

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

NOTICE OF MEETING

City Council Meeting

Tuesday, March 04, 2014 7:00 P.M.

City of Lake Elmo | 3800 Laverne Avenue North

AGENDA

7:00 K. Call to Order

L. Pledge of Allegiance

M. Roll Call

N. Order of Business

O. Approval of Agenda

P. Accept Minutes

1. Accept February 18, 2014 City Council Meeting Minutes

Q. Council Reports

- Mayor
- Council

R. Public Comments/Inquiries

S. Presentations

- 2013-2014 Winter Maintenance Update
- Firefighter Relief Association Raffle Drawing

T. Consent Agenda

2. Approve Payment of Disbursements and Payroll
3. Approve 2014 Animal Humane Society Impound Contract
4. 2014 Seal Coat Project – Joint Services Agreement with West Lakeland Township
5. Add Landscape Architecture Firm to the Consultant Pool

U. Regular Agenda

6. Approve Resolution in Support of Publication Alternatives for Local Governments;
Resolution 2014-14
7. Connecting Watermain Improvements – Accept Bids and Award Contract. *Resolution 2014-15*

V. Staff Reports and Announcements

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

8:15

W. Adjourn

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

LAKE ELMO CITY COUNCIL MINUTES FEBRUARY 18, 2014

CITY OF LAKE ELMO CITY COUNCIL MINUTES FEBRUARY 18, 2014

Mayor Pearson called the meeting to order at 7:00 pm.

PRESENT: Mayor Mike Pearson, Council Members Wally Nelson, Anne Smith, Justin Bloyer, and Mike Reeves.

Also Present: City Administrator Zuleger, Community Development Director Klatt, City Attorney Snyder, City Engineer Griffin, Finance Director Bendel, and City Clerk Bell.

PLEDGE OF ALLIGENCE

APPROVAL OF AGENDA

MOTION:** Council Member Bloyer moved **TO APPROVE THE FEBRUARY 18, 2014 CITY COUNCIL AGENDA AS PRESENTED.** Council Member Nelson seconded the motion. **MOTION PASSED 5-0.

ITEM 1: ACCEPT MINUTES

THE FEBRUARY 05, 2014 CITY COUNCIL MINUTES WERE APPROVED AS PRESENTED BY CONSENSUS OF THE CITY COUNCIL.

COUNCIL REPORTS:

Mayor Pearson: met with Jennifer Pelletier to discuss the Yellow Ribbon Network; Washington County Commissioner Kriesel announced a new program for troubled septic systems; clarified that Lake Elmo Days are not cancelled, but another entity besides the City needs to take over the brunt of the work. Council Member Smith stated she is ok with another entity taking it over but does not know who it will be. She knows how much work it is. It was noted that the majority of the work is not financial, but labor; the Mayor also attended the Senate Capital Improvement meeting with Mr. Zuleger and Ms. Gumatz.

Council Member Smith: reported that according to a resident, Ramsey County Library is having a meeting to decide that Lake Elmo residents will also have to purchase a separate Ramsey County Library card.

Council Member Nelson: noted he was impressed with Park Commission and the last joint workshop with that group. He was impressed with leadership, the work they have done, and how they are listening to Council feedback.

Council Member Bloyer: no report

Council Member Reeves: no report

PROCLAMATION – ALEX JANOSCHOSKI

Alex Janochoski from Troop 162, described his achievement and his Eagle Scout project. Worked with Stillwater Area High School's (SAHS) Environmental Learning Center and 35 people from his troop to build twelve Peterson-style birdhouses. He will be attending Bemidji State University in fall 2014 to study Natural Resources. Council Member Smith read the proclamation recognizing him for his accomplishment. She noted her son is in the same troop, and she is very proud of Alex.

CONSENT AGENDA

2. Approve Payment of Disbursements and Payroll in the amount of \$287,852.66
3. Accept Financial Report dated January 31, 2014
4. Accept Building Report dated January 31, 2014
5. Lake Elmo Sewer Infrastructure Improvements: I-94 to 30th St. – Pay Request No. 5
6. Encroachment Agreement – 9590 Whistling Valley Trail

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7. Approve Pay Equity Report

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

REGULAR AGENDA

ITEM 8: PUMPHOUSE NO. 4 IMPROVEMENTS – ACCEPT BIDS AND AWARD CONTRACT; RES. NO. 2014-11.

City Engineer Griffin gave overview of the proposed project and the scope of the work. He explained that the City's estimates were about \$100,000.00 lower than the bids received. Staff reviewed the design, bidders, and bids and determined that the bids were good, there was not a case of overdesign and no options to reduce or obtain lower bids through re-bids.

Council Member Bloyer asked about vendor who made incorrect estimate. Mr. Griffin stated Bolton & Menk used Barr Engineering. Barr Engineering was the firm who provided the estimate. Council Member Nelson asked why well and pump house are done separately. Mr. Griffin explained that it involves very different projects with different type of contractors. The process and timing of determining the design for the project was explained. Several details are not able to be determined until the well portion is drilled.

Council Member Reeves asked about accountability. Mr. Griffin explained that City is hiring service not an insurance policy. City can elect to not use the consultant in future. Mr. Bloyer asked how much we paid Bolton & Menk so far. That amount was not known off-hand.

MOTION: Mayor Pearson moved **TO APPROVE RESOLUTION NO. 2014-11, ACCEPTING BIDS AND AWARDED A CONTRACT TO TOTAL MECHANICAL INC. IN THE AMOUNT OF \$748,640.00 FOR THE PUMPHOUSE NO. 4 IMPROVEMENTS**. Council Member Nelson seconded the motion.

Council Member Nelson stated he is having hard time understanding how contractor can be 40% off. Whether the City learned anything during this process was discussed. Mr. Griffin explained that when adding consultants to the consultant pool, he is hiring person not the firm, especially for project management.

MOTION PASSED 5-0.

ITEM 9: 2014 SEAL COAT PROJECT – AUTHORIZE PREPARATION OF PLANS AND SPECIFICATIONS

City Engineer Griffin gave overview of the proposed project and the scope of the work by providing a recap of the feasibility study from 1/06/2014. Council Member Nelson asked what the funds are used for. Mr. Griffin stated that it is basically for the entire project management.

MOTION: Council Member Smith moved **TO AUTHORIZE ENGINEERING SERVICES TO FOCUS ENGINEERING INC., IN THE NOT TO EXCEED AMOUNT OF \$9,500, FOR THE 2014 SEAL COAT PROJECT**. Council Member Reeves seconded the motion. **MOTION PASSED 5-0.**

ITEM 10: 2012 RAIN GARDENS – CONTRACTOR REQUEST TO RECONSIDER PAY REQUEST NO. 2 (FINAL)

City Engineer Griffin gave the history and explanation of the issue. The vendor's attorney sent letter requesting that Council reconsider the payment.

Council Member Nelson asked if there is any signed approval for the rain gardens. Mr. Griffin explained that Washington Conservation District approved it. City has no evidence of maintenance. City had requested notice of any maintenance. The City's opinion is that there was probably both poor design and workmanship.

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City Attorney Snyder gave his legal opinion on what the City's liability to pay. Based on the contract and available information, his recommendation is that unless there is additional information, the City reaffirm the engineer's payment recommendation.

MOTION: Council Member Smith moved TO REAFFIRM PAY REQUEST NO. 2 (FINAL) TO ST. CROIX VALLEY LANDSCAPING IN THE AMOUNT OF \$3,560 FOR THE ONE YEAR MAINTENANCE CONTRACT FOR THE 2012 RAIN GARDEN PROJECT. Council Member Reeves seconded the motion.

Council Member Nelson noted that the rain gardens are continuously problematic. He wants City to see what can be done to mitigate the issues. Council Member Bloyer concurs. Council Member Reeves' opinion is that if the rain garden is designed, installed, and maintained properly, they work and serve a valuable purpose. They cannot be simply put on autopilot. Mayor Pearson and Council Member Bloyer agree that they can work when things are done properly. The question is who is responsible when they fail? The agreements to maintain the rain gardens was discussed. Consensus was that the agreements needed to be enforced or addressed differently.

MOTION PASSED 5-0.

ITEM 11: LIVESTOCK/ANIMAL ORDINANCE AMENDMENT; ORD. 08-100, RES. NO. 2014-12, ORD. 08-101

City Clerk Bell provided overview of the proposed amendments. The main amendments were to repeal the livestock section of the Zoning Code and relocate it in the newly created Animals Chapter as well as a few housekeeping items. The other main amendments were the addition of the new chicken and bee keeping provisions. Livestock would also now be allowed to be kept on lots 5 acres or more. The old standard was 10 acres. Chickens would be allowed on 1/2 acre lots. Bees would be allowed on 1 acre lots. Permits would be required for chickens and bees on less than five acres. Permits would be \$25.

The history of the ordinance and the changes requested by the Planning Commission were explained. The number of chickens and lot size minimums were discussed. Because of initial pushback by Planning Commission, staff modified the original proposal to make it much more conservative than the original drafts. It was noted that the Commission vote was 6-1, with Commissioner Lundgren voting no. Her opinion was the proposal was too conservative and restricting. The setbacks and coop design was also discussed. The notice requirement was discussed. Mr. Bell stated that it primarily was an opportunity for residents and neighbors to be heard. Staff did not find instances where a council denied application based on neighbors protest.

Bee keeping education was discussed. Staff was open to adding other specific institutions, but recommends that that some type of education requirement be required. The notice requirement was discussed. The number of hives and lot sizes were discussed.

MOTION: Council Member Smith moved TO APPROVE ORDINANCE 08-100, AMENDING THE ZONING CODE CONCERNING LIVESTOCK AND KENNELS, AND ALSO AMENDING THE ANIMALS CHAPTER OF THE GENERAL REGULATIONS OF THE CITY OF LAKE ELMO. Council Member Bloyer seconded the motion.

Council Member Smith commended staff for the work done. Council Member Nelson stated he would like the number of chickens to start at 4 to be practical. Council Member Smith and Reeves would like to

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start with what the Planning Commission recommended. Council Member Bloyer is in favor of having higher number.

MOTION TO AMEND 1: Council Member Nelson moved TO AMEND THE PROPOSED ORDINANCE TO ALLOW 4 CHICKENS STARTING ON HALF ACRE AND INCREASING BY 2 ANIMALS FOR EVERY HALF ACRE. Council Member Smith seconded the motion. MOTION PASSES 5-0.

Council Member Bloyer does not want to create neighbor disputes by requiring the notice for larger properties. Possible changes were discussed. Consensus was to keep the notice, but not require protest hearing.

MOTION TO AMEND 2: Council Member Nelson moved TO STRIKE SECTION 95.62(C)(1) & (2). Council Member Reeves seconded the motion. MOTION PASSES 5-0.

MOTION TO AMEND 3: Mayor Pearson moved TO STRIKE THE NOTICE CONTEST FOR BEEKEEPING.

Eliminating the bee notice and contest was discussed. City Attorney Snyder recommended that the City retain the option to hear the application. *Mayor Pearson withdrew his motion.*

The setbacks for the chicken coops was discussed. Consensus was to lower setback to 20 feet.

MOTION TO AMEND 4: Council Member Nelson moved TO AMEND SECTION 95.66(5) TO READ “20 FOOT SEPARATION” INSTEAD OF “100 FEET SEPARATION.” Council Member Smith seconded the motion. MOTION PASSES 5-0.

MOTION TO AMEND 5: Mayor Pearson moved TO STRIKE CONDITION PROHIBITING THE BUTCHERING OF CHICKENS IN PUBLIC VIEW. Council Member Bloyer seconded the motion.

The Mayor does not believe that this will be a problem and thinks it is too impractical to enforce. Mr. Bell noted that HOAs will have the opportunity to regulate livestock beyond the cities rules. City Administrator Zuleger noted that some religious practices will involve the slaughter of livestock and the city could face First Amendment challenges.

MOTION PASSES 3-2 (NAY - Smith and Reeves).

Lot sizes for bees was discussed. Consensus was to lower the bee minimum lot size to three-quarters of an acre.

MOTION TO AMEND 6: Council Member Smith moved TO AMEND MINIMUM LOT SIZE FOR THE KEEPING OF BEES TO THREE-QUARTER OF AN ACRE. Council Member Nelson seconded the motion. MOTION PASSES 5-0.

ORIGINAL MOTION PASSES 5-0.

MOTION: Mayor Pearson moved TO APPROVE RESOLUTION 2014-12, AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 08-100. Council Member Bloyer seconded the motion. MOTION PASSES 5-0.

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MOTION: Mayor Pearson moved **TO APPROVE ORDINANCE 08-101, AN ORDINANCE AMENDING MUNICIPAL FEES**. Council Member Smith seconded the motion. **MOTION PASSES 5-0.**

ITEM 12: ZONING MAP AMENDMENT; ORD. 08-102

Community Development Director Klatt provided an overview of the zoning map amendment. The proposed zoning map amendment would be consistent with the Comprehensive Plan, and specifically, the future land use map for this area. The rezoning establishes the zoning regulations that will apply to the subdivision. Future developments will also go through this process.

MOTION: Council Member Reeves moved **TO ADOPT ORDINANCE 08-102, AMENDING THE LAKE ELMO ZONING MAP FOR THE AREA INCLUDED IN THE SAVONA PRELIMINARY PLAT**. Council Member Bloyer seconded the motion. **MOTION PASSES 5-0.**

ITEM 13: APPROVE LENNAR FINAL PLAT; RES. NO. 2014-13

Community Development Director Klatt provided an overview of the Savona final plat submission plat process history. He noted that there are revisions requested by staff regarding some of the construction plans. Mr. Klatt explained the 16 conditions of approval. Staff is recommending one additional condition (#16) requiring an affidavit from both all parties agreeing on the minor collector road alignment.

Mayor Pearson asked about condition #16 and the road realignment. City Administrator Zuleger said there is an agreement, and the paperwork is being drafted. Condition #16 was agreeable to all parties.

It was explained that Outlot A would be part of another phase Final Plat.

Council Member Smith expressed her disappointment with proposed lot size. Her vision for this area was to include larger lots. Proposal has 4-5 houses per acre. The lots sizes and density were discussed.

Council Member Reeves asked for confirmation that the proposal was compliant with comp plan. Mr. Klatt stated it was.

Council Member Nelson asked about Durrow Family letter. Mr. Klatt explained that because of the stage the development was at, there are few options to vary from the proposed alignment. The preliminary plat included the road with a rough alignment. City staff had spoken to party previously.

Ray Pruban, Amaris Custom Homes, 1017 Oak Bluff Circle, St Paul, spoke about road alignment issue. He has been working with Lennar and staff for about 10 months. Pleased to see that condition 16 is included. He noted that having the condition on only one party puts that party at a disadvantage.

City Attorney Snyder noted that at some point there will be parties that are not pleased with road alignments. There is no obligation to provide optimal alignment for all parties, but City cannot deprive properties reasonable access.

MOTION: Council Member Reeves moved **TO ADOPT RESOLUTION NO. 2014-013 APPROVING THE FINAL PLAT FOR SAVONA**. Council Member Nelson seconded the motion.

Council Member Bloyer stated that he would rather have larger lots and less open space, but cannot have both when you have to develop. Council Member Reeves is pleased that it meets the land use plan. Consensus is that Council is glad to have this plan going forward.

MOTION PASSES 4-1 (NAY - Smith).

ITEM 14: AUAR - FEE SCHEDULE AMENDMENT; ORD. 08-103

Community Development Director Klatt provided an overview of proposed fee amendment. It is being imposed to recover costs incurred in developing the AUAR for the Village. Mr. Klatt explained the benefits for both the City and the landowners/developers. The proposed fee is \$230 per REC for each

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Council Member Reeves asked about the identified threat. Mr. Klatt said that it is unusual for the fee, but not the work. Mr. Reeves asked about the costs for each developer to do their own environmental study as opposed to paying the \$230 per REC. Mr. Klatt said that it would be more cost beneficial to use the AUAR.

Council Member Smith noted that at the time when the AUAR was being done (2005-2007), the MOU was in place and City was preparing for growth. City could not predict the development and market decline.

Mayor Pearson noted that the Council has been accused of being “developer friendly”. He believes the Council’s recent actions regarding development have been very aggressive and responsible in dealing with development. This allows the City to recover past expenses.

City Administrator Zuleger explained the repayment situation of the AUAR/Planning debt. Ms. Smith stated that the developers were not getting a free ride at that time. She asserted the developers were committed to repaying the City for the AUAR costs. Council Member Bloyer asked why the village was expected to develop sooner than I-94. Ms. Smith explained the rationale and the history. At the time, if all the units were placed along I-94, the Village would never develop. The City took steps to keep the Village viable.

Mr. Reeves expressed his preference to not re-litigate the history of I-94 versus Village. He does not feel that there is any benefit. Council Member Nelson stated that he wants is known that this Council is being cost conscious.

MOTION: Council Member Nelson moved TO APPROVE ORDINANCE 08-103, AMENDING THE FEE SCHEDULE BY ADDING A FEE FOR THE VILLAGE AREA AUAR. Council Member Reeves seconded the motion. MOTION PASSES 5-0.

SUMMARY REPORTS AND ANNOUNCEMENTS

City Administrator Zuleger: upcoming transportation open house on manning avenue realignment; workshop in March will deal with the downtown; met council will release the forecast on 2/19; PW doing a good job on winter maintenance (snow plowing); attended development meetings; presented the water bonding presentation shown to the State Senate Capital Improvement Tour. Meeting went very well.

City Attorney Snyder: responding to routine staff requests and development issues.

Community Development Director Klatt: upcoming eastern Village development meetings; will be working on accessory building amendments.

City Engineer Griffin: no report other than written summary.

Finance Director Bendel: attended Ehlers seminar on TIFs; Finance Committee met. Committee is finalizing assessor contract; DNR water consumption report; pay equity report.

City Clerk Bell: reported chicken and bees applications will be available next week after publication of ordinance.

Mayor Pearson adjourned the meeting at 10:01 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Adam R. Bell, City Clerk



MAYOR & COUNCIL COMMUNICATION

DATE: March 4, 2014
CONSENT
ITEM #2
MOTION

AGENDA ITEM: Approve Disbursements in the amount of \$146,688.06

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: \$146,688.06

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to approve disbursements in the amount of \$146,688.06. 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	\$ 11,490.36	Payroll Taxes to IRS & MN Dept of Revenue 2/20/14
ACH	\$ 6,307.71	Payroll Retirement to PERA 2/20/14
DD5350-DD5365	\$ 29,837.58	Payroll Dated (Direct Deposits) 2/20/14
41012-41057	\$ 98,152.41	Accounts Payable 3/04/14
2300-2314	\$ 900.00	Library Card Reimbursement 3/04/14
TOTAL	\$ 146,688.06	

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 \$146,688.06.

ATTACHMENTS:

1. Accounts Payable – check registers

Accounts Payable To Be Paid Proof List

User: PattyB

Printed: 02/27/2014 - 11:52 AM

Batch: 009-02-2014

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
DELTA Delta Dental Of Minnesota										
5428111	02/17/2014	1,708.10	0.00	03/04/2014	March 2014 Dental Coverage		-			No 0000
101-000-0000-21706 Medical Insurance										
	5428111 Total:	1,708.10								
	DELTA Total:	1,708.10								
NCPERS 566200-NCPERS Minnesota										
5662314	02/20/2014	176.00	0.00	03/04/2014	March Premium		-			No 0000
101-000-0000-21708 Other Benefits										
	5662314 Total:	176.00								
	NCPERS Total:	176.00								
	Report Total:	1,884.10								

Accounts Payable To Be Paid Proof List

User: PattyB
Printed: 02/27/2014 - 11:37 AM
Batch: 008-02-2014

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
AMAZONIN Amazon Inc										
604578781032040	02/10/2014	372.91	0.00	03/04/2014	Books		-		No	0000
206-450-5300-42500 Library Collection Maintenance										
604578781032040	02/10/2014	111.63	0.00	03/04/2014	Teen Books		-		No	0000
206-450-5300-42500 Library Collection Maintenance										
604578781032040	02/10/2014	80.48	0.00	03/04/2014	Easy Books		-		No	0000
206-450-5300-42500 Library Collection Maintenance										
604578781032040	02/10/2014	193.82	0.00	03/04/2014	DVD's		-		No	0000
206-450-5300-42500 Library Collection Maintenance										
		758.84								
		758.84								
AMAZONIN Total:										
AMERICAN American Eng and Testing, Inc.										
61323	01/30/2014	10,500.00	0.00	03/04/2014	2014-16 Street CIP - Geotechnical Svs		-		No	0000
409-480-8000-43030 Engineering Services										
		10,500.00								
		10,500.00								
AMERICAN Total:										
AMLEGAL American Legal Publishing Corp										
97307	02/14/2014	495.00	0.00	03/04/2014	Internet Renewal	3/03/14-3/03/15	-		No	0000
101-410-1320-43510 Legal Publishing										
		495.00								
		495.00								
AMLEGAL Total:										
ATLANTIC THE ATLANTIC										
115436	02/27/2014	10.00	0.00	03/04/2014	Magazine Renewal		-		No	0000
206-450-5300-42500 Library Collection Maintenance										
		10.00								
		10.00								
ATLANTIC Total:										

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
B&H B&H Photo - Video										
78964476	01/06/2014	3,523.10	0.00	03/04/2014	Digital File Recorder		-		No	0000
101-410-1450-43180	Information Technology/Web									
	78964476 Total:	3,523.10								
	B&H Total:	3,523.10								
CARDMEMB Cardmember Service										
02/20/2014	02/20/2014	0.75	0.00	03/04/2014	Parking-Klatt		-		No	0000
101-410-1910-44300	Miscellaneous									
02/20/2014	02/20/2014	27.30	0.00	03/04/2014	Office Max-Bendel		-		No	0000
101-410-1520-42000	Office Supplies									
02/20/2014	02/20/2014	270.00	0.00	03/04/2014	Ehlers - Bendel		-		No	0000
101-410-1520-44370	Conferences & Training									
02/20/2014	02/20/2014	270.00	0.00	03/04/2014	Ehlers - Zuleger		-		No	0000
101-410-1320-44370	Conferences & Training									
02/20/2014	02/20/2014	26.99	0.00	03/04/2014	Wall St Journal - Bendel		-		No	0000
101-410-1320-44330	Dues & Subscriptions									
02/20/2014	02/20/2014	125.00	0.00	03/04/2014	Erosion Control -Chase		-		No	0000
101-420-2400-44330	Dues & Subscriptions									
02/20/2014	02/20/2014	200.00	0.00	03/04/2014	Stormwater Seminar -Chase		-		No	0000
101-420-2400-44370	Conferences & Training									
02/20/2014	02/20/2014	163.29	0.00	03/04/2014	Stillwater Motors -Chase		-		No	0000
101-420-2400-44040	Repairs/Maint Eqpt									
02/20/2014	02/20/2014	49.99	0.00	03/04/2014	Media Four		-		No	0000
101-410-1450-43620	Cable Operations									
02/20/2014	02/20/2014	212.84	0.00	03/04/2014	Office Max - Orsted		-		No	0000
206-450-5300-42000	Office Supplies									
02/20/2014	02/20/2014	123.21	0.00	03/04/2014	Tribune -Orsted		-		No	0000
206-450-5300-44330	Dues & Subscriptions									
02/20/2014	02/20/2014	97.75	0.00	03/04/2014	Misc - Zuleger		-		No	0000
101-410-1320-44300	Miscellaneous									
02/20/2014	02/20/2014	14.95	0.00	03/04/2014	Phone App -Zuleger		-		No	0000
101-410-1320-43210	Telephone									
02/20/2014	02/20/2014	53.51	0.00	03/04/2014	Holiday - Malmquist		-		No	0000
101-420-2220-42120	Fuel, Oil and Fluids									
	02/20/2014 Total:	1,635.58								
2/20/2014	02/20/2014	1,541.01	0.00	03/04/2014	Lightbulbs - ABell		-		No	0000
101-410-1940-44300	Miscellaneous									
2/20/2014	02/20/2014	38.28	0.00	03/04/2014	Office Max - ABell		-		No	0000
101-410-1320-42000	Office Supplies									
2/20/2014	02/20/2014	135.00	0.00	03/04/2014	plannerWeb-Klatt		-		No	0000
101-410-1910-44330	Dues & Subscriptions									
	2/20/2014 Total:	1,714.29								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
CARDMEMB Total:		3,349.87								
CARQUEST Car Quest Auto Parts										
2055-311337	02/13/2014	20.82	0.00	03/04/2014	Flasher		-		No	0000
101-430-3125-44040	Repairs/Maint Eqpt									
2055-311337	02/13/2014	44.46	0.00	03/04/2014	Misc oils		-		No	0000
101-430-3120-42120	Fuel, Oil and Fluids									
2055-311337 Total:		65.28								
2055-311623	02/19/2014	77.53	0.00	03/04/2014	Service parts		-		No	0000
101-430-3125-44040	Repairs/Maint Eqpt									
2055-311623	02/19/2014	120.51	0.00	03/04/2014	Misc oils		-		No	0000
101-430-3120-42120	Fuel, Oil and Fluids									
2055-311623 Total:		198.04								
CARQUEST Total:		263.32								
CONLEYMO Conley Morgan										
02/18/2014	02/18/2014	55.00	0.00	03/04/2014	Cable operations - 2/18/14 CC		-		No	0000
101-410-1450-43620	Cable Operations									
02/18/2014	02/18/2014	25.00	0.00	03/04/2014	Bonus		-		No	0000
101-410-1450-43620	Cable Operations									
02/18/2014 Total:		80.00								
02/24/2014	02/24/2014	55.00	0.00	03/04/2014	Cable Operations - 2/24/14 PC		-		No	0000
101-410-1450-43620	Cable Operations									
02/24/2014 Total:		55.00								
CONLEYMO Total:		135.00								
FERGUSON Ferguson Waterworks, Inc #2516										
66604-1	02/10/2014	518.00	0.00	03/04/2014	Hydrant repair parts		-		No	0000
601-494-9400-44030	Repairs\Maint Imp Not Bldgs									
66604-1	02/10/2014	-263.11	0.00	03/04/2014	Credit Memo		-		No	0000
601-494-9400-44030	Repairs\Maint Imp Not Bldgs									
66604-1 Total:		254.89								
FERGUSON Total:		254.89								
FOCUS Focus Engineering, Inc.										
1046-1047	02/23/2014	2,961.26	0.00	03/04/2014	General		-		No	0000
101-410-1930-43030	Engineering Services									
1046-1047	02/23/2014	734.25	0.00	03/04/2014	Planning		-		No	0000
101-410-1910-43030	Engineering Services									
1046-1047 Total:		3,695.51								
1048	02/23/2014	498.75	0.00	03/04/2014	Building		-		No	0000
101-420-2400-43030	Engineering									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
1048	02/23/2014	1,180.00	0.00	03/04/2014	Planning		-		No	0000
1048	02/23/2014	110.00	0.00	03/04/2014	PW		-		No	0000
1048	02/23/2014	383.75	0.00	03/04/2014	ROW		-		No	0000
1048	02/23/2014	967.00	0.00	03/04/2014	Water		-		No	0000
1048	02/23/2014	52.00	0.00	03/04/2014	Sewer		-		No	0000
1048	02/23/2014	2,317.75	0.00	03/04/2014	Surface Water		-		No	0000
1048	02/23/2014	5,509.25								
1048	02/23/2014	651.44	0.00	03/04/2014	Transportation & Traffic		-		No	0000
1048	02/23/2014	212.50	0.00	03/04/2014	Street System & Maintenance		-		No	0000
1048	02/23/2014	149.00	0.00	03/04/2014	Municipal State Aid		-		No	0000
1048	02/23/2014	326.25	0.00	03/04/2014	Capital Improvement		-		No	0000
1048	02/23/2014	986.00	0.00	03/04/2014	2014 Seal Coat Project		-		No	0000
1048	02/23/2014	2,325.19								
1048	02/23/2014	590.50	0.00	03/04/2014	Keats Ave		-		No	0000
1048	02/23/2014	782.75	0.00	03/04/2014	Keats Ave		-		No	0000
1048	02/23/2014	1,373.25								
1048	02/23/2014	13,184.61	0.00	03/04/2014	LE Ave Infra. I94-30th St		-		No	0000
1048	02/23/2014	13,184.61	0.00	03/04/2014	Production Well 4		-		No	0000
1048	02/23/2014	160.75								
1048	02/23/2014	160.75								
1048	02/23/2014	318.90	0.00	03/04/2014	Section 34 Water		-		No	0000
1048	02/23/2014	478.35	0.00	03/04/2014	Section 34 Sewer Extension		-		No	0000
1048	02/23/2014	797.25								
1048	02/23/2014	1,074.50	0.00	03/04/2014	CSAH 15		-		No	0000
1048	02/23/2014	1,074.50								
1048	02/23/2014	855.20	0.00	03/04/2014	Well 4 Connecting Watermain		-		No	0000

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
1056	02/23/2014	855.20								
601-494-9400-43030	Engineering Services	2,001.75	0.00	03/04/2014	Pumphouse NO 4		-		No	0000
1057	02/23/2014	2,001.75								
601-494-9400-43030	Engineering Services	1,374.30	0.00	03/04/2014	LE Ave Trunk Watermain		-		No	0000
1058	02/23/2014	1,374.30								
409-480-8000-43030	Engineering Services	1,192.47	0.00	03/04/2014	LE Ave Corridor Improvement		-		No	0000
1059	02/23/2014	1,192.47								
409-480-8000-43030	Engineering Services	3,200.86	0.00	03/04/2014	2014 Street Imp Feas. Report		-		No	0000
1060	02/23/2014	3,200.86								
602-495-9450-43030	Engineering Services	944.00	0.00	03/04/2014	Village East Trunk Sewer		-		No	0000
1061	02/23/2014	944.00								
601-494-9400-43030	Engineering Services	2,120.94	0.00	03/04/2014	Inwood booster Station		-		No	0000
1063	02/23/2014	2,120.94								
203-490-9070-43030	Engineering Services	2,272.00	0.00	03/04/2014	Lennar - I94 Corridor		-		No	0000
1064	02/23/2014	2,272.00								
203-490-9070-43030	Engineering Services	88.50	0.00	03/04/2014	Amaris Homes		-		No	0000
1065	02/23/2014	88.50								
203-490-9070-43030	Engineering Services	16.25	0.00	03/04/2014	Hammes Estates		-		No	0000
1066	02/23/2014	16.25								
203-490-9070-43030	Engineering Services	26.88	0.00	03/04/2014	Gonyea Village		-		No	0000
1067	02/23/2014	26.88								
203-490-9070-43030	Engineering Services	308.44	0.00	03/04/2014	Easton Village		-		No	0000
162	02/23/2014	308.44								
601-494-9400-43030	Engineering Services	2,125.44	0.00	03/04/2014	Inwood Trunk Watermain		-		No	0000
FOCUS Total:		44,647.34								
GRITSTILL Greater Stillwater Chamber										
102149	09/25/2013	685.00								
101-410-1110-44300	Miscellaneous		0.00	03/04/2014	Annual Membership		-		No	0000
102149 Total:		685.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
GRTSTILL Total:		685.00								
INTERSTA Interstate All Battery Ctr										
1902701000827	02/04/2014	42.45	0.00	03/04/2014	Flashlight Battery		-		No	0000
101-420-2220-44040	Repairs/Maint Eqpt									
1902701000827 Total:		42.45								
1902702000427	02/19/2014	64.95	0.00	03/04/2014	Thermal Imager Battery		-		No	0000
101-420-2220-44040	Repairs/Maint Eqpt									
1902702000427 Total:		64.95								
1902799000851	02/20/2014	659.70	0.00	03/04/2014	Truck Batteries		-		No	0000
101-420-2220-44040	Repairs/Maint Eqpt									
1902799000851 Total:		659.70								
INTERSTA Total:		767.10								
kathfuel Kath Fuel Oil Service Co										
451308	02/05/2014	1,056.97	0.00	03/04/2014	Fuel		-		No	0000
101-430-3120-42120	Fuel, Oil and Fluids									
451308 Total:		1,056.97								
451309	02/05/2014	3,442.50	0.00	03/04/2014	Fuel		-		No	0000
101-430-3120-42120	Fuel, Oil and Fluids									
451309 Total:		3,442.50								
451317	02/05/2014	1,417.36	0.00	03/04/2014	Fuel		-		No	0000
101-430-3120-42120	Fuel, Oil and Fluids									
451317 Total:		1,417.36								
kathfuel Total:		5,916.83								
KLMENG KLM Engineering, Inc.										
4744	02/19/2014	3,300.00	0.00	03/04/2014	Plan Review Sprint Antenna Modification		-		No	0000
803-000-0000-22900	Deposits Payable									
4744 Total:		3,300.00								
KLMENG Total:		3,300.00								
KORTHER KORTHERIC										
02062014	02/06/2014	13.75	0.00	03/04/2014	Cable operations - Training		-		No	0000
101-410-1450-43620	Cable Operations									
02062014 Total:		13.75								
02242014	02/24/2014	55.00	0.00	03/04/2014	Cable Operations 2/24/14 PC		-		No	0000
101-410-1450-43620	Cable Operations									
02242014 Total:		55.00								
KORTHER Total:		68.75								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
LEAGMN League of MN Cities 195649 02/14/2014 101-410-1320-44370 Conferences & Training 195649 Total: LEAGMN Total:		99.00 99.00 99.00	0.00	03/04/2014	Legislative Conference - Beckie Gumatz		-		No	0000
MACLEOD MacLeod Alyssa 02242014 02/24/2014 101-410-1450-43310 Mileage 02242014 Total: MACLEOD Total:		36.96 36.96 36.96	0.00	03/04/2014	Mileage		-		No	0000
MARVS Marv's Professional Tools 269201 02/20/2014 101-430-3100-42400 Small Tools & Minor Equipment 269201 Total: MARVS Total:		167.50 167.50 167.50	0.00	03/04/2014	Tools		-		No	0000
MENARDSO Menards - Oakdale 38789 02/20/2014 101-430-3100-42150 Shop Materials 38789 Total: 39054 02/24/2014 101-430-3125-44040 Repairs/Maint Eqpt 39054 Total: MENARDSO Total:		103.65 103.65 27.68 27.68 131.33	0.00	03/04/2014	Shop Supplies Equipment parts - fuses		-		No	0000
MENARDST Menards - Stillwater 36315 02/16/2014 101-420-2220-44040 Repairs/Maint Eqpt 36315 Total: MENARDST Total:		4.98 4.98 4.98	0.00	03/04/2014	Tire Repair for CV2		-		No	0000
MESSERLI Messerli & Kramer 295018 02/20/2014 101-410-1320-43150 Contract Services 295018 Total: MESSERLI Total:		5,000.00 5,000.00 5,000.00	0.00	03/04/2014	Professional Services 2013-2014 Legist.		-		No	0000

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
MNDOH MN Department of Health 182009 02/19/2014 601-494-9400-43820 Water Utility 182009 Total: MNDOH Total:		1,661.00 1,661.00 1,661.00	0.00	03/04/2014	1st Qtr Water Supply Connection Fee		-	No		0000
NAPA NAPA Auto Parts 785046 02/14/2014 101-420-2220-44040 Repairs/Maint Eqpt 785046 Total: NAPA Total:		5.69 5.69 5.69	0.00	03/04/2014	Taillight		-	No		0000
NASALTCO North American Salt Company 71122509 02/07/2014 101-430-3125-42290 Sand/Salt 71122509 Total: NASALTCO Total:		2,351.20 2,351.20 2,351.20	0.00	03/04/2014	Road Salt		-	No		0000
PIMIDWES P.I. Midwest TF5722 02/26/2014 101-410-1320-44370 Conferences & Training TF5722 Total: PIMIDWES Total:		2,200.00 2,200.00 2,200.00	0.00	03/04/2014	Predictive Index Training - Adam Bell		-	No		0000
POSTOFFFI Postmaster 101-410-1320-43220 Postage Total: POSTOFFFI Total:		200.00 200.00 200.00	0.00	03/04/2014	Permit #19 - Standard Mail		-	No		0000
SAMSCLUB Sam's Club 101-420-2220-44300 Miscellaneous 02/14/2014 101-420-2220-42000 Office Supplies Total: SAMSCLUB Total:		47.76 155.29 203.05 203.05	0.00 0.00	03/04/2014 03/04/2014	Restock rehab supplies Restock printer cartridges		- -	No No		0000 0000

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
SCHLOMKA Schlomka Service LLC										
15387	01/08/2014	230.00	0.00	03/04/2014	Pump holding tank PW		-		No	0000
101-430-3100-44010	Repairs/Maint Bldg	230.00								
	15387 Total:	230.00								
	SCHLOMKA Total:									
SELECTAC SelectAccount										
987192	02/10/2014	16.88	0.00	03/04/2014	Participant Fee 1/01-02/28/2014		-		No	0000
101-410-1520-43150	Contract Services	16.88								
	987192 Total:	16.88								
	SELECTAC Total:									
SPRINT SPRINT										
761950227-131	02/18/2014	55.93	0.00	03/04/2014	Cell Phone - Admin		-		No	0000
101-410-1940-43210	Telephone	194.01								
761950227-131	02/18/2014	38.18	0.00	03/04/2014	Cell Phone - Fire		-		No	0000
101-420-2220-43210	Telephone	70.32								
761950227-131	02/18/2014	74.49	0.00	03/04/2014	Cell Phone - Buliding		-		No	0000
101-420-2400-43210	Telephone	48.37								
761950227-131	02/18/2014	12.86	0.00	03/04/2014	Cell Phone - Public Works		-		No	0000
101-430-3100-43210	Telephone	494.16								
761950227-131	02/18/2014	494.16	0.00	03/04/2014	Cell Phone - Parks		-		No	0000
101-450-5200-43210	Telephone									
761950227-131	02/18/2014		0.00	03/04/2014	Cell Phone - Taxpayer Service		-		No	0000
101-410-1450-43210	Telephone									
761950227-131	02/18/2014		0.00	03/04/2014	Cell Phone - Planning		-		No	0000
101-410-1910-43210	Telephone									
	761950227-131 Total:	494.16								
	SPRINT Total:									
SRFCONSU SRF Consulting Group, Inc										
08372.00-1	01/31/2014	1,946.61	0.00	03/04/2014	5th Street SRF Task order No 3		-		No	0000
803-000-0000-22900	Deposits Payable	1,946.61								
	08372.00-1 Total:	1,946.61								
	SRFCONSU Total:									
STPAULPL St. Paul Plumbing & Heating										
	01/30/2014	50.00	0.00	03/04/2014	Refund - license on file		-		No	0000
101-000-0000-32183	Heating Contractor License	50.00								
	Total:	50.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	STPAULPL Total:	50.00								
TASCH T.A. Schifsky & Sons Inc 56223 02/18/2014 101-430-3120-42240 Street Maintenance Materials 56223 Total: TASCH Total:		407.07 407.07 407.07	0.00	03/04/2014	Asphalt		-		No	0000
TKDA TKDA, Inc. 002014000241 02/06/2014 601-494-9400-43030 Engineering Services 002014000241 Total: TKDA Total:		3,319.09 3,319.09 3,319.09	0.00	03/04/2014	LE Ave Trunk Watermain		-		No	0000
TRKUTI Truck Utilities Inc. 262897 12/27/2013 101-430-3125-42210 Equipment Parts 262897 Total: TRKUTI Total:		623.97 623.97 623.97	0.00	03/04/2014	PTO repair		-		No	0000
UNITPROP United Properties CK REQ 02/26/2014 601-000-0000-37100 Water Sales CK REQ Total: UNITPROP Total:		224.84 224.84 224.84	0.00	03/04/2014	Refund Overpayment on water account		-		No	0000
WASCOUNT Washington County 78016 01/31/2014 101-410-1520-44300 Miscellaneous 78016 Total: WASCOUNT Total:		658.69 658.69 658.69	0.00	03/04/2014	2014 Truth in Taxation Notice		-		No	0000
WASH-REC Washington County P247771 02/03/2014 101-410-1910-42030 Printed Forms P247771 Total: WASH-REC Total:		46.00 46.00 46.00	0.00	03/04/2014	Recorder/Registrar		-		No	0000

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
WASHTAX Washington County										
78155	02/19/2014	940.00	0.00	03/04/2014	Annual Election Equipment Maint.		-		No	0000
101-410-1410-44300	Miscellaneous									
	78155 Total:	940.00								
	WASHTAX Total:	940.00								
Whiteani White Anita										
02182014	02/18/2014	55.00	0.00	03/04/2014	Cable Operations 2/18/2014 CC		-		No	0000
101-410-1450-43620	Cable Operations									
02182014	02/18/2014	25.00	0.00	03/04/2014	Bonus		-		No	0000
101-410-1450-43620	Cable Operations									
	02182014 Total:	80.00								
	Whiteani Total:	80.00								
YALEMECH Yale Mechanical										
144352	02/19/2014	495.25	0.00	03/04/2014	Fall Contract Maintenance		-		No	0000
101-410-1320-43510	Legal Publishing									
	144352 Total:	495.25								
	YALEMECH Total:	495.25								
	Report Total:	96,268.31								



MAYOR & COUNCIL COMMUNICATION

DATE: March 4, 2014
CONSENT
ITEM # 3

AGENDA ITEM: 2014 Animal Humane Society Impound Contract

SUBMITTED BY: Dean Zuleger, City Administrator

THROUGH: Mike Pearson, Mayor

REVIEWED BY: Dean Zuleger, City Administrator
Adam Bell, City Clerk/Assistant City Administrator
Public Safety Committee

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: Staff

FISCAL IMPACT: \$5 increase in holding fee. Reduction in impound costs due to no repeat holdings.

SUMMARY AND ACTION REQUESTED:

City Council is respectfully requested to approve a contract for impounding and care of stray dogs and domesticated cats at the Woodbury Animal Humane Society. The recommended motion for this action is as follows:

“Move to approve the one year letter of understanding between the Animal Humane Society and the City of Lake Elmo for Impound Housing Services.”

LEGISLATIVE HISTORY:

The City of Lake Elmo has agreements in place with the Animal Humane Society (Woodbury) to house stray animals per the State of Minnesota Statutes. This arrangement also includes certain criteria for holding, euthanasia, animal recovery, and rabies protocol.

Along with the City's Animal Control Officer, the City of Lake Elmo staff has worked closely with the Animal Humane Society to manage the humane treatment of stray animals – including the collection, feeding, care, and if necessary, euthanasia of stray animals in the city. The Animal Humane Society has requested the City renew its agreement for 2014. The agreement is for 2014, but service will continue until cancelled.

A new issue that the Humane Society is addressing is the reduction of repeat impounds and unnecessary and costly euthanizations. A new program that is in the process of being implemented, will involve sterilization, ear-marking, and a returning of "community cats" to the pick-up location. Community Cats are cats that are healthy, but for some behavior reason are considered unadoptable. The shelter will no longer take these cats for impoundment after the initial impounding. The Animal Control Officer will be able to identify these cats based on the ear-marking. This will reduce the collection costs as these cats will no longer be impounded repeatedly. Staff has met with the Director of Animal Services, Dr. Brayshaw, and discussed the new program with the City's Animal Control Officer. The Public Safety Committee voted unanimously to approve the agreement with the Animal Humane Society. Staff recommends that Council approve the Letter of Understanding.

BACKGROUND INFORMATION (SWOT):

Strengths There will be a reduction in impound and euthanasia costs; Sterilization of these animals should help reduce the unwanted cat population.

Weaknesses There is a five dollar increase in holding fees. Also, cats are returned to their pick-up location.

Opportunities There will be a reduction in unnecessary euthanizations.

Threats The manner and means of the returning of the animals is unknown at this time. Staff has not identified any specific threats at this time.

RECOMMENDATION:

City Council is respectfully requested to approve a contract for impounding and care of stray dogs and domesticated cats at the Woodbury Animal Humane Society. The recommended motion for this action is as follows:

"Move to approve the one year letter of understanding between the Animal Humane Society and the City of Lake Elmo for Impound Housing Services."

ATTACHMENTS:

1. Letter from AHS Director of Animal Services
2. LOU for Impound Housing Services with the Animal Humane Society



November 18, 2013

City of Lake Elmo
3800 Laverne Ave N
Lake Elmo, MN 55042

Dear Municipal Administrator,

Animal Humane Society is constantly looking at ways to improve the lives and welfare of animals in our community, and the impact that they have on the people in our community.

We have taken a new look at un-owned cats in our communities – those cats known in shelters as “community cats.” These cats range from those that are born and live in the wild to escaped and abandoned pets. Historically, these cats have been brought into our facility as strays and held for the mandated stray period, hoping that they have owners that will come and reclaim them. Over the past year, only 3.7% of those cats have been returned to their original owner from our shelters. After that time is up, those cats not reclaimed are either sterilized (spayed or neutered) and proceed to our adoption center, or are euthanized for health or behavior reasons.

Many of the cats that are brought in as strays and would be euthanized for their behavior are able to survive comfortably in the community. Catching strays and bringing them to a shelter for sterilization and adoption or euthanasia has done nothing to help control cat numbers. As well, studies have shown that lost cats are 13 times more likely to be found or return home by just leaving them in their environment than bringing them in to any shelter. What this means is that we are potentially holding and euthanizing many cats that don’t need to be.

This does not mean that all cats shouldn’t come to shelters. Those cats with identification (tag or microchip) have a much higher return rate. Dedicated sterilization and release programs have shown the ability to control and even decrease the community cat population over time. Cats that are healthy and friendly can be adopted and found new homes.

In the contract that we have sent you for 2014, you will see new language regarding the potential sterilization and return of stray cats. We have not yet implemented a sterilize-and-release program, but we are likely to start one in the coming year. The intent behind this language is to prevent the euthanasia of healthy cats that have established a successful strategy for living outdoors. We will continue to evaluate all unclaimed stray animals for placement through our adoption center. However, we will consider releasing healthy cats back into the community in which they are found if they exhibit behavior that makes them not adoptable by our standards. These cats will have the tip of their ear removed while the cat is undergoing sterilization surgery—this clearly designates that the cat has been spayed or neutered.

The new contract also includes a small fee increase. The canine and feline standard stray holding fee is increasing from \$130 to \$135 and the “other” domestic animal fee is increasing from \$40 to \$41.

Buffalo * Coon Rapids * Golden Valley * St. Paul * Woodbury

Telephone 763 532 4325
www.animahumanesociety.org



Please feel free to call me if you have any questions about this new strategy or the updated fee structure. We also have further information about this type of program that is available if desired. Sterilize and return programs have successfully been implemented in several major cities, even ones as far north as the twin cities. We look forward to working together to help as many people and animals as we can in our community.

Sincerely,

Dr. Graham Brayshaw, DVM
Director of Animal Services
Animal Humane Society
(763) 489-2224
gbrayshaw@animalhumanesociety.org



**Animal Humane Society
and
City of Lake Elmo, MN**

**Letter of Understanding for Impound Housing Services
2014**

1. The Animal Humane Society (AHS) agrees to provide the following services:
 - a. Housing for stray or abandoned animals that are retrieved or legally seized by your municipality's community service officer (CSO) or animal control officer (ACO), or for stray animals that are brought into the shelter by a citizen and verbal permission is given by your agency via phone for intake. Housing includes kennel space, daily cleaning, food and water.
 - b. Herd management vaccination following our standard vaccination protocols, as well as medically necessary and/or emergency care for sick or injured animals impounded during regular business hours.
 - c. Euthanasia services as deemed necessary by an AHS veterinarian. These services may be provided at the end of the legally required holding period or in the case of a medical situation that requires immediate euthanasia.
 - d. Adoption services as deemed appropriate by AHS veterinary staff. The animals will be evaluated for these services at the end of the legally required holding period.
 - e. Euthanasia services and body disposal as deemed appropriate by AHS veterinary staff. The animals will be evaluated for these services at the end of the legally required holding period.
 - f. Provide animal rabies quarantine or diagnostic service for stray felines or canines that have bitten a person.
 - g. Hold animal for the legally required stray holding period: 5 days in MN, 7 Days in WI or until reclaimed by owner within this holding period.
 - h. AHS may perform sterilization and release of stray cats who are unclaimed at the end of the holding period and deemed suitable to be returned to the outdoors to live independently,
2. AHS expectations:
 - a. The AHS is not responsible for sick or injured animals that are left after hours. Outside treatment must be sought for these animals by the animal control officer or community service officer prior to leaving the animals at the AHS facility when veterinary staff members are not on duty.
 - b. AHS has the sole authority to disposition all animals that have not been reclaimed upon the expiration of the legally designated holding period.
 - c. AHS will not accept feral cats seized under municipal authority by your municipality's CSO or ACO.



3. The City of Lake Elmo agrees to:
 - a. Adhere to the drop off procedure set forth by the AHS including animal housing at the shelter and paperwork. Drop off procedures and paperwork training for community service or animal control officers will be provided.
 - b. Adhere to state laws and local ordinances that apply to the handling of stray or abandoned animals and the seizure and return of animals to their owners.
 - c. Direct citizens where to take stray animals when not receiving permission for impoundment at the AHS.
 - d. Seek care for injured or sick animals prior to drop off in the event that it is after hours and/or AHS veterinary staff is not on duty.
 - e. Pay the designated fees for each animal cared for from your municipality. AHS will charge a standard stray holding fee of \$135 per canine or feline and a \$41 fee per "other" domestic animals (rabbits, guinea pigs, birds etc.) not reclaimed by its owner. AHS will charge a \$10 administrative/processing fee to the municipality for each animal reclaimed by its owner in place of the stray holding fee. In these instances AHS will charge the owner reclaim fees. Fees for animals seized by the municipality (such as rabies quarantine) may vary due to the differing nature of their holding periods and services required.
 - f. Allow and support the release of sterilized felines back to the community, if unclaimed and deemed able to live outdoors independently. Such felines will be ear-tipped and, as such, ear-tipped felines will not be impounded in the future.
 - g. Adhere to building access rules and ensure that the service access door is closed and locked after use in an after hours drop off.
 - h. Ensure that the municipality's CSO/ACO uses his/her discretion in the field as to whether or not to impound an animal. AHS is not responsible for those decisions.
 - i. Be available to members of your community to resolve their concerns related to the actions of your ACO/CSO officers and your municipality's procedures, policies and requirements.
 - j. Release AHS from all liability of claims resulting from or related to providing impound housing services. The City of Lake Elmo accepts responsibility for the CSO/ACO while in the course of impounding animals at AHS.
4. Administration
 - a. AHS will bill the municipality at the end of each quarter on a fiscal calendar year. Billing will be mailed in the first month following the end of the quarter. Payment is expected within 30 days of receipt of billing.
 - b. AHS will assign a contact person who should be contacted in the event of any problems, concerns or to receive feedback regarding the program.
 - c. Any billing disputes must be raised within 10 days of receipt of billing.



This agreement is based on a one year commitment, which is renewed annually from the date your administrator signs the agreement below. The agreement can be ended at anytime by either party with a 30 day notice.

This agreement is entered into on the _____ day of _____, 2014 by

Janelle Dixon, President & CEO
Animal Humane Society

Signed on behalf of Municipal Authority

Printed Name and Title



MAYOR & COUNCIL COMMUNICATION

DATE: March 4, 2014
CONSENT
ITEM # 4

AGENDA ITEM: 2014 Seal Coat Project – Project Agreement for Joint Services with West Lakeland Township

SUBMITTED BY: Ryan Stempski, Assistant City Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Jack Griffin, City Engineer
Mike Bouthilet, Public Works
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: Cost savings of \$3,000 to \$12,000.

Through a joint project effort, it is anticipated that project cost savings can be realized through an economy of scale and sharing in project expenses for preparation of plans and specifications, bidding, and construction administration. In addition, staff believes that by combining the project work for both communities, we can continue to promote a more favorable bidding environment that may result in lower overall construction costs.

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider approving the West Lakeland Township Joint Services Agreement for the 2014 Seal Coat Project. If removed from the consent agenda, the recommended motion for this action is as follows:

*“Move to approve the West Lakeland Township Joint Services Agreement
for the 2014 Seal Coat Project.”*

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

Staff has reviewed and updated the Joint Services Agreement with West Lakeland Township in preparation of the 2014 Seal Coat Project. Staff is recommending that the city continue to work jointly with West Lakeland Township to perform seal coating for routine maintenance of city and township streets. The agreement identifies the terms and conditions upon which the City of Lake Elmo prepares and administers a contract for the 2014 Seal Coat Project to be completed on streets within both the city and township. Each jurisdiction pays its portion of the construction costs and shares in the engineering design, bidding and construction administration costs. The construction observation services would be contracted directly by each jurisdiction.

The City of Lake Elmo is defined as the lead entity and prepares the plans and specifications with input from the township. The city bids the project and enters into a contract with the selected contractor for all the work. West Lakeland will pay a fee to the city in the amount of \$3,000 to reimburse the city for the design, bidding and construction administration services related to the project. The township will reimburse the city within 30 days of receiving contractor invoices for the work performed by the contractor on West Lakeland streets.

RECOMMENDATION:

Staff is recommending that the City Council consider approving, *as part of the Consent Agenda*, the West Lakeland Township Joint Services Agreement for the 2014 Seal Coat Project. If removed from the consent agenda, the recommended motion for this action is as follows:

***“Move to approve the West Lakeland Township Joint Services Agreement
for the 2014 Seal Coat Project.”***

ATTACHMENT(S):

1. West Lakeland Township Joint Services Agreement for the 2014 Seal Coat Project.

JOINT SERVICES AGREEMENT FOR THE 2014 SEAL COAT PROJECT

This Agreement is made this ____ day of _____ 2014, by and between the West Lakeland Township (hereinafter referred to as "West Lakeland") and the City of Lake Elmo (hereinafter referred to as "Lake Elmo").

WHEREAS, it is the desire of the parties, and it is the purpose of this Agreement, that certain road-related services be performed or contracted by Lake Elmo on behalf of West Lakeland for the purpose of sealcoating certain street segments as designated by West Lakeland;

NOW, THEREFORE, in consideration of the mutual covenants and conditions set forth below, the above parties hereto agree as follows:

1. Term: The term of this Agreement shall commence upon the date of execution and shall be for the duration of the one year warranty period for the 2014 Seal Coat Project.

2. Services. For the term of this Agreement, Lake Elmo shall provide West Lakeland with the following services in and on behalf of West Lakeland and at the direction of West Lakeland's Engineer:

- a. Lake Elmo will provide professional engineering services to prepare Plans and Specifications and Contract documents for the 2014 Seal Coat Project. The project will include seal coating of street segments located in West Lakeland, in addition to the street segments located in Lake Elmo for which Lake Elmo is otherwise contracting.
- b. Prior to March 20, 2014, West Lakeland will provide Lake Elmo with a plan, designating and depicting the street segments to be seal coated in West Lakeland, said plan to be suitable for inclusion in the Plan documents, along with a tabulation of the estimated quantities (in square yards) showing the seal coating work to be performed in West Lakeland as a part of the project.
- c. Lake Elmo will advertise the 2014 Seal Coat Project for contractor bids and may award a contract for seal coating, or a portion of thereof, as deemed in the best interests of Lake Elmo. If Lake Elmo awards a contract for the 2014 Seal Coat Project and West Lakeland agrees, the award shall include that portion of streets within West Lakeland.
- d. Lake Elmo will provide professional engineering services for the construction administration of the contract.
- e. At its sole cost and expense, West Lakeland will provide a construction observer to inspect the seal coat work performed on West Lakeland streets.

3. Payments. West Lakeland shall make payments to Lake Elmo for services related to the project or directly for services as follows:

- a. West Lakeland will pay Lake Elmo a fee in the amount of \$3,000 for engineering and administration fees performed by Lake Elmo for the seal coat project. Lake Elmo will invoice this amount to West Lakeland once the Lake Elmo City Council accepts the bids and awards the construction contract.
- b. Lake Elmo will make Contractor payments for all work completed in accordance with the Contract. West Lakeland will reimburse Lake Elmo for the work completed and paid to the contractor in accordance with the contract for the actual quantities of work performed on West Lakeland streets.
- c. Lake Elmo will invoice West Lakeland for services to be reimbursed by West Lakeland as outlined above and West Lakeland will pay all invoices within 30 days after receipt of the invoice. Lake Elmo shall include with its invoices copies of the contractor's claims showing the amount charged for the work performed and materials used in West Lakeland.

4. Insurance. Lake Elmo shall require its contractor(s) to provide insurance as specified below, and West Lakeland shall be named as an additional insured on such insurance:

Comprehensive General Liability	\$1,000,000 per occurrence, \$2,000,000 aggregate
Auto Liability	\$1,200,000 per occurrence
Workers compensation	Statutory amount

5. Indemnification. Lake Elmo agrees to defend, indemnify and hold harmless West Lakeland, and its officials, agents and employees from and against all claims, actions, damages, losses and expenses, including attorneys fees, arising out of or resulting from Lake Elmo's performance of the duties required under this Agreement, provided that any such claim, action, damage, loss or expense is caused in whole or in part by an alleged negligent act, omission, or willful misconduct (including, but not limited to, a claimed breach of contract made by the contractor) of Lake Elmo. Lake Elmo agrees to require, as part of its contract with the contractor used to provide the seal coating, to include West Lakeland in the contractor's indemnification obligation under the contract. West Lakeland agrees to defend, indemnify and hold harmless Lake Elmo, and its officials, agents and employees from and against all claims, actions, damages, losses and expenses, including attorneys' fees, arising out of or resulting from West Lakeland's performance of the duties required of it under this Agreement, provided that any such claim, action, damage, loss or expense is caused in whole or in part by an alleged negligent act or omission or willful misconduct of West Lakeland. This provision shall not be construed as a waiver by either party of any defenses, immunities or limitations on liability to which they are entitled, under Minnesota Statutes, Chapter 466 or otherwise. Under no circumstances shall a party be required to pay on behalf of itself and other parties, any amounts in excess of the limits of liability established in Minnesota Statutes, Chapter 466, applicable to any one party. The limits of liability for some or all of the parties may not be added together to determine the maximum amount of liability for any party.

6. Service Contract. This is a service contract. The parties do not intend to create, and nothing herein shall be construed as creating, a joint powers agreement, joint venture, or joint enterprise. However, to the extent a court of competent jurisdiction may find such a relationship exists, Lake Elmo and West Lakeland shall be considered a single governmental entity as provided

in Minnesota Statutes, section 471.59, subdivision 1a for the purposes of determining total liability. The limits of liability for Lake Elmo and West Lakeland shall not be added together to determine the maximum amount of liability for either party or for any occurrence.

7. Contracting Procedure and Oversight. Lake Elmo shall be solely responsible for letting the contracts for the services to be provided hereunder in accordance with all applicable laws, rules, and regulations. The bonds obtained from the contractor for the work shall include the work to be performed in West Lakeland. Lake Elmo shall, to the extent reasonably necessary, assist West Lakeland to draw upon the performance bond as needed to complete or correct any work the contractor fails to perform in West Lakeland in accordance with the contract. West Lakeland will be responsible for inspecting the work to be performed in West Lakeland, but Lake Elmo shall be responsible for generally overseeing the contractor's performance of services in accordance with the contract.

8. Miscellaneous. This Agreement is solely for the benefit of the parties hereto and no other person shall have any right, claim, or interest in it.

9. Legal Compliance. Both parties agree to comply with all applicable state, federal and local laws, rules and regulations in carrying out their respective obligations under this Agreement.

10. Entire Agreement. This Agreement represents the entire agreement between Lake Elmo and West Lakeland and supersedes and cancels any and all prior agreements or proposals, written or oral, between the parties relating to the subject matter hereof. No amendments, addenda, alterations, or modifications to the terms and conditions of this Agreement shall be effective unless in writing and signed by both parties.

IN WITNESS WHEREOF, the parties have set forth their hands on the day and year first written above.

CITY OF LAKE ELMO

By: _____
Its Mayor

Date

By: _____
Its City Administrator

Date

TOWN OF WEST LAKELAND

By: _____
Its Town Chairperson

Date

By: _____
Its Town Clerk-Treasurer

Date



MAYOR & COUNCIL COMMUNICATION

DATE: March 4, 2014

CONSENT

ITEM # 5

AGENDA ITEM: Professional Engineering Support Services Consulting Pool – Approve Updated Pool to add Landscape Architecture, Inc. in the area of Landscaping and Urban Design

SUBMITTED BY: Kyle Klatt, Community Development Director

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Jack Griffin, City Engineer

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

- Introduction of ItemCommunity Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion Mayor & City Council
- Action on Motion Mayor Facilitates

POLICY RECCOMENDER: Staff (Community Development Director and City Engineer)

FISCAL IMPACT: None – the Community Development Director intends to utilize a landscape architect/forester to perform plan reviews for subdivisions and site plans. The costs of these reviews will be a reimbursable item through development escrows.

SUMMARY AND ACTION REQUESTED: The City Council is respectfully requested to consider approving the updated Professional Engineering Support Services Consulting Pool, thereby adding Landscape Architecture, Inc. in the area of landscaping and urban design.

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

“Move to approve the updated Professional Engineering Support Services Consulting Pool, thereby adding Landscape Architecture, Inc. in the areas of landscaping and urban design.”

LEGISLATIVE HISTORY: The City Council approved the Professional Engineering Support Services Consulting Pool on March 20, 2012. The purpose of the pool is to establish a list of prequalified firms for staff to turn to for specialized engineering, architectural, landscape architectural, surveying and other support services when the need arises. The prequalification step serves to streamline the process for staff to access the available support services and to simplify the Request for Proposal (RFP) process when a specific project need is requested. It is also the practice of the City to amend the pool from time to time as needed to allow the City to add/drop consulting firms as deemed in the City's best interests. The pool has previously been updated to include AE2S to allow the city to access their specialized expertise in the areas of Water and Wastewater Systems and to add EOR in the area of surface water.

At this time the Community Development Director is recommending that Landscape Architecture, Inc. be added to the Consulting Pool so that their specialized expertise in landscaping and urban design may be made available for assisting staff with various engineering studies and design and general land use reviews. Staff will be asking the firm to provide a list of staff with resumes that would be assigned from time to time to city services and projects and to also submit a current Professional Services Schedule of Billing Rates. If approved, Landscape Architecture, Inc. would be asked to enter into a General Services Agreement in the form provided by the City.

BACKGROUND INFORMATION (SWOT):

- | | |
|----------------------|---|
| Strengths | • The addition of Landscape Architecture, Inc. to the consulting pool will provide a service that is needed on various City and development projects |
| Weaknesses | • None |
| Opportunities | • Landscape Architecture, Inc. has experience working with storm water ponds and infiltration area; this is an area that will be critical to have reviewed as part of new development plans |
| Threats | • None |

RECOMMENDATION: Staff is recommending that the City Council consider approving, *as part of the Consent Agenda*, the updated Professional Engineering Support Services Consulting Pool, thereby adding Landscape Architecture, Inc. in the areas of landscaping and urban design. If removed from the consent agenda, the recommended motion for this action is as follows:

"Move to approve the updated Professional Engineering Support Services Consulting Pool, thereby adding Landscape Architecture, Inc. in the areas of landscaping and urban design."

ATTACHMENTS:

1. Updated Professional Engineering Support Services Consulting Pool
2. Landscape Architecture, Inc. Background Information (from website)

TABLE 1

CITY OF LAKE ELMO - PROFESSIONAL ENGINEERING SUPPORT SERVICES CONSULTING POOL						
General Municipal Services	Traffic Engineering & Transportation Planning	Water System	Wastewater	Surface Water	Municipal Buildings & Facilities	Parks, Landscaping, Urban Design
Bolton & Menk Inc.	SRF Consulting	Barr Engineering Inc	Barr Engineering Inc	Emmons Olivier Resources	No Award	Landscape Architecture, Inc.
FOTH Infrastructure	Spack Consulting, Inc.	SEH	AE2S	Hydromethods		
MSA Professional Services		AE2S		Solution Blue		
STANTEC		KLM Engineering Inc.		Barr Engineering Inc		
Stevens						
TKDA						
<p><u>General Services - Specialties</u></p> <p><u>Surveying / Easements</u></p> <p>Cornerstone Land Survey</p> <p>E.G.Rud and Sons, Inc.</p> <p>Folz, Freeman and Erickson</p> <p><u>Water Tower Maintenance / Antennas</u></p> <p>KLM Engineering Inc.</p> <p><u>GIS / Mapping</u></p> <p>Flat Rock Geographics</p>						

Who We Are:

Landscape Architecture, Inc. provides full service landscape architecture consultation with specialized expertise in sustainable design solutions.

You may have seen Stephen Mastey, ASLA, LEED AP, CLARB, our firm's principal, featured on shows on the DIY network, HGTV and other local and national media networks.

What We Do:

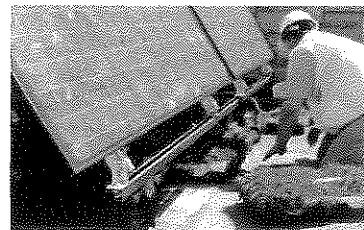
Site Planning:

- General Site Layout
- Plat & Sub-Division Submission
- General Site Plan Submission
- Conditional Use Permit Submission
- Plans for Watershed Review
- NPDES / DNR / MPCA Review
- Survey & Wetland delineation
- Rain Water Gardens
- Green Roof

Landscape Architecture:

- Commercial Development
- Planned Unit Development
- Educational Institutions
- Residential Clients
- Religious Institutions
- Government Agencies

Recent Projects:



Green Roof Project

Media:

Sweat Equity TV shows on DIY Network:

[Episode 706: Front Yard Patio](#)

[Episode 701: Ugly House Update](#)

[Episode 709: Messy to Modern Backyard](#)

856 Raymond Avenue, Suite G, St. Paul, Minnesota 55114 | 651.646.1020

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Website [Powered By Firebrand](#) | Minneapolis, MN

Our Landscaping Services

Site Planning

On any landscape site planning project, we work first to get a deep understanding of your goals and wishes. We encourage you to share your ideas, and likes; sometimes taking ideas from nature, sometimes from architecture, art or lifestyle preferences.

Once we have a clear idea, we create conceptual plans. Then begins the production phase, with creation of construction documents for a final scope of work and construction. landscape Architecture Inc., works with geotechnical engineers, civil engineers, surveyors, wetland ecologists, architects and municipal agencies to develop site plans that achieve the development goals with a special focus on limited impact on the site and surrounding ecosystems.

- General Site Layout
(curb/gutter, sidewalks, buildings, easements, landscape, grading/drainage)
- Plans for Plat & Sub-Division Submission
- Plans for General Site Plan Submission
- Plans for Conditional Use Permit Submission
- Plans for Watershed Review
- Plans for NPDES / DNR / MPCA Review
- Coordination of Survey & Wetland delineation
- Rain Water Gardens
- Green Roof

Landscape Architecture

Landscape Architecture Inc., provides landscape architectural design services to suit the needs of any project. We focus on a customer-centric approach. Your likes, needs, values and tastes dictate our path. We welcome a collaborative approach to enable you to explore the possibilities, assisted with our deep knowledge and broad experience.

Some of our project work includes:

- Commercial Development
- Planned Unit Development
- Educational Institutions

Our Team Can Help You

Our trained staff can help you accomplish your landscaping dreams.

[Contact Us Today!](#)

- Residential Clients
- Religious Institutions
- Government Agencies

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Our Portfolio

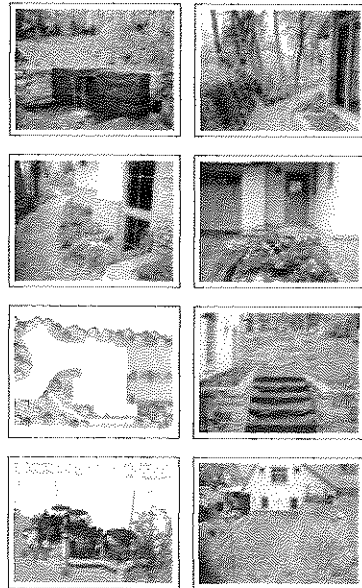
Seeing is believing. Based on that principle, we update this section constantly. Please check back often!

Most of our Landscaping designs are in St. Paul, Minneapolis, the greater Twin Cities area and Midwest region. We also work on locations throughout the US.

Some examples of our work:

- [Rain Garden -Natural Storm Water Treatment in St. Paul, MN](#)
- [Rainwater Collection For Reuse In The Landscape](#)
- [Audubon -Baytown Township, Minnesota \(PDF\)](#)
- [Bridging the Gap -Minneapolis and Saint Paul, Minnesota \(PDF\)](#)
- [COMMONBOND COMMUNITIES OFFICE HEADQUARTERS -Saint Paul, Minnesota \(PDF\)](#)
- [INFINITE CAMPUS CORPORATE HEADQUARTERS -Blaine, Minnesota \(PDF\)](#)
- [SHALLER FAMILY SHOLOM EAST CAMPUS -Saint Paul, Minnesota \(PDF\)](#)

A Few Quick Images



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About Us

Landscape Architecture, provides full-service design consultation. Located in St. Paul, MN, Landscape Architecture Inc. has already established its leadership in television shows like Sweat Equity and Curb Appeal and work that is as close to home as Minneapolis and as far away as Hollywood.

Since every project requires a different touch and benefits, from our fluid development approach, we welcome you to contact us and find out more about how we may be of service for your landscaping needs.

[Contact Us »](#)

About Stephen Mastey

Stephen is an award-winning Landscape Architect who has a wide-range of public and private sector experience. His design work demonstrates an understanding of the spaces and the people that experience them. He enjoys working at a variety of scales from intimate courtyard gardens to large multiphase development projects that allow for collaboration with various design professionals. A driving factor in all of his work is blending ecologically appropriate design solutions into a cultured landscape.

[Resumé](#) (PDF)

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MAYOR & COUNCIL COMMUNICATION

DATE: March 4, 2014
REGULAR
ITEM # 6

AGENDA ITEM: Resolution Supporting Publication Alternatives for Local Governments

SUBMITTED BY: Adam Bell, City Clerk/Assistant City Administrator

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Beckie Gumatz, Deputy Clerk

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: Staff and the League of MN Cities

FISCAL IMPACT: projected cost savings for 2013 would have been \$6,500+. 2013 budget was \$2,400. 2014 budget was \$4,200. It is extremely difficult to project.

SUMMARY AND ACTION REQUESTED:

City Council is respectfully requested to adopt Resolution 2014-14, supporting SF1152/HF1286, which would allow political subdivisions to post proceedings, official notices, and summaries on the political subdivision's Web site. The recommended motion for this action is as follows:

"Move to approve Resolution 2014-14, a resolution supporting legislation allowing cities to designate their city website to publish public notices."

LEGISLATIVE HISTORY:

Minnesota state law currently requires cities to publish certain types of information in one "qualified newspaper" designated by the city. These items are referred to as "official notices," "legal notices" and "public notices" in state statute. While the requirements vary based on a city's population, most cities must publish: meeting minutes; new ordinances; advertisements for

bids; various financial reports; meeting and hearing notices; and notices of elections and sample ballots.

In the Minnesota State Legislature this year, a bipartisan bill has been introduced in both the House and the Senate. This bill would allow cities to determine whether web publication should replace or supplement newspaper publications of public notices. The proposed resolution would support SF 1152/HF 1286. The legislation does not change the requirements of what is published or when it is published – it only changes where it can be published. Residents would be able to request paper copies of official notices be mailed to their residence if they wish.

The League of Minnesota Cities is supportive of this bill and is requesting that cities pass resolutions of support as well. The Washington County Board has also passed a resolution in support.

BACKGROUND INFORMATION (SWOT):

Strengths Publishing public notices online instead of in the newspaper would be more cost efficient. It would have saved the City \$6,500 in 2013. Budgeting for public notice publishing is near impossible. It would be comparable to budgeting for winter maintenance; it is extremely hard to predict how much it will snow. Much the same way, it is very difficult to predict how much publishing will be necessary for the coming year.

Publishing public notices online would also shorten wait times for residents by providing instant, updated and timely information. Some newspapers only publish once or twice a week, so residents need to wait in order to get information about what is going on in their city. It will be much easier to schedule public hearings and comply with notice deadlines.

Weaknesses Notices will no longer be published in the newspaper. People who only read notices in the newspaper will have to go elsewhere to obtain information. They have the option of requesting that the city mail all public notices to their residence, which would still be cheaper.

Opportunities Online publication could reach more residents. Newspapers may be seen as outdated and no longer how residents access information.

Threats Not everyone has access to the internet, but as noted, they can receive personal notices.

RECOMMENDATION:

City Council is respectfully requested to adopt Resolution 2014-14, supporting SF1152/HF1286, which would allow political subdivisions to post proceedings, official notices, and summaries on the political subdivision's Web site. The recommended motion for this action is as follows:

“Move to approve Resolution 2014-14, a resolution supporting legislation allowing cities to designate their city website to publish public notices.”

ATTACHMENTS:

1. Resolution No. 2014-14

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

RESOLUTION NO. 2014-14

**A RESOLUTION SUPPORTING LEGISLATION ALLOWING CITIES TO DESIGNATE
THEIR CITY WEBSITE TO PUBLISH PUBLIC NOTICES**

- **WHEREAS**, cities are currently required by law to publish public notices in a designated official newspaper for the city (Minn. Stat. § 331A); and
- **WHEREAS**, cities are committed to providing information to citizens and increasing access to information about city operations and business; and
- **WHEREAS**, citizens expect and demand information in an immediate format; and
- **WHEREAS**, cities have limited resources and must utilize tax dollars in the most efficient way possible; and
- **WHEREAS**, cities should have the authority to determine the best and most efficient method of communicating information to citizens based on citizen expectations; and
- **WHEREAS**, cities are continuously improving and investing in technology to reach more citizens in a timely manner; and
- **WHEREAS**, utilizing city websites to publish public notices would eliminate the time and costly burden of publishing in newspapers; and
- **WHEREAS**, city websites are increasingly the first place citizens look for information about their cities; and
- **WHEREAS**, the ability of city websites to provide citizens with up-to-date, detailed information exceeds that of print media

NOW THEREFORE BE IT RESOLVED, that the city council of the City of Lake Elmo supports HF 1286 and SF 1152, legislation now before the 2014 legislature that would allow cities to publish certain public notices on their websites instead of, or in addition to, in an official newspaper.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE FOURTH DAY OF MARCH
2014.**

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)

ATTEST:

Adam Bell
City Clerk



MAYOR & COUNCIL COMMUNICATION

DATE: March 4, 2014
REGULAR
ITEM # 7

AGENDA ITEM: Well No. 4 Connecting Watermain Improvements – Accept Bids and Award Contract

SUBMITTED BY: Jack Griffin, City Engineer

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Chad Isakson, Project Engineer
Cathy Bendel, Finance Director
Mike Bouthilet, Public Works

SUGGESTED ORDER OF BUSINESS:

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

POLICY RECOMMENDER: Engineering

FISCAL IMPACT: \$442,484.13.

Approval of this resolution commits the council to entering into a construction contract for the project. The Well No. 4 Connecting Watermain Improvement construction contract amount is \$442,484.13. The total estimated feasibility report project cost was \$617,000. With the reduced construction bid, the total estimated project cost is reduced roughly \$42,000 to \$575,000. The project is scheduled to be paid through a combination of DEED grant money, in the amount of \$260,000, water enterprise funds, in the amount of \$286,000, and special assessments in the amount of \$29,000. The city cost share, or water enterprise funds will be financed through the issuance of bonds with the bond payments paid with the collection of water availability and water connection charges.

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider accepting contractor bids as presented and award a contract for the Well No. 4 Connecting Watermain Improvements. The recommended motion for this action is as follows:

“Move to approve Resolution No. 2014-15, Accepting Bids and Awarding a Contract to Northdale Construction Company Inc., in the amount of \$442,484.13 for the Well No. 4 Connecting Watermain Improvements.”

LEGISLATIVE HISTORY/BACKGROUND INFORMATION:

Bids were received, publicly opened, and read aloud on Thursday February 20, 2014. The city engineer and design consultant has prepared and attached the Tabulation of Bids and a letter of recommendation for the award of the contract. The city received six (6) bids for this project, with Northdale Construction Company Inc., providing the lowest base bid in the amount of \$442,484.13. The Engineer's feasibility construction cost estimate for the project was \$464,000.00.

Contractor references for Northdale Construction Company Inc. were reviewed and verified. The city engineer and his consultant are therefore recommending that the Council award the contract to the lowest responsible bidder, Northdale Construction Company Inc., as outlined in the attached letter.

The City Council approved the Plans and Specifications for the Well No. 4 Connecting Watermain Improvements on January 21, 2014, and authorized staff to advertise the Project for bids. The Project was advertised on QuestCDN.com and in the Oakdale-Lake Elmo Review in accordance with the Minnesota Competitive Bidding requirements. The improvements include:

- Construction of approximately 4,400 LF of 12-inch watermain to connect Well No. 4 to the existing distribution system.
- Installation of 10 service stubs to existing properties to provide property owners the opportunity to hook up to municipal water.
- Erosion control, cleanup and site restoration.

RECOMMENDATION:

Staff is recommending that the city council approve Resolution No. 2014-15, thereby accepting bids and awarding a contract to Northdale Construction Company Inc., in the amount of \$442,484.13, for the Well No. 4 Connecting Watermain Improvements. The recommended motion for this action is as follows:

“Move to approve Resolution No. 2014-15, Accepting Bids and Awarding a Contract to Northdale Construction Company Inc. in the amount of \$442,484.13 for the Well No. 4 Connecting Watermain Improvements.”

ATTACHMENT(S):

1. Resolution No. 2014-15 Accepting Bids and Awarding a Contract.
2. Tabulation of Bids and Engineer's Letter of Award Recommendation.
3. Project Schedule.

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

RESOLUTION NO. 2014-15

**A RESOLUTION ACCEPTING BIDS AND AWARDING A CONTRACT
FOR THE WELL NO. 4 CONNECTING WATERMAIN IMPROVEMENTS**

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

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

WHEREAS, the project engineer reviewed the bids and has provided a letter recommending the award of the contract to the lowest responsible bidder, Northdale Construction Company Inc., in the amount of \$442,484.13.

NOW, THEREFORE, IT IS HEREBY RESOLVED,

1. That the Mayor and City Clerk are hereby authorized and directed to enter into a Contract in the accordance with the above ordered Project, in the amount of the Contractor's lowest responsible bid, and according to the plans and specifications thereof approved by the City Council.
2. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next two lowest bidders shall be retained until a contract has been signed.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE FOURTH DAY OF
MARCH 2014.**

CITY OF LAKE ELMO

By: _____
Mike Pearson
Mayor

(Seal)

ATTEST:

Adam Bell
City Clerk

FOCUS ENGINEERING, inc.

February 26, 2014

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

Honorable Mayor and City Council
City of Lake Elmo, Minnesota 55042

Re: Well No. 4 Connecting Watermain Improvements
City of Lake Elmo
Project No. 2013.131

Dear Mayor and City Council:

Bids for the Well No. 4 Connecting Watermain Improvements project were opened on Thursday, February 20, 2014 at 2:00 PM with the following results. A complete tabulation of bids is enclosed for your information.

Contractor	Base Bid
Northdale Construction Company	\$442,484.13
GM Contracting, Inc.	\$458,804.17
Miller Excavating, Inc.	\$529,594.25
Ellingson Drainage	\$547,786.50
C & L Excavating, Inc.	\$556,849.00
Q3 Contracting, Inc.	\$696,815.93

Recommendation

We recommend that you award the Contract to the lowest responsible bidder, Northdale Construction Company, for their base bid of \$442,484.13. Please do not hesitate to call me with any questions you may have.

Sincerely,



Chad J. Isakson, P.E.
Project Engineer

[illegible]

Performance: 1.0000