

FILE

7Mayor:  
Dean Johnston  
Council members:  
Rita Conlin  
Steve DeLapp  
Liz Johnson  
Anne Smith

# Lake Elmo City Council

## Tuesday

### June 7, 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:

May 17, 2005 (Postponed until 6/21 Lost minutes due to computer problem)

#### 3. PUBLIC INQUIRIES/INFORMATIONAL:

##### A. PUBLIC INQUIRIES:

##### B. PUBLIC INFORMATIONAL:

(1) Fire Department: 20 Years of Service Ring Presentation

(2) Introduction of New Firefighters

**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. 2005-051: Approving Claims

B. Reimbursement Resolution No. 2005-052

C. New Telephone System

D. Planning Commission Appointment

E. Community Improvement Commission Appointment

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. Revenue Bond Schedule

B. 2006 Budget Schedule

#### 6. NEW BUSINESS

<b>7. <u>MAINTENANCE/PARK/FIRE/BUILDING:</u></b> A.		
<b>8. <u>CITY ENGINEER'S REPORT:</u></b> A. Resolution No. 2005-053: Award Contract for Phase II Water System Interconnect B. Presentation of Public Works Garage and Water Tower on Proposed Site: Terri Olsen	Tom Prew	
<b>9. <u>PLANNING, LAND USE &amp; ZONING:</u></b> A. Extended Contractor Working Hours – Tapestry Project B. Visible Roofing Material – Commercial Buildings 97-158 LB, 97-159 GB	C. Dillerud	
<b>10. <u>CITY ATTORNEY'S REPORT:</u></b> A. Development Moratorium		
<b>11. <u>CITY ADMINISTRATOR'S REPORT:</u></b> A.		
<b>12. <u>CITY COUNCIL REPORTS:</u></b> A. Mayor Johnston B. Council Member Conlin C. Council Member DeLapp D. Council Member Johnson E. Council Member Smith		
CIC Meeting: June 8 <sup>th</sup> , 7 p.m.	Council Committee Meetings: June 14th	

MINUTES APPROVED: May 17, 2005  
LAKE ELMO CITY COUNCIL MINUTES

APRIL 28, 2005

Mayor Johnston called the meeting to order at 6 p.m. in the city council chambers.  
PRESENT: Conlin, Smith, Johnston, Johnson, DeLapp, City Engineer Prew, City Planner Dillerud, City Attorney Filla, and Administrator Rafferty.

1. Lakewood Evangelical Free Church

Attorney Filla summarized the 10 resolutions provided for Council consideration and recapped the history of the church application and proposal. Attorney Filla asked the council to take action on the comprehensive plan first. If approved, then the Council should consider rezoning and CUP allowed in the PF zone.

Peter Beck, attorney for the church, submitted maps for the current proposed OP, church site, remaining 40 acres and talked about expanded OP development. He said the open space plan does not have to be approved tonight, but the other resolutions do. The applicant would add 20 acres to the 40 for a total of 60 acres....as to how the lots would lay out they would have to come back to the City, probably in 60 days. Beck said tonight, the applicant's goal is to get a decision on the church, comp plan amendment, rezoning, CUP for the church. The church doesn't want any uses between them and Highway 36.

Council member DeLapp asked if they meant keeping the land in OP. Attorney Beck responded that the NW 1/3 or more would be dedicated OP. The balance is unusable for a structure due to the power line easement.

Comprehensive Plan Amendment from RAD to PF

M/S/P Johnston/Conlin - to approve Resolution No. 2005-027, A Comprehensive Plan Amendment from RAD to PF requested by Lakewood Evangelical Free Church. (Motion passed 4-1DeLapp: The comprehensive plan does not call for a string of public facilities.)

Mayor Johnston stated the City is looking at a substantial change in population, and he supports churches which should be located by major transportation corridors. Council member DeLapp said the Planning Commission asked to delay this request until after the comp plan is completed. Council member Conlin asked if there were any residents against this application. The City Planner said not that he recollects and that there are not many houses close by.

Council member Conlin said we as a City have not put together a plan for parcels in the PF Zoning. The code allows for such PF zoning, and the Council has to follow the code.

Rezoning from RR to PF

M/S/P Johnson/Conlin - to approve Resolution No. 2005-028, A Resolution Approving the Rezoning from a Rural Residential (RR) designation to a Public Facility (PF) designation for Lot 1, Block 1, Deer Glen..(Motion passed 4-1DeLapp: Thought we were

going to take the three Resolutions together. Attorney Filla said the three resolutions, Resolutions 2005-027, 028, 029, are a package because they all deal with the church.

#### Conditional Use Permit

M/S/P Johnson/Conlin - to approve Resolution No. 2005-029, A Resolution Approving the Request for a Conditional Use Permit by Lakewood Evangelical Free Church for Proposed Lot 1, Block 1, Deer Glen. (Motion passed 4-1:DeLapp said he was not as strongly against this CUP request as the other two resolutions.).

Attorney Filla pointed out Conditions 2 and 3 in Resolution No. 2005-029 were not discussed before by the Council, but added that the conditions should have been considered.

Attorney Filla also pointed out that the preliminary plat that is in front of the Council may change if the area of the OP development is expanded based on what Attorney Beck has stated.

Attorney Filla suggested adding a condition #3. The proposed preliminary plat shows a 48 acre OP project plan rather than a 68 acre OP project described preliminarily by Attorney Beck and generally illustrated on Exhibit 1. Filla recommended adding condition #4. That the additional 20 acres of OP should be added to an amended preliminary plat which should be reviewed by the Planning Commission before presentation of the final plat to the City Council.

#### Preliminary Plat

M/S/ Johnson/DeLapp - to approve Resolution No. 2005-030, A Resolution Approving the Preliminary Plat for Deer Glen with added conditions #3 and #4, as recommended by Attorney Filla.

Council member DeLapp suggested including all the land not currently proposed for development to be included in the Open Space.

M/S/Withdrawn DeLapp/Conlin - to amend condition #3 to include all the land not currently proposed for development to be included in the Open Space.

M/S/P Johnson/DeLapp - to approve Resolution No. 2005-030, A Resolution Approving the Preliminary Plat for Deer Glen with added conditions #3 and #4, as recommended by Attorney Filla. (Motion passed 4-1:DeLapp)

Attorney Filla reminded the Council that it needed to react to what is before them and this 68 acre proposal was not before them.

Council Member DeLapp said he had a meeting with Kirby Spike about saving the land in OP, and Mr. Spike said he would talk to the church council about hiring a landscape architect, but no information has come back to the Council. Chuck Palmer indicated they would work with a landscape architect.

Attorney Filla indicated it should be documented that the applicant is going to add 20 acres to this proposal and asked the applicant if they wanted the City to act on this concept. Attorney Beck responded he would like the Council to act on this proposal to add the 20 acres.

Attorney Filla recommended that if the Council was to approve Resolution No. 2005-031 that in the Now Therefore clause, 4<sup>th</sup> line, eliminate everything after September 24, 2004 and add "subject to the following condition. 1. Submittal of amended concept plan for a 68 acre OP project within 30 days."

Council member Smith stated her concern was that the adjacent property owners, who may be affected by the additional 20 acres, have not been notified of the potential change. Staff explained the revised concept OP plan and revised preliminary plat would have to have a public hearing before the Planning Commission and neighbors would be included in this process.

Council member Johnson left the meeting at 6:50 p.m.

Attorney Beck said the applicant would comply with the OP regulations. They will consult with the City planner and make sure things are being done appropriately.

Open Space Preservation Development Concept Plan

M/S/P DeLapp/Johnston - to approve Resolution No. 2005-031, as amended, approving A Resolution Approving the Open Space Preservation Development Concept Plan of 68 acres described by Lakewood Evangelical Free Church. (Motion passed 4-0).

Adjourned the meeting at 6:55 p.m.

MINUTES APPROVED: May 17, 2005  
LAKE ELMO CITY COUNCIL MINUTES

MAY 3, 2005

1. AGENDA
2. MINUTES: April 19, 2005
3. PUBLIC INQUIRIES/INFORMATIONAL:
  - A. Public Inquiries
  - B. Public Informational
4. CONSENT AGENDA:
  - A. Resolution No. 2005-044: Approving Claims
5. FINANCE:
  - A. Audit Report
  - B. SAC & WAC Changes: Ordinance No. 97-156
  - C. Water Project Notification
6. NEW BUSINESS:
  - A. Community Improvement Commission Appointment
  - B. Parks Commission Appointment
  - C. Appointment of Rod Sessing to the Planning Commission
  - D. Records Retention Schedule: Resolution No. 2005-045
7. MAINTENANCE/PARKS/FIRE/BUILDING:
8. CITY ENGINEER'S REPORT:
  - A. Escrow Reduction – Tapestry
  - B. 2005 Street Repairs – Hilltop Avenue
9. PLANNING, LAND USE & ZONING:
  - A. Comprehensive Plan Update – Verbal
10. CITY ATTORNEY'S REPORT:
11. CITY ADMINISTRATOR'S REPORT:

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 Planner Dillerud, Building Official Jim McNamara, City Attorney Filla, Fire Chief Malmquist, Finance Director Tom Bouthilet and Administrator Rafferty.

**1. AGENDA**

ADD: Request that the Special Council meeting minutes be added to May 6<sup>th</sup> agenda for approval

M/S/P Johnson/Conlin - to approve the May 3, 2005 City Council agenda, as amended.  
(Motion passed 5-0).

**2. MINUTES: April 15, 2005**

M/S/P Johnson/DeLapp - to approve the April 15, 2005 City Council Minutes, as amended. (Motion passed 4-0-1 Abstain: Smith).

### **3. PUBLIC INQUIRIES/INFORMATIONAL:**

#### **A. Public Inquiries**

Susan Dunn asked that the staff continue to look into the option of working with the Minnesota Land Trust to preserve the City parks. She suggested that the Public Facilities Committee members be reactivated to help the staff find viable sites for City facilities. She thanked the City for televising the Council meeting on the comprehensive plan and asked that a meeting be held for the residents along 10<sup>th</sup> Street so they can be appraised on the comprehensive plan modifications.

#### **B. Public Informational - NONE**

### **4. CONSENT AGENDA:**

#### **A. Resolution No. 2005-044: Approving Claims**

M/S/P DeLapp/Johnson - to adopt Resolution o. 2005-044, A Resolution approving claim numbers 255, 256, 257, DD409 through DD418, 27230 through 27241 which were used for Staff Payroll dated April 28, 2005, claims 27242 through 27290 in the total amount of \$143,391.79. (Motion passed 5-0).

### **5. FINANCE:**

#### **A. Audit Report**

The Council received the 2004 Annual Financial Report from Abdo, Eick & Meyers. Steve McDonald, Abdo, Eick & Meyers, reviewed the management letter with the Council.

M/S/P Smith/DeLapp - to accept the 2004 Annual Financial Report presented by Abdo, Eick & Meyers. (Motion passed 5-0).

#### **B. SAC & WAC Changes**

The Finance Director reported the City is currently going through the first phase of a water expansion project. In the near future, the City will also be considering installation of a new sewer main from the Old Village down to I-94 Freeway. Staff has an estimate on costs for these projects. The Finance Director provided Ordinance No. 97-156 adopting the amended 2005 fee schedule. The fee schedule represents an amendment to the WAC and SAC charges reflecting the current estimated cost of the infrastructure projects. Lateral charges will be discussed at the May 10 Council Committee Meeting.

M/S/P DeLapp/Johnson - to adopt Ordinance No. 97-156 amending the WAC and SAC Fees for Calendar Year 2005. (Motion passed 5-0).

#### **C. Water Project Notification - POSTPONED**

## **6. NEW BUSINESS:**

### **A. Community Improvement Commission Appointment**

Deborah Lyzenga has resigned from the CIC in order to devote her time as Planning Commissioner. The CIC Commission now has one vacancy. Robert Van Zandt has submitted an application for appointment.

M/S/P Johnson/Conlin - to appoint Robert Van Zandt, 8110 Hidden Bay Trail, to the Lake Elmo Community Improvement Commission. (Motion passed 5-0).

Council member Smith suggested alternate positions added on the CIC. This item will be placed on a council committee agenda.

### **B. Parks Commission Appointment**

The vacancy of the Second Alternate position on the Parks Commission has been advertised. An application has been received from Judith Blackford.

M/S/P DeLapp/Johnson - to appoint Judith Blackford, 9765 45<sup>th</sup> St. N., to the Lake Elmo Parks Commission as a second alternate. (Motion passed 5-0).

### **C. Appointment of Rod Sessing to the Planning Commission**

Rodney Sessing's second full term on the Planning Commission expired on December 31, 2004. The Council reappointed him on January 4, 2005 for sixty days and then reappointed him again on February 15, 2005 for sixty days. With both reappointments considered together, Rod Sessing's commission will expire on May 4, 2005. There would be a vacancy on the Commission if Rod Sessing is not reappointed. The City has three applications on file.

M/S/P Johnson/Smith – to follow the appointment process, advertise for Planning Commission applications with a deadline date of May 12. Candidates who have not previously been interviewed will be scheduled for an interview before the May 17<sup>th</sup> Council meeting.

### **D. Records Retention Schedule**

The Council was asked to adopt the MN General Record Retention Schedule for Cities.

M/S/P Johnson/DeLapp – to adopt Resolution No. 2005-045, A Resolution Adopting the Minnesota General Records Retention Schedule for Cities. (Motion passed 5-0).

## **7. MAINTENANCE/PARKS/FIRE/BUILDING:**



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

### **A. Escrow Reduction – Tapestry**

In his memorandum dated April 29, 2005, the City Engineer reported that a small amount of grading and water main work is complete and requested an escrow reduction. The City Planner noted this is the last small reduction on this large project.

M/S/P Smith/Conlin – to approve the escrow reduction of \$2,411,912.50 for Tapestry as recommended in the City Engineer's memorandum dated April 29, 2005. (Motion passed 5-0.)

### **B. 2005 Street Repairs – Hilltop Avenue**

In accordance with the adopted 2005-2009 CIP, Hilltop Avenue North is scheduled to be overlayed in 2005. The City Engineer asked approval for Authorization for Professional Services for 2005 Street Repairs – Hilltop Avenue North.

M/S/P Johnson/Smith – to approve the City Engineer's request for Authorization for Professional Services for the 2005 Street Repairs – Hilltop Avenue North not to exceed an estimated amount of \$35,000. (Motion passed 5-0)

The City Engineer will be looking at traffic calming as part of the feasibility report for this project.

## **9. PLANNING, LAND USE & ZONING:**

### **A. Comprehensive Plan Update – Verbal**

The City Planner explained on May 3<sup>rd</sup> he received an e-mail from Blair Tremere, Director of Community Development, Metropolitan Council, stating the Met Co. believes 2.53 ppdu is a very reasonable number for the City in 2030. Mr. Tremere added the City's preference for a significant complement of senior housing would argue for lowering the ppdu number, not raising it. Tremere said arbitrarily raising the ppdu number, which decreases the number of dwelling units, would likely hamstring planned population growth and adversely impact existing and planned metropolitan systems serving the City and surrounding communities.

The Met Council would not support 2.75 ppdu, but would demand the City implement 2.53 ppdu. Mr. Tremere said the Metropolitan Council will adhere to the Framework's forecast of 9,500 dwelling units necessary to accommodate a 2030 population of 24,000.

Council member Conlin called the letter premature because they have not made a determination on senior housing and a final zoning plan map has not been agreed upon.

Council member Smith said she was taken aback by the significant senior housing comment. They're implying something that never occurred. We need studies to determine what senior housing is needed.

Council member Johnson said she would back the Council's previous 2.91 ppdu decision, and the City should prepare itself to defend that number in court should the need arise.

The Council consensus was to use 2.91 ppdu for the completion of the comp plan.

Council member Smith suggested placing an area in a reserve for the difference in housing density.

Council member DeLapp agreed to setting aside a block of land in reserve north of 10<sup>th</sup> Street.

Council member Johnson asked how does the City legally reserve land.

Mayor Johnston indicated he believed the City had a good argument to go along with 2.91 ppdu if the City set a piece of land for future density. Mayor Johnston added he had no contact with any Met Council representative relative to this email.

The Council was in agreement on the concept of a placing an area in reserved for future housing density and this item will be discussed at the May 7<sup>th</sup> Council meeting on the comp plan.

M/S/P Johnston/Smith - to table this item until the Saturday, May 7<sup>th</sup> Council meeting. (Motion passed 3-2 Conlin, DeLapp).

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

**11. CITY ADMINISTRATOR'S REPORT:**

**12. CITY COUNCIL REPORTS:**

Council member DeLapp attended the MN Land Trust meeting. The Land Trust has now completed their 250<sup>th</sup> easement of which 215 are in Lake Elmo.

Council member Johnson reported there is a newly formed Rotary Club of Lake Elmo which meets each Wednesday from 7-8 a.m. at the Lake Elmo Inn. On May 11<sup>th</sup> Governor Pawlenty will be the guest speaker.

Council member Johnson said she attended the April 26 meeting on the Private Wells Groundwater Contamination. Residents approached her with concerns on the long term affect and the affordability of having to hook up to City water.

Adjourned the meeting at 8:20 p.m.

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Respectfully submitted by Sharon Lumby, City Clerk

Resolution No. 2005-044 Approve Claims

Resolution No. 2005-045 Adopting the MN General Records Retention Schedule

Ordinance No. 97-156 Amending the WAC and SAC Fees for Calendar 2005

4A.

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

**RESOLUTION NO. 2005-051  
RESOLUTION APPROVING CLAIMS**

BE IT RESOLVED THAT Claim Numbers 260, 261, 262, DD431 through DD440, 27373 through 27385, were used for Staff Payroll dated May 26<sup>th</sup>, 2005; claims 27386 through 27448, in the total amount of \$138,695.23 are hereby approved.

ADOPTED, by the Lake Elmo City Council on the 7<sup>th</sup> day of June, 2005.

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Dean A. Johnston  
Mayor

ATTEST:

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Martin J. Rafferty  
City Administrator

**CITY OF LAKE ELMO**  
**2005 BILLING SUMMARY**

MONTH	11135 Administration	11140 Criminal Pros	11145 Public Imp. Proj	11150 Community Dev	11155 Civil Litigation	11161 Auto Forfeiture	TOTAL
Jan	\$4,443.11	\$3,456.17	\$66.00	\$673.71	\$210.00	\$464.00	\$9,312.99
Feb	\$2,439.99	\$2,868.68	\$544.36	\$198.00		\$94.50	\$6,145.53
March	\$3,375.41	\$3,562.62		\$1,956.61	\$99.00	\$318.50	\$9,312.14
April	\$1,979.81	\$3,328.76	\$77.00	\$2,753.61	\$954.77	\$307.00	\$9,400.95
May							\$0.00
June							\$0.00
July							\$0.00
Aug							\$0.00
Sept							\$0.00
Oct							\$0.00
Nov							\$0.00
Dec							\$0.00
Totals	\$12,238.32	\$13,216.23	\$687.36	\$5,581.93	\$1,263.77	\$1,184.00	\$34,171.61

Suite 300  
50 East Fifth Street  
St. Paul, MN 55101-1197

PETERSON  
FRAMBERGMAN  
PROFESSIONAL ASSOCIATION

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Federal Tax ID #41-0991098

CITY OF LAKE ELMO  
3800 Laverne Avenue North  
Lake Elmo MN 55042

Page: 1  
04/30/2005  
ACCOUNT NO. 11135M

	FEES	EXPENSES	ADVANCES	BALANCE
11135-050002 METH LAB REGULATIONS	0.00	0.00	0.00	\$0.00
11135-920001 Administration	1,969.00	10.81	0.00	\$1,979.81
	<u>1,969.00</u>	<u>10.81</u>	<u>0.00</u>	<u>\$1,979.81</u>

THIS STATEMENT IS DUE AND PAYABLE TO THE END OF THE MONTH.  
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CITY OF LAKE ELMO  
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Lake Elmo MN 55042

ACCOUNT NO.

Page: 1  
04/30/2005  
11140M

	FEES	EXPENSES	ADVANCES	BALANCE
11140-030001 Misc Prosecutions	2,810.00	33.06	0.00	\$2,843.06
11140-030066 Brama, Angela Ann 3rd degree DUI, 3rd degree .10	132.50	0.00	31.20	\$163.70
11140-030194 Ramirez-Rivera, Luis Hiram DAC-IPS	5.00	0.00	0.00	\$5.00
11140-030225 Wetterstrom, William serious/fatal crash report	30.00	0.00	0.00	\$30.00
11140-040112 Paul, Jonathan Michael DAR, expired registration	5.00	0.00	0.00	\$5.00
11140-040226 Marty, Derek Lawrence pass in a no pass zone, no proof of insurance	5.00	0.00	0.00	\$5.00
11140-040260 Walker, Stacy Lea DAS	5.00	0.00	0.00	\$5.00
11140-040266 Sanchez, Marco A.E. 4th degree DUI	22.50	0.00	0.00	\$22.50

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CITY OF LAKE ELMO

ACCOUNT NO.

Page: 2  
04/30/2005  
11140M

	FEES	EXPENSES	ADVANCES	BALANCE
11140-040268 Boggs, Jethero James domestic assault	10.00	0.00	52.00	\$62.00
11140-040273 Seuberth, Scott William DAS	5.00	0.00	0.00	\$5.00
11140-040277 Hotvedt, Roxanne display revoked plates	5.00	0.00	0.00	\$5.00
11140-050010 Watkins, Tommy DAS	5.00	0.00	0.00	\$5.00
11140-050014 Lo, Kong Cheng speed 77/65	5.00	0.00	0.00	\$5.00
11140-050020 Bradley, Terry DAC, no proof of insurance	5.00	0.00	0.00	\$5.00
11140-050022 Fitzgerald, Brian P. DAS, no proof of insurance	5.00	0.00	0.00	\$5.00
11140-050025 Hedberg, Chad Andrew GM-no insurance	5.00	0.00	0.00	\$5.00
11140-050044 Johnson, Mary Jo DOC	5.00	0.00	0.00	\$5.00
11140-050045 Patterson, Desiree Candelario 3rd degree DUI	60.00	0.00	0.00	\$60.00

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CITY OF LAKE ELMO

ACCOUNT NO.

Page: 3  
04/30/2005  
11140M

	FEES	EXPENSES	ADVANCES	BALANCE
11140-050047 Thorsen, Michael J. domestic assault	5.00	0.00	0.00	\$5.00
11140-050052 Coleman, Faith Aileen Jones no proof of insurance	5.00	0.00	0.00	\$5.00
11140-050056 Perez, Joseph Michael domestic assault	5.00	0.00	0.00	\$5.00
11140-050059 Urur, Abdi Abdullahi speed 78/55	22.50	0.00	0.00	\$22.50
11140-050061 Cade, Anthony Lee expired DL, no proof of ins.	5.00	0.00	0.00	\$5.00
11140-050063 Emert, Timothy Donald no insurance, no proof of insurance	5.00	0.00	0.00	\$5.00
11140-050068 Kleinvachter, Robert M. 2nd degree DUI, test refusal	5.00	0.00	0.00	\$5.00
11140-050071 Vlieger, Brett Alan speed 50/30	5.00	0.00	0.00	\$5.00
11140-050073 Secord, Troy Gideon no insurance, display plates on wrong vehicle	5.00	0.00	0.00	\$5.00

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CITY OF LAKE ELMO

Page: 4  
04/30/2005  
ACCOUNT NO. 11140M

	FEES	EXPENSES	ADVANCES	BALANCE
11140-050075 St. Michael, Andrew Thomas GM-property damage, domestic assault	10.00	0.00	0.00	\$10.00
11140-050078 Schmotter, Nicholas William GM-911 interference, domestic assault	15.00	0.00	0.00	\$15.00
	<u>3,212.50</u>	<u>33.06</u>	<u>83.20</u>	<u>\$3,328.76</u>

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Page: 1  
04/30/2005  
ACCOUNT NO. 11145M

	FEES	EXPENSES	ADVANCES	BALANCE
11145-040003 WATER SYSTEMS CONNECTION	77.00	0.00	0.00	\$77.00
	<u>77.00</u>	<u>0.00</u>	<u>0.00</u>	<u>\$77.00</u>

THIS STATEMENT IS DUE AND PAYABLE TO THE END OF THE MONTH.  
PAYMENTS RECEIVED AFTER THE LAST DAY OF THE MONTH WILL BE CREDITED TO THE NEXT MONTH'S STATEMENT.  
PLEASE RETURN ONE COPY OF STATEMENT WITH PAYMENT.

Suite 300  
50 East Fifth Street  
St. Paul, MN 55101-1197

PETERSON  
FRAMBERGMAN  
PROFESSIONAL ASSOCIATION

(651) 291-8955  
(651) 228-1753 facsimile  
Federal Tax ID #41-0991098

CITY OF LAKE ELMO  
3800 LAVERNE AVENUE NORTH  
LAKE ELMO MN 55042

Page: 1  
04/30/2005  
ACCOUNT NO. 11150M

	FEES	EXPENSES	ADVANCES	BALANCE
11150-040005 LAKEWOOD EVANGELICAL FREE CHURCH - REZONING - SUP	2,499.00	0.00	11.00	\$2,510.00
11150-040019 CARDINAL VIEW - COMPREHENSIVE PLAN, REZONING	77.00	0.00	0.00	\$77.00
11150-050001 EAGLE POINT BUSINESS PARK 4TH ADDITION	165.00	1.61	0.00	\$166.61
	<u>2,741.00</u>	<u>1.61</u>	<u>11.00</u>	<u>\$2,753.61</u>

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CITY OF LAKE ELMO  
3800 Laverne Avenue North  
Lake Elmo MN

Page: 1  
04/30/2005  
ACCOUNT NO. 11155M

	FEES	EXPENSES	ADVANCES	BALANCE
11155-040002 ZIERTMAN/SESSING PROPERTY	946.00	8.77	0.00	\$954.77
11155-900005 Derrick Land Co. vs. Lake Elmo	0.00	0.00	0.00	\$0.00
	<u>946.00</u>	<u>8.77</u>	<u>0.00</u>	<u>\$954.77</u>

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CITY OF LAKE ELMO  
3800 LAVERNE AVENUE NORTH  
LAKE ELMO MN 55042

Page: 1  
04/30/2005  
ACCOUNT NO. 11161M

	FEES	EXPENSES	ADVANCES	BALANCE
11161-050001 Brama, Angela vehicle forfeiture-2005 Escalade	179.00	0.00	0.00	\$179.00
11161-050003 Kleinvachter, Robert Michael vehicle forfeiture	77.50	0.00	0.00	\$77.50
11161-050004 Foley, Rose Marie vehicle forfeiture	50.50	0.00	0.00	\$50.50
	<u>307.00</u>	<u>0.00</u>	<u>0.00</u>	<u>\$307.00</u>

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# Accounts Payable Computer Check Proof List

User: administrator  
Printed: 06/03/2005 - 9:48 AM

# SPRINGBROOK SOFTWARE

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: REVENUE May 2005 May 2005	MN Department of Revenue Use Tax - May 2005 Sales Tax - May 2005 Check Total:	80.00 6.00 86.00	06/07/2005 06/07/2005	Check Sequence: 1 101-410-1320-44300 601-494-9400-44300	ACH Enabled: No
Total for Check Run:		86.00			
Total Number of Checks:		1			

# Accounts Payable Computer Check Proof List

User: administrator

Printed: 06/03/2005 - 9:54 AM

# SPRINGBROOK

## SOFTWARE

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor:ABDO 218961	Abdo Eick & Meyers Audit Services Check Total:	9,910.71 9,910.71	06/07/2005	Check Sequence: 1 101-410-1530-43010	ACH Enabled: No
Vendor:ACEHARD 1827	Ace Hardware Sandbelts, casters - Parks Check Total:	42.11 42.11	06/07/2005	Check Sequence: 2 101-450-5200-42400	ACH Enabled: No
Vendor:ANCOM 0000064010	ANCOM COMMUNICATIONS, INC. Reprogramming Fire Dept. Radios Check Total:	835.00 835.00	06/07/2005	Check Sequence: 3 101-420-2220-43230	ACH Enabled: No
Vendor:ANDERS2 Bid	Jeff Anderson Bid Specification Report for Fire Dept. Check Total:	350.00 350.00	06/07/2005	Check Sequence: 4 101-420-2220-44330	ACH Enabled: No
Vendor:ARAM 629-5723585	Aramark Linen - City Hall Check Total:	56.58 56.58	06/07/2005	Check Sequence: 5 101-410-1940-44010	ACH Enabled: No
Vendor:ASPENMI 60963	Aspen Mills, Inc. Pants, Belt - LeVasseur Check Total:	69.79 69.79	06/07/2005	Check Sequence: 6 101-420-2220-44170	ACH Enabled: No
Vendor:AVAYA 2721226707	AVAYA Inc. Monthly Phone Maint. Check Total:	150.36 150.36	06/07/2005	Check Sequence: 7 101-410-1940-44040	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor:BIFFS	Biff's Inc.			Check Sequence: 8	ACH Enabled: No
W254201	Portable - Sunfish Lake Park	94.26	06/07/2005	101-450-5200-44120	
W254202	Portable - Lions Park	265.22	06/07/2005	101-450-5200-44120	
W254203	Portable - VFW Park	132.60	06/07/2005	101-450-5200-44120	
W254204	Portable - DeMontreville Park	132.60	06/07/2005	101-450-5200-44120	
W254205	Portable - Reid Park	132.60	06/07/2005	101-450-5200-44120	
W254206	Portable - Tablyn Park	132.60	06/07/2005	101-450-5200-44120	
W254207	Portable - Pebble Park	132.60	06/07/2005	101-450-5200-44120	
W254208	Portable - Stonegate Park	132.60	06/07/2005	101-450-5200-44120	
	Check Total:	1,155.08			
Vendor:BOUTHM	MichaelBouthilet			Check Sequence: 9	ACH Enabled: No
Claim	Arbor Day Supplies	123.27	06/07/2005	101-450-5200-44030	
	Check Total:	123.27			
Vendor:BRYAN	Bryan Rock Products, Inc.			Check Sequence: 10	ACH Enabled: No
19179	Ag Lime - for Parks - Landscaping	117.48	06/07/2005	101-450-5200-42250	
	Check Total:	117.48			
Vendor:CARQUEST	Car Quest			Check Sequence: 11	ACH Enabled: No
D382042	Bulb, Plug, Wires, Switch - Public Works	33.56	06/07/2005	101-430-3100-42210	
	Check Total:	33.56			
Vendor:CENTPOW.	Century Power Equipment			Check Sequence: 12	ACH Enabled: No
314945	Safety Glasses - Parks	13.82	06/07/2005	101-450-5200-42400	
	Check Total:	13.82			
Vendor:COHEN	BruceCohen			Check Sequence: 13	ACH Enabled: No
Claim Voucher	Food for Drill	15.29	06/07/2005	101-420-2220-44300	
	Check Total:	15.29			
Vendor:CPV	State of Minnesota - CPV			Check Sequence: 14	ACH Enabled: No
2005 Fee	Annual Membership - State Purch. Prog.	125.00	06/07/2005	101-410-1320-44330	
2005 Fee	Annual Membership - State Purch. Prog.	125.00	06/07/2005	101-420-2220-44330	
2005 Fee	Annual Membership - State Purch. Prog.	125.00	06/07/2005	101-430-3100-44330	
2005 Fee	Annual Membership - State Purch. Prog.	125.00	06/07/2005	101-450-5200-44330	
	Check Total:	500.00			



Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: DAHLG 25823	Dahlgren Shardless and Urban Fire Services Survey Check Total:	487.72 487.72	06/07/2005	Check Sequence: 15 101-420-2220-44300	ACH Enabled: No
Vendor: DAUGHTERT	Gerald Daugherty Water Project Check Total:	5,000.00 5,000.00	06/07/2005	Check Sequence: 16 601-494-9400-44030	ACH Enabled: No
Vendor: EMERGAPP 21333 21396 21397 21398 21399 21403 21404 21405 21434	Emergency Apparatus Maint. Transmission Leak - 3173 Pump & Generator Service, NFPA Test-3183 Pump Service, NFPA Test-3183 Pump Service, NFPA Test-3176 Truck Service - 3178 Pump & Generator Service, NFPA Test-3175 Truck Service - 3187 Truck Service - 3177 Pump Service - 3178 (new) Check Total:	340.24 1,047.96 1,059.23 948.88 216.99 1,066.50 233.01 251.26 392.91 5,556.98	06/07/2005 06/07/2005 06/07/2005 06/07/2005 06/07/2005 06/07/2005 06/07/2005 06/07/2005 06/07/2005 06/07/2005	Check Sequence: 17 101-420-2220-44040 101-420-2220-44040 101-420-2220-44040 101-420-2220-44040 101-420-2220-44040 101-420-2220-44040 101-420-2220-44040 101-420-2220-44040 101-420-2220-44040 101-420-2220-44040	ACH Enabled: No
Vendor: FARNPLN 1025204	Farm Plan Repairs - Tractor JD 955 Check Total:	988.97 988.97	06/07/2005	Check Sequence: 18 101-450-5200-44040	ACH Enabled: No
Vendor: FIREEQUI 4093	Fire Equipment Specialties Firefighter Gloves Check Total:	504.85 504.85	06/07/2005	Check Sequence: 19 101-420-2220-44170	ACH Enabled: No
Vendor: FIRSTTIR 44615	First State Tire Recycling Tire Recycling - Clean-up Days Check Total:	362.00 362.00	06/07/2005	Check Sequence: 20 101-430-3100-44380	ACH Enabled: No
Vendor: FOUR 23-039649	Four Seasons Service Supplies - City Hall Check Total:	42.62 42.62	06/07/2005	Check Sequence: 21 101-410-1940-44300	ACH Enabled: No
Vendor: FXL June 2005	FXL, Inc. Assessing Services June 2005	1,700.00	06/07/2005	Check Sequence: 22 101-410-1550-43100	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	1,700.00			
Vendor:GALLOV 316382	Hristo Galiov Keyboard/Mouse combo Check Total:	65.18 65.18	06/07/2005	Check Sequence: 23 101-410-1520-43185	ACH Enabled: No
Vendor:HEJNY 107954	HEJNY RENTALS INC. Grinder Rental - Fire Dept Check Total:	34.65 34.65	06/07/2005	Check Sequence: 24 101-420-2220-42400	ACH Enabled: No
Vendor:IVERSON 25038	Steven Iverson Special Assessment - Dupl. Billing Check Total:	335.66 335.66	06/07/2005	Check Sequence: 25 409-000-0000-20200	ACH Enabled: No
Vendor:JH Larso 1396268-01	J.H. Larson Company Lights for Fire Dept. Bldg Check Total:	42.62 42.62	06/07/2005	Check Sequence: 26 101-420-2220-42230	ACH Enabled: No
Vendor:LEAGUE 1-000022074 1-000022080	League of Minnesota Cities Land Use Conf Reg. - Kim Land Use Conf Reg. - Planning Comm. Check Total:	25.00 100.00 125.00	06/07/2005 06/07/2005	Check Sequence: 27 101-410-1910-44370 101-410-1910-44370	ACH Enabled: No
Vendor:LESCO 12528366	Lesco, Inc. Grass Seed Check Total:	109.70 109.70	06/07/2005	Check Sequence: 28 101-450-5200-42250	ACH Enabled: No
Vendor:MALMQ Claim Voucher	GregMalmquist Food - Drill Check Total:	58.30 58.30	06/07/2005	Check Sequence: 29 101-420-2220-44300	ACH Enabled: No
Vendor:MCFOA CFreeman SLumby	MCFOA Membership - C. Freeman Membership - Sh. Lumby Check Total:	35.00 35.00 70.00	06/07/2005 06/07/2005	Check Sequence: 30 101-410-1320-44330 101-410-1320-44330	ACH Enabled: No
Vendor:MCNAM 10000 Lakes	JamesMcNamara Reimbursement - Membership ICC	60.00	06/07/2005	Check Sequence: 31 101-420-2400-44370	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Horning	Reimbursement - Registration Check Total:	70.00 130.00	06/07/2005	101-420-2400-44370	
Vendor: MENARDSO 4301 4417 4463	Menards - Oakdale Parts for Sprayer - Parks Drillbits for City Hall Materials - Clean-up Days Check Total:	21.24 7.86 26.80 55.90	06/07/2005 06/07/2005 06/07/2005 06/07/2005	Check Sequence: 32 101-450-5200-42210 101-410-1940-42230 101-430-3100-44380	ACH Enabled: No
Vendor: MENARDST 67152 67195 68517	Menards - Stillwater Grills & Accessories - Parks Tank for Grill - Parks Materials - City Hall Check Total:	264.84 40.87 40.97 346.68	06/07/2005 06/07/2005 06/07/2005 06/07/2005	Check Sequence: 33 101-450-5200-44300 101-450-5200-44300 101-410-1940-42230	ACH Enabled: No
Vendor: METROCA 02267079	Metrocall Inc. Pagers - Fire Dept. Check Total:	82.77 82.77	06/07/2005	Check Sequence: 34 101-420-2220-43210	ACH Enabled: No
Vendor: MEYERCON TKDA 04.181.02	Meyer Contracting Inc. 34th Ave Lift Station Check Total:	630.00 630.00	06/07/2005	Check Sequence: 35 409-480-8000-45300	ACH Enabled: No
Vendor: MININGA 16411	Mining Auger & Tool Works, Inc Jackhammer - Public Works Check Total:	357.06 357.06	06/07/2005	Check Sequence: 36 101-430-3100-44040	ACH Enabled: No
Vendor: MND OH 04/01-06-30	MN Department of Health Water Supply Service Conn. Fee Check Total:	816.00 816.00	06/07/2005	Check Sequence: 37 601-494-9400-43820	ACH Enabled: No
Vendor: MYRONS Lake Elmo Fire	Myron's Service Center Front Brakes - 2000 Crown Vic Fire Dept. Check Total:	129.97 129.97	06/07/2005	Check Sequence: 38 101-420-2220-44040	ACH Enabled: No
Vendor: NEXTEL 761950227-026 761950227-026 761950227-026	Nextel Communications Cellular Service - Fire Dept Cellular Service - Building Dept. Cellular Service - Public Works	76.30 34.21 52.24	06/07/2005 06/07/2005 06/07/2005	Check Sequence: 39 101-420-2220-43210 101-420-2400-43210 101-430-3100-43210	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
761950227-026	Cellular Service - Parks	16.57	06/07/2005	101-450-5200-43210	
761950227-026	Cellular Service - Administration	78.68	06/07/2005	101-410-1940-43210	
	Check Total:	258.00			
Vendor:NORTHTOO 0261080637	HSBC Business Solutions Pump, Sockets for Sprayer - Parks Check Total:	111.57 111.57	06/07/2005	Check Sequence: 40 101-450-5200-42210	ACH Enabled: No
Vendor:ONECALL 5040508	Gopher State One-CallOne Call Concepts, Inc Line Locates Check Total:	234.35 234.35	06/07/2005	Check Sequence: 41 101-430-3100-44300	ACH Enabled: No
Vendor:PELNAR May 2005	KathiPelnar Impounding Check Total:	589.03 589.03	06/07/2005	Check Sequence: 42 101-420-2700-43150	ACH Enabled: No
Vendor:PETERSO 11135M 11140M 11145M 11150M 11155M 11161M	Peterson Fram & Bergman Administration Criminal Pros Public Improvement Projects Community Development Civil Litigation Auto Forfeiture Check Total:	1,979.81 3,328.76 77.00 2,753.61 954.77 307.00 9,400.95	06/07/2005 06/07/2005 06/07/2005 06/07/2005 06/07/2005 06/07/2005	Check Sequence: 43 101-410-1610-43040 101-410-1610-43045 409-480-8000-43040 803-490-9070-43040 101-410-1610-43040 101-410-1610-43045	ACH Enabled: No
Vendor:PioneerA 219071	Pioneer Press 26 Week Subs. - Pioneer Press Check Total:	104.00 104.00	06/07/2005	Check Sequence: 44 101-410-1320-44330	ACH Enabled: No
Vendor:PRESS 05/17 05/23	StevenPress City Council Meeting Planning Check Total:	54.00 54.00 108.00	06/07/2005 06/07/2005	Check Sequence: 45 101-410-1320-43620 101-410-1910-43620	ACH Enabled: No
Vendor:QUANTUM 36031	Quantum Digital Imaging Color Copies - Maps Check Total:	25.72 25.72	06/07/2005	Check Sequence: 46 101-410-1110-44300	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: REED 2904883	Read Business Information Legal Ad - Bid - Water Sys Interconnect Check Total:	153.52 153.52	06/07/2005	Check Sequence: 47 101-410-1320-43510	ACH Enabled: No
Vendor: Reserve 20313037	Pitney Bowes Reserve Account Reserve Account Postage Check Total:	500.00 500.00	06/07/2005	Check Sequence: 48 101-410-1320-43220	ACH Enabled: No
Vendor: RUD 5/16-06/02 5/17-06/03 7584 8174	Diane Prince-Rud Cleaning City Hall Cleaning Fire Hall Cleaning Supplies - Clorox, tr. bags Check Total:	360.00 360.00 25.83 745.83	06/07/2005 06/07/2005 06/07/2005	Check Sequence: 49 101-410-1940-44010 101-420-2220-44010 101-410-1940-42110	ACH Enabled: No
Vendor: S&T 01JX9481 01JY6653 01JY6653 01JY6653 01JY6653 01JZ0237	S&T Office Products, Inc. Thermal Fax Ribbon - Fire Dept Paper, Legal Pads, Post-it Pir Cartridge, Binders - Fire Dept Folders - Planning Shredder Computer Switch Check Total:	13.79 110.47 51.30 48.16 33.52 63.36 320.60	06/07/2005 06/07/2005 06/07/2005 06/07/2005 06/07/2005 06/07/2005	Check Sequence: 50 101-420-2220-42000 101-410-1320-42000 101-420-2220-42000 101-410-1910-42000 101-410-1520-42000 101-410-1520-43185	ACH Enabled: No
Vendor: SATELLIT 24180622	Satellite Shelters, Inc. Rental - Bldg Dept Trailer Check Total:	319.50 319.50	06/07/2005	Check Sequence: 51 101-420-2400-44120	ACH Enabled: No
Vendor: SPRINT 0526076028-3	Sprint Laptop Connection - Fire Dept Check Total:	51.05 51.05	06/07/2005	Check Sequence: 52 101-420-2220-43210	ACH Enabled: No
Vendor: STATETRE Horning	State Treasurer Exam Registration - Karl Horning Check Total:	70.00 70.00	06/07/2005	Check Sequence: 53 101-420-2400-44370	ACH Enabled: No
Vendor: STILLNUR 61	Stillwater Park Nursery Maple - Arbor Day Check Total:	255.60 255.60	06/07/2005	Check Sequence: 54 101-450-5200-44030	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: TASCH 35955 35963	T.A. Schifsky & Sons Water Main Break Repair Pail Tack Oil, Sand Mix Check Total:	2,806.00 136.58 2,942.58	06/07/2005 06/07/2005	Check Sequence: 55 601-494-9400-44030 101-430-3100-42240	ACH Enabled: No
Vendor: TKDA 000200501781 000200501782 000200501783 000200501783 000200501783 000200501783 000200501783 000200501783 000200501784 000200501807	TKDA, Inc. Water Sys Interconnection Water Tower - Preliminary Design Ut. Permits, Staff Mtgs, Comp. P.Lan VFW Field Lighting Streets Maint. Public Works Bldg - Review 3M Site Water Sys - MPCA Meeting Set-up EPBP, Tapestry, Fields, Whistling Valley City Council Meetings Public Works @ Sunfish Lk - Design Check Total:	5,730.75 562.37 3,958.51 11,891.88 156.83 720.11 104.56 739.99 11,652.97 200.00 289.84 36,007.81	06/07/2005 06/07/2005 06/07/2005 06/07/2005 06/07/2005 06/07/2005 06/07/2005 06/07/2005 06/07/2005 06/07/2005 06/07/2005	Check Sequence: 56 601-494-9400-43030 601-494-9400-43030 101-410-1930-43030 101-410-1910-43020 404-480-8000-43030 409-480-8000-43030 410-480-8000-46200 601-494-9400-43030 803-490-9070-43030 101-410-1930-43030 410-480-8000-46200	ACH Enabled: No
Vendor: UNIENV 01-1882	United Environmental Chemicals Weedkiller Check Total:	394.05 394.05	06/07/2005	Check Sequence: 57 101-450-5200-42160	ACH Enabled: No
Vendor: VATA Invoice	Vata Communications, Inc. New telephone equipment - City Hall Check Total:	13,500.00 13,500.00	06/07/2005	Check Sequence: 58 410-480-8000-45700	ACH Enabled: No
Vendor: VISIONAR 44264	Visionary Systems, Ltd. Firehouse Software Annual Contract Check Total:	745.50 745.50	06/07/2005	Check Sequence: 59 101-420-2220-44330	ACH Enabled: No
Vendor: WASHACC 45211	Washington County 2005 Truth in Taxation Notice Wash. Cty Check Total:	518.35 518.35	06/07/2005	Check Sequence: 60 101-410-1320-43510	ACH Enabled: No
Vendor: WASHFAIR Booth Rental	WASHINGTON COUNTY FAIR Booth Rental - Library Check Total:	170.00 170.00	06/07/2005	Check Sequence: 61 101-410-1110-44300	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: WORKWELL 057919	Workwell Occupational Health Surv. Exams - Tremain, Eder Check Total:	352.00 352.00	06/07/2005	Check Sequence: 62 101-420-2220-43050	ACH Enabled: No
Vendor: XCEL 28378604	Xcel Energy 3014 Jamley Ave N Check Total:	23.50 23.50	06/07/2005	Check Sequence: 63 101-430-3160-43810	ACH Enabled: No
	Total for Check Run: Total Number of Checks:	99,307.19 63			

<b>Lake Elmo City Council 06-07-2005</b>	<b>Agenda Section: CONSENT</b>	<b><u>No .</u> 4B</b>
<b><u>Agenda Item:</u> Reimbursement Resolution</b>		
<p><b><u>Background Information for June 07, 2005:</u></b></p> <p>In order for the City to reimburse the General Fund from tax-exempt Bond issued, the City is required to adopt a resolution authorizing the repayment of funds. Attached, please find a resolution granting reimbursement to the General Fund for Capital expenditures from bonds issued by the City.</p>		
<p><b><u>Action Items:</u></b> Motion to approve Resolution # 2005-052 granting the City to repay expenditures made out of the General Fund from Bond Proceeds.</p>	<p><b><u>Person responsible:</u></b> Tom Bouthilet</p>	
<p><b><u>Attachments:</u></b></p> <p>1. Resolution #2005-052 Authorizing Reimbursement of Expenditures.</p>		



CERTIFICATION OF MINUTES RELATING TO  
REIMBURSEMENT OF EXPENDITURES

Issuer: City of Lake Elmo, Minnesota

Governing Body: City Council

Kind, date, time and place of meeting: A regular meeting held on June 7, 2005, at 7:00 p.m.,  
at the City offices.

Members present:

Members absent:

Documents Attached:

Minutes of said meeting (including):

RESOLUTION NO. 2005-052

RESOLUTION AUTHORIZING REIMBURSEMENT OF EXPENDITURES

I, the undersigned, being the duly qualified and acting recording officer of the public corporation issuing the bonds referred to in the title of this certificate, certify that the documents attached hereto, as described above, have been carefully compared with the original records of said corporation in my legal custody, from which they have been transcribed; that said documents are a correct and complete transcript of the minutes of a meeting of the governing body of said corporation, and correct and complete copies of all resolutions and other actions taken and of all documents approved by the governing body at said meeting, so far as they relate to said bonds; and that said meeting was duly held by the governing body at the time and place and was attended throughout by the members indicated above, pursuant to call and notice of such meeting given as required by law.

WITNESS my hand officially as such recording officer this 7th day of June, 2005.

\_\_\_\_\_  
City Administrator  
Martin Rafferty

Councilmember \_\_\_\_\_ introduced the following resolution and moved its adoption, which motion was seconded by Councilmember \_\_\_\_\_:

## RESOLUTION AUTHORIZING REIMBURSEMENT OF EXPENDITURES

BE IT RESOLVED by the City Council (the "Council") of Lake Elmo, Minnesota (the "City"), as follows:

### 1. Recitals.

(a) The Department of Treasury has promulgated final regulations governing the use of proceeds of tax-exempt bonds, all or a portion of which are to be used to reimburse an issuer for project expenditures made by the issuer prior to the date of issuance of such bonds. Those regulations (Treasury Regulations, Section 1.150-2) (the "Regulations") require that the issuer adopt a statement of official intent to reimburse an original expenditure not later than 60 days after payment of the original expenditure. The Regulations also generally require that the bonds be issued and the reimbursement allocation made from the proceeds of the bonds within 18 months after the date the expenditure is paid or the date the project is placed in service or abandoned, but in no event more than three years after the date the expenditure is paid. The Regulations generally permit reimbursement of capital expenditures and costs of issuance of the bonds.

(b) The City desires to comply with requirements of the Regulations with respect to the project hereinafter identified.

### 2. Official Intent Declaration.

(a) The City has determined that it will undertake a project (the "Project") comprising certain improvements to the City's water utility system (the "System"). The cost of the Project is presently estimated at \$ 4,987,000

(b) Other than (i) expenditures to be paid or reimbursed from sources other than the Bonds (as hereinafter defined), (ii) expenditures constituting preliminary expenditures within the meaning of Section 1.150-2(f)(2) of the Regulations, or (iii) de minimis expenditures (as defined in Section 1.150-2(f)(1) of the Regulations), no expenditures for the Project have heretofore been paid by the City and no expenditures will be paid by the City until after the date of this Resolution.

(c) The City reasonably expects to issue General Obligation Water Revenue Bonds in an estimated maximum aggregate principal amount of \$4,500,000 (the "Bonds") after the date of payment of all or a portion of the costs of the Project. All reimbursed expenditures shall be capital expenditures, a cost of issuance of the Bonds or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Regulations.

3. Budgetary Matters. As of the date hereof, there are no funds of the City reserved, allocated on a long term-basis or otherwise set aside (or reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside) to provide permanent financing for the expenditures related to the Project, other than pursuant to the issuance of the Bonds. This

resolution, therefore, is determined to be consistent with the budgetary and financial circumstances of the City as they exist or are reasonably foreseeable on the date hereof.

4. Reimbursement Allocations. The Finance Director of the City shall be responsible for making the "reimbursement allocations" described in the Regulations, being generally the transfer of the appropriate amount of proceeds of the Bonds to reimburse the source of temporary financing used by the City to make payment of the prior costs of the Project. Each allocation shall be evidenced by an entry on the official books and records of the City maintained for the Project and shall specifically identify the actual original expenditure being reimbursed.

<b>Lake Elmo City Council 06-07-2005</b>	<b>Agenda Section: CONSENT</b>	<b><u>No.</u> 4C</b>
<b><u>Agenda Item:</u> New Telephone System</b>		
<p><b><u>Background Information for June 07, 2005:</u></b></p> <p>The City recently signed a new agreement for phone service which allowed for the installation of a T-1 Line at a rate less than what the City had been paying for analog lines. The new T-1 lines provides an additional six voice lines to our existing five lines.</p> <p>In order to accommodate the additional lines and upgrade our current phone system, the City has been negotiating with several Telephone vendors to obtain equipment that will meet our current and future needs. Staff recommends purchasing 3 Com telephone equipment from VATACOM at a price not to exceed \$ 13,540. The replacement of the phone equipment has been scheduled on the CIP for this year in the amount of \$15,000.</p>		
<b><u>Action Items</u></b> Approval to purchase new telephone equipment in the amount of \$ 13,540.00		<b><u>Person responsible:</u></b> Tom Bouthilet
<b><u>Attachments:</u></b>		

<b><u>Mayor</u></b> Dean Johnston	<b>No. 4. D.</b>
<b><u>Councilmembers</u></b> Steve DeLapp Liz Johnson Anne Smith Rita Conlin	<b>Agenda Section: Consent Agenda</b>  <b>Agenda Item: Planning Commission Appointments</b>  <b>Date: June 7, 2005</b>

### **Background Information for June 7, 2005**

The Council appointed Bob Van Zandt as 2<sup>nd</sup> Alternate Member of the Planning Commission on May 17. There are two housekeeping issues remaining to be addressed. Commissioner Deborah Lyzenga should be appointed as Full Voting Member for a three-year term to fill the vacancy created by Rodney Sessing and Julie Fliflet should be appointed 1<sup>st</sup> Alternate Member of the Planning Commission.

**Motion \_\_\_\_\_, Second \_\_\_\_\_, to appoint Deborah Lyzenga as Full Voting Member of the Planning Commission for a three-year term.**

**Motion \_\_\_\_\_, Second \_\_\_\_\_, to appoint Julie Fliflet as 1<sup>st</sup> Alternate Member of the Planning Commission.**

<b><u>Mavor</u></b> Dean Johnston	No. 4. E. <b>Agenda Section: Consent Agenda</b> <b>Agenda Item: Community Improvement Commission Appointments</b> <b>Date: June 7, 2005</b>
<b><u>Councilmembers</u></b> Steve DeLapp Liz Johnson Anne Smith Rita Conlin	

**Background Information for June 7, 2005**

Commissioner Robert Van Zandt has resigned from the Community Improvement Commission in order to devote his time to the Planning Commission.

The Community Improvement Commission now has one vacancy. Nicole Park has applied. There are no other applications on file.

**Motion \_\_\_\_\_, Second \_\_\_\_\_, To appoint Nicole Park to a three-year term on the Community Improvement Commission.**

Attachment: Resignation Letter – Van Zandt  
Application - Park

VAN ZANDT DISTRIBUTING, INC.

RECEIVED

MAY 25 2005

Thursday, May 19, 2005

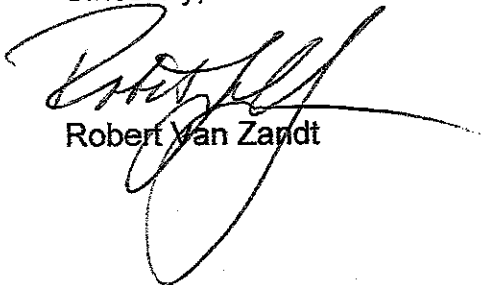
TO: Lake Elmo City Council  
From: Robert Van Zandt

Dear City Council Members:

I am extremely pleased to have been appointed this week to the Lake Elmo Planning Commission as the 2<sup>nd</sup> Alternate Member. I look forward to sharing my time and experience with this important group as we plan for our cities future.

Unfortunately, I must resign my position on the Community Improvement Commission. The demands of my company and family do not allow enough time for to serve on both of these commissions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Robert Van Zandt', with a large, stylized flourish at the end.

Robert Van Zandt

RECEIVED

MAY 25 2005



## City of Lake Elmo

3800 Laverne Avenue North  
Lake Elmo, Minnesota 55042  
(651) 777-5510 / Fax 777-9615

### APPLICATION FOR COMMUNITY IMPROVEMENT COMMISSION APPOINTMENT

Date: 5/24/05

Name Nicole Park

Address 404 Lake Elmo Ave N Lake Elmo

Phone: W) 612-240-2876 H) 651-337-0888 C) 612-240-2876  
651-436-7888

1. What do you consider to be the major societal and law enforcement issues requiring improvement in the City of Lake Elmo?

*If possible, it might be a nice thing to have a police department in Lake Elmo.*

2. What do you see as the role and function of the Community Improvement Commission?

*To help make the city of Lake Elmo a clean, safe and enjoyable place to live.*

3. What experience and qualifications do you have that you feel will contribute to the Community Improvement Commission's work, and will enable you to provide a service in this regard?

*I come in contact with many Lake Elmo city residents @ my place of business and I am a great listener on*

4. How much time do you have, or are you willing to devote to Community Improvement Commission activities?

*As much as is needed.*

*any issue.*

5. What property or development interest, either direct or indirect, do you have within Lake Elmo?

*I am part owner and manager of Country Air Golf Driving Range and 18 hole Pitch and Putt Golf Course.*

Please, complete and return to City Hall.



<b>Lake Elmo City Council 06-07-2005</b>	<b>Agenda Section: FINANCE</b>	<b><u>No. 5A</u></b>
<b><u>Agenda Item: Revenue Bond Schedule</u></b>		
<p><b><u>Background Information for June 07, 2005:</u></b></p> <p>The city is in the early stages of a major water expansion project. As part of this project, the City will need to address the financing issues related to infrastructure costs. One source of funding is to issue tax-exempt Bonds.</p> <p>Attached please find the General Obligation Water Revenue Bond Series 2005A Proposed Schedule of Events. The scheduled outlines the sequence of events, time frames and individual responsibilities.</p>		
<b><u>Action Items:</u></b> Approval to proceed with the Water Revenue Bonds Proposed Schedule of Events.		<b><u>Person responsible:</u></b> Tom Bouthilet
<b><u>Attachments:</u></b> <ol style="list-style-type: none"> <li>General Obligation Water Revenue Bonds Proposed Schedule of Events</li> </ol>		

**CITY OF LAKE ELMO, MINNESOTA**  
**GENERAL OBLIGATION WATER REVENUE BONDS, SERIES 2005A**  
**PROPOSED SCHEDULE OF EVENTS**

The following checklist of items denotes each milestone activity as well as the members of the finance team who will have the responsibility to complete it.

*Please note this proposed timetable assumes regularly scheduled Council meetings.*

*May, 2005*

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

*June, 2005*

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

*July, 2005*

S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

Date	Action	Responsible Party
June 14	Preliminary finance plan scenarios developed and reviewed at Council Workshop.	City Staff Northland Securities
June 21	Bond Finance Plan presented to Council for consideration. Initial Resolution authorizing financing to proceed considered.	City Council – ACTION Northland Securities City Staff
Week of June 27	Preliminary Official Statement mailed for review. Comments received.	Northland Securities City Staff
Week of July 4	Preliminary Official Statement finalized.	Northland Securities
Week of July 11	Credit Rating Review (Moody's Investors Service).	City Staff Northland Securities
July 18 & 19	Bond pricing	Northland Securities
July 19	Bond pricing finalized. Authorizing Resolution to sell bonds considered by Council.	City Council – ACTION Northland Securities Dorsey & Whitney
Mid August	Closing – proceeds available	Northland Securities Dorsey & Whitney

<b>Lake Elmo City Council 06-07-2005</b>	<b>Agenda Section: FINANCE</b>	<b><u>No.</u> 5B</b>
<b><u>Agenda Item:</u> 2006 Budget Schedule</b>		
<p><b><u>Background Information for June 07, 2005:</u></b></p> <p>Attached please find the 2006 Budget Calendar. The Draft Budget Package has been distributed to the City Department Supervisors and Budget Strategy meeting are scheduled for the week June 06-10.</p> <p>I anticipate the 2006 Budget will have some major departure from previous Budgets primarily due to the Construction of the new Public Works facility and a potential new City Hall. The Water Enterprise Fund will also be closely reviewed in light of the water expansion project.</p> <p>The Capital Improvement Plan will be developed to coincide with the Budget in an effort to respond to the recent Capital Expenditure shortfalls.</p>		
<b><u>Action Items:</u></b>	<b><u>Person responsible:</u></b> Tom Bouthilet	
<b><u>Attachments:</u></b> 2006 Budget Calendar		

## 2006 Budget Calendar

<u>Date</u>	<u>Description</u>
5/20/2005	Draft Budget Package Sent To Dept. Heads
6/06-10/2005	Budget Strategy Meeting with Dept. Heads. Budget Package (with Y-T-D expenditures) submitted to Dept. Heads.
6/24/2005	Department Heads to return completed requested Budget Packets
7/05-7/08- 05	Budget review with Dept. Heads, Administrator, Asst. Administrator & Finance Director
7/12/2005	Workshop with Council Committee-Proposed Budget
7/15/2005	Proposed Budget to Dept. Supervisors for Final Comments
7/26/2005	Workshop with Council Committee-Proposed Budget
8/09/2005	Workshop with Council Committee-Proposed Budget
9/06/2005*	Proposed Budget to City Council For Adoption
9/12/2005*	Proposed Budget (adopted by Resolution) & Proposed Property Tax Levy Certified to the County. Certify Hearing(s) Dates.
11/17/2005*	Publication Notice for Truth n Taxation
11/28/2005*	Truth n Taxation Hearing 7:00PM 3800 Laverne Ave (Council Chambers)
12/05/2005*	Truth n Taxation Hearing Continuation (If Necessary) 7:00PM 3800 Laverne Ave (Council Chambers)
12/27/2004*	Final Levy certified to the County & Adopt Final Budget
	* Tentative Dates. (State & County schedule dates not published).

RECEIVED

MAY 24 2005

# 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

May 23, 2005

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

Re: Water System Interconnect - Phase II  
City of Lake Elmo, Minnesota  
TKDA Project No. 13186.000.003

Dear Mayor and City Council:

Bids for the referenced project were received on May 20, 2005, with the following results. A complete Tabulation of Bids is enclosed for your information.

Contractor	Base Bid
G.M. Contracting, Inc.	\$359,049.86
Chris Riley Utilities, Inc.	\$371,782.00
S.R. Weidema, Inc.	\$393,417.40
Minncomm Utility Construction Co., Inc.	\$424,530.72
Ellingson Drainage, Inc.	\$478,204.40
Engineer's Estimate	\$336,740.00

### Recommendation

We recommend that you award the Contract to the lowest bidder, G.M. Contracting, Inc., for their base bid of \$359,049.86.

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

Sincerely,



Thomas D. Prew, P.E.  
City Engineer

TDP:jls  
Enclosure

BIDS OPENED: 10:00 AM on Friday, May 20, 2005  
\*DENOTES ERROR IN BIDDER'S CALCULATION

TABULATION OF BIDS

Chris Riley Utilities, Inc.

GM Contracting, Inc.

ENGINEER'S ESTIMATE

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1	MOBILIZATION	1.0	LS	\$ 20,000.00	\$ 20,000.00	\$ 5,500.00	\$ 5,500.00	\$ 20,000.00	\$ 20,000.00
2	TRAFFIC CONTROL	1.0	LS	\$ 2,000.00	\$ 2,000.00	\$ 3,652.68	\$ 3,652.68	\$ 2,500.00	\$ 2,500.00
3	REMOVE & DISPOSE OF BIT. PAVEMENT	700.0	SY	\$ 5.00	\$ 3,500.00	\$ 3.75	\$ 2,625.00	\$ 2.00	\$ 1,400.00
4	SAW CUT BIT. PAVEMENT	880.0	LF	\$ 3.00	\$ 2,640.00	\$ 1.25	\$ 1,100.00	\$ 2.00	\$ 1,760.00
5	PATCH BIT. PAVEMENT 4" THICK INCL. GRAVEL BASE	700.0	SY	\$ 10.00	\$ 7,000.00	\$ 13.91	\$ 9,737.00	\$ 10.00	\$ 7,000.00
6	REMOVE AND REPLACE D412 CURB AND GUTTER	200.0	LF	\$ 15.00	\$ 3,000.00	\$ 11.64	\$ 2,328.00	\$ 55.00	\$ 11,000.00
7	SEEDING, INCL. SEED, FERTILIZER & WOOD FIBER BLANKET	1000.0	SY	\$ 2.00	\$ 2,000.00	\$ 2.11	\$ 2,110.00	\$ 1.50	\$ 1,500.00
8	SODDING TYPE LAWN	1000.0	SY	\$ 4.00	\$ 4,000.00	\$ 4.64	\$ 4,640.00	\$ 2.00	\$ 2,000.00
9	CONNECT TO EXIST. WATERMAIN	2.0	EA	\$ 2,000.00	\$ 4,000.00	\$ 3,116.04	\$ 6,232.08	\$ 1,500.00	\$ 3,000.00
10	6" DIP CL-52 WATERMAIN	60.0	LF	\$ 35.00	\$ 2,100.00	\$ 74.28	\$ 4,456.80	\$ 35.00	\$ 2,100.00
11	DIRECT DRILL 16" (DIP) HDPE SDR 17	4336.0	LF	\$ 50.00	\$ 216,800.00	\$ 51.42	\$ 223,241.12	\$ 52.00	\$ 235,872.00
12	6" RES. SEAT GATE VALVE & BOX	7.0	EA	\$ 1,000.00	\$ 7,000.00	\$ 1,295.63	\$ 9,069.41	\$ 900.00	\$ 6,300.00
13	16" BUTTERFLY VALVE & BOX	3.0	EA	\$ 3,000.00	\$ 9,000.00	\$ 2,736.85	\$ 8,210.55	\$ 2,750.00	\$ 8,250.00
14	6" HYDRANT EXTENSION	3.0	EA	\$ 150.00	\$ 450.00	\$ 411.97	\$ 1,235.91	\$ 350.00	\$ 1,050.00
15	12" HYDRANT EXTENSION	3.0	EA	\$ 200.00	\$ 600.00	\$ 451.82	\$ 1,355.46	\$ 450.00	\$ 1,350.00
16	6" HYDRANT (9'-6" BURY)	6.0	EA	\$ 3,500.00	\$ 21,000.00	\$ 4,663.25	\$ 27,979.50	\$ 3,000.00	\$ 18,000.00
17	M/DIP COMPACT FITTINGS	2000.0	LB	\$ 4.00	\$ 8,000.00	\$ 3.65	\$ 7,300.00	\$ 4.00	\$ 8,000.00
18	1" TYPE "K" COPPER WATER SERVICE	570.0	LF	\$ 15.00	\$ 8,550.00	\$ 16.82	\$ 9,587.40	\$ 55.00	\$ 31,350.00
19	FUSABLE SADDLE W/1" CORPORATION STOP	17.0	EA	\$ 200.00	\$ 3,400.00	\$ 729.10	\$ 12,394.70	\$ 250.00	\$ 4,250.00
20	1" CURB STOP BOX	17.0	EA	\$ 100.00	\$ 1,700.00	\$ 370.25	\$ 6,294.25	\$ 300.00	\$ 5,100.00
	<b>TOTAL</b>				\$ 336,740.00		\$ 359,049.86		\$ 371,782.00

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
1	MOBILIZATION	1.0	LS	\$ 10,500.00	\$ 10,500.00	\$ 18,500.00	\$ 18,500.00	\$ 5,500.00	\$ 5,500.00
2	TRAFFIC CONTROL	1.0	LS	\$ 4,800.00	\$ 4,800.00	\$ 3,000.00	\$ 3,000.00	\$ 5,000.00	\$ 5,000.00
3	REMOVE & DISPOSE OF BIT. PAVEMENT	700.0	SY	\$ 2.00	\$ 1,400.00	\$ 4.00	\$ 2,800.00	\$ 15.00	\$ 10,500.00
4	SAW CUT BIT. PAVEMENT	880.0	LF	\$ 3.15	\$ 2,772.00	\$ 1.50	\$ 1,320.00	\$ 2.88	\$ 2,534.40
5	PATCH BIT. PAVEMENT 4" THICK INCL. GRAVEL BASE	700.0	SY	\$ 20.00	\$ 14,000.00	\$ 25.00	\$ 17,500.00	\$ 32.00	\$ 22,400.00
6	REMOVE AND REPLACE D412 CURB AND GUTTER	200.0	LF	\$ 25.00	\$ 5,000.00	\$ 23.00	\$ 4,600.00	\$ 37.75	\$ 7,550.00
7	SEEDING, INCL. SEED, FERTILIZER & WOOD FIBER BLANKET	1000.0	SY	\$ 2.10	\$ 2,100.00	\$ 1.00	\$ 1,000.00	\$ 5.00	\$ 5,000.00
8	SODDING TYPE LAWN	1000.0	SY	\$ 3.15	\$ 3,150.00	\$ 3.50	\$ 3,500.00	\$ 7.75	\$ 7,750.00
9	CONNECT TO EXIST. WATERMAIN	2.0	EA	\$ 1,250.00	\$ 2,500.00	\$ 2,100.00	\$ 4,200.00	\$ 3,000.00	\$ 6,000.00
10	6" DIP CL-52 WATERMAIN	60.0	LF	\$ 60.00	\$ 3,600.00	\$ 27.00	\$ 1,620.00	\$ 35.00	\$ 2,100.00
11	DIRECT DRILL 16" (DIP) HDPE SDR 17	4536.0	LF	\$ 57.65	\$ 261,500.40	\$ 67.77	\$ 307,404.72	\$ 55.00	\$ 249,480.00
12	6" RES. SEAT GATE VALVE & BOX	7.0	EA	\$ 725.00	\$ 5,075.00	\$ 942.00	\$ 6,594.00	\$ 835.00	\$ 5,845.00
13	16" BUTTERFLY VALVE & BOX	3.0	EA	\$ 2,200.00	\$ 6,600.00	\$ 2,530.00	\$ 7,590.00	\$ 5,400.00	\$ 16,200.00
14	6" HYDRANT EXTENSION	3.0	EA	\$ 312.00	\$ 936.00	\$ 347.00	\$ 1,041.00	\$ 350.00	\$ 1,050.00
15	12" HYDRANT EXTENSION	3.0	EA	\$ 350.00	\$ 1,050.00	\$ 482.00	\$ 1,446.00	\$ 385.00	\$ 1,155.00
16	6" HYDRANT (9'-6" BURY)	6.0	EA	\$ 2,875.00	\$ 17,250.00	\$ 2,281.00	\$ 13,686.00	\$ 8,800.00	\$ 52,800.00
17	M/DIP COMPACT FITTINGS	2000.0	LB	\$ 5.00	\$ 10,000.00	\$ 4.50	\$ 9,000.00	\$ 3.50	\$ 7,000.00
18	1" TYPE "K" COPPER WATER SERVICE	570.0	LF	\$ 21.70	\$ 12,369.00	\$ 16.30	\$ 9,291.00	\$ 22.00	\$ 12,540.00
19	FUSABLE SADDLE W/1" CORPORATION STOP	17.0	EA	\$ 1,130.00	\$ 19,210.00	\$ 290.00	\$ 4,930.00	\$ 3,000.00	\$ 51,000.00
20	1" CURB STOP BOX	17.0	EA	\$ 585.00	\$ 9,605.00	\$ 324.00	\$ 5,508.00	\$ 400.00	\$ 6,800.00
	<b>TOTAL</b>				\$ 393,417.40		\$ 424,530.72		\$ 478,204.40

Ellingson Drainage, Inc.

Minicom Utility Const Co. Inc.

S.R. Weldema

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

**RESOLUTION NO. 2005-053**

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

WHEREAS, pursuant to an advertisement for bids for the WATER SYSTEM INTERCONNECT – PHASE II, 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>
G. M. Contracting, Inc.	\$359,049.86
Chris Riley Utilities, Inc.	\$371,782.00
S.R. Weidema, Inc.	\$393,417.40
Minncomm Utility Construction Co., Inc.	\$424,530.72
Ellingson Drainage, Inc.	\$478,204.40
Engineer's Estimate	\$336,740.00

AND WHEREAS, G.M. Contracting, 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 G. M. Contracting Inc. in the name of the City of Lake Elmo for the Water System Interconnect – Phase II, 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 7<sup>th</sup> day of June, 2005.

\_\_\_\_\_  
Dean Johnston, Mayor

ATTEST:

\_\_\_\_\_  
Martin Rafferty, City Administrator

<b>Lake Elmo City Council June 7, 2005</b>	<b>Agenda Section: Planning, Land Use &amp; Zoning</b>	<b><u>No.</u> 9A</b>
<b><u>Agenda Item:</u> Extended Contractor Working Hours – Tapestry Project</b>		
<p><b><u>Background Information for June 7, 2005:</u></b></p> <p>Chapter 1370 of the City Code specifies that construction equipment may only be operated in the City between 7:00 AM and 6:00 PM, weekdays – except holidays. The Code does provide that the City Council may issue a “special permit” to extend those operating hours to 9:30 PM on weekdays and/or between 1:00 PM and 5:00 PM on Saturdays, Sundays, and holidays. The Code refers to a Council determination of “substantial economic loss” as the basis for approving a special permit to extend working hours. No parameters are provided for defining “substantial”.</p> <p>By the attached letter Senn &amp; Youngdahl, developers of Tapestry, have requested extended working hours on the Tapestry project. No specific times are mentioned, nor have they suggested the scale of the economic loss that would result from not gaining approval of the extended hours. I would guess there is some economic loss, however, since we know that the utility contractor did begin water main work where no sewer laterals would be, and has had to suspend work pending PCA permit approval for the sewer system. PCA appears to have this slow permit processing issue quite often.</p> <p>Staff can not come up with any precedents to guide the Council regarding this request. Should the Council decide to approve the request, the special permit should be for specific days/and/or hours of operations to aid in monitoring and enforcement by the City.</p>		
<p><b><u>Action items:</u></b></p> <p>Motion regarding a special permit for Senn &amp; Youngdahl to undertake construction at the Tapestry project during hours/days beyond those specified by City Code, specifically from 6:00 PM to ____PM weekdays; and from 1:00 PM to 5:00 PM _____.(specify days - may be Saturdays, Sundays and/or Holidays).</p>	<p><b><u>Person responsible:</u></b></p> <p>City Planner </p>	
<p><b><u>Attachments:</u></b></p> <p>1. May 20, 2005 S&amp;Y Letter</p>	<p><b><u>Time Allocated:</u></b></p>	



RECEIVED  
MAY 23 2005

**SENN & YOUNG DAHL**  
FINE BUILDERS

VIA MAIL AND FAX #651-777-9615

May 20, 2005

Chuck Dillerud, City Planner  
City of Lake Elmo  
3800 Laverne Ave. North  
Lake Elmo, MN 55042

Re: June 7, 2005 City Council Meeting

Dear Mr. Dillerud:

St. Croix Farms, LLC. respectfully requests to be placed on the agenda of the June 6, 2005 City Council meeting. Our desire is to have the Council consider extending our working hours on the Tapestry at Charlotte's Grove project.

We have experienced delays in the permitting process pertaining to the central septic system with the Minnesota Pollution Control Agency. These delays are creating financial hardship; it is for this reason we request the Council's approval to extend our working hours.

Thank you for your consideration in this matter – it is greatly appreciated. If you are in need of further information or have any questions, please contact me. I look forward to your response.

Sincerely,

*Pat Block* / *hc*

Pat Block,  
Construction Manager

hc

109 E. Myrtle Street  
Stillwater, Minnesota 55082  
(651) 351-1450

Lake Elmo  
City Council  
June 7, 2005

**Agenda Section: Planning, Land Use & Zoning**

**No. 98**

**Agenda Item:** Visible Roofing Materials – Commercial Buildings

**Background Information for June 7, 2005:**

On May 23 the Planning Commission reviewed a Staff Memo regarding present zoning standards for visible roofing materials in the commercial zoning districts, and conducted a Public Hearing to consider modification to those standards based on the Staff memo and recent actions of the City with those standards on specific projects. Following the Hearing, at which there was no Public testimony, the Commission unanimously (9-0) adopted a recommendation to amend certain commercial zoning district performance standards to include "commercial grade" asphalt shingles as an allowable visible roofing material in areas north of 10<sup>th</sup> Street North. The basic rationale for the geographic differentiation with the visible roofing standards relates to the more "residential" character surrounding those commercial zoning districts north of 10<sup>th</sup> Street (primarily the Old Village). The Commission believes that an asphalt style roof will better blend with the residential roofs in those areas .

Two ordinance amendments are attached for Council consideration – covering the Limited Business and General Business zones. No Business Park zone amendment appears necessary since all such zoning is now and will continue to be south of 10<sup>th</sup> Street.

**Action items:**

Motion to adopt Ordinances <sup>158</sup>97- (Limited Business) and <sup>159</sup>97-159 (General Business) to amend the City Code to allow commercial grade asphalt roofing materials on visible roofs north of 10<sup>th</sup> Street.

**Person responsible:**

  
City Planner

**Attachments:**

- <sup>158</sup> 158      <sup>159</sup> 159
1. Ordinances #97 - , and 97 - Approving Code Amendments
  2. Draft Planning Commission Minutes of May 23, 2005
  3. Planning Staff Memo of May 19, 2005

**Time Allocated:**

CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA

ORDINANCE NO. 97-158

AN ORDINANCE AMENDING THE LAKE ELMO MUNICIPAL CODE  
SECTION 300.07, SUBD. 4.K. 4h – PERFORMANCE STANDARD – VISIBLE  
ROOFING MATERIALS IN THE (LB) LIMITED BUSINESS ZONING DISTRICT

**Section 1. Amendment:** Section 300.07, Subd. 4.K.4h is hereby amended to read as follows:

h. **Performance Standard – Visible Roofing Materials**

Any roofing materials that are visible from ground level shall be standing seam metal, fire-treated cedar shakes, ceramic tile, clay tile, concrete or slate; except commercial grade asphalt shingles (425 pounds weight per square and 50 years warranty) are allowed for buildings in areas of the City north of 10<sup>th</sup> Street.

**Section 2. Effective Date:** This ordinance shall become effective upon its passage and publication according to law.

\_\_\_\_\_  
Dean Johnston, Mayor

ATTEST:

\_\_\_\_\_  
Martin Rafferty, City Administrator

Adopted by the Lake Elmo City Council on the 7<sup>th</sup> day of June, 2005.

Published in the Lake Elmo Leader on \_\_\_\_\_ day of \_\_\_\_\_, 2005.

Ord Visible Roofing materials-LB

CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA

ORDINANCE NO. 97-159

AN ORDINANCE AMENDING THE LAKE ELMO MUNICIPAL CODE  
SECTION 300.07, SUBD 4.H.4h- PERFORMANCE STANDARD – VISIBLE  
ROOFING MATERIALS IN THE (GB) GENERAL BUSINESS ZONING DISTRICT

**Section 1. Amendment:** Section 300.07, Subd. 4.H.,4h. is hereby amended to read as follows:

h. **Performance Standard – Visible Roofing Materials**

Any roofing materials that are visible from ground level shall be standing seam metal, fire-treated cedar shakes, ceramic tile, clay tile, concrete or slate; except commercial grade asphalt shingles (425 pounds weight per square and 50 years of warranty) are allowed for buildings in areas of the City north of 10<sup>th</sup> Street.

**Section 2. Effective Date:** This ordinance shall become effective upon its passage and publication according to law.

\_\_\_\_\_  
Dean Johnston, Mayor

ATTEST:

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Martin Rafferty, City Administrator

Adopted by the Lake Elmo City Council on the 7<sup>th</sup> day of June, 2005.

Published in the Lake Elmo Leader on \_\_\_\_\_ day of \_\_\_\_\_, 2005.

Ord Visible Roofing materials-GB

DRAFT

## **PUBLIC HEARING: AMEND CODE – VISIBLE ROOFING MATERIALS**

The Planner explained that architectural standards were amended a few years ago to allow only specific visible roofing materials in all commercial zoning districts. Since then the Planning Commission has heard three variances that were approved by the City Council to allow asphalt shingles on roofs. The Council has asked the Planning Commission to review these sections of the *Municipal Code* to determine whether the code should be amended or deleted.

Commissioner Deziel asked if there were health, welfare, or safety issues with regard to roofing materials.

The Planner said standing seam metal roofing might allow ice to melt faster and sheet off.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:13 P.M.

No members of the Public requested time to speak on the issue.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:14 P.M.

Commissioner Ptacek said that asphalt shingles were not included in allowable materials list because that type of roofing does not seem to last as long as other materials, is not as wind resistant, and its appearance is not as nice looking.

Commissioner Deziel said maintenance is easier and therefore quicker and less costly with asphalt roofing.

Commissioner Sedro said the City wants businesses to use quality construction materials yet we still approve variances to allow asphalt shingles. She suggested the Commission should reconcile the Code.

Commissioner Armstrong recommended a geographic boundary of 10<sup>th</sup> Street and south for the current Visible Roofing Materials standard because we have two areas of high quality commercial development planned for that area of the City.

M/S/P, Armstrong/Ptacek, To recommend amendment to the respective sections of the zoning ordinance regarding Visible Roofing Materials to allow commercial grade asphalt shingles on commercial buildings areas north of 10<sup>th</sup> Street. VOTE: 9:0.

Commissioner Ptacek suggested that appearance was the primary reason for regulating roofing materials.

Commissioner Deziel said the Commission does not have enough information to say one roofing material is a better product than another roofing material.

MOTION: Deziel, To allow commercial grade asphalt shingles on commercial buildings throughout the city. MOTION FAILED FOR A SECOND.

The Planner said he will the Building Official for a definition of commercial grade shingles to be included in the Definition section of the City Code. He said he suspected that this standard could be established as a function of shingle weight per square.

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**MEMO**

(May 19, 2005 for the Meeting of May 23, 2005)

To: Lake Elmo Planning Commission

From: Chuck Dillerud

Subject: Visible Roofing Standards in the Commercial Zones

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Following the review of several 520 Site Plans for commercial structures over the past year the City Council has requested the Planning Commission to review the Architectural Performance Standard that appears in every commercial zoning district that addresses roofing materials as follows:

**"Performance Standard – Visible Roofing Materials"**

**Any roofing materials that are visible from ground level shall be standing seam metal, fire-treated cedar shakes, ceramic tile, clay tile, concrete or slate."**

This provision was added to the Zoning Ordinance (along with a major overhaul of all of the commercial architectural standards in May 2002). Prior to 2002 the architectural standards of the commercial zones were silent as to "visible roofing". The standards only stated: "Non-structural metal standing seam roofing is permitted." It appears that this clause was intended to distinguish this type of roofing from the prohibition on exterior metal surfacing found in the previous sentence of the standards. The very same language is found in the prior City zoning ordinance (1979), making it at least 26 years old.

Since the 2002 amendments there have been Section 520 Site Plans approved for 1 group of 7 buildings (Prairie Ridge Office Park), and 2 free-standing buildings where this provision was waived as a PUD matter or waiver approved by variance. In all of those cases a specific grade of commercial grade asphalt shingles was approved as an alternative roofing material.

There have, however, been two instances (1 group of buildings Eagle Point Office Condos; and the recent Stillwater Blvd. remodel/addition) where the Code standard was met with no waiver or variance approved.

It is a general rule of zoning practice that when multiple variances/PUD waivers of a specific Code standard have been approved it is time for the City to review the validity/practicality of the standard. In keeping with that general rule and the Council's direction, staff has published Notice of Public Hearing for May 23 advising the Public that the Planning Commission will be considering amendment of the Zoning Ordinance regarding the visible roofing standard. The Commission's consideration of the current standard and recommendation to the City Council to retain, modify, or delete the visible roofing standard is respectfully requested.