



*Our Mission is to Provide Quality Public Services
in a Fiscally Responsible Manner While
Preserving the City's Open Space Character*

NOTICE OF MEETING

City Council Meeting

Tuesday, May 21, 2013 7:00 P.M.

City of Lake Elmo | 3800 Laverne Avenue North

Speak Your Peace Pledge Signing will be held at 6:30 PM outside City Hall

AGENDA

- A. Call to Order**
- B. Pledge of Allegiance**
- C. Roll Call**
- D. Order of Business**
- E. Approval of Agenda**
- F. Accept Minutes**
 - 1. Accept May 7, 2013 City Council Meeting Minutes**
- G. Public Comments/Inquiries**
- H. Presentations**
- I. Consent Agenda**
 - 2. Approve Payment of Disbursements and Payroll**
 - 3. Accept Financial Report dated April 30, 2013**
 - 4. Accept Building Permit Report dated April 30, 2013**
 - 5. Keats MSA Street and Trunk Watermain Improvements -Change Order No. 1.**
 - 6. Production Well No. 4 -Accept Bids and Award Contract; *Resolution 2013-39***
 - 7. 2013 Seal Coat Project -Accept Bids and Award Contract; *Resolution 2013-40***
 - 8. Easement Encroachment Agreement – 5090 Marquess Trail Court North**
 - 9. Approve Resolution supporting the 110th NWIRA Championship Regatta on Lake Elmo; *Resolution 2013-41***
- J. Regular Agenda**
 - 10. Approve Massage Therapy Licenses; *Public Hearing***
 - 11. Fee Schedule Update; *Ordinance 08-079***

12. Municipal State Aid System -Resolution Revoking Municipal State Aid Streets and Resolution Establishing State Aid Streets; ***Resolution 2013-42, Resolution 2013-43***
13. Article 7 - Specific Development Standards; ***Ordinance 08-080, Resolution 2013-44***
14. Approve Resolution Formally Adopting A Revised MOU Between the City and the Metropolitan Council; ***Resolution 2013-45***
15. Council Retreat Update

K. Summary Reports and Announcements

- **Mayor**
 - **MnDOT Highway 5 safety and striping project update**
- **Council**
- **City Administrator**
- **City Attorney**
- **Planning Director**
- **City Engineer**
- **Finance Director**
- **City Clerk**

L. Adjourn

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CITY OF LAKE ELMO CITY COUNCIL MINUTES May 7, 2013

Mayor Pearson called the meeting to order at 7:02 P.M.

PRESENT: Mayor Pearson, Council Members Bloyer, Nelson, Smith, and Park

Also Present: City Administrator Zuleger, City Attorney Snyder, Planning Director Klatt, City Engineer Griffin, Finance Director Bendel, and Program Assistant Gumatz.

PLEDGE OF ALLIGENCE

ORDER OF BUSINESS

Mayor Pearson states that Public Comments on Item 17 will be limited to 20 minutes. He asks that information offered only be new information because of the time limit.

APPROVAL OF AGENDA

*MOTION: Council Member Nelson moved **TO APPROVE THE MAY 7, 2013 CITY COUNCIL AGENDA AS PRESENTED.** Council Member Smith seconded the motion. **Motion passed 5-0.***

ITEM 1: ACCEPT MINUTES

THE APRIL 16, 2013 CITY COUNCIL MINUTES WERE APPROVED AS AMENDED BY CONSENSUS OF THE CITY COUNCIL.

PUBLIC COMMENTS/INQUIRIES

Karen Johnston 8200 Hill Trail N spoke on the limited public comments on the lake issue being 20 minutes. She believes that Council should listen to the people and that 20 minute limit is unprecedented and offensive to the public.

Library Board Member Sarah Linder 11108 12th St N gave an update on the Library and some upcoming events. There is an event coming up with author Gloria VanDemmeltraadt and her new book, "Memories of Lake Elmo," on Saturday May 11th at 10:30am and Tuesday May 14th at 6:30am. Another event is the recurring music jam on Wednesday nights with the next one on Wednesday, May 15th. There is another author event with Bayport author James Kosmo, on May 16th at 6:30pm, where he will be giving a presentation about his book, "Still Standing: The Story of SSG John Kriesel." On Friday, May 17th the New Century Artist Reception will begin. They do work at the Lake Elmo Regional Art Center. Other reoccurring events include story time for preschoolers and toddlers on the first and third Fridays of each month, and the East Metro Writers Room is open Mondays and Wednesdays from 8:30am until Noon. Starting on June 10th there will also be a Summer Reading Program for elementary and middle school kids. Ms. Linder also highlighted some of the best sellers that are available right now at the Library.

Jim Blackford 9765 45th St N spoke on the level of public discourse. Has worked well with council in the past. Contacted by Sheriff's office about his comments at the last council meeting. Says it's

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wrong to limit discussion on an important topic. He also talks about an article that was in the paper about the lake issue.

Council Member Park responds that calls to the Sheriff were made because at last meeting Council Members were being interrupted as they were trying to speak. It was very disrespectful. Asks folks to not talk while Council is speaking tonight. Council Member Smith responds that no one council member speaks for all of them and that newspapers don't always get things right. She notes her frustration with the fact that someone called the paper and made this a wider issue. Mayor Pearson also responds about at the last meeting there was 3.5 hours of public comments and that is why input will be limited to 20 minutes.

Charlie Stockwell from the Minnesota Boat Club spoke about the MPLS Rowing Club requesting to host a two day rowing competition on Lake Elmo, the 110th NW International Regatta Championship will be held on August 3rd and 4th. They have sent a letter to lake shore residents and received consent from 2/3 of the residents. They have also submitted a special event permit in early April to the City of Lake Elmo which is currently in the process of review. There will be about 400 rowers from US and Canadian rowing clubs who will compete in 52 events. This event will be sanctioned by the US Rowing Association and managed from Lake Elmo Park Reserve. It will be a 2000 meter competition and the event will run from 7am to 7pm on both Saturday and Sunday. They will request a no wake rule for competition and will work with Washington County to get all permits needed. This will be the third time in history that this event will be held in Lake Elmo.

PRESENTATIONS

ITEM 2: ROTARY CLUB DONATION- GREG HALL

Lake Elmo Rotary Club President-elect Greg Hall presented a donation to the City for the purposes of the beautification of Lake Elmo. Rotary, along with elected officials, city staff, appointed boards, and local citizens have been hard at work pulling together a vision of how to maintain and enhance the appearance of the city as it grows. During the past several years, Rotary has been raising money for various potential projects involving Lake Elmo beautification. Tonight's donation represents a down-payment to help support the planning and dollar needs of the city with respect to enhancing the character and appearance of Lake Elmo. Mr. Hall presented a check in the amount of \$8,000 to Finance Director Bendel.

CONSENT AGENDA

3. Approve Payment of Disbursements and Payroll
4. Approve Master Subscriber Agreement for Minnesota Court Data Services for Governmental Agencies and Master Subscriber Agreement for First Appearance Support Track (FAST) Access; **Resolution 2013-31**
5. Approve a Revised Master Subscriber Agreement for Minnesota Court Data Services for Governmental Agencies and a Fast Access Subscriber Amendment for Washington County Pilot Program; **Resolution 2013-32**
6. Approve League of MN Cities Insurance Trust Waiver Form – Annual Renewal
7. Olson Lake Trail Sanitary Sewer Project – Resolution Approving the Joint Powers Agreement with the City of Oakdale; **Resolution 2013-33**

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8. Sanitary Sewer Service Agreement – Resolution Approving Agreement with the City of Oakdale; **Resolution 2013-34**
9. Easement Encroachment Agreement – 10978 57th St. N.

*MOTION: Council Member Park moved **TO APPROVE THE CONSENT AGENDA AS PRESENTED.** Council Member Smith seconded the motion. **MOTION PASSED 5-0.***

REGULAR AGENDA

ITEM 10: DAMON FARBER ASSOCIATES – LAKE ELMO THEMING PROJECT FINAL KIT OF PARTS

Tom Whitlock from Damon Farber Associates presented the theming and branding study for the City of Lake Elmo. It is about creating a unique identity for the City. Over six months, they developed a kit of parts which will become a tool box to use for future projects in the City. Mission statement and goals want to represent the earth, the sky, and the water – what everyone holds dear about Lake Elmo. Mr. Whitlock presented examples of what can be implemented in the public realm – street lights, banners, lighting, signage, planting, benches, etc. This kit of parts will help to tie the community together as a whole, from the I-94 corridor as it is developed, to the Old Village Area.

Planning Director Klatt stated that staff recommends that the Council accept the document. Staff would like the Council to have the opportunity to weigh in on the work that was done so that as further development occurs, the City can use this document as something that has been endorsed by the City Council.

*MOTION: Council Member Smith moved **TO ACCEPT THE LAKE ELMO BRANDING AND THEMING STUDY.** Council Member Bloyer seconded the motion. **MOTION PASSED 5-0.***

ITEM 11: PROPERTY MAINTENANCE CODE

Building Official Rick Chase presented the International Property Maintenance Code of 2006. The Code is a list of requirements for exterior property maintenance. The 2006 Property Maintenance Code has been adopted by neighboring communities- Woodbury, Oakdale, Cottage Grove. This will be used in addition to the City Code to bring all properties up to compliance. It will provide a uniform standard that will be the same for every parcel of land in the City. Mr. Chase also outlined the benefits of having used the property maintenance code.

Council Member Park asked about what would happen if the Council had questions or concerns about a certain section in the future. Building Official Chase explained that the Council is able to amend or delete any section of the book at any time. He spoke about how neighboring communities use this so it's not uncommon and historically enforcement of the code has been an issue in the City.

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*MOTION: Council Member Smith moved **TO APPROVE ORDINANCE 08-075, THEREBY ADOPTING THE 2006 INTERNATIONAL PROPERTY MAINTENANCE CODE AS AMENDED.** Mayor Pearson seconded the motion. **Motion passed 4-1 (Nay – Nelson).***

ITEM 12: ZONING MAP UPDATE

Planning Director Klatt presented the new Zoning Map update. He stated that this item was approved and recommended by the Planning Commission. The new Zoning Map is needed to bring codes up to date and address the fact that urban development needs to be regulated in the City as we move forward and bring sewer to communities. The Zoning Map establishes districts in the community and adds new districts to the map. This new map correlates very well with the new zoning regulations. The new map also eliminates Holding Zones and creates a Rural Transitional (RT) Zone for future sewer areas in the City. Other changes to the previous map include zoning the three parcels along Hudson Blvd as Commercial (C) because they will be served with sewer and a change to the Cimarron Manufactured Home Park, which is changed to a Medium Density District (MDR).

Council Member Park asked for clarification on the RT Zone. Planning Director Klatt clarified that the Land Use Map that was sent to the Met Council identifies possible future uses for land. When applications come in for new development, it is expected that they will also apply to re-zone the properties. Council Member Smith asked about the R2-PUD zones on the map. Planning Director Klatt clarifies the designations of the Future Land Use Map and the new Zoning Map and that the R2-PUD designation is for a Single Family District and the only place that shows up in the City is for Carriage Station. Council Member Park asked for clarification on the "holding zones" to make sure that future development is still allowed in these areas. Planning Director Klatt responds that anything that can be done in the Rural Residential Districts can be done in the Rural Transitional Zones and explains some minimum requirements of those zones.

Mayor Pearson asked if there were any reservations from the Planning Commission. Planning Director Klatt explains that it was unanimously recommended for approval. Mr. Klatt also outlines one other minor change to the Zoning Map having to do with the Lake Elmo Oil Property zoning district change.

*MOTION: Council Member Smith moved **TO ADOPT ORDINANCE 08-076 AMENDING CHAPTER 154 OF THE CITY CODE BY ADOPTING A NEW OFFICIAL ZONING DISTRICT MAP.** Council Member Nelson seconded the motion. **MOTION PASSED 5-0.***

ITEM 13: TREE PRESERVATION ORDINANCE

Planning Director Klatt gave an overview of the Tree Preservation and Protection Ordinance. This is part of the process to prepare the City for further growth and development going forward. This Ordinance would correct one of the deficiencies that the Planning Commission has found in the code; that there is no provision to deal with preservation and protection of trees as new developments occur. Many other cities have something like this. Commission made recommendation for ordinance in packet, when developing site, try and preserve as many trees as they can or that they have a plan for replacing trees. When you get above a certain threshold of removal you must have a plan for replacing trees at certain basis. There is a preference for different

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types of trees. Not a real impediment to development, but something that can apply to all properties equally and to help add value to the development moving forward.

Mayor Pearson asked more about what the threshold for replacement is. Planning Director Klatt responded that it depends on what type of trees you are replacing and that it is not a 1:1 ratio. The intent of the Ordinance is that there will be some replacement of trees coming back to the development.

Council Member Smith asked about how restrictive this Ordinance is compared to City of Woodbury. Planning Director Klatt responded that it is pretty comparable to what Woodbury has. Smith also asked about if the Planning Commission recommendation was unanimous. Mr. Klatt responded that it was.

Council Member Nelson asked question about if someone comes in with their preliminary plat, will they have to do a tree survey. Mr. Klatt responded that there is some level of interpretation left open for staff to not require a tree survey to be done. Council Member Smith commented on most of the land in the City being farmland and wants to make sure there is a way for the Council to grant a variance or relax the process depending on what plans are being brought in. Council Member Nelson expressed concerns about a developer coming in to develop land and they are not touching any trees. They are still required to pay to have tree survey done, which costs money, and can be a burden. Mayor Pearson clarified with Planning Director Klatt that staff can be flexible with developers. Mr. Klatt responded that staff can be flexible and there is an amendment drafted they can add to the Ordinance if Council would like to have that exemption stated in the code. The amendment would add language so that if a proposed development project will not include any impact to significant trees on the site, the applicant can submit a Woodland Evaluation Report rather than a Tree Preservation Plan. The Woodland Evaluation Plan is also defined.

MOTION: Council Member Park moved TO APPROVE ORDINANCE 08-077, ESTABLISHING STANDARDS FOR TREE PRESERVATION WITHIN DEVELOPMENT AND GRADING ACTIVITIES AS AMENDED. Council Member Smith seconded the motion. MOTION PASSED 5-0.

MOTION: Council Member Smith moved TO APPROVE RESOLUTION 2013-35, AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 08-077. Council Member Bloyer seconded the motion. MOTION PASSED 5-0.

ITEM 14: OFF-STREET PARKING REGULATIONS ORDINANCE UPDATE

Planning Director Klatt explained the Off-Street Parking Regulations Ordinance. This is recommended by the Planning Commission to bring code up to date. Right now, the code does have some parking standards, but they are very sporadic and limited to certain districts for certain types of uses. This would create a new parking section in the code and list each use and set a parking standard for each activity. Standards generally come from the American Planning Association and this recommendation tries to get at minimum standards that are needed to serve that business. Not trying to be over-burdensome. This Ordinance would rescind any parking standards that are currently in the code and add a new section that would adopt the new standards.

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Council Member Park asked about the Planning Commission vote. Mr. Klatt responded that it was a unanimous recommendation. Council Member Bloyer asked about if this Ordinance will cover existing single family homes as well as new developments. Mr. Klatt responded that this Ordinance will apply to new developments, and that existing homes or businesses that do not comply, they are grandfathered into the code. Council Member Smith asked about the part of the code that deals with things like parking at Tablyn Park. Mr. Klatt responded that there is a separate section of the code that deals with on-street parking. This new section of the code just deals with off-street parking. Council Member Nelson asks for a couple points of clarification for the Old Village. Mr. Klatt described the exemptions for downtown businesses and when a parking study would be required.

*MOTION: Council Member Bloyer moved **TO APPROVE ORDINANCE 08-078, ESTABLISHING OFF-STREET PARKING AND LOADING REQUIREMENTS FOR ALL USE CLASSIFICATION IN THE LAKE ELMO ZONING CODE.** Council Member Smith seconded the motion. **MOTION PASSED 5-0.***

*RESOLUTION MOTION: Council Member Smith moved **TO APPROVE RESOLUTION 2013-36, AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 08-078.** Council Member Park seconded the motion. **MOTION PASSED 5-0.***

ITEM 15: OLSON LAKE MINOR COMPREHENSIVE PLAN AMENDMENT

Planning Director Klatt explained the Olson Lake Minor Comp Plan Amendment. The initial project will be to provide sewer to 5 property owners along part of Olson Lake Trail. It is a joint project with the City of Oakdale. Amendment is needed in order to add language to the waste water section of the Comp Plan so that these properties are included and to revise the map to show that this area is now part of the future sewer service area. In addition to initial 5 homes, the City has identified other homes that could be provided with extension of the sewer line. This amendment would also add these and other homes along Olson Lake Trail to the future sewer service area, so that as the City works with Oakdale on the sewer extensions, we do not need to continually come back and amend our Comp Plan. All of the affected property owners have been polled and a large majority of them do support this project moving forward.

Mr. Klatt also noted that staff is asking that change be approved contingent upon review by the Met Council. This is considered a minor change, and can be administratively reviewed by the Met Council, so rather than the normal 60 day review with adjacent city comments, it is just an administrative action by the Met Council. Mr. Klatt also explained that the Resolution before Council states that once this amendment is approved by the Met Council, it will not need to come back before the Council for approval. Rather, the plan change will be implemented upon approval by the Met Council. Mr. Klatt pointed out that this was reviewed by the Planning Commission, where they had a Public Hearing, and that it received unanimous support.

Council Member Smith noted that there have been five or six Council Meetings on this and Council is very familiar with the proposal.

*MOTION: Council Member Smith moved **TO ADOPT RESOLUTION NO. 2013-037 APPROVING AN AMENDMENT TO CHAPTER VI OF THE LAKE ELMO COMPREHENSIVE PLAN EXPANDING THE CITY'S PUBLIC SEWER SERVICE AREA.** Council Member Nelson seconded the Motion. **MOTION PASSED 5-0.***

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ITEM 16: CONSTRUCTION OBSERVATION SUPPORT SERVICES – RESOLUTION APPROVING JOINT POWERS AGREEMENT WITH THE CITY OF MAPLEWOOD

City Engineer Griffin explained the item. This Joint Powers Agreement with the City of Maplewood deals with the Keats MSA and Trunk Watermain project. Work on this project is set to begin soon. One of the services provided for this project from an engineering level is having a construction observer/inspection on site with the contractor to oversee all aspects of the project. Generally, this service is provided by a highly trained engineering technician. Staff has learned that the City of Maplewood has delayed their 2013 street improvement project and they have a technician on their staff that would be short of work. Staff approached Maplewood about entering into a Joint Powers Agreement to utilize personnel from Maplewood to do the service for this project. Staff negotiated a contract with Maplewood which will save the City of Lake Elmo roughly \$20-25K over the course of the entire project. Mr. Griffin also noted that this Joint Powers Agreement was approved by the City of Maplewood at their City Council Meeting on April 19th.

Council Member Nelson thanked City Engineer Griffin for connecting the dots on this and saving the City quite a bit of money.

*MOTION: Council Member Nelson moved **TO APPROVE RESOLUTION NO. 2013-038, APPROVING THE JOINT POWERS AGREEMENT WITH THE CITY OF MAPLEWOOD FOR THE UTILIZATION OF ENGINEERING SUPPORT STAFF.** Council Member Smith seconded the motion. **MOTION PASSED 5-0.***

Mayor Pearson recessed the meeting at 8:36 and reconvened at 8:44.

ITEM 17: WATER SURFACE USE AMENDMENT §97.21(B)(1)(b) REVISION

City Administrator Zuleger spoke about help that the City of Lake Elmo has received from neighboring cities such as Oakdale, Hugo, Maplewood and Stillwater. He thanked all these cities for working with us on various issues. Mr. Zuleger also thanked staff for all their hard work tonight and leading up to getting all the work done that was passed tonight.

Mr. Zuleger presented information on questions that staff had answered regarding the Water Surface Use Ordinance from the previous Council Meeting. Mr. Zuleger noted that at the request of Mayor Pearson, staff held meetings with the Washington County Sheriff's Office, the Minnesota Department of Natural Resources, MnDNR lake biologists, as well as some lake biologists from Wisconsin to better understand our issues. Mr. Zuleger also recapped of the April 16th meeting in which 57 residents spoke on the proposed surface water use ordinances changes, with 51 being opposed to any change, as well as the petition presented in which 98% of signers opposed changes.

City Administrator Zuleger recapped a meeting held with the DNR on April 30th. Major findings from this meeting include:

- City has primary authority to set surface water use regulations on lakes within its jurisdictional boundary with DNR review
- the DNR review includes basic tenants of safety, equality and fairness of use, and public sentiment;
- DNR review will include talking to enforcement staff who have knowledge of these particular lakes;

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- the current proposed ordinance does meet the basic tenants with the exception of penalties and enforcement clause and;
- an environmental lake designation has nothing to do with use

City Administrator Zuleger offered one other important point which is while not codified, DNR boater safety distance is guided by the 150 foot personal watercraft rule. The DNR would also be willing to partner with the City on a lake quality study which would include invasive species issue. Specific to the new Ordinance, DNR notes that having different time restrictions on different lakes within a community is not unusual, for boater safety counter-clockwise motion is highly recommended, clear enforcement and penalty clauses need to be adopted, periodic review of local ordinance effects on lakes and lake use is advisable. They also had questions on the City's enforceability on winter use restrictions.

Mr. Zuleger recapped the meeting with the Washington County Sheriff's Department. Major findings from staff meetings with the Sheriff's Department include:

- there have been no major water safety or lake use violation history on the Tri-Lakes at this time, showing that the previous ordinance has efficacy;
- ordinance compliance and enforcement is predicated on clear signage;
- buoy placement is strictly enforced by MN Boat and Safety Rules 6110.1800 and that should clearly be stated in the City's ordinance and;
- they support a counter-clockwise provision.

Mr. Zuleger also noted that Lake Elmo Lake will have a full-time boating patrol this summer, and the Tri-Lakes will be patrolled by a mobile patrol with enforcement not starting until noon, unless otherwise called.

Mr. Zuleger explained that the City has also tracked public opinion since the 4/16 Council Meeting. For the Tri-Lakes area the City has received 23 reactions, 19 of which were against the action that was taken by the Council and 4 were in favor of it. A petition has also been submitted by Jill Lundgren stating that over 85% of folks want to go back to the pre-2011 ordinance. The Catholic Complex are signatories on the petition as well. For Lake Jane specifically there have been 12 reactions to the 4/16 action taken at the Council meeting, 10 against the action and 2 in favor of the action taken. A petition has been submitted by Ms. McDonough stating that 78% of people are in favor of going back to the pre-2011 ordinance.

Mr. Zuleger then presented staff conclusions based on this information. The staff conclusions include:

- the current ordinance is working as there are no major law enforcement issues at this time;
- the City of Lake Elmo, not the DNR, has jurisdiction over local lake use regulations, including the establishment of a no wake lake;
- uniform times for lake use make it easier for the public to understand use expectations and for law enforcement;
- studies conducted across the nation seem to indicate motorboat wake on shallow lakes have an accelerated effect on shore land erosion due to wave velocity;

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- the April 16 ordinance meets Washington County and DNR satisfaction, and when amended on enforcement and penalties, is within defined designed standards and;
- Tri-lakes landowners seem to be in favor of no change and no compromise of time on the currently adopted ordinance.

Mr. Zuleger also noted that DNR is caught in kind of a quandary because they usually never see proposals come to them that want to relax lake restrictions, and that they generally do support increased use of the lakes.

Mr. Zuleger then presented staff recommendations. Staff recommends:

- that the City Council adopt formal enforcement and penalty language to strengthen the ordinance;
- create a uniform, seven day a week time on the Tri-Lakes for ease of enforcement and to clearly delineate lake use expectations; and
- that an annual review be including in the ordinance that would allow the City, the DNR and Washington County the ability to examine the previous season's lake use effect on quality of life, water quality, and shore land erosion.

Mayor Pearson commented about surveys and the Ground Source tool that the City is currently working to implement as a way in which the City could survey residents. Mr. Zuleger talked about the Parks Survey that the City will be sending out, which will have some lake use questions on it. He also highlighted other ways in which the City has been reaching out to residents via communication tools.

Council Member Park asked about section 97.23 Prohibited Structures and Uses, of the Perfecting Amendment, and about whether an applicant who would like to have a special event on a lake will be required to provide insurance. City Administrator Zuleger stated that there is a form applicants must fill out from Washington County, which will then be validated by the City Clerk prior to the event. The responsibility for determining whether or not it is a proper event is accomplished by Washington County and then they send info to the City so that we know the event will be taking place and that it has been authorized.

Council Member Smith commented about the numbers of people who spoke against the Ordinance changes at the last meeting. She spoke about a belief someone had that coming to the Council Meeting was a bigger vote or weighted more heavily, and that that is not true. She also commented that some of the names on the surveys submitted of people who are against changes have sent emails saying that they are for changes and that it is confusing as to which opinion should be listened to. City Administrator Zuleger responded that staff has taken the viewpoint that if a name is on the petition they are a signatory of the petition. Council Member Smith commented that her issue with the petition is that it was not conducted by an outside party. Mr. Zuleger commented that any petitions turned in to the City are taken seriously and are put on the record.

Mayor Pearson reminded everyone that public comment will be for a period of 20 minutes and that intent is to take comments from those wishing to offer new information which will be valuable to policy deliberation. He also asked that comments be kept to three minutes per person.

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Public input:

1. **Jill Lundgren** 8282 Hidden Bay Ct N presented the petition from Olson Lake and Lake Demontreville lakeshore owners. She thanked the Mayor and Council for their work on this issue. She stated that the Olson Lake and Lake Demontreville lakeshore owners want the pre-2011 ordinance reinstated. 85% signed the petition at their own free will. They asked that Council rescind the hours of operation back to what they were before because that was fair and that was balanced for our lake. She is concerned that coercion took place while obtaining signatures for this petition. Property owners are the stewards of the lake. She expressed concerns about shore line erosion and AIS. This topic does not need to be revisited each year. Also spoke about the Jesuits and Carmelites. She also stated that petition signers respectfully disagree with how this issue has been handled, and that they will be relentless to get it back to the way it was.

2. **Betsy McDonough** 4711 Birchbark Trail presented the Lake Jane petition. She thanked the Mayor and Council for reconsidering this issue. She explained the petition – 65 properties on the lake, 55 with homes on them. 80% of homeowners want the original sunset to noon no wake ordinance reinstated. The homeowners are also concerned about the water quality, shore line erosion, and wild life habitat. They clean up the trash that is left from others and maintain the shore line so that everyone can continue to utilize the lake both now and in the future.

Mayor Pearson asked Ms. McDonough about the survey that was done in 2011 of Lake Jane homeowners that showed almost exact opposite results as the survey that was presented tonight. He asked Ms. McDonough if she has any ideas as to why there was such a change. Ms. McDonough replied that while she can't speak for others, she has heard some people felt there was a lot of confusion, people didn't know what they were signing or felt they were being coerced into signing that petition.

3. **Pat Dean** 8028 Hill Trail North presented four pages that show the times of sunrise and sunset for the months of April-October. He explained the wake period of time when using noon and 9am as wake starting times. He explained differences between amounts of time people are allowed to use the lakes when using the two different starting times. He also stated that there is no time set for other lake usages such as snowmobiles, motor bikes, four wheelers, cars, motorcycles. This is just restricting boat usage.

4. **Dean Johnston** 8200 Hill Trail North has lived on Olson Lake and Lake Demontreville for 30 years. He stated that Council may have come to a different conclusion if they had used a different process, one that is more consistent with their vision statement. He believes a systematic and consistent process should have been used. He hoped Council will consider moving the time back to noon.

5. **Robin Dillon** 8190 Hill Trail North wasn't at the last meeting and wants to emphasize that she hasn't heard anyone talking about people waterskiing at 6am and playing loud music along with screaming and yelling.

6. **Jim Blackford** 9765 45th St N talks about quality of life issue. He states that Council is supposed to protect the quality of life. Lake Elmo is unique. City values open spaces and quiet spaces. He states that the petitions are there that say what the people want.

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7. **Karen Johnston** 8200 Hill Trail N asks Council to look at the City Noise Ordinances because they require a quiet time between 10pm and 7am and there is a sliding scale of other times when noise making activities can start in residential neighborhoods that depends on noise level. Wants to make sure Council is not passing one ordinance that conflicts with another.

City Administrator Zuleger discusses the City's current noise ordinance. Council Member Bloyer states that jet skiing times is regulated by state statute.

8. **Joe McGrath** 8120 Demontreville Trail reads a letter from his neighbors across the street, written by Father Patrick McCorkel.

Council Member Bloyer speaks about other Jesuit Retreat Homes that are on lakes in the country. There are four of them and only one is on a lake that is restricted. He also addresses the petitions and some inconsistencies with them.

City Administrator Zuleger suggests that Council discuss the Perfecting Amendment, which will fix issues that DNR and Washington County have with the current ordinance at this time and then discuss the wake time as a second issue. Mr. Zuleger explains the technical changes that the DNR and Washington County would like to see made. Sections that require technical changes include the sections 97.21 (D) Buoys, 97.23 (A) Lake Activities, 97.23 (B) Fee for Lake Use, 97.24 (A) Local Enforcement, 97.24 (B) Penalties, 97.24 (C) Exemptions, and 97.25 Review.

Council Member Nelson asks City Attorney Snyder what the penalty would be if someone violated this ordinance. Mr. Snyder responds that it would be a misdemeanor.

Council Member Park questioned the review process and how often it would happen and based on whose request. City Administrator Zuleger clarified that a review could be requested by anyone and Council can decide whether or not to review. Mayor Pearson agreed that there should be a review process to assess environmental concerns. There is also discussion on having a survey or poll done by the City at the end of each year because of concerns about the most recent surveys done. City Administrator Zuleger talked about the City being able to have folks from Washington County or the DNR help us out with looking at water quality issues in one year.

Council Member Smith spoke about some differences between Lake Elmo and the Tri-Lakes. Lake Elmo is accessed by 300,000 other people each year. There was discussion about previous Ordinance changes that have been made two years ago to look at the high water mark.

Council Member Nelson suggested moving to adopt the Perfecting Amendment. Mayor Pearson would like language added to the Amendment that would provide staff with the direction to survey the public.

City Administrator stated that staff would recommend Council consider the adoption of 97.21 sub section D, 97.23 sub A and sub B3, 97.24 enforcement sections a, b, c, and 97.25 section on review but include under Effects following 'quality' add ", shoreline erosion and lake use safety prior to ice out or the beginning of the normal lake use season, the Lake Elmo City Council shall consult with the DNR, University of Minnesota Extension, Washington County Sheriff's Department as a part of

LAKE ELMO CITY COUNCIL MINUTES

May 7, 2013

this review and City Council shall take into consideration any Ordinances including noise that may conflict with Chapter 97."

MOTION: Council Member Nelson moved to **ADOPT 97.21 SUB-SECTION D, 97.23 SUB-SECTION A AND SUB-SECTION B3, 97.24 ENFORCEMENT SECTIONS A, B AND C, AND 97.25 SECTION ON REVIEW AND INCLUDE UNDER THE EFFECTS SECTION FOLLOWING 'QUALITY' ADD ", SHORELINE EROSION AND LAKE USE SAFETY PRIOR TO ICE OUT OR THE BEGINNING OF THE NORMAL LAKE USE SEASON, THE LAKE ELMO CITY COUNCIL SHALL CONSULT WITH THE DNR, UNIVERSITY OF MINNESOTA EXTENSION, WASHINGTON COUNTY SHERIFF'S DEPARTMENT AS A PART OF THIS REVIEW AND CITY COUNCIL SHALL TAKE INTO CONSIDERATION ANY ORDINANCES INCLUDING NOISE THAT MAY CONFLICT WITH CHAPTER 97."** Council Member Smith seconded the motion. **MOTION PASSED 5-0.**

Council Member Nelson speaks on the time issue. He is a believer of less restrictions and more freedom for everybody. And that people will make good choices. He also speaks about owning a cabin on a lake where people are allowed to use it with no restrictions. He believes that all people should have the choice to use the lakes as the desire from sunrise to sunset. This is a hard choice for Council to make. Speaks about needs vs wants. City is lucky to be arguing over wants.

Council Member Park appreciates everyone coming and voicing their concerns. She is in support of sticking with decision made at the last Council meeting because the lakes are public lakes for everyone in the community to use. Feels that she is considering the community at large and not just the lake shore owners.

Mayor Pearson talks about sharing of the lakes. He also speaks about his concerns with the surveys and what he has heard that some people have been told and said. Understands the concerns and wants to talk about water quality, safety, the environment and quality of life. Asks people for patience and to give the new Ordinance a year to see what happens and that it can be revisited if changes need to be made.

Council Member Bloyer states that his goal is that he would like to see the lakes more in line with more of a standard DNR regimen. He speaks on the original ordinance that was passed in 1981. This is about letting people use the lakes more.

Council Member Smith thanks the people who have been respectful. Doesn't like having to make this decision and that it was a hard one to make. She states that at the end of the year she will re-look at the decision and see if it has made a difference.

Public Input:

9. **Susan Hawkinson** 4891 Olson Lake Trail asks if anyone is an activist for environmental issues. She contends that the focus of the Ordinance change has been on waterskiing when it should be on environmental issues and that many petitioners consider themselves to be water-skiers as well as stewards of the lakes. Says that Council already has a review of the pre April 16th ordinance because of the petition stating that 83% of people want to see the no wake time moved back to noon.

LAKE ELMO CITY COUNCIL MINUTES
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10. **Gary Fields** 4751 Olson Lake Trail is a new resident to the City. He says Council is opposing the public opinion and they should be concerned about this and the public perception that it will generate. This will create a negative opinion of the town.

Council Member Smith spoke about the decision to put in the Lake Elmo Library and remove the City from the Washington County Library System and that it was made even though the majority of public opinion was against the decision. The majority of citizens also disagreed to put sewer up Lake Elmo Avenue. Council Member Nelson also commented that the petitions were from lake shore owners and they represent less than 5% of the population of the City. This is more than just the lake shore owners backyard, it is a public issue. Mayor Pearson responds to environmental concerns and thinks Council has addressed many of the concerns.

11. **Mary Grundeen** 8270 Hidden Bay Trail has been a resident for over 42 years. Before they were allowed to purchase property was interviewed and had to be strong in their environmental concerns. History of the city is of part of the environmental concern.

Mayor Pearson reiterated again that he would like to try this for one year and see what happens. He understands the quality of life issue and understands the lake shore owners concerns. But he does not believe that the change will bring in tons of water skiers and tubers. Wants to change to 9am for uniformity. There is discussion on the Mayor's 9am proposal.

*MOTION: Mayor Pearson moved to **CHANGE THE SUNSET TO SUNRISE NO WAKE PROVISION AND GO TO A SUNSET TO 9AM NO WAKE PROVISION.** Council Member Park seconded the motion. **MOTION FAILED 1-4 (Nay – Nelson, Smith, Bloyer and Park).***

City Administrator Zuleger clarified the no wake language and that Chapter 97.21 (B) language will be for the Tri-Lakes no wake from sunset to sunrise Monday through Friday and sunset to 9am on the weekends and holidays.

Mayor Pearson recessed the meeting at 10:51 and reconvened at 10:56.

DISCUSSION ONLY

ITEM 18: CITY COUNCIL RETREAT (SMITH/NELSON REQUEST)

There is discussion about having a Council Retreat this year.

ECONOMIC DEVELOPMENT AUTHORITY APPOINTMENTS

City Administrator Zuleger presented the slate of candidates for Council's approval. Mr. Zuleger endorses the slate and highlights their experience and diversity. There is discussion about when the Council appointments to the Planning Commission to fill vacancies will be made.

*MOTION: Mayor Pearson moved to **APPOINT MIKE PEARSON TO THE ECONOMIC DEVELOPMENT AUTHORITY ALONG WITH NICOLE PARK, DAN RALEIGH, JOHN THOMPSON, JOHN SCHILTZ, STEVE NELSON, TONY YOKUM, AND JEFF CASWELL.** Council Member Bloyer seconds the motion. **MOTION PASSED 5-0.***

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SUMMARY REPORTS AND ANNOUNCEMENTS

Council Member Nelson – no report.

Council Member Smith – no report.

Council Member Bloyer – no report.

Council Member Park – no report.

Mayor Pearson – no report.

City Administrator Zuleger – Staff has been working on lake issue for 2 weeks. Staff has been doing a great job. Also talks about meeting with developers and some housing people who are interested in Lake Elmo. Parks Survey update.

City Attorney Brekken: working with City engineers on development issues on the I-94 corridor.

Planning Director Klatt – notes that Lennar EAW posted on website. Anticipating and planning for a preliminary plat review of Lennar development in June with Planning Commission. Attended Greater MSP event that focused on establishing and identifying trends that are affecting the region. Next planning commission meeting will deal with more zoning ordinance updates including signs.

City Engineer Griffin – Keats Ave project beginning this week. Project schedule received today. Will be put up on website. Resident meeting on May 16th to talk about construction process for Keats Ave. Contractor will be there. Talk about the process, traffic control, and what to expect. Olson Lake Trail Project, have now met with all five residents that are impacted this year and spoke with them about where to put their grinder stations and all five are eager to hook up.

Finance Director Bendel – no report.

Program Assistant Gumatz – no report.

City Administrator Zuleger points out all of the positive things that were done tonight. Big work was done tonight. Mayor Pearson comments that the City has accomplished a lot tonight.

Meeting adjourned at 11:08 P.M.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson
Mayor

Beckie Gumatz
Program Assistant



MAYOR AND COUNCIL COMMUNICATION

DATE: 5/21/2013

CONSENT

ITEM #: 2

AGENDA ITEM: Approve Disbursements in the Amount of \$175,945.88

SUBMITTED BY: Cathy Bendel, Finance Director

REVIEWED BY: Dean Zuleger, City Administrator

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to approve disbursements in the amount of \$175,945.88. No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

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

Claim #	Amount	Description
ACH	\$ 11,158.02	Payroll Taxes to IRS & MN Dept of Revenue 5/16/13
ACH	\$ 5,596.02	Payroll Retirement to PERA 5/16/13
DD4598- DD4641	\$ 34,124.85	Payroll Dated (Direct Deposits) 5/16/13
1969-1974	\$ 300.00	Library Card Reimbursements 5/16/2013
39876-39922	\$ 124,766.99	Accounts Payable 5/21/2013
TOTAL	\$ 175,945.88	

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

RECOMMENDATION: It is recommended that the City Council approve as part of the Consent Agenda proposed disbursements in the amount of \$175,945.88.

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

“Move to approve the May 21, 2013, Disbursements as

Presented *[and modified]* herein.”

ATTACHMENTS:

1. Accounts Payable Dated 5/21/2013

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

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

Accounts Payable To Be Paid Proof List

User: denise

Printed: 05/16/2013 - 9:19 AM

Batch: 007-05-2013

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
ANIMALHU Animal Humane Society										
1290 04/24/2013		282.08	0.00	05/21/2013	Animal Impound Fees	1/1/13-3/31/13	-	No		0000
101-420-2700-43150 Contract Services										
1290 Total:		282.08								
ANIMALHU Total:		282.08								
ARAM Aramark, Inc.										
629-7725856 04/26/2013		51.83	0.00	05/21/2013	City Hall - Floor Mats & Linen		-	No		0000
101-410-1940-44010 Repairs/Maint Contractual Bldg										
629-7725856 Total:		51.83								
629-7738484 05/02/2013		25.54	0.00	05/21/2013	Public Works Uniform		-	No		0000
101-430-3100-44170 Uniforms										
629-7738484 Total:		25.54								
629-7745157 05/13/2013		254.44	0.00	05/21/2013	Monthly Rug Service Station #2		-	No		0000
101-420-2220-44010 Repairs/Maint Bldg										
629-7745157 Total:		254.44								
629-7745159 05/13/2013		251.57	0.00	05/21/2013	Monthly Rug Service Station #1		-	No		0000
101-420-2220-44010 Repairs/Maint Bldg										
629-7745159 Total:		251.57								
ARAM Total:		583.38								
BERKLEY Insurance Trust League of MN Citie										
43226-43227 04/17/2013		35,286.00	0.00	05/21/2013	Insurance - Admin		-	No		0000
101-410-1320-43610 Insurance										
43226-43227 04/17/2013		5,237.00	0.00	05/21/2013	Insurance - Fire		-	No		0000
101-420-2220-43630 Vehicle Insurance										
43226-43227 04/17/2013		340.00	0.00	05/21/2013	Insurance - Bldg Department		-	No		0000
101-420-2400-43630 Insurance										
43226-43227 04/17/2013		19,772.00	0.00	05/21/2013	Insurance - Public Works		-	No		0000
101-430-3100-43630 Insurance										
43226-43227 04/17/2013		3,683.00	0.00	05/21/2013	Insurance - Parks		-	No		0000
101-450-5200-43630 Insurance										

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
43226-43227	04/17/2013	313.00	0.00	05/21/2013	Insurance - Fall Festival		-	No		0000
204-450-5200-43610	Insurance									
43226-43227	04/17/2013	1,589.00	0.00	05/21/2013	Insurance - Library		-	No		0000
206-450-5300-43630	Insurance									
43226-43227	04/17/2013	7,348.00	0.00	05/21/2013	Insurance - Water		-	No		0000
601-494-9400-43610	Insurance									
43226-43227	04/17/2013	132.00	0.00	05/21/2013	Insurance - Sewer		-	No		0000
602-495-9450-43610	Insurance									
43226-43227 Total:		73,700.00								
BERKLEY Total:		73,700.00								
BRYAN Bryan Rock Products, Inc.										
255623-255644	04/30/2013	350.60	0.00	05/21/2013	Wet Pot Hole Fill Rock		-	No		0000
101-430-3120-42240	Street Maintenance Materials									
255623-255644 Total:		350.60								
BRYAN Total:		350.60								
C A C Companion Animal Control, LLC										
APR012013	05/06/2013	500.00	0.00	05/21/2013	Animal Control Month of April		-	No		0000
101-420-2700-43150	Contract Services									
APR012013	05/06/2013	60.00	0.00	05/21/2013	2 Dog Pick Up/Impounded- April		-	No		0000
101-420-2700-43150	Contract Services									
APR012013 Total:		560.00								
C A C Total:		560.00								
COMCAST Comcast										
APR272013	04/27/2013	7.92	0.00	05/21/2013	Monthly Service-Fire Department		-	No		0000
101-420-2220-44300	Miscellaneous									
APR272013 Total:		7.92								
COMCAST Total:		7.92								
CORNELL Cornell Mike										
4252013	04/25/2013	44.40	0.00	05/21/2013	Pick up Cabinets for City Hall Mileage		-	No		0000
101-410-1520-43310	Mileage									
4252013 Total:		44.40								
CORNELL Total:		44.40								
CTYBLOOM City of Bloomington										
April 2013	04/30/2013	31.50	0.00	05/21/2013	Lab Bacteria Test 3 Samples		-	No		0000
601-494-9400-42270	Utility System Maintenance									
April 2013 Total:		31.50								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
CTYBLOOM Total:		31.50								
CTYOAKDA City of Oakdale										
201304233644	04/23/2013	112.50	0.00	05/21/2013	Tire, T2 Repair Valve Stem	FD	-		No	0000
101-420-2220-44040	Repairs/Maint Eqpt									
201304233644 Total:		112.50								
APR2013	04/30/2013	3,131.70	0.00	05/21/2013	Water Service I94		-		No	0000
601-494-9400-43820	Water Utility									
APR2013 Total:		3,131.70								
CTYOAKDA Total:		3,244.20								
CTYROSEV City of Roseville										
217399	05/02/2013	1,652.08	0.00	05/21/2013	Monthly IT Services Billing for May 2013		-		No	0000
101-410-1450-43180	Information Technology/Web									
217399	05/02/2013	337.06	0.00	05/21/2013	Monthly Telephone-Administraion		-		No	0000
101-410-1320-43210	Telephone									
217399	05/02/2013	45.06	0.00	05/21/2013	Monthly Telephone-Building Inspection		-		No	0000
101-420-2400-43210	Telephone									
217399	05/02/2013	51.18	0.00	05/21/2013	Monthly Telephone-Communication		-		No	0000
101-410-1450-43210	Telephone									
217399	05/02/2013	45.06	0.00	05/21/2013	Monthly Telephone-Engineering		-		No	0000
101-410-1930-43210	Telephone									
217399	05/02/2013	90.12	0.00	05/21/2013	Monthly Telephone-Finance		-		No	0000
101-410-1520-43210	Telephone									
217399	05/02/2013	132.08	0.00	05/21/2013	Monthly Telephone-Planning		-		No	0000
101-410-1910-43210	Telephone									
217399	05/02/2013	361.52	0.00	05/21/2013	Monthly Telephone-Public Works		-		No	0000
101-430-3100-43210	Telephone									
217399 Total:		2,714.16								
CTYROSEV Total:		2,714.16								
EMERGAPP Emergency Apparatus Maint. INC										
67866	05/09/2013	748.91	0.00	05/21/2013	B1 Repairs to Skid Unit	FD	-		No	0000
101-420-2220-44040	Repairs/Maint Eqpt									
67866 Total:		748.91								
EMERGAPP Total:		748.91								
ENVENTIS Enventis										
ACCT 738507	05/01/2013	53.81	0.00	05/21/2013	Telephone/Data Service-City Hall	May	-		No	0000
101-410-1940-43210	Telephone									
ACCT 738507 Total:		53.81								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
ENVENTIS Total:		53.81								
FINANCE Finance and Commerce										
APR302013	04/30/2013	379.03	0.00	05/21/2013	Bids/Construction 2013 Seal Coat-Well #4		-		No	0000
101-410-1450-43510	Public Notices									
APR302013 Total:		379.03								
FINANCE Total:		379.03								
FIORILLO Fiorillo Megan										
Cable Operator	05/07/2013	55.00	0.00	05/21/2013	Cable Operations - 5/7/2013 CC Meet 4hr		-		No	0000
101-410-1450-43620	Cable Operations									
Cable Operator	05/07/2013	40.00	0.00	05/21/2013	Bonus		-		No	0000
101-410-1450-43620	Cable Operations									
Cable Operator Total:		95.00								
FIORILLO Total:		95.00								
FXL FXL, Inc.										
MAY 2013	05/01/2013	2,000.00	0.00	05/21/2013	Assessment Services - May 2013		-		No	0000
101-410-1320-43100	Assessing Services									
MAY 2013 Total:		2,000.00								
FXL Total:		2,000.00								
GOPHER Gopher State One-Call										
70662	04/30/2013	92.80	0.00	05/21/2013	FTP Tickets - April 2013		-		No	0000
101-430-3100-43150	Contract Services									
70662 Total:		92.80								
GOPHER Total:		92.80								
JOHNSON& Johnson & Turner Attorneys										
28425	05/01/2013	4,250.00	0.00	05/21/2013	Legal Services-Prosecution		-		No	0000
101-420-2150-43045	Attorney Criminal									
28425 Total:		4,250.00								
28430	05/01/2013	695.50	0.00	05/21/2013	Legal Services-3M		-		No	0000
601-494-9400-43040	Legal Services									
28430 Total:		695.50								
28431	05/01/2013	59.50	0.00	05/21/2013	Legal Services-Detachment Petition		-		No	0000
101-410-1320-43040	Legal Services									
28431 Total:		59.50								
28837-28839	05/01/2013	4,785.00	0.00	05/21/2013	Legal Services-Civil		-		No	0000
101-410-1320-43040	Legal Services									
28837-28839 Total:		4,785.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
JOHNSON& Total:		9,790.00								
LEAGMN League of MN Cities										
182763	05/01/2013	295.00	0.00	05/21/2013	2013 Annual Conf & Marketplace D		-		No	0000
101-410-1320-44370	Conferences & Training				Zuleger					
182763	05/01/2013	99.00	0.00	05/21/2013	2013 Annual Conf & Marketplace M		-		No	0000
101-410-1110-44370	Conferences & Training				Pearson					
182763	05/01/2013	99.00	0.00	05/21/2013	2013 Annual Conf & Marketplace A		-		No	0000
101-410-1320-44370	Conferences & Training				Bell					
182763	05/01/2013	295.00	0.00	05/21/2013	2013 Annual Conf & Marketplace K		-		No	0000
101-410-1910-44370	Conferences & Training				Klatt					
182763 Total:		788.00								
LEAGMN Total:		788.00								
LEOIL Lake Elmo Oil, Inc.										
295327-295307	04/30/2013	212.05	0.00	05/21/2013	Fuel - Fire Department		-		No	0000
101-420-2220-42120	Fuel, Oil and Fluids									
295327-295307 Total:		212.05								
990160	04/18/2013	98.26	0.00	05/21/2013	Fuel - Public Works		-		No	0000
101-430-3120-42120	Fuel, Oil and Fluids									
990160 Total:		98.26								
LEOIL Total:		310.31								
Lillie Newspapers Inc. Lillie Suburban										
APR 30 2013	04/30/2013	35.20	0.00	05/21/2013	4/3 Ordinance #08-073		-		No	0000
101-410-1320-43510	Legal Publishing									
APR 30 2013	04/30/2013	13.20	0.00	05/21/2013	4/3 Notice - Wine Company		-		No	0000
101-410-1450-43510	Public Notices									
APR 30 2013	04/30/2013	13.20	0.00	05/21/2013	4/10 Notice - MIF Program		-		No	0000
101-410-1450-43510	Public Notices									
APR 30 2013	04/30/2013	22.00	0.00	05/21/2013	4/10 Notice - Assessment		-		No	0000
101-410-1450-43510	Public Notices									
APR 30 2013	04/30/2013	22.00	0.00	05/21/2013	4/10 Notice - Sewer Service		-		No	0000
101-410-1450-43510	Public Notices									
APR 30 2013	04/30/2013	90.30	0.00	05/21/2013	4/17 Notice - '13 Seal Coat		-		No	0000
101-410-1450-43510	Public Notices									
APR 30 2013	04/30/2013	124.70	0.00	05/21/2013	5/1 Notice - Project 2013.125		-		No	0000
101-410-1450-43510	Public Notices									
APR 30 2013	04/30/2013	44.00	0.00	05/21/2013	5/1 Notice - 'SWPPP		-		No	0000
101-410-1450-43510	Public Notices									
APR 30 2013 Total:		364.60								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Lillie Total:		364.60								
LOFF Loffler Companies, Inc.										
1562851	05/01/2013	356.50	0.00	05/21/2013	Copy Machines Overage & Base 5/10-6/9		-	No		0000
101-410-1940-44040	Repairs/Maint Contractual Eqpt									
1562851 Total:		356.50								
LOFF Total:		356.50								
MARONEYS Maroney's Sanitation, Inc										
474051	05/02/2013	108.32	0.00	05/21/2013	Waste Removal - City Hall		-	No		0000
101-410-1940-43840	Refuse									
474051	05/02/2013	47.68	0.00	05/21/2013	Waste Removal - Fire		-	No		0000
101-420-2220-43840	Refuse									
474051	05/02/2013	207.82	0.00	05/21/2013	Waste Removal - Public Works		-	No		0000
101-430-3100-43840	Refuse									
474051	05/02/2013	207.82	0.00	05/21/2013	Waste Removal - Parks		-	No		0000
101-450-5200-43840	Refuse									
474051	05/02/2013	48.12	0.00	05/21/2013	Waste Removal - Library		-	No		0000
206-450-5300-43840	Refuse									
474051 Total:		619.76								
MARONEYS Total:		619.76								
MARVS Marv's Professional Tools										
260262	05/02/2013	18.48	0.00	05/21/2013	3/4 Drive Tools - Public Works		-	No		0000
101-430-3100-42400	Small Tools & Minor Equipment									
260262 Total:		18.48								
MARVS Total:		18.48								
MENARDSO Menards - Oakdale										
16957	04/29/2013	36.38	0.00	05/21/2013	Tool Mounting on Trucks-Fire Dept		-	No		0000
101-420-2220-44040	Repairs/Maint Eqpt									
16957 Total:		36.38								
17081	05/01/2013	48.80	0.00	05/21/2013	Materials build small batch asphalt box		-	No		0000
101-430-3120-42240	Street Maintenance Materials									
17081 Total:		48.80								
17536	05/09/2013	15.88	0.00	05/21/2013	Floor Dri - Fire Department		-	No		0000
101-420-2220-44040	Repairs/Maint Eqpt									
17536	05/09/2013	62.98	0.00	05/21/2013	Station #2 Supplies Fire Department		-	No		0000
101-420-2220-44010	Repairs/Maint Bldg									
17536 Total:		78.86								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	MENARDSO Total:	164.04								
METCOU Metropolitan Council										
1015984	05/03/2013	1,484.55	0.00	05/21/2013	Monthly Wastewater Service - June		-	No		0000
602-495-9450-43820	Sewer Utility - Met Council									
	1015984 Total:	1,484.55								
	METCOU Total:	1,484.55								
MILLEREX Miller Excavating, Inc.										
16982	04/30/2013	270.00	0.00	05/21/2013	Grading Gravel Roads 4/26/2013		-	No		0000
101-430-3120-43150	Contract Services									
	16982 Total:	270.00								
	MILLEREX Total:	270.00								
NEWBORGS Newborks Finishing LLC										
04052013	05/08/2013	414.35	0.00	05/21/2013	Building Permit Refund-West Lakeland		-	No		0000
101-000-0000-32210	Building Permits									
	04052013 Total:	414.35								
	NEWBORGS Total:	414.35								
NEWPIGCO New Pig Corporation										
21125662-00	05/09/2013	81.09	0.00	05/21/2013	Restock HazMat Supplies - Fire Dept		-	No		0000
101-420-2220-42400	Small Tools & Equipment									
	21125662-00 Total:	81.09								
	NEWPIGCO Total:	81.09								
PARTSMAS Partsmaster										
20675308	04/29/2013	161.31	0.00	05/21/2013	Drill Bits - Public Works		-	No		0000
101-430-3100-42400	Small Tools & Minor Equipment									
	20675308 Total:	161.31								
	PARTSMAS Total:	161.31								
PHILLIPS Phillips Healthcare										
925875266	04/23/2013	3,083.27	0.00	05/21/2013	AED Replacements x 2 Fire Dept		-	No		0000
101-420-2220-42400	Small Tools & Equipment									
	925875266 Total:	3,083.27								
	PHILLIPS Total:	3,083.27								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
PITNEY Pinney Bowes										
347698	04/21/2013	154.77	0.00	05/21/2013	Supplies - Ink, Deluxe Cleaning, EZ Seal		-		No	0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
	347698 Total:	154.77								
	PITNEY Total:	154.77								
PLUNKETT Plunkett's Pest Control										
3654022	04/02/2013	117.84	0.00	05/21/2013	Ant Treatment, Station 2 Fire Department		-		No	0000
101-420-2220-44010	Repairs/Maint Bldg									
	3654022 Total:	117.84								
3654024	04/02/2013	96.41	0.00	05/21/2013	Ant Treatment, Station 1 Fire Department		-		No	0000
101-420-2220-44010	Repairs/Maint Bldg									
	3654024 Total:	96.41								
	PLUNKETT Total:	214.25								
RIVRCOOP River Country Cooperative										
04302013	04/30/2013	521.04	0.00	05/21/2013	Fuel- Fire Department		-		No	0000
101-420-2220-42120	Fuel, Oil and Fluids									
	04302013 Total:	521.04								
	RIVRCOOP Total:	521.04								
ROTARYLE Lake Elmo Rotary Club										
04012013	04/01/2013	125.00	0.00	05/21/2013	Membership Dues- Admin-4/1-6/30/13		-		No	0000
101-410-1320-44330	Dues & Subscriptions									
	04012013 Total:	125.00								
	ROTARYLE Total:	125.00								
S&T S&T Office Products, Inc.										
01PT8700	05/02/2013	15.83	0.00	05/21/2013	Admin- Office Supplies		-		No	0000
101-410-1320-42000	Office Supplies									
01PT8700	05/02/2013	14.16	0.00	05/21/2013	Building - Office Supplies		-		No	0000
101-420-2400-42000	Office Supplies									
01PT8700	05/02/2013	37.35	0.00	05/21/2013	Communications - Office Supplies		-		No	0000
101-410-1450-42000	Office Supplies									
	01PT8700 Total:	67.34								
01PT9387	05/03/2013	55.11	0.00	05/21/2013	Mayor- Business Cards		-		No	0000
101-410-1110-42000	Office Supplies									
01PT9387	05/03/2013	55.11	0.00	05/21/2013	Joan - Business Cards		-		No	0000
101-410-1910-42000	Office Supplies									
	01PT9387 Total:	110.22								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
S&T Total:		177.56								
SAMSCLUB Sam's Club										
000888	05/09/2013	85.29	0.00	05/21/2013	Rehab/Misc Supplies- Fire Department		-		No	0000
101-420-2220-44300	Miscellaneous									
000888	05/09/2013	75.57	0.00	05/21/2013	Printer Cartridges - Fire Department		-		No	0000
101-420-2220-42000	Office Supplies									
000888	05/09/2013	22.88	0.00	05/21/2013	Towel Dispenser - Fire Department		-		No	0000
101-420-2220-42230	Building Repair Supplies									
000888	05/09/2013	25.89	0.00	05/21/2013	Water/Creamer for City Hall		-		No	0000
101-410-1940-44300	Miscellaneous									
	000888 Total:	209.63								
774	05/08/2013	96.49	0.00	05/21/2013	Picnic Supplies for Arbor Day -PW		-		No	0000
101-430-3100-44300	Miscellaneous									
	774 Total:	96.49								
	SAMSCLUB Total:	306.12								
SMITHSCH Smith Schafer & Associates,LTD										
MWD269888-47151	04/29/2013	6,775.00	0.00	05/21/2013	Interim Audit of Citys Fin Stmt		-		No	0000
101-410-1520-43010	Audit Services				12/31/12					
	MWD269888-47151 Total:	6,775.00								
	SMITHSCH Total:	6,775.00								
Symbol Symbol Arts										
0187552-IN	04/25/2013	625.00	0.00	05/21/2013	Restock Badges - Fire Department		-		No	0000
101-420-2220-44170	Uniforms									
	0187552-IN Total:	625.00								
	Symbol Total:	625.00								
TDS TDS Metrocom - LLC										
651-779-8882	05/13/2013	139.52	0.00	05/21/2013	Analog Lines - Fire		-		No	0000
101-420-2220-43210	Telephone									
651-779-8882	05/13/2013	216.91	0.00	05/21/2013	Analog Lines - Public Works		-		No	0000
101-430-3100-43210	Telephone									
651-779-8882	05/13/2013	129.39	0.00	05/21/2013	Analog Lines - Lift Station Alarms		-		No	0000
602-495-9450-43210	Telephone									
651-779-8882	05/13/2013	45.33	0.00	05/21/2013	Analog Lines - Well House #2		-		No	0000
601-494-9400-43210	Telephone									
	651-779-8882 Total:	531.15								
	TDS Total:	531.15								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
TOWNCTRY Town & Country Cleaning Co										
513 798	05/01/2013	245.81	0.00	05/21/2013	May Janitorial Services - City Hall		-		No	0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
	513 798 Total:	245.81								
513 840	05/01/2013	187.47	0.00	05/21/2013	May Janitorial Services - Library		-		No	0000
206-450-5300-44010	Repairs/Maint Bldg									
	513 840 Total:	187.47								
	TOWNCTRY Total:	433.28								
VALLEYTR Valley Trophy Inc.										
44062	04/02/2013	316.88	0.00	05/21/2013	Service Acknowledgement- Fire Dept		-		No	0000
101-420-2220-44300	Miscellaneous									
	44062 Total:	316.88								
	VALLEYTR Total:	316.88								
VANGADOR Vang Adora										
Cable Operator	05/13/2013	55.00	0.00	05/21/2013	Cable Operations - 5/13/13 PC Meet		-		No	0000
101-410-1450-43620	Cable Operations				4hrs					
	Cable Operator Total:	55.00								
	VANGADOR Total:	55.00								
WASH-REC Washington County										
3939919	05/01/2013	46.00	0.00	05/21/2013	Recorded/Registrar DCR Item		-		No	0000
101-410-1910-42030	Printed Forms				P219627					
	3939919 Total:	46.00								
	WASH-REC Total:	46.00								
WASHCONS Washington Conservation Dist.										
2631	03/31/2013	556.25	0.00	05/21/2013	1st of 4 quarterly billings Shared Educ		-		No	0000
603-496-9500-44370	Conferences & Training									
	2631 Total:	556.25								
	WASHCONS Total:	556.25								
WASHTAX Washington County										
75219	04/25/2013	1,296.00	0.00	05/21/2013	2013 Special Assessment Billing		-		No	0000
101-410-1320-43100	Assessing Services									
	75219 Total:	1,296.00								
	WASHTAX Total:	1,296.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
XCEL Xcel Energy										
51-0117417-0	05/23/2013	26.18	0.00	05/21/2013	Welcome Sign	425 Keats	-		No	0000
101-430-3160-43810	Street Lighting									
	51-0117417-0 Total:	26.18								
51-0630620-5	05/23/2013	546.21	0.00	05/21/2013	Library - 3537 Lake Elmo Ave		-		No	0000
206-450-5300-43810	Electric Utility									
	51-0630620-5 Total:	546.21								
51-4504807-7	05/23/2013	50.79	0.00	05/21/2013	Lights at Legion Park-3509 Laverne		-		No	0000
101-450-5200-43810	Electric Utility									
51-4504807-7	05/23/2013	94.58	0.00	05/21/2013	Lift Station - 8860 Hudson		-		No	0000
602-495-9450-43810	Electric Utility									
51-4504807-7	05/23/2013	33.64	0.00	05/21/2013	Traffic Lights - 100 Inwood		-		No	0000
101-430-3160-43810	Street Lighting									
	51-4504807-7 Total:	179.01								
51-4572945-7	05/23/2013	31.34	0.00	05/21/2013	Street Lights - 3014 Jamley		-		No	0000
101-430-3160-43810	Street Lighting									
	51-4572945-7 Total:	31.34								
51-4576456-3	05/23/2013	567.14	0.00	05/21/2013	Fire Station 2 - 4259 Jamaca		-		No	0000
101-420-2220-43810	Electric Utility									
	51-4576456-3 Total:	567.14								
51-4580376-5	05/23/2013	390.33	0.00	05/21/2013	City Hall - 3800 Laverne		-		No	0000
101-410-1940-43810	Electric Utility									
51-4580376-5	05/23/2013	30.52	0.00	05/21/2013	Traffic Lifts - 100 Keats		-		No	0000
101-430-3160-43810	Street Lighting									
51-4580376-5	05/23/2013	559.70	0.00	05/21/2013	City Hall - 3800 Laverne		-		No	0000
101-410-1940-43810	Electric Utility									
	51-4580376-5 Total:	980.55								
51-4733556-8	05/23/2013	11.19	0.00	05/21/2013	Tennis Court - 3510 Laverne		-		No	0000
101-450-5200-43810	Electric Utility									
	51-4733556-8 Total:	11.19								
51-5044219-0	05/23/2013	218.75	0.00	05/21/2013	Parks Bldg - 11194 Upper 33rd		-		No	0000
101-450-5200-43810	Electric Utility									
	51-5044219-0 Total:	218.75								
51-5275289-3	05/23/2013	23.22	0.00	05/21/2013	Pebble Park - 8170 Lake Jane Trail		-		No	0000
101-450-5200-43810	Electric Utility									
	51-5275289-3 Total:	23.22								
51-5356323-8	05/23/2013	1,701.18	0.00	05/21/2013	Wells 1 & 2 3303 Langly & 11975 55th		-		No	0000
601-494-9400-43810	Electric Utility									
	51-5356323-8 Total:	1,701.18								
51-5522332-2	05/23/2013	41.65	0.00	05/21/2013	Traffic Lights - 998 Inwood		-		No	0000
101-430-3160-43810	Street Lighting									
	51-5522332-2 Total:	41.65								
51-5747685-4	05/23/2013	108.94	0.00	05/21/2013	Arts Center - 3585 Laverne		-		No	0000
101-450-5200-43810	Electric Utility									
	51-5747685-4 Total:	108.94								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
51-5916043-7	05/23/2013	21.37	0.00	05/21/2013	Lift Station - 11062 34th Street		-	No		0000
602-495-9450-43810	Electric Utility									
51-5916043-7	Total:	21.37								
51-6429583-8	05/23/2013	18.12	0.00	05/21/2013	Lift Station - 2759 Legion Ave		-	No		0000
602-495-9450-43810	Electric Utility									
51-6429583-8	Total:	18.12								
51-6433976-2	05/23/2013	428.33	0.00	05/21/2013	Fire Station #1 3510 Laverne		-	No		0000
101-420-2220-43810	Electric Utility									
51-6433976-2	Total:	428.33								
51-6625457-1	05/23/2013	145.15	0.00	05/21/2013	Legion Park - 3511 Laverne		-	No		0000
101-450-5200-43810	Electric Utility									
51-6625457-1	Total:	145.15								
51-6736544-2	05/23/2013	2,070.28	0.00	05/21/2013	Streets Lights		-	No		0000
101-430-3160-43810	Street Lighting									
51-6736544-2	Total:	2,070.28								
51-6928283-3	05/23/2013	29.08	0.00	05/21/2013	Traffic Manning& Stillwater Blvd		-	No		0000
101-430-3160-43810	Street Lighting									
51-6928283-3	Total:	29.08								
51-6956201-4	05/23/2013	11.88	0.00	05/21/2013	VFW Ballfield Lights		-	No		0000
101-450-5200-43810	Electric Utility									
51-6956201-4	Total:	11.88								
51-6956201-4	05/23/2013	47.91	0.00	05/21/2013	VFW Ballfield Lights - 36175 Layton		-	No		0000
101-450-5200-43810	Electric Utility									
51-6956201-4	Total:	47.91								
51-7538112-1	05/23/2013	59.79	0.00	05/21/2013	Public Works - 3400 Ideal		-	No		0000
101-430-3100-43810	Electric Utility									
51-7538112-1	Total:	59.79								
51-8126093-5	05/23/2013	2,218.26	0.00	05/21/2013	Water Tower 2 - 3445 Ideal Ave		-	No		0000
601-494-9400-43810	Electric Utility									
51-8126093-5	Total:	2,218.26								
51-8711719-3	05/23/2013	188.70	0.00	05/21/2013	Speed Sign Hwy 5 10901 Stillwater Blvd		-	No		0000
101-430-3160-43810	Street Lighting									
51-8711719-3	Total:	188.70								
XCEL Total:		12.35								
		9,626.79								
ZULEGER Zuleger Dean										
5142013	05/14/2013	212.85	0.00	05/21/2013	Reimbursement Mileage - D Zuleger		-	No		0000
101-410-1320-43310	Mileage									
5142013	Total:	212.85								
ZULEGER Total:		212.85								
Report Total:		124,766.99								

Accounts Payable To Be Paid Proof List

User: denise

Printed: 05/15/2013 - 11:12 AM

Batch: 006-05-2013

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
L-LINDST Lindstrom Daniel 348 05/15/2013 206-450-5300-44300 Miscellaneous 348 Total: L-LINDST Total:		60.00 60.00 60.00	0.00	05/21/2013	Library Card Reimbursement		-		No	0000
L-NELKAR Nelson Karen 349 05/15/2013 206-450-5300-44300 Miscellaneous 349 Total: L-NELKAR Total:		60.00 60.00 60.00	0.00	05/21/2013	Library Card Reimbursement		-		No	0000
I-OGRENJ Ogren Jim 350 05/15/2013 206-450-5300-44300 Miscellaneous 350 Total: I-OGRENJ Total:		60.00 60.00 60.00	0.00	05/21/2013	Library Card Reimbursement		-		No	0000
L-TONREY Tonrey Dana 351 05/15/2013 206-450-5300-44300 Miscellaneous 351 Total: L-TONREY Total:		60.00 60.00 60.00	0.00	05/21/2013	Library Card Reimbursement		-		No	0000
L-VOGELC Vogel Cheryl 352 05/15/2013 206-450-5300-44300 Miscellaneous 352 Total: L-VOGELC Total:		60.00 60.00 60.00	0.00	05/21/2013	Library Card Reimbursement		-		No	0000

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
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Report Total: 300.00



MAYOR AND COUNCIL COMMUNICATION

DATE: 5/21/2013

CONSENT

ITEM #: 3

AGENDA ITEM: April 2013 Financial Reporting

SUBMITTED BY: Cathy Bendel, Finance Director

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Dean Zuleger, City Administrator

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, The City Council is asked to accept the April 2013 Financial Reporting Packet. No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

BACKGROUND INFORMATION: The City of Lake Elmo has fiduciary authority and responsibility to conduct normal business operations and report the financial (unaudited) statement to the City Council. City guidelines suggest the Council be updated on a regular basis.

STAFF REPORT: Attached please find a report for March reflecting the monthly detail supporting the year to date actual results and comparing those results to the 2013 Budget.

As of the end of April, the actual results are within 1% of budget. The most significant variances are highlighted below:

Revenues:

- Building Permit revenue for the month was consistent with the budget and is ahead of budget for the year by 36%. As mentioned in previous months, the growth trend has continued even during the winter and 11 new homes have been applied for to date in 2013 compared to 6 homes at this same time in each of 2012 and 2011.
- Plan review fees continue to be strong as a result of the increased housing activity and are were 100% above budget for the month bringing the year to date to 75% above budget.

Expenses:

Most departments are below budget for the month as all Departments continue to be very cost conscious. A few key items to note:

- The annual workers compensation insurance credit was received from the League of Minnesota cities in April. Due to our good actual experience rating for 2012 and how that compared to the estimated results, a refund of \$4.8k was received and is reflected in the departments affected.
- The dues and subscription expense reflected for the Mayor & Council represents the annual cost for memberships in the League of Minnesota Cities (\$6,958) and the Association of Metropolitan Municipalities (\$3,381). The memberships were budgeted later in the year based on when they were paid in 2012.
- Due to coordinating initial audit fieldwork earlier than last year, the initial interim billing expense for audit hit earlier than budgeted for 2013 in the Finance Department budget.
- The Planning Department has incurred expenses above the amounts budgeted for many expense items due to the City expansion initiative. The majority of the expenses were related to Engineering support and Contractor expenses.
- Please note that the salary expenses are based on more accurate departmental allocations than we had back in August when the budget was initially compiled. As a result, some departments are above budget, while others are under but overall, personnel expenses are below budget.

RECOMMENDATION: It is recommended that the City Council receive the April monthly Financial Reporting Packet *as part of tonight's Consent Agenda.*

Alternately, the City Council does have the authority to remove this item from the Consent Agenda and further discuss and review.

ATTACHMENTS:

1. April Financial Reports

2013 By Month

Budget to Actual Comparative

As of April 30, 2013

101-General Fund Detail

By Department

DEPT 410 - GEN'L GOV'T

REVENUE

	MONTH			YTD		
	BUDGET Month	ACTUAL Month	Variance (\$) Month	Variance (%) Month	BUDGET YTD	ACTUAL YTD
Current Ad Valorem Taxes	0.00	0.00	0.00	0.00%	0.00	0.00
Delinquent Ad Valorem Taxes	0.00	0.00	0.00	0.00%	0.00	0.00
Mobile Home Tax	0.00	0.00	0.00	0.00%	0.00	0.00
Fiscal Disparities	0.00	0.00	0.00	0.00%	0.00	0.00
Penalty & Interest on Taxes	0.00	0.00	0.00	0.00%	0.00	0.00
Liquor License	0.00	0.00	0.00	0.00%	0.00	0.00
Waste hauler License	0.00	0.00	0.00	0.00%	0.00	0.00
General Contractor License	0.00	0.00	0.00	0.00%	0.00	0.00
Heating Contractor License	390.00	550.00	160.00	41.03%	2,175.00	2,950.00
Blacktopping Contractor License	0.00	0.00	0.00	0.00%	0.00	0.00
Building Permits	15,000.00	14,358.28	(641.72)	-4.28%	37,000.00	49,997.88
Heating Permits	1,200.00	1,740.00	540.00	45.00%	4,800.00	5,005.00
Plumbing Permits	1,000.00	1,320.00	320.00	32.00%	2,100.00	4,585.00
Sewer Permits	0.00	120.00	120.00	0.00%	0.00	485.00
Animal License	180.00	141.00	(39.00)	-21.67%	1,320.00	1,261.00
Utility Permits	600.00	0.00	(600.00)	-100.00%	2,400.00	798.00
Burning Permit	200.00	625.00	425.00	212.50%	600.00	1,190.00
Homesite Credit Aid	0.00	0.00	0.00	0.00%	0.00	0.00
MSA-Maintenance	0.00	0.00	0.00	0.00%	49,011.00	49,011.00
State Fire Aid	0.00	0.00	0.00	0.00%	1,500.00	3,000.00
PERA Aid	0.00	0.00	0.00	0.00%	0.00	0.00
Gravel Tax	0.00	0.00	0.00	0.00%	688.63	0.00
Recycling Grant	0.00	0.00	0.00	0.00%	0.00	0.00
Misc State Grant/Surcharge Rev	0.00	1,179.72	1,179.72	0.00%	0.00	1,179.72
Cable Franchise Revenue	40,000.00	39,851.98	(148.02)	0.00%	40,000.00	39,851.98
Zoning & Subdivision Fees	0.00	0.00	0.00	0.00%	1,000.00	0.00
Plan Check Fees	5,000.00	10,284.90	5,284.90	105.70%	18,000.00	31,528.09
Sale of Copies, Books, Maps	13.90	19.00	5.10	0.00%	19.90	110.25
Assessment Searches	135.00	150.00	15.00	11.11%	315.00	390.00
Clean Up Days	0.00	0.00	0.00	0.00%	0.00	0.00
Cable Operation Reimbursement	687.50	0.00	(687.50)	0.00%	735.00	0.00
Fines	5,000.00	4,428.31	(571.69)	-11.43%	20,000.00	16,754.82
Miscellaneous Revenue	1,500.00	240.00	(1,260.00)	-84.00%	6,000.00	2,234.21
Internal Charges	50.00	64.00	14.00	28.00%	200.00	648.00
Interest Earnings	0.00	0.00	0.00	0.00%	0.00	0.00
Donations	0.00	0.00	0.00	0.00%	7,500.00	0.00
Total Revenue	70,956.40	75,072.19	4,115.79	5.80%	195,364.53	211,644.95
						16,280.42
						8.33%

EXPENSE

1110 - Mayor & Council

PT Salaries	0.00	0.00	0.00	0.00	0.00	0.00%
FICA Contributions	0.00	0.00	0.00	0.00	0.00	0.00%
Medicare Contributions	0.00	0.00	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	(6.27)	36.00	215.80	(179.80)	-499.44%
Mileage	0.00	0.00	0.00	0.00	0.00	0.00%
Miscellaneous	0.00	79.25	0.00	1,579.25	(1,579.25)	0.00%
Dues & Subscriptions	0.00	0.00	3,391.00	10,339.00	(6,948.00)	-204.90%
Conferences & Training	0.00	0.00	655.00	987.00	(332.00)	-50.69%
Total Mayor & Council	0.00	72.98	4,082.00	13,121.05	(9,039.05)	-221.44%

1320 - Administration

FT Salaries	12,653.83	12,609.35	52,575.13	52,516.95	58.18	0.11%
PERA Contributions	917.41	914.16	3,681.17	3,807.43	(126.26)	-3.43%
ICMA Contributions	0.00	0.00	0.00	0.00	0.00	0.00%
FICA Contributions	750.63	726.47	3,145.21	3,028.57	116.64	3.71%
Medicare Contributions	175.56	169.91	735.62	708.33	27.29	3.71%
Health/Dental Insurance	3,127.60	2,611.00	12,510.40	10,444.00	2,066.40	16.52%
Unemployment Benefits	0.00	0.00	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	(159.61)	1,396.00	728.39	667.61	47.82%
Office Supplies	281.62	762.51	1,962.49	2,180.27	(217.78)	-11.10%
Printed Forms	0.00	0.00	363.91	0.00	363.91	0.00%
Legal Services	4,000.00	6,259.10	16,000.00	18,771.17	(2,771.17)	-17.32%
Newsletter/Website	0.00	0.00	0.00	0.00	0.00	0.00%
Assessing Services	2,000.00	2,000.00	8,000.00	6,000.00	2,000.00	25.00%
Contract Services	0.00	0.00	0.00	0.00	0.00	0.00%
Postage	300.00	1,442.69	1,200.00	1,941.79	(741.79)	-61.82%
Mileage	150.00	376.72	600.00	417.63	182.37	30.40%
Legal Publishing	157.74	206.66	157.74	1,030.48	(872.74)	0.00%
Insurance	0.00	0.00	800.00	53.30	746.70	93.34%
Cable Operation Expense	0.00	0.00	0.00	0.00	0.00	0.00%
Miscellaneous	100.00	402.49	400.00	521.88	(121.88)	-30.47%
Dues & Subscriptions	100.00	435.99	400.00	680.99	(280.99)	-70.25%
Books	0.00	0.00	0.00	0.00	0.00	0.00%
Conferences & Training	489.72	0.00	555.93	1,185.00	(629.07)	-113.16%
Staff Development	0.00	0.00	0.00	0.00	0.00	0.00%
Total Administration	25,204.11	28,757.44	104,483.60	104,016.18	467.42	0.45%

1410 - Elections

PT Salaries	0.00	100.00	(100.00)	0.00	100.00	(100.00)	0.00%
Office Supplies	150.00	0.00	150.00	150.00	0.00	150.00	0.00%
Legal Publications/Notification	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Election Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Equipment Repair	0.00	0.00	0.00	150.00	0.00	150.00	100.00%
County Election Fees	0.00	0.00	0.00	940.00	0.00	940.00	100.00%
Printed Forms	150.00	0.00	150.00	150.00	0.00	150.00	0.00%
Miscellaneous	0.00	0.00	0.00	100.00	0.00	100.00	100.00%
Total Elections	300.00	100.00	200.00	1,490.00	100.00	1,390.00	93.29%

1450 - Communications

FT Salaries	2,916.67	1,452.92	1,463.75	11,666.67	5,343.26	6,323.41	54.20%
PERA Contributions	211.46	105.34	106.12	845.83	387.40	458.43	54.20%
FICA Contributions	180.83	87.22	93.61	723.33	320.94	402.39	55.63%
Medicare Contributions	42.29	20.39	21.90	169.17	75.04	94.13	55.64%
Health/Dental Insurance	0.00	272.00	(272.00)	0.00	1,088.00	(1,088.00)	0.00%
Workers Compensation	0.00	(18.77)	18.77	56.00	85.23	(29.23)	-52.20%
Newsletter	61.00	180.00	(119.00)	3,061.00	2,908.18	152.82	4.99%
Office Supplies	0.00	0.00	0.00	50.00	47.86	2.14	0.00%
Info Technology/Web	2,000.00	3,776.26	(1,776.26)	8,000.00	13,969.46	(5,969.46)	-74.62%
Telephone	250.00	129.17	120.83	1,000.00	258.37	741.63	74.16%
Public Notices	200.00	323.46	(123.46)	800.00	2,139.10	(1,339.10)	-167.39%
Cable Operations	275.00	282.55	(7.55)	1,100.00	863.40	236.60	21.51%
Conferences	0.00	249.00	(249.00)	0.00	249.00	(249.00)	0.00%
Repair/Maint Equipment	0.00	0.00	0.00	0.00	56.50	(56.50)	0.00%
Total Communications	6,137.25	6,859.54	(722.29)	27,472.00	27,791.74	(319.74)	-1.16%

1520 - Finance

FT Salaries	4,576.40	7,049.47	(2,473.07)	18,305.60	25,731.63	(7,426.03)	-40.57%
PERA Contributions	331.79	511.09	(179.30)	1,327.16	1,865.55	(538.39)	-40.57%
FICA Contributions	283.74	414.88	(131.14)	1,134.95	1,516.64	(381.69)	-33.63%
Medicare Contributions	66.36	97.01	(30.65)	265.43	354.67	(89.24)	-33.62%
Health/Dental Insurance	718.02	1,088.00	(369.98)	2,872.08	4,352.00	(1,479.92)	-51.53%
Unemployment Benefits	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	(88.82)	88.82	0.00	405.18	(405.18)	0.00%
Office Supplies	0.00	1.38	(1.38)	100.00	54.63	45.37	45.37%
Printed Forms	0.00	0.00	0.00	150.00	0.00	150.00	100.00%
Audit Services	500.00	0.00	500.00	500.00	5,875.00	(5,375.00)	0.00%
Contract Services	0.00	0.00	0.00	5,000.00	8,983.64	(3,983.64)	-79.67%
Software Programs	0.00	0.00	0.00	0.00	128.54	(128.54)	0.00%
Mileage	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Miscellaneous	0.00	45.48	(45.48)	1,500.00	45.48	1,454.52	96.97%
Dues & Subscriptions	100.00	0.00	100.00	100.00	0.00	100.00	0.00%
Conferences & Training	0.00	0.00	0.00	400.00	225.00	175.00	43.75%
Total Finance	6,576.30	9,118.49	(2,542.19)	31,655.21	49,537.96	(17,882.75)	-56.49%

1910 - Planning & Zoning

FT Salaries	8,278.95	12,675.93	(4,396.98)	-53.11%	33,115.80	41,930.25	(8,814.45)	-26.62%
PERA Contributions	600.22	919.01	(318.79)	-53.11%	2,400.90	3,039.96	(639.06)	-26.62%
FICA Contributions	513.29	750.88	(237.59)	-46.29%	2,053.18	2,492.82	(439.64)	-21.41%
Medicare Contributions	120.04	175.63	(55.59)	-46.30%	480.18	583.07	(102.89)	-21.43%
Health/Dental Insurance	886.48	1,656.00	(769.52)	-86.81%	3,545.94	6,624.00	(3,078.06)	-86.81%
Workers Compensation	0.00	(164.66)	164.66	0.00%	500.00	751.34	(251.34)	-50.27%
Office Supplies	50.00	444.05	(394.05)	-788.10%	200.00	1,981.67	(1,781.67)	-890.84%
Printed Forms	0.00	0.00	0.00	0.00%	0.00	217.85	(217.85)	0.00%
Engineering Services	1,500.00	4,000.38	(2,500.38)	-166.69%	6,000.00	11,895.81	(5,895.81)	-98.26%
Contract Services	0.00	312.50	(312.50)	0.00%	0.00	10,969.24	(10,969.24)	0.00%
Mileage	30.00	0.00	30.00	100.00%	120.00	0.00	120.00	100.00%
Miscellaneous	20.00	38.65	(18.65)	-93.25%	80.00	370.90	(290.90)	-363.63%
Dues & Subscriptions	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Books	0.00	270.00	(270.00)	0.00%	0.00	270.00	(270.00)	0.00%
Conferences & Training	1,600.00	0.00	1,600.00	0.00%	1,600.00	0.00	1,600.00	0.00%
Total Planning & Zoning	13,599.00	21,078.37	(7,479.37)	-55.00%	50,095.99	81,126.91	(31,030.92)	-61.94%

1930 - Engineering Services

Engineering Services	5,000.00	3,722.29	1,277.71	25.55%	20,000.00	9,997.09	10,002.91	50.01%
Total Engineering Services	5,000.00	3,722.29	1,277.71	25.55%	20,000.00	9,997.09	10,002.91	50.01%

1940 - City Hall

Cleaning Supplies	50.00	0.00	50.00	100.00%	200.00	0.00	200.00	100.00%
Building Repair Supplies	75.00	36.53	38.47	51.29%	300.00	36.53	263.47	87.82%
Telephone	700.00	306.29	393.71	56.24%	3,000.00	722.08	2,277.92	75.93%
Utilities	900.00	781.06	118.94	13.22%	3,600.00	3,527.09	72.91	2.03%
Refuse	108.32	216.64	(108.32)	-100.00%	433.28	433.28	0.00	0.00%
Repairs/Maint Contractual Bldg	700.00	942.82	(242.82)	-34.69%	2,800.00	2,663.33	136.67	4.88%
Repairs/Maint Contractual Equip	400.00	511.63	(111.63)	-27.91%	1,600.00	1,314.92	285.08	17.82%
Miscellaneous	75.00	0.00	75.00	100.00%	300.00	47.92	252.08	84.03%
Total City Hall	3,008.32	2,794.97	213.35	7.09%	12,233.28	8,745.15	3,488.13	28.51%

Total General Government

	59,824.98	72,504.08	(12,679.10)	-21.19%	251,512.08	294,436.08	(42,924.00)	-17.07%
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DEPT 420 - PUBLIC SAFETY

2100 - Police

Law Enforcement Contract

Total Police

0.00	0.00	0.00%
0.00	0.00	0.00%

0.00	634.22	(634.22)	0.00%
0.00	634.22	(634.22)	0.00%

2150 - Prosecution

Attorney Criminal

Total Prosecution

4,250.00	4,239.50	10.50	0.25%
4,250.00	4,239.50	10.50	0.25%

17,000.00	12,750.00	4,250.00	25.00%
17,000.00	12,750.00	4,250.00	25.00%

2220 - Fire

FT Salaries

PT Salaries

PERA Contributions

FICA Contributions

Medicare Contributions

Health/Dental Insurance

Unemployment Benefits

Workers Compensation

Office Supplies

EMS Supplies

Fire Prevention

Fuel, Oil & Fluids

Small Tools & Equip

Physicals

Telephone

Radio

Mileage

Vehicle Insurance

Electric Utility

Refuse

Repair/Maint Bldg

Repair/Maint Equip

Uniforms

Miscellaneous

Dues & Subscriptions

Books

Conferences & Training

Total Fire

6,000.00	5,701.46	298.54	4.98%
10,000.00	8,344.99	1,655.01	16.55%
1,160.00	949.39	210.61	18.16%
992.00	474.37	517.63	52.18%
232.00	197.60	34.40	14.83%
1,276.70	1,142.00	134.70	10.55%
0.00	0.00	0.00	0.00%
0.00	(1,762.94)	1,762.94	0.00%
0.00	0.00	0.00	0.00%
900.00	417.85	482.15	53.57%
0.00	0.00	0.00	0.00%
1,122.00	974.97	147.03	13.10%
7,100.00	956.81	6,143.19	0.00%
1,158.00	178.59	979.41	84.58%
250.00	659.24	(409.24)	-163.70%
0.00	4,085.10	(4,085.10)	0.00%
0.00	0.00	0.00	0.00%
0.00	0.00	0.00	0.00%
900.00	1,604.60	(704.60)	-78.29%
47.68	303.18	(255.50)	-535.86%
1,876.30	1,447.93	428.37	22.83%
0.00	531.03	(531.03)	0.00%
5,041.50	245.33	4,796.17	95.13%
75.00	76.58	(1.58)	-2.11%
0.00	0.00	0.00	0.00%
0.00	0.00	0.00	0.00%
1,000.00	790.50	209.50	20.95%
39,131.18	27,318.58	11,812.60	30.19%

24,000.00	22,277.32	1,722.68	7.18%
40,000.00	41,598.80	(1,598.80)	-4.00%
4,640.00	3,723.22	916.78	19.76%
3,968.00	2,380.33	1,587.67	40.01%
928.00	902.03	25.97	2.80%
5,106.79	4,568.00	538.79	10.55%
0.00	0.00	0.00	0.00%
10,130.00	8,042.06	2,087.94	20.61%
125.00	1,080.35	(955.35)	-764.28%
1,050.00	671.35	378.65	36.06%
0.00	0.00	0.00	0.00%
4,488.00	2,593.48	1,894.52	42.21%
15,300.00	1,549.10	13,750.90	89.88%
4,000.60	278.59	3,722.01	93.04%
1,000.00	1,198.66	(198.66)	-19.87%
3,946.08	4,324.50	(378.42)	-9.59%
0.00	99.44	(99.44)	0.00%
0.00	0.00	0.00	0.00%
3,600.00	5,319.41	(1,719.41)	-47.76%
190.72	398.54	(207.82)	-108.97%
3,005.20	10,183.84	(7,178.64)	-238.87%
9,756.00	4,040.33	5,715.67	58.59%
5,491.50	488.21	5,003.29	91.11%
300.00	283.21	16.79	5.60%
2,000.00	2,210.00	(210.00)	-10.50%
0.00	0.00	0.00	0.00%
12,200.00	2,061.35	10,138.65	83.10%
155,225.89	120,272.12	34,953.77	22.52%

2250 - Fire Relief

Fire State Aid

Total Fire Relief

0.00	0.00	0.00	0.00%
0.00	0.00	0.00	0.00%

0.00	0.00	0.00	0.00%
0.00	0.00	0.00	0.00%

2400 - Building Inspection

FT Salaries	5,747.36	6,689.10	(941.74)	-16.39%	22,989.44	26,257.36	(3,267.92)	-14.21%
PERA Contributions	328.74	484.97	(156.23)	-47.52%	1,235.81	1,903.70	(667.89)	-54.04%
FICA Contributions	272.84	389.42	(116.58)	-42.73%	1,025.69	1,528.98	(503.29)	-49.07%
Medicare Contributions	63.82	91.07	(27.25)	-42.70%	239.90	357.59	(117.69)	-49.06%
Health/Dental Insurance	767.49	1,414.00	(646.51)	-84.24%	3,069.96	5,656.00	(2,586.04)	-84.24%
Unemployment Benefits	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	(87.12)	87.12	0.00%	1,000.00	397.88	602.12	60.21%
Office Supplies	0.00	420.02	(420.02)	0.00%	0.00	613.80	(613.80)	0.00%
Printed Forms	0.00	146.61	(146.61)	0.00%	0.00	146.61	(146.61)	0.00%
Fuel, Oil & Fluids	0.00	0.00	0.00	0.00%	0.00	54.68	(54.68)	0.00%
Engineering	500.00	943.50	(443.50)	-88.70%	2,000.00	2,458.00	(458.00)	-22.90%
Surcharge Pmts	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Inspector Contract Services	0.00	645.00	(645.00)	0.00%	0.00	881.50	(881.50)	0.00%
Telephone	18.00	100.12	(82.12)	-456.22%	72.00	200.26	(128.26)	-178.14%
Mileage	0.00	143.51	(143.51)	0.00%	0.00	179.36	(179.36)	0.00%
Insurance	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Repairs/Maint Equip	0.00	0.00	0.00	0.00%	250.00	0.00	250.00	100.00%
Uniforms	0.00	0.00	0.00	0.00%	0.00	86.38	(86.38)	0.00%
Miscellaneous	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Dues & Subscriptions	0.00	0.00	0.00	0.00%	90.00	0.00	90.00	100.00%
Books	0.00	101.28	(101.28)	0.00%	0.00	101.28	(101.28)	0.00%
Conferences & Training	0.00	95.00	(95.00)	0.00%	0.00	375.00	(375.00)	0.00%
Total Building Inspections	7,698.25	11,576.48	(3,878.23)	-50.38%	31,972.80	41,198.38	(9,225.58)	-28.85%

2500 - Emergency Communications

Contract Services	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Total Emergency Communications	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%

2700 - Animal Control

Printed Forms	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Contract Services	550.00	500.00	50.00	9.09%	2,200.00	1,500.00	700.00	31.82%
Miscellaneous	0.00	210.00	(210.00)	0.00%	0.00	240.00	(240.00)	0.00%
Total Animal Control	550.00	710.00	(160.00)	-29.09%	2,200.00	1,740.00	460.00	20.91%
Total Public Safety	51,629.43	43,844.56	7,784.87	15.08%	206,398.69	176,594.72	29,803.97	14.44%

DEPT 430 - PUBLIC WORKS

3100 - Public Works

FT Salaries	9,700.00	11,877.36	(2,177.36)	-22.45%
PT Salaries	0.00	0.00	0.00	0.00%
PERA Contributions	703.25	861.11	(157.86)	-22.45%
FICA Contributions	601.40	686.97	(85.57)	-14.23%
Medicare Contributions	140.65	160.66	(20.01)	-14.23%
Health/Dental Insurance	2,893.14	2,899.00	(5.86)	-0.20%
Unemployment Benefits	0.00	0.00	0.00	0.00%
Workers Compensation	3,000.00	(1,622.24)	4,622.24	0.00%
Office Supplies	50.00	28.63	21.37	42.74%
Shop Materials	150.00	72.18	77.82	51.88%
Building Repair Supplies	0.00	186.67	(186.67)	0.00%
Small Tools and Minor Equip	250.00	52.09	197.91	79.16%
Engineering Services	150.00	787.50	(637.50)	-425.00%
Contract Services	400.00	162.14	237.86	59.47%
Telephone	700.00	594.30	105.70	15.10%
Radio	300.00	309.06	(9.06)	-3.02%
Mileage	0.00	0.00	0.00	0.00%
Insurance	0.00	0.00	0.00	0.00%
Electric Utility	2,000.00	2,552.23	(552.23)	-27.61%
Refuse	207.82	207.82	0.00	0.00%
Fuel, Oil, Fluids (ALL depts)	3,000.00	3,851.34	(851.34)	-28.38%
Repair/Maint Bldg	250.00	1,762.87	(1,512.87)	-605.15%
Repair/Maint NOT Bldg	45.00	0.00	45.00	100.00%
Repair/Maint Equip (out)	500.00	0.00	500.00	100.00%
Equipment Parts	500.00	0.00	500.00	100.00%
Uniforms	175.00	102.16	72.84	41.62%
Miscellaneous	75.00	145.66	(70.66)	-94.21%
Landscaping Material	85.00	0.00	85.00	100.00%
Dues & Subscriptions	0.00	0.00	0.00	0.00%
Conferences & Training	0.00	0.00	0.00	0.00%
Clean up Days	0.00	0.00	0.00	0.00%
Total Public Works	25,876.26	25,677.51	198.75	0.77%

3120 - Streets

Equipment Parts	0.00	47.46	(47.46)	0.00%
Street Maintenance Materials	1,000.00	230.85	769.15	76.92%
Sign Repair Materials	250.00	0.00	250.00	100.00%
Contract Services	850.00	0.00	850.00	100.00%
Repairs/Maint Equipment	0.00	0.00	0.00	0.00%
Total Streets	2,100.00	278.31	1,821.69	86.75%

41,800.00	49,735.79	(7,935.79)	-18.99%
0.00	861.20	(861.20)	0.00%
3,030.50	3,663.93	(633.43)	-20.90%
2,591.60	2,949.04	(357.44)	-13.79%
606.10	689.72	(83.62)	-13.80%
11,572.57	11,596.00	(23.43)	-0.20%
2,500.00	0.00	2,500.00	100.00%
6,000.00	7,399.76	(1,399.76)	-23.33%
200.00	113.58	86.42	43.21%
600.00	436.77	163.23	27.21%
0.00	186.67	(186.67)	0.00%
1,000.00	744.04	255.96	25.60%
600.00	2,070.00	(1,470.00)	-245.00%
1,600.00	162.14	1,437.86	89.87%
2,800.00	1,297.10	1,502.90	53.68%
1,200.00	309.06	890.94	74.25%
0.00	0.00	0.00	0.00%
0.00	0.00	0.00	0.00%
8,000.00	8,454.97	(454.97)	-5.69%
831.28	623.46	207.82	25.00%
12,000.00	12,489.53	(489.53)	-4.08%
1,000.00	3,880.97	(2,880.97)	-288.10%
180.00	115.00	65.00	36.11%
2,000.00	140.73	1,859.27	92.96%
2,000.00	0.00	2,000.00	100.00%
700.00	470.73	229.27	32.75%
300.00	145.66	154.34	51.45%
340.00	0.00	340.00	100.00%
60.00	56.00	4.00	6.67%
619.60	160.00	459.60	74.18%
0.00	0.00	0.00	0.00%
104,131.65	108,751.85	(4,620.20)	-4.44%

0.00	365.33	(365.33)	0.00%
4,000.00	368.40	3,631.60	90.79%
1,000.00	0.00	1,000.00	100.00%
3,400.00	0.00	3,400.00	100.00%
0.00	0.00	0.00	0.00%
8,400.00	733.73	7,666.27	91.27%

3125 - Ice & Snow Removal

Landscaping Material	0.00	0.00	0.00	0.00	0.00%
Sand/Salt	0.00	1,851.03	(1,851.03)	25,000.00	0.00%
Contract Services	0.00	1,163.75	(1,163.75)	6,250.00	0.00%
Repairs/Maint Equipment	250.00	0.00	250.00	1,000.00	100.00%
Total Ice & Snow Removal	250.00	3,014.78	(2,764.78)	32,250.00	-1105.91%

3160 - Street Lighting

Street Lighting	2,100.00	2,323.35	(223.35)	8,400.00	-10.64%
Total Street Lighting	2,100.00	2,323.35	(223.35)	8,400.00	-10.64%

3200 - Recycling

Recycling Supplies	0.00	0.00	0.00	300.00	#DIV/0!
Newsletter	1,000.00	0.00	1,000.00	1,000.00	0.00%
Miscellaneous	400.00	0.00	400.00	1,600.00	100.00%
Total Recycling	1,400.00	0.00	1,400.00	2,900.00	100.00%

3250 - Tree Program

Contract Services	400.00	0.00	400.00	1,600.00	100.00%
Total Tree Program	400.00	0.00	400.00	1,600.00	100.00%

Total Public Works

	32,126.26	31,293.95	832.31	157,681.65	2.59%
				173,391.16	-9.96%

3125 - Ice & Snow Removal

Landscaping Material	0.00	0.00	0.00	0.00	0.00%
Sand/Salt	0.00	1,851.03	(1,851.03)	25,000.00	-91.46%
Contract Services	0.00	1,163.75	(1,163.75)	6,250.00	31.08%
Repairs/Maint Equipment	250.00	0.00	250.00	1,000.00	-373.49%
Total Ice & Snow Removal	250.00	3,014.78	(2,764.78)	32,250.00	-76.46%

3160 - Street Lighting

Street Lighting	2,100.00	2,323.35	(223.35)	8,400.00	16.70%
Total Street Lighting	2,100.00	2,323.35	(223.35)	8,400.00	16.70%

3200 - Recycling

Recycling Supplies	0.00	0.00	0.00	300.00	100.00%
Newsletter	1,000.00	0.00	1,000.00	1,000.00	0.00%
Miscellaneous	400.00	0.00	400.00	1,600.00	100.00%
Total Recycling	1,400.00	0.00	1,400.00	2,900.00	100.00%

3250 - Tree Program

Contract Services	400.00	0.00	400.00	1,600.00	100.00%
Total Tree Program	400.00	0.00	400.00	1,600.00	100.00%

Total Public Works

	32,126.26	31,293.95	832.31	157,681.65	-9.96%
				173,391.16	-9.96%

DEPT 450 - CULTURE, RECREATION

5200 - Parks & Recreation

FT Salaries	8,583.96	6,721.90	1,862.06	21.69%
PT Salaries	700.00	0.00	700.00	100.00%
PERA Contributions	622.34	487.32	135.02	21.70%
FICA Contributions	575.61	388.50	187.11	32.51%
Medicare Contributions	134.62	90.85	43.77	32.51%
Health/Dental Insurance	1,084.57	290.16	794.41	73.25%
Unemployment Benefits	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	(900.19)	900.19	0.00%
Shop Materials	0.00	0.00	0.00	0.00%
Chemicals	50.00	0.00	50.00	100.00%
Equipment Parts	150.00	0.00	150.00	100.00%
Building Repair Supplies	0.00	0.00	0.00	0.00%
Landscaping Materials	200.00	0.00	200.00	100.00%
Small Tools and Minor Equip	75.00	39.87	35.13	46.84%
Telephone	100.00	180.86	(80.86)	-80.86%
Mileage	0.00	0.00	0.00	0.00%
Insurance	0.00	0.00	0.00	0.00%
Electric Utility	750.00	919.64	(169.64)	-22.62%
Refuse	207.82	415.64	(207.82)	-100.00%
Repair/Maint Bldg	25.00	246.25	(221.25)	-885.00%
Repair/Maint NOT Bldg	50.00	27.25	22.75	45.50%
Repair/Maint Equip	100.00	0.00	100.00	100.00%
Rental Buildings	400.00	0.00	400.00	100.00%
Miscellaneous	0.00	110.00	(110.00)	0.00%
Total Parks & Recreation	13,808.91	9,018.05	4,790.86	34.69%

DEPT 460 - COMP ADJ

	0.00	0	0	0.00%
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DEPT 490 - CONTINGENCY FUND

	0.00	0	0	0.00%
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DEPT 493 - OTH FINANCING

	0.00	0	0	0.00%
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GRAND TOTAL ALL DEPTS

	157,389.58	156,660.64	728.94	0.46%
Net Income over Expenses	(86,433.18)	(81,588.45)	4,844.73	-5.61%

	34,335.84	28,655.14	5,680.70	16.54%
	8,200.00	4,880.09	3,319.91	40.49%
	2,489.35	2,483.71	5.64	0.23%
	2,637.22	2,030.86	606.36	22.99%
	616.77	474.92	141.85	23.00%
	4,338.29	2,405.84	1,932.45	44.54%
	0.00	0.00	0.00	0.00%
	3,000.00	4,105.81	(1,105.81)	-36.86%
	0.00	0.00	0.00	0.00%
	200.00	0.00	200.00	100.00%
	600.00	23.50	576.50	96.08%
	0.00	0.00	0.00	0.00%
	800.00	0.00	800.00	100.00%
	300.00	1,609.01	(1,309.01)	-436.34%
	400.00	331.49	68.51	17.13%
	0.00	0.00	0.00	0.00%
	0.00	0.00	0.00	0.00%
	3,000.00	3,086.32	(86.32)	-2.88%
	831.28	831.28	0.00	0.00%
	100.00	246.25	(146.25)	-146.25%
	200.00	27.25	172.75	86.38%
	400.00	0.00	400.00	100.00%
	1,600.00	0.00	1,600.00	100.00%
	0.00	195.00	(195.00)	0.00%
	64,048.75	51,386.47	12,662.28	19.77%

	679,641.18	695,808.43	(16,167.25)	-2.38%
	(484,276.65)	(484,163.48)	113.17	-0.02%



MAYOR AND COUNCIL COMMUNICATION

DATE: 5/21/2013

CONSENT

ITEM #: 4

AGENDA ITEM: April Permit Report

SUBMITTED BY: Rick Chase, Building Official

THROUGH: Rick Chase, Building Official

REVIEWED BY: Cathy Bendel, Finance Director

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to accept the monthly permit report. No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

STAFF REPORT: Below are the year to date key statistics for April 2013:

	<u>2013</u>	<u>2012</u>	<u>2011</u>
Total Building permits:	58	62	76
Total Building valuation:	\$6,468,927	\$3,748,082	\$4,522,139
New homes	11	6	6
Total valuation	\$4,796,742	\$2,996,412	\$2,830,000
Avg home value	\$436,068	\$499,402	\$471,667



MAYOR AND COUNCIL COMMUNICATION

DATE: 5/21/2013

CONSENT

ITEM #: 5

AGENDA ITEM: Keats MSA Street and Trunk Watermain Improvements – Change Order No. 1
SUBMITTED BY: Chad Isakson, Project Engineer
THROUGH: Dean A. Zuleger, City Administrator
REVIEWED BY: Jack Griffin, City Engineer

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

- Questions from Council to Staff..... Mayor Facilitates
- Public Input, if Appropriate..... Mayor Facilitates
- Call for Motion..... Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider approving Change Order No. 1 for the Keats MSA Street and Trunk Watermain Improvements to address necessary changes to the insurance requirements to be secured from the Contractor.

STAFF REPORT:

In the process of securing and executing the Contract for the project, the Contractor, T.A. Schifsky and Sons, Inc., learned that they would be unable to secure insurance in the form required by the City's contract. The City of Lake Elmo uses a standard contract in the construction industry that is authored by the Engineer's Joint Contract Documents Committee (EJCDC). The 2007 version, used for the Keats MSA Street and Trunk Watermain Improvements, includes recommended supplementary condition language requiring the Contractor to eliminate a General Liability Insurance exclusion.

After researching the exclusion provision, staff learned that this particular insurance requirement is impossible to secure from insurance companies and has therefore been subsequently removed in the 2013 release of the EJCDC contract forms. This Change Order amends the insurance requirements to eliminate this exclusion provision and corrects the insurance limits for General Aggregate, Products – Completed Operations Aggregate, and Each Occurrence for Bodily injury and Property Damage.

This change order results in no change to the contract amount and no change to the contract times for completion.

RECOMMENDATION:

Staff is recommending that the City Council consider approving, *as part of the Consent Agenda*, Change Order No. 1 for the Keats MSA Street and Trunk Watermain Improvements which changes the Contractor's insurance requirements for the project. If removed from the consent agenda, the recommended motion for this action is as follows:

*“Move to approve Change Order No. 1 for the
Keats MSA Street and Trunk Watermain Improvements”*

ATTACHMENT(S):

1. Change Order No. 1.
2. Article 5 – Bonds and Insurance: Track Changes version.
3. EJCDC presentation on General Liability Insurance requirement changes for the 2013 Version.

CONTRACT CHANGE ORDER FORM

CITY OF LAKE ELMO, MINNESOTA
KEATS MSA STREET AND TRUNK WATERMAIN IMP
PROJECT NO. 2012.129

FOCUS ENGINEERING, inc.

CHANGE ORDER NO. 1

DATE: May 3, 2013

TO: T.A. SCHIFSKY & SONS, INC., 2370 E HIGHWAY 36, NORTH ST. PAUL, MN 55109

This Document will become a supplement to the Contract and all provisions will apply hereto. The Contract Documents are modified as follows upon execution of this Change Order.

CHANGE ORDER DESCRIPTION / JUSTIFICATION:

Section 0730 Supplementary Conditions Article 5.04.C.2. Delete "eliminate the exclusion with respect to property under the care, custody, and control of Contractor." In addition, ammend the insurance limits outlined in Section 0730 Supplementary Conditions Article 5.04.C.2(a) General Aggregate from \$1,000,000 to \$2,000,000 and (b) Products - Completed Operations Aggregate from \$1,000,000 to \$2,000,000 and (d) Each Occurence from \$2,000,000 to \$1,000,000.

Attachments (list documents supporting change): Revised Contract Document - Section 0730 Page 2

ITEM	DESCRIPTION OF PAY ITEM	UNIT	QTY	UNIT PRICE	INCREASE/(DECREASE)
CO1-1	Adjusted Insurance Requirements in Contract	LS	1	\$0.00	\$0.00
NET CONTRACT CHANGE					\$0.00

Amount of Original Contract	\$	1,606,833.47
Sum of Additions/Deductions approved to date (CO Nos.)	\$	0.00
Contract Amount to date	\$	1,606,833.47
Amount of this Change Order (ADD) (DEDUCT) (NO CHANGE)	\$	0.00
Revised Contract Amount	\$	1,606,833.47

The Contract Period for Completion will be (UNCHANGED) (~~INCREASED~~) (~~DECREASED~~) 0 days

APPROVED BY ENGINEER: FOCUS Engineering, inc.



ENGINEER

DATE

5-6-2013

APPROVED BY CONTRACTOR



BY

DATE

APPROVED BY OWNER: CITY OF LAKE ELMO, MINNESOTA

BY

DATE

BY

DATE

ARTICLE 5 - BONDS AND INSURANCE

5.03 Certificates of insurance. Delete Paragraph 5.03B in its entirety.

5.04 Contractor's Insurance. Add the following new paragraphs immediately after Paragraph 5.04B.

- A. The Contractor shall indemnify and hold harmless the Owner and the Engineer against liability, claims and lawsuits of any kind, arising directly or indirectly from any act of the Contractor, its agents, suppliers, employees or subcontractors in the course of the work.
- B. The Contractor shall not commence work or allow any subcontractor to commence work under this contract until all insurance required herein and such insurance has been obtained and accepted by Owner. All such insurance contracts shall be maintained throughout the life of this contract and shall be evidenced by carrier's certificates filed with the Engineer. Said Insurance shall be for the protection of Contractor and any Subcontractors performing work covered by this Contract.
- C. The limits of liability for the insurance required by Paragraph 5.04 of the General Conditions shall provide coverage for not less than the following amounts or greater where required by Laws and Regulations:
 1. Workers' Compensation Insurance and related coverages under Paragraphs 5.04.A.1. and A.2 of the General Conditions:
 - a. State: Statutory
 - b. Applicable Federal (e.g. Longshoreman's): Statutory
 - c. Employer's Liability: \$1,000,000
 2. Contractor's General Liability Insurance under Paragraph 5.04.A.3. through A.6. of the General Conditions which shall include completed operations and product liability coverages:
 - a. General Aggregate: \$2,000,000
 - b. Products – Completed Operations Aggregate: \$2,000,000
 - c. Personal and Advertising injury: \$1,000,000
 - d. Each Occurrence (Bodily Injury and Property Damage): \$1,000,000
 - e. Property Damage liability insurance will provide Explosion, Collapse, and Underground coverages where applicable: \$2,000,000
 - f. Excess Umbrella Liability:
 - 1) General Aggregate \$1,000,000
 - 2) Each Occurrence \$1,000,000
 3. Automobile Liability under Paragraph 5.04.A.6 of the General Conditions:
 - a. Combined Single Limit Bodily Injury and Property Damage, All owned, non-owned, and hired vehicles. \$1,000,000
 4. The Contractual Liability coverage required by Paragraph 5.04.B.4 of the General Conditions shall provide coverage for not less than the following amounts:
 - a. Bodily Injury:
 - 1) Each Person \$1,000,000
 - 2) Each Accident \$1,000,000
 - b. Property Damage
 - 1) Each Person \$1,000,000
 - 2) Each Accident \$1,000,000

C-700, Standard General Conditions

INSURANCE HIGHLIGHTS continued

- Commercial General Liability (CGL)
 - Completed operations remain in effect for 3 years
 - Specific form endorsements required for Additional Insureds—Owner, Engineer
 - Various CGL provisions relocated from Supplementary Conditions to Insurance section of GCs (Article 6)
 - **Deleted** “eliminate the exclusion for property under Contractor’s care, custody, control” (impossible to get, and no longer needed)
 - In SCs, deleted separate coverage limits for Contractual Liability (always is the same as general CGL coverage)

ARTICLE 5 - BONDS AND INSURANCE

5.03 Certificates of insurance. Delete Paragraph 5.03B in its entirety.

5.04 Contractor's Insurance. Add the following new paragraphs immediately after Paragraph 5.04B.

- A. The Contractor shall indemnify and hold harmless the Owner and the Engineer against liability, claims and lawsuits of any kind, arising directly or indirectly from any act of the Contractor, its agents, suppliers, employees or subcontractors in the course of the work.
- B. The Contractor shall not commence work or allow any subcontractor to commence work under this contract until all insurance required herein and such insurance has been obtained and accepted by Owner. All such insurance contracts shall be maintained throughout the life of this contract and shall be evidenced by carrier's certificates filed with the Engineer. Said Insurance shall be for the protection of Contractor and any Subcontractors performing work covered by this Contract.
- C. The limits of liability for the insurance required by Paragraph 5.04 of the General Conditions shall provide coverage for not less than the following amounts or greater where required by Laws and Regulations:

1. Workers' Compensation Insurance and related coverages under Paragraphs 5.04.A.1. and A.2 of the General Conditions:

- | | |
|--|-------------|
| a. State: | Statutory |
| b. Applicable Federal (e.g. Longshoreman's): | Statutory |
| c. Employer's Liability: | \$1,000,000 |

2. Contractor's General Liability Insurance under Paragraph 5.04.A.3. through A.6. of the General Conditions which shall include completed operations and product liability coverages and eliminate the exclusion with respect to property under the care, custody and control of Contractor:

- | | |
|--|---|
| a. General Aggregate: | \$1,000,000 <u>\$2,000,000</u> |
| b. Products – Completed Operations Aggregate: | \$1,000,000 <u>\$2,000,000</u> |
| c. Personal and Advertising injury: | \$1,000,000 |
| d. Each Occurrence (Bodily Injury and Property Damage): | \$2,000,000 <u>\$1,000,000</u> |
| e. Property Damage liability insurance will provide Explosion, Collapse, and Underground coverages where applicable: | \$2,000,000 |
| f. Excess Umbrella Liability: | |
| 1) General Aggregate | \$1,000,000 |
| 2) Each Occurrence | \$1,000,000 |

3. Automobile Liability under Paragraph 5.04.A.6 of the General Conditions:

- | | |
|---|-------------|
| a. Combined Single Limit Bodily Injury and Property Damage, All owned, non-owned, and hired vehicles. | \$1,000,000 |
|---|-------------|

4. The Contractual Liability coverage required by Paragraph 5.04.B.4 of the General Conditions shall provide coverage for not less than the following amounts:

- | | |
|--------------------|-------------|
| a. Bodily Injury: | |
| 1) Each Person | \$1,000,000 |
| 2) Each Accident | \$1,000,000 |
| b. Property Damage | |
| 1) Each Person | \$1,000,000 |
| 2) Each Accident | \$1,000,000 |



MAYOR AND COUNCIL COMMUNICATION

DATE: 5/21/2013

CONSENT

ITEM #: 6

AGENDA ITEM: Production Well No. 4 – Resolution Accepting Bids and Awarding Contract
SUBMITTED BY: Jack Griffin, City Engineer
THROUGH: Dean A. Zuleger, City Administrator
REVIEWED BY: Adam Bell, City Clerk
Cathy Bendel, Finance Director

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

- Questions from Council to Staff..... Mayor Facilitates
- Public Input, if Appropriate..... Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider accepting contractor bids as presented and awarding a contract for Production Well No. 4. If removed from the consent agenda, the recommended motion for this action is as follows:

“Move to approve Resolution No. 2013-39, Accepting the Bids and Awarding a Contract to Keys Well Drilling Company, in the amount of \$304,800.00, for Production Well No. 4.”

STAFF REPORT:

Bids were received, publicly opened, and read aloud on May 16, 2013. The project engineer has prepared and attached the Tabulation of Bids and a Letter of Recommendation for the award of the contract. The City received three (3) bids for this project, with Keys Well Drilling Company providing the lowest base bid in the amount of \$304,800.00. The Engineer’s post-design construction cost estimate for the project was \$401,000.00.

The City Council approved the Plans and Specifications for Production Well No. 4 on April 16, 2013, and authorized staff to advertise the Project for bids. The Project was advertised on QuestCDN.com, Finance and Commerce, and in the Oakdale-Lake Elmo Review in accordance with the Minnesota Competitive Bidding requirements. The improvements include:

- Construction of a municipal water supply production well capable of producing 1,250 gallons of sand free water per minute, to be located on newly acquired property near 50th Street and Lake Elmo Avenue.
- A Jordan Formation well to be constructed to an approximate depth of 300 feet with a 24-inch diameter casing and open boring hole and an 18-inch welded steel casing pipe.
- Development and test pumping with the goal to obtain a 1,250 gallon per minute (gpm) capacity.
- Testing and chemical analytics of the water quality to determine that the water supply meets all primary safe drinking water standards, including safe standards for perflourochemicals (PFCs).
- The purchase and installation of a 1,250 gpm well pump. The contract requires the well driller to return to the project site upon completion of the Pumphouse construction to install the pump and participate in project start-up.
- Erosion control, cleanup and site restoration.

FUNDING:

Project costs for the design and construction of Production Well No. 4, Pump House No. 4 and the Lake Elmo Avenue Connecting Trunk Watermain are all incorporated into the city's \$1.0 million DEED Water System Grant Agreement. It is a requirement of the DEED Grant that the city provide a match of \$1.0 Million, anticipated to be funded through bond proceeds. Combined with the Keats Trunk Watermain Extension, the city will be constructing almost \$2.6 million in water infrastructure projects. The state's obligation to fund the DEED Grant shall terminate if the entire Grant has not been disbursed by December 31, 2014.

RECOMMENDATION:

Staff is recommending that the city council approve, *as part of the Consent Agenda*, Resolution No. 2013-39, thereby accepting the bids and awarding a Contract to Keys well Drilling Company. If removed from the consent agenda, the recommended motion for this action is as follows:

“Move to approve Resolution No. 2013-39, Accepting the Bids and Awarding a Contract to Keys Well Drilling Company, in the amount of \$304,800.00, for Production Well No. 4.”

ATTACHMENT(S):

1. Resolution No. 2013-39
2. Engineer's Letter of Recommendation and Tabulation of Bids
3. Project Schedule



May 16, 2013

Mr. Jack Griffin, PE
City of Lake Elmo
3800 Laverne Avenue N
Lake Elmo, MN 55042

Re: Review of Bids
Production Well No. 4
Lake Elmo, MN


Dear Mr. Griffin:

Bids were received for the above-referenced project on Thursday, May 16, 2013, and were opened and read aloud. A total of three (3) bids were received. The bids were checked for mathematical accuracy and tabulated. A tabulation of the bids is attached. The low bidder was Keys Well Drilling, Co. in the amount of \$304,800 for the total base bid. Their bid is well under the engineer's estimate. Key's Well Drilling completed Well No. 2 for the City and meets the experience requirements set forth in the specifications.

We recommend that the City Council consider these bids and award a contract to Keys Well Drilling, Co. based upon the base bid results of the bids received. Please do not hesitate to call us at 763-463-5036 with any comments or questions you may have.

Sincerely,

Advanced Engineering and
Environmental Services, Inc.



Jason Benson, P.E.
Project Manager

Advanced Engineering and Environmental Services, Inc.

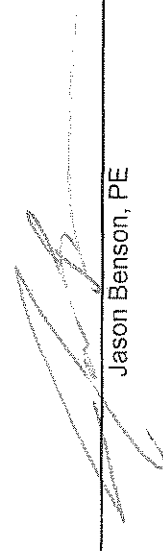
Water Tower Place Business Center • 6901 East Fish Lake Road Suite 184 • Maple Grove, MN 55369 • (t) 763-463-5036 • (f) 763-463-5037

Production Well No. 4
Lake Elmo, MN
P05290-2013-00
Bid Opening 10:00 AM, May 16, 2013

Contractor	Acknowledge Addendum 1 of 1	Bid Security	References	Contractor's License	0450 Governmental Certifications	Bid Form	Contract No. 1
1 E.H. Renner & Sons, Inc.	✓	✓	✓	✓	✓	✓	325,434.00
2 Keys Well Drilling Company	✓	✓	✓	✓	✓	✓	304,800.00
3 Mark J Traut Wells, Inc.	✓	✓	✓	✓	✓	✓	312,915.00
4							
5							
6							
7							
8							
9							
10							



Respectfully Submitted by:


Jason Benson, PE

Advanced Engineering and Environmental Services, Inc.
Water Tower Place Business Center
6901 E. Fish Lake Rd., Ste 184
Maple Grove, MN 55369
Tel: 763-463-5036
Fax: 763-463-5037

Production Well No. 4
Lake Elmo, MN
P05290-2013-00
Detailed Bid Tab

E.H. Renner & Sons, Inc.		Keys Well Drilling Company		Mark J Traut Wells, Inc.	
Unit Price	Extended Price	Unit Price	Extended Price	Unit Price	Extended Price
24,000.00	24,000.00	26,000.00	26,000.00	21,115.00	21,115.00
5.00	2,750.00	5.00	2,750.00	4.00	2,200.00
190.00	18,050.00	200.00	19,000.00	145.00	13,775.00
150.00	16,500.00	125.00	13,750.00	85.00	9,350.00
85.00	17,850.00	80.00	16,800.00	90.00	18,900.00
60.00	5,100.00	60.00	5,100.00	65.00	5,525.00
460.00	23,000.00	410.00	20,500.00	475.00	23,750.00
27.00	10,800.00	28.00	11,200.00	20.00	8,000.00
75.00	56,250.00	70.00	52,500.00	75.00	56,250.00
10,000.00	10,000.00	4,500.00	4,500.00	4,500.00	4,500.00
225.00	28,125.00	210.00	26,250.00	300.00	37,500.00
1,400.00	1,400.00	1,400.00	1,400.00	1,200.00	1,200.00
5,500.00	5,500.00	5,000.00	5,000.00	4,200.00	4,200.00
150.00	12,000.00	140.00	11,200.00	145.00	11,600.00
10.00	25,000.00	5.50	13,750.00	8.00	20,000.00
55.00	275.00	50.00	250.00	100.00	500.00
6,000.00	6,000.00	4,500.00	4,500.00	3,450.00	3,450.00
1.50	2,400.00	8.00	12,800.00	3.00	4,800.00
1,200.00	1,200.00	800.00	800.00	1,200.00	1,200.00
3,000.00	3,000.00	3,500.00	3,500.00	1,600.00	1,600.00
56,234.00	56,234.00	53,250.00	53,250.00	63,500.00	63,500.00
	325,434.00		304,800.00		312,915.00

No.	Description	Qty.	Unit
CONTRACT NO. 1			
1.	Mobilization / Site Work	1	l.s.
2.	Silt Fence	550	l.f.
3.	24-inch Steel Casing	95	l.f.
4.	24-inch Open Hole	110	l.f.
5.	18-inch Steel Casing	210	l.f.
6.	18-inch Open Hole	85	l.f.
7.	Grout	50	c.y.
8.	Explosives	400	lb.
9.	Removal of Rock	750	c.y.
10.	Air Surging Mobilization	1	l.s.
11.	Air Surging Development	125	hrs.
12.	Television Survey	1	l.s.
13.	Test Pump Mobilization & Install.	1	l.s.
14.	Test Pumping	80	hrs.
15.	Test Pumping Discharge Pipe	2,500	l.f.
16.	Sand Content Tests	5	ea.
17.	Chem. Analysis & Bact. Test	1	l.s.
18.	Sounds Barrier Construction	1,600	s.f.
19.	Gamma Log	1	ea.
20.	Restoration	1	l.s.
21.	Well Pump	1	l.s.

Total CONTRACT No. 1

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

RESOLUTION NO. 2013-39

**A RESOLUTION ACCEPTING THE BIDS AND AWARDING
A CONTRACT FOR PRODUCTION WELL NO. 4**

WHEREAS, pursuant to an advertisement for bids for Production Well No. 4, bids were received, opened, and tabulated according to law, and bids were received complying with the advertisement; and

WHEREAS, bids were tabulated, checked and summarized to verify that all requirements of the submittals were met; and

WHEREAS, the project engineer reviewed the bids and has provided a letter recommending the award of the contract to the lowest responsible bidder, Keys Well Drilling Company, in the amount of \$304,800.00.

NOW, THEREFORE, BE IT RESOLVED,

1. That the Mayor and City Clerk are hereby authorized and directed to enter into a Contract in the accordance with the above ordered Project, in the amount of the Contractor's lowest responsible bid, and according to the plans and specifications thereof approved by the City Council.
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 two lowest bidders shall be retained until a contract has been signed.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE TWENTY-FIRST DAY
OF MAY, 2013.**

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)

ATTEST:

Adam Bell
City Clerk



MAYOR AND COUNCIL COMMUNICATION

DATE: 5/21/2013

CONSENT

ITEM #: 7

AGENDA ITEM: 2013 Seal Coat Project – Accept Bids and Award Contract

SUBMITTED BY: Ryan Stempiski, Assistant City Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Jack Griffin, City Engineer
Mike Bouthilet, Public Works
Adam Bell, City Clerk
Cathy Bendel, Finance Director

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

- Questions from Council to Staff Mayor Facilitates
- Public Input, if Appropriate Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider accepting contractor bids as presented and awarding a contract for the 2013 Seal Coat Project. If removed from the consent agenda, the recommended motion for this action is as follows:

"Move to approve Resolution No. 2013-40, Accepting the Bids and Awarding a Contract to Pearson Brothers, Inc., in the amount of \$203,252.00, for the 2013 Seal Coat Project."

STAFF REPORT:

Bids were received, publicly opened, and read aloud on May 2, 2013. FOCUS Engineering, Inc. has prepared and attached the Tabulation of Bids and a Letter of Recommendation for the award of the contract. The City received four (4) bids for this project, with Pearson Brothers, Inc. providing the lowest bid in the amount of \$1.19 per square yard or \$203,252.00. The Engineer's post-design construction cost estimate for the project was \$1.30 per square yard or \$222,040.00.

This project will be completed jointly with West Lakeland Township. The portion of seal coat in West Lakeland is 64,000 SY, or \$76,160 of the total construction cost. The portion of seal coat in Lake Elmo is 106,800 SY, or \$127,092 of the total construction cost. Each jurisdiction pays its portion of the construction costs and shares in the engineering and administration fees. Construction observation services will be contracted directly by each jurisdiction for the work performed on their streets.

FUNDING:

Project costs are funded through the street maintenance funds (Fund No. 409), which has a 2013 seal coat budget amount of \$160,000. The project as proposed will come in under budget.

The post-bid construction estimate for Lake Elmo is \$127,092. The engineering design, bidding and construction services is estimated to be \$9,000 less \$4,569.60 to be reimbursed by West Lakeland Township (6% of the WLT constructed cost). The Lake Elmo total project cost is therefore estimated to be \$131,522.40.

RECOMMENDATION:

Staff is recommending that the city council approve, *as part of the Consent Agenda*, Resolution No. 2013-40, thereby accepting the bids and awarding a Contract to Pearson Brothers, Inc. If removed from the consent agenda, the recommended motion for this action is as follows:

“Move to approve Resolution No. 2013-40, Accepting the Bids and Awarding a Contract to Pearson Brothers, Inc., in the amount of \$203,252.00, for the 2013 Seal Coat Project.”

ATTACHMENT(S):

1. Resolution No. 2013-40
2. Engineer's Letter of Recommendation and Tabulation of Bids
3. Project Schedule

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

RESOLUTION NO. 2013-40

**A RESOLUTION ACCEPTING THE BIDS AND AWARDING
A CONTRACT FOR THE 2013 SEAL COAT PROJECT**

WHEREAS, pursuant to an advertisement for bids for the 2013 Seal Coat Project, bids were received, opened, and tabulated according to law, and bids were received complying with the advertisement; and

WHEREAS, bids were tabulated, checked and summarized to verify that all requirements of the submittals were met; and

WHEREAS, the project engineer reviewed the bids and has provided a letter recommending the award of the contract to the lowest responsible bidder, Pearson Brothers, Inc., in the amount of \$203,252.00.

NOW, THEREFORE, BE IT RESOLVED,

1. That the Mayor and City Clerk are hereby authorized and directed to enter into a Contract in the accordance with the above ordered Project, in the amount of the Contractor's lowest responsible bid, and according to the plans and specifications thereof approved by the City Council.
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 two lowest bidders shall be retained until a contract has been signed.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE TWENTY-FIRST DAY
OF MAY, 2013.**

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)

ATTEST:

Adam Bell
City Clerk

FOCUS ENGINEERING, inc.

May 21, 2013

Cara Geheren, P.E. 651.300.4261
Jack Griffin, P.E. 651.300.4264
Ryan Stempski, P.E. 651.300.4267
Chad Isakson, P.E. 651.300.4283

Honorable Mayor and City Council
City of Lake Elmo, Minnesota

2013 Seal Coat Project
City of Lake Elmo, Minnesota
FOCUS Project No. 2013.118

Dear Mayor and City Council:

Bids for the 2013 Seal Coat Project were received on May 2, 2013, at 3:00 PM with the following results:

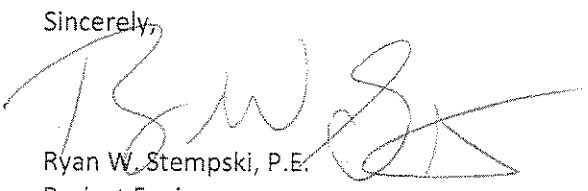
Contractor	Bid
Pearson Bros., Inc.	\$203,252.00
Fahrner Asphalt Sealers, LLC	\$206,497.20
Allied Blacktop Company	\$207,308.00
Astech Corp.	\$254,492.00
Engineer's Estimate	\$222,040.00

A complete Tabulation of Bids is enclosed for your information.

We recommend that you award the Contract to the lowest responsible bidder, Pearson Brothers, Inc. for their bid of \$203,252.00.

Please contact me with any questions you may have.

Sincerely,


Ryan W. Stempski, P.E.
Project Engineer

Enclosure

cc: Jack Griffin, City Engineer
Adam Bell, City Clerk
Cathy Bendel, Finance Director

TABULATION OF BIDS

2013 SEAL COAT PROJECT
CITY OF LAKE ELMO & WEST LAKELAND TWP, MINNESOTA
FOCUS PROJECT NO. 2013.118

BIDS OPENED: MAY 2, 2013, AT 3:00 PM

FOCUS ENGINEERING, inc.

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	ENGINEER'S ESTIMATE		Pearson Bros., Inc.		Fahrner Asphalt Sealers, LLC	
				UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
CITY OF LAKE ELMO									
1	BITUMINOUS SEAL COAT WITH 1/8" DRESSER TRAP ROCK	106,800	SY	\$ 1.30	\$ 138,840.00	\$ 1.19	\$ 127,092.00	\$ 1.209	\$ 129,121.20
CITY OF WEST LAKELAND									
2	BITUMINOUS SEAL COAT WITH 1/8" DRESSER TRAP ROCK	64,000	SY	\$ 1.30	\$ 83,200.00	\$ 1.19	\$ 76,160.00	\$ 1.209	\$ 77,376.00
TOTAL					\$ 222,040.00		\$ 203,252.00		\$ 206,497.20

TABULATION OF BIDS

2013 SEAL COAT PROJECT
CITY OF LAKE ELMO & WEST LAKE LAND TWP, MINNESOTA
FOCUS PROJECT NO. 2013.118

BIDS OPENED: MAY 2, 2013, AT 3:00 PM

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	Allied Blacktop		Astech Corp.	
				UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
CITY OF LAKE ELMO							
1	BITUMINOUS SEAL COAT WITH 1/8" DRESSER TRAP ROCK	106,800	SY	\$ 1.21	\$ 129,228.00	\$ 1.49	\$ 159,132.00
CITY OF WEST LAKE LAND							
2	BITUMINOUS SEAL COAT WITH 1/8" DRESSER TRAP ROCK	64,000	SY	\$ 1.22	\$ 78,080.00	\$ 1.49	\$ 95,360.00
TOTAL				\$	207,308.00	\$	254,492.00

**CITY OF LAKE ELMO
2013 SEAL COAT PROJECT
PROJECT NO. 2013.118**

PROJECT SCHEDULE

February 19, 2013	Council orders preparation of Plans and Specifications.
April 2, 2013	Presentation of Plans and Specifications. Council Approves Plans and Specifications and Orders Advertisement for Bids.
April 5, 2013	Placement of Advertisement for Bids. –Oakdale-Lake Elmo Review. Publication on April 10 & April 17 – Finance and Commerce. Publication on April 9 & April 16 – Quest CDN. Publication on April 5
May 2, 2013	Receive Contractor bids.
May 21, 2013	City Council accepts bids and awards Contract.
May 24, 2013	Process and send out Contract Documents.
June 7, 2013	Receipt of Contractor's Bonds/Legal Review.
June 11, 2013	Conduct Pre-Construction Meeting and Issue Notice to Proceed.
June 12, 2013	Contractor begins Work.
July 12, 2013	Substantial Completion of Work (including sweeping of excess aggregate).
August 2, 2013	Final Completion of Work (including Punchlist and final documentation).

MAYOR AND COUNCIL COMMUNICATION

DATE: 5/21/2013

CONSENT

ITEM #: 8

AGENDA ITEM: Easement Encroachment Agreement – 5090 Marquess Trail Court North

SUBMITTED BY: Nick Johnson, City Planner

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Rick Chase, Building Official
Adam Bell, City Clerk

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

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

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to authorize as part of tonight's Consent Agenda the execution of an easement encroachment agreement. The City has received a request to install a fence within a drainage and utility easement area as part of a swimming pool permit at 5090 Marquess Trail Court North. Approval of the requested agreement would allow the property owners to construct the requested improvement within the City's drainage and utility easements located on their private property.

BACKGROUND AND STAFF REPORT:

The City holds easements of different sizes and for different purposes on many residential and commercial properties throughout the city. When a resident is interested in putting a structure within an easement, the city has requested the property owner provide a site plan showing where the improvement is proposed to be located, a detail of what the improvement will look like and how it will function. After that information is received, Staff reviews the proposed improvement and the use of the easement to determine if the proposed improvement will impede the functionality of the easement. If Staff determines that the improvement will not negatively impact the functionality of the easement, an approved building permit showing the requested work and an Easement Encroachment Agreement is needed before the work may commence.

The Easement Encroachment Agreement that has been submitted for Council consideration is for a fence and has been reviewed by planning staff. The proposed fence meets all city code requirements and Staff would have otherwise authorized construction of the fence if it did not encroach into a drainage and utility easement.

The Easement Encroachment Agreement is a legal document which has been signed by all property owners seeking to install an improvement within an easement. The document, among other things, indemnifies the city from responsibility if damage occurs to the improvement or if it needs to be removed at some point in the future.

RECOMMENDATION:

Based upon the above background information and staff report, it is recommended that the City Council approve the Easement Encroachment Agreement as part of tonight's Consent Agenda.

ATTACHMENT(S):

1. Easement Encroachment Agreement – 5090 Marquess Trail Court North

ENCROACHMENT AGREEMENT

THIS AGREEMENT is made this 7 day of May, 2013, by and between the CITY OF LAKE ELMO, a Minnesota municipality (hereinafter "City"), and Staci Fernandez (hereinafter "Owner") and their successors in title.

WHEREAS, the City has an easement for drainage and utility purposes over that part of the property legally described on the attached Exhibit A, located in Washington County, Minnesota;

WHEREAS, Owner is desirous of constructing a fence ("The Improvements") within the Easement; and,

WHEREAS, the permission granted herein is limited to The Improvement proposed within the easement.

NOW, THEREFORE, in consideration of the premises and for good and valuable consideration, the receipt of which is acknowledged, the City will permit the encroachment on its easement area as set forth herein and subject to the conditions set forth below:

1. Owner and successors in title may install and maintain The Improvements in the configuration directed by the City and in accordance herewith.
2. Owner must notify the City at least forty-eight (48) hours before construction, repair and/or maintenance work commences within the easement. No such work shall take place without the City staff being given the opportunity to be present at the site. Further, if the City determines in its reasonable estimation that any proposed work may potentially cause an unsafe condition or damage or impair the City's easement area, the City shall have the authority to prevent such work from being done by giving notice to Owner; notwithstanding the foregoing, in

the event of an emergency situation and/or the existence of an unsafe condition of Owner's land, the prescribed forty-eight (48) hour notice requirement shall be waived by the City. However, in the event of such situation, said waiver shall not relieve Owner from their obligation to notify the City in a timely and practical manner. The City shall have no obligation to notify Owner of their intent to do work.

3. To the fullest extent permitted by law, Owner, their successors and assigns agree to release, defend, protect, indemnify, save and hold harmless the City, its agents, directors, employees and contractors against any and all claims, costs and liabilities, including the costs of defense for damages, injury or death arising from or in any way connected to the installation, maintenance, repair, removal and/or presence of The Improvements permitted hereunder, regardless of whether such harm is to Owner, the City, the employees or officers of either or any other person or entity, except shall not be liable under this paragraph for loss or damage to the extent resulting from the negligence or intentional acts of the indemnified parties.

4. The permission granted herein is limited exclusively to the proposed improvement within the City's easement. Owner shall not alter the grade, perform any other site disturbing activities, or permit such alteration anywhere upon the land upon which the City has reserved its easement without proper express written consent of the City. Owner shall construct and maintain The Improvements in compliance with all applicable laws and in good repair.

Owner shall, at all times, use best efforts to conduct all of activities on said easement area in such a manner as to not interfere with or impede the operation of the City's easement and related activities in any manner whatsoever and shall remove The Improvements at no cost to the City when directed by the City. The work shall be done and The Improvements maintained in conformance with the direction of the City.

[SIGNATURES ON FOLLOWING PAGES]

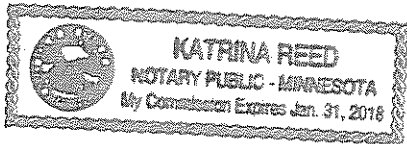
By Staci Fernandez
[Owner]

STATE OF MINNESOTA)

) SS.

COUNTY OF WASHINGTON)

On this 9th day of May, 2013, before me, a Notary Public, personally appeared Staci Dahl-Fernandez, property owner, who signed the foregoing instrument and acknowledged said instrument to be his free act and deed.



Katrina Reed
Notary Public

THIS INSTRUMENT DRAFTED BY:
David K. Snyder
Eckberg, Lammers, Briggs, Wolff & Vierling, P.L.L.P.
1809 Northwestern Avenue
Stillwater, MN 55082

CITY OF LAKE ELMO

By _____
Mike Pearson, Mayor

By _____
Dean A. Zuleger, City Administrator

STATE OF MINNESOTA)
) ss.
COUNTY OF WASHINGTON)

On this _____ day of _____, 2013, before me, a Notary Public, personally appeared Mike Pearson, Mayor of the City of Lake Elmo, a Minnesota municipality within the State of Minnesota, and that said instrument was signed on behalf of the City of Lake Elmo by the authority of the City Council of the City of Lake Elmo, and acknowledged said instrument to be the free act and deed of said City of Lake Elmo.

Notary Public

STATE OF MINNESOTA)
) ss.
COUNTY OF WASHINGTON)

On this _____ day of _____, 2013, before me, a Notary Public, personally appeared Dean A. Zuleger, City Administrator of the City of Lake Elmo, a Minnesota municipality within the State of Minnesota, and that said instrument was signed on behalf of the City of Lake Elmo by the authority of the City Council of the City of Lake Elmo, and acknowledged said instrument to be the free act and deed of said City of Lake Elmo.

Notary Public

Exhibit A

Lot 7, Block 5, Carriage Station (5090 Marquess Trail Court North, Lake Elmo, MN 55042)



MAYOR AND COUNCIL COMMUNICATION

DATE: 05/21/2013

CONSENT

ITEM #: 9

RESOLUTION 2013-41

AGENDA ITEM: Approve Resolution Supporting the 110th NWIRA Championship Regatta on Lake Elmo

SUBMITTED BY: Adam Bell, City Clerk

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Beckie Gumatz, Program Assistant

SUGGESTED ORDER OF BUSINESS (if removed from consent):

- Introduction of Item City Clerk
- Questions from Council to Staff, if any Mayor Facilitates
- Public Input, if any Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion, if any Mayor & City Council
- Action on Motion Mayor Facilitates

SUMMARY & ACTION REQUESTED:

It is respectfully requested that the City Council, as part of the *Consent Agenda*, consider approving Resolution 2013-41, supporting the 110th Northwestern International Rowing Association Championship Regatta on Lake Elmo on August 3 and 4, 2013. **As part of the Consent Agenda, no specific motion is required.**

BACKGROUND & STAFF REPORT:

A representative of the Minnesota Rowing Club has previously appeared before the City Council seeking the Council's support for the event as part of the application for water surface use from the Washington County Sheriff's office. In order to conduct the proposed rowing event, the Minnesota Rowing Club will need to secure a water use permit from the County Sheriffs office. The Club is working with the Sheriff's office to obtain a water use permit, and as part of that process, the Club is seeking the Council's action on the support resolution.

Staff has determined that the City does not require a special permit for an event on a water body within Lake Elmo, but instead will defer to the Sheriff's Office as responsible enforcement authority. The event that is being proposed should not have any significant impact on the City of Lake Elmo since all of the activity either takes place on Lake Elmo or in the Regional Park Reserve. The Rowing Club has also attempted to contact all of the property owners around the

Lake, and has given the City a summary of survey that was sent to these residents asking for their opinions and concerns regarding the proposed regatta. The results of that survey are included with this item.

RECOMMENDATION:

Staff recommends approving Resolution 2013-41, supporting the 110th Northwestern International Rowing Association Championship Regatta on Lake Elmo on August 3 and 4, 2013. As part of the Consent Agenda, no specific motion is required.

ATTACHMENT(S):

1. Resolution 2013-41
2. Letter of Request from the Minnesota Rowing Club
3. Appendix A: List of residents with lake shore access to Lake Elmo
4. Appendix B: Course description and location map
5. Appendix C: Park Reserve/Staging Area location map
6. Special Event Permit Application (*not required*)

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

RESOLUTION 2013-41

A RESOLUTION SUPPORTING A REQUEST BY THE MINNESOTA BOAT CLUB TO HOST THE 110th NORTH WESTERN INTERNATIONAL ROWING ASSOCIATION CHAMPIONSHIP REGATTA ON LAKE ELMO ON AUGUST 3 AND 4, 2013.

WHEREAS, the Minnesota Boat Club is seeking support from the City of Lake Elmo to host the 110th Annual Northwestern International Rowing Association (NWIRA) Championship Regatta on Lake Elmo from August 3 through August 4, 2013; and

WHEREAS, Lake Elmo's namesake lake has been chosen as the site for the two-day championship rowing competition;

WHEREAS, Lake Elmo fully supports the efforts of the Minnesota Boat Club and welcomes the opportunity to be a host city to this international event for the third time in its history.

NOW, THEREFORE, based on the testimony elicited and information received, the City Council makes the following:

FINDINGS

1. That the Minnesota Boat Club will need to obtain a Water Surface Use Permit from the Washington County Sheriff's Office in order to conduct a Regatta on the waters of Lake Elmo.
2. That the application for water surface use will include the following components:
 - a. The Minnesota Boat Club will receive the sanctioning of the US Rowing Association, the sport's national governing body to host the regatta, and will need to demonstrate adequate insurance to cover the standard liability issues as part of the permit request.
3. During the rowing competition on Lake Elmo, the Minnesota Boat Club has requested that residential boat traffic follow the No Wake rule. The dates and times are as follows: August 2 from 7 AM to 7 PM for event set up, and August 3-4 from 7 AM to 7 PM.
4. The City Council defers to the Washington County Sheriff for the placement of any and all buoys, floating starting platforms, and pontoon boats in the water as part of approval of the Water Surface Use Permit.
5. Upon event approval by the Washington County Sheriff, enforcement of Lake Elmo City Code Chapter 97, and all other laws and regulations, is assigned to the Washington County Sheriff's Department pursuant to City Code § 97.24.

6. The Minnesota Boat Club will encourage all spectators, officials, rowers, coaches, and others to refrain from parking on residential streets in close proximity to Lake Elmo and on County Road 17. This plan will protect the property and privacy of the City's residents, and to prevent spectators from parking along city streets and entering the Park from the north end.
7. The Minnesota Boat Club will request that Washington County close the public access boat ramp in the Lake Elmo Park Preserve from normal motorized traffic during the event. This closure will allow the regatta to be conducted in a safe and manageable fashion.
8. The City of Lake Elmo does not require a special event permit to conduct a rowing event that takes place on a public water body within the City.

NOW THEREFORE, BE IT FURTHER RESOLVED that the City of Lake Elmo supports the application by the Minnesota Boat Club to host the 110th North Western International Rowing Association Championship Regatta on Lake Elmo on August 3 and August 4, 2013.

Passed and duly adopted this 21st day of May, 2013, by the City Council of the City of Lake Elmo, Minnesota.

ATTEST:

Mike Pearson, Mayor

Adam R. Bell, City Clerk

Date: Tuesday, April 15, 2013

To: City of Lake Elmo

From: Minneapolis Rowing Club

Subject: Hosting the 110th Annual North Western International Rowing Association (NWIRA) Championship Regatta at Lake Elmo on August 3-4, 2013.

Given the strong positive feedbacks received from the Lake Elmo community on the exciting rowing competition held there in 2009 sponsored by the Minnesota Boat Club in St. Paul, the Minneapolis Rowing Club (MRC) is working on returning the two-day rowing competition at Lake Elmo. The event would be held on Saturday and Sunday, August 3-4, 2013. Other area rowing clubs in Hudson, St. Paul, Eden Prairie, Minneapolis and Long Lake as well as the rowing programs at the University of Minnesota and the University of St. Thomas will assist the MRC in hosting this event. As one of many steps to carry out a successful event for the Lake Elmo community, MRC has completed the attached Lake Elmo Special Event Permit application.

To ensure there is continuous support for the regatta among the property owners around Lake Elmo, MRC sent out a letter in November 2012 along with a self-addressed stamped post card requesting their consent or remarks about holding a rowing regatta on the lake. Two-third of the residents replied in favor having the event return to Lake Elmo. One resident replied back in objection to the event due to a family gathering involving water skiing. Some have indicated they are again looking forward to be involved with the event as volunteers and/or watch competitive rowing from their residence or private watercrafts. See Appendix A for a list of residents with lake shore access to Lake Elmo and their responses to the proposal.

The specifics of the event are as follows:

- 400 athletes from US and Canadian rowing clubs will be competing in 52 rowing events.
- 200 people will be at the event as volunteers, spectators, coaches, and other support staff.
- The regatta will be sanctioned by the US Rowing Association, the sport's national governing body, which carries with it the necessary insurance to cover the standard liability issues.
- The regatta will be controlled by 15 licensed referees of the US Rowing Association and Rowing Canada Aviron.
- The event will be managed from the Lake Elmo Park Reserve.
- The race on Lake Elmo will encompass 2000 meter buoyed course starting at the south end of the lake and finishing at the north end. The course can be easily crossed by any outboard watercrafts. The buoy cables are six feet below the surface and supported by cylindrical buoys which suspend the cable far below the surface (See Appendix B).
- The regatta times are projected to run from 7 AM to 7 PM on both days.
- Request the City of Lake Elmo to create a No Wake rule for the duration of the event on both days and on Friday, August 2 for race course setup.

We are also requesting Washington County Commissioners to close the public access boat launch area at the park for three days, August 2, 3 and 4 from normal motorized traffic in order to install the buoy system and conduct the races (See Appendix C).

In addition, we will also complete the following applications to Washington County Sheriff's Office:

- (1) APPLICATION FOR WATER SURFACE USE PERMIT – To Place a raft, buoy, or other structure on or in the waters of this county pursuant to MN Rules 6110.1800.
- (2) WATER SURFACE USE APPLICATION – For a Contest, Race, Regatta or other Event on or in the waters of this county.

These requests and applications will allow the regatta to be conducted in a safe and manageable fashion.

The overall response from these citizens has been one of excitement and anticipation about this event returning to Lake Elmo. With the proposal of closing the public access ramp in the park reserve, the resident truly welcome a quieter lake and the fascination of watching competitive rowing.

The community has embraced the transparent nature of the proposal, the invitation of the community at large to be involved as volunteers and the promise of conducting our business with the local vendors. These are strong elements for building a firm bridge of support within the residents of Lake Elmo and the area rowing community.


Finally, we ask the City of Lake Elmo to give serious consideration to our application for special event.

Randy Newberg

Regatta Chair

John Cavanaugh

Regatta Ombudsman

Charles Stockwell 

Regatta Administrator

Appendix A

List of residents with lake shore access to Lake Elmo

Residents replied back in favor of the proposal

	Name	Address
1	Robert B. & Carol J. Novak	2925 Klondike Ave. N.
2	Sandra S. & Toby J. Velte	2975 Klondike Ave. N.
3	Kevin M. & Kristin Magnuson	3047 Klondike Ave. N.
4	Michael L. Denoma	3065 Klondike Ave. N.
5	James L Moline	3077 Klondike Ave. N.
6	Sharon J. Bachman	3141 Klondike Ave. N.
7	Louise M. Engwer	10823 32nd Street N.
8	Scott L. & Saralyn S. Knudson	10865 32nd Street N.
9	Colleen M. & Terrance Bouthilet	10891 32nd Street N.
10	Carol V. Kelm	10975 32nd Street N.
11	Betty M. Schmoeckel	10997 32nd Street N.
12	Donald G. & Joyce Mehsikomer	11015 32nd Street N.
13	Anthony J. Miller & M. B. Satre	11055 32nd Street N.
14	Constance K Smith	3200 Lake Elmo Ave. N.
15	Mark T. Zdechlik	3078 Lake Elmo Ave. N.
16	George E. & Susan W. Johnson	3070 Lake Elmo Ave. N.
17	William C. & Patricia Hagberg	3060 Lake Elmo Ave. N.
18	Marlon O. Gunderson & Julie Bunn	2986 Lake Elmo Ave. N.
19	John & Bonnie Butenhoff	2976 Lake Elmo Ave. N.
20	Elizabeth M. Johnson	2945 Lake Elmo Ave. N.
21	Stephen D. Johnson	2915 Lake Elmo Ave. N.
22	Donald P. & Shirley J. Durand	2901 Lake Elmo Ave. N.
23	Clyde J. Durand	2860 Lake Elmo Ave. N.
24	John J. & Colleen Bourdaghs	2855 Lake Elmo Ave. N.
25	Wendy L. Griffin	2835 Lake Elmo Ave. N.
26	Craig D. & Tammy L. Saeger	2813 Lake Elmo Ave. N.
27	Nancy Johansen	2767 Lake Elmo Ave. N.
28	Daniel D. & Deborah C. Raleigh	2737 Lake Elmo Ave. N.
29	Carol Jeanne Novak	2641 Lake Elmo Ave. N.
30	Jan A. Leite	2575 Lake Elmo Ave. N.
31	Martin V. Hyndman	2543 Lake Elmo Ave. N.
32	Stephen L. Hopkins & Gail Olson	2525 Lake Elmo Ave. N.
33	Richard L. & Sharon A. Engdahl	2491 Lake Elmo Ave. N.
34	George R. & Julie A. Tait	2443 Lake Elmo Ave. N.
35	Steven R. Schwartz	2393 Lake Elmo Ave. N.
36	Robert L. Gardner	2315 Lake Elmo Ave. N.
37	Jay A. & Christian Johnson	2269 Lake Elmo Ave. N.
38	Clifford N. Adkins Family	2227 Lake Elmo Ave. N.
39	Lawrence J. Nachtwey	2211 Lake Elmo Ave. N.
40	Richard T. & Norrine Travers	2151 Lake Elmo Ave. N.

41	John R. & Rosalinda C. Thompson	2119 Lake Elmo Ave. N.
42	Donald A. & Ardis R. Wright	2069 Lake Elmo Ave. N.
43	Elizabeth Krongard	1796 Lake Elmo Ave. N.
43	Ronald W & Laurie S. Koehnle	11040 20th Street N.
44	Christopher P. & Karen F. Cook	11120 20th Street Ct. N.
45	Jerome E. & Sandra L. Junker	11130 20th Street Ct. N.
46	James & Beth Burns	11140 20th Street Ct. N.
47	Larry W. & Kathryn L. Bush	11140 24th Street N.

Residents replied back in objection to the proposal

	Name	Address
1	Susan A. Fuller	2337 Lake Elmo Ave. N.

Residents that have not responded to our proposal*

	Name	Address
1	Robert Basset Jr. & Pamela A. Bailey	3161 Klondike Ave. N.
2	Michael P. Downs & Patricia E. Korlin-Downs	10899 32nd Street N.
3	John T. & Debra J. Prokosch	10907 32nd Street N.
4	Richard J. Lacher	10917 32nd Street N.
5	Paul R. & Kimberly A. Bohjanen	10929 32nd Street N.
6	Daniel D. Martin	10941 32nd Street N.
7	Mike J. & Donna M. Finn	10949 32nd Street N.
8	David B. & Mary Patrica Schwarz	10961 32nd Street N.
9	Paul & Nancy Neumann	11033 32nd Street N.
10	Matthew E. & Constance Northrup	11075 32nd Street N.
11	Suzanne B. Kohn	3160 Lake Elmo Ave. N.
12	Dale F. & Lisa M. Dorschner	3150 Lake Elmo Ave. N.
13	W. C. & Daria D. Blanton	3012 Lake Elmo Ave. N.
14	Michelle E. Swanson	2929 Lake Elmo Ave. N.
15	George S. & Vicki L. Bias	2795 Lake Elmo Ave. N.
16	Dennis F. & Barbara J. Trembl	2715 Lake Elmo Ave. N.
17	Gust Kempf Jr.	2685 Lake Elmo Ave. N.
18	James R. & Mary G. Banister	2197 Lake Elmo Ave. N.
19	Paul J. & Joann Larson	2041 Lake Elmo Ave. N.
20	Diane T. Morgan	11150 20th Street Ct. N.
21	Vicky A. Reardon	1756 Lake Elmo Ave. N.

* Of those who didn't reply to our proposal for 2013, nine of them responded in favor of hosting the championship on Lake Elmo in 2009.

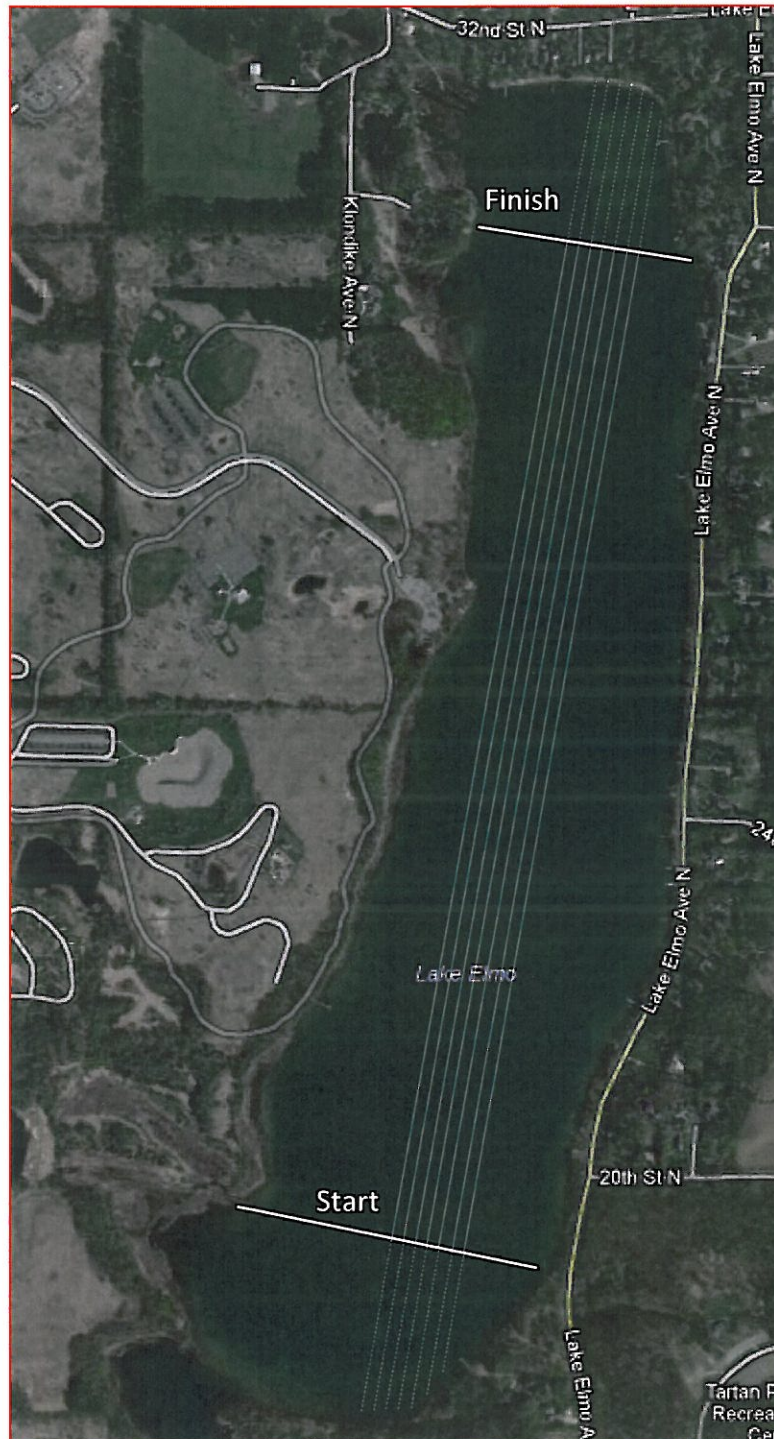
Appendix B

2000 Meters Course

Width of each Lane – 15 Meters

Lane 1 West Side (park side of the lake)

Lane 7 East Side (Lake Elmo Avenue North side of the lake)



Appendix C

Regatta operations will be conducted from the Public Boat Launch Area at Lake Elmo Park Reserve. The Regatta Award and Banquet will be held at the North Pavilion Picnic Area.





Special Event Permit Application

I. Title and Brief Description of Event

110th Annual North Western International Rowing Association (NWIRA) Championship Regatta.
The regatta encompass two days of rowing competition on Lake Elmo with crews from Canada
and upper Midwest states. The regatta will be managed from the Lake Elmo Park Reserve.

II. Applicant Information

The applicant is responsible for answering all questions, including inquiries from media and citizens.

Applicant: Charlie Stockwell Title: Regatta Secretary

Address: 391 Bidwell Street, Saint Paul, Minnesota 55107

Business/Organization: Minnesota Boat Club

Daytime Phone: 612-204-5898 Mobile Phone: 612-419-0781 Emergency Phone: N.A.

III. Event Timetable

- A. Requested day and date: Saturday, August 3, 2013 and Sunday, August 4, 2013
- B. Requested Hours of Operation, from 7:00 AM a.m./p.m. to 9:00 PM a.m./p.m.
- C. Set up beginning day and date Friday, August 2, 2013, time 7:00 AM a.m./p.m.
- D. Dismantle by day and date Monday, August 4, 2013, time 12:00 PM a.m./p.m.
- E. Anticipated number of participants: 400; and spectators: 200

IV. Insurance

Attach to this application either an insurance policy or a certificate of insurance including the policy number and showing liability amounts. The policy must state that any outside area to be used for an event is covered. The policy must also show evidence that the requested event is not excluded from insurance liability.

V. Check All Items that Apply to your Event

- ☒ Use of a Public Facility (note facility): Lake Elmo Park Reserve ;
- ☒ Event participant and/or spectator parking areas (describe): Lake Elmo Pk. Res. Pub. Boat Launch Area
- ☒ Entertainment or stage location (provide to-scale drawings); See Appendix C
- ☒ Construction or erection of temporary structures (may need permit: check with planning department); Six Buoyed Lanes, Starting and Finishing Area on Lake Elmo
- ☒ Trash containers (indicate # and locations): 12 to 14 at the Public Boat Launch Area in the park.
- ☒ Portable toilet facilities (indicate # and locations): 8 at the Public Boat Launch Area in the park.
- ☒ First aid facilities (indicate who is providing): NWIRA / Minneapolis Rowing Club ;
- ☐ Parade and/or parade floats (may need permit);
- ☐ Fireworks and/or pyrotechnics site (may need permit, check with the fire department);
- ☒ Cooking facilities, open flame, or vehicle fuels (may need permit, check with fire department); Motor Boat Fuels
- ☒ Electricity (indicate source and plan): Portable power generators will be used at the ;
Public Boat Launch Area.
- ☐ Other (please describe): _____

VI. Food, Beverages, and/or Entertainment

- A. If your event includes music, live entertainment, sound amplification or any other noise impact, please describe, including the intended hours of the music, sound or noise.
There will be a public address system at the Lake Elmo Park Reserve Public Boat Launch Area for announcement purposes (7:00 AM to 7:00 PM). The PA system will be directed from the west side of the lake away from the residents on the east/north shores. There will be an award banquet and music playing at the North Pavilion Picnic Area on Sunday, August 4 from 8 to 10 PM
- B. Will alcoholic beverages be served? ____ Yes X No
- C. Name of liquor establishment: _____
- D. For service of alcohol outside a licensed premise, include a diagram showing the defined area of the alcohol concession service and attach a copy of your certificate of liquor liability insurance covering the limits of the alcohol service area.

- E. If serving alcohol, describe how you will ensure that alcohol will be possessed and consumed only by those persons 21 years or older. Describe all security measures in place.

- F. Will food and/or non-alcoholic beverages be served? X Yes No

- G. If yes, describe sanitation and food-handling procedures:

There will be a concession stand for athletes, coaches, officials, and spectators on both days. Concession workers will follow appropriate sanitation and food-handling procedures stated in Washington County Standards For A Special Event Food Stand Operation.

- H. If yes, you will need to have a Temporary Food License from Washington County. Attach a copy of your Temporary Food License to this application.

- I. If you intend to cook food in the event area, describe your area layout, including fuel or electrical sources to be used:

The concession stand will be located in the parking area at the Lake Elmo Park Reserve Public Boat Launch area. Two or three propane stoves and charcoal grills will be used to cook hot dogs and hamburgers.

VII. Vendors or Concessionaires

List what vendors/concessionaires you will have at your event and list their Sales Tax ID Number:

No outside vendors or concessionaires will be at the event.

VIII. Security and Safety Procedures

- A. Describe your proposed procedures for security and crowd control:

All regatta activities will be conducted from the Lake Park Elmo Park Reserve and all regatta participants will be instructed to stay in the park area during the regatta. Regatta staff will be patrolling around the site and will be given instructions on requesting assistance from Washington County sheriff deputies and/or water patrol officers if the need arises.

- B. If the event is to occur at night, describe how you will light the event area in order to increase the safety of participants and spectators coming to and leaving the event:

No races will be conducted after sunset and there are no activities planned on the first night of the two day regatta event. A banquet and award ceremony will be held at the North Pavilion picnic area at the park reserve two hours after the conclusion of the last race of the regatta on the second day of the competition. The North Pavilion area have night lights. Participants will be leaving from a lighted area.

IX. Clean-up

List persons responsible for clean-up duties:

As host club, the Minneapolis Rowing Club will be responsible for overseeing the clean-up of the regatta site at the Lake Elmo Park Reserve. The clean-up will begin at the conclusion of the banquet and award ceremony on Saturday night, August 4th and completed by noon on the following day, Monday, August 5th.

X. Mitigation of Impacts on Others

Describe how you intend to mitigate the impacts of the special event on businesses, churches, neighbors, motorists, and others:

As host club, the Minneapolis Rowing Club will encourage all spectators, officials, rowers, coaches, and others to refrain parking on residential streets in close proximity to Lake Elmo and on County Road 17. This will be communicated in the regatta information packet given to all rowing clubs competing at the regatta.

Note: Any condition which causes adverse impacts may be cause to revoke the Special Events Permit

Applicant Signature: 

Date of Application: April 16, 2013

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/13/2013

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Roehrs & Co., Inc. PO Box 100, 736 Springdale Dr Exton, PA 19341-0100	CONTACT NAME: PHONE (A/C, No, Ext): (610) 363-7999 FAX (A/C, No): (610) 363-5231 E-MAIL: ADDRESS: PRODUCER: CUSTOMER ID #:														
INSURED United States Rowing Assn and its member organizations 2 Wall Street Princeton, NJ 08540	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">INSURER(S) AFFORDING COVERAGE</th> <th style="text-align: left;">NAIC #</th> </tr> <tr> <td>INSURER A : Philadelphia Indemnity Co.</td> <td>18058</td> </tr> <tr> <td>INSURER B : Berkley Life & Health Ins. Co</td> <td></td> </tr> <tr> <td>INSURER C :</td> <td></td> </tr> <tr> <td>INSURER D :</td> <td></td> </tr> <tr> <td>INSURER E :</td> <td></td> </tr> <tr> <td>INSURER F :</td> <td></td> </tr> </table>	INSURER(S) AFFORDING COVERAGE	NAIC #	INSURER A : Philadelphia Indemnity Co.	18058	INSURER B : Berkley Life & Health Ins. Co		INSURER C :		INSURER D :		INSURER E :		INSURER F :	
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INSURER C :															
INSURER D :															
INSURER E :															
INSURER F :															

COVERAGES**CERTIFICATE NUMBER: 12-13 Master****REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY			PHPK961219	12/31/2012	12/31/2013	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR						MED EXP (Any one person) \$ 5,000
	<input checked="" type="checkbox"/> Watercraft Liab.						PERSONAL & ADV INJURY \$ 1,000,000
	<input checked="" type="checkbox"/> Contractual Liab.						GENERAL AGGREGATE \$ 5,000,000
	GEN'L AGGREGATE LIMIT APPLIES PER:						PRODUCTS - COMP/OP AGG \$ 2,000,000
	<input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC						\$
A	AUTOMOBILE LIABILITY			PHPK961219	12/31/2012	12/31/2013	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> ANY AUTO						BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS						BODILY INJURY (Per accident) \$
	<input type="checkbox"/> SCHEDULED AUTOS						PROPERTY DAMAGE (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS						\$
	<input checked="" type="checkbox"/> NON-OWNED AUTOS						\$
A	UMBRELLA LIAB <input checked="" type="checkbox"/> OCCUR			PHUB406908	12/31/2012	12/31/2013	EACH OCCURRENCE \$ 1,000,000
	EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE						AGGREGATE \$ 1,000,000
	DEDUCTIBLE						\$
	<input checked="" type="checkbox"/> RETENTION \$ 10,000						\$
B	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY			PAIL00600021-001	12/31/2012	12/31/2013	WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER <input type="checkbox"/>
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y <input checked="" type="checkbox"/> N					E.L. EACH ACCIDENT \$
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE \$
	Excess Accident Medical Expense Coverage						E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)


The certificate holder is included as Additional Insured under the Liability policy. Coverage is provided under this policy only for the sponsored/supervised activities of the named insured for which a premium has been paid. This certificate is issued on behalf of USRowing sanctioned NWIRA-Northwestern International Rowing Association Regatta to be held August 3 and 4, 2013.

CERTIFICATE HOLDER**CANCELLATION**

City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



Giles B. Roehrs/CMD

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ADDITIONAL REMARKS SCHEDULE

AGENCY Roehrs & Co., Inc.		NAMED INSURED United States Rowing Assn	
POLICY NUMBER		2 Wall Street	
CARRIER		NAIC CODE	Princeton, NJ 08540
EFFECTIVE DATE:			

ADDITIONAL REMARKS

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM.

FORM NUMBER: 25 FORM TITLE: **ACORD Certificate of Liability Insurance**

Garage Liability

INSR ADD'L LTR INSRD	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
ANY AUTO				AUTO ONLY - EA ACCIDENT \$
				OTHER THAN EA ACC \$
				AUTO ONLY: AGG \$

Automobile Liability

INSR ADD'L LTR INSRD	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)
A			

Excess/Umbrella Liability

INSR ADD'L LTR INSRD	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A				\$

Other Liability

INSR LTR	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
B				



Special Event Food Stand License

Department of Public Health and Environment
14949 62nd Street North PO Box 6
Stillwater MN 55082-0006
Office: 651-430-6655 Facsimile: 651-430-6730

Operator: **NWIRA Regatta Concession**
Event: **110th Annual NWIRA Championship Regatta**
License Number: **SEN-13-24**

Location: **Lake Elmo Park Reserve Public
Launch Area
1515 Keats Ave N
Lake Elmo MN 55042**

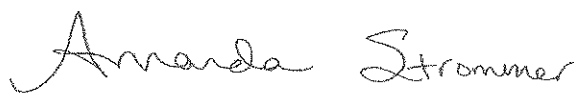
Responsible Person **Charlie Stockwell**
Address: **PO Box 583102
Minneapolis MN 55458**

License Type: **Special Event Food Stand-Non-Profit**
Total # Of Days: **2**
Valid Dates: **8/3/2013 - 8/4/2013**

NWIRA Regatta Concession is hereby licensed and authorized to operate in Washington County, is subject to all provisions and conditions of the applicable Ordinances, and said license is revocable for violations thereof.

Inspections shall be made by this Department as frequently as it may deem necessary to ensure compliance.

Issue Date **April 10, 2013**


Amanda Strommer
Program Manager

THIS LICENSE MUST BE POSTED and is NON-TRANSFERABLE



MAYOR AND COUNCIL COMMUNICATION

DATE: 05/21/2013

REGULAR

ITEM #: 10

AGENDA ITEM: Consider Approval of 2013 Massage Therapy Licenses

SUBMITTED BY: Adam R. Bell, City Clerk

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Beckie Gumatz, Program Assistant
Washington County Sheriff's Office (Pending)

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Clerk
- Questions from Council to Staff, if any Mayor Facilitates
- Public Hearing Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion, if any Mayor & City Council
- Action on Motion Mayor Facilitates

SUMMARY AND ACTION REQUESTED: The City has received Massage Therapy License applications for 2013, required fees, and insurance certificates. As all applications are in order, it is respectfully recommended that following the required public hearing, Council approve the application by taking the following action:

“Move to approve 2013 Massage Therapy Licenses as presented, pending approval by the Washington County Sheriff.”

BACKGROUND & STAFF REPORT: The City of Lake Elmo instituted a city license structure in December of 2012 in order to better regulate the practice of therapeutic massage in Lake Elmo. This past action has already produced positive results in several instances. A public hearing is required for the consideration of all massage therapy licenses issued by the City. In the consideration of efficiency, staff has waited to hold the public hearing until the City had received all license applications from all establishments known at currently to be practicing massage therapy. Approval by the Washington County Sheriff is still pending.

The City is respectfully requested to consider granting massage therapy licenses to the following 2013 Massage applicants:

- Aaron Koen – Renew and Recover Massage Therapy, 11200 Stillwater Blvd. Ste. 104A, contingent upon review by the Washington County Sheriff's Dept
- Heather Willingham – Renew and Recover Massage Therapy, 11200 Stillwater Blvd. Ste. 104A, contingent upon review by the Washington County Sheriff's Dept
- Roxane Fogard – Body & Soul of the River Valley Inc, 3546 Lake Elmo Ave. N. #2, contingent upon review by the Washington County Sheriff's Dept
- Michelle Merkling – Therapeutic massage by Shelly, LLC, 3546 Lake Elmo Ave. N. #2, contingent upon review by the Washington County Sheriff's Dept
- Belle Amie Spa, 8925 Highway 5, contingent upon review by the Washington County Sheriff's Dept

RECOMMENDATION: Based upon the above information, City staff recommends following the required public hearing, Council approve the applications by taking the following action:

“Move to approve 2013 Massage Therapy Licenses as presented, pending approval by the Washington County Sheriff.”

ATTACHMENTS:

None (copies of the Applications are on file for review at City Hall)



MAYOR AND COUNCIL COMMUNICATION

DATE: 05/16/2013
REGULAR
ITEM #: 11
MOTION Ord. 08-079

AGENDA ITEM: Adoption of Amended 2013 Fee Schedule; Ordinance 08-079, An Ordinance Amending Schedule of Municipal Fees

SUBMITTED BY: Adam Bell, City Clerk

THROUGH: Dean A. Zuleger, City Administrator

REVIEWD BY: Cathy Bendel, Finance Director

SUGGESTED ORDER OF BUSINESS:

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

SUMMARY AND ACTION REQUESTED:

Due to changes discussed by Council at the February 28 *Cost of Growth* workshop, it is necessary to amend the City's fee schedule regarding the water and sewer related fees. The City Council is requested to consider approval of Ordinance 08-079, An Ordinance Amending Schedule of Municipal Fees by the following action:

***"Move to adopt the attached Ordinance 08-079, An Ordinance Amending
Schedule of Municipal Fees, as presented herein."***

STAFF REPORT:

Northland Services was hired to provide financial analysis support specific to the anticipated growth and the impact to the Water and Sewer funds. As part of that review, it was determined that some fees should be modified to be more consistent with the fee structures of other Cities.

Please find the proposed 2013 Amended Fee Schedule prepared with input from staff reflecting the most current city licensing, permit fees, and service costs.

The fee schedule revisions and amendments being proposed reflect the following changes from the previous version of the City of Lake Elmo Fee Schedule:

- Water Access Charge decreased from \$3,900 to \$3,000 per unit
- Water Availability Charge increased from \$140 to \$1,000 per unit
- Sewer Access Charge (Lake Elmo portion) decreased from \$3,500 to \$3,000 per unit
- Sewer Availability Charge increased from \$300 to \$1,000 per unit

During this review, the following two other items were also identified as needing to be added to the existing fee sheet:

- NSF Fee currently not listed; needs to be added at \$25 per returned check
- Delinquent accounts needs to make a distinction between regular water (billed quarterly) and storm water (billed once a year)

RECOMMENDATION

It is recommended that the City Council affirmatively consider adopting Ordinance No. 08-079 approving the 2013 fee schedule. The suggested motion to do so is as follows:

“Move to adopt the attached Ordinance 08-079, An Ordinance Amending Schedule of Municipal Fees, as presented herein.”

Alternatively, the City Council does have the authority to further discuss, deliberate and amend this proposed schedule, prior to taking action. While tabling this action is not recommended, if changes are made by the Council, the appropriate action following such changes would be:

“Move to adopt Ordinance No. 08-079 approving the Amended 2013 Fee Schedule, as presented [and modified] herein.”

ATTACHMENT:

- 1) Ordinance 08-079, An Ordinance Amending Schedule of Municipal Fees
- 2) 2013 City of Lake Elmo Fee Schedule

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

ORDINANCE NO. 08-079

AN ORDINANCE UPDATING MUNICIPAL FEES FOR CALENDAR YEAR 2013

The Lake Elmo City Council hereby adopts the amended fee schedule for calendar year 2013 and directs that it be added to the Lake Elmo Municipal Code as Appendix A.

Appendix A – 2013 Fee Schedule

ADOPTION DATE: Passed by the Lake Elmo City Council on the 21st day of May, 2013.

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

ATTEST:

Adam Bell
City Clerk

EFFECTIVE DATE: This ordinance shall become effective immediately upon adoption and publication.

PUBLICATION DATE: Published on the _____ day of _____ 2013.



City of Lake Elmo Fee Schedule 2013

APPLICATION/FEE/PERMIT TYPE	2013 FEE	ESCROW OR ADDITIONAL CHARGE	DEPARTMENT
Accessory Bldg forward of Primary Structure (\$154.092)	\$200.00		Planning
Administrative Citations			Administration
General Code Violations:			Administration
1 st offense	\$100.00 per violation		Administration
2 nd offense within one year from the first citation	\$200.00 per violation		Administration
3 rd offense within one year from the first citation	\$500.00 per violation		Administration
4 th offense or subsequent offenses may be subject to criminal prosecution or any other legal remedy available to the City. An administrative citation may also be issued independently or concurrent to any other legal action taken by the City.			
Building and Safety Code Violations:			Administration
1 st offense	\$100.00 per violation		Building
2 nd offense within one year from the first citation	\$500.00 per violation		Building
3 rd offense within one year from the first citation	\$1000.00 per violation		Building
4 th offense or subsequent offenses may be subject to criminal prosecution or any other legal remedy available to the City. An administrative citation may also be issued independently or concurrent to any other legal action taken by the City.			
Amateur Radio Antenna	\$875.00		Building
Appeal (to Board of Adjustment and Appeals)	\$150.00		Planning
Assessment Search	\$15.00/ search		Administration
Building Demolition			Administration
Residential	\$200.00	Plus \$5.00 Surcharge (State Mandated)	Building
Commercial	\$300.00		Building
Burning Permit			Fire
Residential	\$45.00		Fire
Commercial	\$80.00		Fire
Illegal Burn	see notes →	Additional fees may be incurred based on Wash. Cty. Chief's fee schedule and # of responding units	Fire
Certificate of Zoning Compliance			Planning
Accessory Structures < 120 SF	\$75.00		Planning
Fence (less than 6')	\$75.00		Planning
Swimming Pool	\$75.00		Planning
Comprehensive Plan Amendment	\$1,300.00		Planning



City of Lake Elmo Fee Schedule 2013

APPLICATION/FEE/PERMIT TYPE	2013 FEE	ESCROW OR ADDITIONAL CHARGE	DEPARTMENT
Conditional Use Permit (CUP)			
New	\$1,050.00	Wireless Communication Facilities Fee Escrow \$6,000.00. Flood	Planning
Amended	\$500.00	Plain Ordinance Fee Escrow \$500.00.	Planning
Contractor License Fees			Licensing
Demolition	\$50.00		Licensing
Driveway	\$50.00		Licensing
Excavator	\$50.00		Licensing
HVAC	\$50.00		Licensing
Irrigation	\$50.00		Licensing
Sewer/Water Line Installer	\$50.00		Licensing
Sign Installer	\$50.00		Licensing
Solid Waste Hauler	\$120.00		Licensing
Tree Contract	\$70.00		Licensing
Copy Services (Paper/Electronic)			Administration
Copies (B&W)	\$0.25 per page		Administration
Copies (Color)	\$0.50 per page		Administration
Copies (B&W) 11x17	\$1.00 per page		Administration
Copies (Color) 11x17	\$2.00 per page		Administration
GIS Scaled Aerial	\$15.00		Administration
City Street Maps (36x40)	\$20.00		Administration
Existing Maps	\$5.00		Administration
Custom (Per Hour Rate)	\$70.00		Administration
Plan Size Maps (Larger than 11x17)	\$20.00		Administration
Development Standards Specs/Details	\$55.00		Administration
Code Book	\$160.00		Administration
Code Book Sections 1,2,4,6-12,14	\$12.00		Administration
Code Book Section 3	\$52.00		Administration
Code Book Sections 5 & 13	\$27.00		Administration
Comprehensive Plan	\$125.00		Administration
OP Ordinance	\$12.00		Administration
Parks Plan	\$80.00		Administration
Culverts in Developments with Rural Section	\$160.00		Administration
Daycare Inspection Fee	\$60.00	Plus \$5.00 Surcharge (State Mandated) Plus 1% of Value. Minimum \$100.00	Fire



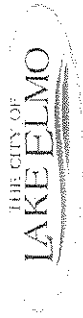
City of Lake Elmo Fee Schedule 2013

APPLICATION/FEE/PERMIT TYPE	2013 FEE	ESCROW OR ADDITIONAL CHARGE	DEPARTMENT
Dog License	\$20.00		Licensing
Service Dogs License	\$5.00		Licensing
(Dogs with special training to assist individuals with disabilities)			Licensing
Duplicate License or Tag	\$1.00		Licensing
First Impound- Unlicensed Dog	\$60.00	All Impound Fees plus \$20/day Boarding Fee	Licensing
First Impound- Licensed Dog	\$42.00		Licensing
First Impound- Cat	\$42.00		Licensing
Subsequent dog/ cat impound	\$85.00		Licensing
Driveway			Planning
Residential	\$70.00		Planning
Commercial	\$160.00		Planning
Easement Encroachment	\$100.00	Staff & Recording Fee	Planning
Electronic Fund Withdrawal/Bill Payment	Fee + Trans. Charge		Administration
Erosion Control			Engineering
Re-inspection Fee (portal to portal from City Hall: 1 Hr. min)	\$50.00 per hour	\$5,000.00 Security	Engineering
Excavating & Grading ≥ 50 cubic yards, up to 400 cubic yds	\$125.00	Security \$500.00	Engineering
Excavating & Grading ≥ 400 cubic yards	\$500.00	\$500.00 fee escrow plus security \$1,500.00 per acre with \$1,500 minimum.	Engineering
False Alarms (12 Month Period)* (*1-3 no charge)			Fire
Residential			Fire
4-6 False Alarms	\$110.00		Fire
In Excess of 6 False Alarms	\$185.00		Fire
Commercial			Fire
4-6 False Alarms	\$315.00		Fire
In Excess of 6 False Alarms	\$520.00		Fire
Fire Alarm Systems (new or rework including low voltage systems)	1.2% of value	plus \$5.00 surcharge; Minimum \$100	Fire
Flood Plain District Delineation	\$500.00		Planning
Fuel Tank Removal (Underground)	\$100.00	Plus \$5.00 Surcharge (State Mandated)	Administration
Fuel Tank Install	2% of value of work	Minimum \$100.00	Administration
HVAC			Administration
Residential	\$60.00/unit	Up to 3 units, max fee \$180.00 plus \$5.00 Surcharge (State Mandated)	Building
Commercial	\$60.00/unit	Up to 3 units or 1% of total valuation, whichever is greater. Plus Surcharge (State Mandated)	Building



City of Lake Elmo Fee Schedule 2013

APPLICATION/FEE/PERMIT TYPE	2013 FEE	ESCROW OR ADDITIONAL CHARGE	DEPARTMENT
Interim Use Permit (IUP)			
Fee	\$1,050.00		Planning
Renewal	\$300.00		Planning
AG Sales/Entertainment	\$250.00		Planning
Liquor License			
Club On-Sale Intoxicating	\$100.00		Licensing
On-Sale Intoxicating	\$1,500.00		Licensing
Off-Sale Intoxicating	\$200.00		Licensing
Off-Sale Non-Intoxicating	\$150.00		Licensing
On-Sale Intoxicating- 2nd Building	\$750.00		Licensing
On-Sale Non-Intoxicating	\$100.00		Licensing
On-Sale Investigation	\$350.00		Licensing
On-Sale Sunday Intoxicating	\$200.00		Licensing
Temporary Non-Intoxicating	\$25.00		Licensing
Wine	\$300.00		Licensing
Lot Line Adjustment	\$325.00		Planning
Manufactured Home Parks			
Fee	\$1,000.00		Planning
New	\$1,200.00	Plus \$2,500.00 Fee Escrow	Planning
Move home out of the city	\$200.00	Plus \$5.00 Surcharge (State Mandated)	Building
Move home into the city	\$200.00	Plus \$5.00 Surcharge (State Mandated)	Building
Massage Therapy Premises License			
Application Fee	\$100.00		Licensing
Investigation Fee	\$100.00		Licensing
Massage Therapy Practitioner License			
Application Fee	\$50.00		Licensing
Investigation Fee	\$25.00		Licensing
Massage Therapy Premises License Renewal	\$50.00		Licensing
Massage Therapy Practitioner License Renewal	\$25.00		Licensing
Massage Therapy License Amendment	\$50.00		Licensing
Minor Subdivision	\$525.00		Planning



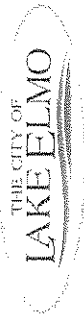
City of Lake Elmo Fee Schedule 2013

APPLICATION/FEE/PERMIT TYPE	2013 FEE	ESCROW OR ADDITIONAL CHARGE	DEPARTMENT
Moving House or Primary Structure into City	\$520.00	Plus security w/amount to be determined by the City w/recommendation from building official	Administration
Moving Accessory Structure into City	\$305.00	Plus security to be determined by the City w/recommendation from building official	Administration
Other Inspections and Fees			Building
Inspection outside of business hours	\$70.00 (2 Hr. Minimum)		Building
Re-inspection Fees Assessed	\$50.00 per hour		Building
Inspections with no fee assigned	\$50.00 per hour		Building
Construction Escrow	\$5,000.00	Or determined by Building Official	Building
Cancelled Permits	\$25.00		Building
Work without Permit	see notes	Investigative fee to equal permit fee	Building
Park Dedication			Planning
Residential - Up to three lots	\$3,600.00 per lot		Planning
Commercial	\$4,500.00 per acre	Four or more lots per \$153.14	Planning
Parking Lots			Planning
New Commercial	\$175.00		Engineering
Existing Commercial	\$200.00	\$500 Fee Escrow. Security \$1,500.00 per acre with \$1,500.00 minimum.	Engineering
Platting			Engineering
Sketch Plan Review (Subdivision)	\$500.00		Planning
Concept Plan (OP Development)	\$1,250.00	\$2,000.00 Fee Escrow	Planning
Preliminary Plat (and OP Preliminary Plan)	\$1,850.00	\$5,000.00 Fee Escrow	Planning
Final Plat (and OP Final Plan)	\$1,250.00	\$8,000.00 Fee Escrow	Planning
		(City will retain escrows to reimburse review costs for each stage of development review)	Planning
Planned Unit Development			Planning
General Concept Plan	\$1,250.00	\$2,000.00 Fee Escrow	Planning
Development Stage Plan	\$1,850.00	\$5,000.00 Fee Escrow	Planning
Final Plan	\$1,250.00	\$8,000.00 Fee Escrow	Planning
		(City will retain escrows to reimburse review costs for each stage of development review)	Planning
Plumbing			Planning
Residential	\$60.00/unit	Up to 3 units, max fee \$180.00 plus \$5.00 Surcharge (State Mandated)	Administration
Commercial	\$60.00/unit	Up to 3 units or 1% of total valuation, whichever is greater. Plus Surcharge (State Mandated)	Building
Private Roads (Permitted only in AG zone)	\$150.00		Building
			Engineering



City of Lake Elmo Fee Schedule 2013

APPLICATION/FEE/PERMIT TYPE	2013 FEE	ESCROW OR ADDITIONAL CHARGE	DEPARTMENT
Restrictive Soils and Wetland Restoration Protection and Preservation Permit	\$800.00	\$1,500.00 Fee Escrow	Planning
Retaining Walls over 4'	\$150.00	Plus \$5.00 State Surcharge	Building
Returned Check (NSF)	\$25.00		Administration
Right-of-Way Permit			Engineering
Annual Registration	\$200.00	\$5,000.00 Security	Engineering
Excavation Permit	\$275.00 + \$.60/foot		Engineering
Joint Trench Permit (per lot per utility)	\$100.00		Engineering
Obstruction Permit	\$275.00		Engineering
Permit Extension	\$100.00		Engineering
Delay Penalty (per calendar day)	\$25.00		Engineering
Roofing			Building
Residential	\$150.00	Plus \$5.00 State Surcharge	Building
Commercial	see notes	Based on valuation	Building
SAC Charge (per REC unit) (Sewer Availability Charge)	\$5,435.00	Per REC Unit: \$2,435.00 to Met Council; \$3,000.00 to City;	Engineering
Scaled Aerial Drawing	\$15.00	collected at time of development	Planning
Sewer Connection Charge	\$1,000.00	Per REC Unit	Engineering
Sewer Lateral Benefit Charge	\$5,800.00	Per REC Unit	Engineering
Sewer Rate	\$4.50/1,000 Gal		Administration
201 Off-Site Maintenance Fee	\$75.00/unit/quarter		Administration
Siding			Building
Residential	\$150.00	Plus \$5.00 State Surcharge	Building
Commercial	see notes	Based on valuation	Building
Signs			Planning
Permanent	\$180.00		Planning
Temporary	\$75.00		Planning
Temporary Renewal	\$25.00		Planning
Re-inspection Fee	\$25.00		Planning
Site Plan Review	\$980.00		Planning
Special Event Permit	\$75.00		Planning
Sprinkler System (Inspection Fee)	1.2% of value	plus \$5.00 surcharge; Minimum \$100	Fire
Sprinkler System (Re-Inspection Fee)	\$50.00		Fire
Surface Water			Administration



City of Lake Elmo Fee Schedule 2013

APPLICATION/FEE/PERMIT TYPE	2013 FEE	ESCROW OR ADDITIONAL CHARGE	DEPARTMENT
Residential	\$50.00		Administration
Non-Residential (Commercial etc.)	\$50.00	Utility rate factor per code	Administration
Vacations (Streets or Easements)			Planning
Easements	\$515.00	\$500.00 Fee Escrow	Planning
Streets	\$515.00	\$500.00 Fee Escrow	Planning
Variance	\$750.00		Planning
Video Reproduction	\$35.00		Administration
Water Availability Charge (WAC)	\$3,000.00	Per REC Unit; collected at time of development	Engineering
Water Equipment/Set up			Administration
Meter (3/4" or less)	\$300.00	Additional fees apply to larger sized meters	Administration
Connection Charge	\$1,000.00		Administration
Driveway Curb Stop Lid	\$100.00		Administration
Disconnect Service	\$80.00		Administration
Reconnect Service	\$80.00		Administration
Water Lateral Benefit Charge	\$5,800.00		Engineering
Water Usage			Administration
Residential - Quarterly Rate	\$25.00 Base		Administration
Residential - Plus Rate per 1,000 Gallons			Administration
Plus Rate for 0-15,000 Gallons	\$2.14		Administration
Plus Rate for 15,001-30,000 Gallons	\$2.86		Administration
Plus Rate for 30,001-50,000 Gallons	\$3.77		Administration
Plus Rate for 50,001-80,000 Gallons	\$5.00		Administration
Plus Rate for 80,001 + Gallons	\$6.63		Administration
Water Usage			Administration
Commercial - Quarterly Rate	\$25.00 Base		Administration
Commercial - Plus Rate Per 1,000 Gallons			Administration
Plus Rate for 0 - 15,000 Gallons	\$3.11		Administration
Plus Rate for 15,001 - 30,000 Gallons	\$3.26		Administration
Plus Rate for 30,001 - 50,000 Gallon	\$3.77		Administration
Plus Rate for 50,001 - 80,000 Gallons	\$5.00		Administration
Plus Rate for 80,001 + Gallons	\$6.63		Administration
Water Usage			Administration
Hotel / Motel - Quarterly Rate	\$25.00 Base	For metered non-irrigation (domestic) consumption	Administration
Hotel / Motel - Plus Rate Per 1,000 Gallons			Administration



City of Lake Elmo Fee Schedule 2013

APPLICATION/FEE/PERMIT TYPE	2013 FEE	ESCROW OR ADDITIONAL CHARGE	DEPARTMENT
Plus Rate for 0 - 30,000 Gallons	\$3.11		Administration
Plus Rate for 30,001 - 50,000 Gallons	\$3.26		Administration
Plus Rate for 50,001 + Gallons	\$4.00		Administration
Water Usage Delinquent Accounts			Administration
Regular	6% per quarter	Plus \$25.00 or 8%, whichever is greater, if certified to County for collection with taxes	Administration
Storm Water	10% annually	Plus \$25.00 or 8%, whichever is greater, if certified to County for collection with taxes	Administration
Bulk Water Purchase			Administration
Water from Hydrant	\$61.20 1st 5,000 Gal	Plus \$3.26/additional 1,000 gallons	Administration
Swimming Pool Fill	\$61.20 1st 5,000 Gal	Plus \$3.26 per 1,000 gallons and \$15.00/hr labor	Administration
Wind Generator	\$850.00	\$2,000.00 Fee Escrow	Planning
Wireless Communication Permit	\$500.00	\$6,000.00 Fee Escrow	Planning
Zoning Amendment (Text or Map)	\$1,245.00		Planning
Definition of Terms			
* Fee Escrow: City will maintain a fee escrow to cover all City review costs. Application fees include all professional fees and expenses incurred by the City.			
** Security: City will retain a security escrow to ensure completion of work as directed by the approved permit/application and compliance with the State Building Code and the City of Lake Elmo			



MAYOR AND COUNCIL COMMUNICATION

DATE: 5/21/2013
REGULAR
ITEM #: 12

AGENDA ITEM: Municipal State Aid System – Resolution Revoking Municipal State Aid Streets and Resolution Establishing Municipal State Aid Streets
SUBMITTED BY: Jack Griffin, City Engineer
THROUGH: Dean A. Zuleger, City Administrator
REVIEWED BY: Adam Bell, City Clerk
Cathy Bendel, Finance Director
Mike Bouthilet, Public Works

SUGGESTED ORDER OF BUSINESS:

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

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider approving revisions to the City's Municipal State Aid System (MSAS) to better align the system network to the policies and goals of the City's Transportation Plan and the revised State Aid Rules for the determination of Needs. There are two recommended motions for this action as follows:

"Move to approve Resolution No. 2013-42, Revoking Municipal State Aid Streets."

AND

"Move to approve Resolution No. 2013-43, Establishing Municipal State Aid Streets."

BACKGROUND INFORMATION:

As a Municipal State Aid city, the City of Lake Elmo is eligible to designate certain higher volume roadways that are functionally classified as collector or arterial streets, as Municipal State Aid routes, and are eligible to receive a proportionate share of state aid funding to assist with the maintenance and construction of the MSA roadway network. Streets designated as Municipal State Aid Streets must meet the selection criteria of Rule 8820.0700, sub. 3. The City is allowed to designate roadway mileage up to a

cap of 20% of the total local and county roadway system within the City limits. In addition, the City is allowed to designate any county road or county state aid highway (CSAH) which is turned back to the city with said mileage being over and above the 20% limitation.

Municipal State Aid (MSA) funding is allocated in accordance with state statutes with one-half of the annual funding based on each city's population relative to other state aid cities, and one-half of the annual funding based on each city's estimated "**construction needs**". Construction Needs are determined with the use of an elaborate computer generated model and complex set of rules, evaluating each MSA street segment within that City. Once each year, the City Engineer must submit a Needs Update to the Mn/DOT State Aid office for the annual construction needs determination.

STAFF REPORT:

In 2010, a decision to update MnDOT's MSA software system presented an opportunity to review the underlying methods and assumptions used to estimate construction Needs, which were first developed over 50 years ago. In May 2010, the Municipal Screening Board (MSB), which provides direction for the determination of street construction Needs, unanimously recommended the creation of a stakeholder committee to evaluate a new system to determine Needs for MSA Cities. The Needs Study Task Force has now completed a 3 year review, revision and testing process by which a more simplified "Needs" determination system has been established and will be implemented in 2014.

Staff has reviewed the new "Needs" determination methodology and is making system revision recommendations that will best position Lake Elmo for increased MSA funding. The proposed changes include the following revocations and additions to the state aid system (see attached MSA Map):

Revocations:

- MSA Segment 206-102-010, Lake Jane Trail N;
- MSA Segment 206-102-020, 42nd Street N;
- MSA Segment 206-109-010, 31st Street N;
- MSA Segment 206-111-005, Kimbro Avenue N / 50th Street N;
- MSA Segment 206-117-010, Village Parkway; and
- MSA Segment 206-118-010, TH 36 Frontage Road.

Designations:

- Hudson Boulevard from Inwood Avenue N (CSAH 13) to Manning Avenue N (CSAH 15); and
- Upper 33rd Street N / Laverne Avenue N from Lake Elmo Avenue N (CSAH 17) to 39th Street.

The city's most recent mileage certification of local streets and county roads was 71 miles. Based upon the 20% designation rule, the city is allowed a total MSA mileage of 14.2 miles and currently designates 14.07 miles. Staff is recommending the revocation of 4.39 miles, and recommending the establishment and designation of 4.33 miles, thereby resulting in a revised designated MSA system mileage of 14.14 miles.

RECOMMENDATION:

Staff is recommending that the City Council approve revisions to the City's Municipal State Aid System (MSAS) as presented to better align the system network to the policies and goals of the City's

Transportation Plan and the revised State Aid Rules for the determination of Needs. There are two recommended motions for this action as follows:

“Move to approve Resolution No. 2013-42, Revoking Municipal State Aid Streets.”

AND

“Move to approve Resolution No. 2013-43, Establishing Municipal State Aid Streets.”

ATTACHMENT(S):

1. Resolution No. 2013-42 Revoking Municipal State Aid Streets
2. Resolution No. 2013-43 Establishing Municipal State Aid Streets
3. Municipal State Aid System Revisions Map

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

RESOLUTION NO. 2013-42

A RESOLUTION REVOKING MUNICIPAL STATE AID STREETS

WHEREAS, the City of Lake Elmo has reviewed the City's Municipal State Aid Street System and has identified system revisions needed to better align with the policies and goals of the City's future growth and development and Comprehensive Transportation Plan; and

WHEREAS, based on these recommendations, it appears to the Lake Elmo City Council that the streets hereinafter described as Municipal State Aid Streets under the provisions of Minnesota Laws, are no longer good candidates for designation as state aid routes.

NOW, THEREFORE, BE IT RESOLVED,

That the streets described as follows, to wit:

MSA NUMBER	STREET NAME	FROM	TO
206-102-010	LAKE JANE TRAIL N	IDEAL AVENUE N (CSAH 13)	42 ND STREET N
206-102-020	42 ND STREET N	LAKE JANE TRAIL N	JAMACA AVENUE N
206-109-010	31 ST STREET N	STILLWATER BLVD N (CSAH 6)	TRUNK HIGHWAY 5
206-111-005	KIMBRO AVE N/50 TH ST N	47 TH STREET N	LAKE ELMO AVENUE N (CSAH 17)
206-117-010	VILLAGE PARKWAY	TRUNK HIGHWAY 5	30 TH STREET N
206-118-010	TH 36 FRONTAGE ROAD	KEATS AVENUE N	LAKE ELMO AVENUE N (CSAH 17)

be, and hereby are, revoked as a Municipal State Aid Street of the City of Lake Elmo subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for consideration.

ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE TWENTY-FIRST DAY OF MAY, 2013.

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)

ATTEST:

Adam Bell
City Clerk

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

RESOLUTION 2013-43

A RESOLUTION ESTABLISHING MUNICIPAL STATE AID STREETS

WHEREAS, the City of Lake Elmo has reviewed the City's Municipal State Aid Street System and has identified system revisions needed to better align with the policies and goals of the City's future growth and development and Comprehensive Transportation Plan; and

WHEREAS, based on these recommendations, it appears to the Lake Elmo City Council that the streets hereinafter described should be designated Municipal State Aid Streets under the provisions of Minnesota Law.

NOW, THEREFORE, BE IT RESOLVED,

That the streets described as follows, to wit:

STREET NAME	FROM	TO
HUDSON BOULEVARD	INWOOD AVENUE N (CSAH 13)	KEATS AVENUE N (CSAH 19)
HUDSON BOULEVARD	KEATS AVENUE N (CSAH 19)	LAKE ELMO AVENUE N (CSAH 17)
HUDSON BOULEVARD	LAKE ELMO AVENUE N (CSAH 17)	MANNING AVENUE N (CSAH 15)
UPPER 33RD ST N / LAVERNE AVE N	LAKE ELMO AVENUE N (CSAH 17)	39TH STREET

be, and hereby are, established, located, and designated a Municipal State Aid Street of the City of Lake Elmo subject to the approval of the Commissioner of Transportation of the State of Minnesota.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to forward two certified copies of this resolution to the Commissioner of Transportation for consideration, and upon approval of the designation of said roads or portion thereof, that same be constructed, improved and maintained as a Municipal State Aid Street of the City of Lake Elmo, to be numbered and known as (to be provide by the Office of State Aid).

ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE TWENTY-FIRST DAY OF MAY, 2013.

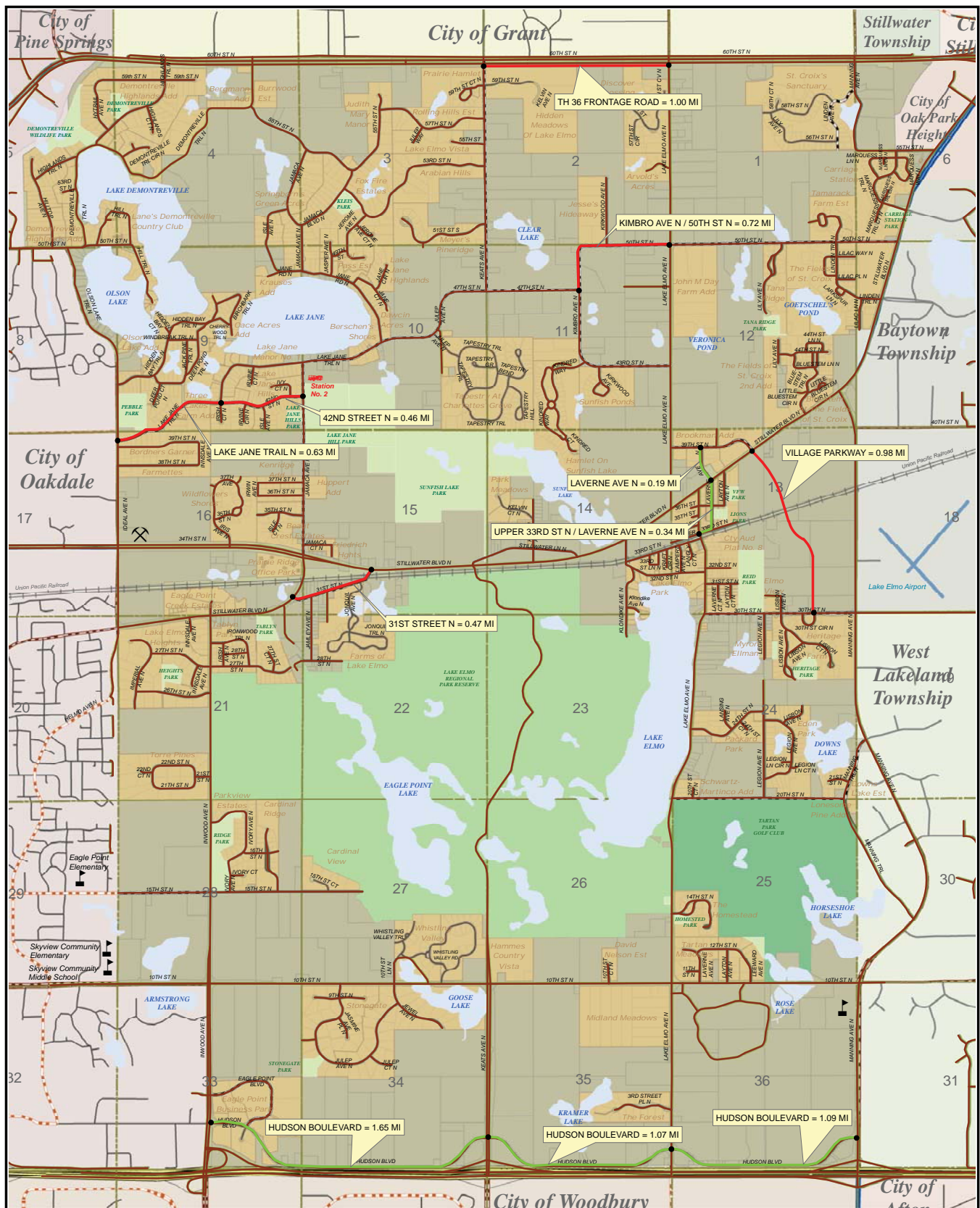
CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)

ATTEST:

Adam Bell
City Clerk



MUNICIPAL STATE AID SYSTEM (MSAS) STREET MAP PROPOSED REVISIONS

- PROPOSED REVOCATION
- PROPOSED ADDITION



City Hall
3800 Laverne Avenue N
651/777-5510
www.lakeelmo.org



Public Works Building
3445 Ideal Ave N
651/233-5414



Fire Stations
Station No. 1
3815 Laverne Ave N
651/770-5006



Schools
Station No. 2
4239 Jamaica Ave N
651/779-8882



Parcels



Subdivisions



City Parks



Golf Course



**Lake Elmo Regional
Park Reserve**



Lakes



0 0.15 0.3 0.6
Miles

Map Date: MAY 2013

Created By:



FOCUS ENGINEERING, inc.



MAYOR AND COUNCIL COMMUNICATION

DATE: 5/21/2013

REGULAR

ITEM #: 13

AGENDA ITEM: Zoning Text Amendment – Specific Development Standards

SUBMITTED BY: Nick Johnson, City Planner

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Planning Commission
Kyle Klatt, Planning Director

SUGGESTED ORDER OF BUSINESS:

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

SUMMARY AND ACTION REQUESTED:

The City Council is asked to consider a Zoning Text Amendment, establishing specific development standards for multiple use classifications in Lake Elmo. These development standards will be organized under Article 7 under the new organizational structure of the Zoning Code. The proposed amendment will also serve to establish the template/location where all existing and future performance standards related to specific use classifications will be organized. This Zoning Text Amendment is part of the ongoing effort to reorganize and improve the Lake Elmo Zoning Code in preparation of future sewered growth.

The Planning Commission recommends the City Council approve Ordinance 08-080 through the following motion:

“Move to approve Ordinance 08-080, establishing specific development standards for multiple use classifications in the Lake Elmo Zoning Code”

In addition, Staff recommends that the City Council approve Resolution No. 2013-44, authorizing summary publication of Ordinance 08-080, through the following motion:

“Move to approve Resolution No. 2013-44, authorizing summary publication of Ordinance 08-080.”

BACKGROUND AND STAFF REPORT:

Staff is continuing to progress on a large project aimed at incrementally reorganizing and improving the Lake Elmo Zoning Code in preparation of upcoming growth. In this spirit, Staff determined that it was important to establish specific development standards for use classifications that are currently not

thoroughly addressed in the existing Zoning Code. In addition, working on these standards would also further the reorganizational efforts by establishing Article 7 - Specific Development Standards, creating a location within the new structure to relocate existing performance standards and adopt new standards. It is important to note that any standards that pertain to use classifications across all zoning districts shall be located within Article 7. For example, if the City needs to establish standards for the use Nursing and Personal Care that will apply to the use regardless of the zoning district, then the standard would be located in Article 7, as opposed to specific standards for uses that apply only in certain districts.

The Planning Commission reviewed the proposed Specific Development Standards Ordinance at a regular meeting on April 22, 2013. At this meeting, the Planning Commission made some recommendations related to minor adjustment of the ordinance. Staff responded to this request by making refinements. After an initial review, the Planning Commission held a public hearing on the proposed ordinance on May 13, 2013. No one spoke in favor or against the ordinance at the public hearing. The Planning Commission unanimously recommended the proposed ordinance for approval (Vote: 4-0).

Regarding the standards contained within Article 7, the specific development standards will be organized by use classification under the following subsections: Residential and Related Uses, Public and Civic Uses, Services, Food Services, Automotive/Vehicular Uses, Outdoor Recreation Uses, Indoor Recreation/Amusement, Industrial and Extractive Uses, Transportation, Utility and Communications Uses and Accessory Uses. These categories directly relate to the use classifications found in §154.012. The majority of the standards contained within the proposed ordinance pertain to uses that are not adequately addressed in the existing Zoning Code. However, the proposed ordinance does address Gas Stations, Restaurants with Drive-Through and Drive-Through Facilities. Performance standards for similar uses (Service Stations and Drive-In Business) currently exist in §154.102 and §154.109. For that reason, Staff evaluated these standards for effectiveness and best practices and carried the effective standards forward in the proposed ordinance. As part of the proposed ordinance, Staff recommends striking §154.102 and §154.109 to be consistent with the proposed structure or organization of the Lake Elmo Zoning Code. Finally, other uses that have existing standards in place, such as wireless towers or mining, will be evaluated for effectiveness and reorganized into the new structure as time allows. The reorganization efforts are not a high priority as long as some effective standards are in place. Staff will continue to make these structural changes incrementally.

RECOMMENDATION:

The Planning Commission recommends the City Council approve Ordinance 08-080 through the following motion:

“Move to approve Ordinance 08-080, establishing specific development standards for multiple use classifications in the Lake Elmo Zoning Code”

In addition, Staff recommends that the City Council approve Resolution No. 2013-44, authorizing summary publication of Ordinance 08-080, through the following motion:

“Move to approve Resolution No. 2013-44, authorizing summary publication of Ordinance 08-080.”

ATTACHMENT(S):

1. Ordinance 08-080
2. Resolution No. 2013-44

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 08-080

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY
ADOPTING SPECIFIC DEVELOPMENT STANDARDS FOR VARIOUS USE CLASSIFICATIONS
IN THE LAKE ELMO ZONING CODE.

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code, by repealing City Code Sections 154.102 and 154.109 in their entirety.

SECTION 2. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code, by adding the following language:

ARTICLE 7. SPECIFIC DEVELOPMENT STANDARDS

§154.300	Purpose and Applicability
§154.301	Standards for Residential and Related Uses
§154.302	Standards for Public and Civic Uses
§154.303	Standards for Services
§154.304	Standards for Food Services
§154.305	Standards for Automotive/Vehicular Uses
§154.306	Standards for Outdoor Recreation Uses
§154.307	Standards for Indoor Recreation/Amusement
§154.308	Standards for Industrial and Extractive Uses
§154.309	Standards for Transportation, Utility and Communications Uses
§154.310	Standards for Accessory Uses

§ 154. 300 Purpose and Applicability

Specific development standards are established as supplemental regulations that address the unique characteristics of certain land uses. The standards and conditions listed below apply to both permitted and conditional uses, in addition to all other applicable regulations of this ordinance. Standards shall apply in all zoning districts where the use in question is allowed. Standards for uses that apply only within specific districts are listed within the Articles pertaining to those districts.

§ 154. 301 Standards for Residential and Related Uses

- A. *Group Home.* A group home is a specific use type located within a single-family dwelling, and therefore shall meet all zoning standards applicable to single-family dwellings, including setbacks, lot area, lot coverage, and off-street parking. License capacity shall not exceed six (6) persons per facility, plus support staff.
- B. *Group Residential Facility, Halfway House.*
 - 1. In residential districts, the facility shall occupy a residential building type permitted within the district where it is located, and shall meet all zoning standards applicable to that building type.
 - 2. On-site services shall be for residents of the facility only.

C. *Congregate Housing (Assisted Living)*

1. To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of existing building and surrounding neighborhood.
2. The site shall contain a minimum of fifty (50) square feet of green space per resident, consisting of outdoor seating areas, gardens and/or recreational facilities. In cases of unique circumstances, the City may consider public parks or plazas within three hundred (300) feet of the site to meet this requirement. It is the responsibility of the applicant to demonstrate why the green space cannot be located on-site.
3. An appropriate transition area between the use and adjacent property may be required, to include landscaping, screening and other site improvements consistent with the character of the neighborhood.

D. *Semi-Transient Accommodations (Boarding, Rooming Houses, etc.)*

1. The operator shall submit a management plan for the facility and a floor plan showing sleeping areas, emergency exits and bathrooms.
2. All new construction or additions to existing buildings shall be compatible with the scale and character of the existing building and surrounding neighborhood.
3. An appropriate transition area between the use and adjacent property may be required, to include landscaping, screening and other site improvements consistent with the character of the neighborhood.

§ 154. 303 Standards for Services

A. *Educational Services.* Except in the industrial districts, all typical activities shall be conducted within an enclosed building.

B. *Medical Facilities.* The facility shall have access to an arterial or collector street of sufficient capacity to accommodate the traffic that the use will generate. A minimum of two (2) access points shall be provided.

1. Any new hospital or expansion of an existing hospital shall submit a master plan that shall describe proposed physical development for at least a ten (10) year period, and shall include a description of proposed development phases and plans, estimated dates of construction and anticipated interim uses of property.
2. Landing pads for helicopters involved in emergency rescue operations, and helicopter flight paths shall meet all applicable federal and state requirements.

C. *Nursing and Personal Care.*

1. To the extent practical, all new construction or additions to existing buildings shall be compatible with the scale and character of the existing building and surrounding neighborhood.
2. The site shall contain a minimum of fifty (50) square feet of green space per resident, consisting of outdoor seating areas, gardens and/or recreational facilities. In cases of unique circumstances, the City may consider public parks or plazas within three hundred (300) feet of the site to meet this requirement. It is the responsibility of the applicant to demonstrate why the green space cannot be located on-site.
3. An appropriate transition area between the use and adjacent property may be required, to include landscaping, screening and other site improvements consistent with the character of the neighborhood.

D. *Self-Service Storage Facility.*

1. No commercial transactions shall be permitted other than the rental or sale of storage units.
2. No more than one (1) unit shall be accessed directly from the public street.

3. Site design shall accommodate a logical and safe vehicle and pedestrian circulation pattern.

§ 154. 304 Standards for Food Services

A. Restaurant with Drive-Through

1. Drive-through elements shall not be located between the front façade of the principal building and the street. No service shall be rendered, deliveries made or sales conducted within the required front yard, although tables may be provided for customer use.
2. Site design shall accommodate a logical and safe vehicle and pedestrian circulation pattern. Adequate queuing lane space shall be provided, without interfering with on-site parking/circulation.
3. Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary building, and with a similar level of architectural quality and detailing.
4. Sound from any speakers used on the premises shall not be audible above a level of normal conversation at the boundary of any surrounding residential district or on any residential property.
5. Each food or beverage drive-through business shall place refuse receptacles at all exits.

B. Drinking and Entertainment. Music or amplified sounds shall not be audible above a level of normal conversation at the boundary of any surrounding residential district or on any residential property.

§ 154. 305 Standards for Automotive/Vehicular Uses

A. Car Wash.

1. The car wash shall be capable of being enclosed when not in operation.
2. Any access drive shall be located at least thirty (30) feet from any public street intersection, measured from the interior curb line commencing at the intersection of the street.
3. Any car wash line exit shall be at least thirty (30) feet distant from any street line.
4. Sound from any speakers used on the premises shall not be audible above a level of normal conversation at the boundary of any surrounding residential district or on any residential property.
5. Water from the car wash shall not drain across any sidewalk or into a public right-of-way.

B. Gasoline Station

1. *Lot Size and Access.* A gasoline station site shall be a minimum of twenty thousand (20,000) square feet in size and shall have access to a collector or higher classification street.
2. *Performance Standards.* A drainage system subject to the approval of the City Engineer shall be installed. The entire site, with the exception of the area taken up by the structure, landscaping and pump islands, should be surfaced with asphalt, concrete or other material approved by the City.
3. All vehicle repairs shall be conducted in a building capable of being enclosed when not in use.
4. *Vehicles.* No vehicles other than those utilized by employees or awaiting service shall be parked on the premises overnight. No vehicle shall be parked or awaiting service longer than fifteen (15) days.
5. *Canopies.* Canopies shall be located no closer than twenty (20) feet from any property line. Any lighting on the underneath side of the canopy shall be recessed mounted with flush

lenses and downward directed. Signage on canopies shall comply with §154.212. Canopy columns and fascia should reflect the design and/or materials of the principal building.

6. *Screening of Storage Areas.* The storage or display of inoperable or unlicensed vehicles not awaiting service as in subsection (B4) or other equipment, and all trash storage or disposal facilities, shall meet all setback requirements of a structure, and shall be screened from view from adjacent public streets and adjacent residential properties. Screening shall meet the requirements of Article 6, Section 154.258.
7. *Outdoor Display.* Exterior display of items offered for sale shall meet all building setback requirements and shall be located in containers, racks or other structures designed to display merchandise.
8. *Accessory Uses.* The following accessory uses shall require a separate conditional use permit:
 - a. Automatic car and truck wash
 - b. Rental of vehicles, equipment or trailers
 - c. General retail exceeding two thousand five hundred (2,500) square feet in floor area.

C. *Sales and Storage Lots.*

1. *Size and Location.* The site shall be a minimum of twenty thousand (20,000) square feet in size and shall have access to a collector or higher classification street. Vehicular access to the outdoor sales area shall be at least sixty (60) feet from the intersection of any two streets.
2. All vehicle repairs shall be conducted in a completely enclosed building.
3. A site plan shall be submitted showing the layout of vehicles for sale or rent, employee parking and customer parking.
4. Sound from any speakers used on the premises shall not be audible above a level of normal conversation at the boundary of any surrounding residential district or on any residential property.

§ 154. 306 Standards for Outdoor Recreation Uses

A. *Golf Course.*

1. *Location.* The facility shall have access to a collector or higher classification street. A minimum of two (2) entry points to such facilities shall be provided.
2. *Site Plans.* Site plans for such facilities shall indicate all proposed recreation areas, building uses and locations, sanitary facilities, storage areas, parking, circulation and other information needed to assess the impacts of the proposed operation on surrounding properties and the road network.
3. *Accessory Uses.* The following accessory uses are permitted in conjunction with a golf course: A driving range, putting greens, pro shop, club house and locker facilities, maintenance buildings, course shelters, and cart storage facilities. Other accessory uses may require a separate conditional use permit.
4. *Resource Protection.* Golf courses shall be designed with consideration of environmental resources, including:
 - a. Water recycling and conservation through on-site storage and use facilities;
 - b. Use of landscaped buffers and other Best Management Practices (BMP's) to minimize fertilizer runoff and other chemicals from entering surface water bodies; and
 - c. Use of landscaping and site layout to preserve and enhance wildlife habitat.
5. *Buffering.* A planted buffer may be required to screen adjacent residential and other uses.

6. *Other Conditions.* Other conditions may be imposed to mitigate the potential impacts of the use.
- B. *Outdoor Entertainment, Restricted Recreation.*
1. *Location.* The facility shall have access to a collector or higher classification street. A minimum of two entry points to such facilities shall be provided.
 2. *Site Plans.* Site plans for such facilities shall indicate all proposed recreation and entertainment areas, sanitary facilities, storage areas, parking, circulation, estimated noise levels, and other information needed to assess the impacts of the proposed operation on surrounding properties and the road network. Conditions may be imposed to mitigate the potential impacts of the use.
- C. *Outdoor Recreation Facility.* Facilities that would generate substantial traffic, such as playing fields or aquatic centers, shall be located with access to a street of sufficient capacity to accommodate the traffic that the use will generate. A minimum of two (2) entry points to such facilities shall be provided.

§ 154. 307 Standards for Indoor Recreation/Amusement

- A. *Indoor Athletic Facility, Indoor Recreation.* Facilities that would generate substantial traffic shall be located with access to a street of sufficient capacity to accommodate the traffic that the use will generate. A minimum of two (2) entry points to such facilities shall be provided.

§ 154. 310 Standards for Accessory Uses

- A. *Bed and Breakfast.* The facility shall be located in a single-family detached dwelling.
1. The number of lodging rooms in any building shall not exceed five (5) unless in the opinion of the Planning Commission and City Council conditions warrant additional rooms.
 2. The facility shall maintain a guest register open to inspection by the City.
 3. Guest stay shall be limited to seven (7) days.
 4. The applicant shall meet all applicable government regulations.
 5. The operator shall carry liability insurance, and shall provide proof of such insurance to the City upon request.
- B. *Drive-through Facility*
1. Drive-through elements shall not be located between the front façade of the principal building and the street.
 2. Plans for on-site circulation and driveway locations shall be reviewed as part of the conditional use review process. Site design shall accommodate a logical and safe vehicle and pedestrian circulation pattern. Adequate queuing lane space shall be provided, without interfering with on-site parking/circulation.
 3. Alley access to drive-through lanes is prohibited on any block containing a residential or office-residence district, except for commercial deliveries when approved by the city engineer.
 4. Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary building, and with a similar level of architectural quality and detailing.
 5. Sound from any speakers used on the premises shall not be audible above a level of normal conversation at the boundary of any surrounding residential district or on any residential property.
 6. An emergency exit lane shall be provided for users queuing through the drive-through lane(s), without interfering with on-site parking/circulation.

- C. *Solar Energy Systems.* Solar energy systems and solar structures are permitted accessory uses in all districts, provided the system is in compliance with minimum lot requirements and setbacks.
1. A solar structure must comply with all setback, height and lot coverage restrictions unless a variance is granted.
 2. *Height limitation on adjacent properties.* No vegetation or structure shall be placed or allowed to grow so as to cast a shadow on a solar energy system greater than the shadow cast by a hypothetical wall ten (10) feet high located along the boundary line property between the hours of 9:30 a.m. and 2:30 p.m. Central Standard time on December 21.
 3. This restriction does not apply to vegetation or structures exceeding this height limit existing at the time of installation of the solar energy system.
 4. Owners of a solar energy system are encouraged to file notarized photographs of the affected area with the city prior to installation of the system.

SECTION 3. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 4. Adoption Date. This Ordinance 08-080 was adopted on this twenty-first day of May 2013, by a vote of ____ Ayes and ____ Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Adam Bell, City Clerk

This Ordinance 08-080 was published on the ____ day of _____, 2013.

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

RESOLUTION NO. 2013-44

**RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE 08-080 BY TITLE
AND SUMMARY**

WHEREAS, the City Council of the City of Lake Elmo has adopted Ordinance No. 08-080, an ordinance to the City's regulations pertaining to Specific Development Standards; and

WHEREAS, the ordinance is lengthy; and

WHEREAS, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo, that the City Clerk shall cause the following summary of Ordinance No. 08-080 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

The City Council of the City of Lake Elmo has adopted Ordinance No. 08-080, which includes specific development standards for several use classifications in the Lake Elmo Zoning Code, as well as replaces the current sections of the City Code pertaining to Service Stations and Drive-In Business. The new ordinance includes specific development standards for the following use classifications: Group Home, Group Residential Facility, Congregate Housing, Semi-Transient Accommodations, Educational Services, Medical Facilities, Nursing and Personal Care, Self-Service Storage Facility, Restaurant with Drive-Through, Drinking and Entertainment, Car Wash, Gasoline Station, Sales and Storage Lots, Golf Course, Outdoor Entertainment, Restricted Recreation, Outdoor Recreation Facility, Indoor Athletic Facility, Indoor Recreation, Bed and Breakfast, Drive-Through Facility, and Solar Energy Systems.

The full text of Ordinance No. 08-080 is available for inspection at Lake Elmo city hall during regular business hours.

BE IT FURTHER RESOLVED by the City Council of the City of Lake Elmo that the City Administrator keep a copy of the ordinance at City Hall for public inspection and that a full copy of the ordinance be placed in a public location within the City.

Dated: May 21, 2013.

Mike Pearson
Mayor

ATTEST:

Adam Bell
City Clerk

(SEAL)

The motion for the adoption of the foregoing resolution was duly seconded by member

_____ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against same:

Whereupon said resolution was declared duly passed and adopted.



MAYOR AND COUNCIL COMMUNICATION

DATE: 5/21/2013

REGULAR

ITEM #: 14

AGENDA ITEM: Approval of Revised Memorandum of Understanding Between the City and Metropolitan Council

SUBMITTED BY: Kyle Klatt, Director of Planning

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: LisaBeth Barajas, Met Council Local Planning Assistance Manager

SUGGESTED ORDER OF BUSINESS:

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

PUBLIC POLICY STATEMENT

The City Council must take action to approve a revised Memorandum of Understanding with the Metropolitan Council before the document as amended earlier this year will become effective.

SUMMARY AND ACTION REQUESTED:

The City Council is being asked to authorize the execution of an updated Memorandum of Understanding (MOU) between the City of Lake Elmo and the Metropolitan Council consistent with revisions that were previously authorized by the Met Council on February 27, 2013. These changes were developed in response to the City's recently adopted Comprehensive Plan amendment, which was considered at the same meeting as the MOU revisions. The Comprehensive Plan amendment incorporated the flexibility from the wastewater inefficiency fees and development staging that was granted in 2010 and that ultimately led to an extension of five additional years for the City to complete its mandated growth targets.

Met Council Staff has prepared formal amendments to the MOU that now reflect the revised staging as proposed in the City's I-94 Corridor Comprehensive Plan Update. Staff is recommending that the City Council execute the attached MOU amendment document and take the following action / with the following motion:

"Move to adopt Resolution No. 2013-45 authorizing execution of a revised Memorandum of Understanding between the City of Lake Elmo and Metropolitan Council"

BACKGROUND AND STAFF REPORT:

The attached documents, which include the proposed Memorandum of Understanding amendments and Met Council Resolution 2013-01, provide a fairly detailed accounting of events that have led to the Met Council granting relief from the original MOU. Even with this relief, the City has continued to communicate to the Met Council that the updated development staging (and associated inefficiency fees) may still be very difficult to achieve, especially with the condensed time period under which the City needs to accomplish the projected growth. The proposed MOU document does address these concerns by noting that the Met Council will continue to continue its dialogue with the City regarding the long-term forecasted growth and pace of growth for the City. Staff is especially pleased to see that the revised MOU document specifically notes that no Wastewater Inefficiency Fees will be imposed until the new System Statement forecasts are incorporated into the MOU.

Staff is recommending that the proposed modifications be implemented while the City continues to work towards longer-term revisions to the MOU with the goals of 1) better reflecting the most appropriate pace for future development, 2) reconsidering the overall REC unit numbers with the goal of better matching current and anticipated market conditions to the unit totals, and 3) extending the development staging period out to 2040.

RECOMMENDATION:

Based upon the above background information and Staff report, it is recommended that the City Council authorize the execution of an updated Memorandum of Understanding (MOU) between the City of Lake Elmo and the Metropolitan Council with the following motion:

“Move to adopt Resolution No. 2013-45 authorizing execution of a revised Memorandum of Understanding between the City of Lake Elmo and Metropolitan Council”

ATTACHMENT(S):

1. Resolution No. 2013-45
2. Proposed Memorandum of Understanding Amendment (Exhibit “A”)
3. Met Council Resolution 2013-01

**City of Lake Elmo
Washington County
State of Minnesota**

Resolution No. 2013-45

**A RESOLUTION AUTHORIZING EXECUTION OF A REVISED
MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF
LAKE ELMO AND THE METROPOLITAN COUNCIL REGARDING
DEVELOPMENT STAGING AND WASTEWATER INEFFICIENCY FEES**

WHEREAS, in February 1997 the Metropolitan Council submitted to the City of Lake Elmo a system statement that advised the City of the Metropolitan Council's recently adopted policy planning documents and metropolitan system plans and identified population projections and other planning elements the City should incorporate into its plan as the City fulfilled its 2008 decennial review obligations under section 473.864 of the Metropolitan Land Planning Act; and

WHEREAS, in September 2002, the Metropolitan Council found that the proposed plan update submitted by the City may substantially depart from and may have a substantial impact on metropolitan system plans, and subsequently required the City to modify its proposed plan update to ensure the City's proposed plan update did not have a substantial impact on or contain a substantial departure from metropolitan system plans; and

WHEREAS, the City appealed the Metropolitan Council's "final decision" to the Minnesota Court of Appeals and ultimately the Minnesota Supreme Court; and

WHEREAS, in August 2004, the Minnesota Supreme Court concluded the Metropolitan Council has the statutory authority to require modifications to the City's proposed plan update and affirmed the Metropolitan Council's "final decision"; and

WHEREAS, in January 2005, the Mayor of Lake Elmo and the Chair of the Metropolitan Council signed a Memorandum of Understanding, subsequently ratified by their respective governing bodies, that outlined certain criteria for guiding the City and the Metropolitan Council as the City modified its proposed plan update to ensure conformity with metropolitan system plans; and

WHEREAS, in June 2005, the City requested the Metropolitan Council to allow the City additional time within which to submit its updated comprehensive plan to the Metropolitan Council; and

WHEREAS, on July 27, 2005 the Metropolitan Council granted the City's extension request when it adopted Council Resolution No. 2005-20, but the Council deemed it appropriate and necessary to attach certain conditions and requirements to the time extension to ensure the Memorandum of Understanding is successfully implemented over time and ensure costly regional infrastructure is used effectively and efficiently; and

WHEREAS, Paragraph 3(i) of Council Resolution No. 2005-20 establishes certain population, household and residential equivalent unit (REC) levels the City is required to meet beginning in 2010 and extending through 2030; and

WHEREAS, Paragraph 3(i)(iii) of Council Resolution No. 2005-20 requires the City to pay the Metropolitan Council by January 31, 2011 a “wastewater inefficiency fee” (WIF) if the City does not meet its REC commitments in the 2007 to 2010 timeframe; and

WHEREAS, the WIF is intended to help pay the operation, maintenance, and capital costs of underutilized regional wastewater infrastructure and the costs of providing regional sewer service for development elsewhere in the region that would have occurred within the City; and

WHEREAS, the City requested temporary relief from the WIF payment due in January 2011 because the prolonged downturn of the economy has made it difficult for the City to meet its population, household and REC commitments for the 2007 to 2010 timeframe; and

WHEREAS, on March 4, 2010 the Metropolitan Council adopted Council Resolution No. 2010-08 and agreed to provide the City with the requested relief; and

WHEREAS, the City authorized execution of an amended Memorandum of Understanding at its November 16, 2010 meeting acknowledging the City’s continuing agreement to comply with the requirements of and conditions of Stated in Resolution 2005-20; and

WHEREAS, the City prepared an amendment to its Comprehensive Plan that was reviewed by the Metropolitan Council at its February 27, 2013 meeting; and

WHEREAS, said Comprehensive Plan amendment reflects the City’s efforts to plan consistent with the Memorandum of Understanding as amended and included revised population, household, and sewer staging forecasts consistent with the relief authorized under Metropolitan Council Resolution No. 2010-08; and

WHEREAS, the Metropolitan Council authorized the City to place the Comprehensive Plan amendment into effect at its February 27, 2013 meeting; and

WHEREAS, the Metropolitan Council additionally adopted Resolution No. 2013-01 at its February 27, 2013 meeting, which modified and clarified the scope and nature of the Memorandum of Understanding to address planning issues brought out by the City’s Comprehensive Plan amendment an to specifically reflect a revised schedule for development through 2030; and

WHEREAS, the modification/clarification made by Resolution No. 2013-01 is effective on the date the Metropolitan Council and the City enter into a binding agreement under which the City acknowledges the modification/clarification and states its continuing agreement to comply with the requirements and conditions stated in previous Council resolutions and the Memoranda of Understanding entered into by the Metropolitan Council and the City; and

WHEREAS, as the Metropolitan Council updates its metropolitan development guide it will examine forecasted growth through 2040 and continue a dialogue with the City regarding long-term forecasted growth and pace of growth for the City; and

WHEREAS; It is the City’s expectation that periodic discussions will continue with the Met Council regarding the status of economic activity in order to continue to consider potential future adjustments to the MOU in the following areas: 1) the potential for the City to propose alternative REC considerations (in lieu fees), 2) the overall number of mandated REC units that are appropriate based o the current and anticipated market demand for housing and commercial development, 3) the potential to evaluate the long-term viability of the current scope and pace of mandated development, and in particular to extend the scope of the agreement out to 2040 given current and anticipated economic conditions, the 2010 census report, and any 2014 framework evaluations conducted by the State Legislature and/or the

Met Council, and 4) that the calculation method for extending the WIF assessment is a reasonable reflection of the economic conditions so as not to expose the City to undue risk or liability of paying the WIF fees.

NOW THEREFORE, BE IT RESOLVED: that the City Council of the City of Lake Elmo hereby agrees to amend the Memorandum of Understanding between the City and the Metropolitan Council and authorizes execution of the revised Memorandum of Understanding attached hereto as Exhibit "A".

Passed and duly adopted this 21st day of May 2013 by the City Council of the City of Lake Elmo, Minnesota.

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)

ATTEST:

Adam Bell
City Clerk

MEMORANDUM OF UNDERSTANDING

Between the City of Lake Elmo and the Metropolitan Council
Regarding Comprehensive Planning Issues

WHEREAS, on August 5, 2004 the Minnesota Supreme Court issued a decision in a matter entitled *City of Lake Elmo v. Metropolitan Council*, 685 N.W.2d 1 (Minn. 2004) that resolved certain local and regional comprehensive planning issues raised by the City of Lake Elmo ("City") during the 1998 decennial local comprehensive plan review and update process required by Minnesota Statutes section 473.864; and

WHEREAS, various local and regional comprehensive planning issues that arose after the Supreme Court's decision have been addressed by the Metropolitan Council ("Council") and the City through formal resolutions and binding memoranda of understanding, including:

- *Memorandum of Understanding between the City of Lake Elmo and the Metropolitan Council* (Jan. 27, 2005) (outlining criteria to be considered in preparation of City comprehensive plan);
- *Metropolitan Council Resolution No. 2005-04* (adopted Feb. 9, 2005) (ratifying the January 27, 2005 Memorandum of Understanding between the City of Lake Elmo and the Metropolitan Council outlining criteria to be considered in preparing a modified City comprehensive plan);
- *Metropolitan Council Resolution No. 2005-20* (adopted July 27, 2005) (granting the City of Lake Elmo's request to extend the time within which the City must adopt a local comprehensive plan with required modifications and attaching reasonable requirements and conditions to the extension including "Wastewater Inefficiency Fee" provisions);
- *Metropolitan Council Resolution No. 2007-01* (adopted Jan. 17, 2007) (granting the City of Lake Elmo's request to extend the time within which the City must amend official controls that conflict with the City's adopted local comprehensive plan and attaching reasonable requirements and conditions to the extension);
- *Metropolitan Council Resolution No. 2010-08* (adopted Mar. 24, 2010) (granting the City of Lake Elmo's request for temporary relief from "Wastewater Inefficiency Fee" imposed under Metropolitan Council Resolution No. 2005-20);
- *City of Lake Elmo Resolution No. 2010-065* (adopted Nov. 16, 2010) (acknowledging modification to Wastewater Inefficiency Fee provisions and stating the City's continued agreement to comply with the terms and conditions stated in Metropolitan Council Resolution No. 2005-20);
- *Memorandum of Understanding between the City of Lake Elmo and the Metropolitan Council* (Dec. 30, 2010) (regarding Wastewater Inefficiency Fees).

WHEREAS, the City prepared a proposed amendment to its comprehensive plan for the South of 10th Street Area, but the staging of development served by regional wastewater service may not technically comply with the requirements established in Council resolutions or memoranda of understanding between the Council and the City; and

PROPOSED

WHEREAS, the City's proposed comprehensive plan amendment reflected the City's efforts to plan consistent with Council resolutions, the memoranda of understanding and the Metropolitan Land Planning Act, as well as the Council's adopted policies and metropolitan system plans; and

WHEREAS, as the Council updates its metropolitan development guide it will examine forecasted growth through 2040 and continue a dialog with the City regarding long-term forecasted growth and pace of growth for the City; and

WHEREAS, at its February 27, 2013 regular meeting the Council adopted Metropolitan Council Resolution No. 2013-1 which amended Paragraph 3(i) of Metropolitan Council Resolution No. 2005-04 (as amended on March 24, 2010) to reflect a revised schedule for development through 2030; and

WHEREAS, the modification/clarification made by Resolution No. 2013-01 is effective on the date the Council and the City enter into a binding agreement under which the City acknowledges the modification/clarification and states its continuing agreement to comply with the requirements and conditions stated in previous Council resolutions and the memoranda of understanding entered into by the Council and the City.

NOW THEREFORE, the City and the Council agree as follows:

1. Paragraph 2 of the December 30, 2010 Memorandum of Understanding is revised as follows:

Year	Households	Population	New Sewered*	
			Residential Equivalent Connections (REC)	
2015	3,519	9,677	515	(all residential)
2020	5,114	14,064	2,170	(1,650 residential; 520 employment)
2025	6,524	17,941	3,670	(2,700 residential; 970 employment)
2030	8,727	24,000	5,600	(4,200 residential; 1,400 employment)

* Notes: Excludes 500 existing RECs in Cimarron, 200 existing RECs in the Village and 300 existing RECs within the Eagles Point Business Park as reported by City for 2030.

There currently are 100 sewered employment RECs within the Eagles Point Business Park not included in above table.

This table differs from the table in Paragraph 1 of Council Resolution No. 2013-1 but essentially presents the same information. The difference between the numerical data in the tables (MOU vs. Resolution) reflects the existing "on-the-ground" development which includes 500 existing Cimarron RECs, plus the 200 existing Village RECs and the existing 100 RECs in the Eagles Point Business Park. There also are 200 additional assigned RECs in the Business Park. The MOU focuses on new development that will use regional infrastructure and therefore excludes these RECs in the table counts; Resolution No. 2013-1 focuses on "total RECs" and therefore includes these RECs in the table counts.

3. This revised Paragraph 2 incorporates the temporary relief granted pursuant to Paragraphs 5 and 7 of the December 30, 2010 Memorandum of Understanding.

PROPOSED

4. The City acknowledges the Council intends to issue a new System Statement and new forecast by December 31, 2015. The new forecast shall be incorporated into this Memorandum of Understanding by future amendment, prior to imposition of Wastewater Inefficiency Fees pursuant to Paragraph 6 of the December 30, 2010 Memorandum of Understanding.
5. The City acknowledges, and the parties intend, that this Memorandum of Understanding shall be a binding agreement.
6. The City agrees to comply with the requirements and conditions stated in previous Council resolutions and memoranda of understanding entered into by the Council and the City.
7. The City and the Council have caused this Memorandum of Understanding to be executed by their duly authorized representatives.
8. This Memorandum of Understanding is effective on the date this agreement is signed by the Council's authorized representative.

On behalf of the City of Lake Elmo:

By: _____
Mike Pearson, Mayor

Date: _____

On behalf of the Metropolitan Council:

By: _____
Patrick P. Born, Regional Administrator

Date: _____

**PROPOSED RESOLUTION
METROPOLITAN COUNCIL**

390 Robert Street North, Saint Paul, Minnesota 55101

RESOLUTION NO. 2013-1

**MODIFYING AND CLARIFYING THE SCOPE AND NATURE OF THE MEMORANDUM OF
UNDERSTANDING BETWEEN THE CITY OF LAKE ELMO AND THE METROPOLITAN
COUNCIL TO ADDRESS PLANNING ISSUES**

WHEREAS, in September 2002, the Council found that a proposed comprehensive plan update submitted by the City may substantially depart from and may have a substantial impact on metropolitan system plans, and subsequently required the City to modify its proposed plan update to ensure the City's proposed plan update did not have a substantial impact on or contain a substantial departure from metropolitan system plans; and

WHEREAS, the City appealed the Council's "final decision," but in August 2004, the Minnesota Supreme Court concluded the Council has the statutory authority to require modifications to the City's proposed plan update and affirmed the Council's "final decision"; and

WHEREAS, in January 2005, the Mayor of Lake Elmo and the Chair of the Metropolitan Council signed a Memorandum of Understanding, subsequently ratified by their respective governing bodies, that outlined certain criteria for guiding the City and the Council as the City modified its proposed plan update to ensure conformity with metropolitan system plans; and

WHEREAS, on July 27, 2005, the Council adopted Resolution No. 2005-20 and granted the City's request for additional time within which to submit its update comprehensive plan, but the Council deemed it appropriate and necessary to attach certain requirements and conditions to the time extension to ensure the Memorandum of Understanding would be successfully implemented over time and ensure costly regional infrastructure is used effectively and efficiently; and

WHEREAS, Council Resolution No. 2005-20 established certain population, household, and residential equivalent unit ("REC") levels the City is required to meet beginning in 2010 and extending through 2030; and

WHEREAS, Council Resolution No. 2005-20 required the City to pay the Council by January 31, 2011 a wastewater inefficiency fee ("WIF") if the City did not meet its REC commitments in the 2007 to 2010 timeframe; and

WHEREAS, the WIF is intended to help pay the operation, maintenance, and capital costs of underutilized regional wastewater infrastructure and the costs of providing regional sewer service for development elsewhere in the region that would have occurred within the City; and

WHEREAS, the City requested temporary relief from the WIF payment due in January 2011 because the prolonged downturn of the economy made it difficult for the City to meet its population, household, and employment REC commitments for the 2007 to 2010 timeframe; and

PROPOSED RESOLUTION

WHEREAS, on March 24, 2010, the Council adopted Council Resolution No. 2010-08 and agreed to provide the City with its requested relief subject to the execution of a binding Memorandum of Understanding acknowledging the City's continuing agreement to comply with the requirements and conditions stated in Council Resolution No. 2005-20; and

WHEREAS, the City has prepared a proposed amendment to its comprehensive plan for the South of 10th Street Area, but the staging of development served by wastewater in the proposed amendment may not technically comply with the Memorandum of Understanding (as amended on March 24, 2010) between the Council and the City; and

WHEREAS, the City's proposed comprehensive plan amendment reflects the City's efforts to plan consistent with the Memorandum of Understanding (as amended), the requirements of the Metropolitan Land Planning Act, and the Council's adopted policies and metropolitan system plans; and

WHEREAS, the Metropolitan Council is updating its metropolitan development guide, and in that process, is examining forecasted growth through 2040 and will continue dialog with the City regarding the long-term forecasted growth and pace of growth for the City.

NOW THEREFORE, BE IT RESOLVED:

1. Consistent with the MOU granting the City relief from the WIF, Paragraph 3(i) of Council Resolution 2005-20 (as amended on March 24, 2010) is changed to reflect a compressed schedule for development through 2030 to read as follows:

	Households	Population	RECs*	
2010	2,779	8,669	0	
2015	3,519	9,677	615	(515 residential, 100 employment)
2020	5,154	14,081	2,320	(1,750 residential, 770 employment)
2025	6,524	17,941	4,670	(3,400 residential, 1,270 employment)
2030	8,727	24,000	8,500	(7,900 residential, 1,700 employment)

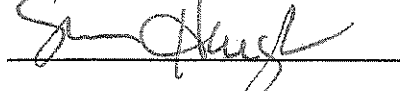
* Includes 500 RECs existing Cimarron, 200 RECs existing Village, 300 RECs existing Eagles Point

2. This modification and clarification of the Memorandum of Understanding (as amended on March 24, 2010) is effective on the date the Council and the City enter into a binding agreement under which the City acknowledges this modification and clarification and states its continued agreement to comply with the requirements and conditions stated in the Council Resolutions and the Memorandum of Understanding.


PROPOSED RESOLUTION

3. The Regional Administrator is authorized to negotiate and execute on behalf of the Council a Memorandum of Understanding consistent with this Resolution.
4. Except for the modifications and clarifications identified in this Resolution, the requirements and conditions of Council Resolution Nos. 2005-20 and 2010-08 shall remain in force and effect without change.

Adopted this 27 day of February, 2013.



Susan Haigh, Chair



Emily Getty, Recording

City of Lake Elmo 2013 Council Retreat
Date TBD
Holiday Inn Express, Eagle Point Business Park
Lake Elmo, MN

AGENDA
Friday Evening

5:30 - 6:00 PM	Informal Gathering / Appetizers
6:00 - 6:45 PM	Balanced Scorecard Review of Progress Since 2012 Retreat - Mission Statement, Vision Statement, Core Values
6:45-7:30 PM	Balanced Scorecard Review of Progress Since 2012 Retreat - Organizational Structure & Process
7:30 - 7:45 PM	Break
7:45 - 9:00 PM	Review of 2012 Planning & Growth Program/2013 Plan
9:00 - 10:00 PM	Review of Essential Services - Public Safety & Streets
10:00 PM	Adjourn

Saturday Morning

7:45 - 8:00 AM	Informal Gathering / Continental Breakfast
8:00 - 9:00 AM	Financial State of the Village
9:00 - 11:00 AM	Tackling the Big 4 Issues - Groundwater Contamination -Met Council MOU -Quality of Life/ Image / Park - Civility
11:00 - 11:50 AM	Council "Vision Casting" -10 Minute Presentations By the Council on What They Want Lake Elmo To Be
11:50 - 12:00 NOON	Wrap Up