg	7,000	8,022	-1,022	
Repairs/Maint Contractual Eqpt	25,000	32,119	-7,119	
Rentals - Building	1,080	810	270	
Uniforms	9,500	10,593	-1,093	
Miscellaneous	1,300	19,028	-17,728	17,521 For Fire Survey
Dues & Subscriptions	2,500	2,377	124	
Books	200	25	175	
Conferences & Training	15,000	6,650	8,351	

	Budget	Amount	Variance	Comments
Pension Contribution	2,690	0	2,690	
Fire State Aid	25,000	13,738	11,262	
Equipment	10,000	5,110	4,890	
Transfer Out	40,000	0	40,000	
Sub-Total	338,008	250,947	87,061	All fire accounts need close monitoring for remainder of year.
Building Inspection				
Full-time Salaries	125,415	85,841	39,574	
PERA Contributions	6,935	4,173	2,762	
FICA Contributions	7,776	5,335	2,441	
Medicare Contributions	1,819	1,248	571	
Health/Dental Insurance	18,845	14,315	4,530	
Workers Compensation	1,702	1,684	18	Annual Premium Paid
Office Supplies	1,100	349	751	
Printed Forms	1,000	171	829	
Fuel	3,000	278	2,722	
Engineer Serv Utility Permits	2,000	0	2,000	
Plan Review Charges	5,000	0	5,000	
Surcharge Payments	13,500	5,408	8,092	
Telephone	400	328	72	
Travel Expense	1,000	766	234	
Insurance	1,200	964	236	
Repairs/Maint Contractual Eqpt	500	919	-419	
Rentals - Building	4,500	2,876	1,625	
Uniforms	600	187	413	
Miscellaneous	400	218	182	
Dues & Subscriptions	800	515	285	
Books	300	2	298	
Conferences & Training	2,500	1,140	1,360	
Equipment	0	157	-157	Noise Meter
Transfer Out	5,000	0	5,000	
Sub-Total	205,292	126,874	78,418	
Civil Defense	9,000	0	9,000	
Animal Control				
Printed Forms	250	0	250	
Contract Services	8,800	5,878	2,922	
Impounding	7,000	6,391	609	
Miscellaneous	200	76	124	
Sub-Total	16,250	12,346	3,904	

	Budget	Amount	Variance	Comments
Parks				
Full-time Salaries	52,660	31,619	21,041	
Part-time Salaries	25,658	11,714	13,944	
PERA Contributions	4,331	2,117	2,214	
FICA Contributions	4,856	2,692	2,164	
Medicare Contributions	1,136	629	507	
Health/Dental Insurance	7,241	5,501	1,740	
Workers Compensation	2,585	2,558	27	Annual Premium Paid
Office Supplies	250	0	250	
Fuel, Oil and Fluids	2,200	577	1,623	
Shop Materials	500	53	447	
Chemicals	1,000	950	50	
Equipment Parts	4,000	1,369	2,631	
Building Repair Supplies	500	85	415	
Landscaping Materials	5,000	1,868	3,132	
Small Tools & Minor Equipment	1,000	117	883	
Telephone	1,000	634	366	
Travel Expense	0	80	-80	
Insurance	3,500	2,078	1,422	Annual Premium Paid
Electric Utility	7,600	3,670	3,930	
Refuse	2,400	1,656	744	
Repairs/Maint Contractual Bldg	2,000	0	2,000	
Repairs/Maint Imp Not Bldgs	30,000	8,248	21,752	
Repairs/Maint Contractual Eqpt	1,000	1,564	-564	New tires for trailer, repairs to Tractor
Rentals - Buildings	3,000	4,276	-1,276	
Uniforms	200	0	200	
Miscellaneous	200	1,115	-915	\$760.00 Property Taxes for 3585 Laverne
Dues & Subscriptions	100	125	-25	
Transfer Out	18,000	0	18,000	
Sub-Total	181,917	85,294	96,623	
Total General Fund	2,633,621	1,595,293	1,015,662	
		2,015,107		

	Budget	Amount	Variance	Comments
Water Enterprise Operating				
Full-time Salaries	70,119	65,732	4,388	
PERA Contributions	3,878	3,406	472	
FICA Contributions	4,347	4,087	260	
Medicare Contributions	1,017	956	61	
Health/Dental Insurance	8,618	8,809	-191	
Workers Compensation	2,137	2,115	22	Annual Premium Paid
Office Supplies	200	314	-114	Invoices printed
Printed Forms	1,500	77	1,423	
Chemicals	3,000	1,098	1,902	
Utility System Maintenance	3,000	974	2,026	
Water Meters & Supplies	17,500	2,705	14,795	
Small Tools & Minor Equipment	500	150	350	
Engineering Services	8,000	145,005	-137,005	Water System Study/Mapping - \$66,919.00 (To be reclassified into Capital)
Software Support	6,500	1,000	5,500	
Telephone	2,000	872	1,128	
Postage	1,120	0	1,120	
Travel Expense	1,400	850	550	
Insurance	3,433	6,449	-3,016	Annual Premium Paid
Electric Utility	15,806	7,876	7,930	
Water Utility	85,000	58,005	26,995	
Repairs/Maint Imp Not Bldgs	8,000	11,795	-3,795	Water Main Breaks
Miscellaneous	10,000	3,054	6,946	
Conferences & Training	1,020	760	260	
Other Equipment	2,000	1,468	532	
Sub-Total	260,095	327,555	-67,460	
Sewer Operating Enterprise				
Full-time Salaries	11,993	15,509	-3,516	Payroll Coding Issue- See Surface Water Utility
PERA Contributions	663	800	-137	
FICA Contributions	744	965	-221	
Medicare Contributions	174	226	-52	
Health/Dental Insurance	1,401	2,150	-749	
Workers Compensation	463	458	5	Annual Premium Paid
Utility System Maint Supplies	500	51	449	
Small Tools & Minor Equipment	500	0	500	
Engineering Services	6,000	1,987	4,013	
Telephone	2,000	1,116	884	
Travel Expense	0	56	-56	
Electric Utility	2,123	526	1,597	
Sewer Utility - Met Council	0	825	-825	
Repairs/Maint Imp Not Bldgs	4,000	1,802	2,198	
Miscellaneous Expenses	600	0	600	
Conferences & Training	500	0	500	
Sub-Total	31,661	26,470	5,191	

	Budget	Amount	Variance	Comments
Surface Water Utility				
Full-time Salaries	29,523	0	29,523	Payroll Coding Issue- See Sewer Operating Enterprise
PERA Contributions	1,633	0	1,633	
FICA Contributions	1,830	0	1,830	
Medicare Contributions	428	0	428	
Health/Dental Insurance	4,346	0	4,346	
Workers' Compensation	900	891	9	Annual Premium Paid
Office Supplies	500	0	500	
Utility System Maint Supplies	2,500	0	2,500	
Small Tools & Minor Equipment	1,000	71	929	
Engineering Services	10,000	8,769	1,231	
Erosion Control	5,000	0	5,000	
Software Support	4,000	0	4,000	
Postage	1,110	0	1,110	
Contract Services	2,500	3,382	-882	
Repairs/Maint Not Bldg	2,500	500	2,000	
Miscellaneous Expenses	750	213	537	
Transfer Out	30,315	0	30,315	
Sub-Total	98,835	13,826	85,009	

Agenda Item: Health Insurance

Background Information for September 20, 2005:

After receiving an initial quote of 19% increase in the existing health rates, the City Staff proceeded to investigate several Health Insurance options to in an effort to control rising premiums. Subsequently, additional quotes were received from the three major carriers in the area.

Attached, please find the Insurance quotes from the two lowest carriers. The Staff recommends changing to Blue Cross/Blue Shield (pool) program based on the elimination of age rating quote structure from Medica which did not account for premium increase through out the year. The Blue Cross/Blue Shield Pool plan also reduces the City's exposure to sharp increases in the event of a "catastrophic health event". The City will continue to explore several options offered under the BC/BS plans which would allow employees more choices and maintain controls on future rates.

Action Items To approve the Blue Cross/Blue Shield Pool Health Insurance Plan.

Person responsible:
Tom Bouthilet

Attachments: Health Insurance Quotes

**City of Lake Elmo
Health Insurance Quotes**

	2005 Medica Rates	2006 Original Medica	2006 Revised Medica	2006 BC/BS (Pool)
Rates	\$7,646	9104*	\$8,736	\$8,782
Percentage Increase from 2005		19.06%	14.25%	14.85%

*Rate does not account for increases throughout the year for age differential

Larry Elmo
City Council
September 20,
2005

Agenda Section: Fire Department

No. 7A.

Agenda Item: Confirm District Fire Chiefs Appointment: Doug Pepin and Brad Winkels

Background Information:

On September 24th of 2004 the City Council adopted Ord. 97-141 relating to the organization and operation of the Fire Department. This occurred after deficiencies in the City Code were identified relating to operational authority. Several Council meetings ago I announced that I would be opening and posting for all officer position for application to the membership. Each Fire Department member received a written notice that all positions for officers were being opened for application and inviting each member to apply if they so choose. The written notice was also posted on Fire Department bulletin boards and announced at the department meetings. The notice also included that any of the positions could become part time or fulltime in the future.

At the last Council meeting, step 1 of the selection/hiring process was completed, with the City Council's confirmation of the Interview Panels recommendation to appoint Chief Malmquist as the LE Fire Chief. Subsequent to that meeting the Chief formed a new interview panel of the same individuals (Mayor Johnston, Council Member Johnson, and Administrator Rafferty) as well as the Chief Malmquist to interview and select for confirmation the two District Fire Chiefs. Doug Pepin and Brad Winkels were interviewed for the two positions. Again, the panel developed a series of questions for the process. On Tuesday September 13, 2005 the two individuals named were interviewed for the open positions and were determined by the panel unanimously, "exceptionally well suited for the positions".

The interview panel recommends Doug Pepin and Brad Winkels for the open District Fire Chief positions and to be confirmed by the City Council consistent with the process adopted in Ord. 97-141.

Action Items: Motion to Confirm Doug Pepin and Brad Winkels as District Fire Chiefs as recommended by the Interview Panel

Person responsible:

Martin Rafferty, City Administrator

Attachments:

Lake Elmo
City Council
Sept. 20, 2005

Agenda Section: Building/Fire/Maintenance

No. 78

Agenda Item: Building Department Monthly Update

Background Information:

- (A) August Construction Activities.
- (B) Miscellaneous
 - 1. wood burning fireplaces
 - 2. HVAC check

Action Items:

Informational. No action needed.

Person responsible:

J. McNamara

Attachments:

Summary Building Report for August

Summary Building Report

August-2005

Year to Date

	Permits Issued	Valuation
New Residential	3	\$1,750,000.00
New Commercial	0	\$0.00
Other Residential	32	\$565,903.00
Other Commercial	5	\$101,259.00
Total	40	\$2,417,162.00

	Permits Issued	Valuation
New Residential	10	\$4,881,458.00
New Commercial	7	\$2,600,000.00
Other Residential	222	\$3,549,713.00
Other Commercial	26	\$615,837.00
Total	265	\$11,647,008.00

Total Building Fees Collected

\$28,239.14

Total Building Fees Collected

\$169,752.93

Summary Plumbing Report

Plumbing	7	\$107,400.00
Total Plumbing Fees Collected		\$477.50

Summary Plumbing Report

Plumbing	42	\$670,478.00
Total Plumbing Fees Collected		\$3,389.00

Summary HVAC Report

HVAC	10	\$54,615.00
Total HVAC Fees Collected		\$730.00

Summary HVAC Report

HVAC	58	\$532,427.00
Total HVAC Fees Collected		\$5,352.90

Summary Grand Total Fees

\$29,446.64

Surcharge Fee Paid to State
SAC Fees Paid to Met Council
WAC Fees Paid to Oakdale
Misc. Expenses

\$1,187.08

Total Fees Retained

\$28,259.56

Credit Fees to Bldg
Credit Fees to Water
Credit Fees to Sewer

\$28,259.56

\$0.00

\$0.00

Summary Grand Total Fees

\$178,494.83

Surcharge Fee Paid to State
SAC Fees Paid to Met Council
WAC Fees Paid to Oakdale
Misc. Expenses

\$5,734.36

\$1,450.00

\$500.00

\$0.00

Total Fees Retained

\$170,810.47

Credit Fees to Bldg
Credit Fees to Water
Credit Fees to Sewer

\$144,770.92

\$12,300.00

\$800.00

8B.

TKDA

ENGINEERS • ARCHITECTS • PLANNERS

1500 Piper Jaffray Plaza
444 Cedar Street
Saint Paul, MN 55101-2140

(851) 292-4400
(851) 292-0083 Fax
www.tkda.com

September 16, 2005

Honorable Mayor and City Council
City of Lake Elmo, Minnesota
3800 Laverne Avenue North
Lake Elmo, Minnesota 55042

Re: Public Works Facility
City of Lake Elmo, Minnesota
TKDA Project No. 13335.000

Dear Mayor and City Council:

Bids for the referenced project were received on September 8, 2005, with the following results. A complete Tabulation of Bids is enclosed for your information.

Contractor	Base Bid
Ebert Construction	\$2,379,000
Gen-Con Construction	\$2,299,000
Lund-Martin Construction Co.	\$2,699,000
Merrimac Construction Co.	\$3,212,760

Architect's Estimate

Approximately \$2,000,000

(See the attached Conceptual Cost Estimate, dated February 15, 2005, for cost design on Sun Fish Lake Park site.)

Recommendation

Upon review of the bids and the apparent low bidder, including their response to the AIA A305 Contractor Statement of Qualifications, phone conversations with one engineer and one architect from two of their recent projects, and a check into the Better Business Bureau, we recommend that you award the Contract to the lowest bidder, Gen-Con Construction, for their base bid of \$2,299,000.00.

In addition, per discussion with staff, we recommend acceptance of Alternates #1, #2, #5A, #5B, #10, and #12 for a total contract sum of \$2,371,400.00.

Please do not hesitate to call me with any questions or comments you may have.

Sincerely,


Terry Olsen, AIA, CSI
Project Manager/Project Architect

TMO/mas
Enclosures

cc: Tom Prew, TKDA

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

RESOLUTION NO. 2005-099

**A RESOLUTION AWARDING THE BID FOR THE
PUBLIC WORKS FACILITY**

WHEREAS, pursuant to an advertisement for bids for the Public Works Facility, bids were received, opened and tabulated according to law, and the following bids were received complying with the advertisement:

<u>Contractor</u>	<u>Base Bid</u>
Ebert Construction	\$2,379,000
Gen-Con Construction	\$2,299,000
Lund-Martin Construction Co.	\$2,699,000
Merrimac Construction Co.	\$3,212,760
Architect's Estimate	Approx. \$2,000,000

AND WHEREAS, Gen-Con Construction is the lowest responsible bidder with a base bid of \$2,299,000 and including Alternates #1, #2, #5A, #5B, #10, and #12 for a total contract sum of \$2,371,400.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAKE ELMO, MINNESOTA:

1. The mayor and clerk are hereby authorized and directed to enter into a contract with Gen-Con Construction in the name of the City of Lake Elmo for the Public Works Facility, according to the plans and specifications therefore approved by the City Council and on file in the office of the city clerk.
2. The city clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

ADOPTED, by the Lake Elmo City Council this 20th day of September, 2005.

Dean Johnston, Mayor

ATTEST:

Martin Rafferty, City Administrator

Bid Tabulation		LAKE ELMO PUBLIC WORKS FACILITY					9/8/2005 2:00 PM 1335	
for								
	Bid Bond Included							
	Received Addendum #1							
	Base Bid							
	Add Alternate No. 1 - East 23-foot Addition							
	Add Alternate No. 2 - Additional East 23-foot Addition							
	Add Alternate No. 3 - North 24-foot Addition							
	Add Alternate No. 4 - South 26-foot Addition							
	Add Alternate No. 5A - North Monorail Extension							
	Add Alternate No. 5B - South Monorail Extension							
	Deduct Alternate No. 6 - Delete Clerestory and add extended roof system to standard ridge							
	Deduct Alternate No. 7 - Delete custom roof color							
	Deduct Alternate No. 8 - Delete custom wall color							
	Deduct Alternate No. 9 - Change CRMU to cavity CMU							
	Deduct Alternate No. 10 - Deduct for Vehicle Hoist							
	Add Alternate No. 11 - Add for new Fuel Shed							
	Deduct Alternate No. 12 - Deduct for deleting Chain Link Fencing							
	Deduct Alternate No. 13 - Delete Gravel Surfacing							
	Deduct Alternate No. 14 - Delete trees and shrubs							
	Deduct Alternate No. 15 - Delete new office furniture							
	Frontage Road Construction north of Matchline B							
	Building and Siterwork south of existing manhole							
	TOTAL							

9/16/2005

TKDA

9/18/2005

TKDA

ENGINEERS-ARCHITECTS-PLANNERS

LAKE ELMO PUBLIC WORKS ON SUNFISH LAKE PARK SITE

Revised Conceptual Cost Estimate Basic Building & Site (Option #9)

With Add Alternates and Deduct Alternates: 2/15/05

1500 Power Jeffrey Plaza
444 Cedar Street
Sales Park, NE 68101-2140

(603) 292-4400
(603) 292-0083 fax
www.tkda.com

BASE BUILDING / SITE - PRE-ENGINEERED METAL STRUCTURE, WALL, & ROOF SYSTEM (MINIMAL SITE GRADING)

1 12 Stall Vehicle Maintenance (Pre-engineered metal bldg, 4' tall conc. block base, 6" concrete slab)	11,844	square feet	x	\$95 /SF	\$1,125,180
2 Office/Break/Support (attachment to bays - 3'-4' concrete block base, metal panel walls and roof)	1,484	square feet	x	\$130 /SF	\$192,920
3 Lockers/Shower/Toilets	232	square feet	x	\$150 /SF	\$34,800
4 Double-hung thermally broken double glazed windows in office + decorative murals	80	square feet	x	\$60 /SF	\$4,800
5 Internal/external wash bay (vestibule layout, overhead door each side)	1,052	square feet	x	\$ 115 /SF	\$121,031
6 Mezzanine (10' deep; stairs, no retaining wall)	483	square feet	x	\$ 45 /SF	\$21,735
7 Well (toilets & wash bay; no fire sprinkler system)		allowance			\$20,000
8 Septic (toilets, wash bay / vehicle bay tank)		allowance			\$11,000
9 Fencing/Security (6' tall chain link, no vinyl inserts)	570	lineal feet	x	\$ 10 /LF	\$5,700
10 Salt/Sand Building (40'x42' preengineered wood building, plywood interior & 2' high concrete base)	1,680	square feet	x	\$ 45 /SF	\$75,600
11 Class 5 (8" deep to support truck; assume relatively flat grade & good, stable soil; grading hills not included)	26,150	square feet	x	\$1.44 /SF	\$37,591
12 Asphalt Paving (front drive, parking, salt/sand, dirt storage, rear apron beyond stoop)	19,450	square feet	x	\$4.31 /SF	\$83,878
13 Concrete Paving (4' stoop/apron @ OH doors, 5' sidewalk from guest parking to office, pad at fueling)	630	square feet	x	\$20.00 /SF	\$12,600
14 Equipment (hube reels, mobile hoist, 20' of 2 ton capacity chain hoist w/ monorail hung from structure)		allowance			\$55,000
15 New air compressor		allowance			\$4,000
16 Upgrade (4' high splitface textured block around vehicle bays, wash bay, and office area)	2,800	square feet	x	\$3 /SF	\$9,660
17 Architectural upgrade (single cupola)	310	square feet	x	\$6 /SF	\$1,860
18 Fueling-relocate existing/pour footings/run grounding		allowance			\$10,000
19 Low Voltage Wiring (only cost to wire within building; not site cost to building)		allowance			\$6,000
				Subtotal	\$1,833,355
				10% estimate contingency	\$183,335
				USE*	\$2,017,000
SUBTOTAL	14,612	square feet			

*Note: This is an opinion of probable cost, using cost per square foot methods, and not an exact number. Construction prices may fluctuate.
Above total cost incorporates estimated design fees. Estimate does NOT include paving of park access road.
TKDA recommends the Owner have an additional 5% contingency for construction field change orders.

BASE PROJECT TOTAL 14,612 square feet (WITH 5%) \$2,118,000

ADD ALTERNATES

1 +1st stall vehicle maintenance with upgrade of 4' splitface block, no Kalwall + 15% contingency	2,250	square feet	x	113 /SF	\$254,739
2 +2nd stall vehicle maintenance with upgrade of 4' splitface block, no Kalwall + 15% contingency	2,250	square feet	x	113 /SF	\$254,739
3 +cold storage on south face (extend roof; post supports, 3" class 5)+(40' class 5)+ 15% contingency	2,000	square feet	x	64 /SF	\$128,000
4 +cold storage on north face (extend roof; post supports, 3" class 5)+(20' class 5) + 15% contingency	2,038	square feet	x	57 /SF	\$116,141
5 +chain hoist support connecting to monorail (2 ton capacity (4,000lbs)) + 15% contingency	190	lineal feet	x	150 /LF	\$28,500
6 +clerestory at ridge (metal panel walls & roof with glass windows) + 15% contingency	3,614	square feet	x	34 /SF	\$122,876
7 +Additional 19' deep mezzanine with Add Alternate #1 + 15% contingency	656	square feet	x	52 /SF	\$33,922
8 +Additional 19' deep mezzanine with Add Alternate #2 + 15% contingency	266	square feet	x	52 /SF	\$13,766
9 +sign shop	400	square feet	x	150 /SF	\$59,800
10 +water/meter shop	250	square feet	x	150 /SF	\$37,375
11 +Site Storage Bins (gravel, dirt, wood chips)	4	bins	x	17,250 EA	\$69,000
12 +Curved (Gambrel) metal roof upgrade	16,500	square feet	x	17 /SF	\$284,625
13 +Office/Breakroom Furniture (tables, desks, chairs, appliances; does NOT include computers/printers/fax)		allowance			\$14,000

DEDUCT ALTERNATES

1 -Fueling-relocate existing/pour footings/run grounding by Lake Elmo				allowance	\$10,000
2 -Fencing/Security-chain link, by Lake Elmo	570	lineal feet		\$ 10	\$5,700
3 -Class 5 (8" deep to support trucks, by Lake Elmo)	26,150	square feet	x	\$1.44	\$37,591
4 -New air compressor (purchased/installed by Lake Elmo)				allowance	\$4,000
5 -Equipment (hube reels, mobile hoist, 20' 2000lb monorail purchase/install by Lake Elmo; electrical by GC; structure preengineered)				allowance	\$50,000
6 -Low Voltage Wiring (by City's vendor)				allowance	\$6,000
7 -Well (toilets & wash bay; no fire sprinkler system; use water from watertower instead)				estimate	\$20,000
				Total Available Deduct Alternates	\$133,291

501

TRIO

ENGINEERS, ARCHITECTS, PLANNERS

Project: City of Lake Elmo Public Works

Project 13335

RFI Number	Date Rec'd.	Date of Response	ASI Drawing #	Prop. Req. #	Description	Answered by:	Copies to: Gen-Cons (952) 492-7780	Lake Elmo (651) 777-9815	Copies to: TKDA, Dean Johnson	Copies to: TKDA M	E 3 LA	Copies to: File	Copies to others (list)	I.e. Field	Request for Substitution?	Proposed Cost	Accepted? Y or N	Approved Cost	Running Total
	10/21/05	10/21/05			Base Contract Amount for Public Works Facility												Y	\$2,289,000.00	\$2,289,000.00
	10/21/05	10/21/05			Accept Add Alternate #1 East 23 foot addition												Y	\$64,400.00	\$2,353,400.00
	10/21/05	10/21/05			Accept Add Alternate #2 East 23 foot addition												Y	\$64,700.00	\$2,418,100.00
	10/21/05	10/21/05			Accept Add Alternate #3A north memorial track addition												Y	\$7,400.00	\$2,425,500.00
	10/21/05	10/21/05			Accept Add Alternate #3B south memorial track addition												Y	\$9,700.00	\$2,435,200.00
	10/21/05	10/21/05			Accept Deduct Alternate #10 delete vehicle hoist (by Owner)												Y	-\$39,600.00	\$2,405,600.00
	10/21/05	10/21/05			Accept Deduct Alternate #12 delete chain link fencing (gates in base bid)												Y	-\$34,200.00	\$2,371,400.00
1	10/22/05	10/22/05																\$0.00	\$2,371,400.00
2																		\$0.00	\$2,371,400.00
3																		\$0.00	\$2,371,400.00
4																		\$0.00	\$2,371,400.00
5																		\$0.00	\$2,371,400.00
6																		\$0.00	\$2,371,400.00
7																		\$0.00	\$2,371,400.00
8																		\$0.00	\$2,371,400.00
9																		\$0.00	\$2,371,400.00
10																		\$0.00	\$2,371,400.00
11																		\$0.00	\$2,371,400.00
12																		\$0.00	\$2,371,400.00
13																		\$0.00	\$2,371,400.00
14																		\$0.00	\$2,371,400.00
15																		\$0.00	\$2,371,400.00
16																		\$0.00	\$2,371,400.00
17																		\$0.00	\$2,371,400.00
18																		\$0.00	\$2,371,400.00
19																		\$0.00	\$2,371,400.00
20																		\$0.00	\$2,371,400.00
21																		\$0.00	\$2,371,400.00

TOTAL P.05

8c.

TKDA

ENGINEERS • ARCHITECTS • PLANNERS

1500 Piper Jaffray Plaza
444 Cedar Street
Saint Paul, MN 55101-2140

(651) 292-4400
(651) 292-0083 Fax
www.tkda.com

September 15, 2005

Honorable Mayor and City Council
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, Minnesota 55042

Re: Water System Interconnect - Phase III
City of Lake Elmo, Minnesota
TKDA Project No. 13186.000.005

Dear Mayor and City Council:

Bids for the referenced project were received on September 9, 2005 with the following results.
A complete Tabulation of Bids is enclosed for your information.

<u>Contractor</u>	<u>Base Bid</u>
Chris Riley Utilities, Inc.	\$612,000.00
Ellingson Drainage, Inc.	\$700,000.00
Frontier Pipeline	\$707,056.00
Minncomm Utility Construction Co., Inc.	\$753,106.00
Push Inc.	\$828,610.50
G.M. Contracting, Inc.	\$838,082.09
Engineer's Estimate	\$768,239.00

Recommendation

We recommend that you award the Contract to the lowest bidder, Chris Riley Utilities, Inc., for their base bid of \$612,000.00.

Please do not hesitate to call me with any questions or comments you may have.

Sincerely,

Thomas D. Prew, P.E.
City Engineer

Enclosure

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

RESOLUTION NO. 2005-100

**A RESOLUTION AWARDING THE BID FOR THE WATER SYSTEM
INTERCONNECT – PHASE III**

WHEREAS, pursuant to an advertisement for bids for the WATER SYSTEM INTERCONNECT – PHASE III, bids were received, opened and tabulated according to law, and the following bids were received complying with the advertisement:

<u>Contractor</u>	<u>Base Bid</u>
Chris Riley Utilities, Inc.	\$612,000.00
Ellingson Drainage Inc.	\$700,000.00
Frontier Pipeline	\$707,056.00
Minncomm Utility Construction Co., Inc.	\$753,106.00
Push Inc.	\$828,610.50
G.M. Contracting, Inc.	\$838,082.09
Engineer's Estimate	\$768,239.00

AND WHEREAS, Chris Riley Utilities, Inc. is the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAKE ELMO, MINNESOTA:

1. The mayor and clerk are hereby authorized and directed to enter into a contract with Chris Riley Utilities, Inc. in the name of the City of Lake Elmo for the Water System Interconnect – Phase III, according to the plans and specifications therefore approved by the City Council and on file in the office of the city clerk.
2. The city clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

ADOPTED, by the Lake Elmo City Council this 20th day of September, 2005.

Dean Johnston, Mayor

ATTEST:

Martin Rafferty, City Administrator

TABULATION OF BIDS

WATER SYSTEM INTERCONNECT - PHASE III
CITY OF LAKE ELMO, Minnesota
TKDA PROJECT NO. 13186.000

BIDS OPENED: SEPTEMBER 9, 2005, AT 10:00 AM

*DENOTES ERROR IN BIDDERS CALCULATION



ITEM NO.	DESCRIPTION	QUANTITY	UNIT	ENGINEER'S ESTIMATE		CHRIS RILEY UTILITIES		ELLINGSON COMPANIES		FRONTIER
				UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE
	WATERMAIN									
1	MOBILIZATION	1	LS	\$ 20,000.00	\$ 20,000.00	\$ 10,000.00	\$ 10,000.00	\$ 8,361.10	\$ 8,361.10	\$ 20,600.00
2	TRAFFIC CONTROL	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00	\$ 3,100.00	\$ 3,100.00	\$ 5,000.00
3	REMOVE & DISPOSE OF BIT. PAVEMENT	740	SY	\$ 3.00	\$ 2,220.00	\$ 2.00	\$ 1,480.00	\$ 3.75	\$ 2,775.00	\$ 3.50
4	SAW CUT BIT. PAVEMENT	1,451	LF	\$ 3.00	\$ 4,353.00	\$ 1.00	\$ 1,451.00	\$ 1.20	\$ 1,741.20	\$ 3.00
5	PATCH BIT. ROADWAY 4" THICK INCL. GRAVEL BASE	740	SY	\$ 15.00	\$ 11,100.00	\$ 12.00	\$ 8,880.00	\$ 25.00	\$ 18,500.00	\$ 15.00
6	REMOVE & REPLACE D412 CURB & GUTTER	96	LF	\$ 25.00	\$ 2,400.00	\$ 15.00	\$ 1,440.00	\$ 26.30	\$ 2,524.80	\$ 35.00
7	REMOVE & REPLACE D416 CURB & GUTTER	32	LF	\$ 25.00	\$ 800.00	\$ 15.00	\$ 480.00	\$ 34.90	\$ 1,116.80	\$ 35.00
8	REMOVE & REPLACE B618 CURB & GUTTER	28	LF	\$ 25.00	\$ 700.00	\$ 15.00	\$ 420.00	\$ 38.50	\$ 1,078.00	\$ 35.00
9	6" AGGREGATE BASE, CLASS 5	139	TON	\$ 12.00	\$ 1,668.00	\$ 10.00	\$ 1,390.00	\$ 19.50	\$ 2,710.50	\$ 15.00
10	SEEDING, INCL. SEED, FERTILIZER & WOOD FIBER BLANKET	1,722	SY	\$ 2.50	\$ 4,305.00	\$ 2.00	\$ 3,444.00	\$ 2.05	\$ 3,530.10	\$ 3.00
11	SODDING TYPE LAWN	1,722	SY	\$ 4.00	\$ 6,888.00	\$ 3.00	\$ 5,166.00	\$ 3.25	\$ 5,596.50	\$ 5.00
12	REMOVAL OF EXISTING GATE VALVE BOX	4	EA	\$ 100.00	\$ 400.00	\$ 500.00	\$ 2,000.00	\$ 250.00	\$ 1,000.00	\$ 100.00
13	REMOVAL OF EXISTING WATERMAIN & FITTING	220	LF	\$ 10.00	\$ 2,200.00	\$ 10.00	\$ 2,200.00	\$ 9.00	\$ 1,980.00	\$ 30.00
14	SALVAGE 6" HYDRANT, GATE VALVE & BOX	2	EA	\$ 200.00	\$ 400.00	\$ 1,200.00	\$ 2,400.00	\$ 850.00	\$ 1,700.00	\$ 400.00
15	SALVAGE 6" GATE VALVE & BOX	2	EA	\$ 200.00	\$ 400.00	\$ 800.00	\$ 1,600.00	\$ 321.00	\$ 642.00	\$ 400.00
16	SALVAGE 16"x6" REDUCER	1	EA	\$ 200.00	\$ 200.00	\$ 500.00	\$ 500.00	\$ 535.00	\$ 535.00	\$ 100.00
17	CONNECT TO EXIST. WATERMAIN	9	EA	\$ 2,000.00	\$ 18,000.00	\$ 1,000.00	\$ 9,000.00	\$ 2,900.00	\$ 26,100.00	\$ 1,500.00
18	6" DIP CL-52 WATERMAIN	100	LF	\$ 50.00	\$ 5,000.00	\$ 60.00	\$ 6,000.00	\$ 32.40	\$ 3,240.00	\$ 50.00
19	8" DIP CL-52 WATERMAIN	185	LF	\$ 70.00	\$ 12,950.00	\$ 48.20	\$ 8,917.00	\$ 52.45	\$ 9,703.25	\$ 50.00
20	12" DIP CL-52 WATERMAIN	50	LF	\$ 80.00	\$ 4,000.00	\$ 56.83	\$ 2,841.50	\$ 86.00	\$ 4,300.00	\$ 50.00
21	16" MJ DIP CL-52 WATERMAIN IN CASING PIPE	175	LF	\$ 50.00	\$ 8,750.00	\$ 77.66	\$ 13,590.50	\$ 47.25	\$ 8,268.75	\$ 50.00
22	DIR. DRILL 12" HDPE SDR 17 (DIP SIZE)	2,000	LF	\$ 55.00	\$ 110,000.00	\$ 28.17	\$ 56,340.00	\$ 38.00	\$ 76,000.00	\$ 47.00
23	DIR. DRILL 16" HDPE SDR 17 (DIP SIZE)	6,025	LF	\$ 60.00	\$ 361,500.00	\$ 40.46	\$ 243,771.50	\$ 51.00	\$ 307,275.00	\$ 51.00
24	30" STEEL CASING PIPE (AUGERED / JACKED INSTALLATION)	175	LF	\$ 200.00	\$ 35,000.00	\$ 282.00	\$ 49,350.00	\$ 303.00	\$ 53,025.00	\$ 200.00
25	6" RES. SEAT GATE VALVE & BOX	10	EA	\$ 800.00	\$ 8,000.00	\$ 1,442.20	\$ 14,422.00	\$ 1,295.00	\$ 12,950.00	\$ 750.00
26	8" RES. SEAT GATE VALVE & BOX	4	EA	\$ 1,000.00	\$ 4,000.00	\$ 1,833.24	\$ 7,332.96	\$ 1,350.00	\$ 5,400.00	\$ 800.00
27	12" BUTTERFLY VALVE & BOX	3	EA	\$ 1,500.00	\$ 4,500.00	\$ 2,815.81	\$ 8,447.43	\$ 2,600.00	\$ 7,800.00	\$ 2,800.00
28	16" BUTTERFLY VALVE & BOX	8	EA	\$ 2,500.00	\$ 20,000.00	\$ 4,297.74	\$ 34,381.92	\$ 2,900.00	\$ 23,200.00	\$ 3,500.00
29	6" HYDRANT EXTENSION	3	EA	\$ 350.00	\$ 1,050.00	\$ 697.27	\$ 2,091.81	\$ 345.00	\$ 1,035.00	\$ 300.00
30	12" HYDRANT EXTENSION	3	EA	\$ 500.00	\$ 1,500.00	\$ 1,032.15	\$ 3,096.45	\$ 385.00	\$ 1,155.00	\$ 300.00
31	6" HYDRANT	8	EA	\$ 2,000.00	\$ 16,000.00	\$ 3,618.10	\$ 28,944.80	\$ 3,350.00	\$ 26,800.00	\$ 2,750.00
32	INSTALL SALVAGE 6" HYDRANT, GATE VALVE & BOX	1	EA	\$ 400.00	\$ 400.00	\$ 2,075.00	\$ 2,075.00	\$ 1,500.00	\$ 1,500.00	\$ 1,000.00
33	MJ DIP COMPACT FITTINGS (AWWA C163 MEASURE)	5,359	LB	\$ 5.00	\$ 26,795.00	\$ 3.50	\$ 18,756.50	\$ 4.00	\$ 21,436.00	\$ 3.00
34	1" TYPE "K" COPPER WATER SERVICE	1,288	LF	\$ 20.00	\$ 25,760.00	\$ 21.45	\$ 27,627.60	\$ 17.00	\$ 21,896.00	\$ 30.00
35	FUSABLE SADDLE W/ 1" CORPORATION STOP	35	EA	\$ 900.00	\$ 31,500.00	\$ 408.66	\$ 14,303.10	\$ 535.00	\$ 18,725.00	\$ 450.00
36	1" CURB STOP BOX	35	EA	\$ 300.00	\$ 10,500.00	\$ 224.55	\$ 7,859.25	\$ 380.00	\$ 13,300.00	\$ 450.00
	TOTAL BID AMOUNT				\$ 768,239.00		\$ 612,000.32		\$ 700,000.00	

TABULATION OF BIDS

WATER SYSTEM INTERCONNECT - PHASE III
CITY OF LAKE ELMO, Minnesota
TKDA PROJECT NO. 13186.000

BIDS OPENED: SEPTEMBER 9, 2005, AT 10:00 AM

*DENOTES ERROR IN BIDDERS CALCULATION



ITEM NO.	DESCRIPTION	R PIPELINE			MINNCOMM UTILITY CONSTRUCTION CO INC			PUSH INC			GM CONT	
		QUANTITY	UNIT	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	UNIT PRICE
1	WATERMAIN											
1	MOBILIZATION	1	LS	\$ 20,600.00	\$ 20,600.00	\$ 25,000.00	\$ 25,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 40,000.00	\$ 40,000.00
2	TRAFFIC CONTROL	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 6,009.09	\$ 6,009.09
3	REMOVE & DISPOSE OF BIT. PAVEMENT	740	SY	\$ 2,590.00	\$ 2,590.00	\$ 2,250.00	\$ 2,250.00	\$ 4.80	\$ 4.80	\$ 3,552.00	\$ 3.91	\$ 3.91
4	SAW CUT BIT. PAVEMENT	1,451	LF	\$ 4,353.00	\$ 4,353.00	\$ 4,000.00	\$ 4,000.00	\$ 3.50	\$ 3.50	\$ 5,078.50	\$ 1.30	\$ 1.30
5	PATCH BIT. ROADWAY 4" THICK INCL. GRAVEL BASE	740	SY	\$ 11,100.00	\$ 11,100.00	\$ 60.00	\$ 44,400.00	\$ 18.00	\$ 18.00	\$ 13,320.00	\$ 22.66	\$ 22.66
6	REMOVE & REPLACE D412 CURB & GUTTER	96	LF	\$ 3,360.00	\$ 3,360.00	\$ 55.00	\$ 5,280.00	\$ 19.00	\$ 19.00	\$ 1,824.00	\$ 28.84	\$ 28.84
7	REMOVE & REPLACE D416 CURB & GUTTER	32	LF	\$ 1,120.00	\$ 1,120.00	\$ 62.00	\$ 1,984.00	\$ 19.00	\$ 19.00	\$ 608.00	\$ 30.90	\$ 30.90
8	REMOVE & REPLACE B618 CURB & GUTTER	28	LF	\$ 980.00	\$ 980.00	\$ 70.00	\$ 1,960.00	\$ 19.00	\$ 19.00	\$ 532.00	\$ 32.96	\$ 32.96
9	6" AGGREGATE BASE, CLASS 5	139	TON	\$ 2,085.00	\$ 2,085.00	\$ 20.00	\$ 2,780.00	\$ 15.50	\$ 15.50	\$ 2,154.50	\$ 15.40	\$ 15.40
10	SEEDING, INCL. SEED, FERTILIZER & WOOD FIBER BLANKET	1,722	SY	\$ 5,166.00	\$ 5,166.00	\$ 1.00	\$ 1,722.00	\$ 3.00	\$ 3.00	\$ 5,166.00	\$ 2.06	\$ 2.06
11	SODDING TYPE LAWN	1,722	SY	\$ 8,610.00	\$ 8,610.00	\$ 5.00	\$ 8,610.00	\$ 4.00	\$ 4.00	\$ 6,888.00	\$ 3.86	\$ 3.86
12	REMOVAL OF EXISTING GATE VALVE BOX	4	EA	\$ 400.00	\$ 400.00	\$ 650.00	\$ 2,600.00	\$ 500.00	\$ 500.00	\$ 2,000.00	\$ 195.45	\$ 195.45
13	REMOVAL OF EXISTING WATERMAIN & FITTING	220	LF	\$ 6,600.00	\$ 6,600.00	\$ 10.00	\$ 2,200.00	\$ 24.50	\$ 24.50	\$ 5,390.00	\$ 2.33	\$ 2.33
14	SALVAGE 6" HYDRANT, GATE VALVE & BOX	2	EA	\$ 800.00	\$ 800.00	\$ 600.00	\$ 1,200.00	\$ 1,400.00	\$ 1,400.00	\$ 2,800.00	\$ 350.00	\$ 350.00
15	SALVAGE 6" GATE VALVE & BOX	2	EA	\$ 800.00	\$ 800.00	\$ 600.00	\$ 1,200.00	\$ 500.00	\$ 500.00	\$ 1,000.00	\$ 250.00	\$ 250.00
16	SALVAGE 16"x8" REDUCER	1	EA	\$ 100.00	\$ 100.00	\$ 600.00	\$ 600.00	\$ 450.00	\$ 450.00	\$ 450.00	\$ 125.00	\$ 125.00
17	CONNECT TO EXIST. WATERMAIN	9	EA	\$ 13,500.00	\$ 13,500.00	\$ 1,000.00	\$ 9,000.00	\$ 1,250.00	\$ 1,250.00	\$ 11,250.00	\$ 2,678.30	\$ 2,678.30
18	6" DIP CL-52 WATERMAIN	100	LF	\$ 5,000.00	\$ 5,000.00	\$ 33.00	\$ 3,300.00	\$ 29.75	\$ 29.75	\$ 2,975.00	\$ 32.99	\$ 32.99
19	8" DIP CL-52 WATERMAIN	185	LF	\$ 9,250.00	\$ 9,250.00	\$ 40.00	\$ 7,400.00	\$ 34.25	\$ 34.25	\$ 6,336.25	\$ 36.73	\$ 36.73
20	12" DIP CL-52 WATERMAIN	50	LF	\$ 2,500.00	\$ 2,500.00	\$ 55.00	\$ 2,750.00	\$ 40.10	\$ 40.10	\$ 2,005.00	\$ 39.72	\$ 39.72
21	16" MJ DIP CL-52 WATERMAIN IN CASING PIPE	175	LF	\$ 8,750.00	\$ 8,750.00	\$ 62.00	\$ 10,850.00	\$ 53.30	\$ 53.30	\$ 9,327.50	\$ 59.00	\$ 59.00
22	DIR. DRILL 12" HDPE SDR 17 (DIP SIZE)	2,000	LF	\$ 94,000.00	\$ 94,000.00	\$ 36.00	\$ 72,000.00	\$ 52.15	\$ 52.15	\$ 104,300.00	\$ 39.72	\$ 39.72
23	DIR. DRILL 16" HDPE SDR 17 (DIP SIZE)	6,025	LF	\$ 307,275.00	\$ 307,275.00	\$ 57.00	\$ 343,425.00	\$ 68.50	\$ 68.50	\$ 412,712.50	\$ 63.50	\$ 63.50
24	30" STEEL CASING PIPE (AUGERED / JACKED INSTALLATION)	175	LF	\$ 35,000.00	\$ 35,000.00	\$ 210.00	\$ 36,750.00	\$ 310.00	\$ 310.00	\$ 54,250.00	\$ 248.23	\$ 248.23
25	6" RES. SEAT GATE VALVE & BOX	10	EA	\$ 7,500.00	\$ 7,500.00	\$ 1,350.00	\$ 13,500.00	\$ 1,045.00	\$ 1,045.00	\$ 10,450.00	\$ 1,332.07	\$ 1,332.07
26	8" RES. SEAT GATE VALVE & BOX	4	EA	\$ 3,200.00	\$ 3,200.00	\$ 1,700.00	\$ 6,800.00	\$ 1,300.00	\$ 1,300.00	\$ 5,200.00	\$ 1,585.81	\$ 1,585.81
27	12" BUTTERFLY VALVE & BOX	3	EA	\$ 8,400.00	\$ 8,400.00	\$ 2,300.00	\$ 6,900.00	\$ 2,250.00	\$ 2,250.00	\$ 6,750.00	\$ 2,375.10	\$ 2,375.10
28	16" BUTTERFLY VALVE & BOX	8	EA	\$ 28,000.00	\$ 28,000.00	\$ 3,000.00	\$ 24,000.00	\$ 3,225.00	\$ 3,225.00	\$ 25,800.00	\$ 3,617.85	\$ 3,617.85
29	6" HYDRANT EXTENSION	3	EA	\$ 900.00	\$ 900.00	\$ 250.00	\$ 750.00	\$ 270.00	\$ 270.00	\$ 810.00	\$ 471.41	\$ 471.41
30	12" HYDRANT EXTENSION	3	EA	\$ 900.00	\$ 900.00	\$ 350.00	\$ 1,050.00	\$ 312.00	\$ 312.00	\$ 936.00	\$ 520.30	\$ 520.30
31	6" HYDRANT	8	EA	\$ 22,000.00	\$ 22,000.00	\$ 2,800.00	\$ 22,400.00	\$ 3,350.00	\$ 3,350.00	\$ 26,800.00	\$ 4,346.99	\$ 4,346.99
32	INSTALL SALVAGE 6" HYDRANT, GATE VALVE & BOX	1	EA	\$ 1,000.00	\$ 1,000.00	\$ 1,250.00	\$ 1,250.00	\$ 1,850.00	\$ 1,850.00	\$ 1,850.00	\$ 880.43	\$ 880.43
33	MJ DIP COMPACT FITTINGS (AWWA C153 MEASURE)	5,359	LB	\$ 16,077.00	\$ 16,077.00	\$ 4.00	\$ 21,436.00	\$ 3.75	\$ 3.75	\$ 20,096.25	\$ 3.95	\$ 3.95
34	1" TYPE "K" COPPER WATER SERVICE	1,288	LF	\$ 38,640.00	\$ 38,640.00	\$ 17.50	\$ 22,540.00	\$ 23.00	\$ 23.00	\$ 29,624.00	\$ 27.69	\$ 27.69
35	FUSABLE SADDLE W/ 1" CORPORATION STOP	35	EA	\$ 15,750.00	\$ 15,750.00	\$ 500.00	\$ 17,500.00	\$ 215.00	\$ 215.00	\$ 7,525.00	\$ 693.17	\$ 693.17
36	1" CURB STOP BOX	35	EA	\$ 15,750.00	\$ 15,750.00	\$ 500.00	\$ 17,500.00	\$ 610.00	\$ 610.00	\$ 21,350.00	\$ 670.16	\$ 670.16
	TOTAL BID AMOUNT			\$ 707,056.00			\$ 753,106.00			\$ 828,610.50		

TABULATION OF BIDS

WATER SYSTEM INTERCONNECT - PHASE III
CITY OF LAKE ELMO, Minnesota
TKDA PROJECT NO. 13186.000

BIDS OPENED: SEPTEMBER 9, 2005, AT 10:00 AM

*DENOTES ERROR IN BIDDERS CALCULATION



ITEM NO.	DESCRIPTION	BIDDING INC.			UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
		QUANTITY	UNIT	AMOUNT				
	WATERMAIN							
1	MOBILIZATION	1	LS	\$ 40,000.00		\$		\$
2	TRAFFIC CONTROL	1	LS	\$ 6,009.09		\$		\$
3	REMOVE & DISPOSE OF BIT. PAVEMENT	740	SY	\$ 2,893.40		\$		\$
4	SAW CUT BIT. PAVEMENT	1,451	LF	\$ 1,886.30		\$		\$
5	PATCH BIT. ROADWAY 4" THICK INCL. GRAVEL BASE	740	SY	\$ 16,768.40		\$		\$
6	REMOVE & REPLACE D412 CURB & GUTTER	96	LF	\$ 2,768.64		\$		\$
7	REMOVE & REPLACE D416 CURB & GUTTER	32	LF	\$ 988.80		\$		\$
8	REMOVE & REPLACE B618 CURB & GUTTER	28	LF	\$ 922.88		\$		\$
9	6" AGGREGATE BASE, CLASS 5	139	TON	\$ 2,140.60		\$		\$
10	SEEDING, INCL. SEED, FERTILIZER & WOOD FIBER BLANKET	1,722	SY	\$ 3,547.32		\$		\$
11	SODDING TYPE LAWN	1,722	SY	\$ 6,646.92		\$		\$
12	REMOVAL OF EXISTING GATE VALVE BOX	4	EA	\$ 781.80		\$		\$
13	REMOVAL OF EXISTING WATERMAIN & FITTING	220	LF	\$ 512.60		\$		\$
14	SALVAGE 6" HYDRANT, GATE VALVE & BOX	2	EA	\$ 700.00		\$		\$
15	SALVAGE 6" GATE VALVE & BOX	2	EA	\$ 500.00		\$		\$
16	SALVAGE 16"x6" REDUCER	1	EA	\$ 125.00		\$		\$
17	CONNECT TO EXIST. WATERMAIN	9	EA	\$ 24,104.70		\$		\$
18	6" DIP CL-52 WATERMAIN	100	LF	\$ 3,299.00		\$		\$
19	8" DIP CL-52 WATERMAIN	185	LF	\$ 6,795.05		\$		\$
20	12" DIP CL-52 WATERMAIN	50	LF	\$ 1,986.00		\$		\$
21	16" MJ DIP CL-52 WATERMAIN IN CASING PIPE	175	LF	\$ 10,325.00		\$		\$
22	DIR. DRILL 12" HDPE SDR 17 (DIP SIZE)	2,000	LF	\$ 79,440.00		\$		\$
23	DIR. DRILL 16" HDPE SDR 17 (DIP SIZE)	6,025	LF	\$ 382,587.50		\$		\$
24	30" STEEL CASING PIPE (AUGERED / JACKED INSTALLATION)	175	LF	\$ 43,440.25		\$		\$
25	6" RES. SEAT GATE VALVE & BOX	10	EA	\$ 13,320.70		\$		\$
26	8" RES. SEAT GATE VALVE & BOX	4	EA	\$ 6,343.24		\$		\$
27	12" BUTTERFLY VALVE & BOX	3	EA	\$ 7,125.30		\$		\$
28	16" BUTTERFLY VALVE & BOX	8	EA	\$ 28,942.80		\$		\$
29	6" HYDRANT EXTENSION	3	EA	\$ 1,414.23		\$		\$
30	12" HYDRANT EXTENSION	3	EA	\$ 1,560.90		\$		\$
31	16" HYDRANT	8	EA	\$ 34,775.92		\$		\$
32	INSTALL SALVAGE 6" HYDRANT, GATE VALVE & BOX	1	EA	\$ 880.43		\$		\$
33	MJ DIP COMPACT FITTINGS (AWWA C153 MEASURE)	5,359	LB	\$ 21,168.06		\$		\$
34	1" TYPE 9" COPPER WATER SERVICE	1,288	LF	\$ 35,664.72		\$		\$
35	FUSABLE SADDLE W/ 1" CORPORATION STOP	35	EA	\$ 24,260.95		\$		\$
36	1" CURB STOP BOX	35	EA	\$ 23,455.60		\$		\$
	TOTAL BID AMOUNT			\$ 838,082.09		\$		\$

8D.

TKDA

ENGINEERS • ARCHITECTS • PLANNERS

1500 Piper Jaffray Plaza
444 Cedar Street
Saint Paul, MN 55101-2140

(651) 292-4400
(651) 292-0083 Fax
www.tkda.com

September 15, 2005

Honorable Mayor and City Council
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, Minnesota 55042

Re: Hilltop Avenue Street Repairs
City of Lake Elmo, Minnesota
TKDA Project No. 13403.000

Dear Mayor and City Council:

Bids for the referenced project were received on September 9, 2005 with the following results.
A complete Tabulation of Bids is enclosed for your information.

<u>Contractor</u>	<u>Base Bid</u>
Tower Asphalt	\$117,249.40
T. A. Schifsky and Sons	\$143,492.00
Engineer's Estimate	\$123,740.00

Recommendation

We recommend that you award the Contract to the lowest bidder, Tower Asphalt, for their base bid of \$117,249.40.

Please do not hesitate to call me with any questions or comments you may have.

Sincerely,

Thomas D. Prew, P.E.
City Engineer

Enclosure

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

RESOLUTION NO. 2005-101

**A RESOLUTION AWARDDING THE BID FOR THE
HILLTOP AVENUE STREET REPAIRS**

WHEREAS, pursuant to an advertisement for bids for the HILLTOP AVENUE STREET REPAIRS, bids were received, opened and tabulated according to law, and the following bids were received complying with the advertisement:

<u>Contractor</u>	<u>Base Bid</u>
Tower Asphalt	\$117,249.40
T.A. Schifsky and Sons	\$143,492.00
Engineer's Estimate	\$123,740.00

AND WHEREAS, Tower Asphalt is the lowest responsible bidder.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAKE ELMO, MINNESOTA:

1. The mayor and clerk are hereby authorized and directed to enter into a contract with Tower Asphalt in the name of the City of Lake Elmo for the Hilltop Avenue Street Repairs, according to the plans and specifications therefore approved by the City Council and on file in the office of the city clerk.
2. The city clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

ADOPTED, by the Lake Elmo City Council this 20th day of September, 2005.

Dean Johnston, Mayor

ATTEST:

Martin Rafferty, City Administrator

TABULATION OF BIDS

2003 STREET REPAIRS
HILLTOP AVENUE
CITY OF LAKE ELMO, MINNESOTA
TKDA PROJECT NO. 13403.000

BIDS OPENED: SEPTEMBER 9, 2005, AT 9:00 AM
*DENOTES ERROR IN BIDDERS CALCULATION



ITEM NO.	DESCRIPTION	ENGINEER'S ESTIMATE			TOWER ASPHALT			T.A. SCHIFSKEY		
		QUANTITY	UNIT	PRICE	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
	HILLTOP AVENUE									
1	MOBILIZATION	1	LS	\$ 15,000.00	\$ 15,000.00	\$ 16,400.00	\$ 16,400.00	\$ 7,500.00	\$ 7,500.00	
2	RECLAIM BITUMINOUS SURFACE	10,600	SY	\$ 0.50	\$ 5,300.00	\$ 0.87	\$ 7,102.00	\$ 0.95	\$ 10,070.00	
3	REPAIR CATCH BASIN	6	EA	\$ 600.00	\$ 3,600.00	\$ 290.00	\$ 1,740.00	\$ 1,250.00	\$ 7,500.00	
4	SUBGRADE EXCAVATION	1,000	CY	\$ 12.00	\$ 12,000.00	\$ 1.00	\$ 1,000.00	\$ 12.00	\$ 12,000.00	
5	GRADE GRAVEL BASE	28	RS	\$ 160.00	\$ 4,480.00	\$ 255.00	\$ 7,140.00	\$ 280.00	\$ 7,840.00	
6	BITUMINOUS BASE COURSE	960	TN	\$ 36.00	\$ 34,560.00	\$ 33.84	\$ 32,486.40	\$ 45.20	\$ 43,392.00	
7	BITUMINOUS WEAR COURSE	900	TN	\$ 40.00	\$ 36,000.00	\$ 34.84	\$ 31,356.00	\$ 46.50	\$ 41,850.00	
8	TACK COAT	500	GAL	\$ 2.00	\$ 1,000.00	\$ 1.00	\$ 500.00	\$ 1.50	\$ 750.00	
9	BITUMINOUS DRIVEWAY PATCHING	50	SY	\$ 4.00	\$ 200.00	\$ 30.00	\$ 1,500.00	\$ 40.00	\$ 2,000.00	
10	SAW AND SEAL PAVEMENT	2,400	LF	\$ 1.50	\$ 3,600.00	\$ 1.75	\$ 4,200.00	\$ 1.70	\$ 4,080.00	
11	LAWN RESTORATION	1	LS	\$ 5,000.00	\$ 5,000.00	\$ 7,225.00	\$ 7,225.00	\$ 3,600.00	\$ 3,600.00	
	SUBTOTAL BASE BID			\$ 120,740.00	\$ 120,740.00	\$ 110,649.40	\$ 110,649.40	\$ 140,582.00	\$ 140,582.00	
	PART II									
1	REPLACE CATCH BASIN ON 32ND STREET	1	LS	\$ 3,000.00	\$ 3,000.00	\$ 5,500.00	\$ 5,500.00	\$ 2,310.00	\$ 2,310.00	
2	REMOVE AND REPLACE CONCRETE CURB AND GUTTER ON IRONWOOD TRAIL NORTH	20	LF	\$ -	\$ -	\$ 55.00	\$ 1,100.00	\$ 30.00	\$ 600.00	
	SUBTOTAL PART II				\$ 3,000.00	\$ 6,600.00	\$ 6,600.00	\$ 2,910.00	\$ 2,910.00	
	TOTAL BID AMOUNT				\$ 123,740.00	\$ 117,249.40	\$ 117,249.40	\$ 143,492.00	\$ 143,492.00	

Lake Elmo City Council September 20, 2005	Agenda Section: Planning, Land Use and Zoning	<u>No.</u> 9A
<u>Agenda Item:</u> Revised OP Concept Plan – Deer Glen		
<p><u>Background Information for September 20, 2005:</u></p> <p>On September 6 the Council tabled this matter (with the applicant's concurrence) to the meeting of September 20. The purpose of the deferral was to enable the applicant to submit a complete Concept Plan application reflecting the partial materials introduced to the City Council on September 6.</p> <p>On September 8 the applicant provided multiple copies of additional Concept Plan application documentation. The supplemental documentation complies with Concept Plan submission requirements. Planning staff has referred the September 8 documents to the City Engineer and Valley Branch Watershed. The revised review comments from those parties are attached. Both reviews indicate concerns with issues involving grading and drainage that are beyond the scope of a Concept Plan and would need to be addressed in detail with the Development Stage and Preliminary Plat. We note, however, that both reviews also discuss the deletion (from the earlier Concept Plans) of the public road extension to the east property line. This is a Concept Plan issue.</p> <p>Since some members of the Council appeared to generally favor this version of the Concept Plan (at least over prior versions), we have attached a draft Resolution for approval of the OP Concept Plan of Deer Glen. The draft includes the standard Findings and Conditions of Concept Plan approval. The Council could add such additional Findings or conditions as to determine to be appropriate. Since complete revised Concept Plan documentation was not submitted to the City until September 8, it would appear that this (September 8) becomes the legal date of application for purposes of the City review period.</p>		
<p><u>Action items:</u></p> <p>Motion to either adopt Resolution #2005 -102 , approving the Deer Glen amended Concept Plan</p>	<p><u>Person responsible:</u></p> <p>City Planner</p>	
<p><u>Attachments:</u></p> <ol style="list-style-type: none"> 1. Draft Resolution #2005 -102 Approving Concept Plan 2. Draft City Council Minutes of September 6 3. City Engineer's Memo 4. Valley Branch Watershed Memo 	<p><u>Time Allocated:</u></p>	

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

**RESOLUTION NO. 2005-102
A RESOLUTION APPROVING THE AMENDED
OP CONCEPT PLAN OF DEER GLEN**

WHEREAS, on July 25th, 2005, the Lake Elmo Planning Commission reviewed and recommended approval of the amended OP Concept Plan of Deer Glen subject to certain conditions.

WHEREAS, on August 16, 2005, the Lake Elmo City Council reviewed the recommendations of the Lake Elmo Planning Commission, and a Concept Plan revised from that recommended by the Planning Commission that was presented to the Council by the applicant.

WHEREAS, on September 6, 2005, the Lake Elmo City Council reviewed OP Concept Plans for Deer Glen again revised by the applicant from those recommended by the Planning Commission and that which the Council reviewed on August 16.

WHEREAS, on September 6, 2005, the Lake Elmo City Council accepted the applicants' request for a two week extension (September 20th) for submittal requirements on the revised OP Concept Plan for Deer Glen reviewed at this meeting.

NOW, THEREFORE, BE IT RESOLVED, that the Lake Elmo City Council approved the amended OP Concept Plan of Deer Glen, per plans staff-dated September 20, 2005, and subject to the following conditions.

1. Compliance with the recommendations of the City Engineer and City Attorney.
2. Compliance with the recommendations and Permit conditions of the Valley Branch Watershed District as found to be applicable and practical by the City Engineer.
3. Development Stage plans shall address the incorporation of single-source water supply and lateral pipe installation for all OP lots.
4. Keats Avenue/State Highway 36 improvements required of the property owners as conditions of prior City Council approvals shall be conditions to this OP project as well.
5. The Development Stage Plan shall demonstrate the year-round effectiveness of screening measures that support the 100 foot OP buffer on the east side of the site.

6. Amendment of the Conditional Use Permit previously approved by Council Resolution No. 2005-029 to reflect the amended OP Concept Plan approved hereby.
7. Amendment of Preliminary Plat approved by Resolution No. 2005-030 to reflect the amended OP Concept Plan layout as approved hereby.

ADOPTED by the Lake Elmo City Council on the 20th day of September, 2005.

Dean Johnston, Mayor

ATTEST:

Martin Rafferty, City Administrator

B. Deer Glen Amended OP Concept Plan: Resolution

The City Planner reported he received an amended OP Concept Friday after the Council agenda was mailed out. He explained report because the city engineer has not seen the plan.

Paul Danielson, the applicant's engineer, said he put together Council and neighborhood concerns. The plan has met the minimum open space and a landscape plan. Slides were presented showing

worked with the land. Danielson said he did not realize they complete submittal.

Attorney Filla noted the concept plan was submitted to the Council normally a 60-day extension would bring you to September 6th. Council granted one more day, to September 6th. Council meeting needed to take action on the submitted original plan or reach revise the amended concept plan submitted on September 6th. Needs to take the time so the City Engineer, VBWD and the revised plan.

Joan Ziertman voiced her concern on the maintenance of the the wastewater system is 100 feet from their property line.

M/S/P DeLapp/Johnson - to accept the applicants request for submission requirements on the revised OP Concept plan for reviewed by the Council at this September 6th meeting. (Motion)

TKDA

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Saint Paul, MN 55101-2140

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September 13, 2005

Planning Commission Members
City of Lake Elmo, Minnesota

Re: Concept Plan Review
Deer Glen/Lakewood Evangelical Free Church
City of Lake Elmo, Minnesota
TKDA Commission No. 13267.000

Dear Planning Commission Members:

We have reviewed the Concept Plan material dated September 8, 2005, and have the following comments.

Streets

A traffic model was developed for the previous Plan and is applicable to this Project. It was anticipated that the TH 36-Keat Avenue intersection would be reduced to a 3/4 intersection, and that an acceleration lane would be added to TH 36. The developer should comment on this again.

The Public Facilities Zone requires that a church have direct access to a major collector street. The church will access a new local street, not a major collector street. Keats Avenue is a minor collector.

Lot 26's driveway should be changed from TH 36 to the Local Street.

Road B should be extended to the east property line for future extension. Currently the Bergman Property, which lies between this development and the recently approved Discover Crossing, would only have access through that other subdivision. I would like to see access provided to the Bergman property from both ends, so that the design of a future neighborhood on that property would not be limited in layout because of a single access to it. Also, by having only a single access to the Bergman property, we force all new traffic generated by it to travel through Discover Crossing. This will be a concern to residents living in Discover Crossing in the future.

In the future, we would hope that Road B would be extended easterly to Discover Crossing in order to provide responsive police and fire protection, and to connect neighborhoods for ease of travel between them. I do not envision this as a collector route.

Waste Water System

A wetland treatment system is proposed to treat waste from the entire development. A property owners association will be responsible for the operation and maintenance of the system. A preliminary design was not submitted, but the size of the system is consistent with others been built in Lake Elmo. I have reviewed in the field the soils in the proposed area and they are suitable for a wetland treatment system. Final soil borings and design will be submitted after preliminary plat approval.

Water System

A 16-inch watermain is planned as part of the north loop of the water system to cross this property from east to west. The side streets may have an 8-inch watermain.

Trails

This Trail Plan should be reviewed in conjunction with the City's new Trail System Plan, which is now being finalized.

An additional trail segment should be added from the southeast parking lot on Parcel A to "Road B."

A trail segment should be extended to the east property line to connect with a future trail in the Bergman Property.

A trail segment should be extended to Keats Avenue.

Surface Water

A VBWD permit will need to be revised with this new Concept Plan. There is a concern about the amount of grading and tree loss this plan will entail.

Storm water computations need to be submitted to the City prior to final plat approval.

Sincerely,

Thomas D. Prew, P.E.
City Engineer

TDP:mas

Sharon Lumby

From: Chuck Dillerud
Sent: Thursday, September 15, 2005 3:12 PM
To: Sharon Lumby
Subject: FW: Deer Glen Concept Plan (Latest Version)

Here's John's Email. This should go with the agenda item - if we do it.

From: John Hanson [mailto:jhanson@barr.com]
Sent: Thursday, September 15, 2005 10:00 AM
To: Chuck Dillerud; Thomas D. Prew
Subject: RE: Deer Glen Concept Plan (Latest Version)

I received your mailing on Monday. The plans are significantly different than the plan approved by the VBWD last year. (And, I think it's been about a year since the VBWD issued the permit. Because they haven't started any work, the VBWD permit has expired - if it's been a year.)

The plans you submitted do not show a proposed grading plan. In order to make the proposed lots buildable, significant grading will be needed. As I'm sure you recall, the site contains several deep landlocked basins with 100-year flood levels at their ultimate overflow points. I'm concerned about the proposed lots off of proposed Road C. Significant earthwork will be needed to get homes on these lots high enough to have minimum floor elevations at least two feet above the 100-year flood level of the depression.

While flooding/minimum floor elevations have been huge issues on this site, wetland issues also need to be addressed. These latest plans show proposed trails much too close to wetlands. All trails need to be at least 16.5 feet away from the delineated edges of the wetlands. Because significant grading is likely needed, the hydrology of the wetlands could be impacted. The developer's engineer will need to re-submit the hydrologic/hydraulic computations to ensure the wetlands will not be impacted.

The current plans appear to show more impervious surfaces than the previous plans. More impervious surfaces will generate more runoff. I encourage the developer to work with the city to reduce the amount of impervious surfaces and to encourage infiltration. Perhaps the islands within the roundabouts can be depressed to encourage infiltration.

Bottom-line - They need to re-submit a VBWD permit application. I'll need to review the proposal again once they re-submit.

Let me know if you'd like this put into a letter format.

From: Chuck Dillerud [mailto:Chuck.Dillerud@lakeelmo.org]
Sent: Wednesday, September 14, 2005 10:18 PM
To: Thomas D. Prew; John Hanson
Subject: Deer Glen Concept Plan (Latest Version)

Tom/John

We sent you the full scale prints of the "new" Deer Glen plan. I plan to bring this back to the City Council 9/20. Anything from you on this latest plan?

Chuck

9/16/2005

Lake Elmo City Council Sep. 20, 2005	Agenda Section: PLANNING AND ZONING	<u>No 9B</u>
<u>Agenda Item:</u> PROFESSIONAL SERVICES AGREEMENT		
<p>The City has been approved for a Community Development Block Grant (CDBG) for a Gas Line Replacement Program within the Cimarron Manufactured Housing Neighborhood. Individual residents may qualify, based on their income, for a portion of the grant money on a first come, first served basis to pay for gas line repairs or replacement. Income eligibility standards are determined by the Department of Housing and Urban Development (HUD). The Consultant, Molly Krakowski, will be hired to perform pre-screening and interviewing of applicants to determine whether they meet HUD income standards.</p>		
<u>Action Items:</u> Motion _____, Second _____, to authorize the City Planner to enter into a Professional Services Agreement with Molly Krakowski, and independent consultant, for determining HUD income eligibility for CDBG grant applicants under the Gas Line Replacement Program in the Cimarron Manufactured Home Neighborhood.	<u>Person responsible:</u> C. Dillerud	
<u>Attachments:</u> Agreement for Professional Services Sample Letter of Introduction from Consultant to Residents	<u>Time Allocated:</u>	

Tuesday, September 06, 2005

Dear Cimarron Residents;

I have been hired by the City of Lake Elmo to determine eligibility for a grant they have received from Washington County and HUD (Housing & Urban Development). This survey will enable me to determine potential eligibility for grant recipients. Grant distributions will be dispensed on a first come, first served basis so I am asking you to complete the enclosed survey and return it to me in care of the City of Lake Elmo by the date requested.

If, according to the enclosed survey, it appears you may be eligible to receive the grant, you will be contacted for an interview to verify your household income.

I understand you are disclosing personal and financial information and may be hesitant to do so. I want to make it perfectly clear that I am not an employee of the City of Lake Elmo or Cimarron Park; I am an Independent Consultant and strictly follow Data Privacy Laws. Your income information will not be viewed by anyone other than me and HUD personal for auditing reasons.

If you have any questions regarding this eligibility process, please, contact Kim Schaffel with the City of Lake Elmo @ 777-5510.

Thank you in advance for your cooperation in this survey and upcoming project.

Sincerely,

Molly M. Krakowski
Molly Krakowski Consulting

PROFESSIONAL SERVICES AGREEMENT

THIS AGREEMENT is made as of the 15th day of September 2005, by and between the City of Lake Elmo (the City) and Molly M. Krakowski (the Consultant).

RECITALS

WHEREAS, the City was advised that the Community Development Block Grant (CDBG) needs to be administered according to HUD policy; and

WHEREAS, it was determined that the Consultant could provide these services to administer the above grant; and

WHEREAS, the Consultant and the City will work cooperatively to ensure the CDBG funds are awarded to eligible residents.

NOW THEREFORE, in consideration of the mutual undertakings and agreements hereinafter set forth, the parties hereto mutually agree as follows:

1. *Scope of Services.* The Consultant hereby agrees to complete the tasks outlined in Exhibit A, as attached hereto and made a part hereof.
2. *Term of Agreement.* The term of this agreement shall be from September 2005 through April 2006. The City and the Consultant may extend this agreement for additional terms to be negotiated and agreed upon by mutual consent of both parties. Said extension of terms shall be communicated between the two parties in writing.
3. *Compensation.* Compensation shall be payable to the Consultant for her services provided hereunder in an amount of \$65.00 per hour, not to exceed \$20,000.00. Invoices must be provided to the City detailing the nature of the expenditures with appropriate back up documentation attached. Invoices are to be submitted at a point to coincide with the grant draw request. The requested compensation must correlate to the activities contained in Exhibit A.
4. *Independent Contractor.* Nothing contained in this Agreement is intended to create or establish the relationship of employer/employee, or copartners, or joint venture between the parties.
5. *Data Practices Compliance.* Each party agrees to maintain data that it collects, creates, or maintains in connection with this Agreement in compliance with Minnesota Government Data Practices Act, Minnesota State Statute, Chapter 13.
6. *Ownership of Documents and Materials.* All documents and materials developed by the Consultant in connection with this Agreement shall be shared with the City.
7. *Notices.* Any notice, demand, or other communication under this Agreement shall be sufficiently given if it is in writing and dispatched by

first class mail, postage prepaid, or delivered personally, addressed as follows:

- a. If to the Consultant: Molly M. Krakowski, 1209 South 3rd Street,
Stillwater, MN 55082
- b. If to the City: Charles E. Dillerud, City Planner, City of Lake Elmo,
3800 Laverne Avenue North, Lake Elmo, MN 55042

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first written above.

Consultant: _____

City: _____

EXHIBIT A

- Determine eligibility for Community Development Block Grant recipients.
- Document all income information per HUD standards.
- Maintain files per CDBG/HUD requirements.

Cimarron Gas Line Replacement Program

■ If you qualify for 100% funding, the contractor will contact you to set up a time to perform the work. **The contractor will need access** to the gas meter, your crawlspace, and the interior of your home in order to inspect, repair, or replace gas lines and fittings underneath your home and to gas appliances such as your stove, furnace, and dryer.

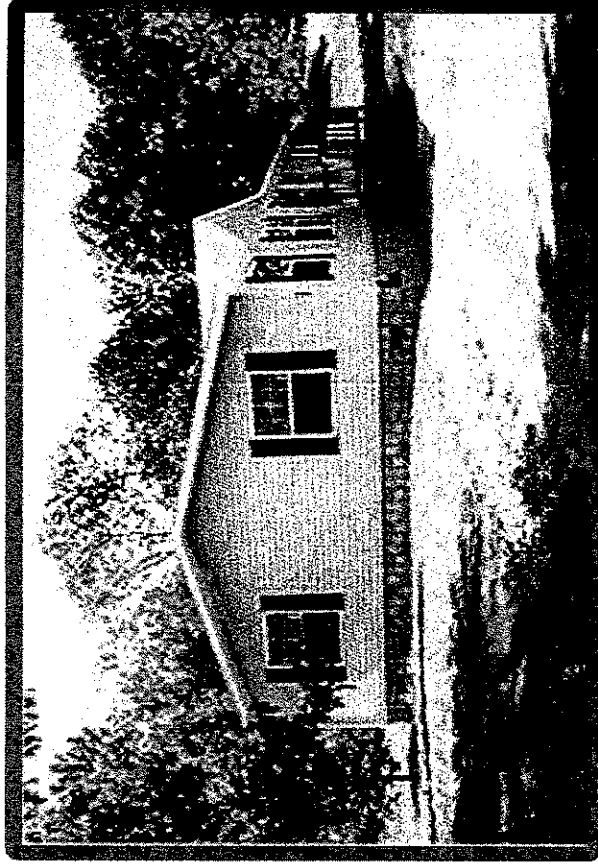
■ **A work area must be cleared around the appliances** so the contractor can gain access to the gas lines. The contractor will perform a pressure test on your gas line when the work is completed.

■ The Lake Elmo Building Official will perform an inspection of work performed.

■ If your home has been replaced since last spring or there has been a significant change in its condition, please, call **City Hall** at **(651) 777-5510**.

NOTE: *Income eligibility is not a guarantee for funding or that repairs will be performed.*

Hometown America management is aware of and supports this program.



The City of Lake Elmo
Gas Line Replacement Program
Funded by
Community Development Block Grant funds

Questions? Call Kim Schaffel at City Hall
(651) 233-5406



Visit Our Web Site at: www.LakeElmo.Org

Cimarron Gas Line Replacement Program

Last year, the City of Lake Elmo conducted an evaluation relating to the condition of gas lines in the Cimarron Manufactured Home Neighborhood.

Your gas line was visually inspected last year, from the gas meter to its connection under your home. The inspection revealed that **it may be necessary to update your gas line and fittings** and bring them into compliance with current Building Codes.

The City of Lake Elmo requires these repairs for health and safety reasons. The Lake Elmo City Council created the Gas Line Replacement Program after preliminary inspections of more than 200 homes revealed outdated gas lines and connections.

The City of Lake Elmo created a program that has been approved for funding through a Community Development Block Grant (CDBG). **Based upon your income, you may qualify for a grant to cover 100% of the cost of gas line repairs.**

Limited funding is available for this program.

Priority will be granted on a **first come, first served** basis. It is important that you **complete and mail the enclosed survey form** as soon as possible.

An independent evaluator has been hired to perform income verification. After you return the enclosed survey, you will be contacted for a private meeting at City Hall in order for you to provide proof of income that might include:

- Proof of Title to your home.
- Most recent pay stub.
- Most recent bank statement.
- Statement of retirement or 401k.
- Social Security award letter (or bank statement if direct deposit).
- Evidence of child support or unemployment income (bank statement if direct deposit).
- Taxes from 2004 if self-employed.

All income information will remain private and confidential. You will be notified of your eligibility for funding.

The City will contract with a licensed contractor to complete these repairs.



City Hall Hours:
Monday-Friday
8am to 4:30 pm
Closed Holidays

For More Information, Call: (651) 777-5510.

Lake Elmo City Council September 20, 2005	Agenda Section: CITY ADMINISTRATOR'S REPORT	<u>No. 11 A.</u>
<u>Agenda Item:</u> Water Extension Tablyn, LE Heights and 3M Grant		
<p><u>Background Information:</u></p> <p>At the Public Works Committee meeting on Tuesday the September 14th, the committee reviewed, discussed and recommended to Council as a whole a 3.3 million dollar commitment letter from 3M to reimburse the City of Lake Elmo for all costs associated with the planning/design and construction of a municipal water system to serve the Lake Elmo Heights and Tablyn Park neighborhoods.</p> <p>This gift is a result of a multi government agency work team (City of Lake Elmo, MN DOH, MN PCA, Washington County and 3M) studying, over the last seven months, short and long term solutions to eliminate PFCs in private drinking water systems, in the Tablyn and LE Heights neighborhoods.</p>		
<p><u>Action Items:</u> Motion accepting the 3.3 million dollar grant from 3M for Water Extension Project for LE Heights and Tablyn Park neighborhoods. A Motion authorizing TKDA to prepare the feasibility report to complete a feasibility report on the project and set up the public hearing notifying benefiting property owners.</p>	<p><u>Person responsible:</u></p> <p>Martin Rafferty</p>	
<p><u>Attachments:</u> Letter of Commitment from 3M</p>		



September 8, 2005

The Honorable Dean Johnston
City of Lake Elmo
3800 Laverne Avenue
Lake Elmo, Minnesota
55042

Dear Mayor Johnston:

We are sending this note to confirm 3M's intent to provide a community grant to the City of Lake Elmo for the purpose of extending the public water supply to the Tablyn Park area. It is our understanding that this grant will fund the construction of infrastructure from the new water tower to the Tablyn Park area and its residents including home hookups and decommissioning of private wells, which the City has estimated at a total of approximately \$3.3 million. In addition, costs for supplemental external engineering design will be covered by the grant. Funds from the grant will be made available as costs are incurred by the City.

We look forward to working with you on this project.

Sincerely,

A handwritten signature in cursive script that reads 'Katherine E. Reed'.

Katherine E. Reed
Staff Vice President
3M Environmental, Health & Safety Operations

12C

Sharon Lumby

From: scdelapp@mmm.com
Sent: Friday, September 16, 2005 12:03 PM
To: Sharon Lumby
Subject: Public Notification and Records

Sharon,

I would be glad to have you include these three paragraphs to introduce the topic: Thanks

We have had monthly workshop type meetings over the dinner hour for the past year and a half and stated regularly that our residents are properly noticed. I have said that while technically true, the effect is that we make decisions at these meetings -- such as the decision to hold off on any action for the vacant Hilyer property lot until other County issues are resolved. The only way anyone effected by our decision learned about our Wed. evening meeting and discussion, and was able to contribute to our discussion, was because I handed two residents a copy of the resolution with Dean's and my names and phone numbers with a few comments, such as the time and date of our meeting and my lack of any knowledge of the issue. I told them that if they want to learn anything, they were welcome to come even though they had no prior knowledge of this discussion and even if they had read the agenda, didn't mention anything that should have alerted them.

(Where would they find an agenda and why would they look for one? -- Do all 4,000 adult residents have to read between the lines on every council and workshop agenda to avoid a neighborhood surprise?)

In addition, no residents will get any news of our decision unless The Leader publishes something, and they subscribe, and their will be no distributed or approved minutes of the Council meeting, even though a formal decision was made by Anne's Committee. I have never seen any minutes, although I know that I can request to see them and have been told that they are substantially less complete than the televised Council meeting minutes.

I am saying we need a notification procedure - including a complete agenda, with no cryptic words, with easy to understand topic identification, and direct notification of immediately affected people, for all of our meetings. The test for notification is not "do we meet State Law", but do the residents know about issues and are they present when they would clearly want to be heard on topics of personal interest. Workshops may be the best time for residents to get a full airing of their views without an imposed 3 minute speaking time limitation -- arbitrarily waived at the whim of the Council.