

**NOTICE OF MEETING**  
**City Council Meeting**  
**Tuesday, November 19, 2013 7:00 P.M.**  
**City of Lake Elmo | 3800 Laverne Avenue North**

**\*\*\*Planning Commission Interview\*\*\***  
**Sara Yocum - 6:30PM**

**AGENDA**

- 7:00 A. Call to Order**  
**B. Pledge of Allegiance**  
**C. Roll Call**  
**D. Order of Business**  
**E. Approval of Agenda**  
**F. Accept Minutes**  
    1. Accept November 06, 2013 Special City Council Meeting Minutes  
**G. Council Reports**  
    • Mayor  
    • Council  
**7:10 H. Public Comments/Inquiries**  
**I. Speak Your Peace -**  
**J. Presentations**  
    Quality Star - Cathy Bendel for Growth Pro Forma  
**7:15 K. Consent Agenda**  
    2. Approve Payment of Disbursements and Payroll  
    3. Accept Financial Report dated October 31, 2013  
    4. Accept Building Permit Report dated October 31, 2013  
    5. Production Well No. 4 - Pay Request No. 4.  
    6. Production Well No. 4 - Change Order No. 1.  
    7. Section 34 Water and Sewer Utility Extension Improvements - Pay Request No. 1.  
    8. Lake Elmo Sewer Infrastructure Improvements: I-94 to 30th St. - Pay Request No. 2.  
    9. Street Capital Improvement Program - Authorize Geotechnical Services for Streets  
        programmed in 2014-2016  
    10. ~~Approve Public Works Radio Purchase for SCADA System~~  
    11. Approve RFP for New City Assessor as of 2/1/2014  
**7:20 L. Regular Agenda**  
    12. Electrical Inspections; *Ordinance 08-093, Ordinance 08-094*  
    13. Design Standards Manual; *Resolution 2013-97*  
    14. Design Review Ordinance; *Ordinance 08-095, Resolution 2013-98*

7:50 15. Approve Council Mileage Policy

**M. Staff Reports and Announcements**

- City Administrator
- City Attorney
- Planning Director
- City Engineer
- Finance Director
- City Clerk

8:40 N. Executive Session

16. Adjourn to *Closed Session* per MN State Statute 13D.05, Subd. 3(b) Attorney- Client Privilege regarding 3M litigation

9:00 O. Adjourn

**\*\*\*\*Item times are estimates and subject to change\*\*\*\***

**LAKE ELMO CITY COUNCIL MINUTES  
NOVEMBER 06, 2013**

**CITY OF LAKE ELMO  
CITY COUNCIL MINUTES  
NOVEMBER 06, 2013**

*Mayor Pearson called the meeting to order at 7:00 P.M.*

**PRESENT:** Mayor Pearson, Council Members Nelson, Smith, Bloyer, and Reeves.

**ABSENT:**

Also Present: City Administrator Zuleger, City Attorney Snyder, Planning Director Klatt, City Planner Johnson, City Engineer Griffin, and City Clerk Bell.

**PLEDGE OF ALLIGENCE**

**APPROVAL OF AGENDA**

***MOTION:** Council Member Nelson moved **TO REMOVE ITEM 11 FROM THE CONSENT AGENDA FOR DISCUSSION**. Council Member Bloyer seconded the motion. **MOTION PASSED 5-0.***

***MOTION:** Council Member Bloyer moved **TO REORDER ITEM 17 TO AFTER DESIGN REVIEW ORDINANCE (AFTER ITEM 20)**. Council Member Nelson seconded the motion.*

Council Member Reeves pointed out that it applies to all areas, not just the mixed use zoning.

***MOTION PASSED 5-0.***

***MOTION:** Council Member Reeves moved **TO APPROVE THE NOVEMBER 06, 2013 CITY COUNCIL AGENDA AS AMENDED**. Council Member Nelson seconded the motion. **MOTION PASSED 5-0.***

**ITEM 1: ACCEPT MINUTES**

***THE SEPTEMBER 10, 2013 CITY COUNCIL SPECIAL MEETING MINUTES WERE APPROVED AS AMENDED BY CONSENSUS OF THE CITY COUNCIL.***

**ITEM 2: ACCEPT MINUTES**

***THE OCTOBER 15, 2013 CITY COUNCIL MINUTES WERE APPROVED AS AMENDED BY CONSENSUS OF THE CITY COUNCIL.***

**COUNCIL REPORTS:**

**Council Member Reeves:** helped facilitate staff retreat. As part of retreat, he took tour of city to see various projects throughout the city. It was very educational; held Speak Your Peace initiative with Alyssa MacLeod at Lake Elmo Elementary with 6<sup>th</sup> graders. He was very impressed with the caliber of the students and how well the group grasped civility. He complimented Alyssa for gathering support and working with the teachers; attended HR Committee meeting. Committee includes two outstanding resident members.

**Council Member Bloyer:** spoke with business owner in Village about the direction Village is taking; will be participating in a cable access show; also attended and participated in training burn with fire dept.

**Mayor Pearson:** reported NextGen group is preparing Christmas tree lighting event for 12/7; worked with staff at meetings regarding bonding bill; EDA group met.

**Council Member Smith:** no report

**Council Member Nelson:** involved in training burn with fire department. Learned a lot about what they do.

**PUBLIC COMMENTS:** None

**SPEAK YOUR PEACE – PEARSON**

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Mayor Pearson spoke on gossip. It is very destructive to relationships. The Mayor offered tips to avoid gossip: Before speaking about anyone imagine they are present; imagine if you would have to apologize if that person found out what you said; if you have to look behind you, it is probably gossip; using the phrase "love that guy, but.."; stated that even if it is true, it can still be gossip.

**PRESENTATIONS** Quality Star Award presentation postponed until next meeting.

### **CONSENT AGENDA**

3. Approve Payment of Disbursements and Payroll in the Amount of \$286,015.19
4. 2013 Crack Seal Project – Pay Request No. 1 (FINAL)
5. Section 34 Water and Sewer Utility Extension Improvements – Change Order No. 1
6. Lake Elmo Sewer Infrastructure Improvements: I-94 to 30<sup>th</sup> St. – Change Order No. 2
7. Encroachment Agreement – 10950 57<sup>th</sup> St. N
8. Encroachment Agreement – 5820 Lily Ave. N.
9. Establishment and Appointment of Lake Elmo Public Safety Committee
10. Approve New Council Memo Format
11. ~~New Single Axle Plow Truck Purchase~~
12. Approve Resolutions 2013-90A/B Calling For Public Hearing To Vacate Easement; **Resolution 2013-90A, Resolution 2013-90B**

**MOTION:** Council Member Nelson moved **TO APPROVE THE CONSENT AGENDA AS AMENDED.** Council Member Reeves seconded the motion. **MOTION PASSED 5-0.**

### **ITEM 11: NEW SINGLE AXLE PLOW TRUCK PURCHASE**

City Administrator Zuleger provided the background on the truck purchase and explained the reason for the increase in price. Ford stopped making the Sterling model. MAC committee chose to purchase the Mack truck with Mack engine. Due to this different truck option, there is an increased price. The truck will not be available until next year due to backorders. Council Member Nelson would like the city to wait until 2014 to purchase the truck in order to take advantage of the City's new tax-exempt status in 2014.

**MOTION:** Council Member Nelson moved **TO AUTHORIZE THE PURCHASE OF A NEW MACK GU812 TRUCK EQUIPPED WITH THE TOWMASTER COMPONENT PACKAGE FOR \$197,661.26 (AFTER JANUARY 1, 2014 TO TAKE ADVANTAGE OF TAX-EXEMPT STATUS).** Council Member Reeves seconded the motion.

Mr. Zuleger pointed out that City is still purchasing under the state contract.

**MOTION PASSED 5-0.**

### **REGULAR AGENDA**

#### **ITEM 13A: KEATS MSA STREET AND TRUNK WATERMAIN IMPROVEMENTS – ASSESSMENT HEARING ON STREET IMPROVEMENTS AND ADOPTING THE FINAL ASSESSMENT ROLL**

City Engineer Griffin provided overview of the Keats Ave. street and trunk watermain improvements. He explained that the street and water are two separate items. Mr. Griffin explained the street portion. The final unit assessment amount for each benefiting property is \$3,400. Mr. Griffin provided overview of notice process and assessment details.

Mayor Pearson asked about who performs the inspection on the work. Mr. Griffin explained that there have been multiple people throughout the project, including himself, Chad Isakson, Ryan Stempski, and Mike Bouthilet as well as the contractor. Throughout the year, they create the checklists. The entire group does the final walkthrough. There is a one year warranty on the work.



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**MOTION:** Council Member Nelson moved **TO OPEN PUBLIC HEARING**. Council Member Reeves seconded the motion. **MOTION PASSED 5-0. PUBLIC HEARING OPENED AT 7:26PM.**

**Rod Sessing** 5699 Keats Ave. change the assessment for some properties. He claimed that some owners received more benefits than others; therefore should not be assessed the same amount.

Mr. Griffin explained that the minimal work is done and this was not a culvert replacement project, but instead a street improvement.

**Lee Ann Slomkowski** 5415 Keats Ave. stated she will never use the watermain. She alleged that she is half a mile away and also thinks that the street portion is high.

**MOTION:** Council Member Nelson moved **TO CLOSE PUBLIC HEARING**. Council Member Reeves seconded the motion. **MOTION PASSED 5-0. PUBLIC HEARING CLOSED AT 7:30PM.**

Council Member Reeves asked for further explanation on the benefits received. Mr. Griffin reiterated that it was a street project. It is not just a residential road, but a more widely used road. The majority of cost is paid out of state and City funds. Mr. Griffin explained the formula used. Council Member Reeves asked if the Sessing culvert was undisturbed. Mr. Griffin stated that it was. The culverts were discussed. Council Member Smith stated that previous projects have been much higher, and this was not as high as it could be.

Mayor Pearson said he does not believe determining individual assessments would be practical.

**MOTION:** Council Member Nelson moved **TO APPROVE RESOLUTION NO. 2013-91, ADOPTING THE FINAL ASSESSMENT ROLL FOR THE STREET IMPROVEMENTS FOR THE KEATS MSA STREET AND TRUNK WATERMAIN IMPROVEMENTS**. Council Member Smith seconded the motion.

Council Member Bloyer stated that he is voting for the item because it is the right thing to do despite his reservations.

**MOTION PASSED 5-0**

**ITEM 13B: KEATS MSA STREET AND TRUNK WATERMAIN IMPROVEMENTS – ASSESSMENT HEARING ON WATER IMPROVEMENTS AND ADOPTING THE FINAL ASSESSMENT ROLL**

Mr. Griffin provided overview of the water improvement portion. The Project is substantially complete and the special assessments for this project were established as fixed amounts for a trunk watermain extension. Therefore the unit assessments remain unchanged with the final project costs. Preliminary \$5,800 assessment. \$2,900 final unit assessment for each benefiting property and balance due at time of connection.

**MOTION:** Council Member Reeves moved **TO OPEN PUBLIC HEARING**. Council Member Nelson seconded the motion. **MOTION PASSED 5-0. PUBLIC HEARING OPENED AT 7:39PM.**

**George Crocker** 5093 Keats Ave. presented his formal objection to water assessment. He read his letter to the council [entered into record as packet agenda attachment].

**MOTION:** Council Member Reeves moved **TO CLOSE PUBLIC HEARING**. Council Member Smith seconded the motion. **MOTION PASSED 5-0. PUBLIC HEARING CLOSED AT 7:46PM.**

Council Member Smith spoke about the previous discussions about city wide water system. When city knew it would have to grow, it cannot expect to put in single wells for each property. It is impractical. The benefit is received by entire city. Ms. Smith stated the values of individual wells are not threatened. 5000 additional wells would have a more severe effect on ground water supply.

Council Member Reeves asked about well impact on groundwater. Mr. Griffin explained the extensive testing that the city has conducted. There is no negative impact on surrounding wells. Mr. Reeves wants to make sure that the city has effectively looked at the impact. Mr. Griffin assured him that the City has.

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Ms. Smith asked Mr. Griffin to further explain Ms. Slomkowski's issues. Mr. Griffin said her property was always part of plan. Council has previously discussed how to deal with distant properties. The half assessment was part of that decision.

Mayor Pearson noted insurance benefit as well as additional benefits of proximity to water. Mr. Reeves clarified that the access to the hydrant is a benefit. City Attorney Snyder explained the assessments can actually exceed the cost of the work. It is actually the value of the benefit that can be assessed. At times the benefit can exceed the cost of the project. That is not the case here. The city's portion is about 95% of the cost.

**Mr. Sessing** thanked council for splitting assessment. He asked that the water improvements be registered so that owners can receive insurance benefit.

**MOTION:** Council Member Reeves moved **TO APPROVE RESOLUTION NO. 2013-92, ADOPTING THE FINAL ASSESSMENT ROLL FOR THE WATERMAIN IMPROVEMENTS FOR THE KEATS MSA STREET AND TRUNK WATERMAIN IMPROVEMENTS.** Council Member Smith seconded the motion.

Council Member Bloyer stated that he was not pleased with how the City got here. He voiced his concerns over past planning and failures in development. Council Member Smith reminded everyone that 10 years ago was very different time and situation for the city. The attitude was how to comply with the MOU. City did the best that they could at the time. Council Member Nelson stated that all the future properties in the south will be paying the \$5800 going forward. It is not always going to be fair to everyone.

### **MOTION PASSED 5-0**

### **ITEM 14: LAKE ELMO AVENUE TRUNK WATERMAIN IMPROVEMENTS – RESOLUTION RECEIVING FEASIBILITY REPORT AND CALLING HEARING ON IMPROVEMENT**

City engineer Griffin provided overview of the Lake Elmo trunk watermain project. The proposed improvements include the extension of trunk watermain along Lake Elmo Avenue, from the existing Village water system, south approximately 2.5 miles to the future intersection location of Lake Elmo Avenue and 5<sup>th</sup> Street. The improvements are identified for construction in 2014 and are consistent with the draft capital improvement plan.

Individual home service stubs and fire hydrants will be installed as a part of the project as the trunk watermain is extended past existing residential properties. The improvements will benefit the property owners by providing them the opportunity to connect to the municipal water system and will provide increased fire protection for the property. Council Member Nelson asked about whether pipe will be installed in street or on grass. Mr. Griffin stated it will be in the street along the lake and in grass after where it can.

Mr. Griffin stated that this project has been planned for a while, but timing has never been decided. Three recent requests for water from developers is why project is now being brought forward.

Mr. Griffin explained that the project area includes 44 properties, but only 35 assessments (32 resident properties (1 unit each) and 1 commercial property (3 units)) for properties benefiting from the proposed improvements. Proposed cost is \$2.9 million. Mr. Griffin explained the potential development revenue for each of the proposed developments.

The recommendation is for 35 properties assessed at \$2,900, with an additional \$2,900 lateral benefit charge deferred until the property chooses to connect to the water system. Payable over 15 years. He explained additional owner costs and City costs for service stubs installation. He also explained benefits and provided an overview of the schedule and noted important decision points. This is a council initiated project. Project as proposed has a capacity for 400 additional RECs until a water tower is needed.

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Council Member Reeves appreciated being a part of the process from the beginning. It affords him a better understanding.

Mayor Pearson asked if these properties were as far back as Keats how they got the split assess. Mr. Griffin said they are much closer. Requiring developments to connect was discussed.

Mr. Reeves asked if City can vary from the \$2,900. Mr. Griffin said yes. He explained how he suggested the \$5,800 for the previous assessments, but council at the time elected for the \$2,900. He reminded council of Attorney Snyder's comment that the city can actually assess the benefit value. Many properties will have much higher costs when system is extended into residential areas.

Council Member Nelson asked about when Council can expect preliminary plats on the proposed developments. Mr. Nelson is concerned that the developments actually happen. City Administrator Zuleger said the city expects to see plats this winter. City staff is being very conservative and cautious to protect the City from additional water debt. Things are happening in the natural course.

**MOTION:** Council Member Smith moved **TO ADOPT RESOLUTION NO. 2013-93, RECEIVING THE FEASIBILITY REPORT AND CALLING HEARING ON LAKE ELMO AVENUE TRUNK WATERMAIN IMPROVEMENTS**. Council Member Bloyer seconded the motion.

The assessment amount was discussed. If council wants the higher assessment amount, the motion should be amended.

**COUNCIL MEMBER SMITH WITHDREW HER MOTION.**

**MOTION:** Smith moved **TO ADOPT RESOLUTION NO. 2013-93, RECEIVING THE FEASIBILITY REPORT AND CALLING HEARING ON LAKE ELMO AVENUE TRUNK WATERMAIN IMPROVEMENTS WITH AN ASSESSMENT OF \$5800**. Mayor Pearson seconded the motion.

The assessment amount was further discussed. Council consensus was that going forward the \$5,800 standard should be used.

**MOTION PASSED 4-1 (BLOYER – NAY).**

#### **ITEM 15: APPROVE RESOLUTION NO. 2013-94, A RESOLUTION GRANTING ASSESSMENT DEFERRAL FOR HARDSHIP TO ELIGIBLE PROPERTIES**

City Clerk Bell provided overview of the assessment deferment process and explained the applications the City had received to date. This was in regards to the 2012 Street and Water Quality Improvements in the Demontreville area. He noted that one of the applicants has since withdrawn their request. Council is expected to review the eligibility every 3-5 years. Mr. Bell explained that the approval is subject to staff verification of eligibility.

**MOTION:** Council Member Smith moved **TO APPROVE RESOLUTION NO. 2013-94, A RESOLUTION GRANTING ASSESSMENT DEFERRAL FOR HARDSHIP TO ELIGIBLE PROPERTIES PENDING ELIGIBILITY VERIFICATION**. Council Member Nelson seconded the motion. **MOTION PASSED 5-0.**

#### **ITEM 16: CONSIDER PARKS COMMISSION APPOINTMENT**

City Clerk Bell provided the background of the interview and appointment process. He noted that one of the applicants has since withdrawn his application.

**MOTION:** Council Member Bloyer moved **TO POSTPONE UNTIL BLOYER CAN SPEAK WITH APPLICANT**. Council Member Nelson seconded the motion.

Council Member Smith expressed her comfort with the appointment after receiving council feedback.

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***MOTION FAILED 2-3 (SMITH, PEARSON, AND REEVES – NAY)***

***MOTION:*** Council Member Smith moved **TO APPOINT MARY FRICK OF 2773 LISBON AVE N AS 2<sup>ND</sup> ALTERNATE ON THE LAKE ELMO PARKS COMMISSION, EFFECTIVE IMMEDIATELY.** Council Member Reeves seconded the motion. **MOTION PASSED 4-0-1 (BLOYER ABSTAIN).**

Council Member Reeves congratulated Mary Frick. He thought all the candidates were great.

**ITEM 18: DIEDRICH/REIDER PROPERTY COMPREHENSIVE PLAN AMENDMENT**

Planning Director Klatt provided overview of the comp plan amend application. It involves a change to the future land use designation of property (PID 36.029.21.32.0002) north of Interstate 94 and east of Lake Elmo Avenue from High Density Residential (HDR) to Medium Density Residential (MDR). This property is located within the I-94 Corridor Planning Area and was therefore part of the area that was included in the last comprehensive plan update approved by the City. The property is presently under contract for purchase by Pratt Homes. Pratt would like to develop the property as a single attached/detached residential townhome development at a density that is much lower than the future land use guidance of HDR (7.5 to 15 units per acre) that was approved as part of the comprehensive plan update.

Council Member Smith asked about the comp plan amendment. The status of the comp plan amendment was discussed. The upcoming meeting with the met council was also discussed. The final adoption is scheduled for 12/7.

***MOTION:*** Council Member Nelson moved **TO ADOPT RESOLUTION NO. 2013-96, APPROVING THE REQUEST BY TAMMY DIEDRICH AND GARY REIDER TO AMEND THE LAKE ELMO COMPREHENSIVE PLAN.** Council Member Smith seconded the motion. **MOTION PASSED 5-0.**

***MEETING RECESSED AT 8:51PM***

***MEETING RECONVENED AT 8:58PM***

**ITEM 19: LAKE ELMO DESIGN STANDARDS MANUAL**

City Planner Johnson presented the Design Standards Manual. Staff has worked with Planning Commission for more than a year on standards. Planning Commission unanimously recommended adoption. Mr. Johnson explained the purpose of adoption. Mr. Johnson noted there are already some existing standards located in City Code § 154.555 that would be replaced by referring to the manual.

Mr. Johnson explained the process of the development of standards and the review authority. It included seven Planning Commission meetings. A stakeholder workshop was also held. Two perfecting amendments were included.

Council Member Smith stated that she had some concerns but overall likes the manual.

Council Member Bloyer asked about competing communities and what they have for standards. Mr. Johnson explained Woodbury's standards and what was used. The manual format is new trend. Most cities still have a codified version.

Council Member Reeves asked about the Building Design requirements for windows or doors on all sides of building. This requirement being too onerous was discussed. The issue of whether the standards should be in a manual or codified was discussed.

Council Member Nelson asked for clarification on the lighting requirements. Mr. Johnson stated there are no conflicts. Mr. Bloyer asked about the design review. Mr. Johnson stated that the intention is to be ahead of development.

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Ms. Smith asked about what will happen to the placeholders currently in the code and the impact of the village mixed use dist. Mr. Johnson said that eventually each district will include the standards by reference.

Mr. Nelson asked about the term "simulated" materials. He would like greater clarity provided. City Administrator Zuleger noted that the language provides a bit more flexibility. It was agreed that some examples should be provided.

The question of whether these standards should be codified or in a manual form was further discussed. A manual would be able to be changed much more easily; another advantage is that the manual can include pictures; City Attorney Snyder noted that the flexibility would be good when first starting out. All Council members expressed some reservations with some specifics, but overall were supportive of the manual. Perhaps guidelines as opposed to standards where applicable would be a better approach.

Whether the Council should have a workshop on this item was discussed. Mayor Pearson and Council Members Nelson, Reeves, and Bloyer were all in favor of this. Council Member Smith does not want to wordsmith the document. Mr. Zuleger encouraged Council to pass the mixed use zoning ordinance tonight so that the village growth does not fall further behind the I94 area. Mr. Reeves wants to make sure that what is passed is thoroughly analyzed by the council. He also does not want to wordsmith the document or dismiss the work that the Planning Commission has already done, but he wants to be diligent in substantive analysis.

***MOTION: Council Member Nelson moved TO POSTPONE ITEMS 19 AND 20 UNTIL THE 11/12 COUNCIL WORKSHOP. Council Member Reeves seconded the motion. MOTION PASSED 5-0.***

#### **ITEM 20: DESIGN REVIEW ORDINANCE**

***POSTPONED TO 11/12 WORKSHOP***

#### **ITEM 17: VMX – VILLAGE MIXED USE DISTRICT ZONING TEXT AMENDMENT**

Klatt presented the proposed ordinance. The VMX ordinance has been drafted in order to help implement the recently adopted land use plan for Village Planning Area. The intent of the VMX ordinance is to facilitate development that is consistent with a compact, walk-able environment that builds upon the historical land use patterns of the Village. It has also been designed to allow a wide range of uses and activities and encourages the mixing of different use types. The ordinance includes standards for specific development types with provisions that address the unique character of the Village.

In general, the proposed ordinance standards will allow a much higher degree of flexibility for building and activity in the Village than is presently permitted under current ordinances. There are presently three distinct districts in the Village for commercial, residential, and public development, and none of these districts are structured in a manner that is consistent with the goals and objectives of the Comprehensive Plan. By creating a new VMX district within the Village Planning Area, the City will better be able to plan for future development that meets the objectives of the Village Land Use Plan.

The reference to the Master Plan was discussed. It was explained that it was a document that was accepted by the Council in 2007. Council Member Smith asked about the sliver of zoning on the map. Mr. Klatt explained that it would be revisited at a later point as a perfecting amendment. Ms. Smith also asked about public facility zoning. Mr. Klatt stated that those areas will be guided as public uses, but the mixed use allows greater flexibility. Discussion of how that zone would be changed. It would be changed at a future date if needed.

Council Member Bloyer asked about page 7 (E) regarding screening. Mr. Klatt said Lake Elmo repair would be grandfathered in.

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The issue of repairs and maintenance and the term remodeling was discussed. When staff review would be required was explained. Building permit review would be the applicable time. Mr. Bloyer wants all of § 154.506 struck from the ordinance. Council Member Nelson asked if the entire building is placed under review if there is an addition. Staff said that is not the intent. Just the expansion would be subject to the standards.

Mayor Pearson asked about page 9 (b)(2)(a)- how is that criteria and economic feasibility determined? Mr. Klatt said the Council would make determination upon recommendation by the Planning Commission. City Administrator Zuleger stated that there is some trust in staff needed. The appropriateness of review of what an owner wants to do with their property was discussed.

***MOTION: Council Member Smith moved TO APPROVE ORDINANCE 08-091, AMENDING CHAPTER 154 OF THE CITY CODE AND ADDING THE VMX VILLAGE MIXED USE DISTRICT TO THE ZONING ORDINANCE. Council Member Reeves seconded the motion.***

Council Member Bloyer wants to remove entire review and demolition section. Does not believe anyone should have to justify the demolition. Council Member Reeves asked for the purpose. Mr. Klatt explained this creates the process for what is reviewed and to protect properties that the City wants to preserve. Mr. Bloyer asked about when a modification would have to come before the council or commission. Mr. Klatt said that most would just be reviewed by staff.

***MOTION: Council Member Bloyer moved TO AMEND ORDINANCE BY STRIKING ALL OF 154.506. MOTION FAILED FOR LACK OF SECOND.***

***MOTION: Council Member Nelson moved TO AMEND ORDINANCE BY STRIKING REFERENCES TO DEMOLITION REVIEW IN 154.506. Council Member Bloyer seconded the motion.***

Mr. Klatt presented what the amendment would look like as amended. What properties would be covered by this was discussed. Mr. Klatt explained what the options were for preservation of certain properties. The character of the village was debated. Mayor Pearson expressed his concern about discouraging what people can do with their property. Mr. Reeves suggested that at the design standards point the council can determine what is wanted to be protected.

Mayor Pearson asked about how a property would become historical. Mr. Klatt provided explanation of how properties are designated historical. The village would probably be better suited for individual properties as opposed to district wide.

Mr. Nelson asked about the professional review requirement. Mr. Klatt explained that it is for the possibility of where review would be beyond the expertise of the staff. When the review would apply was discussed. Mr. Klatt stated that it is the enforcement aspect that is needed.

***MOTION TO AMEND PASSED 4-1 (SMITH - NAY).***

Council Member Nelson asked about recovering the cost if over \$1000. City Administrator Zuleger explained that everything done is now cost recoverable.

Council Member Bloyer asked if the amendment included limiting remodeling review where the footprint of the building is changed.

***MOTION: Council Member Bloyer moved TO AMEND THE ORDINANCE TO LIMIT REMODELING REVIEW WHERE THE FOOTPRINT WAS CHANGED. Council Member Nelson seconded the motion. MOTION PASSED 3-2 (SMITH AND REEVES - NAY).***

***ORIGINAL MOTION AS AMENDED PASSED 4-1 (SMITH - NAY).***

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**MOTION:** Council Member Bloyer moved **TO APPROVE RESOLUTION NO. 2013-95, AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 08-091.** Council Member Reeves seconded the motion. **MOTION PASSED 5-0.**

**ITEM 21: PARKS COMMISSION MISSION STATEMENT**

Council Member Reeves explained the changes and purpose for the change. He explained the new language. The proposed amendment better reflects the Parks Commission role and responsibilities.

**MOTION:** Smith moved **TO APPROVE ORDINANCE 08-092, RATIFYING A NEW MISSION STATEMENT FOR THE LAKE ELMO PARKS COMMISSION.** Council Member Reeves seconded the motion.

Council Member Smith thanked Council Member Reeves for his work and getting the Commission to move forward. Mr. Reeves shared the credit with Administrator Zuleger and Alyssa MacLeod, but most importantly to the Commission. Ms. Smith also extended credit to Mr. Zuleger and Ms. MacLeod.

**MOTION PASSED 5-0.**

**ITEM 22: FEASIBILITY STUDY FOR LAKE ELMO REGIONAL TRAIL**

City Administrator Zuleger explained the trail committee's work on implementing the Lake Elmo Trail Plan. The first project is the east-west trail from Oakdale to downtown. Request is for using park funds for a feasibility study not to exceed \$12,000. Chairman Weis has been a leader on this.

**MOTION:** Council Member Reeves moved **TO APPROVE THE ALLOCATION OF PARKLAND DEDICATION FUNDS, NOT TO EXCEED \$12,000 FOR A STUDY TO DETERMINE THE FEASIBILITY OF AN EAST-WEST REGIONAL TRAIL CONNECTING OAKDALE TO THE STILLWATER SENIOR HIGH SCHOOL IN REASONABLE PROXIMITY TO THE HIGHWAY 5 CORRIDOR.** Council Member Smith seconded the motion. **MOTION PASSED 4-1 (BLOYER - NAY).**

**SUMMARY REPORTS AND ANNOUNCEMENTS**

**City Administrator Zuleger:** staff adopted a theory of success at retreat. The status of the plan of work was presented.

**City Attorney Snyder:** no report

**Planning Director Klatt:** 11/18 at 4pm Met Council approval on 12/11.

**City Engineer Griffin:** No report

**City Planner Johnson:** No report

**City Clerk Bell:** reported on the successful ISD 834 election. Thanked the election judges for all their hard work in making is run smoothly and incident free.

Council Member Smith noted her pleasure for the recent installation of the quiet tracks on the railroad.

**Mayor Pearson adjourned the meeting at 10:56PM.**

**LAKE ELMO CITY COUNCIL**

ATTEST:

\_\_\_\_\_  
Mike Pearson, Mayor

\_\_\_\_\_  
Adam R. Bell, City Clerk



## MAYOR & COUNCIL COMMUNICATION

**DATE:** November 19, 2013  
**CONSENT**  
**ITEM #2**  
**MOTION**

**AGENDA ITEM:** Approve Disbursements in the amount of \$1,147,283.47

**SUBMITTED BY:** Cathy Bendel, Finance Director

**THROUGH:** Cathy Bendel, Finance Director

**REVIEWED BY:** Dean Zuleger, City Administrator

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### **SUGGESTED ORDER OF BUSINESS:**

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

**POLICY RECOMMENDER:** Finance

**FISCAL IMPACT:** \$1,147,283.47

**SUMMARY AND ACTION REQUESTED:** As part of its Consent Agenda, the City Council is asked to approve disbursements in the amount of \$1,147,283.47. No specific motion is needed as this is recommended to be part of the *Consent Agenda*.

**LEGISLATIVE HISTORY:** NA



**BACKGROUND INFORMATION/STAFF REPORT:** The City of Lake Elmo has the fiduciary responsibility to conduct normal business operations. 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	\$ 12,203.85	Payroll Taxes to IRS & MN Dept of Revenue 11/14/13
ACH	\$ 5,990.31	Payroll Retirement to PERA 11/14/13
DD5071- D5118	\$ 35,669.58	Payroll Dated (Direct Deposits) 11/14/13
40581-40585	\$ 3,036.77	Accounts Payable Manual 11/06/13
40586-40648	\$1,089,962.96	Accounts Payable 11/19/13
2112-2118	\$ 420.00	Library Card Reimbursement 11/19/13
<b>TOTAL</b>	<b>\$1,147,283.47</b>	

**RECOMMENDATION:** Based on the aforementioned, the staff recommends the City Council approve as part of the Consent Agenda the aforementioned disbursements in the amount of \$1,147,283.47.

**ATTACHMENTS:**

1. Accounts Payable – check registers

# Accounts Payable To Be Paid Proof List

User: denise

Printed: 11/05/2013 - 11:32 AM

Batch: 002-11-2013

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
DAVISTHO Davis Dr. Thomson										
10/14/2013	10/14/2013	850.00	0.00	11/06/2013	Return of Rental Security Deposit		-		No	0000
206-000-0000-20600	Contracts Payable	850.00								
	10/14/2013 Total:	850.00								
	DAVISTHO Total:									
HOLIDAYC Holiday Credit Office										
10/15/2013	10/15/2013	391.67	0.00	11/06/2013	Fuel - Fire Dept		-		No	0000
101-420-2220-42120	Fuel, Oil and Fluids	391.67								
	10/15/2013 Total:	391.67								
	HOLIDAYC Total:									
Lillie Newspapers Inc. Lillie Suburban										
Acct 007148	09/30/2013	70.40	0.00	11/06/2013	9/11 Notice - Street Water		-		No	0000
101-410-1320-43510	Legal Publishing	37.40							No	0000
Acct 007148	09/30/2013	47.30	0.00	11/06/2013	9/11 Notice - Planning Comm		-		No	0000
101-410-1320-43510	Legal Publishing	22.00							No	0000
Acct 007148	09/30/2013	177.10	0.00	11/06/2013	9/11 Notice - Hearing Well 4		-		No	0000
101-410-1320-43510	Legal Publishing	177.10							No	0000
	Acct 007148 Total:									
	Lillie Total:									
WASH-REC Washington County										
P237379	10/02/2013	1,104.00	0.00	11/06/2013	Recorder/Registrar - PET & EAS		-		No	0000
101-410-1910-42030	Printed Forms	1,104.00								
	P237379 Total:	138.00								
P237871	10/02/2013	138.00	0.00	11/06/2013	Recorder/Registrar - PET & EAS		-		No	0000
101-410-1910-42030	Printed Forms	138.00								
	P237871 Total:									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
P238507	10/02/2013	46.00	0.00	11/06/2013	Recorder/Registrar - AGR-A Aulisa		-			0000
101-410-1910-42030	Printed Forms									
	P238507 Total:	46.00								
P238518	10/02/2013	92.00	0.00	11/06/2013	Recorder/Registrar - RES-Jader&Valley Br		-			0000
101-410-1910-42030	Printed Forms									
	P238518 Total:	92.00								
P239113	10/02/2013	138.00	0.00	11/06/2013	Recorder/Registrar - EAS & AGR		-			0000
101-410-1910-42030	Printed Forms									
	P239113 Total:	138.00								
	WASH-REC Total:	1,518.00								
Report Total:		2,936.77								

# Accounts Payable To Be Paid Proof List

User: denise  
Printed: 11/05/2013 - 2:38 PM  
Batch: 003-11-2013

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
USBANKHO U.S.Bank Home Mortgage										
11/05/2013	11/05/2013	100.00	0.00	11/06/2013	Processing Fee-		-	No		0000
803-000-0000-22900 Deposits Payable		100.00								
11/05/2013 Total:		100.00								
USBANKHO Total:		100.00								
Report Total:		100.00								

# Accounts Payable To Be Paid Proof List

User: denise  
Printed: 11/14/2013 - 12:44 PM  
Batch: 038-11-2013

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
AMERICA American Classic Homes										
11/13/2013	11/13/2013	3,000.00	0.00	11/19/2013	Refund Escrow #7490 10079 Tapestry Hill		-		No	0000
803-000-0000-22900	Deposits Payable	3,000.00								
	11/13/2013 Total:	3,000.00								
	AMERICA Total:									
ANCOM ANCOM Communications, Inc.										
41374	10/25/2013	78.82	0.00	11/19/2013	Pager Clips & Cleaners - Fire Dept		-		No	0000
101-420-2220-43230	Radio	78.82								
	41374 Total:	78.82								
	ANCOM Total:	78.82								
BOLTONME Bolton & Menk, Inc										
0161213	10/29/2013	115.00	0.00	11/19/2013	Well No 4 Connecting Watermain		-		No	0000
601-494-9400-43030	Engineering Services	115.00			09.27.13					
	0161213 Total:	5,750.85								
0161231	10/29/2013	5,750.85	0.00	11/19/2013	Pumphouse No4 Water Fund 10.11.13		-		No	0000
601-494-9400-43030	Engineering Services	5,750.85								
	0161231 Total:	5,865.85								
	BOLTONME Total:									
C A C Companion Animal Control, LLC										
10	10/31/2013	500.00	0.00	11/19/2013	Animal Control Services - October		-		No	0000
101-420-2700-43150	Contract Services				2013					
10	10/31/2013	75.00	0.00	11/19/2013	Dog/Cat Pick Up Impoundment (2)		-		No	0000
101-420-2700-43160	Impounding									
	10 Total:	575.00								
	C A C Total:	575.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
CAPRA Capra's Utilities Inc.										
3152	10/29/2013	1,500.00	0.00	11/19/2013	Water Service Tapping		-		No	0000
601-494-9400-44030	Repairs/Maint Imp Not Bldgs									
	3152 Total:	1,500.00								
	CAPRA Total:	1,500.00								
CARQUEST Car Quest Auto Parts										
2055-303349	10/30/2013	105.72	0.00	11/19/2013	Battery Air Compressor - Parks & Rec		-		No	0000
101-450-5200-42120	Fuel, Oil and Fluids									
	2055-303349 Total:	105.72								
2055-303786	11/05/2013	197.82	0.00	11/19/2013	Vehicle Maintenance/service supp-		-		No	0000
101-450-5200-42120	Fuel, Oil and Fluids				Parks					
	2055-303786 Total:	197.82								
	CARQUEST Total:	303.54								
COLDWELL Coldwell Banker Commercial										
38289	10/27/2013	120.00	0.00	11/19/2013	HVAC service 1.5 hours - Library		-		No	0000
206-450-5300-44040	Repairs/Maint Eqpt									
	38289 Total:	120.00								
	COLDWELL Total:	120.00								
COMCAST Comcast										
10/27/2013	10/27/2013	7.92	0.00	11/19/2013	Monthly Service - Fire Dept		-		No	0000
101-420-2220-44300	Miscellaneous									
10/27/2013	10/27/2013	4.50	0.00	11/19/2013	Monthly Service - Nov 13 City Hall		-		No	0000
101-410-1940-43210	Telephone									
	10/27/2013 Total:	12.42								
	COMCAST Total:	12.42								
CTYMAPLE City of Maplewood										
007089	11/05/2013	2,646.09	0.00	11/19/2013	Proj No 2012.129 Keats MSA Street		-		No	0000
409-480-8000-43030	Engineering Services									
007089	11/05/2013	1,996.17	0.00	11/19/2013	Proj No 2012.129 Keats Trunk		-		No	0000
601-494-9400-43030	Engineering Services				Watermain					
	007089 Total:	4,642.26								
	CTYMAPLE Total:	4,642.26								
CTYOAKDA City of Oakdale										
1000460-01	10/24/2013	5,646.09	0.00	11/19/2013	Water Service I-94 10/2/13-11/2/13		-		No	0000
601-494-9400-43820	Water Utility									
	1000460-01 Total:	5,646.09								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
CTYOAKDA Total:		5,646.09								
CTYROSEV City of Roseville										
0217940	11/01/2013	2,714.17	0.00	11/19/2013	Monthly IT Services -Nov 13		-	No		0000
101-410-1450-43180 Information Technology/Web										
0217940 Total:		2,714.17								
0217964	11/01/2013	337.07	0.00	11/19/2013	Monthly Telephone- Admin Nov 13		-	No		0000
101-410-1320-43210 Telephone										
0217964	11/01/2013	45.06	0.00	11/19/2013	Monthly Telephone- Building Insp Nov 13		-	No		0000
101-420-2400-43210 Telephone										
0217964	11/01/2013	51.18	0.00	11/19/2013	Monthly Telephone- Communication Nov 13		-	No		0000
101-410-1450-43210 Telephone										
0217964	11/01/2013	45.06	0.00	11/19/2013	Monthly Telephone- Engineering Nov 13		-	No		0000
101-410-1930-43210 Telephone										
0217964	11/01/2013	90.12	0.00	11/19/2013	Monthly Telephone- Finance Nov 13		-	No		0000
101-410-1520-43210 Telephone										
0217964	11/01/2013	132.08	0.00	11/19/2013	Monthly Telephone- Planning Nov 13		-	No		0000
101-410-1910-43210 Telephone										
0217964	11/01/2013	409.97	0.00	11/19/2013	Monthly Telephone- Public Wks Nov 13		-	No		0000
101-430-3100-43210 Telephone										
0217964 Total:		1,110.54								
CTYROSEV Total:		3,824.71								
CUSTOMPO Custom Pools Inc										
10/16/2013	10/16/2013	500.00	0.00	11/19/2013	Refund Escrow #8879 1567 Ivory Ave		-	No		0000
803-000-0000-22900 Deposits Payable										
10/16/2013 Total:		500.00								
CUSTOMPO Total:		500.00								
DEMCO Demco										
5121415	10/25/2013	20.99	0.00	11/19/2013	Overize Labels for Library Books		-	No		0000
206-450-5300-42000 Office Supplies										
5121415 Total:		20.99								
DEMCO Total:		20.99								
DONALDSA Donald Salverda & Associates										
P-1302-C	11/04/2013	138.82	0.00	11/19/2013	Books Purchase-2013 Leadership Growth		-	No		0000
101-410-1320-44350 Books										
P-1302-C Total:		138.82								
P-1308-2	11/01/2013	100.00	0.00	11/19/2013	Enrollment A Bell 2013 Leadership Growth		-	No		0000
101-410-1320-44350 Books										
P-1308-2 Total:		100.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
P-1309-10C 101-410-1320-44370	11/07/2013 Conferences & Training	47.03	0.00	11/19/2013	Books for 2013 Leadership Growth Group		-	No		0000
	P-1309-10C Total:	47.03								
	DONALDSA Total:	285.85								
E.G.RUD E.G. Rud & Sons, Inc. 28280 11/05/2013		1,515.50	0.00	11/19/2013	Sanctuary Park Survey		-	No		0000
404-480-8000-43050	Other Park Ded Prof Services									
	28280 Total:	1,515.50								
	E.G.RUD Total:	1,515.50								
EMERGREG Emergency Response Solutions 1039 10/31/2013		162.22	0.00	11/19/2013	Turnout Gear Laundry Soap		-	No		0000
101-420-2220-44040	Repairs/Maint Eqpt									
	1039 Total:	162.22								
	EMERGREG Total:	162.22								
EMERTER Emerson, Terry 10/31/2013		500.00	0.00	11/19/2013	Refund Escrow 11980 10th Street N		-	No		0000
803-000-0000-22900	Deposits Payable									
	10/31/2013 Total:	500.00								
	EMERTER Total:	500.00								
ENVENTIS Enventis Acct 738507 11/01/2013		57.05	0.00	11/19/2013	Telephone/Data Service - City Hall		-	No		0000
101-410-1940-43210	Telephone				Nov					
	Acct 738507 Total:	57.05								
	ENVENTIS Total:	57.05								
EXCEPTIO Exceptional Homes by Design 11/12/2013		5,000.00	0.00	11/19/2013	Refund Escrow #8393 9957 Tapestry Rd		-	No		0000
803-000-0000-22900	Deposits Payable									
	11/12/2013 Total:	5,000.00								
	EXCEPTIO Total:	5,000.00								
FIORILLO Fiorillo Megan Cable Op 11/12 11/12/2013		27.50	0.00	11/19/2013	Cable Operations 11/12/13 Workshop 2hr		-	No		0000
101-410-1450-43620	Cable Operations									
	Cable Op 11/12 Total:	27.50								



Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Cable Op 11/6	11/06/2013	55.00	0.00	11/19/2013	Cable Operations - 11/6/13 CC Meet 4hrs	-	-	No		0000
101-410-1450-43620	Cable Operations									
Cable Op 11/6	11/06/2013	25.00	0.00	11/19/2013	Cable Operations Bonus - 11/6	-	-	No		0000
101-410-1450-43620	Cable Operations									
	Cable Op 11/6 Total:	80.00								
	FIORILLO Total:	107.50								
GALLSQUA Galls/ Quartermaster LLC										
001142270	10/22/2013	55.47	0.00	11/19/2013	Traffic Batons x 2- Fire Dept	-	-	No		0000
101-420-2220-42400	Small Tools & Equipment									
	001142270 Total:	55.47								
	GALLSQUA Total:	55.47								
GRAINGER Grainger										
9277590882	10/24/2013	94.61	0.00	11/19/2013	Well House II Thermostat	-	-	No		0000
601-494-9400-42400	Small Tools & Minor Equipment									
	9277590882 Total:	94.61								
	GRAINGER Total:	94.61								
HARTMAN Hartman Homes										
10102013	10/10/2013	5,000.00	0.00	11/19/2013	Refund Escrow #8738 11384 50th Street	-	-	No		0000
803-000-0000-22900	Deposits Payable									
	10102013 Total:	5,000.00								
	HARTMAN Total:	5,000.00								
HOLIDAY1 Holiday Inn & Suites										
9588	11/08/2013	192.83	0.00	11/19/2013	Banquet Food 11/1/2013	-	-	No		0000
101-410-1320-44370	Conferences & Training									
	9588 Total:	192.83								
	HOLIDAY1 Total:	192.83								
INFINITP Infinity Printing Supplies										
451556	10/23/2013	190.00	0.00	11/19/2013	Laser Ctg HP Lazerjet 4250 Front Desk Pr	-	-	No		0000
101-410-1320-42000	Office Supplies									
	451556 Total:	190.00								
	INFINITP Total:	190.00								
INTERSTA Interstate All Battery Ctr										
1902701000346	11/01/2013	197.92	0.00	11/19/2013	Batteries for Flashlights & SCBA's	-	-	No		0000
101-420-2220-42400	Small Tools & Equipment									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
1902701000346 Total:		197.92								
INTERSTA Total:		197.92								
<hr/>										
JOEPARKG Joe Park Golf LLC										
11/6/2013	11/06/2013	1,400.00	0.00	11/19/2013	Proj 2013,123 LE Sewer-House & Equipment		-		No	0000
409-480-8000-43030 Engineering Services		1,400.00								
11/6/2013 Total:		1,400.00								
JOEPARKG Total:		1,400.00								
<hr/>										
JOHNNICK Johnson Nick										
09182013	09/18/2013	7.00	0.00	11/19/2013	Reimb- MNAPA Conference Parking		-		No	0000
101-410-1910-44370 Conferences & Training		7.00								
09182013 Total:		7.00								
JOHNNICK Total:		7.00								
<hr/>										
JOHNSON& Johnson & Turner Attorneys										
31140	11/05/2013	4,410.00	0.00	11/19/2013	Legal Services-Prosecution		-		No	0000
101-420-2150-43045 Attorney Criminal		4,410.00								
31140 Total:		4,410.00								
31148	11/05/2013	135.50	0.00	11/19/2013	Legal Services- 3M		-		No	0000
601-494-9400-43040 Legal Services		135.50								
31148 Total:		135.50								
31150	11/05/2013	1,085.00	0.00	11/19/2013	Legal Services- Library		-		No	0000
206-450-5300-43040 Legal Services		1,085.00								
31150 Total:		1,085.00								
31156-31155	11/05/2013	1,804.50	0.00	11/19/2013	Legal Services-Civil		-		No	0000
101-410-1320-43040 Legal Services		1,804.50								
31156-31155 Total:		1,804.50								
31158	11/05/2013	571.50	0.00	11/19/2013	Legal Services- Sewer Lines Waivers		-		No	0000
409-480-8000-43040 Legal Services		571.50								
31158 Total:		571.50								
31464	11/05/2013	4,626.00	0.00	11/19/2013	Legal Services- Horning Matter		-		No	0000
101-410-1320-43040 Legal Services		4,626.00								
31464 Total:		4,626.00								
JOHNSON& Total:		12,632.50								
<hr/>										
KAMCO Kamco, Corp										
4309	11/08/2013	650.00	0.00	11/19/2013	Remove & dispose hazard elm & oak		-		No	0000
101-430-3120-43150 Contract Services		650.00								
4309 Total:		650.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
KAMCO Total:		650.00								
KEYSWELL Keys Well Drilling Co.										
PayReq No 4	11/01/2013	51,024.50	0.00	11/19/2013	Proj 2013.125 Prod Well 4	11.01.13	-	No		0000
601-494-9400-43030 Engineering Services										
PayReq No 4 Total:		51,024.50								
KEYSWELL Total:		51,024.50								
LARSON Larson Diesel Service, Corp										
1310040014	10/04/2013	581.58	0.00	11/19/2013	DOT & Repairs 06-1		-	No		0000
101-430-3120-44040 Repairs/Maint Eqpt										
1310040014 Total:		581.58								
LARSON Total:		581.58								
LEOIL Lake Elmo Oil, Inc.										
S01203-10/31/13	10/31/2013	224.51	0.00	11/19/2013	Fuel - Fire Dept		-	No		0000
101-420-2220-42120 Fuel, Oil and Fluids										
S01203-10/31/13 Total:		224.51								
LEOIL Total:		224.51								
Lillie Newspapers Inc. Lillie Suburban										
Acct No 007148	10/31/2013	68.20	0.00	11/19/2013	10/9 Notice - Keats Ave		-	No		0000
101-410-1320-43510 Legal Publishing										
Acct No 007148	10/31/2013	66.00	0.00	11/19/2013	10/9 Notice - Keats Ave		-	No		0000
101-410-1320-43510 Legal Publishing										
Acct No 007148	10/31/2013	30.80	0.00	11/19/2013	10/16 Notice - Planning Commission		-	No		0000
101-410-1320-43510 Legal Publishing										
Acct No 007148	10/31/2013	24.20	0.00	11/19/2013	10/23 ordinance #08-088		-	No		0000
101-410-1320-43510 Legal Publishing										
Acct No 007148	10/31/2013	15.40	0.00	11/19/2013	10/23 ordinance #08-089		-	No		0000
101-410-1320-43510 Legal Publishing										
Acct No 007148	10/31/2013	57.20	0.00	11/19/2013	10/23 ordinance #08-090		-	No		0000
101-410-1320-43510 Legal Publishing										
Acct No 007148 Total:		261.80								
Lillie Total:		261.80								
LOFF Loffler Companies, Inc.										
1650332	11/01/2013	180.59	0.00	11/19/2013	Copy Machines Contract& Over 10/10-11/9		-	No		0000
101-410-1940-44040 Repairs/Maint Contractual Eqpt										
1650332 Total:		180.59								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
LOFF Total:		180.59								
MACLEOD MacLeod Alyssa										
10/31/2013	10/31/2013	31.64	0.00	11/19/2013	Reimb Mileage 56 miles 10/22/13		-		No	0000
101-410-1450-43310	Mileage									
10/31/2013 Total:		31.64								
MACLEOD Total:		31.64								
MALMQ Malmquist Greg										
11/13/2013	11/13/2013	689.30	0.00	11/19/2013	Reimb-VCOS/Vol Comb Off - 11/6-11/10/13		-		No	0000
101-420-2220-44370	Conferences & Training									
11/13/2013 Total:		689.30								
MALMQ Total:		689.30								
MARONEYS Maroney's Sanitation, Inc										
497704	11/01/2013	108.32	0.00	11/19/2013	Waste Removal - City Hall		-		No	0000
101-410-1940-43840	Refuse									
497704	11/01/2013	47.68	0.00	11/19/2013	Waste Removal - Fire Dept		-		No	0000
101-420-2220-43840	Refuse									
497704	11/01/2013	207.82	0.00	11/19/2013	Waste Removal - Public Works		-		No	0000
101-430-3100-43840	Refuse									
497704	11/01/2013	207.82	0.00	11/19/2013	Waste Removal - Parks		-		No	0000
101-450-5200-43840	Refuse									
497704	11/01/2013	48.12	0.00	11/19/2013	Waste Removal - Library		-		No	0000
206-450-5300-43840	Refuse									
497704 Total:		619.76								
MARONEYS Total:		619.76								
MARTENSO Martenson Enterprises										
11/01/2013	11/01/2013	88.36	0.00	11/19/2013	Overpayment SW - 8180 21st St CK#9628		-		No	0000
603-000-0000-37100	Surface Water Utility Sales									
11/01/2013 Total:		88.36								
MARTENSO Total:		88.36								
MCDONALD McDonald Construction										
11/4/2013	11/04/2013	5,000.00	0.00	11/19/2013	Refund Escrow #8952 2951 Jonquil Trail		-		No	0000
803-000-0000-22900	Deposits Payable									
11/4/2013 Total:		5,000.00								
MCDONALD Total:		5,000.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
MENARDSO Menards - Oakdale 29900 10/23/2013 601-494-9400-42400 Small Tools & Minor Equipment 29900 Total: MENARDSO Total:		104.05 104.05 104.05	0.00	11/19/2013	Shop Supplies-repairs		-	No		0000
METCOU Metropolitan Council 1027099 11/04/2013 602-495-9450-43820 Sewer Utility - Met Council 1027099 Total: METCOU Total:		1,484.55 1,484.55 1,484.55	0.00	11/19/2013	Monthly Wastewater Service - November		-	No		0000
MILLEREX Miller Excavating, Inc. 17706 11/06/2013 603-496-9500-43150 Contract Services 17706 Total: MILLEREX Total:		4,745.00 4,745.00 4,745.00	0.00	11/19/2013	Excavated,grade,culvert & restore- ROW		-	No		0000
MINGERCO Minger Construction Inc PayReq No 2 11/01/2013 409-480-8000-43030 Engineering Services PayReq No 2 Total: MINGERCO Total:		659,765.69 659,765.69 659,765.69	0.00	11/19/2013	Proj 2013.123 LE Sewer Infra 2nd pay		-	No		0000
MNDOT Commissioner of Transportation P00002354 10/23/2013 409-480-8000-43030 Engineering Services P00002354 Total: MNDOT Total:		249.90 249.90 249.90	0.00	11/19/2013	Keats MSA St - 3rd Project-Inspect Servi		-	No		0000
NAPA NAPA Auto Parts 774104 11/12/2013 101-420-2220-44040 Repairs/Maint Eqpt 774104 Total: NAPA Total:		16.03 16.03 16.03	0.00	11/19/2013	Headlamp, CV1 - Fire Dept		-	No		0000
ONECALL Gopher State One Call 82412 10/27/2013 101-430-3100-43150 Contract Services 82412 Total:		314.65 314.65	0.00	11/19/2013	FTP Tickets - October 2013		-	No		0000

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
ONECALL Total:		314.65								
PINKY Pinky's Sewer Service, Inc.										
61779	11/04/2013	100.00	0.00	11/19/2013	Pumped 2 septic tanks - Library		-	No		0000
206-450-5300-44010	Repairs/Maint Bldg									
61779 Total:		100.00								
PINKY Total:		100.00								
REDSTONE Redstone Construction Co. Inc										
PayReq No 1	11/01/2013	108,513.65	0.00	11/19/2013	Section 34 Water & Sewer Utility Ext		-	No		0000
601-494-9400-43030	Engineering Services				Imp					
PayReq No 1	11/01/2013	162,770.49	0.00	11/19/2013	Section 34 Water & Sewer Utility Ext		-	No		0000
602-495-9450-43030	Engineering Services				Imp					
PayReq No 1 Total:		271,284.14								
REDSTONE Total:		271,284.14								
RIVRCOOP River Country Cooperative										
10312013	10/31/2013	1,188.18	0.00	11/19/2013	Fuel - Fire Department		-	No		0000
101-420-2220-42120	Fuel, Oil and Fluids									
10312013 Total:		1,188.18								
RIVRCOOP Total:		1,188.18								
S&T S&T Office Products, Inc.										
01QA8217	10/22/2013	45.27	0.00	11/19/2013	Office Supplies Business Cards -		-	No		0000
206-450-5300-42000	Office Supplies				Library					
01QA8217 Total:		45.27								
01QB3293	11/01/2013	86.54	0.00	11/19/2013	Office Supplies - Admin		-	No		0000
101-410-1320-42000	Office Supplies									
01QB3293 Total:		86.54								
S&T Total:		131.81								
SAMSClub Sam's Club										
10092013	09/16/2013	7.78	0.00	11/19/2013	Replace Detergent Dispenser-Fire Dept		-	No		0000
101-420-2220-44010	Repairs/Maint Bldg									
10092013	10/09/2013	25.80	0.00	11/19/2013	Restock Rehab Supplies - Fire Dept		-	No		0000
101-420-2220-44300	Miscellaneous									
10092013	10/09/2013	18.69	0.00	11/19/2013	Office Supplies - Fire Dept		-	No		0000
101-420-2220-42000	Office Supplies									
10092013	10/09/2013	19.96	0.00	11/19/2013	Office Supplies - City Hall		-	No		0000
101-410-1320-42000	Office Supplies									
10092013 Total:		72.23								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
SAMSCLUB Total:		72.23								
SELECTAC SelectAccount										
970827	11/02/2013	5.49	0.00	11/19/2013	Participant Fee 11/1/13 - 11/30/13		-	No		0000
101-410-1520-43150 Contract Services										
970827 Total:		5.49								
SELECTAC Total:		5.49								
STPAUL St Paul Stamp Works, Inc.										
291025	10/31/2013	83.59	0.00	11/19/2013	2014 Dog License Tags		-	No		0000
101-420-2700-44300 Miscellaneous										
291025 Total:		83.59								
STPAUL Total:		83.59								
SW/WC SW/WC Service Cooperatives										
10/29/2013	10/29/2013	26,946.00	0.00	11/19/2013	December 2013 - Insurance Premiums		-	No		0000
101-000-0000-21706 Medical Insurance										
10/29/2013 Total:		26,946.00								
SW/WC Total:		26,946.00								
SYmbol Symbol Arts										
0201512-IN	10/30/2013	85.00	0.00	11/19/2013	Chaplain Badge, Richard Glanzer		-	No		0000
101-420-2220-44170 Uniforms										
0201512-IN Total:		85.00								
SYmbol Total:		85.00								
TASCH T.A. Schifsky & Sons Inc										
55763	10/29/2013	320.56	0.00	11/19/2013	Asphalt 10/2/2013		-	No		0000
101-430-3120-42240 Street Maintenance Materials										
55763 Total:		320.56								
55802	11/05/2013	1,115.48	0.00	11/19/2013	Asphalt 10/7 thru 10/10/13		-	No		0000
101-430-3120-42240 Street Maintenance Materials										
55802 Total:		1,115.48								
TASCH Total:		1,436.04								
TDS TDS Metrocom - LLC										
651-779-8882	11/13/2013	145.90	0.00	11/19/2013	Analog Lines - Fire		-	No		0000
101-420-2220-43210 Telephone										
651-779-8882	11/13/2013	228.77	0.00	11/19/2013	Analog Lines - Public Works		-	No		0000
101-430-3100-43210 Telephone										

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
651-779-8882	11/13/2013	135.75	0.00	11/19/2013	Analog Lines - Lift Station Alarms		-		No	0000
602-495-9450-43210	Telephone									
651-779-8882	11/13/2013	47.45	0.00	11/19/2013	Alarm - Well House #2		-		No	0000
601-494-9400-43210	Telephone									
651-779-8882 Total:		557.87								
TDS Total:		557.87								
TKDA TKDA, Inc.										
002013003416	11/06/2013	282.68	0.00	11/19/2013	2012.129 Design Serv-Keats MSA		-		No	0000
409-480-8000-43030	Engineering Services				Street					
002013003416	11/06/2013	213.25	0.00	11/19/2013	2012129 Design Ser-Keats Trunk		-		No	0000
601-494-9400-43030	Engineering Services				Watermain					
002013003416 Total:		495.93								
TKDA Total:		495.93								
TOWNCTRY Town & Country Cleaning Co										
1113 143	11/01/2013	245.81	0.00	11/19/2013	November Janitorial Service -		-		No	0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
1113 143 Total:		245.81								
1113 184	11/01/2013	187.47	0.00	11/19/2013	November Janitorial Service - Library		-		No	0000
206-450-5300-44010	Repairs/Maint Bldg									
1113 184 Total:		187.47								
TOWNCTRY Total:		433.28								
VANZANDT Van Zandt Distributing Inc										
6209	11/01/2013	30.84	0.00	11/19/2013	Child BP Cuff - Fire Dept		-		No	0000
101-420-2220-42080	EMS Supplies									
6209 Total:		30.84								
VANZANDT Total:		30.84								
WASH-REC Washington County										
P240421	11/01/2013	46.00	0.00	11/19/2013	Recorder/Registrar - Lake Elmo City		-		No	0000
101-410-1910-42030	Printed Forms									
P240421 Total:		46.00								
P241229	11/01/2013	46.00	0.00	11/19/2013	Recorder/Registrar - Thomas Brink		-		No	0000
101-410-1910-42030	Printed Forms									
P241229 Total:		46.00								
P242022	11/01/2013	92.00	0.00	11/19/2013	Recorder/Registrar - Public		-		No	0000
101-410-1910-42030	Printed Forms									
P242022 Total:		92.00								



Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
WASH-REC Total:		184.00								
XCEL Xcel Energy										
November 2013	11/21/2013	51.63	0.00	11/19/2013	Lights at Legion Park - 3509 Laverne		-	No		0000
101-450-5200-43810	Electric Utility									
November 2013	11/21/2013	81.99	0.00	11/19/2013	Lift Station - 8860 Hudson		-	No		0000
602-495-9450-43810	Electric Utility									
November 2013	11/21/2013	32.79	0.00	11/19/2013	Traffic Lights - 100 Inwood		-	No		0000
101-430-3160-43810	Street Lighting									
November 2013	11/21/2013	31.88	0.00	11/19/2013	Street Lights - 3014 Jamley		-	No		0000
101-430-3160-43810	Street Lighting									
November 2013	11/21/2013	317.86	0.00	11/19/2013	Fire Station #2 - 4259 Jamaca		-	No		0000
101-420-2220-43810	Electric Utility									
November 2013	11/21/2013	302.82	0.00	11/19/2013	City Hall - 3800 Laverne 302429100		-	No		0000
101-410-1940-43810	Electric Utility									
November 2013	11/21/2013	31.71	0.00	11/19/2013	Traffic Lights - 100 Keats		-	No		0000
101-430-3160-43810	Street Lighting									
November 2013	11/21/2013	403.95	0.00	11/19/2013	City Hall - 3800 Laverne 30412469		-	No		0000
101-410-1940-43810	Electric Utility									
November 2013	11/21/2013	17.34	0.00	11/19/2013	Tennis Court - 3510 Laverne		-	No		0000
101-450-5200-43810	Electric Utility									
November 2013	11/21/2013	59.56	0.00	11/19/2013	Parks Bldg - 11194 Upper 33rd		-	No		0000
101-450-5200-43810	Electric Utility									
November 2013	11/21/2013	32.46	0.00	11/19/2013	Pebble Park - 8170 Lake Jane Trail		-	No		0000
101-450-5200-43810	Electric Utility									
November 2013	11/21/2013	2,223.62	0.00	11/19/2013	Wells 1 & 2 - 3303 Langly & 11975 55th		-	No		0000
601-494-9400-43810	Electric Utility									
November 2013	11/21/2013	42.59	0.00	11/19/2013	Traffic Lights - 998 Inwood		-	No		0000
101-430-3160-43810	Street Lighting									
November 2013	11/21/2013	88.60	0.00	11/19/2013	Arts Center - 3585 Laverne		-	No		0000
101-450-5200-43810	Electric Utility									
November 2013	11/21/2013	20.04	0.00	11/19/2013	Lift Station - 11062 34th Street		-	No		0000
602-495-9450-43810	Electric Utility									
November 2013	11/21/2013	17.12	0.00	11/19/2013	Lift Station - 2759 Legion Ave		-	No		0000
602-495-9450-43810	Electric Utility									
November 2013	11/21/2013	271.21	0.00	11/19/2013	Fire Station 1 - 3510 Laverne		-	No		0000
101-420-2220-43810	Electric Utility									
November 2013	11/21/2013	52.61	0.00	11/19/2013	Legion Park - 3511 Laverne		-	No		0000
101-450-5200-43810	Electric Utility									
November 2013	11/21/2013	2,112.05	0.00	11/19/2013	Street Lights		-	No		0000
101-430-3160-43810	Street Lighting									
November 2013	11/21/2013	28.51	0.00	11/19/2013	Traffic Manning & Stillwater Blvd-		-	No		0000
101-430-3160-43810	Street Lighting									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
November 2013	11/21/2013	11.66	0.00	11/19/2013	VFW Ballfield	Lts-3675 Layton	-			0000
101-450-5200-43810	Electric Utility									No
November 2013	11/21/2013	34.23	0.00	11/19/2013	VFW Ballfield	Lts-3675 Layton	-			0000
101-450-5200-43810	Electric Utility									No
November 2013	11/21/2013	523.90	0.00	11/19/2013	Public Works	- 3400 Ideal	-			0000
101-430-3100-43810	Electric Utility									No
November 2013	11/21/2013	33.76	0.00	11/19/2013	Water Tower 2	- 3445 Ideal Ave	-			0000
601-494-9400-43810	Electric Utility									No
November 2013	11/21/2013	12.48	0.00	11/19/2013	Speed Sign Hwy 5	- 10901 Stillwater Blvd	-			0000
101-430-3160-43810	Street Lighting									No
November 2013	11/21/2013	26.00	0.00	11/19/2013	Welcome Sign	- 425 Keats	-			0000
101-430-3160-43810	Street Lighting									No
November 2013	11/21/2013	546.15	0.00	11/19/2013	Library	- 3537 Lake Elmo Ave	-			0000
206-450-5300-43810	Electric Utility									No
November 2013 Total:		7,408.52								
XCEL Total:		7,408.52								

Report Total: 1,089,962.96



## MAYOR & COUNCIL COMMUNICATION

**DATE:** November 19, 2013  
**CONSENT**  
**ITEM** #3  
**MOTION**

**AGENDA ITEM:** October 2013 Financial Reporting

**SUBMITTED BY:** Cathy Bendel, Finance Director

**THROUGH:** Cathy Bendel, Finance Director

**REVIEWED BY:** Dean Zuleger, City Administrator

### SUGGESTED ORDER OF BUSINESS:

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

**POLICY RECOMMENDER:** Finance

**FISCAL IMPACT:** NA

**SUMMARY AND ACTION REQUESTED:** As part of its Consent Agenda, the City Council is asked to accept the October 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 REORT:** Attached please find a report for October reflecting the monthly and year to date detail supporting the year to date actual results and comparing those results to the 2013 Budget.

The most significant variances are highlighted below:

Revenues:

- Building Permit revenue for the month was 23% better budget. On a year to date basis actual activity continues to be above plan by 18%. As the weather remains mild the building activity remains steady.
- Utility Permit revenue for the month and year to date was far above plan due to the extensive development work along Hudson Boulevard and the need to relocate numerous utilities. These amounts represent the ROW permit fees.
- State Fire Aid revenue for the month was 100% above budget. This was due to this revenue having been budgeted in September but was received in October. On a year to date basis, revenue is 42% above budget due to receipt of supplemental aid received from the State of Minnesota of \$12,266.79. This was a result of the 2013 Omnibus Tax Bill which included a 30% global increase which was then allocated state wide.
- Plan review fees for the month were 35% above budget bringing the year to date revenue to 50% above budget.

Expenses:

Most departments continue to be below budget for the month and on a year to date basis as all Departments continue to be very cost conscious. A few key items to note:

- The annual League of Minnesota membership renewal was budgeted in September but was actually billed and paid in October resulting in a 100% variance for the month of October.
- The City Council recently approved the Administration Department to hire a lobbying firm to assist with the state grant application process. This monthly retainer of \$1k is reported as contract services and was not a budgeted expense resulting in a variance each month.
- Newsletter costs for the month are 100% over budget due to a timing difference between budget and actual. On a year to date basis, actual expenses are 14% below 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.
- Fire prevention costs for the month were over budget but on a year to date basis the costs are right on budget. It was planned that the supplies would be ordered earlier in the year. Additional supplies were ordered in October.

- Engineering costs are above budget in the Building Inspection department for the month and on a year to date basis due to all the additional work necessary due to the growth initiative.
- The Cost for the Permit Works software and licenses of \$16.3k is reflected in the year to date Info technology costs for the Building Inspection department. This expense was not budgeted.
- The fuel cost in the Public Works department for the month and on a year to date basis are over budget due to the fall initiative of performing street maintenance before winter. The street maintenance expense is also over budget for this same reason.
- The part-time salaries under the Parks and Recreation department are higher than budgeted for the year due to having to cover the Park Maintainer functions with part time resources until the full-time position was filled. Overall the salary costs are lower than budget for the year.
- Please note that the salary and benefit expenses are based on more accurate departmental allocations than we had in August 2012 when the 2013 budget was initially compiled. As a result, some departments are above budget, while others are under but overall, personnel expenses are below budget.

**RECOMMENDATION:** Based on the aforementioned, the staff recommends the City Council accept the attached October Financial Report.

**ATTACHMENT:**

1. October Financial Reports

	MONTH				YTD			
	BUDGET		ACTUAL		BUDGET		ACTUAL	
	Month	Month	Month	Month	YTD	YTD	YTD	YTD
DEPT 410 - GEN'L GOV'T								
<b>REVENUE</b>								
Current Ad Valorem Taxes	0.00	0.00	0.00	0.00	1,206,794.08	1,170,922.00	(35,872.08)	-2.97%
Delinquent Ad Valorem Taxes	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Mobile Home Tax	0.00	0.00	0.00	0.00	4,000.00	5,059.12	1,059.12	26.48%
Fiscal Disparities	0.00	0.00	0.00	0.00	0.00	114,609.96	114,609.96	0.00%
Penalty & Interest on Taxes	0.00	0.00	0.00	0.00	0.00	1,190.54	1,190.54	0.00%
Liquor License	50.00	0.00	0.00	(50.00)	125.00	500.00	375.00	300.00%
Waste hauler License	0.00	0.00	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	265.00	265.00	0.00%
Heating Contractor License	300.00	0.00	0.00	(300.00)	0.00	0.00	0.00	0.00%
Blacktopping Contractor License	0.00	0.00	0.00	0.00	3,875.00	4,700.00	825.00	21.29%
Building Permits	17,500.00	21,604.90	4,104.90	0.00	0.00	0.00	0.00	0.00%
Heating Permits	1,000.00	1,440.00	440.00	0.00	137,000.00	161,486.69	24,486.69	17.87%
Plumbing Permits	500.00	900.00	400.00	0.00	11,200.00	13,490.00	2,290.00	20.45%
Sewer Permits	0.00	0.00	0.00	0.00	6,500.00	11,065.00	4,565.00	70.23%
Animal License	100.00	120.00	20.00	0.00	0.00	485.00	485.00	0.00%
Utility Permits	600.00	5,678.00	5,078.00	20.00	1,860.00	1,701.00	(159.00)	-8.55%
Burning Permit	50.00	170.00	120.00	0.00	6,000.00	16,028.00	10,028.00	167.13%
Massage Therapy Permits	0.00	125.00	125.00	0.00	1,050.00	2,340.33	1,290.33	122.89%
Homestead Credit Aid	0.00	0.00	0.00	0.00	0.00	783.00	783.00	0.00%
MSA-Maintenance	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
State Fire Aid	0.00	53,778.39	53,778.39	0.00	49,011.00	98,022.00	49,011.00	100.00%
PERA Aid	0.00	0.00	0.00	0.00	40,000.00	56,778.39	16,778.39	41.95%
Gravel Tax	0.00	0.00	0.00	0.00	1,374.50	1,374.50	0.00	0.00%
Recycling Grant	0.00	0.00	0.00	0.00	688.63	0.00	(688.63)	-100.00%
Misc State Grant/Surcharge Rev	0.00	0.00	0.00	0.00	15,500.00	15,588.00	88.00	0.00%
Cable Franchise Revenue	0.00	0.00	0.00	0.00	0.00	1,186.03	1,186.03	0.00%
Zoning & Subdivision Fees	0.00	0.00	0.00	0.00	43,000.00	39,851.98	(3,148.02)	0.00%
Plan Check Fees	0.00	0.00	0.00	0.00	1,000.00	1,750.00	750.00	0.00%
Sale of Copies, Books, Maps	7,000.00	9,482.09	2,482.09	0.00	57,000.00	85,483.94	28,483.94	49.97%
Assessment Searches	10.00	2.50	(7.50)	0.00	129.10	322.10	193.00	149.50%
Clean Up Days	50.00	135.00	85.00	0.00	600.00	1,215.00	615.00	102.50%
Cable Operation Reimbursement	0.00	0.00	0.00	0.00	4,000.00	2,647.00	(1,353.00)	0.00%
Fines	0.00	0.00	0.00	0.00	1,235.00	0.00	(1,235.00)	0.00%
Miscellaneous Revenue	5,000.00	4,582.13	(417.87)	-8.36%	50,000.00	37,635.81	(12,364.19)	-24.73%
Internal Charges	1,500.00	6,071.60	4,571.60	304.77%	15,000.00	18,687.50	3,687.50	24.58%
Interest Earnings	50.00	24.00	(26.00)	0.00%	500.00	954.00	454.00	90.80%
Donations	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
<b>Total Revenue</b>	<b>33,710.00</b>	<b>104,363.61</b>	<b>70,653.61</b>	<b>209.59%</b>	<b>7,500.00</b>	<b>14,000.00</b>	<b>6,500.00</b>	<b>86.67%</b>
					<b>1,664,942.31</b>	<b>1,880,121.89</b>	<b>215,179.58</b>	<b>12.92%</b>

**EXPENSE**

**1110 - Mayor & Council**

PT Salaries	0.00	0.00	0.00	12,845.00	0.00	0.00%
FICA Contributions	0.00	0.00	0.00	796.39	0.00	0.00%
Medicare Contributions	0.00	0.00	0.00	186.25	186.27	(0.02)
Workers Compensation	0.00	0.00	0.00	36.00	215.80	(179.80)
Mileage	0.00	0.00	0.00	500.00	53.11	446.89
Miscellaneous	0.00	0.00	0.00	565.27	1,538.33	(973.06)
Dues & Subscriptions	0.00	2,372.32	(2,372.32)	8,391.00	12,711.32	(4,320.32)
Conferences & Training	500.00	0.00	500.00	2,155.00	1,586.00	569.00
<b>Total Mayor &amp; Council</b>	<b>500.00</b>	<b>2,372.32</b>	<b>(1,872.32)</b>	<b>25,474.91</b>	<b>29,932.22</b>	<b>(4,457.31)</b>

**1320 - Administration**

FT Salaries	25,000.00	19,005.20	5,994.80	154,444.93	138,298.53	16,146.40	10.45%
PERA Contributions	1,812.50	1,377.86	434.64	10,871.57	9,905.04	966.53	8.89%
ICMA Contributions	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
FICA Contributions	1,550.00	1,113.53	436.47	9,380.13	8,091.60	1,288.53	13.74%
Medicare Contributions	362.50	260.42	102.08	2,193.80	1,892.45	301.35	13.74%
Health/Dental Insurance	3,127.60	2,611.00	516.60	31,276.00	26,110.00	5,166.00	16.52%
Unemployment Benefits	0.00	2,119.15	(2,119.15)	0.00	3,082.47	(3,082.47)	0.00%
Workers Compensation	0.00	0.00	0.00	1,396.00	728.39	667.61	47.82%
Office Supplies	300.00	822.71	(522.71)	4,638.61	5,139.02	(500.41)	-10.79%
Printed Forms	0.00	0.00	0.00	363.91	0.00	363.91	0.00%
Legal Services	4,000.00	4,447.32	(447.32)	40,000.00	46,364.79	(6,364.79)	-15.91%
Newsletter/Website	0.00	0.00	0.00	0.00	355.66	(355.66)	0.00%
Assessing Services	2,000.00	2,000.00	0.00	21,500.00	28,234.14	(6,734.14)	-31.32%
Contract Services	0.00	2,000.00	(2,000.00)	0.00	3,000.00	(3,000.00)	0.00%
Information Technology	0.00	144.92	(144.92)	0.00	862.67	(862.67)	0.00%
Telephone	0.00	337.07	(337.07)	0.00	2,022.38	(2,022.38)	0.00%
Postage	300.00	0.00	300.00	3,000.00	2,923.93	76.07	2.54%
Mileage	150.00	64.58	85.42	1,500.00	1,050.55	449.45	29.96%
Legal Publishing	0.00	0.00	0.00	157.74	2,217.88	(2,060.14)	0.00%
Insurance	0.00	0.00	0.00	38,800.00	35,339.30	3,460.70	8.92%
Cable Operation Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Miscellaneous	100.00	450.73	(350.73)	1,000.00	2,623.49	(1,623.49)	-162.35%
Dues & Subscriptions	100.00	257.00	(157.00)	1,000.00	1,265.96	(265.96)	-26.60%
Books	0.00	0.00	0.00	0.00	225.49	(225.49)	0.00%
Conferences & Training	200.00	381.38	(181.38)	1,775.93	3,043.53	(1,267.60)	-71.38%
Staff Development	200.00	0.00	200.00	870.00	0.00	870.00	0.00%
<b>Total Administration</b>	<b>39,202.60</b>	<b>37,392.87</b>	<b>1,809.73</b>	<b>324,168.62</b>	<b>322,777.27</b>	<b>1,391.35</b>	<b>0.43%</b>

**1410 - Elections**

PT Salaries	0.00	0.00	0.00	0.00	100.00	(100.00)	0.00%
Office Supplies	0.00	0.00	0.00	150.00	0.00	150.00	100.00%
Legal Publications/Notification	0.00	0.00	0.00	2,150.00	0.00	2,150.00	100.00%
Election Equipment	0.00	0.00	0.00	7,460.00	0.00	7,460.00	100.00%
Equipment Repair	0.00	0.00	0.00	450.00	0.00	450.00	100.00%
County Election Fees	0.00	0.00	0.00	940.00	940.00	0.00	0.00%
Printed Forms	0.00	0.00	0.00	450.00	0.00	450.00	100.00%
Miscellaneous	150.00	0.00	150.00	350.00	0.00	350.00	100.00%
<b>Total Elections</b>	<b>150.00</b>	<b>0.00</b>	<b>150.00</b>	<b>11,950.00</b>	<b>1,040.00</b>	<b>10,910.00</b>	<b>91.30%</b>

**1450 - Communications**

FT Salaries	2,916.67	2,179.38	737.29	29,166.67	15,513.69	13,652.98	46.81%
PERA Contributions	211.46	158.01	53.45	2,114.58	1,124.77	989.81	46.81%
FICA Contributions	180.83	130.85	49.98	1,808.33	931.58	876.75	48.48%
Medicare Contributions	42.29	30.60	11.69	422.92	217.81	205.11	48.50%
Health/Dental Insurance	0.00	272.00	(272.00)	0.00	2,720.00	(2,720.00)	0.00%
Workers Compensation	0.00	0.00	0.00	56.00	85.23	(29.23)	-52.20%
Newsletter	0.00	1,985.41	(1,985.41)	9,061.00	7,785.63	1,275.37	14.08%
Office Supplies	0.00	782.84	(782.84)	150.00	976.09	(826.09)	0.00%
Info Technology/Web	2,000.00	2,714.17	(714.17)	20,000.00	26,109.46	(6,109.46)	-30.55%
Telephone	250.00	108.81	141.19	2,500.00	921.02	1,578.98	63.16%
Public Notices	200.00	0.00	200.00	2,000.00	5,863.62	(3,863.62)	-193.18%
Cable Operations	275.00	(973.71)	1,248.71	2,750.00	1,462.96	1,287.04	46.80%
Conferences	0.00	0.00	0.00	0.00	498.00	(498.00)	0.00%
Repair/Maint Equipment	0.00	0.00	0.00	0.00	155.50	(155.50)	0.00%
<b>Total Communications</b>	<b>6,076.25</b>	<b>7,388.36</b>	<b>(1,312.11)</b>	<b>70,029.50</b>	<b>64,365.36</b>	<b>5,664.14</b>	<b>8.09%</b>

**1520 - Finance**

FT Salaries	4,576.40	10,358.97	(5,782.57)	45,764.00	74,073.52	(28,309.52)	-61.86%
PERA Contributions	331.79	751.02	(419.23)	3,317.89	5,370.32	(2,052.43)	-61.86%
FICA Contributions	283.74	603.88	(320.14)	2,837.37	4,353.70	(1,516.33)	-53.44%
Medicare Contributions	66.36	141.22	(74.86)	663.58	1,018.10	(354.52)	-53.43%
Health/Dental Insurance	718.02	1,088.00	(369.98)	7,180.19	10,880.00	(3,699.81)	-51.53%
Unemployment Benefits	0.00	0.00	0.00	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00	405.18	(405.18)	0.00%
Office Supplies	100.00	68.54	31.46	300.00	359.05	(59.05)	-19.68%
Printed Forms	0.00	0.00	0.00	500.00	0.00	500.00	100.00%
Audit Services	0.00	0.00	0.00	8,500.00	20,500.00	(12,000.00)	-141.18%
Contract Services	0.00	5.49	(5.49)	10,000.00	14,313.54	(4,313.54)	-43.14%
Software Programs	0.00	0.00	0.00	0.00	128.54	(128.54)	0.00%
Telephone	0.00	90.12	(90.12)	0.00	540.72	(540.72)	0.00%
Mileage	0.00	0.00	0.00	0.00	44.40	(44.40)	0.00%
Miscellaneous	0.00	336.10	(336.10)	1,500.00	1,381.93	118.07	7.87%
Dues & Subscriptions	0.00	0.00	0.00	100.00	185.00	(85.00)	0.00%
Conferences & Training	0.00	0.00	0.00	600.00	225.00	375.00	62.50%
<b>Total Finance</b>	<b>6,076.30</b>	<b>13,443.34</b>	<b>(7,367.04)</b>	<b>81,263.02</b>	<b>133,779.00</b>	<b>(52,515.98)</b>	<b>-64.62%</b>



**1910 - Planning & Zoning**

FT Salaries	8,278.95	18,793.56	(10,514.61)	-127.00%
PERA Contributions	600.22	1,378.52	(778.30)	-129.67%
FICA Contributions	513.29	1,112.15	(598.86)	-116.67%
Medicare Contributions	120.04	260.13	(140.09)	-116.69%
Health/Dental Insurance	886.48	1,656.00	(769.52)	-86.81%
Workers Compensation	0.00	0.00	0.00	0.00%
Office Supplies	50.00	59.48	(9.48)	-18.96%
Printed Forms	0.00	0.00	0.00	0.00%
Engineering Services	1,500.00	1,932.62	(432.62)	-28.84%
Contract Services	0.00	0.00	0.00	0.00%
Information Technology	0.00	351.98	(351.98)	0.00%
Telephone	0.00	147.74	(147.74)	0.00%
Postage	0.00	1.49	(1.49)	0.00%
Mileage	30.00	0.00	30.00	0.00%
Miscellaneous	20.00	14.00	6.00	0.00%
Dues & Subscriptions	0.00	0.00	0.00	0.00%
Books	200.00	0.00	200.00	0.00%
Conferences & Training	500.00	523.24	(23.24)	0.00%
<b>Total Planning &amp; Zoning</b>	<b>12,699.00</b>	<b>26,230.91</b>	<b>(13,531.91)</b>	<b>-106.56%</b>

**1930 - Engineering Services**

Engineering Services	5,000.00	5,265.89	(265.89)	-5.32%
<b>Total Engineering Services</b>	<b>5,000.00</b>	<b>5,265.89</b>	<b>(265.89)</b>	<b>-5.32%</b>

**1940 - City Hall**

Cleaning Supplies	50.00	0.00	50.00	100.00%
Building Repair Supplies	75.00	0.00	75.00	100.00%
Telephone	700.00	121.44	578.56	82.65%
Utilities	900.00	741.42	158.58	17.62%
Refuse	108.32	108.32	0.00	0.00%
Repairs/Maint Contractual Bldg	700.00	341.38	358.62	51.23%
Repairs/Maint Contractual Equip	400.00	1,127.48	(727.48)	-181.87%
Miscellaneous	100.00	0.00	100.00	100.00%
<b>Total City Hall</b>	<b>3,033.32</b>	<b>2,440.04</b>	<b>593.28</b>	<b>19.56%</b>

**Total General Government**

	<b>72,737.47</b>	<b>94,533.73</b>	<b>(21,796.26)</b>	<b>-29.97%</b>
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	86,928.98	128,202.58	(41,273.61)	-47.48%
	6,302.35	9,473.03	(3,170.68)	-50.31%
	5,389.60	7,682.88	(2,293.28)	-42.55%
	1,260.47	1,797.01	(536.54)	-42.57%
	8,864.85	16,560.00	(7,695.15)	-86.81%
	500.00	751.34	(251.34)	-50.27%
	500.00	2,507.09	(2,007.09)	-401.42%
	0.00	585.85	(585.85)	0.00%
	15,000.00	19,792.84	(4,792.84)	-31.95%
	0.00	14,869.24	(14,869.24)	0.00%
	0.00	2,952.01	(2,952.01)	0.00%
	0.00	887.08	(887.08)	0.00%
	0.00	19.64	(19.64)	0.00%
	300.00	0.00	300.00	100.00%
	200.00	971.56	(771.56)	-385.78%
	0.00	270.00	(270.00)	0.00%
	200.00	211.37	(11.37)	0.00%
	2,100.00	1,432.24	667.76	31.80%
	<b>127,546.24</b>	<b>208,965.76</b>	<b>(81,419.52)</b>	<b>-63.84%</b>

	50,000.00	29,389.87	20,610.13	41.22%
	<b>50,000.00</b>	<b>29,389.87</b>	<b>20,610.13</b>	<b>41.22%</b>

	500.00	7.48	492.52	98.50%
	750.00	36.53	713.47	95.13%
	7,200.00	1,698.76	5,501.24	76.41%
	9,000.00	8,312.27	687.73	7.64%
	1,083.20	1,083.20	0.00	0.00%
	7,000.00	8,487.89	(1,487.89)	-21.26%
	4,000.00	4,822.98	(822.98)	-20.57%
	800.00	140.46	659.54	82.44%
	<b>30,333.20</b>	<b>24,589.57</b>	<b>5,743.63</b>	<b>18.94%</b>

	<b>720,765.50</b>	<b>814,839.05</b>	<b>(94,073.55)</b>	<b>-13.05%</b>
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DEPT 420 - PUBLIC SAFETY

2100 - Police

Law Enforcement Contract	0.00	0.00	0.00	0.00%
<b>Total Police</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00%</b>

2150 - Prosecution

Attorney Criminal	4,250.00	4,405.00	(155.00)	-3.65%
<b>Total Prosecution</b>	<b>4,250.00</b>	<b>4,405.00</b>	<b>(155.00)</b>	<b>-3.65%</b>

2220 - Fire

FT Salaries	6,000.00	8,552.22	(2,552.22)	-42.54%
PT Salaries	11,000.00	8,809.98	2,190.02	19.91%
PERA Contributions	1,232.50	1,352.03	(119.53)	-9.70%
FICA Contributions	1,054.00	465.10	588.90	55.87%
Medicare Contributions	246.50	242.00	4.50	1.83%
Health/Dental Insurance	1,276.70	0.00	1,276.70	100.00%
Unemployment Benefits	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%
Office Supplies	125.00	21.01	103.99	0.00%
EMS Supplies	150.00	0.00	150.00	0.00%
Fire Prevention	0.00	175.00	(175.00)	0.00%
Fuel, Oil & Fluids	1,150.00	890.17	259.83	22.59%
Small Tools & Equip	0.00	1,290.84	(1,290.84)	0.00%
Physicals	200.00	0.00	200.00	0.00%
Information Technology	0.00	0.00	0.00	0.00%
Telephone	250.00	369.38	(119.38)	-47.75%
Radio	3,846.08	4,027.84	(181.76)	-4.73%
Mileage	0.00	0.00	0.00	0.00%
Vehicle Insurance	0.00	0.00	0.00	0.00%
Electric Utility	1,000.00	730.68	269.32	26.93%
Refuse	47.68	47.68	0.00	0.00%
Repair/Maint Bldg	376.30	0.00	376.30	100.00%
Repair/Maint Equip	3,900.00	2,126.20	1,773.80	45.48%
Uniforms	150.00	363.47	(213.47)	-142.31%
Miscellaneous	75.00	23.30	51.70	68.93%
Dues & Subscriptions	0.00	0.00	0.00	0.00%
Books	0.00	480.94	(480.94)	0.00%
Conferences & Training	1,200.00	2,809.48	(1,609.48)	-134.12%
<b>Total Fire</b>	<b>33,279.76</b>	<b>32,777.32</b>	<b>502.44</b>	<b>1.51%</b>

2250 - Fire Relief

Fire State Aid	0.00	53,778.39	(53,778.39)	0.00%
<b>Total Fire Relief</b>	<b>0.00</b>	<b>53,778.39</b>	<b>(53,778.39)</b>	<b>0.00%</b>

280,000.00	245,758.76	34,241.24	12.23%
<b>280,000.00</b>	<b>245,758.76</b>	<b>34,241.24</b>	<b>12.23%</b>

42,500.00	38,694.00	3,806.00	8.96%
<b>42,500.00</b>	<b>38,694.00</b>	<b>3,806.00</b>	<b>8.96%</b>

66,100.80	62,187.66	3,913.14	5.92%
109,000.00	94,311.03	14,688.97	13.48%
12,694.81	10,351.32	2,343.49	18.46%
10,856.25	5,317.84	5,538.41	51.02%
2,538.96	2,201.45	337.51	13.29%
12,766.97	10,278.00	2,488.97	19.50%
0.00	0.00	0.00	0.00%
10,130.00	8,042.06	2,087.94	20.61%
375.00	3,019.41	(2,644.41)	-705.18%
2,208.00	874.57	1,333.43	60.39%
3,000.00	3,048.50	(48.50)	-1.62%
11,332.00	9,687.20	1,644.80	14.51%
30,900.00	7,917.27	22,982.73	74.38%
7,216.60	2,061.95	5,154.65	71.43%
0.00	656.61	(656.61)	0.00%
2,500.00	3,385.71	(885.71)	-35.43%
11,838.24	12,276.01	(437.77)	-3.70%
200.00	99.44	100.56	50.28%
12,000.00	5,237.00	6,763.00	56.36%
9,500.00	9,774.79	(274.79)	-2.89%
476.80	684.62	(207.82)	-43.59%
20,263.00	13,329.05	6,933.95	34.22%
19,337.00	21,804.54	(2,467.54)	-12.76%
6,391.50	3,297.97	3,093.53	48.40%
750.00	1,067.79	(317.79)	-42.37%
2,000.00	2,597.00	(597.00)	-29.85%
300.00	480.94	(180.94)	-60.31%
18,250.00	11,215.81	7,034.19	38.54%
<b>382,925.93</b>	<b>305,205.54</b>	<b>77,720.39</b>	<b>20.30%</b>

40,000.00	53,778.39	(13,778.39)	-34.45%
<b>40,000.00</b>	<b>53,778.39</b>	<b>(13,778.39)</b>	<b>0.00%</b>

**2400 - Building Inspection**

FT Salaries	5,747.36	10,033.62	(4,286.26)	-74.58%	63,220.96	73,080.90	(9,859.94)	-15.60%
PERA Contributions	416.68	727.44	(310.76)	-74.58%	4,026.23	5,298.45	(1,272.22)	-31.60%
FICA Contributions	356.34	584.16	(227.82)	-63.94%	3,399.56	4,255.02	(855.46)	-25.16%
Medicare Contributions	83.34	136.59	(53.25)	-63.90%	795.07	995.04	(199.97)	-25.15%
Health/Dental Insurance	767.49	1,414.00	(646.51)	-84.24%	7,674.91	14,140.00	(6,465.09)	-84.24%
Unemployment Benefits	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%	2,000.00	397.88	1,602.12	80.11%
Office Supplies	0.00	51.35	(51.35)	0.00%	0.00	880.02	(880.02)	0.00%
Printed Forms	0.00	0.00	0.00	0.00%	0.00	146.61	(146.61)	0.00%
Fuel, Oil & Fluids	0.00	103.33	(103.33)	0.00%	0.00	267.67	(267.67)	0.00%
Engineering	500.00	2,881.38	(2,381.38)	-476.28%	5,000.00	11,644.73	(6,644.73)	-132.89%
Surcharge Pmts	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Inspector Contract Services	0.00	1,215.00	(1,215.00)	0.00%	0.00	5,376.00	(5,376.00)	0.00%
Info Technology (Permit Works)	0.00	144.92	(144.92)	0.00%	0.00	17,146.69	(17,146.69)	0.00%
Software Programs	0.00	0.00	0.00	0.00%	0.00	91.10	0.00	0.00%
Telephone	18.00	91.10	(73.10)	0.00%	180.00	741.24	(561.24)	-311.80%
Mileage	0.00	220.36	(220.36)	0.00%	0.00	1,006.50	(1,006.50)	0.00%
Insurance	0.00	0.00	0.00	0.00%	255.00	340.00	(85.00)	0.00%
Repairs/Maint Equip	0.00	0.00	0.00	0.00%	500.00	463.28	36.72	7.34%
Uniforms	0.00	0.00	0.00	0.00%	0.00	86.38	(86.38)	0.00%
Miscellaneous	250.00	89.98	160.02	64.01%	500.00	1,497.49	(997.49)	-199.50%
Dues & Subscriptions	0.00	0.00	0.00	0.00%	190.00	90.00	100.00	52.63%
Books	0.00	0.00	0.00	0.00%	100.00	120.64	(20.64)	-20.64%
Conferences & Training	0.00	210.00	(210.00)	0.00%	250.00	825.00	(575.00)	-230.00%
<b>Total Building Inspections</b>	<b>8,139.21</b>	<b>17,903.23</b>	<b>(9,764.02)</b>	<b>-119.96%</b>	<b>88,091.73</b>	<b>138,890.64</b>	<b>(50,707.81)</b>	<b>-57.56%</b>

**2500 - Emergency Communications**

Contract Services	0.00	54.50	(54.50)	0.00%	6,000.00	3,799.50	2,200.50	36.68%
<b>Total Emergency Communications</b>	<b>0.00</b>	<b>54.50</b>	<b>(54.50)</b>	<b>0.00%</b>	<b>6,000.00</b>	<b>3,799.50</b>	<b>2,200.50</b>	<b>0.00%</b>

**2700 - Animal Control**

Printed Forms	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Contract Services	600.00	500.00	100.00	16.67%	5,900.00	6,191.80	(291.80)	-4.95%
Miscellaneous	0.00	75.00	(75.00)	0.00%	0.00	2,310.00	(2,310.00)	0.00%
<b>Total Animal Control</b>	<b>600.00</b>	<b>575.00</b>	<b>25.00</b>	<b>4.17%</b>	<b>5,900.00</b>	<b>8,501.80</b>	<b>(2,601.80)</b>	<b>-44.10%</b>
<b>Total Public Safety</b>	<b>46,268.96</b>	<b>109,493.44</b>	<b>(63,224.48)</b>	<b>-136.65%</b>	<b>845,417.66</b>	<b>794,628.63</b>	<b>50,880.13</b>	<b>6.02%</b>

DEPT 430 - PUBLIC WORKS

3100 - Public Works

FT Salaries	9,700.00	16,530.14	(6,830.14)	-70.41%	108,300.00	131,764.04	(23,464.04)	-21.67%
PT Salaries	0.00	2,581.20	(2,581.20)	0.00%	0.00	10,393.33	(10,393.33)	0.00%
PERA Contributions	703.25	1,385.61	(682.36)	-97.03%	7,851.75	10,273.70	(2,421.95)	-30.85%
FICA Contributions	601.40	1,118.68	(517.28)	-86.01%	6,714.60	8,294.75	(1,580.15)	-23.53%
Medicare Contributions	140.65	261.63	(120.98)	-86.01%	1,570.35	1,939.95	(369.60)	-23.54%
Health/Dental Insurance	2,893.14	2,899.00	(5.86)	-0.20%	28,931.42	28,990.00	(58.58)	-0.20%
Unemployment Benefits	0.00	0.00	0.00	0.00%	4,000.00	0.00	4,000.00	100.00%
Workers Compensation	0.00	0.00	0.00	0.00%	12,000.00	7,399.76	4,600.24	38.34%
Office Supplies	25.00	355.66	(330.66)	-1322.64%	450.00	970.06	(520.06)	-115.57%
Shop Materials	150.00	0.00	150.00	100.00%	1,500.00	779.50	720.50	48.03%
Building Repair Supplies	0.00	0.00	0.00	0.00%	0.00	229.25	(229.25)	0.00%
Small Tools and Minor Equip	250.00	0.00	250.00	100.00%	2,500.00	1,624.71	875.29	35.01%
Engineering Services	150.00	1,059.25	(909.25)	-606.17%	1,500.00	6,388.75	(4,888.75)	-325.92%
Contract Services	400.00	331.92	68.08	17.02%	4,000.00	4,995.40	(995.40)	-24.89%
Information Technology	0.00	0.00	0.00	0.00%	0.00	717.73	(717.73)	0.00%
Telephone	650.00	860.35	(210.35)	-32.36%	6,700.00	5,511.75	1,188.25	17.74%
Radio	300.00	300.06	(0.06)	-0.02%	3,000.00	909.18	2,090.82	69.69%
Mileage	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Insurance	0.00	0.00	0.00	0.00%	22,000.00	19,772.00	2,228.00	0.00%
Electric Utility	2,000.00	1,207.72	792.28	39.61%	20,000.00	15,051.71	4,948.29	24.74%
Refuse	207.82	207.82	0.00	0.00%	2,078.20	1,870.38	207.82	10.00%
Fuel, Oil, Fluids (ALL depis)	3,000.00	9,189.10	(6,189.10)	-206.30%	30,000.00	37,844.36	(7,844.36)	-26.15%
Repair/Maint Bldg	250.00	0.00	250.00	100.00%	2,500.00	5,937.58	(3,437.58)	-137.50%
Repair/Maint NOT Bldg	40.00	0.00	40.00	100.00%	420.00	153.38	266.62	63.48%
Repair/Maint Equip (out)	500.00	0.00	500.00	100.00%	5,000.00	140.73	4,859.27	97.19%
Equipment Parts	500.00	0.00	500.00	100.00%	5,000.00	0.00	5,000.00	100.00%
Uniforms	175.00	0.00	175.00	100.00%	1,750.00	898.66	851.34	48.65%
Miscellaneous	100.00	604.84	(504.84)	-504.84%	800.00	846.99	(46.99)	-5.87%
Landscaping Material	80.00	0.00	80.00	100.00%	840.00	64.13	775.87	92.37%
Dues & Subscriptions	0.00	0.00	0.00	0.00%	60.00	56.00	4.00	6.67%
Conferences & Training	0.00	100.00	(100.00)	0.00%	1,619.60	260.00	1,359.60	83.95%
Clean up Days	0.00	0.00	0.00	0.00%	6,000.00	4,481.33	1,518.67	25.31%
<b>Total Public Works</b>	<b>22,816.26</b>	<b>38,992.98</b>	<b>(16,176.72)</b>	<b>-70.90%</b>	<b>287,085.92</b>	<b>308,559.11</b>	<b>(21,473.19)</b>	<b>-7.48%</b>

3120 - Streets

Equipment Parts	0.00	3,188.85	(3,188.85)	0.00%	0.00	4,208.93	(4,208.93)	0.00%
Street Maintenance Materials	1,000.00	4,011.76	(3,011.76)	-301.18%	10,000.00	19,094.52	(9,094.52)	-90.95%
Sign Repair Materials	250.00	0.00	250.00	100.00%	2,500.00	1,479.16	1,020.84	40.83%
Contract Services	850.00	1,287.38	(437.38)	-51.46%	8,500.00	9,928.05	(1,428.05)	-16.80%
Repairs/Maint Equipment	0.00	0.00	0.00	0.00%	0.00	1,404.63	(1,404.63)	0.00%
<b>Total Streets</b>	<b>2,100.00</b>	<b>8,487.99</b>	<b>(6,387.99)</b>	<b>-304.19%</b>	<b>21,000.00</b>	<b>36,115.29</b>	<b>(15,115.29)</b>	<b>-71.98%</b>

**3125 - Ice & Snow Removal**

Landscaping Material	0.00	0.00	0.00	103.38	(103.38)	0.00%
Sand/Salt	0.00	0.00	40,000.00	57,732.37	(17,732.37)	-44.33%
Contract Services	0.00	0.00	6,250.00	4,307.75	1,942.25	31.08%
Repairs/Maint Equipment	250.00	410.98	2,500.00	5,352.93	(2,852.93)	-114.12%
<b>Total Ice &amp; Snow Removal</b>	<b>250.00</b>	<b>410.98</b>	<b>48,750.00</b>	<b>67,496.43</b>	<b>(18,746.43)</b>	<b>-38.45%</b>

**3160 - Street Lighting**

Street Lighting	2,100.00	2,349.46	21,000.00	20,877.18	122.82	0.58%
<b>Total Street Lighting</b>	<b>2,100.00</b>	<b>2,349.46</b>	<b>21,000.00</b>	<b>20,877.18</b>	<b>122.82</b>	<b>0.58%</b>

**3200 - Recycling**

Recycling Supplies	0.00	0.00	3,500.00	3,584.25	(84.25)	-2.41%
Newsletter	0.00	0.00	2,000.00	0.00	2,000.00	100.00%
Miscellaneous	400.00	0.00	4,000.00	0.00	4,000.00	100.00%
<b>Total Recycling</b>	<b>400.00</b>	<b>0.00</b>	<b>9,500.00</b>	<b>3,584.25</b>	<b>5,915.75</b>	<b>62.27%</b>

**3250 - Tree Program**

Contract Services	400.00	0.00	4,200.00	11,325.00	(7,125.00)	-169.64%
<b>Total Tree Program</b>	<b>400.00</b>	<b>0.00</b>	<b>4,200.00</b>	<b>11,325.00</b>	<b>(7,125.00)</b>	<b>-169.64%</b>

**Total Public Works**

	<b>28,066.26</b>	<b>50,241.41</b>	<b>391,535.92</b>	<b>447,957.26</b>	<b>(56,421.34)</b>	<b>-14.41%</b>
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DEPT 450 - CULTURE, RECREATION

5200 - Parks & Recreation

FT Salaries	8,583.96	11,962.52	(3,378.56)	-39.36%	94,423.16	74,514.20	19,908.96	21.08%
PT Salaries	700.00	0.00	700.00	100.00%	12,750.00	17,973.89	(5,223.89)	-40.97%
PERA Contributions	622.34	867.22	(244.88)	-39.35%	6,845.68	5,970.29	875.39	12.79%
FICA Contributions	575.61	710.81	(135.20)	-23.49%	6,644.74	5,533.97	1,110.77	16.72%
Medicare Contributions	134.62	166.23	(31.61)	-23.48%	1,554.01	1,294.18	259.83	16.72%
Health/Dental Insurance	1,084.57	290.16	794.41	73.25%	10,845.73	4,146.80	6,698.93	61.77%
Unemployment Benefits	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Workers Compensation	0.00	0.00	0.00	0.00%	3,000.00	4,105.81	(1,105.81)	-36.86%
Shop Materials	0.00	0.00	0.00	0.00%	0.00	423.67	(423.67)	0.00%
Chemicals	50.00	0.00	50.00	100.00%	500.00	740.98	(240.98)	-48.20%
Equipment Parts	150.00	64.91	85.09	56.73%	1,500.00	2,124.95	(624.95)	-41.66%
Building Repair Supplies	0.00	0.00	0.00	0.00%	0.00	10.63	(10.63)	0.00%
Landscaping Materials	200.00	482.79	(282.79)	-141.40%	2,000.00	2,780.50	(780.50)	-39.03%
Small Tools and Minor Equip	75.00	391.43	(316.43)	-421.91%	750.00	2,276.93	(1,526.93)	-203.59%
Telephone	100.00	91.01	8.99	8.99%	1,000.00	879.46	120.54	12.05%
Mileage	0.00	0.00	0.00	0.00%	0.00	0.00	0.00	0.00%
Insurance	0.00	0.00	0.00	0.00%	5,000.00	3,683.00	1,317.00	26.34%
Electric Utility	750.00	380.61	369.39	49.25%	7,500.00	6,940.57	559.43	7.46%
Refuse	207.82	207.82	0.00	0.00%	2,078.20	2,078.20	0.00	0.00%
Repair/Maint Bldg	25.00	0.00	25.00	100.00%	250.00	383.20	(133.20)	-53.28%
Repair/Maint NOT Bldg	50.00	3.31	46.69	93.38%	500.00	3,451.45	(2,951.45)	-590.29%
Repair/Maint Equip	100.00	0.00	100.00	100.00%	1,000.00	0.00	1,000.00	100.00%
Rental Buildings	400.00	1,562.58	(1,162.58)	-290.65%	4,000.00	5,292.62	(1,292.62)	-32.32%
Miscellaneous	0.00	133.63	(133.63)	0.00%	0.00	636.72	(636.72)	0.00%
<b>Total Parks &amp; Recreation</b>	<b>13,808.91</b>	<b>17,315.03</b>	<b>(3,506.12)</b>	<b>-25.39%</b>	<b>162,141.52</b>	<b>145,242.02</b>	<b>16,899.50</b>	<b>10.42%</b>

DEPT 460 - COMP ADJ

	0.00	0	0	0.00%	0.00	0.00	0.00	0.00%
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DEPT 490 - CONTINGENCY FUND

	0.00	0	0	0.00%	60,339.70	58,546.10	1,793.60	2.97%
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DEPT 493 - OTH FINANCING

	0.00	0	0	0.00%	0.00	0.00	0.00	0.00%
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GRAND TOTAL ALL DEPTS

	<b>160,881.61</b>	<b>271,583.61</b>	<b>(110,702.00)</b>	<b>-68.81%</b>	<b>2,119,860.60</b>	<b>2,202,666.96</b>	<b>(82,715.26)</b>	<b>-3.90%</b>
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Net Income over Expenses

	<b>(127,171.61)</b>	<b>(167,220.00)</b>	<b>(40,048.39)</b>	<b>31.49%</b>	<b>(454,918.28)</b>	<b>(322,545.07)</b>	<b>132,373.21</b>	<b>-29.10%</b>
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## MAYOR & COUNCIL COMMUNICATION

**DATE:** November 19, 2013  
**CONSENT  
ITEM  
MOTION** #4

**AGENDA ITEM:** New Single Family Home Permit Report

**SUBMITTED BY:** Rick Chase, Building Official

**THROUGH:** Rick Chase, Building Official

**REVIEWED BY:** Kyle Klatt, Planning Director

### SUGGESTED ORDER OF BUSINESS:

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

**POLICY RECOMMENDER:** NA

**FISCAL IMPACT:** NA

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

### LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

	<u>2013</u>	<u>2012</u>	<u>2011</u>
New homes	30	29	21*
Total valuation	\$13,818,894	\$13,196,112	\$9,214,000
Average home value	\$460,629	\$455,038	\$438,762

\*No new houses in November 2011

**RECOMMENDATION:** Based on the aforementioned, the staff recommends the City Council accept the monthly new single family home permit report.



## MAYOR & COUNCIL COMMUNICATION

DATE: November 19, 2013  
CONSENT  
ITEM # 5

**AGENDA ITEM:** Production Well No. 4 – Pay Request No. 4

**SUBMITTED BY:** Chad Isakson, Project Engineer

**THROUGH:** Dean A. Zuleger, City Administrator

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

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**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

**POLICY RECOMMENDER:** Engineering

**FISCAL IMPACT:**

None. Partial payment is proposed in accordance with the Contract for the project. Payment remains within the authorized scope and budget.

**SUMMARY AND ACTION REQUESTED:**

The City Council is respectfully requested to consider approving Pay Request No. 4 for the Production Well No. 4 project. If removed from the consent agenda, the recommended motion for the action is as follows:

***“Move to approve Pay Request No. 4 to Keys Well Drilling Company in the amount of \$51,024.50, for the Production Well No. 4 Project”***



**LEGISLATIVE HISTORY/BACKGROUND INFORMATION:**

Keys Well Drilling Co., the Contractor for the project, has submitted Partial Pay Estimate No. 4 in the amount of \$51,024.50. The request has been reviewed and payment is recommended in the amount requested. In accordance with the contract documents, the City has retained 5% of the total work completed. The amount retained is \$6,697.25.

**RECOMMENDATION:**


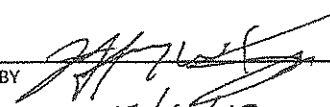
Staff is recommending that the City Council consider approving, *as part of the Consent Agenda*, Pay Request No. 4 for the Production Well No. 4 project. If removed from the consent agenda, the recommended motion for the action is as follows:

***“Move to approve Pay Request No. 4 to Keys Well Drilling Company in the amount of \$51,024.50, for the Production Well No. 4 Project”***

**ATTACHMENT(S):**

1. Partial Pay Estimate No. 4

# PROJECT PAY FORM

PARTIAL PAY ESTIMATE NO. <u>4</u>			<b>FOCUS</b> ENGINEERING, inc.		
PRODUCTION WELL NO. 4 PROJECT NO. 2013.125			PERIOD OF ESTIMATE FROM <u>10/1/2013</u> TO <u>10/31/2013</u>		
PROJECT OWNER: CITY OF LAKE ELMO 3800 LAVERNE AVENUE NORTH LAKE ELMO, MN 55042 ATTN: JACK GRIFFIN, P.E., CITY ENGINEER			CONTRACTOR: KEYS WELL DRILLING CO. 1156 HOMER ST ST. PAUL, MN 55116 ATTN: JEFFREY KEYS		
CONTRACT CHANGE ORDER SUMMARY			PAY ESTIMATE SUMMARY		
No.	Approval Date	Amount			
		Additions      Deductions			
			1. Original Contract Amount <u>\$304,800.00</u>		
			2. Net Change Order Sum <u>\$0.00</u>		
			3. Revised Contract (1+2) <u>\$304,800.00</u>		
			4. *Work Completed <u>\$133,945.00</u>		
			5. *Stored Materials <u>\$0.00</u>		
			6. Subtotal (4+5) <u>\$133,945.00</u>		
			7. Retainage* <u>5.0%</u> <u>\$6,697.25</u>		
			8. Previous Payments <u>\$76,223.25</u>		
TOTALS		\$0.00      \$0.00	9. Amount Due (6-7-8) <u>\$51,024.50</u>		
NET CHANGE		\$0.00	*Detailed Breakdown Attached		
CONTRACT TIME					
START DATE: <u>7/8/2013</u>		ORIGINAL DAYS <u>123</u>		ON SCHEDULE	
SUBSTANTIAL COMPLETION: <u>10/25/2013</u>		REVISED DAYS <u>0</u>		YES <input type="checkbox"/>	
FINAL COMPLETION: <u>11/8/2013</u>		REMAINING <u>8</u>		NO <input checked="" type="checkbox"/>	
ENGINEER'S CERTIFICATION: The undersigned certifies that the work has been reviewed and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.			FOCUS Engineering, inc.  ENGINEER <u>11/6/2013</u> DATE		
CONTRACTOR'S CERTIFICATION: The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the contractor for work for which previous payment estimates was issued and payments received from the owner, and that current payment shown herein is now due.			CONTRACTOR  BY <u>10/6/13</u> DATE		
APPROVED BY OWNER: <u>CITY OF LAKE ELMO, MINNESOTA</u>					
BY _____			BY _____		
DATE _____			DATE _____		

PARTIAL PAY ESTIMATE NO. 4

PRODUCTION WELL NO. 4  
CITY OF LAKE ELMO, MINNESOTA  
PROJECT NO. 2013.125

**FOCUS** ENGINEERING, inc.

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
1	MOBILIZATION / SITE WORK	LS	1	\$26,000.00	\$26,000.00	0.10	\$2,600.00	0.60	\$15,600.00
2	SILT FENCE	LF	550	\$5.00	\$2,750.00	-	\$0.00	275.00	\$1,375.00
3	24-INCH STEEL CASING	LF	95	\$200.00	\$19,000.00	-	\$0.00	89.00	\$17,800.00
4	24-INCH OPEN HOLE	LF	110	\$125.00	\$13,750.00	2.00	\$250.00	122.00	\$15,250.00
5	18-INCH STEEL CASING	LF	210	\$80.00	\$16,800.00	2.00	\$160.00	211.00	\$16,880.00
6	18-INCH OPEN HOLE	LF	85	\$60.00	\$5,100.00	-	\$0.00	81.00	\$4,860.00
7	GROUT	CY	50	\$410.00	\$20,500.00	-	\$0.00	28.00	\$11,480.00
8	EXPLOSIVES	LB	400	\$28.00	\$11,200.00	250.00	\$7,000.00	250.00	\$7,000.00
9	REMOVAL OF ROCK	CY	750	\$70.00	\$52,500.00	500.00	\$35,000.00	500.00	\$35,000.00
10	AIR SURGING MOBILIZATION	LS	1	\$4,500.00	\$4,500.00	1.00	\$4,500.00	1.00	\$4,500.00
11	AIR SURGING DEVELOPMENT	HRS	125	\$210.00	\$26,250.00	20.00	\$4,200.00	20.00	\$4,200.00
12	TELEVISION SURVEY	LS	1	\$1,400.00	\$1,400.00	-	\$0.00	-	\$0.00
13	TEST PUMP MOBILIZATION & INSTALL.	LS	1	\$5,000.00	\$5,000.00	-	\$0.00	-	\$0.00
14	TEST PUMPING	HRS	80	\$140.00	\$11,200.00	-	\$0.00	-	\$0.00
15	TEST PUMPING DISCHARGE PIPE	LF	2,500	\$5.50	\$13,750.00	-	\$0.00	-	\$0.00
16	SAND CONTENT TESTS	EA	5	\$50.00	\$250.00	-	\$0.00	-	\$0.00
17	CHEM. ANALYSIS & BACT. TEST	LS	1	\$4,500.00	\$4,500.00	-	\$0.00	-	\$0.00
18	SOUNDS BARRIER CONSTRUCTION	SF	1,600	\$8.00	\$12,800.00	-	\$0.00	-	\$0.00
19	GAMMA LOG	EA	1	\$800.00	\$800.00	-	\$0.00	-	\$0.00
20	RESTORATION	LS	1	\$3,500.00	\$3,500.00	-	\$0.00	-	\$0.00
21	WELL PUMP	LS	1	\$53,250.00	\$53,250.00	-	\$0.00	-	\$0.00
<b>TOTALS - BASE CONTRACT</b>					<b>\$304,800.00</b>		<b>\$53,710.00</b>		<b>\$133,945.00</b>



## MAYOR & COUNCIL COMMUNICATION

DATE: November 19, 2013  
CONSENT  
ITEM # 6

**AGENDA ITEM:** Production Well No. 4 – Change Order No. 1

**SUBMITTED BY:** Chad Isakson, Project Engineer

**THROUGH:** Dean A. Zuleger, City Administrator

**REVIEWED BY:** Jack Griffin, City Engineer  
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

**POLICY RECOMMENDER:** Engineering

### **FISCAL IMPACT:**

None. This change order only impacts the Contract completion dates for the project.

### **SUMMARY AND ACTION REQUESTED:**

The City Council is respectfully requested to consider approving, *as part of the Consent Agenda*, Change Order No. 1 for the Production Well No. 4 project, thereby extending the Contract Times for Completion by 35 days. If removed from the consent agenda, the recommended motion for the action is as follows:

***“Move to approve Change Order No. 1 for the Production Well No. 4 project”***

### **LEGISLATIVE HISTORY/BACKGROUND INFORMATION:**

This change order extends the contract times for project completion by 35 days; revising the substantial completion date from October 25, 2013 to November 29, 2013, and the final

completion date from November 8, 2013 to December 13, 2013. The time extension is being granted to account for all job delays the Contractor has experienced on the project that were beyond the control of the Contractor, including a delay in the project start date due to the receipt of the approved project permits, and unforeseen drilling conditions.

With approval of this Change Order, the revised Substantial Completion date will be November 29, 2013; and the revised Final Completion date will be December 13, 2013.

**RECOMMENDATION:**

Staff is recommending that the City Council consider approving, as part of the Consent Agenda, Change Order No. 1 for the Production Well No. 4 project, thereby extending the Contract Times for Completion by 35 days. If removed from the consent agenda, the recommended motion for this action is as follows:

***“Move to approve Change Order No. 1 for the Production Well No. 4 project”***

**ATTACHMENT(S):**

1. Change Order No. 1.

**CONTRACT CHANGE ORDER FORM**

**CITY OF LAKE ELMO, MINNESOTA**  
**PRODUCTION WELL NO. 4**  
**PROJECT NO. 2013.125**

**FOCUS** ENGINEERING, inc.

**CHANGE ORDER NO.** 1

**DATE:** November 11, 2013

**TO:** KEYS WELL DRILLING CO., 1156 HOMER ST, ST. PAUL MN 55116

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:**

This change order extends the contract times for project completion by 35 days; revising the Substantial Completion date from October 25, 2013 to November 29, 2013, and the Final Completion date from November 8, 2013 to December 13, 2013. This time extension is being granted to account for all job to date delays the Contractor has experienced on the project that were beyond the control of the Contractor; including a delay in the project start date due to the receipt of the approved project permits, and unforeseen drilling conditions.

**Attachments (list documents supporting change):** None


ITEM	DESCRIPTION OF PAY ITEM	UNIT	QTY	UNIT PRICE	INCREASE/(DECREASE)
CO1-1	Time Extension				NA
<b>NET CONTRACT CHANGE</b>					<b>\$0.00</b>

Amount of Original Contract	\$	304,800.00
Sum of Additions/Deductions approved to date (CO Nos. )	\$	0.00
Contract Amount to date	\$	304,800.00
Amount of this Change Order <del>(ADD)</del> <del>(DEDUCT)</del> (NO CHANGE)	\$	0.00
Revised Contract Amount	\$	304,800.00

The Contract Period for Completion will be ~~(UNCHANGED)~~ (INCREASED) ~~(DECREASED)~~ 35 days

APPROVED BY ENGINEER: FOCUS Engineering, inc.

APPROVED BY CONTRACTOR

  
ENGINEER  
11/12/2013

DATE

BY

DATE

APPROVED BY OWNER: CITY OF LAKE ELMO, MINNESOTA

BY

BY

DATE

DATE



## MAYOR & COUNCIL COMMUNICATION

DATE: November 19, 2013

CONSENT

ITEM #: 7

**AGENDA ITEM:** Section 34 Water and Sewer Utility Extension Improvements – Pay Request No. 1

**SUBMITTED BY:** Ryan Stempski, Project Engineer

**THROUGH:** Dean A. Zuleger, City Administrator

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

### **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

**POLICY RECOMMENDER:** Engineering

### **FISCAL IMPACT:**

None. Partial payment is proposed in accordance with the Contract for the project. Payment remains within the authorized scope and budget.

### **SUMMARY AND ACTION REQUESTED:**

The City Council is respectfully requested to consider approving Pay Request No. 1 for the Section 34 Water and Sewer Utility Extension Improvements. If removed from the consent agenda, the recommended motion for this action is as follows:

*“Move to approve Pay Request No. 1 to Redstone Construction Company, Inc. in the amount of \$271,284.14, for the Section 34 Water and Sewer Utility Extension Improvements.”*

**LEGISLATIVE HISTORY/BACKGROUND INFORMATION:**

Redstone Construction Company, Inc. (the Contractor for the project) has submitted Partial Pay Estimate No. 1 in the amount of \$271,284.14. The request has been reviewed and payment is recommended in the amount requested of \$271,284.14. In accordance with the contract documents, the City has retained 5% of the total work completed. The amount retained is \$14,278.11.

**RECOMMENDATION:**

Staff is recommending that the City Council consider approving, *as part of the Consent Agenda*, Pay Request No. 1 for the Section 34 Water and Sewer Utility Extension Improvements. If removed from the consent agenda, the recommended motion for this action is as follows:

***“Move to approve Pay Request No. 1 to Redstone Construction Company, Inc. in the amount of \$271,284.14, for the Section 34 Water and Sewer Utility Extension Improvements.”***

**ATTACHMENT(S):**

1. Partial Pay Estimate No. 1



# PROJECT PAY FORM

PARTIAL PAY ESTIMATE NO. <u>1</u>		<b>FOCUS</b> ENGINEERING, inc.	
SECTION 34 WATER & SEWER UTILITY EXTENSION IMPROVEMENTS PROJECT NO. 2013.126		PERIOD OF ESTIMATE FROM <u>10/7/2013</u> TO <u>11/1/2013</u>	
PROJECT OWNER: CITY OF LAKE ELMO 3800 LAVERNE AVENUE NORTH LAKE ELMO, MN 55042 ATTN: JACK GRIFFIN, CITY ENGINEER		CONTRACTOR: REDSTONE CONSTRUCTION COMPANY INC. PO BOX 218 MORA, MN 55051 ATTN: DALE MANS, PROJECT MANAGER	
CONTRACT CHANGE ORDER SUMMARY		PAY ESTIMATE SUMMARY	
No.	Approval Date	Amount Additions      Deductions	1. Original Contract Amount <u>\$1,701,884.50</u>
1	11/6/2013	\$11,162.82	2. Net Change Order Sum <u>\$11,162.82</u>
			3. Revised Contract (1+2) <u>\$1,713,047.32</u>
			4. *Work Completed <u>\$285,562.26</u>
			5. *Stored Materials <u>\$0.00</u>
			6. Subtotal (4+5) <u>\$285,562.26</u>
			7. Retainage* <u>5.0%</u> <u>\$14,278.11</u>
			8. Previous Payments <u>\$0.00</u>
TOTALS		\$11,162.82      \$0.00	9. Amount Due (6-7-8) <u>\$271,284.14</u>
NET CHANGE		\$11,162.82	*Detailed Breakdown Attached
CONTRACT TIME			
START DATE: <u>10/7/2013</u>		ORIGINAL DAYS <u>235</u>	ON SCHEDULE YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>
SUBSTANTIAL COMPLETION: <u>12/20/2013</u>		REVISED DAYS <u>0</u>	
FINAL COMPLETION: <u>5/30/2014</u>		REMAINING <u>210</u>	
ENGINEER'S CERTIFICATION: The undersigned certifies that the work has been reviewed and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.		FOCUS Engineering, Inc.  <u>B. J. [Signature]</u> ENGINEER <u>11-7-2013</u> DATE	
CONTRACTOR'S CERTIFICATION: The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the contractor for work for which previous payment estimates was issued and payments received from the owner, and that current payment shown herein is now due.		CONTRACTOR  <u>Dale Mans</u> BY <u>11-7-2013</u> DATE	
APPROVED BY OWNER:      CITY OF LAKE ELMO, MINNESOTA			
BY _____		BY _____	
DATE _____		DATE _____	

PARTIAL PAY ESTIMATE NO.

1

SECTION 34 WATER & SEWER UTILITY EXTENSION IMPROVEMENTS  
CITY OF LAKE ELMO, MINNESOTA  
PROJECT NO. 2013.126

**FOCUS** ENGINEERING, inc.

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
DIVISION 1 - GENERAL									
1	MOBILIZATION	LS	1	\$48,000.00	\$48,000.00	0.50	\$24,000.00	0.50	\$24,000.00
2	TRAFFIC CONTROL	LS	1	\$6,000.00	\$6,000.00	0.00	\$0.00	0	\$0.00
3	CLEAR AND GRUB TREES	LS	1	\$19,000.00	\$19,000.00	1.00	\$19,000.00	1	\$19,000.00
4	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EA	2	\$1,100.00	\$2,200.00	0.00	\$0.00	0	\$0.00
5	STREET SWEEPING	HR	40	\$175.00	\$7,000.00	0.00	\$0.00	0	\$0.00
SUBTOTAL - DIVISION 1					\$82,500.00		\$43,000.00		\$43,000.00
DIVISION 2 - SANITARY SEWER (GRAVITY SEWER - HUDSON BLVD.)									
6	CONCRETE JERSEY BARRIERS	LF	900	\$21.00	\$18,900.00	0.00	\$0.00	0	\$0.00
7	REMOVE AND DISPOSE OF EXISTING BITUMINOUS DRIVEWAY	SY	500	\$2.20	\$1,100.00	0.00	\$0.00	0	\$0.00
8	REMOVE PIPE CULVERT	LF	245	\$5.50	\$1,347.50	0.00	\$0.00	0	\$0.00
9	REMOVE SANITARY SEWER PIPE	LF	15	\$5.55	\$83.25	0.00	\$0.00	0	\$0.00
10	SALVAGE AND REINSTALL 12" RCP, INCL APRONS	LF	50	\$22.10	\$1,105.00	0.00	\$0.00	0	\$0.00
11	PATCH BITUMINOUS DRIVEWAY	SY	500	\$35.00	\$17,500.00	0.00	\$0.00	0	\$0.00
12	PATCH GRAVEL DRIVEWAY	TN	300	\$15.00	\$4,500.00	0.00	\$0.00	0	\$0.00
13	25" X 42" ARCH CMP CULVERT	LF	69	\$51.90	\$3,581.10	0.00	\$0.00	0	\$0.00
14	30" CMP CULVERT	LF	71	\$44.20	\$3,138.20	0.00	\$0.00	0	\$0.00
15	36" CMP CULVERT	LF	35	\$51.90	\$1,816.50	0.00	\$0.00	0	\$0.00
16	42" CMP CULVERT	LF	64	\$75.20	\$4,812.80	0.00	\$0.00	0	\$0.00
17	25" X 42" ARCH CMP CULVERT	EA	2	\$498.00	\$996.00	0.00	\$0.00	0	\$0.00
18	30" CMP APRON	EA	3	\$389.00	\$1,167.00	0.00	\$0.00	0	\$0.00
19	36" CMP APRON	EA	2	\$573.00	\$1,146.00	0.00	\$0.00	0	\$0.00
20	42" CMP APRON	EA	2	\$1,110.00	\$2,220.00	0.00	\$0.00	0	\$0.00
21	CONNECT TO EXISTING SANITARY SEWER W/H	EA	1	\$993.00	\$993.00	0.00	\$0.00	0	\$0.00
22	8" PVC SANITARY SEWER, SDR 35, 0' - 10' DEEP	LF	25	\$36.90	\$922.50	0.00	\$0.00	0	\$0.00
23	10" PVC SANITARY SEWER, SDR 26, 25' - 30' DEEP	LF	20	\$154.00	\$3,080.00	0.00	\$0.00	0	\$0.00
24	12" PVC SANITARY SEWER, SDR 35, 0' - 10' DEEP	LF	885	\$38.20	\$33,817.00	0.00	\$0.00	0	\$0.00
25	12" PVC SANITARY SEWER, SDR 35, 10' - 15' DEEP	LF	675	\$40.00	\$27,000.00	0.00	\$0.00	0	\$0.00
26	12" PVC SANITARY SEWER, SDR 35, 15' - 20' DEEP	LF	290	\$71.40	\$20,706.00	0.00	\$0.00	0	\$0.00
27	12" PVC SANITARY SEWER, SDR 35, 20' - 25' DEEP	LF	65	\$83.60	\$5,434.00	0.00	\$0.00	0	\$0.00
28	12" PVC SANITARY SEWER, SDR 26, 20' - 25' DEEP	LF	209	\$91.20	\$19,240.00	0.00	\$0.00	0	\$0.00
29	12" PVC SANITARY SEWER, SDR 26, 25' - 30' DEEP	LF	560	\$103.00	\$57,680.00	0.00	\$0.00	0	\$0.00
30	JACK 12" PVC SANITARY SEWER	LF	40	\$410.00	\$16,400.00	0.00	\$0.00	0	\$0.00
31	ROCK FOUNDATION BORROW	LF	1,300	\$0.01	\$13.00	0.00	\$0.00	0	\$0.00
32	INSULATION, 2" THICK	SY	150	\$15.90	\$2,385.00	0.00	\$0.00	0	\$0.00
33	PLACE FILL OVER SANITARY SEWER PIPE (LV)	CY	150	\$7.75	\$1,162.50	0.00	\$0.00	0	\$0.00
34	CROSS HIGH PRESSURE GAS PIPE LINE	LS	1	\$1,760.00	\$1,760.00	0.00	\$0.00	0	\$0.00
35	SANITARY SEWER MH, 4' DIAMETER	EA	8	\$2,550.00	\$20,400.00	0.00	\$0.00	0	\$0.00
36	EXCESS MANHOLE DEPTH, 4' DIAMETER	LF	56	\$97.20	\$5,443.20	0.00	\$0.00	0	\$0.00
37	TELEWISE SANITARY SEWER	LF	2,672	\$1.75	\$4,676.00	0.00	\$0.00	0	\$0.00
38	OFF ROAD STRUCTURE MARKER	EA	7	\$55.20	\$386.40	0.00	\$0.00	0	\$0.00
39	SEED MIX 250 & BLANKET	SY	5,000	\$1.10	\$5,500.00	0.00	\$0.00	0	\$0.00
40	SEED MIX 270 & BLANKET	SY	5,200	\$1.14	\$5,928.00	0.00	\$0.00	0	\$0.00
41	SEED MIX 250 & HYDROMULCH	SY	5,000	\$0.42	\$2,100.00	0.00	\$0.00	0	\$0.00
42	SEED MIX 270 & HYDROMULCH	SY	5,200	\$0.46	\$2,392.00	0.00	\$0.00	0	\$0.00
43	EROSION STABILIZATION MAT	SY	150	\$9.90	\$1,485.00	0.00	\$0.00	0	\$0.00
44	TEMPORARY SEED MIX 200 AND MULCH	AC	4	\$688.00	\$2,744.00	0.00	\$0.00	0	\$0.00
45	DITCH CHECK	EA	8	\$97.50	\$780.00	0.00	\$0.00	0	\$0.00
46	CULVERT INLET PROTECTION	EA	8	\$200.00	\$1,600.00	0.00	\$0.00	0	\$0.00
47	SILT FENCE	LF	1,500	\$1.71	\$2,565.00	675.00	\$1,155.96	675	\$1,155.96
SUBTOTAL - DIVISION 2					\$305,781.85		\$1,155.96		\$1,155.96

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE		
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT	
DIVISION 3 - SANITARY SEWER (LIFT STATION SYSTEM)										
48	REMOVE AND DISPOSE OF EXISTING BITUMINOUS DRIVEWAY	SY	570	\$2.75	\$1,567.50	0.00	\$0.00	0	\$0.00	
49	REMOVE AND DISPOSE OF EXISTING CONCRETE DRIVEWAY	SY	40	\$8.75	\$350.00	0.00	\$0.00	0	\$0.00	
50	REMOVE AND DISPOSE OF CONCRETE CURB AND GUTTER	LF	30	\$4.35	\$130.50	0.00	\$0.00	0	\$0.00	
51	REMOVE PIPE CULVERT	LF	165	\$5.50	\$907.50	0.00	\$0.00	0	\$0.00	
52	SALVAGE AND REINSTALL 18" RCP, INCL APRONS	LF	60	\$24.30	\$1,458.00	0.00	\$0.00	0	\$0.00	
53	PATCH BITUMINOUS DRIVEWAY	SY	200	\$35.00	\$7,000.00	0.00	\$0.00	0	\$0.00	
54	PATCH GRAVEL DRIVEWAY	TN	230	\$15.00	\$3,450.00	0.00	\$0.00	0	\$0.00	
55	3618 CONCRETE CURB AND GUTTER	LF	30	\$30.00	\$900.00	0.00	\$0.00	0	\$0.00	
56	12" CMP CULVERT	LF	30	\$20.50	\$615.00	0.00	\$0.00	0	\$0.00	
57	18" CMP CULVERT	LF	32	\$26.80	\$1,393.60	0.00	\$0.00	0	\$0.00	
58	21" CMP CULVERT	LF	40	\$31.00	\$1,240.00	0.00	\$0.00	0	\$0.00	
59	12" CMP APRON	EA	1	\$131.00	\$131.00	0.00	\$0.00	0	\$0.00	
60	18" CMP APRON	EA	2	\$157.00	\$314.00	0.00	\$0.00	0	\$0.00	
61	21" CMP APRON	EA	2	\$197.00	\$394.00	0.00	\$0.00	0	\$0.00	
62	8" DIP SANITARY SEWER, CLASS 52, 10' - 15' DEEP	LF	40	\$44.30	\$1,772.00	0.00	\$0.00	0	\$0.00	
63	8" PVC SANITARY SEWER, SDR 35, 0' - 10' DEEP	LF	700	\$25.70	\$17,990.00	59.00	\$1,516.30	59	\$1,516.30	
64	8" PVC SANITARY SEWER, SDR 35, 10' - 15' DEEP	LF	1,275	\$26.00	\$33,700.00	230.00	\$6,440.00	230	\$6,440.00	
65	8" PVC SANITARY SEWER, SDR 35, 15' - 20' DEEP	LF	425	\$55.00	\$23,375.00	744.00	\$41,396.00	744	\$43,895.00	
66	8" PVC SANITARY SEWER, SDR 35, 20' - 25' DEEP	LF	10	\$74.30	\$743.00	0.00	\$0.00	0	\$0.00	
67	8" PVC SANITARY SEWER, SDR 26, 0' - 10' DEEP	LF	50	\$28.10	\$1,405.00	0.00	\$0.00	0	\$0.00	
68	8" PVC SANITARY SEWER, SDR 26, 10' - 15' DEEP	LF	606	\$34.50	\$20,907.00	547.00	\$18,871.50	547	\$16,871.50	
69	8" PVC SANITARY SEWER, SDR 26, 15' - 20' DEEP	LF	435	\$69.90	\$30,406.50	381.00	\$26,631.90	381	\$26,551.90	
70	8" PVC SANITARY SEWER, SDR 26, 20' - 25' DEEP	LF	715	\$82.90	\$59,273.50	696.00	\$57,778.40	696	\$74,278.40	
71	8" PVC SANITARY SEWER, SDR 26, 25' - 30' DEEP	LF	25	\$94.20	\$2,355.00	70.00	\$6,594.00	70	\$6,594.00	
72	10" PVC SANITARY SEWER, SDR 26, 15' - 20' DEEP	LF	70	\$30.10	\$2,107.00	0.00	\$0.00	0	\$0.00	
73	10" PVC SANITARY SEWER, SDR 16, 20' - 25' DEEP	LF	32	\$51.50	\$1,648.00	102.00	\$5,253.00	102	\$5,253.00	
74	10" PVC SANITARY SEWER, SDR 26, 25' - 30' DEEP	LF	0	\$109.00	\$0.00	0.00	\$0.00	0	\$0.00	
75	10" PVC SANITARY SEWER, SDR 26, 30' - 35' DEEP	LF	0	\$187.00	\$0.00	0.00	\$0.00	0	\$0.00	
76	ROCK FOUNDATION BORROW	LF	5,000	\$0.01	\$50.00	0.00	\$0.00	0	\$0.00	
77	8" DIP SANITARY SEWER OUTSIDE DROP	LF	27	\$162.00	\$4,374.00	0.00	\$0.00	0	\$0.00	
78	8" DIP SANITARY SEWER BLIND OUTSIDE DROP	LF	29	\$151.00	\$4,379.00	29.30	\$4,424.30	29.30	\$4,424.30	
79	SANITARY SEWER MH, 4' DIAMETER	EA	27	\$2,450.00	\$66,150.00	15.00	\$36,750.00	15	\$39,350.00	
80	EXCESS MANHOLE DEPTH, 4' DIAMETER	LF	168	\$97.20	\$16,329.60	131.93	\$12,823.60	131.93	\$12,823.60	
81	TELEVIEW SANITARY SEWER	LF	4,733	\$1.75	\$8,282.75	0.00	\$0.00	0	\$0.00	
82	OFF ROAD STRUCTURE MARKER	EA	29	\$55.20	\$1,600.80	0.00	\$0.00	0	\$0.00	
83	8" PVC FORCE MAIN	LF	3,960	\$24.90	\$98,404.00	0.00	\$0.00	0	\$0.00	
84	AIR RELEASE MH	EA	2	\$5,410.00	\$10,820.00	0.00	\$0.00	0	\$0.00	
85	DIP FITTINGS	LB	186	\$5.95	\$1,106.70	0.00	\$0.00	0	\$0.00	
86	LIFT STATION	LS	1	\$220,000.00	\$220,000.00	0.00	\$0.00	0	\$0.00	
87	BITUMINOUS DRIVEWAY (LIFT STATION)	SY	317	\$33.00	\$10,461.00	0.00	\$0.00	0	\$0.00	
88	SEED MIX 250 & BLANKET	SY	24,600	\$1.10	\$27,060.00	0.00	\$0.00	0	\$0.00	
89	SEED MIX 250 & HYDROMULCH	SY	24,600	\$0.42	\$10,332.00	0.00	\$0.00	0	\$0.00	
90	EROSION STABILIZATION MAT	SY	50	\$9.90	\$495.00	0.00	\$0.00	0	\$0.00	
91	SEED MIX 250, MULCH, & DISC ANCHOR	AC	5	\$929.00	\$4,645.00	0.00	\$0.00	0	\$0.00	
92	TEMPORARY SEED MIX 100 AND MULCH	AC	15	\$685.00	\$10,275.00	0.00	\$0.00	0	\$0.00	
93	WETLAND RESTORATION WITH BWSR MIX 34-181	SY	80	\$9.91	\$792.80	0.00	\$0.00	0	\$0.00	
94	DITCH CHECK	EA	17	\$97.50	\$1,657.50	0.00	\$0.00	0	\$0.00	
95	CULVERT INLET PROTECTION	EA	9	\$200.00	\$1,800.00	0.00	\$0.00	0	\$0.00	
96	SILT FENCE	LF	5,510	\$1.71	\$9,000.10	1,315.00	\$2,248.65	1,315	\$2,248.65	
SUBTOTAL - DIVISION 3					\$785,792.23		\$242,397.65		\$242,397.65	
DIVISION 4 - SANITARY SEWER (SERVICE TO CM PROPERTIES)										
97	8" PVC SANITARY SEWER, SDR 35, 0' - 10' DEEP	LF	45	\$33.20	\$1,494.00	0.00	\$0.00	0	\$0.00	
98	JACK 8" PVC SANITARY SEWER	LF	60	\$405.00	\$24,300.00	0.00	\$0.00	0	\$0.00	
99	SEED MIX 250 & BLANKET	SY	300	\$1.10	\$330.00	0.00	\$0.00	0	\$0.00	
100	SILT FENCE	LF	50	\$1.71	\$85.50	25.00	\$42.75	25	\$42.75	
SUBTOTAL - DIVISION 4					\$26,209.50		\$42.75		\$42.75	
DIVISION 5 - SANITARY SEWER (LENNAR AREA SERVICES)										
101	8" X 4" PVC WYE, SDR 26	EA	11	\$127.00	\$1,397.00	4.00	\$508.00	4	\$508.00	
102	4" PVC SANITARY SEWER SERVICE RISER	LF	130	\$7.75	\$1,007.50	58.00	\$449.50	58	\$449.50	
SUBTOTAL - DIVISION 5					\$1,404.50		\$957.50		\$957.50	
DIVISION 6 - WATERMAIN										
103	CONNECT TO EXISTING 12" WATER MAIN	EA	1	\$404.00	\$404.00	0.00	\$0.00	0	\$0.00	
104	8" DIP, CL. 52 WATER MAIN	LF	215	\$28.50	\$6,127.50	0.00	\$0.00	0	\$0.00	
105	8" DIP, CL. 52 WATER MAIN	LF	40	\$35.90	\$1,436.00	0.00	\$0.00	0	\$0.00	
106	12" DIP, CL. 52 WATER MAIN	LF	7,305	\$48.90	\$355,214.50	0.00	\$0.00	0	\$0.00	
107	CROSS HIGH PRESSURE GAS PIPE LINE	LS	1	\$682.00	\$682.00	0.00	\$0.00	0	\$0.00	
108	8" GATE VALVE AND BOX	EA	14	\$1,270.00	\$17,780.00	0.00	\$0.00	0	\$0.00	
109	8" GATE VALVE AND BOX	EA	4	\$1,830.00	\$7,320.00	0.00	\$0.00	0	\$0.00	
110	12" GATE VALVE AND BOX	EA	12	\$3,070.00	\$36,840.00	0.00	\$0.00	0	\$0.00	
111	VALVE BOX EXTENSION	LF	15	\$55.40	\$831.00	0.00	\$0.00	0	\$0.00	
112	VALVE NUT EXTENSION	LF	15	\$37.70	\$565.50	0.00	\$0.00	0	\$0.00	

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
113	HYDRANT	EA	11	\$4,080.00	\$44,880.00	0.00	\$0.00	0	\$0.00
114	HYDRANT EXTENSION	LF	6	\$666.00	\$3,996.00	0.00	\$0.00	0	\$0.00
115	OFF ROAD STRUCTURE MARKER	EA	17	\$55.20	\$938.40	0.00	\$0.00	0	\$0.00
116	DUCTILE IRON FITTINGS	LB	3,000	\$4.95	\$14,850.00	0.00	\$0.00	0	\$0.00
SUBTOTAL - DIVISION 6					\$493,474.90		\$0.00	0	\$0.00

TOTALS - BASE CONTRACT

\$1,704,102.98

\$287,493.86

\$287,493.86

CHANGE ORDER NO. 1

CO1-1	CLEAR & GRUB TREES (LIFT STATION SITE ON CITY PROPERTY)	LS	1.0	\$3,500.00	\$2,500.00	0.71	\$2,500.00	0.71	\$2,500.00
CO1-2	EXTRA 6" OF DEPTH AT VALVE MH	LS	1.0	\$1,931.94	\$1,931.94	0.00	\$0.00	0.0	\$0.00
CO1-3	EXTRA DEPTH OF FORCEMAIN	LF	300.0	\$20.58	\$6,174.00	0.00	\$0.00	0.0	\$0.00
CO1-4	LIFT STATION GRAVEL DRIVEWAY	TN	128.0	\$15.00	\$2,070.00	0.00	\$0.00	0.0	\$0.00
CO1-5	DEDUCT FOR GRAVITY SANITARY SEWER TRACER WIRE	LF	7,386.0	-\$0.60	-\$4,431.60	7,386.00	-\$4,431.60	7,386.0	-\$4,431.60

TOTALS - CHANGE ORDER NO. 1

\$8,944.34

-\$1,931.60

-\$1,931.60

TOTALS - REVISED CONTRACT

\$1,713,047.32

\$285,562.26

\$285,562.26



## MAYOR & COUNCIL COMMUNICATION

**DATE:** November 19, 2013

**CONSENT**

**ITEM #** 8

**AGENDA ITEM:** Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30<sup>th</sup> Street  
– Pay Request No. 2

**SUBMITTED BY:** Ryan Stempksi, Project Engineer

**THROUGH:** Dean A. Zuleger, City Administrator

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

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**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

**POLICY RECOMMENDER:** Engineering

**FISCAL IMPACT:**

None. Partial payment is proposed in accordance with the Contract for the project. Payment remains within the authorized scope and budget.

**SUMMARY AND ACTION REQUESTED:**

The City Council is respectfully requested to consider approving Pay Request No. 2 for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30<sup>th</sup> Street If removed from the consent agenda, the recommended motion for this action is as follows:

*“Move to approve Pay Request No. 2 to Minger Construction, Inc. in the amount of \$659,765.69, for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30<sup>th</sup> Street.”*

**LEGISLATIVE HISTORY/BACKGROUND INFORMATION:**

Minger Construction, Inc., the Contractor for the project, has submitted Partial Pay Estimate No. 2 in the amount of \$659,765.69. The request has been reviewed and payment is recommended in the amount requested. In accordance with the contract documents, the City has retained 5% of the total work completed. The amount retained is \$38,000.14.

**RECOMMENDATION:**


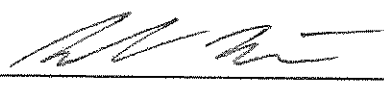
Staff is recommending that the City Council consider approving, *as part of the Consent Agenda*, Pay Request No. 2 for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30<sup>th</sup> Street. If removed from the consent agenda, the recommended motion for this action is as follows:

***“Move to approve Pay Request No. 2 to Minger Construction, Inc. in the amount of \$659,765.69, for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30<sup>th</sup> Street.”***

**ATTACHMENT(S):**

1. Partial Pay Estimate No. 2

# PROJECT PAY FORM

PARTIAL PAY ESTIMATE NO. <u>2</u>		<b>FOCUS</b> ENGINEERING, inc.	
LAKE ELMO AVENUE SEWER INFRASTRUCTURE IMPROVEMENTS PROJECT NO. 2013.123		PERIOD OF ESTIMATE FROM <u>10/2/2013</u> TO <u>11/1/2013</u>	
PROJECT OWNER: <b>CITY OF LAKE ELMO</b> 3800 LAVERNE AVENUE NORTH LAKE ELMO, MN 55042 ATTN: JACK GRIFFIN, CITY ENGINEER		CONTRACTOR: <b>MINGER CONSTRUCTION, INC.</b> 2471 GALPIN COURT, SUITE 110, PO BOX 236 CHANHASSEN, MN 55317-0236 ATTN: AARON HOEFS, PROJECT MANAGER	
CONTRACT CHANGE ORDER SUMMARY		PAY ESTIMATE SUMMARY	
No.	Approval Date	Amount	
		Additions      Deductions	
1	10/15/2013		1. Original Contract Amount <u>\$3,463,201.60</u>
2	11/6/2014	\$9,070.00	\$19,603.70
TOTALS		\$9,070.00	\$19,603.70
NET CHANGE		(\$10,533.70)	2. Net Change Order Sum <u>-\$10,533.70</u>
			3. Revised Contract (1+2) <u>\$3,452,667.90</u>
			4. *Work Completed <u>\$574,150.65</u>
			5. *Stored Materials <u>\$185,852.10</u>
			6. Subtotal (4+5) <u>\$760,002.75</u>
			7. Retainage* <u>5.0%</u> <u>\$38,000.14</u>
			8. Previous Payments <u>\$62,236.92</u>
			9. Amount Due (6-7-8) <u>\$659,765.69</u>
*Detailed Breakdown Attached			
CONTRACT TIME			
START DATE: <u>9/9/2013</u>		ORIGINAL DAYS <u>265</u>	ON SCHEDULE YES <input checked="" type="checkbox"/> X NO <input type="checkbox"/>
SUBSTANTIAL COMPLETION: <u>12/20/2013</u>		REVISED DAYS <u>0</u>	
FINAL COMPLETION: <u>6/1/2014</u>		REMAINING <u>212</u>	
ENGINEER'S CERTIFICATION: The undersigned certifies that the work has been reviewed and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.		FOCUS Engineering, inc.   ENGINEER <u>11-7-2013</u> DATE	
CONTRACTOR'S CERTIFICATION: The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the contractor for work for which previous payment estimates was issued and payments received from the owner, and that current payment shown herein is now due.		CONTRACTOR   BY <u>11-7-2013</u> DATE	
APPROVED BY OWNER: <b>CITY OF LAKE ELMO, MINNESOTA</b>			
BY _____		BY _____	
DATE _____		DATE _____	

PARTIAL PAY ESTIMATE NO. 2

LAKE ELMO AVENUE SEWER INFRASTRUCTURE IMPROVEMENTS  
CITY OF LAKE ELMO, MINNESOTA  
PROJECT NO. 2013.123

**FOCUS** ENGINEERING, inc.

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
DIVISION 1 - GENERAL									
1	MOBILIZATION	LS	1	\$33,000.00	\$33,000.00	0.75	\$24,750.00	1	\$24,750.00
2	TRAFFIC CONTROL	LS	1	\$16,500.00	\$16,500.00	0.13	\$2,145.00	0.15	\$2,475.00
3	SILT FENCE	LF	3654	\$1.65	\$6,029.10	0.00	\$0.00	1,827	\$3,014.55
4	ROCK CONSTRUCTION ENTRANCE	EA	3	\$970.00	\$2,910.00	0.50	\$485.00	1	\$485.00
5	WATER FOR DUST CONTROL	MGAL	2	\$278.00	\$556.00	0.00	\$0.00	0	\$0.00
6	TREE REMOVAL	EA	206	\$266.00	\$54,796.00	0.00	\$0.00	204	\$54,264.00
7	CLEARING & GRUBBING	AC	1.9	\$4,160.00	\$7,904.00	0.00	\$0.00	1.9	\$7,904.00
8	INLET PROTECTION	EA	4	\$350.00	\$1,400.00	2.00	\$700.00	2	\$700.00
9	HYDRO MULCH W/ SEED & FERTILIZER	AC	9.49	\$3,700.00	\$35,113.00	0.00	\$0.00	0	\$0.00
10	SEEDING (WETLAND MIX)	AC	0.2	\$4,250.00	\$850.00	0.00	\$0.00	0	\$0.00
11	EROSION CONTROL BLANKET (WOOD FIBER)	SY	5625	\$1.10	\$6,187.50	0.00	\$0.00	0	\$0.00
12	TOPSOIL BORROW	CY	500	\$13.00	\$6,500.00	0.00	\$0.00	0	\$0.00
13	DITCH CHECK	LF	60	\$5.25	\$315.00	0.00	\$0.00	0	\$0.00
14	MODULAR BLOCK RETAINING WALL	SF	60	\$55.00	\$3,300.00	0.00	\$0.00	0	\$0.00
15	SALVAGE/SALVAGE AND REINSTALL EXISTING IRRIGATION PUMP HOUSE	LS	0	\$1,400.00	\$0.00	0.00	\$0.00	0	\$0.00
16	RAIN GARDEN	LS	1	\$11,500.00	\$11,500.00	0.00	\$0.00	0	\$0.00
SUBTOTAL - DIVISION 1					\$186,860.60		\$28,080.00		\$93,592.55
DIVISION 2 - SANITARY SEWER									
1	CONNECT TO EXISTING MANHOLE	EA	1	\$11,600.00	\$11,600.00	1.00	\$11,600.00	1	\$11,600.00
2	SALVAGE & REINSTALL EXISTING SANITARY SEWER MANHOLE	EA	1	\$3,760.00	\$3,760.00	0.50	\$1,880.00	1	\$1,880.00
3	SALVAGE & REINSTALL EXISTING SANITARY SEWER	LF	100	\$84.00	\$8,400.00	42.00	\$3,528.00	42	\$3,528.00
4	LIFT STATION STRUCTURE, VALVE VAULT, AND PIPING	LS	1	\$187,000.00	\$187,000.00	0.00	\$0.00	0	\$0.00
5	LIFT STATION PUMPS AND ACCESSORIES	LS	1	\$66,750.00	\$66,750.00	0.00	\$0.00	0	\$0.00
6	LIFT STATION ELECTRICAL AND CONTROLS	LS	1	\$134,000.00	\$134,000.00	0.00	\$0.00	0	\$0.00
7	GENERATOR	LS	1	\$98,250.00	\$98,250.00	0.00	\$0.00	0	\$0.00
8	CHEMICAL FEED SYSTEM	LS	1	\$243,000.00	\$243,000.00	0.00	\$0.00	0	\$0.00
9	16" HDPE FORCEMAIN, INSTALLED BY HDD	LF	15649	\$81.00	\$1,267,569.00	1,841.00	\$149,121.00	1,841	\$149,121.00
10	16" HDPE FORCEMAIN, INSTALLED BY OPEN CUT	LF	399	\$57.00	\$22,743.00	33.00	\$1,881.00	33	\$1,881.00
11	8" PVC, SDR 35 SANITARY SEWER (10'-15' DEPTH)	LF	15	\$155.00	\$2,325.00	15.00	\$2,325.00	15	\$2,325.00
12	8" PVC, SDR 35 SANITARY SEWER (15'-20' DEPTH)	LF	15	\$155.00	\$2,325.00	15.00	\$2,325.00	15	\$2,325.00
13	8" PVC, SDR 35 SANITARY SEWER (20'-25' DEPTH)	LF	0	\$155.00	\$0.00	0.00	\$0.00	0	\$0.00
14	18" PVC, SDR 26 SANITARY SEWER (10'-15' DEPTH)	LF	213	\$91.00	\$19,383.00	0.00	\$0.00	0	\$0.00
15	18" PVC, SDR 26 SANITARY SEWER (15'-20' DEPTH)	LF	199	\$91.00	\$17,563.00	0.00	\$0.00	0	\$0.00
16	18" PVC, PS115 SANITARY SEWER (30'-35" DEPTH)	LF	25	\$258.00	\$6,450.00	0.00	\$0.00	0	\$0.00
17	24" SANITARY SEWER (0-10' DEPTH)	LF	45	\$116.00	\$5,220.00	0.00	\$0.00	0	\$0.00
18	24" SANITARY SEWER (10-15' DEPTH)	LF	999	\$116.00	\$115,884.00	569.00	\$66,004.00	569	\$66,004.00
19	24" SANITARY SEWER (15-20' DEPTH)	LF	1353	\$116.00	\$156,948.00	664.00	\$77,024.00	664	\$77,024.00
20	24" SANITARY SEWER (20-25' DEPTH)	LF	583	\$116.00	\$67,628.00	290.00	\$33,640.00	290	\$33,640.00
21	24" SANITARY SEWER (25-30' DEPTH)	LF	213	\$116.00	\$24,708.00	0.00	\$0.00	0	\$0.00
22	24" SANITARY SEWER (30-35' DEPTH)	LF	92	\$116.00	\$10,672.00	148.00	\$17,168.00	148	\$17,168.00
23	24" SANITARY SEWER (35'-40' DEPTH)	LF	169	\$116.00	\$19,604.00	105.00	\$12,180.00	105	\$12,180.00
24	6" PVC, SDR 26 SOLVENT WELD SERVICE PIPE	LF	20	\$82.00	\$1,640.00	0.00	\$0.00	0	\$0.00
25	6" ON 18" WYE BRANCH	EA	1	\$1,140.00	\$1,140.00	0.00	\$0.00	0	\$0.00
26	48" DIAMETER SAN. MANHOLE, TYPE 301 (0'-10' DEPTH)	EA	12	\$4,900.00	\$58,800.00	4.00	\$19,600.00	4	\$19,600.00
27	54" DIAMETER SAN. MANHOLE, TYPE 301 (0'-10' DEPTH)	EA	4	\$8,400.00	\$33,600.00	2.00	\$16,800.00	2	\$16,800.00
28	48" DIAMETER SAN. MANHOLE, TYPE 301 EXTRA DEPTH (>10' DEPTH)	VF	120.1	\$73.00	\$8,767.30	49.20	\$3,591.60	49.2	\$3,591.60
29	54" DIAMETER SAN. MANHOLE, TYPE 301 EXTRA DEPTH (>10' DEPTH)	VF	44.1	\$120.00	\$5,292.00	12.90	\$1,548.00	12.9	\$1,548.00
30	72" CLEANOUT MANHOLE	EA	5	\$10,400.00	\$52,000.00	1.00	\$10,400.00	1	\$10,400.00
31	72" AIR RELEASE MANHOLE	EA	4	\$13,500.00	\$54,000.00	0.00	\$0.00	0	\$0.00
32	6" DIP CLASS 50 SANITARY SEWER	LF	0	\$108.00	\$0.00	0.00	\$0.00	0	\$0.00
33	18" DIP CLASS 50 SANITARY SEWER	LF	18	\$138.00	\$2,484.00	0.00	\$0.00	0	\$0.00
34	24" DIP CLASS 50 SANITARY SEWER	LF	36	\$301.00	\$10,836.00	0.00	\$0.00	0	\$0.00
35	EXTERNAL MANHOLE DROP	EA	3	\$9,300.00	\$27,900.00	0.00	\$0.00	0	\$0.00
36	16" RES. SEAT GATE VALVE & BOX	EA	18	\$8,000.00	\$144,000.00	2.00	\$16,000.00	2	\$16,000.00
37	EXCAVATE, SALVAGE, AND STOCKPILE WETLAND SOIL (CV)	CY	803	\$1.00	\$803.00	0.00	\$0.00	0	\$0.00
38	PLACE SALVAGED WETLAND SOIL (CV)	CY	803	\$1.00	\$803.00	0.00	\$0.00	0	\$0.00
39	TRENCH STABILIZATION ROCK	LF	300	\$32.00	\$9,600.00	0.00	\$0.00	0	\$0.00
40	TELEVISION	LF	4541	\$1.25	\$5,676.25	0.00	\$0.00	0	\$0.00
41	HORIZONTAL DIRECTIONAL DRILLING BORE PITS	LS	1	\$190,000.00	\$190,000.00	0.15	\$28,500.00	0.15	\$28,500.00
SUBTOTAL - DIVISION 2					\$3,099,123.55		\$475,115.60		\$475,115.60



ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
DIVISION 3 - WATERMAIN									
1	8"X6" WET TAP (INCLUDE SLEEVE AND VALVE)	EA	0	\$5,100.00	\$0.00	0.00	\$0.00	0	\$0.00
2	6" DIP, CL. 52 WATERMAIN	LF	100	\$41.00	\$4,100.00	0.00	\$0.00	0	\$0.00
3	6" RES. SEAT GATE VALVE & BOX	EA	1	\$1,300.00	\$1,300.00	0.00	\$0.00	0	\$0.00
4	6" HYDRANT (8'-6" BURY)	EA	1	\$4,600.00	\$4,600.00	0.00	\$0.00	0	\$0.00
SUBTOTAL - DIVISION 3					\$10,000.00		\$0.00		\$0.00
DIVISION 4 - STREETS AND RESTORATION									
1	SAWCUT BITUMINOUS PAVEMENT	LF	85	\$5.50	\$467.50	0.00	\$0.00	0	\$0.00
2	REMOVE PIPE CULVERT (ALL TYPES & SIZES)	LF	178	\$4.50	\$801.00	178.00	\$801.00	178	\$801.00
3	SALVAGE & REINSTALL WOOD WIER	EA	1	\$1,050.00	\$1,050.00	0.50	\$525.00	0.5	\$525.00
4	REMOVE & DISPOSE OF EXIST. BITUMINOUS PAVEMENT, DRIVES	SY	120	\$2.90	\$348.00	135.00	\$391.50	135	\$391.50
5	REMOVE & DISPOSE OF EXIST. BITUMINOUS PAVEMENT, STREETS	SY	25	\$2.80	\$72.50	0.00	\$0.00	0	\$0.00
6	REMOVE & DISPOSE OF EXIST. CONCRETE CURB & GUTTER	LF	20	\$2.50	\$50.00	0.00	\$0.00	0	\$0.00
7	LIFT STATION SITE GRADING	LS	1	\$21,600.00	\$21,600.00	0.00	\$0.00	0	\$0.00
8	CL.5 AGGREGATE BASE	TN	1101	\$18.00	\$19,818.00	0.00	\$0.00	0	\$0.00
9	SPWEA240B BITUMINOUS WEAR COURSE, DRIVES	SY	120	\$44.00	\$5,280.00	0.00	\$0.00	0	\$0.00
10	SPNWB230B BITUMINOUS NON-WEAR COURSE, STREETS	TN	165	\$194.00	\$32,010.00	0.00	\$0.00	0	\$0.00
11	SPWEA240B BITUMINOUS WEAR COURSE, STREETS	TN	125	\$194.00	\$24,250.00	0.00	\$0.00	0	\$0.00
12	BITUMINOUS MATERIAL FOR TACK COAT	GA	69	\$4.25	\$293.25	0.00	\$0.00	0	\$0.00
13	CONCRETE CURB & GUTTER	LF	20	\$55.00	\$1,100.00	0.00	\$0.00	0	\$0.00
14	CL.5 AGGREGATE BASE, SHOULDER	TN	55	\$47.00	\$2,585.00	0.00	\$0.00	0	\$0.00
15	15" CMP PIPE CULVERT W/APRON	LF	178	\$47.00	\$8,366.00	0.00	\$0.00	0	\$0.00
16	CL. 3 RIP RAP W/ GEOTEXTLE FABRIC	CY	5	\$125.00	\$625.00	0.00	\$0.00	0	\$0.00
17	OFF ROAD STRUCTURE MARKER	EA	25	\$88.00	\$2,200.00	0.00	\$0.00	0	\$0.00
SUBTOTAL - DIVISION 4					\$120,916.25		\$1,717.50		\$1,717.50

**TOTALS - BASE CONTRACT**
**\$3,416,900.40**
**\$504,913.10**
**\$570,425.65**
**CHANGE ORDER NO. 1**

CO1-1	8" PVC, SDR 23.5 SANITARY SEWER (25'-30" DEPTH)	LF	44.0	\$200.00	\$8,800.00	0.00	\$0.00	0.0	\$0.00
CO1-2	4" POLYSTYRENE INSULATION	SY	10.5	\$35.00	\$367.50	0.00	\$0.00	0.0	\$0.00

**TOTALS - CHANGE ORDER NO. 1**
**\$9,167.50**
**\$0.00**
**\$0.00**
**CHANGE ORDER NO. 2**

CO2-1	COST FOR ADDITIONAL EASEMENT TO RELOCATE MH 0-1	LS	1.0	-\$3,500.00	-\$3,500.00	1.00	-\$3,500.00	1.0	-\$3,500.00
CO2-2	8" X 8" WET TAP INCL. VALVE & SLEEVE	EA	1.0	\$5,500.00	\$5,500.00	1.00	\$5,500.00	1.0	\$5,500.00
CO2-3	12" DIP CL. 52 WATERMAIN INCL. FITTINGS	LF	328.0	\$75.00	\$24,600.00	23.00	\$1,725.00	23.0	\$1,725.00

**TOTALS - CHANGE ORDER NO. 2**
**\$26,600.00**
**\$3,725.00**
**\$3,725.00**
**TOTALS - REVISED CONTRACT**
**\$3,452,667.90**
**\$508,638.10**
**\$574,150.65**

Lake Elmo Avenue Sewer Infrastructure Improvements  
Materials on Hand (NOT YET INSTALLED)

Minger Constuction, Inc  
P.O Box 236  
Chanhassen, MN 55317  
Date

[illegible]



## **MAYOR & COUNCIL COMMUNICATION**

**DATE:** November 19, 2013  
**CONSENT**  
**ITEM #9**

**AGENDA ITEM:** Street Capital Improvement Program (CIP) – Authorize Geotechnical Services for Streets Programmed in 2014-2016

**SUBMITTED BY:** Ryan Stempski, Project Engineer

**THROUGH:** Dean A. Zuleger, City Administrator

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

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

- Introduction of Item ..... 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

**POLICY RECOMMENDER:** Engineering

**FISCAL IMPACT:** \$10,500.

The funds expended for geotechnical services will be tracked and applied to the project costs for the Street Improvement projects to be completed in 2014, 2015 and 2016. Charges will be recorded on the financial statements as project prepayments and will be expensed at the point in time the projects are completed and capitalized. In the event an improvement project does not go forward, the amounts will be funded through the Infrastructure Reserve Fund and expensed at that point in time.

**SUMMARY AND ACTION REQUESTED:**

The City Council is respectfully requested to authorize a contract for geotechnical services to determine the subsurface condition of the streets tentatively scheduled for improvement between

2014 and 2016. If removed from the consent agenda, the recommended motion for this action is as follows:

***“Move to approve a contract to American Engineering Testing, Inc. in a not to exceed amount of \$10,500 to perform geotechnical services to determine the subsurface condition of the streets tentatively scheduled for improvement between 2014 and 2016.*”**

**LEGISLATIVE HISTORY/BACKGROUND INFORMATION:**

Geotechnical services are necessary to investigate the subsurface conditions, including existing subsurface soil materials and support strength for each street segment scheduled for improvement in the next few years (see attached location map). This information will assist in making more informed decisions in regard to the scope of improvement needed for each street segment and therefore provide a better estimate of the improvement cost. By obtaining this information early in the street improvement process, the cost projections used within the Street CIP will be improved helping the staff and council with more informed capital expenditure decisions.

To obtain the necessary subsurface investigation, a combination of 28 standard penetration test borings to a depth of 6 feet, Falling Weight Deflectometer (FWD) testing, Ground Penetration Radar (GPR) testing and pavement cores are proposed. Proposals for these services were solicited from American Engineering Testing (AET), Inc. and Braun Intertec Corporation.

AET, Inc. provided a not to exceed fee of \$10,500, while Braun Intertec Corporation provided an estimated fee of \$13,957.50. Please see the attached proposals for the detailed scope of services.

**RECOMMENDATION:**

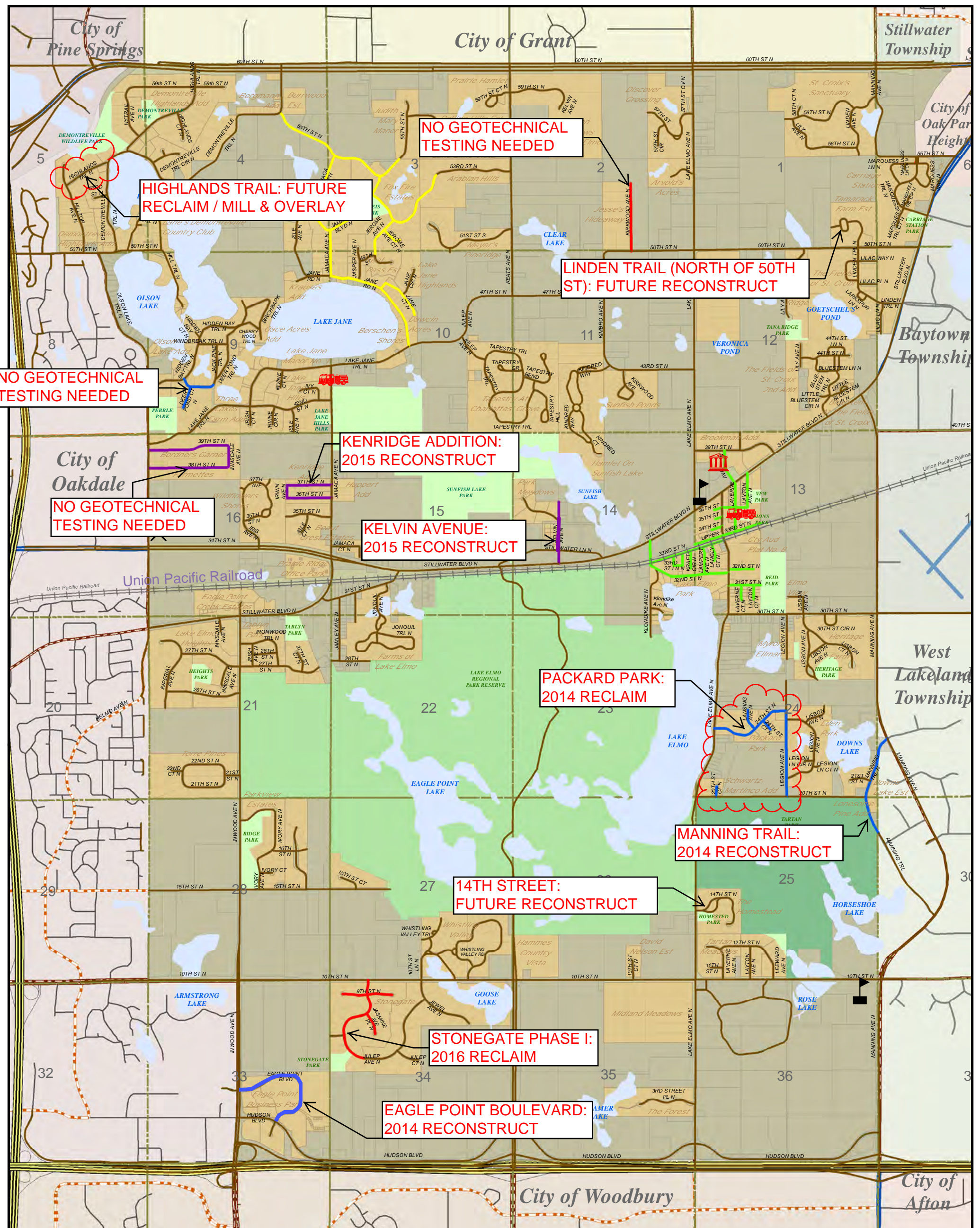
Staff is recommending that the City Council approve, *as part of the Consent Agenda*, a contract to American Engineering Testing, Inc. in the amount of \$10,500, to perform geotechnical services to determine the subsurface condition of the streets tentatively scheduled for improvement between 2014 and 2016. If removed from the consent agenda, the recommended motion for this action is as follows:

***“Move to approve a contract to American Engineering Testing, Inc. in a not to exceed amount of \$10,500 to perform geotechnical services to determine the subsurface condition of the streets tentatively scheduled for improvement between 2014 and 2016.*”**

**ATTACHMENT(S):**

1. Geotechnical Services Location Map
2. American Engineering Testing, Inc. Proposal for Geotechnical Services
3. Braun Intertec Corporation Proposal for Geotechnical Services





2014 - 2018 RESIDENTIAL STREET CAPITAL IMPROVEMENT PLAN



Improvement Year

- 2014
- 2015
- 2016
- 2017
- 2018



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

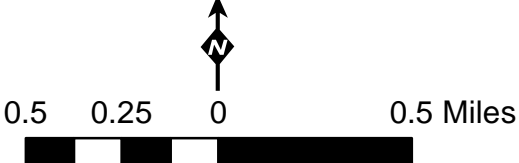
Public Works Building  
3445 Ideal Ave N  
651/233-5414

Fire Stations  
Station No. 1  
3510 Laverne Ave N  
651/770-5006  
Station No. 2  
4259 Jamaica Ave N  
651/779-8882

Schools



Parcels  
Subdivisions  
City Parks  
Golf Course  
Lake Elmo Regional Park Reserve  
Park Office  
651/430-8368  
Lakes



Map Date: October 2013

Created By:

FOCUS ENGINEERING, inc.





AMERICAN  
ENGINEERING  
TESTING, INC.

CONSULTANTS  
• ENVIRONMENTAL  
• GEOTECHNICAL  
• MATERIALS  
• FORENSICS

November 13, 2013

City of Lake Elmo  
Department of Public Works  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

Attn: Ryan W. Stempski, PE

RE: Proposal for Geotechnical Services  
2014-2016 Street Improvements, Lake Elmo, Minnesota

Dear Mr. Stempski:

Per your November 11 request, we are submitting this proposal to conduct the following scope:

**“Reconstruction” Area Scope:**

***Fieldwork***

- Drill and sample 28 standard penetration test borings to depths of 6 feet on the existing streets (six separate street segments).
- Clear underground public utilities through the Gopher State One Call system.
- Measure in-place bituminous and apparent aggregate base thicknesses.
- Measure and document the boring locations. No measuring of the surface elevations is planned.

***Laboratory***

- Classify the soils per the Unified Soil Classification System (USCS).
- Conduct water content tests on cohesive samples retrieved.
- Conduct unit price soil index testing (\$570 unit price budget, allowing for six sieve analysis tests).

***Report***

- Logs of the test borings, including pavement thicknesses and lab test results.
- Descriptions of the drilling, sampling, testing, and classification methods.
- Review of soil and ground-water conditions encountered.
- Geotechnical opinions/recommendations pertaining to the planned street improvements including estimate of subgrade R-value.

The scope of work defined in this proposal is intended for geotechnical purposes only, and not to explore for the presence or extent of environmental contamination at the site. However, we will note obvious contamination encountered.



**"Reclaim" Area Scope:**

**Fieldwork**

- Perform Falling Weight Deflectometer (FWD) testing. The FWD testing will be done using the standard Strategic Highway Research Program (SHRP) sensor spacing and will be done at 6,000 and 9,000 lbs. force. The testing will be performed at an approximate 500 foot spacing in each of the driving lanes producing an effective 250 foot spacing along the roadway alignment. We expect this will total about 60 test locations.
- Perform Ground Penetration Radar (GPR) testing. The GPR testing will be done at a 1-foot spacing in each of the driving lanes. We expect this will total about 6 lane miles.
- Conduct pavement cores and aggregate base thickness exploration at 8 locations to correlate GPR thickness data to actual measurements.

**Report**

- Analyze FWD data for load capacity of the roadway, stiffness, and required reclaim/overlay thickness.
- Prepare a report showing the spring load carrying capacity, effective granular equivalency, and effect subgrade R-value; and recommendations for the street improvements.

**Fee:**

Our services will be performed on a time-and-materials basis per the attached fee schedule. For the scope described, we will establish \$10,500 as a not-to-exceed fee (\$7,150 estimated for the "reconstruction" portion and \$3,350 estimated for the "reclaim" portion). In the event the scope of our work needs to be revised, we will review such scope adjustments and the associated fees with you, and receive your approval before proceeding.

**Schedule:**

Based on our current backlog, we anticipate the following schedule (following authorization to proceed):

- Soil borings- begin within two weeks, three days of drilling expected
- FWD/GPR/coring- within about one week
- Report- within about one month.

**Terms/Conditions:**

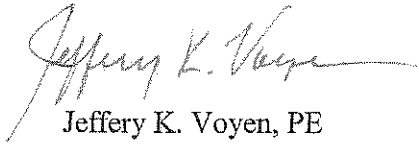
Our services will be performed per the *Contract Agreement Between the City of Lake Elmo and American Engineering Testing, Inc. for Professional Services*, dated July 20, 2010.

**Acceptance:**

Please indicate your acceptance of this proposal by endorsing the enclosed copy and returning it to us. The original proposal is intended for your records.

City of Lake Elmo  
November 13, 2013  
Page 3 of 3

Sincerely,



Jeffery K. Voyer, PE  
Vice President/Principal Engineer  
Phone #651-659-1305  
Cell #612-961-9186  
jvoyen@amengtest.com

**PROPOSAL ACCEPTANCE BY:**

Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Date: \_\_\_\_\_

**Attachments:**

2013 Geotechnical Fee Schedule



# 2013 GEOTECHNICAL FEE SCHEDULE

## I. Personnel Hourly Rates

A. Word Processing Specialist	62.00/hr.
B. Engr. or Env. Technician I	68.00/hr.
C. Engr. or Env. Technician II	79.00/hr.
D. Drill Technician/Geo Lab Technician	89.00/hr.
E. Senior Engineering Technician	95.00/hr.
F. Engineering Assistant	105.00/hr.
G. Engineer I/Geologist I	113.00/hr.
H. Engineer II/Geologist II/Sr. Engr. Assistant	128.00/hr.
I. Senior Engineer/Geologist	144.00/hr.
J. Principal Engineer/Geologist	172.00/hr.

## II. Vehicle Mileage

A. Personal Automobile/Truck	0.75/mile
B. Auxiliary Truck Vehicle	1.00/mile
C. Truck with Coring, FWD, or GPR Equipment	1.10/mile
D. Truck with Warning Sign/Crash Trailer	1.20/mile
E. 1-ton Truck with Drill Rig	1.20/mile
F. 1½ to 2½-ton Truck with Drill Rig	1.35/mile
G. CPT Truck Rig (20-ton push capacity)	1.60/mile
H. Tractor/Lowboy Trailer	1.80/mile

## III. Equipment Rental

A. Drill Rig Rental	
1. Rotary Drill on 1-ton Truck	67.00/hr.
2. Rotary Drill on 1½ to 2½-ton Truck	77.00/hr.
3. Rotary Drill on All-Terrain Vehicle	107.00/hr.
4. Portable, Non-rotary Rig	77.00/hr.
B. Auxiliary/Specialty Vehicle Rental	
1. Auxiliary Truck Vehicle	16.60/hr.
2. Truck with Warning Sign/Crash Trailer	27.00/hr.
3. Truck with Coring Equipment	42.00/hr.
C. Cone (CPT) Rig/Equipment Rental	
1. CPT Rig (Truck or ATV)	137.00/hr.
2. Electronic Cone w/Computer	40.00/hr.
3. Soil Sampler	3.50/hr.
4. Water Sampler	20.00/hr.
D. Miscellaneous Equipment Rental	
1. Field Vane Shear	310.00/day
2. Field Electrical Resistivity	225.00/day
3. Field Seismic Refraction (ReMi)	390.00/day
4. Inclinator Reading Equipment	320.00/day
5. Pneumatic Transducer Reading	160.00/day
6. Bore Hole Permeability	
a. Open End Casing Method	130.00/day
b. HQ Wireline Packer	320.00/day
7. Borehole Pressuremeter	65.00/hr.
8. Iowa Borehole Shear Tester	325.00/day
9. Double Ring Infiltrometer	250.00/day
10. Photoionization Detector (PID)	115.00/day
11. GPS Mapping System	15.00/hr.
12. Pile Driving Analyzer (PDA)	720.00/day
13. Calibrated SPT Rod	190.00/day
14. Portable Concrete Coring Equipment	40.00/hr.
15. Pavement Testing (includes truck)	
a. Falling Weight Deflectometer	74.00/hr.
b. Ground Penetrating Radar (GPR)	25.00/hr.
E. Geotechnical Software Rental	
1. Geo Studio Finite Element	55.00/hr.
2. CAPWAP	30.00/hr.
3. AutoCAD or Microstation	25.00/hr.
4. Wave Equation (WEAP)	15.00/hr.
5. LPILE or GROUP	15.00/hr.

6. Slope Stability (ReSSA)	15.00/hr.
7. Stabilized Earth Slopes & Walls	15.00/hr.
8. Settlement (FoSSA)	15.00/hr.
9. SHAFT	15.00/hr.

## F. Bit Wear- Rock Coring

1. Diamond Bit - Sedimentary Rock	
a) B, NQ	10.00/foot
b) HQ	12.00/foot
2. Diamond Bit - Metamorphic & Igneous	
a) B, NQ	17.00/foot
b) HQ	20.00/foot

## IV. Laboratory Tests of Soil

A. Water Content	hourly
B. Dry Density (includes water content)	55.00/test
C. Atterberg Limits (ASTM:D4318)	
1. Plasticity Index	105.00/test
2. Liquid Limit or Plastic Limit Separately	88.00/test
D. Sieve Analysis (includes #200)	95.00/test
E. Hydrometer Analysis (sieve included)	190.00/test
F. Thermal Resistivity w/Proctor (ASTM:D5334)	
1. As Received and Oven Dried (2 pts)	950.00/test
2. Dry Out Curve (4 pts)	1185.00/test
G. Electrical Resistivity (ASTM:G57-Soil Box)	92.00/test
H. Corrosion/Concrete Attack Series*	210.00/series
I. Consolidation (up to 32 tsf)	
1. With P-e curves only	450.00/test
2. With P-e curves, time curves	565.00/test
J. Unconfined Compression (incl. wc/density)	88.00/test
K. Hand Penetrometer	10.00/test
L. Organic Content of Soil	60.00/test
M. Topsoil Borrow Test (Mn/DOT 3877)	280.00/test
N. R-value (Hveem Stabilometer)	370.00/test
O. California Bearing Ratio	
1. Granular	585.00/test
2. Cohesive	660.00/test
P. Proctor Tests (Methods A or B)	
1. Standard	120.00/test
2. Modified	130.00/test

\*includes pH, chloride ion, soluble sulfates, sulfides, redox potential (resistivity not included).

## V. Expenses

A. Direct Project Expenses: includes out-of-town per diem; plowing & towing; special materials & supplies; special travel, transportation & freight; subcontracted services, and miscellaneous costs	Cost + 15%
B. Equipment Replacement (when abandonment is more feasible than recovery)	Cost
C. Equipment Recovery (when required by regulatory agencies or project specifications)	Cost + 15%

The rates presented are portal-to-portal with vehicle mileage, expenses and equipment rentals being additional.

Overtime for personnel charged at above cost plus 25% for over 8 hours per day or Saturday; and at above cost plus 50% for Sundays or Holidays. Hazardous work charged at an additional 25%. Night time shift work will include a premium charge of \$30.00 per person per shift.



**Braun Intertec Corporation**  
1826 Buerkle Road  
Saint Paul, MN 55110

Phone: 651.487.3245  
Fax: 651.487.1812  
Web: braunintertec.com

November 13, 2013

Proposal SP-13-07579

Mr. Ryan Stempski, PE  
Assistant City Engineer  
City of Lake Elmo  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

Re: Proposal for a Geotechnical and Pavement Evaluation  
Various City Streets  
Lake Elmo, Minnesota

Dear Mr. Stempski:

Braun Intertec is pleased to submit this proposal to complete a geotechnical and pavement evaluation on selected streets located in Lake Elmo, Minnesota.

## **Our Understanding of Project**

Per the Request for Proposal (RFP), we understand that the project will include non-destructive and destructive evaluation of the existing pavement and subgrade of various residential streets in Lake Elmo. The testing is being performed as part of the City's 2014-2016 Capital Improvement Plan (CIP). From our review of the map provided, it appears the streets are residential streets with a bituminous surface.

We understand that the requested services include soil borings, Falling Weight Deflectometer (FWD) testing, Ground Penetrating Radar (GPR) testing, and pavement coring. The goals of our testing are to acquire geotechnical and pavement-related information and to evaluate that information relative to the planned improvements.

## **Proposed Scope of Services**

The following tasks are proposed to help us achieve our stated purpose. If unfavorable or unforeseen conditions are encountered at any point during the completion of these tasks that lead us to recommend an expanded scope of services, we will contact you to discuss those conditions before resuming our work.

### **Geotechnical Exploration Services**

#### **Site Access, Staking and Utility Clearance**

Based on the map provided, we assume that all of the desired soil boring areas will be accessible with a truck-mounted drill rig.

We will use GPS to perform and document the staking. Depending on access requirements or potential utility conflicts, our field crew may slightly alter the exploration locations from those proposed to facilitate accessibility.

Prior to drilling, we will contact Gopher State One Call and arrange for notification to the appropriate utility vendors to mark and clear the exploration locations of public underground utilities. You or your authorized representatives are responsible to notify us before we begin our work of the presence and location of any underground objects or private utilities that are not the responsibility of public agencies.

#### **Standard Penetration Test Borings**

As identified in the RFP, the following streets/areas have been identified for reconstruction. The requested number of borings for each area is as follows:

- Manning Trail North (6 borings)
- Eagle Point Boulevard (5 borings)
- Kenridge Addition (5 borings)
- Kelvin Avenue (4 borings)
- 14th Street North (4 borings)
- Linden Trail North (4 borings)

In all, we will perform a total of twenty-eight (28) standard penetration tests (SPT) borings to a minimum depth of 6 feet below the roadway surface. The thickness of the bituminous surfacing layer and the aggregate base layer (where it can be determined) will be measured and recorded. Penetration tests will be performed and samples will be gathered at 2 1/2-foot vertical intervals.

If groundwater is encountered in the boreholes, the depth where it is observed will be recorded on the boring logs.

#### **Borehole Abandonment**

Minnesota Well Code requires sealing of any boring or core that encounters groundwater and is either greater than 25 feet deep or penetrates a confining layer.

Based on the intended exploration depths, we do not anticipate the need to seal the boreholes. The boreholes will be backfilled with the auger cuttings and the pavement will be patched.

#### **Sample Review and Laboratory Testing**

Soil samples will be returned to our laboratory and will be visually classified and logged by a geotechnical engineer. To help classify the materials encountered and estimate their engineering properties, we have budgeted to perform 20 moisture content tests and 10 mechanical analyses (through a #200 sieve only).

### **Pavement Exploration Services**

As requested in the RFP, we propose to use a combination of Falling Weight Deflectometer (FWD) testing, Ground Penetrating Radar (GPR) testing, and pavement coring. The following areas have been identified for pavement reclamation and are to be included as part of the pavement testing:

- Packard Park Neighborhood
- Stonegate Phase I Neighborhood
- Highlands Trail

### **Falling Weight Deflectometer**

To help evaluate pavement layer and subgrade conditions, we propose to perform non-destructive Falling Weight Deflectometer (FWD) testing with a Dynatest 8002E model FWD. The FWD is a non-destructive testing device specifically designed for evaluating pavements and operates by measuring pavement surface deflections from an applied wheel-simulating impulse load. With known pavement thicknesses and traffic data, the deflection data can be analyzed to estimate spring load capacity (tons per axle), effective subgrade R-value, and effective in-situ granular equivalency (GE).

Four impulse loads (two at 6,000 lbs and two at 9,000 lbs) will be applied at each test point using a testing interval of approximately 100 feet in a single direction of travel. The roadways will be tested approximately in the outside wheelpath.

We expect that this density, which is within typical range for residential/city streets, will be sufficient to capture variation along the roadways.

### **Ground Penetrating Radar**

To evaluate pavement thicknesses and supplement the FWD data analysis, we propose to complete Ground Penetrating Radar (GPR) testing on the roads with a 2.0-gigahertz, air-coupled unit from GSSI, Inc. Testing will be performed at posted speed limits in a single direction of travel on each road, with pavement thickness data gathered at an interval of approximately one foot. GPS coordinates will be collected during GPR testing and user-marks will identify pavement core locations.

A GPR unit of this configuration can be expected to penetrate a maximum of 2 to 3 feet under ideal conditions. Unfavorable soils and ambient and electromagnetic interference can limit the useful depth of the data.

### **Pavement Coring**

To better characterize the in-place pavement and validate the GPR data analysis, we propose to conduct twelve (12) pavement cores to measure the pavement surface. The cores will serve to verify GPR thickness measurements and will be used to visually assess the roadway surface materials as part of our evaluation of pavement reclamation. They will also be available for any additional laboratory testing that may be useful for this purpose.

### **Traffic Control**

Based on our review of available MnDOT traffic volume maps, all routes appear to be low volume residential streets. We plan to use traffic signs to protect our field crew and alert motorists of our work during borings, FWD testing and coring. The cost for signs has been included in our estimate.

### **Engineering and Reporting**

Data obtained from the geotechnical evaluation and pavement testing will be used to evaluate the pavement and subsurface conditions, perform engineering analyses and prepare an engineering report, including:

- A CAD sketch showing boring and core locations.
- Boring logs describing the materials encountered, including bituminous and aggregate base thickness estimates. The depth to groundwater will be identified if encountered during drilling.
- A written summary of the subsurface profile and groundwater conditions.
- FWD deflection data and analysis results, including spring load capacity (tons per axle), effective subgrade R-value, and effective in-situ granular equivalency (GE).
- Tabular and graphical depiction of the GPR scan results for each of the streets tested.
- A discussion of the GPR findings.
- Summary of the pavement core results.
- Discussion regarding the overall findings for each of the street segments, including a discussion of the proposed improvements based on measured thicknesses and subsurface soil types.

The final report will be delivered electronically, unless otherwise requested.

### **Additional Services**

If borings need to be extended beyond their termination depths, we will charge an additional \$15 per lineal foot beyond the originally intended termination depth.

Additional site mobilization will be charged at \$310 per day.

Weather-permitting, hand augers can be performed at a rate of \$88 per hour.

Depending on the type of reclamation selected for the CIP, Braun Intertec can provide mix design services. The costs associated with this work will be provided upon request.

## **Cost**

We will furnish the original scope of services described in this proposal for an estimated fee of **\$13,957.50**.

Our work may extend over several invoicing periods. As such, for work that is performed during the course of each invoicing period, we will submit partial progress invoices.

## **Schedule**

We anticipate the geotechnical exploration services can begin within approximately two weeks of written authorization and will be completed over a period of approximately two days. For the pavement testing services, we anticipate the GPR and pavement coring will be conducted within one week of authorization. To conduct FWD testing, the subgrade must be free of frost. Once the project is authorized, we will evaluate subgrade conditions and determine if FWD testing is feasible. If it is determined that it is not feasible, FWD testing will be conducted in the spring.

We understand that preliminary information is needed as soon as possible so that it can be incorporated into the feasibility study report. This report will be provided to the City in December. We will provide our results as soon as they become available. Depending on the FWD testing, we can provide a draft report that includes all findings, with the exception of the FWD testing. The final report will be delivered once FWD testing is complete.

If our proposed scope of services cannot be completed according to this schedule due to circumstances beyond our control, we may need to revise this proposal prior to completing the remaining tasks.

## **General Remarks**

Braun Intertec appreciates the opportunity to present this Proposal to you. We are providing it in duplicate so the original can be retained for your records and the copy can be signed and returned to us. Please return the copy in its entirety.

The proposed fee is based on the scope of services described and the assumptions that our services will be authorized within 30 days and that others will not significantly delay us beyond our proposed schedule.

We include the Braun Intertec General Conditions, which provide additional terms and are a part of our agreement.

To have questions answered, please contact Amy Grothaus at 651.261.7122.

Sincerely,

BRAUN INTERTEC CORPORATION



Amy J. Grothaus  
Senior Project Manager/Engineer



Benjamin P. Dzioba, PE  
Principal

Attachments:  
Estimated Costs  
General Conditions (9/1/13)

---

The proposal is accepted, and you are authorized to proceed.

---

Authorizer's Firm

---

Authorizer's Signature

---

Authorizer's Name (please print or type)

---

Authorizer's Title

---

Date

**COST ESTIMATE**

SP-13-07579

2014-2016 Street CIP Projects

City of Lake Elmo  
Ryan Stempski  
3800 Laverne Ave N  
Lake Elmo, MN 55042-9699

Service Desc: Geotechnical and Pavement Evaluations  
  
Work Location: Various Streets  
Lake Elmo, MN  
Estimator : Amy Grothaus

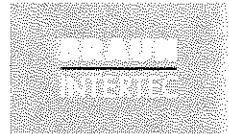
Description:	Quantity:	Units:	Unit Price:	Extension:
Phase:Geotechnical Evaluation				
Start Date: 11/13/2013	End Date:2/28/2014			
Task: Drilling Services				
Truck-or skid mounted drill rig, per hour	18.00	Hours	216.00	3,888.00
Mobilization	1.00	Each	620.00	620.00
Daily Mobilization & Support Vehicles	2.00	Days	0.00	
Drilling Services Total:				4,508.00
Task: Soil Observations & Testing				
Moisture content (Astm D 2216)	20.00	Tests	16.75	335.00
No. 200 only (ASTM C 117 or D 1140)	10.00	Tests	67.00	670.00
Soil Observations & Testing Total:				1,005.00
Task: Staking and Utility Clearance				
Site layout and utility clearance	8.00	Hours	93.00	744.00
Trip charge	1.00	Each	53.00	53.00
Trimble R8 Rover (horizontal and vertical), per hour	8.00	Hours	51.00	408.00
Staking and Utility Clearance Total:				1,205.00
Geotechnical Evaluation Total:				6,718.00
Phase:Pavement Evaluation				
Start Date: 11/13/2013	End Date:2/28/2014			
Task: Pavement Services				
Bituminous Coring	8.00	Hours	150.00	1,200.00
1.00 Trip at	8.00	Hours per Trip		
Ground Penetrating Radar	4.00	Hours	150.00	600.00
1.00 Trip at	4.00	Hours per Trip		
Trip charge	1.00	Trips	47.00	47.00
Traffic Control Signs	1.00	Each	300.00	300.00
FWD Mobilization, per mile	70.00	Each	3.50	245.00
GPR Mobilization, per mile	70.00	Each	2.75	192.50
FWD Testing, per hour	6.00	Hours	200.00	1,200.00
Pavement Services Total:				3,784.50
Pavement Evaluation Total:				3,784.50



**COST ESTIMATE**

SP-13-07579

Description:	Quantity:	Units:	Unit Price:	Extension:
Phase:Analysis and Reporting				
Start Date:	11/13/2013	End Date:2/28/2014		
Task: Pavement Services				
FWD Analysis	3.00	Hours	110.00	330.00
GPR Analysis	3.00	Hours	110.00	330.00
Project Engineer	13.00	Hours	135.00	1,755.00
Senior Engineer	2.00	Hours	160.00	320.00
Project Assistant	4.00	Hours	81.00	324.00
CADD/Graphics Operator	4.00	Hours	99.00	396.00
Pavement Services Total:				3,455.00
Analysis and Reporting Total:				3,455.00
Project Total:				13,957.50



# General Conditions

## Section 1: Our Agreement

**1.1** Our agreement ("Agreement") with you consists of these General Conditions and the accompanying written proposal or authorization. This Agreement is our entire agreement. It supersedes prior agreements. It may be modified only in a writing signed by us, making specific reference to the provision modified.

**1.2** The words "you," "we," "us," and "our" include officers, employees, and subcontractors.

**1.3** In the event you use a purchase order or other form to authorize our services, any conflicting or additional terms are not part of our Agreement. Directing us to start work prior to execution of this Agreement constitutes your acceptance. If, however, mutually acceptable terms cannot be established, we have the right to withdraw our proposal without liability to you or others, and you will compensate us for services already rendered.

## Section 2: Our Responsibilities

**2.1** We will provide the services specifically described in our Agreement with you. You agree that we are not responsible for services that are not fairly included in our specific undertaking. Unless otherwise agreed in writing, our findings, opinions, and recommendations will be provided to you in writing. You agree not to rely on oral findings, opinions, or recommendations without our written approval.

**2.2** In performing our professional services, we will use that degree of care and skill ordinarily exercised under similar circumstances by reputable members of our profession practicing in the same locality. If you direct us to deviate from our recommended procedures, you agree to hold us harmless from claims, damages, and expenses arising out of your direction.

**2.3** We will reference our field observations and sampling to available reference points, but we will not survey, set, or check the accuracy of those points unless we accept that duty in writing. Locations of field observations or sampling described in our report or shown on our sketches are based on information provided by others or estimates made by our personnel. You agree that such dimensions, depths, or elevations are approximations unless specifically stated otherwise in the report. You accept the inherent risk that samples or observations may not be representative of things not sampled or seen and, further, that site conditions may change over time.

**2.4** Our duties do not include supervising your contractors or commenting on, overseeing, or providing the means and methods of their work, unless we accept such duties in writing.

We will not be responsible for the failure of your contractors to perform in accordance with their undertakings, and the providing of our services will not relieve others of their responsibilities to you or to others.

**2.5** We will provide a health and safety program for our employees, but we will not be responsible for contractor, job, or site health or safety unless we accept that duty in writing.

**2.6** You will provide, at no cost to us, appropriate site safety measures as to work areas to be observed or inspected by us. Our employees are authorized by you to refuse to work under conditions that may be unsafe.

**2.7** Estimates of our fees or other project costs will be based on information available to us and on our experience and knowledge. Such estimates are an exercise of our professional judgment and are not guaranteed or warranted. Actual costs may vary. You should allow a contingency in addition to estimated costs.

## Section 3: Your Responsibilities

**3.1** You will provide us with prior geotechnical and other reports, specifications, plans, and information to which you have access about the site. You agree to provide us with all plans, changes in plans, and new information as to site conditions until we have completed our work.

**3.2** You will provide access to the site. In the course of our work some site damage is normal even when due care is exercised. We will use reasonable care to minimize damage to the site. We have not included the cost of restoration of normal damage in the estimated charges.

**3.3** You agree to provide us, in a timely manner, with information that you have regarding buried objects at the site. We will not be responsible for locating buried objects at the site unless we accept that duty in writing. You agree to hold us harmless from claims, damages, losses, and related expenses involving buried objects that were not properly marked or identified or of which you had knowledge but did not timely call to our attention or correctly show on the plans you or others on your behalf furnished to us.

**3.4** You will notify us of any knowledge or suspicion of the presence of hazardous or dangerous materials in a sample provided to us. You agree to provide us with information in your possession or control relating to contamination at the work site. If we observe or suspect the presence of contaminants not anticipated in our Agreement, we may terminate our work without liability to you or to others, and we will be paid for the services we have provided.

**3.5** Neither this Agreement nor the providing of services will operate to make us an owner, operator, generator, transporter, treater, storer, or a disposal facility within the meaning of the Resource Conservation Recovery Act, as amended, or within the meaning of any other law governing the handling, treatment, storage, or disposal of hazardous materials. You agree to hold us harmless and indemnify us from any such claim or loss.

**3.6** Monitoring wells are your property, and you are responsible for their permitting, maintenance, and abandonment unless we accept that duty in writing.

**3.7** You agree to make disclosures required by law. In the event you do not own the site, you acknowledge that it is your duty to inform the owner of the discovery or release of contaminants at the site. You agree to hold us harmless and indemnify us from claims related to disclosures made by us that are required by law and from claims related to the informing or failure to inform the site owner of the discovery of contaminants.

## Section 4: Reports and Records

**4.1** Unless you request otherwise, we will provide our report in an electronic format.

**4.2** Our reports, notes, calculations, and other documents and our computer software and data are instruments of our service to you, and they remain our property but are subject to a license to you for your use in the related project for the purposes disclosed to us. You may not transfer our reports to others or use them for a purpose for which they were not prepared without our written approval. You agree to indemnify and hold us harmless from claims, damages, losses, and expenses, including attorney fees, arising out of such a transfer or use. At your request, we will provide endorsements of our reports or letters of reliance, but only if the recipients agree to be bound by the terms of our agreement with you and only if we are paid the administrative fee stated in our then current Schedule of Charges.

**4.3** Because electronic documents may be modified intentionally or inadvertently, you agree that we will not be liable for damages resulting from change in an electronic document occurring after we transmit it to you.

**4.4** If you do not pay for our services in full as agreed, we may retain work not yet delivered to you and you agree to return to us all of our work that is in your possession or under your control.

**4.5** Samples and field data remaining after tests are conducted and field and laboratory equipment that cannot be adequately cleansed of contaminants are and continue to be your property. They may be discarded or returned to

you, at our discretion, unless within 15 days of the report date you give us written direction to store or transfer the materials at your expense.

**4.6** Electronic data, reports, photographs, samples and other materials provided by you or others may be discarded or returned to you, at our discretion, unless within 15 days of the report date you give us written direction to store or transfer the materials at your expense.

#### **Section 5: Compensation**

**5.1** You will pay for services as agreed upon or according to our then current Schedule of Charges if there is no other written agreement as to price. An estimated cost is not a firm figure. You agree to pay all sales taxes and other taxes based on your payment of our compensation. Our performance is subject to *credit approval and payment of any specified retainer.*

**5.2** You will notify us of billing disputes within 15 days. You will pay undisputed portions of invoices on receipt. You agree to pay interest on unpaid balances beginning 30 days after invoice dates at the rate of 1.5% per month, or at the maximum rate allowed by law.

**5.3** If you direct us to invoice another, we will do so, but you agree to be responsible for our compensation unless you provide us with that person's written acceptance of all terms of our Agreement and we agree to extend credit to that person and to release you.

**5.4** Your obligation to pay for our services under this Agreement is not contingent on your ability to obtain financing, governmental or regulatory agency approval, permits, final adjudication of lawsuit in which we are not involved, your successful completion of a project, receipt of payment from another, or any other event. No retainage will be withheld.

**5.5** If you do not pay us within 60 days of invoice date, you agree to reimburse our expenses, including but not limited to attorney fees, staff time, and other costs of collection.

**5.6** You agree to compensate us in accordance with our fee schedule if we are asked or required to respond to legal process arising out of a proceeding related to the project and as to which we are not a party.

**5.7** If we are delayed by factors beyond our control, or if project conditions or the scope or amount of work change, or if changed labor union conditions result in increased costs, decreased efficiency, or delays, or if the standards or methods change, we will give you timely notice and we will receive an equitable adjustment of our compensation. If you and we do not reach agreement on such compensation within 30 days of our written application, we may terminate without liability to you or others.

**5.8** If you fail to pay us within 60 days following invoice date, we may consider the default a total breach of our Agreement and, at our option, terminate our duties without liability to you or to others.

**5.9** In consideration of our providing insurance to cover claims made by you, you hereby waive any right of offset as to fees otherwise due us.

#### **Section 6: Disputes, Damage, and Risk Allocation**

**6.1** Each of us will exercise good faith efforts to resolve disputes without litigation. Such efforts will include, but not be limited to, a meeting(s) attended by each party's representative(s) empowered to resolve the dispute. Before either of us commences an action against the other, disputes (except collections) will be submitted to mediation.

**6.2** Neither of us will be liable for special, incidental, consequential, or punitive damages, including but not limited to those arising from delay, loss of use, loss of profits or revenue, loss of financing commitments or fees, or the cost of capital.

**6.3** We will not be liable for damages unless suit is commenced within two years of the date of injury or loss or within two years of the date of substantial completion of our services, whichever is earlier. We will not be liable unless you have notified us of the discovery of the claimed breach of contract, negligent act, or omission within 30 days of the date of discovery and unless you have given us an opportunity to investigate and to recommend ways of mitigating damages. You agree not to make a claim against us unless you have provided us at least 30 days prior to the institution of any legal proceeding against us with a written certificate executed by an appropriately licensed professional specifying and certifying each and every act or omission that you contend constitutes a violation of the standard of care governing our professional services.

**6.4** For you to obtain the benefit of a fee which includes a reasonable allowance for risks, you agree that our aggregate liability for all claims will not exceed the fee paid for our services or \$50,000, whichever is greater. If you are unwilling to accept this allocation of risk, we will increase our aggregate liability to \$100,000 provided that, within 10 days of the date of our Agreement, you provide payment in an amount that will increase our fees by 10%, but not less than \$500, to compensate us for the greater risk undertaken. This increased fee is not the purchase of insurance.

**6.5** You agree to indemnify us from all liability to others in excess of the risk allocation stated above and to insure this obligation.

**6.6** The prevailing party in any action relating to this Agreement shall be entitled to recover

its costs and expenses, including reasonable attorney fees, staff time, and expert witness fees.

**6.7** The law of the state in which our servicing office is located will govern all disputes. Each of us waives trial by jury. No officer or employee acting within the scope of employment shall have individual liability for his or her acts or omissions, and you agree not to make a claim against individual employees.

#### **Section 7: General Indemnification**

**7.1** We will indemnify and hold you harmless from and against demands, damages, and expenses of others to the comparative extent they are caused by our negligent acts or omissions or those negligent acts or omissions of persons for whom we are legally responsible. You will indemnify and hold us harmless from and against demands, damages, and expenses of others to the comparative extent they are caused by your negligent acts or omissions or those negligent acts or omissions of persons for whom you are legally responsible.

**7.2** To the extent it may be necessary to indemnify either of us under Section 7.1, you and we expressly waive, in favor of the other only, any immunity or exemption from liability that exists under any worker compensation law.

**7.3** You agree to indemnify us against losses and costs arising out of claims of patent or copyright infringement as to any process or system that is specified or selected by you or by others on your behalf.

#### **Section 8: Miscellaneous Provisions**

**8.1** We will provide a certificate of insurance to you upon request. Any claim as an Additional Insured shall be limited to losses caused by our sole negligence.

**8.2** You and we, for ourselves and our insurers, waive all claims and rights of subrogation for losses arising out of causes of loss covered by our respective insurance policies.

**8.3** Neither of us will assign nor transfer any interest, any claim, any cause of action, or any right against the other. Neither of us will assign or otherwise transfer or encumber any proceeds or expected proceeds or compensation from the project or project claims to any third person, whether directly or as collateral or otherwise.

**8.4** Our Agreement may be terminated early only in writing. We will receive an equitable adjustment of our compensation in the event of early termination.

**8.5** If a provision of this Agreement is invalid or illegal, all other provisions shall remain in full force and effect.



## MAYOR & COUNCIL COMMUNICATION

DATE: November 19, 2013  
CONSENT  
ITEM #11  
MOTION

**AGENDA ITEM:** Approve RFP for new City Assessor as of 2/1/2014

**SUBMITTED BY:** Cathy Bendel, Finance Director

**THROUGH:** Cathy Bendel, Finance Director

**REVIEWED BY:** Dean Zuleger, City Administrator

### SUGGESTED ORDER OF BUSINESS:

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

**POLICY RECOMMENDER:** Finance

**FISCAL IMPACT:** None until contract award; transfer of an existing contract to new vendor.

**SUMMARY AND ACTION REQUESTED:** As part of its Consent Agenda, the City Council is asked to approve issuance of the attached draft of an RFP seeking City Assessor Services. No specific motion is needed as this is recommended to be part of the *Consent Agenda*.

**BACKGROUND INFORMATION:** The City of Lake Elmo was recently notified by Frank Langer, the current City Assessor of his intent to retire. His goal is to discontinue services effective 2/1/2014, however if additional time is needed to transition to the new City Assessor he would be willing to provide those services as well.

**RECOMMENDATION:** Based on the aforementioned, the staff recommends the City Council approve the attached RFP seeking a new City Assessor.

**ATTACHMENT:**

1. Draft RFP

**City of Lake Elmo**  
**Request for Proposals to Provide Assessing Services**  
**For the City of Lake Elmo, Minnesota**

**Section 1. Introduction and Term of Contract**

The City of Lake Elmo is requesting proposals for a contractual assessor for a term of 3 years beginning January 1<sup>st</sup>, 2014 and ending December 31<sup>st</sup>, 2016, with an option to renew for an additional 3 year period based on satisfactory annual reviews. The assessor will be responsible for performing fair and equitable assessments of real property within the City. Contracts may be renewed at the discretion of the City Council. Currently the City of Lake Elmo has a total of 3246 parcels comprised as follows:

- Residential - 2,530
- Agriculture/RVL - 105
- Commercial/Industrial - 352
- Exempt - 21
- Vacant – 238

Per the City of Lake Elmo 2014 budget, it is anticipated that the total number of parcels will increase by 150 in 2014 and 250 per year thereafter.

**Section 2. Functions and Knowledge of the Service to be Performed**

Below is a listing of the functions to be performed by the assessor. This is not an exhaustive list and other duties shall be performed as requested and necessary for the satisfactory completion of service.

Functions to be Performed

- Must be licensed, at a minimum, as a Certified Specialist and Income Qualified by the Minnesota Board of Assessors.
- Maintain accurate records, provide reports, and prepare requested analyses for City staff.
- Develop and maintain positive public relations with City of Lake Elmo Council members, City employees, Washington County, and the public.
- Attend the Board of Appeal and Equalization meeting and assist the Board in every way possible to enable it to perform its duties. This includes furnishing the Board with all necessary charts, tables, comparisons, and data which it may require in its deliberations and performing investigations that the Board may desire to arrive at a fair market value.
- Develop and adjust assessment policies and methodologies when necessary to ensure compliance with legislative changes, legal requirements and administrative direction.
- Provide projections on the future impact of legislative changes, tax base changes, etc.
- Analyze valuation data of commercial, industrial, and apartment property.

- Analyze property sales through the use of best practices in the field of assessment.
- Review and report on the validity of tax petitions.
- Coordinate and participate in tax assessment litigations.
- Serve as a technical resource for City staff and the public.
- Serve as a witness in court cases when required.
- Prepare an annual assessment report prior to the assessment valuation notices updating City staff on changes in the last market year.
- Must provide own vehicle – mileage reimbursement to be included in RFP proposal.

#### Desired Knowledge

- Considerable ability to communicate complex information tactfully and effectively both orally and in writing with state regulatory agencies, county regulatory agencies, elected officials, City staff, and the general public.
- In-depth knowledge of accepted principles, methods, and techniques of property appraisal.
- In-depth knowledge of all laws and regulations pertinent to local tax assessments.
- In-depth knowledge of appraisal terminology and practices.
- Considerable knowledge of building construction and remodeling costs.
- In-depth knowledge of real estate property values and land economics.
- Considerable ability to perform mathematical calculations, analyze data, and prepare meaningful reports.
- Considerable knowledge of the assessment system of Washington County.
- Knowledge of Lake Elmo is a plus.

#### **Section 3. Independent Contractor Status**

The assessor shall be considered an independent contractor. The assessor will be housed off-site and will be responsible for arranging a data connection with Washington County and providing other normal office furnishings such as computers, telephones, file cabinets, etc. All records created with regard to this contract, e.g., cards, photos, reports, etc. become the property of the City. Access to these records must be provided when requested by City officials. As in independent contractor, the assessor will be responsible for carrying their own insurance and providing a copy of the certificate of insurance each year to the City of Lake Elmo.

#### **Section 4. Submission Deadline**

All submissions must be postmarked by December 13, 2013. Submissions shall be mailed to:

Cathy Bendel, Finance Director  
City of Lake Elmo

3800 Laverne Avenue N  
Lake Elmo, MN 55042

#### **Section 5. Proposal Submission**

Two copies of a written proposal should outline the qualifications, experience, areas of expertise, and professional references in the practice of assessing services and all individuals proposed to perform such services for the City.

All proposals must include proposed compensation on a lump sum per year basis for such services to be provided to the City. Payment for services shall be split into equal parts and paid monthly.

#### **Section 6. Selection Process**

The Finance Director and the City of Lake Elmo Finance Committee will receive and review all proposals. The proposals will be brought to the City Council for final review and selection at the December 17<sup>th</sup>, 2013 Council meeting. The City Administrator or City Council may elect to interview candidates as they see fit.

#### **Section 7. Right to Waive or Refuse**

The City of Lake Elmo reserves the right to delete any portion of the request for proposal, or reject any or all proposals and to waive any informality for any reason.



## MAYOR & COUNCIL COMMUNICATION

**DATE:** November 19, 2013  
**REGULAR**  
**ITEM: #** 12

**AGENDA ITEM:** Municipal Electrical Permitting and Inspections Program

**SUBMITTED BY:** Rick Chase, Building Official

**THROUGH:** Dean Zuleger, City Administrator

**REVIEWED BY:** Adam Bell, City Clerk  
Kyle Klatt, Community Development Director

### SUGGESTED ORDER OF BUSINESS:

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

**POLICY RECCOMENDER:** The Building Department recommends assuming responsibility for the electrical permitting and inspections program to improve service delivery and customer service.

**FISCAL IMPACT:** Administering the electrical inspections program will shift revenue from the State to the City of Lake Elmo.

**SUMMARY AND ACTION REQUESTED:** With the adoption of local electrical permitting and inspections, it is the City's goal to improve service delivery and customer service. Staff recommends that the City contract electrical inspection services and assume responsibility for all electrical permitting. The attached ordinances and service agreement outlines the process for how permitting and inspections for electrical permits will be completed.

*Staff is recommending that the City Council adopt the City Electrical Permitting and Inspections Program through the following motion:*

***"Move to adopt Ordinance 08-093 to adopt the City Electrical Permitting and Inspections Program."***



*In addition, Staff is recommending that the City Council amend the City's Fee Schedule through the following motion:*

***"Move to adopt Ordinance 08-094 to amend the City's Fee Schedule to incorporate fees related to the City Electrical Permitting and Inspections Program."***

*Finally, Staff recommends the approval of the Electrical Inspection Services Agreement through the following motion:*

***"Move to approve the Electrical Inspection Services Agreement."***

**LEGISLATIVE HISTORY:** N/A

**BACKGROUND INFORMATION (SWOT):**

**Strengths**

It is currently becoming more common for local municipalities to implement an electrical inspection program. The recommendation to adopt an electrical inspection program reflects the growing trend of administering these programs locally, which is consistent with the City's goal to provide exceptional service and incorporate best practices. Staff is recommending retaining the contract services of Mr. Joe Wheaton. Mr. Wheaton currently provides electrical inspections for the City as a contract state electrical inspector. Under this agreement, Mr. Wheaton would provide electrical inspections under contract of the City of Lake Elmo.

**Weaknesses**

With the existing permitting and inspection structure, applicants are required to complete all electrical permitting and inspection requirements through the State of Minnesota. Assuming responsibility of the Electrical Permitting and Inspections Program would allow the City to administer all electrical services, streamlining the permitting process for all applicants in Lake Elmo.

**Opportunities**

Removing the State from the electrical permitting and inspections equation would make the process more straightforward for all applicants.

**Threats**

N/A

**RECOMMENDATION:**

*Staff is recommending that the City Council adopt the City Electrical Permitting and Inspections Program through the following motion:*

***“Move to adopt Ordinance 08-093 to adopt the City Electrical Permitting and Inspections Program.”***

*In addition, Staff is recommending that the City Council amend the City’s Fee Schedule through the following motion:*

***“Move to adopt Ordinance 08-094 to amend the City’s Fee Schedule to incorporate fees related to the City Electrical Permitting and Inspections Program.”***

*Finally, Staff recommends the approval of the Electrical Inspection Services Agreement through the following motion:*

***“Move to approve the Electrical Inspection Services Agreement.”***

**ATTACHMENTS:**

1. Ordinance 08-093
2. Ordinance 08-094
3. Electrical Inspection Service Agreement

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

**ORDINANCE NO. 08-093**

**AN ORDINANCE IMPLEMENTING THE CITY ELECTRICAL PERMITTING AND  
INSPECTION PROGRAM**

**SECTION 1. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Building Regulations, Section 151.002 to read the following language:**

**§151.002 CITY ELECTRICAL PERMITTING AND INSPECTIONS PROGRAM**

1. **Authority to inspect.** The City of Lake Elmo derives its authority to provide inspection of electrical installations pursuant to Minnesota Statutes 326B.36, subd. 6, and the City of Lake Elmo desires and intends to provide for all electrical inspections within the City limits.
2. **Lake Elmo Electrical Code.** The Lake Elmo Electrical Code shall constitute the Minnesota Electrical Act , as adopted by the Commissioner of Labor and Industry pursuant to Minnesota Statutes, 326B.31 to 326B.399 and said Minnesota Electrical Act is hereby incorporated by reference as if fully set out herein; and the Lake Elmo Electrical code shall also include the National Electrical Code incorporated by reference into the Minnesota State Building Code pursuant to Minnesota Rule 1315.0020, and said National Electrical Code is hereby incorporated by reference as if fully set out herein. Any periodic amendments or updates to the Minnesota Electrical Act and to the National Electrical Code shall be automatically adopted and incorporated into the Lake Elmo Electrical Code by reference as if set out herein.
3. **Compliance** All electrical inspections performed pursuant to this section 151.002 shall comply with the Lake Elmo Electrical Code which is comprised of the Minnesota Electrical Act, and the National Electrical Code as incorporated by reference above. An electrical inspector designated by the City shall be a State Licensed Class A journeyman electrician ( as defined under Minnesota Statutes, 326B.31 subd. 8) or a State Licensed Class A master electrician (as defined under Minnesota Statutes, 326B.31, subd. 9) and shall be responsible for enforcing the provisions of the Lake Elmo Electrical Code.
4. **Electrical permit.** An n electrical permit is required for each installation, alteration, addition, or repair of electrical work for light, heat and power within the limits of the City. Permits for the installation of electrical work in new structures shall only be issued to electrical contractors duly licensed by the State. Permits for the installation, alteration,

addition or repair of electrical work in existing structures shall only be issued to electrical contractors duly licensed by the State or to resident owners of property where the work is to be done. No permit shall be required for electrical installations of equipment owned, leased, operated or maintained by a public service corporation which is used by said corporation in the performance of its function as a utility, except that such electrical installation shall conform to the minimum standards of the National Electrical Safety Code. Before commencing any installation of any electrical work regulated by the Lake Elmo Electrical Code, a permit shall be secured from the City.

5. **Electrical Inspections Fee Schedule** Shall be set by City Council from time to time.
6. **Notice and Appeal** All notices and orders issued pursuant to the Lake Elmo Electrical Code shall be in conformance in Minnesota Statutes, 326B, subd. 4.
7. **Violations and penalties.** A violation of the Lake Elmo Electrical Code is a misdemeanor in conformance with the Minnesota Electrical Act's penalty set forth in Minnesota Statue, 326B.082, subd. 16. In addition violations of City code are subject to administrative citations and investigative fees per city code.

**SECTION 2. Effective Date.** This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

**SECTION 3. Adoption Date.** This Ordinance 08-093 was adopted on this nineteenth day of November 2013, by a vote of \_\_\_\_ Ayes and \_\_\_\_ Nays.

**LAKE ELMO CITY COUNCIL**

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Mike Pearson, Mayor

ATTEST:

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Adam Bell, City Clerk

This Ordinance 08-093 was published on the \_\_\_\_ day of \_\_\_\_\_, 2013

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

**ORDINANCE NO. 08-094**

**AN ORDINANCE AMENDING MUNICIPAL FEES TO INCORPORATE ELECTRICAL  
PERMIT FEES**

**SECTION 1. The City Council of the City of Lake Elmo hereby amends Appendix B of the Lake Elmo Municipal Code to read as follows:**

**APPENDIX B: ELECTRICAL PERMIT FEES**

<b>Item Description</b>	<b>Fees</b>
Minimum fee (does not include state surcharge)	\$38.50
Single Family dwelling and Multi-family dwelling with individual service	\$148.50
Multi-family dwelling with common service, each unit	\$77.00
Swimming pool, spa, fountain	\$84.00
Finish basement, rough-in and final inspection	\$77.00
Amperes service, generators and other power supplies and feeders to separate structures	
0-400 amperes	\$38.50
401-800 amperes	\$66.00
More than 800 amperes	\$110.00
0 to 200 ampere circuits	\$6.60
More than 200 ampere circuits	\$16.50
Street, parking and outdoor lighting standard	\$5.50
Traffic Signals	\$5.50
0-10 KVA transformers for light, heat and power	\$16.50
More than 10 KVA transformers for light, heat and power	\$33.00
Transformers for electronic power supplies, signs and outline lighting	\$5.50
Alarm communication, remote control and signal circuits less than 50 volts each	\$.83
Electrical re-inspection 2 <sup>nd</sup> Trip	\$38.50
Investigation fee for electrical work started without permit. Equal to permit fee	
Residential Service Change (fuses to breakers, service upgrade, etc.	\$75.00
Hourly rate per State of Minnesota Fee Schedule/ Special inspections	
State Surcharge	\$5.00

**SECTION 2. Effective Date.** This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

**SECTION 3. Adoption Date.** This Ordinance 08-094 was adopted on this nineteenth day of November 2013, by a vote of \_\_\_\_ Ayes and \_\_\_\_ Nays.

**LAKE ELMO CITY COUNCIL**

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Mike Pearson, Mayor

ATTEST:

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Adam Bell, City Clerk

This Ordinance 08-094 was published on the \_\_\_\_ day of \_\_\_\_\_, 2013



Lake Elmo City Hall  
651-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

## ***AGREEMENT FOR ELECTRICAL INSPECTION SERVICES***

This agreement for electrical services between the **City of Lake Elmo** (hereinafter referred to as to As the "City") 3800 Laverne Avenue, Lake Elmo, MN 55042, and \_\_\_\_\_ (hereinafter referred to as the "contractor").

### **RECITALS:**

**WHEREAS**, the City wishes to purchase the services of the Contractor as an electrical inspector for the City; and

**WHEREAS**, the Contractor is qualified to perform electrical inspection services for the City and is willing to provide such services pursuant to this Agreement.

**NOW, THEREFORE**, in consideration of the mutual covenants and undertakings hereinafter stated, the parties to this Agreement agree that the Contractor shall be retained to provide assigned electrical inspections, to verify compliance with applicable electrical codes and ordinances in a manner established by the City's chief building official, as follows:

#### **I. Scope of Services**

- a. Perform electrical inspection assigned by the City for compliance with the current version of the State Electrical Code and related laws, rules and city ordinances.
- b. Perform inspections on the day requested, except as approved by the city.
- c. Be available by phone during established hours, as determined by the City, to receive calls related to code requirements, inspection procedures and other electrical inspection matters. It is understood that the normal hours are generally from 8:00 a.m. to 4:30 p.m.
- d. Report to the Inspections Division to pick up inspection requests, report on completed inspection, be available to City Staff, and email permit
- e. Be available on a limited basis to meet customers at scheduled times and locations.
- f. Be available for inspections, consultations, meetings, and other inspection related duties that may not be associated with the electrical permit.
- g. Write correction notices and perform follow-up inspections as needed to obtain compliance.
- h. Follow inspection procedures and processes established by the City.

- i. Maintain computer capability to access the City inspection system via the internet. Input inspection results in the City inspection database via internet connection from an off-site terminal. The City may choose to record inspection results in house in lieu of this requirement.
- j. Provide a City approved back-up plan that indicates how inspections will be performed during high volume periods, sick days, vacation time, etc.
- k. Maintain permits and inspection records.
- l. Receive inspection requests and schedule.

## **II. CITY RESPONSIBILITIES**

- a. Issue permits.
- b. Provide inspection request tickets.
- c. Provide inspection approval stickers and correction notices.
- d. Maintain permit and inspection records.
- e. Pay the Contractor monthly for completed permits.

## **III. COMPENSATION AND EXPENSES**

The Contractor will receive 75% of the electrical permit fee. Payment will be made on monthly basis for completed permits. At the end of the contract, the amount due the Contractor will be prorated based upon the percentage of inspections completed. The Contractor will be responsible for the Contractor's costs, transportation, telephone and other related costs necessary to complete the inspections. Prior to the processing of any and all payments to the Contractor pursuant to this contract, compliance with the Lake Elmo Finance Department regulations on the completion and filing of W-9 forms and other IRS and Minnesota Department of Revenue taxing forms is required.

## **IV. TERM**

The Contractor agrees to furnish electrical inspection services on behalf of the City during the period commencing the 1<sup>st</sup> day of \_\_\_\_\_ 2014 and until terminated pursuant to this Agreement.

## **V. INDEPENDENT CONTRACTOR**



Nothing contained in this Agreement is intended or should be construed as creating the relationship of co-partners or joint ventures with the City. No tenure or any rights or benefits, including workers compensation, unemployment insurance, medical care, sick

leave, vacation leave, severance pay, PERA, or other benefits available to City employees shall accrue to the Contractor for performing services under this Agreement.

#### **VI. INDEMNIFICATION**

The Contractor agrees that the will defend, indemnify, and hold harmless the City, its officers and employees, against any and all liabilities, loss, costs, damages and expenses, which the City, its officers and employees may hereinafter sustain, incur, or be required to pay, arising out of the Contractor's performance or failure to adequately perform its obligations pursuant to this contract.

#### **VII. INSURANCE**

- a. The Contractor does further agree that in order to protect himself as well as the City under the indemnity provisions set forth above, the Contractor will at all times during the term of this Agreement and for a period of three (3) years thereafter, have and keep in force a general liability insurance policy in the amount of at least \$2,000,000. The Contractor shall further furnish the City with a certificate of Insurance for such coverage upon the execution of this agreement.
- b. Contractor shall provide a certificate of insurance showing evidence of workers' compensation coverage or provide evidence of qualification as a self-insurer of workers' compensation.
- c. Contractor shall maintain automobile liability insurance, and if necessary, umbrella liability insurance with a limit of not less than 2,000,000 each accident. If such insurance contains a general aggregate limit, the general aggregate limit shall be not less than 2,000,000. The insurance shall cover liability arising out of any auto, including owned, hired, and non-owned autos.

#### **VIII. TERMINATION**

- a. Upon thirty (30) days written notice to the City, this Agreement may be terminated by the Contractor should the City fail substantially to perform in accordance with the Agreement terms through no fault of the Contractor.
- b. Upon seven (7) days written notice to the Contractor, the City reserves the right to terminate all or part of this Agreement whenever the City determines that the continuation of this Agreement is not in the best interest of the City.
- c. Upon receipt of a termination notice, the Contractor shall cease all work and delivery, save those necessary to protect the public health, welfare and safety.
- d. Termination shall not invalidate any obligation properly incurred by the Contractor prior to receipt of the termination notice to the extent that such obligations are not cancellable.

**IX. AUDIT AND DISCLOSURE**

The Contractor shall allow the City, or its duly authorized agents, reasonable access to such of the Contractor's books and records, documents, accounting procedures and practices as are permitted to all services provided under this agreement.

**X. RECORD RETENTION**

The Contractor shall retain all records pertinent to this Agreement, for a minimum of three (3) years after the contract completion and audit by the City, except that if any litigation, claim or adverse audit finding exists, the record shall be kept until final disposition thereof has been resolved.

**XI. SEVERABILITY**

The provisions of this Agreement are severable. If any portion hereof is for any reason held by a court of competent jurisdiction to be contrary to law, such decision shall not affect the remaining provisions of this agreement.

**XII. ENTIRE AGREEMENT**

The entire agreement of the parties is contained herein. This Agreement supersedes all agreements and all negotiations between the parties relating to the subject matter hereof, as well as any previous agreements presently in effect between the parties. Any alterations, amendments, deletions, or waivers of the provisions of this Agreement shall be

valid only when expressed in writing and duly signed by the parties, unless otherwise provided herein.

**XIII. COMPLIANCE WITH LAWS AND REGULATIONS**

In providing services hereunder, the Contractor shall abide by all statutes, ordinances, rules and regulations pertaining to the provision of such services, including those now in effect and hereafter adopted.

**XIV. WAIVER**

Any waiver by either party of a breach of any provision of this Agreement shall not affect in any respect the validity of the remainder of this Agreement.

**XV. GOVERNING LAW**

This Agreement shall be controlled by the laws of the State of Minnesota.

**XVI. RENEWAL**

This Agreement may be renewed by mutual agreement of the parties with all the terms and conditions herein being renegotiable by the parties.

**XVII. SUBCONTRACTING AND ASSIGNMENT**

Contractor shall not enter into any subcontract for performance of any services contemplated under this Contract without the prior written approval of the City and subject to such conditions and provisions as the City may deem necessary. The Contractor shall be responsible for the performance of all subcontractors and for submitting the names, insurance and qualifications of subcontractors.

**XVIII. NONDISCRIMINATION**

During the performance of this Agreement, the Contractor agrees to the following: No person shall, on the grounds of race, color, religion, age, sex, disability, marital status, public assistance status, criminal record, creed or national origin, be excluded from full employment rights, participation in, be denied the benefits of or be otherwise subjected to discrimination under any and all applicable federal and state laws against discrimination.

IN WITNESS WHEREOF, the parties have hereunto set their hands this \_\_\_\_\_  
day of \_\_\_\_\_, 2013.

**CONTRACTOR:**

By: \_\_\_\_\_

\_\_\_\_\_

Its: \_\_\_\_\_

Dated: \_\_\_\_\_, 2013

**CITY OF LAKE ELMO**

By: \_\_\_\_\_

(Mayor)

Dated: \_\_\_\_\_

By: \_\_\_\_\_

(City Administrator)

Dated: \_\_\_\_\_



## MAYOR & COUNCIL COMMUNICATION

**DATE:** November 19, 2013  
**REGULAR**  
**ITEM #** 13

**AGENDA ITEM:** Lake Elmo Design Guidelines and Standards Manual

**SUBMITTED BY:** Nick Johnson, City Planner

**THROUGH:** Dean A. Zuleger, City Administrator

**REVIEWED BY:** Planning Commission  
Kyle Klatt, Community Development 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

**POLICY RECOMMENDER:** Planning Commission

**FISCAL IMPACT:** None – City review costs will be reimbursed through application or escrow fees.

### SUMMARY AND ACTION REQUESTED:

The City Council is being asked to consider the adoption of the Lake Elmo Design Guidelines and Standards Manual. The purpose of the manual is to promote high quality development outcomes through site and architectural design. As proposed, the design standards manual would be adopted by reference into the Zoning Code and replace existing design related performance standards in the Code. The adoption of design standards is a supported policy under the Lake Elmo Comprehensive Plan (Chapter III – Land Use).

*Staff and the Planning Commission are recommending that the City Council adopt the Lake Elmo Design Standards Manual through the following motion:*

***“Motion to adopt Resolution No. 2013-097 approving the Lake Elmo Design Guidelines and Standards Manual”***

**LEGISLATIVE HISTORY/BACKGROUND INFORMATION:**

The City Council reviewed a draft of the Manual at the Council meeting on 11/15/13. At the meeting, it was determined that the Council review the document at a workshop meeting on 11/12/13. By working through various policy questions, the Council was able to reach consensus on a number of minimal changes to refine the Manual. The proposed changes from the previous draft include the following:

- Language encouraging rain gardens was removed. The Council preferred the City’s storm water ordinance and local watershed districts to address all storm water design for future development.
- Regarding form and façade, language related to blank facades was changed to note that buildings without windows and doors are discouraged.
- Examples of simulated building materials that would be acceptable to the City were added.
- The requirement to submit samples of all building materials before approval of the building permit was removed.
- Two errors identified by staff related to conflicting building material language were corrected.
- The title of the document was changed to “Design Guidelines and Standards Manual”.
- Standards related to the amount of surface parking along the public right-of-way in the Commercial and Business Park districts were changed to make the parking design encouraged as opposed to mandatory.

With consensus reached on a number of items, the Manual has now been updated to reflect the Council’s direction. Staff recommends that the Lake Elmo Design Guidelines and Standards Manual be adopted to serve as the main tool of site and building design review.

**PLANNING COMMISSION RECOMMENDATION:**

The Planning Commission is recommending that the City Council adopt the Lake Elmo Design Guidelines and Standards Manual through the following motion:

***“Motion to adopt Resolution No. 2013-097 approving the Lake Elmo Design Guidelines and Standards Manual”***

**ATTACHMENTS:**

1. Resolution No. 2013-097
2. Lake Elmo Design Guidelines and Standards Manual (Draft 11-14-13)

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

**RESOLUTION NO. 2013-097**

*RESOLUTION ADOPTING THE LAKE ELMO DESIGN GUIDELINES AND STANDARDS  
MANUAL*

**WHEREAS**, the City of Lake Elmo adopted a revised Comprehensive Plan in March of 2013 that calls for the adoption of design standards to promote quality development outcomes in Lake Elmo; and

**WHEREAS**, the Planning Commission has reviewed multiple drafts of the design standards manual at several formal meetings dating back to August of 2012; and

**WHEREAS**, the City of Lake Elmo held a Stakeholder Workshop on October 29, 2012 to gather feedback from members of the development community and

**WHEREAS**, the Lake Elmo Planning Commission held a meeting on October 28, 2013 to consider the adoption of the Lake Elmo Design Standards Manual; and

**WHEREAS**, on October 28, 2013 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve the Lake Elmo Design Standards Manual; and

**WHEREAS**, the City Council reviewed the recommendation of the Planning Commission and the Lake Elmo Design Standards Manual at a meeting on November 6, 2013; and.

**WHEREAS**, the City Council reviewed the Manual at a workshop meeting on November 12, 2013; and.

**WHEREAS**, the City Council reviewed the Lake Elmo Design Guidelines and Standards Manual at a meeting on November 19, 2013; and.

**NOW, THEREFORE**, based upon the information received, the City Council makes the following:

**FINDINGS**

- 1) That the adoption of the Lake Elmo Design Guidelines and Standards Manual is consistent with the policy guidance of Chapter III – Land Use Plan of the City’s Comprehensive Plan, specifically:

*“Following the completion of the Comprehensive Plan, the City will adopt design standards to ensure the look and feel of future development is compatible with the community vision of*

*a small town within a rural setting. Standards for building materials, building articulation, design variety and other requirements should be upheld to ensure the quality of the built environment is distinctly Lake Elmo."*

- 2) That the Lake Elmo Design Guidelines and Standards Manual meets the intent of establishing design review provisions and procedures that promote quality development outcomes in Lake Elmo that are consistent with the City's desired vision for the community.

**NOW, THEREFORE, BE IT RESOLVED**, that based on the foregoing, the Lake Elmo City Council hereby approves the Lake Elmo Design Guidelines and Standards Manual.

Passed and duly adopted this 19<sup>th</sup> day of November 2013 by the City Council of the City of Lake Elmo, Minnesota.

\_\_\_\_\_  
Mike Pearson, Mayor

ATTEST:

\_\_\_\_\_  
Adam Bell, City Clerk



*City of Lake Elmo*  
**DESIGN GUIDELINES & STANDARDS MANUAL**



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# 1 *Introduction*

## **Intent and Purpose**

The City of Lake Elmo is currently preparing for a significant amount of growth and development in two areas of the city: the I-94 Corridor and Old Village. To ensure that growth is carried out in a manner reflective of the goals and principles of Lake Elmo, measures are being taken to ensure development outcomes of a high quality. Included in these measures is the creation of design standards, establishing requirements and guidelines related to site design and building form. The purpose of these standards is to incorporate the following principles in residential and commercial development outcomes in the I-94 Corridor and Old Village:

1. *To ensure high quality site design and building materials, supporting both function and form*
2. *To provide open space in future areas of growth, building off of Lake Elmo's existing character and environment*
3. *To accommodate automobile traffic in a manner that respects the pedestrian environment*
4. *To utilize natural and ecological systems into public and private development, particularly in the realm of storm water management*

5. *To encourage site design that is mindful and conscientious of the existing landscape and topography*
6. *To foster connections between the new and existing areas of Lake Elmo through consistent standards and theming, resulting in an identity that is unique to this community*

The two areas guided for sewered residential and commercial development in Lake Elmo are the I-94 Corridor and Old Village. While both of these areas are guided for future growth and have ample greenfield development opportunity, it is important to recognize the differences between these districts as they pertain to geography and character. These differences will play a major role in the types of development that are realized in each area.

## **Areas of Growth**

**I-94 Corridor.** The I-94 Corridor is geographically bounded by CR-10 (10th St.) and I-94 from north to south and CR-15 (Manning Ave.) to CR-13 (Inwood Ave.) from east to west. The City has guided this corridor for residential development of various densities, as well as commercial and business park development. Given its location and high level of access, the vision for this corridor is more

highway-oriented by nature, offering good opportunities for higher density and commercial development. In addition, the City has envisioned this area to provide increased employment opportunities in Lake Elmo.

**Old Village.** The Old Village is located in the heart of Lake Elmo, centered along State Highway 5 and bordered to the east by CR-15 (Manning Ave.) and to the south by 30th St. As the historic center of Lake Elmo, the Old Village is guided for residential and mixed-use development types, which are consistent with historic downtown areas. In order to reinforce the identity of the Old Village as a destination, it is the City's goal to emphasize a positive pedestrian environment, consistent with main street character. Given this vision and the historic context, the Old Village will most likely attract different development types than the I-94 Corridor.

Considering the character, geography, and visions for these two growth areas, it is unreasonable to expect that the development types will be the same. However, in order to establish standards for high quality sites and buildings in Lake Elmo, the design standards laid out in this manual will be applicable to development within both the I-94 Corridor and Old Village.

## Structure of the Standards

The standards contained within this manual are structured in a manner that establishes standards and desired outcomes for private development sites within four land use types guided for the I-94 Corridor and Old Village. The four land use types, or development types, addressed in this manual are as follows:

1. High Density Residential;
2. Commercial;
3. Business Park; and
4. Mixed-Use.

In addition to land use types, the standards are organized into two primary categories: Site Design and Building Design. The standards contained within these categories are organized using the following sub-categories:

1. Site Design
  - Building Placement
  - Streetscape
  - Landscaping
  - Parking
  - Delivery, Service, Storage and Utility Areas
2. Building Design
  - Form and Facade
  - Building Materials
  - Scale and Mass
  - Roof Design
  - Entries
  - Signage
  - Lighting

These categories and respective sub-categories are intended to organize the specific standards within each land use or development type.

## Compliance

As part of the City's development review process, any new development, redevelopment, or major renovation within the I-94 Corridor and Old Village will be reviewed for compliance to the standards contained within this manual. Design review will be completed within the established review process at the stage of final development or building approval. This review will be conducted by the individual or body authorizing the permit or certificate. Exceptions to the standards contained within the manual may be granted by the Review Authority under at least one of, but not limited to, the following circumstances:

- The proposed project is found to be of an architectural value above and beyond the accepted standard and therefore a community asset.
- The proposed project demonstrates a commitment to theming elements and open-space character, thereby supporting Lake Elmo's unique identity.
- The proposed project is found to prioritize pedestrian circulation and safety, including streetscape treatments above the minimum standards that contribute to a positive pedestrian environment.
- The proposed project demonstrates a significant commitment to natural storm water management practices.
- The proposed project includes a significant commitment to sustainable building practices, similar to the standards required for LEED certification.

In order to receive relief or exception to the stan-

dards within the manual, it is the responsibility of the applicant to demonstrate why a specific standard presents an unreasonable burden in the context of the proposed site or project.



# 2 High Density Residential Development

## Applicable Zoning Districts:

- Urban Medium Density Residential (MDR) • Urban High Density Residential (HDR)

Both the I-94 Corridor and Old Village are expected to experience growth in the form of high density residential development. This growth will be comprised of single-family attached (townhome) development and multi-family residential development, including apartments and condominiums. For residential development, the intent of the design standards is to provide housing of a high aesthetic quality with open or recreational spaces integrated directly into the site.

## A. Site Design

### Building Placement

*Goal: Structures should be located and oriented in a manner that allows for pedestrian accessibility and provides visual interest from the public right of way.*

- Buildings are encouraged to be located as close to the public street as possible while still meeting the setback requirement. In addition, the setbacks of adjacent residential buildings are encouraged to be varied slightly to contribute to an interesting streetscape, avoiding monotonous facade or wall depth.
- Buildings should be easily accessed from the street, particularly near commercial or mixed-use development.
- The area fronting the main public street, or front-yard setback area, should be utilized for entryways, landscaping, porches, patios and other amenities that may be utilized by residents and provide visual interest or a sense of place.
- Recreational and common spaces should be located at the interior or rear of the site to promote access and safety for residents. Keeping these spaces out of the front of the site also helps maintain visual interest and attractive sight lines.
- Some provision of open or common space on the site is required to maintain Lake Elmo's open space character. This provision can be found in §154.454 of the Lake Elmo City Code.

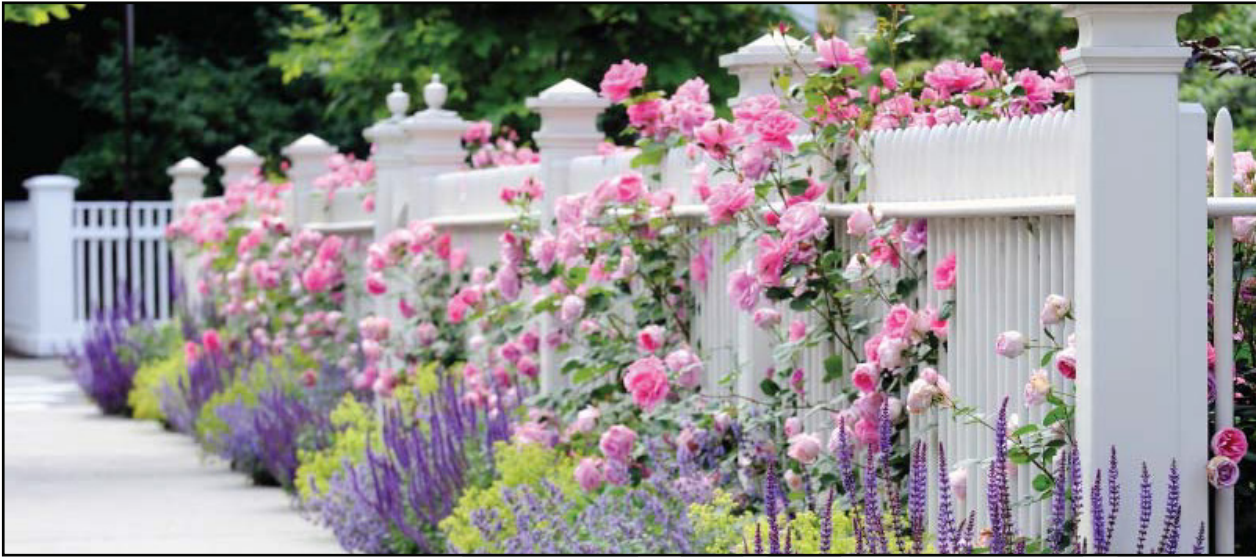


*Common open or recreation spaces should be located to the interior or rear of the site.*



*Buildings are encouraged to be sited closer to public streets to promote access and visual interest.*

# HIGH DENSITY RESIDENTIAL DEVELOPMENT



Decorative fencing provides a nice transition from the public right of way to the entryway.



At left: Pedestrian amenities contribute to an inviting and functional streetscape.

## Streetscape

*Goal: Residential streetscapes should provide for pedestrian accessibility and safety while offering aesthetically pleasing environments.*

- a. Sidewalks shall be provided parallel to public streets in order to ensure pedestrian accessibility and circulation.
- b. Sidewalk materials should be attractive and low-maintenance, such as concrete or decorative pavers.
- c. Boulevard areas should be planted with turf grass and/or other attractive, low-maintenance ground cover. In addition, boulevard trees should be provided in regular intervals.
- d. Site furnishings such as benches, pedestrian-scaled lighting, decorative fencing, trash receptacles and other amenities are recommended. Applicants are encouraged to utilize design elements and site amenities from the Lake Elmo Branding & Theming Study.
- e. Paths and access points/entryways should be clearly visible and well lit at night.

## Landscaping

*Goal: To enhance the visual aesthetic of the built environment and reduce impervious surface, thereby aiding storm water management practice.*

- a. Shade and ornamental trees and other plant material should be installed within the front setback area.
- b. Bare soils should be planted or mulched with bark, stone or other suitable material to avoid unnecessary runoff.
- c. Plant species are encouraged to be native, low-maintenance and suitable to the Lake Elmo climate.
- d. Making use of similar plant materials as adjacent properties and public spaces is encouraged to create continuity.
- e. Mature trees located on building sites should be retained whenever possible.
- f. Service, storage, utility and parking areas should be buffered by plantings to reduce visual impact.
- g. Parking areas should include landscaped islands or plant beds to reduce the visual impact, break up monotonous hardscape and retain storm water.





Lighting should be down-cast and shielded to prevent glare or spill-over onto adjacent properties.

## Parking

*Goal: To accommodate automobile parking in a manner that reduces visual impact, supports pedestrian circulation and maintains good sight lines along the public right of way.*

- Parking areas should be located to the rear, side or within primary buildings whenever possible.
- Structured or underground parking is encouraged.
- The linear measurement of surface parking areas parallel to the public street may not exceed more than 50% of primary street frontages. Sites or projects that are unable to meet this requirement will be required to install berms and/or additional landscaping to buffer areas of surface parking adjacent to the primary street frontage.

- Access to parking areas should be designed in a way that does not impede pedestrian traffic.
- Parking should be screened from adjacent structures with landscaping strips not exceeding 4 feet in height in order to ensure pedestrian safety.
- Lighting must be provided in parking areas at night for safety purposes. However, direct glare, spillover or other forms of light pollution directed at adjacent properties are prohibited.
- Parking facilities must be ADA compliant when deemed necessary.

## Delivery, Service, Storage and Utility Areas

*Goal: To minimize the visual impact of storage and utility areas within residential developments.*

- Exterior storage and utility areas should be located in low trafficked areas and screened from adjacent properties.
- Trash enclosures should be located so that noise and odor do not affect nearby residents or adjacent properties.
- Screening of storage and utility areas may include landscaping and architectural features that match the primary structure.
- Storage areas should match the architectural design of the primary structure.
- Utilize directional signage for storage and trash areas when appropriate.

## B. Building Design

### Form and Facade

*Goal: Standards are intended to ensure high quality design, encourage creativity and promote visually appealing development, thereby cultivating a sense of place and identity.*

- Blank facades without windows and doors are discouraged. All sides of the structures shall have architectural treatments.
- Window and door styles should reflect the prevailing architectural style of the structure.
- Window sills and trim are required for all exterior windows.
- Flat panel exterior and garage doors are discouraged.
- Garages should be recessed from the facade of the principal structure whenever possible to draw visual attention away from parking areas.
- If there are multiple garages within a structure, they should be varied in their location to minimize the visual impact of a row of garage doors.



Attached units on a public street benefit from individual entries.

# HIGH DENSITY RESIDENTIAL DEVELOPMENT

- g. Detached garages shall be architecturally consistent with the principal structure.
- h. Finished exterior materials shall be applied to all wall facades above 18 inches from the finished grade line, where unfinished exterior foundation may be visible.
- i. Ground level of multi-family structures should be distinguished architecturally from upper levels to provide human-scale elements for pedestrians.
- j. Living space below the main building level, such as a walkout structure, may not be visible from the front side of the structure facing the main public street.
- k. Split entry type structures are discouraged.
- l. Where individual units face a public street, each unit should be designed with a walkway from the sidewalk to the front entry feature.
- m. Entryways to individual units should contain an entryway feature, such as a porch or portico.

## Building Materials

*Goal: To offer a variety of attractive and quality building materials that will shape the identity and visual interest of residential development in Lake Elmo.*

- a. All structure facades should utilize multiple building materials.
- b. Changes in facade building materials should occur at clean horizontal and vertical separations, such as at building levels or architectural features.
- c. Siding materials should emphasize horizontal lines to reduce the appearance of height and mass.
- d. Multiple facade colors are encouraged as long

as they are balanced and consistent.

- e. Primary building materials for residential structures should include brick, finished wood, stone, quality metals, glass, cast-stone, or pre-cast concrete panels with aggregate, banding, texturing, or other similar decorative finish.
- f. Exposed exterior building materials such as brick, stone, wood, or stucco should be authentic. Simulated materials may also be used if demonstrated to be of high quality and approved by the City.
- g. Materials which are prohibited as the primary facade material include the following:
  - Vinyl siding
  - Unpainted galvanized metal
  - Corrugated metal, plastic, or fiberglass
  - Plain, unpainted, or painted concrete block
  - Prefabricated concrete panels
- h. Roofing materials should consist of composition shingles, wood shakes, or clay or stone tiles. Metal used as a roofing material must incorporate ribs or standing seams to be acceptable.

## Scale and Mass

*Goal: To establish parameters for building horizontally and vertically with a human scale in mind.*

- a. Building volume should be broken up with recesses and projections such as balconies, bay windows, dormers, porches, and other features that provide variation and identity.
- b. Mass should be reduced through facade articulation, breaking up the wall area into smaller

sections.

- c. Architectural elements, such as dormers, decorative windows and trim, porch details, decorative shutters, and wainscoting, can reduce the appearance of bulk and mass by providing visual interest.
- d. Building mass should be broken up with multiple roof and ridgelines perpendicular with one another.
- e. Structures of two-stories or higher should have articulated facades to minimize the appearance of mass, as well as multiple roof lines with corresponding gables.
- f. Scale should be reduced by utilizing “step-down” methods towards the public street. Porches, entries, window-bays or bump-out are effective in this regard.



*Building Mass is reduced by breaking the building up into smaller sections and “stepping-back” levels above the ground floor. Source: [www.minnpost.com](http://www.minnpost.com)*

## Roof Design

*Goal: To break up monotonous roof lines, add architectural detail and screen rooftop equipment.*

- a. All rooftop equipment and must be screened using materials consistent with the overall architecture, particularly on roofs that are visible from adjacent buildings.
- b. Multiple peaks and ridgelines are encouraged to promote greater visual interest.
- c. Dormers are encouraged to break up continuous rooftop.
- d. Providing architectural detail on soffits and fascias are encouraged.

## Entries

*Goal: To encourage entryways of high architectural quality that emphasize access, safety, and a human scale.*

- a. Primary building entries shall be visible and connected to the street sidewalk by the most direct route practical. However, some curvature in design for aesthetic purposes is allowed.
- b. Each building should have one or more clearly identifiable “front doors” that address the street and include signage denoting property address.
- c. Building entries should incorporate design elements or architectural treatments, such as awnings, columns or cornices to emphasize the primary entryway.
- d. Primary communal entryways are encouraged to be recessed to offer shelter from inclement weather. Units with individual exterior entries

are encouraged to include porches, covered recesses or covered stoops.

- e. Ground floor residences that adjoin a public street or open space shall have direct access to the public street or open space.
- f. For units with individual exterior entries, small, landscaped private entry yards afford an attractive appearance on the street side and allow residents to take pride in these areas.

## Lighting

*Goal: To provide for safety and visual interest, while respecting the City’s dark sky ordinance.*

- a. Lighting should be provided in all common areas, including parking, vehicular and pedestrian entries, walkways and common facilities (mailboxes, pools, etc.).
- b. Lighting height shall be consistent with the City’s exterior lighting standards.
- c. Service area lighting shall be confined within the service yard boundaries and enclosure walls.
- d. Spill-over light from storage or service areas is not allowed. Lights at service or exit doors shall be limited to low wattage, downcast or low cut-off fixtures that remain on throughout the night.
- e. Accent lighting should be used to draw interest to architectural features or entryways and not to exhibit or advertise buildings. Architectural lighting must be downcast and shielded to prevent light pollution.
- f. Bare bulb or exposed neon lighting is not allowed for accentuating building form.

## Signage

*Goal: Residential signage should be subtle in nature and utilized to promote building identity and to properly direct automobile and pedestrian traffic.*

- a. Signs shall be consistent with the architectural style of the building on which they are placed, including scale, lighting levels, color and material.
- b. Signs shall be constructed of quality materials.
- c. All signage should be illuminated and clearly visible after dark.
- d. Signs are encouraged to be creative in the use of two and three-dimensional forms, lighting and graphic design, and use of color, patterns, typography, and materials.
- e. Interior vehicle and pedestrian routes should be clearly marked.
- f. All buildings are encouraged to incorporate elements of community theming in appropriate signage, supporting district and city identity.

**DRAFT**

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# 3 Commercial Development

## Applicable Zoning Districts:

- Commercial (C)
- Convenience Commercial (CC)

The future commercial areas within the I-94 Corridor and Old Village will include a variety of service, office, retail and other uses that will serve existing and future Lake Elmo residents and beyond. While the differences in character and geography of these two growth areas may attract different types of commercial uses, it is important to establish standards that will ensure quality development outcomes regardless of location and use classification. In the commercial districts, quality development outcomes consist of buildings of high architectural quality and sites that function well for all users, both drivers and pedestrians.

## A. Site Design

### Building Placement

*Goal: To ensure access and circulation for all users in a manner that minimizes traffic disruption and safety concerns, as well as maintains good sightlines from the public street.*

- Buildings must be setback at least 30 feet from the public right of way. Buildings are encouraged to be located as close to the public street as possible while still meeting the setback requirement.
- The orientation of multiple buildings on one site must be clearly coordinated.
- Buildings should be oriented parallel or perpendicular to the street they front, promoting continuity of design.
- Buildings should be arranged to provide convenient access to entrances and efficient on-site circulation for vehicles and pedestrians.
- Shared access points from the public ROW are encouraged. Vehicular access points should be limited to minimize traffic disruption.
- For master planned development, the provision of landscaped open or gathering spaces is encouraged within commercial developments.

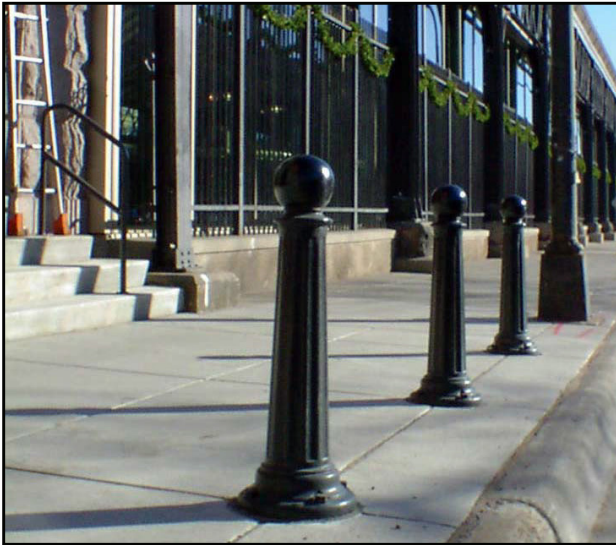


*Landscaped gathering spaces provide a distinctive and welcoming space for visitors.*

# COMMERCIAL DEVELOPMENT



*Fencing around outdoor dining areas helps delineate pedestrian walkways and patio space.*



*Bollards are an effective tool in delineating the pedestrian space. This style of bollard is drawn from the Lake Elmo Branding and Theming Study.*

## Streetscape

*Goal: To create safe, pleasant and functional pedestrian spaces within commercial development, improving access and district identity.*



*Streetscapes should include plant beds with trees to provide shade and add aesthetic value along sidewalks.*

- Sidewalks are required along primary street frontages, unless a suitable alternative that promotes pedestrian access safety is approved. In addition, pedestrian access to the building from the public street shall be provided.
- Street trees shall be installed at regular intervals along the public right of way.
- Ornamental or bollard lighting is encouraged to increase safety, as well as add visual interest.
- Fencing shall be installed around outdoor dining areas that are adjacent to pedestrian areas or streets.
- Site furnishings such as decorative fencing, trash receptacles, planters, bicycle racks, and benches are recommended. Applicants are encouraged to utilize design elements and site amenities from the Lake Elmo Branding & Theming Study.

## Landscaping

*Goal: To ensure development of a high aesthetic quality, and to reduce the amount of impervious surface at commercial sites.*

- Parking, public and streetscape areas should utilize trees, plant beds, and potted plants to add visual interest and break up continuous hardscape.
- Parking, service, storage and utility areas should be buffered by plantings. Near areas of pedestrian circulation, these plantings shall not exceed 4 feet in height for safety purposes.
- Hardy and native plant materials that are resistant to the climate, disease and salt are encouraged.
- Making use of similar plant materials as adjacent properties and public spaces is encouraged to create continuity.
- Mature trees located on building sites should be retained whenever possible.
- Bare soils should be planted or mulched with bark, stone or other suitable material to avoid unnecessary runoff.

## Parking

*Goal: To provide parking facilities that adequately serve the needs of commercial properties, while ensuring pedestrian safety and maintaining a positive visual aesthetic from the public right of way.*



*Sidewalks within larger parking lots improve pedestrian circulation and safety.*





*Landscaping strips along public streets add a visual separation between parking areas and the public right-of-way.*

- a. The linear measurement of surface parking areas parallel to the public street are encouraged not to exceed more than 60% of primary street frontages. Sites or projects that are unable to meet this guideline are encouraged to install berms and/or additional landscaping along areas of surface parking adjacent to the primary street frontage.
- b. The entrance to parking facilities should be located on secondary streets when possible.
- c. Shared parking facilities between adjacent uses or businesses are encouraged when possible to avoid excessive amounts of parking.
- d. Structure parking is encouraged, and should be located behind or beneath primary buildings when possible.
- e. Structure parking or parking areas located beneath the primary structure should be screened with architectural elements that match the primary building.

- f. Parking areas should be screened from view of public streets by means of grading and/or landscaping.
- g. Parking areas should be screened from adjacent structures with landscaping strips not exceeding 4 feet in height in order to ensure pedestrian safety.
- h. Landscaped islands should be installed within surface parking areas to break up continuous hardscape and reduce concentration of impervious surface.
- i. Lighting must be provided in parking areas at night for safety purposes. However, direct glare, spillover or other forms of light pollution directed at adjacent properties are prohibited.
- j. Parking facilities must be ADA compliant when deemed necessary.

## **Delivery, Service, Storage and Utility Areas**

*Goal: To provide physical and visual separation between delivery, service and storage areas and areas of pedestrian and automobile circulation.*

- a. Service, storage, maintenance or trash collection areas should be located out of the view from the public right of way, or significantly screened through landscaping or architectural features.
- b. Service, storage and trash collection areas are not allowed in the setback areas.
- c. The location of delivery, storage and service areas should be clearly marked with signage and should not interfere with other automobile or pedestrian circulation.
- d. Storage and delivery areas should be hard surface, minimizing the dispersal of dust.

## **B. Building Design**

### **Form and Facade**

*Goal: To ensure structures of high architectural quality that promote visual interest, thereby supporting district identity.*

- a. Blank facades without windows and doors are discouraged. All sides of structures should have architectural treatment. Variety and creativity in building facade is encouraged through changes in building materials, fenestration height, and roof lines, especially on primary facades that face the public right of way.
- b. Window and door styles shall reflect the prevailing architectural style of the structure.
- c. Ground level retail and commercial uses should employ a significant amount of transparent glass in the form of windows and doors, particularly near pedestrian entrances.



*Facade articulation and windows with architectural detail add visual interest and break up long expanses of continuous façade.*

# COMMERCIAL DEVELOPMENT



*High quality and durable building materials add aesthetic value and create a more attractive environment.*

- d. Minimizing continuous expanses of wall through facade articulation, recession and projection is encouraged.
- e. Structures that are oriented towards the public street are encouraged to provide multiple access points or entrances if the parking area is located to the rear of the structure.
- f. Architects and builders are encouraged to incorporate topographical features into the form of the structure when possible, utilizing natural grades to create unique design.

## Building Materials

*Goal: To promote quality development through durability and visual aesthetics, thereby supporting district identity.*

- a. High-quality and durable materials should be used in street facing facades.
- b. Primary building materials for commercial structures should include brick, finished wood,

stone, cast stone, or pre-cast concrete panels with exposed aggregate, banding, texturing, or other similar decorative finish treatment.

- c. High quality synthetic materials that adequately duplicate natural materials may be acceptable if approved by the City, including, but not limited to, thin brick, hardi plank, decorative concrete masonry, and other materials.
- d. The following building materials are not allowed to be used as the primary facade for commercial development:
  - Unpainted galvanized metal
  - Unfinished “green-treated” lumber
  - Unfinished wood
  - Plain or unpainted concrete
  - Painted concrete block may be used on the rear of the building or sides not visible from the public right of way.
  - Vinyl siding
- e. Facade colors should reflect subtle earth tones. However, other primary facade colors will be considered by the Review Authority. Accent materials should complement the colors of the primary facade.

## Scale and Mass

*Goal: To establish standards for building with a human scale in mind.*

- a. Buildings should be broken down into smaller parts to avoid monotonous or continuous design and the appearance of mass.
- b. Exterior design that provides the appearance of multiple structures is encouraged to reduce scale and minimize mass.
- c. Building mass should be broken up with mul-

tle roof and ridgelines perpendicular with one another.

- d. Structures of two-stories or higher should have articulated facades to minimize the appearance of mass, as well as multiple roof lines with corresponding gables.
- e. Scale should be reduced by utilizing “step-down” methods towards the public street. Entries and other bump out features are effective in this regard.



*Parapets of varying heights add architectural interest and accentuate building entries.*



## Roof Design

*Goal: To ensure architectural consideration and consistency in roof design in relation to the structure, and to reduce the visual impact of rooftop equipment.*

- a. The design of the roof must be consistent with the overall architecture or design of the structure.
- b. Parapets of varying heights are required for large commercial buildings with flat roofs.
- c. Rooftop equipment, particularly on flat roofs, must be screened by the parapet or other architectural features.

## Entries

*Goal: To provide identifiable entryways that emphasize access, pedestrian safety, architectural quality and a human scale.*

- a. Entryways to commercial structures should be accessible for pedestrians from the public right of way. Large retail sites in particular should consider installing a dedicated pedestrian way.
- b. Architectural features should be incorporated into entryways, such as facade detailing or prominent windows.
- c. The use of canopies, awnings and other sheltering features are encouraged.
- d. Pedestrian amenities such as trash receptacles, benches, or lighted bollards are encouraged near entryways to commercial buildings.

## Lighting

*Goal: To ensure safety of patrons, employees, pedestrians and automobiles, as well as providing visual interest and aesthetic value to a site, while limiting light pollution of the night sky to the best extent possible.*

- a. Lighting must be provided in entryways, parking areas, pedestrian ways, storage and service areas, and other locations that require additional safety lighting.
- b. Lighting height shall be consistent with the City's exterior lighting standards.
- c. Lighting styles should be complementary to the architectural style of the building.
- d. Lighting of architectural features should be used to provide accent and interest, as well as identify the building entryway. Architectural lighting must be downcast and shielded to prevent light pollution.
- e. Bollard lighting is encouraged for pedestrian areas.
- f. Overhead lighting must be shielded to prevent light trespass and spill-over onto adjacent properties.
- g. Commercial uses near residential zones must utilize lighting that minimizes light trespass.
- h. Bare bulb and exposed neon lighting are not allowed.

## Signage

*Goal: To provide signage that clearly identifies businesses within the Commercial district, while promoting quality and consistency in terms of design and materials.*

- a. Building signage should be complementary to the architecture of the structure, as well as consistent with the style of the surrounding buildings or district.
- b. Sign elements that will be evaluated for consistency include scale, color, lighting and materials.
- c. Signs must be constructed of high-quality, durable materials.
- d. Directional signage to delivery, service and storage areas is required.
- e. Two and three-dimensional signs are encouraged to promote creativity and district identity.
- f. All buildings are encouraged to incorporate elements of community theming in appropriate signage, supporting district and city identity.



*Signage should complement the architectural style of the building.*

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# 4 *Business Park Development*

## *Applicable Zoning Districts:*

- *Business Park/Light Manufacturing (BP)*

The intent of this zoning district is to provide opportunities for high quality business park development for office, light manufacturing, and other non-retail uses. In terms of design, this manual establishes consistent architectural standards between various users in the BP district. These architectural standards are intended to promote a coordinated identity and avoid mismatched design. In addition, the manual ensures the installation of open-space character within business park development through effective site design and landscaping.

## **A. Site Design**

### **Building Placement**

*Goal: To establish standards for building location that ensure effective automobile and pedestrian circulation and promote coordination of buildings between adjacent sites and structures.*

- Buildings must be setback at least 50 feet from the public right of way.
- Buildings should be located in a manner that allows for effective automobile and pedestrian circulation.
- Shared access points from the public ROW are encouraged. Vehicular access points should be limited to minimize traffic disruption.
- The orientation of buildings should be compat-



*Utilizing natural topography within business park development adds aesthetic value and reinforces Lake Elmo's open space character.*

- ible with adjacent structures and sites.
- Utilizing the natural topography or features of the site is encouraged to create unique landscapes and add visual interest and value to the design.
- The provision of common and open spaces to the rear of the site is encouraged for the use of employees and visitors, reinforcing Lake Elmo's open-space character.



*Street trees provide an attractive streetscape, as well as help screen and provide shade within parking areas.*

### **Streetscape**

*Goal: To provide high quality landscaping in areas visible from the public view, as well as promote pedestrian connections in the BP district.*

- Street trees shall be installed at regular intervals along the public right of way. Species of street trees should be selected according to root zone and salt tolerance.
- Additional landscaping along public streets is encouraged. Landscape materials should be low-maintenance and native to ensure heartiness.
- Sidewalks along the public right of way are encouraged to extend pedestrian connections throughout the BP district.
- Utilizing site amenities as guided by Lake Elmo Theming Study is encouraged.

# BUSINESS PARK DEVELOPMENT

## Landscaping

*Goal: To reduce continuous hardscape and impervious surface, as well as ensure development of a high visual quality.*

- a. Trees, plant beds, and potted plants should be installed in parking, sidewalk, and other hard surfaced areas to add visual interest and break up continuous impervious surface.
- b. Parking, service, storage and utility areas should be buffered by plantings, particularly when in view of public streets. Near areas of pedestrian circulation, these plantings shall not exceed 4 feet in height for safety purposes.
- c. Hardy and native plant materials that are resistant to the climate, disease and salt are encouraged.
- d. Making use of similar plant materials as adjacent properties and public spaces is encouraged to create continuity.
- e. Mature trees located on building sites should be retained whenever possible.
- f. Bare soils should be planted or mulched with bark, stone or other suitable material to avoid unnecessary runoff.



*Landscape islands greatly improve the character of surface parking lots.*

## Parking

*Goal: To adequately serve the parking needs of businesses in the BP district, while ensuring pedestrian safety, reduced impervious surface, and a high quality visual aesthetic and appearance.*

- a. The linear measurement of surface parking areas parallel to the public street are encouraged not to exceed more than 75% of primary street frontages. Sites or projects that are unable to meet this guideline are encouraged to install berms and/or additional landscaping to buffer areas of surface parking adjacent to the primary street frontage.
- b. The entrance to parking facilities should be located on secondary streets when possible.
- c. Shared parking facilities between adjacent uses or businesses are strongly encouraged when possible to avoid excessive amounts of parking.

- d. Structure parking is encouraged, and should be located behind or beneath primary buildings when possible.
- e. Structure parking or parking areas located beneath the primary structure should be screened with architectural elements that match the primary building.
- f. Parking areas should be screened from view of public streets by means of grading and/or landscaping.
- g. Parking areas should be screened from adjacent structures with landscaping strips not exceeding 4 feet in height in order to ensure pedestrian safety.
- h. Landscaped islands should be installed within surface parking areas to break up continuous hardscape and reduce concentration of impervious surface.
- i. Lighting must be provided in parking areas at night for safety purposes. However, direct glare, spillover or other forms of light pollution directed at adjacent properties are prohibited.
- j. Parking facilities must be ADA compliant when deemed necessary.

## Delivery, Service, Storage and Utility Areas

*Goal: To provide physical and visual separation of delivery, service, storage and utility areas from the public right of way and areas of automobile and pedestrian circulation.*

- a. Delivery, service, storage, maintenance or trash collection areas should be located out of the view from the public right of way, or significantly



- screened through landscaping or architectural features that match the primary structure.
- Service, storage and trash collection areas are not allowed in the setback areas.
  - The location of delivery, storage and service areas should be clearly marked with signage and should not interfere with other automobile or pedestrian circulation.
  - Storage and delivery areas should be hard surface, minimizing the dispersal of dust.

## B. Building Design

### Form and Facade

*Goal: To promote buildings of high architectural quality and creativity in design.*

- Blank facades without windows and doors are discouraged. All sides of the structures shall have architectural treatments.



*Garbage collection areas should be located to the rear of the site and screened using materials that match the principal structure.*

- Window and door styles should reflect the prevailing architectural style of the structure.
- Variety and creativity in building facade is encouraged through changes in building materials, fenestration height, and roof lines. Primary facades should not present a continuous wall without architectural details that add visual interest.
- Minimizing continuous expanses of wall through facade articulation, recession or projection is encouraged.
- Architects and builders are encouraged to incorporate topographical features into the form of the structure when possible, utilizing natural grades to create unique design.

### Building Materials

*Goal: To promote quality development through durability and visual aesthetics, thereby supporting district identity.*



*Corner treatments to larger structures add visual interest and break up monotonous design.*

- High-quality and durable materials should be used in street facing facades.
- Primary building materials for structures in the BP district should include brick, stone, cast stone, quality metals, glass, Exterior Insulation Finish Systems (EFIS), or pre-cast concrete panels with exposed aggregate, banding, texturing or other similar decorative finish treatment.
- High quality synthetic materials that adequately duplicate natural materials may be acceptable if approved by the City, including, but not limited to, thin brick, hardi plank, decorative concrete masonry, and other materials.
- The following building materials are not allowed to be used as primary finished facade material for business park development:
  - Unpainted galvanized metal
  - Red "green-treated" lumber
  - Unfinished wood
  - Plain or unpainted concrete



*Long expanses of wall can be broken up using windows and other treatments.*

# BUSINESS PARK DEVELOPMENT



*High quality building materials are required for street-facing facades.*

- Painted concrete block may be used on the rear of the building or sides not visible from the public right of way.
- g. Facade colors should reflect subtle earth tones. However, other primary facade colors will be considered by the Review Authority. Accent materials shall complement the colors of the primary facade.

## Scale and Mass

*Goal: To reduce the appearance of mass in the BP district.*

- a. Scale should be reduced by utilizing “step-down” methods, particularly near areas of pedestrian circulation. Entries and other bump out features are effective in this regard.
- b. Structures of two-stories or higher should utilize facade treatments, such as multiple building materials or additional windows, to minimize the appearance of mass.



*Parapets of varying height provide additional architectural detail that add aesthetic value.*

## Roof Design

*Goal: To ensure architectural consideration and consistency in roof design in relation to the architecture of the building, and to reduce the visual impact of rooftop equipment.*

- a. The design of the roof must be consistent with the overall architecture or design of the structure.
- b. Parapets of varying heights are required for buildings in the BP district with flat roofs.
- c. Rooftop equipment, particularly on flat roofs, must be screened by the parapet or other architectural features.

## Entries

*Goal: To provide identifiable entryways that emphasize access, pedestrian safety, architectural quality and a human scale.*

- a. Entryways to buildings in the BP district should be accessible for pedestrians from the public right of way.
- b. Architectural features should be incorporated into entryways, such as facade detailing or prominent windows.
- c. The use of canopies, awnings and other sheltering features are encouraged.
- d. Pedestrian amenities such as ornamental





Canopies and changes in building materials help accentuate entryways.

trash receptacles, benches or lighted bollards are encouraged near entryways to buildings in the BP district.

## Lighting

*Goal: To ensure safety of patrons, employees, pedestrians and automobiles, as well as providing visual interest and aesthetic value to a site, while limiting light pollution of the night sky to the best extent possible.*

- a. Lighting must be provided in entryways, parking areas, pedestrian ways, storage and ser-

vice areas, and other locations that require additional safety lighting.

- b. Lighting height shall be consistent with City's exterior lighting standards.
- c. Lighting styles should be complementary to the architectural style of the building.
- d. Lighting of architectural features should be used to provide accent and interest, as well as identify the building entryway. Architectural lighting must be downcast and shielded to prevent light pollution.
- e. Bollard lighting is encouraged for pedestrian areas.
- f. Overhead lighting must be shielded to prevent light trespass and spill-over onto adjacent properties.
- g. Buildings near residential zones must utilize lighting that minimizes light trespass.
- h. Bare bulb and exposed neon lighting are not allowed.

## Signage

*Goal: To provide signage that clearly identifies businesses within the BP district, while promoting quality and consistency in terms of design and materials.*

- a. Building signage shall be complementary to the architecture of the structure, as well as consistent with the style of the surrounding buildings or district as a whole.
- b. Sign elements that will be evaluated for consistency include scale, color, lighting and materials.
- c. Signs must be constructed of high quality, durable materials.
- d. Directional signage to delivery, service and storage areas is required.
- e. Two and three-dimensional signs are encouraged to promote creativity and district identity.
- f. All buildings are encouraged to incorporate elements of community theming in appropriate signage, supporting district and city identity.



Two and three-dimensional signage provides creativity and visual interest.

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# 5 Mixed-Use Development

## Applicable Zoning Districts:

- Village Mixed-Use

The Village Mixed-Use district is expected to develop as an extension of Lake Elmo's historic downtown area on Lake Elmo Ave. south of State Highway 5. The downtown area of Lake Elmo represents quintessential small-town charm. It is the City's goal to build off this old, small-town character to the best extent possible. The standards of the Mixed-Use district place a high emphasis on walkability, streetscapes, and the overall pedestrian environment. For this district to be successful, site design must be conducive to pedestrian circulation and safety. In addition, the development that occurs in the Mixed-Use district will serve an important function as a unique gathering place in the community. For that reason, it is critical to establish consistent and high quality architectural standards that ensure creativity and an attractive aesthetic.

## A. Site Design

### Building Placement

*Goal: To promote compact development that is consistent with Lake Elmo's vision for a pedestrian-oriented downtown.*

- Buildings in the Mixed-Use district may meet a zero lot line setback, but may not be setback further than 20 feet from the public right of way.



*It is the goal of the mixed use development area to build off of the existing charm of Downtown Lake Elmo.*

- If buildings do not meet a zero lot line orientation, plazas, patios, outdoor dining areas and landscaped entries are encouraged in the setback area.
- Buildings must be oriented either perpendicular or parallel to the street they front, with the primary facade being parallel to the sidewalk.
- Gaps and openings between buildings should be minimized in order to preserve a compact pedestrian environment.
- Off-street parking areas should be located to the rear or side of buildings in the Mixed-Use district and accessed from secondary streets or parking alleys. On-street parking may be available on public streets in the front of buildings.
- Ground floor uses of structures in the Mixed-Use district should encourage pedestrian activity.

## Streetscape

*Goal: To provide a pleasing pedestrian environment that promotes a vibrant and walkable downtown area.*

- Sidewalks are required parallel to public streets in the Mixed-Use district. Larger sidewalks are encouraged to support the amount of pedestrian activity that is conducive to downtown areas. The minimum sidewalk width in the Mixed-Use district is 6 feet.
- Sidewalk materials should be attractive, durable and low-maintenance, such as concrete and pavers. Special paving materials are encouraged to add visual interest and promote a unique identity.
- Pedestrian space may be maximized through the use of permeable pavers or tree grates at the base of street trees.
- Street or boulevard trees should be planted at regular intervals. Species of street trees should be selected according to root zone and salt tolerance.



*Tree gates help maximize pedestrian space in areas of high pedestrian activity.*

# MIXED-USE DEVELOPMENT



*Creating inviting pedestrian spaces increases pedestrian traffic and activity.*

- e. Planting beds and other type of street landscaping are encouraged as long as they do not conflict with pedestrian circulation.
- f. Benches, bicycle racks, ornamental trash receptacles and other site furnishings are encouraged. Applicants are encouraged to utilize design elements and site amenities from the Lake Elmo Branding & Theming Study.
- g. Pedestrian scaled lighting in the form of bollard or ornamental lighting promotes district identity and pedestrian safety.
- h. Ornamental fencing shall be installed around outdoor dining areas to provide separation from pedestrian routes.

## Landscaping

*Goal: To promote an aesthetically pleasing pedestrian environment through landscaping, as well as reduce the amount of impervious surface in the Mixed-Use district.*

- a. Parking, public and streetscape areas should



*Seasonal planters attract more activity to mixed-use areas by creating a pleasant pedestrian space.*

- c. Hardy and native plant materials that are resistant to the climate, disease and salt are encouraged.
- d. Making use of similar plant materials as adjacent properties and public spaces is encouraged to create continuity.
- e. Mature trees should be retained when possible.
- f. Bare soils should be planted or mulched with bark, stone or other suitable material to avoid unnecessary runoff.

## Parking

- a. Off-street surface parking is not allowed in front of the building along the primary street frontage. However, opportunities for on-street parking on the public street should be available.
- b. Structured parking located to the side, rear or beneath the building is encouraged in the Mixed-Use district.

utilize trees, plant beds, and potted plants to add visual interest and break up continuous hard-scape.

b. Parking, service, storage and utility areas should be buffered by plantings. Near areas of pedestrian circulation, these plantings shall not exceed 4 feet in height for safety purposes.

c. Hardy and native plant materials that are resistant to the climate, disease and salt are encouraged.

- c. Structure parking should be screened with architectural elements that match the primary building.
- d. The entrance to parking facilities should be located on secondary streets when possible.
- e. Shared parking facilities between adjacent uses or businesses are strongly encouraged when possible to avoid excessive amounts of parking.



*Parking is encouraged in the rear of the site to accentuate front building elevations.*



*Angled parking promotes traditional main-street character and provides a greater buffer between pedestrian and automobile areas.*



- f. Surface parking areas should be screened from view of public streets by means of grading and/or landscaping.
- g. Landscaped islands should be installed within surface parking areas to break up continuous hardscape and reduce concentration of impervious surface.
- h. Lighting must be provided in parking areas at night for safety purposes. However, direct glare, spillover or other forms of light pollution directed at adjacent properties are prohibited.
- i. Parking facilities must be ADA compliant when deemed necessary.
- b. Delivery areas should be located in the rear of the building whenever possible.
- c. Service, storage and trash collection areas are not allowed in the setback areas.
- d. Delivery, service, storage, maintenance and utilities should be located in a way that does not interfere with pedestrian circulation.
- e. These areas should be marked with directional signage when appropriate.
- f. Delivery, storage and trash collection areas should be hard surface, minimizing the dispersal of dust.

## Delivery, Service, Storage and Utility Areas

*Goal: To provide physical and visual separation between delivery, service and storage areas and areas of pedestrian circulation.*

- a. Service, storage, maintenance or trash collection areas should be located out of the view from the public right of way, or significantly screened through landscaping or architectural features.



*Trash and utility areas should be located out of the view of the right-of-way and screened using materials that match the principal structure.*

## B. Building Design

### Form and Facade

*Goal: To promote buildings of high architectural quality and old-town character that are oriented towards the primary street frontage and pedestrian environment.*

- a. Blank facades without windows and doors are discouraged. All sides of the structures shall have architectural treatments.
- b. Variety and creativity in building facade is encouraged through changes in building materi-



*Canopies, windows, lighting and high-quality building materials all provide architectural detail at the pedestrian level.*

# MIXED-USE DEVELOPMENT

als, fenestration height, and roof lines.

- c. Minimizing continuous expanses of wall through facade articulation, recession or projection is encouraged.
- d. Window and door styles should reflect the prevailing architectural style of the structure.
- e. Architecture should be conscious of the design of surrounding structures and overall district identity, including facade treatments, windows, building materials and entries.
- f. Buildings should be designed to provide human scale.
- g. The highest level of architectural detail should occur adjacent to areas of pedestrian activity.
- h. Auto-oriented uses, such as garages, delivery areas or bay should be oriented away from the primary street frontage.

## Building Materials

*Goal: To promote quality development through durability and visual aesthetics, thereby supporting district identity.*

- a. High quality and durable materials should be used on all facades.
- b. Primary building materials for structures should include brick, finished wood, glass, stone, cast stone, or pre-cast concrete panels with exposed aggregate, banding, texturing, or other similar decorative finish treatment.
- c. High quality synthetic materials that adequately duplicate natural materials may be acceptable if approved by the City, including, but not limited to, thin brick, hardi plank, decorative concrete masonry, and other materials.
- d. The following building materials are not al-



Brick is a high quality material that is consistent with an old downtown mixed-use area.

lowed to be used as the primary facade for development in the Mixed-Use district:

- Unpainted galvanized metal
- Unfinished “green-treated” lumber
- Unfinished wood
- Concrete block (painted or unpainted)
- e. Facade colors should reflect muted earth tones. However, other primary facade colors will be considered by the Review Authority. Accent materials should complement the colors of the primary facade.

## Mass and Scale

*Goal: To establish standards for building with a human scale in mind.*

- a. Buildings should be broken down into smaller parts to avoid monotonous or continuous design and the appearance of mass.
- b. Exterior design that provides the appearance of multiple structures is encouraged to reduce scale and minimize mass.
- c. Scale should be reduced by utilizing “step-down” methods towards the public street. En-

tries and other bump out features are effective in this regard.

- d. Structures of two-stories or higher should have articulated facades to minimize the appearance of mass.
- e. Building mass should be broken up by multiple roof and ridgelines perpendicular with one another.

## Roof Design

*Goal: To encourage creativity and architectural treatments in roof design, and to reduce the visual impact of rooftop equipment.*

- a. The design of the roof must be consistent with the overall architecture or design of the structure.
- b. Creativity and variety in roof design is encouraged in the Mixed-Use district to support district identity.
- c. Flat roofs should include variation in parapet height, materials, and architectural detailing to avoid monotonous roof lines.



Step-down techniques and variation in building materials help reduce the scale of the building and accentuate the street/pedestrian area.



- d. Rooftop equipment, particularly on flat roofs, must be screened by the parapet or other architectural features.
- e. Rooftops that are visible from adjacent buildings should minimize the visual impact of rooftop equipment and give consideration to rooftop aesthetics.

## Entries

*Goal: To provide identifiable entryways that emphasize access, pedestrian safety, architectural quality and a human scale.*

- a. Entryways must be provided on the side of the building fronting the primary street.
- b. Entryways should receive the highest level of architectural treatments. This may include facade treatments, prominent windows or other features.
- c. The use of canopies, awnings and other sheltering features are encouraged.
- d. Pedestrian amenities such as ornamental trash receptacles, benches, bicycle racks or lighted bollards are encouraged near entryways of buildings in the Mixed-Use district.

## Lighting

*Goal: To ensure safety of patrons, employees, pedestrians and automobiles, as well as providing visual interest and aesthetic value to a site, while limiting light pollution of the night sky to the best extent possible.*

- a. Lighting must be provided in entryways, parking areas, pedestrian ways, storage and ser-

vice areas, and other locations that require additional safety lighting.

- b. Lighting styles should be complementary to the architectural style of the building and surrounding district.
- c. Lighting of architectural features should be used to provide accent and interest, as well as identify the building entryway. Architectural lighting must be downcast and shielded to prevent light pollution.
- d. Bollard lighting is encouraged for pedestrian areas.
- e. Overhead lighting must be shielded to prevent light trespass and spill-over onto adjacent properties.
- f. Bare bulb and exposed neon lighting are not allowed.

## Signage

*Goal: To provide durable, quality signage that identifies businesses and supports district identity.*

- a. Building signage must be complementary to the architecture of the structure, as well as consistent with the style of the surrounding buildings or district.
- b. Sign elements that will be evaluated for consistency include scale, color, lighting and materials.
- c. Signs must be constructed of high-quality, durable materials.
- d. Directional signage to delivery, service and storage areas is required.
- e. Two and three-dimensional signs are encouraged to promote creativity and district identity.
- f. All buildings are encouraged to incorporate ele-

ments of community theming in appropriate signage, supporting district and city identity.



*Directional signage helps facilitate good traffic circulation and flow.*



*Signage design should be complimentary to the materials of the building.*



## MAYOR & COUNCIL COMMUNICATION

**DATE:** November 19, 2013  
**REGULAR**  
**ITEM #** 14

**AGENDA ITEM:** Design Review Ordinance  
**SUBMITTED BY:** Nick Johnson, City Planner  
**THROUGH:** Dean A. Zuleger, City Administrator  
**REVIEWED BY:** Planning Commission  
Kyle Klatt, Community Development 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

**POLICY RECOMMENDER:** Staff

**FISCAL IMPACT:** None

### SUMMARY AND ACTION REQUESTED:

The City Council is being asked to consider the adoption of the Design Review Ordinance. The Ordinance is intended to integrate the new design review procedures related to the Lake Elmo Design Standards Manual into the Urban Residential and Commercial zoning districts. In addition, the ordinance adopts the Lake Elmo Design Standards Manual into the City's Zoning Code by reference.

*Staff and the Planning Commission are recommending that the City Council adopt the Design Review Ordinance through the following motion:*

***“Motion to adopt Ordinance 08-095, integrating the Lake Elmo Design Standards Manual by reference and establishing design review procedures in the Urban Residential and Commercial zoning districts”***

*In addition, Staff recommends that the City Council approve Resolution No. 2013-98, authorizing summary publication of Ordinance 08-095, through the following motion (a 4/5 vote is required):*

***“Motion to adopt Resolution No. 2013-98, authorizing summary publication of Ordinance 08-095”***

**LEGISLATIVE HISTORY:**

This item was brought to Council on 11/06/13 and was postponed to a workshop. The workshop discussion was held on 11/12/13.

**BACKGROUND INFORMATION:**

The City has been working to complete a design standards manual since the adoption of the last major Comprehensive Plan Amendment for the I-94 Corridor. The purpose of the design standards manual is to establish a comprehensive design review process that promotes quality development outcomes in the areas of site and architectural design. The Design Review Ordinance is intended to adopt the manual by reference into the City’s Zoning Code and replace existing design related performance standards. The proposed ordinance adopts the manual by reference in the Urban Residential and Commercial zoning districts. The manual is also adopted by reference in the proposed ordinance establishing the Village Mixed-Use (VMX) zoning district. In addition, procedures related to design review are also specified in the VMX district. For the interim period, the proposed ordinance links to the proposed design review procedures in the VMX district. Ultimately, staff would recommend moving the design review procedures to Article III – Zoning Administration and Enforcement of the City’s Zoning Code. If the procedures are eventually relocated, the links in the proposed Design Review Ordinance can be changed to reflect the correct reference or link.

**PLANNING COMMISSION REPORT:**

The Planning Commission reviewed the proposed ordinance and held a public hearing on 10/28/13. The following testimony was received

- Greg McGrath, 1509 15<sup>th</sup> St. Ct. N., inquired as to who was responsible to administer design review. Staff explained that under the proposed Design Standards Manual and proposed review procedures, the review authority that is responsible to issue the applicable permit or certificate would be responsible for conducting design review within the existing review process.

The Commission accepted the proposed Design Review Ordinance as drafted and unanimously recommended the ordinance for approval (Vote 7-0).

**RECOMMENDATION:**

*The Planning Commission is recommending that the City Council adopt the Design Review Ordinance through the following motion:*

***“Motion to adopt Ordinance 08-095, integrating the Lake Elmo Design Standards Manual by reference and establishing design review procedures in the Urban Residential and Commercial zoning districts”***

*In addition, Staff recommends that the City Council approve Resolution No. 2013-98, authorizing summary publication of Ordinance 08-095, through the following motion (a 4/5 vote is required):*

***“Motion to adopt Resolution No. 2013-98, authorizing summary publication of Ordinance 08-095”***

**ATTACHMENTS:**

1. Ordinance 08-095
2. Resolution No. 2013-98



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

**ORDINANCE NO. 08-095**

**AN ORDINANCE ADOPTING THE LAKE ELMO DESIGN STANDARDS MANUAL AND  
ESTABLISHING DESIGN REVIEW PROCEDURES IN THE URBAN RESIDENTIAL AND  
COMMERCIAL ZONING DISTRICTS**

**SECTION 1.** The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code, City Code Section 154.455 by adding the following language:

**§154.455      Residential District Design Standards**

*Review of Design.* For certain development activity as specified in the *Lake Elmo Design Guidelines and Standards Manual*, design review is required as part of the approval process for a permit or certificate under this Ordinance. All projects subject to design review shall be reviewed for conformance with the *Lake Elmo Design Guidelines and Standards Manual* and shall follow the review procedures specified in §154.506.A.

**SECTION 2.** The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code, City Code Section 154.555 by removing the following language:

**§154.555      Commercial District Design Standards**

(A) *Purpose and Intent.* It is the purpose and intent of the city, by the adoption of the performance standards of this article, to ensure commercial buildings constructed within the city are of a high quality of exterior appearance and consistent with the Comprehensive Plan. These standards shall apply to all commercial districts within the city.

(1) It is the finding of the city that a limited selection of primary exterior surfacing materials meets this standard of quality.

(2) It is the further finding of the city that several specific exterior surfacing materials are appropriate, and of sufficient quality, to be utilized only as accent materials in varying percentages. The variations of percentage of specific accent materials relates to a finding by the city as to the relative quality and rural character of those respective accent materials.

(B) *Architectural and Site Plan Submittals.* New building proposals shall include architectural and site plans prepared by registered architect and shall show the following as a minimum:

- (1) Elevations of all sides of the buildings;
- (2) Type and color of exterior building materials;
- (3) Typical general floor plans;
- (4) Dimensions of all structures; and
- (5) Location of trash containers, heating, cooling and ventilation equipment and systems.

(C) *Applicability - Structure Additions and Renovation.*

(1) Additions to existing structures resulting in an increase of gross floor area of the structure of less than 100%; and/or installation of replacement exterior surfacing of any portion of an existing structure shall be exempt from the standards of this division where it is found that the new or replacement exterior surfacing proposed is identical to that of the existing structure.

(2) Where additions to an existing structure result in an increase in the gross floor area of the existing structure of 100% or greater, the entire structure (existing structure and structure addition) shall be subject to the standards of this section.

(D) *Performance Standards - Primary Exterior Surfacing.*

(1) The primary exterior surfacing of structures shall be limited to natural brick, stone, or glass. Artificial or thin veneer brick or stone less than nominal 4 inches thick shall not qualify as complying with this performance standard.

(2) Primary Exterior Surface shall be defined as not less than 70% of the sum of the area of all exterior walls of a structure nominally perpendicular to the ground. All parapet or mansard surfaces extending above the ceiling height of the structure shall be considered exterior surface for the purposes of this division. Windows and glass doors shall be considered a primary surface, but the sum area of this glass shall be deducted from the wall area for purposes of the 70% primary/30% accent formulas of this chapter. Doors of any type of material, except glass, shall not be considered a primary exterior surface.

(3) Each wall of the structure shall be calculated separately and, individually comply with the 70/30 formula.

(E) *Performance Standards - Exterior Surfacing Accents.* Not more than 30% of the exterior wall surfacing, as defined by division (D) of this section, may be of the following listed accent materials, but no single accent material, except natural wood, may comprise more than 20% of the total of all accent materials; and, no combustible materials shall be used:

- (1) Cedar, redwood, wood siding;
- (2) Cement fiber board;
- (3) Standing seam metal;
- (4) Architectural metal;
- (5) Stucco;
- (6) Poured in place concrete (excluding "tilt-up" panels);
- (7) Architectural metal panels; and
- (8) Porcelain or ceramic tile.

(F) *Performance Standard - Accessory Structures.* All accessory structures shall comply with the exterior surfacing requirements specified by division (D) of this section.

(G) *Performance Standard - HVAC Units and Exterior Appurtenances.* All exterior equipment, HVAC and trash/recycling and dock areas shall be screened from view of the public with the primary exterior materials used on the principal structure.

(H) *Performance Standard - Visible Roofing Materials.* Any roofing materials that are visible from ground level shall be standing seam metal, fire-treated cedar shakes, ceramic tile,

clay tile, concrete or slate.

(I) *Applicability - New Construction.* The standards of this division shall be applicable to all structures and buildings constructed in the city, on and after the effective date of this chapter. The performance standards of this division shall not be in any manner minimized by subsequent planned unit development plans or agreement.

(Ord. 2012-062, passed 9-18-2012)

**SECTION 3.** The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code, City Code Section 154.555 by adding the following language:

**§154.555 Commercial District Design Standards**

*Review of Design.* For certain development activity as specified in the *Lake Elmo Design Guidelines and Standards Manual*, design review is required as part of the approval process for a permit or certificate under this Ordinance. All projects subject to design review shall be reviewed for conformance with the *Lake Elmo Design Guidelines and Standards Manual* and shall follow the review procedures specified in §154.506.A.

**SECTION 4. Effective Date.** This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

**SECTION 5. Adoption Date.** This Ordinance 08-095 was adopted on this nineteenth day of November 2013, by a vote of \_\_\_\_\_ Ayes and \_\_\_\_\_ Nays.

**LAKE ELMO CITY COUNCIL**

\_\_\_\_\_  
Mike Pearson  
Mayor

ATTEST:

\_\_\_\_\_  
Adam Bell  
City Clerk

This Ordinance 08-095 was published on the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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

**RESOLUTION NO. 2013-98**

**RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE 08-095 BY TITLE AND  
SUMMARY**

**WHEREAS**, the City Council of the City of Lake Elmo has adopted Ordinance No. 08-095, an ordinance to the City's regulations pertaining to Design Review; 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. 08-095 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. 08-095, which adopts the Lake Elmo Design Standards Manual by reference and establishes design review procedures for certain types of development activity in the Urban Residential and Commercial zoning districts.

The full text of Ordinance No. 08-095 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: November 19, 2013.

\_\_\_\_\_  
Mayor Mike Pearson

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 & COUNCIL COMMUNICATION

DATE: November 19, 2013  
REGULAR  
ITEM # 15

**AGENDA ITEM:** Approve Council Travel Reimbursement Policy

**SUBMITTED BY:** Adam Bell, City Clerk

**THROUGH:** Mike Pearson, Mayor

**REVIEWED BY:** Beckie Gumatz, Program Assistant

### SUGGESTED ORDER OF BUSINESS:

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

**POLICY RECOMMENDER:** Mayor Pearson

**FISCAL IMPACT:** There is no financial impact directly related to adoption of this policy. Going forward, there will be a financial impact depending on the requests approved by council.

### **SUMMARY AND ACTION REQUESTED:**

The City Council is respectfully requested to approve the revised *Lake Elmo Travel Allowance For Official Travel Policy* by taking the following action:

***“Move to approve the Revised Lake Elmo Travel Allowance For Official Travel Policy”***

**LEGISLATIVE HISTORY:** Recently, there have been some requests for mileage reimbursement by council for attending meetings and other official business throughout the city. The City does have a policy that regulates reimbursement for travel expenses incurred by employees and officials on city business. The current City of Lake Elmo policy regulating the reimbursement for mileage or travel expenses incurred by City council members for official business does not define eligible “City business.” Staff was asked to draft a policy based on criteria provided and combine with existing policies and procedures.

**BACKGROUND INFORMATION (SWOT):** As previously noted, the City has a policy regulating travel expense reimbursement for employees and officials while conducting City business. However, "City business" is not defined.

**Strengths**                      The benefit to defining "City business" in the mileage reimbursement policy is that it will provide further clarity for both Council and staff as to what is reimbursable. The policy will also streamline the process for any future requests.

**Weaknesses**                      This policy does not specifically cover out-of-state travel, which all Minnesota cities are required by law to adopt pursuant to MN Stat. § 471.661.

**Opportunities**                      Staff proposes creating an out-of-state travel policy in the near future to bring back to council for consideration to supplement.

**Threats**                              None

**RECOMMENDATION:** Based on the aforementioned, the staff recommends and appropriate guiding motion:

*"Move to approve the Revised Lake Elmo Travel Allowance For Official Travel Policy"*

**ATTACHMENTS:**

1. Proposed Lake Elmo Travel Allowance For Official Travel Policy
2. Request from Mayor for policy

## **TRAVEL ALLOWANCE FOR OFFICIAL TRAVEL**

When requested, City officials and employees (including City Council Members), will be reimbursed at the current Internal Revenue Service (IRS) rates for the use of personal vehicles while on City business. Mileage will be calculated from point of departure. "City business" for employees includes: Attending job-related conferences, training, and other educational events; attending meetings as a representative of the City; and all other job-related events where attendance is required as determined by the City Administrator.

Furthermore, "City business" for Council Members is defined as:

- 1) an occasion involving recognized elected official conferences, training, or educational programs; specific information gathering related to City functions; responding to City residents for related City functions; attending meetings as a designated representative of the City; or attending other recognized City-related activities; and
- 2) the occasion is beyond the borders of Washington County.

**Approved** lodging expenses will be reimbursed at actual expense; receipt required, or can be paid with the City's credit card by the City Office in advance of the travel. Employees will not be allowed to use the City credit card for travel expenses. For all travel - meals will be reimbursed up to the following maximum allowable expense:

Breakfast - \$10.00,  
Lunch - \$15.00,  
and Dinner - \$25.00.

Any combination may be used not to exceed \$50.00 per day.

Receipts are required where the actual cost exceeds the allowable limit. City officials and employees will make every reasonable effort to save City funds wherever practical. The City Administrator may require receipts. Receipts may be required of the City Administrator. In such cases, the demand for receipts shall be made prior to the travel.

Where individual meals are provided as part of the tuition, registration fee or other prepaid cost, the individual meal allowance for that meal may not be claimed under the per diem rate.

Alcoholic beverages are not reimbursable.

Employees may request funds in advance for travel expenses within the allowable limits.



**From:** [Mike Pearson](#)  
**To:** [Adam Bell](#)  
**Subject:** Mileage  
**Date:** Saturday, November 09, 2013 1:02:02 PM

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Hello Adam,

a council member is adamant in a request that they be reimbursed mileage accrued performing city functions, city council meetings, workshops ect.

From what I understand we have no firm policy in place for addressing this matter.

I propose the council offers one.

With that, having thought the matter through, with feedback from both other cities and a previous elected official, I request that you pen an ordinance that offers reimbursement under the following conditions:

- 1) if the occasion involves recognized elected official training, specific information gathering related to city functions, responding to city residents for related city functions, affiliated and recognized city business
- 2) the occasion must be beyond the borders of Washington County.

I believe staff has requirements related to more internal controls, IE paperwork, if so please provide the necessary items needed to facilitate the process.

I believe the consent agenda would be appropriate but wherever you think it should be located is fine.

Let's refine this week please.

Thank you.

Mike

Sent from my iPhone