Our Mission is to Provide Quality Public Services in a Fiscally Responsible Manner in Partnership with our Community.

NOTICE OF MEETING
City Council Meeting
Tuesday, June 21, 2022 7:00 P.M.
City of Lake Elmo | 3800 Laverne Avenue North
AGENDA

A. Call to Order/Pledge of Allegiance
B. Approval of Agenda
C. Approval of Minutes
1. June 7, 2022 & June 14, 2022

D. Public Comments/Inquiries
E. Presentations
F. Consent Agenda
2. Approve Payment of Disbursements and Payroll
3. Approve 2022 Wage Adjustments
4. Approve Demontreville Outdoor Warning Siren Pole Replacement
5. Authorize Engineering Services for the 2022 Trail Improvements
6. Authorize Engineering Services for the Old Village Phase 7 Street and Utility Improvements
7. Accept Improvements and Approve Security Reduction for Inwood 5th Addition
8. Approve Well 5 MPCA Grant Amendment
9. Approve Pay Request No. 9 for Old Village Phase 5 & 6 Street and Utility Improvements
10. Approve Pay Request No. 2 for Whistling Valley Street and Utility Improvements

G. Regular Agenda
11. Public Hearing Property Tax Abatements for 2022A Bonding - *Resolution 2022-062*
12. 2022A Bonding Set Sale Resolution- *Resolution 2022-063*
13. 8012 Hill Trail North Variance Request – *Resolution 2022-064*
14. 2021 Audit Presentation
15. Zoning Text Amendment – Increased Building Setbacks in Certain Areas in the South Planning Area – *Ordinance 2022-08; Resolution 2022-065*
16. Zoning Text Amendment – Requirement for Mix of Uses in Mixed-Use Commercial and Mixed-Use Business Park Districts – *Ordinance 2022-09; Resolution 2022-066*
17. Zoning Text Amendment – Amend Article XIII Village Mixed Use District to Incorporate Two New Zoning Districts (V-MDR and V-HDR) in Compliance with the 2040 Comprehensive Plan – *Ordinance 2022-10; Resolution 2022-067*

H. Council Reports
I. Staff Reports
J. Adjourn

CITY OF LAKE ELMO
CITY COUNCIL MINUTES
JUNE 7, 2022

CALL TO ORDER/PLEDGE OF ALLEGIANCE

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

PRESENT: Mayor Charles Cadenhead and Councilmembers Katrina Beckstrom, Dale Dorschner, Jeff Holtz and Lisa McGinn.

Staff present: Administrator Handt, City Attorney Sonsalla, City Engineer Griffin, Public Works Director Powers, Planning Director Just, Fire Chief Kalis, Finance Director Magureanu, City Planner Hetzel and City Clerk Johnson

APPROVAL OF AGENDA

Councilmember Holtz, seconded by Councilmember Dorschner, moved TO APPROVE THE AGENDA AS PRESENTED. **Motion passed 5 – 0.**

ACCEPT MINUTES

Councilmember McGinn, seconded by Councilmember Dorschner, moved TO ACCEPT THE MINUTES OF THE MAY 17, 2022 CITY COUNCIL MEETING AS PRESENTED. **Motion passed 5 – 0.**

PUBLIC COMMENTS/INQUIRIES

Dave Moore, 8680 Stillwater Blvd., expressed concern over the appearance of the new city center construction site, the integrity of the footings and condition of fill on the site.

PRESENTATIONS

None

CONSENT AGENDA

2. Approve Payment of Disbursements and Payroll
3. Approve Recycling Grant Agreement
4. Approve Met Council Water Efficiency Grant Agreement
5. Approve Lake Elmo Jaycees Special Event Permit for Huff N Puff 2022
6. Approve Agreement with Clifton Larson Allen for Finance Services
7. Approve Release of Utility Warranty Security for Royal Golf Club 1st Addition

8. Accept Quotes and Award Contract for the 2022 Striping Project
9. Accept Bids and Award Contract for the Well #1 Abandonment and Pumphouse Demolition – *Resolution 2022-054*
10. Approve Change Order No. 2 for Whistling Valley Street and Utility Improvements
11. Accept Bids and Award Contract for the 2022 Trail Seal Coat Project

Councilmember Dorschner, seconded by Councilmember Holtz, moved TO APPROVE THE CONSENT AGENDA AS PRESENTED. **Motion passed 5 - 0.**

ITEM 12: Public Hearing – Final Assessment Tapestry Sewer Project & Adopt Final Assessment Roll

City Engineer Griffin presented an overview of the project, reviewed post bid estimated project costs and assessment amounts.

Councilmember Holtz, seconded by Councilmember Dorschner, moved TO OPEN THE PUBLIC HEARING. **Motion passed 5 – 0.**

No comments were received.

Councilmember Dorschner, seconded by Councilmember Beckstrom, moved TO CLOSE THE PUBLIC HEARING. **Motion passed 5 – 0.**

Councilmember Holtz, seconded by Councilmember McGinn, moved TO APPROVE RESOLUTION NO. 2022-055, ADOPTING THE FINAL ASSESSMENT ROLL FOR THE TAPESTRY SANITARY SEWER EXTENSION. **Motion passed 5 – 0.**

ITEM 13: 4622 Lilac Lane Variance

City Planner Hetzel presented the request for an impervious surface variance at 4622 Lilac Lane in conjunction with an addition to the existing single family home on the property.

Councilmember Holtz, seconded by Councilmember McGinn, moved TO APPROVE RESOLUTION 2022-056, APPROVING THE REQUEST WITH CONDITIONS FROM KYLE AND MORGAN TRAYNOR FOR A VARIANCE TO ALLOW AN IMPERVIOUS SURFACE COVERAGE OF 19% AT 4622 LILAC LANE NORTH. **Motion passed 5 – 0.**

ITEM 14: Conditional Use Permit for a Pool & Fitness Center at Royal Golf Club

Planning Director Just presented the request for a conditional use permit to allow construction of a swimming pool and fitness center at the Royal Golf Club for use by its residents.

Jim Felten, representative for the applicant, thanked the Council for considering the request and reported on the status of the project.

Councilmember McGinn, seconded by Councilmember Holtz, moved TO ADOPT RESOLUTION 2022-057, APPROVING A CONDITIONAL USE PERMIT (CUP) FOR THE CONSTRUCTION OF A SWIMMING POOL AND FITNESS CENTER WITH THE LISTED CONDITIONS BASED ON THE FINDINGS LISTED IN THE STAFF REPORT. **Motion passed 5 - 0**

ITEM 15: Resolution Calling for Public Hearing Relating to the Tax Abatement Projects for 2022 Bonding

Finance Director Magureanu presented an overview of tax abatement projects to be financed by the issuance of 2022A Bonds.

Councilmember Holtz, seconded by Councilmember Beckstrom, moved TO APPROVE RESOLUTION NO. 2022-058: A RESOLUTION CALLING PUBLIC HEARING ON THE TAX ABATEMENT. **Motion passed 5 – 0.**

ITEM 16: Comprehensive Plan Amendment for 110 Acres of City Owned Property at 34th Street & Ideal Avenue

Planning Director Just presented proposed amendments to the City's comprehensive plan to expand the MUSA Boundary and other relevant sections to allow for development of the property at 34th Street and Ideal Avenue.

Councilmember Dorschner, seconded by Councilmember Beckstrom, moved TO ADOPT A RESOLUTION APPROVING THE SUBJECT AMENDMENTS TO THE FUTURE LAND USE PLAN RE-GUIDING APPROXIMATELY 110 ACRES OF CITY-OWNED LAND LOCATED NORTH OF 34TH STREET AND EAST OF IDEAL AVENUE TO THE LAND USE DESIGNATIONS LISTED IN THE LISTED FINDINGS, BASED ON THE RECOMMENDED FINDINGS AND CONDITION OF APPROVAL. **Motion passed 5 – 0.**

Councilmember McGinn, seconded by Councilmember Dorschner, moved TO ADOPT A RESOLUTION APPROVING THE NECESSARY AMENDMENTS TO THE 2040 LAKE ELMO COMPREHENSIVE PLAN (INCLUDING THOSE TO THE LAND USE PLAN, MUSA BOUNDARIES AND WASTEWATER SERVICES PLAN) TO ADD THE APPROXIMATELY 110 ACRES OF CITY OWNED LAND LOCATED NORTH OF 34TH STREET AND EAST OF IDEAL AVENUE TO THE CITY'S SANITARY SEWER AREA AND AUTHORIZE CITY STAFF TO SUBMIT THE PROPOSED COMPREHENSIVE PLAN AMENDMENTS TO THE METROPOLITAN COUNCIL. **Motion passed 5 – 0.**

ITEM 17: Zoning Code Text Amendments: Fencing, Swimming Pools and Screening

Planning Director Just presented proposed zoning code text amendments that would provide transparency and clarity in the areas of fencing, impervious surface and required screening. Discussion was held regarding fencing and the need for the City to be able to access infrastructure for maintenance and repairs.

Councilmember Holtz, seconded by Councilmember Beckstrom, moved TO APPROVE THE AMENDMENTS TO ZONING CODE SECTION 400 FENCING REGULATIONS AS PROPOSED BY CITY STAFF WITH AN UPDATE TO THE LANGUAGE STATING "ANY CITY OWNED PHYSICAL INFRASTRUCTURE". **Motion passed 5 – 0.**

Councilmember Holtz, seconded by Councilmember Beckstrom, moved TO RECOMMEND APPROVAL OF THE AMENDMENTS TO THE BUILDING REGULATIONS CODE SECTION 160 SWIMMING POOLS GENERALLY AS PROPOSED BY CITY STAFF. **Motion passed 5 – 0.**

Councilmember Holtz, seconded by Councilmember Beckstrom, moved TO RECOMMEND APPROVAL OF THE AMENDMENTS TO ZONING CODE SECTION 040 REQUIRED SCREENING AS PROPOSED BY CITY STAFF. **Motion passed 4 – 1 (Dorschner – nay).**

Mayor Cadenhead, seconded by Councilmember Holtz, moved TO APPROVE SUMMARY PUBLICATION OF ORDINANCE 2202-05 (THE ZONING ORDINANCE AMENDMENTS) WITH APPROVAL OF RESOLUTION 2022-061. **Motion passed 5 – 0.**

COUNCIL REPORTS

Councilmember Beckstrom: Thanked Administrator Handt for her work with the Legislature on water issues.

Councilmember Dorschner: Would like Council to discuss ordinances that refer to impervious surfaces at a worksession.

Councilmember Holtz: Reported on new hangars and runway improvements at the Lake Elmo Airport.

Councilmember McGinn: Thanked Washington County for considering resident concerns regarding the timing of the traffic lights at 5th Street/Inwood.

STAFF REPORTS AND ANNOUNCEMENTS

City Clerk Johnson: Reported on upcoming election judge training.

Public Works Director Powers: Reported on crack filling in progress.

Planning Director Just: Working on a large volume of deck, driveway and fence applications.

Meeting adjourned at 9:15 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

_____
Charles Cadenhead, Mayor

_____
Julie Johnson, City Clerk

CITY OF LAKE ELMO
CITY COUNCIL WORKSHOP MINUTES
JUNE 14, 2022

CALL TO ORDER

Called the meeting to order at 6:30 pm.

PRESENT: Mayor Cadenhead, Councilmembers, Dale Dorschner and Lisa McGinn. **ABSENT:** Councilmembers Beckstrom and Holtz.

Staff present: City Administrator Handt and City Clerk Johnson.

Solid Waste Ordinance

City Clerk Johnson reviewed proposed updates to the City's solid waste ordinance and requested Council input on recycling collection frequency, days of the week for collection and bulk item pickup. Discussion was held; Max Dalton, Washington County Environmental Specialist, was available to answer questions.

Items for Future Agenda

Councilmember Dorschner requested a discussion regarding impervious surface definition. Administrator Handt noted that storm water re-use would be discussed at a future worksession.

Meeting adjourned at 6:54 p.m.

LAKE ELMO CITY COUNCIL

ATTEST:

_____
Charles Cadenhead, Mayor

_____
Julie Johnson, City Clerk

THE CITY OF
LAKE ELMO

STAFF REPORT

DATE: June 21, 2022
CONSENT

TO: Mayor and City Council
FROM: Michael Kuehn, Accountant
AGENDA ITEM: Payments and Disbursements
REVIEWED BY: Kristina Handt, City Administrator

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.

FISCAL IMPACT:

Claim #	Amount	Description
ACH	$ 94,168.28	Payroll 06/16/22 (incl Central Pension Chk 53579)
ACH	$ 300.00	Postage Meter Refill 06/08/22
53580	$ 1,793.80	DVS check - Sales Tax on 2022 Chevy Equinox
53581 - 53662	$ 2,399,384.43	Accounts Payable 06/21/22
TOTAL	**$ 2,495,646.51**	

RECOMMENDATION:

If removed from the consent agenda, the recommended motions is as follows:

"Motion to approve the aforementioned disbursements in the amount of $ 2,495,646.51 ".

ATTACHMENTS:

1. Accounts Payable – proof lists (AP 062122)

Accounts Payable

To Be Paid Proof List

User: Michael Kuehn
Printed: 06/15/2022 - 3:34PM
Batch: 60223.06.2022 - AP 062122

THE CITY OF LAKE ELMO

Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
A-1EXCAV A-1 Excavating Inc									
*** **2019.116 Req 9**	6/1/2022	369,420.22	0.00	06/21/2022				No	0
431-480-8089-43150 Contract Services				OV 5&6 St, Drng & Util Imp - 2019.116 Req 9					
*** **2019.116 Req 9**	6/1/2022	125,140.03	0.00	06/21/2022				No	0
601-494-8089-43150 Contract Services				OV 5&6 St, Drng & Util Imp - 2019.116 Req 9					
*** **2019.116 Req 9**	6/1/2022	362,563.24	0.00	06/21/2022				No	0
602-495-8089-43150 Contract Services				OV 5&6 St, Drng & Util Imp - 2019.116 Req 9					
2019.116 Req 9 Total:		857,123.49							
A-1EXCAV Total:		857,123.49							
ADAMSPAU Adams, Paula									
*** **20220615**	6/15/2022	6,932.64	0.00	06/21/2022				No	0
601-480-8101-44300 Miscellaneous				Capra's Utilities					
*** **20220615**	6/15/2022	2,050.00	0.00	06/21/2022				No	0
601-480-8101-44300 Miscellaneous				Mantyla Well Sealing					
20220615 Total:		8,982.64							
ADAMSPAU Total:		8,982.64							
ADVGRA Advanced Graphix Inc									
209334	6/9/2022	205.00	0.00	06/21/2022				No	0
410-420-2400-45500 Vehicles				Graphics for 2022 Chevy Equinox					
209334 Total:		205.00							

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
ADVGRA Total:		205.00							
AMAZON Amazon Capital Services									
17PV-4J7Q-CG7R	6/14/2022	60.89	0.00	06/21/2022				No	0
101-450-5200-44300 Miscellaneous				Pebble Park Reservatn Cabinet					
17PV-4J7Q-CG7R Total:		60.89							
1D9J-V4PL-LHYN	5/31/2022	22.58	0.00	06/21/2022				No	0
101-450-5200-42400 Small Tools & Minor Equipm				Bump Head for weed whip					
1D9J-V4PL-LHYN Total:		22.58							
AMAZON Total:		83.47							
AMRENG American Engineering Testing Inc									
INV-071814	5/31/2022	2,166.50	0.00	06/21/2022				No	0
601-480-8104-43030 Engineering Services				Whistling Valley St & Util Imp 2020.123					
INV-071814 Total:		2,166.50							
AMRENG Total:		2,166.50							
ANDERSMD Anderson, Michael & Debra									
*** **20220614**	6/14/2022	7,432.64	0.00	06/21/2022				No	0
601-480-8101-44300 Miscellaneous				Capra's Utilities					
*** **20220614**	6/14/2022	2,580.00	0.00	06/21/2022				No	0
601-480-8101-44300 Miscellaneous				Mantyla Well Sealing					
20220614 Total:		10,012.64							
ANDERSMD Total:		10,012.64							
ANDERSTS Anderson, Thomas & Susanna									
*** **20220607**	6/8/2022	6,782.64	0.00	06/21/2022				No	0
601-480-8097-44300 Miscellaneous				Capra's Utilities					
*** **20220607**	6/8/2022	3,616.00	0.00	06/21/2022				No	0
601-480-8097-44300 Miscellaneous				McCullough & Sons well sealing					

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
20220607 Total:		10,398.64							
ANDERSTS Total:		10,398.64							
ASPENM Aspen Mills									
294294	5/19/2022	26.85	0.00	06/21/2022				No	0
101-420-2220-44170 Uniforms				Nametags JG					
294294 Total:		26.85							
294295	5/19/2022	26.85	0.00	06/21/2022				No	0
101-420-2220-44170 Uniforms				Nametags DK					
294295 Total:		26.85							
294301	5/19/2022	26.85	0.00	06/21/2022				No	0
101-420-2220-44170 Uniforms				Nametags PH					
294301 Total:		26.85							
ASPENM Total:		80.55							
BECKDANI Beck, Daniel									
20220613 Plng	6/13/2022	55.00	0.00	06/21/2022				No	0
101-410-1450-43152 Cable Operations				Cable Operator Timesheet					
20220613 Plng Total:		55.00							
20220614 Wkshp	6/14/2022	55.00	0.00	06/21/2022				No	0
101-410-1450-43152 Cable Operations				Cable Operator Timesheet					
20220614 Wkshp Total:		55.00							
BECKDANI Total:		110.00							
BEEHIVE Beehive Industries LLC									
*** **2507**	6/3/2022	4,088.25	0.00	06/21/2022				No	0
601-494-9400-43190 Software Support				Annual License Renewal thru June 2023					
*** **2507**	6/3/2022	4,088.25	0.00	06/21/2022				No	0

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label / Type / Reference	PO #	Close PO	Line #
602-495-9450-43190 Software Support				Annual License Renewal thru June 2023				
*** **2507**	6/3/2022	4,088.25	0.00	06/21/2022			No	0
603-496-9500-43190 Software Support				Annual License Renewal thru June 2023				
*** **2507**	6/3/2022	4,088.25	0.00	06/21/2022			No	0
101-430-3100-43190 Software Programs				Annual License Renewal thru June 2023				
2507 Total:		16,353.00						
BEEHIVE Total:		16,353.00						
BLKROC Black Rock Property Maintenance LLC								
*** **5393**	6/13/2022	712.20	0.00	06/21/2022			No	0
101-430-3100-43150 Contract Services				Wkly lawn mowing 5/30, 6/6				
*** **5393**	6/13/2022	3,798.40	0.00	06/21/2022			No	0
101-450-5200-43150 Contracted Services				Wkly lawn mowing 5/30, 6/6				
*** **5393**	6/13/2022	47.48	0.00	06/21/2022			No	0
601-494-9400-43150 Contract Services				Wkly lawn mowing 5/30, 6/6				
*** **5393**	6/13/2022	189.92	0.00	06/21/2022			No	0
602-495-9450-43150 Contract Services				Wkly lawn mowing 5/30, 6/6				
5393 Total:		4,748.00						
BLKROC Total:		4,748.00						
BLUECROS BlueCross BlueShield Minnesota								
220601280087	5/1/2022	65.22	0.00	06/21/2022			No	0
101-000-0000-21706 Medical Insurance				Monthly Vision Insurance Premium				
220601280087 Total:		65.22						
BLUECROS Total:		65.22						
BRASSWV Brass, William & Valerie								
20220607 EscRel	6/7/2022	881.50	0.00	06/21/2022			No	0
803-000-0000-22910 Developer Payments				Escrow Release for 8930 Jane Rd N Variance				
20220607 EscRel Total:		881.50						

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
BRASSWV Total:		881.50							
BRYROC Bryan Rock Products									
53273	5/31/2022	781.05	0.00	06/21/2022				No	0
101-450-5200-42210 Repair/Maint. Supplies				Redball lime - Reid ball field					
53273 Total:		781.05							
BRYROC Total:		781.05							
CENPOW Century Power Equipment									
853964	6/1/2022	13.99	0.00	06/21/2022				No	0
101-450-5200-42210 Repair/Maint. Supplies				Weed whip line					
853964 Total:		13.99							
854844	6/9/2022	129.96	0.00	06/21/2022				No	0
101-450-5200-42210 Repair/Maint. Supplies				Chain saw chaings					
854844 Total:		129.96							
855108	6/13/2022	6.63	0.00	06/21/2022				No	0
101-450-5200-42210 Repair/Maint. Supplies				Chain saw repair					
855108 Total:		6.63							
CENPOW Total:		150.58							
CINTAS Cintas									
4120169197	5/23/2022	157.83	0.00	06/21/2022				No	0
101-410-1940-44010 Repairs/Maint Contractual B				Cleaning & Maint Supplies City Hall					
4120169197 Total:		157.83							
*** **4121050592**	6/1/2022	18.71	0.00	06/21/2022				No	0
601-494-9400-44170 Uniforms				Uniforms					
*** **4121050592**	6/1/2022	4.32	0.00	06/21/2022				No	0
603-496-9500-44170 Uniforms				Uniforms					
*** **4121050592**	6/1/2022	10.71	0.00	06/21/2022				No	0

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Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Task Label	Type	PO #	Close PO	Line #
Account Number				Description		Reference			
602-495-9450-44170 Uniforms				Uniforms					
*** **4121050592**	6/1/2022	20.47	0.00	06/21/2022				No	0
101-450-5200-44170 Uniforms				Uniforms					
*** **4121050592**	6/1/2022	105.69	0.00	06/21/2022				No	0
101-430-3100-44170 Uniforms				Uniforms					
*** **4121050592**	6/1/2022	156.68	0.00	06/21/2022				No	0
101-430-3100-42150 Operating Supplies				Rugs/Soap/Rags					
4121050592 Total:		316.58							
4121519950	6/6/2022	207.39	0.00	06/21/2022				No	0
101-410-1940-44010 Repairs/Maint Contractual B				Cleaning & Maint Supplies City Hall					
4121519950 Total:		207.39							
*** **4121850019**	6/8/2022	15.67	0.00	06/21/2022				No	0
601-494-9400-44170 Uniforms				Uniforms					
*** **4121850019**	6/8/2022	3.61	0.00	06/21/2022				No	0
603-496-9500-44170 Uniforms				Uniforms					
*** **4121850019**	6/8/2022	8.98	0.00	06/21/2022				No	0
602-495-9450-44170 Uniforms				Uniforms					
*** **4121850019**	6/8/2022	17.15	0.00	06/21/2022				No	0
101-450-5200-44170 Uniforms				Uniforms					
*** **4121850019**	6/8/2022	88.55	0.00	06/21/2022				No	0
101-430-3100-44170 Uniforms				Uniforms					
*** **4121850019**	6/8/2022	135.50	0.00	06/21/2022				No	0
101-430-3100-42150 Operating Supplies				Rugs/Soap/Rags					
4121850019 Total:		269.46							
*** **4122490915**	6/15/2022	15.49	0.00	06/21/2022				No	0
601-494-9400-44170 Uniforms				Uniforms					
*** **4122490915**	6/15/2022	3.58	0.00	06/21/2022				No	0
603-496-9500-44170 Uniforms				Uniforms					
*** **4122490915**	6/15/2022	8.87	0.00	06/21/2022				No	0
602-495-9450-44170 Uniforms				Uniforms					
*** **4122490915**	6/15/2022	16.94	0.00	06/21/2022				No	0
101-450-5200-44170 Uniforms				Uniforms					
*** **4122490915**	6/15/2022	87.50	0.00	06/21/2022				No	0
101-430-3100-44170 Uniforms				Uniforms					

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Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Task Label	Type	PO #	Close PO	Line #
Account Number				Description		Reference			
*** **4122490915**	6/15/2022	223.85	0.00	06/21/2022				No	0
101-430-3100-42150 Operating Supplies				Rugs/Soap/Rags					
4122490915 Total:		356.23							
CINTAS Total:		1,307.49							
CLIFTON CliftonLarsonAllen LLP									
*** **3314653**	6/14/2022	1,135.05	0.00	06/21/2022				No	0
101-410-1520-43150 Contract Services				Finance Support					
*** **3314653**	6/14/2022	141.88	0.00	06/21/2022				No	0
601-494-9400-43150 Contract Services				Finance Support					
*** **3314653**	6/14/2022	141.88	0.00	06/21/2022				No	0
602-495-9450-43150 Contract Services				Finance Support					
3314653 Total:		1,418.81							
CLIFTON Total:		1,418.81							
COMCAST Comcast									
20220527	5/27/2022	28.21	0.00	06/21/2022				No	0
101-420-2220-43185 IT Support				LE Fire Dept Acct 8772 10 535 0008914					
20220527 Total:		28.21							
COMCAST Total:		28.21							
COMPAC Companion Animal Control									
*** **20220531**	5/31/2022	500.00	0.00	06/21/2022				No	0
101-420-2700-43150 Contract Services				Monthly Animal Control Svcs					
*** **20220531**	5/31/2022	387.16	0.00	06/21/2022				No	0
101-420-2700-43150 Contract Services				Call Response/Impoundment					
20220531 Total:		887.16							
COMPAC Total:		887.16							
CTYROS City of Roseville									

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
0230947	5/25/2022	93.00	0.00	06/21/2022				No	0
101-410-1910-43190 Software Programs				Adobe Acrobat - Ben Hetzel 10/1/22-12/31/23					
0230947 Total:		93.00							
*** **0230982**	6/1/2022	110.13	0.00	06/21/2022				No	0
101-410-1940-43185 IT Support				Monthly IT Support					
*** **0230982**	6/1/2022	176.06	0.00	06/21/2022				No	0
603-496-9500-43185 IT Support				Monthly IT Support					
*** **0230982**	6/1/2022	1,618.15	0.00	06/21/2022				No	0
101-420-2220-43185 IT Support				Monthly IT Support					
*** **0230982**	6/1/2022	325.69	0.00	06/21/2022				No	0
602-495-9450-43185 IT Support				Monthly IT Support					
*** **0230982**	6/1/2022	1,438.28	0.00	06/21/2022				No	0
101-430-3100-43185 IT Support				Monthly IT Support					
*** **0230982**	6/1/2022	763.89	0.00	06/21/2022				No	0
601-494-9400-43185 IT Support				Monthly IT Support					
*** **0230982**	6/1/2022	438.53	0.00	06/21/2022				No	0
101-410-1320-43185 IT Support				Monthly IT Support					
*** **0230982**	6/1/2022	110.13	0.00	06/21/2022				No	0
101-410-1110-43185 IT Support				Monthly IT Support					
*** **0230982**	6/1/2022	238.21	0.00	06/21/2022				No	0
101-450-5200-43185 IT Support				Monthly IT Support					
*** **0230982**	6/1/2022	188.86	0.00	06/21/2022				No	0
101-410-1520-43185 IT Support				Monthly IT Support					
*** **0230982**	6/1/2022	94.53	0.00	06/21/2022				No	0
101-410-1450-43185 IT Support				Monthly IT Support					
*** **0230982**	6/1/2022	440.89	0.00	06/21/2022				No	0
101-410-1910-43185 IT Support				Monthly IT Support					
*** **0230982**	6/1/2022	1,114.82	0.00	06/21/2022				No	0
101-420-2400-43185 IT Support				Monthly IT Support					
0230982 Total:		7,058.17							
CTYROS Total:		7,151.17							
CULGAN Culligan of Stillwater									
306X02298907	5/31/2022	65.90	0.00	06/21/2022				No	0
101-410-1940-44300 Miscellaneous				Monthly Water/Cooler					

*** means this invoice number is a duplicate.

Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
306X02298907 Total:		65.90							
CULGAN Total:		65.90							
DANNALOU Danna, Louis									
*** 20220614	6/14/2022	7,007.64	0.00	06/21/2022				No	0
601-480-8097-44300 Miscellaneous				Capra's Utilities					
*** 20220614	6/14/2022	2,375.00	0.00	06/21/2022				No	0
601-480-8097-44300 Miscellaneous				Mantyla Well Sealing					
20220614 Total:		9,382.64							
DANNALOU Total:		9,382.64							
EARLFAND Earl F Andersen Inc									
0129732-IN	5/31/2022	1,208.80	0.00	06/21/2022				No	0
101-430-3100-42260 Street Signs				Street Signs					
0129732-IN Total:		1,208.80							
EARLFAND Total:		1,208.80							
ECMPUB ECM Publishers, Inc									
891070	5/6/2022	221.20	0.00	06/21/2022				No	0
601-480-8060-43510 Legal Publishing				Well #1 Abandonment & Pumphouse					
891070 Total:		221.20							
892201	5/13/2022	110.60	0.00	06/21/2022				No	0
101-410-1910-43510 Legal Publishing				Planning Comm					
892201 Total:		110.60							
892202	5/13/2022	94.80	0.00	06/21/2022				No	0
101-410-1910-43510 Legal Publishing				Zoning Amendments					
892202 Total:		94.80							
893284	5/20/2022	158.00	0.00	06/21/2022				No	0

*** means this invoice number is a duplicate.

Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
602-480-8100-43510 Legal Notices Publishing				Tapestry Sanitary Sewer					
893284 Total:		158.00							
895741	6/3/2022	126.40	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				1567 Ivory Ave - Woodhouse/LeCuyer Variance					
895741 Total:		126.40							
ECMPUB Total:		711.00							
ELAMMERS Eckberg Lammers									
05 2022	5/31/2022	4,010.47	0.00	06/21/2022				No	0
101-420-2150-43045 Attorney Criminal				Pro Svcs - May					
05 2022 Total:		4,010.47							
ELAMMERS Total:		4,010.47							
EMRAPP Emergency Apparatus Maint Inc									
122854	5/23/2022	1,516.84	0.00	06/21/2022				No	0
101-420-2220-44040 Repairs/Maint Eqpt				Engine 1 - Annual Pump Test & Maintenance					
122854 Total:		1,516.84							
122855	5/23/2022	415.01	0.00	06/21/2022				No	0
101-420-2220-44040 Repairs/Maint Eqpt				Brush 1 - Annual Pump Test & Maintenance					
122855 Total:		415.01							
122856	5/23/2022	493.30	0.00	06/21/2022				No	0
101-420-2220-44040 Repairs/Maint Eqpt				UTV 1 - Annual Pump Test & Maintenance					
122856 Total:		493.30							
122857	5/23/2022	3,530.75	0.00	06/21/2022				No	0
101-420-2220-44040 Repairs/Maint Eqpt				Ladder 1 - Annual Pump Test & Maintenance					
122857 Total:		3,530.75							
122858	5/23/2022	1,818.77	0.00	06/21/2022				No	0

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
101-420-2220-44040 Repairs/Maint Eqpt				Rescue 1 - Annual Pump Test & Maintenance					
122858 Total:		1,818.77							
122859	5/23/2022	1,542.85	0.00	06/21/2022				No	0
101-420-2220-44040 Repairs/Maint Eqpt				Tender 1 - Annual Pump Test & Maintenance					
122859 Total:		1,542.85							
122860	5/23/2022	414.51	0.00	06/21/2022				No	0
101-420-2220-44040 Repairs/Maint Eqpt				Brush 2 - Annual Maintenance					
122860 Total:		414.51							
122861	5/23/2022	1,891.30	0.00	06/21/2022				No	0
101-420-2220-44040 Repairs/Maint Eqpt				Tender 2 - Annual Pump Test & Maintenance					
122861 Total:		1,891.30							
123641	5/25/2022	3,148.11	0.00	06/21/2022				No	0
101-420-2220-44040 Repairs/Maint Eqpt				Tender 2 - Rear Brake Repair					
123641 Total:		3,148.11							
EMRAPP Total:		14,771.44							
FOCUS Focus Engineering Inc									
9038	5/28/2022	2,500.00	0.00	06/21/2022				No	0
101-410-1930-43030 Engineering Services				General Engineering Retainer					
9038 Total:		2,500.00							
*** 9039	5/28/2022	552.50	0.00	06/21/2022				No	0
101-410-1910-43030 Engineering Services				General Engineering - Planning					
*** 9039	5/28/2022	81.25	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				1567 Ivory					
*** 9039	5/28/2022	48.75	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				Animal Inn					
*** 9039	5/28/2022	162.50	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				NNG Grading Permit					

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Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Task Label	Type	PO #	Close PO	Line #
Account Number				Description		Reference			
9039 Total:		845.00							
9040	5/28/2022	292.50	0.00	06/21/2022				No	0
101-430-3100-43030 Engineering Services				General Engineering - Public Works					
9040 Total:		292.50							
9041	5/28/2022	340.50	0.00	06/21/2022				No	0
101-430-3100-43030 Engineering Services				General Engineering - ROW					
9041 Total:		340.50							
*** 9042	5/28/2022	625.00	0.00	06/21/2022				No	0
601-494-9400-43030 Engineering Services				General Engineering - Water					
*** 9042	5/28/2022	48.50	0.00	06/21/2022				No	0
602-495-9450-43030 Engineering Services				General Engineering - Sewer					
*** 9042	5/28/2022	689.00	0.00	06/21/2022				No	0
603-496-9500-43030 Engineering Services				General Engineering - Stormwater					
9042 Total:		1,362.50							
9043	5/28/2022	6,886.71	0.00	06/21/2022				No	0
431-480-8089-43030 Engineering Costs				Old Village Phase 5 and 6					
9043 Total:		6,886.71							
9044	5/28/2022	271.00	0.00	06/21/2022				No	0
601-480-8090-43030 Engineering Services				Stonegate Addn Steet and Utility Improvements					
9044 Total:		271.00							
9045	5/28/2022	2,243.96	0.00	06/21/2022				No	0
434-480-8094-45805 Other Project Costs				Heritage Farms Street and Utility Improvements					
9045 Total:		2,243.96							
9046	5/28/2022	292.50	0.00	06/21/2022				No	0
430-480-8091-43030 Engineering Services				Village Parkway UPRR Crossing Improvements					
9046 Total:		292.50							
9047	5/28/2022	522.75	0.00	06/21/2022				No	0

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Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Task Label	Type	PO #	Close PO	Line #
Account Number				Description		Reference			
601-480-8097-43030 Engineering Services				Hamlet on Sunfish Lake Street and Utility Improvements					
9047 Total:		522.75							
9048	5/28/2022	380.25	0.00	06/21/2022				No	0
601-480-8099-43030 Engineering Services				Water Tower #3					
9048 Total:		380.25							
9049	5/28/2022	2,253.75	0.00	06/21/2022				No	0
602-480-8100-43030 Engineering Services				Tapestry Sanitary Sewer Extension					
9049 Total:		2,253.75							
9050	5/28/2022	4,210.02	0.00	06/21/2022				No	0
601-480-8101-43030 Engineering Services				38th St & 39th St & Innsdale Ave Street & Utility Improven					
9050 Total:		4,210.02							
9051	5/28/2022	6,349.08	0.00	06/21/2022				No	0
601-480-8102-43030 Engineering Services				Parkview Estates-Cardinal Ridge Street & Utility Improvme					
9051 Total:		6,349.08							
9052	5/28/2022	5,517.15	0.00	06/21/2022				No	0
601-480-8103-43030 Engineering Services				Torre Pines Street & Utility Improvments					
9052 Total:		5,517.15							
9053	5/28/2022	30,276.35	0.00	06/21/2022				No	0
601-480-8104-43030 Engineering Services				Whistling Valley Street & Utility Improvements					
9053 Total:		30,276.35							
9054	5/28/2022	234.00	0.00	06/21/2022				No	0
436-480-8106-43030 Engineering Services				Tamarack Farm Estates					
9054 Total:		234.00							
9055	5/28/2022	1,397.50	0.00	06/21/2022				No	0
438-480-8109-43030 Engineering Services				CSAH 15 and 30th Street Improvements					

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Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Task Label	Type	PO #	Close PO	Line #
Account Number				Description		Reference			
9055 Total:		1,397.50							
9056	5/28/2022	1,362.51	0.00	06/21/2022				No	0
252-480-8110-43030 Engineering Services				Section 16 Infrastructure Improvements					
9056 Total:		1,362.51							
9057	5/28/2022	1,119.51	0.00	06/21/2022				No	0
601-480-8113-43030 Engineering Services				Water Tower #3 Trunk Watermain Extension					
9057 Total:		1,119.51							
9058	5/28/2022	583.25	0.00	06/21/2022				No	0
441-480-8114-43030 Engineering Services				2022 Street & Utility Improvements					
9058 Total:		583.25							
9059	5/28/2022	1,625.00	0.00	06/21/2022				No	0
101-430-3100-43090 Sealcoating & Crack Sealing				2022 Street Maintenance Project					
9059 Total:		1,625.00							
9060	5/28/2022	332.25	0.00	06/21/2022				No	0
601-480-8060-43030 Engineering Fees				Well #1 Abandonment & Pumphouse Demo					
9060 Total:		332.25							
9061	5/28/2022	585.00	0.00	06/21/2022				No	0
404-480-8117-43150 Contract Services				2022 Trail Improvments					
9061 Total:		585.00							
9062	5/28/2022	357.50	0.00	06/21/2022				No	0
601-480-8118-43030 Engineering Services				Production Well #6					
9062 Total:		357.50							
9063	5/28/2022	357.50	0.00	06/21/2022				No	0
442-480-8116-43030 Engineering Services				OV Phase 7 Street & Util Improvements					
9063 Total:		357.50							

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
9064 803-000-0000-22910 Developer Payments	5/28/2022	753.50	0.00	06/21/2022 Northport 1ST				No	0
9064 Total:		753.50							
9065 803-000-0000-22910 Developer Payments	5/28/2022	195.00	0.00	06/21/2022 Royal Golf Club 1ST				No	0
9065 Total:		195.00							
9066 803-000-0000-22910 Developer Payments	5/28/2022	862.68	0.00	06/21/2022 Hidden Meadows 2ND				No	0
9066 Total:		862.68							
9067 803-000-0000-22910 Developer Payments	5/28/2022	1,200.52	0.00	06/21/2022 Springs at Lake Elmo - Continenatal Properties				No	0
9067 Total:		1,200.52							
9068 803-000-0000-22910 Developer Payments	5/28/2022	1,323.15	0.00	06/21/2022 Hammes Estates 3RD				No	0
9068 Total:		1,323.15							
9069 803-000-0000-22910 Developer Payments	5/28/2022	146.00	0.00	06/21/2022 Boulder Ponds 3RD				No	0
9069 Total:		146.00							
9070 803-000-0000-22910 Developer Payments	5/28/2022	208.00	0.00	06/21/2022 Northport 2ND				No	0
9070 Total:		208.00							
9071 803-000-0000-22910 Developer Payments	5/28/2022	10,228.61	0.00	06/21/2022 Royal Golf Club 3RD				No	0
9071 Total:		10,228.61							
9072 803-000-0000-22910 Developer Payments	5/28/2022	32.50	0.00	06/21/2022 Easton Village 5TH				No	0

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Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Task Label	Type	PO #	Close PO	Line #
Account Number				Description		Reference			
9072 Total:		32.50							
9073	5/28/2022	325.00	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				Carmelites Chapel					
9073 Total:		325.00							
9074	5/28/2022	162.50	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				Applewood Pointe (United Properties)					
9074 Total:		162.50							
9075	5/28/2022	52.00	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				Legacy at North Star 3RD					
9075 Total:		52.00							
9076	5/28/2022	910.00	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				Schiltgen Farm - 10880 Stillwater Blvd					
9076 Total:		910.00							
9077	5/28/2022	32.50	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				Legacy at North Star 4TH					
9077 Total:		32.50							
9078	5/28/2022	11,199.25	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				Launch Crossroads					
9078 Total:		11,199.25							
9079	5/28/2022	3,212.50	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				Wildflower 4TH					
9079 Total:		3,212.50							
9080	5/28/2022	647.00	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				Union Park 2ND					
9080 Total:		647.00							

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
9081	5/28/2022	113.50	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				Union Park West					
9081 Total:		113.50							
9082	5/28/2022	32.50	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				Easton Village 6TH					
9082 Total:		32.50							
9083	5/28/2022	162.50	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				Easton Village 7TH					
9083 Total:		162.50							
9084	5/28/2022	48.50	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				Royal Golf Club 5th					
9084 Total:		48.50							
9085	5/28/2022	1,397.50	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				9450 Hudson Blvd Apts PUD					
9085 Total:		1,397.50							
FOCUS Total:		105,743.25 ✓							
GBIHOMES GBI Homes Inc									
2021-00613	6/8/2022	5,000.00	0.00	06/21/2022				No	0
803-000-0000-22900 Deposits Payable				Escrow Release - 11992 32nd St N - 2021-00613					
2021-00613 Total:		5,000.00							
GBIHOMES Total:		5,000.00 ✓							
GOPONE Gopher State One Call									
*** **2050517**	5/31/2022	359.10	0.00	06/21/2022				No	0
601-494-9400-43150 Contract Services				FTP Tickets					
*** **2050517**	5/31/2022	359.10	0.00	06/21/2022				No	0
603-496-9500-43150 Contract Services				FTP Tickets					

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
*** 2050517	5/31/2022	359.10	0.00	06/21/2022				No	0
602-495-9450-43150 Contract Services				FTP Tickets					
2050517 Total:		1,077.30							
GOPONE Total:		1,077.30							
GORHAM Gorham Communities									
2019-00407	6/8/2022	2,000.00	0.00	06/21/2022				No	0
803-000-0000-22900 Deposits Payable				Escrow Release - 11286 Latrobe Ln N - 2019-00407					
2019-00407 Total:		2,000.00							
2019-00751	6/8/2022	2,000.00	0.00	06/21/2022				No	0
803-000-0000-22900 Deposits Payable				Escrow Release - 11278 Latrobe Ln N - 2019-00751					
2019-00751 Total:		2,000.00							
2020-01275	6/8/2022	2,000.00	0.00	06/21/2022				No	0
803-000-0000-22900 Deposits Payable				Escrow Release - 11310 Latrobe Ln N - 2020-01275					
2020-01275 Total:		2,000.00							
2021-00745	6/8/2022	5,000.00	0.00	06/21/2022				No	0
803-000-0000-22900 Deposits Payable				Escrow Release - 11266 Latrobe Ln N - 2021-00745					
2021-00745 Total:		5,000.00							
GORHAM Total:		11,000.00							
HACHCO HACH Company									
13073743	6/2/2022	56.78	0.00	06/21/2022				No	0
601-494-9400-42160 Chemicals				Sampling Supplies					
13073743 Total:		56.78							
HACHCO Total:		56.78							
HARDDRIV MN Paving & Materials									
1707566	5/18/2022	142.12	0.00	06/21/2022				No	0

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
101-430-3100-42240 Str. Maint/Landscape Materi				Pothole mix					
1707566 Total:		142.12							
1708125	5/19/2022	204.00	0.00	06/21/2022				No	0
101-430-3100-42240 Str. Maint/Landscape Materi				Pothole mix					
1708125 Total:		204.00							
1708992	5/24/2022	272.00	0.00	06/21/2022				No	0
101-430-3100-42240 Str. Maint/Landscape Materi				Pothole mix					
1708992 Total:		272.00							
1709402	5/23/2022	286.28	0.00	06/21/2022				No	0
101-430-3100-42240 Str. Maint/Landscape Materi				Pothole mix					
1709402 Total:		286.28							
1709912	5/26/2022	137.36	0.00	06/21/2022				No	0
101-430-3100-42240 Str. Maint/Landscape Materi				Pothole mix					
1709912 Total:		137.36							
HARDDRIV Total:		1,041.76							
HAWKINS Hawkins Inc									
6184646	5/15/2022	130.00	0.00	06/21/2022				No	0
601-494-9400-42160 Chemicals				Chemicals					
6184646 Total:		130.00							
HAWKINS Total:		130.00							
HLDYCC Wex Bank									
80764468	5/7/2022	1,506.58	0.00	06/21/2022				No	0
101-420-2220-42120 Fuel, Oil and Fluids				Fuel					
80764468 Total:		1,506.58							
81387283	6/7/2022	1,600.11	0.00	06/21/2022				No	0

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Invoice Number / Account Number		Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
101-420-2220-42120 Fuel, Oil and Fluids					Fuel					
	81387283 Total:		1,600.11							
	HLDYCC Total:		3,106.69							
HOTSY	Hotsy Minnesota									
13508		6/1/2022	574.08	0.00	06/21/2022				No	0
101-430-3100-44040 Repairs/Maint Eqpt					Services					
	13508 Total:		574.08							
	HOTSY Total:		574.08							
HULSERKA	Huls, Kathryn									
*** **20220614**		6/14/2022	8,337.64	0.00	06/21/2022				No	0
601-480-8101-44300 Miscellaneous					Capra's Utilities					
*** **20220614**		6/14/2022	3,867.65	0.00	06/21/2022				No	0
601-480-8101-44300 Miscellaneous					Mantyla Well Sealing					
	20220614 Total:		12,205.29							
	HULSERKA Total:		12,205.29							
INHLTH	Industrial Health Svcs Network									
128722		5/31/2022	45.90	0.00	06/21/2022				No	0
101-430-3100-44300 Miscellaneous					Screen & MRO Svcs					
	128722 Total:		45.90							
	INHLTH Total:		45.90							
INNOVAT	Innovative Office Solutions LLC									
IN3511174		10/6/2021	22.71	0.00	06/21/2022				No	0
101-410-1910-42000 Office Supplies					Supplies					
	IN3511174 Total:		22.71							
IN3780037		5/6/2022	70.98	0.00	06/21/2022				No	0

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
101-450-5200-42000 Office Supplies				Supplies					
IN3780037 Total:		70.98							
*** **IN3780361**	5/6/2022	41.49	0.00	06/21/2022				No	0
101-410-1320-42000 Office Supplies				Supplies					
*** **IN3780361**	5/6/2022	41.49	0.00	06/21/2022				No	0
101-450-5200-42000 Office Supplies				Supplies					
IN3780361 Total:		82.98							
IN3789054	5/13/2022	9.13	0.00	06/21/2022				No	0
101-450-5200-42000 Office Supplies				Supplies					
IN3789054 Total:		9.13							
*** **IN3796159**	5/19/2022	41.49	0.00	06/21/2022				No	0
101-410-1320-42000 Office Supplies				Supplies					
*** **IN3796159**	5/19/2022	41.49	0.00	06/21/2022				No	0
101-420-2400-42000 Office Supplies				Supplies					
IN3796159 Total:		82.98							
INNOVAT Total:		268.78							
IUOEDU IUOE Local 49									
20220701	7/1/2022	315.00	0.00	06/21/2022				No	0
101-000-0000-21712 Union Dues				Monthly Local 49 Union Dues					
20220701 Total:		315.00							
IUOEDU Total:		315.00							
JACONLLC Jacon LLC									
2020.123 Req 2	5/31/2022	654,156.40	0.00	06/21/2022				No	0
601-480-8104-43030 Engineering Services				Whistling Valley St & Util Imp 2020.123 Req 2					
2020.123 Req 2 Total:		654,156.40							

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
JACONLLC Total:		654,156.40							
JANIKING Jani-King of Minnesota Inc									
*** **MIN06220002**	6/1/2022	71.27	0.00	06/21/2022				No	0
101-430-3100-43150 Contract Services				Cleaning Services					
*** **MIN06220002**	6/1/2022	47.51	0.00	06/21/2022				No	0
101-450-5200-43150 Contracted Services				Cleaning Services					
*** **MIN06220002**	6/1/2022	47.51	0.00	06/21/2022				No	0
602-495-9450-43150 Contract Services				Cleaning Services					
*** **MIN06220002**	6/1/2022	47.51	0.00	06/21/2022				No	0
601-494-9400-43150 Contract Services				Cleaning Services					
*** **MIN06220002**	6/1/2022	23.76	0.00	06/21/2022				No	0
603-496-9500-43150 Contract Services				Cleaning Services					
MIN06220002 Total:		237.56							
JANIKING Total:		237.56							
KATH Kath Fuel Oil Service Co									
*** **745980**	6/9/2022	575.00	0.00	06/21/2022				No	0
101-450-5200-42120 Fuel, Oil and Fluids				Gas/Fuel					
*** **745980**	6/9/2022	575.00	0.00	06/21/2022				No	0
601-494-9400-42120 Fuel, Oil, and Fluids				Gas/Fuel					
*** **745980**	6/9/2022	75.30	0.00	06/21/2022				No	0
603-496-9500-42120 Fuel, Oil, and Fluids				Gas/Fuel					
*** **745980**	6/9/2022	575.00	0.00	06/21/2022				No	0
101-430-3100-42120 Fuel, Oil and Fluids				Gas/Fuel					
*** **745980**	6/9/2022	575.00	0.00	06/21/2022				No	0
602-495-9450-42120 Fuel, Oil, and Fluids				Gas/Fuel					
745980 Total:		2,375.30							
*** **745981**	6/9/2022	152.04	0.00	06/21/2022				No	0
101-430-3100-42120 Fuel, Oil and Fluids				On Road					
*** **745981**	6/9/2022	152.04	0.00	06/21/2022				No	0
101-450-5200-42120 Fuel, Oil and Fluids				On Road					
*** **745981**	6/9/2022	152.04	0.00	06/21/2022				No	0
601-494-9400-42120 Fuel, Oil, and Fluids				On Road					

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
*** 745981	6/9/2022	152.04	0.00	06/21/2022				No	0
602-495-9450-42120 Fuel, Oil, and Fluids				On Road					
745981 Total:		608.16							
*** 745982	6/9/2022	259.69	0.00	06/21/2022				No	0
101-430-3100-42120 Fuel, Oil and Fluids				Off Road					
*** 745982	6/9/2022	259.70	0.00	06/21/2022				No	0
101-450-5200-42120 Fuel, Oil and Fluids				Off Road					
745982 Total:		519.39							
KATH Total:		3,502.85							
KENNGRAV Kennedy & Graven Chartered									
*** 168080	6/9/2022	2,302.79	0.00	06/21/2022				No	0
101-410-1320-43040 Legal Services				General Matters					
*** 168080	6/9/2022	122.25	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				Verizon					
*** 168080	6/9/2022	113.00	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				Sunflower Meadows - Bruggeman Bldrs					
*** 168080	6/9/2022	2,570.40	0.00	06/21/2022				No	0
430-480-8091-45805 Other Project Costs				Village Pkwy RR Crossing					
*** 168080	6/9/2022	56.50	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				Easton Village 7th					
*** 168080	6/9/2022	40.75	0.00	06/21/2022				No	0
601-494-9400-43040 Legal Services				Sale of Former 3M Prop to Northpoint					
*** 168080	6/9/2022	89.15	0.00	06/21/2022				No	0
431-480-8089-43040 Legal Services				Purchase of Niehaus Prop					
*** 168080	6/9/2022	1,130.00	0.00	06/21/2022				No	0
803-000-0000-22910 Developer Payments				Royal Golf CUP					
*** 168080	6/9/2022	47.70	0.00	06/21/2022				No	0
437-480-8108-43040 Legal Fees				City Hall/Fire Station Building Project					
168080 Total:		6,472.54							
KENNGRAV Total:		6,472.54							
LABANCZK Labancz, Kyah									

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Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Task Label	Type	PO #	Close PO	Line #
Account Number				Description		Reference			
*** **20220610**	6/10/2022	7,139.64	0.00	06/21/2022				No	0
601-480-8101-44300 Miscellaneous				Capra's Utilities					
*** **20220610**	6/10/2022	2,795.00	0.00	06/21/2022				No	0
601-480-8101-44300 Miscellaneous				Mantyla Well Sealing					
20220610 Total:		9,934.64							
LABANCZK Total:		9,934.64							
LAKSOD Lake Elmo Sod Farms LLC									
18982	6/8/2022	59.88	0.00	06/21/2022				No	0
601-494-9400-42210 Repair/Maint. Supplies				Easton Water Leak Repair/sod					
18982 Total:		59.88							
LAKSOD Total:		59.88							
LENNAR Lennar Homes									
2018-01436	6/9/2022	2,000.00	0.00	06/21/2022				No	0
803-000-0000-22900 Deposits Payable				Escrow Release - 561 6th St Ln N - 2018-01436					
2018-01436 Total:		2,000.00							
2019-00230	6/9/2022	2,000.00	0.00	06/21/2022				No	0
803-000-0000-22900 Deposits Payable				Escrow Release - 576 6th St Ln N - 2019-00230					
2019-00230 Total:		2,000.00							
2019-00738	6/9/2022	2,000.00	0.00	06/21/2022				No	0
803-000-0000-22900 Deposits Payable				Escrow Release - 696 James Ave N - 2019-00738					
2019-00738 Total:		2,000.00							
LENNAR Total:		6,000.00							
LOFFLER Loffler Companies, Inc.									
4057776	6/9/2022	30.54	0.00	06/21/2022				No	0
101-420-2220-42000 Office Supplies				Station 1 Copier					

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
4057776 Total:		30.54							
LOFFLER Total:		30.54							
MACQUEEN MacQueen Emergency									
P02317	5/2/2022	1,114.23	0.00	06/21/2022				No	0
101-420-2220-42400 Small Tools & Equipment				Helmets					
P02317 Total:		1,114.23							
P02484	5/23/2022	1,070.89	0.00	06/21/2022				No	0
101-420-2220-42400 Small Tools & Equipment				Helmets					
P02484 Total:		1,070.89							
P02514	5/25/2022	1,736.62	0.00	06/21/2022				No	0
101-420-2220-42400 Small Tools & Equipment				MSA Cairns					
P02514 Total:		1,736.62							
MACQUEEN Total:		3,921.74							
MARKUSON Markuson, Judy									
*** **20220609**	6/9/2022	5,900.00	0.00	06/21/2022				No	0
601-480-8101-44300 Miscellaneous				Bell Excavating					
*** **20220609**	6/9/2022	2,050.00	0.00	06/21/2022				No	0
601-480-8101-44300 Miscellaneous				Mantyla Well Sealing					
20220609 Total:		7,950.00							
MARKUSON Total:		7,950.00							
MENOAK Menards - Oakdale									
*** **41766**	5/19/2022	29.93	0.00	06/21/2022				No	0
601-494-9400-42150 Operating Supplies				Operating Supplies					
*** **41766**	5/19/2022	65.80	0.00	06/21/2022				No	0
101-450-5200-42210 Repair/Maint. Supplies				Garbage Can Pads					

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Invoice Number	Invoice Date	Amount	Quantity	Payment Date	Task Label	Type	PO #	Close PO	Line #
Account Number				Description		Reference			
41766 Total:		95.73							
41983	5/23/2022	736.72	0.00	06/21/2022				No	0
101-450-5200-42150 Operating Supplies				Parks Supplies					
41983 Total:		736.72							
42057	5/24/2022	13.48	0.00	06/21/2022				No	0
101-450-5200-42210 Repair/Maint. Supplies				Tire Repair Kit/lawn mower					
42057 Total:		13.48							
42136	5/25/2022	34.48	0.00	06/21/2022				No	0
601-494-9400-42150 Operating Supplies				Supplies					
42136 Total:		34.48							
42588	6/1/2022	14.92	0.00	06/21/2022				No	0
101-450-5200-42210 Repair/Maint. Supplies				Stain parks thinner					
42588 Total:		14.92							
42634	6/2/2022	603.96	0.00	06/21/2022				No	0
101-450-5200-42210 Repair/Maint. Supplies				Stain parks					
42634 Total:		603.96							
MENOAK Total:		1,499.29							
METCOU Metropolitan Council									
0001141165	6/7/2022	35,154.94	0.00	06/21/2022				No	0
602-495-9450-43820 Sewer Utility - Met Council				Monthly Waste Water Svcs Def Rev					
0001141165 Total:		35,154.94							
*** **20220531**	5/31/2022	-1,068.55	0.00	06/21/2022				No	0
602-000-0000-37220 SAC Early Pay discount/reve				SAC Charges - Prompt Pay Discount					
*** **20220531**	5/31/2022	106,855.00	0.00	06/21/2022				No	0
602-000-0000-20802 SAC due Met Council				SAC Charges					

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
20220531 Total:		105,786.45							
METCOU Total:		140,941.39							
MIHOME M/I Homes									
2020-00122	6/8/2022	2,000.00	0.00	06/21/2022				No	0
803-000-0000-22900 Deposits Payable				Escrow Release - 805 June Ave N - 2020-00122					
2020-00122 Total:		2,000.00							
2020-01236	6/8/2022	2,000.00	0.00	06/21/2022				No	0
803-000-0000-22900 Deposits Payable				Escrow Release - 802 Juniper Ave N - 2020-01236					
2020-01236 Total:		2,000.00							
2020-01387	6/8/2022	5,000.00	0.00	06/21/2022				No	0
803-000-0000-22900 Deposits Payable				Escrow Release - 856 Juniper Cir N - 2020-01387					
2020-01387 Total:		5,000.00							
*** **20220614ovrsiz**	6/21/2022	56,100.00	0.00	06/21/2022				No	0
601-494-9400-45300 Improvments Other Than Bl				Inwood 5th Trunk Watermain Oversize					
*** **20220614ovrsiz**	6/21/2022	3,208.00	0.00	06/21/2022				No	0
602-495-9450-45300 Improvements Other Than B				Inwood 5th Trunk Sanitary Sewer Oversize					
20220614ovrsize Total:		59,308.00							
MIHOME Total:		68,308.00							
MINRUR Minnesota Rural Water Association									
071422MRWA Trng	6/7/2022	1,050.00	0.00	06/21/2022				No	0
601-494-9400-44370 Conferences & Training				MRWA Training 7/14/22 (Belde Coleman Monroe Sachs Wi					
071422MRWA Trng Total:		1,050.00							
MINRUR Total:		1,050.00							
MNCLNS MN CLN Services Inc									
0622AJ04	6/1/2022	703.00	0.00	06/21/2022				No	0

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label / Type / Reference	PO #	Close PO	Line #
101-410-1940-44010 Repairs/Maint Contractual B				Monthly Cleaning Svcs City Hall				
0622AJ04 Total:		703.00						
0722AJ01	7/1/2022	703.00	0.00	06/21/2022			No	0
101-410-1940-44010 Repairs/Maint Contractual B				Monthly Cleaning Svcs City Hall				
0722AJ01 Total:		703.00						
MNCLNS Total:		1,406.00						
MNDOHDW MN Dept of Health								
2022 Qtr 2 Fees	5/19/2022	5,606.00	0.00	06/21/2022			No	0
601-494-9400-43820 Water Utility				Water Connection Fees				
2022 Qtr 2 Fees Total:		5,606.00						
MNDOHDW Total:		5,606.00						
MNLIFE Minnesota Life Insurance Comp								
376628	5/1/2022	183.40	0.00	06/21/2022			No	0
101-000-0000-21708 Other Benefits				Monthly Life Insurance Prem May				
376628 Total:		183.40						
382182	6/1/2022	258.40	0.00	06/21/2022			No	0
101-000-0000-21708 Other Benefits				Monthly Life Insurance Prem June				
382182 Total:		258.40						
MNLIFE Total:		441.80						
MNPEIP MN PEIP								
1204001	6/10/2022	22,150.26	0.00	06/21/2022			No	0
101-000-0000-21706 Medical Insurance				Monthly Health Insurance Premium - July				
1204001 Total:		22,150.26						

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
MNPEIP Total:		22,150.26							
MNSPCT MNSPECT LLC									
8983	6/1/2022	51,478.17	0.00	06/21/2022				No	0
101-420-2400-43150 Inspector Contract Services				Monthly Inspections/Code Rvws					
8983 Total:		51,478.17							
MNSPCT Total:		51,478.17							
MSFCB MN Fire Service Cert Board									
10142	5/31/2022	410.00	0.00	06/21/2022				No	0
101-420-2220-44370 Conferences & Training				Certification Exam Fees - CS					
10142 Total:		410.00							
10223	6/8/2022	145.00	0.00	06/21/2022				No	0
101-420-2220-44370 Conferences & Training				FAO Certification Exam Fee - BA					
10223 Total:		145.00							
20220614023123	6/14/2022	175.00	0.00	06/21/2022				No	0
101-420-2220-44370 Conferences & Training				2022 Recertification fees 7 @ $25ea					
20220614023123 Total:		175.00							
MSFCB Total:		730.00							
NATREPRO National Reprographics, LLC									
146037	4/27/2022	170.90	0.00	06/21/2022				No	0
101-410-1910-42000 Office Supplies				Supplies-Maps					
146037 Total:		170.90							
NATREPRO Total:		170.90							
NORTHL Northland Trust Services Inc									
*** **ELMO15A**	5/12/2022	7,718.25	0.00	06/21/2022				No	0
324-470-7000-46110 Bond Interest				2015A Bond Interest					

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
*** **ELMO15A**	5/12/2022	8,088.00	0.00	06/21/2022				No	0
601-494-9400-46110 Bond Interest				2015A Bond Interest					
*** **ELMO15A**	5/12/2022	2,450.00	0.00	06/21/2022				No	0
602-495-9450-46110 Bond Interest				2015A Bond Interest					
ELMO15A Total:		18,256.25							
*** **LKEL14A**	5/12/2022	20,556.25	0.00	06/21/2022				No	0
323-470-7000-46110 Bond Interest				2014A Bond Interest					
*** **LKEL14A**	5/12/2022	21,986.00	0.00	06/21/2022				No	0
601-494-9400-46110 Bond Interest				2014A Bond Interest					
*** **LKEL14A**	5/12/2022	7,224.00	0.00	06/21/2022				No	0
602-495-9450-46110 Bond Interest				2014A Bond Interest					
LKEL14A Total:		49,766.25							
*** **LKEL16A**	5/12/2022	14,100.00	0.00	06/21/2022				No	0
326-470-7000-46110 Bond Interest				2016A Bond Interest					
*** **LKEL16A**	5/12/2022	22,550.00	0.00	06/21/2022				No	0
601-494-9400-46110 Bond Interest				2016A Bond Interest					
*** **LKEL16A**	5/12/2022	6,000.00	0.00	06/21/2022				No	0
602-495-9450-46110 Bond Interest				2016A Bond Interest					
*** **LKEL16A**	5/12/2022	19,350.00	0.00	06/21/2022				No	0
603-496-9500-46110 Bond Interest				2016A Bond Interest					
LKEL16A Total:		62,000.00							
*** **LKEL17A**	5/12/2022	35,749.25	0.00	06/21/2022				No	0
327-470-7000-46110 Bond Interest				2017A Bond Interest					
*** **LKEL17A**	5/12/2022	16,850.00	0.00	06/21/2022				No	0
601-494-9400-46110 Bond Interest				2017A Bond Interest					
*** **LKEL17A**	5/12/2022	27,619.00	0.00	06/21/2022				No	0
602-495-9450-46110 Bond Interest				2017A Bond Interest					
*** **LKEL17A**	5/12/2022	1,538.00	0.00	06/21/2022				No	0
603-496-9500-46110 Bond Interest				2017A Bond Interest					
LKEL17A Total:		81,756.25							
NORTHL Total:		211,778.75							

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Invoice Number / Account Number		Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
PETERSOG	Peterson, Gregory									
*** **20220607**		6/7/2022	7,432.64	0.00	06/21/2022				No	0
601-480-8101-44300 Miscellaneous					Capra Utilities					
*** **20220607**		6/7/2022	2,345.00	0.00	06/21/2022				No	0
601-480-8101-44300 Miscellaneous					Mantyla Well Scaling					
	20220607 Total:		9,777.64							
	PETERSOG Total:		9,777.64							
POMPS	Pomp's Tire Service Inc									
980093489		6/2/2022	293.40	0.00	06/21/2022				No	0
101-430-3100-44040 Repairs/Maint Eqpt					Hot Box replace 2 tires					
	980093489 Total:		293.40							
	POMPS Total:		293.40							
ROGNESSD	Rogness, Dale									
20220607CCmtg		6/7/2022	55.00	0.00	06/21/2022				No	0
101-410-1450-43152 Cable Operations					Cable Operator Timesheet 6/7/22 CC Mtg					
	20220607CCmtg Total:		55.00							
	ROGNESSD Total:		55.00							
SCHMITTA	Schmitt, Alfred or Sandra									
*** **20220614**		6/14/2022	6,932.64	0.00	06/21/2022				No	0
601-480-8101-44300 Miscellaneous					Capra's Utilities					
*** **20220614**		6/14/2022	2,275.00	0.00	06/21/2022				No	0
601-480-8101-44300 Miscellaneous					Mantyla Well Sealing					
	20220614 Total:		9,207.64							
	SCHMITTA Total:		9,207.64							
SENSUS	SENSUS USA INC									
ZA22007604		5/23/2022	1,949.94	0.00	06/21/2022				No	0

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label / Type / Reference	PO #	Close PO	Line #
601-494-9400-43190 Software Support				Sensus Software Support thru 7/7/23				
ZA22007604 Total:		1,949.94						
SENSUS Total:		1,949.94 ✓						
SHLMKA Schlomka Services LLC								
29072	6/8/2022	295.00	0.00	06/21/2022			No	0
101-420-2220-44010 Repairs/Maint Bldg				Station 2 Septic Pumping				
29072 Total:		295.00						
SHLMKA Total:		295.00 ✓						
SHORT Short Elliott Hendrickson, Inc								
426547	6/6/2022	1,485.63	0.00	06/21/2022			No	0
252-480-8110-43030 Engineering Services				Section 16 Infrastructure Imp 2021.116				
426547 Total:		1,485.63 ✓						
*** **426552**	6/6/2022	15,204.31	0.00	06/21/2022			No	0
431-480-8089-43030 Engineering Costs				OV 5&6 St, Drng & Util Imp 2019.116				
*** **426552**	6/6/2022	5,150.42	0.00	06/21/2022			No	0
601-494-8089-43030 Engineering costs				OV 5&6 St, Drng & Util Imp 2019.116				
*** **426552**	6/6/2022	14,922.09	0.00	06/21/2022			No	0
602-495-8089-43030 Engineering costs				OV 5&6 St, Drng & Util Imp 2019.116				
426552 Total:		35,276.82 ✓						
426553	6/6/2022	941.50	0.00	06/21/2022			No	0
430-480-8091-45805 Other Project Costs				Village Pkwy UPRR Imp 2019.122				
426553 Total:		941.50 ✓						
426556	6/6/2022	3,265.22	0.00	06/21/2022			No	0
601-480-8113-43030 Engineering Services				Water Tower #3 Watermain Ext 2021.125				
426556 Total:		3,265.22 ✓						
426623	6/6/2022	8,221.98	0.00	06/21/2022			No	0
601-480-8104-43030 Engineering Services				Whistling Valley St & Util Imp Proj 2020.123				

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
426623 Total:		8,221.98							
SHORT Total:		49,191.15							
SHRDIT Stericycle Inc									
8001082269	2/28/2022	150.62	0.00	06/21/2022				No	0
101-410-1320-43150 Contract Services				Shredding Services					
8001082269 Total:		150.62							
8001278208	3/31/2022	151.63	0.00	06/21/2022				No	0
101-410-1320-43150 Contract Services				Shredding Services					
8001278208 Total:		151.63							
SHRDIT Total:		302.25							
TDSMET TDS									
*** **20220613**	6/13/2022	6.57	0.00	06/21/2022				No	0
601-494-9400-43210 Telephone				Analog Lines - Alarm Well #2					
*** **20220613**	6/13/2022	59.17	0.00	06/21/2022				No	0
602-495-9450-43210 Telephone				Analog Lines - Lift Station Alarms					
*** **20220613**	6/13/2022	211.53	0.00	06/21/2022				No	0
101-430-3100-43210 Telephone				Analog Lines - Public Works					
20220613 Total:		277.27							
TDSMET Total:		277.27							
TELMET Telemetry and Process Controls, Inc									
*** **114359**	5/31/2022	149.50	0.00	06/21/2022				No	0
601-494-9400-43190 Software Support				Annual Internet Access					
*** **114359**	5/31/2022	149.50	0.00	06/21/2022				No	0
602-495-9450-43190 Software Support				Annual Internet Access					
114359 Total:		299.00							
*** **114378**	5/31/2022	1,184.17	0.00	06/21/2022				No	0

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
601-494-9400-43150 Contract Services				SCADA/TPC Monthly Svc					
*** **114378**	5/31/2022	1,184.17	0.00	06/21/2022				No	0
602-495-9450-43150 Contract Services				SCADA/TPC Monthly Svc					
114378 Total:		2,368.34							
TELMET Total:		2,667.34							
TENNRO Tennis Roll Off LLC									
3269360	6/1/2022	1,253.04	0.00	06/21/2022				No	0
101-430-3100-43840 Refuse				Refuse					
3269360 Total:		1,253.04							
TENNRO Total:		1,253.04							
TITMAC Titan Machinery									
17050697-GS	5/31/2022	2,802.40	0.00	06/21/2022				No	0
101-430-3100-44040 Repairs/Maint Eqpt				Loader Brake repairs					
17050697-GS Total:		2,802.40							
17051058-GS	5/31/2022	747.28	0.00	06/21/2022				No	0
101-430-3100-44040 Repairs/Maint Eqpt				Loader Brake won't release					
17051058-GS Total:		747.28							
TITMAC Total:		3,549.68							
TRISTATE Tri State Bobcat									
T22783	6/8/2022	56.22	0.00	06/21/2022				No	0
101-450-5200-42210 Repair/Maint. Supplies				Skid Steer hyd fitting					
T22783 Total:		56.22							
TRISTATE Total:		56.22							
TRUGRN TruGreen Processing Center									
*** **158794299**	5/31/2022	5,023.05	0.00	06/21/2022				No	0

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
101-450-5200-43150 Contracted Services				Weed & Feed					
*** **158794299**	5/31/2022	382.20	0.00	06/21/2022				No	0
601-494-9400-43150 Contract Services				Weed & Feed					
*** **158794299**	5/31/2022	186.90	0.00	06/21/2022				No	0
101-430-3100-43150 Contract Services				Weed & Feed					
158794299 Total:		5,592.15							
158794300	5/31/2022	52.50	0.00	06/21/2022				No	0
101-450-5200-43150 Contracted Services				Weed & Feed					
158794300 Total:		52.50							
TRUGRN Total:		5,644.65							
VERIZON Verizon									
*** **9907080287**	5/21/2022	50.28	0.00	06/21/2022				No	0
601-494-9400-43210 Telephone				Wireless Charges thur 5/21/22					
*** **9907080287**	5/21/2022	50.28	0.00	06/21/2022				No	0
101-450-5200-43210 Telephone				Wireless Charges thur 5/21/22					
*** **9907080287**	5/21/2022	50.28	0.00	06/21/2022				No	0
101-430-3100-43210 Telephone				Wireless Charges thur 5/21/22					
*** **9907080287**	5/21/2022	50.28	0.00	06/21/2022				No	0
601-494-9400-43210 Telephone				Wireless Charges thru 5/21/22					
*** **9907080287**	5/21/2022	50.28	0.00	06/21/2022				No	0
101-430-3100-43210 Telephone				Wireless Charges thru 5/21/22					
*** **9907080287**	5/21/2022	50.28	0.00	06/21/2022				No	0
101-430-3100-43210 Telephone				Wireless Charges thru 5/21/22					
*** **9907080287**	5/21/2022	50.28	0.00	06/21/2022				No	0
601-494-9400-43210 Telephone				Wireless Charges thru 5/21/22					
*** **9907080287**	5/21/2022	35.01	0.00	06/21/2022				No	0
602-495-9450-43210 Telephone				Wireless Charges thru 5/21/22					
*** **9907080287**	5/21/2022	35.01	0.00	06/21/2022				No	0
603-496-9500-43210 Telephone				Wireless Charges thru 5/21/22					
*** **9907080287**	5/21/2022	24.08	0.00	06/21/2022				No	0
602-495-9450-43210 Telephone				Wireless Charges thru 5/21/22					
*** **9907080287**	5/21/2022	40.01	0.00	06/21/2022				No	0
602-495-9450-43210 Telephone				Wireless Charges thru 5/21/22					
*** **9907080287**	5/21/2022	50.28	0.00	06/21/2022				No	0

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label / Type / Reference	PO #	Close PO	Line #
101-420-2400-43210 Telephone				Wireless Charges thru 5/21/22				
*** **9907080287**	5/21/2022	50.28	0.00	06/21/2022			No	0
101-410-1320-43210 Telephone				Wireless Charges thru 5/21/22				
*** **9907080287**	5/21/2022	10.06	0.00	06/21/2022			No	0
101-410-1910-43210 Telephone				Wireless Charges thru 5/21/22				
*** **9907080287**	5/21/2022	40.22	0.00	06/21/2022			No	0
101-420-2400-43210 Telephone				Wireless Charges thru 5/21/22				
*** **9907080287**	5/21/2022	50.28	0.00	06/21/2022			No	0
101-420-2400-43210 Telephone				Wireless Charges thru 5/21/22				
9907080287 Total:		687.19						
VERIZON Total:		687.19 ✓						
WASHRR Washington County								
4368700	4/29/2022	46.00	0.00	06/21/2022			No	0
803-000-0000-22910 Developer Payments				AMN - P590694 - Crossroads Dev Agr				
4368700 Total:		46.00 ✓						
WASHRR Total:		46.00						
WEEKSEND Weeks-End Signs & Graphics								
2673	6/2/2022	240.00	0.00	06/21/2022			No	0
101-450-5200-42210 Repair/Maint. Supplies				Reid Park Signs				
2673 Total:		240.00 ✓						
2674	6/13/2022	400.00	0.00	06/21/2022			No	0
207-000-0000-34110 Lions Park Signs				2 Lions Park Signs				
2674 Total:		400.00 ✓						
WEEKSEND Total:		640.00 ✓						
WEGWERTH Wegwerth, Howard								
*** **20220607**	6/7/2022	11,548.31	0.00	06/21/2022			No	0
601-480-8097-44300 Miscellaneous				Mr. Rooter Plumbing				
*** **20220607**	6/7/2022	3,132.00	0.00	06/21/2022			No	0

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Invoice Number / Account Number	Invoice Date	Amount	Quantity	Payment Date / Description	Task Label	Type / Reference	PO #	Close PO	Line #
601-480-8097-44300 Miscellaneous				McCullough & Sons Well Sealing					
20220607 Total:		14,680.31							
WEGWERTH Total:		14,680.31							
XCEL Xcel Energy									
781503326	5/26/2022	1,697.43	0.00	06/21/2022				No	0
601-494-9400-43810 Electric Utility				51-0011431737-7 - 2576 Inwood Booster Station					
781503326 Total:		1,697.43							
782424695	6/3/2022	4,381.20	0.00	06/21/2022				No	0
101-430-3100-43811 Street Lights				51-6736544-2 - Electric Utility - Street Lights					
782424695 Total:		4,381.20							
783369475	6/9/2022	1,255.17	0.00	06/21/2022				No	0
101-410-1940-43810 Electric Utility				Electric Utility - 3880 Laverne Ave N					
783369475 Total:		1,255.17							
XCEL Total:		7,333.80							
Report Total:		2,399,384.43							

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THE CITY OF LAKE ELMO

STAFF REPORT

DATE: June 21, 2021
CONSENT

AGENDA ITEM: 2022 Staff Wage Adjustments
TO: Mayor and City Council
SUBMITTED BY: Kristina Handt, City Administrator

BACKGROUND:
Consistent with the City's Compensation Policy, annual reviews were given to non-union employees who had successfully completed their probationary period. Below are the recommended changes in employee wages effective with the start of the 6/25/22 pay period.

ISSUE BEFORE COUNCIL:
Should the proposed wages be effective June 25, 2022?

PROPOSAL:
The following wage adjustments are recommended effective with the pay period beginning June 25, 2022 for those paid bi-weekly.

Employee	Current	Proposed	Frequency	P Pay
Tanya Batchelor	$26.22	$27.79	hourly	2PTO
Chris Chandler	$37.95	$39.09	hourly	
Julie Johnson	$3,036	$ 3,127.20	bi-weekly	
Molly Just	$4,000.80	$4,118.80	bi-weekly	
Dustin Kalis	$4,100	$4,334.40	bi-weekly	
Michael Kuehn	$30.74	$32.54	hourly	
Rebecca McGuire	$25.48	$27.01	hourly	
Marty Powers	$4,460.80	$4,594.40	bi-weekly	$579.90
Anthony Svoboda	$42.14	$44.54	hourly	$438.26
John Taylor	$3,668	$3,779.20	bi-weekly	
Diane Wendt	$25.48	$27.01	hourly	

In addition to the above, we are proposing a 3% wage adjustment for the firefighter paid on call rates as depicted on the attached.

FISCAL IMPACT:
These increases were included in the adopted 2022 budget

OPTIONS:
1) Approve the wage adjustments as presented
2) Approve different wage adjustments and/or a different effective date
3) Do not approve any wage adjustments

RECOMMENDATION:
If removed from the consent agenda:
Motion to approve the 2022 staff wage adjustments as presented.

ATTACHMENTS:

- Fire Department Part Time and POC Pay

Below are the proposed Fire Department pay rates for 2022. These rates will be effective July 1, 2022.

July 1, 2022 Hourly Pay Rates

Officer	$16.74
Engineer / EMT	$15.71
Firefighter	$14.42
Probation	$12.36
Support Services (eff 1/1)	$10.33
Part Time FF/Substitute Firefighter	$17.99
EMS Responder Stand-By	$5.00
Duty Crew Stand-By	$2.50

Annual Officer Stipend

Assistant Fire Chief	$2,513.22
Captain	$1,677.02
Lieutenant	$838.51

STAFF REPORT

DATE: June 21, 2022

CONSENT

TO: City Council

FROM: Dustin Kalis, Fire Chief

AGENDA ITEM: Demontreville Outdoor Warning Siren Pole Replacement

REVIEWED BY: Kristina Handt, City Administrator

BACKGROUND:

The Fire Department is requesting to replace the Demontreville outdoor warning siren pole. The city and fire department is responsible for the maintenance of 9 outdoor warning sirens sites throughout the city. Operation and activation of these sirens is in coordination with Washington County. The Demontreville site pole is severely damaged by woodpeckers and is at risk of further damage to the equipment mounted and installed if the pole is not replaced. This siren is currently offline until the pole replacement is completed. The 2022 general fund budget included the costs for this pole replacement.

ISSUE BEFORE COUNCIL:

Should the City Council approve the Demontreville outdoor warning siren pole replacement as recommended by staff?

PROPOSAL DETAILS/ANALYSIS:

If approved by Council, work will proceed to replace the Demontreville outdoor warning siren pole and re-install all equipment. Upon completion of this work, the siren will be brought back online to provide outdoor warnings to that area.

FISCAL IMPACT:

The cost of outdoor warning siren pole replacement $17,941.00 and will be a general fund expenditure as identified in the 2022 budget.

Following the city's purchasing policy, two quotations were obtained from Ready Watt Electric and Aid Electric. Aid Electric withdrew their quote as they were not able to perform portions of the work as requested by the city. Ready Watt Electric has been used for previous siren installations and maintenance within the city and are familiar with our outdoor warning siren network.

OPTIONS:

- Approve outdoor warning siren pole replacement as presented.
- Do not approve replacement.

RECOMMEDNATION:

Staff is recommending that the City Council approve, *as part of the Consent Agenda,* the outdoor warning siren pole replacement not to exceed $18,000. If removed from the consent agenda, the recommended motion for the action is as follows:

"Motion to approve the outdoor warning siren pole replacement at a cost not to exceed $18,000".

ATTACHMENTS:

- Ready Watt Electric Quotation
- Aid Electric Quotation

Ready Watt ELECTRIC

Estimate

Date	Estimate #
2/8/2022	22-609

21269 Jarvis Street NW
Nowthen, MN 55330
PH: 763-241-4944
Fax: 763-241-5245
www.readywattelectric.com
rschiller@readywattelectric.com

Name / Address
Lake Elmo Fire Department Fire Station #1 3510 Laverne Ave N Lake Elmo, MN 55042 Attention: Chief Dustin Kalis

Project
22-609 Siren 8243 Demontreville

Description	TOTAL
Replace siren pole badly damaged by woodpeckers. Remove siren equipment with boom truck and bucket truck. Remove pole with digger derick reset new pole. Remove equipment re-install on new pole, woodpecker proof pole, work with Power Co to unhook and re-hook power. Have work inspected by electrical inspector.	
Siren maintenance grease head replace batteries, replace bad charger, clean and adjust contacts.	
Labor and Construction Equipment	10,610.00
Material	7,331.00
Price does not include Power Co charges, snow removal, restoration, un-augarable soil conditions if any. If augured soil is not usable to tamp pole customer to supply, tree trimming.	
If there are any additional questions please call me. Rob Schiller 612-221-4983 Over 45 years of Civil Defense Siren experience, installation, maintenance, and consulting.	

We look forward to doing business with you. Rob Schiller 612-221-4983	**TOTAL**	**$17,941.00**

ACCEPTANCE OF PROPSAL
(must be signed and returned for work to begin)
NOTE: THis propsal may be withdrawn from us if not accepted with in 15 days.
The above prices, specifications and conditions are satisfactory and are herby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature _____

AIDELECTRIC CORPORATION
" Since 1979"

1622 93rd Lane NE, Blaine, MN 55449
763-571-7267 763-571-4735

Dustin Kalis

Lake Elmo Fire Department

3.4.22

"Demontreville" Warning Siren Work

Scope of Work

Remove existing pole from earth, remove from site and recycle

Re-install existing equipment on replacment pole

Upgrade battery charger to new 48V charging system

Upgrade batteries with (4) new batteries

Erect new pole

Schedule test, or be on-site during regular test to verify operation

Items above to be completed on a time and material basis not to exceed: $14,500.00

Work to be completed in Spring/Frost free conditions*

Thank you for the invitation, please let me know if you have any questions

Sincerely,

Kevin Vanderlinde
Partner (c) 952-261-8658
AIDELECTRIC CORPORATION

THE CITY OF LAKE ELMO

STAFF REPORT

DATE: June 21, 2022
CONSENT

AGENDA ITEM: Authorize Engineering Services for the 2022 Trail Improvements

SUBMITTED BY: Jack Griffin, City Engineer
REVIEWED BY: Kristina Handt, City Administrator
Marty Powers, Public Works Director
Adam Swanepoel, Assistant Public Works Director
Chad Isakson, Assistant City Engineer

ISSUE BEFORE COUNCIL: Should the City Council authorize engineering services for the 2022 Trail Improvements?

BACKGROUND: On May 3, 2022 the City Council approved the 2022 Parks Commission Work Plan which includes recommendations for trail improvements and connectivity. The plan recommends trail improvements to be completed in the 2022/2023 timeframe that consist of the Ivywood Park to Stonegate trail connection, the Hamlet on Sunfish to Tapestry trail connection, and improving the existing gravel trails in the Stonegate subdivision to paved trails (connecting to the Lake Ridge Crossing subdivision).

PROPOSAL DETAILS/ANALYSIS: In order to implement the 2022 Trail Improvements, a task order has been prepared for TKDA, Inc. to provide engineering support services, including topographic survey, property corner survey, preparation of plans and specifications, bidding phase services, construction staking and construction administration support, as may be needed during the project construction. The trail work includes over 3,600 feet of new trail segments or reconstruction and paving existing gravel trail segments. Trail construction or reconstruction will consist of common excavation and grading, installation of an aggregate base, pavement, and pedestrian ramp installation in accordance with the City Engineering Design Standards. The design work will proceed immediately following council authorization with the goal to receive contractor bids by the end of August. Trail construction will proceed during the fall of 2022 and spring of 2023.

FISCAL IMPACT: $52,900 for 2022 Trail Improvement engineering support services. The improvements are being funded through the City's Park Funds and will not be assessed to benefitting properties.

TKDA, Inc. will provide design phase engineering services in a not to exceed amount of $40,800. If the improvements are ordered and a construction contract is awarded, TKDA, Inc. will provide construction staking and construction administration support services in a not to exceed amount of $12,100.

RECOMMENDATION: Staff is recommending that the City Council authorize TKDA, Inc., *as part of the consent agenda*, to provide engineering services for the 2022 Trail Improvements as outlined in Task Order No. 11. If removed from the consent agenda, the recommended motion for this action is as follows:

"Move to authorize TKDA, Inc. to provide engineering services for the 2022 Trail Improvements as outlined in the attached Task Order No. 11."

ATTACHMENTS:

1. TKDA, Inc. Task Order No. 11 – 2022 Trail Improvements.
2. Project Location Map.

In accordance with GENERAL AGREEMENT between the City of Lake Elmo ("CITY") and TKDA, Inc. ("ENGINEER"), dated **February 8, 1988** ("AGREEMENT"), the ENGINEER agrees to provide Professional Engineering Support Services as follows:

2022 TRAIL IMPROVEMENTS

PROJECT OVERVIEW: The City of Lake Elmo requires professional engineering services for the 2022 Trail Improvements, including over 3,600 feet of new trail segments or reconstruction and paving existing gravel trail segments. Trail construction or reconstruction will consist of common excavation and grading, aggregate base, pavement, and pedestrian ramp installation in accordance with the City Engineering Design Standards. The improvements are being funded through the City's Park Funds and will not be assessed to benefitting properties.

SERVICES TO BE PROVIDED BY CONSULTANT: TKDA, Inc. will provide the following Professional Consulting Services:

1. Project Management throughout the course of the work including submittal of a weekly progress memo and job to date budget form.

2. Preparation of Plans and Specifications, and Contract Documents.
    - Project kick-off meeting with city staff.
    - Work with city staff to develop critical success criteria for the project, obtain project information and formalize the budget and schedule.
    - Site visit to review existing conditions and survey.
    - Survey: Coordinate Gopher State One utility locates and perform topographic survey of existing conditions within project limits and with sufficient detail for the purposes of preparing design documents and constructing the improvements. Survey to include property corner locations to establish City right-of-way and easement areas.
    - Prepare soil boring plan and location map for City to retain Geotechnical Services for the improvements.
    - Prepare construction plans and specifications for bidding purposes.
    - Prepare stormwater BMP design(s) to address Valley Branch Watershed permit requirements for the linear project improvements.
    - Identify small utility conflicts related to the proposed design to the City's Project Manager. The City will coordinate necessary relocation efforts with the respective small utility company as needed.

- Provide 60% plans and specifications to city for review, including design criteria and assumptions memorandum.
- Provide 90% plans and specifications to city for review, including updated design criteria and assumptions memorandum.
- Revise and finalize plans and specifications based on city comments.
- Prepare opinion of probable cost based on final plans.
- Identify permits required to complete the proposed work. The design shall incorporate measures to meet compliance requirements for all permits necessary.
- Prepare and submit any necessary permit applications for approval.

DELIVERABLES:

- Plans in electronic format (PDF) and hard copy format (1 full size and 4 half size).
- Specifications in electronic format and hard copy format (1 copy for the city and the appropriate number for contracts and required permits).
- Opinion of Total Probable Project Costs.
- Design Memorandum summarizing final design assumptions and performance criteria incorporated into the project design.
- Identification of easements needed for the construction of the project. Easements shall be shown on the final plans.
- Completed project permit applications ready for signature by city representative.

3. Bidding Phase Services for each bid package.
    - Submit “Advertisement for Bids” to Oakdale-Lake Elmo Review and Quest CDN.
    - Distribute plans and specifications as requested by bidders.
    - Maintain planholders list.
    - Respond to bidders’ questions and issue addenda as necessary.
    - Tabulate bid in electronic format.
    - Prepare contract award recommendation letter.

4. Construction Phase Services.
    - Attendance at preconstruction meeting.
    - Provide technical and construction administration support throughout the project as requested by the City’s Project Manager (assume 25 hours from the design engineer of record).
    - Coordinate and provide construction staking.
    - Prepare and submit record drawings in electronic format (AutoCAD and PDF) and hard copy format (1 full size and 1 half-size) based upon staking information and information provided by the contractor and city.
    - Prepare and submit the utility as-built survey data as GIS Shape Files, including relevant asset information (i.e. date of install, material type, size, structure type, etc.).

CITIES RESPONSIBILITIES: The City (or its consultants) will provide the following:

- Provide copy of geotechnical investigations completed for the project area.
- Provide signed Tapestry Trail Connection plan sheet and quantities.
- Assist with stormwater management discussion and siting options for watershed permitting requirements.
- Coordination with the public and conduct public meetings.
- Presentation(s) to the City Council.
- Easement negotiations and acquisition, if needed.
- Review of 60% and 90% plans and specifications.
- Coordination with small utility companies if conflicts are identified.
- Construction Administration of the Contract.
- Construction Observation.
- Material and Compaction testing.
- One-year warranty inspections.

TIMES FOR RENDERING SERVICES: CONSULTANT shall perform its services and provide deliverables in accordance with the following schedule:

1. June 21, 2022 – Council approves selection of engineering firm.
2. June 23, 2022 – Project kick-off meeting.
3. August 2, 2022 – Council approves Plans and Specifications; Authorizes the Ad for Bids.
4. August 30, 2022 – Receive contractor bids.
5. September 6, 2022 – Council accepts bids and awards contract.

CITY'S REPRESENTATIVE AND CONTRACT ADMINISTRATION: The CITY's representative with respect to services rendered by CONSULTANT under this TASK ORDER shall be the City Engineer. Project correspondence must be addressed to:

Jack Griffin, P.E., City Engineer
City of Lake Elmo
3880 Laverne Avenue North
Suite 100
Lake Elmo, MN 55042
651.300.4264
Email: Jack.griffin@focusengineeringinc.com

COMPENSATION: Compensation to CONSULTANT shall be on an hourly rate basis using the hourly billing rates provided in the CONSULTANT'S Proposal for the work. Invoices shall be submitted once each month and should be sent to the attention of the City Engineer.

Compensation to CONSULTANT for Project Management, the Preparation of Plans and Specifications, Contract Documents, and Bidding Phase Services for the 2022 Trail Improvements shall be on an hourly rate basis in a not to exceed amount of **$40,800.**

Compensation to the CONSULTANT for the Construction Phase Services for the 2022 Trail Improvements shall be on an hourly rate basis in a not to exceed amount of **$12,100**.

Payment for Services shall be in accordance with GENERAL AGREEMENT dated February 2, 1988. Invoices should be sent to the attention of the City Engineer.

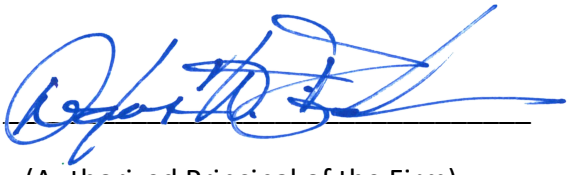
ADDITIONAL SERVICES: If authorized by the City, CONSULTANT shall furnish or obtain from others Additional Services which are not considered under this Task Order. Such services shall be compensated for on an Hourly Rate basis in an amount approved by the City prior to any services being started or as otherwise mutually agreed. The City is not obligated to compensate CONSULTANT for services completed outside the approved scope of work which are completed prior to CONSULTANT submitting a written request to the City, and receiving written approval of the City.

ATTACHMENTS: This agreement supersedes and replaces all previous understandings, agreements or contracts, written or verbal, between ENGINEER and City, regarding the 2022 Trail Improvements. The following documents are attached for reference:

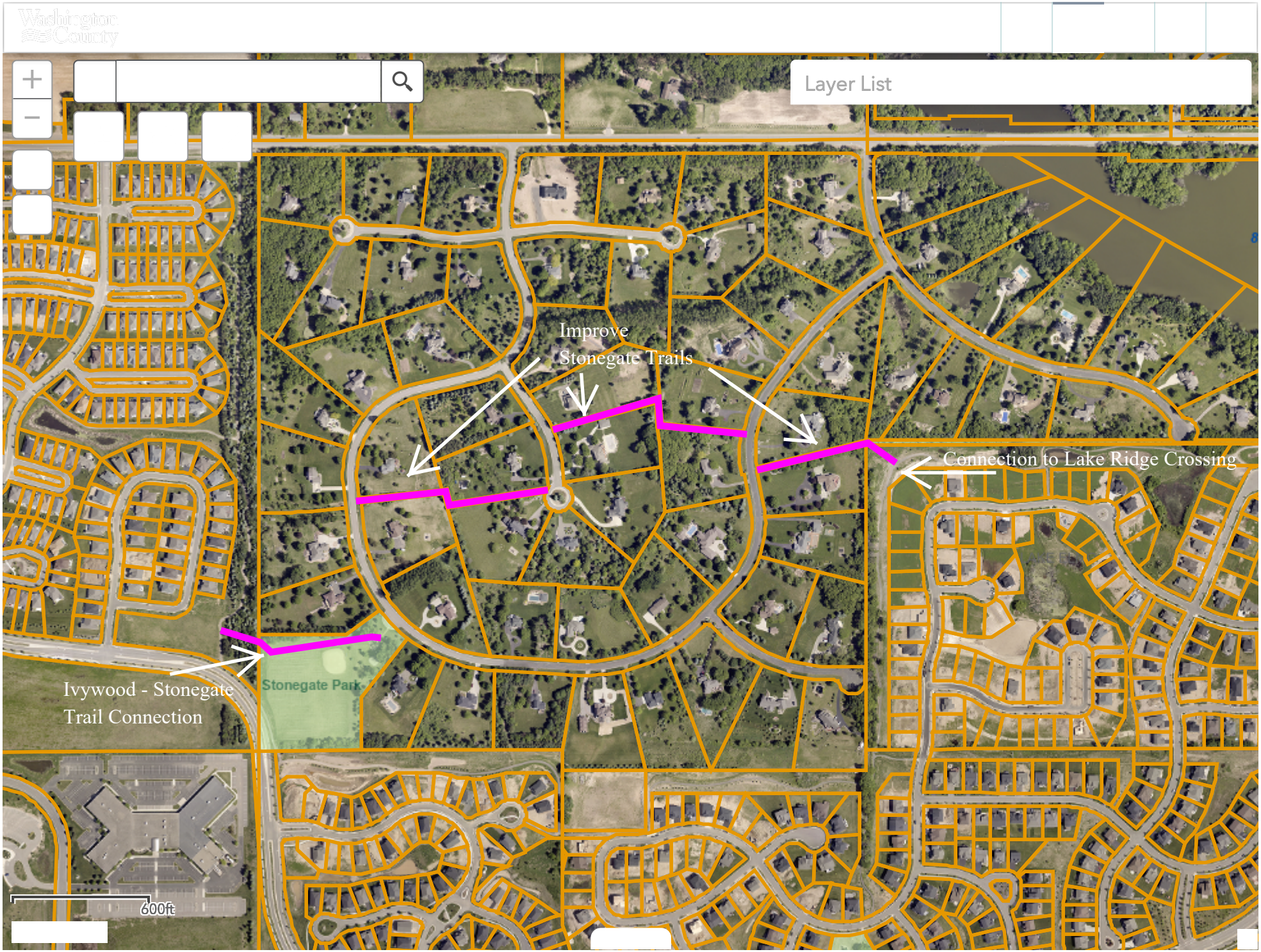
1. CONSULTANT'S Fee Estimate to the CITY dated, June 7, 2022.

APPROVAL AND ACCEPTANCE: Approval and Acceptance of this Task Order, including the attachment(s) listed above, shall incorporate this document as part of the AGREEMENT. CONSULTANT is authorized to begin performance of services upon receipt of a copy of this Task Order signed by CITY.

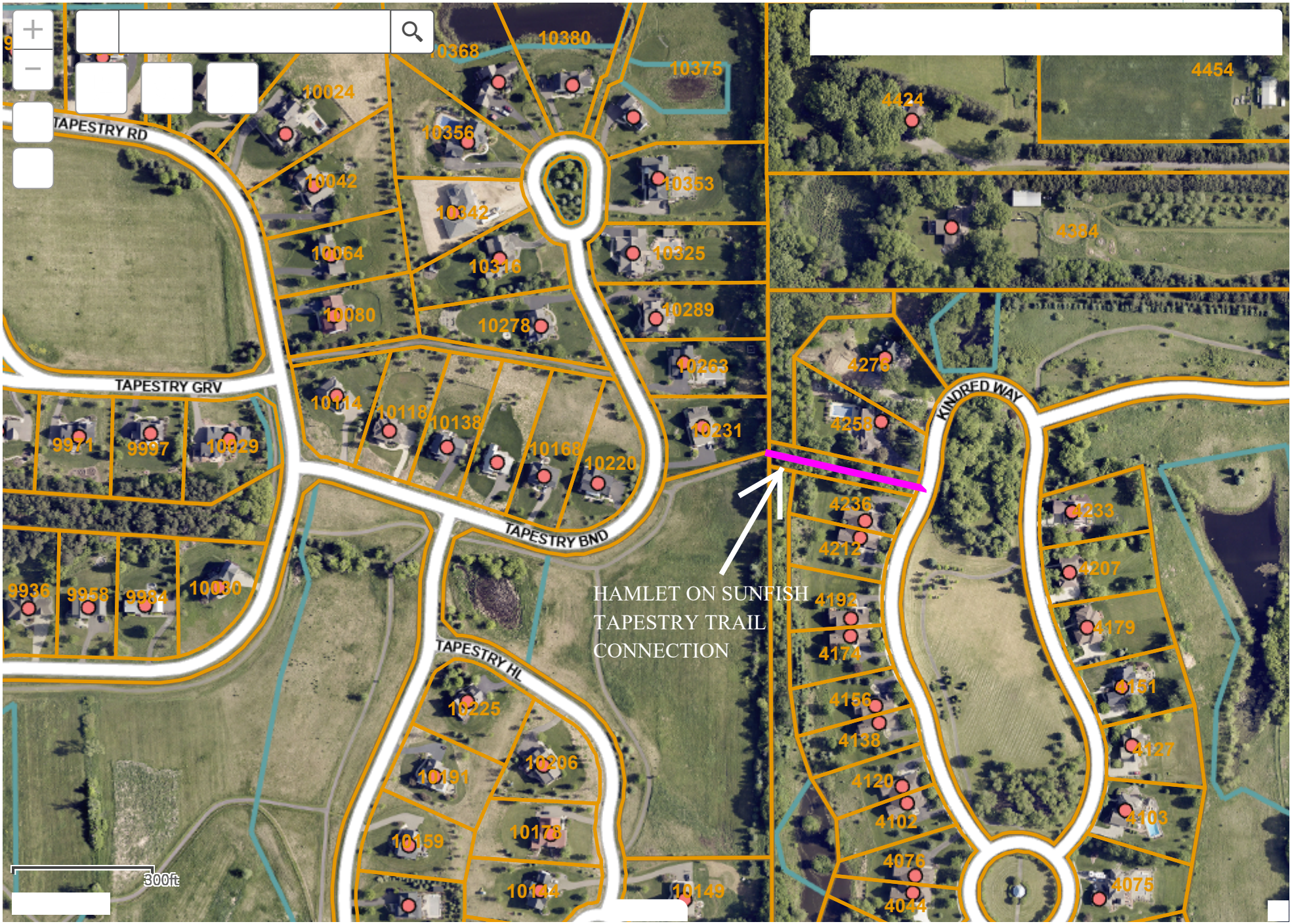
The Effective Date of this Task Order is June 21, 2022.

TKDA, INC.	CITY OF LAKE ELMO, MINNESOTA
By 	By _____
(Authorized Principal of the Firm)	City Administrator

2022 TRAIL IMPROVEMENTS



2022 TRAIL IMPROVEMENTS



THE CITY OF LAKE ELMO

STAFF REPORT

DATE: June 21, 2022
CONSENT

AGENDA ITEM: Authorize Topographic Survey and Preliminary Design for the Old Village Phase 7 Street and Utility Improvements

SUBMITTED BY: Jack Griffin, City Engineer
REVIEWED BY: Kristina Handt, City Administrator
Marty Powers, Public Works Director
Chad Isakson, Assistant City Engineer

ISSUE BEFORE COUNCIL: Should the City Council authorize a topographic survey and preliminary design for the Old Village Phase 7 Street and Utility Improvements?

BACKGROUND: The City of Lake Elmo is extending sanitary sewer to serve the existing properties in the Old Village MUSA area to replace the use of private on-site sewage treatment systems. The Old Village Capital Improvement projects also include drainage improvements to continue addressing historic flooding issues in the Downtown area, the replacement of aged watermain pipes and reconstructing the public streets that are disturbed during the work. The Improvements are being constructed in phases and through separate projects. The first four phases were constructed in 2015, 2016, 2017, and 2018. Construction for Phases 5 and 6 began in 2021 and will be completed by the end of the 2022 construction season. The final phase of the Old Village Capital Improvement Plan, Phase 7, is programmed for construction in 2023.

PROPOSAL DETAILS/ANALYSIS: The Old Village Phase 7 Street and Utility Improvements includes the extension of public sanitary sewer to serve the existing 24 platted properties located along Legion Avenue, south of 30th Street (see attached location map). The extension of sanitary sewer service will likely require a sanitary lift station as part of the project. The sewer service is intended to replace the use of private individual on-site sewage treatment systems and the Old Village Remote A 201 Community Wastewater Treatment System. The city owned 201 system currently serves 9 of the existing 24 properties. The project work scope includes the replacement of the aged existing 6-inch watermain along Legion Avenue, from 30th Street to the south end, and the 6-inch watermain connection to the adjacent Heritage Farms subdivision. The project work scope also includes street and drainage improvements necessary to reconstruct the public streets and to restore the disturbed corridor, and in accordance with watershed permitting requirements. The Legion Avenue streets were last paved in 2009 and are in relatively good condition. The preliminary design work also includes coordination with the Valley Branch Watershed District (VBWD) to potentially incorporate District-developed stormwater improvements that may be identified by the VBWD from the in-progress flood mitigation study for the Legion Pond subwatershed.

FOCUS Engineering has prepared the project work plan and engineering services task order to initiate detailed topographic survey and preliminary design for this project. The detailed topographic survey is needed together with the determination of the building low floor elevations to assess the most effective and efficient sanitary sewer plan for the area and to prepare a preliminary drainage plan to address stormwater management. The survey work will also help staff to identify the necessary right-of-way/easement needs for the project. These preliminary design efforts are necessary for this project area to better identify the specific infrastructure improvements that will be needed, before reliable costs and proposed assessments can be determined and brought forward in the feasibility report.

The City Engineer worked with SEH, Inc. to review the preliminary design scope of work in detail and a scope and fee has been developed as attached. The preliminary engineering fees will be funded through the project costs which will be part of the project assessments once the improvements proceed to construction.

FISCAL IMPACT: $61,400.

If authorized, SEH, Inc. will initiate the topographic survey and preliminary design services in a not to exceed amount of $61,400. This amount includes $6,500 for title work. If the improvements are ordered, the preliminary design costs will be charged against the project fund and become assessable to the benefitting properties once the improvements proceed into construction. Should the project not be constructed, these costs cannot be assessed.

RECOMMENDATION: Staff is recommending that the City Council authorize SEH, Inc. to complete the topographic survey and preliminary design services for the Old Village Phase 7 Street and Utility Improvements. The recommended motion for this action is as follows:

"Move to authorize SEH, Inc. to complete the Topographic Survey and Preliminary Design for the Old Village Phase 7 Street and Utility Improvements as outlined in the attached Task Order No. 20."

ATTACHMENTS:

1. SEH, Inc. Task Order No. 20 – Old Village Phase 7 Street and Utility Improvements.
2. Project Location Map.

In accordance with ARTICLE 1 of the Master AGREEMENT between the City of Lake Elmo ("CITY") and ***Short Elliot Hendrickson, Inc. (SEH)*** ("CONSULTANT"), dated August 13, 2014 ("AGREEMENT"), the CONSULTANT agrees to provide Professional Consulting Support Services as follows:

OLD VILLAGE PHASE 7: STREET AND UTILITY IMPROVEMENTS

PROJECT OVERVIEW: The City of Lake Elmo requires professional engineering services for preliminary design efforts for the Old Village Phase 7: Street and Utility Improvements (the Project). The Project includes the extension of public sanitary sewer to serve the existing 24 platted properties located in the Old Village MUSA along Legion Avenue, south from 30th Street. The extension of sanitary sewer service will likely require a sanitary lift station as part of the project. The sewer service is intended to replace the use of private individual on-site sewage treatment systems and the Old Village Remote A 201 Community Wastewater Treatment System (providing service to approximately 9 of the existing 24 properties). The project work scope includes the replacement of the aged existing 6-inch watermain along Legion Avenue, from 30th Street to the south end, and the 6-inch watermain connection to the adjacent Heritage Farms subdivision. The project work scope also includes street and drainage improvements necessary to reconstruct the public streets and to restore the disturbed corridor, and in accordance with watershed permitting requirements.

SERVICES TO BE PROVIDED BY CONSULTANT: SEH, Inc. will provide the following Professional Consulting Services:

1. Project Management throughout the course of the work including submittal of a weekly progress memo and job to date budget form.

2. Preliminary Design.
    - Project kick-off meeting with city staff.
    - Work with city staff to develop critical success criteria for the project, obtain project information and formalize the budget and schedule.
    - Site visit to review existing conditions.
    - Survey: Coordinate Gopher State One Call utility locates and perform topographic survey of existing conditions within project limits for the purposes of preparing design documents.
    - Right of way verification: Review title work and verify right-of-way for all properties impacted by the proposed improvements.

- Prepare preliminary design including recommendations for proposed sanitary sewer service alternatives, street widths, stormwater management, and replacement of watermain. The preliminary design recommendations with design memorandum should include the proposed lift station site plan, lift station capacity and configuration, and forcemain routing.
- Identify right of way and easement needs to construct the proposed infrastructure.
- Identify small utility conflicts related to the proposed design to the City's Project Manager. The city will coordinate necessary relocation efforts with the respective small utility company as needed.
- Provide recommendation on the amount and location of soil borings for geotechnical investigation.
- Prepare opinion of probable cost based on the preliminary design layout. Estimates of project cost to be used by the city for the purposes of levying preliminary assessments to the benefitting properties.
- Identify permits required to complete the proposed work. The design shall incorporate measures to meet compliance requirements for all permits necessary.

DELIVERABLES:

- Exhibits displaying recommended infrastructure to be inserted as part of the Project Feasibility Report prepared by the city.
- Opinion of Total Probable Project Costs.
- Design Memorandum summarizing preliminary design assumptions and performance criteria incorporated into the project design.
- Identification of easements needed for the construction of the project.

CITIES RESPONSIBILITIES: The City (or its consultants) will provide the following:

- Coordination with the public and conduct public meetings.
- Preparation of the Feasibility Report and Assessment Procedures.
- Presentation(s) to the City Council.
- Easement negotiations and acquisition, if needed.
- Coordination with small utility companies if conflicts are identified.
- Hire geotechnical firm for geotechnical investigation based on SEH recommendations.

TIMES FOR RENDERING SERVICES: CONSULTANT shall perform its services and provide deliverables in accordance with the following schedule:

1. June 21, 2022 – Council approves Task Order.
2. June 23, 2022 – Project kick-off meeting.
3. All Task Order Services shall be substantially completed by September 16, 2022.

CITY'S REPRESENTATIVE AND CONTRACT ADMINISTRATION: The CITY's representative with respect to services rendered by CONSULTANT under this TASK ORDER shall be the City Engineer. Project correspondence must be addressed to:

Jack Griffin, P.E., City Engineer
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042
651.300.4264
Email: Jack.griffin@focusengineeringinc.com

COMPENSATION: Compensation to CONSULTANT for Project Management and preliminary design work for the Old Village Phase 7: Street and Utility Improvements shall be on an hourly rate basis in a not to exceed amount of **$61,400**. Invoices shall be submitted once each month and should be sent to the attention of the City Engineer.

Payment for Services shall be in accordance with ARTICLE 3.2 of the Master AGREEMENT.

ADDITIONAL SERVICES: If authorized by the City, CONSULTANT shall furnish or obtain from others Additional Services which are not considered under this Task Order. Such services shall be compensated for on an Hourly Rate basis in an amount approved by the City prior to any services being started or as otherwise mutually agreed. The City is not obligated to compensate CONSULTANT for services completed outside the approved scope of work which are completed prior to CONSULTANT submitting a written request to the City, and receiving written approval of the City.

ATTACHMENTS: The following documents are attached for reference:

1. CONSULTANT'S Proposal to the CITY dated June 15, 2022.

APPROVAL AND ACCEPTANCE: Approval and Acceptance of this Task Order, including the attachment(s) listed above, shall incorporate this document as part of the AGREEMENT. CONSULTANT is authorized to begin performance of services upon receipt of a copy of this Task Order signed by CITY.

The Effective Date of this Task Order is June 21, 2022.

SHORT ELLIOT HENDRICKSON, INC. CITY OF LAKE ELMO, MINNESOTA

By _____ By _____

(Authorized Principal of the Firm) City Administrator

Building a Better World for All of Us®

June 14, 2022

RE: City of Lake Elmo
Old Village Phase 7: Street & Utility Improvements
Proposal for Preliminary Design Services
SEH No. P-LAKMO 167893

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

Dear Mr. Griffin:

Short Elliott Hendrickson Inc. (SEH®) is pleased to submit this proposal for topographic surveying and preliminary design services for proposed street and utility improvements in the Old Village Phase 7 project area. The project consists of Legion Avenue North from 30th St. N. to the southern hammerhead turn-around and will include the extension of public sanitary sewer to serve the existing 26 platted properties located in the Old Village MUSA along Legion Avenue.

The sewer service is intended to replace the use of private individual on-site sewage treatment systems and the Old Village Remove A 201 Community Wastewater Treatment System (which provides services to approximately 9 of the 29 properties). Additionally, this project will include the replacement of aged 6-inch water main along Legion Avenue, and the 6-inch connection to the Heritage Farms subdivision. The project work scope also includes street and drainage improvements necessary to reconstruct the public street and restore the disturbed corridor. We understand these improvements would be planned for construction in 2023.

We propose the following team to assist the City with this phase of the project: Dave Hutton – Project Manager, Jeff Thene – Lead Technician, Brian Hare – Lead Designer, and Rachel Pichelmann – Lead Stormwater Engineer. If authorized, we would schedule/begin the field work promptly and are prepared to meet your September 16, 2022 completion schedule.

If acceptable, we propose to furnish the requested scope of services outlined in Task Order No. 20 in accordance with the Master Agreement between SEH and the City of Lake Elmo on an hourly basis plus reimbursable expenses for a maximum fee of $61,400, which includes $6,500 for title work.

A detailed work task and hour breakdown is attached showing the tasks, and staff hours, we anticipate completing our understanding of the work based on our recent discussions. Because of the topography and heavy tree cover in the majority of the project area, we do not anticipate being able to use GPS to perform the topographic survey. For these reasons, our survey fee is based on the use of a total station to complete the work, which is more time-consuming and accurate than GPS.

Payment for any additional services shall be based on the actual time required to perform the services and the billable rates for the employees engaged directly on the project, plus actual reimbursable expenses. All services will be invoiced monthly.

If this proposal is acceptable, please sign below and return a copy for our records. If you need any further information or wish to review this together, please contact me at 952.797.2329 or Scott Haupt at 651.734.3700.

Sincerely,

SHORT ELLIOTT HENDRICKSON INC.

Dave Hutton, PE
Senior Project Manager

Scott D. Haupt, PE
Client Service Manager

Accepted this _____ day of _____, 2022

CITY OF LAKE ELMO, MINNESOTA

By _____

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Attachment No. 1

Consultant = SEH

City = City of Lake Elmo/Focus Engineering

Assumptions

- The City will complete the Feasibility Report, including assessment calculations, assessment roll, and conduct the assessment hearings.
- The City will retain the geotechnical consultant. SEH will provide input into location, depth, and frequency of borings.
- There is no public engagement or Council meetings included in the scope. City staff will handle these items.
- Consultant to identify any areas where either temporary or permanent easements are needed. City staff will complete any easement negotiations and acquisitions.
- Permits will be identified that will be required for complete the proposed work. These will include, but are not limited to, MDH, VBWD, MPCA, and MCES.
- Scope includes determination of Lowest Floor Elevations prior to design of Sanitary Sewer, Lift Station, and Force Main.
- Downstream sanitary sewer pipe capacity has been reviewed by the City to accommodate additional system demands created by this project. No downstream capacity analysis is assumed to be required with this phase.
- Valley Branch Watershed District is conducting a study of Legion Pond to minimize flood risk. SEH will coordinate with VBWD to obtain information regarding District-developed stormwater design concepts that should be incorporated into the Legion Avenue Improvements. SEH will rely on the stormwater concepts developed by the District and will not be conducting a separate flood study to identify flood mitigation alternatives for Legion Pond.

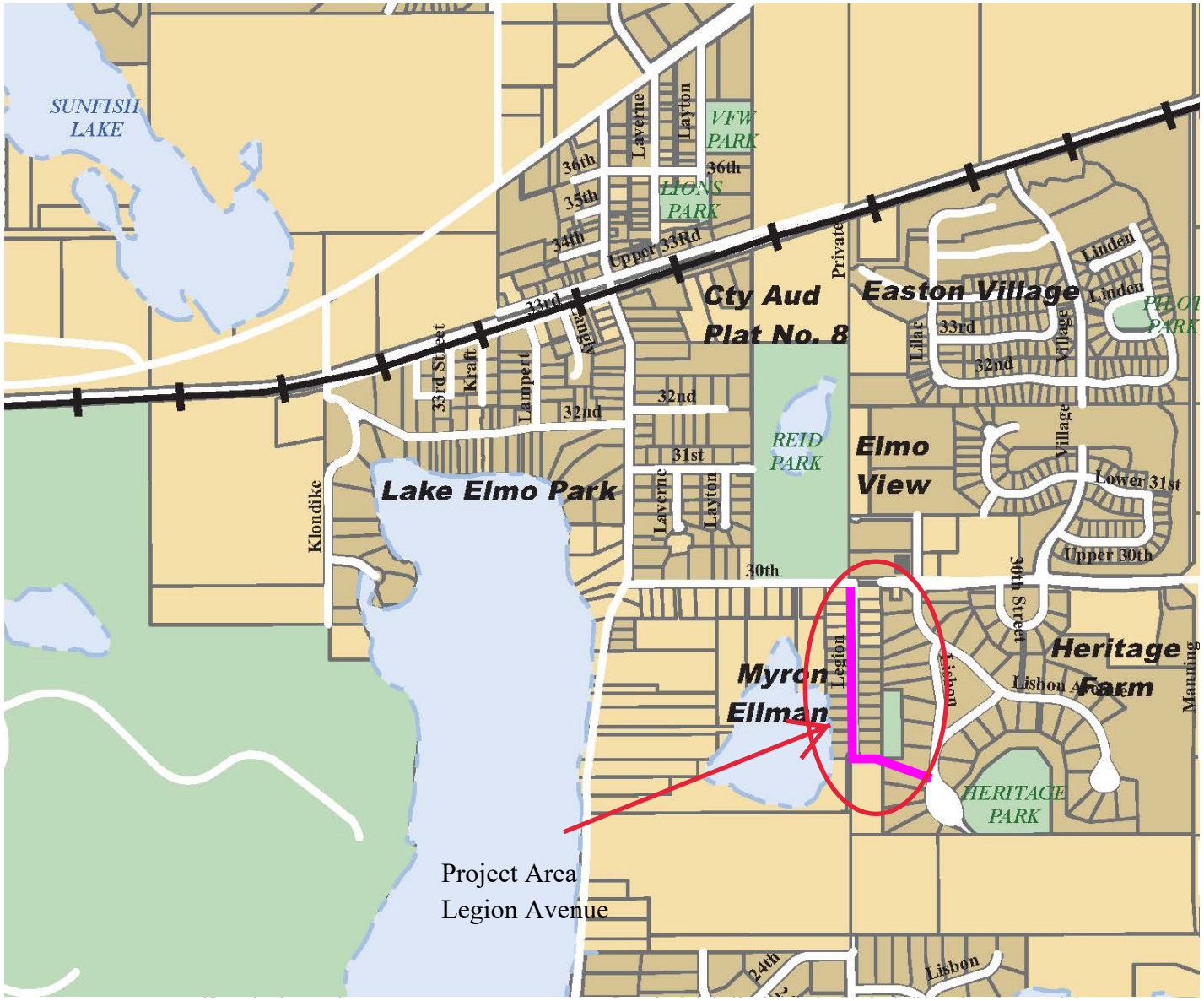
Deliverables

- Exhibits displaying recommended infrastructure to be inserted as part of the Project Feasibility Report prepared by the City.
- Opinion of Total Probable Project Costs
- Design Memorandum summarizing preliminary design assumptions and performance criteria incorporated into the project design.
- Identification of required easements needed for the construction of the project.

City of Lake Elmo - Proposal for Old Village Phase 7 Street and Utility Improvements

SHORT ELLIOTT HENDRICKSON: PROJECT WORK PLAN
PROJECT NAME: **Old Village Phase 7 - Street and Utility Improvements**
SEH PROJECT NUMBER: **LAKMO P-167893**
CLIENT: **CITY OF LAKE ELMO**
CLIENT CONTACT: **Jack Griffin**
PROJECT MANAGER: **David Hutton**

Task	DESCRIPTION OF TASK	Labor Total	Expenses Total	Task Total	David Hutton Project Mgr.	Brian Hare Lead Designer	Blake Hanson Project Engineer	Jeff Thene Lead Tech	Theo Brown RLS	Greg Tvedt Survey Crew Chief	Fasil Yitbarek Lift Stations Forcemain	Ryan Kibler Design Engineer	Karen Anderson Admin.	Rachel Pichelmann Water Resources Engineer	Jordan Van Oort Water Resources Design
	TOTAL HOURS	380			16	40	81	52	16	28	8	54	2	19	64
	HOURLY BILLING RATE				$165.00	$165.00	$139.00	$147.00	$141.00	$120.00	$165.00	$118.00	$95.00	$165.00	$139.00
	TOTAL LABOR COST	$53,672	$7,676	$61,400	$2,640.00	$6,600.00	$11,259.00	$7,644.00	$2,256.00	$3,360.00	$1,320.00	$6,372.00	$190.00	$3,135.00	$8,896.00
1	**PROJECT MANAGEMENT**	**$5,388.00**		**$5,400**											
	Project mgmt throughout including weekly progress memo and JTD budget form (13 wk)	$1,320.00		$1,320.00	8										
	Internal Kick-off and Progress Meetings (1/2hr/wk, 13 weeks)	$4,068.00		$4,068.00		4	14				2	4		4	
	QA/QC														
2	**PRELIMINARY DESIGN SERVICES**	**$48,284.00**	**$7,676.00**	**$56,000**											
	Project Kick-off meeting	$495.00		$495.00	1	1					1				
	Develop critical success criteria, obtain project info, budget and schedule	$495.00		$495.00	1	1					1				
	Site visit to review existing conditions	$1,320.00	$70.00	$1,390.00		3					2			3	
	Coordination with private utilities	$556.00		$556.00			4								
	Topographic Survey	$4,488.00	$1,106.00	$5,594.00					8	28					
	Obtain Lowest Floor Elevations and Service Location for Each Parcel (2hr/parcel)	$7,644.00		$7,644.00				52							
	Right of way verification: Review title work and right of way and all property impacts	$1,684.00	$6,500.00	$8,184.00			4		8						
	Proposed Sanitary Sewer Service Alternatives Recommendation	$1,494.00		$1,494.00	2	2	6								
	Proposed Street and Storm Design Recommendations	$13,430.00		$13,430.00		4	16							10	64
	Proposed Water Main Improvements	$608.00		$608.00		2	2								
	Proposed Lift Station Site Plan	$1,180.00		$1,180.00								10			
	Proposed Lift Station Capacity and Configuration	$1,180.00		$1,180.00								10			
	Proposed Forcemain Routing	$1,788.00		$1,788.00		2	2					10			
	Identify Right of Way and Easement Impacts for Project Area	$860.00		$860.00		1	5								
	Identify and Relay Small Utility Conflicts to City's Project Manager	$1,400.00		$1,400.00		2	6					2			
	Provide Recommendation on Amount and Location of Soil Borings	$556.00		$556.00			4								
	Review Soil Borings, Provide Geotechnical Recommendations	$660.00		$660.00		4									
	Prepare Opinion of Probable Costs	$3,220.00		$3,220.00		2	14					8			
	Identify Permits Required for Proposed Work	$1,028.00		$1,028.00			4					4			
	Final Design Recommendations Memo	$4,198.00		$4,198.00	4	12					2	6	2	2	
			Total:	**$61,400**											



LEGEND

OLD VILLAGE PHASE 7 STREET, DRAINAGE, AND UTILITY IMPROVEMENTS

THE CITY OF LAKE ELMO

N

CITY OF LAKE ELMO

FOCUS ENGINEERING, inc.

OLD VILLAGE PHASE 7: STREET AND UTILITY IMPROVEMENTS

FIGURE NO. 1

LOCATION MAP

OLD VILLAGE PHASE 7

STAFF REPORT

DATE: June 21, 2022
CONSENT

AGENDA ITEM: Accept Improvements, Approve Security Reductions, and Approve City Utility Oversize Cost Reimbursement for Inwood 5th Addition

SUBMITTED BY: Jack Griffin, City Engineer
REVIEWED BY: Kristina Handt, City Administrator
Molly Just, Planning Director
Marty Powers, Public Works Director
Chad Isakson, Assistant City Engineer

ISSUE BEFORE COUNCIL: Should the City Council accept the improvements, approve security reductions, and approve utility oversize cost reimbursement for the Inwood 5th Addition?

PROPOSAL DETAILS/ANALYSIS: Staff has received and processed a request to accept the improvements, reduce the development security, and process city utility oversize cost reimbursements for the Inwood 5th Addition. This request has been reviewed and is being recommended for approval in accordance with the approved Development Agreement, and contingent on the developer being current with all other payments and obligations in accordance with the Development Agreement, including a positive escrow balance as required by the City.

Utility oversize payments are recommended in the amounts of $56,100 for trunk watermain oversize costs and $3,208 for trunk sanitary sewer oversize costs. The Development Security amount is recommended to be reduced as follows:

	Current Security Amount	Proposed Security Amount
1. Inwood 5th Addition	$ 1,367,574	$ 476,827

The Inwood 5th Addition facilities are in the warranty period as identified on the attached Certificate of Completion. In addition, the landscape improvements have been accepted and the 2-year warranty has been initiated. Twenty-five percent (25%) of the original security amount will be retained until the warranty periods have expired.

FISCAL IMPACT: It is the City's goal to retain at all times during the subdivision improvements a security amount that is adequate to ensure completion of all elements of the improvements as protection to the City tax payers against the potential of developer default.

RECOMMENDATION: Staff is recommending that the City Council, *as part of the Consent Agenda,* accept the improvements, approve the security reductions as detailed in the attached worksheet, and approve city utility oversize cost reimbursements as itemized above for the Inwood 5th Addition, all contingent on the developer being current with all other payments and obligations in accordance with the Development Agreement, including a positive escrow balance as required by the City. If removed from the consent agenda, the recommended motion for the action is as follows:

"Move to accept the improvements, approve the security reductions as detailed in the attached worksheet, and approve city utility oversize cost reimbursements as itemized above for the Inwood 5th Addition, all contingent on the developer being current with all other payments and obligations in accordance with the Development Agreement."

ATTACHMENTS:

1. Certificate of Completion – Inwood 5th Addition.
2. Landscape Improvements Acceptance Letter – Inwood 5th Addition.
3. Security Reduction Worksheet – Inwood 5th Addition.

CERTIFICATE OF COMPLETION

DATE OF ISSUANCE: JUNE 21, 2022

OWNER:	CITY OF LAKE ELMO, MN
DEVELOPER:	M/I HOMES OF MINNEAPOLIS/ST. PAUL, LLC
SUBDIVISION NAME:	INWOOD 5TH ADDITION
PROJECT NO.:	2016.140

☐ This Certification of Completion applies to all work under the Development Agreement
☒ This Certification of Completion applies to the following specified parts of the Development Agreement

Section 34.A – Public sewer and watermain
Section 34.B – Public improvements related to street construction including concrete curb and gutter, sidewalks and trails, materials and equipment.

I do hereby certify that the work to which this Certificate applies has been constructed in accordance with the Development Agreement dated June 15, 2017. The above-mentioned improvement is hereby declared to be complete and acceptance of this work is recommended.

DATE OF COMPLETION: June 21, 2022

Chad Isakson Reg. No. 49028

Chad Isakson

FOCUS Engineering, inc.

Section 34.A Warranty Period Begins	March 6, 2018	and ends	March 6, 2020
Section 34.B Warranty Period Begins	June 21, 2022	and ends	June 21, 2023

WENCK now part of Stantec

Memo

File: 227701153

To: Molly Just, City of Lake Elmo Planning Director

From: Sarah Harding, Landscape Architect
Jenna Niday, Landscape Designer

File: Inwood 5th Addition Landscape Warranty
Initial Reinspection – November 12, 2021

Date: November 19, 2021

		Initial Inspection	Initial Reinspection & Acceptance	1-year Inspection	1-year Reinspection	2-Year Inspection	2-Year Reinspection	Final Inspection Acceptance
Inwood	1st Addition	12/21/2016	---	3/16/2017	---	7/3/2018	---	7/3/2018
	2nd Addition	12/21/2016	---	3/16/2017	---	7/3/2018	---	7/3/2018
	3rd Addition	12/21/2016	---	3/16/2017	---	6/2/2021	9/15/2021	9/15/2021
	4th Addition	10/2/2020	---	6/2/2021	9/15/2021 & 11/12/2021	9/x/2022		
	5th Addition	6/2/2020	9/15/2021 & 11/12/2021	9/x/2022				

Attendees

- Jenna Niday, Landscape Designer

Landscape Inspection Summary:

A walk through of the landscape conditions was completed for the initial reinspection of Inwood 5th addition.

Findings:

The following punchlist items were identified on the September 15 inspection:
- Nine (9) trees were found to be dead or dying and needed to be replaced.

Upon follow up inspection on November 12, all punchlist items have been addressed, inspected, and found in acceptable condition. Two (2) evergreen trees, noted on the attached figure, were replaced late in the season, and will have their establishment monitored.

Recommendation:

It is recommended that the initial acceptance and the start of the 2-year landscape warranty for the 5th addition of Inwood begins.

Stantec Consulting Services Inc.

Sarah Harding, PLA (MN)
City of Lake Elmo Municipal Landscape Architect
P: 952-334-4838
E: sarah.harding@stantec.com

Legend

- Accepted
- Watch
- Washington County Parcels

N

150 75 0 150

Feet

Path: V:\2277\active\227701153\gis\Pro\InwoodDevelopment\InwoodDevelopment.aprx
2021-09-24 3:36 PM kberglund Layout: Inwood 5th Addition - Initial Re-Inspection

CITY OF LAKE ELMO

Inwood 5th Addition - Initial Re-Inspection

WENCK now part of Stantec

NOV 2021

Figure 1a

INWOOD 5TH ADDITION **Time of Performance: October 31, 2018**

DEVELOPMENT AGREEMENT AMOUNTS				REDUCTIONS					
CATEGORY	**CONSTRUCTION**	**125%**	**REMARKS**	**#1**	**#2**	**#3**	**#4**	**#5**	**#6**
Grading	NA	NA	Included in Overall Grading Agreement						
Sanitary Sewer	$356,976	$446,220	100%	$223,110	$111,555	$111,555			
Watermain	$488,479	$610,599	100%	$305,299	$152,650	$152,650			
Storm Sewer	$189,979	$237,474	75%	$118,737			$59,369		
Streets and Sidewalks	$673,595	$841,994	75%	$420,997			$210,498		
Trails	$10,000	$12,500	75%				$9,375		
Surface Water Facilities	$96,890	$121,113	75%				$90,834		
Street Lighting	$66,000	$82,500	75%				$61,875		
Street Signs and Traffic Control Signs	$8,850	$11,063	75%				$8,297		
Private Utilities (electricity, natural gas, telephone, and cable)									
Landscaping	$180,000	$225,000	0%				$168,750		
Tree Preservation and Restoration	NA	NA							
Wetland Mitigation and Buffers	$2,250	$2,813	75%				$2,109		
Monuments	$10,100	$12,625	75%				$9,469		
Erosion Control	NA	NA	included in Grading Agreement						
Turn Lanes	$283,182	$353,978	75%				$265,483		
Record Drawings	$5,000	$6,250	75%				$4,688		
TOTALS	**$2,371,301**	**$2,964,127**	RELEASED AMOUNTS:	$1,068,143	$264,205	$264,205	$890,747	$0	$0
			CUMMULATIVE AMOUNTS:	$1,068,143	$1,332,348	$1,596,553	$2,487,300		
			SECURITY AMOUNT REMAINING:	$1,895,983	$1,631,779	$1,367,574	$476,827		
			DATE:	3/6/2018	1/15/2019	9/21/2021	6/21/2022		

THE CITY OF LAKE ELMO

STAFF REPORT

DATE: June 21, 2022
CONSENT

AGENDA ITEM: MPCA Grant for Well 5 Amendment #1
TO: Mayor and City Council
SUBMITTED BY: Kristina Handt, City Administrator

BACKGROUND:
In June 2019, the city council approved a grant agreement with MPCA to replace well #1 with well # including the watermain extension and pump house. Also included in this grant was the abandonment of well #1. The current grant expires June 30, 2022.

ISSUE BEFORE COUNCIL:
Should the Council approve the Grant Amendment #1 with the MPCA for the Well 5 project?

PROPOSAL:
City staff asked for a time extension on the grant in order to get us through the decommissioning of Well #1 which is expected to be completed by the end of the construction season this year. The amendment also deletes the purchasing order number which is a formatting change from when the grant was first approved. Our most recent grant agreements do not have a purchase order number. Lastly, the state has proposed deleting the insurance requirements.

FISCAL IMPACT:
NA

OPTIONS:
1) Approve the Well #5 Grant Agreement Amendment #1 with MPCA
2) Do not approve the Well #5 Grant Agreement Amendment #1 with MPCA

RECOMMENDATION:
Motion to approve the Well #5 Grant Agreement Amendment #1 with MPCA

ATTACHMENTS:
- Amendment #1

DocuSign Envelope ID: 1862ADE5-FF3A-404D-A557-DF401744ADC8

MINNESOTA POLLUTION CONTROL AGENCY
520 Lafayette Road North
St. Paul, MN 55155-4194

Grant Agreement Amendment #1

State of Minnesota

Doc Type: Contract

SWIFT Contract Number: 155932
~~Purchase Order Number: 3000023886~~
AI: 90810
Activity ID: PRO20190001

Contract Start Date:	June 14, 2019	Total Contract Amount:	$ 2,500,000.00
Original Contract Expiration Date:	June 30, 2022	Original Contract:	$ 2,500,000.00
Current Contract Expiration Date:	June 30, 2022	Previous Amendment(s) Total:	$ 0.00
Requested Contract Expiration Date:	December 31, 2022	This Amendment:	$ 0.00

This amendment is between the State of Minnesota, acting through its Commissioner of the **Minnesota Pollution Control Agency**, 520 Lafayette Road North, St. Paul, MN 55155-4194 ("MPCA" or "State"), and **City of Lake Elmo**, a Minnesota municipal corporation, 3880 Laverne Avenue North, Lake Elmo, MN 55042 ("Grantee or "LGU").

Recitals

1. The State has a grant contract with the Grantee identified as SWIFT Contract Number 155932 ("Original Grant Contract") to provide the **City of Lake Elmo new water supply well (Well Number 5) Project**.

2. The Original Agreement is being amended to extend the expiration date and remove Clause 17 Insurance Requirements.

3. The State and the Grantee are willing to amend the Original Grant Contract as stated below.

Grant Contract Amendment

In this Amendment, changes to pre-existing Agreement language will use ~~strike through~~ for deletions and underlining for insertions.

REVISION 1. Clause 1 **"Term of Grant Agreement"** is amended as follows:

1. Term of Grant Agreement

1.1 Effective date: **June 14, 2019**, or the date the State obtains all required signatures under Minn. Stat.§16B.98, Subd. 5, whichever is later. Per Minn.Stat.§16B.98 Subd. 7, no payments will be made to the Grantee until this grant agreement is fully executed.

1.2 Expiration date: ~~**June 30, 2022**~~ **December 31, 2022**, or until all obligations have been satisfactorily fulfilled, whichever occurs first.

1.3 Survival of Terms. The following clauses set forth in this grant agreement survive the expiration or cancellation of this grant agreement: Liability; State Audits; Government Data Practices and Intellectual Property Rights; Publicity and Endorsement; Governing Law, Jurisdiction, and Venue; and Data Disclosure.

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REVISION 2. Clause 17 **"Insurance requirements"** is removed:

~~**17. Insurance requirements**~~

~~Below are the minimum insurance limits required by the State of Minnesota for any entity that is **not** a state Agency or Local Government Unit (LGU) unless otherwise noted (**).~~

~~***17.1*** The Grantee shall not commence work under the Agreement until they (or subcontractor) have submitted acceptable evidence of insurance and the State of Minnesota has approved such insurance. LGU or subcontractor shall maintain such insurance in force and effect throughout the term of this grant agreement. A certificate of insurance is acceptable evidence.~~

~~***17.2*** Subcontractor is required to maintain and furnish satisfactory evidence of the following insurance policies:~~

~~*(a)* ***Workers' Compensation Insurance.*** Subcontractor must provide Workers' Compensation insurance for all of its employees and, in case any work is subcontracted, LGU will require any subcontractors to provide Workers' Compensation insurance in accordance with the statutory requirements of the State of Minnesota, including Coverage B, Employer's Liability. Insurance **minimum** amounts are as follows:~~

~~$100,000 -- Bodily Injury by Disease per employee~~
~~$500,000 -- Bodily Injury by Disease aggregate~~
~~$100,000 -- Bodily Injury by Accident~~

~~If Minn. Stat. § 176. 041 exempts subcontractor from Workers' Compensation insurance or if the subcontractor has no employees in the State of Minnesota, subcontractor must provide a written statement, signed by an authorized representative, indicating the qualifying exemption that excludes LGU from the Minnesota Workers' Compensation requirements.~~

~~If during the course of the grant agreement the subcontractor becomes eligible for Worker's Compensation, the subcontractor must comply with the Workers' Compensation Insurance requirements herein and provide the State of Minnesota with a certificate of insurance.~~

~~*(b)* ***Commercial General Liability Insurance.*** Subcontractor is required to maintain insurance protecting it from claims for damages for bodily injury, including sickness or disease, death, and for care and loss of services as well as from claims for property damage, including loss of use which may arise from operations under this grant agreement and in any case work is subcontracted the LGU will require its subcontractors to provide Commercial General Liability. Insurance **minimum** amounts are as follows:~~

~~$2,000,000 -- per occurrence~~
~~$2,000,000 -- annual aggregate~~
~~$2,000,000 -- annual aggregate -- Products/Completed Operations~~

~~**For LGUs, the coverage shall be maintained in conformance with the Tort Claims limits set forth in Minn. Stat. ch. 466, with limits not less than $500,000 per claimant and $1,500,000 per occurrence for bodily injury and property damage.~~

~~The following coverages shall be included:~~

~~Premises and Operations Bodily Injury and Property Damage~~

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Personal and Advertising Injury
Blanket Contractual Liability
Products and Completed Operations Liability

The State of Minnesota shall be named as an Additional Insured

(a) Commercial Automobile Liability Insurance. Subcontractor is required to maintain insurance protecting the Grantee from claims for damages for bodily injury as well as from claims for property damage resulting from the ownership, operation, maintenance or use of all owned, hired, and non-owned autos which may arise from operations under this grant agreement, and in case any work is subcontracted the LGU will require its subcontractors to provide Commercial Automobile Liability. Insurance **minimum** amounts are as follows:

$2,000,000 -- per occurrence Combined Single limit for Bodily Injury and Property Damage

**For LGUs, the coverage shall be maintained in conformance with the Tort Claims limits set forth in Minn. Stat. Ch. 466, with limits not less than $500,000 per claimant and $1,500,000 per occurrence for bodily injury and property damage.

In addition, the following coverages should be included:

Owned, Hired, and Non-owned Automobile

(b) Professional Liability Insurance. This policy will provide coverage for all claims the Grantee, or its subcontractors, may become legally obligated to pay, resulting from any actual or alleged negligent act, error, or omission related to LGU's or its subcontractors' professional services required under this grant agreement.

$2,000,000 -- per claim or event
$2,000,000 -- annual aggregate

**For LGUs, the coverage shall be maintained in conformance with the Tort Claims limits set forth in Minn. Stat. Ch. 466, with limits not less than $500,000 per claimant and $1,500,000 per occurrence for bodily injury and property damage.

Any deductible of the subcontractor will be the sole responsibility of the subcontractor and may not exceed $50,000 without the written approval of the State. If the subcontractor desires authority from the State to have a deductible in a higher amount, the subcontractor shall request in writing, specifying the amount of the desired deductible and providing financial documentation by submitting the most current audited financial statements or other approved documentation so that the State can ascertain the ability of the subcontractor to cover the deductible from its own resources.

(c) The retroactive or prior acts date of such coverage shall not be after the effective date of this Agreement and LGU or subcontractor shall maintain such insurance for a period of at least three (3) years, following completion of the work. If such insurance is discontinued, extended reporting period coverage must be obtained by LGU or subcontractor to fulfill this requirement.

17.3 Additional insurance conditions:

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- ~~LGU's or subcontractor's policy(ies) or subcontractor's shall be primary insurance to any other valid and collectible insurance available to the State of Minnesota with respect to any claim arising out of the performance under this grant agreement.~~
- ~~The LGU or subcontractor is responsible for payment of grant agreement-related insurance premiums and deductibles.~~
- ~~If LGU or subcontractor is self-insured, a Certificate of Self-Insurance must be attached~~
- ~~Include legal defense fees in addition to liability policy limits, with the exception of 13.2 (d) above.~~
- ~~Obtain insurance policies from an insurance company having an "AM BEST" rating of A- (minus); Financial Size Category (FSC) VII or better and must be authorized to do business in the State of Minnesota or obtain comparable coverage under a program of self-insurance.~~
- ~~An Umbrella or Excess Liability insurance policy may be used to supplement the LGU's or subcontractor's policy limits to satisfy the full policy limits required by the grant agreement.~~
- ~~If LGU or subcontractor receives a cancellation notice from an insurance carrier affording coverage herein, the Grantee agrees to notify the State of Minnesota within five (5) business days with a copy of the cancellation notice, unless LGU's or subcontractor's policy(ies) contain a provision that coverage afforded under the policy(ies) will not be cancelled without at least thirty (30) days advance written notice to the State of Minnesota.~~

17.4 ~~The State reserves the right to immediately terminate this grant agreement if the LGU or subcontractor is not in compliance with the insurance requirements and retains all rights to pursue any legal remedies against the LGU. All insurance policies must be open to inspection by the State, and copies of policies must be submitted to the State's authorized representative upon written request.~~

17.5 ~~The Grantee is required to submit a Certificate of Insurance acceptable to the State of Minnesota as evidence of insurance coverage requirements prior to commencing work under this grant agreement.~~

Except as amended herein, the terms and conditions of the Original Grant Agreement and all previous amendments and change orders remain in full force and effect. The Original Grant Agreement and any previous amendments and change orders are incorporated into this amendment by reference.

Signatures

Title	Name	Signature	Date
Encumbrance Verification	Katie Shea	DocuSigned by: Katie Shea 1C7A9AE6E72C42D...	June 8, 2022
City Administrator	KRISTINA HANDT		

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MINNESOTA DEPARTMENT OF LABOR AND INDUSTRY PREVAILING WAGES FOR STATE FUNDED CONSTRUCTION PROJECTS

THIS NOTICE MUST BE POSTED ON THE JOBSITE IN A CONSPICUOUS PLACE

Construction Type: Commercial

County Number: 82

County Name: WASHINGTON

Effective: 2018-12-17 Revised: 2019-01-28

This project is covered by Minnesota prevailing wage statutes. Wage rates listed below are the minimum hourly rates to be paid on this project.

All hours worked in excess of eight (8) hours per day or forty (40) hours per week shall be paid at a rate of one and one half (1 1/2) times the basic hourly rate.

Violations should be reported to:

Department of Labor and Industry
Prevailing Wage Section
443 Lafayette Road N
St Paul, MN 55155
(651) 284-5091
DLI.PrevWage@state.mn.us

* Indicates that adjacent county rates were used for the labor class listed.

County: WASHINGTON (82)

LABOR CODE AND CLASS		EFFECT DATE	BASIC RATE	FRINGE RATE	TOTAL RATE
LABORERS (101 - 112) (SPECIAL CRAFTS 701 - 730)					
101	LABORER, COMMON (GENERAL LABOR WORK)	2018-12-17	34.11	19.64	53.75
102	LABORER, SKILLED (ASSISTING SKILLED CRAFT JOURNEYMAN)	2018-12-17	34.11	19.64	53.75

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103	LABORER, LANDSCAPING (GARDENER, SOD LAYER AND NURSERY OPERATOR)	2018-12-17	23.02	15.99	39.01
		2019-05-01	24.00	16.96	40.96
104	FLAG PERSON	2018-12-17	34.11	19.64	53.75
105	WATCH PERSON	2018-12-17	30.48	19.29	49.77
106	BLASTER	2018-12-17	34.26	18.54	52.80
107	PIPELAYER (WATER, SEWER AND GAS)	2018-12-17	34.15	19.64	53.79
		2019-05-01	35.30	20.44	55.74
108*	TUNNEL MINER	2018-12-17	30.70	17.44	48.14
109	UNDERGROUND AND OPEN DITCH LABORER (EIGHT FEET BELOW STARTING GRADE LEVEL)	2018-12-17	32.35	19.64	51.99
		2019-05-01	33.50	20.44	53.94
110	SURVEY FIELD TECHNICIAN (OPERATE TOTAL STATION, GPS RECEIVER, LEVEL, ROD OR RANGE POLES, STEEL TAPE MEASUREMENT; MARK AND DRIVE STAKES; HAND OR POWER DIGGING FOR AND IDENTIFICATION OF MARKERS OR MONUMENTS; PERFORM AND CHECK CALCULATIONS; REVIEW AND UNDERSTAND CONSTRUCTION PLANS AND LAND SURVEY MATERIALS). THIS CLASSIFICATION DOES NOT APPLY TO THE WORK PERFORMED ON A PREVAILING WAGE PROJECT BY A LAND SURVEYOR WHO IS LICENSED PURSUANT TO MINNESOTA STATUTES, SECTIONS 326.02 TO 326.15.	2018-12-17	34.11	19.64	53.75
111	TRAFFIC CONTROL PERSON (TEMPORARY SIGNAGE)	2018-12-17	33.26	18.54	51.80

SPECIAL EQUIPMENT (201 - 204)

201*	ARTICULATED HAULER	2018-12-17	38.13	20.30	58.43
202*	BOOM TRUCK	2018-12-17	19.00	0.00	19.00

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203	LANDSCAPING EQUIPMENT, INCLUDES HYDRO SEEDER OR MULCHER, SOD ROLLER, FARM TRACTOR WITH ATTACHMENT SPECIFICALLY SEEDING, SODDING, OR PLANT, AND TWO-FRAMED FORKLIFT (EXCLUDING FRONT, POSIT-TRACK, AND SKID STEER LOADERS), NO EARTHWORK OR GRADING FOR ELEVATIONS	2018-12-17	23.02	15.99	39.01
		2019-05-01	24.00	16.96	40.96
204*	OFF-ROAD TRUCK	2018-12-17	37.83	18.65	56.48
205	PAVEMENT MARKING OR MARKING REMOVAL EQUIPMENT (ONE OR TWO PERSON OPERATORS); SELF-PROPELLED TRUCK OR TRAILER MOUNTED UNITS.	2018-12-17	37.05	19.39	56.44

HIGHWAY/HEAVY POWER EQUIPMENT OPERATOR

GROUP 2 *		2018-12-17	35.54	19.70	55.24
306	GRADER OR MOTOR PATROL				
308	TUGBOAT 100 H.P. AND OVER WHEN LICENSE REQUIRED (HIGHWAY AND HEAVY ONLY)				
GROUP 3 *		2018-12-17	36.34	20.30	56.64
		2019-05-01	38.09	20.50	58.59
309	ASPHALT BITUMINOUS STABILIZER PLANT				
310	CABLEWAY				
312	DERRICK (GUY OR STIFFLEG)(POWER)(SKIDS OR STATIONARY) (HIGHWAY AND HEAVY ONLY)				
314	DREDGE OR ENGINEERS, DREDGE (POWER) AND ENGINEER				
316	LOCOMOTIVE CRANE OPERATOR				
320	TANDEM SCRAPER				
322	TUGBOAT 100 H.P AND OVER (HIGHWAY AND HEAVY ONLY)				
GROUP 4		2018-12-17	36.04	20.30	56.34
		2019-05-01	37.79	20.50	58.29
323	AIR TRACK ROCK DRILL				
324	AUTOMATIC ROAD MACHINE (CMI OR SIMILAR) (HIGHWAY AND HEAVY ONLY)				
325	BACKFILLER OPERATOR				

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327	BITUMINOUS ROLLERS, RUBBER TIRED OR STEEL DRUMMED (EIGHT TONS AND OVER)				
328	BITUMINOUS SPREADER AND FINISHING MACHINES (POWER), INCLUDING PAVERS, MACRO SURFACING AND MICRO SURFACING, OR SIMILAR TYPES (OPERATOR AND SCREED PERSON)				
329	BROKK OR R.T.C. REMOTE CONTROL OR SIMILAR TYPE WITH ALL ATTACHMENTS				
330	CAT CHALLENGER TRACTORS OR SIMILAR TYPES PULLING ROCK WAGONS, BULLDOZERS AND SCRAPERS				
331	CHIP HARVESTER AND TREE CUTTER				
332	CONCRETE DISTRIBUTOR AND SPREADER FINISHING MACHINE, LONGITUDINAL FLOAT, JOINT MACHINE, AND SPRAY MACHINE				
334	CONCRETE MOBIL (HIGHWAY AND HEAVY ONLY)				
335	CRUSHING PLANT (GRAVEL AND STONE) OR GRAVEL WASHING, CRUSHING AND SCREENING PLANT				
336	CURB MACHINE				
337	DIRECTIONAL BORING MACHINE				
338	DOPE MACHINE (PIPELINE)				
340	DUAL TRACTOR				
341	ELEVATING GRADER				
345	GPS REMOTE OPERATING OF EQUIPMENT				
347	HYDRAULIC TREE PLANTER				
348	LAUNCHER PERSON (TANKER PERSON OR PILOT LICENSE)				
349	LOCOMOTIVE (HIGHWAY AND HEAVY ONLY)				
350	MILLING, GRINDING, PLANNING, FINE GRADE, OR TRIMMER MACHINE				
352	PAVEMENT BREAKER OR TAMPING MACHINE (POWER DRIVEN) MIGHTY MITE OR SIMILAR TYPE				
354	PIPELINE WRAPPING, CLEANING OR BENDING MACHINE				
356	POWER ACTUATED HORIZONTAL BORING MACHINE, OVER SIX INCHES				
357	PUGMILL				
359	RUBBER-TIRED FARM TRACTOR WITH BACKHOE INCLUDING ATTACHMENTS (HIGHWAY AND HEAVY ONLY)				
360	SCRAPER				
361	SELF-PROPELLED SOIL STABILIZER				
362	SLIP FORM (POWER DRIVEN) (PAVING)				
363	TIE TAMPER AND BALLAST MACHINE				
365	TRACTOR, WHEEL TYPE, OVER 50 H.P. WITH PTO UNRELATED TO LANDSCAPING (HIGHWAY AND HEAVY ONLY)				
367	TUB GRINDER, MORBARK, OR SIMILAR TYPE				
GROUP 5		2018-12-17	33.15	19.72	52.87

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370 BITUMINOUS ROLLER (UNDER EIGHT TONS)

371 CONCRETE SAW (MULTIPLE BLADE) (POWER OPERATED)

372 FORM TRENCH DIGGER (POWER)

375 HYDRAULIC LOG SPLITTER

376 LOADER (BARBER GREENE OR SIMILAR TYPE)

377 POST HOLE DRIVING MACHINE/POST HOLE AUGER

379 POWER ACTUATED JACK

381 SELF-PROPELLED CHIP SPREADER (FLAHERTY OR SIMILAR)

382 SHEEP FOOT COMPACTOR WITH BLADE . 200 H.P. AND OVER

383 SHOULDERING MACHINE (POWER) APSCO OR SIMILAR TYPE INCLUDING SELF-PROPELLED SAND AND CHIP SPREADER

384 STUMP CHIPPER AND TREE CHIPPER

385 TREE FARMER (MACHINE)

GROUP 6 *	2018-12-17	31.79	20.30	52.09
	2019-05-01	33.54	20.50	54.04

387 CAT, CHALLENGER, OR SIMILAR TYPE OF TRACTORS, WHEN PULLING DISK OR ROLLER

389 DREDGE DECK HAND

391 GRAVEL SCREENING PLANT (PORTABLE NOT CRUSHING OR WASHING)

393 LEVER PERSON

395 POWER SWEEPER

396 SHEEP FOOT ROLLER AND ROLLERS ON GRAVEL COMPACTION, INCLUDING VIBRATING ROLLERS

397 TRACTOR, WHEEL TYPE, OVER 50 H.P., UNRELATED TO LANDSCAPING

COMMERCIAL POWER EQUIPMENT OPERATOR

GROUP 1 *	2018-12-17	41.14	20.30	61.44

501 HELICOPTER PILOT (COMMERCIAL CONSTRUCTION ONLY)

502 TOWER CRANE 250 FEET AND OVER (COMMERCIAL CONSTRUCTION ONLY)

503 TRUCK CRAWLER CRANE WITH 200 FEET OF BOOM AND OVER, INCLUDING JIB (COMMERCIAL CONSTRUCTION ONLY)

GROUP 2	2018-12-17	40.80	20.30	61.10

504 CONCRETE PUMP WITH 50 METERS/164 FEET OF BOOM AND OVER (COMMERCIAL CONSTRUCTION ONLY)

505 PILE DRIVING WHEN THREE DRUMS IN USE (COMMERCIAL CONSTRUCTION ONLY)

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506 TOWER CRANE 200 FEET AND OVER (COMMERCIAL CONSTRUCTION ONLY)

507 TRUCK OR CRAWLER CRANE WITH 150 FEET OF BOOM UP TO AND NOT INCLUDING 200 FEET, INCLUDING JIB (COMMERCIAL CONSTRUCTION ONLY)

GROUP 3	2018-12-17	39.39	20.30	59.69

508 ALL-TERRAIN VEHICLE CRANES (COMMERCIAL CONSTRUCTION ONLY)

509 CONCRETE PUMP 32-49 METERS/102-164 FEET (COMMERCIAL CONSTRUCTION ONLY)

510 DERRICK (GUY & STIFFLEG) (COMMERCIAL CONSTRUCTION ONLY)

511 STATIONARY TOWER CRANE UP TO 200 FEET

512 SELF-ERECTING TOWER CRANE 100 FEET AND OVER MEASURED FROM BOOM FOOT PIN (COMMERCIAL CONSTRUCTION ONLY)

513 TRAVELING TOWER CRANE (COMMERCIAL CONSTRUCTION ONLY)

514 TRUCK OR CRAWLER CRANE UP TO AND NOT INCLUDING 150 FEET OF BOOM, INCLUDING JIB (COMMERCIAL CONSTRUCTION ONLY)

GROUP 4 *	2018-12-17	39.05	20.30	59.35

515 CRAWLER BACKHOE INCLUDING ATTACHMENTS (COMMERCIAL CONSTRUCTION ONLY)

516 FIREPERSON, CHIEF BOILER LICENSE (COMMERCIAL CONSTRUCTION ONLY)

517 HOIST ENGINEER (THREE DRUMS OR MORE) (COMMERCIAL CONSTRUCTION ONLY)

518 LOCOMOTIVE (COMMERCIAL CONSTRUCTION ONLY)

519 OVERHEAD CRANE (INSIDE BUILDING PERIMETER) (COMMERCIAL CONSTRUCTION ONLY)

520 TRACTOR . BOOM TYPE (COMMERCIAL CONSTRUCTION ONLY)

GROUP 5	2018-12-17	38.13	20.30	58.43

521 AIR COMPRESSOR 450 CFM OR OVER (TWO OR MORE MACHINES) (COMMERCIAL CONSTRUCTION ONLY)

522 CONCRETE MIXER (COMMERCIAL CONSTRUCTION ONLY)

523 CONCRETE PUMP UP TO 31 METERS/101 FEET OF BOOM

524 DRILL RIGS, HEAVY ROTARY OR CHURN OR CABLE DRILL WHEN USED FOR CAISSON FOR ELEVATOR OR BUILDING CONSTRUCTION (COMMERCIAL CONSTRUCTION ONLY)

525 FORKLIFT (COMMERCIAL CONSTRUCTION ONLY)

526 FRONT END, SKID STEER 1 C YD AND OVER

527 HOIST ENGINEER (ONE OR TWO DRUMS) (COMMERCIAL CONSTRUCTION ONLY)

528 MECHANIC-WELDER (ON POWER EQUIPMENT) (COMMERCIAL CONSTRUCTION ONLY)

529 POWER PLANT (100 KW AND OVER OR MULTIPLES EQUAL TO 100KW AND OVER) (COMMERCIAL CONSTRUCTION ONLY)

530 PUMP OPERATOR AND/OR CONVEYOR (TWO OR MORE MACHINES) (COMMERCIAL CONSTRUCTION ONLY)

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531	SELF-ERECTING TOWER CRANE UNDER 100 FEET MEASURED FROM BOOM FOOT PIN (COMMERCIAL CONSTRUCTION ONLY)				
532	STRADDLE CARRIER (COMMERCIAL CONSTRUCTION ONLY)				
533	TRACTOR OVER D2 (COMMERCIAL CONSTRUCTION ONLY)				
534	WELL POINT PUMP (COMMERCIAL CONSTRUCTION ONLY)				
GROUP 6 *		2018-12-17	36.62	20.30	56.92
535	CONCRETE BATCH PLANT (COMMERCIAL CONSTRUCTION ONLY)				
536	FIREPERSON, FIRST CLASS BOILER LICENSE (COMMERCIAL CONSTRUCTION ONLY)				
537	FRONT END, SKID STEER UP TO 1 C YD				
538	GUNITE MACHINE (COMMERCIAL CONSTRUCTION ONLY)				
539	TRACTOR OPERATOR D2 OR SIMILAR SIZE (COMMERCIAL CONSTRUCTION ONLY)				
540	TRENCHING MACHINE (SEWER, WATER, GAS) EXCLUDES WALK BEHIND TRENCHER				
GROUP 7		2018-12-17	35.50	20.30	55.80
541	AIR COMPRESSOR 600 CFM OR OVER (COMMERCIAL CONSTRUCTION ONLY)				
542	BRAKEPERSON (COMMERCIAL CONSTRUCTION ONLY)				
543	CONCRETE PUMP/PUMPCRETE OR COMPLACO TYPE (COMMERCIAL CONSTRUCTION ONLY)				
544	FIREPERSON, TEMPORARY HEAT SECOND CLASS BOILER LICENSE (COMMERCIAL CONSTRUCTION ONLY)				
545	OILER (POWER SHOVEL, CRANE, TRUCK CRANE, DRAGLINE, CRUSHERS AND MILLING MACHINES, OR OTHER SIMILAR POWER EQUIPMENT) (COMMERCIAL CONSTRUCTION ONLY)				
546	PICK UP SWEEPER (ONE CUBIC YARD HOPPER CAPACITY) (COMMERCIAL CONSTRUCTION ONLY)				
547	PUMP AND/OR CONVEYOR (COMMERCIAL CONSTRUCTION ONLY)				
GROUP 8 *		2018-12-17	33.49	20.30	53.79
548	ELEVATOR OPERATOR (COMMERCIAL CONSTRUCTION ONLY)				
549	GREASER (COMMERCIAL CONSTRUCTION ONLY)				
550	MECHANICAL SPACE HEATER (TEMPORARY HEAT NO BOILER LICENSE REQUIRED) (COMMERCIAL CONSTRUCTION ONLY)				

TRUCK DRIVERS

GROUP 1 *		2018-12-17	23.65	6.76	30.41
601	MECHANIC . WELDER				
602	TRACTOR TRAILER DRIVER				

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603	TRUCK DRIVER (HAULING MACHINERY INCLUDING OPERATION OF HAND AND POWER OPERATED WINCHES)				
GROUP 2 *		2018-12-17	19.90	6.76	26.66
604	FOUR OR MORE AXLE UNIT, STRAIGHT BODY TRUCK				
GROUP 3 *		2018-12-17	22.35	6.76	29.11
605	BITUMINOUS DISTRIBUTOR DRIVER				
606	BITUMINOUS DISTRIBUTOR (ONE PERSON OPERATION)				
607	THREE AXLE UNITS				
GROUP 4		2018-12-17	28.00	9.56	37.56
608	BITUMINOUS DISTRIBUTOR SPRAY OPERATOR (REAR AND OILER)				
609	DUMP PERSON				
610	GREASER				
611	PILOT CAR DRIVER				
612	RUBBER-TIRED, SELF-PROPELLED PACKER UNDER 8 TONS				
613	TWO AXLE UNIT				
614	SLURRY OPERATOR				
615	TANK TRUCK HELPER (GAS, OIL, ROAD OIL, AND WATER)				
616	TRACTOR OPERATOR, UNDER 50 H.P.				
SPECIAL CRAFTS					
701	HEATING AND FROST INSULATORS	2018-12-17	44.60	24.40	69.00
		2019-06-01	47.10	24.40	71.50
702*	BOILERMAKERS	2018-12-17	37.22	27.14	64.36
		2019-01-01	38.33	27.43	65.76
703	BRICKLAYERS	2018-12-17	38.76	20.87	59.63
704	CARPENTERS	2018-12-17	37.18	21.45	58.63
705	CARPET LAYERS (LINOLEUM)	2018-12-17	37.84	19.19	57.03
706	CEMENT MASONS	2018-12-17	38.41	19.67	58.08

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707	ELECTRICIANS	2018-12-17	42.28	29.07	71.35
		2019-05-01	45.23	29.07	74.30
708	ELEVATOR CONSTRUCTORS	2018-12-17	48.36	32.65	81.01
		2019-01-01	49.91	39.24	89.15
709	GLAZIERS	2018-12-17	41.19	18.54	59.73
710	LATHERS	2018-12-17	38.47	20.18	58.65
712	IRONWORKERS	2018-12-17	37.10	27.85	64.95
714*	MILLWRIGHT	2018-12-17	35.13	24.98	60.11
715	PAINTERS (INCLUDING HAND BRUSHED, HAND SPRAYED, AND THE TAPING OF PAVEMENT MARKINGS)	2018-12-17	36.75	21.24	57.99
716	PILEDRIVER (INCLUDING VIBRATORY DRIVER OR EXTRACTOR FOR PILING AND SHEETING OPERATIONS)	2018-12-17	38.01	21.08	59.09
		2019-05-01	39.96	21.08	61.04
717	PIPEFITTERS . STEAMFITTERS	2018-12-17	47.04	26.05	73.09
718	PLASTERERS	2018-12-17	38.96	19.45	58.41
719	PLUMBERS	2018-12-17	47.27	23.43	70.70
		2019-05-01	50.02	23.43	73.45
720	ROOFER	2018-12-17	36.26	17.46	53.72
721	SHEET METAL WORKERS	2018-12-17	43.31	27.72	71.03
		2019-05-01	45.91	27.72	73.63
722	SPRINKLER FITTERS	2018-12-17	43.18	25.80	68.98

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723	TERRAZZO WORKERS	2018-12-17	38.91	19.40	58.31
724	TILE SETTERS	2018-12-17	33.55	24.44	57.99
725	TILE FINISHERS	2018-12-17	28.23	19.12	47.35
726	DRYWALL TAPER	2018-12-17	32.07	23.02	55.09
727	WIRING SYSTEM TECHNICIAN	2018-12-17	38.97	17.14	56.11
		2019-07-01	40.17	17.14	57.31
728	WIRING SYSTEMS INSTALLER	2018-12-17	27.30	14.31	41.61
		2019-07-01	28.14	14.31	42.45
729	ASBESTOS ABATEMENT WORKER	2018-12-17	31.68	18.71	50.39
		2019-01-01	32.68	19.66	52.34
730	SIGN ERECTOR	2018-12-17	28.80	14.92	43.72
		2019-06-01	30.45	14.92	45.37

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MINNESOTA DEPARTMENT OF LABOR AND INDUSTRY PREVAILING WAGES FOR STATE FUNDED CONSTRUCTION PROJECTS

THIS NOTICE MUST BE POSTED ON THE JOBSITE IN A CONSPICUOUS PLACE

Construction Type: Highway and Heavy

Region Number: 09

Counties within region:

- ANOKA-02
- CARVER-10
- CHISAGO-13
- DAKOTA-19
- HENNEPIN-27
- RAMSEY-62
- SCOTT-70
- WASHINGTON-82

Effective: 2018-11-14 Revised: 2018-12-03

This project is covered by Minnesota prevailing wage statutes. Wage rates listed below are the minimum hourly rates to be paid on this project.

All hours worked in excess of eight (8) hours per day or forty (40) hours per week shall be paid at a rate of one and one half (1 1/2) times the basic hourly rate.

Violations should be reported to:

Department of Transportation
Office of Construction
Transportation Building MS650
John Ireland Blvd
St. Paul, MN 55155
(651) 366-4209

Refer questions concerning the prevailing wage rates to:

Department of Labor and Industry
Prevailing Wage Section
443 Lafayette Road N
St Paul, MN 55155
(651) 284-5091
DLI.PrevWage@state.mn.us

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LABOR CODE AND CLASS	EFFECT DATE	BASIC RATE	FRINGE RATE	TOTAL RATE
LABORERS (101 - 112) (SPECIAL CRAFTS 701 - 730)				
101 LABORER, COMMON (GENERAL LABOR WORK)	2018-11-14	31.65	19.64	51.29
	2019-05-01	32.80	20.44	53.24
102 LABORER, SKILLED (ASSISTING SKILLED CRAFT JOURNEYMAN)	2018-11-14	31.65	19.64	51.29
	2019-05-01	32.80	20.44	53.24
103 LABORER, LANDSCAPING (GARDENER, SOD LAYER AND NURSERY OPERATOR)	2018-11-14	23.02	15.99	39.01
	2019-05-01	24.00	16.96	40.96
104 FLAG PERSON	2018-11-14	31.65	19.64	51.29
	2019-05-01	32.80	20.44	53.24
105 WATCH PERSON	2018-11-14	28.25	19.09	47.34
	2019-05-01	29.40	19.89	49.29
106 BLASTER	2018-11-14	22.08	6.87	28.95
107 PIPELAYER (WATER, SEWER AND GAS)	2018-11-14	34.15	19.64	53.79
	2019-05-01	35.30	20.44	55.74
108 TUNNEL MINER	2018-11-14	32.35	19.64	51.99
	2019-05-01	33.50	20.44	53.94
109 UNDERGROUND AND OPEN DITCH LABORER (EIGHT FEET BELOW STARTING GRADE LEVEL)	2018-11-14	32.35	19.64	51.99
	2019-05-01	33.50	20.44	53.94
110 SURVEY FIELD TECHNICIAN (OPERATE TOTAL STATION, GPS RECEIVER, LEVEL, ROD OR RANGE POLES, STEEL TAPE MEASUREMENT; MARK AND DRIVE STAKES; HAND OR POWER DIGGING FOR AND	2018-11-14	31.65	19.64	51.29

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	IDENTIFICATION OF MARKERS OR MONUMENTS; PERFORM AND CHECK CALCULATIONS; REVIEW AND UNDERSTAND CONSTRUCTION PLANS AND LAND SURVEY MATERIALS). THIS CLASSIFICATION DOES NOT APPLY TO THE WORK PERFORMED ON A PREVAILING WAGE PROJECT BY A LAND SURVEYOR WHO IS LICENSED PURSUANT TO MINNESOTA STATUTES, SECTIONS 326.02 TO 326.15.				
		2019-05-01	32.80	20.44	53.24
111	TRAFFIC CONTROL PERSON (TEMPORARY SIGNAGE)	2018-11-14	31.65	19.64	51.29
		2019-05-01	32.80	20.44	53.24
112	QUALITY CONTROL TESTER (FIELD AND COVERED OFF-SITE FACILITIES; TESTING OF AGGREGATE, ASPHALT, AND CONCRETE MATERIALS); LIMITED TO MN DOT HIGHWAY AND HEAVY CONSTRUCTION PROJECTS WHERE THE MN DOT HAS RETAINED QUALITY ASSURANCE PROFESSIONALS TO REVIEW AND INTERPRET THE RESULTS OF QUALITY CONTROL TESTERS. SERVICES PROVIDED BY THE CONTRACTOR.	2018-11-14	16.28	4.07	20.35
SPECIAL EQUIPMENT (201 - 204)					
201	ARTICULATED HAULER	2018-11-14	36.04	20.30	56.34
		2019-05-01	37.79	20.50	58.29
202	BOOM TRUCK	2018-11-14	36.04	20.30	56.34
		2019-05-01	37.79	20.50	58.29
203	LANDSCAPING EQUIPMENT, INCLUDES HYDRO SEEDER OR MULCHER, SOD ROLLER, FARM TRACTOR WITH ATTACHMENT SPECIFICALLY SEEDING, SODDING, OR PLANT, AND TWO-FRAMED FORKLIFT (EXCLUDING FRONT, POSIT-TRACK, AND SKID STEER LOADERS), NO EARTHWORK OR GRADING FOR ELEVATIONS	2018-11-14	23.02	15.99	39.01
		2019-05-01	24.00	16.96	40.96
204	OFF-ROAD TRUCK	2018-11-14	36.04	20.30	56.34
		2019-05-01	37.79	20.50	58.29

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205	PAVEMENT MARKING OR MARKING REMOVAL EQUIPMENT (ONE OR TWO PERSON OPERATORS); SELF-PROPELLED TRUCK OR TRAILER MOUNTED UNITS.	2018-11-14	32.04	21.26	53.30

HIGHWAY/HEAVY POWER EQUIPMENT OPERATOR

GROUP 2		2018-11-14	36.89	20.30	57.19
		2019-05-01	38.64	20.50	59.14
302	HELICOPTER PILOT (HIGHWAY AND HEAVY ONLY)				
303	CONCRETE PUMP (HIGHWAY AND HEAVY ONLY)				
304	ALL CRANES WITH OVER 135-FOOT BOOM, EXCLUDING JIB (HIGHWAY AND HEAVY ONLY)				
305	DRAGLINE, CRAWLER, HYDRAULIC BACKHOE (TRACK OR WHEEL MOUNTED) AND/OR OTHER SIMILAR EQUIPMENT WITH SHOVEL-TYPE CONTROLS THREE CUBIC YARDS AND OVER MANUFACTURER.S RATED CAPACITY INCLUDING ALL ATTACHMENTS. (HIGHWAY AND HEAVY ONLY)				
306	GRADER OR MOTOR PATROL				
307	PILE DRIVING (HIGHWAY AND HEAVY ONLY)				
308	TUGBOAT 100 H.P. AND OVER WHEN LICENSE REQUIRED (HIGHWAY AND HEAVY ONLY)				
GROUP 3		2018-11-14	36.34	20.30	56.64
		2019-05-01	38.09	20.50	58.59
309	ASPHALT BITUMINOUS STABILIZER PLANT				
310	CABLEWAY				
311	CONCRETE MIXER, STATIONARY PLANT (HIGHWAY AND HEAVY ONLY)				
312	DERRICK (GUY OR STIFFLEG)(POWER)(SKIDS OR STATIONARY) (HIGHWAY AND HEAVY ONLY)				
313	DRAGLINE, CRAWLER, HYDRAULIC BACKHOE (TRACK OR WHEEL MOUNTED) AND/OR SIMILAR EQUIPMENT WITH SHOVEL-TYPE CONTROLS, UP TO THREE CUBIC YARDS MANUFACTURER.S RATED CAPACITY INCLUDING ALL ATTACHMENTS (HIGHWAY AND HEAVY ONLY)				
314	DREDGE OR ENGINEERS, DREDGE (POWER) AND ENGINEER				
315	FRONT END LOADER, FIVE CUBIC YARDS AND OVER INCLUDING ATTACHMENTS. (HIGHWAY AND HEAVY ONLY)				
316	LOCOMOTIVE CRANE OPERATOR				
317	MIXER (PAVING) CONCRETE PAVING, ROAD MOLE, INCLUDING MUCKING OPERATIONS, CONWAY OR SIMILAR TYPE				
318	MECHANIC . WELDER ON POWER EQUIPMENT (HIGHWAY AND HEAVY ONLY)				
319	TRACTOR . BOOM TYPE (HIGHWAY AND HEAVY ONLY)				

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320 TANDEM SCRAPER

321 TRUCK CRANE . CRAWLER CRANE (HIGHWAY AND HEAVY ONLY)

322 TUGBOAT 100 H.P AND OVER (HIGHWAY AND HEAVY ONLY)

GROUP 4	2018-11-14	36.04	20.30	56.34
	2019-05-01	37.79	20.50	58.29

323 AIR TRACK ROCK DRILL

324 AUTOMATIC ROAD MACHINE (CMI OR SIMILAR) (HIGHWAY AND HEAVY ONLY)

325 BACKFILLER OPERATOR

326 CONCRETE BATCH PLANT OPERATOR (HIGHWAY AND HEAVY ONLY)

327 BITUMINOUS ROLLERS, RUBBER TIRED OR STEEL DRUMMED (EIGHT TONS AND OVER)

328 BITUMINOUS SPREADER AND FINISHING MACHINES (POWER), INCLUDING PAVERS, MACRO SURFACING AND MICRO SURFACING, OR SIMILAR TYPES (OPERATOR AND SCREED PERSON)

329 BROKK OR R.T.C. REMOTE CONTROL OR SIMILAR TYPE WITH ALL ATTACHMENTS

330 CAT CHALLENGER TRACTORS OR SIMILAR TYPES PULLING ROCK WAGONS, BULLDOZERS AND SCRAPERS

331 CHIP HARVESTER AND TREE CUTTER

332 CONCRETE DISTRIBUTOR AND SPREADER FINISHING MACHINE, LONGITUDINAL FLOAT, JOINT MACHINE, AND SPRAY MACHINE

333 CONCRETE MIXER ON JOBSITE (HIGHWAY AND HEAVY ONLY)

334 CONCRETE MOBIL (HIGHWAY AND HEAVY ONLY)

335 CRUSHING PLANT (GRAVEL AND STONE) OR GRAVEL WASHING, CRUSHING AND SCREENING PLANT

336 CURB MACHINE

337 DIRECTIONAL BORING MACHINE

338 DOPE MACHINE (PIPELINE)

339 DRILL RIGS, HEAVY ROTARY OR CHURN OR CABLE DRILL (HIGHWAY AND HEAVY ONLY)

340 DUAL TRACTOR

341 ELEVATING GRADER

342 FORK LIFT OR STRADDLE CARRIER (HIGHWAY AND HEAVY ONLY)

343 FORK LIFT OR LUMBER STACKER (HIGHWAY AND HEAVY ONLY)

344 FRONT END, SKID STEER OVER 1 TO 5 C YD

345 GPS REMOTE OPERATING OF EQUIPMENT

346 HOIST ENGINEER (POWER) (HIGHWAY AND HEAVY ONLY)

347 HYDRAULIC TREE PLANTER

348 LAUNCHER PERSON (TANKER PERSON OR PILOT LICENSE)

349 LOCOMOTIVE (HIGHWAY AND HEAVY ONLY)

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350 MILLING, GRINDING, PLANNING, FINE GRADE, OR TRIMMER MACHINE

351 MULTIPLE MACHINES, SUCH AS AIR COMPRESSORS, WELDING MACHINES, GENERATORS, PUMPS (HIGHWAY AND HEAVY ONLY)

352 PAVEMENT BREAKER OR TAMPING MACHINE (POWER DRIVEN) MIGHTY MITE OR SIMILAR TYPE

353 PICKUP SWEEPER, ONE CUBIC YARD AND OVER HOPPER CAPACITY(HIGHWAY AND HEAVY ONLY)

354 PIPELINE WRAPPING, CLEANING OR BENDING MACHINE

355 POWER PLANT ENGINEER, 100 KWH AND OVER (HIGHWAY AND HEAVY ONLY)

356 POWER ACTUATED HORIZONTAL BORING MACHINE, OVER SIX INCHES

357 PUGMILL

358 PUMPCRETE (HIGHWAY AND HEAVY ONLY)

359 RUBBER-TIRED FARM TRACTOR WITH BACKHOE INCLUDING ATTACHMENTS (HIGHWAY AND HEAVY ONLY)

360 SCRAPER

361 SELF-PROPELLED SOIL STABILIZER

362 SLIP FORM (POWER DRIVEN) (PAVING)

363 TIE TAMPER AND BALLAST MACHINE

364 TRACTOR, BULLDOZER (HIGHWAY AND HEAVY ONLY)

365 TRACTOR, WHEEL TYPE, OVER 50 H.P. WITH PTO UNRELATED TO LANDSCAPING (HIGHWAY AND HEAVY ONLY)

366 TRENCHING MACHINE (SEWER, WATER, GAS) EXCLUDES WALK BEHIND TRENCHER (HIGHWAY AND HEAVY ONLY)

367 TUB GRINDER, MORBARK, OR SIMILAR TYPE

368 WELL POINT DISMANTLING OR INSTALLATION (HIGHWAY AND HEAVY ONLY)

GROUP 5	2018-11-14	33.00	20.30	53.30
	2019-05-01	34.75	20.50	55.25

369 AIR COMPRESSOR, 600 CFM OR OVER (HIGHWAY AND HEAVY ONLY)

370 BITUMINOUS ROLLER (UNDER EIGHT TONS)

371 CONCRETE SAW (MULTIPLE BLADE) (POWER OPERATED)

372 FORM TRENCH DIGGER (POWER)

373 FRONT END, SKID STEER UP TO 1C YD

374 GUNITE GUNALL (HIGHWAY AND HEAVY ONLY)

375 HYDRAULIC LOG SPLITTER

376 LOADER (BARBER GREENE OR SIMILAR TYPE)

377 POST HOLE DRIVING MACHINE/POST HOLE AUGER

378 POWER ACTUATED AUGER AND BORING MACHINE

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379 POWER ACTUATED JACK

380 PUMP (HIGHWAY AND HEAVY ONLY)

381 SELF-PROPELLED CHIP SPREADER (FLAHERTY OR SIMILAR)

382 SHEEP FOOT COMPACTOR WITH BLADE . 200 H.P. AND OVER

383 SHOULDERING MACHINE (POWER) APSCO OR SIMILAR TYPE INCLUDING SELF-PROPELLED SAND AND CHIP SPREADER

384 STUMP CHIPPER AND TREE CHIPPER

385 TREE FARMER (MACHINE)

GROUP 6	2018-11-14	31.79	20.30	52.09
	2019-05-01	33.54	20.50	54.04

387 CAT, CHALLENGER, OR SIMILAR TYPE OF TRACTORS, WHEN PULLING DISK OR ROLLER

388 CONVEYOR (HIGHWAY AND HEAVY ONLY)

389 DREDGE DECK HAND

390 FIRE PERSON OR TANK CAR HEATER (HIGHWAY AND HEAVY ONLY)

391 GRAVEL SCREENING PLANT (PORTABLE NOT CRUSHING OR WASHING)

392 GREASER (TRACTOR) (HIGHWAY AND HEAVY ONLY)

393 LEVER PERSON

394 OILER (POWER SHOVEL, CRANE, TRUCK CRANE, DRAGLINE, CRUSHERS, AND MILLING MACHINES, OR OTHER SIMILAR HEAVY EQUIPMENT) (HIGHWAY AND HEAVY ONLY)

395 POWER SWEEPER

396 SHEEP FOOT ROLLER AND ROLLERS ON GRAVEL COMPACTION, INCLUDING VIBRATING ROLLERS

397 TRACTOR, WHEEL TYPE, OVER 50 H.P., UNRELATED TO LANDSCAPING

TRUCK DRIVERS

GROUP 1	2018-11-14	31.25	17.50	48.75

601 MECHANIC . WELDER

602 TRACTOR TRAILER DRIVER

603 TRUCK DRIVER (HAULING MACHINERY INCLUDING OPERATION OF HAND AND POWER OPERATED WINCHES)

GROUP 2	2018-11-14	30.70	17.50	48.20

604 FOUR OR MORE AXLE UNIT, STRAIGHT BODY TRUCK

GROUP 3	2018-11-14	30.60	17.50	48.10

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605	BITUMINOUS DISTRIBUTOR DRIVER				
606	BITUMINOUS DISTRIBUTOR (ONE PERSON OPERATION)				
607	THREE AXLE UNITS				
GROUP 4		2018-11-14	30.35	17.50	47.85
608	BITUMINOUS DISTRIBUTOR SPRAY OPERATOR (REAR AND OILER)				
609	DUMP PERSON				
610	GREASER				
611	PILOT CAR DRIVER				
612	RUBBER-TIRED, SELF-PROPELLED PACKER UNDER 8 TONS				
613	TWO AXLE UNIT				
614	SLURRY OPERATOR				
615	TANK TRUCK HELPER (GAS, OIL, ROAD OIL, AND WATER)				
616	TRACTOR OPERATOR, UNDER 50 H.P.				
SPECIAL CRAFTS					
701	HEATING AND FROST INSULATORS	2018-11-14	43.90	23.05	66.95
702	BOILERMAKERS	2018-11-14	37.22	27.14	64.36
		2019-01-01	38.33	27.43	65.76
703	BRICKLAYERS	2018-11-14	36.05	19.68	55.73
704	CARPENTERS	2018-11-14	38.01	21.08	59.09
		2019-05-01	39.96	21.08	61.04
705	CARPET LAYERS (LINOLEUM)	FOR RATE CALL 651-284-5091 OR EMAIL DLI.PREVWAGE@STATE.MN.US			
706	CEMENT MASONS	2018-11-14	38.55	20.07	58.62
707	ELECTRICIANS	2018-11-14	42.28	29.07	71.35
		2019-05-01	45.23	29.07	74.30
711	GROUND PERSON	2018-11-14	31.48	15.66	47.14

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		2019-04-01	32.42	16.23	48.65
712	IRONWORKERS	2018-11-14	37.10	27.85	64.95
713	LINEMAN	2018-11-14	44.97	19.44	64.41
		2019-04-01	46.32	20.12	66.44
714	MILLWRIGHT	2018-11-14	35.13	24.98	60.11
715	PAINTERS (INCLUDING HAND BRUSHED, HAND SPRAYED, AND THE TAPING OF PAVEMENT MARKINGS)	2018-11-14	38.25	21.24	59.49
716	PILEDRIVER (INCLUDING VIBRATORY DRIVER OR EXTRACTOR FOR PILING AND SHEETING OPERATIONS)	2018-11-14	38.01	21.08	59.09
		2019-05-01	39.96	21.08	61.04
717	PIPEFITTERS . STEAMFITTERS	2018-11-14	47.04	26.05	73.09
719	PLUMBERS	2018-11-14	46.91	23.79	70.70
		2019-05-01	49.66	23.79	73.45
721	SHEET METAL WORKERS	2018-11-14	40.88	25.10	65.98
723	TERRAZZO WORKERS	FOR RATE CALL 651-284-5091 OR EMAIL DLI.PREVWAGE@STATE.MN.US			
724	TILE SETTERS	2018-11-14	34.76	23.29	58.05
725	TILE FINISHERS	FOR RATE CALL 651-284-5091 OR EMAIL DLI.PREVWAGE@STATE.MN.US			
727	WIRING SYSTEM TECHNICIAN	2018-11-14	38.97	17.14	56.11
		2019-07-01	40.17	17.14	57.31
728	WIRING SYSTEMS INSTALLER	2018-11-14	27.30	14.31	41.61

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		2019-07-01	28.14	14.31	42.45
729	ASBESTOS ABATEMENT WORKER	2018-11-14	31.68	18.71	50.39
		2019-01-01	32.68	19.66	52.34
730	SIGN ERECTOR	FOR RATE CALL 651-284-5091 OR EMAIL DLI.PREVWAGE@STATE.MN.US			

THE CITY OF LAKE ELMO

STAFF REPORT

DATE: June 21, 2022
CONSENT

AGENDA ITEM: Approve Pay Request No. 9 for the Old Village Phase 5 and 6 Street, Drainage and Utility Improvements

SUBMITTED BY: Chad Isakson, Project Engineer
REVIEWED BY: Kristina Handt, City Administrator
Marty Powers, Public Works Director
Jack Griffin, City Engineer

ISSUE BEFORE COUNCIL: Should the City Council approve Pay Request No. 9 for the Old Village Phase 5 and 6 Street, Drainage and Utility Improvements?

BACKGROUND: A-1 Excavating was awarded a construction contract on March 16, 2021 to complete the Old Village Phase 5 and 6 Street, Drainage and Utility Improvements. Work remains in progress with a milestone 1 completion date of October 15, 2021, milestone 2 completion date of October 14, 2022, substantial completion date of June 30, 2023 and final completion date of July 28, 2023.

PROPOSAL DETAILS/ANALYSIS: A-1 Excavating has submitted Partial Pay Request No. 9 in the amount of $857,123.49. 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 $161,995.06.

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

RECOMMENDATION: Staff is recommending that the City Council approve, *as part of the Consent Agenda,* Pay Request No. 9 for the Old Village Phase 5 and 6 Street, Drainage and Utility Improvements. If removed from the consent agenda, the recommended motion for the action is as follows:

"Move to approve Pay Request No. 9 to A-1 Excavating. in the amount of $857,123.49 for the Old Village Phase 5 and 6 Street, Drainage and Utility Improvements".

ATTACHMENTS:

1. Partial Pay Estimate No. 9.

PROJECT PAY FORM

PARTIAL PAY ESTIMATE NO. 9

FOCUS ENGINEERING, inc.

OLD VILLAGE PH 5 & 6: STREET, DRAINAGE, & UTILITY IMPROVMENTS
PROJECT NO. 2019.116

PERIOD OF ESTIMATE
FROM **5/6/2022** TO **6/8/2022**

PROJECT OWNER:
CITY OF LAKE ELMO
3800 LAVERNE AVENUE NORTH
LAKE ELMO, MN 55042
ATTN: JACK GRIFFIN, CITY ENGINEER

CONTRACTOR:
A-1 EXCAVATING
8237 STATE HWY 64, PO BOX 90
BLOOMER, WI 54724
ATTN: BRAD NIELSEN, PROJECT MANAGER

CONTRACT CHANGE ORDER SUMMARY

No.	Approval Date	Amount	
		Additions	Deductions
1	7/20/2021	$5,554.56	
2	9/7/2021	$203,950.00	
3	11/16/2021	$9,512.25	
4	4/29/2022		$108,610.65
5	6/1/2022	$2,162.25	
TOTALS		$221,179.06	$108,610.65
NET CHANGE		$112,568.41	

PAY ESTIMATE SUMMARY

1. Original Contract Amount	$6,488,157.83
2. Net Change Order Sum	$112,568.41
3. Revised Contract (1+2)	$6,600,726.24
4. *Work Completed	$3,239,901.18
5. *Stored Materials	$0.00
6. Subtotal (4+5)	$3,239,901.18
7. Retainage* 5.0%	$161,995.06
8. Previous Payments	$2,220,782.63
9. Amount Due (6-7-8)	**$857,123.49**

**Detailed Breakdown Attached*

CONTRACT TIME

START DATE: **4/1/2021**
SUBSTANTIAL COMPLETION: **6/30/2023**
FINAL COMPLETION: **7/28/2023**

ORIGINAL DAYS 848
REVISED DAYS 0
REMAINING 415

ON SCHEDULE
YES [X]
NO [ ]

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.
Chad Isakson
ENGINEER
6/10/2022
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
B/A
6-8-22
DATE

APPROVED BY OWNER: **CITY OF LAKE ELMO, MINNESOTA**

BY
DATE

BY
DATE

PARTIAL PAY ESTIMATE NO. 9

OLD VILLAGE PH 5 & 6: STREET, DRAINAGE, & UTILITY IMPROVMENTS
CITY OF LAKE ELMO, MINNESOTA
PROJECT NO. 2019.116

FOCUS ENGINEERING, inc.

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT					THIS PERIOD		TOTAL TO DATE	
			BASE BID QUANTITY	CO #4 ADJ.	UPDATED QUANTITY	UNIT PRICE	BASE BID AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
	BASE BID										
1	MOBILIZATION	LS	1		1	$369,660.00	$369,660.00	0.15	$55,449.00	0.90	$332,694.00
2	CLEARING & GRUBBING	ACRE	2.35		2.35	$7,750.00	$18,212.50	0.00	$0.00	3.20	$24,800.00
3	CLEARING	TREE	99		99	$215.00	$21,285.00	0.00	$0.00	120.00	$25,800.00
4	GRUBBING	TREE	104		104	$135.00	$14,040.00	0.00	$0.00	92.00	$12,420.00
5	REMOVE SHRUB	LF	534		534	$8.00	$4,272.00	0.00	$0.00	550.00	$4,400.00
6	REMOVE SIGN TYPE C	EACH	40		40	$55.00	$2,200.00	0.00	$0.00	15.00	$825.00
7	REMOVE WATER MAIN PIPE	LF	7062		7062	$2.00	$14,124.00	2,399.00	$4,798.00	5,000.00	$10,000.00
8	REMOVE SEWER PIPE (SANITARY) (3" OR 4" MAIN)	LF	1029		1029	$4.00	$4,116.00	0.00	$0.00	365.00	$1,460.00
9	REMOVE SEWER PIPE (STORM)	LF	610		610	$14.00	$8,540.00	0.00	$0.00	0.00	$0.00
10	REMOVE CONCRETE CURB & GUTTER	LF	295	-26	269	$4.00	$1,180.00	0.00	$0.00	40.00	$160.00
11	REMOVE FENCE	LF	1144		1144	$8.00	$9,152.00	0.00	$0.00	971.00	$7,768.00
12	PULVERIZE BITUMINOUS PAVEMENT (P)	SY	19952	-136	19816	$3.00	$59,856.00	0.00	$0.00	18,500.00	$55,500.00
13	REMOVE BITUMINOUS DRIVEWAY AND TRAIL	SY	2283	-30	2253	$3.50	$7,990.50	829.00	$2,901.50	1,000.00	$3,500.00
14	REMOVE CONCRETE DRIVEWAY PAVEMENT	SY	571		571	$4.50	$2,569.50	215.00	$967.50	250.00	$1,125.00
15	SALVAGE AND INSTALL CASTING (SANITARY)	EACH	4		4	$550.00	$2,200.00	0.00	$0.00	0.00	$0.00
16	SALVAGE AND INSTALL CASTING (STORM)	EACH	4		4	$550.00	$2,200.00	0.00	$0.00	0.00	$0.00
17	REMOVE GATE VALVE & BOX	EACH	17		17	$150.00	$2,550.00	9.00	$1,350.00	12.00	$1,800.00
18	REMOVE SANITARY STRUCTURE	EACH	4		4	$800.00	$3,200.00	0.00	$0.00	4.00	$3,200.00
19	REMOVE CATCH BASIN OR MANHOLE (STORM)	EACH	2		2	$700.00	$1,400.00	0.00	$0.00	0.00	$0.00
20	REMOVE HYDRANT & GATE VALVE ASSEMBLY	EACH	14		14	$500.00	$7,000.00	3.00	$1,500.00	8.00	$4,000.00
21	SAWING CONCRETE PAVEMENT (FULL DEPTH)	LF	471	-12	459	$5.00	$2,355.00	0.00	$0.00	15.00	$75.00
22	SAWING BIT PAVEMENT (FULL DEPTH)	LF	1465	-7	1458	$2.00	$2,930.00	0.00	$0.00	68.00	$136.00
23	REMOVE CONCRETE WALK	SF	457	-15	442	$2.00	$914.00	0.00	$0.00	0.00	$0.00
24	SALVAGE AND INSTALL LANDSCAPING ROCK OR MULCH	SF	1150		1150	$4.00	$4,600.00	0.00	$0.00	0.00	$0.00
25	SALVAGE AND INSTALL DRIVEWAY PAVERS	SF	495		495	$19.00	$9,405.00	0.00	$0.00	0.00	$0.00
26	REMOVE EXISTING SANITARY SEWER DRAIN FIELD (32ND STREET N)	LS	1		1	$10,000.00	$10,000.00	0.00	$0.00	0.00	$0.00
27	REMOVE EXISTING SANITARY SEWER DRAIN FIELD & PUMP STATION (34TH STREET N)	LS	1		1	$15,000.00	$15,000.00	0.00	$0.00	1.00	$15,000.00
28	SALVAGE AND INSTALL WOOD FENCE	LF	105		105	$33.00	$3,465.00	0.00	$0.00	130.00	$4,290.00
29	ABANDON WATER MAIN PIPE (IN RAILROAD R/W)	LF	120		120	$25.00	$3,000.00	0.00	$0.00	0.00	$0.00
30	SALVAGE AND INSTALL BLOCK RETAINING WALL	SF	158		158	$28.00	$4,424.00	0.00	$0.00	0.00	$0.00
31	COMMON EXCAVATION (EV) (STREETS) (P)	CY	27965	-80	27885	$14.00	$391,510.00	8,550.00	$119,700.00	15,000.00	$210,000.00
32	COMMON EXCAVATION (EV) (BIOINFILTRATION BASIN) (P)	CY	1950	75	2025	$13.00	$25,350.00	0.00	$0.00	0.00	$0.00
33	SUBGRADE CORRECTION (EV) (INCLUDES SELECT GRANULAR BORROW - MOD 5%)	CY	1000		1000	$26.00	$26,000.00	0.00	$0.00	400.00	$10,400.00
34	SELECT GRANULAR BORROW - MOD. 5% (CV) (P) (STREETS)	CY	18482	-90	18392	$17.00	$314,194.00	7,010.00	$119,170.00	10,000.00	$170,000.00
35	SELECT GRANULAR BORROW - MOD. 5% (CV) (P) (BIOINFILTRATION BASIN)	CY	980		980	$19.00	$18,620.00	0.00	$0.00	0.00	$0.00
36	GEOTEXTILE FABRIC, TYPE V	SY	6929		6929	$2.00	$13,858.00	1,302.00	$2,604.00	5,000.00	$10,000.00
37	AGG. BASE, CL. 6 (CV) (P)	CY	5528	-22	5506	$28.00	$154,784.00	1,504.00	$42,112.00	2,500.00	$70,000.00
38	STREET SWEEPING	HOUR	102		102	$150.00	$15,300.00	0.00	$0.00	22.00	$3,300.00
39	BIT. MATERIAL FOR TACK COAT	GAL	1942	-58	1884	$3.40	$6,602.80	0.00	$0.00	0.00	$0.00
40	TYPE SP 9.5 WEARING COURSE MIX (3,C) (PATCHING) (LAKE ELMO AVENUE)	TON	60	-40	20	$160.00	$9,600.00	0.00	$0.00	0.00	$0.00
41	TYPE SP 9.5 WEARING COURSE MIX (2,B) (DRIVEWAYS & TRAIL)	TON	510		510	$108.00	$55,080.00	0.00	$0.00	67.64	$7,305.12
42	TYPE SP 12.5 NON- WEARING COURSE MIX (3,C)	TON	2764	-17	2747	$69.00	$190,716.00	0.00	$0.00	160.00	$11,040.00
43	TYPE SP 9.5 WEARING COURSE MIX (3,C)	TON	2057	-14	2043	$80.00	$164,560.00	0.00	$0.00	0.00	$0.00
44	PAVE AND REMOVE 1.5" THICK 8' WIDE BITUMINOUS WEDGE	TON	1189		1189	$103.00	$122,467.00	0.00	$0.00	60.70	$6,252.10
45	WET CAST BLOCK RETAINING WALL	SF	1118		1118	$52.00	$58,136.00	0.00	$0.00	0.00	$0.00
46	PIPE FOUNDATION ROCK	TON	1530		1530	$9.00	$13,770.00	577.00	$5,193.00	677.00	$6,093.00
47	TEMPORARY SHORING (FOR RETAINING WALL CONSTRUCTION)	LS	1		1	$30,000.00	$30,000.00	0.00	$0.00	0.00	$0.00
48	EXPLORATORY DIGGING	HOUR	20		20	$300.00	$6,000.00	0.00	$0.00	10.20	$3,060.00
49	12" CAS SAFETY APRON AND GRATE DESIGN 3128	EACH	2		2	$800.00	$1,600.00	0.00	$0.00	0.00	$0.00
50	15" RC PIPE APRON W/TRASH GUARD	EACH	10	-1	9	$1,000.00	$10,000.00	0.00	$0.00	0.00	$0.00
51	18" RC PIPE APRON W/TRASH GUARD	EACH	3		3	$1,100.00	$3,300.00	0.00	$0.00	0.00	$0.00
52	24" RC PIPE APRON W/TRASH GUARD	EACH	2		2	$1,475.00	$2,950.00	0.00	$0.00	0.00	$0.00
53	12" CAS PIPE CULVERT	LF	15		15	$65.00	$975.00	0.00	$0.00	0.00	$0.00
54	4" CONCRETE HEADWALL	EACH	3		3	$500.00	$1,500.00	0.00	$0.00	0.00	$0.00
55	4" PVC PERF. EDGE DRAIN W/ BACKFILL & WRAP	LF	4435	-140	4295	$18.00	$79,830.00	0.00	$0.00	546.00	$9,828.00
56	DRAINTILE CLEANOUT	EACH	39	-2	37	$390.00	$15,210.00	0.00	$0.00	6.00	$2,340.00
57	2" RIGID INSULATION	SY	196		196	$22.00	$4,312.00	4.00	$88.00	36.00	$792.00
58	8" PVC PIPE SEWER (C900) (DR-25)	LF	600		600	$86.00	$51,600.00	378.00	$32,508.00	600.00	$51,600.00
59	8" PVC PIPE SEWER (SDR 26)	LF	5376	-468	4908	$83.00	$446,208.00	969.00	$80,427.00	2,500.00	$207,500.00
60	14" PVC PIPE SEWER (C900) (DR-25)	LF	1422		1422	$121.00	$172,062.00	0.00	$0.00	1,130.00	$136,730.00
61	12" RC PIPE SEWER, DES 3006 CL V	LF	11	51	62	$63.00	$693.00	0.00	$0.00	0.00	$0.00
62	15" RC PIPE SEWER, DES 3006 CL V	LF	3897	-925	2972	$58.00	$226,026.00	333.00	$19,314.00	1,289.00	$74,762.00
63	18" RC PIPE SEWER, DES 3006 CL V	LF	666		666	$64.00	$42,624.00	48.00	$3,072.00	100.00	$6,400.00
64	24" RC PIPE SEWER, DES 3006 CL III	LF	83		83	$82.00	$6,806.00	0.00	$0.00	34.00	$2,788.00
65	BORING PIT #1	LS	1		1	$39,000.00	$39,000.00	0.00	$0.00	1.00	$39,000.00
66	BORING PIT #2	LS	1		1	$71,000.00	$71,000.00	0.00	$0.00	1.00	$71,000.00
67	BORING PIT #3	LS	1		1	$60,000.00	$60,000.00	0.00	$0.00	1.00	$60,000.00
68	CONNECT TO EXISTING SANITARY STRUCTURE (TYPE SPECIAL)	LS	1		1	$26,000.00	$26,000.00	0.00	$0.00	1.00	$26,000.00
69	CONNECT TO EXISTING SANITARY STRUCTURE	EACH	4		4	$3,500.00	$14,000.00	1.00	$3,500.00	3.00	$10,500.00

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT					THIS PERIOD		TOTAL TO DATE	
			BASE BID QUANTITY	CO #4 ADJ.	UPDATED QUANTITY	UNIT PRICE	BASE BID AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
70	CONNECT TO EXISTING SANITARY SEWER SERVICE (2" PRESSURE PIPE)	EACH	12		12	$300.00	$3,600.00	0.00	$0.00	0.00	$0.00
71	CONNECT TO EXISTING SANITARY SEWER SERVICE (4" GRAVITY)	EACH	1		1	$300.00	$300.00	0.00	$0.00	1.00	$300.00
72	8"X4" PVC WYE, SDR 26	EACH	42		42	$175.00	$7,350.00	7.00	$1,225.00	19.00	$3,325.00
73	8"X6" PVC WYE, SDR 26	EACH	15		15	$250.00	$3,750.00	2.00	$500.00	2.00	$500.00
74	8"X4" PVC WYE, C900	EACH	6		6	$330.00	$1,980.00	6.00	$1,980.00	12.00	$3,960.00
75	14"X4" PVC WYE, C900	EACH	9		9	$800.00	$7,200.00	0.00	$0.00	10.00	$8,000.00
76	TRACER WIRE BOX - (AT PROPERTY LINE)	EACH	82		82	$115.00	$9,430.00	0.00	$0.00	7.00	$805.00
77	SANITARY SEWER MANHOLE (W/ CASTING)	EACH	33	-1	32	$4,145.00	$136,785.00	7.00	$29,015.00	19.00	$78,755.00
78	SANITARY CLEANOUT CASTING (R-1914-A)	EACH	6		6	$450.00	$2,700.00	0.00	$0.00	0.00	$0.00
79	SADDLE TAP FOR 1.25" HDPE TO 8" PVC C900	EACH	3		3	$750.00	$2,250.00	0.00	$0.00	0.00	$0.00
80	SADDLE TAP FOR 1.25" HDPE TO 14" PVC C900	EACH	9		9	$770.00	$6,930.00	0.00	$0.00	0.00	$0.00
81	2" PRESSURE CLEANOUT & CURBSTOP ASSEMBLY	EACH	1		1	$1,400.00	$1,400.00	0.00	$0.00	0.00	$0.00
82	1.25" SANITARY CURB STOP & BOX	EACH	5		5	$730.00	$3,650.00	0.00	$0.00	0.00	$0.00
83	2"X1.25" FUSED TEE	EACH	5		5	$525.00	$2,625.00	0.00	$0.00	0.00	$0.00
84	CURB STOP & BOX CASTING (R-1914-A)	EACH	12		12	$450.00	$5,400.00	0.00	$0.00	0.00	$0.00
85	SANITARY SEWER 8" OUTSIDE DROP	LF	21.5		21.5	$300.00	$6,450.00	0.00	$0.00	0.00	$0.00
86	SANITARY SEWER MANHOLE EXTRA DEPTH	LF	213.53	0.13	213.66	$270.00	$57,653.10	63.00	$17,010.00	150.00	$40,500.00
87	24" CASING PIPE (JACKED/AUGERED W/ 15" PVC SDR 26 CARRIER PIPE)	LF	872		872	$610.00	$531,920.00	0.00	$0.00	0.00	$0.00
88	36" CASING PIPE (JACKED/AUGERED W/ 15" PVC SDR 26 CARRIER PIPE)	LF	97		97	$800.00	$77,600.00	0.00	$0.00	86.00	$68,800.00
89	4" PVC SANITARY SERVICE PIPE - SCH 40 W/ TRACER WIRE	LF	1613		1613	$48.00	$77,424.00	378.00	$18,144.00	1,110.00	$53,280.00
90	6" PVC SANITARY SERVICE PIPE - SCH 40 W/ TRACER WIRE	LF	445		445	$50.00	$22,250.00	55.00	$2,750.00	55.00	$2,750.00
91	1.25" HDPE SERVICE PIPE W/ TRACER WIRE	LF	370		370	$50.00	$18,500.00	0.00	$0.00	0.00	$0.00
92	2" HDPE FORCEMAIN W/ CAP	LF	30		30	$50.00	$1,500.00	0.00	$0.00	0.00	$0.00
93	2" HDPE SANITARY FORCE MAIN (HORIZONTAL DIRECTIONAL DRILL)	LF	975		975	$27.00	$26,325.00	0.00	$0.00	0.00	$0.00
94	CLEAN AND TELEVISE SANITARY SEWER	LF	8280		8280	$2.00	$16,560.00	0.00	$0.00	0.00	$0.00
95	TEMPORARY SANITARY BYPASS PUMPING OF 3" PRESSURE PIPE	LS	1		1	$2,500.00	$2,500.00	1.00	$2,500.00	1.00	$2,500.00
96	TEMPORARY WATER SERVICE	LS	1		1	$30,000.00	$30,000.00	0.15	$4,500.00	0.90	$27,000.00
97	1" CORPORATION STOP	EACH	82		82	$195.00	$15,990.00	11.00	$2,145.00	30.00	$5,850.00
98	2" CORPORATION STOP	EACH	1		1	$560.00	$560.00	0.00	$0.00	0.00	$0.00
99	1" CURB STOP & BOX	EACH	82	-5	77	$350.00	$28,700.00	11.00	$3,850.00	30.00	$10,500.00
100	2" CURB STOP & BOX	EACH	2		2	$750.00	$1,500.00	0.00	$0.00	0.00	$0.00
101	SADDLE TAP 8" HDPE W/ 1" CORPORATION STOP	EACH	5	-5	0	$475.00	$2,375.00	0.00	$0.00	0.00	$0.00
102	CONNECT TO EXISTING WATER MAIN	EACH	6		6	$2,300.00	$13,800.00	1.00	$2,300.00	5.00	$11,500.00
103	16"X8" WET TAP W/ 8" GATE VALVE & BOX	EACH	1	-1	0	$6,500.00	$6,500.00	0.00	$0.00	0.00	$0.00
104	CONNECT TO EXISTING WATER SERVICE	EACH	71		71	$150.00	$10,650.00	8.00	$1,200.00	18.00	$2,700.00
105	ADJUST GATE VALVE BOX	EACH	5	2	7	$300.00	$1,500.00	0.00	$0.00	0.00	$0.00
106	HYDRANT	EACH	21	-2	19	$4,750.00	$99,750.00	4.00	$19,000.00	9.00	$42,750.00
107	6" GATE VALVE & BOX	EACH	28	-2	26	$1,600.00	$44,800.00	4.00	$6,400.00	10.00	$16,000.00
108	8" GATE VALVE & BOX	EACH	24	-1	23	$2,150.00	$51,600.00	6.00	$12,900.00	12.00	$25,800.00
109	1" TYPE K COPPER PIPE	LF	1873	-189	1684	$48.00	$89,904.00	205.00	$9,840.00	840.00	$40,320.00
110	2" TYPE K COPPER PIPE	LF	50		50	$63.00	$3,150.00	0.00	$0.00	0.00	$0.00
111	8" HDPE WATERMAIN (HORIZONTAL DIRECTIONAL DRILL)	LF	1002	-1002	0	$44.00	$44,088.00	0.00	$0.00	0.00	$0.00
112	6" WATER MAIN DIP - CL 52 (POLY ENCASED)	LF	824	-23	801	$58.00	$47,792.00	44.00	$2,552.00	487.00	$28,246.00
113	8" WATER MAIN DIP - CL 52 (POLY ENCASED)	LF	7605		7605	$64.00	$486,720.00	2,212.00	$141,568.00	4,482.00	$286,848.00
114	DUCTILE IRON FITTINGS	LB	4866	-500	4366	$10.00	$48,660.00	314.00	$3,140.00	1,000.00	$10,000.00
115	CONSTRUCT OVERFLOW CONTROL STRUCTURE (W/ CASTING)	EACH	1		1	$3,050.00	$3,050.00	0.00	$0.00	0.00	$0.00
116	CONSTRUCT DRAINAGE STRUCTURE DES. 402 (W/ CASTING)	EACH	3	2	5	$2,230.00	$6,690.00	0.00	$0.00	1.00	$2,230.00
117	CONSTRUCT DRAINAGE STRUCTURE DES. 404 (W/ CASTING)	EACH	7	1	8	$2,600.00	$18,200.00	2.00	$5,200.00	2.00	$5,200.00
118	CONSTRUCT DRAINAGE STRUCTURE DES. DES. 406 - 48" (W/ CASTING)	EACH	32	-11	21	$3,125.00	$100,000.00	2.00	$6,250.00	9.00	$28,125.00
119	CONSTRUCT DRAINAGE STRUCTURE DES. 405 - 48" (W/ 4' SUMP, MH BAFFLE & CASTIN	EACH	2	5	7	$10,530.00	$21,060.00	0.00	$0.00	2.00	$21,060.00
120	CONNECT TO EXISTING STORM STRUCTURE	EACH	3		3	$1,200.00	$3,600.00	0.00	$0.00	2.00	$2,400.00
121	CONNECT DRAINTILE TO EXISTING STORM STRUCTURE	EACH	1		1	$700.00	$700.00	1.00	$700.00	1.00	$700.00
122	CONNECT TO EXISTING STORM PIPE	EACH	1		1	$900.00	$900.00	0.00	$0.00	1.00	$900.00
123	CLEAN AND TELEVISE STORM SEWER	LF	4481	-925	3556	$2.00	$8,962.00	0.00	$0.00	0.00	$0.00
124	RANDOM RIP-RAP, CLASS III (INCLUDES GEOTEXTILE FABRIC, TYPE IV)	CY	53	17	70	$40.00	$2,120.00	0.00	$0.00	0.00	$0.00
125	26" CONCRETE RIBBON CURB	LF	7156	415	7571	$11.75	$84,083.00	0.00	$0.00	380.00	$4,465.00
126	SURMOUNTABLE CONCRETE CURB & GUTTER	LF	1010		1010	$14.00	$14,140.00	0.00	$0.00	0.00	$0.00
127	B618 CONCRETE CURB & GUTTER	LF	9546	-479	9067	$14.50	$138,417.00	0.00	$0.00	842.00	$12,209.00
128	B624 CONCRETE CURB & GUTTER	LF	60	-23	37	$31.00	$1,860.00	0.00	$0.00	0.00	$0.00
129	6" CONCRETE DRIVEWAY PAVEMENT	SY	546		546	$67.00	$36,582.00	0.00	$0.00	86.00	$5,762.00
130	8" CONCRETE DRIVEWAY PAVEMENT	SY	77		77	$97.00	$7,469.00	0.00	$0.00	4.00	$388.00
131	5" CONCRETE WALK	SF	1036	-200	836	$7.00	$7,252.00	0.00	$0.00	0.00	$0.00
132	6" CONCRETE WALK	SF	315	285	600	$7.50	$2,362.50	0.00	$0.00	32.00	$240.00
133	SALVAGE AND INSTALL MAILBOX ASSEMBLY	EACH	67		67	$250.00	$16,750.00	0.00	$0.00	3.00	$750.00
134	FURNISH AND INSTALL 4' CHAIN LINK FENCE	LF	220		220	$33.00	$7,260.00	0.00	$0.00	0.00	$0.00
135	FURNISH AND INSTALL 5' CHAIN LINK FENCE (MOUNTED ON WALL)	LF	144		144	$73.00	$10,512.00	0.00	$0.00	0.00	$0.00
136	TRAFFIC CONTROL	LS	1		1	$49,500.00	$49,500.00	0.40	$19,800.00	0.90	$44,550.00
137	SALVAGE AND INSTALL SIGN TYPE C	EACH	2	-1	1	$300.00	$600.00	0.00	$0.00	0.00	$0.00
138	SIGN TYPE SPECIAL (STREET NAME SIGN)	EACH	8		8	$479.00	$3,832.00	0.00	$0.00	0.00	$0.00
139	SIGN TYPE C	SF	269		269	$44.00	$11,836.00	0.00	$0.00	0.00	$0.00
140	SILT FENCE, PREASSEMBLED	LF	6648		6648	$1.75	$11,634.00	0.00	$0.00	3,100.00	$5,425.00
141	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EACH	10		10	$500.00	$5,000.00	0.00	$0.00	0.00	$0.00
142	STORM DRAIN INLET PROTECTION	EACH	70		70	$115.00	$8,050.00	0.00	$0.00	8.00	$920.00
143	FILTER TOPSOIL BORROW (IN-PLACE VOLUME) (P)	CY	710	30	740	$37.00	$26,270.00	0.00	$0.00	0.00	$0.00
144	COMMON TOPSOIL BORROW (PULVERIZED) (LV)	CY	3322		3322	$34.00	$112,948.00	0.00	$0.00	329.50	$11,203.00
145	SODDING, TYPE MINERAL	SY	13767		13767	$9.00	$123,903.00	0.00	$0.00	0.00	$0.00

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT					THIS PERIOD		TOTAL TO DATE	
			BASE BID QUANTITY	CO #4 ADJ.	UPDATED QUANTITY	UNIT PRICE	BASE BID AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
146	HYDRAULIC BONDED FIBER MATRIX	LB	5288		5288	$1.00	$5,288.00	0.00	$0.00	1,000.00	$1,000.00
147	EROSION CONTROL BLANKET CATEGORY 3N	SY	15825	100	15925	$1.50	$23,737.50	0.00	$0.00	0.00	$0.00
148	SEDIMENT CONTROL LOG	LF	6675	100	6775	$3.50	$23,362.50	0.00	$0.00	2,100.00	$7,350.00
149	SEEDING (SEED MIXTURE TYPE 21-113)	ACRE	1.51		1.51	$3,140.00	$4,741.40	0.00	$0.00	0.00	$0.00
150	SEEDING (SEED MIXTURE TYPE 25-141)	ACRE	2.99		2.99	$4,900.00	$14,651.00	0.00	$0.00	0.00	$0.00
151	SEEDING (SEED MIXTURE TYPE 33-261)	ACRE	0.38	0.02	0.40	$5,710.00	$2,169.80	0.00	$0.00	0.00	$0.00
152	4" SOLID LINE WHITE EPOXY	LF	210	-60	150	$3.00	$630.00	0.00	$0.00	0.00	$0.00
153	4" DOUBLE SOLID LINE YELLOW EPOXY	LF	30	-30	0	$5.00	$150.00	0.00	$0.00	0.00	$0.00
154	24" SOLID LINE WHITE EPOXY	LF	19	-19	0	$14.00	$266.00	0.00	$0.00	0.00	$0.00
155	CROSSWALK PREFORMED THERMOPLASTIC GROUND IN	SF	54		54	$18.00	$972.00	0.00	$0.00	0.00	$0.00
156	PAVEMENT MESSAGE PREFORMED THERMOPLASTIC GROUND IN	SF	13.29		13.29	$37.00	$491.73	0.00	$0.00	0.00	$0.00
	BASE BID						$6,488,157.83		$809,123.00		$2,641,509.22
TOTALS - BASE CONTRACT							**$6,488,157.83**		**$809,123.00**		**$2,641,509.22**
CHANGE ORDER NO. 1											
CO1-1	Install Water Service to 3240 Lake Elmo Ave	LS	1		1	$5,950.56	$5,950.56	0.00	$0.00	1.00	$5,950.56
CO1-2	Sign Type C	SF	-9		-9	$44.00	-$396.00	0.00	$0.00	0.00	$0.00
TOTALS - CHANGE ORDER NO. 1							**$5,554.56**		**$0.00**		**$5,950.56**
CHANGE ORDER NO. 2											
CO2-1	Select Granular Borrow - Mod. 5% (CV) (P) (Bioinfiltration Basin) (FILL AROUND I	CY	200.0		200.0	$19.00	$3,800.00	0.00	$0.00	87.00	$1,653.00
CO2-2	Pipe Foundation Rock (UNDER VALVE VAULT - FILL TO SUITABLE SOILS)	TON	250.0		250.0	$9.00	$2,250.00	0.00	$0.00	0.00	$0.00
CO2-3	8" PVC Pipe Sewer (C900) (DR-25)	LF	545.0		545.0	$86.00	$46,870.00	545.00	$46,870.00	545.00	$46,870.00
CO2-4	14" PVC Pipe Sewer (C900) (DR-25)	LF	-295.0		-295.0	$121.00	-$35,695.00	0.00	$0.00	0.00	$0.00
CO2-5	8"X4" PVC Wye, C900	EA	3.0		3.0	$330.00	$990.00	3.00	$990.00	3.00	$990.00
CO2-6	14"X4" PVC WYE, C900	EA	-3.0		-3.0	$800.00	-$2,400.00	0.00	$0.00	0.00	$0.00
CO2-7	Saddle Tap for 1.25" HDPE to 8" PVC C900	EA	9.0		9.0	$750.00	$6,750.00	0.00	$0.00	0.00	$0.00
CO2-8	Saddle Tap for 1.25" HDPE to 14" PVC C900	EA	-9.0		-9.0	$770.00	-$6,930.00	0.00	$0.00	0.00	$0.00
CO2-9	Sanitary Sewer 8" Outside Drop	LF	-11.0		-11.0	$300.00	-$3,300.00	0.00	$0.00	0.00	$0.00
CO2-10	Sanitary Sewer Manhole Extra Depth	LF	-19.4		-19.4	$270.00	-$5,238.00	0.00	$0.00	0.00	$0.00
CO2-11	24" Casing Pipe (Jacked/Augered w/ 15" PVC SDR 26 Carrier Pipe)	LF	-872.0		-872.0	$610.00	-$531,920.00	0.00	$0.00	0.00	$0.00
CO2-12	Clean and Televise Sanitary Sewer	LF	-718.0		-718.0	$2.00	-$1,436.00	0.00	$0.00	0.00	$0.00
CO2-13	B618 Concrete Curb & Gutter (AT LIFT STATION)	LF	50.0		50.0	$14.50	$725.00	0.00	$0.00	0.00	$0.00
CO2-14	8" Concrete Driveway Pavement	SY	50.0		50.0	$97.00	$4,850.00	0.00	$0.00	0.00	$0.00
CO2-15	*CONSTRUCT LIFT STATION	LS	1.0		1.0	$561,415.00	$561,415.00	0.00	$0.00	0.66	$370,533.90
CO2-16	6" C-900 DR18 PVC FOREMAIN	LF	1,190.0		1,190.0	$67.00	$79,730.00	420.00	$28,140.00	420.00	$28,140.00
CO2-17	TEMPORARY SHORING (AT LIFT STATION)	LS	1.0		1.0	$50,441.00	$50,441.00	0.00	$0.00	1.00	$50,441.00
CO2-18	CONC. EDGE REINFORCING	LF	88.0		88.0	$51.00	$4,488.00	0.00	$0.00	0.00	$0.00
CO2-19	RESTOCK 14" PVC, C-900	LF	295.0		295.0	$34.00	$10,030.00	0.00	$0.00	295.00	$10,030.00
CO2-20	DROP MANHOLES PRODUCED/NOT USED	EA	2.0		2.0	$3,940.00	$7,880.00	0.00	$0.00	2.00	$7,880.00
CO2-21	SANITARY SEWER 14" OUTSIDE DROP	LF	11.0		11.0	$875.00	$9,625.00	0.00	$0.00	11.00	$9,625.00
CO2-22	MANHOLE BASE PRODUCED/NOT USED	EA	1.0		1.0	$1,025.00	$1,025.00	0.00	$0.00	1.00	$1,025.00
TOTALS - CHANGE ORDER NO. 2							**$203,950.00**		**$76,000.00**		**$527,187.90**
CHANGE ORDER NO. 3											
CO3-1	Replace Watermain on 32nd Street	LS	1.0		1.0	$7,729.75	$7,729.75	0.00	$0.00	1.00	$7,729.75
CO3-2	Remove Leaking Water Valve on 32nd Street	LS	1.0		1.0	$1,782.50	$1,782.50	0.00	$0.00	1.00	$1,782.50
TOTALS - CHANGE ORDER NO. 3							**$9,512.25**		**$0.00**		**$9,512.25**
CHANGE ORDER NO. 4											
CO4-1	12" RC Pipe Apron w/Trash Guard	EA	2.0		2.0	$1,000.00	$2,000.00	0.00	$0.00	0.00	$0.00
CO4-2	8" PVC Pipe Sewer (C900) (DR-25) - Upper 33rd Street	LF	335.0		335.0	$112.00	$37,520.00	0.00	$0.00	300.00	$33,600.00
CO4-3	Cut In 16" Butterfly Valve & Box (Incl 16" Sleeve)	EA	1.0		1.0	$14,950.00	$14,950.00	1.00	$14,950.00	1.00	$14,950.00
CO4-4	Temporary Water Service - Upper 33rd St	LS	1.0		1.0	$3,125.00	$3,125.00	0.00	$0.00	1.00	$3,125.00
CO4-5	Truncated Domes	SF	44.0		44.0	$66.00	$2,904.00	0.00	$0.00	0.00	$0.00
CO4-6	Locate Water Service at 3442 Lake Elmo Ave	LS	1.0		1.0	$1,904.00	$1,904.00	0.00	$0.00	1.00	$1,904.00
CO4-7	Quantity Changes (Itemization Above)	LS	1.0		1.0	-$171,013.65	-$171,013.65	0.00	$0.00	0.00	$0.00
TOTALS - CHANGE ORDER NO. 4							**-$108,610.65**		**$14,950.00**		**$53,579.00**
CHANGE ORDER NO. 5											
CO5-1	Sanitary Sewer Plug - 34th St / Lake Elmo Avenue	LS	1.0		1.0	$2,162.25	$2,162.25	1.00	$2,162.25	1.00	$2,162.25
TOTALS - CHANGE ORDER NO. 5							**$2,162.25**		**$2,162.25**		**$2,162.25**
TOTALS - REVISED CONTRACT							**$6,600,726.24**		**$902,235.25**		**$3,239,901.18**

THE CITY OF LAKE ELMO

STAFF REPORT

DATE: June 21, 2022
CONSENT

AGENDA ITEM: Approve Pay Request No. 2 for the Whistling Valley Street and Utility Improvements

SUBMITTED BY: Mark Scholle, Project Engineer
REVIEWED BY: Kristina Handt, City Administrator
Marty Powers, Public Works Director
Jack Griffin, City Engineer

ISSUE BEFORE COUNCIL: Should the City Council approve Pay Request No. 2 for the Whistling Valley Street and Utility Improvements?

BACKGROUND: Jacon, LLC was awarded a construction contract on January 4, 2022 to complete the Whistling Valley Street and Utility Improvements. Work remains in progress with a substantial completion date of October 14, 2022 and final completion date of November 25, 2022.

PROPOSAL DETAILS/ANALYSIS: Jacon, LLC has submitted Partial Pay Request No. 2 in the amount of $654,156.40. 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 $44,135.70.

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

RECOMMENDATION: Staff is recommending that the City Council approve, *as part of the Consent Agenda,* Pay Request No. 2 for the Whistling Valley Street and Utility Improvements. If removed from the consent agenda, the recommended motion for the action is as follows:

"Move to approve Pay Request No. 2 to Jacon, LLC in the amount of $654,156.40 for Whistling Valley Street and Utility Improvements".

ATTACHMENTS:

1. Partial Pay Estimate No. 2.

PROJECT PAY FORM

PARTIAL PAY ESTIMATE NO. **2**

FOCUS ENGINEERING, inc.

WHISTLING VALLEY UTILITY AND STREET IMPROVEMENTS
PROJECT NO. 2020.123

PERIOD OF ESTIMATE
FROM **5/1/2022** TO **5/31/2022**

PROJECT OWNER:
CITY OF LAKE ELMO
3800 LAVERNE AVENUE NORTH
LAKE ELMO, MN 55042
ATTN: JACK GRIFFIN, CITY ENGINEER

CONTRACTOR:
JACON, LLC
3900 LABORE ROAD
VADNAIS HEIGHTS, MN 55110
ATTN: JOHN DRESHAR

CONTRACT CHANGE ORDER SUMMARY

No.	Approval Date	Amount Additions	Amount Deductions
CO-1	3/15/2022	$141,959.85	$0.00
CO-2	6/7/2022	$16,066.21	
TOTALS		$158,026.06	$0.00
NET CHANGE		$158,026.06	

PAY ESTIMATE SUMMARY

1. Original Contract Amount	$2,270,606.45
2. Net Change Order Sum	$158,026.06
3. Revised Contract (1+2)	$2,428,632.51
4. *Work Completed	$882,714.08
5. *Stored Materials	$0.00
6. Subtotal (4+5)	$882,714.08
7. Retainage* 5.0%	$44,135.70
8. Previous Payments	$184,421.98
9. Amount Due (6-7-8)	**$654,156.40**

**Detailed Breakdown Attached*

CONTRACT TIME

START DATE:	**4/18/2022**	ORIGINAL DAYS	221	ON SCHEDULE	
SUBSTANTIAL COMPLETION:	**10/14/2022**	REVISED DAYS	0	YES	X
FINAL COMPLETION:	**11/25/2022**	REMAINING	178	NO	

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.
Mark A. Schoenecker
ENGINEER
6/9/2022
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
DATE

APPROVED BY OWNER: **CITY OF LAKE ELMO, MINNESOTA**

BY
DATE

BY
DATE

PARTIAL PAY ESTIMATE NO. 2

WHISTLING VALLEY UTILITY AND STREET IMPROVEMENTS
CITY OF LAKE ELMO, MINNESOTA
PROJECT NO. 2020.123

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**	LUMP SUM	1	$122,784.30	$122,784.30	0.50	$61,392.15	1.00	$122,784.30
2	CLEARING AND GRUBBING**	ACRE	1	$12,012.90	$12,012.90	0.00	$0.00	0.00	$0.00
3	REMOVE CONCRETE CURB AND GUTTER	LIN FT	4679	$5.43	$25,406.97	1,592.00	$8,644.56	1,592.00	$8,644.56
4	REMOVE CONCRETE DRIVEWAY PAVEMENT	SQ YD	13	$31.05	$403.65	0.00	$0.00	0.00	$0.00
5	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	SQ YD	30	$10.35	$310.50	0.00	$0.00	0.00	$0.00
6	SALVAGE AND REINSTALL DRIVEWAY PAVERS	SQ YD	34	$190.00	$6,460.00	0.00	$0.00	0.00	$0.00
7	SAWING PAVEMENT (FULL DEPTH)	LIN FT	670	$5.00	$3,350.00	636.00	$3,180.00	636.00	$3,180.00
8	REMOVE SEWER PIPE (STORM)	SQ YD	55	$35.00	$1,925.00	0.00	$0.00	0.00	$0.00
9	REMOVE BITUMINOUS PAVEMENT (P)**	SQ YD	23218	$5.00	$116,090.00	12,000.00	$60,000.00	12,000.00	$60,000.00
10	REMOVE BITUMINOUS WALK	SQ YD	200	$10.35	$2,070.00	30.00	$310.50	30.00	$310.50
11	REMOVE SIGN	EACH	19	$45.00	$855.00	0.00	$0.00	0.00	$0.00
12	SALVAGE AND REINSTALL MAIL BOX ASSEMBLY**	EACH	37	$341.89	$12,649.93	10.00	$3,418.90	10.00	$3,418.90
13	ADJUST CASTING	EACH	46	$200.00	$9,200.00	0.00	$0.00	0.00	$0.00
14	ADJUST CATCH BASIN	EACH	18	$150.00	$2,700.00	10.00	$1,500.00	10.00	$1,500.00
15	REMOVE CASTING	EACH	12	$50.00	$600.00	0.00	$0.00	0.00	$0.00
16	GEOTEXTILE FABRIC, TYPE V	CU YD	10448	$0.79	$8,253.92	0.00	$0.00	0.00	$0.00
17	GEOGRID	SQ FT	824	$7.32	$6,031.68	0.00	$0.00	0.00	$0.00
18	AGGREGATE BASE CL 6 (CV)(P)**	CU YD	4890	$31.20	$152,568.00	1,562.00	$48,734.40	1,562.00	$48,734.40
19	COMMON EXCAVATION (P)**	CU YD	3869	$20.30	$78,540.70	2,100.00	$42,630.00	2,100.00	$42,630.00
20	STREET SWEEPING	HOUR	40	$120.00	$4,800.00	17.00	$2,040.00	19.00	$2,280.00
21	TYPE SP 9.5 WEARING COURSE MIX (2,C)	TON	2210	$90.00	$198,900.00	0.00	$0.00	0.00	$0.00
22	TYPE SP 12.5 WEARING COURSE MIXTURE (2,C)	TON	2945	$83.00	$244,435.00	0.00	$0.00	0.00	$0.00
23	TYPE SP 9.5 WEARING COURSE MIX (2,B) (DRIVEWAYS & TRAIL)	TON	200	$156.00	$31,200.00	0.00	$0.00	0.00	$0.00
24	BITUMINOUS MATERIAL FOR TACK COAT	GAL	1628	$2.00	$3,256.00	0.00	$0.00	0.00	$0.00
25	4" PVC SCHEDULE 40 PERF PE PIPE DRAIN W/ BACKFILL AND WRAP	LIN FT	1458	$14.00	$20,412.00	0.00	$0.00	0.00	$0.00
26	DRAINTILE CLEANOUT	EACH	14	$250.00	$3,500.00	0.00	$0.00	0.00	$0.00
27	12" HDPE STORM SEWER PIPE	LIN FT	55	$21.00	$1,155.00	0.00	$0.00	0.00	$0.00
28	12" FLARED END SECTION	EACH	1	$420.00	$420.00	0.00	$0.00	0.00	$0.00
29	6" CONCRETE HEADWALL	EACH	1	$12,300.00	$12,300.00	0.00	$0.00	0.00	$0.00
30	CONCRETE FLUME	EACH	2	$1,500.00	$3,000.00	0.00	$0.00	0.00	$0.00
31	FURNISH AND INSTALL CASTING ASSEMBLY R-3067-V	EACH	18	$675.00	$12,150.00	0.00	$0.00	0.00	$0.00
32	CONNECT DRAINTILE TO EXISTING STORM STRUCTURE	EACH	14	$500.00	$7,000.00	0.00	$0.00	0.00	$0.00
33	CONNECT TO EXISTING WATERMAIN	EACH	2	$4,025.00	$8,050.00	1.00	$4,025.00	1.00	$4,025.00
34	HYDRANT AND GATE VALVE ASSEMBLY	EACH	12	$7,500.00	$90,000.00	6.00	$45,000.00	6.00	$45,000.00
35	10" HDPE TO 8" DIP TRANSITION FITTING	EACH	71	$770.00	$54,670.00	18.00	$13,860.00	24.00	$18,480.00
36	1.5" CURB STOP & BOX	EACH	37	$485.00	$17,945.00	13.00	$6,305.00	13.00	$6,305.00
37	1.5" CORPORATION STOP	EACH	37	$550.00	$20,350.00	13.00	$7,150.00	13.00	$7,150.00
38	1.5" TYPE K COPPER PIPE	LIN FT	1189	$36.60	$43,517.40	522.00	$19,105.20	522.00	$19,105.20
39	8" GATE VALVE AND BOX	EACH	11	$3,283.15	$36,114.65	9.00	$29,548.35	9.00	$29,548.35
40	6" WATERMAIN DUCTILE IRON CL 52	LIN FT	112	$116.70	$13,070.40	43.00	$5,018.10	43.00	$5,018.10
41	8" WATERMAIN DUCTILE IRON CL 52	LIN FT	816	$81.00	$66,096.00	253.00	$20,493.00	253.00	$20,493.00
42	10" HDPE DR 11 WATERMAIN (DIRECTIONAL DRILLING) W/ 4700 LB TRACER WIRE**	LIN FT	6691	$71.25	$476,733.75	3,724.00	$265,335.00	5,297.00	$377,411.25
43	4" INSULATION	SQ YD	56	$34.00	$1,904.00	0.00	$0.00	0.00	$0.00
44	DUCTILE IRON FITTINGS	LB	3040	$6.83	$20,763.20	1,500.00	$10,245.00	1,500.00	$10,245.00
45	CONCRETE CURB AND GUTTER DESIGN D412	LIN FT	3849	$30.36	$116,855.64	557.00	$16,910.52	557.00	$16,910.52
46	CONCRETE CURB AND GUTTER DESIGN B618	LIN FT	1310	$30.80	$40,348.00	0.00	$0.00	0.00	$0.00
47	24" CONCRETE RIBBON CURB	LIN FT	5284	$13.86	$73,236.24	0.00	$0.00	0.00	$0.00
48	6" CONCRETE DRIVEWAY PAVEMENT	SQ YD	13	$110.00	$1,430.00	0.00	$0.00	0.00	$0.00
49	INSTALL CONCRETE PEDESTRIAN RAMP	EACH	19	$2,079.00	$39,501.00	0.00	$0.00	0.00	$0.00
50	TRAFFIC CONTROL	LUMP SUM	1	$6,500.00	$6,500.00	0.00	$0.00	0.50	$3,250.00
51	SIGN PANELS TYPE C	SQ FT	63.31	$130.00	$8,230.30	0.00	$0.00	0.00	$0.00
52	SIGN PANELS TYPE SPECIAL (STREET NAME SIGN)	EACH	10	$340.00	$3,400.00	0.00	$0.00	0.00	$0.00
53	SILT FENCE PREASSEMBLED	LIN FT	1000	$3.00	$3,000.00	0.00	$0.00	0.00	$0.00
54	STORM DRAIN INLET PROTECTION	EACH	34	$220.00	$7,480.00	0.00	$0.00	15.00	$3,300.00
55	COMMON TOPSOIL BORROW PULVERIZED (LV)	CU YD	678	$40.25	$27,289.50	0.00	$0.00	0.00	$0.00
56	SODDING TYPE MINERAL**	SQ YD	6401	$11.67	$74,699.67	0.00	$0.00	0.00	$0.00
57	SEEDING (SEED MIXTURE TYPE 25-141)	ACRE	0.5	$4,500.00	$2,250.00	0.00	$0.00	0.00	$0.00
58	EROSION CONTROL BLANKETS CATEGORY 3N	SQ YD	2505	$2.60	$6,513.00	0.00	$0.00	0.00	$0.00
59	CLASS 3 RIP-RAP WITH GEOTEXTILE FABRIC	CY YD	50	$149.50	$7,475.00	0.00	$0.00	0.00	$0.00
60	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EACH	2	$1,750.00	$3,500.00	0.00	$0.00	1.00	$1,750.00
61	SEDIMENT CONTROL LOG	LIN FT	12301	$3.00	$36,903.00	4,580.00	$13,740.00	7,080.00	$21,240.00
					$2,412,566.30		**$688,585.68**		**$882,714.08**

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
NOTE: ** PREVAILING WAGE COSTS INCLUDED IN UNIT PRICE PER CHANGE ORDER NO.1				Orig. Contract Amount	$2,270,606.45				
CO-1	**See note above and Change Order-1 for detail**				**$141,959.85**				
TOTALS - BASE CONTRACT					**$2,412,566.30**		**$688,585.68**		**$882,714.08**
	CHANGE ORDER NO. 2								
CO2-1	ADD TRACER WIRE FOR ALL PROJECT SERVICES AND HYDRANTS	LS	1	$16,066.21	$16,066.21	0.00	$0.00	0.00	$0.00
	SUBTOTAL - CHANGE ORDER NO. 2				$16,066.21		$0.00		$0.00
TOTALS - REVISED CONTRACT					**$2,428,632.51**		**$688,585.68**		**$882,714.08**

THE CITY OF LAKE ELMO

STAFF REPORT

DATE: June 21, 2022
REGULAR

AGENDA ITEM: Public Hearing relating to the Tax Abatement Projects in the 2022A Bonds

SUBMITTED BY: Kristina Handt, City Administrator

BACKGROUND:

The City is authorized by Minnesota Statutes, Sections 469.1812 through 469.1815 (The "Abatement Act") to grant an abatement of all or a part of the tax levied by the City on real property within its boundaries (the "Abatement") and to issue general obligation bonds to finance public improvements (the "Abatement Bonds")

The name "tax abatement" is misleading. The enabling statute, noted above, does not authorize the actual "abatement of taxes". Instead, the City has the ability to levy a property tax (an abatement levy) that is equivalent to taxes that could be abated. The City plans to certify an abatement levy to pay the debt service on the proposed general obligation bonds to be issued to finance the Projects.

The statute requires a finding that the use of tax abatement is in the public interest. The statute defines the reasons. Reasons specific to the proposed Projects include to increase or preserve tax base and to finance or provide public infrastructure.

Proceeds from the 2022A Bonds (the "Bonds") will be used to finance the City's 2022 street and utility projects, and two abatement projects; and to pay the costs associated with the issuance of the Bonds. The "abatement projects" is inclusive of the CSAH 15/30th Street Signal Project and Phase 2 of the Ideal Avenue (CSAH 13) Project. There are no special assessments associated with these projects. The Tax Abatement enabling statute, noted above, provides authority for issuance of bonds for these types of public improvements that benefit a property. The total principal of abatement bonds cannot exceed the sum of estimated abatements for the years granted. The bonds are not subject to the debt limit and do not require an election.

The City Council passes a resolution at the June 7th meeting calling for tonight's public hearing.

PROPOSAL DETAILS/ANALYSIS:

After opening and closing the public hearing tonight, the City Council will consider a resolution approving a tax abatement (the "Abatement") and the issuance of General Obligation Tax Abatement Bonds (the "Bonds") in an amount not to exceed $1,110,000. The maximum term of the Bonds and Abatement is proposed at 10 years. The resolution is proposed to include 120 tax parcels for the Abatement area.

Tammy Omdal, from Northland securities, will attend the public hearing on June 21, 2022 to review the proposed bond issue and the tax abatements.

ISSUE BEFORE COUNCIL:
Should the Council adopt Resolution 2022-062 Approving Property Tax Abatements?

FISCAL IMPACT:

The total amount of the annual taxes to be abated by the City on the parcels within the Abatement area must at a minimum be equal to the principal amount of the Bonds, collected over a 10-year term. The term for the abatement levy is anticipated to be set at years 2023 through 2032. The City plans to certify a debt service levy to pay interest on the Bonds.

Abatement Portion

Date	Total P+I	CIF	105% Levy	Less: Abatement Levy	Net Levy	Levy Year	Collection Year
02/01/2023	10,068.44	(10,068.44)	-	-	-		
02/01/2024	96,967.50	-	101,815.88	75,000.00	26,815.88	2022	2023
02/01/2025	95,430.00	-	100,201.50	75,000.00	25,201.50	2023	2024
02/01/2026	98,780.00	-	103,719.00	80,000.00	23,719.00	2024	2025
02/01/2027	96,940.00	-	101,787.00	80,000.00	21,787.00	2025	2026
02/01/2028	100,020.00	-	105,021.00	85,000.00	20,021.00	2026	2027
02/01/2029	97,895.00	-	102,789.75	85,000.00	17,789.75	2027	2028
02/01/2030	95,685.00	-	100,469.25	85,000.00	15,469.25	2028	2029
02/01/2031	98,347.50	-	103,264.88	90,000.00	13,264.88	2029	2030
02/01/2032	95,737.50	-	100,524.38	90,000.00	10,524.38	2030	2031
02/01/2033	97,992.50	-	102,892.13	95,000.00	7,892.13	2031	2032
Total	**$983,863.44**	**(10,068.44)**	**$1,022,484.75**	**$840,000.00**	**$182,484.75**		

OPTIONS:
1) Approve Resolution No. 2022-062 Approving Property Tax Abatements
2) Do not approve Resolution No. 2022-062 Approving Property Tax Abatement s

RECOMMENDATION:
Motion to approve Resolution No. 2022-062: A Resolution Approving Property Tax Abatements

ATTACHMENTS:

- Resolution No 2022-062

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

RESOLUTION NO. 2022-062

RESOLUTION APPROVING PROPERTY TAX ABATEMENTS

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

Section 1. Recitals.

(a) The City proposes to (i) undertake various public improvements, including without limitation the CSAH 15/30th Street Signal and Ideal Avenue (CSAH 13) Phase 2 project (the "Project") with tax abatement bonds authorized by Minnesota Statutes, Sections 469.1812 through 469.1815 (the "Act") and (ii) authorize a property tax abatement with respect to various parcels of land that benefit from such public improvements. The City proposes to use property tax abatement pursuant to the Act to finance the Project. The proposed term of the abatement will be for up to 10 years in an estimated not to exceed $1,010,000. The abatement will apply to the City's share of the property taxes (the "Abatement") derived from the property described by property identification numbers on the attached **Exhibit A** (the "Property").

(b) On the date hereof, the Council held a public hearing on the question of the Abatement, and said hearing was preceded by published notice thereof in accordance with the Abatement Law.

Section 2. Findings for the Abatement. The City Council hereby makes the following findings:

(a) The Council expects the benefits to the City of the Abatement to at least equal the costs to the City thereof.

(b) Granting the Abatement is in the public interest because it will help finance the acquisition and construction of public facilities in the City; preserve the tax base; finance public infrastructure; benefit the Property by providing amenities and alternative transit options to those who live and work in the City thereby improving City-based employers' ability to attract workers; and protect the general health and welfare of the community by maintaining public infrastructure and facilities.

(c) The Property will not be located in a tax increment financing district.

(d) In any year, the total amount of property taxes abated by the City by this and other resolutions, if any, does not exceed the greater of 10% of the net tax capacity of the City or $200,000.

Section 3. Terms of Abatement. The Abatement is hereby approved. The terms of the Abatement are as follows:

(a) The Abatement shall be for a up to a 10-year period and shall apply to the taxes payable in the years 2023 through 2032, inclusive.

(b) The City will abate the City's share of the property tax amount which the City receives from the Property, in an amount not to exceed $1,010,000.

(c) The maximum amount of Abatement authorized under this resolution is $1,010,000. The maximum principal amount of bonds to be secured by Abatement under this resolution will not exceed the estimated sum of Abatement from the Property for the term authorized under this resolution.

(d) The Abatement shall be subject to all the terms and limitations of the Abatement Law.

Approved this 21st day of June, 2022 by the City Council of the City of Lake Elmo, Minnesota.

_____
Mayor

ATTEST:

_____
City Clerk

Exhibit A

Parcel ID Numbers for the "Property"

1602921220005	1602921220017	1602921220010	0902921340004	2402921120037
1602921220006	1602921220018	0902921340018	0902921340003	2402921120038
1602921220007	1602921220032	0902921340017	0902921340002	2402921110011
1602921220008	1602921220021	0902921340016	0902921340001	2402921110012
1602921220009	1602921220022	0902921340015	2402921120023	2402921110013
1602921220011	1602921220023	0902921340011	2402921120024	2402921110014
1602921210001	1602921220024	0902921340012	2402921120025	2402921110015
1602921210002	1602921220025	0902921340013	2402921120026	2402921110016
1602921210003	1602921220026	0902921330015	2402921120027	2402921110017
1602921210004	1602921210015	0902921330016	2402921120028	2402921110018
1602921210005	1602921210016	0902921330017	2402921120029	2402921110019
1602921210007	1602921210017	0902921340005	2402921130008	2402921140006
1602921210008	1602921210018	0902921340006	2402921130009	2402921140007
1602921210006	1602921210019	0902921340007	2402921130010	2402921140008
1602921210009	1602921210020	0902921340008	2402921130011	2402921140009
1602921210010	1602921210021	0902921340009	2402921130012	2402921140010
1602921210011	1602921210022	0902921330013	2402921130013	2402921120030
1602921210012	1602921210023	0902921330012	2402921120039	2402921120031
1602921210013	1602921220027	0902921330011	2402921120040	2402921120032
1602921210014	1602921220028	0902921330010	2402921120041	2402921120033
1602921220012	1602921220029	0902921330009	2402921120042	2402921110010
1602921220013	1602921220030	0902921330014	2402921120034	2402921110009
1602921220014	1602921220031	0902921330020	2402921120035	2402921110008
1602921220015	1602921220016	0902921330008	2402921120036	2402921110007

THE CITY OF LAKE ELMO

STAFF REPORT

DATE: June 21, 2022
REGULAR

AGENDA ITEM: 2022A Bonding

SUBMITTED BY: Kristina Handt, City Administrator

BACKGROUND:
The City Council has included a number projects in the 2022-2026 CIP for this year with funding proposed to come from bonding. The Council has previously approved all of the projects we will be bonding for this year. Projects include Old Village 5 and 6, Water Tower 3 and watermain extension, 2022 Streets (Fields of St. Croix and Beaut Crest), Stoplight at Manning and 30th St, Ideal Ave Phase 2, and the Tapestry Sewer extension.

ISSUE BEFORE COUNCIL:
Should the Council authorize the issuance and sale of $13 million general obligation bonds?

PROPOSAL DETAILS/ANALYSIS:
Tammy Omdahl from Northland Securities will be at the meeting to go over the finance plan, which is included in your packet, and answer any questions you may have. Also included in the packet is the resolution to authorize the issuance and sale of the bonds. Bids are due the morning of July 19th and council would take final action on approving the bonds at the meeting that evening. At this time the interest rates are an estimate and won't be known until July 19th.

Lastly, included in your packet is the Municipal Advisory Service Agreement with Northland Securities Inc. The agreement sets out the services Northland will provide in the bond issuance and compensation of $42,385. The agreement is just for this bond issuance and will expire 60 days after the closing on the bonds in August.

FISCAL IMPACT:
The estimated levy schedule can be found on page 12 of the finance plan. The city is required to levy 105% of the general fund portion of the improvement (street) projects. We are bonding for the water tower since the sale of the city land on Ideal Ave has not yet closed. Sewer debt will increase for the Tapestry and Old Village 5 and 6 sewer projects.

OPTIONS:
1) Approve Resolution No. 2022-063
2) Amend and then Approve Resolution No 2022-063
3) Do not authorize the issuance of bonds

RECOMMENDATION:
Motion to approve Resolution No. 2022-063: A Resolution Authorizing Issuance and Sale of $13,000,000 General Obligation Bonds, Series 2022A

AND

Motion to approve the Municipal Services Agreement with Northland Securities, Inc.

ATTACHMENTS:

- Finance Plan
- Resolution No 2022-063
- Municipal Advisory Services Agreement with Northland Securities, Inc.

Finance Plan

City of Lake Elmo, Minnesota

$13,000,000
General Obligation Improvement, Abatement and Utility Revenue Bonds, Series 2022A

June 21, 2022

150 South 5th Street, Suite 3300
Minneapolis, MN 55402
612-851-5900 800-851-2920
www.northlandsecurities.com
Member FINRA and SIPC | Registered MSRB and SEC

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Executive Summary

The following is a summary of the recommended terms for the issuance of approximately $13,000,000 General Obligation Improvement, Abatement and Utility Revenue Bonds, Series 2022A (the "Bonds"). Additional information on the proposed finance plan and issuing process can be found after the Executive Summary, in the Issue Overview and Attachment 3 – Related Considerations.

Purpose	Proceeds from the Bonds will be used to finance the City's 2022 street and utility projects, a water tower project, and to pay the costs associated with the issuance of the Bonds.
Security	The Bonds will be a general obligation of the City. The City will pledge special assessments collected from benefitted properties, net revenues of the City's water and sewer systems, an abatement levy, and ad valorem taxes.
Repayment Term	The Bonds will mature annually each February 1 in the years 2023 through 2038. Interest on the Bonds will be payable on February 1, 2023, and semiannually thereafter on each February 1 and August 1.
Estimated Interest Rate	True interest cost (TIC): 3.29%
Prepayment Option	Bonds maturing on and after February 1, 2031 will be subject to redemption on February 1, 2030 and any day thereafter at a price of par plus accrued interest.
Rating	A rating will be requested from Moody's. The City's general obligation debt is currently rated "Aa1"by Moody's.
Tax Status	The Bonds will be tax-exempt, bank qualified obligations.
Risk Factors	There are certain risks associated with all debt. Risk factors related to the Bonds are discussed in Attachment 5.
Type of Bond Sale	Public Sale – Competitive Bids
Proposals Received	Tuesday, July 19, 2022 @ 10:00 A.M.
Council Consideration	Tuesday, July 19, 2022 @ 7:00 P.M.

Issue Overview

Purpose

Proceeds from the Bonds will be used to:

- Finance Phase 1 of the OV 5 and 6 Project and the Fields of St. Croix and Beaut Crest Project (the "Improvement Portions");
- Finance the CSAH 15/30th Street Signal Project and Phase 2 of the Ideal Avenue (CSAH 13) Project (the "Abatement Portion");
- Finance two sewer projects, which include Phase 1 of the OV 5 and 6 Project and the Tapestry Neighborhood Sanitary Sewer Extension Project (the "Sewer Portion"); and to
- Finance a water tower project (the "Water Portion").

Proceeds will also be used to pay costs associated with issuing the Bonds. The Bonds have been sized based on estimates provided by City staff. The final construction costs are expected to be confirmed on July 1, 2022. The table below contains the sources and uses of funds for the bond issue.

	Improvement (OV 5 & 6)	Improvement (Fields of St. Croix & Beaut Crest)	Tax Abatement (Ideal Ave & CSAH 15/30th Signal)	Sanitary Sewer Improvements	Water Improvements	Issue Summary
Sources Of Funds						
Par Amount of Bonds	$2,150,000.00	$1,965,000.00	$840,000.00	$3,415,000.00	$4,630,000.00	$13,000,000.00
Total Sources	**$2,150,000.00**	**$1,965,000.00**	**$840,000.00**	**$3,415,000.00**	**$4,630,000.00**	**$13,000,000.00**
Uses Of Funds						
Deposit to Project Construction Fund	2,107,549.00	1,907,000.00	815,572.00	3,353,136.00	4,550,000.00	12,733,257.00
Total Underwriter's Discount (1.100%)	23,650.00	21,615.00	9,240.00	37,565.00	50,930.00	143,000.00
Costs of Issuance	14,055.22	12,845.82	5,491.32	22,324.90	30,267.74	84,985.00
Deposit to Capitalized Interest (CIF) Fund	-	26,828.54	10,068.44	-	-	36,896.98
Rounding Amount	4,745.78	(3,289.36)	(371.76)	1,974.10	(1,197.74)	1,861.02
Total Uses	**$2,150,000.00**	**$1,965,000.00**	**$840,000.00**	**$3,415,000.00**	**$4,630,000.00**	**$13,000,000.00**

Authority

The Bonds will be issued pursuant to the authority of Minnesota Statutes, Sections 469.1812 through 469.1815 and Chapters 429, 444, and 475.

Abatement Portion

Sections 469.1812 through 469.1815 does not authorize the actual "abatement of taxes." Instead, the City will have the authority to levy a property tax (an abatement levy) that is equivalent to taxes that could be abated. At time of issuance, the City will certify abatement levies to pay the principal on the Bonds and debt service levies to pay interest (together "the tax levies").

A public hearing will be held on June 21, 2022, and following the hearing the City Council will consider adoption of a resolution approving the property tax abatements and issuance of the Abatement Portion of the Bonds.

The maximum annual abatement levy to be certified for the Abatement Portion of the Bonds is estimated to be approximately $95,000, which is less than the total amount of abatement levies the City may approve pursuant to State Law. Based on the City's 2022 net tax capacity, the City has authority to approve total maximum annual abated levies in the amount of $2,473,255 (the

"statutory maximum"). The City does not have any other outstanding bonds subject to the maximum abatement levy.

Improvement Portions

Under Chapter 429, an Improvement means any type of improvement made under authority granted by section 429.021, which includes, but is not limited to, improvements to streets and sidewalks, storm and sanitary sewer systems, and street lighting systems.

Before issuing bonds under Chapter 429, the City must hold a public hearing on the Improvements and the proposed bonds, and must pass a resolution ordering the improvements by at least a 4/5 majority. The public hearings were held for the Improvement Portions and all corresponding resolutions passed with a 4/5 majority.

System Revenue Portions

Under Chapter 444, general obligation system revenue bonds may be issued to build, construct, reconstruct, repair, enlarge, improve, or in any other manner obtain sanitary sewer, water and storm sewer facilities, and maintain and operate the facilities inside or outside a city's corporate limits.

Structure

The OV 5 and 6 portion of the Improvement Portions has been structured over 14 years, with relatively level debt service payments beginning on February 1, 2024.

The Fields of St. Croix and Beaut Crest portion of the Improvement Portions has been structured over 15 years, with relatively level debt service payments beginning on February 1, 2024.

The Abatement Portion has been structured over 10 years, with relatively level debt service payments beginning on February 1, 2024.

The Water and Sewer Portions of the Bonds have been structured over 15 years, with relatively level debt service payments beginning on February 1, 2023.

The proposed structure for the bond issue and preliminary debt service projections for each portion of the Issue are illustrated in Attachment 1 and the estimated levies are illustrated in Attachment 2.

Security and Source of Repayment

The Bonds will be general obligations of the City. The finance plan relies on the following assumptions for the revenues used to pay debt service, as provided by City staff:

- Special Assessments. The City levied $730,092 in special assessments against benefitted properties in 2021 for the OV 5 and 6 portion of the Improvement Portions. The assessments are structured for level annual payments with interest charged at a rate of 3.25% and spread over 15 years. The assessments were levied in 2021 for first collection in 2022. The special assessments collected in 2022 will be used to make the interest payment due on February 1, 2023, for the OV 5 and 6 portion of the Improvement Portions of the Bonds.

  The City is expected to levy special assessments against benefited properties in the amount of $756,000 for the Fields of St. Croix and Beaut Crest portion of the Improvement Portions of the Bonds. The assessments are structured for level annual payments with interest charged at a rate that is 1.00% over the Average Coupon of the Fields of St. Croix and Beaut Crest portion of the Improvement Portions of the Bonds, rounded to the nearest 0.25%

(currently estimated to be 4.25%). The assessments will be levied in 2022 for first collection in 2023.

- System Revenues. Net revenues of the City's water and sewer funds (operating funds) will be pledged for payment of the Water and Sewer Portions of the Bonds. The City will covenant to adopt water and sewer rates and charges that are sufficient to produce net revenues equal to at least 105% of the debt service requirements on the Water and Sewer Portions of the Bonds. In the event there is a deficiency in the amount of net revenues available for payment of debt service, the City may levy taxes to cover the insufficiency, but only on a temporary basis until rates are adjusted.

- Abatement Levy. The City will pledge abatement levies for payment of the Abatement Portion of the Bonds. As required by statute for issuance of Tax Abatement Bonds, the annual City taxes on the parcels to be included within the abatement project area are estimated, at a minimum, to equal the annual principal over the 10-year term of the Abatement Portion of the Bonds.

  Properties within the abatement project area will pay the same amount (rate) for City taxes as property outside of the abatement project area. Inclusion within the abatement project area has no tax implications for these properties. There is no different impact on individual property tax statements for properties within the tax abatement project area as compared to other properties within the City as a whole.

- Property Taxes. The remaining revenues needed to pay debt service on the Bonds are expected to come from property tax levies. The initial projections show a tax levy averaging approximately $139,443 for the OV 5 and 6 portion of the Improvement Portions of the Bonds, a levy averaging approximately $106,146 for the Fields of St. Croix and Beat Crest portion of the Improvement Portions of the Bonds, and a levying ranging from approximately $8,892 to $26,816 for the Abatement Portion of the Bonds is needed to produce the statutory requirement of 105% of debt service, after accounting for abatement levies, system revenues and special assessments. The levies may be adjusted annually based on actual special assessment collections and additional monies in the debt service fund. The initial tax levies will be made in 2022 for taxes payable in 2023.

  Given the timing of the initial revenue from the tax levy and special assessments, the structure includes capitalized interest for the Fields of St. Croix and Beatu Crest portion of the Improvement Portions of the Bonds and the Abatement Portion of the Bonds to cover the interest payment due on February 1, 2023 for those portions.

Plan Rationale

The Finance Plan recommended in this report is based on a variety of factors and information provided by the City related to the financed project and City objectives, Northland's knowledge of the City and our experience in working with similar cities and projects. The issuance of General Obligation Improvement, Abatement and Utility Revenue Bonds provides the best means of achieving the City's objectives and cost-effective financing. The City has successfully issued and managed this type of debt for previous projects.

Issuing Process

Northland will receive bids to purchase the Bonds on Tuesday, July 19, 2022, at 10:00 AM. Market conditions and the marketability of the Bonds support issuance through a competitive sale. This process has been chosen as it is intended to produce the lowest combination of interest expense and underwriting expense on the date and time set to receive bids. The calendar of events for the issuing process can be found in Attachment 4.

Municipal Advisor: Northland Securities, Inc., Minneapolis, Minnesota
Bond Counsel: Kennedy & Graven, Chartered, Minneapolis, Minnesota
Paying Agent: US Bank Trust Company, N.A., St. Paul, Minnesota

Attachment 1 – Preliminary Debt Service Schedules

Total Combined 2022A Bonds

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
08/16/2022	-	-	-	-	-
02/01/2023	565,000.00	1.900%	170,313.23	735,313.23	735,313.23
08/01/2023	-	-	180,428.75	180,428.75	-
02/01/2024	765,000.00	2.050%	180,428.75	945,428.75	1,125,857.50
08/01/2024	-	-	172,587.50	172,587.50	-
02/01/2025	775,000.00	2.200%	172,587.50	947,587.50	1,120,175.00
08/01/2025	-	-	164,062.50	164,062.50	-
02/01/2026	800,000.00	2.300%	164,062.50	964,062.50	1,128,125.00
08/01/2026	-	-	154,862.50	154,862.50	-
02/01/2027	820,000.00	2.400%	154,862.50	974,862.50	1,129,725.00
08/01/2027	-	-	145,022.50	145,022.50	-
02/01/2028	840,000.00	2.500%	145,022.50	985,022.50	1,130,045.00
08/01/2028	-	-	134,522.50	134,522.50	-
02/01/2029	855,000.00	2.600%	134,522.50	989,522.50	1,124,045.00
08/01/2029	-	-	123,407.50	123,407.50	-
02/01/2030	880,000.00	2.750%	123,407.50	1,003,407.50	1,126,815.00
08/01/2030	-	-	111,307.50	111,307.50	-
02/01/2031	905,000.00	2.900%	111,307.50	1,016,307.50	1,127,615.00
08/01/2031	-	-	98,185.00	98,185.00	-
02/01/2032	935,000.00	3.050%	98,185.00	1,033,185.00	1,131,370.00
08/01/2032	-	-	83,926.25	83,926.25	-
02/01/2033	955,000.00	3.150%	83,926.25	1,038,926.25	1,122,852.50
08/01/2033	-	-	68,885.00	68,885.00	-
02/01/2034	885,000.00	3.300%	68,885.00	953,885.00	1,022,770.00
08/01/2034	-	-	54,282.50	54,282.50	-
02/01/2035	920,000.00	3.450%	54,282.50	974,282.50	1,028,565.00
08/01/2035	-	-	38,412.50	38,412.50	-
02/01/2036	955,000.00	3.600%	38,412.50	993,412.50	1,031,825.00
08/01/2036	-	-	21,222.50	21,222.50	-
02/01/2037	985,000.00	3.700%	21,222.50	1,006,222.50	1,027,445.00
08/01/2037	-	-	3,000.00	3,000.00	-
02/01/2038	160,000.00	3.750%	3,000.00	163,000.00	166,000.00
Total	**$13,000,000.00**	**-**	**$3,278,543.23**	**$16,278,543.23**	**-**

Yield Statistics	
Bond Year Dollars	$104,028.33
Average Life	8.002 Years
Average Coupon	3.1515868%
Net Interest Cost (NIC)	3.2890494%
True Interest Cost (TIC)	3.2894633%
Bond Yield for Arbitrage Purposes	3.1277998%
All Inclusive Cost (AIC)	3.3867756%

IRS Form 8038	
Net Interest Cost	3.1515868%
Weighted Average Maturity	8.002 Years

Optional Redemption	
02/01/2030	@100.000%

*Based on Preliminary Non-Bank Qualified "Aa1" Rates as of June 10, 2022, plus 0.25%.

OV 5 & 6 Portion

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
08/16/2022	-	-	-	-	-
02/01/2023	-	-	28,695.10	28,695.10	28,695.10
08/01/2023	-	-	31,303.75	31,303.75	-
02/01/2024	130,000.00	2.050%	31,303.75	161,303.75	192,607.50
08/01/2024	-	-	29,971.25	29,971.25	-
02/01/2025	130,000.00	2.200%	29,971.25	159,971.25	189,942.50
08/01/2025	-	-	28,541.25	28,541.25	-
02/01/2026	135,000.00	2.300%	28,541.25	163,541.25	192,082.50
08/01/2026	-	-	26,988.75	26,988.75	-
02/01/2027	140,000.00	2.400%	26,988.75	166,988.75	193,977.50
08/01/2027	-	-	25,308.75	25,308.75	-
02/01/2028	140,000.00	2.500%	25,308.75	165,308.75	190,617.50
08/01/2028	-	-	23,558.75	23,558.75	-
02/01/2029	145,000.00	2.600%	23,558.75	168,558.75	192,117.50
08/01/2029	-	-	21,673.75	21,673.75	-
02/01/2030	150,000.00	2.750%	21,673.75	171,673.75	193,347.50
08/01/2030	-	-	19,611.25	19,611.25	-
02/01/2031	155,000.00	2.900%	19,611.25	174,611.25	194,222.50
08/01/2031	-	-	17,363.75	17,363.75	-
02/01/2032	160,000.00	3.050%	17,363.75	177,363.75	194,727.50
08/01/2032	-	-	14,923.75	14,923.75	-
02/01/2033	160,000.00	3.150%	14,923.75	174,923.75	189,847.50
08/01/2033	-	-	12,403.75	12,403.75	-
02/01/2034	165,000.00	3.300%	12,403.75	177,403.75	189,807.50
08/01/2034	-	-	9,681.25	9,681.25	-
02/01/2035	175,000.00	3.450%	9,681.25	184,681.25	194,362.50
08/01/2035	-	-	6,662.50	6,662.50	-
02/01/2036	180,000.00	3.600%	6,662.50	186,662.50	193,325.00
08/01/2036	-	-	3,422.50	3,422.50	-
02/01/2037	185,000.00	3.700%	3,422.50	188,422.50	191,845.00
Total	**$2,150,000.00**	**-**	**$571,525.10**	**$2,721,525.10**	**-**

Fields of St. Croix & Beaut Crest Portion

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
08/16/2022	-	-	-	-	-
02/01/2023	-	-	26,828.54	26,828.54	26,828.54
08/01/2023	-	-	29,267.50	29,267.50	-
02/01/2024	110,000.00	2.050%	29,267.50	139,267.50	168,535.00
08/01/2024	-	-	28,140.00	28,140.00	-
02/01/2025	110,000.00	2.200%	28,140.00	138,140.00	166,280.00
08/01/2025	-	-	26,930.00	26,930.00	-
02/01/2026	115,000.00	2.300%	26,930.00	141,930.00	168,860.00
08/01/2026	-	-	25,607.50	25,607.50	-
02/01/2027	115,000.00	2.400%	25,607.50	140,607.50	166,215.00
08/01/2027	-	-	24,227.50	24,227.50	-
02/01/2028	120,000.00	2.500%	24,227.50	144,227.50	168,455.00
08/01/2028	-	-	22,727.50	22,727.50	-
02/01/2029	120,000.00	2.600%	22,727.50	142,727.50	165,455.00
08/01/2029	-	-	21,167.50	21,167.50	-
02/01/2030	125,000.00	2.750%	21,167.50	146,167.50	167,335.00
08/01/2030	-	-	19,448.75	19,448.75	-
02/01/2031	130,000.00	2.900%	19,448.75	149,448.75	168,897.50
08/01/2031	-	-	17,563.75	17,563.75	-
02/01/2032	135,000.00	3.050%	17,563.75	152,563.75	170,127.50
08/01/2032	-	-	15,505.00	15,505.00	-
02/01/2033	135,000.00	3.150%	15,505.00	150,505.00	166,010.00
08/01/2033	-	-	13,378.75	13,378.75	-
02/01/2034	140,000.00	3.300%	13,378.75	153,378.75	166,757.50
08/01/2034	-	-	11,068.75	11,068.75	-
02/01/2035	145,000.00	3.450%	11,068.75	156,068.75	167,137.50
08/01/2035	-	-	8,567.50	8,567.50	-
02/01/2036	150,000.00	3.600%	8,567.50	158,567.50	167,135.00
08/01/2036	-	-	5,867.50	5,867.50	-
02/01/2037	155,000.00	3.700%	5,867.50	160,867.50	166,735.00
08/01/2037	-	-	3,000.00	3,000.00	-
02/01/2038	160,000.00	3.750%	3,000.00	163,000.00	166,000.00
Total	**$1,965,000.00**	**-**	**$571,763.54**	**$2,536,763.54**	**-**

Abatement Portion

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
08/16/2022	-	-	-	-	-
02/01/2023	-	-	10,068.44	10,068.44	10,068.44
08/01/2023	-	-	10,983.75	10,983.75	-
02/01/2024	75,000.00	2.050%	10,983.75	85,983.75	96,967.50
08/01/2024	-	-	10,215.00	10,215.00	-
02/01/2025	75,000.00	2.200%	10,215.00	85,215.00	95,430.00
08/01/2025	-	-	9,390.00	9,390.00	-
02/01/2026	80,000.00	2.300%	9,390.00	89,390.00	98,780.00
08/01/2026	-	-	8,470.00	8,470.00	-
02/01/2027	80,000.00	2.400%	8,470.00	88,470.00	96,940.00
08/01/2027	-	-	7,510.00	7,510.00	-
02/01/2028	85,000.00	2.500%	7,510.00	92,510.00	100,020.00
08/01/2028	-	-	6,447.50	6,447.50	-
02/01/2029	85,000.00	2.600%	6,447.50	91,447.50	97,895.00
08/01/2029	-	-	5,342.50	5,342.50	-
02/01/2030	85,000.00	2.750%	5,342.50	90,342.50	95,685.00
08/01/2030	-	-	4,173.75	4,173.75	-
02/01/2031	90,000.00	2.900%	4,173.75	94,173.75	98,347.50
08/01/2031	-	-	2,868.75	2,868.75	-
02/01/2032	90,000.00	3.050%	2,868.75	92,868.75	95,737.50
08/01/2032	-	-	1,496.25	1,496.25	-
02/01/2033	95,000.00	3.150%	1,496.25	96,496.25	97,992.50
Total	**$840,000.00**	**-**	**$143,863.44**	**$983,863.44**	**-**

Sewer Portion

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
08/16/2022	-	-	-	-	-
02/01/2023	240,000.00	1.900%	44,460.63	284,460.63	284,460.63
08/01/2023	-	-	46,222.50	46,222.50	-
02/01/2024	190,000.00	2.050%	46,222.50	236,222.50	282,445.00
08/01/2024	-	-	44,275.00	44,275.00	-
02/01/2025	195,000.00	2.200%	44,275.00	239,275.00	283,550.00
08/01/2025	-	-	42,130.00	42,130.00	-
02/01/2026	200,000.00	2.300%	42,130.00	242,130.00	284,260.00
08/01/2026	-	-	39,830.00	39,830.00	-
02/01/2027	205,000.00	2.400%	39,830.00	244,830.00	284,660.00
08/01/2027	-	-	37,370.00	37,370.00	-
02/01/2028	210,000.00	2.500%	37,370.00	247,370.00	284,740.00
08/01/2028	-	-	34,745.00	34,745.00	-
02/01/2029	215,000.00	2.600%	34,745.00	249,745.00	284,490.00
08/01/2029	-	-	31,950.00	31,950.00	-
02/01/2030	220,000.00	2.750%	31,950.00	251,950.00	283,900.00
08/01/2030	-	-	28,925.00	28,925.00	-
02/01/2031	225,000.00	2.900%	28,925.00	253,925.00	282,850.00
08/01/2031	-	-	25,662.50	25,662.50	-
02/01/2032	235,000.00	3.050%	25,662.50	260,662.50	286,325.00
08/01/2032	-	-	22,078.75	22,078.75	-
02/01/2033	240,000.00	3.150%	22,078.75	262,078.75	284,157.50
08/01/2033	-	-	18,298.75	18,298.75	-
02/01/2034	245,000.00	3.300%	18,298.75	263,298.75	281,597.50
08/01/2034	-	-	14,256.25	14,256.25	-
02/01/2035	255,000.00	3.450%	14,256.25	269,256.25	283,512.50
08/01/2035	-	-	9,857.50	9,857.50	-
02/01/2036	265,000.00	3.600%	9,857.50	274,857.50	284,715.00
08/01/2036	-	-	5,087.50	5,087.50	-
02/01/2037	275,000.00	3.700%	5,087.50	280,087.50	285,175.00
Total	**$3,415,000.00**	**-**	**$845,838.13**	**$4,260,838.13**	**-**

Water Portion

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
08/16/2022	-	-	-	-	-
02/01/2023	325,000.00	1.900%	60,260.52	385,260.52	385,260.52
08/01/2023	-	-	62,651.25	62,651.25	-
02/01/2024	260,000.00	2.050%	62,651.25	322,651.25	385,302.50
08/01/2024	-	-	59,986.25	59,986.25	-
02/01/2025	265,000.00	2.200%	59,986.25	324,986.25	384,972.50
08/01/2025	-	-	57,071.25	57,071.25	-
02/01/2026	270,000.00	2.300%	57,071.25	327,071.25	384,142.50
08/01/2026	-	-	53,966.25	53,966.25	-
02/01/2027	280,000.00	2.400%	53,966.25	333,966.25	387,932.50
08/01/2027	-	-	50,606.25	50,606.25	-
02/01/2028	285,000.00	2.500%	50,606.25	335,606.25	386,212.50
08/01/2028	-	-	47,043.75	47,043.75	-
02/01/2029	290,000.00	2.600%	47,043.75	337,043.75	384,087.50
08/01/2029	-	-	43,273.75	43,273.75	-
02/01/2030	300,000.00	2.750%	43,273.75	343,273.75	386,547.50
08/01/2030	-	-	39,148.75	39,148.75	-
02/01/2031	305,000.00	2.900%	39,148.75	344,148.75	383,297.50
08/01/2031	-	-	34,726.25	34,726.25	-
02/01/2032	315,000.00	3.050%	34,726.25	349,726.25	384,452.50
08/01/2032	-	-	29,922.50	29,922.50	-
02/01/2033	325,000.00	3.150%	29,922.50	354,922.50	384,845.00
08/01/2033	-	-	24,803.75	24,803.75	-
02/01/2034	335,000.00	3.300%	24,803.75	359,803.75	384,607.50
08/01/2034	-	-	19,276.25	19,276.25	-
02/01/2035	345,000.00	3.450%	19,276.25	364,276.25	383,552.50
08/01/2035	-	-	13,325.00	13,325.00	-
02/01/2036	360,000.00	3.600%	13,325.00	373,325.00	386,650.00
08/01/2036	-	-	6,845.00	6,845.00	-
02/01/2037	370,000.00	3.700%	6,845.00	376,845.00	383,690.00
Total	**$4,630,000.00**	**-**	**$1,145,553.02**	**$5,775,553.02**	**-**

Attachment 2 – Estimated Levy Schedules

OV 5 & 6 Portion

Date	Total P+I	105% Levy	Less: Special Assessment Revenue*	Net Levy	Levy Year	Collection Year
02/01/2023	28,695.10	30,129.86	62,518.96	-	2021	2022
02/01/2024	192,607.50	202,237.88	62,518.96	139,718.92	2022	2023
02/01/2025	189,942.50	199,439.63	62,518.95	136,920.68	2023	2024
02/01/2026	192,082.50	201,686.63	62,518.95	139,167.68	2024	2025
02/01/2027	193,977.50	203,676.38	62,518.96	141,157.42	2025	2026
02/01/2028	190,617.50	200,148.38	62,518.96	137,629.42	2026	2027
02/01/2029	192,117.50	201,723.38	62,518.97	139,204.41	2027	2028
02/01/2030	193,347.50	203,014.88	62,518.95	140,495.93	2028	2029
02/01/2031	194,222.50	203,933.63	62,518.96	141,414.67	2029	2030
02/01/2032	194,727.50	204,463.88	62,518.95	141,944.93	2030	2031
02/01/2033	189,847.50	199,339.88	62,518.96	136,820.92	2031	2032
02/01/2034	189,807.50	199,297.88	62,518.97	136,778.91	2032	2033
02/01/2035	194,362.50	204,080.63	62,518.95	141,561.68	2033	2034
02/01/2036	193,325.00	202,991.25	62,518.96	140,472.29	2034	2035
02/01/2037	191,845.00	201,437.25	62,518.95	138,918.30	2035	2036
Total	**$2,721,525.10**	**$2,857,601.36**	**$937,784.36**	**$1,952,206.10**		

*Special assessment revenue is based on assessments totaling $730,092 assessed at a rate of 3.25% (per the City), spread over 15 years with equal annual payments.

Fields of St. Croix & Beaut Crest Portion

Date	Total P+I	CIF	105% Levy	Less: Special Assessment Revenue*	Net Levy	Levy Year	Collection Year
02/01/2023	26,828.54	(26,828.54)	-	-	-		
02/01/2024	168,535.00	-	176,961.75	69,549.86	107,411.89	2022	2023
02/01/2025	166,280.00	-	174,594.00	69,549.86	105,044.14	2023	2024
02/01/2026	168,860.00	-	177,303.00	69,549.86	107,753.14	2024	2025
02/01/2027	166,215.00	-	174,525.75	69,549.86	104,975.89	2025	2026
02/01/2028	168,455.00	-	176,877.75	69,549.86	107,327.89	2026	2027
02/01/2029	165,455.00	-	173,727.75	69,549.87	104,177.88	2027	2028
02/01/2030	167,335.00	-	175,701.75	69,549.85	106,151.90	2028	2029
02/01/2031	168,897.50	-	177,342.38	69,549.85	107,792.53	2029	2030
02/01/2032	170,127.50	-	178,633.88	69,549.87	109,084.01	2030	2031
02/01/2033	166,010.00	-	174,310.50	69,549.87	104,760.63	2031	2032
02/01/2034	166,757.50	-	175,095.38	69,549.87	105,545.51	2032	2033
02/01/2035	167,137.50	-	175,494.38	69,549.86	105,944.52	2033	2034
02/01/2036	167,135.00	-	175,491.75	69,549.86	105,941.89	2034	2035
02/01/2037	166,735.00	-	175,071.75	69,549.86	105,521.89	2035	2036
02/01/2038	166,000.00	-	174,300.00	69,549.86	104,750.14	2036	2037
Total	**$2,536,763.54**	**(26,828.54)**	**$2,635,431.75**	**$1,043,247.92**	**$1,592,183.83**		

*Special assessment revenue is based on assessments totaling $756,000 assessed at a rate of 4.25% (1% over the average coupon, rounded to the nearest 0.25%), spread over 15 years with equal annual payments.

Abatement Portion

Date	Total P+I	CIF	105% Levy	Less: Abatement Levy	Net Levy	Levy Year	Collection Year
02/01/2023	10,068.44	(10,068.44)	-	-	-		
02/01/2024	96,967.50	-	101,815.88	75,000.00	26,815.88	2022	2023
02/01/2025	95,430.00	-	100,201.50	75,000.00	25,201.50	2023	2024
02/01/2026	98,780.00	-	103,719.00	80,000.00	23,719.00	2024	2025
02/01/2027	96,940.00	-	101,787.00	80,000.00	21,787.00	2025	2026
02/01/2028	100,020.00	-	105,021.00	85,000.00	20,021.00	2026	2027
02/01/2029	97,895.00	-	102,789.75	85,000.00	17,789.75	2027	2028
02/01/2030	95,685.00	-	100,469.25	85,000.00	15,469.25	2028	2029
02/01/2031	98,347.50	-	103,264.88	90,000.00	13,264.88	2029	2030
02/01/2032	95,737.50	-	100,524.38	90,000.00	10,524.38	2030	2031
02/01/2033	97,992.50	-	102,892.13	95,000.00	7,892.13	2031	2032
Total	**$983,863.44**	**(10,068.44)**	**$1,022,484.75**	**$840,000.00**	**$182,484.75**		

Attachment 3 – Related Considerations

Not Bank Qualified

The Bonds are more than $10,000,000 in tax-exempt debt. Therefore, the Bonds will not be designated as "bank qualified" obligations pursuant to Federal Tax Law.

Arbitrage Compliance

Project/Construction Fund. All tax-exempt bond issues are subject to federal rebate requirements which require all arbitrage earned to be rebated to the U.S. Treasury. A rebate exemption the City expects to qualify for is the "24-month exception."

Debt Service Fund. The City must maintain a bona fide debt service fund for the Bonds or be subject to yield restriction in the debt service fund. A bona fide debt service fund involves an equal matching of revenues to debt service expense with a balance forward permitted equal to the greater of the investment earnings in the fund during that year or 1/12 of the debt service of that year.

The City should become familiar with the various Arbitrage Compliance requirements for this bond issue. The Resolution for the Bonds prepared by Bond Counsel explains the requirements in greater detail.

Continuing Disclosure

Type: Full
Dissemination Agent: Northland Securities

The requirements for continuing disclosure are governed by SEC Rule 15c2-12. The primary requirements of Rule 15c2-12 actually fall on underwriters. The Rule sets forth due diligence needed prior to the underwriter's purchase of municipal securities. Part of this requirement is obtaining commitment from the issuer to provide continuing disclosure. The document describing the continuing disclosure commitments (the "Undertaking") is contained in the Official Statement that will be prepared to offer the Bonds to investors.

The City has more than $10,000,000 of outstanding debt and is required to undertake "full" continuing disclosure. Full disclosure requires annual posting of the audit and a separate continuing disclosure report, as well as the reporting of certain "material events." Material events set forth in the Rule, including, but not limited to, bond rating changes, call notices, and issuance of "financial obligations" (such as USDA loans, Public Finance Authority loans and lease agreements) must be reported within ten days of occurrence. Northland currently serves as dissemination agent for the City. We will assist with getting your annual report filed in compliance with full continuing disclosure regulations.

Premiums

In the current market environment, it is likely that bids received from underwriters will include premiums. A premium bid occurs when the purchaser pays the City an amount in excess of the par amount of a maturity in exchange for a higher coupon (interest rate). The use of premiums reflects the bidder's view on future market conditions, tax considerations for investors and other factors. Ultimately, the true interest cost ("TIC") calculation will determine the lowest bid, regardless of premium.

A premium bid produces additional funds that can be used in several ways:

- The premium means that the City needs less bond proceeds and can reduce the size of the issue by the amount of the premium.
- The premium can be deposited in the Construction Fund and used to pay additional project costs, rather than used to reduce the size of the issue.
- The premium can be deposited in the Debt Service Fund and used to pay principal and interest.

Northland will work with City staff prior to the sale day to determine use of premium (if any). A consideration for use of premium is the bank qualification of the Bonds.

Rating

A rating will be requested from Moody's. The City's general obligation debt is currently rated "Aa1" by Moody's. The rating process will include a conference call with the rating analyst from Moody's. Northland will assist City staff in preparing for and conducting the rating calls.

Attachment 4 – Calendar of Events

The following checklist of items denotes each milestone activity as well as the members of the finance team who will have the responsibility to complete it. *Please note this proposed timetable assumes regularly scheduled City Council meetings.*

May 2022						
Sun	**Mon**	**Tue**	**Wed**	**Thu**	**Fri**	**Sat**
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

June 2022						
Sun	**Mon**	**Tue**	**Wed**	**Thu**	**Fri**	**Sat**
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

July 2022						
Sun	**Mon**	**Tue**	**Wed**	**Thu**	**Fri**	**Sat**
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

August 2022						
Sun	**Mon**	**Tue**	**Wed**	**Thu**	**Fri**	**Sat**
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Holiday
Important Date

Date	Action	Responsible Party
May 10	General Information Certificate Relating to the Issuance of the Bonds sent to the City	Northland
May 13	City confirms parcels to be included in the Tax Abatement area	City Staff
May 24	General Information Certificate Returned to Northland	City Staff
May 31	Resolution Calling for the Public Hearing relating to the Tax Abatement Projects sent to City	Bond Counsel
June 7	City adopts Resolution Calling for the Public Hearing relating to the Tax Abatement Projects	**City Council Action,** Bond Counsel
June 8	City to submit Notice of Tax Abatement Hearing to local paper no later than 10:00 am on this date to be **published no later than June 11** (at least 10 days prior to Public Hearing) Preliminary Official Statement Sent to City for Sign Off and to Rating Agency (Moody's)	City Staff, Northland

Date	Action	Responsible Party
June 14	Resolution Authorizing the Issuance of Tax Abatement Bonds and Set Sale Resolution Sent to City for Council Packets Finance Plan Sent to the City	Northland, Bond Counsel
June 21	City holds Public Hearing relating to the CSAH 13/30th Street Signal and Ideal Avenue (CSAH 13) Phase 2 Abatement Projects and adopts Resolution Authorizing the Issuance of Tax Abatement Bonds (portion of Series 2022A Bonds). Set Sale Resolution for the Series 2022A Adopted and review of Finance Plan – 7:00 p.m.	**City Council Action,** Northland, Bond Counsel
Week of June 20 or June 27	Rating Conference Call	Northland, City Staff, Rating Agency
July 1	City confirms amounts for project costs to be financed	Northland, City Staff
July 8	Rating Received	Rating Agency, City Staff, Northland
July 12	Awarding Resolution sent to City	Bond Council, Northland
July 19	Bond Sale – 10:00 a.m. Awarding Resolution Adopted – 7:00 p.m.	**City Council Action,** Northland, Bond Counsel
August 23	Closing on the Bonds (2022A new money proceeds available)	Northland, City Staff, Bond Counsel

Attachment 5 - Risk Factors

Property Taxes: Property tax levies shown in this Finance Plan are based on projected debt service and other revenues. Final levies will be set based on the results of sale. Levies should be reviewed annually and adjusted as needed. The debt service levy must be included in the preliminary levy for annual Truth in Taxation hearings. Future Legislative changes in the property tax system, including the imposition of levy limits and changes in calculation of property values, would affect plans for payment of debt service. Delinquent payment of property taxes would reduce revenues available to pay debt service.

Special Assessments: Special assessments for the some of the financed projects have not been levied at this time. This Finance Plan is based on the assumptions listed earlier in this report. Changes in the terms and timing for the actual assessments will alter the projected flow of funds for payment of debt service on the Improvement Portion of the Bonds. Also, special assessments may be prepaid. It is likely that the income earned on the investment of prepaid assessments will be less than the interest paid if the assessments remained outstanding. Delinquencies in assessment collections would reduce revenues needed to pay debt service. The collection of deferred assessments, if any, has not been included in the revenue projections. Projected assessment income should be reviewed annually and adjusted as needed.

Tax Abatement: The tax abatement levy needs to be calculated annually in accordance with the abatement resolution. The abatement levy must be included in the preliminary levy used for annual Truth in Taxation hearings. A tax abatement levy was authorized as a special levy (not subject to levy limits) under the most recent legislation. Levy limits are not currently enacted. The status of a tax abatement levy under future levy limitations (if any) cannot be predicted.

System Revenues: The City pledges the net revenues of the water and sewer systems to the payment of principal and interest on the Water and Sewer Portions of the Bonds, respectively. The failure to adjust rates and charges as needed and the loss of significant customers will affect available net revenues. If the net revenues are insufficient, the City is required to levy property taxes or use other revenues to cover the deficiency. Property taxes can only be used on a temporary basis and may not be an ongoing source of revenue to pay debt service.

General: In addition to the risks described above, there are certain general risks associated with the issuance of bonds. These risks include, but are not limited to:

- Failure to comply with covenants in bond resolution.
- Failure to comply with Undertaking for continuing disclosure.
- Failure to comply with IRS regulations, including regulations related to use of the proceeds and arbitrage/rebate. The IRS regulations govern the ability of the City to issue its bonds as tax-exempt securities and failure to comply with the IRS regulations may lead to loss of tax-exemption.

EXTRACT OF MINUTES OF A MEETING OF THE
CITY COUNCIL OF THE
CITY OF LAKE ELMO, MINNESOTA

HELD: June 21, 2022

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Lake Elmo, Washington County, Minnesota, was duly held at the City Hall in said City on the 21st day of June, 2022, at 7:00 o'clock P.M. for the purpose in part of authorizing the competitive negotiated sale of the $13,000,000 General Obligation Improvement, Abatement and Utility Revenue Bonds, Series 2022A of said City.

The following members were present:

and the following were absent:

Member _____ introduced the following resolution and moved its adoption:

RESOLUTION 2022-063 PROVIDING FOR THE COMPETITIVE NEGOTIATED SALE OF $13,000,000
GENERAL OBLIGATION IMPROVEMENT, ABATEMENT AND UTILITY REVENUE BONDS, SERIES 2022A

WHEREAS, the City Council of the City of Lake Elmo, Minnesota, (the "City") has heretofore determined that it is necessary and expedient to issue its $13,000,000 General Obligation Improvement, Abatement and Utility Revenue Bonds, Series 2022A (the "Bonds") to finance (i) street improvement projects; (ii) certain public improvements including without limitation the CSAH 15/30th Street Signal and Ideal Avenue (CSAH 13) Phase 2 project; (iii) utility improvements, (iv) a water tower project; and (iv) costs of issuing the Bonds; and

WHEREAS, the City has retained Northland Securities, Inc., in Minneapolis, Minnesota ("Northland"), as its independent municipal advisor and is therefore authorized to sell these obligations by a competitive negotiated sale in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9); and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo, Minnesota, as follows:

1. Authorization; Findings. The City Council hereby authorizes Northland to solicit bids for the competitive negotiated sale of the Bonds.

2. Meeting; Bid Opening. This City Council shall meet at the time and place specified in the Notice of Sale attached hereto as **Exhibit A** for the purpose of considering sealed

bids for, and awarding the sale of, the Bonds. The Finance Director, or designee, shall open bids at the time and place specified in such Notice of Sale.

3. Notice of Sale. The terms and conditions of the Bonds and the negotiation thereof are fully set forth in the "Notice of Sale" attached hereto as **Exhibit A** and hereby approved and made a part hereof.

4. Official Statement. In connection with said competitive negotiated sale, the City Administrator and other officers or employees of the City are hereby authorized to cooperate with Northland and participate in the preparation of an official statement for the Bonds, and to execute and deliver it on behalf of the City upon its completion.

The motion for the adoption of the foregoing resolution was duly seconded by member _____ and, after full discussion thereof and upon a vote being taken thereon, the following voted in favor thereof:

Approved this 21st day of June, 2022, by the City Council of the City of Lake Elmo, Minnesota.

CITY OF LAKE ELMO, MINNESOTA

_____
Mayor

ATTEST:

_____
City Clerk

EXHIBIT A
NOTICE OF SALE

$13,000,000*
GENERAL OBLIGATION IMPROVEMENT, ABATEMENT, AND UTILITY REVENUE BONDS, SERIES 2022A

CITY OF LAKE ELMO, MINNESOTA
(Book-Entry Only)

NOTICE IS HEREBY GIVEN that these Bonds will be offered for sale according to the following terms:

TIME AND PLACE:

Proposals (also referred to herein as "bids") will be opened by the City's Finance Director, or designee, on Tuesday, July 19, 2022, at 10:00 A.M., CT, at the offices of Northland Securities, Inc. (the City's "Municipal Advisor"), 150 South 5th Street, Suite 3300, Minneapolis, Minnesota 55402. Consideration of the Proposals for award of the sale will be by the City Council at its meeting at the City Offices beginning Tuesday, July 19, 2022 at 7:00 P.M., CT.

SUBMISSION OF PROPOSALS

Proposals may be:
a) submitted to the office of Northland Securities, Inc.,
b) faxed to Northland Securities, Inc. at 612-851-5918,
c) emailed to PublicSale@northlandsecurities.com
d) for proposals submitted prior to the sale, the final price and coupon rates may be submitted to Northland Securities, Inc. by telephone at 612-851-5900 or 612-851-4968, or
e) submitted electronically.

Notice is hereby given that electronic proposals will be received via PARITY™, or its successor, in the manner described below, until 10:00 A.M., CT, on Tuesday, July 19, 2022. Proposals may be submitted electronically via PARITY™ or its successor, pursuant to this Notice until 10:00 A.M., CT, but no Proposal will be received after the time for receiving Proposals specified above. To the extent any instructions or directions set forth in PARITY™, or its successor, conflict with this Notice, the terms of this Notice shall control. For further information about PARITY™, or its successor, potential bidders may contact Northland Securities, Inc. or i-Deal® at 1359 Broadway, 2nd floor, New York, NY 10018, telephone 212-849-5021.

Neither the City nor Northland Securities, Inc. assumes any liability if there is a malfunction of PARITY™ or its successor. All bidders are advised that each Proposal shall be deemed to constitute a contract between the bidder and the City to purchase the Bonds regardless of the manner in which the Proposal is submitted.

* The City reserves the right to increase or decrease the principal amount of the Bonds. Any such increase or decrease will be made in multiples of $5,000 and may be made in any maturity. If any maturity is adjusted, the purchase price will also be adjusted to maintain the same gross spread.

BOOK-ENTRY SYSTEM

The Bonds will be issued by means of a book-entry system with no physical distribution of bond certificates made to the public. The Bonds will be issued in fully registered form and one bond certificate, representing the aggregate principal amount of the Bonds maturing in each year, will be registered in the name of Cede & Co. as nominee of Depository Trust Company ("DTC"), New York, New York, which will act as securities depository of the Bonds.

Individual purchases of the Bonds may be made in the principal amount of $5,000 or any multiple thereof of a single maturity through book entries made on the books and records of DTC and its participants. Principal and interest are payable by the City through U.S. Bank Trust Company, National Association, St. Paul, Minnesota (the "Paying Agent/Registrar"), to DTC, or its nominee as registered owner of the Bonds. Transfer of principal and interest payments to participants of DTC will be the responsibility of DTC; transfer of principal and interest payments to beneficial owners by participants will be the responsibility of such participants and other nominees of beneficial owners. The successful bidder, as a condition of delivery of the Bonds, will be required to deposit the bond certificates with DTC. The City will pay reasonable and customary charges for the services of the Paying Agent/Registrar.

DATE OF ORIGINAL ISSUE OF BONDS

Date of Delivery (Estimated to be August 16, 2022)

AUTHORITY/PURPOSE/SECURITY

The Bonds are being issued pursuant to Minnesota Statutes, Chapters 429, 444, and 475 and Sections 469.1812-469.1815. Proceeds will be used to finance street improvement projects, a tax abatement project, utility improvements, and a water tower project within the City and to pay the costs associated with the issuance of the bonds. The Bonds are payable from tax abatement levy, special assessments against benefited property, net revenues of the City's water and sewer utility systems, and additionally secured by ad valorem taxes on all taxable property within the City. The full faith and credit of the City is pledged to their payment and the City has validly obligated itself to levy ad valorem taxes in the event of any deficiency in the debt service account established for this issue.

INTEREST PAYMENTS

Interest is due semiannually on each February 1 and August 1, commencing February 1, 2023, to registered owners of the Bonds appearing of record in the Bond Register as of the close of business on the fifteenth day (whether or not a business day) of the calendar month next preceding such interest payment date.

MATURITIES

Principal is due annually on February 1, inclusive, in each of the years and amounts as follows:

Year	Amount	Year	Amount	Year	Amount
2023	$565,000	2029	$855,000	2035	$920,000
2024	765,000	2030	880,000	2036	955,000
2025	775,000	2031	905,000	2037	985,000
2026	800,000	2032	935,000	2038	160,000
2027	820,000	2033	955,000		
2028	840,000	2034	885,000		

Proposals for the Bonds may contain a maturity schedule providing for any combination of serial bonds and term bonds, subject to mandatory redemption, so long as the amount of principal maturing or subject to mandatory redemption in each year conforms to the maturity schedule set forth above.

INTEREST RATES

All rates must be in integral multiples of 1/20th or 1/8th of 1%. *The rate for any maturity may not be more than 2.00% less than the rate for any preceding maturity.* All Bonds of the same maturity must bear a single uniform rate from date of issue to maturity.

ESTABLISHMENT OF ISSUE PRICE (HOLD-THE-OFFERING-PRICE RULE MAY APPLY – BIDS NOT CANCELLABLE)

The winning bidder shall assist the City in establishing the issue price of the Bonds and shall execute and deliver to the City at closing an "issue price" or similar certificate setting forth the reasonably expected initial offering price to the public or the sales price or prices of the Bonds, together with the supporting pricing wires or equivalent communications, substantially in the form attached hereto as Exhibit A, with such modifications as may be appropriate or necessary, in the reasonable judgment of the winning bidder, the City and Bond Counsel. All actions to be taken by the City under this Notice of Sale to establish the issue price of the Bonds may be taken on behalf of the City by the City's Municipal Advisor and any notice or report to be provided to the City may be provided to the City's Municipal Advisor.

The City intends that the provisions of Treasury Regulation Section 1.148-1(f)(3)(i) (defining "competitive sale" for purposes of establishing the issue price of the Bonds) will apply to the initial sale of the Bonds (the "competitive sale requirements") because:

(1) the City shall disseminate this Notice of Sale to potential underwriters in a manner that is reasonably designed to reach potential underwriters;
(2) all bidders shall have an equal opportunity to bid;
(3) the City may receive bids from at least three underwriters of municipal bonds who have established industry reputations for underwriting new issuances of municipal bonds; and
(4) the City anticipates awarding the sale of the Bonds to the bidder who submits a firm offer to purchase the Bonds at the highest price (or lowest cost), as set forth in this Notice of Sale.

Any bid submitted pursuant to this Notice of Sale shall be considered a firm offer for the purchase of the Bonds, as specified in the bid.

In the event that the competitive sale requirements are not satisfied, the City shall promptly so advise the winning bidder. The City may then determine to treat the initial offering price to the public as of the award date of the Bonds as the issue price of each maturity by imposing on the winning bidder the Hold-the-Offering-Price Rule as described in the following paragraph (the "Hold-the-Offering-Price Rule"). Bids will **not** be subject to cancellation in the event that the City determines to apply the Hold-the-Offering-Price Rule to the Bonds. **Bidders should prepare their bids on the assumption that the Bonds will be subject to the Hold-the-Offering-Price Rule in order to establish the issue price of the Bonds.**

By submitting a bid, the winning bidder shall (i) confirm that the underwriters have offered or will offer the Bonds to the public on or before the date of award at the offering price or prices (the "Initial Offering Price"), or at the corresponding yield or yields, set forth in the bid submitted by the winning bidder and (ii) agree, on behalf of the underwriters participating in the purchase of the Bonds, that the underwriters will neither offer nor sell unsold Bonds of any maturity to which the Hold-the-Offering Price Rule shall apply to any person at a price that is higher than the Initial Offering Price to the public during the period starting on the award date for the Bonds and ending on the **earlier** of the following:

(1) the close of the fifth (5^{th}) business day after the award date; or

(2) the date on which the underwriters have sold at least 10% of a maturity of the Bonds to the public at a price that is no higher than the Initial Offering Price to the public (the "10% Test"), at which time only that particular maturity will no longer be subject to the Hold-the-Offering-Price Rule.

The City acknowledges that, in making the representations set forth above, the winning bidder will rely on (i) the agreement of each underwriter to comply with the requirements for establishing issue price of the Bonds, including, but not limited to, its agreement to comply with the Hold-the-Offering-Price Rule, if applicable to the Bonds, as set forth in an agreement among underwriters and the related pricing wires, (ii) in the event a selling group has been created in connection with the initial sale of the Bonds to the public, the agreement of each dealer who is a member of the selling group to comply with the requirements for establishing issue price of the Bonds, including but not limited to, its agreement to comply with the Hold-the-Offering-Price Rule, if applicable to the Bonds, as set forth in a selling group agreement and the related pricing wires, and (iii) in the event that an underwriter or dealer who is a member of the selling group is a party to a third-party distribution agreement that was employed in connection with the initial sale of the Bonds to the public, the agreement of each broker-dealer that is a party to such agreement to comply with the requirements for establishing issue price of the Bonds, including, but not limited to, its agreement to comply with the Hold-the-Offering-Price Rule, if applicable to the Bonds, as set forth in the third-party distribution agreement and the related pricing wires. The City further acknowledges that each underwriter shall be solely liable for its failure to comply with its agreement regarding the requirements for establishing issue price of the Bonds, including but not limited to, its agreement to comply with the Hold-the-Offering-Price Rule, if applicable to the Bonds, and that no underwriter shall be liable for the failure of any other underwriter, or of any dealer who is a member of a selling group, or of any broker-dealer that is a party to a third-party distribution agreement to comply with its corresponding agreement to comply with the requirements for establishing issue price of the Bonds, including, but not limited to, its agreement to comply with the Hold-the-Offering-Price Rule if applicable to the Bonds.

By submitting a bid, each bidder confirms that: (i) any agreement among underwriters, any

selling group agreement and each third-party distribution agreement (to which the bidder is a party) relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter, each dealer who is a member of the selling group, and each broker-dealer that is a party to such third-party distribution agreement, as applicable, (A) to comply with the Hold-the-Offering-Price Rule, if applicable if and for so long as directed by the winning bidder and as set forth in the related pricing wires, (B) to promptly notify the winning bidder of any sales of Bonds that to its knowledge, are made to a purchaser who is a related party to an underwriter participating in the initial sale of the Bonds to the public (each such term being used as defined below), and (C) to acknowledge that, unless otherwise advised by the underwriter, dealer or broker-dealer, the winning bidder shall assume that each order submitted by the underwriter, dealer or broker-dealer is a sale to the public, and (ii) any agreement among underwriters or selling group agreement relating to the initial sale of the Bonds to the public, together with the related pricing wires, contains or will contain language obligating each underwriter or dealer that is a party to a third-party distribution agreement to be employed in connection with the initial sale of the Bonds to the public to require each broker-dealer that is a party to such retail distribution agreement to comply with the Hold-the-Offering-Price Rule, if applicable, in each case if and for so long as directed by the winning bidder or the underwriter and as set forth in the related pricing wires.

Notes: Sales of any Bonds to any person that is a related party to an underwriter participating in the initial sale of the Bonds to the public (each such term being used as defined below) shall not constitute sales to the public for purposes of this Notice of Sale. Further, for purposes of this Notice of Sale:

(1) "public" means any person other than an underwriter or a related party,

(2) "underwriter" means (A) any person that agrees pursuant to a written contract with the City (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the public and (B) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (A) to participate in the initial sale of the Bonds to the public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Bonds to the public).

(3) a purchaser of any of the Bonds is a "related party" to an underwriter if the underwriter and the purchaser are subject, directly or indirectly, to (A) more than 50% common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation or another), (B) more than 50% common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another), or (C) more than 50% common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other), and

(4) "sale date" means the date that the Bonds are awarded by the City to the winning bidder.

ADJUSTMENTS TO PRINCIPAL AMOUNT AFTER PROPOSALS

The City reserves the right to increase or decrease the principal amount of the Bonds. Any such increase or decrease will be made in multiples of $5,000 and may be made in any maturity. If any maturity is adjusted, the purchase price will also be adjusted to maintain the same gross spread. Such adjustments shall be made promptly after the sale and prior to the award of Proposals by the City and shall be at the sole discretion of the City. The successful bidder may not withdraw or modify its Proposal once submitted to the City for any reason, including post-sale adjustment. Any adjustment shall be conclusive and shall be binding upon the successful bidder.

OPTIONAL REDEMPTION

Bonds maturing on February 1, 2031 through 2038 are subject to redemption and prepayment at the option of the City on February 1, 2030 and any date thereafter, at a price of par plus accrued interest. Redemption may be in whole or in part of the Bonds subject to prepayment. If redemption is in part, the maturities and principal amounts within each maturity to be redeemed shall be determined by the City and if only part of the Bonds having a common maturity date are called for prepayment, the specific Bonds to be prepaid shall be chosen by lot by the Bond Registrar.

CUSIP NUMBERS

If the Bonds qualify for assignment of CUSIP numbers such numbers will be printed on the Bonds, but neither the failure to print such numbers on any Bond nor any error with respect thereto shall constitute cause for a failure or refusal by the successful bidder thereof to accept delivery of and pay for the Bonds in accordance with terms of the purchase contract. The CUSIP Service Bureau charge for the assignment of CUSIP identification numbers shall be paid by the successful bidder.

DELIVERY

Delivery of the Bonds will be within thirty days after award, subject to an approving legal opinion by Kennedy & Graven, Chartered, Bond Counsel. The legal opinion will be paid by the City and delivery will be anywhere in the continental United States without cost to the successful bidder at DTC.

TYPE OF PROPOSAL

Proposals of not less than $12,857,000 (98.90%) and accrued interest on the principal sum of $13,000,000 must be filed with the undersigned prior to the time of sale. Proposals must be unconditional except as to legality. Proposals for the Bonds should be delivered to Northland Securities, Inc. and addressed to:

Kristina Handt, City Administrator
3800 Laverne Ave N..
Lake Elmo, Minnesota 55042

A good faith deposit (the "Deposit") in the amount of $260,000 in the form of a federal wire transfer (payable to the order of the City) is only required from the apparent winning bidder, and must be received within two hours after the time stated for the receipt of Proposals. The apparent winning bidder will receive notification of the wire instructions from the Municipal Advisor promptly after the sale. If the Deposit is not received from the apparent winning bidder in the time allotted, the City may choose to reject their Proposal and then proceed to offer the Bonds to the next lowest bidder based on the terms of their original proposal, so long as said bidder wires funds for the Deposit amount within two hours of said offer.

The City will retain the Deposit of the successful bidder, the amount of which will be deducted at settlement and no interest will accrue to the successful bidder. In the event the successful bidder fails to comply with the accepted Proposal, said amount will be retained by the City. No Proposal can be withdrawn after the time set for receiving Proposals unless the meeting of the City scheduled for award of the Bonds is adjourned, recessed, or continued to another date without award of the Bonds having been made.

AWARD

The Bonds will be awarded on the basis of the lowest interest rate to be determined on a true interest cost (TIC) basis. The City's computation of the interest rate of each Proposal, in accordance with customary practice, will be controlling. In the event of a tie, the sale of the Bonds will be awarded by lot. The City will reserve the right to: (i) waive non-substantive informalities of any Proposal or of matters relating to the receipt of Proposals and award of the Bonds, (ii) reject all Proposals without cause, and (iii) reject any Proposal which the City determines to have failed to comply with the terms herein.

INFORMATION FROM SUCCESSFUL BIDDER

The successful bidder will be required to provide, in a timely manner, certain information relating to the initial offering price of the Bonds necessary to compute the yield on the Bonds pursuant to the provisions of the Internal Revenue Code of 1986, as amended.

OFFICIAL STATEMENT

By awarding the Bonds to any underwriter or underwriting syndicate submitting a Proposal therefor, the City agrees that, no more than seven business days after the date of such award, it shall provide to the senior managing underwriter of the syndicate to which the Bonds are awarded, the Final Official Statement in an electronic format as prescribed by the Municipal Securities Rulemaking Board (MSRB).

FULL CONTINUING DISCLOSURE UNDERTAKING

The City will covenant in the resolution awarding the sale of the Bonds and in a Continuing Disclosure Undertaking to provide, or cause to be provided, annual financial information, including audited financial statements of the City, and notices of certain material events, as required by SEC Rule 15c2-12.

BANK QUALIFICATION

The City will not designate the Bonds as qualified tax-exempt obligations for purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

BOND INSURANCE AT UNDERWRITER'S OPTION

If the Bonds qualify for issuance of any policy of municipal bond insurance or commitment therefor at the option of the successful bidder, the purchase of any such insurance policy or the issuance of any such commitment shall be at the sole option and expense of the successful bidder of the Bonds. Any increase in the costs of issuance of the Bonds resulting from such purchase of insurance shall be paid by the successful bidder, except that, if the City has requested and received a rating on the Bonds from a rating agency, the City will pay that rating fee. Any other rating agency fees shall be the responsibility of the successful bidder. Failure of the municipal bond insurer to issue the policy after the Bonds have been awarded to the successful bidder shall not constitute cause for failure or refusal by the successful bidder to accept delivery on the Bonds.

The City reserves the right to reject any and all Proposals, to waive informalities and to adjourn the sale.

Dated: June 21, 2022

BY ORDER OF THE CITY OF LAKE ELMO CITY COUNCIL

/s/ Kristina Handt
City Administrator

Additional information may be obtained from:
Northland Securities, Inc.
150 South 5th Street, Suite 3300
Minneapolis, Minnesota 55402
Telephone No.: 612-851-5900

EXHIBIT A

(ISSUE PRICE CERTIFICATE – COMPETITIVE SALE SATISFIED)

The undersigned, for and on behalf of [NAME OF PURCHASER/REPRESENTATIVE] (the ["Purchaser"] ["Representative," on behalf of itself and other underwriters listed below (collectively, the "Underwriting Group"))], with respect to the sale and issuance of the General Obligation Improvement, Abatement, and Utility Revenue Bonds, Series 2022A (the "Bonds"), issued by the City of Lake Elmo, Minnesota (the "Issuer"), in the original aggregate principal amount of $_____, certifies as follows:

1. Reasonably Expected Initial Offering Price.

(a) As of the Sale Date, the reasonably expected initial offering prices of the Bonds to the Public by the [Purchaser] [Underwriting Group] are the prices listed in EXHIBIT A attached hereto (the "Expected Offering Prices"). The Expected Offering Prices are the prices of the Maturities of the Bonds used by the [Purchaser] [Underwriting Group] in formulating its bid to purchase the Bonds. Attached hereto as EXHIBIT B is a true and correct copy of the bid provided by the [Purchaser] [Underwriting Group] to purchase the Bonds.

(b) The [Purchaser] [Underwriting Group] was not given the opportunity to review other bids prior to submitting its bid.

(c) The bid submitted by the [Purchaser] [Underwriting Group] constituted a firm offer to purchase the Bonds.

(d) Capitalized terms that are used herein that are otherwise not defined shall have the meanings assigned to such terms in Section 5 hereof.

2. Purchase Price. The [Purchaser] [Representative] acknowledges that it is purchasing the Bonds for an aggregate purchase price of $_____ (par amount of Bonds of $_____, plus original issue premium of $_____, less original issue discount of $_____, less [a Purchaser's] [an underwriter's] discount of $_____).

3. Receipt of Bonds. The undersigned hereby acknowledges receipt of $_____ in original aggregate principal amount of the Bonds from the Issuer, fully executed and authenticated. [The [Purchaser] [Representative] has paid to [NAME OF INSURER] the sum of $_____ as a premium for an insurance policy for the Bonds.]

4. Representations. The representations set forth in this Certificate of Purchaser (the "Certificate") are limited to factual matters only. Nothing in this Certificate represents the interpretation by the [Purchaser] [Representative] of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations promulgated thereunder. The undersigned understands that the foregoing information will be relied upon by: (i) the Issuer with respect to certain of the representations set forth in a tax certificate of the Issuer executed on the date hereof with respect to compliance with the federal

income tax rules affecting the Bonds; and (ii) Kennedy & Graven, Chartered, in connection with rendering its opinion that the interest on the Bonds is excluded from gross income for federal income tax purposes, the preparation of Information Return for Tax-Exempt Governmental Bonds, Form 8038-G (Rev. September 2018), and other federal income tax advice that it may give to the Issuer from time to time relating to the Bonds.

5. Defined Terms.

(a) "Maturity" means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate Maturities.

(b) "Public" means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term "related party" for purposes of this Certificate means, with respect to a purchaser of the Bonds, if the Underwriter and the purchaser are subject, directly or indirectly, to (i) more than fifty percent (50%) common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another); (ii) more than fifty percent (50%) common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another); or (iii) more than fifty percent (50%) common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other).

(c) "Sale Date" means the first day on which there is a binding contract in writing for the sale of a Maturity of the Bonds. The Sale Date of the Bonds is _____.

(d) "Underwriter" means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

IN WITNESS WHEREOF, the undersigned officer has executed this Certificate of Purchaser as of the date and year first written above.

[PURCHASER] [REPRESENTATIVE]

By _____

Name _____

Its _____

[Account Members:]

(ISSUE PRICE CERTIFICATE – HOLD THE PRICE)

The undersigned, for and on behalf of [NAME OF PURCHASER/REPRESENTATIVE] (the ["Purchaser"] ["Representative," on behalf of itself and other underwriters listed below (collectively, the "Underwriting Group"))],, with respect to the sale and issuance of the General Obligation Improvement, Abatement, and Utility Revenue Bonds, Series 2022A (the "Bonds"), by the City of Lake Elmo, Minnesota (the "Issuer"), in the original aggregate principal amount of $_____, certifies as follows:

1. Initial Offering Price for the Bonds.

(a) The [Purchaser] [Underwriting Group] offered each Maturity of the Bonds to the Public for purchase at the respective initial offering prices listed in EXHIBIT A attached hereto (the "Initial Offering Prices"). A copy of the pricing wire or equivalent communication for the Bonds is attached hereto as EXHIBIT A. Capitalized terms used herein that are otherwise not defined shall have the meanings assigned to such terms in Section 5 hereof.

(b) As set forth in the Notice of Sale and the bid award, the [Purchaser has] [members of the Underwriting Group have] agreed in writing that, (i) for each Maturity of the Bonds, [it] [they] would neither offer nor sell any of the Bonds of such Maturity to any person at a price that is higher than the Initial Offering Price for such Maturity during the Holding Period for such Maturity (the "Hold-the-Offering-Price Rule"), and (ii) any selling group agreement shall contain the agreement of each dealer who is a member of the selling group, and any retail distribution agreement shall contain the agreement of each broker-dealer who is a party to the retail distribution agreement, to comply with the Hold-the-Offering-Price Rule. Pursuant to such agreement, no Underwriter has offered or sold any Maturity of the Bonds at a price that is higher than the respective Initial Offering Price for that Maturity of the Bonds during the Holding Period.

2. Purchase Price. The [Purchaser] [Representative] acknowledges that it is purchasing the Bonds for an aggregate purchase price of $_____ (par amount of Bonds of $_____, plus original issue premium of $_____, less original issue discount of $_____, less [a Purchaser's] [an underwriter's] discount of $_____).

3. Receipt of Bonds. The undersigned hereby acknowledges receipt of $_____ in original aggregate principal amount of the Bonds from the Issuer, fully executed and authenticated.

4. Representations. The representations set forth in this Certificate of Purchaser (the "Certificate") are limited to factual matters only. Nothing in this Certificate represents the interpretation by the [Purchaser] [Representative] of any laws, including specifically Sections 103 and 148 of the Internal Revenue Code of 1986, as amended, and the Treasury Regulations promulgated thereunder. The undersigned understands that the foregoing information will be relied upon by: (i) the Issuer with respect to certain of the representations set forth in a tax certificate of the Issuer executed on the date hereof with respect to compliance with the federal income tax rules affecting the Bonds; and (ii) Kennedy & Graven, Chartered, in connection with

rendering its opinion that the interest on the Bonds is excluded from gross income for federal income tax purposes, the preparation of Information Return for Tax-Exempt Governmental Bonds, Form 8038-G (Rev. September 2018), and other federal income tax advice that it may give to the Issuer from time to time relating to the Bonds.

5. Defined Terms.

(a) "Holding Period" means, with respect to each Maturity of the Bonds, the period starting on the Sale Date and ending on the earlier of (i) the close of the fifth business day after the Sale Date, or (ii) the date on which the [Purchaser has] [Underwriters have] sold at least ten percent (10%) of such Maturity to the Public at prices that are no higher than the Initial Offering Price for such Maturity.

(b) "Maturity" means Bonds with the same credit and payment terms. Bonds with different maturity dates, or Bonds with the same maturity date but different stated interest rates, are treated as separate Maturities.

(c) "Public" means any person (including an individual, trust, estate, partnership, association, company, or corporation) other than an Underwriter or a related party to an Underwriter. The term "related party" for purposes of this Certificate means, with respect to a purchaser of the Bonds, if the Underwriter and the purchaser are subject, directly or indirectly, to (i) more than fifty percent (50%) common ownership of the voting power or the total value of their stock, if both entities are corporations (including direct ownership by one corporation of another); (ii) more than fifty percent (50%) common ownership of their capital interests or profits interests, if both entities are partnerships (including direct ownership by one partnership of another); or (iii) more than fifty percent (50%) common ownership of the value of the outstanding stock of the corporation or the capital interests or profit interests of the partnership, as applicable, if one entity is a corporation and the other entity is a partnership (including direct ownership of the applicable stock or interests by one entity of the other).

(d) "Sale Date" means the first day on which there is a binding contract in writing for the sale of a Maturity of the Bonds. The Sale Date of the Bonds is _____.

(e) "Underwriter" means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a retail distribution agreement participating in the initial sale of the Bonds to the Public).

IN WITNESS WHEREOF, the undersigned officer has executed this Certificate of Purchaser as of the date and year first written above.

[PURCHASER] [REPRESENTATIVE]

By _____

Name _____

Its _____

MUNICIPAL ADVISORY SERVICE AGREEMENT
BY AND BETWEEN
THE CITY OF LAKE ELMO, MINNESOTA
AND
NORTHLAND SECURITIES, INC.

This Agreement is made and entered into by and between the City of Lake Elmo, Minnesota (hereinafter "Client") and Northland Securities, Inc., of Minneapolis, Minnesota (hereinafter "Northland").

WITNESSETH

WHEREAS, the Client desires to have Northland provide it with advice on the structure, terms, timing and other matters related to the issuance of the General Obligation Improvement, Abatement and Utility Revenue Bonds, Series 2022A (the "Debt") serving in the role of municipal (financial) advisor, and

WHEREAS, Northland is a registered municipal advisor with both the Securities and Exchange Commission ("SEC") and the Municipal Securities Rulemaking Board ("MSRB") (registration # 866-00082-00), and

WHEREAS, Northland will act as municipal advisor in accordance with the duties and responsibilities of Rule G-42 of the MSRB, and

WHEREAS, the MSRB provides a municipal advisory client brochure on its website (www.msrb.org) that describes the protections that may be provided by the MSRB rules, including professional competency, fair dealing, duty of loyalty, remedies for disputes and how to file a complaint with an appropriate regulatory authority, and

WHEREAS, the Client and Northland are entering into this Agreement to define the municipal advisory relationship at the earliest opportunity related to the inception of the municipal advisory relationship for the Debt, and

WHEREAS, Northland desires to furnish services to the Client as hereinafter described,

NOW, THEREFORE, it is agreed by and between the parties as follows:

SERVICES TO BE PROVIDED BY NORTHLAND

Northland shall provide the Client with services necessary to analyze, structure, offer for sale and close the Debt. The services will be tailored to meet the needs of this engagement and may include:

Planning and Development

1. Assist Client officials to define the scope and the objectives for the Debt.
2. Investigate and consider reasonably feasible financing alternatives.

3. Assist the Client in understanding the material risks, potential benefits, structure and other characteristics of the recommended plan for the Debt, including issue structure, estimated debt service payments, projected revenues, method of issuance, bond rating, sale timing, and call provisions.
4. Prepare a schedule of events related to the issuance process.
5. Coordinate with bond counsel any actions needed to authorize the issuance of the Debt.
6. Attend meetings of the Client and other project and bond issue related meetings as needed and as requested.

Bond Sale

1. Assist the Client with the preparation, review and approval of the preliminary official statement (POS).
2. Assist the Client and bond counsel with preparing and publishing the Official Notice of Sale if required by law.
3. Prepare and submit application for bond rating(s) and assist the Client with furnishing the rating agency(s) with any additional information required to conduct the rating review. Assist the Client with preparing and conducting the rating call or other presentation.
4. Assist the Client in receiving the bids, compute the accuracy of the bids received, and recommend to the Client the most favorable bid for award.
5. Coordinate with bond counsel the preparation of required contracts and resolutions.

Post-Sale Support

1. Assist the Client with the preparation of final official statement, distribution to the underwriter and posting on EMMA.
2. Coordinate the bond issue closing, including making all arrangements for bond printing, registration, and delivery.
3. Furnish to the Client a complete transcript of the transaction, if not provided by bond counsel.

There are no specific limitations on the scope of this agreement.

COMPENSATION

For providing these services with respect to the Debt, Northland shall be paid a lump sum of $42,385. The fee due to Northland shall be payable by the Client upon the closing of the Bonds.

Northland agrees to pay the following expenses from its fee:

- Out-of-pocket expenses such as travel, long distance phone, and copy costs.
- Production and distribution of material to rating agencies and/or bond insurance companies.
- Preparation of the bond transcript.

The Client agrees to pay for all other expenses related to the processing of the bond issue(s) including, but not limited to, the following:

- Engineering and/or architectural fees.
- Publication of legal notices.
- Bond counsel and local attorney fees.
- Fees for various debt certificates.
- The cost of printing Official Statements, if any.
- Client staff expenses.

- Airfare and lodging expenses of one Northland official and Client officials when and if traveling for rating agency presentations.
- Rating agency fees, if any.
- Bond insurance fees, if any.
- Accounting and other related fees.

It is expressly understood that there is no obligation on the part of the Client under the terms of this Agreement to issue the Debt. If the Debt is not issued, Northland agrees to pay its own expenses and receive no fee for any municipal advisory services it has rendered pursuant to this Agreement.

CONFLICTS OF INTEREST

Northland, as your Municipal Advisor, mitigates conflicts through its adherence to its fiduciary duty to the Client, which includes a duty of loyalty to the Client in performing all municipal advisory activities for the Client. This duty of loyalty obligates Northland to deal honestly and with the utmost good faith with the Client and to act in the Client's best interests without regard to our own financial or other interests. In addition, because Northland is a broker-dealer with significant capital due to the nature of its overall business, the success and profitability of Northland is not dependent on maximizing short-term revenue generated from individualized recommendations to its clients but instead is dependent on long-term profitably built on a foundation of integrity, quality of service and strict adherence to its fiduciary duty. Furthermore, Northland's municipal advisory supervisory structure leverages our long-standing and comprehensive broker-dealer supervisory processes and practices, and provides strong safeguards against individual representatives of Northland potentially departing from our regulatory duties due to personal interests. The disclosures below describe, as applicable, any additional mitigations that may be relevant with respect to any specific conflict disclosed below.

Northland serves a wide variety of other clients that may from time to time have interests that could have a direct or indirect impact on the interests of the Client. For example, Northland serves as Municipal Advisor to other Municipal Advisory clients and, in such cases, owes a regulatory duty to such other clients just as it does to the Client under this Agreement. These other clients may, from time to time and depending on the specific circumstances, have competing interests, such as accessing the new issue market with the most advantageous timing and with limited competition at the time of the offering. In acting in the interests of its various clients, Northland could potentially face a conflict of interest arising from these competing client interests. In other cases, as a broker-dealer that engages in underwritings of new issuances of municipal securities by other municipal entities, the interests of Northland to achieve a successful and profitable underwriting for its municipal entity underwriting clients could potentially constitute a conflict of interest if, as in the example above, the municipal entities that Northland serves as underwriter or municipal advisor have competing interests in seeking to access the new issue market with the most advantageous timing and with limited competition at the time of the offering. However, none of these other engagements or relationships would impair Northland's ability to fulfill its regulatory duties to the Client.

The compensation for services provided in this Agreement is customary in the municipal securities market, however, it may pose a conflict of interest. The fees due under this Agreement are in a fixed

amount established at the outset of the Agreement. The amount is usually based upon an analysis by Client and Northland of, among other things, the expected duration and complexity of the transaction and the Scope of Services to be performed by Northland. This form of compensation presents a potential conflict of interest because, if the transaction requires more work than originally contemplated, Northland may suffer a loss. Thus, Northland may recommend less time-consuming alternatives, or fail to do a thorough analysis of alternatives. This conflict of interest is mitigated by supervisory policies and procedures to ensure the scope of services within the transaction align with other comparable engagements. By executing this Agreement, the Client acknowledges and accepts the potential conflicts of interest posed by the compensation to Northland. Northland does not participate in any payments to be retained, nor participate in any fee splitting agreements or arrangements.

Northland is also a broker-dealer that engages in a broad range of securities-related activities to service its clients, in addition to serving as a Municipal Advisor or Underwriter. Such securities-related activities, which may include but are not limited to the buying and selling of outstanding securities, including securities of the Client, may be undertaken on behalf of, or as counterparty to, the Client, and current or potential investors in the securities of the Client. These other Northland clients may, from time to time and depending on the specific circumstances, have interests in conflict with those of the Client, such as when their buying or selling of the Client's securities may have an adverse effect on the market for the Client's securities. However, any potential conflict arising from Northland effecting or otherwise assisting such other clients in connection with such transactions is mitigated by means of such activities being engaged in on customary terms through other business units of Northland that operate independently from Northland's Municipal Advisory business, thereby reducing or eliminating the likelihood that the interests of such other clients would have an impact on the services provided by Northland to the Client under this Agreement. Northland has policies and procedures in place to ensure that Northland as a broker-dealer is not participating in bidding or determining market prices for the Client's transaction that is covered under this Agreement.

Northland Capital Holdings is the parent company of Northland Securities. A subsidiary of Northland Capital Holdings is Northland Trust, Inc. Northland Trust provides paying agent services to issuers of municipal bonds. The Client is solely responsible for the decision on the source of paying agent services. Any engagement of Northland Trust is outside the scope of this Agreement. No compensation paid to Northland Trust is shared with Northland Securities.

Northland is not aware of any additional material conflicts of interest that could reasonably be anticipated to impair Northland's ability to provide advice to or on behalf of the Client in accordance with the standards of conduct for municipal advisors.

LEGAL AND DISCIPLINARY ACTIONS

There are no legal or disciplinary events reported by the Securities and Exchange Commission contained in Form MA or Form MA-I. The Client can find information about these forms and accessing information related to Northland at www.sec.gov/municipal/oms-edgar-links.

SUCCESSORS OR ASSIGNS

The terms and provisions of this Agreement are binding upon and inure to the benefit of the Client and Northland and their successors or assigns.

TERM OF THIS AGREEMENT

This Agreement may be terminated by thirty (30) days written notice by either the Client or Northland and it shall terminate sixty (60) days following the closing date related to the issuance of the Debt.

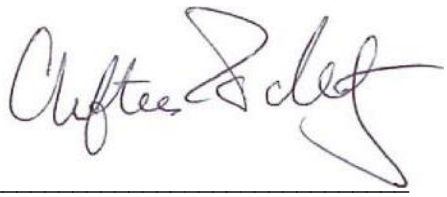
Dated this 21st day of June, 2022.

Northland Securities, Inc.



By: _____

Tammy Omdal, Managing Director



By: _____

Clifton Schultz, Managing Director

City of Lake Elmo, Minnesota

By: _____

Its: _____

STAFF REPORT
DATE: 06/21/2022
REGULAR
ITEM#: 13
MOTION

TO: City Council
FROM: Ben Hetzel, Lake Elmo City Planner
AGENDA ITEM: **Impervious Surface Coverage Variance Request at 8012 Hill Trail N**
REVIEWED BY: Molly Just, Planning Director

INTRODUCTION:

Zawadski Homes on behalf Daniel and Anne Stoudt (Owners) recently submitted an application for an impervious surface coverage variance for the property located at 8012 Hill Trail N – Parcel 04.029.21.33.0044 (Subject Property). The applicant proposes to expand the living space within their single-family home, add an attached garage, and add a porch. To do this, the applicants are proposing to construct the expansions onto the east side of the existing home and relocate a portion of the driveway to access the proposed garage. The paved area in front of the existing detached garage will be removed, along with a paved area to the east of the garage. The maximum impervious surface coverage for an unsewered lot in a Shoreland District is 15%. The applicants are asking the City Council to allow an impervious surface coverage of 19.1%.

The Planning Commission recommended approval of the variance request at the May 9, 2022 meeting with a 4-1 vote.

ISSUE BEFORE CITY COUNCIL:

The City Council is being asked to hold a public hearing, review, and make a recommendation on the request to allow the applicants to allow an impervious surface coverage of 19.1% where a maximum of 15% is allowed.

VARIANCE REQUEST DETAILS/ANALYSIS:

Address:	8012 Hill Trail North
PID:	04.029.21.33.0044
Existing Zoning:	Rural Single Family, Shoreland Management Zone, Valley Branch Watershed
Surrounding Zoning:	South, East, & West: Rural Single Family
Deadline for Action:	Application Complete – 4/12/2022 60 Day Deadline – 6/12/2022 Extension Letter Mailed – 5/12/22 120 Day Deadline – 8/12/22
Applicable Regulations:	Article V - Zoning Administration and Enforcement Article XI - Rural Districts Article XIX -Shoreland Overlay District

Reason for Request: The applicants propose to expand the living space of the single family dwelling, add an attached garage, and add a porch within a Shoreland Management Zone. According to Section 105.12.1260 Table 17-3 of the City of Lake Elmo Municipal Code, an unsewered lot is allowed a maximum impervious surface coverage of 15%.

REVIEW AND ANALYSIS/DRAFT FINDINGS:

An applicant must establish and demonstrate compliance with the variance criteria set forth in Lake Elmo City Code Section 105.12.320 before the City may grant an exception or modification to city code requirements. These criteria are listed below, along with comments from Staff about the applicability of these criteria to the applicant's request.

1) **Practical Difficulties**. A variance to the provision of this chapter may be granted by the Board of Adjustment upon the application by the owner of the affected property where the strict enforcement of this chapter would cause practical difficulties because of circumstances unique to the individual property under consideration and then only when it is demonstrated that such actions will be in keeping with the spirit and intent of this chapter. Definition of practical difficulties - "Practical difficulties" as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control.

   FINDINGS:
   Strict enforcement of the municipal code denies the applicant the use of a functional garage and adequate living space for a growing family. According to the applicant, the existing tuck under garage was built so that only compact cars fit inside. The inability to park vehicles inside creates parking problems for the owners and guests. Additionally, there is currently an inadequate amount of bedrooms for a family of six. The current home has a total of 3 bedrooms. This arrangement will not be practical in the near future.

2) **Unique Circumstances**. The plight of the landowner is due to circumstances unique to the property not created by the landowner.

   FINDINGS:
   The previous owners of the property chose the existing home location and constructed the existing home and tuck under. The applicant has explored other alternatives such as expanding the existing garage to lessen the total impervious coverage. Expansion of the existing garage is not practical due to its proximity to the west property line and the living space above located above.

3) **Character of Locality**. The proposed variance will not alter the essential character of the locality in which the property in question is located.

   FINDINGS:
   The proposed additions would not alter the essential character of the neighborhood. The general style of the addition would be consistent with the existing principal structure. The applicant proposes to use natural colors and preserve as many trees as possible to maintain the wooded character of the neighborhood. Several surrounding properties consist of

principal structures with larger footprints, consistent with what is being proposed. All required Shoreland District setbacks and property line setbacks would be met with this proposal.

4) **Adjacent Properties and Traffic**. The proposed variance will not impair an adequate supply of light and air to properties adjacent to the property in question or substantially increase the congestion of the public streets or substantially diminish or impair property values within the neighborhood.

FINDINGS:
The proposed variance does not impair adjacent properties. The closest point of the proposed addition would be approximately 40 ft from the neighboring home to the east. The subject property is heavily wooded which provides natural screening from the public street and neighboring properties. The proposal would not increase the congestion of the public street or diminish property values.

CITY AGENCY REVIEW:
This request was distributed to several city departments for review on April 21, 2022. The following departments provided comments on the variance request.

- *City Engineer-* Grading should be done in a manner that does not direct storm water runoff towards the sanitary system.
- *Valley Branch Watershed District Engineer* – The project does not require a Valley Branch Watershed District Permit. There is less than 6,000 square feet of new and/or fully reconstructed surfaces. 4,378 square feet of new and/or fully reconstructed surfaces is proposed.
- *Fire Department-* Ensure address numbers are plainly visible from the street fronting the property and shall have contrasting color from the background.

PUBLIC COMMENT:
A hearing notice was sent to surrounding properties on April 27, 2022. A hearing notice was published in the local newspaper on April 29, 2022. At this time, staff has not received any comments from the public on the requested variance.

FISCAL IMPACT:
None

RECOMMENDED CONDITIONS OF APPROVAL
1. The applicant may not exceed the proposed 19.1% impervious surface coverage unless receiving approval from the City of Lake Elmo.
2. If approved this variance shall expire if the work does not commence within 12 months of the date of granting the variance.
3. Storm water shall not be directed towards the sanitary system or neighboring properties.
4. During construction, silt fencing and other environmental measures shall be taken to preserve and protect the lake and surrounding vegetation.
5. Building materials used must be similar in color to the existing principal structure.

OPTIONS:

The City Council may:

- Approve the variance.
- Approve the variance with conditions.
- Deny the variance, citing recommended findings of fact for denial.

RECOMMENDATION:

Staff recommends that the City Council approve of the request with conditions from Zawadski Homes on behalf of Daniel and Anne Stoudt for a variance to allow an impervious surface coverage of 19.1% at 8012 Hill Trail North.

"Move to approve Resolution No. 2022-064, approving the request with conditions from Zawadski Homes on behalf of Daniel and Anne Stoudt for a variance to allow an impervious surface coverage of 19.1% at 8012 Hill Trail North."

ATTACHMENTS:

1) Land Use Application
2) Written Statements
3) Location Map
4) Certificate of Survey
5) Proposed Addition Plans
6) May 9, 2022 Planning Commission Minutes

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

RESOLUTION NO. 2022-064

A RESOLUTION APPROVING THE REQUEST WITH CONDITIONS FROM ZAWADSKI HOMES ON BEHALF OF DANIEL AND ANNE STOUDT FOR A VARIANCE TO ALLOW AN IMPERVIOUS SURFACE COVERAGE OF 19.1% ON THE PROPERTY LOCATED AT 8012 HILL TRAIL N.

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Zawadski Homes (the "Applicant") on behalf of Daniel and Anne Stoudt, owners of the property located at 8012 Hill Trail N – Parcel 04.029.33.0044, Lake Elmo, MN 55042 (the "Property") have submitted an application to the City of Lake Elmo (the "City") for a variance request to allow an impervious surface coverage of 19.1% where a maximum of 15% is allowed; and

WHEREAS, notice has been published, mailed, and posted pursuant to the Lake Elmo Zoning Code, Section 103.00.120; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on said matter on May 9, 2022; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation to the City Council as part of a Staff Memorandum dated June 21, 2022; and

WHEREAS, the City Council considered said matter at its June 21, 2022 meeting and directed City staff to draft a resolution approving the variance for its consideration; and

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

FINDINGS

1) That the procedures for obtaining a variance are found in Section 105.12.320 of the Lake Elmo Zoning Code.

2) That all submission requirements of Section 105.12.320 and 105.12.1260 of the Lake Elmo Zoning Code have been met by the Applicant.

3) That the proposed variance includes the following components:

a) The applicants propose to expand the living space within the existing single family home, add a detached garage, and add a porch. The expansions are proposed on the east side of the home and a paved portion of the driveway will be removed in front of the existing detached garage along with a paved area to the east of the garage. The proposed expansion will increase the impervious surface coverage from 17.2% to 19.1%.
b) As per Table 17-3 of Section 105.12.1260 of the Lake Elmo City Code, the maximum impervious surface coverage for an unsewered lot in a Shoreland Management District is 15%.
c) The applicant proposes a storm water management plan to infiltrate a portion of the newly constructed impervious surfaces.

4) **Practical Difficulties** as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control:

Strict enforcement of the municipal code denies the applicant the use of a functional garage and adequate living space for a growing family. According to the applicant, the existing tuck under garage was built so that only compact cars fit inside. The inability to park vehicles inside creates parking problems for the owners and guests. Additionally, there is currently an inadequate amount of bedrooms for a family of six. The current home has a total of 3 bedrooms. This arrangement will not be practical in the near future.

5) **Unique Circumstances** the plight of the landowner is due to circumstances not created by the landowner:

The previous owners of the property chose the existing home location and constructed the existing home and tuck under. The applicant has explored other alternatives such as expanding the existing garage to lessen the total impervious coverage. Expansion of the existing garage is not practical due to its proximity to the west property line and the living space above located above.

6) **Character of Locality** the proposed variance will not alter the essential character of the locality in which the property in question is located:

The proposed additions would not alter the essential character of the neighborhood. The general style of the addition would be consistent with the existing principal structure. The applicant proposes to use natural colors and preserve as many trees as possible to maintain the wooded character of the neighborhood. Several surrounding properties consist of principal structures with larger footprints, consistent with what is being proposed. All required Shoreland District setbacks and property line setbacks would be met with this proposal.

7) **Adjacent Properties and Traffic** the proposed variance will not impair an adequate supply of light and air to properties adjacent to the property in question or substantially increase the congestion of the public streets or substantially diminish or impair property values within the neighborhood:

The proposed variance does not impair adjacent properties. The closest point of the proposed addition would be approximately 40 feet from the neighboring home to the east. The subject property is heavily wooded which provides natural screening from the public street and neighboring properties. The proposal would not increase the congestion of the public street or diminish property values.

DECISION

NOW, THEREFORE, BE IT FURTHER RESOLVED, and based upon the information received and the above Findings, that the City Council of the City of Lake Elmo hereby approves the request with conditions by Zawadski Homes on behalf of Daniel and Anne Stoudt for a variance request to allow an impervious surface coverage of 19.1% on the property located at 8012 Hill Trail N. The conditions for approval are outlined below:

1. The applicant may not exceed the proposed 19.1% impervious surface coverage unless receiving approval from the City of Lake Elmo.
2. If approved this variance shall expire if the work does not commence within 12 months of the date of granting the variance.
3. Storm water shall not be directed towards the sanitary system or neighboring properties.
4. During construction, silt fencing and other environmental measures shall be taken to preserve and protect the lake and surrounding vegetation.
5. Building materials used must be similar in color to the existing principal structure.

Passed and duly adopted this 21st day of June, 2022 by the City Council of the City of Lake Elmo, Minnesota.

_____
Mayor Charles Cadenhead

ATTEST:

_____
Julie Johnson, City Clerk

Date Received:_____
Received By: _____
Permit #:_____

THE CITY OF LAKE ELMO

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

VARIANCE APPLICATION

Applicant: Zawadski Homes
Address: 4614 Churhill Street, Shoreview MN. 55126
Phone # 651-483-0518
Email Address: richr@Zawadskihomes.com

Fee Owner: Daniel and Anne Stoudt
Address: 8012 Hill Trail N. Lake Elmo Mn. 55042
Phone # 763-234-8130
Email Address: anne.stoudt@gmail.com

Engineer: D.F.P. Planning and Design
Address: 9100 Baltimore Street NE. Suite # 106 Blaine, MN. 55449
Phone # 763-780-8004
Email Address: info@dfpdesign.com

Property Location (Address): 8012 Hill Trail N. Lake Elmo, MN. 55042
Complete Legal Description: Lots 432,433,434,435,436,437,and the westerly 1/2 of lot 438 and the westerly 1/2 of lot 704 and all of lots 705,706,707,708,709, and 710, Lanes D
PID#: 04.029.21.33.0044

Detailed Reason for Request: Request for a Variance on the impervious surface area. 15% cap on impervious on unsewered lot, the existing Impervious is at 17.2% current. Proposed addtion impervious projected to be 18.6%

*Variance Requests: As outlined in LEC Section 103.00.110 (c), the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows: Doesn't allow owner to use property as they need for thier family. Existing garage is not functional as a garage, home doesn't have required bedroom space for growing Family. Outdoor parking on site is not disireable for owners vehicles. No guest parking is availible with the no parking on street.

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: Richard A Zawadski Date: 4-8-2022

Signature of fee owner: Anne Stoudt Date: 4/8/22

RECEIVED
APR 8 2022
CITY OF LAKE ELMO

ArcGIS Web AppBuilder



5/5/2022, 11:37:39 AM

1:1,128

0 0.01 0.01 0.02 mi

0 0.01 0.02 0.04 km

- Parcels
- Address Points
- DNR Protected Waters ID

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- Red: Band_1
- Green: Band_2
- Blue: Band_3

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- Blue: Band_3

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- Blue: Band_3

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- Red: Band_1

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From: Anne Stoudt
To: Ben Hetzel
Subject: Re: Variance Application
Date: Saturday, April 9, 2022 2:44:25 PM

Caution: This email originated outside our organization; please use caution.

Yes, Zawadski Homes has our permission to apply for the below-referenced variance on our behalf. Thanks!

Sent from my iPhone

> On Apr 8, 2022, at 2:11 PM, Ben Hetzel <BHetzel@lakeelmo.org> wrote:
>
> Mrs. Stoudt,
>
> I wasn't aware of this until now, but apparently I need a form of permission for Zawadski Homes to apply for the variance on your behalf.
>
> Could you please just respond to this email explaining that Zawadski Homes has permission to apply for a variance to impervious surface coverage for the City of Lake Elmo? Thank you.
>
> Ben Hetzel
> City Planner
> City of Lake Elmo
> 3800 Laverne Ave. N.
> Lake Elmo, MN 55042
> 651-747-3911

April 8, 2022

City of Lake Elmo Planning Commission
3880 Laverne Ave. N.
Lake Elmo, MN 55042

Re: Variance Request re: 8012 Hill Trl N., Lake Elmo, MN 55042

Dear Planning Commission Members:

This letter is to provide you with information and documents for purposes of considering our request for a variance on the impervious surface area requirement related to the above property, as required by Section 105.12.1260 Table 7-3 Shoreland Management Overlay District, Subd(C)(3), at table 17-3 Shoreland Standards, capping impervious lot coverage on an unsewered lot at 15%.

Enclosed please find the following:

1. Land Use Application Form;
2. Verification of Ownership;
3. A certified list of property owners located within 350 feet of our property, with address labels for each;
4. Survey showing current improvements (4 large copies, one 8.5x11 copy, one pdf copy);
5. Survey showing projected improvements (4 large copies, one 8.5x11 copy, one pdf copy);
6. Projected house plans (4 large copies, one 8.5x11 copy, one pdf copy);
7. $750.00 Fee.

REQUIRED WRITTEN STATEMENTS:

a. All current property owners involved as applicants/owners:

- Daniel and Anne Stoudt

b. Site data:

Legal Description:	Lots 432, 433, 434, 435, 436, 437 and the Westerly 1/2 of Lot 438 AND the Westerly 1/2 of Lot 704 and all of Lots 705, 706, 707, 708, 709 and 710, Lane's Demontreville Country Club, Washington County, Minnesota.
PID:	04.029.21.33.0044
Parcel Size – Acres:	.86
Parcel Size – Sq. Feet:	37,540
Existing use of land:	Residential
Current Zoning:	RS. Residential - Lakeshore

c. Provision of the Lake Elmo City Code for which we seek a variance:

Section 154.800 Shoreland Management Overlay District, Subd(C)(3), at table 17-3 Shoreland Standards, capping impervious lot coverage on an unsewered lot at 15%.

d. <u>A specific written description of the proposal and how it varies from the applicable provisions of the Code</u>.

The impervious areas on our property comprise 17.2% of the lot, which is already higher than the Code allows. We are asking you to allow a further increase to 19.1% of impervious surface coverage. We are hoping to remodel our existing home to accommodate our family of six (our kids are ages 7, 5, 3, and 1). The original home was built in the 1960's. Dan's parents purchased the home in 2000. Because of the home's history, particularly within our family, we do not wish to tear the home down and rebuild. Our goal is to remain in this home but there is a need for a) more bedrooms, and b) a functional garage.

<u>As it currently sits</u>, the impervious areas exceed the 15% limit, as calculated below (See the enclosed as-is survey):

<u>impervious areas as-is:</u>	<u>sq. feet</u>
house	2,772
shed	41
concrete, pavers	1,187
driveway	2,440
TOTAL:	6,440
CURRENT LOT SIZE:	37,540
IMPERVIOUS PERCENTAGE <u>AS-IS</u>:	**17.2%**

The variance we seek would allow us to add onto our home to make it more suitable to our needs. As the enclosed as-built survey projects, the impervious percentage with our addition would increase to 19.1%, as calculated below:

<u>impervious areas, projected:</u>	<u>sq. feet</u>
house	2,772
house - addition	1,409
porch	149
~~shed~~	~~0~~
driveway	2322
ex. rear patio	419
front walk and steps	79
TOTAL:	7150
CURRENT LOT SIZE:	37,540
IMPERVIOUS PERCENTAGE <u>PROJECTED</u>:	**19.1%**

The stated purpose of the section is to protect, preserve and enhance the surface waters, and conserve environmental values. With this addition, we are proposing a 100% mitigation of all new hard surface water runoff with a complete French drain system that directs and contains roof runoff to rain garden containment ponds. Roof water on the front of the home will be directed away from the lake and will dissipate into the ground. Because of the current driveway's slope downward toward the existing garage, we have experienced excess water flowage into the garage and at the lowest level of patio in front of the house. The new driveway will be graded in a much better way, to divert some of that flow away from the house and toward the grassy front lawn, to eliminate some of those flooding issues.

Water going toward the lake will have an improved drainage feature of a French drain system to a rain garden in addition to the 100 feet of slope down to the lake, which is being maintained in its natural, wild state that allows for natural percolation.

e. <u>Narrative regarding nay pre-application discussions with staff, and an explanation of how the issue was addressed leading up to the application for a variance.</u>

We reached out to Ben Prchal via phone and email for purposes of obtaining information about the variance application process and clarifying the specific code section we are concerned with. Mr. Prchal answered our questions.

f. <u>Explain why the strict enforcement of this chapter would cause practical difficulties because of circumstances unique to the individual property under consideration.</u>

- **Strict enforcement of the code denies us the use of a functional garage, creating inconvenience and parking issues.** The tuck-under garage located on the west side of our current home was built in such a way that only compact cars may actually fit inside. We are a family of six, and our vehicles are not compact. They do not fit in the garage. For obvious reasons, this creates inconveniences in the winter months, when we must park outside. In addition, because our street is a strict "No Parking" zone, we have severe limitations with parking for our guests, as our own cars must occupy a significant portion of our driveway. To remedy this practical difficulty, we are proposing the addition of a normal-sized garage on the east side of our home. This cannot be done without increasing the footprint of our home to further exceed the 15% cap on impervious surface area.

- **Strict enforcement of the code denies us the ability to give each of our kids a bedroom, and would force us to eventually move.** Our home has 3 bedrooms, including the master. We have 4 kids, ages 7, 5, 3 and 1. Currently, our 5- and 7-year-old share a room, and our 1-year-old shares the master with us. This arrangement will not work into the distant future. We are proposing the addition of more bedrooms above the new garage on the east side of our home, which we feel is the most efficient way to accomplish the addition of bedrooms to our home.

g. <u>The plight of the landowner is due to circumstances unique to the property and not created by the landowner.</u>

May 4, 2022

Ben Hetzel
City Planner
City of Lake Elmo
3880 Laverne Ave. N.
Lake Elmo, MN 55042

Re: Variance Request re: 8012 Hill Trl N., Lake Elmo, MN 55042

Mr. Hetzel:

Thank you for the opportunity to provide clarity with respect to question (g) of the required written statements portion of the above-referenced variance application.

g. <u>The plight of the landowner is due to circumstances unique to the property and not created by the landowner.</u>

<u>ORIGINAL RESPONSE:</u>
Our lot is long and narrow and the current house lacks (1) an adequate garage and (2) enough bedrooms. On a larger parcel that is wider, there would be more flexibility as to placement and size of the addition. Given the unique narrowness, lot size and distance of setbacks, we were somewhat limited as to the location and size of the addition. From front to back, the existing home is already tucked close to the bluff setback. As a result, (a) the driveway is already relatively long, using up a significant portion of the impervious surface area, and (b) the placement of any addition without violating the bluff and perimeter setbacks was a challenge. After exploring several ideas, our projected plan is the result of careful consideration of all setbacks and adherence thereto. The result is that the driveway, in addition to being long enough to reach the house, must also be extended across the front of our house, further increasing impervious surface area. However, as mentioned above, the new projected driveway also presents an opportunity to redirect runoff so that stormwater is actually managed more efficiently than it is currently. In any event, neither the lot size nor the current garage/floorplan, which have each presented unique obstacles, were created by us, the owners.

<u>CLARIFICATION:</u>
The narrow shape of the lot alone does not, by itself, create a unique situation necessitating the variance we request. However, the narrowness of the lot combined with the pre-existing driveway, garage and house, the location and specifications of each having been solely determined by the previous owners of our property, are what have contributed to the unique circumstances that now warrant the granting of a variance.

Specifically, the previous owners of our property opted to place the home as far back on the lot as possible, necessitating a relatively long driveway to reach the house. Per the as-is survey, which you have been provided, the driveway installed by previous owners currently occupies 2,440 of the total 6,440 square feet (37.8%) of impervious surface area.

Furthermore, the previous owners placed the driveway so that it would lead directly to the existing garage, which is located on the west side of the home. The previous owners also built the existing garage, problems with which are set out in our original written submission in response to question (f).

In light of the above, due to the previous owners' placement of the home and driveway, and construction of a too-small garage, we had very limited options to accomplish an addition that our family now needs in order to stay in the home. The tuck-under garage itself cannot simply be made larger, as there is living space occupying the level above. Also, the previous owners placed the home in such a position that adding on to the west side of the home is not an option, given the close proximity to the perimeter setback along the west perimeter of the property. Our only option is to add is to add a functional garage onto the east side of the house with bedrooms above.

With adding a garage onto the east side of the property being our only option, the existing driveway must extend eastward across the front of the house, after already extending from the road to the house. As mentioned in our original written statement, this plan is the result of careful consideration of all setbacks, but also careful consideration of working with what the previous owners of the property created.

Given the situation we inherited from previous owners', our proposed design will actually reduce impervious square footage from the driveway, which we will accomplish by removing a large portion of the existing driveway and areas of concrete/pavers. As projected, the new driveway will occupy only 2,332 of the total 7,150 feet (32.6%) of impervious surface area. This reflects our mindfulness of the impervious surface limitation and efforts to minimize the overall increase in impervious areas as much as possible.

Thank you again for considering our request.

Sincerely,



Dan and Anne Stoudt

Our lot is long and narrow and the current house lacks (1) an adequate garage and (2) enough bedrooms. On a larger parcel that is wider, there would be more flexibility as to placement and size of the addition. Given the unique narrowness, lot size and distance of setbacks, we were somewhat limited as to the location and size of the addition. From front to back, the existing home is already tucked close to the bluff setback. As a result, (a) the driveway is already relatively long, using up a significant portion of the impervious surface area, and (b) the placement of any addition without violating the bluff and perimeter setbacks was a challenge. After exploring several ideas, our projected plan is the result of careful consideration of all setbacks and adherence thereto. The result is that the driveway, in addition to being long enough to reach the house, must also be extended across the front of our house, further increasing impervious surface area. However, as mentioned above, the new projected driveway also presents an opportunity to redirect runoff so that stormwater is actually managed more efficiently than it is currently. In any event, neither the lot size nor the current garage/floorplan, which have each presented unique obstacles, were created by us, the owners.

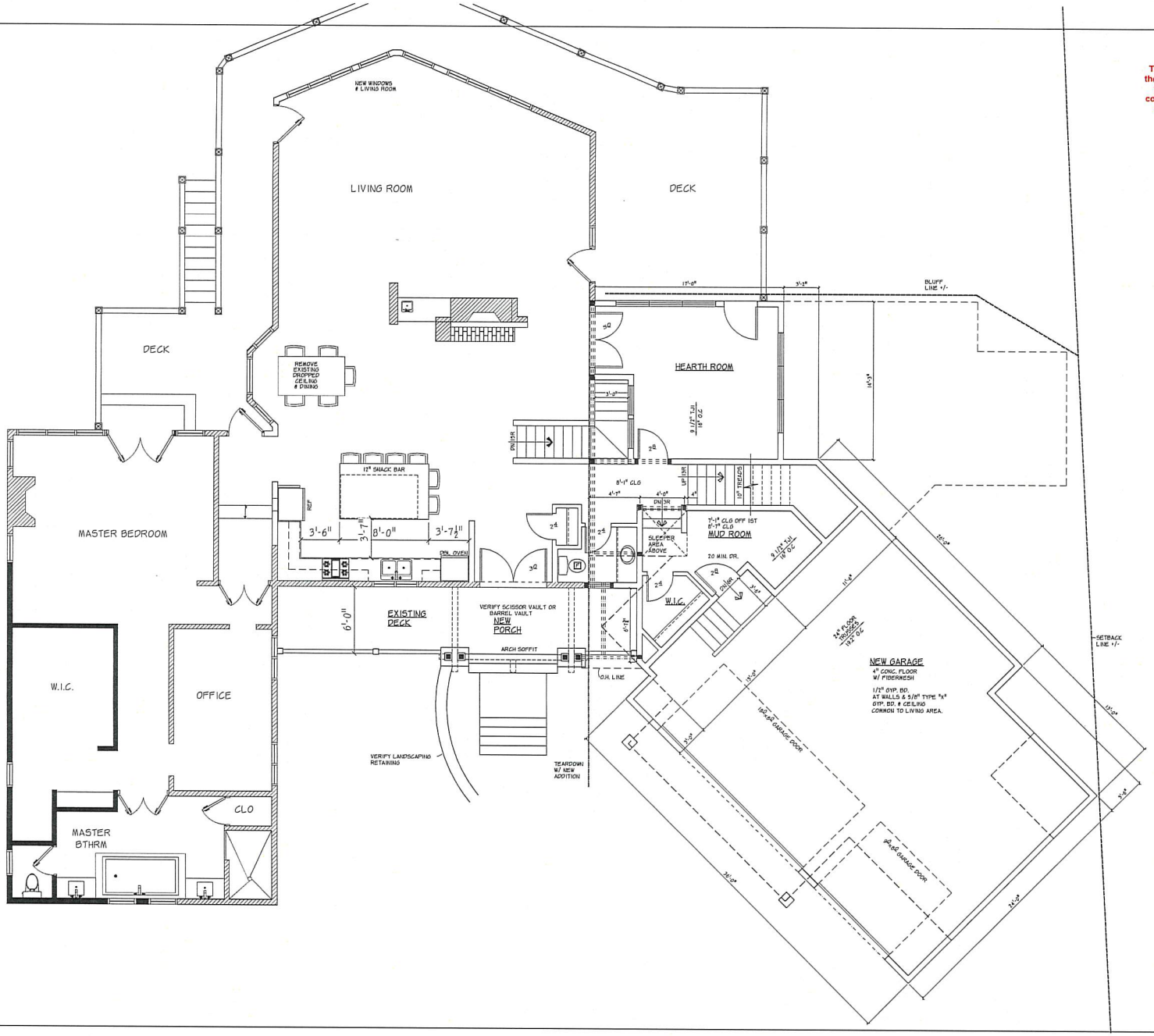
h. **Granting the variance would not alter the essential character of the neighborhood.**

Our remodeled home would be perfectly consistent with the essential character of the neighborhood. The general design and style of the home will remain the same. We will be using all natural colors. We have thoughtfully placed the addition to preserve as many trees as possible, to maintain the wooded character of the area. Several of the homes in the Tri-Lakes Area have recently undergone transformations for the better, and we feel our home would only contribute the overall improvement of the general aesthetic of the area.

We are very attached to the home and the neighborhood. Dan's parents, Jamie and Mary Stoudt, purchased the home in 2000, when Dan was a sophomore in high school. We purchased the home in 2015 from them. Less than 2 years later, Mary passed away from cancer. With her now gone, we feel especially thankful to live surrounded by memories of her. To keep this home in our family, we need to create additional bedrooms and garage space. We are not interested in tearing the house down. Our goal is to accomplish a modest remodel/addition without negatively impacting the stormwater, the neighborhood or any other community concerns. Adding the garage with bedrooms above is the most efficient way to accomplish this purpose.

Sincerely,

Dan and Anne Stoudt



SEE ENGINEERING PAGES S1-SX

REVIEW PLAN

This plan is at a review stage and is NOT a permit set. Please review the plan in its entirety and let DFP know if you have any changes prior to us proceeding. The plan will be placed on hold until we receive confirmation from you to proceed, meaning no additional work will be done on the plan until we receive your approval to move forward.

06/22/2020 4:48:23 PM

FIRST FLOOR PLAN

SCALE: 1/4"=1'-0"

EXTERIOR DIMENSIONS ARE SHEATHING TO SHEATHING

FIRST FLOOR FINISHED	922 SQ. FT.
GARAGE	917 SQ. FT.

WINDOW & DOOR NOTES

- XXXX WINDOWS
  - CODE MAX. U VALUE = 0.32 MAX. SHGC = 0.35
- ALL WINDOWS SET 8'-0" UNLESS NOTED OTHERWISE
- BUILDER TO PROVIDE WINDOW ORDER LIST WITH U FACTOR, SHGC, & STC RATING FOR EACH WINDOW & EXTERIOR DOOR
- BUILDER TO VERIFY ALL WINDOW, DOOR & OPENING HGH. RTS.
- FP = PROVIDE FALL PROTECTION @ OPERATING WINDOWS

GUARDRAIL NOTES

- GUARDRAIL REQUIRED ON OPEN SIDE OF ANY STAIR MORE THAN 30" ABOVE FLOOR
- ALL OPENINGS LESS THAN 4" AT ALL GUARDRAILS

FLOOR SYSTEM NOTES

- ALL FLOORS TO BE L/480
- FLOOR TRUSS MANUFACTURER TO VERIFY FRAMING BELOW GRANITE TOPS, TUBS & TILE AREAS ABOVE
- FLOOR TRUSS MANUFACTURER TO PROVIDE HEAT SUPPLY & RETURN CHASE IN TRUSSES
- BUILDER TO PROVIDE CITY WITH TRUSS LAYOUT PLANS

FRAMING NOTES

- 9'-1 ⅛" PLATE HEIGHT UNLESS NOTED OTHERWISE
- 2X6 STUDS @ POCKET DOOR WALLS UNLESS NOTED OTHERWISE
- DOUBLE STUDS AT ALL WINDOW & PATIO DOOR HEADERS UNLESS NOTED OTHERWISE
- PROVIDE LVL/LSL SOLID BLOCKING AT ALL POINT LOADS, SUPPORT BEAMS, MICROLAMS, AND GIRDER TRUSSES TO FOUNDATION
- PROVIDE FIREBLOCKING VERTICALLY @ CEILINGS & FLOORS & HORIZONTALLY @ INTERVALS NOT EXCEEDING 10'-0" (CONCEALED SPACES @ SOFFITS, DROPPED CEILINGS, BETWEEN STAIR STRINGERS & BETWEEN STORIES
- PROVIDE DRAFT STOPPING BETWEEN STORIES DIVIDED INTO APPROXIMATELY EQUAL SPACES NOT EXCEEDING 1,000 SQ.FT.
- ALL SPRAY FOAM INSULATION MUST BE COVERED BY MIN. ½" GYP. BD AT HABITABLE AREAS

SMOKE AND CARBON MONOXIDE ALARMS

- PROVIDE SMOKE ALARM IN EVERY BEDROOM & THE CORRIDOR GIVING ACCESS TO THE BEDROOM ON EACH FLOOR INCLUDING THE BASEMENT, & IN ANY ROOM THAT HAS A CEILING HEIGHT MORE THAN 24" HIGHER THAN A CORRIDOR GIVING ACCESS TO THE BEDROOMS
- PROVIDE CARBON MONOXIDE ALARM WITHIN 10'-0" OF ALL BEDROOMS

D.F.P. PLANNING & DESIGN
9120 BALTIMORE ST NE. SUITE 126 BLAINE, MN. 55449
WEB: WWW.DFPDESIGN.COM E-MAIL: INFO@DFPDESIGN.COM
PHONE: 763.208.0404 FAX: 763.208.0403

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STOUDT RESIDENCE
8012 HILL TRAIL N
LAKE ELMO MINNESOTA

DATE: 6-22-20
REVISIONS:

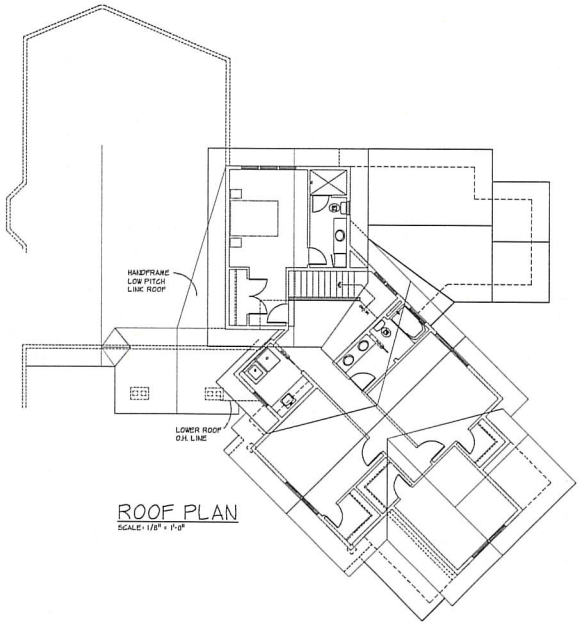
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SHEET NO. 3

SEE ENGINEERING PAGES S1-SX

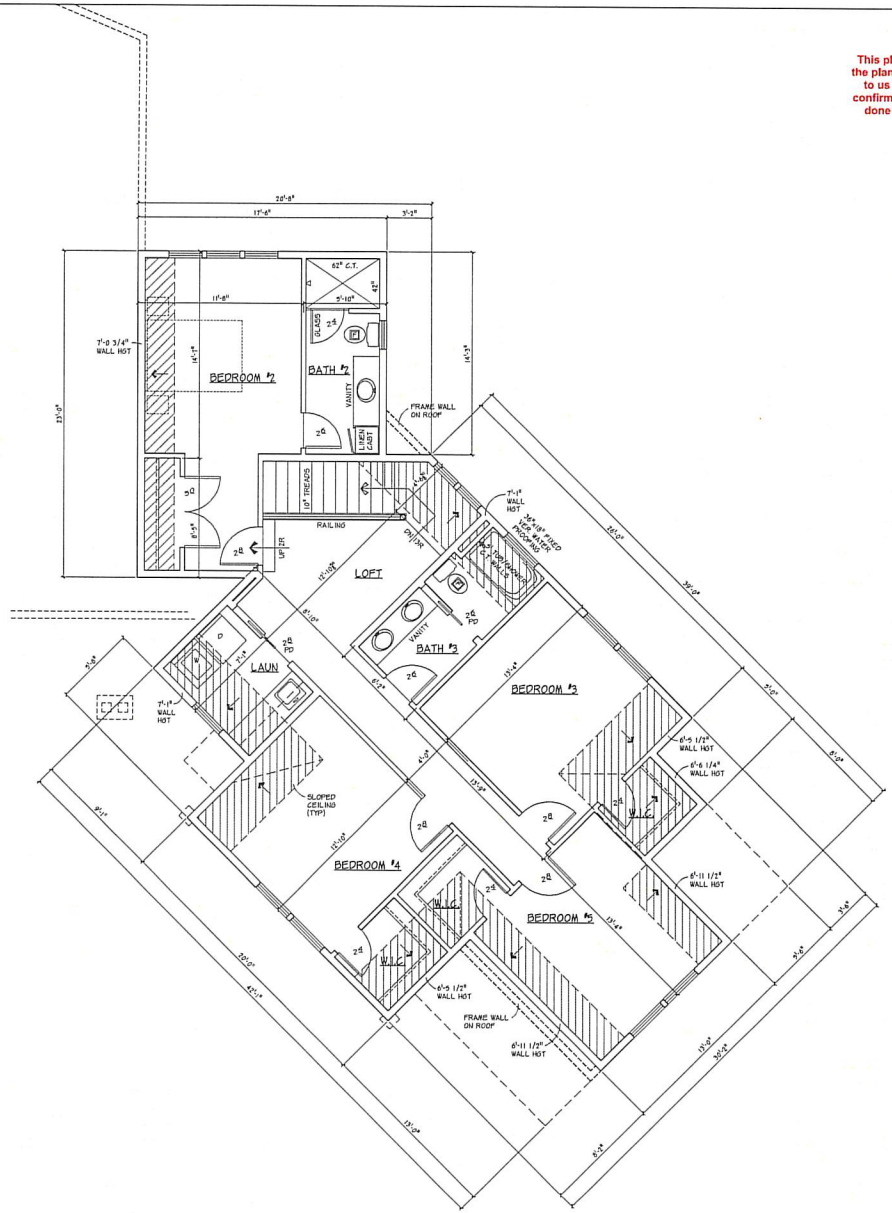
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06/22/2020 4:48:23 PM



ROOF PLAN
SCALE: 1/8" = 1'-0"



SECOND FLOOR PLAN

SCALE: 1/4"=1'-0"

EXTERIOR DIMENSIONS ARE SHEATHING TO SHEATHING

SECOND FLOOR FINISHED 1,374 SQ. FT.

WINDOW & DOOR NOTES

- XXXX WINDOWS
  - CODE MAX. U VALUE = 0.32 MAX. SHGC = 0.35
- ALL WINDOWS SET 6'-10" UNLESS NOTED OTHERWISE
- BUILDER TO PROVIDE WINDOW ORDER LIST WITH U FACTOR, SHGC, & STC RATING FOR EACH WINDOW & EXTERIOR DOOR
- BUILDER TO VERIFY ALL WINDOW, DOOR & OPENING HGR. HTS.
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D.F.P.
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8120 LYNDALE AVE. S. BLOOMINGTON, MN. 55420
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STOUDT RESIDENCE
8012 HILL TRAIL N
LAKE ELMO MINNESOTA

DATE: 6-22-20
REVISIONS:

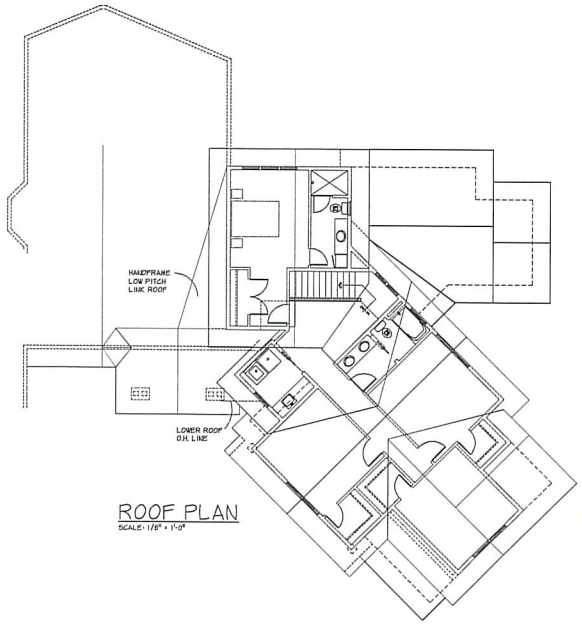
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SHEET NO. 4

SEE ENGINEERING PAGES S1-SX

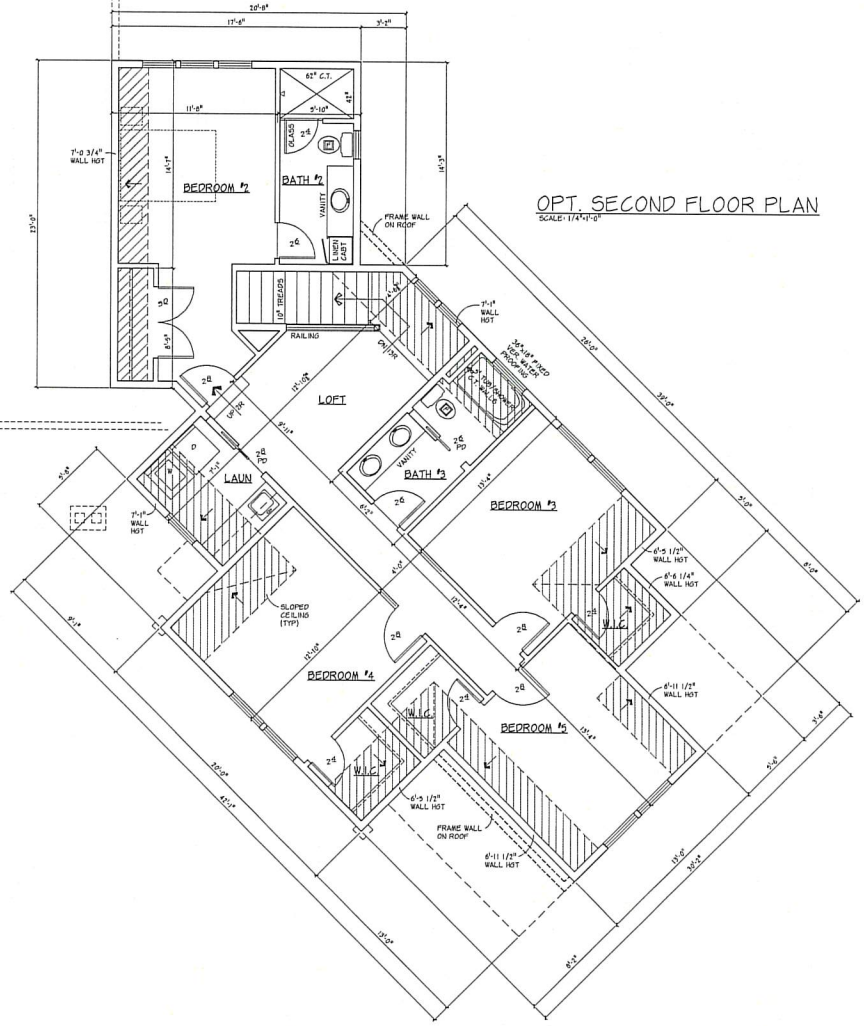
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06/22/2020 4:48:23 PM



ROOF PLAN
SCALE: 1/8" = 1'-0"



OPT. SECOND FLOOR PLAN
SCALE: 1/4"=1'-0"

STOUDT RESIDENCE
8012 HILL TRAIL N
LAKE ELMO MINNESOTA

D.F.P. PLANNING & DESIGN
9120 BALTIMORE ST NE SUITE 128 BLAINE, MN. 55449
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Phone: 763-780-6044 Fax: 763-780-6045

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DATE: 6-22-20
REVISIONS:

DRAWN BY: LHJ
COMM. NO. 21918.7
SHEET NO. 5

LEGEND

- FOUND MONUMENT 1/2" IP MARKED RLS 15480
- SET 1/2" IRON PIPE MARKED RLS NO. 25718
- CABLE TV PEDESTAL
- AIR CONDITIONER
- ELECTRIC MANHOLE
- ELECTRIC METER
- ELECTRIC PEDESTAL
- ELECTRIC TRANSFORMER
- LIGHT POLE
- GUY WIRE
- POWER POLE
- GAS MANHOLE
- GAS METER
- TELEPHONE MANHOLE
- TELEPHONE PEDESTAL
- SANITARY CLEANOUT
- SANITARY MANHOLE
- CATCH BASIN or STORM DRAIN
- WATER VALVE
- BOLLARD
- FLAG POLE
- MAIL BOX
- TRAFFIC SIGN
- UNKNOWN MANHOLE
- SOIL BORING
- X 950.0 SPOT ELEVATION
- TRAFFIC SIGNAL
- CONIFEROUS TREE
- DECIDUOUS TREE
- FLARED END SECTION
- STORM MANHOLE
- FIRE DEPT. CONNECTION
- HYDRANT
- CURB STOP
- WATER WELL
- WATER MANHOLE
- WATER METER
- POST INDICATOR VALVE

- UE — UNDERGROUND ELECTRIC
- UTV — UNDERGROUND CABLE TV
- UF — UNDERGROUND FIBER OPTIC
- UT — UNDERGROUND TELEPHONE
- OU — OVERHEAD UTILITY
- UG — UNDERGROUND GAS
- > — SANITARY SEWER
- >> — STORM SEWER
- W — WATERMAIN
- x x x — FENCE
- CURB [TYPICAL]
- 1230 — CONTOURS
- BUILDING LINE
- BITUMINOUS SURFACE
- CONCRETE SURFACE
- X 983.3 — DENOTES SPOT ELEVATION
- 4.0% — DENOTES DRAINAGE AND SLOPE
- DENOTES TREES TO BE REMOVED
- 930 — DENOTES PROPOSED CONTOUR

EXISTING AREAS:

(IN SQUARE FEET)
AREA OF LOT TO OHWL = 37,540

EXISTING IMPROVEMENTS
A - HOUSE = 2772
B - SHED = 41
C - CONC/PAVERS = 1187
D - DRIVEWAY = 2440
TOTAL EXISTING = 6440
17.2% (% OF OHW AREA)

DECKS, WOOD STAIRS AND WALLS NOT SHOWN PER EMAIL FROM BEN PRCHAL TO ANNE STOUDT DATED JULY 6, 2020.

LAKE DECK AND STAIRS = 512
DECK AND STEPS AT HOUSE = 849
RETAINING WALLS =250
*ALL STAIRS ARE WOODEN WITH GAPS AND ABOVE GROUND.

PROPOSED AREAS:

(IN SQUARE FEET)

AREA OF LOT TO OHWL = 37,540

EXISTING IMPROVEMENTS
A - HOUSE = 2772
B - HOUSE ADDN = 1409
C - PORCH = 149
D - DRIVEWAY = 2322
E - FRONT WALK = 35
F - PORCH STEPS = 44
G - REAR PATIO = 419
TOTAL PROPOSED = 7150
% IMPERVOUS 19.1% (% OF OHW AREA)

DECKS, WOOD STAIRS AND WALLS NOT SHOWN PER EMAIL FROM BEN PRCHAL TO ANNE STOUDT DATED JULY 6, 2020.

LAKE DECK/STAIRS = 512
DECK/STEPS AT HOUSE = 704
RETAINING WALLS = 360
*ALL DECK/STAIRS ARE WOODEN WITH GAPS AND ABOVE GROUND.

PROPOSED ELEVATION ADDITION:

GARAGE ADD. FLOOR = 987.0
HOUSE ADD. LOWEST FLOOR = 982.0

SETBACKS

THE FOLLOWING SETBACKS ARE SHOWN IN THE CITY OF LAKE ELMO ZONING CODE FOR THE RS ZONING DISTRICT (SUBJECT TO LAKESHORE REGULATIONS)
VERIFY ALL THE FOLLOWING SETBACKS SHOWN WITH THE CITY OF LAKE ELMO ZONING ADMINISTRATOR PRIOR TO DESIGN.

FRONT BUILDING SETBACK FROM ROAD = 30'
SIDE BUILDING SETBACK = 10'
BUILDING SETBACK FROM THE OHWL = 100'
SEPTIC SETBACK FROM THE OHWL = 75'
BUILDING SETBACK FROM TOP OF BLUFF (18%) = 30'

MAXIMUM 15% LOT IMPERVIOUS AREA
RESERVED 20,000 FOR SEPTIC AREA.
MAXIMUM BUILDING HEIGHT = 35'



SITE NOTES:

GRADES AND LAYOUT SHOWN ON THIS SURVEY ARE PRELIMINARY IN NATURE FOR VARIANCE REVIEW ONLY. FINAL DESIGN WILL INCORPORATE FINAL DESIGN OF ARCHITECTURAL, ENGINEERING AND LANDSCAPE ELEMENTS. THIS DRAWING IS FOR VARIANCE REVIEW ONLY.

LEGAL DESCRIPTION:

(AS SHOWN ON CERTIFICATE OF TITLE NO. 73027)
Lots Four hundred thirty-two (432) Four hundred thirty-three (433), Four hundred thirty-four (434), Four hundred thirty-five (435), Four hundred thirty-six (436), Four hundred thirty-seven (437), and the Westerly one-half of Lot Four hundred thirty-eight (W'ly 1/2 Lot 438);

AND

The Westerly one-half of Lot seven hundred four (W'ly 1/2 Lot 704), and all of Lots Seven hundred five (705), Seven hundred six (706), Seven hundred seven (707), Seven hundred eight (708), Seven hundred nine (709), and Seven hundred ten (710),

LANE'S DEMONTREVILLE COUNTRY CLUB, according to the plat thereof on file and of record in the office of the Registrar of Titles, Washington County, Minnesota.

TITLE NOTES:

(AS SHOWN ON THE MEMORIAL TO THE CERTIFICATE OF TITLE NO. 73027)

Resolution 87-32 City of Lake Elmo Washington County, Minnesota. NOW, THEREFORE, be it resolved that the transfer of ownership/title in Lane's DeMontreville Country Club shall be prohibited without the approval of the City of Lake Elmo as to the conformity of such transfer with the provisions of the Lake Elmo Municipal Code.

BENCHMARKS

ELEVATIONS BASED ON INFORMATION AS SHOWN ON THE MNDOT GEODETIC WEBSITE. SURVEY DISK 8286C WITH AN ELEVATION OF 995.90 WAS USED TO ESTABLISH VERTICAL CONTROL FOR THIS SURVEY (NAVD 88). PROJECT BENCHMARK SHOWN ON SURVEY

SURVEY NOTES:

1. BEARINGS ARE BASED ON COORDINATES SUPPLIED BY THE WASHINGTON COUNTY SURVEYORS OFFICE.
2. UNDERGROUND UTILITIES SHOWN PER GOPHER ONE LOCATES AND AS-BUILTS PLANS PROVIDED BY THE CITY OF LAKE ELMO PUBLIC WORKS DEPARTMENT.
3. THERE MAY SOME UNDERGROUND UTILITIES, GAS, ELECTRIC, ETC. NOT SHOWN OR LOCATED.

PROPOSED NOTES:

DIMENSIONS AND HOUSE ELEVATIONS PER DFP JULY 16, 2020

STORMWATER AND ELEVATIONS AS SHOWN ON PLANS BY SITE DESIGN, LLC DATED MARCH 15, 2022.

VERIFY ELEVATIONS AND DIMENSIONS WITH FINAL CONSTRUCTION PLANS AND NOTIFY CORNERSTONE IF THERE ARE ANY DISCREPANCIES.

SEPTIC

SEPTIC MANHOLE AND CLEANOUTS SHOWN ON SURVEY. CONSULT SEPTIC SPECIALIST AS TO THE LOCATION OF THE SEPTIC SYSTEM.

UNDERGROUND UTILITIES NOTES:

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THIS SURVEY HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. GOPHER STATE ONE CALL LOCATE TICKET NUMBER(S) 180820838. SOME MAPS WERE RECEIVED, WHILE OTHER UTILITIES DID NOT RESPOND TO THE LOCATE REQUEST. ADDITIONAL UTILITIES OF WHICH WE ARE UNAWARE MAY EXIST.

FLOOD INFORMATION:

PORTIONS OF THIS PROPERTY LIES WITHIN ZONE AE,
AREAS DETERMINED TO BE WITHIN THE 0.2% ANNUAL CHANCE FLOODPLAIN OTHER AREAS INCLUDING ALL BUILDINGS ARE LOCATED IN ZONE X, AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP NUMBER 27163c0240e HAVING AN EFFECTIVE DATE OF FEBRUARY 3RD, 2010. THE BASE FLOOD ELEVATION OF 931.0 IS SHOWN ON THE SURVEY FOR REFERENCE PURPOSES ONLY. NOT FIELD VERIFIED.

CALL BEFORE YOU DIG!
Gopher State One Call
TWIN CITY AREA: 651-454-0002
TOLL FREE: 1-800-252-1166

NORTH
0 20 40

STOUDT RESIDENCE

CONTACT:

ANNE STOUDT
8012 HILL TRAIL N.
LAKE ELMO, MN 55042
e-mail:anne.stoudt@gmail.com

COUNTY/CITY:

WASHINGTON COUNTY
CITY OF LAKE ELMO

REVISIONS:

DATE	REVISION
03-27-2018	INITIAL ISSUE
07-24-2021	VARIANCE SKETCH/REV
02-09-2022	VARIANCE REV
03-17-2022	ADD SEPTIC/CIVIL
03-24-2022	OWNER REVISIONS
03-25-2022	OWNER REVISIONS

CERTIFICATION:

I hereby certify that this plan was prepared by me, or under my direct supervision, and that I am a duly Licensed Land Surveyor under the laws of the state of Minnesota.

Daniel L. Thurmes Registration Number: 25718

Date: 3-27-18

PROJECT LOCATION:

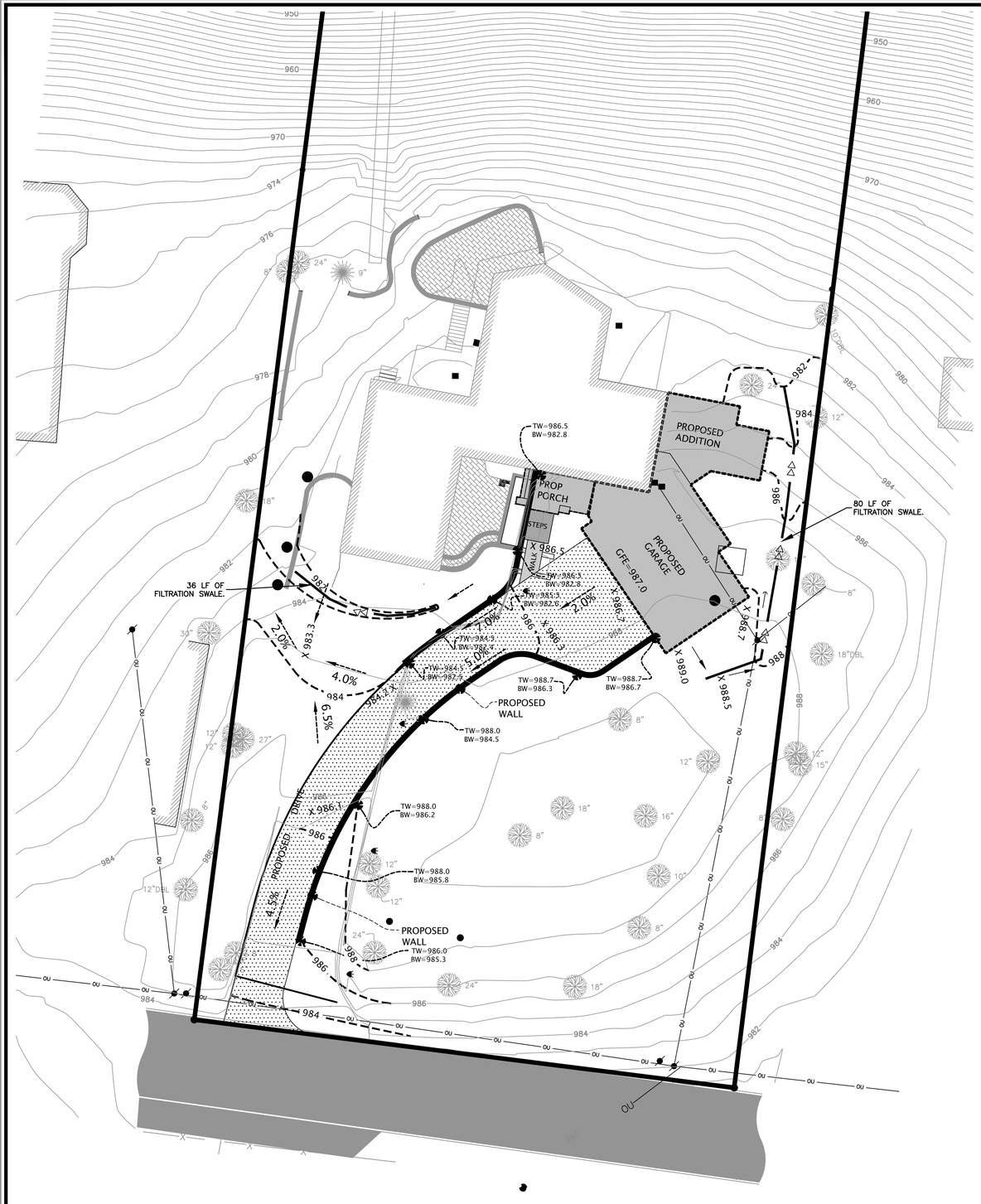
8012 HILL TRAIL N.
PID#0402921330044

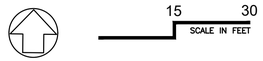
Suite #1
6750 Stillwater Blvd. N.
Stillwater, MN 55082
Phone 651.275.8969
Fax 651.275.8976
dan@cssurvey.net

CORNERSTONE
LAND SURVEYING, INC.

FILE NAME SURVZZ92D
PROJECT NO. ZZ05092D

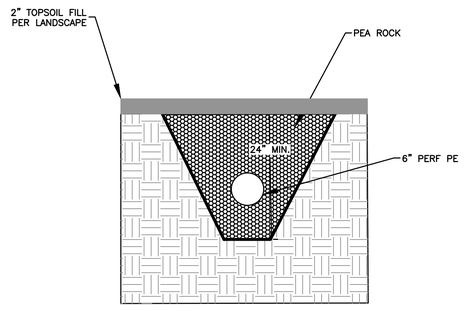
PROPOSED IMPROVEMENTS
SURVEY





STORM LEGEND:

- 0.0% — FLOW ARROW
- 85.5 — SPOT ELEVATION
- PROPOSED FILTRATION SWALE (SEE DETAIL BELOW)
- 892 — PROPOSED CONTOUR
- 892 — EXISTING MINOR CONTOUR
- 895 — EXISTING MAJOR CONTOUR



DETAIL 500: FILTRATION SWALE

PROPOSED STORMWATER PLAN

C1.0

STOUDT RESIDENCE
8012 HILL TRAIL N.
LAKE ELMO
1 MARCH 2022

REV	DESCRIPTION	BY

I HEREBY CERTIFY THAT THIS PLAN, SPEC[illegible]ON, OR REPORT WAS PREPARED BY ME O[illegible] DIRECT SUPERVISION AND THAT I A[illegible] LICENSED ENGINEER UNDER THE[illegible] STATE OF MINNESOTA

NAME:

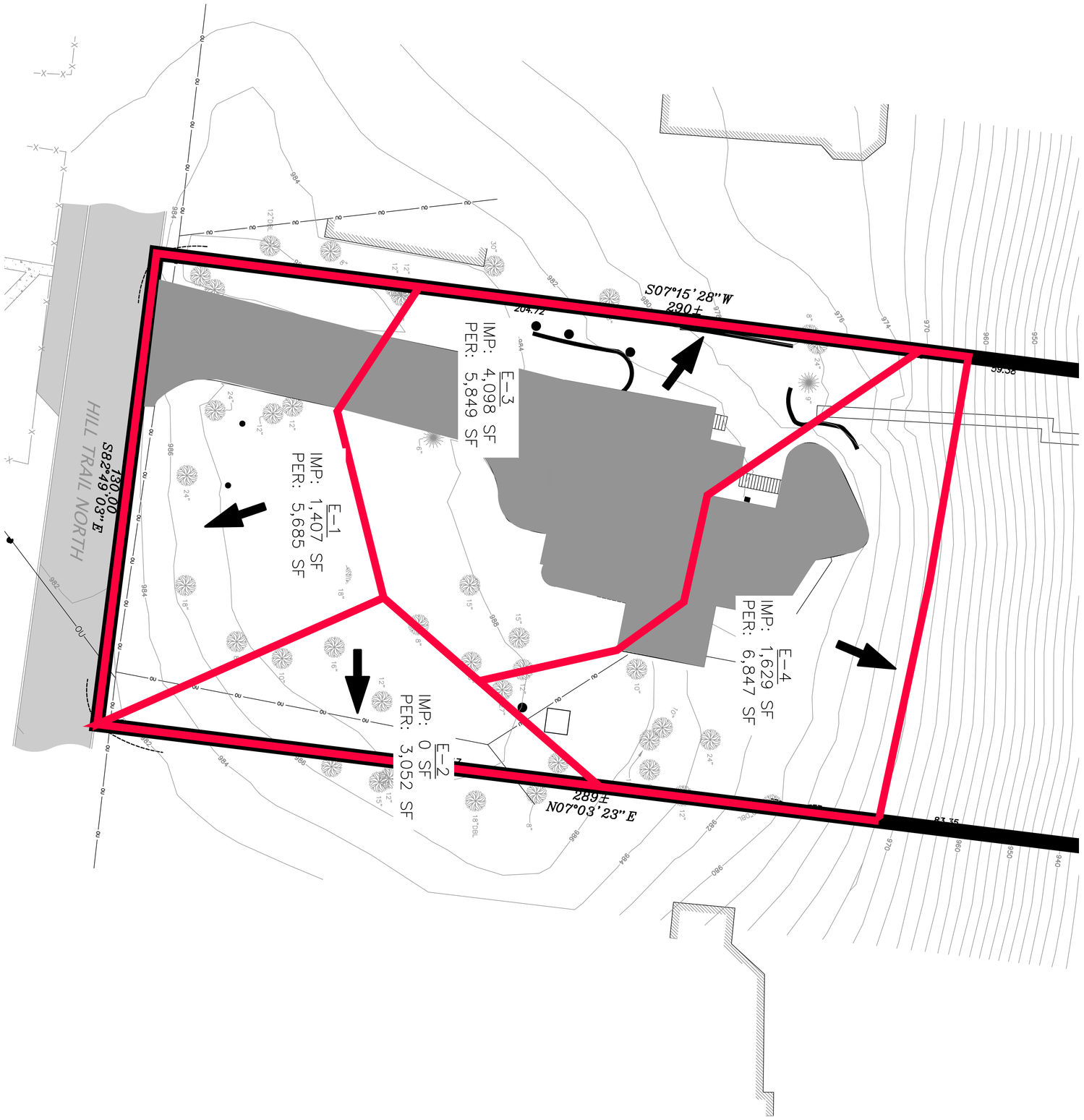
SIGNATURE:

DATE:

LIC. No:

INFORMATION ONLY

SITE DESIGN



REV	DESCRIPTION	BY

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

NAME:

SIGNATURE:

DATE:

LIC. No.:

INFORMATION ONLY

STOUDT RESIDENCE
8012 HILL TRAIL N.
LAKE ELMO

4 MAY 2021

EXISTING DRAINAGE CONDITIONS

EX-1

City of Lake Elmo Planning Commission
Meeting
Minutes of May 9, 2022

Commission Chair Risner called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m.

COMMISSIONERS PRESENT: Risner, Steil, Graen, Rehkamp, Vrieze

COMMISSIONERS ABSENT: Mueller

STAFF PRESENT: Planning Director Just & City Planner Hetzel

Pledge of Allegiance at 7:00 PM

Approve Agenda:
M/S/P: Graen / Vrieze made a motion to approve the agenda. **Vote: 5-0, motion carried unanimously.**

Approve Minutes:
M/S/P: Steil / Vrieze moved to approve the Planning Commission minutes of April 25th , 2022. **Vote: 5-0, motion carried unanimously.**

Public Hearings:

a. 8012 Hill Trail N. Variance for impervious surface coverage in a Shoreland Management Overlay District. Applicant Zawadski Homes, on behalf of Daniel and Anne Stoudt, owners of the property located at 8012 Hill Trail N, is seeking an impervious surface coverage variance. The applicants would like to expand their living space, add an attached garage, and add a porch. To construct the addition, the applicants are requesting a variance for 19.1% impervious surface coverage where a maximum of 15% is allowed. RS Zoning District, Shoreland Management Overlay District, Valley Branch Watershed District. PID 04.029.21.33.0044

City Planner Hetzel gave presentation: Zawadski Homes on behalf Daniel and Anne Stoudt (Owners) recently submitted an application for an impervious surface coverage variance for the property located at 8012 Hill Trail N – Parcel 04.029.21.33.0044 (Subject Property). The applicant proposes to expand the living space within their single-family home, add an attached garage, and add a porch. To do this, the applicants are proposing to construct the expansions onto the east side of the existing home and relocate a portion of the driveway to access the proposed garage. The paved area in front of the existing detached garage will be removed, along with a paved area to the east of the garage. The maximum impervious surface coverage for an unsewered lot in a Shoreland District is 15%. The applicants are asking the City Council to allow an impervious surface coverage of 19.1%.

City Planner Hetzel answered questions. Staff recommends that the Planning Commission recommend approval of the request with conditions from Zawadski Homes on behalf of Daniel and Anne Stoudt for a variance to allow an impervious surface coverage of 19.1% at 8012 Hill Trail North.

Applicants Anne & Daniel Stoudt (8012 Hill Trail N, Lake Elmo) spoke as to why this variance is being requested.

Rich Riemersma with Zawadski Homes spoke regarding the that of the 19.1% the house is 11.53% and the rest is the driveway.

Public hearing opened at 7:16 PM.

Public hearing closed at 7:17 PM.

Commissioner Rahkamp requested that the extra bump-out in the driveway be removed as a concession.

M/S/P: Graen/Vrieze Moved to recommend approval of the request with conditions as stated by city staff. **Vote: 4-1, (**Commissioner Rehkamp – Nay)

b. 4622 Lilac Lane N. Variance for impervious surface coverage in a Shoreland Management Overlay District. Kyle and Morgan Traynor, Owners of the property located at 4622 Lilac Lane N, is seeking an impervious surface coverage variance. The applicants would like to expand the living space of the existing home by adding an addition. To construct the addition, the applicants are requesting a variance for 19% impervious surface coverage where a maximum of 15% is allowed. Open Space PUD, Shoreland Management Overlay District, Valley Branch Watershed District. PID 07.029.20.23.0011.

City Planner Hetzel gave presentation: Kyle and Morgan Traynor (Applicants) recently submitted an application for a Shoreland impervious surface coverage variance for the property located at 4622 Lilac Lane North – Parcel 07.029.20.23.0011 (Subject Property). The applicant is looking to expand the living space within their single-family home. To do this, the applicants are proposing to remove an area of existing pavers and a deck to construct a 12-foot by 14-foot two story addition. The maximum impervious surface coverage for an unsewered lot in a Shoreland District is 19%.

City Planner Hetzel answered questions.

Applicant Morgan Traynor (4622 Lilac Lane N) spoke as to why this variance is being requested.

An email was received from Joe & Shelly Holmberg (4602 Lilac Lane N) in support of granting this variance.

Public hearing opened at 7:32 PM.

Public hearing closed at 7:33 PM.

M/S/P: Steil/Rehkamp Moved to recommend approval of the request from Kyle and Morgan Traynor for a variance to allow an impervious surface coverage of 19% at 4622 Lilac Lane North. **Vote: 5-0,**

New/Unfinished Business:

a. Comprehensive Plan Implementation in the Village Planning Area- Draft Village Districts with Overlay District

Director Just gave presentation and answered questions.

As per the April 25th Planning Commission meeting, staff asked each Commissioner to provide recommendations as to what uses they would like to see as a permitted use, conditional use, or prohibited use in the V-MDR and V-HDR zoning districts. The results concluded that the Planning Commission would like to see mixed uses located outside of just the Village Mixed Use district. Taking this into account, the Village Overlay draft shows a variety of

non-residential uses allowed as conditional uses in the V-HDR districts while limiting to a select few in the V-MDR districts. The reasoning for drastically limiting non-residential uses in the V-MDR district is due to the geography of where these districts are located and given that single-family detached units are recommended for this district. The only V-HDR district in the City is located directly adjacent to the Old Village District in the Elmo Station District. By allowing non-residential uses in the V-HDR (first floor only) and limiting them in the V-MDR, concentrations of people will be drawn closer to the Old Village District which is important for its vitality.

Communications/Updates

a. City Council Update: Approved the Banna Variance, and the Parks work plan.

b. Staff Update

c. Upcoming PC Meetings:

1. May 23, 2022
2. June 13, 2022

Meeting adjourned at 8:36 PM.

Respectfully submitted,

Diane Wendt
Permit Technician

STAFF REPORT

DATE: June 21, 2022
REGULAR

AGENDA ITEM: Presentation & Acceptance of the 2021 Annual Comprehensive Financial Report (ACFR)
FROM: Kristina Handt, City Administrator

BACKGROUND:
Annually, the City engages the services of an independent outside audit firm to audit and assist with the preparation of the financial statements. The auditors are asked to assure that the financial statements are free from material misstatement in accordance with U.S. Generally Accepted Accounting Principles (GAAP). The firm also performs testing and makes inquiries to help ensure that proper internal controls are in place. This is the ninth year that the City of Lake Elmo has presented the report in the Annual Comprehensive Financial Report (ACFR) layout.

As such, the City has retained the services of Redpath and Company, to perform the City of Lake Elmo's audit for 2021. The 2021 Annual Comprehensive Financial Report and Management Reports will be presented to the City Council by Mr. Andy Hering – Director Audit and Attest Services, from Redpath and Company with the opportunity to ask questions of both Mr. Hering and City Staff.

ISSUE BEFORE THE CITY COUNCIL:
1) Does the City Council have any questions regarding the 2021 ACFR?

DISCUSSION:
Mr. Andy Hering, will present information regarding the 2021 Audit, answer any questions the City Council may have pertaining to the 2021 Audit and the 2021 ACFR.

The City received an unmodified audit opinion, meaning the Financial Statements are fairly stated in all material respects. There were no findings related to Minnesota Legal Compliance. Two findings related to Internal Controls over Financial Reporting are noted in the report- Financial Statement Corrections and Lack of Ideal Segregation of Duties. The details of these exceptions and the City's response are outlined in the reports attached.

At December 31, 2021, the unassigned fund balance of the General Fund was $5,618,812 or 78% of 2022 budgeted expenditures and transfers.

FISCAL IMPACT:
Overall sound policies, fiscal management, effective operational, capital, and long range planning are all integral parts of City business leading up to the audit and completion of the ACFR. As such, continued investment in the aforementioned items will help position the City to continue to provide quality, efficient, timely and cost effective services to the constituents of the community.

RECOMMENDATION:
1) No formal recommendation is required, but the City Council at its discretion may accept the results of the 2021 Audit and 2021 ACFR.

MOTION:
"Motion to accept the 2021 Annual Comprehensive Financial Report."

ATTACHMENTS:

1) 2021 Annual Comprehensive Financial Report (ACFR)
2) Redpath and Company Letter, Communication With Those Charged With Governance
3) Redpath and Company Report, Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards
4) Redpath and Company Report, Minnesota Legal Compliance Report

ANNUAL COMPREHENSIVE FINANCIAL REPORT

OF THE

CITY OF LAKE ELMO, MINNESOTA

FOR THE YEAR ENDED

DECEMBER 31, 2021

Prepared By: Finance Department

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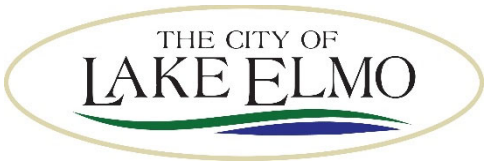
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INTRODUCTORY SECTION

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June 14, 2022

Honorable Mayor, Members of the City Council, and Citizens of the
City of Lake Elmo:

Minnesota Statutes require all cities to issue an annual report on its financial position and activity prepared in accordance with generally accepted accounting principles (GAAP), under the guidance of the Governmental Accounting Standards Board (GASB), and audited in accordance with generally accepted auditing standards (GAAS) by a firm of licensed certified public accountants or the Office of the State Auditor. Pursuant to that requirement, we hereby issue the annual comprehensive financial report of the City of Lake Elmo, MN for the fiscal year ended December 31, 2021.

This report consists of management's representation concerning the finances of the City of Lake Elmo. Consequently, management assumes full responsibility for the completeness, accuracy and reliability of all the information presented in this report. To provide a reasonable basis for making these representations, the management of the City of Lake Elmo has established a thorough internal control system designed to both protect the City's assets from loss, theft and misuse and to compile all necessary information for the preparation of the City of Lake Elmo's financial statements in conformity with GAAP and GASB. As a management team, we assert that the financial statements will be free from material misstatement and that the financial report is reliable in all material respects.

The City of Lake Elmo's financial statements have been audited by Redpath and Company, a firm of licensed certified public accountants. The goal of the independent audit is to provide reasonable assurance that the financial statements of the City of Lake Elmo for the fiscal year ended December 31, 2021 are free from material misstatement. The independent audit involved examining, on an approved test basis, evidence supporting the amounts and disclosures in the financial statements, assessing the accounting principles used and significant estimates made by management and evaluating the overall financial statement presentation. The independent auditor concluded, based upon the audit that there was a reasonable basis for rendering an unmodified opinion that the City of Lake Elmo's financial statements for fiscal year ended December 31, 2021 are fairly presented in conformity with GAAP. The independent auditor's report is presented as the first component of the financial section of the report.

A "Single Audit" designed to meet the special needs of a federal grantor agency was not performed for the year ended December 31, 2021 as the City's federal expenditures did not meet the single audit threshold for this additional independent audit.

GAAP requires that management provide a narrative introduction, overview, and analysis to accompany the basic financial statements in form of the Management's Discussion and Analysis (MD&A). This letter of transmittal is included to complement the MD&A and should be read in conjunction with it. The City of Lake Elmo's MD&A can be found immediately following the report of the independent auditors.

PROFILE OF THE GOVERNMENT

The City of Lake Elmo was incorporated in 1926 and is a statutory city in the State of Minnesota six miles east of St. Paul Minnesota. Located in Washington County, it covers 25 square miles and has an estimated 2020 population of 12,655 which represents 4,004 households.

Policy-making and legislative authority are vested in a governing council consisting of an elected Mayor and four council members. Per Minnesota State Statute, the governing council is responsible for passing ordinances, adopting an annual budget, appointing committees and hiring both the city's administrator and attorney. The City Administrator is responsible for carrying out the policies and ordinances of the governing council and overseeing the day-to-day operations of the city. The Council is elected on a non-partisan basis. The Mayor serves a four-year term and council members serve a four-year staggered term, with two of these positions elected every two years. The Mayor and the Council are elected at-large.

The City of Lake Elmo provides a full range of Services including fire protection services, construction and maintenance of streets and infrastructure; recreational facilities; and water, sanitary sewer and storm water utility services. The City contracts with the Washington County Sheriff's Department for police services.

The annual budget serves as the foundation for the City of Lake Elmo's financial management and fiscal stewardship. City departments and agencies of the City submit their requested budget to the City Administrator and the Finance Director in order to compile a preliminary balanced budget for submission to the City Council. The preliminary balanced budget is presented to the City Council in September each year so that the preliminary property tax levy can be submitted to Washington County by the annual due date. The preliminary property tax levy may be decreased but not increased. The 2021 Adopted Budget and final property tax levy was required to be adopted by and submitted to Washington County by December 28, 2020. Included in the City annual budget process is the compilation of a Capital Improvement Plan which allows for strategic planning of City infrastructure and equipment needs while maintaining a reasonable level of debt and a strong unassigned fund balance. Quarterly budget to actual comparison reports are provided to the City Council to keep them apprised of the financial performance of the City.

FACTORS AFFECTING FINANCIAL CONDITION

The information presented in the financial statements is perhaps best understood when it is considered from the broader perspective of the specific environment within which the City of Lake Elmo operates.

LOCAL ECONOMY

Lake Elmo is home to numerous businesses that are leaders in their respective industries. New residential developments platted since 2014 numbering approximately 2,871 have been approved. In 2021 and early 2022, the City continued to see increased residential and commercial growth and entered into several new development agreements:

- Easton Village 7th addition – 26 New Single-Family Homes
- Wildflower 4th addition – 41 New Single-Family Homes
- Legacy at North Star 4th addition – 62 New Single-Family Homes
- Union Park West 1st addition – 102 New Townhomes
- Union Park West 2nd addition – 71 New Townhomes
- Launch Properties and Crossroads Properties – Two-building business park
- Enterprise Holdings – sale and rentals of vehicles

Further, several projects have been fully completed in 2021:

- Boulder Ponds 3rd addition – 33 New Single-Family Homes
- Boulder Ponds 4th addition – 95 Senior Assisted Living Units
- Lake Elmo Senior Living (Independent Living) – 42-unit Senior Living three-story apartment building and 18 Patio Homes (9 buildings)

The City's highway infrastructure continues to make Lake Elmo a desirable residential location. Rapid growth is further reflected in 2020 population estimates of 12,655, or an increase of 57%, since the 2010 census.

New housing starts in 2021 numbered 297 with a total value of $128,265,000 and an average value of $431,872. There were 5 new Commercial construction projects in 2021, and a number of remodels and expansions. All these new starts have been built in 2021 or will be finished in 2022, which will greatly strengthen the existing tax base of the City.

LONG TERM FINANCIAL PLANNING

Total unassigned General Fund balance as of December 31, 2021 was 78% of the next year's general fund expenditures and other financing uses. Although the State Auditor recommends maintaining a level of 35% - 50%, the City has consistently exceeded that rate, showing the City's financial strength.

The City's 5-year Capital Improvement Plan serves as the foundation for long-term financial planning. Funding needs for capital replacements are reflected in tax levies for the street renewal and general fund asset replacements. Funding needs for capital infrastructure in the enterprise funds are funded through user fees in those funds.

During 2017, Moody's Investors Service increased the City's long-term debt rating of AA+, and reaffirmed this rating in 2020 and 2021. In their assessment of the City, Moody's noted the following:

- Wealthy tax base favorably located in the Twin Cities metropolitan area with strong resident incomes
- Strong financial operations supported by ample reserves and liquidity
- Low pension burden

Projections for the next 5 years indicate that property tax contributions, user fees and investment income will continue to grow based on planned development and expansion within the City.

RELEVANT FINANCIAL POLICIES

Trends of the past decade, changes in state tax law, and recent legislation indicate that the City will have a greater reliance on property taxes as a source of financing for city operations in the future and less reliance on the intergovernmental revenues (federal and state) and building permit fees. Changes in state tax law over the past decade have resulted in funding changes for both schools and local governments. The elimination of the homestead and agricultural credit aids program, and large cuts in both local government aid and the market value homestead credit programs resulted in revenue losses to the City. In addition, as the City continues toward full development, we anticipate future decreases in building permit revenues.

MAJOR INITIATIVES

2021 was again an extremely robust year for the City due to continuation of on-going infrastructure upgrades, projects, and oversight of on-going residential and commercial development activity.

Some of the 2021 infrastructure projects included the following:

- Construction of a New City Center was approved and began in 2021. The New City Center consists of a combined City Hall & Public Safety Facility. The new facility combines City Hall staff and functions, the entire Fire Department, and a satellite office for Washington County Sheriff's department. This co-location involves renovating and expanding the City-owned Brookfield Office building to concentrate civic resources into a single structure at the historic core of the City. In addition, the Public Works facility will also be expanded to accommodate City growth and expanded service needs. The project is expected to be completed Spring of 2023.
- The Old Village Improvement project on phases V & VI of the project were under construction in 2021. The projects cover full reconstruction of the streets as well as upgrading the existing water system and installation of a new sewer system and storm water drainage system.
- Heritage Farms Street and Utility Improvements to reconstruct approximately 1.2 miles of residential streets and install a new sanitary sewer main.
- The City began work on several expedited watermain projects to bring water to neighborhoods with PFAS contamination at no cost to the City or residents due to grants from the MPCA. These projects include watermain extensions, road construction and in some cases the extension of sewer. Sewer costs of the project will be assessed 100% to the benefitting property owners.
- Well #5 Pumphouse in Tana Ridge Park was completed.
- A stoplight was installed at Inwood Ave and 5th Street to improve safety of the intersection as growth and development continue in the residential and commercial properties in the area.
- Use of Parkland dedication fees to continue to make improvements to existing and new parks.

AWARDS AND ACKNOWLEDGEMENTS

The Government Finance Officers Association (GFOA) of the United States and Canada awarded a Certificate of Achievement for Excellence in Financial Reporting to the City again for the fiscal year ending December 31, 2020. This certificate is a prestigious national award recognizing conformance with the highest standards for preparation for state and local government financial reports.

In order to be awarded a Certificate of Achievement, a government unit must publish an easily readable and efficiently organized Annual Comprehensive Financial Report, whose contents conform to program standards. Such reports must satisfy both accounting principles generally accepted in the United States of America and applicable legal requirements. A certificate is valid for one year only.

The City of Lake Elmo is pleased to present its Annual Comprehensive Financial Report, which will be submitted to the Government Finance Officers Association (GFOA) for consideration of a Certificate of Achievement for Excellence in Financial Reporting for its financial reports for the fiscal year ended December 31, 2021. The preparation of this report would not have been possible without the efficient and dedicated services of the personnel of the City of Lake Elmo. Further, we would like to express our appreciation to all members of the organization who assisted in contributing to the preparation of the report. Credit must also be given to the Mayor and the City Council for their unfailing support for maintaining the highest standards of management of the City of Lake Elmo's finances.

Respectfully submitted,

Kristina Handt
City Administrator

Sam Magureanu
Finance Director

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Government Finance Officers Association

Certificate of Achievement for Excellence in Financial Reporting

Presented to

City of Lake Elmo
Minnesota

For its Annual Comprehensive
Financial Report
For the Fiscal Year Ended

December 31, 2020

Christopher P. Morrill

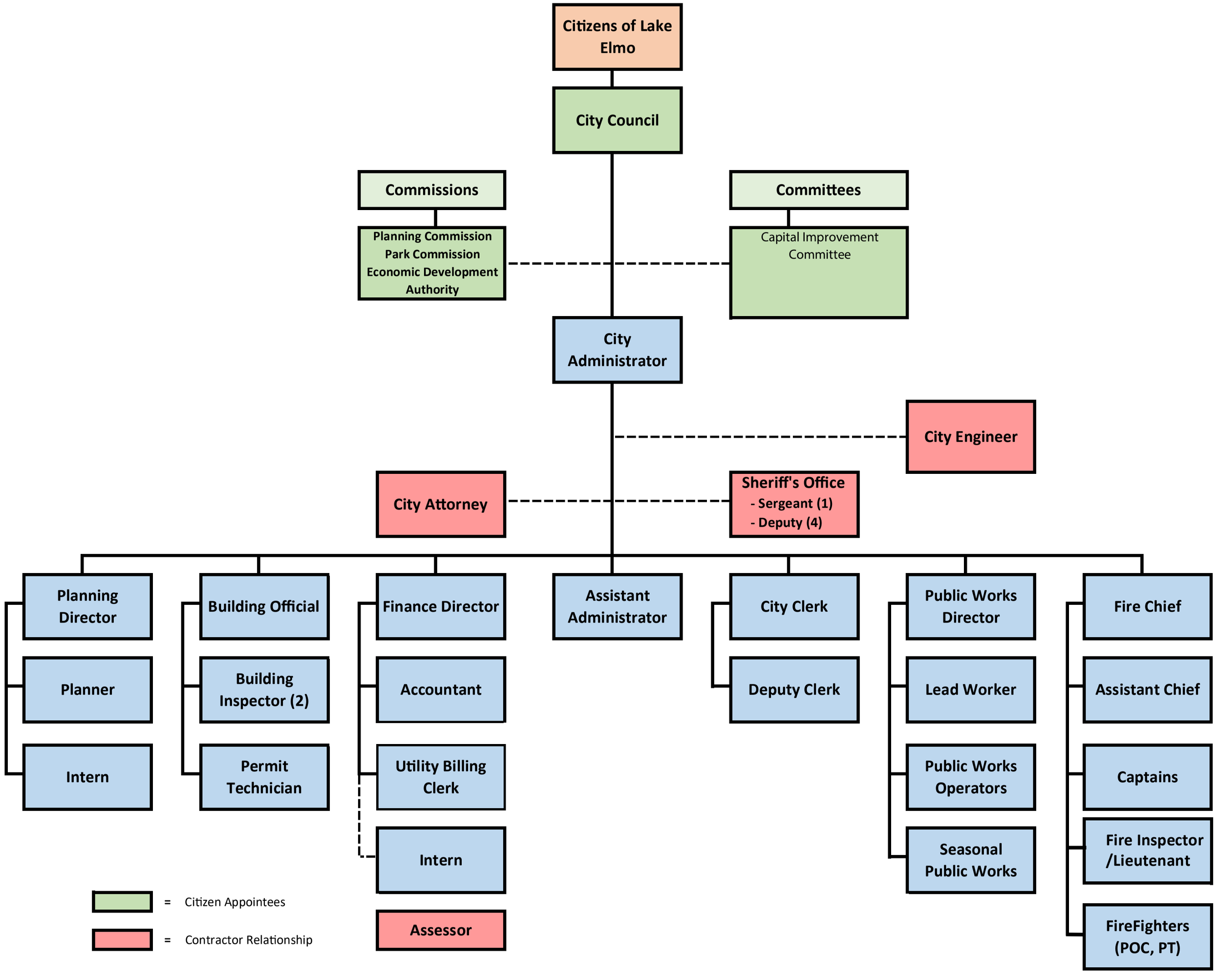
Executive Director/CEO

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CITY OF LAKE ELMO, MINNESOTA
PRINCIPAL CITY OFFICIALS
December 31, 2021

		Term Expires
Mayor:	Charles Cadenhead	December 31, 2025
Councilmembers:	Dale Dorschner	January 2, 2023
	Lisa McGinn	January 2, 2023
	Jeff Holtz	January 1, 2025
	Katrina Beckstrom	January 1, 2025
Appointed Officials		
City Administrator:	Kristina Handt	Appointed
Finance Director:	Sam Magureanu	Appointed
City Clerk:	Julie Johnson	Appointed

ORGANIZATION CHART 2021



FINANCIAL SECTION

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INDEPENDENT AUDITOR'S REPORT

To the Honorable Mayor and
Members of the City Council
City of Lake Elmo, Minnesota

Report on the Audit of the Financial Statements

Opinions

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Lake Elmo, Minnesota, as of and for the year ended December 31, 2021, and the related notes to the financial statements, which collectively comprise the City of Lake Elmo, Minnesota's basic financial statements as listed in the table of contents.

In our opinion, the accompanying financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Lake Elmo, Minnesota, as of December 31, 2021, and the respective changes in financial position, and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the City of Lake Elmo, Minnesota and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Report on Summarized Comparative Information

We have previously audited the City of Lake Elmo, Minnesota's 2020 financial statements, and we expressed unmodified audit opinions on the respective financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information in our report dated June 4, 2021. In our opinion, the summarized comparative information presented herein as of and for the year ended December 31, 2020 is consistent, in all material respects, with the audited financial statements from which it has been derived.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the City of Lake Elmo, Minnesota's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with GAAS and *Governmental Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the City of Lake Elmo, Minnesota's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the City of Lake Elmo, Minnesota's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, the budgetary comparison schedule, and the schedules of OPEB and pension information, as listed in the table of contents, be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City of Lake Elmo, Minnesota's basic financial statements. The combining and individual nonmajor fund financial statements are presented for purposes of additional analysis and are not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements are fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Information

Management is responsible for the other information included in the annual report. The other information comprises the introductory and statistical sections but does not include the basic financial statements and our auditor's report thereon. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon. In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Other Reporting Required by *Government Auditing Standards*

In accordance with *Government Auditing Standards*, we have also issued our report dated June 14, 2022 on our consideration of the City of Lake Elmo, Minnesota's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is solely to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City of Lake Elmo, Minnesota's internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City of Lake Elmo, Minnesota's internal control over financial reporting and compliance.

Redpath and Company, Ltd.

REDPATH AND COMPANY, LTD.
St. Paul, Minnesota

June 14, 2022

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MANAGEMENT'S DISCUSSION AND ANALYSIS

As management of the City of Lake Elmo, Minnesota (the City), we offer readers of the City's financial statements this narrative overview and analysis of the financial activities of the City for the fiscal year ended December 31, 2021. We encourage readers to consider the information presented here in conjunction with additional information that we have furnished in our letter of transmittal, which can be found in the introductory section of this report.

Financial Highlights

The assets and deferred outflows of resources of the City exceeded its liabilities and deferred inflows of resources at the close of the most recent fiscal year by $130,891,464 (net position). Of this amount, $31,990,087 (unrestricted net position) may be used to meet the City's ongoing obligations to citizens and creditors in accordance with the City's fund designations and fiscal policies.

The City's total net position increased by $24,791,436.

As of the close of the current fiscal year, the City's governmental funds reported combined ending fund balances of $30,410,931, an increase of $18,227,180. Of this amount, $17,458,949 is restricted by external constraints established by creditors, grantors, contributors, or by state statutory provisions.

At the end of the current fiscal year, the General Fund balance was $5,618,812. Unassigned fund balance for the General Fund was $5,618,812, or 78% of the next year's total General Fund expenditures and other financing uses.

Total outstanding debt increased by $14,519,000 during 2021. The increase is a result of the City issuing the 2021A G.O. Improvement, CIP, and Refunding Bonds. The Bonds were issued in order to finance a number of projects from the 2021-2025 CIP. Projects include the New City Center and Public Works Addition, Heritage Farms Street and Utility, Tamarack Farms Street, Hamlet on Sunfish Lake Sewer, Old Village 5 and 6. Further, the bonds refunded the 2018A bonds, which were issued to pay for the purchase of the Brookfield building, and refinancing the water and sewer portion of the 2013A bonds. The City used cash to pre-pay the street portion of the 2013A bonds and only refinanced the water and sewer portions of the bond.

Overview of the Financial Statements

This discussion and analysis is intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements comprise three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to the financial statements. This report also contains other supplementary information in addition to the basic financial statements themselves.

Government-wide financial statements. The government-wide financial statements are designed to provide readers with a broad overview of the City's finances, in a manner similar to a private-sector business.

The *Statement of Net Position* presents information on all of the City's assets, deferred outflows of resources, liabilities and deferred inflows of resources, with the net amount reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The *Statement of Activities* presents information showing how the City's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g. uncollected taxes and earned but unused vacation leave).

Both of the government-wide financial statements distinguish functions of the City that are principally supported by taxes and intergovernmental revenues (governmental activities) from other functions that are intended to recover all or a significant portion of their costs through user fees and charges (business-type activities). The governmental activities of the City include general government, public safety, public works, culture and recreation, and economic development. The business-type activities of the City include water, sewer and storm sewer utilities.

The government-wide financial statements are statements 1 and 2 of this report.

Fund financial statements. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. All of the funds of the City can be divided into two categories: governmental funds and proprietary funds.

Governmental funds. Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on

balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financial requirements.

Because the focus of governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented for governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the City's near term financial decisions. Both the governmental fund balance sheet and governmental fund statement of revenues, expenditures and change in fund balance provide a reconciliation to facilitate this comparison between governmental funds and governmental activities.

The City maintains six individual major governmental funds. Information is presented separately in the governmental fund balance sheet and in the governmental fund statement of revenues, expenditures and changes in fund balance for the following major funds:

- General Fund
- Debt Service
- Park Dedication
- Vehicle Acquisition
- Heritage Farms Street & Utility Improvements
- City Hall/Fire Station Building Project

Data from the other governmental funds are combined into a single, aggregated presentation. Individual fund data for each of these nonmajor governmental funds is provided in the form of combining statements elsewhere in this report.

The City adopts an annual appropriated budget for its General Fund. A budgetary comparison schedule has been provided for the General Fund to demonstrate compliance with its budget.

The basic governmental fund financial statements are statements 3 through 6 of this report.

Proprietary funds. The City maintains three enterprise funds as a part of its proprietary fund type. Enterprise funds are used to report the same functions presented as business-type activities in the government-wide financial statements. The City uses enterprise funds to account for its water, sewer and storm sewer utilities.

The proprietary fund statements provide the same type of information as the government-wide financial statements, only in more detail. The proprietary fund financial statements provide separate information for the water, sewer and storm sewer funds, which are considered to be major funds of the City. The basic proprietary fund financial statements are statements 7 through 9 of this report.

Notes to the financial statements. The notes provide additional information that is essential to a full understanding of the data provided in the government–wide and fund financial statements. The notes to the financial statements can be found following Statement 9.

Other information. The combining statements referred to earlier in connection with non-major governmental funds are presented immediately following the required supplementary information. Combining and individual fund statements are presented as Statements 18 through 25.

Government-Wide Financial Analysis

As noted earlier, net position may serve over time as a useful indicator of a government's financial position. In the case of the City, assets and deferred outflows of resources exceeded liabilities and deferred inflows of resources by $130,891,464 at the close of the most recent fiscal year.

The largest portion of the City's net position ($88,652,285, or 68%) reflects its net investment in capital assets (e.g. land, buildings, equipment, and infrastructure) less any related debt used to acquire those assets that is still outstanding. The City uses these capital assets to provide services to citizens; consequently, these assets are not available for future spending. Although the City's investment in its capital assets is reported net of related debt, it should be noted that the resources needed to repay this debt must be provided from other sources, since the capital assets themselves cannot be used to liquidate these liabilities.

City of Lake Elmo's Net Position

	Governmental Activities		Business-Type Activities		Totals	
	2021	2020	2021	2020	2021	2020
Assets:						
Current and other assets	$39,470,683	$18,815,135	$21,461,986	$20,448,133	$60,932,669	$39,263,268
Capital assets	52,689,633	45,484,720	77,034,129	64,643,579	129,723,762	110,128,299
Total assets	92,160,316	64,299,855	98,496,115	85,091,712	190,656,431	149,391,567
Deferred outflows of resources	823,855	389,102	153,623	41,513	977,478	430,615
Liabilities:						
Long-term liabilities outstanding	29,274,372	17,125,639	23,095,670	20,453,002	52,370,042	37,578,641
Other liabilities	5,450,707	3,996,027	1,602,968	1,717,425	7,053,675	5,713,452
Total liabilities	34,725,079	21,121,666	24,698,638	22,170,427	59,423,717	43,292,093
Deferred inflows of resources	1,123,890	417,445	194,838	12,616	1,318,728	430,061
Net position:						
Net investment in capital assets	34,784,806	29,694,288	53,867,479	44,371,375	88,652,285	74,065,663
Restricted	10,249,092	8,171,161	-	-	10,249,092	8,171,161
Unrestricted	12,101,304	5,284,397	19,888,783	18,578,807	31,990,087	23,863,204
Total net position	$57,135,202	$43,149,846	$73,756,262	$62,950,182	$130,891,464	$106,100,028

$10,249,092 of the City's net position represents resources that are subject to external restrictions on how they may be used. The remaining balance of unrestricted net position ($31,990,087) may be used to meet ongoing obligations to citizens and creditors.

At the end of the current fiscal year, the City is able to report positive balances in all three categories of net position, both for the government as a whole, as well as for its separate governmental and business-type activities.

Governmental Activities

Net position of governmental activities increased $13,985,356 during the year. The primary reasons for the increase were developer contributed infrastructure in the amount of $4,861,037, as well as a $5,250,000 transfer from Business-Type Activities to the City Center Capital Project fund. This transfer represents the water and sewer contributions to the City Center Project. Other factors that contributed to the change in net positions included increased revenues from services, operating grants and contributions and general property tax revenue.

Business-Type Activities

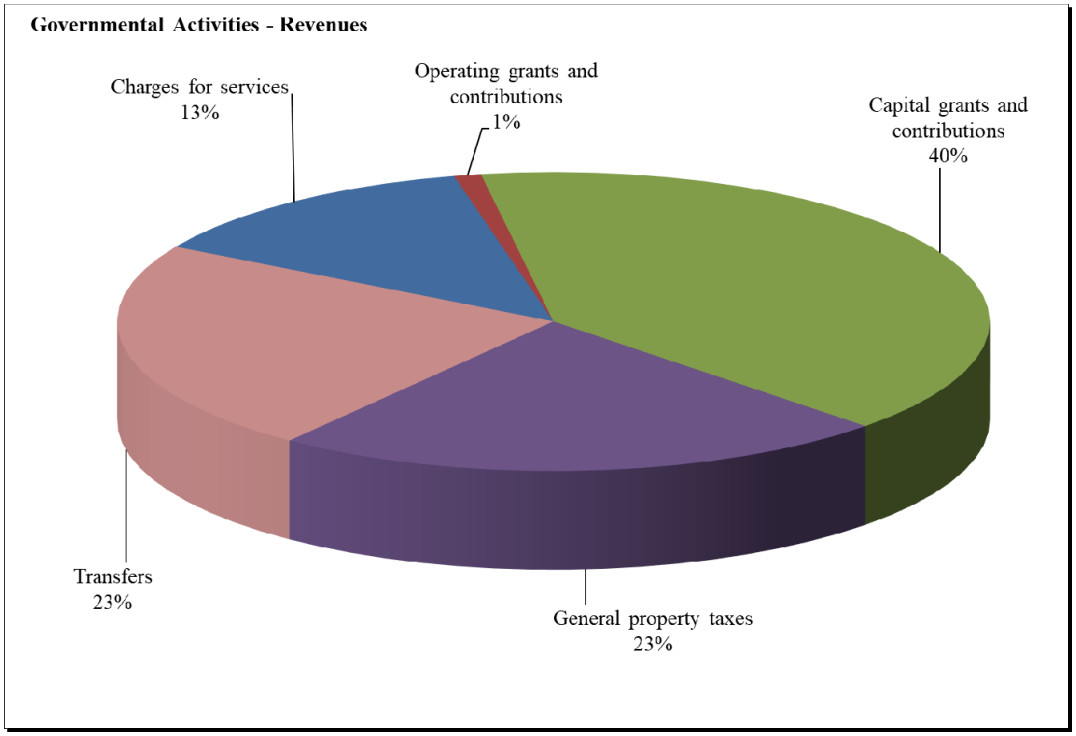
Net position of business-type activities increased $10,806,080 during the year. The most significant reason for the increase was developer contributed infrastructure in the amount of $4,919,108. The City also received $4,102,200 of connection charge revenue, for which the offsetting expense is recognized in future years as depreciation expense. Other factors that contributed to the change in net position included intergovernmental revenues for $7,006,533. These were mostly related to reimbursements from the State in relation to the 3M grant for water infrastructure. Lastly, as noted above, transfers for $5,250,000 were done during the year to contribute to the City Center Capital Project fund.

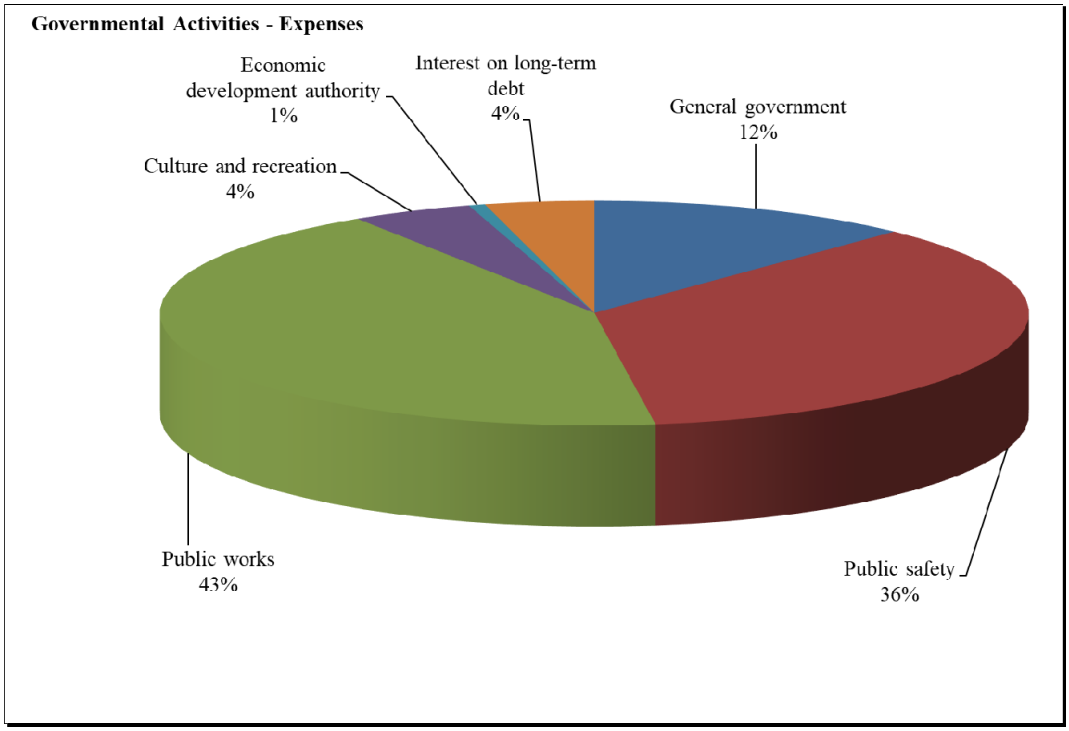
City of Lake Elmo's Changes in Net Position

	Governmental Activities		Business-Type Activities		Totals	
	2021	2020	2021	2020	2021	2020
Revenues:						
Program revenues:						
Charges for services	$2,847,821	$2,901,761	$2,773,787	$2,041,676	$5,621,608	$4,943,437
Operating grants and contributions	279,690	1,039,823	35,635	21,893	315,325	1,061,716
Capital grants and contributions	8,981,866	4,823,628	18,326,363	15,636,661	27,308,229	20,460,289
General revenues:						
General property taxes	5,294,950	4,960,342	-	-	5,294,950	4,960,342
Grants and contributions not restricted to specific programs	4,639	4,337	-	-	4,639	4,337
Unrestricted investment earnings (loss)	(13,874)	348,766	(20,945)	286,350	(34,819)	635,116
Gain on disposal of assets	17,300	13,805	-	-	17,300	13,805
Transfers	5,250,000	-	(5,250,000)	-	-	-
Total revenues	22,662,392	14,092,462	15,864,840	17,986,580	38,527,232	32,079,042
Expenses:						
General government	1,052,188	1,008,916	-	-	1,052,188	1,008,916
Public safety	3,091,321	2,681,784	-	-	3,091,321	2,681,784
Public works	3,735,767	4,012,661	-	-	3,735,767	4,012,661
Culture and recreation	391,240	428,083	-	-	391,240	428,083
Economic development authority	53,264	46,371	-	-	53,264	46,371
Interest on long-term debt	353,256	363,988	-	-	353,256	363,988
Water	-	-	2,665,708	2,383,252	2,665,708	2,383,252
Sewer	-	-	1,563,008	1,481,586	1,563,008	1,481,586
Storm sewer	-	-	830,044	753,177	830,044	753,177
Total expenses	8,677,036	8,541,803	5,058,760	4,618,015	13,735,796	13,159,818
Change in net position	13,985,356	5,550,659	10,806,080	13,368,565	24,791,436	18,919,224
Net position - January 1	43,149,846	37,599,187	62,950,182	49,581,617	106,100,028	87,180,804
Net position - December 31	$57,135,202	$43,149,846	$73,756,262	$62,950,182	$130,891,464	$106,100,028

Governmental Activities

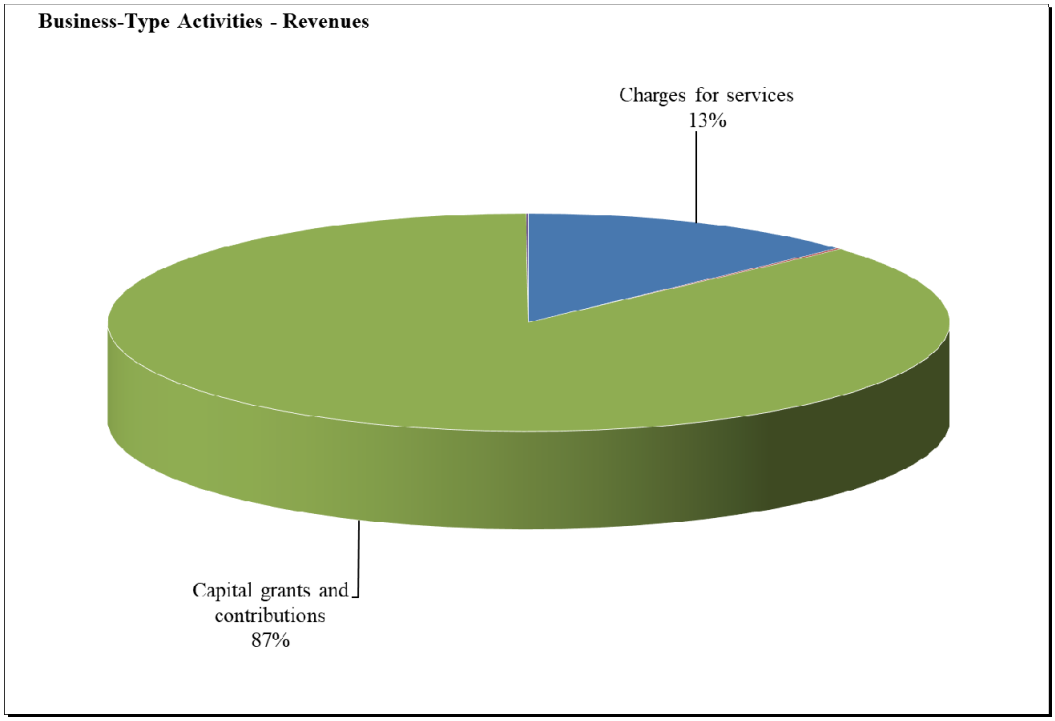
Below are specific graphs which provide comparisons of the governmental activities revenues and expenses:

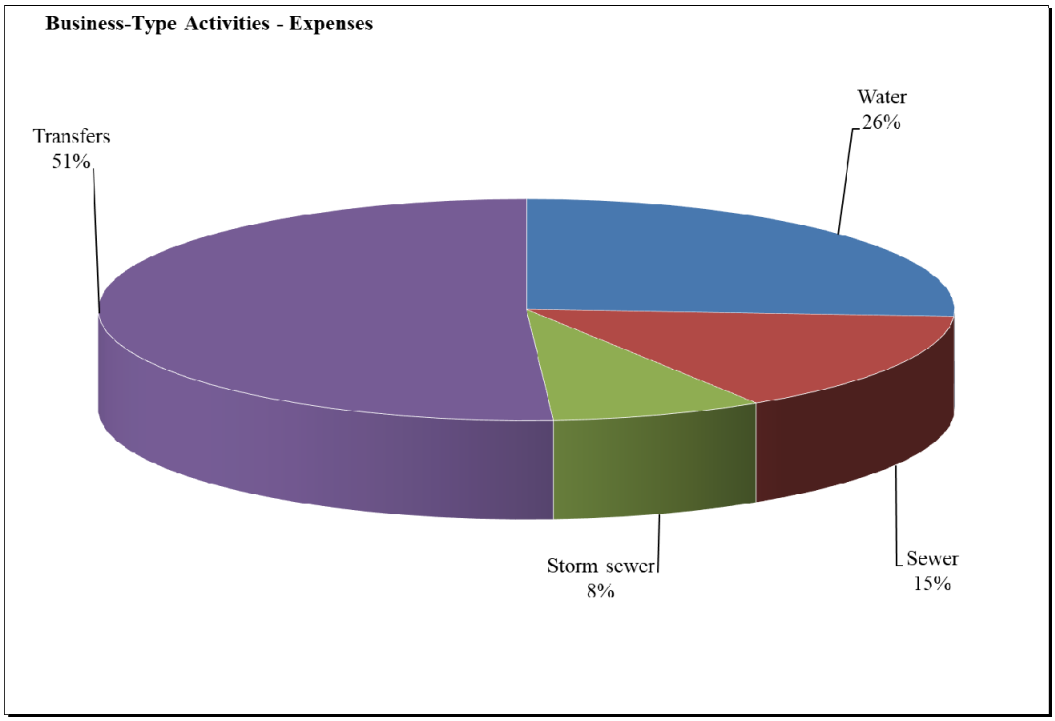




Business-Type Activities

Below are specific graphs which provide comparisons of the business-type activities revenues and expenses:





Financial Analysis of the Government's Funds

Governmental Funds. The focus of the City's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the City's financing requirements. In particular, unassigned fund balance may serve as a useful measure of a government's net resources available for spending at the end of the fiscal year.

At the end of the current fiscal year, the City's governmental funds reported combined ending fund balances of $30,410,931. Approximately 57%, or $17,458,949, of this total amount constitutes fund balance restricted by external constraints established by creditors, grantors, contributors, or by state statutory provisions. $0 of fund balance is not in a spendable form, $7,673 has been committed, $7,571,501 has been assigned, and $5,372,808 is unassigned.

The fund balance of the General Fund increased by $385,171 in 2021, while the City anticipated no change in General Fund balance. The primary reason for the increase was caused by a net positive variance of revenues over expenditures of $1,084,653, which is $793,907 more than budgeted. Licenses and permits exceeded budgets by $472,158 and charges for services by $306,711. The positive variance was reduced by actual transfers exceeding budgeted transfers by $408,736. A large portion of budgeted transfers included a $260,746 transfer to the Vehicle Acquisition fund, and $378,736 of unbudgeted transfers to the Village Project capital project fund. This transfer was approved during the year by council in order to close down the fund and remove the fund deficit.

The Debt Service fund balance decreased by $662,636 primarily relating to the early prepayment of the street portion of the 2013A G.O. Improvement Bond for $957,816. This large expenditure was offset by $478,300 revenues collected from special assessment prepayments in relation to the 2021 CIP projects, funded with special assessments. Other factors that contributed related to debt service payments that were higher than the collected revenues from property taxes and special assessments.

The Park Dedication fund balance increased by $1,830,367. This increase was the result of park dedication fees collected from developers during the year. One large collection for $1,000,000 was collected from one developer, Royal Golf 3rd Addition, and is restricted for Ballfields improvements.

The Vehicle Acquisition fund balance decreased by $158,068. During the year, the City incurred a total of $429,779 of capital outlay expenditures within the fund, $319,895 for the purchase of equipment and vehicles for public safety. One large purchase for $259,558 for a Tender and $57,372 for a public safety vehicle CV1 – Chevrolet Tahoe. Additionally, $109,884 were spent for public works department for the acquisition of a Mack Plow Truck. The expenditures above were partially offset by budgeted transfers from the General Fund for $260,746.

The Heritage Farms Street & Utility Improvements fund balance increased by $295,817. This increase was a result of capital outlay activity within the fund for $2,143,893. These expenditures were offset with proceeds from the 2021A bond issuance for $2,439,248. This project is expected to be completed in 2022.

The City Hall/Fire Station Building Project fund balance increased by $15,232,743. This increase was the result of proceeds from the 2021A bond issuance. The total amount of bond proceeds for the project were $10,539,438. Additionally, $5,250,000 of contributions were transferred in to the fund from the water and sewer funds.

The combined fund balance of other governmental funds increased $1,303,786 during 2021. The primary reason for the increase relates to proceeds from the 2021A bond issuance to finance the 2021 CIP capital projects, including $3,030,460 of proceeds. These were offset by public works capital outlay activity within the capital funds for $1,717,634.

Proprietary funds. The City's proprietary funds provide the same type of information found in the government-wide financial statements, but in more detail.

The water fund has total net position at year-end of $40,073,644, of which $4,723,160 is unrestricted. The increase in net position of $6,422,372 was primarily due to capital contributions of $1,837,010, intergovernmental revenues of $7,006,533 and $2,104,200 of connection charges. The increase was partially offset by a transfer to the City Center project fund for $3,750,000.

The sewer fund has total net position at year-end of $22,485,630, of which $13,709,112 is unrestricted. The increase in net position of $3,097,469 was primarily due to capital contributions of $1,476,603, connection charges of $1,998,000 and special assessments of $2,143,642. The increase was partially offset by a transfer to the City Center project fund for $1,500,000.

The storm sewer fund has total net position at year-end of $11,196,988, of which $1,456,511 is unrestricted. The increase in net position of $1,286,239 was due to capital contributions of $1,605,495. The increase was partially offset by a net operating loss and interest and fees on long-term debt.

Budgetary Highlights

General Fund

The General Fund budget was not amended during the year. The City budgeted for no change in fund balance, while the actual increase in fund balance was $385,171.

Revenues were $828,833 over budget for the year. This was mainly due to licenses and permits, which were over budget by $472,158 and charges for services, which were over budget by $306,711.

Expenditures came in over budget by $34,926. Building inspection expenditures were over budget by $305,378. The large variance from budget related to inspector contracted services being over budget by $450,630. This was partially offset by a positive variance from budget for $122,629 from personal services for building inspection, and an additional positive variance from budget for public works for $108,627 in personal services.

Capital Asset and Debt Administration

Capital assets. The City's investment in capital assets for its governmental and business-type activities as of December 31, 2021, amounted to $129,723,762 (net of accumulated depreciation), an increase of $19,595,463 from the prior year. This investment in capital assets includes land, construction in progress, buildings, other improvements, machinery and equipment, and infrastructure. A large portion of the increase, $9,780,145, is due to 2021 capital contributions from private sources. Further, the City substantially completed the Old Village Phase 5 & 6, Heritage Farms Street & Utility Improvement, and Tamarack Farm Estates Street Improvements. Additionally, projects that were funded with the 3M state grants for water infrastructure, such as, 38th/39th Street & Innsdale were also substantially completed. Lastly, the City began preliminary work on the new City Center, with an expected completion date of 2023.

City of Lake Elmo's Capital Assets
(Net of Depreciation)

	Governmental Activities		Business-Type Activities		Totals	
	2021	2020	2021	2020	2021	2020
Land	$3,453,979	$3,453,979	$3,668,869	$3,668,869	$7,122,848	$7,122,848
Construction in progress	4,903,907	637,739	9,961,990	5,843,234	14,865,897	6,480,973
Buildings	2,994,635	3,084,801	-	-	2,994,635	3,084,801
Other improvements	1,444,544	1,546,483	-	-	1,444,544	1,546,483
Machinery and equipment	2,905,174	2,811,392	138,668	168,092	3,043,842	2,979,484
Infrastructure	36,987,394	33,950,326	63,264,602	54,963,384	100,251,996	88,913,710
Total	$52,689,633	$45,484,720	$77,034,129	$64,643,579	$129,723,762	$110,128,299

Additional information on the City's capital assets can be found in Note 5 to the financial statements.

Long-term debt. At the end of the current fiscal year, the City had total bonded debt outstanding of $49,655,000, an increase of $14,519,000, which was the amount of principal retired during the year.

City of Lake Elmo's Outstanding Debt

	Governmental Activities		Business-Type Activities		Totals	
	2021	2020	2021	2020	2021	2020
G.O. Improvement bonds	$26,705,000	$13,695,000	$22,195,000	$19,710,000	$48,900,000	$33,405,000
G.O. Equipment certificates	755,000	850,000	-	-	755,000	850,000
Taxable lease revenue bonds	-	881,000	-	-	-	881,000
Total	$27,460,000	$15,426,000	$22,195,000	$19,710,000	$49,655,000	$35,136,000

Additional information on the City's long-term debt can be found in Note 6 to the financial statements.

Requests for information. This financial report is designed to provide a general overview of the City's finances for all those with an interest in the government's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the Director of Finance, City of Lake Elmo, 3880 Laverne Ave N, Suite 100, Lake Elmo, Minnesota, 55042.

BASIC FINANCIAL STATEMENTS

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CITY OF LAKE ELMO, MINNESOTA
STATEMENT OF NET POSITION
December 31, 2021
With Comparative Totals For December 31, 2020

Statement 1

	Primary Government			
	Governmental Activities	Business-Type Activities	Total	
			2021	2020
Assets:				
Cash and investments	$35,612,736	$15,974,639	$51,587,375	$31,751,728
Accrued interest receivable	22,144	15,119	37,263	68,954
Due from other governmental units	10,709	665,541	676,250	790,668
Accounts receivable - net	2,635	777,087	779,722	749,614
Prepaid items	-	-	-	573,239
Property taxes receivable	101,050	-	101,050	99,649
Special assessments receivable	3,215,987	4,029,600	7,245,587	4,856,343
Net pension asset	505,422	-	505,422	373,073
Capital assets - nondepreciable	8,357,886	13,630,859	21,988,745	13,603,821
Capital assets - net of accumulated depreciation	44,331,747	63,403,270	107,735,017	96,524,478
Total assets	92,160,316	98,496,115	190,656,431	149,391,567
Deferred outflows of resources related to pensions	823,855	153,623	977,478	430,615
Liabilities:				
Accounts payable	948,763	256,195	1,204,958	588,573
Due to other governmental units	-	20,401	20,401	234,894
Salaries and benefits payable	54,247	12,737	66,984	59,174
Contracts and retainage payable	124,102	324,991	449,093	166,838
Deposits payable	3,145,755	-	3,145,755	3,232,294
Accrued interest payable	156,834	159,644	316,478	381,450
Unearned revenue	1,021,006	829,000	1,850,006	1,050,230
Compensated absences payable:				
Due within one year	64,280	21,255	85,535	102,812
Due in more than one year	21,427	7,085	28,512	34,271
Bonds payable:				
Due within one year	1,870,000	1,345,000	3,215,000	3,452,000
Due in more than one year	26,454,553	21,496,659	47,951,212	32,443,798
Other postemployment benefits:				
Due in more than one year	80,792	18,997	99,789	79,303
Net pension liability:				
Due in more than one year	783,320	206,674	989,994	1,466,456
Total liabilities	34,725,079	24,698,638	59,423,717	43,292,093
Deferred inflows of resources related to pensions	1,123,890	194,838	1,318,728	430,061
Net position:				
Net investment in capital assets	34,784,806	53,867,479	88,652,285	74,065,663
Restricted for:				
Fire Relief Association pension plan	360,513	-	360,513	272,554
Debt service	6,864,359	-	6,864,359	6,620,135
Park improvements	3,024,220	-	3,024,220	1,193,853
Street improvements	-	-	-	84,619
Unrestricted	12,101,304	19,888,783	31,990,087	23,863,204
Total net position	$57,135,202	$73,756,262	$130,891,464	$106,100,028

The accompanying notes are an integral part of these financial statements.

CITY OF LAKE ELMO, MINNESOTA
STATEMENT OF ACTIVITIES
For The Year Ended December 31, 2021
With Comparative Totals For The Year Ended December 31, 2020

Functions/Programs	Expenses	Program Revenues Charges For Services
Primary government:		
Governmental activities:		
General government	$1,052,188	$485,785
Public safety	3,091,321	2,199,655
Public works	3,735,767	104,817
Culture and recreation	391,240	25
Economic development authority	53,264	57,539
Interest and fees on long-term debt	353,256	-
Total governmental activities	8,677,036	2,847,821
Business-type activities:		
Water	2,665,708	1,711,596
Sewer	1,563,008	549,567
Storm sewer	830,044	512,624
Total business-type activities	5,058,760	2,773,787
Total primary government	$13,735,796	$5,621,608

The accompanying notes are an integral part of these financial statements.

Program Revenues		Net (Expense) Revenue and Changes in Net Position - Primary Government			
Operating Grants and Contributions	Capital Grants and Contributions	Governmental Activities	Business-Type Activities	Total 2021	Total 2020
$30,078	$26,668	($509,657)	$ -	($509,657)	($530,776)
83,160	-	(808,506)	-	(808,506)	261,619
163,776	7,109,827	3,642,653	-	3,642,653	513,035
2,676	1,845,371	1,456,832	-	1,456,832	302,112
-	-	4,275	-	4,275	41,407
-	-	(353,256)	-	(353,256)	(363,988)
279,690	8,981,866	3,432,341	0	3,432,341	223,409
35,635	11,102,421	-	10,183,944	10,183,944	7,823,058
-	5,618,245	-	4,604,804	4,604,804	3,353,785
-	1,605,697	-	1,288,277	1,288,277	1,905,372
35,635	18,326,363	0	16,077,025	16,077,025	13,082,215
$315,325	$27,308,229	3,432,341	16,077,025	19,509,366	13,305,624
General revenues:					
General property taxes		5,294,950	-	5,294,950	4,960,342
Grants and contributions not restricted to specific programs		4,639	-	4,639	4,337
Unrestricted investment earnings (loss)		(13,874)	(20,945)	(34,819)	635,116
Gain on disposal of capital assets		17,300	-	17,300	13,805
Transfers		5,250,000	(5,250,000)	-	-
Total general revenues and transfers		10,553,015	(5,270,945)	5,282,070	5,613,600
Change in net position		13,985,356	10,806,080	24,791,436	18,919,224
Net position - January 1		43,149,846	62,950,182	106,100,028	87,180,804
Net position - December 31		$57,135,202	$73,756,262	$130,891,464	$106,100,028

The accompanying notes are an integral part of these financial statements.

CITY OF LAKE ELMO, MINNESOTA
BALANCE SHEET
GOVERNMENTAL FUNDS
December 31, 2021
With Comparative Totals For December 31, 2020

Statement 3

Assets	General Fund (101)	Debt Service (300s)	Park Dedication (404)	Vehicle Acquisition (410)	Heritage Farms Street & Utility Improvements (434)	City Hall / Fire Station Bldg Project (437)	Other Governmental Funds	Total Governmental Funds 2021	Total Governmental Funds 2020
Cash and investments	$9,577,831	$3,886,866	$3,022,945	$1,557,696	$234,866	$15,229,837	$2,102,695	$35,612,736	$15,760,221
Accrued interest receivable	7,576	2,696	2,155	925	167	7,115	1,510	22,144	36,118
Due from other governmental units	10,709	-	-	-	-	-	-	10,709	3,305
Accounts receivable - net	2,635	-	-	-	-	-	-	2,635	131,664
Prepaid items	-	-	-	-	-	-	-	-	21,206
Due from other funds	222,457	-	-	-	-	-	-	222,457	1,497,284
Property taxes receivable:									
Due from county	54,832	-	-	-	-	-	-	54,832	44,828
Delinquent	46,218	-	-	-	-	-	-	46,218	54,821
Special assessments receivable:									
Due from county	409	1,339	-	-	-	-	-	1,748	1,055
Delinquent	66,114	708	-	-	-	-	-	66,822	1,892
Deferred	-	3,129,584	-	-	-	-	17,833	3,147,417	2,254,603
Total assets	$9,988,781	$7,021,193	$3,025,100	$1,558,621	$235,033	$15,236,952	$2,122,038	$39,187,718	$19,806,997
Liabilities, Deferred Inflows of Resources, and Fund Balance									
Liabilities:									
Accounts payable	$859,436	$ -	$880	$406	$7,171	$16,786	$64,084	$948,763	$258,815
Salaries and benefits payable	54,247	-	-	-	-	-	-	54,247	52,307
Contracts and retainage payable	-	-	-	-	95,911	-	28,191	124,102	-
Due to other funds	-	-	-	-	-	-	222,457	222,457	1,497,284
Deposits payable	3,070,755	-	-	-	-	-	75,000	3,145,755	3,232,294
Unearned revenue	273,199	-	-	-	-	-	747,807	1,021,006	271,230
Total liabilities	4,257,637	0	880	406	103,082	16,786	1,137,539	5,516,330	5,311,930
Deferred inflows of resources:									
Unavailable revenue	112,332	3,130,292	-	-	-	-	17,833	3,260,457	2,311,316
Fund balance:									
Nonspendable	-	-	-	-	-	-	-	-	21,206
Restricted	-	3,890,901	3,024,220	-	131,951	9,963,112	448,765	17,458,949	5,814,832
Committed	-	-	-	-	-	-	7,673	7,673	7,691
Assigned	-	-	-	1,558,215	-	5,257,054	756,232	7,571,501	2,653,503
Unassigned	5,618,812	-	-	-	-	-	(246,004)	5,372,808	3,686,519
Total fund balance	5,618,812	3,890,901	3,024,220	1,558,215	131,951	15,220,166	966,666	30,410,931	12,183,751
Total liabilities, deferred inflows of resources, and fund balance	$9,988,781	$7,021,193	$3,025,100	$1,558,621	$235,033	$15,236,952	$2,122,038	$39,187,718	$19,806,997

The accompanying notes are an integral part of these financial statements.

CITY OF LAKE ELMO, MINNESOTA
RECONCILIATION OF THE BALANCE SHEET OF GOVERNMENTAL FUNDS TO THE STATEMENT OF NET POSITION
December 31, 2021
With Comparative Totals For December 31, 2020

Statement 4

	2021	2020
Fund balance - total governmental funds (Statement 3)	$30,410,931	$12,183,751
Net position reported for governmental activities in the Statement of Net Position is different because:		
Certain assets used in governmental activities are not current financial resources and, therefore, are not reported in the funds.		
Capital assets	52,689,633	45,484,720
Net pension asset	505,422	373,073
Other long-term assets are not available to pay for current-period expenditures and, therefore, are reported as unavailable revenue in the funds:		
Delinquent taxes receivable	46,218	54,821
Delinquent special assessments receivable	66,822	1,892
Deferred special assessments receivable	3,147,417	2,254,603
Long-term liabilities are not due and payable in the current period and, therefore, are not reported in the funds. Long-term liabilities at year end consist of:		
Bonds payable	(27,460,000)	(15,426,000)
Unamortized bond premiums	(864,553)	(364,432)
Accrued interest payable	(156,834)	(181,381)
Compensated absences payable	(85,707)	(109,369)
Other postemployment benefits	(80,792)	(65,397)
Net pension liability	(783,320)	(1,160,441)
Deferred outflows and inflows of resources related to pensions are associated with long-term liabilities that are not due and payable in the current period, and therefore, are not reported in the funds. Balances at year end are:		
Deferred outflows of resources	823,855	521,451
Deferred inflows of resources	(1,123,890)	(417,445)
Net position of governmental activities (Statement 1)	$57,135,202	$43,149,846

The accompanying notes are an integral part of these financial statements.

CITY OF LAKE ELMO, MINNESOTA
STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
GOVERNMENTAL FUNDS
For The Year Ended December 31, 2021
With Comparative Totals For The Year Ended December 31, 2020

Statement 5

	General Fund (101)	Debt Service (300s)	Park Dedication (404)	Vehicle Acquisition (410)	Heritage Farms Street & Utility Improvements (434)	City Hall / Fire Station Bldg Project (437)	Other Governmental Funds	Total Governmental Funds	
Revenues:								2021	2020
General property taxes	$3,865,164	$1,438,389	$ -	$ -	$ -	$ -	$ -	$5,303,553	$4,947,133
Licenses and permits	1,485,658	-	-	-	-	-	-	1,485,658	1,425,695
Intergovernmental	267,180	-	-	-	-	-	454,948	722,128	1,023,193
Charges for services	1,064,375	-	-	-	-	-	87,539	1,151,914	1,273,241
Fines and forfeits	45,749	-	-	-	-	-	-	45,749	33,584
Special assessments	930	861,836	-	-	-	-	-	862,766	474,099
Park dedication fees	-	-	1,845,371	-	-	-	-	1,845,371	714,558
Investment income (loss)	(13,605)	(19,864)	6,337	(6,335)	462	19,631	(500)	(13,874)	348,766
Miscellaneous	177,000	-	-	-	-	-	-	177,000	183,711
Total revenues	6,892,451	2,280,361	1,851,708	(6,335)	462	19,631	541,987	11,580,265	10,423,980
Expenditures:									
Current:									
General government	1,056,983	-	-	-	-	-	-	1,056,983	1,009,543
Public safety	3,003,677	-	-	-	-	-	-	3,003,677	2,641,770
Public works	1,488,448	-	-	-	-	-	-	1,488,448	1,489,081
Culture and recreation	258,690	-	-	-	-	-	-	258,690	310,066
Economic development authority	-	-	-	-	-	-	53,264	53,264	46,371
Capital outlay:									
General government	-	-	-	-	-	576,326	26,668	602,994	-
Public safety	-	-	-	319,895	-	-	-	319,895	297,090
Public works	-	-	21,341	109,884	2,143,893	-	1,717,634	3,992,752	1,549,753
Debt service:									
Principal	-	2,760,000	-	-	-	-	881,000	3,641,000	1,790,000
Interest and fiscal charges	-	364,408	-	-	-	-	61,389	425,797	420,299
Total expenditures	5,807,798	3,124,408	21,341	429,779	2,143,893	576,326	2,739,955	14,843,500	9,553,973
Revenues over (under) expenditures	1,084,653	(844,047)	1,830,367	(436,114)	(2,143,431)	(556,695)	(2,197,968)	(3,263,235)	870,007
Other financing sources (uses):									
Transfers in	-	113,792	-	260,746	-	5,250,000	508,182	6,132,720	1,900,244
Transfers out	(699,482)	-	-	-	-	-	(183,238)	(882,720)	(1,900,244)
Issuance of debt	-	67,619	-	-	2,332,995	10,243,926	3,030,460	15,675,000	-
Bond premium	-	-	-	-	106,253	295,512	146,350	548,115	-
Proceeds from sale of capital assets	-	-	-	17,300	-	-	-	17,300	13,805
Total other financing sources (uses)	(699,482)	181,411	0	278,046	2,439,248	15,789,438	3,501,754	21,490,415	13,805
Net change in fund balance	385,171	(662,636)	1,830,367	(158,068)	295,817	15,232,743	1,303,786	18,227,180	883,812
Fund balance - January 1	5,233,641	4,553,537	1,193,853	1,716,283	(163,866)	(12,577)	(337,120)	12,183,751	11,299,939
Fund balance - December 31	$5,618,812	$3,890,901	$3,024,220	$1,558,215	$131,951	$15,220,166	$966,666	$30,410,931	$12,183,751

The accompanying notes are an integral part of these financial statements.

CITY OF LAKE ELMO, MINNESOTA
RECONCILIATION OF THE STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE OF GOVERNMENTAL FUNDS TO THE STATEMENT OF ACTIVITIES
For The Year Ended December 31, 2021
With Comparative Totals For The Year Ended December 31, 2020

Statement 6

	2021	2020
Net change in fund balance - total governmental funds (Statement 5)	$18,227,180	$883,812
Amounts reported for governmental activities in the Statement of Activities are different because:		
Governmental funds report capital outlays as expenditures. However, in the Statement of Activities the cost of those assets is allocated over their estimated useful lives and reported as depreciation expense:		
Depreciation	(2,557,696)	(2,294,552)
Capital outlay	4,915,641	1,846,843
Capital outlay not capitalized	(14,069)	(525,221)
Various other transactions involving capital assets increase (decrease) net position on the Statement of Activities, but are not reported in governmental funds because they do not provide (or use) current financial resources:		
Contributions of infrastructure from private sources	4,861,037	3,937,057
Revenues in the Statement of Activities that do not provide current financial resources are not reported as revenues in the funds:		
Change in delinquent taxes receivable	(8,603)	13,209
Change in delinquent special assessments receivable	64,930	(1,071)
Change in deferred special assessments receivable	892,814	(301,015)
The issuance of long-term debt provides current financial resources to governmental funds, while repayment of the principal of long-term debt consumes the current financial resources of governmental funds. Neither transaction, however, has any effect on net position. Also, governmental funds report the effects of bond premiums and discounts when the debt is first issued, whereas amounts are deferred and amortized over the life of the debt in the Statement of Activities.		
Bonds issued	(15,675,000)	-
Premium on bonds issued	(548,115)	-
Repayment of principal	3,641,000	1,790,000
Amortization of bond premiums	47,994	47,993
Some expenses reported in the Statement of Activities do not require the use of current financial resources and, therefore, are not reported as expenditures in governmental funds. Expenses reported in the Statement of Activities include the effects of the changes in these expense accruals as follows:		
Change in accrued interest payable	24,547	8,318
Change in compensated absences payable	23,662	(46,621)
Change other post employment benefits liability	(15,395)	(4,081)
Governmental funds report pension contributions as expenditures, however pension expense is reported in the Statement of Activities. This is the amount by which pension expense differed from pension contributions.	105,429	195,988
Change in net position of governmental activities (Statement 2)	$13,985,356	$5,550,659

The accompanying notes are an integral part of these financial statements.

CITY OF LAKE ELMO, MINNESOTA
STATEMENT OF NET POSITION
PROPRIETARY FUNDS
December 31, 2021
With Comparative Totals For December 31, 2020

Statement 7

	Business-Type Activities - Enterprise Funds				
			Storm	Total	
	Water (601)	Sewer (602)	Sewer (603)	2021	2020
Assets:					
Current assets:					
Cash and investments	$4,820,465	$10,092,392	$1,061,782	$15,974,639	$15,991,507
Accrued interest receivable	6,103	8,259	757	15,119	32,836
Due from other governmental units	665,541	-	-	665,541	787,363
Accounts receivable - net	216,168	141,113	419,806	777,087	617,950
Prepaid items	-	-	-	-	419,684
Total current assets	5,708,277	10,241,764	1,482,345	17,432,386	17,849,340
Noncurrent assets:					
Special assessments receivable	316,158	3,672,068	41,374	4,029,600	2,598,793
Capital assets:					
Land	3,668,869	-	-	3,668,869	3,668,869
Construction in progress	6,908,569	3,053,421	-	9,961,990	5,843,234
Machinery and equipment	340,696	73,003	-	413,699	413,699
Infrastructure	44,483,712	19,219,271	14,128,874	77,831,857	66,599,944
Total capital assets	55,401,846	22,345,695	14,128,874	91,876,415	76,525,746
Less: Allowance for depreciation	(9,796,976)	(3,322,887)	(1,722,423)	(14,842,286)	(11,882,167)
Net capital assets	45,604,870	19,022,808	12,406,451	77,034,129	64,643,579
Total assets	51,629,305	32,936,640	13,930,170	98,496,115	85,091,712
Deferred outflows of resources related to pensions	94,261	38,175	21,187	153,623	41,513
Liabilities:					
Current liabilities:					
Accounts payable	203,214	52,072	909	256,195	329,758
Due to other governmental units	97	20,304	-	20,401	234,894
Salaries and benefits payable	8,007	3,133	1,597	12,737	6,867
Contracts and retainage payable	224,643	100,348	-	324,991	166,838
Accrued interest payable	78,721	56,149	24,774	159,644	200,069
Unearned revenue	829,000	-	-	829,000	779,000
Compensated absences payable - current portion	14,238	4,774	2,243	21,255	20,785
Bonds payable - current portion	825,000	315,000	205,000	1,345,000	1,455,000
Total current liabilities	2,182,920	551,780	234,523	2,969,223	3,193,211
Noncurrent liabilities:					
Compensated absences payable - noncurrent portion	4,746	1,591	748	7,085	6,929
Bonds payable - noncurrent portion	9,204,743	9,830,942	2,460,974	21,496,659	18,650,366
Other postemployment benefits	11,151	5,096	2,750	18,997	13,906
Net pension liability	126,812	51,359	28,503	206,674	306,015
Total noncurrent liabilities	9,347,452	9,888,988	2,492,975	21,729,415	18,977,216
Total liabilities	11,530,372	10,440,768	2,727,498	24,698,638	22,170,427
Deferred inflows of resources related to pensions	119,550	48,417	26,871	194,838	12,616
Net position:					
Net investment in capital assets	35,350,484	8,776,518	9,740,477	53,867,479	44,371,375
Unrestricted	4,723,160	13,709,112	1,456,511	19,888,783	18,578,807
Total net position	$40,073,644	$22,485,630	$11,196,988	$73,756,262	$62,950,182

The accompanying notes are an integral part of these financial statements.

CITY OF LAKE ELMO, MINNESOTA
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN FUND NET POSITION
PROPRIETARY FUNDS
For The Year Ended December 31, 2021
With Comparative Totals For The Year Ended December 31, 2020

Statement 8

	Business-Type Activities - Enterprise Funds				
			Storm	Total	
	Water (601)	Sewer (602)	Sewer (603)	2021	2020
Operating revenues:					
Charges for services	$1,538,316	$539,130	$457,517	$2,534,963	$1,720,180
Water meter sales	149,944	-	-	149,944	155,675
Other operating revenue	23,336	10,437	55,107	88,880	165,821
Total operating revenues	1,711,596	549,567	512,624	2,773,787	2,041,676
Operating expenses:					
Personal services	411,561	135,765	67,497	614,823	630,426
Materials and supplies	212,515	16,062	5,935	234,512	213,890
Professional services	131,108	63,876	46,269	241,253	239,162
Repairs and maintenance	19,628	9,850	42,031	71,509	69,053
Utilities	138,466	284,641	-	423,107	331,431
Depreciation	1,467,694	880,861	611,565	2,960,120	2,600,589
Other	61,466	26,469	7,388	95,323	69,409
Total operating expenses	2,442,438	1,417,524	780,685	4,640,647	4,153,960
Operating income (loss)	(730,842)	(867,957)	(268,061)	(1,866,860)	(2,112,284)
Nonoperating revenues (expenses):					
Investment income (loss)	(11,572)	(7,335)	(2,038)	(20,945)	286,350
Intergovernmental revenue	35,635	-	-	35,635	21,893
Interest and fees on long-term debt	(223,270)	(145,484)	(49,359)	(418,113)	(464,055)
Total nonoperating operating revenues (expenses)	(199,207)	(152,819)	(51,397)	(403,423)	(155,812)
Income (loss) before contributions and transfers	(930,049)	(1,020,776)	(319,458)	(2,270,283)	(2,268,096)
Capital contributions:					
Intergovernmental revenue	7,006,533	-	-	7,006,533	4,774,955
Special assessments	154,678	2,143,642	202	2,298,522	119,844
Refunds and reimbursements	-	-	-	-	223,615
Capital contributions from private sources	1,837,010	1,476,603	1,605,495	4,919,108	6,946,150
Connection charges	2,104,200	1,998,000	-	4,102,200	3,572,097
Transfer out	(3,750,000)	(1,500,000)	-	(5,250,000)	-
Total contributions and transfers	7,352,421	4,118,245	1,605,697	13,076,363	15,636,661
Change in net position	6,422,372	3,097,469	1,286,239	10,806,080	13,368,565
Net position - January 1	33,651,272	19,388,161	9,910,749	62,950,182	49,581,617
Net position - December 31	$40,073,644	$22,485,630	$11,196,988	$73,756,262	$62,950,182

The accompanying notes are an integral part of these financial statements.

CITY OF LAKE ELMO, MINNESOTA
STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
For The Year Ended December 31, 2021
With Comparative Totals For The Year Ended December 31, 2020

Statement 9

	Business-Type Activities - Enterprise Funds				
			Storm	Total	
	Water (601)	Sewer (602)	Sewer (603)	2021	2020
Cash flows from operating activities:					
Receipts from customers and users	$2,512,836	$500,866	$423,946	$3,437,648	$2,141,859
Payments to suppliers	(501,152)	(328,905)	(104,019)	(934,076)	(1,108,499)
Payments to employees	(394,804)	(153,861)	(83,800)	(632,465)	(484,601)
Net cash flows provided by (used in) operating activities	1,616,880	18,100	236,127	1,871,107	548,759
Cash flows from capital and related financing activities:					
Intergovernmental revenue	6,340,992	-	-	6,340,992	3,987,592
Special assessments	136,390	740,098	(8,773)	867,715	375,404
Refunds and reimbursements	-	-	-	-	223,615
Connection charges	2,154,200	1,998,000	-	4,152,200	3,622,097
Proceeds from issuance of bonds	605,002	6,026,615	-	6,631,617	-
Principal paid on long-term debt	(1,385,000)	(2,240,000)	(200,000)	(3,825,000)	(1,380,000)
Interest and fees paid on long-term debt	(264,270)	(207,579)	(57,014)	(528,863)	(505,151)
Acquisition of capital assets	(7,693,521)	(2,579,887)	-	(10,273,408)	(5,608,382)
Transfer out	(3,750,000)	(1,500,000)	-	(5,250,000)	-
Net cash flows provided by (used in) capital and related financing activities	(3,856,207)	2,237,247	(265,787)	(1,884,747)	715,175
Cash flows from investing activities:					
Investment earnings	(2,980)	411	(659)	(3,228)	306,530
Net increase (decrease) in cash and cash equivalents	(2,242,307)	2,255,758	(30,319)	(16,868)	1,570,464
Cash and cash equivalents - January 1	7,062,772	7,836,634	1,092,101	15,991,507	14,421,043
Cash and cash equivalents - December 31	$4,820,465	$10,092,392	$1,061,782	$15,974,639	$15,991,507
Reconciliation of operating income to net cash provided by operating activities:					
Operating income (loss)	($730,842)	($867,957)	($268,061)	($1,866,860)	($2,112,284)
Adjustments to reconcile operating income (loss) to net cash flows from operating activities:					
Intergovernmental revenue	35,635	-	-	35,635	21,893
Depreciation	1,467,694	880,861	611,565	2,960,120	2,600,589
Changes in assets and liabilities:					
Decrease (increase) in receivables	765,605	(48,701)	(88,678)	628,226	78,290
Decrease (increase) in prepaid items	-	419,684	-	419,684	(400,527)
Decrease (increase) in deferred outflows of resources	(72,241)	(26,113)	(13,756)	(112,110)	(22,322)
Increase (decrease) in payables	62,031	(347,691)	(2,396)	(288,056)	214,973
Increase (decrease) in salaries and benefits payable	3,271	1,579	1,020	5,870	(9,120)
Increase (decrease) in compensated absences	4,965	(1,899)	(2,440)	626	5,951
Increase (decrease) in other post employment benefits	3,411	1,143	537	5,091	1,434
Increase (decrease) in net pension liability	(35,507)	(37,557)	(26,277)	(99,341)	179,932
Increase (decrease) in deferred inflows of resources	112,858	44,751	24,613	182,222	(10,050)
Total adjustments	2,347,722	886,057	504,188	3,737,967	2,661,043
Net cash provided by (used in) operating activities	$1,616,880	$18,100	$236,127	$1,871,107	$548,759
Noncash investing, capital and financing activities:					
Capital asset contributions	$1,837,010	$1,476,603	$1,605,495	$4,919,108	$6,946,150

The accompanying notes are an integral part of these financial statements.

Note 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The City of Lake Elmo, Minnesota (the City) is a statutory City under Optional Plan A as defined in the State of Minnesota statutes. The City is governed by an elected Mayor and a four-member Council. The Council exercises legislative authority and determines all matters of policy. The Council appoints personnel responsible for the proper administration of all affairs relating to the City. The basic financial statements of the City have been prepared in conformity with U.S. generally accepted accounting principles as applied to governmental units by the Governmental Accounting Standards Board (GASB). The following is a summary of significant accounting policies:

A. FINANCIAL REPORTING ENTITY

As required by accounting principles generally accepted in the United States of America, the financial statements of the reporting entity include those of the City (the primary government) and its component units. Generally, component units are legally separate organizations for which the officials of the primary government are financially accountable.

COMPONENT UNITS

The City has one component unit, the Economic Development Authority (EDA). The financial statements of the EDA are included as a blended component unit because its governing body is substantively the same as the City Council, the City is in a relationship of financial burden with the EDA, and because management of the City have operational responsibilities for the EDA. Separate financial statements for the EDA are not prepared.

B. GOVERNMENT-WIDE AND FUND FINANCIAL STATEMENTS

The government-wide financial statements (i.e., the Statement of Net Position and the Statement of Activities) report information on all of the non-fiduciary activities of the primary government and its component units. *Governmental activities,* which normally are supported by taxes and intergovernmental revenues, are reported separately from *business-type activities,* which rely to a significant extent on fees and charges for support.

The Statement of Activities demonstrates the degree to which the direct expenses of a given function or business-type activity are offset by program revenues. *Direct expenses* are those that are clearly identifiable with a specific function or business-type activity. *Program revenues* include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or business-type activity and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or business-type activity. Taxes and other items not included among program revenues are reported instead as *general revenues.*

The fund financial statements are provided for governmental and proprietary funds. The emphasis of governmental and proprietary fund financial statements is on major individual governmental and enterprise funds, with each displayed as separate columns in the fund financial statements. All remaining governmental and enterprise funds are aggregated and reported as nonmajor funds.

The City reports the following major governmental funds:

General Fund is the City's primary operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

Debt Service Fund is an accumulation of resources (primarily special assessments and property tax revenues) for the payments of principal and interest on long-term general obligation debt of governmental funds.

Park Dedication Fund accounts for the accumulation of resources (primarily park dedication fees) that are used to make improvements to existing parks as well as building new parks.

Vehicle Acquisition Fund accounts for the accumulation of resources for the purchase of vehicles to be used by various City departments.

Heritage Farms Street & Utility Improvements Fund accounts for the activities related to the Heritage Farms streets improvements project. The improvements include the reconstruction of approximately 1.2 miles of residential streets.

City Hall/Fire Station Building Project Fund accounts for the activities related to the construction of a new City Center/Fire Station and Public Works addition. The project is expected to be completed in 2023.

The City reports the following major proprietary funds:

The W*ater Fund* accounts for the activities of the City's water distribution operations.

The S*ewer Fund* accounts for revenues and costs associated with the City's sewer system.

The Storm Sewer Fund accounts for costs associated with the City's storm sewer system. These costs are financed by the storm sewer surcharge.

C. MEASUREMENT FOCUS AND BASIS OF ACCOUNTING

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting,* as are the proprietary fund financial statements. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting.* Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be *available* when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the City considers all revenues, except reimbursement grants, to be available if they are collected within 60 days of the end of the current fiscal period. Reimbursement grants are considered available if they are collected within one year of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

Property taxes, special assessments, intergovernmental revenues, charges for services and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. Only the portion of special assessments receivable due within the current fiscal period is considered to be susceptible to accrual as revenue of the current

period. All other revenue items are considered to be measurable and available only when cash is received by the City.

As a general rule the effect of interfund activity has been eliminated from the government-wide financial statements. Exceptions to this general rule are transactions that would be treated as revenues, expenditures or expenses if they involved external organizations, such as buying goods and services or payments in lieu of taxes, are similarly treated when they involve other funds of the City. Elimination of these charges would distort the direct costs and program revenues reported for the various functions concerned.

Proprietary Funds distinguish *operating* revenues and expenses from *nonoperating* items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the water, sewer and storm sewer enterprise funds are charges to customers for sales and services. Operating expenses for enterprise funds include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

D. BUDGETS

Budgets are adopted on a basis consistent with accounting principles generally accepted in the United States of America. Annual appropriated budgets are legally adopted by Council resolution for the General Fund and enterprise funds.

Encumbrance accounting, under which purchase orders, contracts, and other commitments for the expenditure of monies are recorded in order to reserve that portion of the appropriation, is not employed by the City because it is at present not considered necessary to assure effective budgetary control or to facilitate effective cash management.

The City follows these legal compliance procedures in establishing the budgetary data reflected in the financial statements:

1. Budget requests are submitted by all department heads to the City Administrator and Finance Director in July of each year. The Finance Director's office compiles the budget request into an overall preliminary City budget, balancing budget requests with available revenue.
2. In July, the Finance Committee reviews the budget and recommends the budget to the City Council.
3. The preliminary budget is submitted to the City Council in September for its review and/or modification.
4. City administration presents the proposed budget to the City Council which in turn, when required, holds a truth-in-taxation public hearing on the proposed budget. The budget resolution adopted by the City Council sets forth the budget at the department level for the General Fund and the fund level for the enterprise funds.
5. All budgets appropriations lapse at the end of the fiscal year. The legal level of control (the level on which expenditures may not legally exceed appropriations) for each budget is at the department level. Administration cannot legally amend or transfer appropriations between departments without the approval of the City Council once the budget has been approved. Any over expenditures of appropriations or transfers of appropriated amounts must be approved by the City Council.

6. Budgeted amounts are originally adopted, or as amended by the City Council. The budget cannot be amended without approval by the City Council.

E. CASH AND INVESTMENTS

Cash and investment balances from all funds are pooled and invested to the extent available in authorized investments. Investment income is allocated to individual funds on the basis of the fund's equity in the cash and investment pool.

Investments are stated at fair value, except for investments in external investment pools that meet GASB 79 requirements, which are stated at amortized cost. Interest earnings are accrued at year-end.

For purposes of the Statement of Cash Flows, the Proprietary Funds consider all highly liquid investments with a maturity of three months or less when purchased to be cash equivalents. All of the cash and investments allocated to the Proprietary Fund types have original maturities of 90 days or less. Therefore, the entire balance in such fund types is considered cash equivalents.

F. RECEIVABLES

The estimated portion of uncollectible property taxes and special assessments is not material and has not been reported. Because utility bills are considered liens on property, no estimated uncollectible amounts are established. Uncollectible amounts are not material for other receivables.

G. PROPERTY TAX REVENUE RECOGNITION

The City Council annually adopts a tax levy and certifies it to the County in December (levy/assessment date) of each year for collection in the following year. The County is responsible for billing and collecting all property taxes for itself, the City, the local School District and other taxing authorities. Such taxes become a lien on January 1 and are recorded as receivables by the City at that date. Real property taxes are payable (by property owners) on May 15 and October 15 of each calendar year. Personal property taxes are payable by taxpayers on February 28 and June 30 of each year. These taxes are collected by the County and remitted to the City on or before July 15 and December 15 of the same year. Delinquent collections for November and December are received the following January. The City has no ability to enforce payment of property taxes by property owners. The County possesses this authority.

Within the government-wide financial statements, the City recognizes property tax revenue in the period for which taxes were levied. Uncollectible property taxes are not material and have not been reported.

Within the governmental fund financial statements, the City recognizes property tax revenue when it becomes both measurable and available to finance expenditures of the current period. In practice, current and delinquent taxes and received by the City in July, December, and the following January are recognized as revenue for the current year. Taxes collected by the county by December 31 (remitted to the City the following January) are classified as due from county. Taxes not collected by the county by December 31 are classified as delinquent taxes receivable. Delinquent taxes receivable are fully offset by deferred inflows of resources because they are not available to finance current expenditures.

H. SPECIAL ASSESSMENT REVENUE RECOGNITION

Special assessments are levied against benefited properties for the cost or a portion of the cost of special assessment improvement projects in accordance with State Statutes. These assessments are collectible by the City over a term of years usually consistent with the term of the related bond issue. Collection of annual installments (including interest) is handled by the County Auditor in the same manner as property taxes. Property owners are allowed to (and often do) prepay future installments without interest or prepayment penalties.

Once a special assessment roll is adopted, the amount attributed to each parcel is a lien upon that property until full payment is made or the amount is determined to be excessive by the City Council or court action. If special assessments are allowed to go delinquent, the property is subject to tax forfeit sale and the first proceeds of that sale (after costs, penalties and expenses of sale) are remitted to the City in payment of delinquent special assessments. Generally, the City will collect the full amount of its special assessments not adjusted by City Council or court action. Pursuant to State Statutes, a property shall be subject to a tax forfeit sale after three years unless it is homesteaded, agricultural or seasonal recreational land in which event the property is subject to such sale after five years.

Within the government-wide financial statements, the City recognizes special assessment revenue in the period that the assessment roll was adopted by the City Council. Uncollectible special assessments are not material and have not been reported.

Within the fund financial statements, the revenue from special assessments is recognized by the City when it becomes measurable and available to finance expenditures of the current fiscal period. In practice, current and delinquent special assessments received by the City are recognized as revenue for the current year. Special assessments are collected by the County and remitted by December 31 (remitted to the City the following January) and are also recognized as revenue for the current year. All remaining delinquent, deferred and special deferred assessments receivable in governmental funds are completely offset by deferred inflows of resources.

I. INVENTORY

The original cost of materials and supplies has been recorded as expenditures/expenses at the time of purchase. The City does not maintain material amounts of inventories of goods and supplies.

J. PREPAID ITEMS

Certain prepayments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements. Prepaid items are reported using the consumption method and recorded as expenditures/expenses at the time of consumption.

K. CAPITAL ASSETS

Capital assets, which include property, plant, equipment, and infrastructure assets (e.g. roads, sidewalks, street lights, and similar items) are reported in the applicable governmental or business-type activities columns in the government-wide financial statements. Capital assets are defined by the City as assets with an initial, individual cost of more than $25,000 and an estimated useful life in excess of one year. Such assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation. The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend assets lives are not

capitalized. Major outlays for capital assets and improvements are capitalized as projects are constructed.

Capital assets are depreciated using the straight-line method over the following estimated useful lives:

	Useful Life in Years
Buildings	10-50
Other Improvements	10-20
Machinery and Equipment	5-20
Infrastructure	20-40

L. COMPENSATED ABSENCES

It is the City's policy to permit employees to accumulate earned but unused PTO (Personal Time Off), extended leave and sick pay benefits. All vacation pay and PTO and the portion of sick pay allowable as severance is accrued in the government-wide and proprietary fund financial statements. The current portion is calculated based on historical trends.

M. LONG-TERM OBLIGATIONS

In the government-wide financial statements and proprietary fund types in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type Statement of Net Position. Bond premiums and discounts are amortized over the life of the related debt.

In the fund financial statements, governmental fund types recognize bond premiums and discounts during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses.

N. DEFERRED OUTFLOWS AND INFLOWS OF RESOURCES

In addition to assets, the statement of financial position reports a separate section for deferred outflows of resources. This separate financial statement element represents a consumption of net assets that applies to future periods and so will *not* be recognized as an outflow of resources (expense) that time. The City has one item that qualifies for reporting in the category. It is the pension related deferred outflows of resources reported in the government-wide Statement of Net Position and the proprietary funds Statement of Net Position.

In addition to liabilities, the statement of financial position reports a separate section for deferred inflows of resources. This separate financial statement element represents an acquisition of net assets that applies to future periods, and therefore, will not be recognized as an inflow of resources (revenue) until that time. The City has pension related deferred inflows of resources reported in the government-wide Statement of Net Pension and the proprietary funds Statements of Net Position. The City also has a type of item, which arises only under a modified accrual basis of accounting, that qualifies for reporting in this category. Accordingly, the item, unavailable revenue, is reported only in the governmental fund balance sheet. The governmental funds report unavailable revenues from property taxes and special assessments not collected within 60 days from year-end.

O. FUND BALANCE CLASSIFICATIONS

In the fund financial statements, governmental funds report fund balance in classifications that disclose constraints for which amounts in those funds can be spent. These classifications are as follows:

Nonspendable - consists of amounts that are not in spendable form, such as prepaid items.

Restricted - consists of amounts related to externally imposed constraints established by creditors, grantors or contributors; or constraints imposed by state statutory provisions.

Committed - consists of internally imposed constraints. These constraints are established by a resolution approved by the City Council, and committed amounts cannot be used for any other purpose unless the City Council removes or changes the specified use by resolution.

Assigned - consists of internally imposed constraints for the specific purpose of the City's intended use. These constraints are established by the City Council and/or management. The City Council has delegated the power to assign fund balances to the City's finance committee.

Unassigned - is the residual classification for the General Fund and also reflects negative residual amounts in other funds.

When both restricted and unrestricted resources are available for use, it is the City's policy to first use restricted resources, and then use unrestricted resources as they are needed.

When committed, assigned or unassigned resources are available for use, it is the City's policy to use resources in the following order: 1) committed 2) assigned and 3) unassigned.

P. NET POSITION

Net position represents the difference between assets plus deferred outflows of resources and liabilities plus deferred inflows of resources in the government-wide financial statements. Net investment in capital assets consists of capital assets, net of accumulated depreciation, reduced by the outstanding balance of any long-term debt used to build or acquire the capital assets. Net position is reported as restricted in the government-wide financial statements when there are limitations on its use through external restrictions imposed by creditors, grantors or laws or regulations of other governments.

Q. INTERFUND TRANSACTIONS

During the course of operations, numerous transactions occur between individual funds for goods provided or services rendered. Interfund services provided and used are accounted for as revenues, expenditures or expenses. Transactions that constitute reimbursements to a fund for expenditures/expenses initially made from it that are properly applicable to another fund, are recorded as expenditures/expenses in the reimbursing fund and as reductions of expenditures/expenses in the fund that is reimbursed.

The City provides temporary advances to funds that have insufficient cash balances by means of an advance from another fund. Such advances are classified as "due to/from other funds." Long-term interfund loans are classified as "interfund loan receivable/payable." Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as "internal balances." All other interfund transactions are reported as transfers.

R. USE OF ESTIMATES

The preparation of financial statements in accordance with generally accepted accounting principles (GAAP) requires management to make estimates that affect amounts reported in the financial statements during the reporting period. Actual results could differ from such estimates.

S. RECLASSIFICATIONS

Certain amounts presented in the prior year data have been reclassified in order to be consistent with the current year's presentation.

T. COMPARATIVE TOTALS

The basic financial statements, required supplementary information, and combining and individual nonmajor fund financial statements include certain prior year summarized comparative information in total but not at the level of detail required for a presentation in conformity with generally accepted accounting principles. Accordingly, such information should be read in conjunction with the City's financial statements for the year ended December 31, 2020 from which the summarized information was derived.

U. PENSION PLANS

COST SHARING MULTIPLE - EMPLOYER PLANS

For purposes of measuring the net pension liability, deferred outflows/inflows of resources, and pension expense, information about the fiduciary net position of the Public Employees Retirement Association (PERA) and additions to/deductions from PERA's fiduciary net position have been determined on the same basis as they are reported by PERA except that PERA's fiscal year end is June 30. For this purpose, plan contributions are recognized as of employer payroll paid dates and benefit payments and refunds are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

SINGLE EMPLOYER PLAN

For purposes of measuring the net pension liability (asset), deferred outflows/inflows of resources, and pension expense, information about the fiduciary net position of the Lake Elmo Firefighters Relief Association (the Association) and additions to/deductions from the Association's fiduciary net position have been determined on the same basis as they were reported by the Association. For this purpose, benefit payments are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value.

Note 2 DEPOSITS AND INVESTMENTS

A. DEPOSITS

In accordance with Minnesota Statutes, the City maintains its deposits at depository banks authorized by the City Council. All such banks are members of the Federal Reserve System.

Minnesota Statutes require that all City deposits be protected by insurance, surety bonds or collateral. The market value of collateral pledged must equal 110% of deposits not covered by insurance or bonds. Securities pledged as collateral are required to be held in safekeeping by the City or in a financial institution other than that furnishing the collateral. Minnesota Statute 118A.03 identifies allowable forms of collateral.

Custodial Credit Risk – Custodial credit risk is the risk that in the event of a bank failure, the City's deposits may not be returned to it. The City has no additional deposit policies addressing custodial credit risk.

At December 31, 2021, the bank balance of the City's deposits with financial institutions was $35,841,489 and the carrying amount was $35,709,102. All deposits were covered by federal depository insurance or by collateral pledged and held in the City's name.

B. INVESTMENTSN

Subject to rating, yield, maturity and issuer requirements as prescribed by statute, Minnesota Statutes 118A.04 and 118A.05 authorize the City to invest in United States securities, state and local securities, commercial paper, time deposits, high-risk mortgage-backed securities, temporary general obligation bonds, repurchase agreements, Minnesota joint powers investment trusts and guaranteed investment contracts.

At December 31, 2021, the City had the following investments and maturities:

			Investment Maturities (in Years)		
Investment Type	Rating	Fair Value	Less Than 1	1 - 5	6 - 10
Brokered certificates of deposit	Not rated	$4,403,367	$1,296,828	$3,106,539	$ -
Federal Farm Credit Bank notes	AAA	535,734	-	535,734	-
Federal Home Loan Bank notes	AAA	7,651,581	-	7,651,581	-
Municipal bonds	(1)	3,240,845	242,614	2,205,062	793,169
Money market funds	Not rated	44,998	44,998	-	-
Total		$15,876,525	$1,584,440	$13,498,916	$793,169

(1) $857,816 are rated AAA, $754,351 are rated AA, $459,307 are rated AA+, $102,890 are rated Aa2, $617,095 are rated Aa3, $204,668 are rated A+, $204,718 are rated A.

Total investments	$15,876,525
Deposits	35,709,102
Petty cash	1,748
Total cash and investments	$51,587,375

The City categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure the fair value of the asset. The hierarchy has three levels. Level 1 investments are valued using inputs that are based on quoted prices in active markets for identical assets. Level 2 investments are valued using inputs that are based on quoted prices for similar assets or inputs that are observable, either directly or indirectly. Level 3 investments are valued using inputs that are unobservable.

The City has the following recurring fair value measurements at December 31, 2021:

The City has the following recurring fair value measurements at December 31, 2021:

Investment Type	12/31/2021	Fair Value Measurement Using Level 1	Level 2	Level 3
Investments at fair value:				
Brokered certificates of deposit	$4,403,367	$ -	$4,403,367	$ -
Municipal bonds	3,240,845	-	3,240,845	-
Federal Farm Credit Bank notes	535,734	-	535,734	-
Federal Home Loan Bank notes	7,651,581	-	7,651,581	-
	15,831,527	$0	$15,831,527	$0
Investments not categorized:				
Money market funds	44,998			
Total investments	$15,876,525			

C. INVESTMENT RISKS

Custodial Credit Risk – Investments – For investments in securities, custodial credit risk is the risk that in the event of failure of the counterparty to a transaction, the City will not be able to recover the value of its investment securities that are in the possession of an outside party. Investments in investment pools and money markets are not evidenced by securities that exist in physical or book entry form, and therefore are not subject to custodial credit risk disclosures. The City's investment policy requires its brokers be licensed with the appropriate federal and state agencies. A minimum capital requirement of $10,000,000 and at least five years of operation is mandatory. Investments in securities are held by the City's broker-dealers. The securities at each broker-dealer are insured $500,000 through SIPC. Each broker-dealer has provided additional protection by providing additional insurance. This insurance is subject to aggregate limits applied to all of the broker-dealer's accounts.

Interest Rate Risk – Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. The City's investment policy states that extended maturities may be utilized to take advantage of higher yields; however no more than 25% of total investments should extend beyond five years and in no circumstance should any extend beyond ten years. The City's investment portfolio is structured so that securities mature to meet cash requirements for ongoing operations.

Credit Risk – Credit risk is the risk than an issuer of an investment will not fulfill its obligation to the holder of the investment. The City's policy to minimize credit risk includes limiting investing funds to those allowable under Minnesota Statute 118A, annually appointing all financial institutions where investments are held, and diversifying the investment portfolio. This is measured by the assignment of a rating by a nationally recognized statistical rating organization.

Concentration of Credit Risk – Concentration of credit risk is the risk of loss that may be attributed to the magnitude of a government's investment in a single issuer. The City places no limit on the amount it may invest in any one issuer. At December 31, 2021, 15% of the City's total cash and investments were in notes issued by the Federal Home Loan Bank.

Note 3 RECEIVABLES

Significant receivable balances not expected to be collected within one year of December 31, 2021 are as follows:

	Property Taxes Receivable	Special Assessments Receivable	Total
Major Funds:			
General Fund	$15,067	$32,762	$47,829
Debt Service Fund	-	2,823,681	2,823,681
Water Fund	-	226,363	226,363
Sewer Fund	-	3,412,829	3,412,829
Storm Sewer Fund	-	808	808
Nonmajor Funds	-	17,833	17,833
Total	$15,067	$6,514,276	$6,529,343

Note 4 UNAVAILABLE REVENUE

Governmental funds report deferred inflows of resources in connection with receivables for revenues that are not considered to be available to liquidate liabilities of the current period. At the end of the current fiscal year, the various components of unavailable revenue reported in the governmental funds are as follows:

	Property Taxes Receivable	Special Assessments Receivable	Total
Major Funds:			
General Fund	$46,218	$66,114	$112,332
Debt Service Fund	-	3,130,292	3,130,292
Nonmajor Funds	-	17,833	17,833
Total	$46,218	$3,214,239	$3,260,457

Note 5 CAPITAL ASSETS

Capital asset activity for the year ended December 31, 2021 was as follows:

	Beginning Balance	Increases	Decreases	Ending Balance
Governmental activities:				
Capital assets, not being depreciated:				
Land	$3,453,979	$ -	$ -	$3,453,979
Construction in progress	637,739	4,901,572	(635,404)	4,903,907
Total capital assets, not being depreciated	4,091,718	4,901,572	(635,404)	8,357,886
Capital assets, being depreciated:				
Buildings	4,330,670	-	-	4,330,670
Other improvements	2,780,348	-	-	2,780,348
Machinery and equipment	5,478,510	426,344	(80,677)	5,824,177
Infrastructure	41,630,654	5,070,097	-	46,700,751
Total capital assets, being depreciated	54,220,182	5,496,441	(80,677)	59,635,946
Less accumulated depreciation for:				
Buildings	1,245,870	90,165	-	1,336,035
Other improvements	1,233,865	101,939	-	1,335,804
Machinery and equipment	2,667,118	332,562	(80,677)	2,919,003
Infrastructure	7,680,327	2,033,030	-	9,713,357
Total accumulated depreciation	12,827,180	2,557,696	(80,677)	15,304,199
Total capital assets being depreciated - net	41,393,002	2,938,745	0	44,331,747
Governmental activities capital assets - net	$45,484,720	$7,840,317	($635,404)	$52,689,633

	Beginning Balance	Increases	Decreases	Ending Balance
Business-type activities:				
Capital assets, not being depreciated:				
Land	$3,668,869	$ -	$ -	$3,668,869
Construction in progress	5,843,234	10,431,561	(6,312,805)	9,961,990
Total capital assets, not being depreciated	9,512,103	10,431,561	(6,312,805)	13,630,859
Capital assets, being depreciated:				
Machinery and equipment	413,699	-	-	413,699
Infrastructure	66,599,944	11,231,913	-	77,831,857
Total capital assets, being depreciated	67,013,643	11,231,913	0	78,245,556
Less accumulated depreciation for:				
Machinery and equipment	245,607	29,424	-	275,031
Infrastructure	11,636,560	2,930,695	-	14,567,255
Total accumulated depreciation	11,882,167	2,960,119	0	14,842,286
Total capital assets being depreciated - net	55,131,476	8,271,794	0	63,403,270
Business-type activities capital assets - net	$64,643,579	$18,703,355	($6,312,805)	$77,034,129

Depreciation expense was charged to functions/programs of the City as follows:

Governmental activities:	
General government	$16,398
Public safety	147,495
Public works	2,257,449
Culture and recreation	136,354
Total depreciation expense - governmental activities	$2,557,696
Business-type activities:	
Water	$1,467,694
Sewer	880,861
Storm sewer	611,565
Total depreciation expense - business-type activities	$2,960,120

Note 6 LONG-TERM DEBT

The City issues general obligation bonds to provide funds for economic development and for the acquisition and construction of major capital assets including infrastructure. General obligation bonds have been issued for both governmental and business-type activities. Bonds issued to provide funds for business-type activities are reported in proprietary funds if they are expected to be repaid from proprietary revenues. General obligation bonds are direct obligations and pledge the full faith and credit of the City. General obligation improvement bonds are expected to be repaid, in part, from assessments to the benefited properties.

A summary of long-term debt outstanding at December 31, 2021 is as follows:

	Issue Date	Interest Rates	Maturity Date	Payable 12/31/2021
Governmental Activities:				
General obligation improvement bonds:				
2010B CIP Refunding bonds	11/30/10	1.00% - 3.20%	02/01/25	$730,000
2011A Improvement bonds	10/01/11	1.25% - 2.30%	02/01/22	90,000
2012B Improvement bonds	08/16/12	1.25% - 1.90%	02/01/23	190,000
2014A Improvement bonds	07/15/14	2.00% - 3.50%	01/15/30	1,610,000
2015A Improvement bonds	08/13/15	2.00% - 3.00%	01/15/26	815,000
2016A Improvement bonds	06/01/16	2.00%	01/15/27	1,675,000
2017A Improvement bonds	06/08/17	2.50% - 3.00%	01/15/28	3,300,000
2019A Improvement bonds	10/24/19	2.00% - 3.00%	02/01/35	2,620,000
2021A Improvement bonds	12/07/21	1.75% - 3.00%	02/01/42	15,675,000
Total general obligation improvement bonds				26,705,000
General obligation equipment certificates:				
2018A Equipment certificates	10/16/18	2.70%	02/01/28	755,000
Unamortized bond premiums				864,553
Compensated absences payable				85,707
Total governmental activities				$28,410,260
Business-Type Activities:				
General obligation revenue bonds:				
2012A Refunding bonds	08/13/12	2.00% - 2.50%	12/01/30	$2,810,000
2014A Improvement bonds	07/15/14	2.00% - 3.50%	01/15/30	2,160,000
2015A Improvement bonds	08/13/15	2.00% - 3.00%	01/15/31	850,000
2016A Improvement bonds	06/01/16	2.00%	01/15/32	5,220,000
2017A Improvement bonds	06/01/17	2.50% - 3.00%	01/15/33	3,710,000
2019A Improvement bonds	10/24/19	2.00% - 3.00%	02/01/35	1,135,000
2021A Improvement bonds	12/07/21	1.75% - 3.00%	02/01/37	6,310,000
Total general obligation revenue bonds				22,195,000
Unamortized bond premiums				646,659
Compensated absences payable				28,340
Total business-type activities				$22,869,999

CHANGES IN LONG-TERM DEBT

The following is a schedule of changes in City indebtedness for the year ended December 31, 2021:

	Beginning Balance	Additions	Deletions	Ending Balance	Due Within One Year
Governmental activities:					
G.O. Improvement bonds	$13,695,000	$15,675,000	$2,665,000	$26,705,000	$1,770,000
G.O. Equipment certificates	850,000	-	95,000	755,000	100,000
Taxable lease revenue bonds	881,000	-	881,000	-	-
Unamortized bond premiums	364,432	548,115	47,994	864,553	-
Compensated absences payable	109,369	98,864	122,526	85,707	64,280
Total governmental activities	$15,899,801	$16,321,979	$3,811,520	$28,410,260	$1,934,280
Business-type activities:					
G.O. Revenue bonds	$19,710,000	$6,310,000	$3,825,000	$22,195,000	$1,345,000
Unamortized bond premiums	395,366	321,617	70,324	646,659	-
Compensated absences payable	27,714	33,284	32,658	28,340	21,255
Total business-type activities	$20,133,080	$6,664,901	$3,927,982	$22,869,999	$1,366,255

DEBT SERVICE REQUIREMENTS

Future principal and interest payments required to retire long-term debt are as follows:

Years Ending	General Obligation Improvement Bonds		General Obligation Equipment Certificates		General Obligation Revenue Bonds	
December 31	Principal	Interest	Principal	Interest	Principal	Interest
2022	$1,770,000	$500,458	$100,000	$19,036	$1,345,000	$468,989
2023	2,380,000	577,122	100,000	16,336	1,810,000	487,575
2024	2,325,000	514,001	105,000	13,568	1,815,000	443,165
2025	2,295,000	450,550	110,000	10,665	1,865,000	397,603
2026	2,155,000	389,642	110,000	7,695	1,900,000	350,665
2027-2031	7,305,000	1,218,260	230,000	6,207	9,515,000	1,002,286
2032-2036	4,555,000	619,745	-	-	3,635,000	160,595
2037-2041	3,295,000	225,314	-	-	310,000	3,100
2042	625,000	6,641	-	-	-	-
Total	$26,705,000	$4,501,733	$755,000	$73,507	$22,195,000	$3,313,977

It is not practicable to determine the specific year for payment of long-term compensated absences payable. For governmental activities, compensated absences are liquidated by the General Fund.

DEFERRED AD VALOREM TAX LEVIES – BONDED DEBT

General obligation bonds are backed by the full faith and credit of the City, including special assessment and revenue bond issues. General Obligation improvement bond issues are financed by ad valorem tax levies in addition to special assessments levied against the benefiting properties. When a bond issue to be financed partially or completely by ad valorem tax levies is sold, specific annual amounts of such tax levies are stated in the bond resolution and the County Auditor is notified and instructed to levy these taxes over the appropriate years. The future tax levies are subject to cancellation when and if the City has provided alternative sources of financing. The City Council is required to levy any additional taxes found necessary for full payment of principal and interest. The future scheduled tax levies are not shown as assets in the accompanying financial statements.

CURRENT REFUNDINGS

On December 7, 2021, the City issued General Obligation Improvement, CIP, and Refunding Bonds in the amount of $21,985,000. On December 7, 2021, $2,280,000 of the bonds, along with a bond premium, were used to advance refund the 2022 through 2033 maturities of the 2013A General Obligation Bonds in the amount of $2,370,000. The refunding will reduce the City's total debt service payments over the last twelve years of the bond by $313,674 and obtain an economic gain (difference between the present value of the debt service payments on the old and new debt) by $315,814.

On December 7, 2021, the City issued General Obligation Improvement, CIP, and Refunding Bonds in the amount of $21,985,000. On December 20, 2021, $815,000 of the bonds, along with a bond premium, were used to advance refund the 2022 through 2034 maturities of the 2018A Taxable Lease Revenue Bonds in the amount of $834,000. The refunding will reduce the City's total debt service payments over the last thirteen years of the bond by $149,393 and obtain an economic gain (difference between the present value of the debt service payments on the old and new debt) by $153,251.

REVENUE PLEDGED

Future revenue pledged for the payment of long-term debt is as follows:

		Revenue Pledged			Current Year	
Bond Issue	Use of Proceeds	Type	Term of Pledge	Remaining Principal and Interest	Principal and Interest Paid	Pledged Revenue Received
2010A G.O. Improvement	Infrastructure improvements	Ad valorem taxes, Special assessments	2011 - 2020	$ -	$76,050	$6,774
2010B G.O. CIP Refunding	Infrastructure improvements	Ad valorem taxes	2011 - 2024	$776,345	$194,841	$207,338
2011A G.O. Improvement	Infrastructure improvements	Ad valorem taxes, Special assessments	2012 - 2021	$91,035	$93,105	$5,345
2012A G.O. Refunding	Water system improvements	Water usage charges	2012 - 2030	$3,139,758	$270,644	$1,711,596
2012B G.O. Improvement	Infrastructure improvements	Ad valorem taxes, Special assessments	2013 - 2022	$193,611	$94,375	$83,674
2013A G.O. Improvement	Infrastructure improvements	Special assessments, Water & Sewer charges	2014 - 2033	$ -	$3,662,081	$2,266,092
2014A G.O. Improvement	Infrastructure improvements	Ad valorem taxes, Special assessments, Water & Sewer charges	2015 - 2029	$4,288,380	$543,178	$2,510,777
2015A G.O. Improvement	Infrastructure improvements	Ad valorem taxes, Special assessments, Water & Sewer charges	2016 - 2030	$1,839,113	$288,864	$2,341,746
2016A G.O. Improvement	Infrastructure improvements	Ad valorem taxes, Special assessments, Water, Sewer, & Storm charges	2017 - 2031	$7,591,550	$834,800	$3,068,346
2017A G.O. Improvement	Infrastructure improvements	Ad valorem taxes, Special assessments, Water, Sewer, & Storm charges	2018 - 2032	$7,950,121	$879,891	$3,193,725
2018A G.O. Equipment Certificates	Purchase of fire truck, dump truck	Ad valorem taxes	2019 - 2027	$828,507	$116,668	$123,848
2018A Taxable Lease Revenue	Purchase of city hall	Lease revenues	2018 - 2033	$ -	$935,747	$ -
2019A G.O. Improvement	Infrastructure improvements, capital equipment	Ad valorem taxes, Special assessments, Water, Sewer, & Storm charges	2020 - 2034	$4,265,035	$406,056	$3,118,970
2021A G.O. Improvement	New city hall, fire station, law enforcement facilitiy and public works addition, and infrastructure improvements	Ad valorem taxes, Special assessments, Water & Sewer charges	2021-2042	$26,580,762	$ -	$2,745,863

Note 7 DEFINED BENEFIT PENSION PLANS – PERA

A. PLAN DESCRIPTION

The City participates in the following cost-sharing multiple-employer defined benefit pension plans administered by the Public Employees Retirement Association of Minnesota (PERA). PERA's defined benefit pension plans are established and administered in accordance with Minnesota Statutes, Chapters 353 and 356. PERA's defined benefit pension plans are tax qualified plans under Section 401(a) of the Internal Revenue Code.

1. General Employees Retirement Fund (GERF)

   All full-time (with the exception of employees covered by PEPFF) and certain part-time employees of the City are covered by the General Employees Retirement Fund (GERF). GERF members belong to the Coordinated Plan. Coordinated Plan members are covered by Social Security.

2. Public Employees Police and Fire Fund (PEPFF)

   The PEPFF, originally established for police officers and firefighters not covered by a local relief association, now covers all police officers and firefighters hired since 1980. Effective July 1, 1999, the PEPFF also covers police officers and firefighters belonging to local relief associations that elected to merge with and transfer assets and administration to PERA.

B. BENEFITS PROVIDED

PERA provides retirement, disability, and death benefits. Benefit provisions are established by state statute and can only be modified by the state legislature. Vested, terminated employees who are entitled to benefits but are not receiving them yet are bound by the provisions in effect at the time they last terminated their public service.

1. GERF Benefits

   Benefits are based on a member's highest average salary for any five successive years of allowable service, age, and years of credit at termination of service. Two methods are used to compute benefits for PERA's Coordinated members. Members hired prior to July 1, 1989 receive the higher of Method 1 or Method 2 formulas. Only Method 2 is used for members hired after June 30, 1989. Under Method 1, the accrual rate for Coordinated members is 1.2% of average salary for each of the first ten years of service and 1.7% of average salary for each additional year. Under Method 2, the accrual rate for Coordinated Plan members is 1.7% of average salary for all years of service. For members hired prior to July 1, 1989 a full annuity is available when age plus years of service equal 90 and normal retirement age is 65. For members hired on or after July 1, 1989, normal retirement age is the age for unreduced Social Security benefits capped at 66.

   Benefit increases are provided to benefit recipients each January. The postretirement increase is equal to 50% of the cost-of-living adjustment (COLA) announced by the SSA, with a minimum increase of at least 1% and a maximum of 1.5%. Recipients that have been receiving the annuity or benefit for at least a full year as of the June 30 before the effective date of the increase will receive the full increase. For recipients receiving the annuity or benefit for at least one month but less than a full year as of the June 30 before the effective date of the increase will receive a reduced prorated increase. For members retiring on January 1, 2024 or later, the increase will be delayed until normal retirement age (age 65 if hired prior to July 1, 1989, or age 66 for individuals hired on or

after July 1, 1989). Members retiring under Rule of 90 are exempt from the delay to normal retirement.

2. PEPFF Benefits

Benefits for the PEPFF members first hired after June 30, 2010 but before July 1, 2014 vest on a prorated basis from 50% after five years up to 100% after ten years of credited service. Benefits for PEPFF members first hired after June 30, 2014 vest on a prorated basis from 50% after ten years up to 100% after twenty years of credited service. The annuity accrual rate is 3% of average salary for each year of service. For PEPFF members who were first hired prior to July 1, 1989, a full annuity is available when age plus years of service equal at least 90.

Benefit increases are provided to benefit recipients each January. The postretirement increase is fixed at 1%. Recipients that have been receiving the annuity or benefit for at least 36 months as of the June 30 before the effective date of the increase will receive the full increase. For recipients receiving the annuity or benefit for at least 25 months but less than 36 months as of the June 30 before the effective date of the increase will receive a reduced prorated increase.

C. CONTRIBUTIONS

Minnesota Statutes Chapter 353 sets the rates for employer and employee contributions. Contribution rates can only be modified by the state Legislature.

1. GERF Contributions

Coordinated Plan members were required to contribute 6.5% of their annual covered salary in fiscal year 2021 and the City was required to contribute 7.5% for Coordinated Plan members. The City's contributions to the GERF for the year ended December 31, 2021 were $120,362. The City's contributions were equal to the required contributions as set by state statute.

2. PEPFF Contributions

Police and Fire members were required to contribute 11.80% of their annual covered salary in fiscal year 2021 and the City was required to contribute 17.70%. The City's contributions to the PEPFF for the year ended December 31, 2021 were $47,658. The City's contributions were equal to the required contributions as set by state statute.

D. PENSION COSTS

1. GERF Pension Costs

At December 31, 2021, the City reported a liability of $862,631 for its proportionate share of GERF's net pension liability. The City's net pension liability reflected a reduction due to the State of Minnesota's contribution of $16 million. The State of Minnesota is considered a non-employer contributing entity and the state's contribution meets the definition of a special funding situation. The State of Minnesota's proportionate share of the net pension liability associated with the City totaled $26,322. The net pension liability was measured as of June 30, 2021, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City's proportion of the net pension liability was based on the City's contributions received by PERA during the measurement period for employer payroll paid dates from July 1,

2020 through June 30, 2021, relative to the total employer contributions received from all of PERA's participating employers. The City's proportionate share was 0.0202% at the end of the measurement period and 0.0207% for the beginning of the period.

City's proportionate share of the net pension liability	$862,631
State of Minnesota's proportionate share of the net pension liability associated with the City	26,322
Total	$888,953

For the year ended December 31, 2021, the City recognized pension expense of $31,156 for its proportionate share of the GERF's pension expense. In addition, the City recognized an additional $2,124 as pension expense (and grant revenue) for its proportionate share of the State of Minnesota's contribution of $16 million to the GERF.

At December 31, 2021, the City reported its proportionate share of the GERF's deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual economic experience	$5,235	$26,399
Changes in actuarial assumptions	526,704	19,007
Net collective difference between projected and actual investment earnings		747,065
Changes in proportion	43,128	20,758
Contributions paid to PERA subsequent to the measurement date	66,136	-
Total	$641,203	$813,229

The $66,136 reported as deferred outflows of resources related to pensions resulting from City contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ending December 31, 2022. Other amounts reported as deferred outflows and inflows of resources related to pensions will be recognized in pension expense as follows:

Year Ending December 31,	Pension Expense
2022	($20,175)
2023	(582)
2024	(13,639)
2025	(203,766)
2026	-
Thereafter	-

2. PEPFF Pension Costs

At December 31, 2021, the City reported a liability of $127,363 for its proportionate share of the PEPFF's net pension liability. The net pension liability was measured as of June 30, 2021 and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation as of that date. The City's proportionate share of the net pension liability was based on the City's contributions received by PERA during the measurement period for employer payroll paid dates from July 1, 2020 through June 30, 2021, relative to the total employer contributions received from all of PERA's participating employers. The City's proportionate share was 0.0165% at the end of the measurement period and 0.0171% for the beginning of the period.

The State of Minnesota also contributed $18 million to PEPFF during the plan fiscal year ended June 30, 2021. The contribution consisted of $9 million in direct state aid that meets the definition of a special funding situation and $9 million in supplemental state aid that does not meet the definition of a special funding situation. The direct state aid was paid on October 1, 2020. Thereafter, by October 1 of each year, the state will pay $9 million to the PEPFF until full funding is reached or July 1, 2048, whichever is earlier. The $9 million in supplemental state aid will continue until the fund is 90% funded, or until the State Patrol Plan (administered by the Minnesota State Retirement System) is 90% funded, whichever occurs later. Strong asset returns for the fiscal year ended 2021 will accelerate the phasing out of these state contributions, although we do not anticipate them to be phased out during the fiscal year ending 2022.

The State of Minnesota is included as a non-employer contributing entity in the PEPFF Schedule of Employer Allocations and Schedule of Pension Amounts by Employer, Current Reporting Period Only (pension allocation schedules) for the $9 million in direct state aid. PEPFF employers need to recognize their proportionate share of the State of Minnesota's pension expense (and grant revenue) under GASB 68 special funding situation accounting and financial reporting requirements. For the year ended December 31, 2021, the City recognized pension expense of $3,692 for its proportionate share of the Police and Fire Plan's pension expense. The City recognized an additional $1,040 as pension expense (and grant revenue) for its proportionate share of the State of Minnesota's contribution of $9 million to the PEPFF.

The State of Minnesota is not included as a non-employer contributing entity in the Police and Fire Pension Plan pension allocation schedules for the $9 million in supplemental state aid. The City also recognized $1,485 for the year ended December 31, 2021 as revenue and an offsetting reduction of net pension liability for its proportionate share of the State of Minnesota's on-behalf contributions to the Police and Fire Fund.

At December 31, 2021, the City reported its proportionate share of the PEPFF's deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual economic experience	$24,281	$ -
Changes in actuarial assumptions	187,190	63,630
Net collective difference between projected and actual investment earnings	-	242,760
Changes in proportion	85,453	42,535
Contributions paid to PERA subsequent to the measurement date	27,686	-
Total	$324,610	$348,925

The $27,686 reported as deferred outflows of resources related to pensions resulting from City contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ending December 31, 2022. Other amounts reported as deferred outflows and inflows of resources related to pensions will be recognized in pension expense as outflows:

Year Ending December 31,	Pension Expense
2022	($65,431)
2023	19,338
2024	(15,692)
2025	(30,110)
2026	39,894
Thereafter	-

For governmental activities, the net pension liability for GERF and PEPFF will be liquidated by the General Fund.

E. ACTUARIAL ASSUMPTIONS

The total pension liability in the June 30, 2021 actuarial valuation was determined using an individual entry-age normal actuarial cost method and the following actuarial assumptions:

Inflation	2.25% per year
Investment Rate of Return	6.50%

The long-term investment rate of return is based on a review of inflation and investment return assumptions from a number of national investment consulting firms. The review provided a range of investment return rates deemed to be reasonable by the actuary. An investment return of 6.50% was deemed to be within that range of reasonableness for financial reporting purposes.

Salary growth assumptions in the GERF range in annual increments from 10.25% after one year of service to 3.0% after 29 years of service and 6.0% per year thereafter. In the PEPFF, salary growth assumptions range from 11.75% after one year of service to 3.0% after 24 years of service.

Mortality rates for GERF were based on the Pub-2010 General Employee Mortality Table. Mortality rates for PEPFF were based on the Pub-2010 Public Safety Employee Mortality tables. The tables are adjusted slightly to fit PERA's experience. Cost of living benefit increases after retirement are assumed to be 1.25% per year for GERF and 1.0% per year for PEPFF.

Actuarial assumptions for GERF are reviewed every four years. The most recent four-year experience study for GERF was completed in 2019. The assumption changes were adopted by the Board and become effective with the July 1, 2020 actuarial valuation. The most recent four-year experience study for PEPFF was completed in 2020 and adopted by the Board and became effective with the July 1, 2021 actuarial valuation.

The following changes in actuarial assumptions and plan provisions occurred in 2021:

General Employees Fund
Changes in Actuarial Assumptions:

- The investment return and single discount rates were changed from 7.50% to 6.50% for financial reporting purposes.
- The mortality improvement scale was changed from Scale MP-2019 to Scale MP-2020.

Police and Fire Fund
Changes in Actuarial Assumptions:

- The investment return and single discount rates were changed from 7.50% to 6.50% for financial reporting purposes.
- The inflation assumption was changed from 2.50% to 2.25%.
- The payroll growth assumption was changed from 3.25% to 3.00%.
- The base mortality tables for healthy annuitants, disabled annuitants and employees were changed from RP-2014 tables to Pub-2010 Public Safety Mortality tables. The mortality improvement scale was changed from MP-2019 to MN-2020.
- Assumed salary increase and retirement rates were modified as recommended in the July 14, 2020 experience study. The changes result in a decrease in gross salary increase rates, slightly more unreduced retirements and fewer assumed early retirements.
- Assumed rates of withdrawal were changed from select and ultimate rates to service-based rates. The changes result in more assumed terminations.
- Assumed rates of disability were increased for ages 25-44 and decreased for ages over 49. Overall, proposed rates result in more projected disabilities.
- Assumed percent married for active female members was changed from 60% to 70%.

The State Board of Investment, which manages the investments of PERA, prepares an analysis of the reasonableness on a regular basis of the long-term expected rate of return using a building-block method in which best-estimate ranges of expected future rates of return are developed for each major asset class. These ranges are combined to produce an expected long-term rate of return by weighting the expected future rates of return by the target asset allocation percentages. The target allocation and best estimates of geometric real rates of return for each major asset class are summarized in the following table:

Asset Class	Target Allocation	Long-Term Expected Real Rate of Return
Domestic equity	33.5%	5.10%
International equity	16.5%	5.30%
Fixed income	25%	0.75%
Private markets	25%	5.90%
Total	100%	

F. DISCOUNT RATE

The discount rate used to measure the total pension liability in 2021 was 6.5%. The projection of cash flows used to determine the discount rate assumed that contributions from plan members and employers will be made at rates set in Minnesota Statutes. Based on these assumptions, the fiduciary net position of the GERF and the PEPFF was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

G. PENSION LIABILITY SENSITIVITY

The following presents the City's proportionate share of the net pension liability, calculated using the discount rate disclosed in the preceding paragraph, as well as what the City's proportionate share of the net pension liability would be if it were calculated using a discount rate one percentage point lower or one percentage point higher than the current discount rate:

	1% Decrease in Discount Rate (5.5%)	Discount Rate (6.5%)	1% Increase in Discount Rate (7.5%)
Proportionate share of the GERF net pension liability	$1,759,326	$862,631	$126,837
Proportionate share of the PEPFF net pension liability	$404,354	$127,363	($99,702)

H. PENSION PLAN FIDUCIARY NET POSITION

Detailed information about each pension plan's fiduciary net position is available in a separately-issued PERA financial report that includes financial statements and required supplementary information. That report may be obtained at www.mnpera.org.

I. PENSION EXPENSE

Pension expense recognized by the City for the year ended December 31, 2021 is as follows:

GERF	$33,280
PEPFF	4,732
Fire Pension Plan (Note 8)	(5,294)
Total	$32,718

Note 8 DEFINED BENEFIT PENSION PLAN – LAKE ELMO FIREFIGHTERS RELIEF ASSOCIATION

A. PLAN DESCRIPTION

The Lake Elmo Firefighters Relief Association (the Association) is the administrator of a single employer Public Employee Retirement System (PERS) defined benefit pension plan established to provide benefits for members of the Lake Elmo Fire Department. The plan was established and is administered in accordance with Minnesota Statutes. As of the January 1, 2021 valuatioin date, plan participants consisted of the following:

Retired members entitled to benefits, but have not received them	5
Current members:	
Fully vested (20 years or more)	1
Partially vested (10 years to 19 years)	8
Nonvested (less than 10 years)	11
Total	25

B. BENEFITS PROVIDED

Twenty Year Service Pension

Each member who is at least 50 years of age; has retired from the Lake Elmo Fire Department; has served at least twenty (20) years of active service with such department before retirement; and, has been a member of the Association in good standing at least 10 years prior to such retirement; shall be entitled to a pro-rated lump sum service pension in the amount of $5,850 for each completed full year of service and pro-rated monthly for fractional years of service but not exceeding the maximum amount per year of service allowed by law for the minimum average amount of available financing per firefighter as prescribed by law. Members with 10 years of service receive partial vesting at 60% of the 20 year rate and 4% is added for every one year of service beyond ten years up to 20 years.

Death Benefits

Upon the death of an active or deferred member, the beneficiaries of deceased members shall be paid a death benefit depending on the number of years of service:

Up to 10 years	$5,850
10 years to 30 years	That amount the deceased had earned as retirement benefit had she/he retired on the date of death and been fifty (50) years of age.

State Supplemental Benefits

Minnesota Statute 424A.10 provides for the payment of a supplemental benefit equal to ten percent of a regular lump sum distribution up to a maximum of $1,000. The supplemental benefit is in lieu of a State income tax exclusion for lump sum distributions and will no longer be available if State tax law is modified to exclude lump sum distributions from State income tax. The Association qualifies for these benefits.

C. CONTRIBUTIONS

Minnesota Statute Chapter 424A.092 specifies minimum support rates required on an annual basis. The minimum support rates from the municipality and from state aid are determined as the amount required to meet the normal cost plus amortizing any existing prior service costs over a ten-year period. The Association is comprised of volunteers; therefore, there are no payroll expenditures (i.e., there are no covered payroll percentage calculations). Contributions totaling $76,608 were made by the State of Minnesota for the year ended December 31, 2020.

D. CHANGES IN THE NET PENSION ASSET

The net pension libility (asset) was measured using a one-year lookback as of December 31, 2020. The total pension liability used to calculate the net pension liability (asset) was determined by an actuarial valuation as of January 1, 2021 by applying an actuarial formula to specific census data certified by the fire department.

At December 31, 2021, the City reported a net pension asset of $505,422.

The following table presents the changes in net pension asset during the year:

	Total Pension Liability (a)	Plan Fiduciary Net Position (b)	Net Pension Liability (Asset) (a-b)
Balance at December 31, 2019	$724,844	$1,097,917	($373,073)
Changes for the year:			
Service cost	38,225	-	38,225
Interest cost	39,743	-	39,743
Assumption changes	-	-	-
Plan Changes	-	-	-
Projected investment earnings	-	-	-
Contributions - State of MN	-	76,608	(76,608)
Asset (gain) / loss	(21,722)	118,822	(140,544)
Benefit payments	-	-	-
Administrative expenses	(6,057)	(12,892)	6,835
Net changes	50,189	182,538	(132,349)
Balance at December 31, 2020	$775,033	$1,280,455	($505,422)

For the year ended December 31, 2021, the City recognized a reduction to pension expense in the amount of $5,294.

At December 31, 2021, the City reported deferred outflows and inflows of resources from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Difference between projected and actual investment earnings	$ -	$60,830
Assumption changes	11,665	-
Liability gains	-	95,744
Total	$11,665	$156,574

Amounts reported as deferred outflows and inflows of resources related to pensions will be recognized in pension expense as follows:

Year Ending December 31,	Pension Expense
2022	($34,633)
2023	(15,352)
2024	(41,370)
2025	(26,043)
2026	(14,135)
Thereafter	(13,376)

E. ACTUARIAL ASSUMPTIONS

The total pension asset was determined by an actuarial valuation as of December 31, 2020 using the following actuarial assumptions, applied to all periods in the measurement:

Valuation date	1/1/2021
Measurement date (assets and funded status)	12/31/2020
Actuarial cost method	Entry age normal
Amortization method	Level dollar amount Closed 5 year period
Asset valuation method	Market value
Actuarial assumptions:	
Investment rate of return	5.25%
20-year municipal bond yield	N/A
Projected salary increases	2.50%
Includes inflation at	N/A
Cost-of-living adjustments	N/A
Age of service retirement	50
Post retirement benefit increase	N/A
Mortality	Due to a small sample size, assumed no pre-retirement mortality. Post-retirement mortality does not apply as the benefit structure and form of payment do not reflect lifetime benefits.

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best-estimates of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These asset class estimates are combined to produce the portfolio long-term expected rate of return by weighting the expected future real rates of return by the current asset allocation percentage (or target allocation, if available) and by adding expected inflation. All results are then rounded to the nearest quarter percentage point.

The best-estimate of expected future real rates of return were developed by aggregating data from several published capital market assumption surveys and deriving a single best-estimate based on the average survey values. These capital market assumptions reflect both historical market experience as well as diverse views regarding anticipated future returns. The expected inflation assumptions was developed based on an analysis of historical experience blended with forward-looking expectations available in market data.

Best estimates of geometric real and nominal rates of return for each major asset class included in the pension plan's asset allocation as of the measurement date are summarized in the following table:

Asset Class	Portfolio Weight	Expected Class Return
Cash	15%	1.80%
Fixed income	22%	3.00%
Equities	62%	6.80%
Other	1%	7.00%
Total (weighted avg., rounded to 1/4%)	100%	5.25%

F. DISCOUNT RATE

The discount rate used to measure the total pension liability was 5.25%. The liability discount rate was developed using the alternative method described in paragraph 43 of GASB 67, which states that "if the evaluations required by paragraph 41 can be made with sufficient reliability without a separate projection of cash flows into and out of the pension plan, alternative methods may be applied in making the evaluations." The determination of the discount rate assumed that the plan's current overfunded status, combined with Minnesota statutory funding requirements, provide sufficient reliability that projected plan assets will be adequate to pay future retiree benefits. Therefore, the plan's long-term expected return on plan investments was applied to all periods of projected benefit payments to determine the total pension liability.

G. PENSION LIABILITY (ASSET) SENSITIVITY

The following presents the City's net pension asset for the plan, calculated using the discount rate disclosed in the preceding paragraph, as well as what the City's net pension asset would be if it were calculated using a discount rate 1% lower or 1% higher than the current discount rate:

	1% Decrease in Discount Rate (4.25%)	Discount Rate (5.25%)	1% Increase in Discount Rate (6.25%)
Net pension asset	($472,425)	($505,422)	($537,234)

H. PENSION PLAN FIDUCIARY NET POSITION

Detailed information about the Association plan's fiduciary net position is available in a separately-issued financial report that includes financial statements and required supplementary information. That report may be obtained by contacting the Finance Director for the City of Lake Elmo.

Note 9 POST-EMPLOYMENT BENEFITS OTHER THAN PENSIONS (OPEB)

A. PLAN DESCRIPTION

In addition to providing the pension benefits described in Note 7 and 8, the City provides post-employment health care benefits, as defined in paragraph B, through its group health insurance plan (the plan). The plan is a single-employer defined benefit OPEB plan administered by the City. The authority to provide these benefits is established in Minnesota Statutes Sections 471.61 Subd. 2a and 299A.465. The benefits, benefit levels, employee contributions and employer contributions are governed by the City and can be amended by the City through its personnel manual and collective bargaining agreements with employee groups. No assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement No. 75.

B. BENEFITS PROVIDED

RETIREES
At retirement, employees of the City receiving a retirement or disability benefit, or eligible to receive a benefit, from a Minnesota public pension plan may continue to participate in the City's group insurance plan. Vesting requirements of three years if hired before July 1, 2010 or five years if hired on or after July 1, 2010 generally apply.

DISABLED POLICE AND FIREFIGHTERS
The City continues to pay the employer's contribution toward health coverage for firefighters disabled in the line of duty and deceased firefighter's dependents if the firefighter was killed in the line of duty, per Minnesota Statute 299A.465, until age 65. Dependent coverage is included, if the dependents were covered at the time of the disability. During 2021, no benefits were paid for firefighters disabled or killed in the line of duty.

All health care coverage is provided through the City's group health insurance plans. The retiree is required to pay 100% of their premium cost for the City-sponsored group health insurance plan in which they participate. The premium is a blended rate determined on the entire active and retiree population. Since the projected claims costs for retirees exceed the blended premium paid by retirees, the retirees are receiving an implicit rate subsidy (benefit). The coverage levels are the same as those afforded to active employees. Upon a retiree reaching age 65, Medicare becomes the primary insurer and the City's plan becomes secondary.

C. PARTICIPANTS

As of the December 31, 2019 actuarial valuation, participants of the plan consisted of:

Active employees	23
Inactive employees or beneficiaries currently receiving benefits	0
Total	23

D. TOTAL OPEB LIABILITY AND CHANGES IN TOTAL OPEB LIABILITY

The City's total OPEB liability of $99,789 was measured as of December 31, 2020 and was determined by an actuarial valuation as of December 31, 2019. Changes in the total OPEB liability during 2021 were:

Balance - beginning of year	$79,303
Changes for the year:	
Service cost	13,859
Interest	2,541
Changes of benefit terms	-
Differences between expected and actual experience	-
Changes in assumptions	5,583
Benefit payments	(1,497)
Net changes	20,486
Balance - end of year	$99,789

For governmental activities, the OPEB liability is liquidated by the General Fund. The estimated amount due within one year is immaterial, and therefore, is not separately presented on the Statement of Net Position.

E. ACTUARIAL ASSUMPTIONS AND OTHER INPUTS

All costs and liabilities under the plan were determined in accordance with the Alternative Measurement Method prescribed by GASB Statement No. 75 for employers with under 100 plan participants. The total OPEB liability in the December 31, 2019 actuarial valuation was determined using the following actuarial assumptions and other inputs, applied to all periods included in the measurement, unless otherwise specified:

Inflation	2.50%
Salary increases	2.50%
Discount rate	2.00%
Investment rate of return	2.00%
Healthcare cost trend rates	6.20% for 2020; gradually decreasing over several decades to an ultimate rate of 4.00% for 2075 and later years

Since the plan is funded on a pay-as-you-go basis, both the discount rate and the investment rate of return was based on the Fidelity 20-Year Municipal GO AA Index as of December 31, 2020.

40% of the employees currently electing coverage are assumed to elect coverage in the same plan and coverage level at retirement, continue coverage to age 65 and then waive coverage. Employees currently waiving coverage are assumed to waive coverage at retirement. Retirement age is assumed to be the latest of age 62, plan eligibility or current age.

For retirees, actual disability status was used. 100% of current and future retirees under age 65 are assumed to become Medicare eligible at the later of age 65 or retirement. Actual Medicare status was used for retired members.

Changes in actuarial assumptions since the previous valuation include:

- The discount rate was changed from 2.75% to 2.00%

F. SENSITIVITY OF THE TOTAL OPEB LIABILITY TO CHANGES IN THE DISCOUNT RATE

The following presents the total OPEB liability of the City, as well as what the City's total OPEB liability would be if it were calculated using a discount rate that is 1% lower (1.00%) or 1% higher (3.00%) than the current discount rate:

	1% Decrease (1.00%)	Discount Rate (2.00%)	1% Increase (3.00%)
Total OPEB liability	$107,805	$99,789	$92,427

G. SENSITIVITY OF THE TOTAL OPEB LIABILITY TO CHANGES IN THE HEALTHCARE COST TREND RATES

The following presents the total OPEB liability of the City, as well as what the City's total OPEB liability would be if it were calculated using healthcare cost trend rates that are 1% lower (5.2% decreasing to 3.0%) or 1% higher (7.2% decreasing to 5.0%) than the current healthcare cost trend rates:

	1% Decrease (5.2% decreasing to 3.0%)	Healthcare Cost Trend Rates (6.2% decreasing to 4.0%)	1% Increase (7.2% decreasing to 5.0%)
Total OPEB liability	$88,082	$99,789	$114,292

H. OPEB EXPENSE AND DEFERRED OUTFLOWS AND INFLOWS OF RESOURCES RELATED TO OPEB

For the year ended December 31, 2021, the City recognized $20,486 of OPEB expense.

In accordance with the Alternative Measurement Method, gains and losses due to experience and assumption changes are recognized immediately. In addition, there were no contributions between the measurement date and reporting date because the City has no retirees and no active employees who were expected to retire during 2021. Therefore, there are no deferred outflows or inflows of resources related to OPEB as of December 31, 2021.

Note 10 STEWARDSHIP, COMPLIANCE AND ACCOUNTABILITY

A. DEFICIT FUND BALANCES

The following funds reported a deficit fund balance at December 31, 2021:

	Deficit Fund Balance
Nonmajor Governmental Funds:	
CSAH 19 / Hudson Blvd Interchange (425)	($137,281)
CSAH 13 Phase 2 (427)	(18,885)
Inwood and 5th Street Stoplight (429)	(28,202)
CSAH 15 Manning Avenue Phase 3 (433)	(3,525)
CSAH 15 Manning Avenue and 30th Street (438)	(7,541)
TH36 Lake Elmo Avenue Improvements (440)	(1,702)
2022 Street Improvements (441)	(48,868)

The City intends to fund these deficits during 2022 with bond proceeds, MSA revenue, and transfers from the General Fund.

B. EXPENDITURES IN EXCESS OF BUDGET

The following is a listing of departments within the General Fund that exceeded budget appropriations:

	Final Budget	Actual	Overage
General government:			
Elections	$3,150	$5,112	$1,962
City facilities	22,963	27,347	4,384
Planning and zoning	275,408	301,327	25,919
Public safety:			
Building inspection	926,142	1,231,520	305,378
Animal control	13,000	14,161	1,161

All expenditure overages were approved by the City Council through the disbursement approval process. Also of note, General Fund license and permit revenue exceeded budgeted by $472,158.

Note 11 DUE FROM AND DUE TO OTHER FUNDS

Interfund payables and receivables are representative of lending/borrowing arrangements to cover deficit cash balances at year-end. All balances are expected to be eliminated within one year.

A summary of due from and due to balances at December 31, 2021 is as follows:

	Due From Other Funds	Due To Other Funds
Major Funds:		
General Fund	$222,457	$ -
Nonmajor Funds:		
CSAH 19 / Hudson Blvd Interchange	-	137,281
CSAH 13 Phase 2	-	18,722
Inwood and 5th Street Stoplight	-	28,202
CSAH 15 Manning Avenue Phase 3	-	3,525
CSAH 15 Manning Avenue and 30th Street	-	7,476
TH36 Lake Elmo Avenue Improvements	-	1,507
2022 Street Improvements	-	25,744
	$222,457	$222,457

Note 12 INTERFUND TRANSFERS

Individual fund transfers for fiscal year 2021 are as follows:

	Transfer In	Transfer Out
Major Funds:		
General Fund	$ -	$699,482
Debt Service Fund	113,792	-
Vehicle Acquisition	260,746	-
City Hall/Fire Station Building Project	5,250,000	-
Water Fund	-	3,750,000
Sewer Fund	-	1,500,000
Nonmajor Funds:		
Economic Development Authority	30,000	-
Infrastructure Reserve	-	69,446
Village Project	378,736	-
CSAH 15/CSAH 14 Realignment	16,904	-
Old Village Phase 4	-	23,774
2018 Street Improvements	-	90,018
Manning Corridor and Safety Management	3,086	-
2019 Street and Utility Project	5,731	
Inwood and 79th Street Stoplight	73,725	-
Total	$6,132,720	$6,132,720

During 2021, transfers were made to provide financing for economic development, debt service, capital expenditures, and to close out unused funds. These transfers are routine and consistent with past practices.

Note 13 FUND BALANCE

At December 31, 2021, a summary of the governmental fund balance classifications is as follows:

	General	Debt Service	Park Dedication	Vehicle Acquistion	Heritage Farms Street & Utility Improvements	City Hall / Fire Station Building Project	Other Governmental Funds	Total
Nonspendable:								
Prepaid items	$ -	$ -	$ -	$ -	$ -	$ -	$ -	$ -
Restricted for:								
Debt service	-	3,890,901	-	-	-	-	-	3,890,901
Capital improvements	-	-	-	-	131,951	9,963,112	448,765	10,543,828
Park improvements:								
Ball parks	-	-	1,000,000	-	-	-	-	1,000,000
Other parks improvements	-	-	2,024,220	-	-	-	-	2,024,220
Total restricted	0	3,890,901	3,024,220	0	131,951	9,963,112	448,765	17,458,949
Committed for:								
Lions Park	-	-	-	-	-	-	7,673	7,673
Assigned for:								
Vehicle Acquisition	-	-	-	1,558,215	-	-	-	1,558,215
City Hall/Fire Station Building Project	-	-	-	-	-	5,257,054	-	5,257,054
American Rescue Plan Act	-	-	-	-	-	-	2,444	2,444
Economic Development Authority	-	-	-	-	-	-	12,056	12,056
Infrastructure Reserve	-	-	-	-	-	-	563,997	563,997
City Facilities	-	-	-	-	-	-	96,655	96,655
Manning and Hudson Future Stoplight	-	-	-	-	-	-	11,197	11,197
Railroad Crossing Improvements	-	-	-	-	-	-	68,219	68,219
Manning and Highway 36 Interchange	-	-	-	-	-	-	1,664	1,664
Total assigned	0	0	0	1,558,215	0	5,257,054	756,232	7,571,501
Unassigned	5,618,812	-	-	-	-	-	(246,004)	5,372,808
Total fund balance	$5,618,812	$3,890,901	$3,024,220	$1,558,215	$131,951	$15,220,166	$966,666	$30,410,931

The City Council has formally adopted a fund balance policy for the General Fund. The City's policy is to maintain unassigned fund balance in the General Fund with a target floor of 50-60% of the subsequent budgeted fiscal year expenditures. At December 31, 2021, actual unassigned fund balance of the General Fund was 78% of 2022 budgeted expenditures.

Note 14 COMMITMENTS AND CONTINGENCIES

A. LITIGATION

Existing and pending lawsuits, claims and other actions in which the City is a defendant are either covered by insurance, of an immaterial amount, or, in the judgment of the City's management, remotely recoverable by plaintiffs.

B. FEDERAL AND STATE FUNDS

The City receives financial assistance from federal and state governmental agencies in the form of grants. The disbursement of funds received under these programs generally requires compliance with the terms and conditions specified in the grant agreements and is subject to audit by the grantor agencies. Any disallowed claims resulting from such audits could become a liability of the applicable fund. However, in the opinion of management, any such disallowed claims will not have a material effect on any of the financial statements of the individual fund types included herein or on the overall financial position of the City at December 31, 2021.

C. COMMITTED CONTRACTS

At December 31, 2021, the City had commitments of $19,362,667 for uncompleted construction contracts. In addition, the City has entered into construction contracts totaling approximately $13,564,000 during 2022 for various projects.

Note 15 RISK MANAGEMENT

The City is exposed to various risks of loss related to torts; theft of, damage to and destruction of assets, errors and omissions, injuries to employees and natural disasters.

Workers compensation coverage is provided through a pooled self-insurance program through the League of Minnesota Cities Insurance Trust (LMCIT). The City pays an annual premium to LMCIT. The City is subject to supplemental assessments if deemed necessary by the LMCIT. The LMCIT reinsures through Workers Compensation Reinsurance Association (WCRA) as required by law. For workers compensation, the City is not subject to a deductible. The City's workers compensation coverage is retrospectively rated. With this type of coverage, final premiums are determined after loss experience is known. The amount of premium adjustment, if any, is considered immaterial and not recorded until received or paid.

Property and casualty insurance is provided through a pooled self-insurance program through the LMCIT. The City pays an annual premium to the LMCIT. The City is subject to supplemental assessments if deemed necessary by the LMCIT. The LMCIT reinsures through commercial companies for claims in excess of various amounts. The City retains risk for the deductible portion of the insurance policies and for any exclusions from the insurance policies. These amounts are considered immaterial to the financial statements.

The City continues to carry commercial insurance for all other risks of loss, including disability and employee health insurance.

There were no significant reductions in insurance from the previous year or settlements in excess of insurance coverage for any of the past three fiscal years.

Note 16 RECENTLY ISSUED ACCOUNTING STANDARDS

The Governmental Accounting Standards Board (GASB) recently approved the following statements which were not implemented for these financial statements:

Statement No. 87 *Leases.* The provisions of this Statement are effective for reporting periods beginning after June 15, 2021.

Statement No. 92 *Omnibus 2020.* The provisions of this Statement are effective for reporting periods beginning after June 15, 2021.

Statement No. 94 *Public-Private and Public-Public Partnerships and Availability Payment Arrangements.* The provisions of this Statement are effective for reporting periods beginning after June 15, 2022.

Statement No. 96 *Subscription – Based Information Technology Arrangements.* The provisions of this Statement are effective for reporting periods beginning after June 15, 2022.

Statement No. 99 *Omnibus 2022.* The provisions of this Statement contain multiple effective dates, the first being for reporting periods beginning after June 15, 2022.

The effect these standards may have on future financial statements is not determinable at this time, but it is expected that Statement No. 87 may have a material impact.

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REQUIRED SUPPLEMENTARY INFORMATION

CITY OF LAKE ELMO, MINNESOTA
REQUIRED SUPPLEMENTARY INFORMATION
BUDGETARY COMPARISON SCHEDULE - GENERAL FUND
For The Year Ended December 31, 2021
With Comparative Actual Amounts For The Year Ended December 31, 2020

	Budgeted Amounts		2021 Actual Amounts	Variance with Final Budget - Positive (Negative)	2020 Actual Amounts
	Original	Final			
Revenues:					
General property taxes	$3,824,879	$3,824,879	$3,865,164	$40,285	$3,534,627
Licenses and permits:					
Business	42,870	42,870	80,857	37,987	60,816
Non-business	970,630	970,630	1,404,801	434,171	1,364,879
Total licenses and permits	1,013,500	1,013,500	1,485,658	472,158	1,425,695
Intergovernmental:					
MSA - maintenance	151,755	151,755	163,776	12,021	173,566
Fire state aid	64,000	64,000	80,470	16,470	76,608
Other state aid	4,820	4,820	10,983	6,163	23,020
County and local	1,500	1,500	11,951	10,451	-
Total intergovernmental	222,075	222,075	267,180	45,105	273,194
Charges for services	757,664	757,664	1,064,375	306,711	1,022,028
Fines and forfeits	35,000	35,000	45,749	10,749	33,584
Special assessments	-	-	930	930	164,236
Investment income (loss)	77,000	77,000	(13,605)	(90,605)	164,236
Miscellaneous	133,500	133,500	177,000	43,500	183,711
Total revenues	6,063,618	6,063,618	6,892,451	828,833	6,801,311

See accompanying notes to the required supplementary information.

	Budgeted Amounts		2021 Actual Amounts	Variance with Final Budget - Positive (Negative)	2020 Actual Amounts
	Original	Final			
Expenditures:					
General government:					
Mayor and city council:					
Current:					
Personal services	$27,786	$27,786	$27,774	$12	$27,792
Supplies	4,757	4,757	4,132	625	1,755
Other services and charges	24,750	24,750	22,724	2,026	19,994
Total mayor and city council	57,293	57,293	54,630	2,663	49,541
Finance and Administration:					
Current:					
Personal services	339,918	339,918	331,656	8,262	261,246
Supplies	6,600	6,600	4,611	1,989	2,128
Other services and charges	292,426	292,426	257,858	34,568	341,927
Total finance and administration	638,944	638,944	594,125	44,819	605,301
Elections:					
Current:					
Personal services	-	-	1,606	(1,606)	9,655
Other services and charges	3,150	3,150	3,506	(356)	3,093
Total elections	3,150	3,150	5,112	(1,962)	12,748
Communications:					
Current:					
Personal services	38,627	38,627	34,967	3,660	33,183
Other services and charges	11,139	11,139	9,475	1,664	9,721
Total communications	49,766	49,766	44,442	5,324	42,904
City Facilities:					
Current:					
Supplies	900	900	127	773	124
Other services and charges	22,063	22,063	27,220	(5,157)	28,202
Total city facilities	22,963	22,963	27,347	(4,384)	28,326
Engineering:					
Current:					
Other services and charges	40,000	40,000	30,000	10,000	30,000
Total engineering	40,000	40,000	30,000	10,000	30,000
Planning and Zoning:					
Current:					
Personal services	230,934	230,934	201,391	29,543	205,566
Supplies	150	150	2,092	(1,942)	110
Other services and charges	44,324	44,324	97,844	(53,520)	30,758
Total planning and zoning	275,408	275,408	301,327	(25,919)	236,434
Total general government	1,087,524	1,087,524	1,056,983	30,541	1,005,254

See accompanying notes to the required supplementary information.

	Budgeted Amounts		2021 Actual Amounts	Variance with Final Budget - Positive (Negative)	2020 Actual Amounts
	Original	Final			
Expenditures (continued):					
Public safety:					
Police:					
Current:					
Contracted services	$920,183	$920,183	$901,120	$19,063	$761,969
Other services and charges	1,800	1,800	-	1,800	-
Total police	921,983	921,983	901,120	20,863	761,969
Fire protection:					
Current:					
Personal services	598,939	598,939	486,897	112,042	406,657
Fire state aid	64,000	64,000	80,470	(16,470)	76,608
Supplies	45,279	45,279	50,199	(4,920)	29,640
Other services and charges	175,594	175,594	187,584	(11,990)	206,047
Total fire protection	883,812	883,812	805,150	78,662	718,952
Building inspection:					
Current:					
Personal services	550,584	550,584	427,955	122,629	319,006
Supplies	5,700	5,700	4,423	1,277	2,821
Other services and charges	369,858	369,858	799,142	(429,284)	776,664
Capital outlay	-	-	-	-	-
Total building inspection	926,142	926,142	1,231,520	(305,378)	1,098,491
Animal control:					
Current:					
Other services and charges	13,000	13,000	14,161	(1,161)	13,066
Prosecution:					
Current:					
Other services and charges	51,000	51,000	50,212	788	48,392
Emergency communications:					
Current:					
Other services and charges	3,350	3,350	1,514	1,836	900
Total public safety	2,799,287	2,799,287	3,003,677	(204,390)	2,641,770

See accompanying notes to the required supplementary information.

	Budgeted Amounts		2021 Actual Amounts	Variance with Final Budget - Positive (Negative)	2020 Actual Amounts
	Original	Final			
Expenditures (continued):					
Public works:					
Current:					
Personal services	$632,569	$632,569	$523,942	$108,627	$538,411
Supplies	184,700	184,700	160,759	23,941	188,759
Other services and charges	793,925	793,925	803,747	(9,822)	748,929
Total public works	1,611,194	1,611,194	1,488,448	122,746	1,476,099
Culture and Recreation:					
Parks:					
Current:					
Personal services	121,944	121,944	126,603	(4,659)	148,001
Supplies	18,300	18,300	18,798	(498)	20,183
Other services and charges	134,623	134,623	113,289	21,334	141,882
Total culture and recreation	274,867	274,867	258,690	16,177	310,066
Total expenditures	5,772,872	5,772,872	5,807,798	(34,926)	5,433,189
Revenue over (under) expenditures	290,746	290,746	1,084,653	793,907	1,368,122
Other financing (uses):					
Transfers in	-	-	-	-	765,079
Transfers out	(290,746)	(290,746)	(699,482)	(408,736)	(1,049,508)
Total other financing (uses)	(290,746)	(290,746)	(699,482)	(408,736)	(284,429)
Net change in fund balance	$ -	$ -	385,171	$385,171	919,457
Fund balance, January 1			5,233,641		4,314,184
Fund balance, December 31			$5,618,812		$5,233,641

See accompanying notes to the required supplementary information.

CITY OF LAKE ELMO, MINNESOTA
REQUIRED SUPPLEMENTARY INFORMATION
SCHEDULE OF CHANGES IN THE TOTAL OPEB LIABILITY AND RELATED RATIOS
For The Last Ten Years

Statement 11

	2021	2020	2019	2018
Total OPEB liability:				
Service cost	$13,859	$9,793	$9,525	$8,200
Interest	2,541	3,101	2,431	2,264
Changes of benefit terms	-	-	-	-
Differences between expected and actual experience	-	(14,291)	-	-
Changes in assumptions	5,583	6,912	(2,098)	2,246
Benefit payments	(1,497)	-	-	-
Net change in total OPEB liability	20,486	5,515	9,858	12,710
Total OPEB liability - beginning	79,303	73,788	63,930	51,220
Total OPEB liability - ending	$99,789	$79,303	$73,788	$63,930
Covered-employee payroll	$1,455,967	$1,831,326	$1,605,997	$1,483,782
Total OPEB liability as a percentage of covered-employee payroll	6.9%	4.3%	4.6%	4.3%

The schedule is provided prospectively beginning with the City's fiscal year ended December 31, 2018 and is intended to show a ten year trend. Additional years will be added as they become available.

See accompanying notes to the required supplementary information.

CITY OF LAKE ELMO, MINNESOTA
REQUIRED SUPPLEMENTARY INFORMATION
SCHEDULE OF PROPORTIONATE SHARE OF NET PENSION LIABILITY -
GENERAL EMPLOYEES RETIREMENT FUND
For The Last Ten Years

Statement 12

Measurement Date June 30,	Fiscal Year Ending December 31,	City's Proportionate Share (Percentage) of the Net Pension Liability	City's Proportionate Share (Amount) of the Net Pension Liability (a)	State's Proportionate Share (Amount) of the Net Pension Liability Associated with City (b)	Total (a+b)	Covered Payroll (c)	City's Proportionate Share of the Net Pension Liability as a Percentage of its Covered Payroll ((a+b)/c)	Plan Fiduciary Net Position as a Percentage of the Total Pension Liability
2014	2014	0.0191%	$897,222	$ -	$897,222	$979,703	91.6%	78.2%
2015	2015	0.0169%	875,846	-	875,846	975,250	89.8%	78.2%
2016	2016	0.0159%	1,291,001	16,853	1,307,854	1,041,540	125.6%	68.9%
2017	2017	0.0189%	1,206,564	15,173	1,221,737	1,209,466	101.0%	75.9%
2018	2018	0.0191%	1,059,590	34,710	1,094,300	1,283,088	85.3%	79.5%
2019	2019	0.0193%	1,067,054	33,165	1,100,219	1,364,625	80.6%	80.2%
2020	2020	0.0207%	1,241,060	38,201	1,279,261	1,476,621	86.6%	79.1%
2021	2021	0.0202%	862,631	26,322	888,953	1,456,866	61.0%	87.0%

The schedule is provided prospectively beginning with the City's fiscal year ended December 31, 2014 and is intended to show a ten year trend. Additional years will be reported as they become available.

See accompanying notes to the required supplementary information.

CITY OF LAKE ELMO, MINNESOTA
REQUIRED SUPPLEMENTARY INFORMATION **Statement 13**
SCHEDULE OF PENSION CONTRIBUTIONS - GENERAL EMPLOYEES RETIREMENT FUND
For The Last Ten Years

Fiscal Year Ending December 31,	Statutorily Required Contribution (a)	Contributions in Relation to the Statutorily Required Contribution (b)	Contribution Deficiency (Excess) (a-b)	Covered Payroll (c)	Contributions as a Percentage of Covered Payroll (b/c)
2014	$73,182	$73,182	$ -	$1,009,407	7.25%
2015	70,582	70,582	-	941,092	7.5%
2016	85,649	85,649	-	1,141,987	7.5%
2017	95,794	95,794	-	1,276,944	7.5%
2018	96,960	96,960	-	1,294,100	7.5%
2019	108,779	108,779	-	1,450,387	7.5%
2020	109,289	109,289	-	1,457,195	7.5%
2021	120,362	120,362	-	1,609,407	7.5%

The schedule is provided prospectively beginning with the City's fiscal year ended December 31, 2014 and is intended to show a ten year trend. Additional years will be reported as they become available.

See accompanying notes to the required supplementary information.

CITY OF LAKE ELMO, MINNESOTA
REQUIRED SUPPLEMENTARY INFORMATION **Statement 14**
SCHEDULE OF PROPORTIONATE SHARE OF NET PENSION LIABILITY -
PUBLIC EMPLOYEES POLICE AND FIRE FUND
For The Last Ten Years

Measurement Date June 30,	Fiscal Year Ending December 31,	Proportion (Percentage) of the Net Pension Liability	Proportionate Share (Amount) of the Net Pension Liability (a)	Covered Payroll (b)	Proportionate Share of the Net Pension Liability as a Percentage of its Covered Payroll (a/b)	Plan Fiduciary Net Position as a Percentage of the Total Pension Liability
2014	2014	0.0090%	$97,204	$84,098	115.6%	87.1%
2015	2015	0.0090%	102,261	86,600	118.1%	86.6%
2016	2016	0.0090%	361,186	87,111	414.6%	63.9%
2017	2017	0.0100%	135,012	105,846	127.6%	85.4%
2018	2018	0.0163%	173,741	172,287	100.8%	88.8%
2019	2019	0.0193%	205,468	203,030	101.2%	89.3%
2020	2020	0.0171%	225,396	194,511	115.9%	87.2%
2021	2021	0.0165%	127,363	194,379	65.5%	93.7%

The schedule is provided prospectively beginning with the City's fiscal year ended December 31, 2014 and is intended to show a ten year trend. Additional years will be reported as they become available.

See accompanying notes to the required supplementary information.

CITY OF LAKE ELMO, MINNESOTA
REQUIRED SUPPLEMENTARY INFORMATION **Statement 15**
SCHEDULE OF PENSION CONTRIBUTIONS - PUBLIC EMPLOYEES POLICE AND FIRE FUND
For The Last Ten Years

Fiscal Year Ending December 31,	Statutorily Required Contribution (a)	Contributions in Relation to the Statutorily Required Contribution (b)	Contribution Deficiency (Excess) (a-b)	Covered Payroll (c)	Contributions as a Percentage of Covered Payroll (b/c)
2014	$13,035	$13,035	-	$85,195	15.30%
2015	14,257	14,257	-	88,005	16.20%
2016	13,967	13,967	-	86,216	16.20%
2017	20,327	20,327	-	125,475	16.20%
2018	30,990	30,990	-	191,350	16.20%
2019	39,225	39,225	-	231,416	16.95%
2020	27,492	27,492	-	155,365	17.70%
2021	47,658	47,658	-	269,254	17.70%

The schedule is provided prospectively beginning with the City's fiscal year ended December 31, 2014 and is intended to show a ten year trend. Additional years will be reported as they become available.

See accompanying notes to the required supplementary information.

CITY OF LAKE ELMO, MINNESOTA
REQUIRED SUPPLEMENTARY INFORMATION
SCHEDULE OF CHANGES IN THE NET PENSION LIABILITY AND RELATED RATIOS -
LAKE ELMO FIREFIGHTERS RELIEF ASSOCIATION
For The Last Ten Years

Statement 16

Fiscal year ending - December 31,	2021	2020	2019	2018	2017	2016
Measurement date - December 31,	2020	2019	2018	2017	2016	2015
Total pension liability:						
Service cost	$38,225	$37,293	$28,420	$27,727	$27,579	$28,520
Interest	39,743	42,177	36,119	35,544	36,976	37,130
Changes of assumptions	-	-	8,730	-	11,690	-
Plan changes	-	-	325,127	-	-	-
Gain or loss	(27,779)	-	(80,312)	-	(46,403)	-
Benefit payments	-	(253,525)	(100,987)	-	-	(191,582)
Net change in total pension liability	50,189	(174,055)	217,097	63,271	29,842	(125,932)
Total pension liability - beginning	724,844	898,899	681,802	618,531	588,689	714,621
Total pension liability - ending (a)	$775,033	$724,844	$898,899	$681,802	$618,531	$588,689
Plan fiduciary net position:						
Contributions - State of Minnesota	$76,608	$69,975	$65,533	$61,147	$59,136	$61,166
Net Investment income (loss)	118,822	127,902	(61,227)	156,879	70,101	(48,240)
Benefit payments	-	(253,525)	(100,987)	-	-	(191,582)
Administrative expense	(12,892)	(15,741)	(13,392)	(14,093)	(17,419)	(13,314)
Net change in plan fiduciary net position	182,538	(71,389)	(110,073)	203,933	111,818	(191,970)
Plan fiduciary net position - beginning	1,097,917	1,169,306	1,279,379	1,075,446	963,628	1,155,598
Plan fiduciary net position - ending (b)	$1,280,455	$1,097,917	$1,169,306	$1,279,379	$1,075,446	$963,628
Net pension liability/(asset) - ending (a) - (b)	($505,422)	($373,073)	($270,407)	($597,577)	($456,915)	($374,939)
Plan fiduciary net position as a percentage of the total pension liability	165.2%	151.5%	130.1%	187.6%	173.9%	163.7%
Covered payroll*	N/A	N/A	N/A	N/A	N/A	N/A
Net pension liability as a percentage of covered employee payroll	N/A	N/A	N/A	N/A	N/A	N/A

*The Relief Association is comprised of volunteers, therefore, there are no payroll expenditures.
(i.e., there are no covered payroll amounts or percentage calculations.)

The schedule is provided prospectively beginning with the City's fiscal year ended December 31, 2016 and is intended to show a ten year trend. Additional years will be reported as they become available.

See accompanying notes to the required supplementary information.

CITY OF LAKE ELMO, MINNESOTA
REQUIRED SUPPLEMENTARY INFORMATION **Statement 17**
SCHEDULE OF CONTRIBUTIONS - LAKE ELMO FIREFIGHTERS RELIEF ASSOCIATION
For The Last Ten Years

Fiscal Year Ending December 31,	Statutorily Required Contribution (a)	Contributions in Relation to the Statutorily Required Contribution (b)	Contribution Deficiency (Excess) (a-b)	Covered Payroll* (c)	Contributions as a Percentage of Covered* Payroll (b/c)
2016	$ -	$61,166	($61,166)	N/A	N/A
2017	-	59,136	(59,136)	N/A	N/A
2018	-	61,147	(61,147)	N/A	N/A
2019	-	65,533	(65,533)	N/A	N/A
2020	-	69,975	(69,975)	N/A	N/A
2021	-	76,608	(76,608)	N/A	N/A

*The Relief Association is comprised of volunteers, therefore, there are no payroll expenditures.
(i.e., there are no covered payroll amounts or percentage calculations.)

The schedule is provided prospectively beginning with the City's fiscal year ended December 31, 2016 and is intended to show a ten year trend. Additional years will be reported as they become available.

See accompanying notes to the required supplementary information.

Note A LEGAL COMPLIANCE – BUDGETS

The General Fund budget is legally adopted on a basis consistent with accounting principles generally accepted in the United States of America. The legal level of budgetary control is at the department level for the General Fund.

Note B OPEB INFORMATION

No assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement No. 75 to pay related benefits.

2021 Changes in Actuarial Assumptions:

- The discount rate was changed from 2.75% to 2.00%.

2020 Changes in Actuarial Assumptions:

- The discount rate was changed from 3.71% to 2.75% based on updated 20-year municipal bond rates.
- Healthcare trend rates were reset to reflect updated cost increase expectations, including the repeal of the Affordable Care Act's Excise Tax on high-cost health insurance plans. In addition, the medical trend rate adjustments to reflect the projected effect of the Affordable Care Act's Excise Tax on high-cost health insurance plans was removed because the tax was repealed.
- Medical per capita claims costs were updated to reflect recent experience.
- Salary increase rates were updated from the rates used in the July 1, 2017 PERA General Employees Plan valuation to the rates used in the July 1, 2019 valuation.
- Mortality rates were updated from the RP-2014 tables to the rates used in the July 1, 2019 PERA General Employees Plan actuarial valuation.
- The inflation assumption was changed from 2.75% to 2.50% based on an updated historical analysis of inflation rates and forward-looking market expectations.

2019 Changes in Actuarial Assumptions:

- The discount rate was changed from 3.31% to 3.71%.

Note C PENSION INFORMATION

PERA – General Employees Retirement Fund

2021 Changes in Actuarial Assumptions:

- The investment return and single discount rates were changed from 7.50% to 6.50% for financial reporting purposes.
- The mortality improvement scale was changed from Scale MP-2019 to Scale MP-2020.

2020 Changes in Actuarial Assumptions:

- The price inflation assumption was decreased from 2.50% to 2.25%.
- The payroll growth assumption was decreased from 3.25% to 3.00%.
- Assumed salary increase rates were decreased 0.25% and assumed rates of retirement were changed resulting in more unreduced (normal) retirements and slightly fewer Rule of 90 and early retirements. Assumed rates of termination and disability were also changed.
- Base mortality tables were changed from RP-2014 tables to Pub-2010 tables, with adjustments.

- The mortality improvement scale was changed from Scale MP-2018 to Scale MP-2019.
- The spouse age difference was changed from two years older for females to one year older.
- The assumed number of married male new retirees electing the 100% Joint & Survivor option changed from 35% to 45%. The assumed number of married female new retirees electing the 100% Joint & Survivor option changed from 15% to 30%. The corresponding number of married new retirees electing the Life annuity option was adjusted accordingly.

2020 Changes in Plan Provisions:

- Augmentation for current privatized members was reduced to 2.0% for the period July 1, 2020 through December 31, 2023 and 0.0% after. Augmentation was eliminated for privatizations occurring after June 30, 2020.

2019 Changes in Actuarial Assumptions:

- The mortality projection scale was changed from MP-2017 to MP-2018.

2019 Changes in the Plan Provisions:

- The employer supplemental contribution was changed prospectively, decreasing from $31.0 million to $21.0 million per year. The State's special funding contribution was changed prospectively, requiring $16.0 million due per year through 2031.

2018 Changes in Actuarial Assumptions:

- The mortality projection scale was changed from MP-2015 to MP-2017.
- The assumed benefit increase was changed from 1.00% per year through 2044 and 2.50% per year thereafter to 1.25% per year.

2017 Changes in Actuarial Assumptions:

- The Combined Service Annuity (CSA) loads were changed from 0.8% for active members and 60% for vested and non-vested deferred members. The revised CSA loads are now 0.0% for active member liability, 15.0% for vested deferred member liability and 3.0% for non-vested deferred member liability.
- The assumed post-retirement benefit increase rate was changed from 1.0% per year for all years to 1.0% per year through 2044 and 2.5% per year thereafter.

2016 Changes in Actuarial Assumptions:

- The assumed post-retirement benefit increase rate was changed from 1.0% per year through 2035 and 2.5% per year thereafter to 1.0% per year for all future years.
- The assumed investment return was changed from 7.9% to 7.5%. The single discount rate was changed from 7.9% to 7.5%.
- Other assumptions were changed pursuant to the experience study dated June 30, 2015. The assumed future salary increases, payroll growth, and inflation were decreased by 0.25% to 3.25% for payroll growth and 2.50% for inflation.

PERA – Public Employees Police and Fire Fund

2021 Changes in Actuarial Assumptions:

- The investment return and single discount rates were changed from 7.50% to 6.50% for financial reporting purposes.
- The inflation assumption was changed from 2.50% to 2.25%.
- The payroll growth assumption was changed from 3.25% to 3.00%.
- The base mortality tables for healthy annuitants, disabled annuitants and employees were changed from RP-2014 tables to Pub-2010 Public Safety Mortality tables. The mortality improvement scale was changed from MP-2019 to MN-2020.
- Assumed salary increase and retirement rates were modified as recommended in the July 14, 2020 experience study. The changes result in a decrease in gross salary increase rates, slightly more unreduced retirements and fewer assumed early retirements.
- Assumed rates of withdrawal were changed from select and ultimate rates to service-based rates. The changes result in more assumed terminations.
- Assumed rates of disability were increased for ages 25-44 and decreased for ages over 49. Overall, proposed rates result in more projected disabilities.
- Assumed percent married for active female members was changed from 60% to 70%.

2020 Changes in Actuarial Assumptions:

- The mortality projection scale was changed from MP-2018 to MP-2019.

2019 Changes in Actuarial Assumptions:

- The mortality projection scale was changed from MP-2017 to MP-2018.

2018 Changes in Actuarial Assumptions:

- The mortality projection scale was changed from MP-2016 to MP-2017.

2017 Changes in Actuarial Assumptions:

- The single discount rate was changed from 5.6% to 7.5%.
- Assumed salary increases were changed as recommended in the June 30, 2016 experience study. The net effect is proposed rates that average 0.34% lower than the previous rates.
- Assumed rates of retirement were changed, resulting in fewer retirements.
- The Combined Service Annuity (CSA) load was 30% for vested and non-vested deferred members. The CSA has been changed to 33% for vested members and 2 percent for non-vested members.
- The base mortality table for healthy annuitants was changed from the RP-2000 fully generational table to the RP-2014 fully generational table (with a base year of 2006), with male rates adjusted by a factor of 0.96. The mortality improvement scale was changed from Scale AA to Scale MP-2016. The base mortality table for disabled annuitants was changed from the RP-2000 disabled mortality table to the mortality tables assumed for healthy retirees.
- Assumed termination rates were decreased to 3% for the first three years of service. Rates beyond the select period of three years were adjusted, resulting in more expected terminations overall.
- Assumed percentage of married female members was decreased from 65% to 60%.
- Assumed age difference was changed from separate assumptions for male members (wives assumed to be three years younger) and female members (husbands assumed to be four years older) to the assumption that males are two years older than females.
- The assumed percentage of female members electing Joint and Survivor annuities was increased.

- The assumed post-retirement benefit increase rate was changed from 1.00% for all years to 1.00% per year through 2064 and 2.50% thereafter.

2016 Changes in Actuarial Assumptions:

- The assumed post-retirement benefit increase rate was changed from 1.0% per year through 2037 and 2.5% per year thereafter to 1.0% per year for all future years.
- The assumed investment return was changed from 7.9% to 7.5%. The single discount rate changed from 7.9% to 5.6%.
- The assumed future salary increases, payroll growth, and inflation were decreased by 0.25% to 3.25% for payroll growth and 2.50% for inflation.

Single Employer – Fire Division

2018 Changes

Changes in Benefit Terms:

- The benefit level increased from $3,400 to $5,850 for each year of service.

COMBINING AND INDIVIDUAL NONMAJOR FUND FINANCIAL STATEMENTS

CITY OF LAKE ELMO, MINNESOTA
COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
December 31, 2021
With Comparative Totals For December 31, 2020

Statement 18

Assets	Special Revenue	Capital Project	Total Nonmajor Governmental Funds 2021	2020
Cash and investments	$517,589	$1,585,106	$2,102,695	$2,431,717
Accrued interest receivable	361	1,149	1,510	5,236
Accounts receivable	-	-	-	100,435
Due from other funds	-	-	-	16,059
Special assessments receivable:				
Deferred	-	17,833	17,833	17,833
Total assets	$517,950	$1,604,088	$2,122,038	$2,571,280
Liabilities, Deferred Inflows of Resources, and Fund Balance				
Liabilities:				
Accounts payable	$19,200	$44,884	$64,084	$71,080
Contracts and retainage payable	-	28,191	28,191	-
Due to other funds	-	222,457	222,457	1,455,847
Deposits payable	-	75,000	75,000	75,000
Unearned revenue	476,577	271,230	747,807	271,230
Total liabilities	495,777	641,762	1,137,539	1,873,157
Deferred inflows of resources:				
Unavailable revenue	-	17,833	17,833	17,833
Fund balance:				
Restricted	-	448,765	448,765	1,278,472
Committed	7,673	-	7,673	7,691
Assigned	14,500	741,732	756,232	920,043
Unassigned	-	(246,004)	(246,004)	(1,525,916)
Total fund balance	22,173	944,493	966,666	680,290
Total liabilities, deferred inflows of resources, and fund balance	$517,950	$1,604,088	$2,122,038	$2,571,280

CITY OF LAKE ELMO, MINNESOTA
COMBINING STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
NONMAJOR GOVERNMENTAL FUNDS
For The Year Ended December 31, 2021
With Comparative Totals For The Year Ended December 31, 2020

Statement 19

	Special Revenue	Capital Project	Total Nonmajor Governmental Funds	
Revenues:			2021	2020
Intergovernmental	$26,668	$428,280	$454,948	$749,999
Charges for services	57,539	30,000	87,539	251,213
Park dedication fees	-	-	-	714,558
Investment income (loss)	806	(1,306)	(500)	67,964
Total revenues	85,013	456,974	541,987	1,783,734
Expenditures:				
Current:				
General government	-	-	-	4,289
Public works	-	-	-	12,982
Economic development authority	53,264	-	53,264	46,371
Capital outlay:				
General government	26,668	-	26,668	-
Public works	-	1,717,634	1,717,634	1,250,434
Debt service:				
Principal	881,000	-	881,000	-
Interest and fiscal charges	61,389	-	61,389	1,700
Total expenditures	1,022,321	1,717,634	2,739,955	1,315,776
Revenues over (under) expenditures	(937,308)	(1,260,660)	(2,197,968)	467,958
Other financing sources:				
Transfers in	30,000	478,182	508,182	45,661
Transfers out	-	(183,238)	(183,238)	(850,736)
Issuance of debt	815,000	2,215,460	3,030,460	-
Bond premium	45,450	100,900	146,350	-
Total other financing sources	890,450	2,611,304	3,501,754	(805,075)
Net change in fund balance	(46,858)	1,350,644	1,303,786	(337,117)
Fund balance - January 1	69,031	(406,151)	(337,120)	1,017,407
Fund balance - December 31	$22,173	$944,493	$966,666	$680,290

Reconciliation of beginning fund balance to prior year ending fund balance:	
Prior year ending fund balance reported above	$680,290
Reclassification of the Park Dedication (404) fund balance, now presented as major	(1,193,853)
Reclassification of the Heritage Farms Street & Utility Improvements (434) fund balance, now presented as major	163,866
Reclassification of the City Hall / Fire Station Bldg Project (437) fund balance, now presented as major	12,577
Fund balance - January 1, 2021 as reported on this statement	($337,120)

CITY OF LAKE ELMO, MINNESOTA
SUBCOMBINING BALANCE SHEET
NONMAJOR SPECIAL REVENUE FUNDS
December 31, 2021
With Comparative Totals For December 31, 2020

Statement 20

Assets	Lions Park Sign Program (207)	Economic Development Authority (221)	ARPA Fund (252)	Total Nonmajor Special Revenue Funds 2021	Total Nonmajor Special Revenue Funds 2020
Cash and investments	$7,668	$15,420	$494,501	$517,589	$69,506
Accrued interest receivable	5	3	353	361	321
Total assets	$7,673	$15,423	$494,854	$517,950	$69,827
Liabilities and Fund Balance					
Liabilities:					
Accounts payable	$ -	$3,367	$15,833	$19,200	$796
Unearned revenue	-	-	476,577	476,577	-
Total liabilities	0	3,367	492,410	495,777	796
Fund balance:					
Committed	7,673	-	-	7,673	7,691
Assigned	-	12,056	2,444	14,500	61,340
Total fund balance	7,673	12,056	2,444	22,173	69,031
Total liabilities and fund balance	$7,673	$15,423	$494,854	$517,950	$69,827

CITY OF LAKE ELMO, MINNESOTA
SUBCOMBINING STATEMENT OF REVENUES,
EXPENDITURES AND CHANGES IN FUND BALANCE
NONMAJOR SPECIAL REVENUE FUNDS
For The Year Ended December 31, 2021
With Comparative Totals For The Year Ended December 31, 2020

Statement 21

	Lions Park Sign Program (207)	Economic Development Authority (221)	ARPA Fund (252)	Total Nonmajor Special Revenue Funds	
Revenues:				2021	2020
Intergovernmental	$ -	$ -	$26,668	$26,668	$749,999
Charges for services	-	57,539	-	57,539	87,778
Investment income (loss)	(18)	(1,620)	2,444	806	22,638
Total revenues	(18)	55,919	29,112	85,013	860,415
Expenditures:					
Current:					
General government	-	-	-	-	4,289
Economic development authority	-	53,264	-	53,264	46,371
Capital outlay:					
General government	-	-	26,668	26,668	-
Debt service:					
Principal	-	881,000	-	881,000	-
Interest and fiscal charges	-	61,389	-	61,389	1,700
Total expenditures	0	995,653	26,668	1,022,321	52,360
Revenues over (under) expenditures	(18)	(939,734)	2,444	(937,308)	808,055
Other financing sources (uses):					
Transfers in	-	30,000	-	30,000	30,000
Transfers out	-	-	-	-	(850,736)
Issuance of debt	-	815,000	-	815,000	-
Bond premium	-	45,450	-	45,450	-
Total other financing sources (uses)	0	890,450	0	890,450	(820,736)
Net change in fund balance	(18)	(49,284)	2,444	(46,858)	(12,681)
Fund balances - January 1	7,691	61,340	-	69,031	81,712
Fund balances - December 31	$7,673	$12,056	$2,444	$22,173	$69,031

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CITY OF LAKE ELMO, MINNESOTA
SUBCOMBINING BALANCE SHEET
NONMAJOR CAPITAL PROJECT FUNDS
December 31, 2021
With Comparative Totals For December 31, 2020

	Infrastructure Reserve (409)	City Facilities (411)	Manning and Hudson Future Stoplight (423)	CSAH 19 / Hudson Blvd Interchange (425)
Assets				
Cash and investments	$563,577	$96,586	$261,011	$ -
Accrued interest receivable	420	69	186	-
Accounts receivable	-	-	-	-
Due from other funds	-	-	-	-
Special assessments receivable:				
Deferred	17,833	-	-	-
Total assets	$581,830	$96,655	$261,197	$0
Liabilities, Deferred Inflows of Resources, and Fund Balance				
Liabilities:				
Accounts payable	$ -	$ -	$ -	$ -
Contracts and retainage payable	-	-	-	-
Due to other funds	-	-	-	137,281
Deposits payable	-	-	-	-
Unearned revenue	-	-	250,000	-
Total liabilities	0	0	250,000	137,281
Deferred inflows of resources:				
Unavailable revenue	17,833	-	-	-
Fund balance (deficit):				
Restricted	-	-	-	
Assigned	563,997	96,655	11,197	-
Unassigned	-	-	-	(137,281)
Total fund balance (deficit)	563,997	96,655	11,197	(137,281)
Total liabilities, deferred inflows of resources, and fund balance	$581,830	$96,655	$261,197	$0

CITY OF LAKE ELMO, MINNESOTA
SUBCOMBINING BALANCE SHEET
NONMAJOR CAPITAL PROJECT FUNDS
December 31, 2021
With Comparative Totals For December 31, 2020

	CSAH 13 Phase 2 (427)	Inwood and 5th Street Stoplight (429)	Railroad Crossing Improvements (430)	Old Village Phases 5 & 6 (431)
Assets				
Cash and investments	$ -	$ -	$89,568	$370,152
Accrued interest receivable	-	-	64	264
Accounts receivable	-	-	-	-
Due from other funds	-	-	-	-
Special assessments receivable:				
Deferred	-	-	-	-
Total assets	$0	$0	$89,632	$370,416
Liabilities, Deferred Inflows of Resources, and Fund Balance				
Liabilities:				
Accounts payable	$163	$ -	$183	$18,908
Contracts and retainage payable	-	-	-	28,191
Due to other funds	18,722	28,202	-	-
Deposits payable	-	-	-	-
Unearned revenue	-	-	21,230	-
Total liabilities	18,885	28,202	21,413	47,099
Deferred inflows of resources:				
Unavailable revenue	-	-	-	-
Fund balance (deficit):				
Restricted	-	-	-	323,317
Assigned	-	-	68,219	-
Unassigned	(18,885)	(28,202)	-	-
Total fund balance (deficit)	(18,885)	(28,202)	68,219	323,317
Total liabilities, deferred inflows of resources, and fund balance	$0	$0	$89,632	$370,416

CSAH 15 Manning Avenue Phase 3 (433)	Manning and Highway 36 Interchange (435)	Tamarack Farm Estates Street Improvements (436)	CSAH 15 Manning Avenue and 30th Street (438)	TH36 Lake Elmo Avenue Improvements (440)	2022 Street Improvements (441)	Total Nonmajor Capital Project Funds	
						2021	2020
$ -	$76,609	$127,603	$ -	$ -	$ -	$1,585,106	$2,362,211
-	55	91	-	-	-	1,149	4,915
-	-	-	-	-	-	-	100,435
-	-	-	-	-	-	-	16,059
-	-	-	-	-	-	17,833	17,833
$0	$76,664	$127,694	$0	$0	$0	$1,604,088	$2,501,453
$ -	$ -	$2,246	$65	$195	$23,124	$44,884	$70,284
-	-	-	-	-	-	28,191	-
3,525	-	-	7,476	1,507	25,744	222,457	1,455,847
-	75,000	-	-	-	-	75,000	75,000
-	-	-	-	-	-	271,230	271,230
3,525	75,000	2,246	7,541	1,702	48,868	641,762	1,872,361
-	-	-	-	-	-	17,833	17,833
-	-	125,448	-	-	-	448,765	1,278,472
-	1,664	-	-	-	-	741,732	858,703
(3,525)	-	-	(7,541)	(1,702)	(48,868)	(246,004)	(1,525,916)
(3,525)	1,664	125,448	(7,541)	(1,702)	(48,868)	944,493	611,259
$0	$76,664	$127,694	$0	$0	$0	$1,604,088	$2,501,453

CITY OF LAKE ELMO, MINNESOTA
SUBCOMBINING STATEMENT OF REVENUES,
EXPENDITURES AND CHANGES IN FUND BALANCE
NONMAJOR CAPITAL PROJECT FUNDS
For The Year Ended December 31, 2021
With Comparative Totals For The Year Ended December 31, 2020

	Infrastructure Reserve (409)	City Facilities (411)	Village Project (413)	CSAH 15 / CSAH 14 Realignment (414)
Revenues:				
Intergovernmental	$ -	$ -	$ -	$ -
Charges for services	-	-	-	-
Park dedication fees	-	-	-	-
Investment income (loss)	(598)	(219)	-	-
Total revenues	(598)	(219)	0	0
Expenditures:				
Current:				
Public works	-	-	-	-
Capital outlay:				
Public works	(150)	-	-	7,357
Total expenditures	(150)	0	0	7,357
Other financing sources (uses):				
Transfers in	-	-	378,736	16,904
Transfers out	(69,446)	-	-	-
Issuance of debt	-	-	-	-
Bond premium	-	-	-	-
Total other financing sources (uses)	(69,446)	0	378,736	16,904
Net change in fund balance	(69,894)	(219)	378,736	9,547
Fund balances - January 1	633,891	96,874	(378,736)	(9,547)
Fund balances - December 31	$563,997	$96,655	$0	$0

Old Village Phase 4 (421)	2018 Street Improvements (422)	Manning and Hudson Future Stoplight (423)	Manning Corridor and Safety Management (424)	CSAH 19 / Hudson Blvd Interchange (425)	2019 Street and Utility Project (426)
$ -	$ -	$ -	$ -	$428,280	$ -
-	-	-	-	-	-
-	-	-	-	-	-
(81)	(309)	(591)	-	-	-
(81)	(309)	(591)	0	428,280	0
-	-	-	-	-	-
-	-	-	-	-	-
0	0	0	0	0	0
-	-	-	3,086	-	5,731
(23,774)	(90,018)	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
(23,774)	(90,018)	0	3,086	0	5,731
(23,855)	(90,327)	(591)	3,086	428,280	5,731
23,855	90,327	11,788	(3,086)	(565,561)	(5,731)
$0	$0	$11,197	$0	($137,281)	$0

CITY OF LAKE ELMO, MINNESOTA
SUBCOMBINING STATEMENT OF REVENUES,
EXPENDITURES AND CHANGES IN FUND BALANCE
NONMAJOR CAPITAL PROJECT FUNDS
For The Year Ended December 31, 2021
With Comparative Totals For The Year Ended December 31, 2020

	CSAH 13 Phase 2 (427)	Inwood and 5th Street Stoplight (429)	Railroad Crossing Improvements (430)	Old Village Phases 5 & 6 (431)	CSAH 15 Manning Avenue Phase 3 (433)
Revenues:					
Intergovernmental	$ -	$ -	$ -	$ -	$ -
Charges for services	-	30,000	-	-	-
Park dedication fees	-	-	-	-	-
Investment income (loss)	-	-	(313)	728	-
Total revenues	0	30,000	(313)	728	0
Expenditures:					
Current:					
Public works	-	-	-	-	-
Capital outlay:					
Public works	8,250	24,297	16,217	942,020	455
Total expenditures	8,250	24,297	16,217	942,020	455
Other financing sources (uses):					
Transfers in	-	73,725	-	-	-
Transfers out	-	-	-	-	-
Issuance of debt	-	-	-	1,449,780	-
Bond premium	-	-	-	66,028	-
Total other financing sources (uses)	0	73,725	0	1,515,808	0
Net change in fund balance	(8,250)	79,428	(16,530)	574,516	(455)
Fund balances - January 1	(10,635)	(107,630)	84,749	(251,199)	(3,070)
Fund balances - December 31	($18,885)	($28,202)	$68,219	$323,317	($3,525)

Manning and Highway 36 Interchange (435)	Tamarack Farm Estates Street Improvements (436)	CSAH 15 Manning Avenue and 30th Street (438)	TH36 Lake Elmo Avenue Improvements (440)	2022 Street Improvements (441)	Total Nonmajor Capital Project Funds	
					2021	2020
$ -	$ -	$ -	$ -	$ -	$428,280	$ -
-	-	-	-	-	30,000	163,435
-	-	-	-	-	-	714,558
(174)	251	-	-	-	(1,306)	45,326
(174)	251	0	0	0	456,974	923,319
-	-	-	-	-	-	12,982
-	661,077	7,541	1,702	48,868	1,717,634	1,250,434
0	661,077	7,541	1,702	48,868	1,717,634	1,263,416
-	-	-	-	-	478,182	15,661
-	-	-	-	-	(183,238)	-
-	765,680	-	-	-	2,215,460	-
-	34,872	-	-	-	100,900	-
0	800,552	0	0	0	2,611,304	15,661
(174)	139,726	(7,541)	(1,702)	(48,868)	1,350,644	(324,436)
1,838	(14,278)	-	-	-	(406,151)	935,695
$1,664	$125,448	($7,541)	($1,702)	($48,868)	$944,493	$611,259

Reconciliation of beginning fund balance to prior year ending fund balance:

Prior year ending fund balance reported above	$611,259
Reclassification of the Park Dedication (404) fund balance, now presented as major	(1,193,853)
Reclassification of the Heritage Farms Street & Utility Improvements (434) fund balance, now presented as major	163,866
Reclassification of the City Hall / Fire Station Bldg Project (437) fund balance, now presented as major	12,577
Fund balance - January 1, 2021 as reported on this statement	($406,151)

CITY OF LAKE ELMO, MINNESOTA
BALANCE SHEET
DEBT SERVICE FUND BY BOND ISSUE
December 31, 2021
With Comparative Totals For December 31, 2020

	2010B GO CIP Bonds (318)	2011A GO Improvement Bonds (319)	2012B GO Improvement Bonds (321)	2014A GO Improvement Bonds (323)
Assets				
Cash and investments	$191,086	$181,262	$70,620	$1,008,700
Accrued interest receivable	136	181	-	719
Property taxes receivable:				
Due from county	-	-	-	-
Special assessments receivable:				
Due from county	-	-	179	323
Delinquent	-	-	170	-
Deferred	-	10,293	33,868	148,826
Total assets	$191,222	$191,736	$104,837	$1,158,568
Liabilities, Deferred Inflows of Resources, and Fund Balance				
Liabilities:				
Due to other funds	$ -	$ -	$ -	$ -
Deferred inflows of resources:				
Unavailable revenue	-	10,293	34,038	148,826
Fund balance (deficit):				
Restricted	191,222	181,443	70,799	1,009,742
Assigned	-	-	-	-
Total fund balance (deficit)	191,222	181,443	70,799	1,009,742
Total liabilities, deferred inflows of resources, and fund balance	$191,222	$191,736	$104,837	$1,158,568

2015A GO Improvement Bonds (324)	2016A GO Improvement Bonds (326)	2017A GO Improvement Bonds (327)	2019 Improvement Bonds (329)	2018A GO Equipment Cert. Bonds (330)	2021A GO Improvement Bonds (331)	Total Debt Service Fund	
						2021	2020
$142,250	$694,051	$307,101	$722,288	$22,145	$547,363	$3,886,866	$4,573,126
101	495	219	434	16	395	2,696	9,585
-	-	-	-	-	-	-	11,208
-	-	837	-	-	-	1,339	1,055
538	-	-	-	-	-	708	1,597
324,520	578,213	453,270	311,482	-	1,269,112	3,129,584	2,175,600
$467,409	$1,272,759	$761,427	$1,034,204	$22,161	$1,816,870	$7,021,193	$6,772,171
$ -	$ -	$ -	$ -	$ -	$ -	$ -	$41,437
325,058	578,213	453,270	311,482	-	1,269,112	3,130,292	2,177,197
142,351	694,546	308,157	722,722	22,161	547,758	3,890,901	4,536,360
-	-	-	-	-	-	-	17,177
142,351	694,546	308,157	722,722	22,161	547,758	3,890,901	4,553,537
$467,409	$1,272,759	$761,427	$1,034,204	$22,161	$1,816,870	$7,021,193	$6,772,171

CITY OF LAKE ELMO, MINNESOTA
STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE
DEBT SERVICE FUND BY BOND ISSUE
For The Year Ended December 31, 2021
With Comparative Totals For The Year Ended December 31, 2020

	2009B GO Improvement Bonds (316)	2010A GO Improvement Bonds (317)	2010B GO CIP Bonds (318)	2011A GO Improvement Bonds (319)	2012B GO Improvement Bonds (321)	2013A GO Improvement Bonds (322)	2014A GO Improvement Bonds (323)
Revenues:							
General property taxes	$ -	$ -	$207,338	$ -	$67,313	$ -	$205,117
Special assessments	140	6,774	-	5,345	16,361	4,929	44,497
Investment income (loss)	(254)	(1,858)	307	(940)	-	(6,972)	(2,997)
Total revenues	(114)	4,916	207,645	4,405	83,674	(2,043)	246,617
Expenditures:							
Debt service:							
Principal	-	75,000	170,000	90,000	90,000	920,000	215,000
Interest and fiscal charges	-	1,050	25,255	3,600	4,870	37,816	47,988
Total expenditures	0	76,050	195,255	93,600	94,870	957,816	262,988
Revenues over (under) expenditures	(114)	(71,134)	12,390	(89,195)	(11,196)	(959,859)	(16,371)
Other financing sources (uses):							
Transfers in	-	-	-	-	122,555	-	-
Transfers out	(17,063)	(11,646)	-	-	-	(93,846)	-
Issuance of debt	-	-	-	-	-	-	-
Total other financing sources (uses)	(17,063)	(11,646)	0	0	122,555	(93,846)	0
Net change in fund balance	(17,177)	(82,780)	12,390	(89,195)	111,359	(1,053,705)	(16,371)
Fund balances - January 1	17,177	82,780	178,832	270,638	(40,560)	1,053,705	1,026,113
Fund balances - December 31	$0	$0	$191,222	$181,443	$70,799	$0	$1,009,742

2015A GO Improvement Bonds (324)	2016A GO Improvement Bonds (326)	2017A GO Improvement Bonds (327)	2019 Improvement Bonds (329)	2018A GO Equipment Cert. Bonds (330)	2021A GO Improvement Bonds (331)	Interfund Elimination	Total Debt Service Fund	
							2021	2020
$12,722	$188,999	$339,904	$293,148	$123,848	$ -	$ -	$1,438,389	$1,412,506
67,861	105,560	80,034	52,035	-	478,300	-	861,836	474,099
(2,235)	(2,285)	(3,086)	(2,290)	57	2,689	-	(19,864)	82,990
78,348	292,274	416,852	342,893	123,905	480,989	0	2,280,361	1,969,595
170,000	265,000	430,000	240,000	95,000	-	-	2,760,000	1,790,000
20,437	36,150	87,874	76,850	21,668	850	-	364,408	418,599
190,437	301,150	517,874	316,850	116,668	850	0	3,124,408	2,208,599
(112,089)	(8,876)	(101,022)	26,043	7,237	480,139	-	(844,047)	(239,004)
-	-	-	113,792	-	-	(122,555)	113,792	85,657
-	-	-	-	-	-	122,555	-	-
-	-	-	-	-	67,619	-	67,619	-
0	0	0	113,792	0	67,619	0	181,411	85,657
(112,089)	(8,876)	(101,022)	139,835	7,237	547,758	0	(662,636)	(153,347)
254,440	703,422	409,179	582,887	14,924	-	-	4,553,537	4,706,884
$142,351	$694,546	$308,157	$722,722	$22,161	$547,758	$0	$3,890,901	$4,553,537

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STATISTICAL SECTION (UNAUDITED)

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STATISTICAL SECTION (UNAUDITED)

This part of the City of Lake Elmo, Minnesota's Annual Comprehensive Financial Report presents detailed information as a context for understanding what the information in the financial statements, note disclosures and required supplementary information says about the City's overall financial health.

Contents	Table Number
Financial Trends These tables contain trend information to help the reader understand how the City's financial performance and well-being have changed over time.	Tables 1-4
Revenue Capacity These tables contain information to help the reader assess the City's most significant local revenue source, property taxes, as well as water and sanitary sewer rates and gallons sold.	Tables 5-9
Debt Capacity These tables present information to help the reader assess the affordability of the City's current levels of outstanding debt and the City's ability to issue additional debt in the future.	Tables 10-14
Demographic and Economic Information These tables offer demographic and economic indicators to help the reader understand the environment within which the City's financial activities take place.	Tables 15-16
Operating Information These tables contain service and infrastructure data to help the reader understand how the information in the City's financial report relates to the services the City provides and the activities it performs.	Tables 17-19

Sources: Unless otherwise noted, the information in these tables is derived from the comprehensive financial reports for the relevant year.

CITY OF LAKE ELMO, MINNESOTA
NET POSITION BY COMPONENT
Last Ten Fiscal Years
(Accrual Basis of Accounting)

	2021	2020	2019	2018
Governmental activities:				
Net investment in capital assets	$34,784,806	$29,694,288	$24,771,065	$15,396,520
Restricted	10,249,092	8,171,161	8,596,759	10,121,648
Unrestricted	12,101,304	5,284,397	4,231,363	1,086,636
Total governmental activities net position	$57,135,202	$43,149,846	$37,599,187	$26,604,804
Business-type activities:				
Net investment in capital assets	$53,867,479	$44,371,375	$33,052,649	$18,382,934
Restricted	-	-	-	-
Unrestricted	19,888,783	18,578,807	16,528,968	13,842,382
Total business-type activities net position	$73,756,262	$62,950,182	$49,581,617	$32,225,316
Primary government:				
Net investment in capital assets	$88,652,285	$74,065,663	$57,823,714	$33,779,454
Restricted	10,249,092	8,171,161	8,596,759	10,121,648
Unrestricted	31,990,087	23,863,204	20,760,331	14,929,018
Total primary government net position	$130,891,464	$106,100,028	$87,180,804	$58,830,120

GASB 68 was implemented in 2015. Net position was restated for 2014 to reflect the reporting of net pension liability and pension related deferred outflows of resources. Net position for years prior to 2014 was not restated.

GASB 75 was implemented in 2018. Net position was restated for 2017 to reflect the reporting of the OPEB liability and OPEB related deferred inflows of resources. Net position for years prior to 2017 was not restated.

Table 1

2017	2016	2015	2014	2013	2012
$8,883,320	$9,032,535	$8,723,329	$7,957,840	$9,056,353	$8,782,840
5,057,169	4,704,133	3,446,142	1,106,200	1,225,849	4,205,247
4,818,383	4,136,292	3,942,646	5,405,920	4,593,463	918,996
$18,758,872	$17,872,960	$16,112,117	$14,469,960	$14,875,665	$13,907,083
$12,180,378	$12,506,474	$10,170,351	$10,567,418	$6,855,807	$6,788,377
2,695,734	1,473,164	1,876,119	2,387,312	2,612,569	39,153
9,151,417	6,400,375	3,577,285	1,100,422	1,846,681	1,105,847
$24,027,529	$20,380,013	$15,623,755	$14,055,152	$11,315,057	$7,933,377
$21,063,698	$21,539,009	$18,893,680	$18,525,258	$15,912,160	$15,571,217
7,752,903	6,177,297	5,322,261	3,493,512	3,838,418	4,244,400
13,969,800	10,536,667	7,519,931	6,506,342	6,440,144	2,024,843
$42,786,401	$38,252,973	$31,735,872	$28,525,112	$26,190,722	$21,840,460

CITY OF LAKE ELMO, MINNESOTA
CHANGES IN NET POSITION
Last Ten Fiscal Years
(Accrual Basis of Accounting)

	2021	2020	2019	2018
Expenses				
Governmental activities:				
General government	$1,052,188	$1,008,916	$1,181,219	$1,266,269
Public safety	3,091,321	2,681,784	2,058,419	2,161,082
Public works	3,735,767	4,012,661	3,728,247	2,192,092
Culture and recreation	391,240	428,083	361,730	524,445
Economic Development Authority	53,264	46,371	71,609	47,702
Interest and fees on long-term debt	353,256	363,988	395,106	352,376
Total governmental activities expenses	8,677,036	8,541,803	7,796,330	6,543,966
Business-type activities:				
Water	2,665,708	2,383,252	1,940,148	2,068,178
Sewer	1,563,008	1,481,586	1,082,997	846,032
Storm sewer	830,044	753,177	469,765	315,967
Total business-type activities expenses	5,058,760	4,618,015	3,492,910	3,230,177
Total primary government expenses	$13,735,796	$13,159,818	$11,289,240	$9,774,143
Program revenues				
Governmental activities:				
Charges for services:				
General government	$485,785	$421,792	$553,870	$379,378
Public safety	2,199,655	2,146,319	1,574,359	1,938,163
Public works	104,817	243,060	126,721	-
Culture and recreation	25	2,812	1,430	-
Economic Development Authority	57,539	87,778	99,690	78,573
Operating grants and contributions	279,690	1,039,823	795,483	248,915
Capital grants and contributions	8,981,866	4,823,628	11,076,353	4,970,565
Total governmental activities program revenues	12,109,377	8,765,212	14,227,906	7,615,594
Business-type activities:				
Charges for services:				
Water	1,711,596	1,239,404	962,003	951,985
Sewer	549,567	432,583	306,041	252,614
Storm sewer	512,624	369,689	380,645	322,700
Operating grants and contributions	35,635	21,893	122,350	-
Capital grants and contributions	18,326,363	15,636,661	14,114,787	7,466,627
Total business-type activities	21,135,785	17,700,230	15,885,826	8,993,926
Total primary government program revenues	$33,245,162	$26,465,442	$30,113,732	$16,609,520

2017	2016	2015	2014	2013	2012
$1,503,251	$1,358,370	$1,134,132	$1,072,888	$1,103,337	$1,093,204
1,528,253	1,308,360	1,344,282	1,530,609	1,277,798	1,302,857
2,800,044	1,698,566	1,377,969	1,032,426	1,273,977	891,169
1,299,551	660,947	639,006	448,361	424,687	362,432
-	-	-	-	-	-
225,910	178,266	215,611	165,028	133,694	316,039
7,357,009	5,204,509	4,711,000	4,249,312	4,213,493	3,965,701
2,022,446	1,409,832	1,363,043	1,069,511	958,870	872,786
1,030,058	380,650	250,866	353,438	119,370	53,903
213,514	150,302	103,536	149,887	86,989	73,590
3,266,018	1,940,784	1,717,445	1,572,836	1,165,229	1,000,279
$10,623,027	$7,145,293	$6,428,445	$5,822,148	$5,378,722	$4,965,980
$206,856	$51,009	$42,706	$45,161	$32,778	$48,476
2,101,890	1,752,522	866,708	496,916	414,472	379,557
-	-	3,615	-	2,647	3,256
-	-	26,214	10,753	17,000	9,341
-	-	-	-	-	-
229,960	235,214	249,094	204,462	208,276	160,060
2,290,265	1,452,469	2,038,940	557,601	1,364,622	160,444
4,828,971	3,491,214	3,227,277	1,314,893	2,039,795	761,134
2,628,848	1,801,228	1,850,240	1,291,091	596,421	699,159
2,435,749	1,315,948	1,523,067	741,054	53,142	65,737
289,375	213,233	229,252	214,915	191,087	171,229
-	-	-	-	-	-
1,489,922	3,464,567	-	1,159,222	3,781,528	115,127
6,843,894	6,794,976	3,602,559	3,406,282	4,622,178	1,051,252
$11,672,865	$10,286,190	$6,829,836	$4,721,175	$6,661,973	$1,812,386

CITY OF LAKE ELMO, MINNESOTA
CHANGES IN NET POSITION
Last Ten Fiscal Years
(Accrual Basis of Accounting)

	2021	2020	2019	2018
Net (expense) revenue:				
Governmental activities	$3,432,341	$223,409	$6,431,576	$1,071,628
Business-type activities	16,077,025	13,082,215	12,392,916	5,763,749
Total primary government, net	19,509,366	13,305,624	18,824,492	6,835,377
General revenues and other changes in net position:				
Governmental activities:				
General property taxes	5,294,950	4,960,342	4,181,914	3,610,106
Unrestricted grants and contributions	4,639	4,337	4,956	6,868
Unrestricted investment earnings (loss)	(13,874)	348,766	331,010	115,583
Miscellaneous	-	-	-	-
Gain on disposal of capital assets	17,300	13,805	44,927	8,991
Transfers	5,250,000	-	-	840
Total governmental activities	10,553,015	5,327,250	4,562,807	3,742,388
Business-type activities:				
Unrestricted grants and contributions	-	-	-	956
Unrestricted investment earnings (loss)	(20,945)	286,350	411,206	96,425
Extraordinary item	-	-	4,552,179	-
Transfers	(5,250,000)	-	-	(840)
Total business-type activities	(5,270,945)	286,350	4,963,385	96,541
Total primary government	$5,282,070	$5,613,600	$9,526,192	$3,838,929
Change in net position:				
Governmental activities	$13,985,356	$5,550,659	$10,994,383	$4,814,016
Business-type activities	10,806,080	13,368,565	17,356,301	5,860,290
Total primary government change in net position	$24,791,436	$18,919,224	$28,350,684	$10,674,306

GASB 68 was implemented in 2015. Pension expense for years prior to 2015 was not restated.

GASB 75 was implemented in 2018. OPEB expense for years prior to 2018 was not restated.

2017	2016	2015	2014	2013	2012
($2,528,038)	($1,713,295)	($1,483,723)	($2,934,419)	($2,173,698)	($3,204,567)
3,577,876	4,854,192	1,885,114	1,833,446	3,456,949	50,973
1,049,838	3,140,897	401,391	(1,100,973)	1,283,251	(3,153,594)
3,040,413	3,226,739	3,204,119	3,200,291	3,231,609	3,183,078
2,749	8,584	2,749	2,749	2,749	-
48,987	43,228	46,589	87,586	35,259	111,705
158,350	52,479	73,738	125,400	1,833	42,599
-	-	-	-	8,979	-
-	143,105	220,842	(887,312)	-	-
3,250,499	3,474,135	3,548,037	2,528,714	3,280,429	3,337,382
-	748	-	-	-	-
46,757	44,423	39,757	19,337	30,346	10,282
-	-	-	-	-	-
-	(143,105)	(220,842)	887,312	-	-
46,757	(97,934)	(181,085)	906,649	30,346	10,282
$3,297,256	$3,376,201	$3,366,952	$3,435,363	$3,310,775	$3,347,664
$722,461	$1,760,840	$2,064,314	($405,705)	$1,106,731	$132,815
3,624,633	4,756,258	1,704,029	2,740,095	3,487,295	61,255
$4,347,094	$6,517,098	$3,768,343	$2,334,390	$4,594,026	$194,070

CITY OF LAKE ELMO, MINNESOTA
FUND BALANCES, GOVERNMENTAL FUNDS
Last Ten Fiscal Years
(Modified Accrual Basis of Accounting)

	2021	2020	2019	2018
General Fund:				
Nonspendable	$ -	$21,206	$28,162	$18,951
Committed	-	-	-	-
Unassigned	5,618,812	5,212,435	4,286,022	4,756,695
Total general fund	5,618,812	5,233,641	4,314,184	4,775,646
All other governmental funds:				
Nonspendable	-	-	-	395
Restricted	17,458,949	5,814,832	5,973,451	6,133,168
Committed	7,673	7,314	24,070	11,003
Assigned	7,571,501	2,653,880	1,746,202	1,198,909
Unassigned	(246,004)	(1,525,916)	(757,968)	(3,043,623)
Total all other governmental funds	24,792,119	6,950,110	6,985,755	4,299,852
Total governmental funds	$30,410,931	$12,183,751	$11,299,939	$9,075,498

Table 3

2017	2016	2015	2014	2013	2012
$410,193	$409,222	$432,306	$638,963	$859,072	$1,024,433
200,000	200,000	-	-	-	-
3,499,133	3,279,815	2,754,976	2,542,038	2,318,310	2,414,692
4,109,326	3,889,037	3,187,282	3,181,001	3,177,382	3,439,125
675,000	-	3,908	-	-	-
2,849,956	3,248,230	2,477,730	717,781	743,976	3,959,111
-	-	-	-	-	-
1,307,216	1,504,656	1,768,742	2,943,525	2,252,931	1,244,900
(681,681)	(418,169)	(431,755)	(693,904)	(885,360)	(1,670,915)
4,150,491	4,334,717	3,818,625	2,967,402	2,111,547	3,533,096
$8,259,817	$8,223,754	$7,005,907	$6,148,403	$5,288,929	$6,972,221

CITY OF LAKE ELMO, MINNESOTA
CHANGES IN FUND BALANCES, GOVERNMENTAL FUNDS
Last Ten Fiscal Years

	2021	2020	2019	2018
Revenues:				
General property taxes	$5,303,553	$4,947,133	$4,182,327	$3,610,508
Licenses and permits	1,485,658	1,425,695	1,055,038	1,317,648
Intergovernmental	722,128	1,023,193	2,819,961	247,178
Charges for services	1,151,914	1,273,241	1,079,342	899,808
Fines and forfeits	45,749	33,584	36,696	49,203
Special assessments	862,766	474,099	649,487	1,398,155
Park dedication fees	1,845,371	714,558	123,500	502,802
Investment earnings	(13,874)	348,766	331,010	115,583
Miscellaneous	177,000	183,711	201,494	129,455
Total revenues	11,580,265	10,423,980	10,478,855	8,270,340
Expenditures:				
Current:				
General government	1,056,983	1,005,254	1,136,908	1,208,145
Public safety	3,003,677	2,641,770	1,948,269	1,644,159
Public works	1,488,448	1,493,370	1,875,606	1,227,521
Culture and recreation	258,690	310,066	265,260	241,761
Economic Development Authority	53,264	46,371	71,609	47,702
Debt service:				
Principal	3,641,000	1,790,000	1,615,000	1,175,000
Interest and fiscal charges	425,797	420,299	454,814	230,822
Capital outlay	4,915,641	1,846,843	4,354,643	4,552,089
Total expenditures	14,843,500	9,553,973	11,722,109	10,327,199
Excess (deficiency) of revenues over expenditures	(3,263,235)	870,007	(1,243,254)	(2,056,859)
Other financing sources (uses):				
Issuance of debt	6,126,989	-	2,860,000	1,866,000
Premium on issuance of debt	(876,989)	-	168,168	-
(Discount) on issuance of debt	15,675,000	-	-	-
Proceeds from sale of capital assets	548,115	13,805	44,927	8,991
Transfers in	-	1,900,244	1,181,173	56,209
Transfers out	17,300	(1,900,244)	(786,573)	(173,190)
Total other financing sources (uses)	21,490,415	13,805	3,467,695	1,758,010
Net change in fund balance	$18,227,180	$883,812	$2,224,441	($298,849)
Debt service as a percentage of noncapital expenditures	40.9%	26.8%	26.1%	24.2%
Debt service as a percentage of total expenditures	27.4%	23.1%	17.7%	13.6%

Table 4

2017	2016	2015	2014	2013	2012
$3,042,074	$3,231,674	$3,222,216	$3,203,111	$3,231,609	$3,221,733
2,046,462	1,713,918	828,494	451,953	374,974	330,819
1,023,864	282,874	296,902	413,968	1,704,178	237,254
137,920	38,608	35,796	30,192	6,113	5,726
41,418	49,505	48,739	48,647	52,110	58,385
455,493	897,323	1,316,239	115,424	180,023	136,150
265,783	171,708	138,158	274,257	-	-
48,987	43,228	46,415	87,467	35,127	111,737
265,133	77,491	99,055	165,319	57,260	87,562
7,327,134	6,506,329	6,032,014	4,790,338	5,641,394	4,189,366
1,502,904	1,358,306	1,094,723	1,046,906	1,527,732	1,034,712
1,470,726	1,262,040	1,203,765	1,198,546	1,174,145	1,109,937
1,185,828	893,644	686,401	585,071	614,270	446,541
603,292	500,689	457,749	368,276	301,404	260,404
-	-	-	-	-	-
910,000	826,219	667,342	585,000	3,348,000	406,000
463,570	242,392	226,611	157,649	179,018	309,081
5,860,917	3,126,782	2,729,512	2,881,437	1,784,914	1,428,856
11,997,237	8,210,072	7,066,103	6,822,885	8,929,483	4,995,531
(4,670,103)	(1,703,743)	(1,034,089)	(2,032,547)	(3,288,089)	(806,165)
4,565,000	2,690,000	1,620,000	2,850,000	1,604,797	865,000
166,068	102,877	32,137	31,520	-	-
(26,302)	(14,392)	(11,386)	-	-	-
1,400	-	30,000	-	-	-
-	143,105	220,842	10,501	-	-
-	-	-	-	-	-
4,706,166	2,921,590	1,891,593	2,892,021	1,604,797	865,000
$36,063	$1,217,847	$857,504	$859,474	($1,683,292)	$58,835
22.4%	21.0%	20.6%	18.8%	49.4%	20.0%
11.4%	13.0%	12.7%	10.9%	39.5%	14.3%

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CITY OF LAKE ELMO, MINNESOTA
TAX CAPACITY AND ESTIMATED ACTUAL VALUE OF TAXABLE PROPERTY **Table 5**
Last Ten Fiscal Years

Payable Year	Taxable Market Value	Tax Capacity		Total Tax Capacity	Total Adjusted Tax Capacity (1)	City Urban Tax Rate	% of Tax Capacity to Total Estimated Market Value
		Real Property	Personal Property				
2012	$1,037,557,100	$11,525,623	$229,157	$11,754,780	$11,555,676	27.271	1.13%
2013	1,028,011,400	11,392,876	237,584	11,630,460	11,384,320	29.259	1.13%
2014	1,046,031,000	11,504,611	238,764	11,743,375	11,393,889	27.761	1.12%
2015	1,184,578,800	12,938,515	243,104	13,181,619	13,072,105	23.798	1.11%
2016	1,224,463,300	13,386,725	266,218	13,652,943	13,441,204	23.121	1.12%
2017	1,316,618,700	14,520,320	292,938	14,813,258	14,631,062	20.018	1.13%
2018	1,452,554,500	16,054,044	326,744	16,380,788	15,359,350	22.442	1.13%
2019	1,648,277,500	18,184,317	345,172	18,529,489	18,249,623	22.927	1.12%
2020	1,901,067,300	20,907,484	345,800	21,253,284	20,021,726	23.476	1.12%
2021	2,009,618,900	21,975,125	374,464	22,349,589	21,116,953	23.638	1.11%

(1) Tax Capacity adjusted for captured tax increment, fiscal disparities, and transmission lines.

Valuations are determined as of January 1 of year preceding tax collection year. The County determines a property's tax capacity by multiplying a property's estimated market value times the property's class rate which is determined by its use. The total City tax levy divided by the total City tax capacity determines a percentage, the City tax rate, that is applied to each parcel's tax capacity to determine the tax amount.

CITY OF LAKE ELMO, MINNESOTA
DIRECT AND OVERLAPPING PROPERTY TAX RATES **Table 6**
Last Ten Fiscal Years
(Percent of Tax Capacity)

	City Direct Rate			Overlapping Rates					
Fiscal Year	Operating Tax Rate	Debt Service Tax Rate	Total Tax Rate	Range of Tax Rates for ISD's 622, 832 & 834	Washington County	Range of Tax Rates for Watershed Districts	Special Taxing Districts	Range of Total Direct and Overlapping Tax Rates	
2012	23.679 (1)	3.592	27.271	22.333 - 38.360	31.939	2.340 - 4.906	2.909	86.792	105.385
2013	23.555	5.704	29.259	22.017 - 37.104	31.548	0.779 - 5.306	4.857	88.460	108.074
2014	23.472	4.289	27.761	23.150 - 39.770	30.243	0.761 - 5.066	4.641	86.556	107.481
2015	20.121	3.677	23.798	21.120 - 35.860	27.691	0.692 - 4.769	4.183	77.484	96.301
2016	18.184	4.937	23.121	19.849 - 35.569	27.860	0.075 - 5.111	4.568	75.473	96.229
2017	14.083	5.934	20.017	20.390 - 34.093	27.852	0.839 - 5.275	4.345	73.443	91.582
2018	16.107 (2)	6.335	22.442	19.349 - 32.161	29.709	0.819 - 5.021	3.072	75.391	92.405
2019	16.258 (2)	6.670	22.927	18.442 - 31.894	29.305	0.808 - 5.263	3.994	75.476	93.383
2020	16.777 (2)	6.700	23.477	15.321 - 29.926	28.610	0.766 - 4.850	3.738	71.911	90.600
2021	17.178 (2)	6.460	23.638	17.277 - 29.554	27.244	0.742 - 4.835	3.593	72.494	88.864

Source: Washington County Taxation Division

The City's direct property tax rate is determined by dividing the amount of tax levied by the City Council by the City's total tax capacity

Overlapping rates are those of local and county governments that apply to property owners within the City of Lake Elmo. Not all overlapping rates apply to all City of Lake Elmo property owners. Although the property tax rates apply to all city property owners, some city properties lie within the geographical boundaries of different school and watershed districts.

(1) Includes Library Levy component effective 1/1/2012 due to pulling out of Washington County
(2) Excludes Library Levy component effective 1/1/2018 due to going back to Washington County

CITY OF LAKE ELMO, MINNESOTA
PRINCIPAL PROPERTY TAXPAYERS
Current Year and Nine Years Ago

Table 7

	2021			2012		
Taxpayer	Taxable Tax Capacity	Rank	Percentage of Total City Tax Capacity Value	Taxable Tax Capacity	Rank	Percentage of Total City Tax Capacity Value
Xcel Energy	$268,750	1	1.20%	$204,686	2	1.76%
Dakota Upreit LP	240,344	2	1.08%	-		-
Bremer Financial Services Inc	220,998	3	0.99%	197,474	3	1.70%
MLL High Pointe LLC	200,950	4	0.90%	-		-
Eagle Point Medical Building LLC	144,160	5	0.65%	-		-
HOA Hotels LLC	143,396	6	0.64%	-		-
Auto-Owners Life Insurance Co.	99,104	7	0.44%	-		-
HSRE Lake Elmo LLC	97,436	8	0.44%	-		-
HC Golf Land LLC	117,489	9	0.53%	-		-
MHC Cimarron LLC	139,482	10	0.62%	-		-
IRET Properties	-		-	205,342	1	1.77%
MHC Cimarron LLC	-		-	134,090	4	1.15%
United Land LLC	-		-	121,976	5	1.05%
Tartan Park LLC	-		-	100,643	6	0.87%
HOA Hotels	-		-	89,880	7	0.77%
Danate Proper Inv I LLC	-		-	76,762	8	0.66%
Eagle Point II LLC	-		-	71,064	9	0.61%
Davis Estates LTD	-		-	64,912	10	0.56%
Total	$1,672,109		7.48%	$1,266,829		10.89%

Source: Washington County Taxation Division

CITY OF LAKE ELMO, MINNESOTA
PROPERTY TAX LEVIES AND COLLECTIONS
Last Ten Fiscal Years

Fiscal Year	Taxes Levied for the Fiscal Year	Net Tax Levy for the Fiscal Year (1)	Collected within the Fiscal Year of the Levy	
			Amount	Percentage of Net Levy
2012	$3,113,017	$3,110,478	$3,071,202	98.74%
2013	3,163,359	3,160,524	3,133,764	99.15%
2014	3,163,359	3,160,285	3,128,695	99.00%
2015	3,113,017	3,133,137	3,112,989	99.36%
2016	3,112,204	3,112,204	3,068,116	98.58%
2017	2,950,426	2,950,426	2,935,173	99.48%
2018	3,596,601	3,592,491	3,574,859	99.51%
2019	4,179,840	4,175,590	4,149,059	99.36%
2020	4,949,823	4,945,184	4,864,708	98.37%
2021	5,263,268	5,258,656	5,205,793	98.99%

(1) Tax Levy adjusted for powerline and market value credits and AG program credits prior to 2016

Table 8

Collections in Subsequent Years	Total Collections to Date		Outstanding Delinquent Taxes	Delinquent Taxes as a Percentage of Total Net Tax Levy
	Amount	Percentage of Net Levy		
$39,267	$3,110,469	100.00%	-	0.00%
26,760	3,160,524	100.00%	-	0.00%
31,590	3,160,285	100.00%	1,507	0.00%
19,874	3,132,863	99.99%	1,644	0.01%
42,044	3,110,160	99.93%	2,087	0.07%
12,485	2,947,183	99.89%	2,331	0.11%
13,239	3,586,447	99.83%	2,990	0.17%
19,244	4,149,059	99.36%	4,103	0.64%
43,075	4,907,782	99.24%	37,402	0.76%
50,910	5,256,703	99.96%	1,953	0.04%

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CITY OF LAKE ELMO, MINNESOTA
WATER AND SANITARY SEWER CHARGES BY CUSTOMER
Last Ten Fiscal Years

Table 9

	2021	2020	2019	2018	2017	2016	2015	2014	2013	2012
Water (in millions of gallons):										
Residential	323,632	203,453	173.925	96.882	93.513	98.044	84.007	98.573	120.676	154.747
Commercial service	202,586	157,170	87.935	22.189	16.603	29.379	21.653	12.156	8.253	10.405
Total gallons	526,218	360,623	261.860	119.071	110.116	127.423	105.660	110.729	128.929	165.152
Total direct rate per 1,000 gallons:										
Residential	2.14	2.12	2.12	2.06	2.00	2.14	2.14	2.14	2.14	2.14
Commercial service	3.33	3.30	3.30	3.20	3.11	3.11	3.11	3.11	3.11	3.11
Sanitary Sewer (in millions of gallons):										
Residential (1)	75,550	46,170	41.003	32.409	38.340	6.812	3.794	-	-	-
Commercial service	16,021	11,779	12.943	12.267	6.807	9.125	8.179	6.532	6.149	6.172
Total gallons	91,571	57,949	53.946	44.676	45.147	15.937	11.973	6.532	6.149	6.172
Total direct rate per 1,000 gallons	4.70	4.65	4.60	4.55	4.50	4.50	4.50	4.50	4.50	4.50

(1) City did not have any residential sanitary sewer customers in 2014 and prior

CITY OF LAKE ELMO, MINNESOTA
RATIOS OF OUTSTANDING DEBT BY TYPE
Last Ten Fiscal Years

Fiscal Year	Governmental Activities			
	G.O. Improvement Bonds	G.O. Equipment Certificates	G.O. Capital Improvement Plan Bonds	Other Notes and Bonds
2012	$3,100,092	$150,000	$4,969,153	$ -
2013	4,436,967	102,000	1,941,135	-
2014	6,919,568	52,000	1,808,024	-
2015	8,095,288	-	1,687,803	21,219
2016	10,210,038	-	1,537,530	-
2017	14,151,671	-	1,382,249	-
2018	13,185,126	940,000	1,226,928	926,000
2019	14,697,425	940,000	1,065,000	926,000
2020	13,159,432	850,000	900,000	881,000
2021	26,839,553	755,000	730,000	-

Details regarding the City's outstanding debt can be found in the notes to the financial statements.
See the *Demographic and Economic Statistics* schedule for personal income and population data.

Table 10

Total Governmental Activities	Business-Type Activities G.O. Utility Revenue Bonds	Total Primary Government	Percentage of Personal Income	Per Capita
$8,219,245	$8,314,837	$16,534,082	3.9%	$2,049
6,480,102	12,476,920	18,957,022	4.5%	2,349
8,779,592	15,530,642	24,310,234	6.8%	3,013
9,804,310	12,622,484	22,426,794	6.0%	2,779
11,747,568	18,990,395	30,737,963	8.2%	3,809
15,533,920	22,866,787	38,400,707	8.8%	3,990
16,278,054	21,680,126	37,958,180	7.6%	3,608
17,628,425	21,520,145	39,148,570	6.5%	3,525
15,426,000	20,105,366	35,136,000	5.4%	3,164
28,324,553	22,841,659	51,166,212	6.0%	4,043

CITY OF LAKE ELMO, MINNESOTA
RATIOS OF NET GENERAL BONDED DEBT
Last Ten Fiscal Years

Fiscal Year	General Bonded Debt Outstanding			
	G.O. Improvement Bonds	G.O. Equipment Certificates	G.O. Capital Improvement Plan Bonds	G.O. Utility Revenue Bonds
2012	$3,100,092	$150,000	$4,969,153	$8,314,837
2013	4,436,967	102,000	1,941,135	12,476,920
2014	6,919,568	52,000	1,808,024	15,530,642
2015	8,095,288	-	1,687,803	12,622,484
2016	10,210,038	-	1,537,530	18,990,395
2017	14,151,671	-	1,382,249	22,866,787
2018	13,185,126	940,000	1,226,928	21,680,126
2019	14,697,425	940,000	1,065,000	21,520,145
2020	13,159,432	850,000	900,000	20,105,366
2021	26,839,553	755,000	730,000	22,841,659

Details regarding the City's outstanding debt can be found in the notes to the financial statements.
See Table 5 for taxable market value
See Table 15 for population data
* Net of crossover debt

Table 11

Total*	Less: Amounts Available in Debt Service Funds	Net General Bonded Debt Outstanding	Percentage of Actual Taxable Value of Property	Per Capita (Net)
$16,534,082	($3,500,799)	$13,033,283	1.26%	1,615
18,957,022	(729,753)	18,227,269	1.77%	2,259
24,310,234	(691,700)	23,618,534	2.26%	2,927
22,405,575	(2,477,730)	19,927,845	1.68%	2,470
30,737,963	(3,215,590)	27,522,373	2.25%	3,411
38,400,707	(3,524,956)	34,875,751	2.65%	3,623
37,032,180	(4,461,692)	32,570,488	2.24%	3,096
38,222,570	(4,716,520)	33,506,050	2.03%	3,017
34,255,000	(4,530,993)	29,724,007	1.56%	2,677
51,166,212	(3,893,266)	47,272,946	2.35%	3,566

CITY OF LAKE ELMO, MINNESOTA
DIRECT AND OVERLAPPING GOVERNMENTAL ACTIVITIES DEBT **Table 12**
As of December 31, 2021

	Debt Outstanding		Estimated Percentage Applicable*	Estimated Share of Overlapping Debt
Overlapping debt:				
Independent School District # 622	$443,420,000	(1)	38%	$170,094,887
Independent School District # 832	39,990,000	(1)	81%	32,514,367
Independent School District # 834	80,735,000	(1)	18%	14,282,589
Washington County	113,905,000	(1)	5%	6,116,439
Metropolitan Council	1,897,693,968	(1)	7%	126,147,543
Total overlapping debt				349,155,825
City direct debt	$28,324,553		100%	28,324,553
Total direct and overlapping debt				$377,480,378

*For debt repaid with property taxes, the percentage of overlapping debt applicable is estimated using taxable assessed property values. Applicable percentages were estimated by determining the portion of another governmental unit's taxable assessed value that is within the City's boundaries and dividing it by each unit's total taxable assessed value.

Overlapping governments are those that coincide, at least in part, with the geographic boundaries of the City. This schedule estimates the portion of the outstanding debt of those overlapping governments that is borne by the residents and businesses of the City. This process recognizes that, when considering the City's ability to issue and repay long-term debt, the entire debt burden borne by the residents and businesses should be taken into account. However, this does not imply that every taxpayer is a resident, and therefore responsible for repaying the debt, of each overlapping government.

Sources: Taxable value data used to estimate applicable percentages provided by Washington County.
Debt outstanding data provided by each governmental unit.

CITY OF LAKE ELMO, MINNESOTA
LEGAL DEBT MARGIN INFORMATION
Last Ten Fiscal Years

Table 13

Legal Debt Margin Calculation for Fiscal Year 2021

Market value	$2,009,618,900
Applicable percentage	3%
Debt limit	60,288,567
Debt applicable to limit:	
Total bonded debt	51,166,212
Less:	
Special assessment bonds	(26,839,553)
Utility revenue bonds	(22,841,659)
Amount set aside for repayment of G.O. debt	(213,231)
	1,271,769
Legal debt margin	$59,016,798

Legal Debt Margin Calculation for Fiscal Years 2012 Through 2021

Fiscal Year	Population	Debt Limit	Net Debt Applicable to Limit	Legal Debt Margin	Amount of Debt Applicable to Debt Limit	Net Debt Applicable to Limit Per Capita
2012	8,069	$32,054,064	$2,099,369	$29,954,695	6.55%	$260
2013	8,069	32,470,203	1,894,510	30,575,693	5.83%	235
2014	8,069	35,537,364	1,757,421	33,779,943	4.95%	218
2015	8,069	36,733,899	1,572,289	35,161,610	4.28%	195
2016	8,069	38,035,233	2,102,343	35,932,890	5.53%	261
2017	9,625	38,556,774	1,846,657	36,710,117	4.79%	192
2018	10,521	43,576,635	2,018,280	41,558,355	4.63%	192
2019	11,105	49,448,325	1,839,548	47,608,777	3.72%	166
2020	11,105	57,032,019	850,000	56,182,019	1.49%	77
2021	12,655	60,288,567	1,485,000	58,803,567	2.46%	117

CITY OF LAKE ELMO, MINNESOTA
PLEDGED REVENUE COVERAGE
Last Ten Fiscal Years

Table 14

Payable Year	G.O. Utility Revenue Bonds					
	Gross Revenue (1)	Operating Expenses (2)	Net Available Revenue	Debt Service (3) Principal	Debt Service (3) Interest	Coverage
2012	$946,407	$426,118	$520,289	$40,000	$221,129	199%
2013	3,501,321	504,648	2,996,673	165,000	300,789	643%
2014	2,266,397	678,394	1,588,003	365,000	424,080	201%
2015	3,642,316	627,977	3,014,339	4,165,000	456,782	65%
2016	3,407,097	757,862	2,649,235	615,000	380,969	266%
2017	6,651,513	1,505,420	5,146,093	705,000	513,768	422%
2018	5,767,128	1,279,347	4,487,781	625,000	312,660	479%
2019	4,190,240	1,175,282	3,014,958	1,360,000	509,863	161%
2020	6,243,582	1,553,371	4,690,211	1,380,000	504,661	249%
2021	9,147,164	1,680,527	7,466,637	3,825,000	514,210	172%

(1) Gross revenue includes investment earnings, infrastructure charges and special assessments.
(2) Operating expenses do not include interest, depreciation, or amortization expense.
(3) Details regarding the City's outstanding debt can be found in the notes to the financial statements.

CITY OF LAKE ELMO, MINNESOTA
DEMOGRAPHIC AND ECONOMIC STATISTICS **Table 15**
Last Ten Fiscal Years

Fiscal Year	Population (1)	Personal Income (4) *(thousands of dollars)*	Per Capita Personal Income (2)	State Unemployment Rate (3)	City Unemployment Rate (3)
2012	8,069	$420,242	$52,081	5.4%	4.9%
2013	8,069	420,879	52,160	4.6%	4.0%
2014	8,069	357,723	44,333	3.8%	3.7%
2015	8,069	371,602	46,053	3.2%	2.9%
2016	8,069	374,345	46,393	3.8%	3.3%
2017	9,625	438,563	45,565	3.3%	3.3%
2018	10,521	497,896	47,324	2.8%	2.7%
2019	11,105	601,991	54,209	3.5%	2.8%
2020	11,105	652,352	58,744	4.9%	4.0%
2021	12,655	851,277	67,268	2.6%	2.2%

Sources:
(1) Metropolitan Council 2000/2010-Census Bureau; updated for staff estimate starting in 2017
(2) United States Census Bureau
(3) Estimate based on County unemployment rate provided by Minnesota Department of Employment and Economic Development
(4) The estimated personal income for the City of Lake Elmo is calculated by taking the per capita income and multiplying it by the City's population.

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CITY OF LAKE ELMO, MINNESOTA
PRINCIPAL EMPLOYERS
Current Year and Nine Years Ago

Table 16

Employer	2021 Employees	2021 Rank	2021 Percentage of Total City Employment[(1)]	2012 Employees	2012 Rank	2012 Percentage of Total City Employment[(1)]
3M Company (Maplewood)	11,000	1	47.3%	9,500	1	56.3%
Andersen Corp (Bayport)	4,500	2	19.3%	1,850	2	11.0%
ISD No. 622 (North St. Paul-Maplewood-Oakdale)	1,830	3	7.9%			-
Woodwinds Health (Woodbury)	1,500	4	6.4%	1,070	4	6.3%
ISD 834 (Stillwater)	1,162	5	5.0%	1,037	5	6.2%
HealthEast Care/St. John's Hospital (Maplewood)	973	6	4.2%			-
Washington County (Stillwater)	940	7	4.0%	1,138	3	6.7%
Presbyterian Homes/Boutwells (Oak Park Heights)	500	8	2.1%			-
Ecowater Systems, Inc. (Woodbury)	440	9	1.9%	440	7	2.6%
Bremer Bank Operations Ctr (Lake Elmo)	425	10	1.8%	400	8	2.4%
MN Correctional Facility (Oak Park Hts)	-	-	-	725	6	4.3%
Imation Corp (Oakdale)	-	-	-	390	9	2.3%
SunAmerica Financial Group (Woodbury)	-	-	-	310	10	1.8%

[(1)]City staff estimate

CITY OF LAKE ELMO, MINNESOTA
FULL-TIME EQUIVALENT EMPLOYEES BY FUNCTION/PROGRAM
Last Ten Fiscal Years

	Full-Time-Equivalent Employees as of December 31,			
	2021	2020	2019	2018
General Government:				
Administration	1.93	1.98	2.70	2.70
Finance	0.82	0.72	1.05	1.05
Planning and Zoning	1.95	1.95	2.10	2.10
Total General Government	4.70	4.65	5.85	5.85
Public Safety:				
Fire	1.42	1.42	3.80	3.80
Building Inspections	4.91	4.91	4.20	4.20
Total Public Safety	6.33	6.33	8.00	8.00
Public Works:				
Streets and Roadways	6.47	4.80	4.80	4.80
Parks and Recreation:				
Parks	1.01	2.25	2.20	2.20
Communications	0.42	0.42	0.50	0.50
Total Governmental Activities	18.93	18.45	21.35	21.35
Business-type Activities:				
Water Utility	2.98	2.75	2.50	2.50
Sewer Utility	1.05	1.40	1.15	1.15
Storm Sewer Utility	0.54	0.90	0.80	0.80
Total Business-Type Activities	4.57	5.05	4.45	4.45
Total	23.50	23.50	25.80	25.80

Source: City's Adopted Budgets

Table 17

Full-Time-Equivalent Employees as of December 31,					
2017	2016	2015	2014	2013	2012
2.45	2.45	3.20	3.55	3.55	3.15
1.20	1.20	0.80	1.25	1.25	0.50
2.21	2.21	2.75	2.70	2.95	1.55
5.86	5.86	6.75	7.50	7.75	5.20
3.80	3.80	1.50	1.55	2.05	1.60
4.21	4.21	3.15	1.55	1.30	0.95
8.01	8.01	4.65	3.10	3.35	2.55
4.55	4.55	3.90	3.20	3.21	3.05
3.00	3.00	1.85	3.30	2.74	2.52
-	-	0.70	0.35	0.40	0.15
21.42	21.42	17.85	17.45	17.45	13.47
2.00	2.00	2.45	2.60	2.10	1.85
1.66	1.66	1.30	0.70	0.70	0.30
0.80	0.00	0.00	0.00	0.00	0.00
4.46	3.66	3.75	3.30	2.80	2.15
25.88	25.08	21.60	20.75	20.25	15.62

CITY OF LAKE ELMO, MINNESOTA
OPERATING INDICATORS BY FUNCTION/PROGRAM
Last Ten Fiscal Years

	2021	2020	2019	2018
Planning and Zoning:				
Conditional use permits	1	1	6	6
Interim use permits	-	-	-	-
Minor subdivisions	2	-	1	1
Plats / planned unit developments	7	5	13	13
Rezonings	8	1	4	4
Site plans	-	3	-	-
Variances	6	5	6	6
Fire:				
Total emergency responses	568	546	461	461
EMS responses	355	317	317	317
Fire responses	213	229	144	144
Building Inspections:				
Residential permit valuations (thousands of dollars)	$128,265	$88,038	$113,913	$113,913
Commercial permit valuations (thousands of dollars	$12,548	$11,761	$3,217	$3,217
New residential units (1)	297	263	245	245
New commercial units	5	19	-	-
Water Utility:				
Number of customers	4,229	3,559	2,317	2,317
Average quarterly consumption (2) (millions of gallons)	89	76	56	56
Sanitary Sewer Utility:				
Number of customers	2,971	2,363	1,253	1,253
Average quarterly flow (3) (millions of gallons)	19	18	11	11

Sources: Various City Department's annual financial report statistics

(1) Excludes fire/demolition rebuilds
(2) Residential and Commercial; rate increase effective 1/1/2010 to encourage conservation
(3) Billed and measured based on water usage; new developer homes built in 2015 but not yet sold/occupied so no impact to flow

Table 18

2017	2016	2015	2014	2013	2012
5	3	2	4	2	3
2	2	1	1	1	-
1	2	2	-	2	1
10	11	9	17	1	-
5	3	2	11	2	7
1	1	-	-	2	1
6	4	2	2	5	4
456	430	429	358	448	399
313	268	274	237	280	262
143	162	32	21	28	28
$86,710	$119,301	$50,401	$23,032	$19,979	$20,320
$1,185	$2,003	$1,952	$7,309	$966	$2,351
299	240	140	41	32	31
1	1	1	3	-	-
1,727	1,538	1,234	1,073	1,051	1,016
28	18	18	19	21	15
712	321	96	45	29	29
12	14	74	77	77	75

CITY OF LAKE ELMO, MINNESOTA
CAPITAL ASSET STATISTICS BY FUNCTION/PROGRAM **Table 19**
Last Ten Fiscal Years

	2021	2020	2019	2018	2017	2016	2015	2014	2013	2012
Fire:										
Stations	2	2	2	2	2	2	2	2	2	2
Public Works:										
Bituminous streets (miles)	94.80	92	112	112	103	103	65	65	63	63
Gravel streets (miles)	0.5	0.5	0.5	1	2	2	2	2	2	2
Storm sewer (miles)	50	48	33	33	30	30	25	25	25	25
Parks & Recreation:										
Acres of parkland	517	427	427	427	420	420	420	420	420	420
Number of parks	24	24	24	24	17	17	17	17	17	17
Water Utility:										
Water towers	3	3	3	3	3	3	3	3	2	2
Miles of watermain	75	73	58	58	50	50	43	40	39	37
Number of fire hydrants	735	707	559	559	415	415	378	351	293	280
Sanitary Sewer Utility:										
Miles of sanitary sewer	33	32	29	29	8	8	4	3	3	3
Lift Stations	6	7	5	5	4	4	4	4	3	3

Sources: Various City Department's annual financial report statistics

REDPATH AND COMPANY

INDEPENDENT AUDITOR'S REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

To the Honorable Mayor and
Members of the City Council
City of Lake Elmo, Minnesota

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Lake Elmo, Minnesota, as of and for the year ended December 31, 2021, and the related notes to the financial statements, which collectively comprise the City of Lake Elmo, Minnesota's basic financial statements, and have issued our report thereon dated June 14, 2022.

Report on Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City of Lake Elmo, Minnesota's internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City of Lake Elmo, Minnesota's internal control. Accordingly, we do not express an opinion on the effectiveness of the City of Lake Elmo, Minnesota's internal control.

Our consideration of internal control was for the limited purpose described in the preceding paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies and therefore, material weaknesses or significant deficiencies may exist that were not identified. However, as described in the accompanying schedule of findings and responses, we identified certain deficiencies in internal control that we consider to be material weaknesses and significant deficiencies.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the entity's financial statements will not be prevented, or detected and corrected, on a timely basis. We consider the deficiency described in the accompanying schedule of findings and responses as item 2021-01 to be a material weakness.

A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance. We consider the deficiency described in the accompanying schedule of findings and responses as item 2021-02 to be a significant deficiency.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City of Lake Elmo, Minnesota's financial statements are free from material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

City of Lake Elmo, Minnesota's Responses to Findings

Government Auditing Standards requires the auditor to perform limited procedures on the City of Lake Elmo, Minnesota's responses to the findings identified in our audit and described in the accompanying schedule of findings and responses. The City of Lake Elmo, Minnesota's responses were not subjected to the other auditing procedures applied in the audit of the financial statements and, accordingly, we express no opinion on the response.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City of Lake Elmo, Minnesota's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City of Lake Elmo, Minnesota's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

Redpath and Company, Ltd.

REDPATH AND COMPANY, LTD.
St. Paul, Minnesota

June 14, 2022

CITY OF LAKE ELMO, MINNESOTA
SCHEDULE OF FINDINGS AND RESPONSES
For The Year Ended December 31, 2021

2021-01 Financial Statement Corrections

Criteria: A City's internal controls should allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis.

Condition: Audit procedures detected material misstatements relating to accounts receivable, construction in progress / project expenses, retainage payable and MPCA grant revenue. All misstatements occurred in the water, sewer and storm sewer enterprise funds.

Cause: The error relating to accounts receivable occurred because the 4th quarter utility billing report was not reconciled to the general ledger. Other misstatements likely occurred due to the complexities of properly accounting for all project costs and related grant revenue.

Effect: Inadequate controls over the year-end closing process results in an increased risk that financial statement misstatements may occur and not be detected on a timely basis.

Recommendation: We recommend staff continue their efforts to appropriately account for the transactions and account balances of the City.

Views of Responsible Officials and Corrective Action Plan: It is the intent of the City's staff to minimize the number of audit adjustments needed each year.

CITY OF LAKE ELMO, MINNESOTA
SCHEDULE OF FINDINGS AND RESPONSES
For The Year Ended December 31, 2021

2021-02 Lack of Ideal Segregation of Duties

Criteria: Generally, a system of internal control contemplates segregation of duties such that no individual has responsibility to execute a transaction, has physical access to the related assets, and has responsibility or authority to record the transaction.

Condition: The same employee is responsible for preparing and reviewing bank reconciliations, as well as recording and approving adjusting journal entries.

Cause: This condition is common to organizations of this size due to a limited number of staff in the finance department.

Effect: The lack of ideal segregation of duties subjects the City to a higher risk that errors or fraud could occur and not be detected in a timely manner.

Recommendation: Any modifications of internal controls in this area must be viewed from a cost/benefit perspective.

Views of Responsible Officials and Corrective Action Plan: Due to limited number of employees it is not possible to provide for the complete segregation of duties. The City has established other safeguards to compensate for this, such as establishing procedures and processes that require multiple checks and balances.

REDPATH AND COMPANY

COMMUNICATION WITH THOSE CHARGED WITH GOVERNANCE

To the Honorable Mayor and
Members of the City Council
City of Lake Elmo, Minnesota

We have audited the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Lake Elmo, Minnesota for the year ended December 31, 2021. Professional standards require that we provide you with information about our responsibilities under generally accepted auditing standards and *Government Auditing Standards*, as well as certain information related to the planned scope and timing or our audit. We have communicated such information in our letter to you dated April 26, 2022. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the City of Lake Elmo, Minnesota are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during 2021. We noted no transactions entered into by the City of Lake Elmo, Minnesota during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting estimates are an integral part of the financial statements prepared by management and are based on management's knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected.

The most sensitive estimates affecting the City's financial statements are estimates used to calculate the net pension asset and liability, the pension related deferred outflows and inflows of resources, and pension expense. These estimates are based on actuarial studies. We evaluated the key factors and assumptions used to develop the estimates in determining that they are reasonable in relation to the financial statements taken as a whole.

Certain financial statement disclosures are particularly sensitive because of their significance to financial statement users. Determining sensitivity is subjective, however, we believe the disclosures most likely to be considered sensitive are Note 6 – Long-Term Debt and Note 10 – Stewardship, Compliance and Accountability.

The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. There were no uncorrected misstatements that have an effect on our opinion on the financial statements. The uncorrected misstatements or the matters underlying them could potentially cause future period financial statements to be materially misstated, even though, in our judgment, such uncorrected misstatements are immaterial to the financial statements under audit. The following material misstatements detected as a result of audit procedures were corrected by management:

- Accounts receivable of the water, sewer and storm sewer funds were understated by $172,137.
- Construction in progress of the water and sewer funds was understated, and project costs were overstated, by $324,992.
- MPCA grant revenue of the water fund was understated by $212,311.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in the management representation letter dated June 14, 2022.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the City of Lake Elmo, Minnesota's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the City of Lake Elmo, Minnesota's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We applied certain limited procedures to the management's discussion and analysis, the budgetary comparison schedule, and the schedules of OPEB and pension information, as listed in the table of contents, which are required supplementary information (RSI) that supplements the basic financial statements. Our procedures consisted of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We did not audit the RSI and do not express an opinion or provide any assurance on the RSI.

We were engaged to report on the combining and individual nonmajor fund financial statements, which accompany the financial statements but are not RSI. With respect to this supplementary information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared

and reconciled the supplementary information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

We were not engaged to report on the introductory and statistical sections, which accompany the financial statements but are not RSI. Such information has not been subjected to auditing procedures applied in the audit of the basic financial statements, and accordingly, we do not express an opinion or provide any assurance on it.

Restriction on Use

This information is intended solely for the information and use of the City Council and management of the City of Lake Elmo, Minnesota and is not intended to be, and should not be, used by anyone other than these specified parties.

Redpath and Company, Ltd.

REDPATH AND COMPANY, LTD.
St. Paul, Minnesota

June 14, 2022

REDPATH AND COMPANY

MINNESOTA LEGAL COMPLIANCE REPORT

To the Honorable Mayor and
Members of the City Council
City of Lake Elmo, Minnesota

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards,* issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Lake Elmo, Minnesota, as of and for the year ended December 31, 2021, and the related notes to the financial statements, which collectively comprise the City of Lake Elmo, Minnesota's basic financial statements, and have issued our report thereon dated June 14, 2022.

In connection with our audit, nothing came to our attention that caused us to believe that the City of Lake Elmo, Minnesota failed to comply with the provisions of the contracting and bidding, deposits and investments, conflicts of interest, public indebtedness, claims and disbursements, and miscellaneous provisions sections of the *Minnesota Legal Compliance Audit Guide for Cities,* promulgated by the State Auditor pursuant to Minnesota Statute §6.65, insofar as they relate to accounting matters. However, our audit was not directed primarily toward obtaining knowledge of such noncompliance. Accordingly, had we performed additional procedures, other matters may have come to our attention regarding the City of Lake Elmo, Minnesota's noncompliance with the above referenced provisions, insofar as they relate to accounting matters.

The purpose of this report is solely to describe the scope of our testing of compliance and the results of that testing, and not to provide an opinion on compliance. Accordingly, this communication is not suitable for any other purpose.

Redpath and Company, Ltd.

REDPATH AND COMPANY, LTD.
St. Paul, Minnesota

June 14, 2022

THE CITY OF LAKE ELMO

STAFF REPORT

DATE: 06/21/2022
REGULAR

TO: City Council
FROM: Molly Just, Planning Director
AGENDA ITEM: Consideration of increased building setbacks in certain locations in the South Planning Area

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BACKGROUND:

The City Council directed the Planning Department to pursue amendments to the Medium Density Residential (MDR) and High Density Residential (HDR) zoning districts. As development has been proposed and occurred along the new 5th Street in the South Planning Area, some buildings have been located closer to the public way than others. With the varying land use densities and intensities planned for 5th Street this is an opportunity to guide building placement along this new local street which includes more than just the MDR and HDR zoning districts. It may also be an appropriate time to consider building placement on other roads in the South Planning Area.

At the May 23, 2022 meeting the Planning Commission suggested bringing forward for public hearing and consideration language to establish a 40 foot setback along 5th Street, Hudson Boulevard, Inwood Avenue, Keats Avenue, Lake Elmo Avenue and Manning Avenue. Staff suggested a 40 foot setback based on an analysis of existing and proposed development along the east side of 5th Street. *The Zoning Map and Comprehensive Plan Future Land Use Maps are attached to understand the variety of existing and planned land uses for the South Planning Area.*

A review of building placement in medium and high density districts in other communities in Washington County yields the following information for consideration. *Note that the examples below are exceptions to the setback standards meaning that the greater setback would not apply to most parcels but is intended to address the possible impacts on livability of being close to a major road. The subject codes are attached for reference.*

The City of Stillwater has a greater minimum setback for all building types (principal and accessory) from all yards (front, side, rear) from portions of Trunk Hwy 96, County Roads 12 and 15, McKusick Road and railroads.

The City of Forest Lake has greater minimum front yard setbacks for principal buildings based on roadway type (arterial, collector, local street, existing private street, and internal street). Side and rear yard setbacks are not based on roadway type.

The City of Woodbury has a greater minimum setback for principal buildings from all yards (front, side, rear) from existing or future collectors.

PROPOSED CHANGES:

Based on this research and considering the planned and built environment in the South Planning Area, staff suggests an approach similar to Stillwater and Woodbury in which the greater setback would apply to all yards and to both principal and accessory buildings. This would lead to a more pleasant built environment for residents and pedestrians and create a consistent and greater separation between vehicles and residents. As to whether to follow the Stillwater or Woodbury approach, staff is inclined to take the Stillwater approach as it is more surgical. For that reason, both approaches are provided and the City Council is asked to decide on which to take.

Section 105.12.720 Urban Residential Districts Lot Dimensions and Building Bulk Requirements

	GC	LDR	MDR	HDR
Minimum Building Setbacks (feet)				
Front yard	25	25 [c]	25 [c]	20 [c]
Interior side yard [e]				
Principal Buildings [f, g]	10	10	10	10[d]
Minimum Building Setbacks (feet)				
Interior side yard				
Attached garage or accessory structures [f, g]	5	5	5	10[d]
Corner side yard [g, h]	15	15	15	15
Rear yard	20	20	20	20
Notes to Urban Residential Districts Table:				
a. Common open space areas may be used in the determining whether or not the minimum lot areas within a development are met, when provided as part of an overall development plan.				
b. Two-family units may be side-by-side with a party wall between them (twin) or located on separate floors in a building on a single lot (duplex). The per-unit measurements in this table apply to twin units, whether on a single lot or separate lots. The standards for single-family detached dwelling shall apply to a duplex containing two vertically-separated units on a single lot.				
c. In the case of single-family attached dwellings that are not situated on individual lots, minimum lot size shall be applied to each unit as a measure of density; i.e., one unit per 2,500 square feet. This standard is also used for multifamily dwellings.				
d. Single-family dwellings (both attached and detached) and two-family dwellings may use the side yard setbacks within MDR zoning districts.				
e. In a block where the majority of the block face has been developed with the same or similar setbacks, the front setback for the remaining lots on that block face shall fall within the range established by the existing setbacks.				
f. In situations where a garage or accessory building is set back less than seven feet from a side property line, the maximum permitted encroachment for anything attached to said building (including eaves, overhangs, steps, chimneys, and other appurtenances as described in LEC 105.12.200) will be two feet.				
g. Side yards setbacks shall apply to the ends of attached or two-family dwellings.				
h. Corner properties: The side facade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard setback, whichever is less. If no structure exists on the adjacent property, the setback shall be as shown in the table.				

i. The minimum front, rear, or side yard setback for accessory and principal buildings shall be 40 feet when the yard abuts an existing or planned collector or arterial street. Planned streets are identified in the Lake Elmo Comprehensive Plan.

Or

i. The minimum front, rear, or side yard setback for accessory and principal buildings shall be 40 feet when the yard abuts any of the following roadways:

a. Hudson Boulevard
b. 5th Street (planned and existing)
c. Inwood Avenue
d. Keats Avenue
e. Lake Elmo Avenue
f. Manning Avenue

Section 105.12.930 Commercial Districts Lot Dimension and Bulk Building Requirements

	LC	CC	C	BP
Building Setback Requirements (feet): [d]				
Front yard	100	30	30	50
Interior side yard	50	20	10	30
Corner side yard	100	25[c]	25[c]	30
Rear yard	50	30[b]	30[b]	30
Residential zones	150	50	50	150
Parking Setback Requirements (feet):				
Front yard	50	15	15	30
Interior side yard	50	10	10	15
Corner side yard	50	15	15	30
Rear yard	50	10	10	15
Residential zones	100	35	35	100
Minimum building floor size (square feet)	4,000	-	-	5,000
Notes to Table 12-2:				
a. Buildings higher than 50 feet may be allowed through a conditional use permit and would be subject to a separate technical and planning evaluation.				
b. Accessory buildings must be set back ten feet from property lines.				
c. Corner properties. The side facade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard setback, whichever is less. If no structure exists on the adjacent property, the setback shall be as shown in the table.				
d. Ground-mounted wind generators may exceed the allowable height restriction designated in all commercial districts and are subject to different setback requirements as identified in LEC 105.12.570.				

e. For residential uses, the minimum front, rear, or side yard setback for accessory and principal buildings shall be 40 feet when the yard abuts an existing or planned collector or arterial street. Planned streets are identified in the Lake Elmo Comprehensive Plan.

Or

e. For residential uses, the minimum front, rear, or side yard setback for accessory and principal buildings shall be 40 feet when the yard abuts any of the following roadways:

a. Hudson Boulevard
b. 5th Street (planned and existing)
c. Inwood Avenue
d. Keats Avenue
e. Lake Elmo Avenue
f. Manning Avenue

Section 105.12.880 Mixed-Use Commercial and Mixed Use Business Park Districts Lot Dimensions and Building Bulk Requirements

	MU-C	MU-BP
Building Setback Requirements (feet):		
Residential uses:		
Front yard [d]	20	20
Interior Side Yard: [f]		
Principal buildings	7	7
Attached garage or accessory structures [e,f]	5	5
Corner side yard [g]	10	10
Rear yard	20	20
Nonresidential Uses:		
Front yard [d]	30	50
Interior side yard [j]	10	30
Corner side yard [g]	25	30
Rear yard	30	30
From residential zones	50	150
Parking Setback Requirements (feet):		
Front yard	15	30
Interior side yard	10	15
Corner side yard	15	30
Rear yard	10	15
From residential zones	35	50
Notes to Mixed-use Commercial and Mixed-use Business Park Districts Table:		
a. Common open space areas may be used in determining whether or not the minimum lot areas within a development are met, when provided as part of an overall development plan.		
b. Two-family units may be side-by-side with a party wall between them (twin) or located on separate floors in a building on a single lot (duplex). The per-unit measurements in this table apply to twin units, whether on a single lot or separate lots. The standards for single-family detached dwelling shall apply to a duplex containing two vertically-separated units on a single lot.		
c. In the case of single-family attached dwellings that are not situated on individual lots, minimum lot size shall be applied to each unit as a measure of density; i.e., one unit per 2,500 square feet. This standard also is used for multifamily dwellings.		
d. In a block where the majority of the block face has been developed with the same or similar setbacks, the front setback for the remaining lots on that block face shall fall within the range established by the existing setbacks.		
e. In situations where a garage or accessory building is set back less than seven feet from a side property line, the maximum permitted encroachment for anything attached to said building (including eaves, overhangs, steps, chimneys, and other appurtenances as described in LEC 105.12.200) will be two feet.		
f. Side yard setbacks shall apply to the ends of attached or two-family dwellings.		
g. Corner properties. The side facade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard setback, whichever is less. If no structure exists on the adjacent property, the setback shall be as shown in the table.		
h. Attached garages and accessory structures on parcels on which single-family homes are located may have a side yard setback of five feet.		
i. Buildings higher than 50 feet may be allowed through a conditional use permit and would be subject to a separate technical and planning evaluation.		
j. All accessory buildings for nonresidential uses must be set back at least ten feet from property lines.		
k. Ground-mounted wind generators may exceed the allowable height restriction designated in all commercial districts and are subject to different setback requirements as identified in section LEC 105.12.560(b).		

L. For residential uses, the minimum front, rear, or side yard setback for accessory and principal buildings shall be 40 feet when the yard abuts an existing or planned collector or arterial street. Planned streets are identified in the Lake Elmo Comprehensive Plan.

Or

L. For residential uses, the minimum front, rear, or side yard setback for accessory and principal buildings shall be 40 feet when the yard abuts any of the following roadways:

a. Hudson Boulevard
b. 5th Street (planned and existing)
c. Inwood Avenue
d. Keats Avenue
e. Lake Elmo Avenue
f. Manning Avenue

PUBLIC COMMMENT:
A hearing notice was published in the Stillwater Gazette on June 3, 2022. No public comment was received and there was no public comment during the Planning Commission public hearing on June 13th. The Planning Commission discussed the intent of the amendments and the implication of the amendments. After consideration the Planning Commission voted 4-1 (Graen - Nay) to recommend adoption of the subject amendments basing the setback from specific streets and not types of streets.

FISCAL IMPACT:
None.

RECOMMENDATION:
Staff recommends that the City Council adopt the subject amendments to increase building setbacks along 5th Street North, Inwood Avenue, Keats Avenue, Lake Elmo Avenue, Manning Avenue and Hudson Boulevard in Lake Elmo.

If the City Council chooses to base the increased setback requirement on specific roads then two suggested motions are provided below.

"Motion to adopt the zoning text amendments to incorporate an increased building setback from Hudson Boulevard, 5th Street (planned and existing), Inwood Avenue, Keats Avenue, Lake Elmo Avenue and Manning Avenue"

AND

"Motion to approve summary publication of Ordinance 2022-08 (the Zoning Ordinance amendments) with approval of Resolution 2022-065"

If the City Council chooses to base the increased setback requirement on road classification then two suggested motions are provided below.

"Motion to adopt the zoning text amendments to incorporate an increased building setback from existing and planned collector and arterial streets"

AND

"Motion to approve summary publication of Ordinance 2022-08 (the Zoning Ordinance amendments) with approval of Resolution 2022-065"

ATTACHMENTS:
Ordinance 2022-08
Resolution 2022-065
Map of 40-foot setback from Hudson Boulevard, 5th Street (planned and existing), Inwood Avenue, Keats Avenue, Lake Elmo Avenue and Manning Avenue.
Stillwater Setbacks
Forest Lake Setbacks
Woodbury Setbacks
Zoning Map
Future Land Use Map

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 2022-08

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE BY AMENDING

SECTION 1. The City Council of the City of Lake Elmo hereby ordains that Title 105 Zoning; Chapter 105.12: Zoning Code, Sections 105.12.720, 105.12.930, and 105.12.880 are hereby amended by changing the following section (Proposed language is underlined, deleted language is shown with ~~strikethrough~~):

SECTION 105.12.720 URBAN RESIDENTIAL DISTRICTS LOT DIMENSIONS AND BUILDING BULK REQUIREMENTS

	GC	LDR	MDR	HDR
Minimum Building Setbacks (feet)				
Front yard	25	25 [c]	25 [c]	20 [c]
Interior side yard [e]				
Principal Buildings [f, g]	10	10	10	10[d]
Minimum Building Setbacks (feet)				
Interior side yard				
Attached garage or accessory structures [f, g]	5	5	5	10[d]
Corner side yard [g, h]	15	15	15	15
Rear yard	20	20	20	20
Notes to Urban Residential Districts Table:				
a. Common open space areas may be used in the determining whether or not the minimum lot areas within a development are met, when provided as part of an overall development plan.				
b. Two-family units may be side-by-side with a party wall between them (twin) or located on separate floors in a building on a single lot (duplex). The per-unit measurements in this table apply to twin units, whether on a single lot or separate lots. The standards for single-family detached dwelling shall apply to a duplex containing two vertically-separated units on a single lot.				
c. In the case of single-family attached dwellings that are not situated on individual lots, minimum lot size shall be applied to each unit as a measure of density; i.e., one unit per 2,500 square feet. This standard is also used for multifamily dwellings.				
d. Single-family dwellings (both attached and detached) and two-family dwellings may use the side yard setbacks within MDR zoning districts.				
e. In a block where the majority of the block face has been developed with the same or similar setbacks, the front setback for the remaining lots on that block face shall fall within the range established by the existing setbacks.				
f. In situations where a garage or accessory building is set back less than seven feet from a side property line, the maximum permitted encroachment for anything attached to said building (including eaves, overhangs, steps, chimneys, and other appurtenances as described in LEC 105.12.200) will be two feet.				
g. Side yards setbacks shall apply to the ends of attached or two-family dwellings.				
h. Corner properties: The side facade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard setback, whichever is less. If no structure exists on the adjacent property, the setback shall be as shown in the table.				

i. The minimum front, rear, or side yard setback for accessory and principal buildings shall be 40 feet when the yard abuts an existing or planned collector or arterial street. Planned streets are identified in the Lake Elmo Comprehensive Plan.

Or

i. The minimum front, rear, or side yard setback for accessory and principal buildings shall be 40 feet when the yard abuts any of the following roadways:

a. Hudson Boulevard
b. 5th Street (planned and existing)
c. Inwood Avenue
d. Keats Avenue
e. Lake Elmo Avenue
f. Manning Avenue

SECTION 105.12.930 COMMERCIAL DISTRICTS LOT DIMENSION AND BULK BUILDING REQUIREMENTS

	LC	CC	C	BP
Building Setback Requirements (feet): [d]				
Front yard	100	30	30	50
Interior side yard	50	20	10	30
Corner side yard	100	25[c]	25[c]	30
Rear yard	50	30[b]	30[b]	30
Residential zones	150	50	50	150
Parking Setback Requirements (feet):				
Front yard	50	15	15	30
Interior side yard	50	10	10	15
Corner side yard	50	15	15	30
Rear yard	50	10	10	15
Residential zones	100	35	35	100
Minimum building floor size (square feet)	4,000	-	-	5,000
Notes to Table 12-2:				
a. Buildings higher than 50 feet may be allowed through a conditional use permit and would be subject to a separate technical and planning evaluation.				
b. Accessory buildings must be set back ten feet from property lines.				
c. Corner properties. The side facade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard setback, whichever is less. If no structure exists on the adjacent property, the setback shall be as shown in the table.				
d. Ground-mounted wind generators may exceed the allowable height restriction designated in all commercial districts and are subject to different setback requirements as identified in LEC 105.12.570.				

e. For residential uses, the minimum front, rear, or side yard setback for accessory and principal buildings shall be 40 feet when the yard abuts an existing or planned collector or arterial street. Planned streets are identified in the Lake Elmo Comprehensive Plan.

Or

e. For residential uses, the minimum front, rear, or side yard setback for accessory and principal buildings shall be 40 feet when the yard abuts any of the following roadways:

a. Hudson Boulevard
b. 5th Street (planned and existing)
c. Inwood Avenue

d. Keats Avenue
e. Lake Elmo Avenue
f. Manning Avenue

SECTION 105.12.880 MIXED-USE COMMERCIAL AND MIXED USE BUSINESS PARK DISTRICTS LOT DIMENSIONS AND BUILDING BULK REQUIREMENTS

	MU-C	MU-BP
Building Setback Requirements (feet):		
Residential uses:		
Front yard [d]	20	20
Interior Side Yard: [f]		
Principal buildings	7	7
Attached garage or accessory structures [e,f]	5	5
Corner side yard [g]	10	10
Rear yard	20	20
Nonresidential Uses:		
Front yard [d]	30	50
Interior side yard [j]	10	30
Corner side yard [g]	25	30
Rear yard	30	30
From residential zones	50	150
Parking Setback Requirements (feet):		
Front yard	15	30
Interior side yard	10	15
Corner side yard	15	30
Rear yard	10	15
From residential zones	35	50
Notes to Mixed-use Commercial and Mixed-use Business Park Districts Table:		
a. Common open space areas may be used in determining whether or not the minimum lot areas within a development are met, when provided as part of an overall development plan.		
b. Two-family units may be side-by-side with a party wall between them (twin) or located on separate floors in a building on a single lot (duplex). The per-unit measurements in this table apply to twin units, whether on a single lot or separate lots. The standards for single-family detached dwelling shall apply to a duplex containing two vertically-separated units on a single lot.		
c. In the case of single-family attached dwellings that are not situated on individual lots, minimum lot size shall be applied to each unit as a measure of density; i.e., one unit per 2,500 square feet. This standard also is used for multifamily dwellings.		
d. In a block where the majority of the block face has been developed with the same or similar setbacks, the front setback for the remaining lots on that block face shall fall within the range established by the existing setbacks.		
e. In situations where a garage or accessory building is set back less than seven feet from a side property line, the maximum permitted encroachment for anything attached to said building (including eaves, overhangs, steps, chimneys, and other appurtenances as described in LEC 105.12.200) will be two feet.		
f. Side yard setbacks shall apply to the ends of attached or two-family dwellings.		
g. Corner properties. The side facade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard setback, whichever is less. If no structure exists on the adjacent property, the setback shall be as shown in the table.		
h. Attached garages and accessory structures on parcels on which single-family homes are located may have a side yard setback of five feet.		
i. Buildings higher than 50 feet may be allowed through a conditional use permit and would be subject to a separate technical and planning evaluation.		
j. All accessory buildings for nonresidential uses must be set back at least ten feet from property lines.		
k. Ground-mounted wind generators may exceed the allowable height restriction designated in all commercial districts and are subject to different setback requirements as identified in section LEC 105.12.560(b).		

L. For residential uses, the minimum front, rear, or side yard setback for accessory and principal buildings shall be 40 feet when the yard abuts an existing or planned collector or arterial street. Planned streets are identified in the Lake Elmo Comprehensive Plan.

Or

L. For residential uses, the minimum front, rear, or side yard setback for accessory and principal buildings shall be 40 feet when the yard abuts any of the following roadways:
a. Hudson Boulevard

b. 5th Street (planned and existing)
c. Inwood Avenue
d. Keats Avenue
e. Lake Elmo Avenue
f. Manning Avenue

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 2022-08 was adopted on this 21st day of June, 2022, by a vote of __ Ayes and ___Nays.

LAKE ELMO CITY COUNCIL

_____
Charles Cadenhead, Mayor

ATTEST:

_____
Julie Johnson, City Clerk

This Ordinance 2022-08 was published on the ____ day of _____, 2022.

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

RESOLUTION NO. 2022-065

RESOLUTION AUTHORIZING PUBLICATION OF A SUMMARY OF ORDINANCE 2022-08

WHEREAS, the Lake Elmo City Council has adopted Ordinance No. 2022-08, an ordinance that amends the City's Zoning Code Section 105.12.720 Urban Residential Districts Lot Dimensions and Building Bulk Requirements, Section 105.12.930 Commercial Districts Lot Dimensions and Bulk Building Requirements, and Section 105.12.880 Mixed-Use Commercial and Mixed-Use Business Park Districts Lot Dimensions and Building Bulk Requirements.

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. 2022-08 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. 2022-08, an ordinance that amends the City Code language in the Zoning Ordinance. This ordinance alters language in the City Code to add an increased building setback along certain roads or road types. The following is a summary of the adopted ordinance language:

Ordinance 2022-08 includes the following elements to amend Code Section 105.12.720, Section 105.12.930 and Section 105.12.880:

The full text of Ordinance 2022-08 is available for inspection at Lake Elmo City Offices during regular business hours.

Section 105.12.720 Urban Residential Districts. *New Note i*
i. The minimum front, rear, or side yard setback for accessory and principal buildings shall be 40 feet when the yard abuts an existing or planned collector or arterial street. Planned streets are identified in the Lake Elmo Comprehensive Plan.

Or

i. The minimum front, rear, or side yard setback for accessory and principal buildings shall be 40

feet when the yard abuts any of the following roadways:

a. Hudson Boulevard
b. 5th Street (planned and existing)
c. Inwood Avenue
d. Keats Avenue
e. Lake Elmo Avenue
f. Manning Avenue

Section 105.12.930 Commercial Districts. *New note e.*

e. For residential uses, the minimum front, rear, or side yard setback for accessory and principal buildings shall be 40 feet when the yard abuts an existing or planned collector or arterial street. Planned streets are identified in the Lake Elmo Comprehensive Plan.

Or

e. For residential uses, the minimum front, rear, or side yard setback for accessory and principal buildings shall be 40 feet when the yard abuts any of the following roadways:

a. Hudson Boulevard
b. 5th Street (planned and existing)
c. Inwood Avenue
d. Keats Avenue
e. Lake Elmo Avenue
f. Manning Avenue

Section 105.12.880 Mixed-Use Commercial and Mixed Use Business Park Districts. *New note L.*

L. For residential uses, the minimum front, rear, or side yard setback for accessory and principal buildings shall be 40 feet when the yard abuts an existing or planned collector or arterial street. Planned streets are identified in the Lake Elmo Comprehensive Plan.

Or

L. For residential uses, the minimum front, rear, or side yard setback for accessory and principal buildings shall be 40 feet when the yard abuts any of the following roadways:

a. Hudson Boulevard
b. 5th Street (planned and existing)
c. Inwood Avenue
d. Keats Avenue
e. Lake Elmo Avenue
f. Manning Avenue

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.

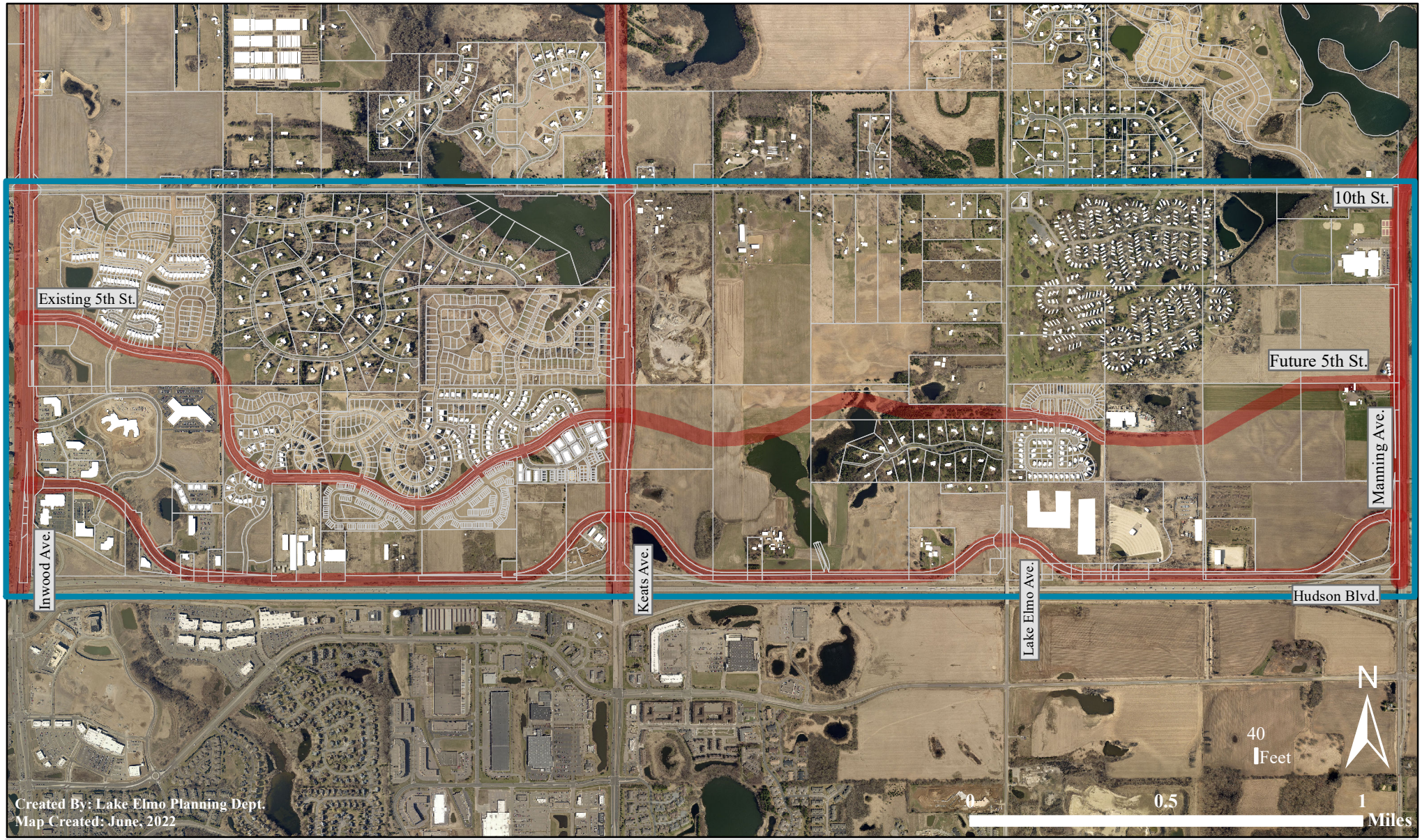
Dated: June 21, 2022

_____
Charles Cadenhead, Mayor

ATTEST:

_____
Julie Johnson, City Clerk

(SEAL)



40ft. Setback and Structure Proximity Analysis

Buffer

Area of Intrest

Structures

Parcels

Sec. 31-310. - TH townhouse residential district.

(a) *Allowable uses.* See Table in Section 31-315 for the allowable uses within the TH district.

(b) *Massing regulations.*

(1) Minimum standards. [1]

Lot area per unit	5,000 square feet
Front yard setback	
Residence	20 feet
Garage front facing	25 feet
Garage side facing	20 feet
Side yard setback	25 feet
Rear yard setback	25 feet
Building separation	15 feet
Height	2½ stories, not to exceed 35 feet

(2) Additional setback standards. [2]

Trunk Highway 96 (Stonebridge Trail to Co Rd. 15)	100 feet
McKusick Road (Neal Ave. to Co Rd. 15)	100 feet
County Rd. 12 (Northland Ave. to Co Rd. 15)	100 feet
County Rd. 15 (Trunk Highway 36 to Trunk Highway 96)	100 feet
Railroad	75 feet

(c) *Design review.* Design review is required for all permitted and specially permitted buildings or uses.

[1] All standards are minimum requirements unless otherwise noted.

[2] Measured from the right-of-way line.

Sec. 31-312. - RCL low density multiple-family residential district.

(a) *Allowable uses.*

(1) See Table in Section 31-315 for the allowable uses within this district.

(b) *Massing regulations.*

(1) Minimum standards. [1]

Lot area	20,000 square feet
Lot area per unit	7,000 square feet
Open space per unit	1,500 square feet
Front setback [2]	35 feet
Side setback [2]	50 feet
Rear setback [2]	50 feet
Principal building separation	50 feet
Building Height	35 feet maximum

(2) Additional setback standards. [3]

Trunk Highway 96 (Stonebridge Trail to Co Rd. 15)	100 feet
McKusick Road (Neal Ave. to Co Rd. 15)	100 feet

County Rd. 12 (Northland Ave. to Co Rd. 15)	100 feet
County Rd. 15 (Trunk Highway 36 to Trunk Highway 96)	100 feet
Railroad	75 feet

(c) *Recreation facilities.* Ten percent of the gross project area shall be specifically designed, developed and maintained for recreational purposes such as: Children's play apparatus, swimming and wading pools, game areas such as tennis and horseshoe courts, picnicking and outdoor cooking facilities, etc. In addition, the city council at its discretion may require that the developer provide public park space according to the city park dedication requirements.

(d) *Landscaping and screening.* Landscaping and screening shall be as follows:

(1) All sites when fully developed shall be completely graded so as to adequately drain and dispose of all surface water, stormwater and groundwater in such a manner as to preclude large scale erosion and unwanted ponding.

(2) All sites when fully developed shall be landscaped according to a plan approved by the city council. The landscaping plan shall specify the size, type and location of all trees and shrubbery and the location of all sodded areas.

(3) Parking areas containing four or more spaces which are adjacent to or across the street from a residential district shall be screened to a height of at least four feet by shrubbery, wood or masonry materials.

[1] All standards are minimum requirements unless otherwise noted.

[2] Principal and accessory structures must meet this setback standard.

[3] Measured from the right-of-way line.

Sec. 31-313. - RCM medium density multiple-family residential district.

(a) *Allowable uses.*

(1) See Table in Section 31-315 for the allowable uses within this district.

(b) *Massing regulations.*

(1) Minimum standards. [1]

Lot area	12,000 square feet

Lot area per unit	2,800 square feet
Maximum lot coverage	30 percent
Maximum floor area ratio	0.75
Front setback	
Principal building	35 feet
Accessory building	45 feet
Side setback	
Principal building	20 feet
Accessory building	10 feet
Rear setback	
Principal building	45 feet
Accessory building	10 feet
Principal building separation	35 feet
Building Height	3 stories maximum

i. *Exceptions:*

a. One- and two-family dwellings may be allowed to conform to the RB district setback requirements.

b. When the adjacent buildings are located with a setback less than is required above, a multiple dwelling may be permitted to be located up to the point of the lesser setback requirement.

(2) Additional setback standards. [2]

Trunk Highway 96 (Stonebridge Trail to Co Rd. 15)	100 feet
McKusick Road (Neal Ave. to Co Rd. 15)	100 feet
County Rd. 12 (Northland Ave. to Co Rd. 15)	100 feet
County Rd. 15 (Trunk Highway 36 to Trunk Highway 96)	100 feet
Railroad	75 feet

(c) *Recreation facilities.* There shall be 200 square feet per dwelling unit or ten percent of the gross project area, whichever is greater, specifically designed, developed and maintained by the owner for recreation purposes in the RCM district such as follows: Children's play apparatus, swimming and wading pools, game areas, such as tennis and horseshoe courts, picnicking and outdoor cooking facilities, etc. In addition, the city council at its discretion may require that the developer provide public park space according to the city park dedication requirements.

(d) *Landscaping and screening.* Landscaping and screening shall be as follows:

(1) All sites when fully developed shall be completely graded so as to adequately drain and dispose of all surface water, stormwater and groundwater in such a manner as to preclude large scale erosion and unwanted ponding.

(2) All sites when fully developed shall be landscaped according to a plan approved by the city council. The landscaping plan shall specify the size, type and location of all trees and shrubbery and the location of all sodded areas.

(3) Parking areas containing four or more spaces which are adjacent to or across the street from a residential district shall be screened to a height of at least four feet by shrubbery, wood or masonry materials.

[1] All standards are minimum requirements unless otherwise noted.

[2] Measured from the right-of-way line.

§ 153.322 MIXED RESIDENTIAL (MXR-3) DISTRICT.

(A) *Purpose.* The Mixed Residential (MXR-3) District is intended to provide areas offering a variety of housing types, including single-family attached and detached dwellings and multi-family structures to retain the environment and character of less intensive styles of multiple-family residence areas by establishing building and lot area requirements; to broaden the choice of residential living styles in the city; and to promote quality development by following a thorough application, review, and approval process.

(B) *Permitted uses.* Subject to applicable provisions of this chapter, the following are permitted uses in the MXR-3 District:

(1) Dwelling, single-family detached;

(2) Dwelling, single-family attached - 8 units per building maximum with each unit having a separate entrance;

(3) Recreation, public.

(C) *Accessory uses.* Subject to applicable provisions of this chapter, the following accessory uses in the MXR-3 District are allowed only when it is an accessory to an existing principal permitted use on the same lot. All accessory uses must meet the procedures set forth in and regulated by §§ 153.110*et seq.*

(1) Detached accessory structures (detached single-family and dwelling apartment only);

(2) Day care facility, licensed - serving 6 or fewer persons;

(3) Kennel, private - 3 or fewer pets (single-family detached lots only);

(4) Residential facility, licensed - serving 6 or fewer persons;

(5) Other uses customarily associated with but subordinate to a permitted use, as determined by the city;

(6) Amateur radio antenna (subject to the amateur radio antenna standards in §153.096(II)(9)).

(D) *Certificate of compliance.* Subject to applicable provision of this chapter, the following are uses in the MXR-3 District that require approval with a certificate of compliance as set forth in and regulated by § 153.029.

(1) *Accessory uses.*

(a) Accessory apartment (single-family detached dwellings only);

(b) Day care facility, licensed - serving 7 to 14 persons;

(c) Home occupations (single-family detached dwellings only);

(d) Residential facility, licensed - serving 7 to 10 persons;

(e) Solar energy systems, either roof or ground-mounted (meeting accessory structure requirements) according to § 153.307.

(E) *Conditional uses.* Subject to applicable provisions of this chapter, the following are conditional uses in the MXR-3 District (requires a conditional use permit based upon procedures set forth in and regulated by § 153.034).

(1) *Principal uses.*

(a) Dwelling, apartment/condominium;

(b) Essential services, governmental buildings and storage;

(c) Essential services, utility substation;

(d) Place of worship;

(e) School.

(2) *Accessory uses.*

(a) Columbarium - accessory to place of worship;

(b) Day care facility, licensed - serving more than 14 persons;

(c) Residential facility, licensed - serving more than 10 persons;

(3) Other uses similar to those permitted in this section as determined by the Planning Commission and City Council.

(4) New wireless support structures and small wireless facilities located within the public right-of-way and meeting the requirements of Chapter 98, and subject to the conditions found in §153.096(PP).

(F) *Interim uses.* Subject to applicable provisions of this chapter, the following are interim uses in the MXR-3 District (requires an interim use permit based upon procedures set forth in and regulated by § 153.035).

(1) Agricultural uses;

(2) Uses as determined by the Planning Commission and City Council.

(G) *Lot size, setback, and height requirements.* The following minimum requirements shall be observed in an MXR-3 District subject to additional requirements, exceptions, and modifications as set forth in this chapter.

(1) *Minimum lot requirements.*

(a) *Lot area.*

1. Detached single-family: 9,000 square feet;

2. Attached townhouse: 7,500 square feet per unit, or no minimum lot size if common site area owned and maintained by a homeowner's association.

3. Apartment/condominium dwelling: 43,560 square feet or 1 acre;

(b) *Lot width.*

1. Detached single-family: 60 feet;

2. Multiple-family dwelling: 100 feet.

3. Attached townhouse: no established minimum.

(2) *Setbacks.*

(a) *Principal structure.*

1. Front yard:

a. Arterials, as designated in the Comprehensive Plan: 75 feet from the right-of-way line or 150 feet from the centerline of the street, whichever is greater;

b. Collector street: 30 feet from the public right-of-way;

c. Local street: 30 feet from the public right-of-way;

d. Existing private street: 30 feet from the back of the curb or edge of pavement;

e. Internal: 20 feet between attached or multi-family principal structures separated by common area.

2. Side yard:

a. Single-family dwelling: 10 feet (unless abutting a side street 25 feet);

b. Attached townhome: 10 feet;

c. Multiple-family dwelling: 30 feet.

3. Side street:

a. Single-family dwelling: 25 feet;

b. Attached townhome: 25 feet;

c. Multiple-family dwelling: 20 feet.

4. Rear yard: 30 feet.

5. Internal: 20 feet between principal structures.

(b) *Detached accessory structure.*

1. Front yard: 30 feet and cannot be located between the principal structure and the street.

2. Side street: 25 feet and cannot be located between the principal structure and the street.

3. Side yard: 10 feet.

4. Rear yard: 10 feet.

(3) *Building height.*

(a) Principal structures: shall be limited to a maximum height of:

1. Single-family detached: 35 feet;

2. Attached townhome: 35 feet or 3 stories, whichever is less;

3. Apartment and condominiums (stacked units): 45 feet or 3 stories, whichever is less.

(b) Detached accessory structures: shall be limited to 1 story with a maximum sidewall height of 10 feet measured from the floor surface to the underside of the ceiling member.

(Ord. 537, passed 11-8-2004; Am. Ord. 549, passed 5-22-2006; Am. Ord. 596, passed 2-8-2010; Am. Ord. 651, passed 3-14-2016; Am. Ord. 676, passed 7-9-2018; Am. Ord. 694, passed 2-10-2020)

§ 153.323 MULTIPLE-FAMILY RESIDENTIAL (MF) DISTRICT.

(A) *Purpose.* The Multiple-Family Residential (MF) District is intended to establish areas for the development of multiple dwelling structures with a maximum density of 15 units per net acre; to maintain a residential character in areas with a high density, multiple-family development; to broaden the choice of residential living styles in the city; to set limitations on housing development density; and to promote quality development by following a thorough application, review, and approval process.

(B) *Permitted uses.* Subject to applicable provisions of this chapter, the following are permitted uses in the MF District:

(1) Dwelling, multiple-family (apartment, condominium, cooperative);

(2) Dwelling, single-family, existing prior to the date of adoption of this chapter. All setback requirements for principal structures and detached accessory structures shall comply with the standards in the MXR-1 District;

(3) Recreation, public.

(C) *Accessory uses.* Subject to applicable provisions of this chapter, the following accessory uses in the MF District are allowed only when it is an accessory to an existing principal permitted use on the same lot. All accessory uses must meet the procedures set forth in and regulated by §§ 153.110*et seq.*

(1) Detached accessory structure;

(2) Detached accessory structure, existing single-family shall comply with the standards in the MXR-1 District.

(3) Day care facility, licensed - serving 6 or fewer persons in an existing single-family dwelling only;

(4) Residential facility, licensed - serving 6 or fewer persons in an existing single-family dwelling only;

(5) Other uses customarily associated with but subordinate to a permitted use as determined by the city;

(6) Amateur radio antenna (subject to the amateur radio antenna standards in §153.096(II)(9)).

(D) *Certificate of compliance.*

(1) Subject to applicable provision of this chapter, the following are uses in the MF District that require approval with a certificate of compliance as set forth in and regulated by § 153.029.

(2) *Accessory uses.*

(a) Day care facility, licensed - serving 7 to 14 persons in an existing single-family dwelling only;

(b) Home occupations in an existing single-family dwelling only unless otherwise approved by the city and property owner;

(c) Residential facility, licensed - serving 7 to 10 persons in an existing single-family dwelling only;

(d) Solar energy systems, either roof or ground mounted (meeting accessory structure requirements) according to § 153.307.

(E) *Conditional uses.* Subject to applicable provisions of this chapter, the following are conditional uses in the MF District (requires a conditional use permit based upon procedures set forth in and regulated by § 153.034).

(1) *Principal uses.*

(a) Essential services, governmental buildings and storage;

(b) Essential services, utility substations;

(c) Manufactured home park;

(d) Nursing home.

(2) *Accessory uses.*

(a) Day care facility, licensed - serving more than 14 persons in an existing single-family home only;

(b) Residential facility, licensed - serving more than 10 persons in an existing single-family home only;

(3) Other uses similar to those permitted in this section as determined by the Planning Commission and City Council.

(F) *Interim uses.* Subject to applicable provisions of this chapter, the following are interim uses in the MF District (requires an interim use permit based upon procedures set forth in and regulated by § 153.035).

(1) Uses as determined by the Planning Commission and City Council.

(G) *Lot size, setback, and height requirements.* The following minimum requirements shall be observed in an MF District

subject to additional requirements, exceptions, and modifications set forth in this chapter.

(1) *Minimum lot requirements.*

(a) Lot area: 43,560 square feet (or 1 acre);

(b) Lot width: 100 feet.

(2) *Setbacks.*

(a) *Principal structure.*

1. Front yard:

a. Arterials as designated in the Comprehensive Plan: 75 feet from the right-of-way line or 150 feet from the centerline of the street, whichever is greater;

b. Collector street: 30 feet from the public right-of-way;

c. Local street: 30 feet from the public right-of-way;

d. Existing private street: 30 feet from the back of curb or edge of pavement.

2. Side yard: 30 feet.

3. Rear yard: 30 feet.

4. Internal: 20 feet between principal structures.

(b) *Accessory structure.*

1. Front yard: 30 feet and cannot be located between the principal structure and the street.

2. Side yard: 10 feet.

3. Rear yard: 10 feet.

(3) *Maximum height.*

(a) Principal structure: shall be limited to a maximum height of 4 stories and 45 feet, whichever is less.

(b) Accessory structures: shall be limited to 1 story with a maximum sidewall height of 10 feet, measured from the floor surface to the underside of the ceiling member.

(H) *Design standards for Townhome and Multiple-Family Structures.*

(1) Design requirements: row style, multi-story (not stacked) or 1 level attached.

(2) *Design character.* A high quality of building design is an important way to bring larger buildings into a traditional neighborhood scale. In addition, site design, landscaping, and pedestrian amenities will help to create a comfortable, livable district and a shared sense of ownership among residents.

(a) *Subdivision requests.* Building elevations and floor plans shall be furnished with subdivision requests illustrating exterior building material and colors to demonstrate compliance with this section. Building floor plans shall identify the interior storage space within each unit.

(b) *Decks or porches.* Provision shall be made for possible decks, porches, or additions as part of the initial dwelling unit building plans. The unit lot shall be configured and sized to include decks or porches.

(c) *Minimum overhang.* In case of a gable roof, a minimum 12 inch soffit shall be required.

(d) *Exterior building finish.* The exterior of attached/townhome dwelling units shall include a variation in building materials which are to be distributed throughout the building facades and coordinated into the architectural design of the structure to create an architecturally balanced appearance. In addition, attached/townhome dwelling structures shall comply with the following requirements:

1. A minimum of 25% of the combined area of all building facades of a structure shall have an exterior finish of brick, stucco, and/or natural or artificial stone.

2. Except for brick, stucco, and/or natural or artificial stone, no single building facade shall have more than 75% of 1 type of exterior finish.

3. Except for brick, stucco, and/or natural or artificial stone, no townhome dwelling structure shall have more than 60% of all building facades of 1 type of exterior finish.

4. For the purpose of this section and material calculations:

a. The area of the building facade shall not include area devoted to windows, entrance doors, garage doors, or roof areas.

b. Variations in texture or style (i.e., lap siding versus shake shingle siding) shall be considered as different

materials meeting the requirements of this section.

c. Integral colored split face (rock face) concrete block shall not qualify for meeting the brick, stucco, and/or natural or artificial stone material requirements.

d. Multiple unit buildings in proximity to each other shall not look alike in terms of color of siding, accent and roofing materials. The building under consideration will be compared to 2 homes on 2 lots on either side of it and to the 3 homes directly facing it.

e. Outside storage shall be allowed only in designated areas which are screened in accordance with §153.146 of this chapter and under the ownership of the property owners' association subject to other applicable provisions of this chapter.

(3) Building design and materials, multi-family (stacked).

(a) Design character: The scale of multi-family dwellings makes the buildings highly visible and it is critical to incorporate high quality architecture. All buildings shall be designed to accomplish the goals and policies of the Comprehensive Plan. Building materials shall be attractive in appearance, durable, and of a quality which is both compatible with adjacent structures and consistent with the city's standards for the district in which it is located. All buildings shall be of good aesthetic and architectural quality, as demonstrated by the inclusion of elements such as accent materials, entrance and window treatments, contrasting colors, irregular building shapes and rooflines, or other architectural features in the overall architectural concept.

(b) A minimum of 50% of the combined area of all building facades of a structure shall contain the following permitted major exterior materials: face brick (glazed or unglazed), clay faced tile, and/or stone masonry (granite, limestone, marble, slate, sandstone, or quartzite).

(c) Accent materials may include: finished texture stucco (cement or synthetic), exterior finished wood siding (painted, stained, or weather sealed), exterior finished metal siding (not including sheet metal of any kind), exterior finished vinyl siding or fiber cement siding in lap or panel design (color impregnated or painted). Panel seam lines shall be architecturally integrated into the building design so that they are not visible. Seam lines can either be filled, covered with accent material or some other method to make seam lines invisible. Accenting materials and design shall be included on all facades.

(d) All building and roofing materials shall meet current accepted industry standards and tolerances, and shall be subject to review and approval by the city for quality, durability, and aesthetic appeal. The applicant shall submit to the city product samples, color building elevations, and associated drawings which illustrate the construction techniques to be used in the installation of such materials.

(e) If complementary building styles, materials, and color schemes are proposed for a development, the developer shall submit to the city a plan showing the distribution of the styles, materials, and colors throughout the development.

(Ord. 537, passed 11-8-2004; Am. Ord. 596, passed 2-8-2010; Am. Ord. 651, passed 3-14-2016)

Sec. 24-134. - R-4 urban residential district.

(a) *Purpose and scope.* This section applies to the R-4 urban residential district. This district is created to provide an adequate amount of land to meet the demand for urban residential development. These areas will require public sewer and water systems which will be extended to encourage staged and orderly growth in the city in conformance to the comprehensive plan or amendments thereto. These lands are shown as "Places to Live, High Density Residential", "Places to Live, Medium Density Residential" or "Places to Live, Low Density Residential" on the comprehensive plan or amendments thereto. Maximum density shall be consistent with the base density in the comprehensive plan unless increased using a density bonus through an approved planned unit development.

(b) *Permitted uses.* Permitted uses are as follows:

Agricultural building existing on April 14, 1971.

Agricultural use existing on April 14, 1971.

Essential services including power lines under 35 KV.

Historic site.

Open space, public or private.

Residential care facility serving six or fewer persons.

Single-family detached dwelling on a platted lot.

Single-family detached dwelling on an unplatted lot not less than 20 acres with a width of not less than 500 feet.

Single-family detached dwelling on an unplatted lot of record less than 20 acres in existence as of September 12, 2012.

(c) *Permitted accessory uses.* Permitted accessory uses are as follows:

Accessory structures in accordance with section 24-281.

Common property to a multiple family complex or planned unit development.

Daycare, home-based and licensed, serving 12 or fewer persons.

Ground source heat pump systems in accordance with section 24-404.

Home business in accordance with section 24-263.

Retail sales accessory to golf course/driving range, ice arena or park facility.

Satellite dish for residential use.

Solar energy system in accordance with section 24-406.

Temporary seasonal roadside stand not to exceed one per farm selling only products grown on that farm.

Wind energy system on lots at least 20 acres in size up to 45 feet in height in accordance with section 24-405.

(d) *Conditional uses.* Conditional uses are as follows:

Accessory uses for a place of worship or school in addition to those listed as permitted may be allowed as a conditional use.

Assisted living facility serving 16 or more persons.

Cemetery in existence as of September 26, 2012.

Daycare, accessory to a place of worship or school.

Daycare, home-based and licensed, serving from 13 to 16 persons.

Daycare, licensed, serving more than 16 persons along a collector or arterial street.

Golf course, driving range.

Government use.

Historic reuse ancillary to the primary residential use limited to: tearoom with scheduled events; indoor or outdoor wedding receptions and socials as scheduled events; bed and breakfast; and catering kitchen.

Multiple-family dwelling in accordance with section 24-309.

Place of worship in accordance with section 24-303.

Planned unit development in accordance with article IV.

Residential care facility serving from seven to 16 persons.

Single-family attached dwelling.

School in accordance with section 24-303.

(e) *Interim conditional uses.* Interim conditional uses are as follows:

Farmers' market in accordance with section 24-265.

Telecommunications tower in accordance with article VI, division 4.

Wind energy system on lots at least 20 acres in size up to 75 feet in height in accordance with section 24-405.

(f) *Zoning district standards.*

(1) Minimum lot area:

a. Single-family detached dwellings, unplatted: 20 acres.

b. Single-family detached dwellings, platted: 10,000 square feet with a minimum buildable area of 4,000 square feet.

c. Single-family attached dwellings:

1. Duplex: An average of 6,000 square feet per unit.

2. Townhouse: An average of 4,500 square feet per unit.

3. Quadplex: An average of 4,500 square feet per unit.

4. Multiple-family dwellings:

(i) Efficiency: 2,300 square feet (maximum five percent efficiency units).

(ii) One-bedroom: 2,925 square feet.

(iii) Two-bedroom: 3,600 square feet.

(iv) Three-bedroom: 4,275 square feet.

(2) Minimum lot width: 80 feet.

(3) Minimum lot depth: 125 feet unless the rear lot line abuts a collector or arterial street then the minimum lot depth shall be 160 feet.

(4) Maximum lot depth: The depth of any lot in a subdivision shall not exceed three times the lot's width.

(5) Access: Maximum of two accesses per residential lot on a public street.

(6) Maximum height: Three stories or 40 feet.

(7) Minimum front yard setback: 35 feet, unless the front yard abuts an existing or future collector or arterial street, then the minimum front yard shall be 50 feet from the anticipated future right-of-way.

(8) Minimum side yard setback:

a. From residential street: 20 feet.

b. From major road (collector or arterial street): 50 feet.

c. From interior lot line: Ten feet.

d. From interior lot line: If a garage, five feet.

e. When the garage and the living unit align, or a portion of the living unit is above the

garage, the side yard setback to the structure on the garage side shall be five feet.

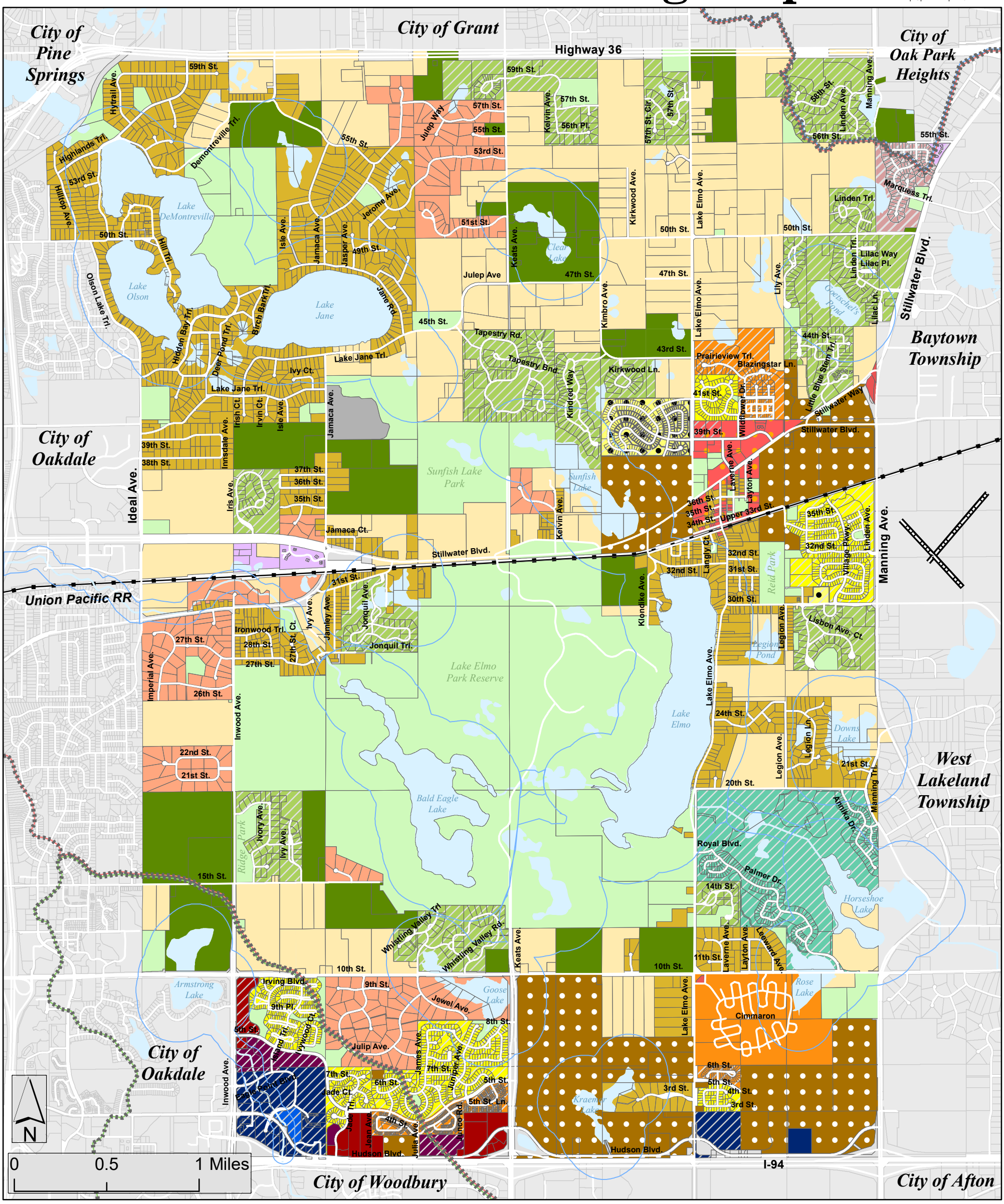
(9) Minimum rear yard setback: 35 feet unless the rear yard abuts an existing or future collector or arterial street, then the minimum rear yard shall be 50 feet from the anticipated future right-of-way.

(10) Maximum building coverage: 35 percent.

(Ord. No. 1858, § 1858.01, 9-26-2012; Ord. No. 1957 , § 4, 12-12-2018)

Lake Elmo Zoning Map

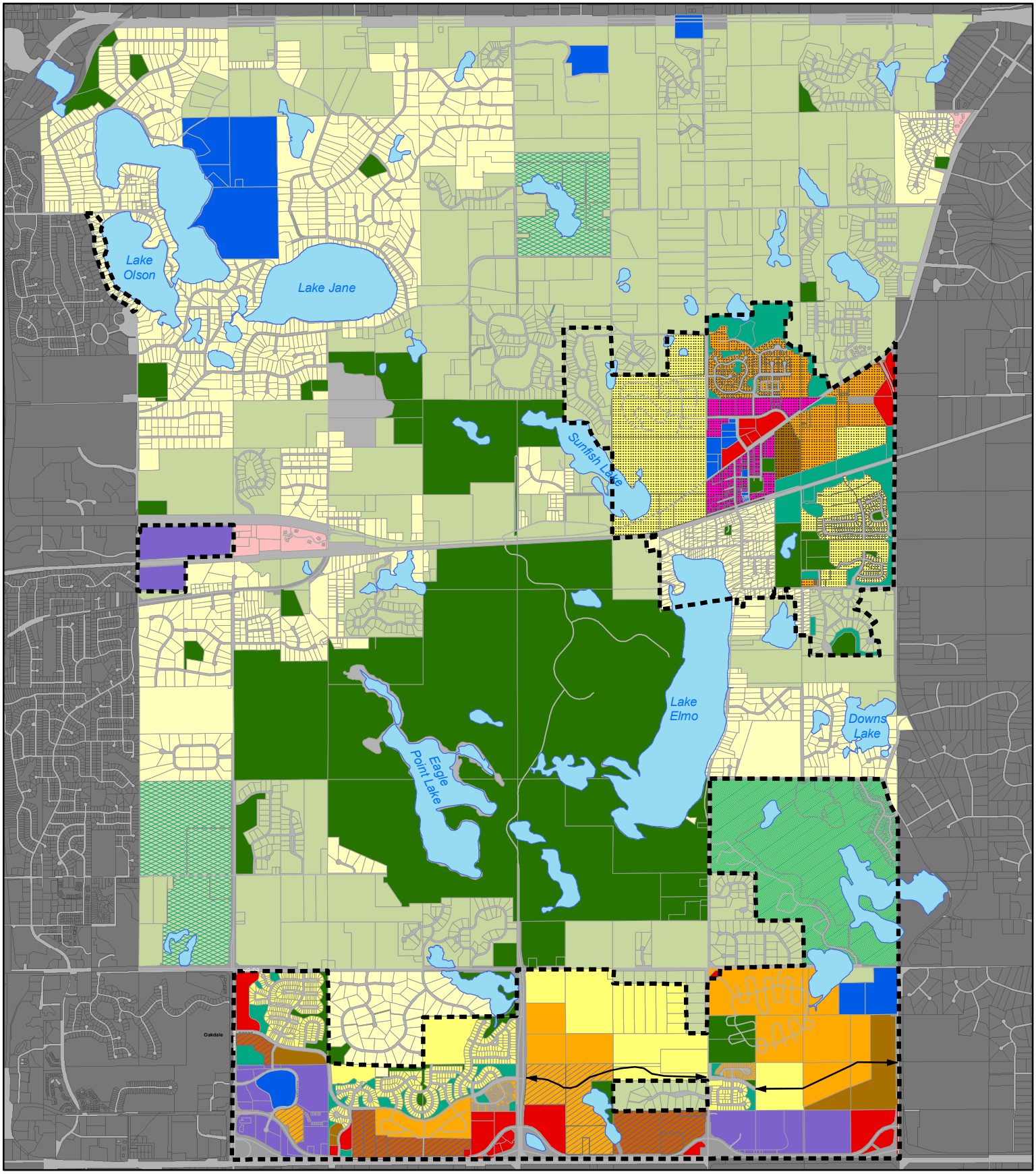
Data Source: Washington County
Map Created By: Planning Dept.
Map Updated: April 2022



Zoning Districts

- LDR - Low Density Residential
- MDR - Medium Density Residential
- HDR - High Density Residential
- R2 - One & Two-Family Residential
- V-LDR - Village Low Density Residential
- RS - Rural Single Family
- RE - Residential Estate
- RR - Rural Residential
- RT - Rural Transitional
- GCC - Golf Course Community
- OP - Open Space PUD
- LC - Limited Commercial
- C - Commercial
- CC - Convenience Commercial
- BP - Business Park
- MU-BP - Mixed-Use Business Park
- MU-C - Mixed-Use Commercial
- V-MX - Village Mixed Use
- A - Agricultural
- PF - Public Facilities
- Water Body
- Closed Landfill
- Browns Creek
- South Washington
- Valley Branch
- Shoreland Overlay District
- Hatching Represents Planned Unit Developments (PUD)

Future Land Use Map



2040 Future Land Use

0 1800 3600 5400 7200 Ft

Map Date: January 2021

N

PSP	AP	GC	MU-BP	V-HDR	C
ROW	RAD	LDR	MU-C	V-MU	Closed Landfill
	RSF	MDR	V-LDR	LB	Institutional
	RSFS	HDR	V-MDR	BP	Park

MUSA Boundary

Planned Roadway (Parkway)

THE CITY OF LAKE ELMO

STAFF REPORT
DATE: 6/21/2022
REGULAR

TO: City Council
FROM: Molly Just, Planning Director
AGENDA ITEM: Recommend minimum requirement for mixed-use in MU-C and MU-BP districts

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BACKGROUND:

The City Council has directed the Planning Department to pursue amendments to the Mixed Use Commercial (MU-C) and Mixed Use Business Park (MU-BP) zoning districts. The purpose of the MU-C district is to promote mixed use development that supports a mix of retail, commercial and residential uses that benefit from their proximity to each other. Similarly, MU-BP promotes development in the city that will have a mix of general business, business park and residential uses which allows for better integration of uses and more flexibility to respond to market demands.

The current zoning code for the MU-C and MU-BP districts does not *require* a mix of uses within proposed developments. The city is seeing an abundance of 100% residential development proposals in these districts which is the opposite of what was anticipated when the districts were written. They were written to require at least 50% residential. The current development pattern is not in accordance with the spirit and intent of the MU-C and MU-BP zoning districts. The Planning Department is proposing the following changes to better align future development with the intent of these districts. This should better "market proof" the districts while still enabling flexibility for developers.

ISSUE BEFORE CITY COUNCIL:

Should the City Council adopt zoning code amendments to require a minimum mix of uses in the Mixed Use-Commercial and Mixed-Use Business Park Districts?

PROPOSED CHANGES

The Planning Department is recommending a requirement that plats and PUDs within the MU-C and MU-BP districts include a minimum of two primary uses from different primary use types from Section 105.12.110 Zoning Use Types and Classifications. In order to qualify as a primary use, the use must occupy a minimum of 20 percent of the floor area in the plat/PUD. This would be a fairly modest requirement and leaves the choice of uses with the developer. An example of a community that uses this minimum requirement is Woodbury. The Lake Elmo Code has 12 different primary use types and there are sub-types within the use types. The uses must be allowed in the district.

The proposed amendments are depicted using strike-thru (deletion) and underline (addition).

105.12.850 Purpose And District Descriptions

a) *MU-C Mixed-Use Commercial*.
   1. The purpose of the mixed-use commercial district is to provide areas in the city for and promote mixed-use development that supports a sustainable mix of retail, commercial and residential uses that will benefit from proximity and adjacency to one another. <u>It is the intent of the district to require a minimum mix of uses with each plat and PUD.</u> The mixed-use commercial district will serve as a transitional district between more intense highway-oriented development and less intense

rural or medium density residential uses. The intent of the mixed-use commercial district is to permit flexibility in the use of the land, while providing a set of minimum development standards in site design, spatial relationships, building architecture and landscape design that will allow property owners to design and construct development projects that respond both to market needs and to city goals and policies. The placement and treatment of buildings, parking, signage, landscaping and pedestrian spaces are essential elements in creating a livable environment in a mixed-use area. The transitional aspect of development in this district requires projects that are designed with a special focus on mitigating any negative impacts on existing and future development in the area. The city will evaluate new development proposals for their consistency with ~~this goal~~ these goals and the city may require developers to amend or change development proposals. The city may deny proposals when the city finds them to be inconsistent with the goals and policies of the city.

2. To meet the requirement for a mix of uses within each plat or PUD the plat or PUD must include at least two (2) primary uses from Section 105.12.110 (b) Use Types and Classifications. To be considered a primary use, the use must occupy a minimum of 20 percent of the floor area within the plat or PUD.
3. The district promotes attractive, inviting, high-quality retail shopping and service areas that are conveniently and safely accessible by multiple travel modes. Development shall incorporate creative design and buffering techniques to ensure smooth transitions between different types of development or different intensities of uses. At least 50 percent of the net developable area of a proposed mixed-use commercial development is to be residential, and residential development within these areas shall occur at a density range of ten to 15 units per acre. If a proposed development does not include at least 50 percent of the net developable land area in residential development, the city will require the applicant to provide a ghost plat (build-out plans) during sketch plan review that proposes how the parcel or area adjacent to the proposed development will be used in order to meet the requirement for at least 50 percent of the project site with residential land uses. This method of subdivision (by showing future land use and subdivision) and development review is a front-loading process that preserves land for future residential use. The city will use the ghost plat or sketch plan as an official document to establish land use consistent with the comprehensive plan.

b) *MU-BP Mixed-Use Business Park.*

1. The purpose of the mixed-use business park district is to provide areas in the city that will have a mix of general business, business park and residential uses. Having a mixture of land uses within the district allows for better integration of uses and more flexibility to respond to market demands. It is the intent of the district to require a minimum mix of uses with each plat and PUD. The district promotes high standards of site design, spatial relationships, building architecture and landscape design that will foster compact developments with pedestrian convenience and human scale and will preserve and strengthen existing businesses and land uses. The placement and treatment of buildings, parking, signage, landscaping and pedestrian spaces are essential elements in creating a livable environment in a mixed-use area. The city will evaluate new development proposals for their consistency with ~~this goal~~ these goals and the city may require developers to amend or change development proposals. The city may deny proposals when the city finds them to be inconsistent with the goals and policies of the city.
2. To meet the requirement for a mix of uses within each plat and PUD it must include at least two (2) primary uses from Section 105.12.110 (b) Use Types and Classifications. To be considered a primary use, the use must occupy a minimum of 20 percent of the floor area within the plat or PUD.
3. The city allows light industrial and limited manufacturing in this district with the city approval of a conditional use permit. All business activities and storage in this district are to be conducted inside buildings that are of high quality and attractive. The city will require developers and builders in the district to provide open space, quality landscaping and berming as part of their projects. Development in this district shall incorporate creative design and buffering techniques to ensure smooth transitions between different types of development or different intensities of uses. At least

50 percent of the net developable area of a proposed mixed-use business park development is to be residential, and residential development within these areas shall occur at a density range of six to ten units per acre. If a proposed development does not include at least 50 percent of the net developable land area in residential development, the city will require the applicant to provide a ghost plat (build-out plans) during sketch plan review that proposes how the parcel or area adjacent to the proposed development will be used in order to meet the requirement for at least 50 percent of the project site with residential land uses. This method of subdivision (by showing future land use and subdivision) and development review is a front-loading process that preserves land for future residential use. The city will use the ghost plat or sketch plan as an official document to establish land use consistent with the comprehensive plan.

PUBLIC COMMENT:

A hearing notice was published in the Stillwater Gazette on June 3, 2022. No public comment was received and no member of the public spoke during the public hearing. The Planning Commission discussed the intent of the mixed use districts and the larger planning objectives for the South Planning Area. There was concern over limiting development in this way. The motion to recommend adoption of the proposed amendments failed 2 – 3 (Risner, Graen, Vrieze – Nay).

FISCAL IMPACT:
More non-residential development should have a positive fiscal impact.

RECOMMENDATION:
Staff recommends that the City Council adopt the subject amendments to Section 105.12.850 Purpose And District Descriptions.

"Motion to adopt the zoning text amendments to require a minimum mix of uses in the Mixed Use Commercial and Mixed Use Business Park zoning districts"

"Motion to approve summary publication of Ordinance 2202-09 (the Zoning Ordinance amendments) with approval of Resolution 2022-066"

ATTACHMENT:
Ordinance 2022-09
Resolution 2022-066
Section 105.12.110 (b) Use Types and Classifications
Woodbury Mixed Use District Requirements

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 2022-09

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE BY AMENDING

SECTION 1. The City Council of the City of Lake Elmo hereby ordains that Title 105 Zoning; Chapter 105.12: Zoning Code, Article XIV Section 105.12.850 is hereby amended by changing the following section (Proposed language is underlined, deleted language is shown with ~~strikethrough~~):

105.12.850 Purpose And District Descriptions

a) *MU-C Mixed-Use Commercial*.

1. The purpose of the mixed-use commercial district is to provide areas in the city for and promote mixed-use development that supports a sustainable mix of retail, commercial and residential uses that will benefit from proximity and adjacency to one another. It is the intent of the district to require a minimum mix of uses with each plat and PUD. The mixed-use commercial district will serve as a transitional district between more intense highway-oriented development and less intense rural or medium density residential uses. The intent of the mixed-use commercial district is to permit flexibility in the use of the land, while providing a set of minimum development standards in site design, spatial relationships, building architecture and landscape design that will allow property owners to design and construct development projects that respond both to market needs and to city goals and policies. The placement and treatment of buildings, parking, signage, landscaping and pedestrian spaces are essential elements in creating a livable environment in a mixed-use area. The transitional aspect of development in this district requires projects that are designed with a special focus on mitigating any negative impacts on existing and future development in the area. The city will evaluate new development proposals for their consistency with ~~this goal~~ these goals and the city may require developers to amend or change development proposals. The city may deny proposals when the city finds them to be inconsistent with the goals and policies of the city.
2. To meet the requirement for a mix of uses within each plat or PUD the plat or PUD must include at least two (2) primary uses from Section 105.12.110 (b) Use Types and Classifications. To be considered a primary use, the use must occupy a minimum of 20 percent of the floor area within the plat or PUD.
3. The district promotes attractive, inviting, high-quality retail shopping and service areas that are conveniently and safely accessible by multiple travel modes. Development shall incorporate creative design and buffering techniques to ensure smooth transitions between different types of development or different intensities of uses. At least 50 percent of the net developable area of a proposed mixed-use commercial development is to be residential, and residential development within these areas shall occur at a density range of ten to 15 units per acre. If a proposed development does not include at least 50 percent of the net developable land area in residential development, the city will require the applicant to provide a ghost plat (build-out plans) during sketch plan review that proposes how the parcel or area adjacent to the proposed development will be used in order to meet the requirement for at least 50 percent of the project site with residential land uses. This method of subdivision (by showing future land use and subdivision) and development review is a front-loading process that preserves land for future residential use.

The city will use the ghost plat or sketch plan as an official document to establish land use consistent with the comprehensive plan.

b) *MU-BP Mixed-Use Business Park.*

1. The purpose of the mixed-use business park district is to provide areas in the city that will have a mix of general business, business park and residential uses. Having a mixture of land uses within the district allows for better integration of uses and more flexibility to respond to market demands. It is the intent of the district to require a minimum mix of uses with each plat and PUD. The district promotes high standards of site design, spatial relationships, building architecture and landscape design that will foster compact developments with pedestrian convenience and human scale and will preserve and strengthen existing businesses and land uses. The placement and treatment of buildings, parking, signage, landscaping and pedestrian spaces are essential elements in creating a livable environment in a mixed-use area. The city will evaluate new development proposals for their consistency with ~~this goal~~ these goals and the city may require developers to amend or change development proposals. The city may deny proposals when the city finds them to be inconsistent with the goals and policies of the city.
2. To meet the requirement for a mix of uses within each plat and PUD it must include at least two (2) primary uses from Section 105.12.110 (b) Use Types and Classifications. To be considered a primary use, the use must occupy a minimum of 20 percent of the floor area within the plat or PUD.
3. The city allows light industrial and limited manufacturing in this district with the city approval of a conditional use permit. All business activities and storage in this district are to be conducted inside buildings that are of high quality and attractive. The city will require developers and builders in the district to provide open space, quality landscaping and berming as part of their projects. Development in this district shall incorporate creative design and buffering techniques to ensure smooth transitions between different types of development or different intensities of uses. At least 50 percent of the net developable area of a proposed mixed-use business park development is to be residential, and residential development within these areas shall occur at a density range of six to ten units per acre. If a proposed development does not include at least 50 percent of the net developable land area in residential development, the city will require the applicant to provide a ghost plat (build-out plans) during sketch plan review that proposes how the parcel or area adjacent to the proposed development will be used in order to meet the requirement for at least 50 percent of the project site with residential land uses. This method of subdivision (by showing future land use and subdivision) and development review is a front-loading process that preserves land for future residential use. The city will use the ghost plat or sketch plan as an official document to establish land use consistent with the comprehensive plan.

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 2022-09 was adopted on this 21st day of June, 2022, by a vote of __ Ayes and ___Nays.

LAKE ELMO CITY COUNCIL

_____

Charles Cadenhead, Mayor

ATTEST:

_____

Julie Johnson, City Clerk

This Ordinance 2022-09 was published on the ____ day of _____, 2022.

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

RESOLUTION NO. 2022-066

RESOLUTION AUTHORIZING PUBLICATION OF A SUMMARY OF ORDINANCE 2022-09

WHEREAS, the Lake Elmo City Council has adopted Ordinance No. 2022-09, an ordinance that amends the City's Zoning Code Article XIV Section 105.12.850.

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. 2022-09 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. 2022-09, an ordinance that amends the City Code language in the Zoning Ordinance. This ordinance alters language in the purpose statements of the Mixed Use Business Park and Mixed Use Commercial Districts. The following is a summary of the adopted ordinance language:

Ordinance 2022-09 includes the following elements to amend Article XIV Mixed Use Commercial and Mixed Use Business Park Districts:

The full text of Ordinance 2022-09 is available for inspection at Lake Elmo City Offices during regular business hours.

105.12.850 Purpose and District Descriptions

a) Mixed Use Business Park. It is the intent of the district to require a minimum mix of uses with each plat and PUD. To meet the requirement for a mix of uses within each plat and PUD it must include at least two (2) primary uses from Section 105.12.110 (b) Use Types and Classifications. To be considered a primary use, the use must occupy a minimum of 20 percent of the floor area within the plat or PUD.

b) Mixed Use Commercial. It is the intent of the district to require a minimum mix of uses with each plat and PUD. To meet the requirement for a mix of uses within each plat and PUD it must include at least two (2) primary uses from Section 105.12.110 (b) Use Types and Classifications. To be considered a primary use, the use must occupy a minimum of 20 percent of the floor area within the plat or PUD.

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: June 21, 2022

_____
Charles Cadenhead, Mayor

ATTEST:

_____
Julie Johnson, City Clerk

(SEAL)

105.12.110 Zoning Use Types And Classifications

(a) *Rules of interpretation for zoning use types and classifications*.

(1) *Purpose of use types*. The purpose of the use types is to establish a classification system for land uses and a consistent set of terms defining uses permitted within various zoning districts. The use types section also facilitates the process of determining the applicable use type of any activity not clearly within any defined use type.

(2) *Interpretation*. In the event of any question as to the appropriate use type of any existing or proposed use or activity, the planning director shall have the authority to determine the appropriate use type. In making such a determination, the planning director shall consider the operational and physical characteristics of the use in question and shall consider the classification contained in the most recent edition of the Standard Industrial Classification Manual published by the U.S. Office of Management and Budget. In addition, the planning director shall consider the specific requirements of the use in common with those included as examples of use types. Those examples, when included in use type descriptions, are intended to be illustrative, as opposed to exclusive lists. The planning director may also determine that a proposed use or activity is sufficiently different from any use type listed below and will require an amendment to the text of this chapter.

(3) *Determinations in writing*. The planning director shall make such determinations of appropriate use types in writing, which shall include an explanation of the reasons for the determination.

(4) *Appeal*. A determination of the planning director may be appealed to the board of adjustment pursuant to the procedures for administrative appeals outlined in LEC 3.08.100.

(b) *Use types and classifications*.

(1) *Residential and related uses*.

a. *Family living*.

Live-work unit means a dwelling unit in combination with a shop, office, studio, or other work space within the same unit, where the resident occupant both lives and works.

Manufactured home park means a development on a site under a single ownership which consists of two or more spaces for the placement of manufactured homes for dwelling or sleeping purposes, regardless of whether or not a fee is charged for the utilization of such space.

Multifamily residential means a building containing three or more dwelling units. The term "multifamily residential" includes cooperative apartments and condominiums, but not condominium-hotels. (See condominium and condominium-hotel under LEC 1.08.)

Secondary dwelling means a residential dwelling unit, but not a manufactured home, located on the same lot as a single-family dwelling unit, either within the principal structure or above a detached garage.

Single-family, attached, means a building containing one dwelling unit attached to

another building containing only one dwelling unit, with each building on a separate lot.

Single-family, detached, means a building containing only one dwelling unit, surrounded by landscape area or yards on all sides.

Two-family or duplex means a building on a single lot or adjacent lots containing two dwelling units, either side-by-side or stacked vertically.

b. *Group living*.

Congregate housing means a dwelling providing shelter and services for the elderly, which may include meals, housekeeping, and personal care assistance and minor medical services, but not intermediate, long-term, or extended nursing care for residents.

Correctional facilities means a public or privately-operated use providing housing and care for individuals legally confined, designed to isolate those individuals from a surrounding community.

Group home means a residence shared by six or fewer handicapped persons in addition to resident staff, who live together as a single housekeeping unit and in a long-term, family-like environment in which staff persons provide care, education, and participation in community activities for the residents with the primary goal of enabling the residents to live as independently as possible in order to reach their maximum potential.

Group residential facility means a licensed public or private establishment, which, for gain or otherwise, regularly provides one or more dependents with 24-hour a day substitute for the care, food, lodging, training, education, supervision, rehabilitation, and treatment they need, but which for any reason cannot be furnished in the dependent's own home. The term "group residential facility" includes, but is not limited, to state institutions under the control of the commissioner of public welfare, foster homes, maternity shelters, group homes, as defined herein, with seven or more residents, schools for handicapped children, and homes for battered children or battered spouses.

Halfway house means an establishment providing accommodations, rehabilitation, counseling, and supervision to persons suffering from alcohol, drug addiction or other similar disorders, or to persons re-entering society after being released from a correctional facility or other institution.

Semi-transient accommodations means and includes boardinghouses, roominghouses, fraternity and sorority houses, or lodging rooms, as defined by this chapter. Semi-transient accommodations do not include condominium-hotels, as defined in LEC 1.08.

(2) *Public and civic uses*.

Cemetery means land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbarium's, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

Colleges and universities means institutions of higher learning which offer courses of general or specialized study leading to a degree or certificate. They are certified by the state board of higher education or by a recognized accrediting agency. Colleges tend to be in campus-like settings or on multiple blocks. Accessory uses include offices, housing for students, food service, laboratories, health and sports facilities, theaters, meeting areas, parking, maintenance facilities, and support commercial. Examples include universities, liberal arts colleges, community colleges, nursing and medical schools not accessory to a hospital, and seminaries.

Community services means establishments of a public, nonprofit, or charitable nature generally providing a local service to people of the community. Generally they provide the service on the site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Community centers or facilities may incorporate membership provisions, and are open to the general public to join at any time (for instance, any senior citizen could join a senior center). The use may also provide special counseling, education, or training of a public, non-profit, or charitable nature. Accessory uses may include offices, meeting areas, food preparation areas, parking, health and therapy areas, day care uses, and athletic facilities. Examples include libraries, museums, senior centers, community centers, social service facilities, early childhood learning facilities, and other special educational services.

Day care center means any facility operated for the purpose of providing care, protection, and guidance to 14 or more individuals during only part of a 24-hour day. The term "day care center" includes nursery schools, preschools, day care centers for individuals, and other similar uses but excludes public and private educational facilities or any facility offering care to individuals for a full 24-hour period.

Public assembly means facilities owned and operated by a public or quasi-public agency accommodating public assembly for non-recreation purposes. Typical uses include auditoriums, convention facilities, exhibition facilities, convention halls, or armories.

Religious institutions means establishments that are intended to primarily provide meeting areas for religious activities. Accessory uses include Sunday school facilities, parking, caretaker's housing, and group living facilities such as convents. Examples include churches, temples, synagogues, and mosques.

Schools, public and private, means establishments at the primary, elementary, middle, junior high, or high school level that provide state-mandated basic education. Accessory uses include play areas, cafeterias, recreational and sport facilities, auditoriums, and before or after school day care. Examples include public and private day-time schools, boarding schools, and military academies.

Exemptions:

a. Preschools are classified as day care facilities; and

b. Business and trade schools are classified as educational services.

(3) *Services*.

Business center means a building or group of buildings planned, constructed, and managed as a total entity, with common on-site parking for a group of commercial service establishments, with office uses also permitted. In the central business district, the requirement for common on-site parking need not be met in order to classify a development as a business center.

Business services means establishments primarily engaged in rendering services to business establishments on a fee or contract basis, such as advertising and mailing, building maintenance, office equipment rental and leasing, photo finishing, business supply services, and computer programming/data processing services.

Communication services means establishments primarily engaged in the provision of broadcasting and other information relay services accomplished through the use of electronic and telephone mechanisms. Excluded from this use type are facilities classified as essential services or broadcasting and communications towers. Typical uses include television studios, telecommunications service centers, telegraph service offices or film and sound recording facilities.

Educational services means establishments engaged in furnishing specialized academic or technical courses, normally on a fee basis, such as vocational or correspondence schools, barber college, data processing schools, or secretarial schools, along with non-degree granting schools such as post-secondary colleges and universities, martial arts, music, art, ceramic, and dramatic, schools, and dance instruction.

Financial institution means provision of financial and banking services to consumers or clients. Walk-in and drive-in services are generally provided on site. Typical uses include banks, savings and loan associations, savings banks, credit unions, lending establishments, and drive-up automatic teller machines (ATMs).

Funeral home means establishments engaged in undertaking services such as preparing the dead for burial, and arranging and managing funerals. Typical uses include funeral homes or mortuaries.

Lodging. See *Transient accommodations*.

Medical facilities means establishments engaged in providing diagnostic services, extensive medical treatment (including surgical services), and other hospital services, as well as continuous nursing service, including general medical and surgical hospitals, specialty hospitals, medical laboratories, bio-medical research and development, outpatient care facilities, medical schools and associated dormitories, medical appliance sales, and similar uses, but not including animal hospitals.

Membership organization means organizations operating on a membership basis for the promotion of the interests of the members included such uses as trade associations, business associations, professional membership organizations, labor unions, civic or fraternal organizations, but not including churches, hospitals, golf and country clubs, or credit unions.

Nursing and personal care means establishments primarily engaged in providing intermediate or long-term nursing and health related care to individuals, typically classified as nursing homes.

Offices means a building or portion of a building used for office purposes by a business, service, professional, or institutional establishment, including medical offices or clinics, studios for those involved in art, sculpture, music, and the like, and all other establishments similar in character.

Personal services means establishments primarily engaged in providing services involving the care of a person or his apparel, such as barber shops, clothing rental, salons

and health clubs, photographic studios, cleaning and garment services (but not including power laundries or dry cleaning plants) or coin-operated laundries.

Repair and maintenance shop means establishments engaged in miscellaneous repair services, primarily of household-oriented products such as radios, televisions, washers and dryers, furniture (including re-upholstery), small engine repair, bicycles, or locksmiths.

Self-service storage facility means an establishment designed and utilized for the purpose of renting or leasing individual storage spaces to tenants who have sole private access to such space for storing personal property.

Trade shop means any lot, land, building, or structure that serves as the headquarters for contractors involved in specialized activities such as plumbing, painting, plastering, masonry, carpentry, roofing, well drilling, landscaping and the like, where tools, equipment and materials used in the business are stored. The category also includes establishments involved in specialized trades such as sheet metal, sign painting, drapers, and exterminators.

Transient accommodations, lodging, means establishments in which lodging is provided and offered to the public for compensation, and which is open primarily to transient guests, as distinguished from semi-transient boarding or rooming facilities. Typical uses include hotels, motels, and inns. Meeting and restaurant facilities may be included accessory to this use type. Condominium-hotels shall be considered as a type of transient accommodation.

Transportation services means establishments furnishing services related to the arrangement of persons and goods movements, such as freight forwarding, parking services or the rental/leasing of automobiles or two-axle trucks.

Veterinary service means establishments engaged in the practice of veterinary medicine, dentistry or surgery, along with those providing animal related services such as kennels, grooming, or breeding services.

(4) *Food service*.

Drinking and entertainment means establishments primarily engaged in the selling of drinks for consumption on the premises, where entertainment may be provided and the incidental sale of prepared food for consumption on the premises is permitted. These establishments may often charge a fee or admission charge for the entertainment provided. Included in this category are bars, beer gardens, discotheques, nightclubs, taverns, and dance halls.

Drive-in restaurant means an establishment primarily engaged in the preparation of food and beverages, for either take-out, delivery, or table service, served in disposable containers at a counter and a drive-up or drive through service facility or which offers curb service.

Fast food restaurant means an establishment primarily engaged in the preparation of food and beverages, for either take-out, delivery, or table service, served in disposable containers at a counter. This use type does not employ a drive-up or drive-through service facility, and does not offer curb service.

Standard restaurant means an establishment whose principal business is the sale of food

and/or beverage to customers in a ready to consume state, and whose principal method of operation includes one or both of the following:

a. Customers, normally provided with an individual menu, are served their food and beverage by restaurant employees at the same table or counter at which the food and/or beverage are consumed;

b. A cafeteria-type operation where food and beverage generally are consumed within the restaurant building.

(5) *Sales of merchandise*.

Garden center (retail agriculture) means establishments or places of business primarily engaged in retail or wholesale (bulk) sale, from the premises, of trees, shrubs, seeds, fertilizers, pesticides, and plant materials primarily for agricultural, residential, and commercial consumers. Such establishments typically sell products purchased from others, but may sell some material which they grow themselves. Typical uses include nurseries, retail greenhouses, plant stores, and lawn and garden centers.

Neighborhood convenience store means establishments primarily engaged in the provision of frequently or recurrently needed goods for household consumption, such as prepackaged food and beverages, and limited household supplies and hardware. Convenience stores shall not include fuel pumps or the selling of fuel for motor vehicles. Typical uses include neighborhood markets and country stores.

Retail trade means establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. These establishments are characterized by the following:

a. They buy and receive as well as sell merchandise;

b. They may process some products, but such processing is incidental or subordinate to the selling activities; and

c. They predominantly sell to customers for their own personal or household use.

The term "retail trade" is divided into the following subcategories for the purposes of this chapter:

a. General retail.

b. Antiques and collectibles store.

c. Art gallery.

d. Bicycle sales and repair.

e. Book store, music store.

f. Clothing and accessories.

g. Craft or needlework shop.

h. Drugstore, pharmacy.

i. Electronics and appliance sales and repair.

j. Florists.

k. Specialty food store, including bakery, butcher shop, delicatessen, and the like.

l. Jewelry store.

m. Hardware store.

n. Newsstands, magazine sales.

o. Pet store.

p. Photographic equipment and supplies.

q. Picture framing.

r. Secondhand store, thrift or consignment store.

s. Sporting goods store.

t. Stationery store.

u. Tobacco store.

v. Video rental or sales.

w. Building supplies sales.

x. Furniture and appliance sales, rental, showrooms.

y. Grocery, supermarket.

z. Liquor store.

aa. Warehouse club sales.

Shopping center means a group of commercial establishments planned, constructed, and managed as a total entity with shared access, customer and employee parking provided on-site, provision of goods delivery separated from customer access, aesthetic considerations and protection from the elements.

Wholesaling means establishments engaged primarily in selling merchandise to retailers, or to industrial, commercial, institutional, or professional business customers, or to other wholesalers, or on a mail order basis to individuals or firms, or which serve as agents or brokers buying merchandise for, or selling merchandise to, individuals and companies.

(6) *Automotive/vehicular uses*.

Automobile maintenance service means repair of automobiles, noncommercial trucks, motorcycles, motor homes, recreational vehicles, or boats, including the sale, installation, and servicing of equipment and parts. Typical uses include tire sales and installation, wheel and brake shops, oil and lubrication services and similar repair and service activities where minor repairs and routine maintenance are conducted.

Automobile parts/supply means retail sales of automobile parts and accessories. Typical uses include automobile parts and supply stores which offer new and factory rebuilt parts and accessories, and include establishments, which offer minor automobile repair services as an accessory use.

Car wash means washing and cleaning of vehicles. Typical uses include automatic conveyor machines and self-service car washes.

Commercial vehicle repair means repair of construction equipment, commercial trucks, agricultural implements and similar heavy equipment, including automobiles, where major engine and transmission repairs are conducted. Typical uses include automobile and truck repair garages, transmission shops, radiator shops, body and fender shops, equipment service centers, machine shops, and other similar uses where major repair

activities are conducted.

Gasoline station means any place of business with fuel pumps and underground storage tanks that provide fuels and oil for motor vehicles. A neighborhood convenience store associated with automobile fuel sales shall be considered a gasoline station.

Parking facility means any structure associated with a nonresidential use whose purpose is to provide the required off-street parking spaces for a principal use, or any site utilized for parking which constitutes the principal use on a parcel of land. This category also includes community lots, which are established to meet the parking needs in a residential area, and park and ride lots.

Sales and storage lots means establishments engaged in the display for sale, lease, and/or rental of automobiles, trucks, machinery, recreational vehicles and manufactured homes, including auto dealerships or the farm commercial storage of privately-owned trailers, boats, campers, or similar vehicles.

(7) *Outdoor recreation*.

Campgrounds and trailering means establishments engaged in providing overnight or short-term sites for the placement of recreational vehicles or temporary housing, with or without facilities such as water and electricity.

Golf course means a tract of land for playing golf, improved with tees, greens, fairways, hazards, and which may include clubhouses and shelters. Included would be executive or par three golf courses. Specifically excluded are independent driving ranges or miniature golf facilities, which are classified as outdoor recreation facilities.

Marina means a facility for storing, servicing, fueling, berthing, and securing and launching of private pleasure craft that may include the sale of fuel and incidental supplies for the boat owners, crews, and guests.

Outdoor entertainment means an outdoor facility developed for entertainment, amusement, or tourist purposes which typically involve large areas of land and concentrated traffic peaks oriented towards events at the facility, including drive-in theaters, amphitheaters, outdoor concert halls, or theme parks.

Outdoor recreation facility means a commercial recreation facility that is primarily an open-air facility, such as baseball fields, swimming pools, skating rinks, golf driving ranges, or miniature golf facilities.

Parks and open areas means uses of land focusing on natural areas, large areas consisting mostly of vegetative landscaping or outdoor recreation, community gardens, or public squares. Lands tend to have few structures. Accessory uses include, but are not limited to, clubhouses, maintenance facilities, concessions, caretaker's quarters, gazebos, pavilions, band shells, and parking. Examples include parks, public squares, plazas, recreational trails, botanical gardens, boat launching areas, nature preserves, and land used for grazing that is not part of a farm or ranch.

Restricted recreation means commercial recreation facilities that are of greater nuisance than conventional outdoor athletic facilities because of:

a. The noise and traffic volumes they may generate;

b. The glare they produce; or

c. The potential danger they may create from flying objects or the use of weapons. This category includes such uses as amusement parks, racetracks (auto, go-cart, motorcycle) or ranges (skeet, rifle, or archery).

(8) *Indoor recreation/entertainment*.

Adult establishment. See LEC 11.16.020.

Indoor athletic facility means a commercial recreation facility that provides completely enclosed or indoor recreation space, such as racquet clubs, indoor skating rinks, swimming pools, or gymnasiums.

Indoor recreation means establishments primarily engaged in activities intended to provide personal amusement, with the largest number of patrons typically during the evening hours or on weekends, and where food and refreshments may be provided as an incidental service, including such uses as bowling alleys, billiard, pool, or bingo parlors, amusement arcades, and indoor theaters (live or motion picture).

(9) *Agricultural and related uses*.

Agricultural entertainment business means an agricultural sales business that combines the elements and characteristics of agriculture and tourism, which is not necessarily located in an existing building. Examples of agricultural entertainment include: corn mazes, hay rides, sleigh rides, petting farms, on-farm tours, agricultural related museums, demonstrations of farming practices, techniques and methods, fee-based fishing and hunting, horseback riding, nature trails, haunted barns and similar activities which are related to agriculture.

Agricultural production means establishments engaged in the production of crops, plants or vines, including agro forestry, or establishments which are engaged in the keeping, grazing, or feeding of livestock for sale, value increase, or livestock increase.

Agricultural sales business means the retail sale of fresh fruits, vegetables, flowers, herbs, trees, or other agricultural, floricultural, or horticultural products. The operation may be indoors or outdoors, include pick-your-own or cut-your-own opportunities, and may involve the ancillary sale of items considered accessory to the agricultural products being sold or accessory sales of unprocessed foodstuffs; home processed food products such as jams, jellies, pickles, sauces; or baked goods and homemade handicrafts. The floor area devoted to the sale of accessory items shall not exceed 25 percent of the total floor area. No commercially packaged handicrafts or commercially processed or packaged foodstuffs shall be sold as accessory items. No activities other than the sale of goods as outlined above shall be allowed as part of the agricultural sales business.

Agricultural services means establishments that perform services which support or assist the agricultural community, such as soil preparation services, crop services, farm management services, or breeding services on a fee or contract basis, along with experimental farms for research or educational purposes. This category is intended to apply where agricultural land is located, and may include buildings and other structures that provide office, warehouse, and storage areas for these establishments.

Agricultural support means establishments engaged in farm equipment sales and repair, farm produce sales and supply (feed grain, elevators) and small-scale farm product processing, such as cider mills, dairies, poultry or meat processing.

Forestry operations means the use of land for the raising and harvesting of timber, pulpwood or other forestry products for commercial purposes, including the temporary operation of a sawmill and/or chipper or grinder to process the timber cut from that parcel or contiguous parcels. Excluded from this definition shall be the cutting of timber associated with land development approved by the city which shall be considered accessory to the development of the property.

Greenhouse, non-retail, means a building or structure constructed chiefly of glass, glasslike or translucent material, cloth, or lath, which is devoted to the protection or cultivation of flowers or other tender plants.

Wayside stand means a temporary structure or vehicle used for the seasonal retail sale of agricultural goods, floriculture, and horticulture produced by the operator of the wayside stand, which is clearly a secondary use of the premises and does not change the character thereof.

(10) *Alternative energy*.

Solar energy system means a device or structural design feature, a primary purpose of which is to provide for the collection, storage, and distribution of solar energy for space heating, cooling, water heating, or for power generation.

Solar farm means a commercial facility that converts sunlight into electricity, whether by photovoltaic (PV), concentrating solar thermal devices (CST), or other conversion technology, for the principal purpose of sales of generated electricity to off-site customers.

Wind generator means a machine which generates energy/power from the wind.

(11) *Industrial and extractive uses*.

Closed landfill management means the use associated with the responsibility and obligation of the state pollution control agency (MPCA) to take necessary response actions on the property as provided in M.S.A. § 115B.412, subd. 4, and M.S.A. §§ 115B.39 to 115B.43.

Heavy industrial means establishments involved in the manufacture, fabrication, processing, compounding, or assembling of materials from raw material or previously processed material. These uses have severe potential for adversely affecting surrounding land uses due to potential environmental impacts related to noise, smoke/particulate emissions, vibration, noxious gases, odor, glare/heat, fire/explosion hazards and waste disposal. In addition, these uses may generate large amounts of truck or auto traffic, may involve the use of large unenclosed production areas, or may require large, tall structures that are unsightly. Heavy industrial uses typically involve primary production processes in the area of paper products (pulp mills), food processing (slaughterhouse, meat packing plant), chemicals (manufacture of inorganic chemicals, resins, plastics, paints, fertilizers, explosives, ink), petroleum products (refineries, bulk storage), primary metals (blasting, smelting, rolling), machinery and equipment manufacturer (auto assembly, engines, construction equipment), leather (storing, curing, tanning), gravel based products (manufacture of bricks, concrete, abrasives), and lumber products (saw mills).

Landfill means a disposal site employing an engineered method of disposing solid wastes in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying cover material over all exposed waste at the end of each operating day.

Laundry plant means establishments primarily engaged in the provision of laundering, cleaning, or dyeing services other than those classified as personal services. Typical uses include bulk laundry and cleaning plants, diaper services, and linen supply services.

Light industrial means establishments involved in the processing, fabrication, assembly, or compounding of products where the process involved is relatively clean and nuisance free, usually completely enclosed, and with limited environmental effects. These uses can be made compatible with surrounding areas through landscape screening and through separation required by yard and height limitations. Typically, these uses result in the creation of finished products for sale on a wholesale basis to retailers or directly on a retail basis, and include uses in the following areas: lumber products (millwork, cabinet-making), electronics, textiles, printing and publishing services, bottling works, carpet and rug cleaning, furniture manufacture, paper (final processing of stationery, bags, etc., from purchased bulk stock), light metal finishing and light machining, rubber and plastics (compounding processed resins, molding plastics), gravel based products (pottery, cutting, finishing granite, firing and decorating clay products), and ice manufacturing.

Motor freight and warehousing means establishments engaged primarily in either the storage or shipment of goods and materials, including terminal facilities for handling freight, and maintenance facilities in which the trucks (including tractor trailer units) involved with the operation of the business are stored, parked and serviced. Materials within a warehouse or terminal facility may be combined, broken down, or aggregated for trans-shipment or storage purposes where the original material is not chemically or physically changed.

Non-production industrial means establishments that normally are considered industrial in character even though they are not involved in the manufacturing or processing of products. These uses generate negative impacts largely through their need for outside storage of equipment and materials, the large expanse of land needed for this storage, and the creation of dirt, dust and noise, along with intermittent truck traffic. These uses generally can be made compatible through landscape screening and the imposition of limited performance standards, and thus are not objectionable in most industrial or commercial districts. The types of uses categorized here include contractor's yards, lumberyards, utility yards, and public maintenance shops and yards.

Research and testing means establishments or other facilities for carrying on investigation in the natural or physical sciences, or engineering and development as an extension of investigation with the objective of creating end products, on a contract or fee basis, and including pilot plant operation.

Resource extraction means a use involving on-site extraction of surface or subsurface mineral products or natural resources. Typical uses are quarries, borrow pits, sand and gravel operations, mining, and soil mining. Specially excluded from this use type shall be grading and removal of dirt associated with an approved site plan or subdivision.

Salvage/recyclable center means land or buildings where waste, discarded, salvaged, or recyclable materials are bought, sold, stored, exchanged, sorted, cleaned, packed, disassembled or handled on a commercial basis, including, but not limited to, scrap metal, aluminum, rags, paper, rubber products, glass products, lumber products and products resulting from the wrecking of automobiles or other vehicles. Any site containing two or more unregistered, inoperable motor vehicles is classified as a salvage center.

(12) *Utilities, transportation and communications*.

Air transportation means establishments engaged in domestic, emergency, or foreign transportation of passengers or goods by air, including airports, flying fields, rotorcraft terminals, as well as any associated terminal facilities.

Broadcasting or communication means any unstaffed facility for the transmission and/or reception of radio, television, radar, cellular telephone, personal paging device, specialized mobile radio (SMR), and similar services. A broadcasting or communication facility usually consists of an equipment shelter or cabinet, a support tower or other structure used to achieve the necessary elevation, and the transmission or reception devices or antenna. Broadcasting or communication facilities include wireless communications facilities and wireless communications towers as defined in LEC 1.08.

Essential services means overhead, above ground or underground electrical, gas, steam or water transmission or distribution systems and structures of collection, communication, supply or disposal systems and structures used by public utilities or governmental departments or commissions or as are required for the protection of the public health, safety or general welfare, including towers, poles, wires, mains, drains, sewer pipes, conduits, cables, fire alarm boxes, police call boxes and accessories in connection therewith but not including buildings.

Local transit means establishments primarily engaged in furnishing local and suburban passenger transportation, including taxicabs, passenger charter services, school buses, and terminals (including service facilities) for motor vehicle passenger transportation.

Railroad transportation means establishments engaged in domestic freight and passenger transportation by rail, and including railroad yards, freight stations and switching yards.

(13) *Accessory uses*.

Bed and breakfast means a private, owner-occupied residence that contains no more than five guestrooms where lodging, with or without meals, is provided for compensation. Guest stays shall be limited to 30 days.

Commercial wedding ceremony venue means a use involving a location to conduct wedding ceremonies, not including receptions, and usually operated in exchange for remuneration by providing the venue to the public.

Domestic pets means the keeping of small domestic animals, such as dogs, cats, birds, rodents, fish, and the like, not primarily for produce or value increase, but rather for show, sport, or as pets.

Family day care means a residence licensed by the state department of human services in which no more than ten children at any one time receive care, maintenance and supervision by someone other than their relatives or legal guardians for less than 24 hours per day.

Group family day care means a residence licensed by the state department of human services in which at least 11, but not more than 14, children receive care, maintenance and supervision by someone other than their relatives or legal guardians for less than 24 hours per day.

Home occupations means any gainful occupation or profession engaged in by the occupants and up to one non-occupant employee of a dwelling when carried on within a

dwelling unit or in an accessory building, provided that no signs other than those allowed by the city's sign regulations regarding home occupations are present.

Kennel, private, means the keeping, breeding, raising, showing or training of four or more dogs over six months of age for personal enjoyment of the owner or occupants of the property, and for which commercial gain is not the primary objective.

Merchandise parties means private parties held for the purpose of soliciting sales. Merchandise parties shall include but not be limited to Tupperware, Mary Kay, and Avon parties.

Stable, private, means the keeping, breeding, or raising of horse or ponies exclusively for the personal use and enjoyment of the owner or occupant of the property or the riding of horses or ponies by the owner or occupant of the property and their guests.

Swimming pools means any permanently located pool, used for swimming and/or bathing which is over 24 inches in depth, or which has a surface area exceeding 150 square feet.

Temporary sales means any isolated or occasional display and sale of used personal property or home-crafted items conducted on residential premises by the occupant of the residential property. Temporary sales shall include rummage sales, basement sales, yard sales, porch sales, craft sales, garage sales, and seasonal boutiques.

HISTORY
Amended by Ord. 08-250 on 9/7/2021
Adopted by Ord. 08-253 on 11/3/2021

§ 153.322 MIXED RESIDENTIAL (MXR-3) DISTRICT.

(A) *Purpose.* The Mixed Residential (MXR-3) District is intended to provide areas offering a variety of housing types, including single-family attached and detached dwellings and multi-family structures to retain the environment and character of less intensive styles of multiple-family residence areas by establishing building and lot area requirements; to broaden the choice of residential living styles in the city; and to promote quality development by following a thorough application, review, and approval process.

(B) *Permitted uses.* Subject to applicable provisions of this chapter, the following are permitted uses in the MXR-3 District:

(1) Dwelling, single-family detached;

(2) Dwelling, single-family attached - 8 units per building maximum with each unit having a separate entrance;

(3) Recreation, public.

(C) *Accessory uses.* Subject to applicable provisions of this chapter, the following accessory uses in the MXR-3 District are allowed only when it is an accessory to an existing principal permitted use on the same lot. All accessory uses must meet the procedures set forth in and regulated by §§ 153.110*et seq.*

(1) Detached accessory structures (detached single-family and dwelling apartment only);

(2) Day care facility, licensed - serving 6 or fewer persons;

(3) Kennel, private - 3 or fewer pets (single-family detached lots only);

(4) Residential facility, licensed - serving 6 or fewer persons;

(5) Other uses customarily associated with but subordinate to a permitted use, as determined by the city;

(6) Amateur radio antenna (subject to the amateur radio antenna standards in §153.096(II)(9)).

(D) *Certificate of compliance.* Subject to applicable provision of this chapter, the following are uses in the MXR-3 District that require approval with a certificate of compliance as set forth in and regulated by § 153.029.

(1) *Accessory uses.*

(a) Accessory apartment (single-family detached dwellings only);

(b) Day care facility, licensed - serving 7 to 14 persons;

(c) Home occupations (single-family detached dwellings only);

(d) Residential facility, licensed - serving 7 to 10 persons;

(e) Solar energy systems, either roof or ground-mounted (meeting accessory structure requirements) according to § 153.307.

(E) *Conditional uses.* Subject to applicable provisions of this chapter, the following are conditional uses in the MXR-3 District (requires a conditional use permit based upon procedures set forth in and regulated by § 153.034).

(1) *Principal uses.*

(a) Dwelling, apartment/condominium;

(b) Essential services, governmental buildings and storage;

(c) Essential services, utility substation;

(d) Place of worship;

(e) School.

(2) *Accessory uses.*

(a) Columbarium - accessory to place of worship;

(b) Day care facility, licensed - serving more than 14 persons;

(c) Residential facility, licensed - serving more than 10 persons;

(3) Other uses similar to those permitted in this section as determined by the Planning Commission and City Council.

(4) New wireless support structures and small wireless facilities located within the public right-of-way and meeting the requirements of Chapter 98, and subject to the conditions found in §153.096(PP).

(F) *Interim uses.* Subject to applicable provisions of this chapter, the following are interim uses in the MXR-3 District (requires an interim use permit based upon procedures set forth in and regulated by § 153.035).

(1) Agricultural uses;

(2) Uses as determined by the Planning Commission and City Council.

(G) *Lot size, setback, and height requirements.* The following minimum requirements shall be observed in an MXR-3 District subject to additional requirements, exceptions, and modifications as set forth in this chapter.

(1) *Minimum lot requirements.*

(a) *Lot area.*

1. Detached single-family: 9,000 square feet;

2. Attached townhouse: 7,500 square feet per unit, or no minimum lot size if common site area owned and maintained by a homeowner's association.

3. Apartment/condominium dwelling: 43,560 square feet or 1 acre;

(b) *Lot width.*

1. Detached single-family: 60 feet;

2. Multiple-family dwelling: 100 feet.

3. Attached townhouse: no established minimum.

(2) *Setbacks.*

(a) *Principal structure.*

1. Front yard:

a. Arterials, as designated in the Comprehensive Plan: 75 feet from the right-of-way line or 150 feet from the centerline of the street, whichever is greater;

b. Collector street: 30 feet from the public right-of-way;

c. Local street: 30 feet from the public right-of-way;

d. Existing private street: 30 feet from the back of the curb or edge of pavement;

e. Internal: 20 feet between attached or multi-family principal structures separated by common area.

2. Side yard:

a. Single-family dwelling: 10 feet (unless abutting a side street 25 feet);

b. Attached townhome: 10 feet;

c. Multiple-family dwelling: 30 feet.

3. Side street:

a. Single-family dwelling: 25 feet;

b. Attached townhome: 25 feet;

c. Multiple-family dwelling: 20 feet.

4. Rear yard: 30 feet.

5. Internal: 20 feet between principal structures.

(b) *Detached accessory structure.*

1. Front yard: 30 feet and cannot be located between the principal structure and the street.

2. Side street: 25 feet and cannot be located between the principal structure and the street.

3. Side yard: 10 feet.

4. Rear yard: 10 feet.

(3) *Building height.*

(a) Principal structures: shall be limited to a maximum height of:

1. Single-family detached: 35 feet;

2. Attached townhome: 35 feet or 3 stories, whichever is less;

3. Apartment and condominiums (stacked units): 45 feet or 3 stories, whichever is less.

(b) Detached accessory structures: shall be limited to 1 story with a maximum sidewall height of 10 feet measured from the floor surface to the underside of the ceiling member.

(Ord. 537, passed 11-8-2004; Am. Ord. 549, passed 5-22-2006; Am. Ord. 596, passed 2-8-2010; Am. Ord. 651, passed 3-14-2016; Am. Ord. 676, passed 7-9-2018; Am. Ord. 694, passed 2-10-2020)

§ 153.323 MULTIPLE-FAMILY RESIDENTIAL (MF) DISTRICT.

(A) *Purpose.* The Multiple-Family Residential (MF) District is intended to establish areas for the development of multiple dwelling structures with a maximum density of 15 units per net acre; to maintain a residential character in areas with a high density, multiple-family development; to broaden the choice of residential living styles in the city; to set limitations on housing development density; and to promote quality development by following a thorough application, review, and approval process.

(B) *Permitted uses.* Subject to applicable provisions of this chapter, the following are permitted uses in the MF District:

(1) Dwelling, multiple-family (apartment, condominium, cooperative);

(2) Dwelling, single-family, existing prior to the date of adoption of this chapter. All setback requirements for principal structures and detached accessory structures shall comply with the standards in the MXR-1 District;

(3) Recreation, public.

(C) *Accessory uses.* Subject to applicable provisions of this chapter, the following accessory uses in the MF District are allowed only when it is an accessory to an existing principal permitted use on the same lot. All accessory uses must meet the procedures set forth in and regulated by §§ 153.110*et seq.*

(1) Detached accessory structure;

(2) Detached accessory structure, existing single-family shall comply with the standards in the MXR-1 District.

(3) Day care facility, licensed - serving 6 or fewer persons in an existing single-family dwelling only;

(4) Residential facility, licensed - serving 6 or fewer persons in an existing single-family dwelling only;

(5) Other uses customarily associated with but subordinate to a permitted use as determined by the city;

(6) Amateur radio antenna (subject to the amateur radio antenna standards in §153.096(II)(9)).

(D) *Certificate of compliance.*

(1) Subject to applicable provision of this chapter, the following are uses in the MF District that require approval with a certificate of compliance as set forth in and regulated by § 153.029.

(2) *Accessory uses.*

(a) Day care facility, licensed - serving 7 to 14 persons in an existing single-family dwelling only;

(b) Home occupations in an existing single-family dwelling only unless otherwise approved by the city and property owner;

(c) Residential facility, licensed - serving 7 to 10 persons in an existing single-family dwelling only;

(d) Solar energy systems, either roof or ground mounted (meeting accessory structure requirements) according to § 153.307.

(E) *Conditional uses.* Subject to applicable provisions of this chapter, the following are conditional uses in the MF District (requires a conditional use permit based upon procedures set forth in and regulated by § 153.034).

(1) *Principal uses.*

(a) Essential services, governmental buildings and storage;

(b) Essential services, utility substations;

(c) Manufactured home park;

(d) Nursing home.

(2) *Accessory uses.*

(a) Day care facility, licensed - serving more than 14 persons in an existing single-family home only;

(b) Residential facility, licensed - serving more than 10 persons in an existing single-family home only;

(3) Other uses similar to those permitted in this section as determined by the Planning Commission and City Council.

(F) *Interim uses.* Subject to applicable provisions of this chapter, the following are interim uses in the MF District (requires an interim use permit based upon procedures set forth in and regulated by § 153.035).

(1) Uses as determined by the Planning Commission and City Council.

(G) *Lot size, setback, and height requirements.* The following minimum requirements shall be observed in an MF District

subject to additional requirements, exceptions, and modifications set forth in this chapter.

(1) *Minimum lot requirements.*

(a) Lot area: 43,560 square feet (or 1 acre);

(b) Lot width: 100 feet.

(2) *Setbacks.*

(a) *Principal structure.*

1. Front yard:

a. Arterials as designated in the Comprehensive Plan: 75 feet from the right-of-way line or 150 feet from the centerline of the street, whichever is greater;

b. Collector street: 30 feet from the public right-of-way;

c. Local street: 30 feet from the public right-of-way;

d. Existing private street: 30 feet from the back of curb or edge of pavement.

2. Side yard: 30 feet.

3. Rear yard: 30 feet.

4. Internal: 20 feet between principal structures.

(b) *Accessory structure.*

1. Front yard: 30 feet and cannot be located between the principal structure and the street.

2. Side yard: 10 feet.

3. Rear yard: 10 feet.

(3) *Maximum height.*

(a) Principal structure: shall be limited to a maximum height of 4 stories and 45 feet, whichever is less.

(b) Accessory structures: shall be limited to 1 story with a maximum sidewall height of 10 feet, measured from the floor surface to the underside of the ceiling member.

(H) *Design standards for Townhome and Multiple-Family Structures.*

(1) Design requirements: row style, multi-story (not stacked) or 1 level attached.

(2) *Design character.* A high quality of building design is an important way to bring larger buildings into a traditional neighborhood scale. In addition, site design, landscaping, and pedestrian amenities will help to create a comfortable, livable district and a shared sense of ownership among residents.

(a) *Subdivision requests.* Building elevations and floor plans shall be furnished with subdivision requests illustrating exterior building material and colors to demonstrate compliance with this section. Building floor plans shall identify the interior storage space within each unit.

(b) *Decks or porches.* Provision shall be made for possible decks, porches, or additions as part of the initial dwelling unit building plans. The unit lot shall be configured and sized to include decks or porches.

(c) *Minimum overhang.* In case of a gable roof, a minimum 12 inch soffit shall be required.

(d) *Exterior building finish.* The exterior of attached/townhome dwelling units shall include a variation in building materials which are to be distributed throughout the building facades and coordinated into the architectural design of the structure to create an architecturally balanced appearance. In addition, attached/townhome dwelling structures shall comply with the following requirements:

1. A minimum of 25% of the combined area of all building facades of a structure shall have an exterior finish of brick, stucco, and/or natural or artificial stone.

2. Except for brick, stucco, and/or natural or artificial stone, no single building facade shall have more than 75% of 1 type of exterior finish.

3. Except for brick, stucco, and/or natural or artificial stone, no townhome dwelling structure shall have more than 60% of all building facades of 1 type of exterior finish.

4. For the purpose of this section and material calculations:

a. The area of the building facade shall not include area devoted to windows, entrance doors, garage doors, or roof areas.

b. Variations in texture or style (i.e., lap siding versus shake shingle siding) shall be considered as different

materials meeting the requirements of this section.

c. Integral colored split face (rock face) concrete block shall not qualify for meeting the brick, stucco, and/or natural or artificial stone material requirements.

d. Multiple unit buildings in proximity to each other shall not look alike in terms of color of siding, accent and roofing materials. The building under consideration will be compared to 2 homes on 2 lots on either side of it and to the 3 homes directly facing it.

e. Outside storage shall be allowed only in designated areas which are screened in accordance with §153.146 of this chapter and under the ownership of the property owners' association subject to other applicable provisions of this chapter.

(3) Building design and materials, multi-family (stacked).

(a) Design character: The scale of multi-family dwellings makes the buildings highly visible and it is critical to incorporate high quality architecture. All buildings shall be designed to accomplish the goals and policies of the Comprehensive Plan. Building materials shall be attractive in appearance, durable, and of a quality which is both compatible with adjacent structures and consistent with the city's standards for the district in which it is located. All buildings shall be of good aesthetic and architectural quality, as demonstrated by the inclusion of elements such as accent materials, entrance and window treatments, contrasting colors, irregular building shapes and rooflines, or other architectural features in the overall architectural concept.

(b) A minimum of 50% of the combined area of all building facades of a structure shall contain the following permitted major exterior materials: face brick (glazed or unglazed), clay faced tile, and/or stone masonry (granite, limestone, marble, slate, sandstone, or quartzite).

(c) Accent materials may include: finished texture stucco (cement or synthetic), exterior finished wood siding (painted, stained, or weather sealed), exterior finished metal siding (not including sheet metal of any kind), exterior finished vinyl siding or fiber cement siding in lap or panel design (color impregnated or painted). Panel seam lines shall be architecturally integrated into the building design so that they are not visible. Seam lines can either be filled, covered with accent material or some other method to make seam lines invisible. Accenting materials and design shall be included on all facades.

(d) All building and roofing materials shall meet current accepted industry standards and tolerances, and shall be subject to review and approval by the city for quality, durability, and aesthetic appeal. The applicant shall submit to the city product samples, color building elevations, and associated drawings which illustrate the construction techniques to be used in the installation of such materials.

(e) If complementary building styles, materials, and color schemes are proposed for a development, the developer shall submit to the city a plan showing the distribution of the styles, materials, and colors throughout the development.

(Ord. 537, passed 11-8-2004; Am. Ord. 596, passed 2-8-2010; Am. Ord. 651, passed 3-14-2016)

Sec. 31-310. - TH townhouse residential district.

(a) *Allowable uses.* See Table in Section 31-315 for the allowable uses within the TH district.

(b) *Massing regulations.*

(1) Minimum standards. [1]

Lot area per unit	5,000 square feet
Front yard setback	
Residence	20 feet
Garage front facing	25 feet
Garage side facing	20 feet
Side yard setback	25 feet
Rear yard setback	25 feet
Building separation	15 feet
Height	2½ stories, not to exceed 35 feet

(2) Additional setback standards. [2]

Trunk Highway 96 (Stonebridge Trail to Co Rd. 15)	100 feet
McKusick Road (Neal Ave. to Co Rd. 15)	100 feet
County Rd. 12 (Northland Ave. to Co Rd. 15)	100 feet
County Rd. 15 (Trunk Highway 36 to Trunk Highway 96)	100 feet
Railroad	75 feet

(c) *Design review.* Design review is required for all permitted and specially permitted buildings or uses.

[1] All standards are minimum requirements unless otherwise noted.

[2] Measured from the right-of-way line.

Sec. 31-312. - RCL low density multiple-family residential district.

(a) *Allowable uses.*

(1) See Table in Section 31-315 for the allowable uses within this district.

(b) *Massing regulations.*

(1) Minimum standards. [1]

Lot area	20,000 square feet
Lot area per unit	7,000 square feet
Open space per unit	1,500 square feet
Front setback [2]	35 feet
Side setback [2]	50 feet
Rear setback [2]	50 feet
Principal building separation	50 feet
Building Height	35 feet maximum

(2) Additional setback standards. [3]

Trunk Highway 96 (Stonebridge Trail to Co Rd. 15)	100 feet
McKusick Road (Neal Ave. to Co Rd. 15)	100 feet

County Rd. 12 (Northland Ave. to Co Rd. 15)	100 feet
County Rd. 15 (Trunk Highway 36 to Trunk Highway 96)	100 feet
Railroad	75 feet

(c) *Recreation facilities.* Ten percent of the gross project area shall be specifically designed, developed and maintained for recreational purposes such as: Children's play apparatus, swimming and wading pools, game areas such as tennis and horseshoe courts, picnicking and outdoor cooking facilities, etc. In addition, the city council at its discretion may require that the developer provide public park space according to the city park dedication requirements.

(d) *Landscaping and screening.* Landscaping and screening shall be as follows:

(1) All sites when fully developed shall be completely graded so as to adequately drain and dispose of all surface water, stormwater and groundwater in such a manner as to preclude large scale erosion and unwanted ponding.

(2) All sites when fully developed shall be landscaped according to a plan approved by the city council. The landscaping plan shall specify the size, type and location of all trees and shrubbery and the location of all sodded areas.

(3) Parking areas containing four or more spaces which are adjacent to or across the street from a residential district shall be screened to a height of at least four feet by shrubbery, wood or masonry materials.

[1] All standards are minimum requirements unless otherwise noted.

[2] Principal and accessory structures must meet this setback standard.

[3] Measured from the right-of-way line.

Sec. 31-313. - RCM medium density multiple-family residential district.

(a) *Allowable uses.*

(1) See Table in Section 31-315 for the allowable uses within this district.

(b) *Massing regulations.*

(1) Minimum standards. [1]

Lot area	12,000 square feet

Lot area per unit	2,800 square feet
Maximum lot coverage	30 percent
Maximum floor area ratio	0.75
Front setback	
Principal building	35 feet
Accessory building	45 feet
Side setback	
Principal building	20 feet
Accessory building	10 feet
Rear setback	
Principal building	45 feet
Accessory building	10 feet
Principal building separation	35 feet
Building Height	3 stories maximum

i. *Exceptions:*

a. One- and two-family dwellings may be allowed to conform to the RB district setback requirements.

b. When the adjacent buildings are located with a setback less than is required above, a multiple dwelling may be permitted to be located up to the point of the lesser setback requirement.

(2) Additional setback standards. [2]

Trunk Highway 96 (Stonebridge Trail to Co Rd. 15)	100 feet
McKusick Road (Neal Ave. to Co Rd. 15)	100 feet
County Rd. 12 (Northland Ave. to Co Rd. 15)	100 feet
County Rd. 15 (Trunk Highway 36 to Trunk Highway 96)	100 feet
Railroad	75 feet

(c) *Recreation facilities.* There shall be 200 square feet per dwelling unit or ten percent of the gross project area, whichever is greater, specifically designed, developed and maintained by the owner for recreation purposes in the RCM district such as follows: Children's play apparatus, swimming and wading pools, game areas, such as tennis and horseshoe courts, picnicking and outdoor cooking facilities, etc. In addition, the city council at its discretion may require that the developer provide public park space according to the city park dedication requirements.

(d) *Landscaping and screening.* Landscaping and screening shall be as follows:

(1) All sites when fully developed shall be completely graded so as to adequately drain and dispose of all surface water, stormwater and groundwater in such a manner as to preclude large scale erosion and unwanted ponding.

(2) All sites when fully developed shall be landscaped according to a plan approved by the city council. The landscaping plan shall specify the size, type and location of all trees and shrubbery and the location of all sodded areas.

(3) Parking areas containing four or more spaces which are adjacent to or across the street from a residential district shall be screened to a height of at least four feet by shrubbery, wood or masonry materials.

[1] All standards are minimum requirements unless otherwise noted.

[2] Measured from the right-of-way line.

Sec. 24-134. - R-4 urban residential district.

(a) *Purpose and scope.* This section applies to the R-4 urban residential district. This district is created to provide an adequate amount of land to meet the demand for urban residential development. These areas will require public sewer and water systems which will be extended to encourage staged and orderly growth in the city in conformance to the comprehensive plan or amendments thereto. These lands are shown as "Places to Live, High Density Residential", "Places to Live, Medium Density Residential" or "Places to Live, Low Density Residential" on the comprehensive plan or amendments thereto. Maximum density shall be consistent with the base density in the comprehensive plan unless increased using a density bonus through an approved planned unit development.

(b) *Permitted uses.* Permitted uses are as follows:

Agricultural building existing on April 14, 1971.

Agricultural use existing on April 14, 1971.

Essential services including power lines under 35 KV.

Historic site.

Open space, public or private.

Residential care facility serving six or fewer persons.

Single-family detached dwelling on a platted lot.

Single-family detached dwelling on an unplatted lot not less than 20 acres with a width of not less than 500 feet.

Single-family detached dwelling on an unplatted lot of record less than 20 acres in existence as of September 12, 2012.

(c) *Permitted accessory uses.* Permitted accessory uses are as follows:

Accessory structures in accordance with section 24-281.

Common property to a multiple family complex or planned unit development.

Daycare, home-based and licensed, serving 12 or fewer persons.

Ground source heat pump systems in accordance with section 24-404.

Home business in accordance with section 24-263.

Retail sales accessory to golf course/driving range, ice arena or park facility.

Satellite dish for residential use.

Solar energy system in accordance with section 24-406.

Temporary seasonal roadside stand not to exceed one per farm selling only products grown on that farm.

Wind energy system on lots at least 20 acres in size up to 45 feet in height in accordance with section 24-405.

(d) *Conditional uses.* Conditional uses are as follows:

Accessory uses for a place of worship or school in addition to those listed as permitted may be allowed as a conditional use.

Assisted living facility serving 16 or more persons.

Cemetery in existence as of September 26, 2012.

Daycare, accessory to a place of worship or school.

Daycare, home-based and licensed, serving from 13 to 16 persons.

Daycare, licensed, serving more than 16 persons along a collector or arterial street.

Golf course, driving range.

Government use.

Historic reuse ancillary to the primary residential use limited to: tearoom with scheduled events; indoor or outdoor wedding receptions and socials as scheduled events; bed and breakfast; and catering kitchen.

Multiple-family dwelling in accordance with section 24-309.

Place of worship in accordance with section 24-303.

Planned unit development in accordance with article IV.

Residential care facility serving from seven to 16 persons.

Single-family attached dwelling.

School in accordance with section 24-303.

(e) *Interim conditional uses.* Interim conditional uses are as follows:

Farmers' market in accordance with section 24-265.

Telecommunications tower in accordance with article VI, division 4.

Wind energy system on lots at least 20 acres in size up to 75 feet in height in accordance with section 24-405.

(f) *Zoning district standards.*

(1) Minimum lot area:

a. Single-family detached dwellings, unplatted: 20 acres.

b. Single-family detached dwellings, platted: 10,000 square feet with a minimum buildable area of 4,000 square feet.

c. Single-family attached dwellings:

1. Duplex: An average of 6,000 square feet per unit.

2. Townhouse: An average of 4,500 square feet per unit.

3. Quadplex: An average of 4,500 square feet per unit.

4. Multiple-family dwellings:

(i) Efficiency: 2,300 square feet (maximum five percent efficiency units).

(ii) One-bedroom: 2,925 square feet.

(iii) Two-bedroom: 3,600 square feet.

(iv) Three-bedroom: 4,275 square feet.

(2) Minimum lot width: 80 feet.

(3) Minimum lot depth: 125 feet unless the rear lot line abuts a collector or arterial street then the minimum lot depth shall be 160 feet.

(4) Maximum lot depth: The depth of any lot in a subdivision shall not exceed three times the lot's width.

(5) Access: Maximum of two accesses per residential lot on a public street.

(6) Maximum height: Three stories or 40 feet.

(7) Minimum front yard setback: 35 feet, unless the front yard abuts an existing or future collector or arterial street, then the minimum front yard shall be 50 feet from the anticipated future right-of-way.

(8) Minimum side yard setback:

a. From residential street: 20 feet.

b. From major road (collector or arterial street): 50 feet.

c. From interior lot line: Ten feet.

d. From interior lot line: If a garage, five feet.

e. When the garage and the living unit align, or a portion of the living unit is above the

garage, the side yard setback to the structure on the garage side shall be five feet.

(9) Minimum rear yard setback: 35 feet unless the rear yard abuts an existing or future collector or arterial street, then the minimum rear yard shall be 50 feet from the anticipated future right-of-way.

(10) Maximum building coverage: 35 percent.

(Ord. No. 1858, § 1858.01, 9-26-2012; Ord. No. 1957 , § 4, 12-12-2018)

Sec. 24-147. - MX mixed use district.

(a) *Purpose and scope.* This section applies to the MX, mixed use district. The mixed use district provides flexibility to allow two or more compatible Places to Live, Shop and Work uses for properties guided as "Mixed Use" in the comprehensive plan. This zone is established with the following intent:

(1) Through the planned unit development conditional use permit process, provide for a mix of complementary and supportive land uses within the project area.

(2) Promote higher residential densities and walkable, sustainable development.

(3) Establish and maintain high standards of site design, spatial relationships, building architecture and landscape design to create a quality, attractive environment.

(b) *Prohibited uses.*

Single-family or two-family homes.

Motels.

Uses not identified in subsections (c) or (d) that are clearly incompatible with other uses or the purpose or intent of this district as outlined in the comprehensive plan.

(c) *Permitted uses.* Permitted uses are as follows:

Bank without drive-through facilities and/or drive-up automated teller machines.

Business service.

Clinic for human care.

Commercial recreation use, 5,000 square feet or less in floor area, when located within a multi-tenant building.

Government use.

Essential services.

Office use.

Personal service.

Other permitted uses identified as part of an approved planned unit development.

(d) *Permitted accessory uses.* Permitted accessory uses are as follows:

Accessory uses customarily incidental and clearly subordinate to the primary use identified as part of an approved planned unit development.

Bicycle racks.

Cafeteria not open to the general public.

Community room.

Clubhouse/recreation building.

Ground source heat pump systems in accordance with section 24-404.

Off-street parking and loading areas.

Refuse and recycling storage area in accordance with 24-252.

Solar energy systems in accordance with section 24-406.

Underground parking.

Permitted accessory uses within a hotel and/or conference center with limited exterior building signage identified as part of an approved planned unit development such as:

Convenience retail.

Health and fitness center.

Meeting/conference/banquet facilities.

Motor vehicle leasing not to exceed an inventory of ten vehicles stored outdoors.

Office.

Personal service.

Restaurant (class I or II).

Retail.

Shuttle service.

Theater.

(e) *Conditional uses.* Conditional uses are as follows:

Assisted living facility.

Banks with drive-through facilities and/or drive-up automated teller machines as part of a multi-story building in accordance with section 24-308.

Commercial recreation use, greater than 5,000 square feet in floor area or when located in a free-standing building.

Daycare facility, licensed.

Hotel and/or conference center.

Multiple-family dwelling in accordance with section 24-309.

Parking deck/ramp in accordance with section 24-312.

Planned unit development in accordance with article IV.

Restaurant, class I or class II, within or physically connected to another use.

Retail use up to 20,000 square feet in floor area.

Single-family attached dwelling.

Teaching or training facility without outdoor areas, equipment or storage for training or instruction.

Theater, excluding drive-ins.

Other conditional uses identified as part of an approved planned unit development.

(f) *Compatible uses.* Other uses may be deemed compatible and appropriate by the zoning administrator. Where a question arises as to a use being compatible, the zoning administrator shall refer the issue to the planning commission. The planning commission shall make a recommendation to the city council for a final determination as to whether a proposed use is not to be allowed, is compatible as a permitted use, or is compatible as an accessory use.

(g) *Mix of uses.* Uses may be vertically and/or horizontally mixed within the project area. Proposed planned unit developments in this district shall include a minimum of two primary uses from two different land use categories (places to live, places to shop and places to work). To be considered a primary use the use must occupy a minimum of 20 percent of the floor area within the development. Retail uses shall not exceed 40 percent of the floor area within the development.

(h) *Zoning district standards.*

(1) Minimum zoned areas shall closely match areas identified on the comprehensive plan as mixed use.

(2) Minimum lot area: Two acres.

(3) Minimum height of buildings: Two stories plus roofing height.

(4) Maximum height of buildings: Six useable stories plus roofing height.

(5) Front, side, rear yard: As identified in the planned unit development.

(6) Horizontal mixed use residential density shall be a minimum of seven units per acre and a maximum of 15 units per acre and shall be calculated using the proposed horizontal residential land use areas.

(7) Vertical mixed use density shall be calculated on the overall net mixed use project area as defined in the planned use development ordinance and the comprehensive plan.

(i) *Performance standards.*

(1) *Parking.*

a. Uses shall provide parking under section 24-242, off-street parking spaces, required by the City Code unless modified as part of a planned unit development.

b. Underground parking and parking ramps and decks shall be allowed eight-foot, nine inches wide parking spaces with the exception of handicapped parking stalls.

c. Personal service and internal retail uses in a residential building serving the immediate neighborhood shall provide parking at a ratio of one space per 250 square feet of net floor space.

d. Surface parking lots shall be minimized through the use of parking structures, underground parking and attached garages. Parking lots shall be extensively screened from public roadways with berms, combination of deciduous and coniferous plant materials and/or building orientation.

(2) *Architectural criteria.*

a. Nonresidential structures shall conform to the commercial standards of the architectural ordinance.

b. Residential structures containing offices or retail or personal services shall use brick in combination with other materials on at least part of the front facades of such buildings that contain the mixed use.

(3) *Other requirements.* The city council may apply additional requirements as necessary to implement the purpose of this district and the comprehensive plan and any amendments thereto.

(Ord. No. 1858, § 1858.01, 9-26-2012)

STAFF REPORT

DATE: 06/21/2022
REGULAR

TO:	City Council
FROM:	Molly Just, Planning Director
	Ben Hetzel, City Planner
AGENDA ITEM:	Zoning Text Amendment – Article XIII Village Mixed Use District

GENERAL BACKGROUND:

The City of Lake Elmo Planning Department has initiated a zoning text amendment of Article XIII Village Mixed Use District to incorporate the Village Medium Density Residential (V-MDR) and Village High Density Residential (V-HDR) zoning districts into the City Code. The incorporation of these districts is in implementation of the 2040 Comprehensive Plan. The 2040 Comprehensive Plan recommends creation of strong and vibrant districts in the Village Planning Area so that it becomes a destination for all residents of the community.

The addition of these districts is part of a large picture that focuses on what makes specific areas of Lake Elmo unique by providing zoning standards to promote the vitality of places like the Old Village by bringing more people into the Village Planning Area. The V-MDR and V-HDR provide for an area of compact development mutually compatible through a combination of careful planning and urban design. The addition of these districts provides a mixture of uses and level of density and intensity intended to support the level of public infrastructure planned for the area and provide vitality to the Old Village.

The criteria and standards outlined in the proposed amendments were derived from Planning Commission's recommendations and guidance from the 2040 Comprehensive Plan. There is a pending Preliminary Plat and PUD for the V-HDR and V-MDR zoning districts and a conceptual plat and PUD for the V-MDR district. It is critical to adopt these districts at this time.

ISSUE BEFORE THE CITY COUNCIL:

Should the City Council adopt zoning code text amendments to incorporate the new Village Medium Density Residential and Village High Density Residential Districts into the zoning code to enable the development recommended in the 2040 Comprehensive Plan?

SUMMARY OF AMENDMENTS

105.12.770 PURPOSE AND DISTRICT DESCRIPTION

V-MDR Village Low Density Residential. The purpose of the V-MDR zoning district is provide an area for greater variety in housing stock and bring more people closer to living within easy access to the Main Street of the Old Village. Appropriate housing types in this area may include single-family detached, duplexes, and townhomes/villa housing types. Residential development within areas zoned V-MDR will occur at a density of 3.01 to 8 units per acre.

V-HDR Village High Density Residential. The purpose of the V-HDR zoning district is to provide an area for a variety of higher density housing types in the Village Planning Area and to bring a higher concentration of people closer to Old Village Destinations and amenities. Appropriate housing types in this area include multifamily dwellings. This area is intended to provide for opportunities for more

housing at a wider range of price points and to provide lifecycle housing in Lake Elmo. Residential development within areas zoned V-HDR will occur at a density of 8.01 to 12 units per acre.

105.12.780 PERMITTED AND CONDITIONAL USES
Amendments to this section include adding the V-MDR and V-HDR districts into Table 11-1 (Permitted and Conditional Uses, Village Districts) and identifying what listed specific uses are allowed for each district. Each use and district correlation was determined with the purpose and intent of each district in mind.

105.12.790 LOT DIMENSTIONS AND BUILDING BULK REQUIREMENTS
The V-MDR and V-HDR districts are incorporated into Table 11-2 (Lot Dimensions and Setback Requirements, Village Districts) to establish appropriate dimensional and building bulk requirements for each new district. In addition minor updates were made to the V-LDR and VMX districts.

105.12.820 LOT DEVELOPMENT STANDARDS FOR SPECIFIC USES
No additional standards were added to this section. Only the removal of text for better clarification and transparency and inapplicable code references.

PUBLIC COMMENT:

A hearing notice was published in the Stillwater Gazette on June 3, 2022. On the day of the Planning Commission meeting a letter was received from Brian Zeller. The letter is attached and staff addressed the letter during the staff presentation. Answers are as follows:

1. The proposed amendments do not include the overlay language as it was not ready for adoption.
2. There was no change to Sales and Storage Lots.
3. A mix of uses on one site is still allowed.
4. The VMX District does contemplate a mix of uses so I am not sure if there is an issue.
5. You can always submit an application for a text amendment and propose uses you would like to see.

There was no comment during the public hearing. The Planning Commission voted to recommend adoption of the subject text amendments.

FISCAL IMPACT:
None. Adoption of the new zoning districts to enable development of parcels planned V-MDR and V-HDR is a requirement of the 2040 Comprehensive Plan.

RECOMENDATION:
Staff recommends that the City Council adopt the subject amendments to Article XIII Village Mixed Use District to incorporate the Village Medium Density Residential (V-MDR) and Village High Density Residential (V-HDR) zoning districts into the City Code. Two separate suggested motions are provided below.

"Motion to adopt the amendments to zoning code Article XIII Village Mixed Use District"

"Motion to approve summary publication of Ordinance 2022-10 (the Zoning Ordinance amendments) with approval of Resolution 2022-067"

ATTACHMENTS:

1. Ordinance 2022-10
2. Resolution 2022-067
3. Letter from Brian Zeller
4. Existing Village Mixed Use District

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

ORDINANCE NO. 2022-10

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE BY

ADDING THE VILLAGE MEDIUM DENSITY RESIDENTIAL DISTRICT AND THE VILLAGE HIGH DENSITY RESIDENTIAL DISTRICT

SECTION 1. The City Council of the City of Lake Elmo hereby ordains that Title 105 Zoning; Chapter 105: Article XIII Village Mixed-Use District is hereby amended by changing the following sections (Proposed language is underlined, deleted language is shown with ~~strikethrough~~):

Article XIII Village Districts

~~**Article XIII Village Mixed Use District**~~

105.12.770 Purpose And District Description

Purpose. The village districts encompass the Lake Elmo Village Planning Area. The village districts provide for an area of compact development including a mix of uses made mutually compatible through a combination of careful planning and urban design and coordinated public and private investment. The mixture of uses and level of density and intensity is intended to support the level of public infrastructure planned for the area.

(a) *V-LDR Village Low Density Residential*. The purpose of the V-LDR zoning district is to provide opportunity for lower density residential development within the Village Planning Area and to create a transition and connectivity between the heart of the Old Village and surrounding rural areas. Appropriate housing types in this area may include single-family detached housing. Residential development within areas zoned V-LDR will occur at a density of 1.5 to 3.0 units per acre. ~~The purpose of the V-LDR zoning district is to provide opportunity for lower density residential development within the Old Village and create a transition and connectivity between the heart of the Old Village and surrounding rural areas. Residential development within areas zoned V-LDR will occur at a density of 1.5 to 3.0 units per acre.~~

(b) V-MDR Village Medium Density Residential. The purpose of the V-MDR is to provide an area for greater variety in housing stock and bring more people closer to living within easy access of Old Village destinations and amenities. Appropriate housing types in this area may include single-family detached, duplexes, and townhomes/villa housing types. Residential development within areas zoned V-MDR will occur at a density of 3.01 to 8 units per acre.

(c) V-HDR Village High Density Residential. The purpose of the V-HDR is to provide an area for a variety of higher density housing types in the Village Planning Area and to bring a higher concentration of people closer to Old Village destinations and amenities. This area is intended to provide for opportunities for more housing at a wider range of price points and to provide lifecycle housing in Lake Elmo. Appropriate housing types in this area may include multi-family dwellings. First floor non-residential uses may be appropriate. Residential development within areas zoned V-HDR will occur at a density of 8.01 to 12 units per acre.

~~(d)~~ *VMX Village Mixed-Use District*. This district is intended to continue the traditional mixed-use development that has occurred in the Old Village by allowing retail, service, office, civic and public uses as well as

residential units. The mixture of land uses within the district is essential to establishing the level of vitality and intensity needed to support retail and service uses. Development within areas zoned VMX will occur at a density of 5 - 10 units per acre. Senior congregate care facilities may exceed this density maximum with a range not to exceed a total of 16 units per acre, provided the facility can satisfy all zoning and applicable conditional use permit review criteria. The placement of building edges and treatment of building, parking, landscaping, and pedestrian spaces is essential to creating the pedestrian friendly environment envisioned for the VMX district. ~~The purpose of the VMX district is to provide an area for compact, mixed use development made mutually compatible through a combination of careful planning and urban design and coordinated public and private investment. This district is intended to continue the traditional mixed use development that has occurred in the village area by allowing retail, service, office, civic and public uses as well as residential units. The mixture of land uses within the district is essential to establishing the level of vitality and intensity needed to support retail and service uses. Development within areas zoned VMX will occur at a density of six to ten units per acre. Senior congregate care facilities may exceed this density maximum with a range not to exceed a total of 16 units per acre, provided the facility can satisfy all zoning and applicable conditional use permit review criteria. The placement of building edges and treatment of building, parking, landscaping, and pedestrian spaces is essential to creating the pedestrian friendly environment envisioned for the VMX district. The standards in this chapter are intended to implement and effectuate the principles and relationships established in the village master plan, which will be carried out through specific standards related to site planning, signage, architecture, building materials, and landscaping. Renovation and infill of traditional storefront-type buildings is encouraged, and parking standards may be waived to recognize the availability of on-street and shared parking facilities.~~

105.12.780 Permitted And Conditional Uses

Table 11-1 lists all permitted and conditional uses allowed in the village districts ~~urban residential districts~~. "P" indicates a permitted use, "C" a conditional use. Uses not so indicated shall be considered prohibited. Cross-references listed in the table under "Standards" indicate the location within this section of specific development standards that apply to the listed use.

(a) *Combinations of uses~~, village districts~~*. The following use types may be combined on a single parcel:

(1) Principal and accessory uses may be combined on a single parcel.

(2) Permitted or conditional uses allowed within the district may be combined on a single parcel, provided that a unified and integrated site plan is approved. If one or both of the uses is/are conditional, the entire development must be approved as a conditional use. ~~A principal and secondary dwelling unit may be combined according to the standards of LEC 105.12.740 (c).~~

(b) *STOPPED Combination of uses, VMX district*.

(1) *A mixed-use building that combines permitted or conditionally permitted uses may be developed meeting the form standards of this subchapter.*

~~(1) Single-family attached or multifamily complexes designed for rental or condominium occupancy, since these typically include multiple units and buildings on a single parcel.~~
~~(2) Other permitted or conditional uses allowed within the district may be combined on a single parcel, provided that a unified and integrated site plan is approved. If one or both of the uses is/are conditional, the entire development must be approved as a conditional use.~~
~~(3) A mixed-use building that combines permitted or conditionally permitted residential, service, retail and civic uses may be developed meeting the form standards of this subchapter. Office or studio uses on upper stories are encouraged.~~

(c) *Non-Residential Uses:*

(1) On property zoned V-HDR, permitted on the street level (first floor) only. Such use shall have its primary entrance from the front or side of the building.

Table 11-1: Permitted and Conditional Uses, Village Districts

	V- LDR	*V-MDR*	*V-HDR*	*VMX*	*Standard*
Residential Uses:					
Household Living:					
Single-family detached dwelling	P	P	-	C	LEC 105.12.830(a)
Two-family dwelling	-	P*	-	C*	
Single-family attached dwelling	-	C	C	C	LEC 105.12.830(a)
Multifamily dwelling	-	C	C	C	LEC 105.12.830(a)
Secondary dwelling	C	C	-	C	LEC 105.12.830(a)
Live-work unit	-	C	-	C	LEC 105.12.830(b)
Group Living:					
Group home	P	C	-	P	LEC 105.12.500
Group residential facility	-	C	-	C	LEC 105.12.500
Congregate housing	-	C	-	C	LEC 105.12.500
Semi-transient accommodations	-	-	-	C	LEC 105.12.500
Public and Civic Uses:					
Community services	-	-	-	P	LEC 105.12.110
Day care center	-	C	-	P	LEC 105.12.110
Public assembly	-	-	-	C	LEC 105.12.110
Religious institutions	-	-	-	C	LEC 105.12.110
Schools, public and private	-	-	-	C	LEC 105.12.110
Services:					
Business services	-	-	C	P	LEC 105.12.110
Business center	-	-	-	P	LEC 105.12.110
Offices	-	-	C	P	LEC 105.12.110
Communications services	-	-	-	P	LEC 105.12.110
Education services	-	-	C	P	LEC 105.12.110
Financial institution	-	-	C	P	LEC 105.12.110, V-HDR First floor only and drive-thru prohibited. VMX Drive-thru by Conditional Use Permit.

Funeral home	-	-	-	C	LEC 105.12.110
Lodging	-	-	C	C	154.302(d)
Medical facility	-	-	C	C	LEC 105.12.510
Membership organization	-	-	-	C	
Nursing and personal care	-	-	-	C	LEC 105.12.510
Personal services	-	-	C	P	
Repair and maintenance shop	-	-	-	C	LEC 105.12.830
Trade shop	-	-	-	C	
Veterinary services	-	-	-	C	
Food Services:					
Standard restaurant	-	-	C	P	
Restaurant with drive-through	-	-	C	C ~~P~~	In VMX drive through shall be located in rear yard.
Drinking and entertainment	-	-	-	P	LEC 105.12.520
Sales of Merchandise:					
Retail trade [1]	-	-	-	P	
Farmer's market	-	-	-	C	
Garden center	-	-	-	C	LEC 105.12.960(g)
Neighborhood convenience store	-	C	P	P	
Shopping center	-	-	-	C	
Wayside stand	P	-	-	P	LEC 105.12.750(d)
Automotive/Vehicular Uses:					
Automobile maintenance service	-	-	-	C	LEC 105.12.830
Automobile parts/supply	-	-	-	C	LEC 105.12.830
Gasoline station	-	-	-	C	LEC 105.12.530(b)
Parking facility	-	C	C	C	LEC 105.12.830(b)
Sales and storage lots	-	-	-	C	LEC 105.12.530(c)
Outdoor Recreation:					
Outdoor recreation facility	-	C	-	C	LEC 105.12.550(c)
Parks and open areas	P	P	P	P	On public property or as an accessory use to serve residents of a primary use.

Indoor Recreation/Entertainment:					
Indoor athletic facility	-	C	C	C	LEC 105.12.560
Indoor recreation	-	-	-	C	LEC 105.12.560
Transportation and Communications:					
Broadcasting or communications facility	-	-	-	C	
Accessory Uses:					
Home occupation	P	P	P	P	LEC 105.12.110
Bed and breakfast	P	-	-	P	LEC 105.04.220(a)
Family day care	P	P	-	P	LEC 105.12.110
Group family day care	-	-	-	C	
Temporary sales	P	P	-	P	LEC 105.12.870(g)
Parking facility	-	-	-	P	LEC 105.12.830
Solar equipment	P	P	P	P	Roof mounted only

[1]Retail Trade in the VMX District includes all uses and activities defined as Retail Trade in LEC 105.12.110(b) (5) with the exception of building supplies sales and warehouse club sales.

105.12.790 Lot Dimensions And Building Bulk Requirements

Lot area and setback requirements shall be as specified in Table 11-2, Lot Dimension and Setback Requirements.

Table 11-2: Lot Dimension and Setback Requirements, Villages Districts

	V- LDR	*V-MDR*	*V-HDR*	*VMX*
Minimum Lot Area (square feet): [a]				
Nonresidential use	-	-	-	None
Single-family detached dwelling	9,000	7,000	-	9,000
Two-family dwelling (per unit) [b]	-	4,000	-	4,000 ~~3,000~~
Single-family attached (per unit) [c]	-	2,500	-	3,000 ~~See notes a and h~~
Multifamily dwelling (per unit)	-	3,000	1,800	2,800 ~~See notes a and h~~
Secondary dwelling	See LEC 105.12.740 (c)	-	-	See LEC 105.12.740 (c)

Congregate housing	-	-	-	LEC 105.12.500(c)
Minimum Lot Width (feet):				
Single-family detached dwelling	70	50	-	70 ~~50~~
Two-family dwelling (per unit) [b]	-	30	-	30
Single-family attached per unit (per unit) [c]	-	25	-	25
Multifamily dwelling (per building)	-	75	60	75
Live-work unit	-	25	-	25
Maximum height (feet/stories)	35	35/3 [d]	50	35/3 [d]
Maximum Impervious Coverage:				
Residential lots	35 percent	50 percent	75 percent	75 percent
Other	-	-	-	No Limit
Minimum Building Setbacks (feet):				
Front yard	25	25	25	Single-Family Detached and attached - 25 Multifamily Dwellings: LEC 105.12.830(a)(6)a Non-Residential Uses: LEC 105.12.830(b) ~~Single-Family Detached, Two-Family, and Single-Family Attached: See LDR standards of LEC 105.12.730~~ ~~All Other Residential Uses: LEC 105.12.830(a)(7)~~
Interior Side Yard:				
Principal building	10	10	10	10 [e]
Attached garage or accessory structure	5	5	5	5
Corner side yard	15	15	15	0 [f]
Rear yard	20	20	20	10 [g]
Notes to Village Districts Table:				

a. No development may exceed the residential density range as specified in the comprehensive plan for the corresponding land use category.
b. Two-family units may be side-by-side with a party wall between them (twin) or located on separate floors in a building on a single lot (duplex). The per-unit measurements in this table apply to twin units, whether on a single lot or separate lots. The standards for single-family detached dwelling shall apply to a duplex containing two vertically-separated units on a single lot.
c. In the case of single-family attached dwellings that are not situated on individual lots, minimum lot size shall be applied to each unit as a measure of density; i.e., one unit per 2,500 square feet. This standard is also used for multifamily dwellings.
d. Buildings up to 45 feet in height may be permitted as part of a PUD in the VMX and V-MDR districts.
e. Side yard setbacks in the VMX district apply only along lot lines abutting residentially zoned parcels or those parcels with residential uses as the sole use.
f. Corner properties. The side yard facade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard setback, whichever is less. If no structure exists on the adjacent property, and provided required setbacks are not otherwise stated herein, the setback shall be shown in the table.
g. Properties zoned V-LDR abutting Stillwater Boulevard North (CSAH 14), Lake Elmo Avenue North (CSAH 17) north of Stillwater Blvd (CSAH 14), and Manning Avenue North (CSAH 15) shall have a minimum structure setback of 50 feet.

105.12.800 Dimensional Requirements and Preservation Of Open Space

(a) *Averaging of lot area*. When lots are clustered within a development to provide common open space, the open space may be used to calculate an average density per lot to determine compliance with the individual lot area requirements.

(b) *Lot dimension reductions*. Other reductions in dimensional standards may be considered as part of a planned unit development if these reductions provide for common open space within a development.

~~(c) *Village open space overlay district*. Development of areas within the village open space overlay district, as designated by the comprehensive plan, is not allowed. Residential lots shall not encroach on the areas designated as open space per this overlay district, unless berming or screening protected by a landscape easement is provided as an alternative approved by council.~~

105.12.810 General Site & Building Design Considerations; Village Districts

Development of land within the village districts shall follow established standards for traffic circulation, landscape design, and other considerations as specified in the Lake Elmo City Code ~~LEC 105.12, arts V, VI and VII~~.

(a) The Lake Elmo Design Guidelines and Standards shall govern site design and building design.

(b) *Circulation*.

(1) New access points to County State Aid Highway 14 may be refused or restricted to right- in, right-out movement if alternatives exist. Internal connections shall be provided between parking areas on adjacent properties wherever feasible.

(2) The number and width of curb cuts shall be minimized. To promote pedestrian circulation, existing continuous curb cuts shall be reduced to widths necessary for vehicular traffic, and unnecessary or abandoned curb cuts shall be removed as parcels are developed.

(c) *Screening of existing residential structures*. When a new more intensive residential or non-residential development is proposed adjacent to an existing single-family residential structure, screening shall be provided in accordance with LEC 105.12.480(f). The city may require buffering or screening above and beyond this section in cases where the required screening will not provide an adequate separation between

the uses.

(d) *Sidewalks and/or trails*. Where cul-de-sacs are permitted by the city, sidewalks or trails are required to connect the bulb of the cul-de-sac with the nearest through-road or trail.

(e) *Lake Elmo Theming Study*. Elements of the Lake Elmo Theming Study not herein described must be incorporated in to development within village districts where applicable.

~~*b)Fencing and screening*. Fencing and screening walls visible from the public right-of-way shall be constructed of materials compatible with the principle structure.~~

~~*cLighting design*. Lighting shall be integrated into the exterior design of new or renovated structures to create a greater sense of activity, security, and interest to pedestrians, and shall comply with LEC 105.04.050 et seq.~~

~~*dExterior storage*. Exterior materials storage must be screened from view from adjacent public streets and adjacent residential properties, by a wing of the principal structure or a screen wall constructed of the same materials as the principal structure. Height of the structure or screen wall must be sufficient to completely conceal the stored materials from view at eye level (measured at six feet above ground level) on the adjacent street or property.~~

105.12.820 Development Standards For Specific Uses

Development of land within the village districts shall follow established standards for traffic circulation, landscape design, and other considerations as specified by the Lake Elmo City Code ~~in LEC 105.12, arts. V, VI and VII~~. The following standards apply to specific uses. ~~; other standards related to design and building type may be found at LEC 105.12.830~~.

(a) *Residential units~~, village districts~~*.

(1) *Single-family detached dwellings~~, village districts~~*.

a. No parking shall be located in the front yard or between the front façade and the street except on a permitted driveway.

b. Primary entrances are required to be along the front facade.

c. Dwelling units shall be at least 24 feet in width, at least 960 square feet in area, and be placed on a permanent foundation.

~~*1 All residential units, village districts*. Residential housing units shall be designed to reflect the general scale and character of the village, including front yard depth, height and roof pitch, primary materials, facade detailing and size and placement of window and door openings.~~

(2) *Secondary dwellings~~, village district~~*. Restricted to lots occupied by single-family detached dwellings, and must meet the standards for secondary dwellings in residential districts, LEC 105.12.740(c) and, in the VMX, must be located within the primary structure.

(3) *Single-family attached and two-family dwellings~~, VMX district~~*.

a. The primary entrance to each unit shall be located on the facade fronting a public street.

b. Common open space for use by all residents or private open space adjacent to each unit shall be provided. Such open space shall comp~~rom~~ise of a minimum of 300 square feet in the V-HDR and VMX, and 500 square feet per unit in the V-MDR.

c. Unless otherwise specified in this article, single-family attached dwellings in the VMX and V-MDR shall adhere to the MDR district setbacks ~~as specified in LEC 105.12.730~~.

(4) *Multifamily dwelling units~~, VMX district~~*.

a. Dwelling units ~~(both condominium and rental)~~ within a mixed-use building are restricted to

the upper floors or rear or side ground floors.

b. Setback standards for multifamily dwellings not within a mixed-use development shall be determined through the conditional use process.

c. Common open space for use by all residents or private open space adjacent to each unit shall be provided. Such open space shall comprise of a minimum of 300 square feet per unit in the V-MDR and 200 square feet per unit in the V-HDR.

(b) *Nonresidential uses~~, VMX district~~.*

(1) *Setbacks, generally*. The front yard setback of a new nonresidential building within the VMX district shall maintain the prevailing front yard setback of that block, or a maximum setback of 20 feet, whichever is less.

(2) *Repair and maintenance shop*. No outdoor storage is permitted unless fully screened from public view.

(3) *Trade shop*. Exterior materials storage must be totally screened from view from adjacent public streets and adjacent residential properties by a wall of the principal structure or a screen wall constructed of the same materials as the principal structure.

(4) *Veterinary services*.

a. All activities must be conducted within an enclosed building.

b. Specific veterinary practices shall be limited to veterinary medicine, surgery, dentistry, and related service for small domestic household pets.

(5) *Garden center*.

a. The storage or display of any materials or products shall meet all setback requirements of a structure, and shall be maintained in an orderly manner. Screening along the boundaries of adjacent residential properties may be required, meeting the standards of LEC 105.12.470(f).

~~b. All loading and parking shall be provided off-street.~~

b. The storage of any soil, fertilizer or other loose, unpackaged materials shall be contained so as to prevent any effects on adjacent uses

(6) *Automobile maintenance service and automobile parts/supply*.

a. All vehicle repairs shall be conducted in a completely enclosed building.

b. The storage or display of inoperable or unlicensed vehicles or other equipment shall meet all setback requirements of a structure, and shall be totally screened from view from adjacent public streets and adjacent residential properties.

(7) *Live-work unit*. The purpose of a live-work unit is to provide a transitional use type between a home occupation and a larger commercial enterprise~~, and to provide neighborhood-oriented commercial services,~~ while maintaining a generally residential character in which the work space is subordinate to the residential use and the effects of the work space are compatible with a residential use.

a. The work space component shall be located on the first floor or basement of the building.

b. The dwelling unit component shall maintain a separate entrance.

c. The work space component of the unit shall not exceed ~~30~~ 50 percent of the total gross floor area of the unit.

d. A total of two off-street parking spaces shall be provided for a live-work unit, located to the rear of the unit, or underground/enclosed.

e. The size and nature of the work space shall be limited so that the building type may be governed by residential building codes. ~~An increase in size or intensity beyond the specified limit on floor area would require the building to be classified as a mixed-use building.~~

f. The business component of the building may include offices, small service establishments, crafts considered accessory to a dwelling unit, limited retailing (by appointment only), or personal services. It may not include a large scale wholesale business, a commercial food service requiring a license, a limousine business or auto service or repair for any vehicles other than those registered to residents of the property.

~~fThe business component of the building may include offices, small service establishments, home crafts which are typically considered accessory to a dwelling unit, or limited retailing (by appointment only) associated with fine arts, crafts, or personal services. It may not include a wholesale business, a commercial food service requiring a license, a limousine business or auto service or repair for any vehicles other than those registered to residents of the property.~~

g. The business of the live-work unit must be conducted by a person who resides on the same lot. The business shall not employ more than two workers on-site at any one time who live outside of the live-work unit.

(8) *Parking facility*. Structured parking is permitted as a ground floor use within a mixed-use building, provided that the entrance is located on side or rear facades, not facing the primary abutting street. The primary street-facing facade shall be designed for retail, office or residential use.

(9) *Outdoor dining accessory to food services*. Outdoor dining is allowed as an accessory use provided that tables do not block the required sidewalk.

~~*9. Outdoor dining accessory to food services*. Outdoor dining is allowed as an accessory use in the commercial districts, provided that tables do not block the sidewalk. A minimum of five feet of sidewalk must remain open.~~

105.12.830 Accessory Uses And Structures

~~**105.12.840 Accessory Uses and Structures**~~

Accessory uses are listed in Table 11-1 as permitted or conditional accessory uses. Accessory uses and structures in the village districts shall comply with the following standards and all other applicable regulations of this article:

(a) *Phasing*. No accessory use or structure shall be constructed or established on any lot prior to the time of construction of the principal use to which it is accessory.

(b) *Incidental to principal use*. The accessory use or structure shall be incidental to and customarily associated with the principal use or structure served.

(c) *Subordinate to principal use*. The accessory use or structure shall be subordinate in the area, extent, and purpose to the principal use or structure served.

(d) *Function*. The accessory use or structure shall contribute to the comfort, convenience, or necessity of the occupants of the principal use or structure served.

(e) *Location*. The accessory use or structure shall be located on the same zoning lot as the principal use or structure.

(f) *Residential accessory structures*.

(1) *Design compatibility*. On parcels used for residential structures within the village districts, the design

and construction of any garage, carport, or storage building shall be similar to or compatible with the design and construction of the main building. The exterior building materials, roof style, and colors shall be similar to or compatible with the main building or shall be commonly associated with residential construction.

(2) *Attached structures*. An accessory structure shall be considered attached, and an integral part of, the principal structure when it is connected by an enclosed passageway. All attached accessory structures shall be subject to the following requirements:

a. The structure shall meet the required yard setbacks for a principal structure, as established for the zoning district in which it is located.

b. The structure shall not exceed the height of the principal building to which it is attached.

(3) *Attached garages*.

a. Attached garages are encouraged to be side or rear loaded. If facing the primary street, garages shall be designed using one of the following techniques, unless specific physical conditions on the lot in question require a different approach:

1. The front facade of the garage shall be offset from the principal structure by a minimum of two feet from the plane of the public right-of-way.

2. The width of the attached garage shall not exceed 40 percent of the width of the entire principal building facade (including garage) fronting the primary street except that within the V-LDR district where it shall not exceed 60 percent of the width of entire principal building facade (including garage) fronting the primary street.

~~2The width of the attached garage shall not exceed 40 percent of the width of the entire principal building facade (including garage) fronting the primary street within the VMX district and 60 percent of the width of entire principal building facade (including garage) fronting the primary street within the V-LDR district.~~

b. Attached garages shall not exceed 1,000 square feet in area at the ground floor level except by conditional use permit.

c. Garage doors or openings shall not exceed 14 feet in height.

(4) *Detached structures*. Detached accessory structures for permitted residential structures in the village districts must be in accordance with the following requirements:

a. Detached accessory structures shall be located to the side or rear of the principal building, and are not permitted within the required front yard or within a side yard abutting a street.

b. Detached garages shall not exceed 1,000 square feet at ground floor level and shall not exceed a height of 22 feet or the height of the principal structure, whichever is higher. The maximum size and height may be increased upon approval of a conditional use permit, provided that lot coverage requirements are satisfied.

c. Pole barns shall be prohibited.

d. No more than 30 percent of the rear yard area may be covered by accessory structures.

e. Garage doors or openings shall not exceed 14 feet in height.

(g) *Exterior storage on residential parcels*. All materials and equipment shall be stored within a building or be fully screened so as not to be visible from adjoining properties, except for the following:

(1) Laundry drying.

(2) Construction and landscaping materials and equipment currently being used on the premises. Materials kept on the premises for a period exceeding six months shall be screened or stored out of view of the primary street on which the house fronts.

(3) Agricultural equipment and materials, if these are used or intended for use on the premises.

(4) Off-street parking and storage of vehicles and accessory equipment, as regulated in LEC 105.12.410.
(5) Storage of firewood shall be kept at least ten feet from any habitable structure and screened from view of adjacent properties.
(6) Outdoor parking.

(h) *Temporary sales*. Temporary sales, also known as yard or garage sales, are permitted in all residential districts, limited to two per calendar year per residence, not to exceed four days in length for each event.

(i) ~~*Accessory uses and structures not listed*. Standards for accessory uses and structures that are permitted in all districts, or in all residential buildings in any district, are listed in LEC 105.12, art. VII, specific development standards. These include uses such as family and group family day care, bed and breakfast facilities, and home occupations, and structures such as swimming pools and solar equipment~~.

105.12.840 Village Districts Design Review

~~**105.12.830 VMX District Design and Demolition Review**~~

(a) *Review of design*. For certain development activity, as specified in the Lake Elmo Design Standards Manual, design review is required as part of the approval process ~~for a building permit, conditional use permit, or certificate of zoning compliance under this section~~. All projects subject to design review shall be reviewed for conformance with the Lake Elmo Design Standards Manual. A separate process for design review is not established.

(1) *Review authority and process*. Design review shall be facilitated by the planning department and the review shall be conducted by the body or individual authorized to approve the development activity. Design review shall be incorporated in the established review of the development activity. For those applications under this section that require review by the planning commission (i.e., conditional use permits), the planning commission shall consider the standards in the Lake Elmo Design Standards Manual in its recommendation to the city council.

~~1 *Review authority and process*. Design review shall be the responsibility of the individual or body authorizing the permit or certificate and shall be incorporated in the established review of the applicable building permit, conditional use permit, or certificate of zoning compliance. For those applications under this section that require review by the planning commission (i.e., conditional use permits), the planning commission shall consider the standards in the Lake Elmo Design Standards Manual as part of its recommendation to the city council.~~

(2) *Review by professional*. The authorizing body may request review by a design professional of the proposed design or demolition. The cost of review by such design professional shall be the responsibility of the applicant, and shall not exceed $1,000.00 unless otherwise agreed to by the applicant.

(3) *Development activity defined.*

a. Development activity consists of new construction and redevelopment activities, including remodeling that expands the footprint of a structure, altering, or repairing a structure in a manner that will change the exterior appearance of said structure. Development activity also includes the construction of a new parking lot and installation of signage.

b. Exempt activities. The following activities shall be exempt from review under ~~review of~~ this section:

1. Ordinary repairs and maintenance that will not change the exterior appearance of a structure;

2. Removal of existing signage without replacement unless said signs are an integral part of the building;

3. Emergency repairs ordered by the director of planning in order to protect public

health and safety;

4. Exterior alteration, addition, or repair of a structure used as a single-family residence, duplex, or two-family residence;
5. Temporary signage, installed in accordance with the sign regulations of the City Code~~LEC 105.12.430~~, or during which time an application for permanent signage is pending under this section;
6. Maintenance of existing signage advertising an on-site business;
7. Alterations only to the interior of a structure.

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 2022-10 was adopted on this _____day of _____, 2022, by a vote of __ Ayes and ___Nays.

LAKE ELMO CITY COUNCIL

_____
Charles Cadenhead, Mayor

ATTEST:

_____

CITY OF LAKE ELMO
COUNTY OF WASHINGTON
STATE OF MINNESOTA

RESOLUTION NO. 2022-067

RESOLUTION AUTHORIZING PUBLICATION OF A SUMMARY OF ORDINANCE 2022-10

WHEREAS, the Lake Elmo City Council has adopted Ordinance No. 2022-10, an ordinance that amends the City's Zoning Code Article XIII.

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. 2022-10 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. 2022-10, an ordinance that amends the City Code language in the Zoning Ordinance. This ordinance alters language in the City Code to add a Village Medium Density Residential (V-MDR) district and a Village High Density Residential (V-HDR) district. The following is a summary of the adopted ordinance language:

Ordinance 2022-05 includes the following elements to amend Article XIII:

The full text of Ordinance 2022-05 is available for inspection at Lake Elmo City Offices during regular business hours.

1. *V-MDR Village Low Density Residential*. The purpose of the V-MDR zoning district is provide an area for greater variety in housing stock and bring more people closer to living within easy access to the Main Street of the Old Village. Appropriate housing types in this area may include single-family detached, duplexes, and townhomes/villa housing types. Residential development within areas zoned V-MDR will occur at a density of 3.01 to 8 units per acre.
2. *V-HDR Village High Density Residential*. The purpose of the V-HDR zoning district is to provide an area for a variety of higher density housing types in the Village Planning Area and to bring a higher concentration of people closer to Old Village Destinations and amenities. Appropriate housing types in this area include multifamily dwellings. This area is intended to provide for opportunities for more housing at a wider range of price points and to provide lifecycle housing in Lake Elmo. Residential development within areas zoned V-HDR will occur at a density of 8.01 to 12 units per acre.

3. Permitted and conditional uses are added for V-MDR and V-HDR
4. Lot dimensions and building bulk requirements are added for V-MDR and V-HDR.

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: June 21, 2022

_____
Charles Cadenhead, Mayor

ATTEST:

_____
Julie Johnson, City Clerk

(SEAL)

June 13, 2022

Lake Elmo Planning Commission
City Hall
3800 Laverne Avenue North
Lake Elmo, MN 55042

Dear Planning Commissioners:

We wanted to comment on some of the preliminarily considered zoning changes relating to the Old Village. We only learned about these potential changes after reviewing some older Planning Commission minutes. We cannot attend the meeting. You may wish to consider sending mailed notice to Old Village property owners to enhance public involvement on this subject. Certainly, an informal workshop or two would be helpful. Soliciting input or resources from places that have created mixed-use developments from start to finish would be a good start to collecting resources.

1. It would be necessary to have an explanation, in writing, as what is intended by creating an "overlay district," especially insofar as it relates to creating "a high-density residential district" in the Lake Elmo Station District. Does this mean that the overlay is then an optional election available to property owners or does it mean something else-where is this function spelled out in the code?

2. It appears that the considered changes suggest eliminating sales and storage lots as an additional use in the VMX District. We would very strongly suggest leaving it as it has been for many years, permitted or, less preferably conditional use with screening, as has long been the case, allows for establishment of reasonable guidelines.

3. It appears (but is not clear) that the potential for a combination of principal and accessory uses on the same parcel is being eliminated as a permitted use and as a conditional use. Please clarify what this change does in practical terms. We would request that that not be done. Some parcels in the area are of sufficient size to essentially require combined uses on them. Additionally, a combination of uses in one location can offer a variety of businesses and services, one consolidated location and, thus, can enhance useability and walkability.

4. With respect to any area which is suggested to have residential uses on it, we suggest that the Planning Commission broaden its consideration of these matters to allow neighborhood service uses adjacent to the residential structures. Many cities recently have refined their codes to consider the value of creating large and uninterrupted blocks of residential parcels and including smaller commercial nodes

that are aimed at providing a neighborhood service districts. (Stillwater, for example, has done some work in this area but it's not the only one).

5. We believe the use chart appears somewhat dated and narrow. We ask that the planning commission continue consideration of how it might be updated—such as by collecting use options from cities who have been active in actually developing mixed-use projects and by using broader categories of uses to account for a changing economy.

Again, we appreciate the planning commission's involvement and we'd suggest a workshop meeting, accompanied by enhanced notice as well as a request that additional mixed-use land use models be collected and illustrated to the Planning Commission. Thank you.

CHAMA MISSION, LLC

Brian Zeller, CCIM
612-325-3038

ARTICLE XIII VILLAGE MIXED-USE DISTRICT

105.12.770 Purpose And District Description
105.12.780 Permitted And Conditional Uses
105.12.790 Lot Dimensions And Building Bulk Requirements
105.12.800 Dimensional Requirements And Preservation Of Open Space
105.12.810 General Site Design Considerations; Village Districts
105.12.820 Development Standards For Specific Uses
105.12.830 VMX District Design And Demolition Review
105.12.840 Accessory Uses And Structures

105.12.770 Purpose And District Description

(a) *V-LDR Village Low Density Residential*. The purpose of the V-LDR zoning district is to provide opportunity for lower density residential development within the Old Village and create a transition and connectivity between the heart of the Old Village and surrounding rural areas. Residential development within areas zoned V-LDR will occur at a density of 1.5 to 3.00 units per acre.

(b) *VMX Village Mixed-Use District*. The purpose of the VMX district is to provide an area for compact, mixed-use development made mutually compatible through a combination of careful planning and urban design and coordinated public and private investment. This district is intended to continue the traditional mixed-use development that has occurred in the village area by allowing retail, service, office, civic and public uses as well as residential units. The mixture of land uses within the district is essential to establishing the level of vitality and intensity needed to support retail and service uses. Development within areas zoned VMX will occur at a density of six to ten units per acre. Senior congregate care facilities may exceed this density maximum with a range not to exceed a total of 16 units per acre, provided the facility can satisfy all zoning and applicable conditional use permit review criteria. The placement of building edges and treatment of building, parking, landscaping, and pedestrian spaces is essential to creating the pedestrian friendly environment envisioned for the VMX district. The standards in this chapter are intended to implement and effectuate the principles and relationships established in the village master plan, which will be carried out through specific standards related to site planning, signage, architecture, building materials, and landscaping. Renovation and infill of traditional storefront-type buildings is encouraged, and parking standards may be waived to recognize the availability of on-street and shared parking facilities.

HISTORY
Amended by Ord. 08-245 on 2/16/2021
Adopted by Ord. 08-253 on 11/3/2021

105.12.780 Permitted And Conditional Uses

Table 11-1 lists all permitted and conditional uses allowed in the urban residential districts. "P" indicates a permitted use, "C" a conditional use. Uses not so indicated shall be considered prohibited. Cross-references listed in the table under "Standards" indicate the location within this section of specific development standards that apply to the listed use.

(a) *Combinations of uses, village districts*. The following use types may be combined on a single parcel:

(1) Principal and accessory uses may be combined on a single parcel.

(2) A principal and secondary dwelling unit may be combined according to the standards of LEC 105.12.740(c).

(b) *Combination of uses, VMX district*.

(1) Single-family attached or multifamily complexes designed for rental or condominium occupancy, since these typically include multiple units and buildings on a single parcel.

(2) Other permitted or conditional uses allowed within the district may be combined on a single parcel, provided that a unified and integrated site plan is approved. If one or both of the uses is/are conditional, the entire development must be approved as a conditional use.

(3) A mixed-use building that combines permitted or conditionally permitted residential, service, retail and civic uses may be developed meeting the form standards of this subchapter. Office or studio uses on upper stories are encouraged.

Table 11-1: Permitted and Conditional Uses, Village Districts

	V-LDR	*VMX*	*Standard*
Residential Uses			
Household Living:			
Single-family detached dwelling	P	C*	LEC 105.12.830(a)(1), (2), *(4)
Two-family dwelling	-	C*	LEC 105.12.830(a)(1), *(4)
Single-family attached dwelling	-	C	LEC 105.12.830(a)(1), (5)
Multifamily dwelling	-	C	LEC 105.12.830(a)(1), (6)
Secondary dwelling	C	C	LEC 105.12.750(c) and LEC 105.12.830(a)(1), (3)
Live-work unit	-	C	LEC 105.12.830(b)(6)
Group Living:			
Group home	P	P	LEC 105.12.500(a)
Group residential facility	-	C	LEC 105.12.500(b)
Congregate housing	-	C	LEC 105.12.500(c)
Semi-transient accommodations	-	C	LEC 105.12.500(c)
Public and Civic Uses:			
Community services	-	P	LEC 105.12.110(b)
Day care center	-	P	LEC 105.12.110(b)
Public assembly	-	C	LEC 105.12.110(b)
Religious institutions	-	C	LEC 105.12.110(b)(2)
Schools, public and private	-	C	LEC 105.12.510(a)
Services:			
Business services	-	P	LEC 105.12.110(b)

Business center	-	P	LEC 105.12.110(b)
Offices	-	P	LEC 105.12.110(b)
Communications services	-	P	LEC 105.12.110(b)
Education services	-	P	LEC 105.12.510(a), LEC 105.12.110(b)
Financial institution	-	P	LEC 105.12.110(b)
Funeral home	-	C	LEC 105.12.110(b)
Lodging	-	C	154.302(d)
Medical facility	-	C	LEC 105.12.510(b)
Membership organization	-	C	
Nursing and personal care	-	C	LEC 105.12.510(c)
Personal services	-	P	
Repair and maintenance shop	-	C	LEC 105.12.830(b)(1)
Trade shop	-	C	LEC 105.12.830(b)(2)
Veterinary services	-	C	LEC 105.12.830(b)(3)
Food Services:			
Standard restaurant	-	P	
Restaurant with drive-through	-	C	LEC 105.12.520(a)
Drinking and entertainment	-	P	LEC 105.12.520(b)
Sales of Merchandise:			
Retail trade [1]	-	P	
Farmer's market	-	C	
Garden center	-	C	LEC 105.12.960(g)
Neighborhood convenience store	-	P	
Shopping center	-	C	
Wayside stand	P	P	LEC 105.12.750(d)
Automotive/Vehicular Uses:			
Automobile maintenance service	-	C	LEC 105.12.830(b)(5)
Automobile parts/supply	-	C	LEC 105.12.830(b)(5)
Gasoline station	-	C	LEC 105.12.530(b)
Parking facility	-	C	LEC 105.12.830(b)(7)
Sales and storage lots	-	C	LEC 105.12.530(c)
Outdoor Recreation:			
Outdoor recreation facility	-	C	LEC 105.12.550(c)

Parks and open areas	P	P	
Indoor Recreation/Entertainment:			
Indoor athletic facility	-	C	LEC 105.12.560
Indoor recreation	-	C	LEC 105.12.560
Transportation and Communications:			
Broadcasting or communications facility	-	C	
Mixed-Uses:			
Combination of principal uses on a single parcel	-	C/P	LEC 105.12.530(b)
Combination of principal and accessory uses on a single parcel	P	P	LEC 105.12.530(a)
Accessory Uses:			
Home occupation	P	P	LEC 105.12.110(l)(5)
Bed and breakfast	P	P	LEC 105.04.220(a)
Family day care	P	P	LEC 105.12.110(l)(5)
Group family day care	-	C	
Temporary sales	P	P	LEC 105.12.870(g)
Parking facility	-	P	LEC 105.12.830(h)(7)
Solar equipment	P	P	LEC 105.04.220(c)
Swimming pools, hot tubs, etc.	P	P	LEC 105.08.160(c)
Other structures typically incidental and clearly subordinate to permitted uses	P	P	

[1]Retail Trade in the VMX District includes all uses and activities defined as Retail Trade in LEC 105.12.110(b) (5) with the exception of building supplies sales and warehouse club sales.

HISTORY
Amended by Ord. 08-243 on 1/5/2021
Adopted by Ord. 08-253 on 11/3/2021

105.12.790 Lot Dimensions And Building Bulk Requirements

Lot area and setback requirements shall be as specified in Table 11-2, Lot Dimension and Setback Requirements.

Table 11-2: Lot Dimension and Setback Requirements, Villages Districts

	V-LDR	*VMX*
Minimum Lot Area (square feet): [a]		
Nonresidential use	-	None
Single-family detached dwelling	9,000	9,000

Two-family dwelling (per unit) [b]	-	3,000
Single-family attached (per unit) [c]	-	See notes a and h
Multifamily dwelling (per unit)	-	See notes a and h
Secondary dwelling	-	See LEC 105.12.740(c)
Live-work unit	-	3,000
Congregate housing	-	LEC 105.12.500(c)
Other structures	-	3,500
Maximum Lot Area (acres):		
Residential lots	N/A	N/A
Other	N/A	N/A
Minimum Lot Width (feet):		
Single-family detached dwelling	70	50
Two-family dwelling (per unit) [b]	-	30
Single-family attached (per unit) [c]	-	25
Multifamily dwelling (per building)	-	75
Live-work unit	-	25
Maximum height (feet/stories)	35	35/3 [d]
Maximum Impervious Coverage:		
Residential lots	35 percent	75 percent
Other	-	No Limit
Minimum Building Setbacks (feet):		
Front yard	25	Single-Family Detached, Two-Family, and Single-Family Attached: See LDR standards of LEC 105.12.730 Multifamily Dwellings: LEC 105.12.830(a)(6)a All Other Residential Uses: LEC 105.12.830(a)(7) Nonresidential Uses: LEC 105.12.830(b)(1)
Interior Side Yard:		
Principal building	10	10 [e]
Attached garage or accessory structure	5	5

Corner side yard	15	0 [f]
Rear yard	20	10 [g]

Notes to Village Districts Table:

a. No development may exceed the residential density range as specified in the comprehensive plan for the corresponding land use category.

b. Two-family units may be side-by-side with a party wall between them (twin) or located on separate floors in a building on a single lot (duplex). The per-unit measurements in this table apply to twin units, whether on a single lot or separate lots. The standards for single-family detached dwelling shall apply to a duplex containing two vertically-separated units on a single lot.

c. In the case of single-family attached dwellings that are not situated on individual lots, minimum lot size shall be applied to each unit as a measure of density; i.e., one unit per 2,500 square feet. This standard is also used for multifamily dwellings.

d. Buildings up to 45 feet in height may be permitted as part of a PUD in the VMX district.

e. Side yard setbacks in the VMX district apply only along lot lines abutting residentially zoned parcels or those parcels with residential uses as the sole use.

f. Corner properties. The side yard facade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard setback, whichever is less. If no structure exists on the adjacent property, and provided required setbacks are not otherwise stated herein, the setback shall be shown in the table.

g. Properties zoned V-LDR abutting Stillwater Boulevard North (CSAH 14), Lake Elmo Avenue North (CSAH 17) north of Stillwater Blvd (CSAH 14), and Manning Avenue North (CSAH 15) shall have a minimum structure setback of 50 feet.

HISTORY
Amended by Ord. 08-244 on 1/5/2021
Adopted by Ord. 08-253 on 11/3/2021

105.12.800 Dimensional Requirements And Preservation Of Open Space

(a) *Averaging of lot area*. When lots are clustered within a development to provide common open space, the open space may be used to calculate an average density per lot to determine compliance with the individual lot area requirements.

(b) *Lot dimension reductions*. Other reductions in dimensional standards may be considered as part of a planned unit development if these reductions provide for common open space within a development.

(c) *Village open space overlay district*. Development of areas within the village open space overlay district, as designated by the comprehensive plan, is not allowed. Residential lots shall not encroach on the areas designated as open space per this overlay district, unless berming or screening protected by a landscape easement is provided as an alternative approved by council.

HISTORY
Adopted by Ord. 08-253 on 11/3/2021

105.12.810 General Site Design Considerations; Village Districts

Development of land within the village districts shall follow established standards for traffic circulation, landscape design, and other considerations as specified in LEC 105.12, arts V, VI and VII.

(a) *Circulation*.

(1) New access points to County State Aid Highway 14 may be refused or restricted to right-in, right-out movement if alternatives exist. Internal connections shall be provided between parking areas on adjacent properties wherever feasible.

(2) The number and width of curb cuts shall be minimized. To promote pedestrian circulation, existing continuous curb cuts shall be reduced to widths necessary for vehicular traffic, and unnecessary or abandoned curb cuts shall be removed as parcels are developed.

(b) *Fencing and screening*. Fencing and screening walls visible from the public right-of-way shall be constructed of materials compatible with the principle structure.

(c) *Lighting design*. Lighting shall be integrated into the exterior design of new or renovated structures to create a greater sense of activity, security, and interest to pedestrians, and shall comply with LEC 105.04.050 et seq.

(d) *Exterior storage*. Exterior materials storage must be screened from view from adjacent public streets and adjacent residential properties, by a wing of the principal structure or a screen wall constructed of the same materials as the principal structure. Height of the structure or screen wall must be sufficient to completely conceal the stored materials from view at eye level (measured at six feet above ground level) on the adjacent street or property.

(e) *Screening of existing residential structures*. When a new development is proposed adjacent to an existing single-family residential structure, screening shall be provided in accordance with LEC 105.12.480(f). The city may require buffering or screening above and beyond this section in cases where the required screening will not provide an adequate separation between incompatible uses.

(f) *Sidewalks and/or trails*. Where cul-de-sacs are permitted by the city, sidewalks or trails are required to connect the bulb of the cul-de-sac with the nearest through-road or trail.

(g) *Lake Elmo Theming Study*. Elements of the Lake Elmo Theming Study not herein described must be incorporated in to development within village districts where applicable.

HISTORY
Adopted by Ord. 08-253 on 11/3/2021

105.12.820 Development Standards For Specific Uses

Development of land within the village districts shall follow established standards for traffic circulation, landscape design, parking, signs and other considerations as specified in LEC 105.12, arts. V, VI and VII. The following standards apply to specific uses; other standards related to design and building type may be found at LEC 105.12.830.

(a) *Residential units, village districts*.

(1) *All residential units, village districts*. Residential housing units shall be designed to reflect the general scale and character of the village, including front yard depth, height and roof pitch, primary materials, facade detailing and size and placement of window and door openings.

(2) *Single-family detached dwellings, village districts*.

a. No parking shall be located in the front yard or between the front facade and the street except on a permitted driveway.

b. Primary entrances are required to be along the front facade.

c. Dwelling units shall be at least 24 feet in width, at least 960 square feet in area, and be placed on a permanent foundation.

(3) *Secondary dwellings, village district*. Restricted to lots occupied by single-family dwellings, and must meet the standards for secondary dwellings in residential districts, LEC 105.12.740(c) and be located within the primary structure.

(4) *Single-family detached and two-family dwellings*, *VMX district*. Unless otherwise specified in this article, single- and two-family dwellings in the VMX district shall adhere to the LDR district setbacks as specified in LEC 105.12.720.

(5) *Single-family attached, VMX district*.

a. The primary entrance to each unit shall be located on the facade fronting a public street; an additional entrance may be provided on the rear or side facade.

b. Common open space for use by all residents or private open space adjacent to each unit shall be provided. Such open space shall compromise a minimum of 300 square feet per unit.

c. No parking shall be located in the front yard or between the front facade and the street except on a permitted driveway.

d. Unless otherwise specified in this article, single-family attached dwellings in the VMX district shall adhere to the MDR district setbacks as specified in LEC 105.12.730.

(6) *Multifamily dwelling units, VMX district*.

a. Dwelling units (both condominium and rental) within a mixed-use building are restricted to the upper floors or rear or side ground floors.

b. Setback standards for multifamily dwellings not within a mixed-use development shall be determined through the conditional use process.

(7) *All other residential uses, VMX district*. Setbacks for all other residential uses within the village districts not specifically outlined in this section shall be determined by either LEC 105.12.830 or through the conditional use process.

(b) *Nonresidential uses, VMX district*.

(1) *Setbacks, generally*. The front yard setback of a new nonresidential building within the VMX district shall maintain the prevailing front yard setback of that block, or a maximum setback of 20 feet, whichever is less.

(2) *Repair and maintenance shop*. No outdoor storage is permitted unless fully screened from public view.

(3) *Trade shop*. Exterior materials storage must be totally screened from view from adjacent public streets and adjacent residential properties by a wall of the principal structure or a screen wall constructed of the same materials as the principal structure.

(4) *Veterinary services*.

a. All activities must be conducted within an enclosed building.

b. Specific veterinary practices shall be limited to veterinary medicine, surgery, dentistry, and related service for small domestic household pets.

(5) *Garden center*.

a. The storage or display of any materials or products shall meet all setback requirements of a structure, and shall be maintained in an orderly manner.

Screening along the boundaries of adjacent residential properties may be required, meeting the standards of LEC 105.12.470(f).

b. All loading and parking shall be provided off-street.

c. The storage of any soil, fertilizer or other loose, unpackaged materials shall be contained so as to prevent any effects on adjacent uses.

(6) *Automobile maintenance service and automobile parts/supply*.

a. All vehicle repairs shall be conducted in a completely enclosed building.

b. The storage or display of inoperable or unlicensed vehicles or other equipment shall meet all setback requirements of a structure, and shall be totally screened from view from adjacent public streets and adjacent residential properties.

(7) *Live-work unit*. The purpose of a live-work unit is to provide a transitional use type between a home occupation and a larger commercial enterprise, and to provide neighborhood-oriented commercial services, while maintaining a generally residential character in which the work space is subordinate to the residential use.

a. The work space component shall be located on the first floor or basement of the building.

b. The dwelling unit component shall maintain a separate entrance located on the front or side facade and accessible from the primary abutting public street.

c. The work space component of the unit shall not exceed 30 percent of the total gross floor area of the unit.

d. A total of two off-street parking spaces shall be provided for a live-work unit, located to the rear of the unit, or underground/enclosed.

e. The size and nature of the work space shall be limited so that the building type may be governed by residential building codes. An increase in size or intensity beyond the specified limit on floor area would require the building to be classified as a mixed-use building.

f. The business component of the building may include offices, small service establishments, home crafts which are typically considered accessory to a dwelling unit, or limited retailing (by appointment only) associated with fine arts, crafts, or personal services. It may not include a wholesale business, a commercial food service requiring a license, a limousine business or auto service or repair for any vehicles other than those registered to residents of the property.

g. The business of the live-work unit must be conducted by a person who resides on the same lot. The business shall not employ more than two workers on-site at any one time who live outside of the live-work unit.

(8) *Parking facility*. Structured parking is permitted as a ground floor use within a mixed-use building, provided that the entrance is located on side or rear facades, not facing the primary abutting street. The primary street-facing facade shall be designed for retail, office or residential use.

(9) *Outdoor dining accessory to food services*. Outdoor dining is allowed as an accessory use in the commercial districts, provided that tables do not block the sidewalk. A minimum of five feet of sidewalk must remain open.

HISTORY
Adopted by Ord. 08-253 on 11/3/2021

105.12.830 VMX District Design And Demolition Review

(a) *Review of design*. For certain development activity, as specified in the Lake Elmo Design Standards Manual, design review is required as part of the approval process for a building permit, conditional use permit, or certificate of zoning compliance under this section. All projects subject to design review shall be reviewed for conformance with the Lake Elmo Design Standards Manual. A separate process for design review is not established.

(1) *Review authority and process*. Design review shall be the responsibility of the individual or body authorizing the permit or certificate and shall be incorporated in the established review of the applicable building permit, conditional use permit, or certificate of zoning compliance. For those applications under this section that require review by the planning commission (i.e., conditional use permits), the planning commission shall consider the standards in the Lake Elmo Design Standards Manual as part of its recommendation to the city council.

(2) *Review by professional*. The authorizing body may request review by a design professional of the proposed design or demolition. The cost of review by such design professional shall be charged by the applicant, and shall not exceed $1,000.00 unless otherwise agreed to by the applicant.

(3) *Development activity defined*.

a. Development activity consists of new construction and redevelopment activities, including remodeling that expands the footprint of a structure, altering, or repairing a structure in a manner that will change the exterior appearance of said structure. Development activity also includes the construction of a new parking lots and installation of signage.

b. Exempt activities. The following activities shall be exempt from under review of this section:

1. Ordinary repairs and maintenance that will not change the exterior appearance of a structure;
2. Removal of existing signage without replacement unless said signs are an integral part of the building;
3. Emergency repairs ordered by the director of planning in order to protect public health and safety;
4. Exterior alteration, addition, or repair of a structure used as a single-family residence, duplex, or two-family residence;
5. Temporary signage, installed in accordance with LEC 105.12.430, or during which time an application for permanent signage is pending under this section;
6. Maintenance of existing signage advertising an on-site business;
7. Alterations only to the interior of a structure.

HISTORY
Adopted by Ord. 08-253 on 11/3/2021

105.12.840 Accessory Uses And Structures

Accessory uses are listed in Table 11-1 as permitted or conditional accessory uses. Accessory uses and structures in the village districts shall comply with the following standards and all other applicable regulations of this article:

(a) *Phasing*. No accessory use or structure shall be constructed or established on any lot prior to the time of construction of the principal use to which it is accessory.

(b) *Incidental to principal use*. The accessory use or structure shall be incidental to and customarily associated with the principal use or structure served.

(c) *Subordinate to principal use*. The accessory use or structure shall be subordinate in the area, extent, and purpose to the principal use or structure served.

(d) *Function*. The accessory use or structure shall contribute to the comfort, convenience, or necessity of the occupants of the principal use or structure served.

(e) *Location*. The accessory use or structure shall be located on the same zoning lot as the principal use or structure.

(f) *Residential accessory structures*.

(1) *Design compatibility*. On parcels used for residential structures within the village districts, the design and construction of any garage, carport, or storage building shall be similar to or compatible with the design and construction of the main building. The exterior building materials, roof style, and colors shall be similar to or compatible with the main building or shall be commonly associated with residential construction.

(2) *Attached structures*. An accessory structure shall be considered attached, and an integral part of, the principal structure when it is connected by an enclosed passageway. All attached accessory structures shall be subject to the following requirements:

a. The structure shall meet the required yard setbacks for a principal structure, as established for the zoning district in which it is located.

b. The structure shall not exceed the height of the principal building to which it is attached.

(3) *Attached garages*.

a. Attached garages are encouraged to be side or rear loaded. If facing the primary street, garages shall be designed using one of the following techniques, unless specific physical conditions on the lot in question require a different approach:

1. The front facade of the garage shall be offset from the principal structure by a minimum of two feet from the plane of the public right-of-way.

2. The width of the attached garage shall not exceed 40 percent of the width of the entire principal building facade (including garage) fronting the primary street within the VMX district and 60 percent of the width of entire principal building facade (including garage) fronting the primary street within the V-LDR district.

b. Attached garages shall not exceed 1,000 square feet in area at the ground floor level except by conditional use permit.

c. Garage doors or openings shall not exceed 14 feet in height.

(4) *Detached structures*. Detached accessory structures for permitted residential structures in the village districts must be in accordance with the following requirements:

a. Detached accessory structures shall be located to the side or rear of the principal building, and are not permitted within the required front yard or within a side yard abutting a street.

b. Detached garages shall not exceed 1,000 square feet at ground floor level and shall not exceed a height of 22 feet or the height of the principal structure, whichever is higher. The maximum size and height may be increased upon approval of a conditional use permit, provided that lot coverage requirements are satisfied.

c. Pole barns, as defined herein, shall be prohibited.

d. No more than 30 percent of the rear yard area may be covered by accessory structures.

e. Garage doors or openings shall not exceed 14 feet in height.

(g) *Exterior storage on residential parcels*. All materials and equipment shall be stored within a building or be fully screened so as not to be visible from adjoining properties, except for the following:

(1) Laundry drying.

(2) Construction and landscaping materials and equipment currently being used on the premises. Materials kept on the premises for a period exceeding six months shall be screened or stored out of view of the primary street on which the house fronts.

(3) Agricultural equipment and materials, if these are used or intended for use on the premises.

(4) Off-street parking and storage of vehicles and accessory equipment, as regulated in LEC 105.12.410.

(5) Storage of firewood shall be kept at least ten feet from any habitable structure and screened from view of adjacent properties.

(6) Outdoor parking.

(h) *Temporary sales*. Temporary sales, also known as yard or garage sales, are permitted in all residential districts, limited to two per calendar year per residence, not to exceed four days in length for each event.

(i) *Accessory uses and structures not listed*. Standards for accessory uses and structures that are permitted in all districts, or in all residential buildings in any district, are listed in LEC 105.12, art. VII, specific development standards. These include uses such as family and group family day care, bed and breakfast facilities, and home occupations, and structures such as swimming pools and solar equipment.

HISTORY
Adopted by Ord. 08-253 on 11/3/2021