

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

## **NOTICE OF MEETING**

### **City Council Meeting**

**Tuesday, December 17, 2013 7:00 P.M.**

**City of Lake Elmo | 3800 Laverne Avenue North**

### **AGENDA**

- A. Call to Order**
- B. Pledge of Allegiance**
- C. Roll Call**
- D. Order of Business**
- E. Approval of Agenda**
- F. Accept Minutes**
  - 1. Accept December 03, 2013 City Council Meeting Minutes
- G. Council Reports**
  - Mayor
  - Council
- H. Public Comments/Inquiries**
- I. Speak Your Peace -**
- J. Presentations**
- K. Consent Agenda**
  - 2. Approve Payment of Disbursements and Payroll
  - 3. Accept Financial Report dated November 30, 2013
  - 4. Accept Building Permit Report dated November 30, 2013
  - 5. Approve 2014 Meeting Calendar
  - 6. Approve 2014 Fee Schedule; *Ordinance 08-097*
  - 7. Approve Ski Trail Grooming Agreement
  - 8. Section 34 Water and Sewer Utility Extension Improvements - Pay Request No. 2.
  - 9. Lake Elmo Sewer Infrastructure Improvements: I-94 to 30th St. - Pay Request No. 3.
  - 10. Conditional Use Permit and Eagle Point Business Park PUD Amendment - 33.029.21.42.0013; *Resolution 2013-107*
  - 11. Approve Ki Pro Digital Recording Device Cable Equipment Upgrade
- L. Regular Agenda**
  - 12. Washington County Library Card Reimbursement
  - 13. Adopt Metropolitan Council's Approval of Village Land Use Plan; *Resolution 2013-108*
  - 14. Boulder Ponds PUD Concept Plan; *Resolution 2013-109*
  - 15. Receive Community Development Department Annual Report
  - 16. Approve 2014 Plan of Work
  - 17. Special Assessment Policy Revisions; *Resolution 2013-110*
- M. Staff Reports and Announcements**

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

**N. Executive Session**

18. Adjourn to *Closed Session* per MN State Statute 13D.05 Subd. 3(a) for annual performance review of City Administrator Dean Zuleger

**O. Adjourn**

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

**LAKE ELMO CITY COUNCIL MINUTES  
DECEMBER 03, 2013**

**CITY OF LAKE ELMO  
CITY COUNCIL MINUTES  
DECEMBER 19, 2013**

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

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

**ABSENT:** Council Member Anne Smith

Also Present: City Administrator Zuleger, City Attorney Snyder, Planning Director Klatt, City Engineer Griffin, Finance Director Bendel, Public Works Director Bouthilet, and City Clerk Bell.

**PLEDGE OF ALLIGENCE**

**APPROVAL OF AGENDA**

Council Member Nelson requested to pull *Consent Agenda Item 4* for discussion. Mayor Pearson found that amendment agreeable.

**MOTION:** Council Member Nelson moved **TO APPROVE THE NOVEMBER 19, 2013 CITY COUNCIL AGENDA AS AMENDED**. Council Member Bloyer seconded the motion. **MOTION PASSED 4-0.**

**ITEM 1: ACCEPT MINUTES**

**THE NOVEMBER 19, 2013 CITY COUNCIL MINUTES WERE APPROVED AS PRESENTED BY CONSENSUS OF THE CITY COUNCIL.**

**COUNCIL REPORTS:**

**Mayor Pearson:** Upcoming Christmas tree lighting event on 12/7; have been attending legislator meetings for 2014 bonding; attended Public Safety Committee meeting. Focused on recruitment and retention in fire department.

**Council Member Nelson:** attended Public Safety Committee meeting. Right now the group is focusing on recruitment and retention in fire department.

**Council Member Bloyer:** He and wife are involved with the NextGen group and Light Up Lake Elmo event.

**Council Member Reeves:** reported that City Council is sponsoring a tree at Light Up Lake Elmo.

**PUBLIC COMMENTS:**

Librarian Linda Orsted reported that the library will be open during light up Light Up Lake Elmo event. American Chemist Society will be at library on 12/7 in AM. There are numerous electronic resources available on library website.

**PRESENTATIONS**

- **STILLWATER SCHOOL DIST. SUPERINTENDANT COREY LUNN - NORTHEAST METRO INTERMEDIATE SCHOOL DISTRICT 916**

Stillwater Area School District Supt. Corey Lunn spoke about ISD 916 and the cost savings that program offers. He stated that it truly helps school budgets. All students benefit from the collaboration.

Council Member Nelson asked about funding and if it is perpetual. Mr. Lunn stated that it is as long as the collaborative is in place. Council Member Reeves asked about enrollment number for area. Director of ISD 916, Dan Naidicz stated there has been a significant increase in elementary and

**LAKE ELMO CITY COUNCIL MINUTES  
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middle school age in surrounding area districts. Most of the students in Stillwater schools will attend the proposed facility instead of the northern facility being constructed in Blaine.

Council Member Bloyer asked how long Stillwater schools have been involved. Mr. Lunn stated that it has been since the early 1970s.

**SPEAK YOUR PEACE - BLOYER**

Council Member Bloyer spoke on the Speak Your Peace tenet of *Respect*. It is especially important in Lake Elmo. The Council has turned a corner in how it conducts itself. Respect means honoring other people and their opinions even when there are disagreements. Historically, the practice has been to make personal attacks. Now the council tolerates differences. Important to give attention when others are speaking, listen, and give positive body language.

Council Member Reeves noted he is supporting the initiative by City Administrator Zuleger and Alyssa MacLeod.

**ITEM 2: 2014 PROPOSED TAX LEVY AND GENERAL FUND BUDGET TAXES - PUBLIC HEARING;  
RES. NO. 2013-99**

City Administrator Zuleger provided a quick overview of the 2014 budget. Finance Director Bendel went through the 2014 budget in greater detail including levy history, tax base, revenues/expenditures, debt policy, existing debt, future financing, and development philosophy.

Mr. Zuleger further explained the development philosophy- includes 100% developer paid infrastructure improvements; irrevocable letter of credit; comprehensive escrow agreements for 100% cost recovery; thorough credit rating and analysis of developers; strict adherence to comprehensive plan "no poaching" policy (no spot zoning). No tax levy or tax rate increase for 2014; strong tax base market increase helped.

Council Member Nelson asked for better explanation of 5<sup>th</sup> street funding. Ms. Bendel explained that bond was secured and first part was assessed. After project is actually finished, the balance will be assessed. Mr. Zuleger explained the process of the anticipated installation of the street.

Council Member Reeves commended staff and council for hard work. Consensus of the council was that the budget book was good.

***MOTION: Council Member Nelson moved TO OPEN THE PUBLIC HEARING. Council Member Bloyer seconded the motion. MOTION PASSED 4-0. Public Hearing opened at 7:35pm***

Mayor Pearson called for public comment three times. There was no public input.

***MOTION: Council Member Bloyer moved TO CLOSE THE PUBLIC HEARING. Council Member Reeves seconded the motion. MOTION PASSED 4-0. Public Hearing closed at 7:36pm***

***MOTION: Council Member Reeves moved TO APPROVE RESOLUTION NO. 2013-99, ADOPTING THE 2014 GENERAL FUND BUDGET. Council Member Nelson seconded the motion.***

Council Member Nelson thinks it's great that city is keeping taxes flat. Mr. Zuleger pointed out that due to the school levy some properties will increase, but over 2/3 of the properties will actually see a decrease.

***MOTION PASSED 4-0*** (Roll call vote taken).

**CONSENT AGENDA**

**LAKE ELMO CITY COUNCIL MINUTES  
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3. Approve Payment of Disbursements and Payroll in the amount of \$114,557.03
4. ~~SCADA System Upgrade~~
5. Approve 2014 Liquor Licenses Renewals
6. Authorize Certification to the Washington County Auditor for Unpaid Water Utility Bills; *Res. No. 2013-100*

**MOTION:** Council Member Boyer moved **TO APPROVE THE CONSENT AGENDA AS AMENDED.** Council Member Reeves seconded the motion. **MOTION PASSED 4-0.**

**ITEM 4: SCADA SYSTEM UPGRADE**

Public Works Director Bouthilet explained what the SCADA system was. Radios needed for current system are obsolete. Current system was good at data acquisition but poor at supervisory control. With the upcoming lift stations being installed, new system is needed. Proposal includes computer upgrade, new radios, software, and alarms. Alarm for failures/power issues were another large part of upgrade. The PC upgrade was already planned to be replaced in 2014.

The system security was discussed. It was explained that Roseville IT has security as a top priority.

Mayor Pearson asked about water main break and whether the system would catch it. Mr. Bouthilet stated that it would have to be a major break for system to catch it, but normally it would not.

**MOTION:** Council Member Nelson moved **TO APPROVE THE PURCHASE SCADA SYSTEM RADIO UPGRADES, COMPUTER, AND SOFTWARE FROM TELEMETRY PROCESS CONTROLS AND THE ROSEVILLE IT FOR \$29,203.25.** Council Member Boyer seconded the motion.

Council Member Nelson explained his reasoning for discussing. He wants the public to learn what is going on when spending this amount of money.

**MOTION PASSED 4-0.**

**REGULAR AGENDA**

**ITEM 7: LAKE ELMO AVENUE TRUNK WATERMAIN IMP. - PUBLIC HEARING; AUTHORIZE PREPARATION OF PLANS & SPECIFICATIONS; RES. NO. 2013-101**

City Engineer Griffin gave background of the project. Resident meeting was held. Mr. Griffin reviewed the feasibility report. Project begins at 30<sup>th</sup> street connection and ends at a future 5<sup>th</sup> street location. Project includes abandonment of existing 1350ft 6" watermain. Project purpose is to extend water service from Village to south of 10<sup>th</sup> street. Ryland/Pratt/Airlake developments have requested service.

Mr. Griffin provided overview of the assessments, including 44 connections and 35 assessed units. Total project estimate is \$2,894,000. The two assessment options are 1) charging the full \$5,800 or 2) \$2,900 assessed up front and the balance of \$2,900 assessed at time of connection. There is also the \$4,000 WAC charge. The WAC charges were further discussed.

Council Member Boyer asked about charging residents for lateral benefit and WAC charges instead of getting a new well. Mr. Griffin explained that the cost for wells can vary greatly. Also, once the system is put in place, it needs to be funded. Getting people on the system is necessary. The assessments are payable over 15 years. Mr. Griffin explained the recognized benefits (water service availability, fire suppression and insurance savings). The proposed schedule and approval options were explained.

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It was explained that by adopting the preliminary assessment with the \$3 million project the City can lower the assessment, but not increase it. The estimated design costs would be about \$125,000 and have a roughly 2 year shelf-life.

**MOTION:** Council Member Reeves moved **TO OPEN THE PUBLIC HEARING**. Council Member Nelson seconded the motion. **MOTION PASSED 4-0. Public Hearing opened at 8:23pm**

**Bruce Weeks** 1446 Lake Elmo Ave attended resident meeting. He alleged that previous lots were set up to avoid having water required. He asked why a local well was not an option. Mayor Pearson explained that a local well may draw adulterated water from southwestern area of City. Mr. Weeks noted he has to replace well pump occasionally – last time was 10-15 years, but has never had any issues with actual well.

**George Tate** 2443 Lake Elmo Ave expressed his concern about the water rate after connecting.

**MOTION:** Council Member Nelson moved **TO CLOSE THE PUBLIC HEARING**. Council Member Bloyer seconded the motion. **MOTION PASSED 4-0. Public Hearing closed at 8:30pm**

Council Member Nelson asked for a further explanation of the system hydraulics. Mr. Griffin showed map of system and explained the system. The system hydraulics were discussed.

**MOTION:** Mayor Pearson moved **TO ADOPT RESOLUTION NO. 2013-101, ORDERING THE LAKE ELMO AVENUE TRUNK WATERMAIN IMPROVEMENTS AND AUTHORIZING PREPARATION OF PLANS AND SPECIFICATIONS**. Council Member Nelson seconded the motion.

Mayor Pearson would like some type of security from developers before ordering improvement. He noted that the City has decided to run water to southern area and needs to figure out a way to pay for it. That is a discussion for another day.

Council Member Reeves agrees that the City owes these services to residents and the fees needs to be evaluated, but now is not the time to delay the project.

Council Member Nelson wants to reassess the policy to account for future assessments. He wants the Admin to speak to developers. Mr. Nelson would like to have a commitment prior to ordering the improvement. Obtaining some type of security was discussed. City Administrator Zuleger noted that the DNR/White Bear Lake water issue will play into this at some point.

Council Member Reeves said the City has a commitment to the residents to provide water and that the future may not include “free water” as has been the case. Council Member Bloyer thinks that it is a power grab and the crisis is not as severe as has been indicated. He understands that the projects needs to happen, but he wants to be responsible in approving it. He does not want to saddle residents with debt.

City Attorney Snyder noted that Council can include whatever predicates in the resolution it chooses including looking at the charges and obtaining securities.

Mr. Nelson clarified that he wants staff to provide time table for discussion to reevaluate the \$5,800 fee. The effect of delaying the timeline for staff to try to secure a security was discussed. It was declared that the 12/10/2013 Council Workshop subject will be **HOW DO WE FUND THE WATER SYSTEM?**

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***MOTION PASSES 4-0***

Council Member Nelson asked that Item 9 be moved ahead to accommodate guests present. Mayor Pearson accommodated his request.

**The meeting was recessed at 9:07pm. The meeting was reconvened at 9:13pm.**

**ITEM 9: CONDITIONAL USE PERMIT AND EAGLE POINT BUSINESS PARK PUD AMENDMENT - 33.029.21.42.0013; RES. NO. 2013-103**

Planning Director Klatt provided overview of PUD amendment request. Request is basically bringing property in line with current PUD rules. Proposal is for changing the PUD to allow a school in the Eagle Point Business Park. Staff originally suggested approval. Planning Commission recommended denying request. Commission is concerned about loss of tax revenue. It also did not believe that site is appropriate for a school. It was their opinion that there would be better sites.

Council Member Bloyer asked for clarification on resolution findings 5(a), (b), and (c). He asked if Planning Commission was interested in the economic loss during the Section 32/33 detachments.

Director Kristine Carr introduced Special Education Director Dan Naidicz. He spoke about the school in further detail. Current facilities do not meet the needs. Another reason for location is to centralize the facility in the area.

Mr. Bloyer asked about the capacity/enrollment. Estimated to be 60-70 students initially. Capability to grow to 150 students. Council Member Reeves asked about the Blaine location. Mr. Naidicz explained the geography.

Mr. Bloyer asked about traffic impact. Steve Erickson explained about 20 buses. Up to school district discretion. Not many visitors during the day. Plan allows for 2 access points. Bremer bank (neighbor) concerned about traffic impacting their facility during the day. It was noted that the school district was willing to work with the neighboring properties on these issues.

ISD 916 would buy land and building. Member schools would pay debt. Mr. Erickson pointed out that because this is a new type of facility, construction would not begin for about 2 years. District wants to make sure that the plan is workable. Final plan would either meet or exceed requirements. Expect to bring plans to Council in about 18 months. Currently have 180 days option to purchase. Close no later than April 2016.

Mr. Bloyer asked about the length of the CUP. Mr. Klatt explained that there would be a year for final plan brought back under code.

Mr. Reeves asked about number of tax loss. Mr. Klatt explained that the initial number was provided by Assessor, but in fact number is actually much lower when only city portion is considered. City Attorney Snyder noted that courts have limited CUP determinations to strict adherence to ordinance. Tax revenue is not in there and could not be relied upon if litigated.

City Administrator Zuleger noted that staff is working on service agreement similar to what is in place for Blaine facility.

Mayor Pearson said his opinion is that that Planning Commission veered from their purpose in using tax revenue loss. The school would also bring 60-100 good paying jobs to area.

Council Member Nelson asked about WAC/SAC charges. Mr. Zuleger explained that there are formulas for these types of facilities. The property has been vacant since 1999. Connect to city water/sewer by time school is built.

The original staff recommendation for approval was discussed. Mr. Klatt noted that the new findings and new resolution for the CUP would be brought back to Council if approved. Messrs. Nelson and Bloyer want a longer time for the CUP - 24-36 months.

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**MOTION:** Council Member Nelson moved **TO ADOPT RESOLUTION NO. 2013-103, APPROVING A REQUEST TO AMEND THE EAGLE POINT BUSINESS PARK PUD DEVELOPMENT STANDARDS.** Mayor Pearson seconded the motion. **MOTION PASSES 4-0**

**MOTION:** Council Member Nelson moved **TO DIRECT STAFF TO DRAFT RESOLUTION FOR CUP THAT INCLUDES 1) 24 MONTH PERIOD FOR SUBMISSION OF FINAL PLAT; 2) THE ORIGINAL 8 STAFF CONDITIONS; 3) MUTUALLY AGREED UPON SERVICE AGREEMENT; AND 4) WORK WITH NEIGHBORING PROPERTY OWNERS FOR AMICABLE RESOLUTION ON TRAFFIC;** Second by Council Member Reeves.

Council Member Bloyer reiterated his opposition to catering to the bank when they are not a formal party involved. He does not want to get between landowners. City Attorney Snyder asked if staff/District 916 could be directed to endeavor to find mutual satisfactory agreement with Bremer. Council Consensus was affirmative.

**MOTION PASSES 4-0**

**ITEM 8: INWOOD BOOSTER STATION & TRUNK WATERMAIN IMPROVEMENTS – ACCEPT FEASIBILITY REPORT; CALL IMPROVEMENT HEARING; RES. NO. 2013-102**

City Engineer Griffin provided overview of project. Similar to LE Ave trunk watermain. Connects northern water system. Runs from Lake Elmo Heights/26<sup>th</sup> st. N. and ends at Eagle Point Business Park. Includes water booster station. Passes through Parkview Estates neighborhood to connect those properties. Would allow city to cease using Oakdale for water in area. Would keep emergency connection capability.

Would serve Savona, Boulder Ponds, Hammes Estates, Dale Properties, MFC & CM Properties, Azur Properties, Eagle Point Business Park, Parkview Estates, Cardinal View and Cardinal Ridge, and Torre Pines.

The assessments were explained. 25 properties at \$16,500. 2 at \$5,800 lateral benefits charges. 1 of the 2 is in green acres (deferred assessment). It was explained that it is cheaper for city and Parkview to put in Parkview now than later. Total cost is \$3.8 million. \$5,800 or \$16,500 assessments are payable over 15 years. Mr. Griffin explained the recognized benefits. He provided an overview of project schedule.

Water funding and the 2014 bonding bill were discussed. City Administrator Zuleger recommended waiting until after the bonding meeting next week when more information is available on funding.

Council Member Nelson asked about the 100% developer paid assess for Section 34. It was explained that they are not paying to get the water to the Section 34. WACs will help pay for the debt service. It was explained that because the entire system is being integrated, each improvement has to be balanced. Picking specific areas to pay only the minimum does not balance the system.

**MOTION:** Mayor Pearson moved **TO ADOPT RESOLUTION NO. 2013-102, RECEIVING THE FEASIBILITY REPORT AND CALLING HEARING FOR THE INWOOD BOOSTER STATION AND TRUNK WATERMAIN IMPROVEMENTS.** Council Member Reeves seconded the motion.

What was being voted on and what was actually being committed to was clarified. Approval tonight calls for the public hearing and sets the ceiling limit for the assessment.

**MOTION PASSED 4-0.**

**ITEM 10: COMPREHENSIVE PLAN AMENDMENT AND ZONING MAP AMENDMENT - 10689 60TH STREET NORTH; RESOLUTION 2013-104**

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Planning Director Klatt provided overview of the request. Staff and Planning Commission recommended denial. Mr. Klatt provided the history of property. Landscaping business was illegally being operated on property. Applicants are looking to change it from Rural Residential to Commercial.

***MOTION: Council Member Reeves moved TO MOVE TO ADOPT RESOLUTION 2013-104, DENYING THE COMPREHENSIVE PLAN AND ZONING MAP AMENDMENT REQUEST AT 10689 60<sup>TH</sup> STREET NORTH. Mayor Pearson seconded the motion.***

Council Members Bloyer and Nelson are both concerned about losing these properties to detachment. Both are not in favor of spot zoning; however, they both believe Hwy 36 will eventually be commercial nature at later date. This type of business will probably be supported in future. Mr. Nelson would like the Planning Commission to look at long term zoning.

Council Member Reeves and Mayor Pearson both don't want businesses operating in a place where they don't belong. Mayor Pearson thinks City should wait until Highway 36 plan is completed before making any big decisions on the area as a whole. City Administrator noted that this application is a classic spot zone. Mr. Klatt noted that this area will be addressed in 2014 by Planning Commission.

***MOTION PASSES 4-0.***

Council Member Nelson wants to make sure the Council is giving clear direction to the Commission.

**ITEM 11: DRIVEWAY ORDINANCE; ORD. 08-096, RES. NO. 2013-105**

Planning Director Klatt provided overview of the proposal. Proposal is not substantially different from current code. It provides a few clarifications. Mr. Klatt noted some of Council Member Bloyer's concerns. Staff recommended striking 93.25(B) regarding "scope" entirely.

When permits would be required and what work would trigger the ordinance application was discussed. Council Member Nelson asked about 93.26(E) (distance of driveways from intersections). Mr. Klatt stated that the non-conforming use requirements would control.

***MOTION: Council Member Bloyer moved TO ADOPT ORDINANCE 08-096, INCORPORATING BEST PRACTICES RELATED TO DRIVEWAY DESIGN AND CONSTRUCTION TO IMPROVE PUBLIC SAFETY AND ACCESS TO PUBLIC STREETS AS AMENDED BY STRIKING § 93.25(B). Mayor Pearson seconded the motion. MOTION PASSED 4-0.***

***MOTION: Mayor Pearson moved TO ADOPT RESOLUTION 2013-105, AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 08-096. Council Member Reeves seconded the motion. MOTION PASSED 4-0.***

**ITEM 12: RAD-ALT MORATORIUM; ORD. 08-097**

Klatt provided overview of the 150 acres guided in this manner. Consists of only three areas. This came up as part of the open space development discussion. Because the forecast numbers may be lowered, these areas may no longer be needed. Planning Commission is interested in eliminating the RAD-ALT zone, but wanted more time to study. Moratorium would be for 9 months.

Mayor Pearson not in favor of declaring a moratorium. The three parcels are distinct. Does not want to send mixed message to Met Co. He would like the Fredrich property to be looked at separately.

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**MOTION:** Mayor Pearson moved **TO DIRECT PLANNING COMMISSION TO HOLD PUBLIC HEARING FOR FREDRICH PROPERTY TO REVERT BACK TO RAD DESIGNATION.** Council Member Reeves seconded the motion.

The Fredrich parcel was not part of MOU. Not planned or likely to receive sewer.

Council Member Reeves feels that this is similar to spot zoning. Times have changed and he thinks that best decision now is to revert that property back to RAD. Council Member Bloyer agrees that was spot zoning. He wants to review records. Council Member Nelson's opinion is that it was also a case of spot zoning. Mr. Bloyer concerned about taking something away because of previous bad decision. Mayor Pearson believes city put the cart before the horse. He was on the commission at the time. Mr. Bloyer wants the Planning Commission to focus on planning the next 5-10 years and not spend too much time on this item.

The term "moratorium" and its implications were discussed. The Council consensus was opposed to using the term.

**MOTION PASSED 4-0.**

**MOTION:** Council Member Bloyer moved **TO ADOPT ORDINANCE NO. 08-097, ADOPTING A MORATORIUM ON RAD-ALT DEVELOPMENT FOR A PERIOD OF NINE MONTHS.** Council Member Nelson seconded the motion. **MOTION FAILED 0-4**

**ITEM 13: 2014 PLAN OF WORK**

**MOTION:** Council Member Bloyer moved **TO POSTPONE 2014 PLAN OF WORK TO NEXT COUNCIL MEETING.** Council Member Reeves seconded the motion. **MOTION PASSED 4-0.**

**ITEM 14: DIEDRICH-RIEDER EASEMENT VACATION**

City Administrator Zuleger explained the background of the item. Easements were obtained and recorded with Washington County. Road moved at the request of developer and new easements were secured. City was asked to vacate the original easements to allow maximum development. City is in process of securing the easement purchase funds from the land owners.

**a. PUBLIC UTILITY EASEMENT AND AGREEMENT PUBLIC HEARING; RES. NO. 2013-106A**

**MOTION:** Council Member Bloyer moved **TO OPEN THE PUBLIC HEARING.** Council Member Reeves seconded the motion. **MOTION PASSED 4-0. Public Hearing opened at 11:14pm**

Mayor Pearson called for public comment three times. No public input. It was noted that the landowner wants to negotiate a portion. Mr. Zuleger stated the City's position is to get back 100%.

**MOTION:** Council Member Bloyer moved **TO CLOSE THE PUBLIC HEARING.** Council Member Nelson seconded the motion. **MOTION PASSED 4-0. Public Hearing closed at 11:14pm**

**MOTION:** Mayor Pearson moved **TO APPROVE RESOLUTION NO. 2013-106A, A RESOLUTION VACATING A PERMANENT PUBLIC UTILITY EASEMENT AND AGREEMENT, CONTINGENT UPON THE CITY OF LAKE ELMO RECEIVING THE REPAYMENT OF EASEMENT PURCHASE FUNDS.** Council Member Nelson seconded the motion. **MOTION PASSED 4-0.**

**b. TEMPORARY CONSTRUCTION EASEMENT AND AGREEMENT PUBLIC HEARING; RES. NO 2013-106B**

**MOTION:** Council Member Nelson moved **TO OPEN THE PUBLIC HEARING.** Council Member Bloyer seconded the motion. **MOTION PASSED 4-0. Public Hearing opened at 11:16pm**

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Mayor called for public comment three times. No public input. It was again noted that the landowner wants to negotiate amount. Mr. Zuleger stated the City's position is to get back 100%.

**MOTION:** Council Member Bloyer moved **TO CLOSE THE PUBLIC HEARING**. Council Member Nelson seconded the motion. **MOTION PASSED 4-0. Public Hearing closed at 11:17pm**

**MOTION:** Council Member Bloyer moved **TO APPROVE RESOLUTION NO. 2013-106B, A RESOLUTION VACATING A TEMPORARY CONSTRUCTION EASEMENT AND AGREEMENT, CONTINGENT UPON THE CITY OF LAKE ELMO RECEIVING THE REPAYMENT OF EASEMENT PURCHASE FUNDS**. Council Member Reeves seconded the motion. **MOTION PASSED 4-0.**

**SUMMARY REPORTS AND ANNOUNCEMENTS**

**City Administrator Zuleger:** completed all performance reviews. City Administrator review will be in closed session on 12/17; attended 3M meeting; bonding legislator meetings.

**City Attorney Snyder:** attended 3M senior level meeting with Mr. Zuleger. It was helpful and informative. Anticipate further discussions.

**Planning Director Klatt:** reported Planning Commission will be considering concept plan for Boulder Ponds; Met. Council will be taking action on Village Comp Plan at 12/11 meeting.

**City Engineer Griffin:** no report.

**Finance Director Bendel:** reported all assessments were sent to county; 2014 insurance renewal; water bills went out. Attended Springsted conference.

**City Clerk Bell:** no report.

**Mayor Pearson adjourned the meeting at 11:23pm.**

**LAKE ELMO CITY COUNCIL**

ATTEST:

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

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



MAYOR & COUNCIL COMMUNICATION

DATE: December 17, 2013  
CONSENT  
ITEM #2  
MOTION

AGENDA ITEM: Approve Disbursements in the amount of \$2,088,479.40

SUBMITTED BY: Cathy Bendel, Finance Director

THROUGH: Cathy Bendel, Finance Director

REVIEWED BY: Dean Zuleger, City Administrator

**SUGGESTED ORDER OF BUSINESS:**

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

**POLICY RECOMMENDER:** Finance

**FISCAL IMPACT:** \$2,088,479.40

**SUMMARY AND ACTION REQUESTED:** As part of its Consent Agenda, the City Council is asked to approve disbursements in the amount of \$2,088,479.40. No specific motion is needed as this is recommended to be part of the *Consent Agenda*.

**LEGISLATIVE HISTORY:** NA

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

| Claim #                | Amount                 | Description  |
|------------------------|------------------------|--|
| ACH                    | \$ 12,901.18           | Payroll Taxes to IRS & MN Dept of Revenue 12/12/13 |
| ACH                    | \$ 6,107.75            | Payroll Retirement to PERA 12/12/13                |
| DD5148- D5196<br>40711 | \$ 37,379.09           | Payroll Dated (Direct Deposits) 12/12/13           |
| 40709-40770            | \$ 2,031,851.38        | Accounts Payable 12/17/13                          |
| 2128-2131              | \$ 240.00              | Library Card Reimbursement 12/17/13                |
|                        |                        |  |
|                        |                        |  |
|                        |                        |  |
|                        |                        |  |
| <b>TOTAL</b>           | <b>\$ 2,088,479.40</b> |  |

**RECOMMENDATION:** Based on the aforementioned, the staff recommends the City Council approve as part of the Consent Agenda the aforementioned disbursements in the amount of \$2,088,479.40.

**ATTACHMENTS:**

1. Accounts Payable – check registers

# Accounts Payable To Be Paid Proof List

User: denise  
 Printed: 12/05/2013 - 9:45 AM  
 Batch: 001-12-2013

| Invoice #           | Inv Date             | Amount    | Quantity | Pmt Date   | Description                            | Reference | Task | Type | PO # | Close POLine # |
|---------------------|----------------------|-----------|----------|------------|--|-----------|------|------|------|----------------|
| XCELNSP Xcel Energy |                      |           |          |            |  |           |      |      |      |                |
| 12/03/2013          | 12/03/2013           | 5,887.13  | 0.00     | 12/17/2013 | Natural Gas Service for Keats Lift Sta |           | -    |      |      | 0000           |
| 601-494-9400-43030  | Engineering Services |           |          |            |  |           |      |      |      |                |
| 12/03/2013          | 12/03/2013           | 8,830.70  | 0.00     | 12/17/2013 | Natural Gas Service for Keats Lift Sta |           | -    |      |      | 0000           |
| 602-495-9450-43030  | Engineering Services |           |          |            |  |           |      |      |      |                |
|                     | 12/03/2013 Total:    | 14,717.83 |          |            |  |           |      |      |      |                |
|                     | XCELNSP Total:       | 14,717.83 |          |            |  |           |      |      |      |                |
|                     | Report Total:        | 14,717.83 |          |            |  |           |      |      |      |                |

# Accounts Payable To Be Paid Proof List

User: denise

Printed: 12/05/2013 - 10:03 AM

Batch: 002-12-2013

| Invoice #           | Inv Date             | Amount   | Quantity | Pmt Date   | Description                                | Reference | Task | Type | PO # | Close POLine # |
|---------------------|----------------------|----------|----------|------------|--|-----------|------|------|------|----------------|
| XCELNSP Xcel Energy |                      |          |          |            |  |           |      |      |      |                |
| Dec 03 2013         | 12/03/2013           | 4,709.30 | 0.00     | 12/17/2013 | Natural Gas Service-Lisbon Ave Lift<br>Sta |           | -    |      |      | 0000           |
| 409-480-8000-43030  | Engineering Services | 4,709.30 |          |            |  |           |      |      |      |                |
|                     | Dec 03 2013 Total:   | 4,709.30 |          |            |  |           |      |      |      |                |
|                     | XCELNSP Total:       | 4,709.30 |          |            |  |           |      |      |      |                |
|                     | Report Total:        | 4,709.30 |          |            |  |           |      |      |      |                |

# Accounts Payable To Be Paid Proof List

User: demise  
 Printed: 12/12/2013 - 1:30 PM  
 Batch: 004-12-2013

| Invoice #   | Inv Date   | Amount    | Quantity | Pmt Date   | Description                              | Reference | Task | Type | PO # | Close POLine # |
|---|------------|-----------|----------|------------|--|-----------|------|------|------|----------------|
| ALEXAIR Alex Air Apparatus, Inc<br>24542<br>101-420-2220-44040 Repairs/Maint Eqpt<br>24542 Total:<br>ALEXAIR Total:   | 10/15/2013 | 2,393.10  | 0.00     | 12/17/2013 | Annual Inspection of SCBA's & Masks      |           | -    | No   |      | 0000           |
| AMLEGAL American Legal Publishing Corp<br>91917<br>101-410-1320-43510 Legal Publishing<br>91917 Total:<br>92040<br>101-410-1320-43510 Legal Publishing<br>92040 Total:<br>AMLEGAL Total:  | 10/07/2013 | 2,886.00  | 0.00     | 12/17/2013 | 2013 S-7 Supplement Pages                |           | -    | No   |      | 0000           |
| BAKERPAT Baker Patricia<br>INVOICE 2013-11<br>101-410-1520-43150 Contract Services<br>INVOICE 2013-11 Total:<br>BAKERPAT Total:   | 12/10/2013 | 487.50    | 0.00     | 12/17/2013 | Contract Services - Hours 19.5 2013-11   |           | -    | No   |      | 0000           |
| BOLTONME Bolton & Menk, Inc<br>0161926<br>11/22/2013<br>601-494-9400-43030 Engineering Services<br>0161926 Total:<br>0161931<br>11/22/2013<br>601-494-9400-43030 Engineering Services<br>0161931<br>11/22/2013<br>602-495-9450-43030 Engineering Services<br>0161931 Total:<br>0161967<br>11/22/2013<br>601-494-9400-43030 Engineering Services | 11/22/2013 | 1,635.00  | 0.00     | 12/17/2013 | 2013.131 Well#4 3rd Pro Watermain 10/25  |           | -    | No   |      | 0000           |
|   |            | 27,635.00 | 0.00     | 12/17/2013 | 2013.126 Sec 34 4th Proj Feas,Plan 10/25 |           | -    | No   |      | 0000           |
|   |            | 41,452.50 | 0.00     | 12/17/2013 | 2013.126 Sec 34 4th Proj Feas,Plan 10/25 |           | -    | No   |      | 0000           |
|   |            | 69,087.50 | 0.00     | 12/17/2013 | 2013.132 Pumphouse#4 Waterfund 11/08     |           | -    | No   |      | 0000           |

| Invoice #                           | Inv Date               | Amount    | Quantity | Pmt Date   | Description                              | Reference | Task | Type | PO # | Close POLine # |
|-------------------------------------|------------------------|-----------|----------|------------|--|-----------|------|------|------|----------------|
| 0161967 Total:                      |                        | 3,710.60  |          |            |  |           |      |      |      |                |
| BOLTONME Total:                     |                        | 74,433.10 |          |            |  |           |      |      |      |                |
| <hr/>                               |                        |           |          |            |  |           |      |      |      |                |
| C.A.C Companion Animal Control, LLC |                        |           |          |            |  |           |      |      |      |                |
| 11                                  | 11/01/2013             | 500.00    | 0.00     | 12/17/2013 | Animal Control Services - November 2013  |           | -    | No   |      | 0000           |
| 101-420-2700-43150                  | Contract Services      |           |          |            |  |           |      |      |      |                |
| 11                                  | 11/01/2013             | 90.00     | 0.00     | 12/17/2013 | Dog/Cat Pick Up/Impound 7am-7pm-Nov      |           | -    | No   |      | 0000           |
| 101-420-2700-43160                  | Impounding             |           |          |            |  |           |      |      |      |                |
| 11                                  | 11/01/2013             | 90.00     | 0.00     | 12/17/2013 | Dog/Cat Pick Up/Impound 7pm-7am-Nov      |           | -    | No   |      | 0000           |
| 101-420-2700-43160                  | Impounding             |           |          |            |  |           |      |      |      |                |
| 11 Total:                           |                        | 680.00    |          |            |  |           |      |      |      |                |
| C.A.C. Total:                       |                        | 680.00    |          |            |  |           |      |      |      |                |
| <hr/>                               |                        |           |          |            |  |           |      |      |      |                |
| CARDMEMB Cardmember Service         |                        |           |          |            |  |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 235.60    | 0.00     | 12/17/2013 | Pioneer Press Advertis - A Bell          |           | -    | No   |      | 0000           |
| 101-410-1450-43510                  | Public Notices         |           |          |            |  |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 32.14     | 0.00     | 12/17/2013 | 5 Dollar Pizza-Election 11/5/13-A Bell   |           | -    | No   |      | 0000           |
| 101-410-1410-44300                  | Miscellaneous          |           |          |            |  |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 61.01     | 0.00     | 12/17/2013 | Target Food & Bev-Election 11/5-A Bell   |           | -    | No   |      | 0000           |
| 101-410-1410-44300                  | Miscellaneous          |           |          |            |  |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 44.11     | 0.00     | 12/17/2013 | Target Food & Bev-Election 11/5-A Bell   |           | -    | No   |      | 0000           |
| 101-410-1410-44300                  | Miscellaneous          |           |          |            |  |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 192.15    | 0.00     | 12/17/2013 | Jimmy John's Food-Election 11/5-A Bell   |           | -    | No   |      | 0000           |
| 101-410-1410-44300                  | Miscellaneous          |           |          |            |  |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 9.98      | 0.00     | 12/17/2013 | Holiday -3 pkgs Ice-Election 11/5-A Bell |           | -    | No   |      | 0000           |
| 101-410-1410-44300                  | Miscellaneous          |           |          |            |  |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 6.96      | 0.00     | 12/17/2013 | UPS *293- A Bell                         |           | -    | No   |      | 0000           |
| 101-410-1320-43220                  | Postage                |           |          |            |  |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 85.59     | 0.00     | 12/17/2013 | Guitar Ctr- monster mic cable -CC-A Bell |           | -    | No   |      | 0000           |
| 101-410-1110-42000                  | Office Supplies        |           |          |            |  |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 200.00    | 0.00     | 12/17/2013 | 2013 Springsted Up Eventbrite-C Bendel   |           | -    | No   |      | 0000           |
| 101-410-1520-44370                  | Conferences & Training |           |          |            |  |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 26.99     | 0.00     | 12/17/2013 | DJ Wall St Journal dated 11/11-C Bendel  |           | -    | No   |      | 0000           |
| 101-410-1520-44300                  | Miscellaneous          |           |          |            |  |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 168.21    | 0.00     | 12/17/2013 | Amazon Mkt - 9x The Advantage-D Zulleger |           | -    | No   |      | 0000           |
| 101-410-1320-44350                  | Books                  |           |          |            |  |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 32.00     | 0.00     | 12/17/2013 | Admin Mtg Woodbury 10/25- D Zulleger     |           | -    | No   |      | 0000           |
| 101-410-1320-44300                  | Miscellaneous          |           |          |            |  |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 16.16     | 0.00     | 12/17/2013 | Admin Refreshments 11/1- D Zulleger      |           | -    | No   |      | 0000           |
| 101-410-1320-44300                  | Miscellaneous          |           |          |            |  |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 30.12     | 0.00     | 12/17/2013 | Admin Luncheon 11/11 - D Zulleger        |           | -    | No   |      | 0000           |
| 101-410-1320-44300                  | Miscellaneous          |           |          |            |  |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 53.51     | 0.00     | 12/17/2013 | Monthly Carwashes for CV1 & CV2-Malmq    |           | -    | No   |      | 0000           |
| 101-420-2220-44040                  | Repairs/Maint Eqpt     |           |          |            |  |           |      |      |      |                |

| Invoice #                           | Inv Date               | Amount   | Quantity | Pmt Date   | Description                       | Reference | Task | Type | PO # | Close POLine # |
|-------------------------------------|------------------------|----------|----------|------------|-----------------------------------|-----------|------|------|------|----------------|
| 11/21/2013                          | 11/21/2013             | 712.32   | 0.00     | 12/17/2013 | VCOS Lodging, Clearwater-G        |           | -    | No   |      | 0000           |
| 101-420-2220-44370                  | Conferences & Training |          |          |            | Malmquist                         |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 25.00    | 0.00     | 12/17/2013 | Baggage Charge VCOS-G Malmquist   |           | -    | No   |      | 0000           |
| 101-420-2220-44370                  | Conferences & Training |          |          |            |                                   |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | -50.00   | 0.00     | 12/17/2013 | U of M CCE Merch/Ser Rtr-R Chase  |           | -    | No   |      | 0000           |
| 101-420-2400-44370                  | Conferences & Training |          |          |            |                                   |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 6.95     | 0.00     | 12/17/2013 | Chev Turn Light-R Chase           |           | -    | No   |      | 0000           |
| 101-420-2400-44300                  | Miscellaneous          |          |          |            |                                   |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 500.00   | 0.00     | 12/17/2013 | U M NonCredit Rick-1/13-1/17/14-R |           | -    | No   |      | 0000           |
| 101-420-2400-44370                  | Conferences & Training |          |          |            | Chase                             |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 200.00   | 0.00     | 12/17/2013 | U M NonCredit Stacy-1/13-1/17/14- |           | -    | No   |      | 0000           |
| 101-420-2400-44370                  | Conferences & Training |          |          |            | Chase                             |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 44.99    | 0.00     | 12/17/2013 | Gander Mtn- clothing uniform - R  |           | -    | No   |      | 0000           |
| 101-420-2400-44170                  | Uniforms               |          |          |            |                                   |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 89.98    | 0.00     | 12/17/2013 | Gander Mtn- clothing uniform - R  |           | -    | No   |      | 0000           |
| 101-420-2400-44170                  | Uniforms               |          |          |            |                                   |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 79.00    | 0.00     | 12/17/2013 | Amazon Prime Annual Mbrship-      |           | -    | No   |      | 0000           |
| 101-420-2400-44170                  | Uniforms               |          |          |            | Library                           |           |      |      |      |                |
| 206-450-5300-44330                  | Dues & Subscriptions   |          |          |            |                                   |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 99.39    | 0.00     | 12/17/2013 | OfficeMax-HP 951 Ink Cart-Library |           | -    | No   |      | 0000           |
| 206-450-5300-42000                  | Office Supplies        |          |          |            |                                   |           |      |      |      |                |
| 11/21/2013                          | 11/21/2013             | 19.95    | 0.00     | 12/17/2013 | Showcases-DVD Storage Cases-      |           | -    | No   |      | 0000           |
| 206-450-5300-42000                  | Office Supplies        |          |          |            | Library                           |           |      |      |      |                |
|                                     | 11/21/2013 Total:      | 2,922.11 |          |            |                                   |           |      |      |      |                |
|                                     | CARDMEMB Total:        | 2,922.11 |          |            |                                   |           |      |      |      |                |
| <hr/>                               |                        |          |          |            |                                   |           |      |      |      |                |
| CARQUEST Car Quest Auto Parts       |                        |          |          |            |                                   |           |      |      |      |                |
| 2055-306463                         | 12/09/2013             | 196.21   | 0.00     | 12/17/2013 | Batteries 09-1 & Windshield Wash  |           | -    | No   |      | 0000           |
| 101-450-5200-42120                  | Fuel, Oil and Fluids   |          |          |            |                                   |           |      |      |      |                |
|                                     | 2055-306463 Total:     | 196.21   |          |            |                                   |           |      |      |      |                |
|                                     | CARQUEST Total:        | 196.21   |          |            |                                   |           |      |      |      |                |
| <hr/>                               |                        |          |          |            |                                   |           |      |      |      |                |
| CENTURYL CenturyLink                |                        |          |          |            |                                   |           |      |      |      |                |
| Nov 19 2013                         | 11/19/2013             | 125.90   | 0.00     | 12/17/2013 | Phone Service-Library             |           | -    | No   |      | 0000           |
| 206-450-5300-43210                  | Telephone              |          |          |            |                                   |           |      |      |      |                |
| Nov 19 2013                         | 11/19/2013             | 37.94    | 0.00     | 12/17/2013 | Internet Service - Library        |           | -    | No   |      | 0000           |
| 206-450-5300-43250                  | Internet               |          |          |            |                                   |           |      |      |      |                |
|                                     | Nov 19 2013 Total:     | 163.84   |          |            |                                   |           |      |      |      |                |
|                                     | CENTURYL Total:        | 163.84   |          |            |                                   |           |      |      |      |                |
| <hr/>                               |                        |          |          |            |                                   |           |      |      |      |                |
| COLDWELL Coldwell Banker Commercial |                        |          |          |            |                                   |           |      |      |      |                |
| 38403                               | 12/20/2013             | 29.08    | 0.00     | 12/17/2013 | Replacement Thermostat - Library  |           | -    | No   |      | 0000           |
| 206-450-5300-44040                  | Repairs/Maint Eqpt     |          |          |            |                                   |           |      |      |      |                |
|                                     | 38403 Total:           | 29.08    |          |            |                                   |           |      |      |      |                |

| Invoice #                    | Inv Date                    | Amount | Quantity | Pmt Date   | Description                              | Reference  | Task | Type | PO # | Close POLine # |
|------------------------------|-----------------------------|--------|----------|------------|--|------------|------|------|------|----------------|
| COLDWELL Total:              |                             | 29.08  |          |            |  |            |      |      |      |                |
| COMCAST Comcast              |                             |        |          |            |  |            |      |      |      |                |
| 11/27/2013                   | 11/27/2013                  | 7.92   | 0.00     | 12/17/2013 | Monthly Service- December 2013- Fire Dep |            | -    | No   |      | 0000           |
| 101-420-2220-44300           | Miscellaneous               |        |          |            |  |            |      |      |      |                |
| 11/27/2013                   | 11/27/2013                  | 4.50   | 0.00     | 12/17/2013 | Monthly Service-December 2013 -City Hall |            | -    | No   |      | 0000           |
| 101-410-1940-43210           | Telephone                   |        |          |            |  |            |      |      |      |                |
| 11/27/2013 Total:            |                             | 12.42  |          |            |  |            |      |      |      |                |
| COMCAST Total:               |                             | 12.42  |          |            |  |            |      |      |      |                |
| CONLEYMO Conley Morgan       |                             |        |          |            |  |            |      |      |      |                |
| Cable Oper                   | 12/09/2013                  | 55.00  | 0.00     | 12/17/2013 | Cable Operations-12/9/13 Plann Comm(4hr) |            | -    | No   |      | 0000           |
| 101-410-1450-43620           | Cable Operations            |        |          |            |  |            |      |      |      |                |
| Cable Oper                   | 12/09/2013                  | 25.00  | 0.00     | 12/17/2013 | Cable Operations-12/9/13 Bonus           |            | -    | No   |      | 0000           |
| 101-410-1450-43620           | Cable Operations            |        |          |            |  |            |      |      |      |                |
| Cable Oper Total:            |                             | 80.00  |          |            |  |            |      |      |      |                |
| CONLEYMO Total:              |                             | 80.00  |          |            |  |            |      |      |      |                |
| CTYBLOOM City of Bloomington |                             |        |          |            |  |            |      |      |      |                |
| Nov 2013                     | 11/27/2013                  | 31.50  | 0.00     | 12/17/2013 | Lab Bacteria Test Coliform               | 11/1-11/27 | -    | No   |      | 0000           |
| 601-494-9400-42270           | Utility System Maintenance  |        |          |            |  |            |      |      |      |                |
| Nov 2013 Total:              |                             | 31.50  |          |            |  |            |      |      |      |                |
| Oct 2013                     | 10/31/2013                  | 31.50  | 0.00     | 12/17/2013 | Lab Bacteria Test Coliform               | 10/1-10/31 | -    | No   |      | 0000           |
| 601-494-9400-42270           | Utility System Maintenance  |        |          |            |  |            |      |      |      |                |
| Oct 2013 Total:              |                             | 31.50  |          |            |  |            |      |      |      |                |
| CTYBLOOM Total:              |                             | 63.00  |          |            |  |            |      |      |      |                |
| CTYHUGO City of Hugo         |                             |        |          |            |  |            |      |      |      |                |
| Nov 26 2013                  | 11/26/2013                  | 258.00 | 0.00     | 12/17/2013 | Building Inspector Sev -                 | 11/20/2013 | -    | No   |      | 0000           |
| 101-420-2400-43150           | Inspector Contract Services |        |          |            |  |            |      |      |      |                |
| Nov 26 2013                  | 11/26/2013                  | 50.85  | 0.00     | 12/17/2013 | Building Inspector Mileage -             | 11/20/2013 | -    | No   |      | 0000           |
| 101-420-2400-43310           | Mileage                     |        |          |            |  |            |      |      |      |                |
| Nov 26 2013 Total:           |                             | 308.85 |          |            |  |            |      |      |      |                |
| CTYHUGO Total:               |                             | 308.85 |          |            |  |            |      |      |      |                |
| CTYMAPLE City of Maplewood   |                             |        |          |            |  |            |      |      |      |                |
| 007107                       | 11/29/2013                  | 345.12 | 0.00     | 12/17/2013 | Keats MSA Street Pro                     | 2012.129   | -    | No   |      | 0000           |
| 409-480-8000-43030           | Engineering Services        |        |          |            |  | 11/1/2013  |      |      |      |                |
| 007107                       | 11/29/2013                  | 260.36 | 0.00     | 12/17/2013 | Keats Trunk Watermain Pro                | 2012.129   | -    | No   |      | 0000           |
| 601-494-9400-43030           | Engineering Services        |        |          |            |  | 11/1/      |      |      |      |                |
| 007107 Total:                |                             | 605.48 |          |            |  |            |      |      |      |                |

| Invoice #                        | Inv Date                   | Amount   | Quantity | Pmt Date   | Description                              | Reference         | Task | Type | PO # | Close POLine # |
|----------------------------------|----------------------------|----------|----------|------------|--|-------------------|------|------|------|----------------|
| CTYMAPLE Total:                  |                            | 605.48   |          |            |  |                   |      |      |      |                |
| CTYOAKDA City of Oakdale         |                            |          |          |            |  |                   |      |      |      |                |
| 1000460-01                       | 11/30/2013                 | 2,513.49 | 0.00     | 12/17/2013 | Water Service 1-94                       | 11/2/13-12/2/2013 | -    | No   |      | 0000           |
| 601-494-9400-43820               | Water Utility              |          |          |            |  |                   |      |      |      |                |
| 1000460-01 Total:                |                            | 2,513.49 |          |            |  |                   |      |      |      |                |
| CTYOAKDA Total:                  |                            | 2,513.49 |          |            |  |                   |      |      |      |                |
| CTYROSEV City of Roseville       |                            |          |          |            |  |                   |      |      |      |                |
| 0218047                          | 12/02/2013                 | 2,714.17 | 0.00     | 12/17/2013 | Monthly IT Services - Dec 2013           |                   | -    | No   |      | 0000           |
| 101-410-1450-43180               | Information Technology/Web |          |          |            |  |                   |      |      |      |                |
| 0218047 Total:                   |                            | 2,714.17 |          |            |  |                   |      |      |      |                |
| 0218078                          | 12/02/2013                 | 337.07   | 0.00     | 12/17/2013 | Monthly Telephone - Admin - Dec 2013     |                   | -    | No   |      | 0000           |
| 101-410-1320-43210               | Telephone                  |          |          |            |  |                   |      |      |      |                |
| 0218078                          | 12/02/2013                 | 45.06    | 0.00     | 12/17/2013 | Monthly Telephone - Build Insp-Dec 2013  |                   | -    | No   |      | 0000           |
| 101-420-2400-43210               | Telephone                  |          |          |            |  |                   |      |      |      |                |
| 0218078                          | 12/02/2013                 | 51.18    | 0.00     | 12/17/2013 | Monthly Telephone - Communic-Dec 2013    |                   | -    | No   |      | 0000           |
| 101-410-1450-43210               | Telephone                  |          |          |            |  |                   |      |      |      |                |
| 0218078                          | 12/02/2013                 | 45.06    | 0.00     | 12/17/2013 | Monthly Telephone - Engineering-Dec 2013 |                   | -    | No   |      | 0000           |
| 101-410-1930-43210               | Telephone                  |          |          |            |  |                   |      |      |      |                |
| 0218078                          | 12/02/2013                 | 90.12    | 0.00     | 12/17/2013 | Monthly Telephone - Finance - Dec 2013   |                   | -    | No   |      | 0000           |
| 101-410-1520-43210               | Telephone                  |          |          |            |  |                   |      |      |      |                |
| 0218078                          | 12/02/2013                 | 132.08   | 0.00     | 12/17/2013 | Monthly Telephone - Planning - Dec 2013  |                   | -    | No   |      | 0000           |
| 101-410-1910-43210               | Telephone                  |          |          |            |  |                   |      |      |      |                |
| 0218078                          | 12/02/2013                 | 409.97   | 0.00     | 12/17/2013 | Monthly Telephone - PubWks- Dec 2013     |                   | -    | No   |      | 0000           |
| 101-430-3100-43210               | Telephone                  |          |          |            |  |                   |      |      |      |                |
| 0218078 Total:                   |                            | 1,110.54 |          |            |  |                   |      |      |      |                |
| CTYROSEV Total:                  |                            | 3,824.71 |          |            |  |                   |      |      |      |                |
| DOCKENDO Dockendorf Construction |                            |          |          |            |  |                   |      |      |      |                |
| 12/4/2013                        | 12/04/2013                 | 2,500.00 | 0.00     | 12/17/2013 | Refund Escrow#8951 5787 Highland Trl Ct  |                   | -    | No   |      | 0000           |
| 803-000-0000-22900               | Deposits Payable           |          |          |            |  |                   |      |      |      |                |
| 12/4/2013 Total:                 |                            | 2,500.00 |          |            |  |                   |      |      |      |                |
| DOCKENDO Total:                  |                            | 2,500.00 |          |            |  |                   |      |      |      |                |
| DOLPHINP Dolphin Pool & Spa      |                            |          |          |            |  |                   |      |      |      |                |
| 12/12/2013                       | 12/12/2013                 | 500.00   | 0.00     | 12/17/2013 | Refund Escrow #2013-498 11693 56th St    |                   | -    | No   |      | 0000           |
| 803-000-0000-22900               | Deposits Payable           |          |          |            |  |                   |      |      |      |                |
| 12/12/2013 Total:                |                            | 500.00   |          |            |  |                   |      |      |      |                |
| DOLPHINP Total:                  |                            | 500.00   |          |            |  |                   |      |      |      |                |

| Invoice #          | Inv Date                       | Amount    | Quantity | Pmt Date   | Description                            | Reference | Task | Type | PO # | Close POLine # |
|--------------------|--------------------------------|-----------|----------|------------|--|-----------|------|------|------|----------------|
| EMERGAPP           | Emergency Apparatus Maint. INC |           |          |            |  |           |      |      |      |                |
| 71135              | 12/03/2013                     | 5,182.94  | 0.00     | 12/17/2013 | Repairs to T2/3186 - Fire Dept         |           | -    | No   |      | 0000           |
| 101-420-2220-44040 | Repairs/Maint Eqpt             |           |          |            |  |           |      |      |      |                |
|                    | 71135 Total:                   | 5,182.94  |          |            |  |           |      |      |      |                |
| 71141              | 12/03/2013                     | 587.83    | 0.00     | 12/17/2013 | Repairs to E2/3183 - Fire Dept         |           | -    | No   |      | 0000           |
| 101-420-2220-44040 | Repairs/Maint Eqpt             |           |          |            |  |           |      |      |      |                |
|                    | 71141 Total:                   | 587.83    |          |            |  |           |      |      |      |                |
| 71143              | 12/03/2013                     | 591.48    | 0.00     | 12/17/2013 | Repairs to E1/3173- Fire Dept          |           | -    | No   |      | 0000           |
| 101-420-2220-44040 | Repairs/Maint Eqpt             |           |          |            |  |           |      |      |      |                |
|                    | 71143 Total:                   | 591.48    |          |            |  |           |      |      |      |                |
| 71144              | 12/03/2013                     | 3,156.77  | 0.00     | 12/17/2013 | Repairs to L1/3175- Fire Dept          |           | -    | No   |      | 0000           |
| 101-420-2220-44040 | Repairs/Maint Eqpt             |           |          |            |  |           |      |      |      |                |
|                    | 71144 Total:                   | 3,156.77  |          |            |  |           |      |      |      |                |
| 71145              | 12/03/2013                     | 2,426.35  | 0.00     | 12/17/2013 | Repairs to T1/3176- Fire Dept          |           | -    | No   |      | 0000           |
| 101-420-2220-44040 | Repairs/Maint Eqpt             |           |          |            |  |           |      |      |      |                |
|                    | 71145 Total:                   | 2,426.35  |          |            |  |           |      |      |      |                |
|                    | EMERGAPP Total:                | 11,945.37 |          |            |  |           |      |      |      |                |
| FERGUSON           | Ferguson Waterworks, Inc #2516 |           |          |            |  |           |      |      |      |                |
| 0060744-1          | 11/21/2013                     | 55.30     | 0.00     | 12/17/2013 | Meters Adapters                        |           | -    | No   |      | 0000           |
| 601-494-9400-42300 | Water Meters & Supplies        |           |          |            |  |           |      |      |      |                |
|                    | 0060744-1 Total:               | 55.30     |          |            |  |           |      |      |      |                |
| 0062199            | 11/27/2013                     | 82.96     | 0.00     | 12/17/2013 | Meters Adapters                        |           | -    | No   |      | 0000           |
| 601-494-9400-42300 | Water Meters & Supplies        |           |          |            |  |           |      |      |      |                |
|                    | 0062199 Total:                 | 82.96     |          |            |  |           |      |      |      |                |
| 0062570            | 11/21/2013                     | 4,876.01  | 0.00     | 12/17/2013 | Meters                                 |           | -    | No   |      | 0000           |
| 601-494-9400-42300 | Water Meters & Supplies        |           |          |            |  |           |      |      |      |                |
|                    | 0062570 Total:                 | 4,876.01  |          |            |  |           |      |      |      |                |
| 0062570-1          | 11/27/2013                     | 2,170.42  | 0.00     | 12/17/2013 | Meters                                 |           | -    | No   |      | 0000           |
| 601-494-9400-42300 | Water Meters & Supplies        |           |          |            |  |           |      |      |      |                |
|                    | 0062570-1 Total:               | 2,170.42  |          |            |  |           |      |      |      |                |
|                    | FERGUSON Total:                | 7,184.69  |          |            |  |           |      |      |      |                |
| FIORILLO           | Fiorillo Megan                 |           |          |            |  |           |      |      |      |                |
| Cable Operator     | 11/25/2013                     | 68.75     | 0.00     | 12/17/2013 | Cable Operations-12/3/13 CC Mtg (5hrs) |           | -    | No   |      | 0000           |
| 101-410-1450-43620 | Cable Operations               |           |          |            |  |           |      |      |      |                |
| Cable Operator     | 11/25/2013                     | 25.00     | 0.00     | 12/17/2013 | Cable Operations-12/3/13 Bonus         |           | -    | No   |      | 0000           |
| 101-410-1450-43620 | Cable Operations               |           |          |            |  |           |      |      |      |                |
|                    | Cable Operator Total:          | 93.75     |          |            |  |           |      |      |      |                |
|                    | FIORILLO Total:                | 93.75     |          |            |  |           |      |      |      |                |

| Invoice #                     | Inv Date             | Amount   | Quantity | Pmt Date   | Description                            | Reference | Task | Type | PO # | Close PO Line # |
|-------------------------------|----------------------|----------|----------|------------|--|-----------|------|------|------|-----------------|
| FOCUS Focus Engineering, Inc. |                      |          |          |            |  |           |      |      |      |                 |
| 894                           | 11/30/2013           | 5,332.00 | 0.00     | 12/17/2013 | General Engineering- General           | 11/30     | -    | No   |      | 0000            |
| 101-410-1930-43030            | Engineering Services |          |          |            |  |           |      |      |      |                 |
| 894                           | 11/30/2013           | 661.00   | 0.00     | 12/17/2013 | General Engineering- Planning          | 11/30     | -    | No   |      | 0000            |
| 101-410-1910-43030            | Engineering Services |          |          |            |  |           |      |      |      |                 |
| 894 Total:                    |                      |          |          |            |  |           |      |      |      |                 |
| 897                           | 11/30/2013           | 5,993.00 | 0.00     | 12/17/2013 | General Engineering VRA- Building      |           | -    | No   |      | 0000            |
| 101-420-2400-43030            | Engineering          |          |          |            | 11/30                                  |           |      |      |      |                 |
| 897                           | 11/30/2013           | 1,385.00 | 0.00     | 12/17/2013 | General Engineering VRA-Planning       |           | -    | No   |      | 0000            |
| 101-410-1910-43030            | Engineering Services |          |          |            | 11/30                                  |           |      |      |      |                 |
| 897                           | 11/30/2013           | 2,354.36 | 0.00     | 12/17/2013 | Genl Engineering VRA-Cap Prj Parks     |           | -    | No   |      | 0000            |
| 404-480-8000-43030            | Engineering Services |          |          |            | 11/30                                  |           |      |      |      |                 |
| 897                           | 11/30/2013           | 855.50   | 0.00     | 12/17/2013 | General Engineering VRA-PubWks-        |           | -    | No   |      | 0000            |
| 101-430-3100-43030            | Engineering Services |          |          |            | 11/30                                  |           |      |      |      |                 |
| 897                           | 11/30/2013           | 177.50   | 0.00     | 12/17/2013 | General Engineering VRA-ROW-11/30      |           | -    | No   |      | 0000            |
| 101-430-3100-43030            | Engineering Services |          |          |            |  |           |      |      |      |                 |
| 897                           | 11/30/2013           | 958.00   | 0.00     | 12/17/2013 | General Engineering VRA-Water 11/30    |           | -    | No   |      | 0000            |
| 101-430-3100-43030            | Engineering Services |          |          |            |  |           |      |      |      |                 |
| 897                           | 11/30/2013           | 873.33   | 0.00     | 12/17/2013 | General Engineering VRA-Sewer          |           | -    | No   |      | 0000            |
| 601-494-9400-43030            | Engineering Services |          |          |            | 11/30                                  |           |      |      |      |                 |
| 897                           | 11/30/2013           | 966.50   | 0.00     | 12/17/2013 | Genl Engineering VRA- Surf Water       |           | -    | No   |      | 0000            |
| 602-495-9450-43030            | Engineering Services |          |          |            | 11/30                                  |           |      |      |      |                 |
| 897                           | 11/30/2013           | 942.76   | 0.00     | 12/17/2013 | Transportation & Traffic Systems       |           | -    | No   |      | 0000            |
| 603-496-9500-43030            | Engineering Services |          |          |            |  |           |      |      |      |                 |
| 897 Total:                    |                      |          |          |            |  |           |      |      |      |                 |
| 900                           | 11/30/2013           | 8,512.95 | 0.00     | 12/17/2013 | Street Maintenance -                   |           | -    | No   |      | 0000            |
| 409-480-8000-43030            | Engineering Services |          |          |            |  |           |      |      |      |                 |
| 900                           | 11/30/2013           | 118.00   | 0.00     | 12/17/2013 | Municipal Aid System                   |           | -    | No   |      | 0000            |
| 409-480-8000-43030            | Engineering Services |          |          |            |  |           |      |      |      |                 |
| 900                           | 11/30/2013           | 924.28   | 0.00     | 12/17/2013 | Capital Improvement Planning           |           | -    | No   |      | 0000            |
| 409-480-8000-43030            | Engineering Services |          |          |            |  |           |      |      |      |                 |
| 900                           | 11/30/2013           | 88.50    | 0.00     | 12/17/2013 | 2013 Crack Seal Project                |           | -    | No   |      | 0000            |
| 409-480-8000-43030            | Engineering Services |          |          |            |  |           |      |      |      |                 |
| 900                           | 11/30/2013           | 301.25   | 0.00     | 12/17/2013 | Trunk Highway 36 Corridor Planning     |           | -    | No   |      | 0000            |
| 409-480-8000-43030            | Engineering Services |          |          |            |  |           |      |      |      |                 |
| 900                           | 11/30/2013           | 248.25   | 0.00     | 12/17/2013 | MNDot Hilton Trail Interchange         |           | -    | No   |      | 0000            |
| 409-480-8000-43030            | Engineering Services |          |          |            |  |           |      |      |      |                 |
| 900                           | 11/30/2013           | 442.50   | 0.00     | 12/17/2013 | State Hwy 5 Traffic Mgmt & Safety Impr |           | -    | No   |      | 0000            |
| 409-480-8000-43030            | Engineering Services |          |          |            |  |           |      |      |      |                 |
| 900 Total:                    |                      |          |          |            |  |           |      |      |      |                 |
| 901                           | 11/30/2013           | 2,240.78 | 0.00     | 12/17/2013 | 10th Street Infrastructure Planning-   |           | -    | No   |      | 0000            |
| 420-480-8000-43030            | Engineering Services |          |          |            |  |           |      |      |      |                 |
| 901                           | 11/30/2013           | 147.50   | 0.00     | 12/17/2013 | Inwood Ave Trunk Watermain             |           | -    | No   |      | 0000            |
| 601-494-9400-43030            | Engineering Services |          |          |            |  |           |      |      |      |                 |
| 902                           | 11/30/2013           | 147.50   | 0.00     | 12/17/2013 |  |           | -    | No   |      | 0000            |
| 601-494-9400-43030            | Engineering Services |          |          |            |  |           |      |      |      |                 |

| Invoice #          | Inv Date             | Amount    | Quantity | Pmt Date   | Description                              | Reference | Task | Type | PO # | Close POLine # |
|--------------------|----------------------|-----------|----------|------------|--|-----------|------|------|------|----------------|
| 903                | 11/30/2013           | 4,614.25  |          |            |  |           |      |      |      |                |
| 601-494-9400-43030 | Engineering Services | 121.00    | 0.00     | 12/17/2013 | Water System Design Phasing Study        |           | -    | No   |      | 0000           |
| 903 Total:         |                      | 121.00    |          |            |  |           |      |      |      |                |
| 904                | 11/30/2013           | 1,154.29  | 0.00     | 12/17/2013 | Keats Ave Watermain 43%                  |           | -    | No   |      | 0000           |
| 601-494-9400-43030 | Engineering Services | 1,530.12  | 0.00     | 12/17/2013 | Keats Ave Street 57%                     |           | -    | No   |      | 0000           |
| 904                | 11/30/2013           | 2,684.41  | 0.00     | 12/17/2013 | Lennar I-94 West Corridor                |           | -    | No   |      | 0000           |
| 409-480-8000-43030 | Engineering Services | 501.50    | 0.00     | 12/17/2013 | LE Ave Infrastructure I94 to 30th Street |           | -    | No   |      | 0000           |
| 904 Total:         |                      | 501.50    |          |            |  |           |      |      |      |                |
| 905                | 11/30/2013           | 29,860.87 | 0.00     | 12/17/2013 | Water System Funding Activities (Deeds)  |           | -    | No   |      | 0000           |
| 203-490-9070-43030 | Engineering Services | 29,860.87 | 0.00     | 12/17/2013 | Production Well Number 4                 |           | -    | No   |      | 0000           |
| 905 Total:         |                      | 29,860.87 |          |            |  |           |      |      |      |                |
| 906                | 11/30/2013           | 445.75    | 0.00     | 12/17/2013 | Section 34 Water 40%                     |           | -    | No   |      | 0000           |
| 409-480-8000-43030 | Engineering Services | 445.75    | 0.00     | 12/17/2013 | Section 34 Sewer Extension 60%           |           | -    | No   |      | 0000           |
| 906 Total:         |                      | 445.75    |          |            |  |           |      |      |      |                |
| 907                | 11/30/2013           | 955.50    | 0.00     | 12/17/2013 | CSAH 15(Manning Ave)Corridor Mgmt&Safe   |           | -    | No   |      | 0000           |
| 409-480-8000-43030 | Engineering Services | 955.50    | 0.00     | 12/17/2013 | Amaris Homes (Montgomery Project)        |           | -    | No   |      | 0000           |
| 907 Total:         |                      | 955.50    |          |            |  |           |      |      |      |                |
| 908                | 11/30/2013           | 9,828.82  | 0.00     | 12/17/2013 | Landucci Property (Ryland)               |           | -    | No   |      | 0000           |
| 601-494-9400-43030 | Engineering Services | 14,743.22 | 0.00     | 12/17/2013 | Well No 4 Connecting Watermain Imp Feas  |           | -    | No   |      | 0000           |
| 908 Total:         |                      | 14,743.22 |          |            |  |           |      |      |      |                |
| 909                | 11/30/2013           | 24,572.04 | 0.00     | 12/17/2013 | Pumphouse Number 4                       |           | -    | No   |      | 0000           |
| 601-494-9400-43030 | Engineering Services | 689.12    | 0.00     | 12/17/2013 | LE Ave Trunk Watermain Imp Feas Study    |           | -    | No   |      | 0000           |
| 909 Total:         |                      | 689.12    |          |            |  |           |      |      |      |                |
| 910                | 11/30/2013           | 689.12    | 0.00     | 12/17/2013 |  |           | -    | No   |      | 0000           |
| 602-495-9450-43030 | Engineering Services | 912.12    | 0.00     | 12/17/2013 |  |           | -    | No   |      | 0000           |
| 910 Total:         |                      | 912.12    |          |            |  |           |      |      |      |                |
| 911                | 11/30/2013           | 912.12    | 0.00     | 12/17/2013 |  |           | -    | No   |      | 0000           |
| 203-490-9070-43030 | Engineering Services | 102.06    | 0.00     | 12/17/2013 |  |           | -    | No   |      | 0000           |
| 911 Total:         |                      | 102.06    |          |            |  |           |      |      |      |                |
| 912                | 11/30/2013           | 102.06    | 0.00     | 12/17/2013 |  |           | -    | No   |      | 0000           |
| 203-490-9070-43030 | Engineering Services | 102.06    | 0.00     | 12/17/2013 |  |           | -    | No   |      | 0000           |
| 912 Total:         |                      | 102.06    |          |            |  |           |      |      |      |                |
| 913                | 11/30/2013           | 245.75    | 0.00     | 12/17/2013 |  |           | -    | No   |      | 0000           |
| 601-494-9400-43030 | Engineering Services | 245.75    | 0.00     | 12/17/2013 |  |           | -    | No   |      | 0000           |
| 913 Total:         |                      | 245.75    |          |            |  |           |      |      |      |                |
| 914                | 11/30/2013           | 836.00    | 0.00     | 12/17/2013 |  |           | -    | No   |      | 0000           |
| 601-494-9400-43030 | Engineering Services | 836.00    | 0.00     | 12/17/2013 |  |           | -    | No   |      | 0000           |
| 914 Total:         |                      | 836.00    |          |            |  |           |      |      |      |                |
| 915                | 11/30/2013           | 2,296.50  | 0.00     | 12/17/2013 |  |           | -    | No   |      | 0000           |
| 601-494-9400-43030 | Engineering Services | 2,296.50  | 0.00     | 12/17/2013 |  |           | -    | No   |      | 0000           |
| 915 Total:         |                      | 2,296.50  |          |            |  |           |      |      |      |                |

| Invoice #                           | Inv Date             | Amount    | Quantity | Pmt Date   | Description                        | Reference | Task | Type | PO # | Close POLine # |
|-------------------------------------|----------------------|-----------|----------|------------|------------------------------------|-----------|------|------|------|----------------|
| 916                                 | 11/30/2013           | 809.50    | 0.00     | 12/17/2013 | LE Ave Corridor Improvements       |           | -    | No   |      | 0000           |
| 409-480-8000-43030                  | Engineering Services |           |          |            |                                    |           |      |      |      |                |
|                                     | 916 Total:           | 809.50    |          |            |                                    |           |      |      |      |                |
| 917                                 | 11/30/2013           | 6,011.61  | 0.00     | 12/17/2013 | 2014 Street Impr Feas Report       |           | -    | No   |      | 0000           |
| 409-480-8000-43030                  | Engineering Services |           |          |            |                                    |           |      |      |      |                |
|                                     | 917 Total:           | 6,011.61  |          |            |                                    |           |      |      |      |                |
|                                     | FOCUS Total:         | 92,552.21 |          |            |                                    |           |      |      |      |                |
| H & L H & L Mesabi corp             |                      |           |          |            |                                    |           |      |      |      |                |
| 89009                               | 11/22/2013           | 3,705.72  | 0.00     | 12/17/2013 | Plow Blades                        |           | -    | No   |      | 0000           |
| 101-430-3125-44040                  | Repairs/Maint Eqpt   |           |          |            |                                    |           |      |      |      |                |
|                                     | 89009 Total:         | 3,705.72  |          |            |                                    |           |      |      |      |                |
| 89128                               | 12/05/2013           | 725.90    | 0.00     | 12/17/2013 | Plow Blades                        |           | -    | No   |      | 0000           |
| 101-430-3125-44040                  | Repairs/Maint Eqpt   |           |          |            |                                    |           |      |      |      |                |
|                                     | 89128 Total:         | 725.90    |          |            |                                    |           |      |      |      |                |
|                                     | H & L Total:         | 4,431.62  |          |            |                                    |           |      |      |      |                |
| HARTMAN Hartman Homes               |                      |           |          |            |                                    |           |      |      |      |                |
| 12/122013                           | 12/12/2013           | 4,900.00  | 0.00     | 12/17/2013 | Refund Escrow #8840 11686 56th St  |           | -    | No   |      | 0000           |
| 803-000-0000-22900                  | Deposits Payable     |           |          |            |                                    |           |      |      |      |                |
|                                     | 12/122013 Total:     | 4,900.00  |          |            |                                    |           |      |      |      |                |
|                                     | HARTMAN Total:       | 4,900.00  |          |            |                                    |           |      |      |      |                |
| JOHNNICK Johnson Nick               |                      |           |          |            |                                    |           |      |      |      |                |
| Dec 2 2013                          | 12/02/2013           | 41.88     | 0.00     | 12/17/2013 | Reimb - Boulder Ponds Public Hear  |           | -    | No   |      | 0000           |
| 101-410-1910-44300                  | Miscellaneous        |           |          |            | Maier                              |           |      |      |      |                |
|                                     | Dec 2 2013 Total:    | 41.88     |          |            |                                    |           |      |      |      |                |
|                                     | JOHNNICK Total:      | 41.88     |          |            |                                    |           |      |      |      |                |
| JOHNSON& Johnson & Turner Attorneys |                      |           |          |            |                                    |           |      |      |      |                |
| 31505                               | 12/03/2013           | 4,299.20  | 0.00     | 12/17/2013 | Legal Services - Prosecution Inv # |           | -    | No   |      | 0000           |
| 101-420-2150-43045                  | Attorney Criminal    |           |          |            | 31505                              |           |      |      |      |                |
|                                     | 31505 Total:         | 4,299.20  |          |            |                                    |           |      |      |      |                |
| 31510                               | 12/03/2013           | 860.00    | 0.00     | 12/17/2013 | Legal Services -3M Inv # 31510     |           | -    | No   |      | 0000           |
| 601-494-9400-43040                  | Legal Services       |           |          |            |                                    |           |      |      |      |                |
|                                     | 31510 Total:         | 860.00    |          |            |                                    |           |      |      |      |                |
| 31512                               | 12/03/2013           | 739.00    | 0.00     | 12/17/2013 | Legal Services -Library Inv 31512  |           | -    | No   |      | 0000           |
| 206-450-5300-43040                  | Legal Services       |           |          |            |                                    |           |      |      |      |                |
|                                     | 31512 Total:         | 739.00    |          |            |                                    |           |      |      |      |                |
| 31518                               | 12/03/2013           | 3,165.00  | 0.00     | 12/17/2013 | Legal Services - Civil Inv #31518  |           | -    | No   |      | 0000           |
| 101-410-1320-43040                  | Legal Services       |           |          |            |                                    |           |      |      |      |                |
|                                     | 31518 Total:         | 3,165.00  |          |            |                                    |           |      |      |      |                |

| Invoice #                              | Inv Date              | Amount   | Quantity | Pmt Date   | Description                             | Reference | Task | Type | PO # | Close POLine # |
|--|-----------------------|----------|----------|------------|---|-----------|------|------|------|----------------|
| 31913                                  | 12/03/2013            | 655.61   | 0.00     | 12/17/2013 | Legal Services - Detachment Petition    |           | -    | No   |      | 0000           |
| 101-410-1320-43040                     | Legal Services        |          |          |            |   |           |      |      |      |                |
|  | 31913 Total:          | 655.61   |          |            |   |           |      |      |      |                |
|  | JOHNSON& Total:       | 9,718.81 |          |            |   |           |      |      |      |                |
| <hr/>                                  |                       |          |          |            |   |           |      |      |      |                |
| KAMCO Kamco, Corp                      |                       |          |          |            |   |           |      |      |      |                |
| 4130                                   | 11/29/2013            | 800.00   | 0.00     | 12/17/2013 | Cut Cottonwoods & other trees- city lot |           | -    | No   |      | 0000           |
| 101-430-3120-43150                     | Contract Services     |          |          |            |   |           |      |      |      |                |
|  | 4130 Total:           | 800.00   |          |            |   |           |      |      |      |                |
|  | KAMCO Total:          | 800.00   |          |            |   |           |      |      |      |                |
| <hr/>                                  |                       |          |          |            |   |           |      |      |      |                |
| KRUEGERX Krueger's Christmas Trees     |                       |          |          |            |   |           |      |      |      |                |
| Nov 27 2013                            | 11/27/2013            | 1,200.00 | 0.00     | 12/17/2013 | Christmas Trees for Light Up Lake Elmo  |           | -    | No   |      | 0000           |
| 101-000-0000-36200                     | Miscellaneous Revenue |          |          |            |   |           |      |      |      |                |
|  | Nov 27 2013 Total:    | 1,200.00 |          |            |   |           |      |      |      |                |
|  | KRUEGERX Total:       | 1,200.00 |          |            |   |           |      |      |      |                |
| <hr/>                                  |                       |          |          |            |   |           |      |      |      |                |
| LARSON Larson Diesel Service, Corp     |                       |          |          |            |   |           |      |      |      |                |
| 131107003                              | 11/07/2013            | 428.65   | 0.00     | 12/17/2013 | DOT & Repairs 86-1                      |           | -    | No   |      | 0000           |
| 101-430-3120-44040                     | Repairs/Maint Eqpt    |          |          |            |   |           |      |      |      |                |
|  | 131107003 Total:      | 428.65   |          |            |   |           |      |      |      |                |
| 131107004                              | 11/07/2013            | 198.56   | 0.00     | 12/17/2013 | DOT & Repairs 98-2                      |           | -    | No   |      | 0000           |
| 101-430-3120-44040                     | Repairs/Maint Eqpt    |          |          |            |   |           |      |      |      |                |
|  | 131107004 Total:      | 198.56   |          |            |   |           |      |      |      |                |
| 131107005                              | 11/07/2013            | 682.44   | 0.00     | 12/17/2013 | DOT & Repairs 00-1                      |           | -    | No   |      | 0000           |
| 101-430-3120-44040                     | Repairs/Maint Eqpt    |          |          |            |   |           |      |      |      |                |
|  | 131107005 Total:      | 682.44   |          |            |   |           |      |      |      |                |
|  | LARSON Total:         | 1,309.65 |          |            |   |           |      |      |      |                |
| <hr/>                                  |                       |          |          |            |   |           |      |      |      |                |
| LEOIL Lake Elmo Oil, Inc.              |                       |          |          |            |   |           |      |      |      |                |
| 11/30/2013                             | 11/30/2013            | 139.00   | 0.00     | 12/17/2013 | Fuel - Fire Department                  |           | -    | No   |      | 0000           |
| 101-420-2220-42120                     | Fuel, Oil and Fluids  |          |          |            |   |           |      |      |      |                |
|  | 11/30/2013 Total:     | 139.00   |          |            |   |           |      |      |      |                |
| 2328,4691,7105                         | 11/19/2013            | 141.24   | 0.00     | 12/17/2013 | Fuel - Public Works                     |           | -    | No   |      | 0000           |
| 101-430-3120-42120                     | Fuel, Oil and Fluids  |          |          |            |   |           |      |      |      |                |
|  | 2328,4691,7105 Total: | 141.24   |          |            |   |           |      |      |      |                |
|  | LEOIL Total:          | 280.24   |          |            |   |           |      |      |      |                |
| <hr/>                                  |                       |          |          |            |   |           |      |      |      |                |
| Lillie Newspapers Inc. Lillie Suburban |                       |          |          |            |   |           |      |      |      |                |
| ACCT No 007148                         | 11/29/2013            | 30.80    | 0.00     | 12/17/2013 | 11/13 Ordinance #08-091                 |           | -    | No   |      | 0000           |
| 101-410-1320-43510                     | Legal Publishing      |          |          |            |   |           |      |      |      |                |

| Invoice #                          | Inv Date                       | Amount | Quantity | Pmt Date   | Description                           | Reference | Task | Type | PO # | Close POLine # |
|------------------------------------|--------------------------------|--------|----------|------------|---------------------------------------|-----------|------|------|------|----------------|
| ACCT No 007148                     | 11/29/2013                     | 26.40  | 0.00     | 12/17/2013 | 11/20 Notice - Lake Elmo Ave          |           | -    | No   |      | 0000           |
| 101-410-1320-43510                 | Legal Publishing               |        |          |            |                                       |           |      |      |      |                |
| ACCT No 007148                     | 11/29/2013                     | 116.10 | 0.00     | 12/17/2013 | 11/20 Notice -Rieder Vacat            |           | -    | No   |      | 0000           |
| 101-410-1320-43510                 | Legal Publishing               |        |          |            |                                       |           |      |      |      |                |
| ACCT No 007148                     | 11/29/2013                     | 19.80  | 0.00     | 12/17/2013 | 11/20 Ordinance #08-092               |           | -    | No   |      | 0000           |
| 101-410-1320-43510                 | Legal Publishing               |        |          |            |                                       |           |      |      |      |                |
| ACCT No 007148                     | 11/29/2013                     | 46.20  | 0.00     | 12/17/2013 | 11/27 Ordinance #08-094               |           | -    | No   |      | 0000           |
| 101-410-1320-43510                 | Legal Publishing               |        |          |            |                                       |           |      |      |      |                |
| ACCT No 007148                     | 11/29/2013                     | 24.20  | 0.00     | 12/17/2013 | 11/27 Ordinance #08-095               |           | -    | No   |      | 0000           |
| 101-410-1320-43510                 | Legal Publishing               |        |          |            |                                       |           |      |      |      |                |
| ACCT No 007148 Total:              |                                | 263.50 |          |            |                                       |           |      |      |      |                |
| Lillie Total:                      |                                | 263.50 |          |            |                                       |           |      |      |      |                |
| <hr/>                              |                                |        |          |            |                                       |           |      |      |      |                |
| LOFF Loffler Companies, Inc.       |                                |        |          |            |                                       |           |      |      |      |                |
| 1665278                            | 12/02/2013                     | 659.18 | 0.00     | 12/17/2013 | Copy Machines Contract & Overage      |           | -    | No   |      | 0000           |
| 101-410-1940-44040                 | Repairs/Maint Contractual Eqpt |        |          |            |                                       |           |      |      |      |                |
| 1665278 Total:                     |                                | 659.18 |          |            |                                       |           |      |      |      |                |
| LOFF Total:                        |                                | 659.18 |          |            |                                       |           |      |      |      |                |
| <hr/>                              |                                |        |          |            |                                       |           |      |      |      |                |
| MARONEYS Maroney's Sanitation, Inc |                                |        |          |            |                                       |           |      |      |      |                |
| 505424                             | 12/04/2013                     | 108.32 | 0.00     | 12/17/2013 | Waste Removal - City Hall             |           | -    | No   |      | 0000           |
| 101-410-1940-43840                 | Refuse                         |        |          |            |                                       |           |      |      |      |                |
| 505424                             | 12/04/2013                     | 47.68  | 0.00     | 12/17/2013 | Waste Removal - Fire                  |           | -    | No   |      | 0000           |
| 101-420-2220-43840                 | Refuse                         |        |          |            |                                       |           |      |      |      |                |
| 505424                             | 12/04/2013                     | 207.82 | 0.00     | 12/17/2013 | Waste Removal - Public Works          |           | -    | No   |      | 0000           |
| 101-430-3100-43840                 | Refuse                         |        |          |            |                                       |           |      |      |      |                |
| 505424                             | 12/04/2013                     | 207.82 | 0.00     | 12/17/2013 | Waste Removal - Parks                 |           | -    | No   |      | 0000           |
| 101-450-5200-43840                 | Refuse                         |        |          |            |                                       |           |      |      |      |                |
| 505424                             | 12/04/2013                     | 48.12  | 0.00     | 12/17/2013 | Waste Removal - Library               |           | -    | No   |      | 0000           |
| 206-450-5300-43840                 | Refuse                         |        |          |            |                                       |           |      |      |      |                |
| 505424 Total:                      |                                | 619.76 |          |            |                                       |           |      |      |      |                |
| MARONEYS Total:                    |                                | 619.76 |          |            |                                       |           |      |      |      |                |
| <hr/>                              |                                |        |          |            |                                       |           |      |      |      |                |
| MENARDSO Menards - Oakdale         |                                |        |          |            |                                       |           |      |      |      |                |
| 32750                              | 11/27/2013                     | 47.05  | 0.00     | 12/17/2013 | Blade & hardware - Public Works       |           | -    | No   |      | 0000           |
| 101-430-3100-42150                 | Shop Materials                 |        |          |            |                                       |           |      |      |      |                |
| 32750 Total:                       |                                | 47.05  |          |            |                                       |           |      |      |      |                |
| 33396                              | 12/05/2013                     | 32.04  | 0.00     | 12/17/2013 | Lights/Light up Lake Elmo - Fire Dept |           | -    | No   |      | 0000           |
| 101-420-2220-44300                 | Miscellaneous                  |        |          |            |                                       |           |      |      |      |                |
| 33396                              | 12/05/2013                     | 8.30   | 0.00     | 12/17/2013 | Tote for Ice Melt - Fire Dept         |           | -    | No   |      | 0000           |
| 101-420-2220-42400                 | Small Tools & Equipment        |        |          |            |                                       |           |      |      |      |                |
| 33396                              | 12/05/2013                     | 34.63  | 0.00     | 12/17/2013 | Water Softener Salt - Fire Dept       |           | -    | No   |      | 0000           |
| 101-420-2220-44010                 | Repairs/Maint Bldg             |        |          |            |                                       |           |      |      |      |                |

| Invoice #                                      | Inv Date        | Amount     | Quantity | Pmt Date   | Description                              | Reference | Task | Type | PO # | Close POLine # |
|--|-----------------|------------|----------|------------|--|-----------|------|------|------|----------------|
|  | 33396 Total:    | 74.97      |          |            |  |           |      |      |      |                |
|  | MENARDSO Total: | 122.02     |          |            |  |           |      |      |      |                |
| MES Municipal Emergency Svs. Inc.              |                 |            |          |            |  |           |      |      |      |                |
| 00460945 SNV                                   | 10/28/2013      | 726.56     | 0.00     | 12/17/2013 | 2 Pair Bunker Boots - Fire Dept          |           | -    | No   |      | 0000           |
| 101-420-2220-42400 Small Tools & Equipment     |                 | 726.56     |          |            |  |           |      |      |      |                |
| 00460945 SNV                                   | Total:          | 726.56     |          |            |  |           |      |      |      |                |
| MES Total:                                     |                 | 726.56     |          |            |  |           |      |      |      |                |
| MESSERLI Messerli & Kramer                     |                 |            |          |            |  |           |      |      |      |                |
| 292633   | 12/06/2013      | 1,000.00   | 0.00     | 12/17/2013 | 2013-2014 Legislative Repr 12/1-12/31/13 |           | -    | No   |      | 0000           |
| 101-410-1320-43150 Contract Services           |                 | 1,000.00   |          |            |  |           |      |      |      |                |
| 292633   | Total:          | 1,000.00   |          |            |  |           |      |      |      |                |
| MESSERLI Total:                                |                 | 1,000.00   |          |            |  |           |      |      |      |                |
| METCOU Metropolitan Council                    |                 |            |          |            |  |           |      |      |      |                |
| 1028204  | 12/09/2013      | 1,550.84   | 0.00     | 12/17/2013 | Monthly Wastewater Service January 2014  |           | -    | No   |      | 0000           |
| 602-495-9450-43820 Sewer Utility - Met Council |                 | 1,550.84   |          |            |  |           |      |      |      |                |
| 1028204  | Total:          | 1,550.84   |          |            |  |           |      |      |      |                |
| METCOU Total:                                  |                 | 1,550.84   |          |            |  |           |      |      |      |                |
| MINGERCO Minger Construction Inc               |                 |            |          |            |  |           |      |      |      |                |
| Pay Request No3                                | 12/01/2013      | 954,513.43 | 0.00     | 12/17/2013 | LE Ave Sewer Infra Imp Proj 2013.123     |           | -    | No   |      | 0000           |
| 409-480-8000-43030 Engineering Services        |                 | 954,513.43 |          |            |  |           |      |      |      |                |
| Pay Request No3                                | Total:          | 954,513.43 |          |            |  |           |      |      |      |                |
| MINGERCO Total:                                |                 | 954,513.43 |          |            |  |           |      |      |      |                |
| NASALTCO North American Salt Company           |                 |            |          |            |  |           |      |      |      |                |
| 71065208                                       | 12/04/2013      | 3,187.58   | 0.00     | 12/17/2013 | Road Salt - Dec 4 2013                   |           | -    | No   |      | 0000           |
| 101-430-3125-42290 Sand/Salt                   |                 | 3,187.58   |          |            |  |           |      |      |      |                |
| 71065208                                       | Total:          | 3,187.58   |          |            |  |           |      |      |      |                |
| 71065999                                       | 12/05/2013      | 3,135.60   | 0.00     | 12/17/2013 | Road Salt - Dec 5 2013                   |           | -    | No   |      | 0000           |
| 101-430-3125-42290 Sand/Salt                   |                 | 3,135.60   |          |            |  |           |      |      |      |                |
| 71065999                                       | Total:          | 3,135.60   |          |            |  |           |      |      |      |                |
| NASALTCO Total:                                |                 | 6,323.18   |          |            |  |           |      |      |      |                |
| NCPERS 566200-NCPERS Minnesota                 |                 |            |          |            |  |           |      |      |      |                |
| 5662913  | 11/21/2013      | 176.00     | 0.00     | 12/17/2013 | December 2013 Deductions                 |           | -    | No   |      | 0000           |
| 101-000-0000-21708 Other Benefits              |                 | 176.00     |          |            |  |           |      |      |      |                |
| 5662913  | Total:          | 176.00     |          |            |  |           |      |      |      |                |

| Invoice #                              | Inv Date                | Amount     | Quantity | Pmt Date   | Description                             | Reference | Task | Type | PO # | Close POLine # |
|--|-------------------------|------------|----------|------------|---|-----------|------|------|------|----------------|
| NCPERS Total:                          |                         | 176.00     |          |            |   |           |      |      |      |                |
| <hr/>                                  |                         |            |          |            |   |           |      |      |      |                |
| NORTHTOO Blue Tarp Financial           |                         |            |          |            |   |           |      |      |      |                |
| 11/26/2013                             | 11/26/2013              | 107.10     | 0.00     | 12/17/2013 | 2-Chain Saw Safety Helmets - Fire Dept  |           | -    | No   |      | 0000           |
| 101-420-2220-42400                     | Small Tools & Equipment |            |          |            |   |           |      |      |      |                |
| 11/26/2013                             | 11/26/2013              | 74.98      | 0.00     | 12/17/2013 | Replacement Cordreel Stat #2-Fire Dept  |           | -    | No   |      | 0000           |
| 101-420-2220-44040                     | Repairs/Maint Eqpt      |            |          |            |   |           |      |      |      |                |
| 11/26/2013                             | 11/26/2013              | -10.71     | 0.00     | 12/17/2013 | Credit Rec'd Sale Slip #4917 Helmets    |           | -    | No   |      | 0000           |
| 101-420-2220-42400                     | Small Tools & Equipment |            |          |            |   |           |      |      |      |                |
| 11/26/2013 Total:                      |                         | 171.37     |          |            |   |           |      |      |      |                |
| NORTHTOO Total:                        |                         | 171.37     |          |            |   |           |      |      |      |                |
| <hr/>                                  |                         |            |          |            |   |           |      |      |      |                |
| ONECALL Gopher State One Call          |                         |            |          |            |   |           |      |      |      |                |
| 83488                                  | 11/30/2013              | 146.45     | 0.00     | 12/17/2013 | FTP Tickets - November 2013             |           | -    | No   |      | 0000           |
| 101-430-3100-43150                     | Contract Services       |            |          |            |   |           |      |      |      |                |
| 83488 Total:                           |                         | 146.45     |          |            |   |           |      |      |      |                |
| ONECALL Total:                         |                         | 146.45     |          |            |   |           |      |      |      |                |
| <hr/>                                  |                         |            |          |            |   |           |      |      |      |                |
| PINKY Pinky's Sewer Service, Inc.      |                         |            |          |            |   |           |      |      |      |                |
| 64943                                  | 12/02/2013              | 100.00     | 0.00     | 12/17/2013 | Pumped 2 Septic Tanks - Library         |           | -    | No   |      | 0000           |
| 206-450-5300-44010                     | Repairs/Maint Bldg      |            |          |            |   |           |      |      |      |                |
| 64943 Total:                           |                         | 100.00     |          |            |   |           |      |      |      |                |
| PINKY Total:                           |                         | 100.00     |          |            |   |           |      |      |      |                |
| <hr/>                                  |                         |            |          |            |   |           |      |      |      |                |
| PIONEER Pioneer Press                  |                         |            |          |            |   |           |      |      |      |                |
| 1113520397                             | 11/30/2013              | 471.20     | 0.00     | 12/17/2013 | City Notices/Public Hearings 11/1-11/30 |           | -    | No   |      | 0000           |
| 101-410-1450-43510                     | Public Notices          |            |          |            |   |           |      |      |      |                |
| 1113520397 Total:                      |                         | 471.20     |          |            |   |           |      |      |      |                |
| PIONEER Total:                         |                         | 471.20     |          |            |   |           |      |      |      |                |
| <hr/>                                  |                         |            |          |            |   |           |      |      |      |                |
| POSTOFFI Postmaster                    |                         |            |          |            |   |           |      |      |      |                |
| 12/10/2013                             | 12/10/2013              | 527.02     | 0.00     | 12/17/2013 | Newsletter - Winter Source 2013         |           | -    | No   |      | 0000           |
| 101-410-1450-43510                     | Public Notices          |            |          |            |   |           |      |      |      |                |
| 12/10/2013 Total:                      |                         | 527.02     |          |            |   |           |      |      |      |                |
| POSTOFFI Total:                        |                         | 527.02     |          |            |   |           |      |      |      |                |
| <hr/>                                  |                         |            |          |            |   |           |      |      |      |                |
| REDSTONE Redstone Construction Co. Inc |                         |            |          |            |   |           |      |      |      |                |
| Pay Request No2                        | 12/01/2013              | 308,248.52 | 0.00     | 12/17/2013 | Section 34 Water&Sewer- end 12/1/13     |           | -    | No   |      | 0000           |
| 601-494-9400-43030                     | Engineering Services    |            |          |            |   |           |      |      |      |                |

| Invoice #                             | Inv Date                           | Amount     | Quantity | Pmt Date   | Description                                 | Reference | Task | Type | PO # | Close POLine # |
|---------------------------------------|------------------------------------|------------|----------|------------|---|-----------|------|------|------|----------------|
| Pay Request No2<br>602-495-9450-43030 | 12/01/2013<br>Engineering Services | 462,372.77 | 0.00     | 12/17/2013 | Section 34 Water&Sewer- end                 | 12/1/13   | -    | No   |      | 0000           |
|                                       | Pay Request No2 Total:             | 770,621.29 |          |            |   |           |      |      |      |                |
|                                       | REDSTONE Total:                    | 770,621.29 |          |            |   |           |      |      |      |                |
| RENLUINDT Renlund Terry               |                                    |            |          |            |   |           |      |      |      |                |
| 11                                    | 11/05/2013                         | 378.00     | 0.00     | 12/17/2013 | Building Inspector Services -11/1 &<br>11/4 |           | -    | No   |      | 0000           |
| 101-420-2400-43150                    | Inspector Contract Services        |            |          |            |   |           |      |      |      |                |
| 11                                    | 11/05/2013                         | 114.13     | 0.00     | 12/17/2013 | Building Inspector Mileage -11/1 &<br>11/4  |           | -    | No   |      | 0000           |
| 101-420-2400-43310                    | Mileage                            |            |          |            |   |           |      |      |      |                |
|                                       | 11 Total:                          | 492.13     |          |            |   |           |      |      |      |                |
| 12                                    | 12/03/2013                         | 297.00     | 0.00     | 12/17/2013 | Building Inspector Services 11/18&<br>11/27 |           | -    | No   |      | 0000           |
| 101-420-2400-43150                    | Inspector Contract Services        |            |          |            |   |           |      |      |      |                |
| 12                                    | 12/03/2013                         | 73.45      | 0.00     | 12/17/2013 | Building Inspector Mileage 11/18&<br>11/27  |           | -    | No   |      | 0000           |
| 101-420-2400-43310                    | Mileage                            |            |          |            |   |           |      |      |      |                |
|                                       | 12 Total:                          | 370.45     |          |            |   |           |      |      |      |                |
|                                       | RENLUINDT Total:                   | 862.58     |          |            |   |           |      |      |      |                |
| S&T S&T Office Products, Inc.         |                                    |            |          |            |   |           |      |      |      |                |
| 01QC4803                              | 11/27/2013                         | 7.77       | 0.00     | 12/17/2013 | Office Supplies - Library                   |           | -    | No   |      | 0000           |
| 206-450-5300-42000                    | Office Supplies                    |            |          |            |   |           |      |      |      |                |
|                                       | 01QC4803 Total:                    | 7.77       |          |            |   |           |      |      |      |                |
| 01QC7128                              | 12/05/2013                         | 76.60      | 0.00     | 12/17/2013 | Office Supplies - Administration            |           | -    | No   |      | 0000           |
| 101-410-1320-42000                    | Office Supplies                    |            |          |            |   |           |      |      |      |                |
|                                       | 01QC7128 Total:                    | 76.60      |          |            |   |           |      |      |      |                |
|                                       | S&T Total:                         | 84.37      |          |            |   |           |      |      |      |                |
| SABRE Sabre Plumbing, Heating & A/C   |                                    |            |          |            |   |           |      |      |      |                |
| 2013-00643                            | 12/10/2013                         | 160.00     | 0.00     | 12/17/2013 | Refund Mechanical Permit 10961 57th<br>St N |           | -    | No   |      | 0000           |
| 101-000-0000-32230                    | Plumbing Permits                   |            |          |            |   |           |      |      |      |                |
|                                       | 2013-00643 Total:                  | 160.00     |          |            |   |           |      |      |      |                |
| 2013-00644                            | 12/10/2013                         | 160.00     | 0.00     | 12/17/2013 | Refund Plumbing Permit 10961 57th St<br>N   |           | -    | No   |      | 0000           |
| 101-000-0000-32230                    | Plumbing Permits                   |            |          |            |   |           |      |      |      |                |
|                                       | 2013-00644 Total:                  | 160.00     |          |            |   |           |      |      |      |                |
|                                       | SABRE Total:                       | 320.00     |          |            |   |           |      |      |      |                |
| SAMSLUB Sam's Club                    |                                    |            |          |            |   |           |      |      |      |                |
| Dec 7 2013                            | 12/07/2013                         | 59.76      | 0.00     | 12/17/2013 | Coffee - Water Rehab supplies - Fire<br>Dpt |           | -    | No   |      | 0000           |
| 101-420-2220-44300                    | Miscellaneous                      |            |          |            |   |           |      |      |      |                |
| Dec 7 2013                            | 12/07/2013                         | 51.29      | 0.00     | 12/17/2013 | Ice Melt - Fire Dept                        |           | -    | No   |      | 0000           |
| 101-420-2220-42400                    | Small Tools & Equipment            |            |          |            |   |           |      |      |      |                |
|                                       | Dec 7 2013 Total:                  | 111.05     |          |            |   |           |      |      |      |                |

| Invoice #                                  | Inv Date                       | Amount    | Quantity | Pmt Date   | Description                            | Reference | Task | Type | PO # | Close POLine # |
|--|--------------------------------|-----------|----------|------------|--|-----------|------|------|------|----------------|
| SAMSCLUB Total:                            |                                | 111.05    |          |            |  |           |      |      |      |                |
| SHI SHI International Corp                 |                                |           |          |            |  |           |      |      |      |                |
| B0159608                                   | 11/29/2013                     | 191.76    | 0.00     | 12/17/2013 | Computer Software, Sachs-              |           | -    | No   |      | 0000           |
| 601-494-9400-43180                         | Software Support               |           |          |            |  |           |      |      |      |                |
| B0159608 Total:                            |                                | 191.76    |          |            |  |           |      |      |      |                |
| SHI Total:                                 |                                | 191.76    |          |            |  |           |      |      |      |                |
| SW/WC SW/WC Service Cooperatives           |                                |           |          |            |  |           |      |      |      |                |
| 1213 307                                   | 11/25/2013                     | 24,030.00 | 0.00     | 12/17/2013 | January 2014 Insurance Premiums        |           | -    | No   |      | 0000           |
| 101-000-0000-21706                         | Medical Insurance              |           |          |            |  |           |      |      |      |                |
| 11/25/2013 Total:                          |                                | 24,030.00 |          |            |  |           |      |      |      |                |
| SW/WC Total:                               |                                | 24,030.00 |          |            |  |           |      |      |      |                |
| TOWNCTRY Town & Country Cleaning Co        |                                |           |          |            |  |           |      |      |      |                |
| 1213 307                                   | 12/01/2013                     | 245.81    | 0.00     | 12/17/2013 | December Janitoria Service - City Hall |           | -    | No   |      | 0000           |
| 101-410-1940-44010                         | Repairs/Maint Contractual Bldg |           |          |            |  |           |      |      |      |                |
| 1213 307 Total:                            |                                | 245.81    |          |            |  |           |      |      |      |                |
| 1213 348                                   | 12/01/2013                     | 187.47    | 0.00     | 12/17/2013 | December Janitoria Service - Library   |           | -    | No   |      | 0000           |
| 206-450-5300-44010                         | Repairs/Maint Bldg             |           |          |            |  |           |      |      |      |                |
| 1213 348 Total:                            |                                | 187.47    |          |            |  |           |      |      |      |                |
| TOWNCTRY Total:                            |                                | 433.28    |          |            |  |           |      |      |      |                |
| WASH-REC Washington County                 |                                |           |          |            |  |           |      |      |      |                |
| P242342                                    | 12/02/2013                     | 46.00     | 0.00     | 12/17/2013 | Recorder/Registrar-L E City            |           | -    | No   |      | 0000           |
| 101-410-1910-42030                         | Printed Forms                  |           |          |            |  |           |      |      |      |                |
| P242342 Total:                             |                                | 46.00     |          |            |  |           |      |      |      |                |
| P243947                                    | 12/02/2013                     | 46.00     | 0.00     | 12/17/2013 | Recorder/Registrar-Ryan Anderson       |           | -    | No   |      | 0000           |
| 101-410-1910-42030                         | Printed Forms                  |           |          |            |  |           |      |      |      |                |
| P243947 Total:                             |                                | 46.00     |          |            |  |           |      |      |      |                |
| WASH-REC Total:                            |                                | 92.00     |          |            |  |           |      |      |      |                |
| WASHWFC Assessor Division Washington Count |                                |           |          |            |  |           |      |      |      |                |
| 12/5/2013                                  | 12/05/2013                     | 250.00    | 0.00     | 12/17/2013 | Wash Cty Web Subc 2014 Annual Fee      |           | -    | No   |      | 0000           |
| 101-000-0000-15500                         | Prepaid Items                  |           |          |            |  |           |      |      |      |                |
| 12/5/2013 Total:                           |                                | 250.00    |          |            |  |           |      |      |      |                |
| WASHWFC Total:                             |                                | 250.00    |          |            |  |           |      |      |      |                |

| Invoice #          | Inv Date         | Amount   | Quantity | Pmt Date   | Description            | Reference              | Task | Type | PO # | Close POLine # |
|--------------------|------------------|----------|----------|------------|------------------------|------------------------|------|------|------|----------------|
| XCEL Xcel Energy   |                  |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 47.88    | 0.00     | 12/17/2013 | Lights at Legion Park- | 3509 Laverne           | -    | No   |      | 0000           |
| 101-450-5200-43810 | Electric Utility |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 31.04    | 0.00     | 12/17/2013 | Lift Station - 8860    | Hudson                 | -    | No   |      | 0000           |
| 602-495-9450-43810 | Electric Utility |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 86.25    | 0.00     | 12/17/2013 | Traffic Lights - 100   | Inwood                 | -    | No   |      | 0000           |
| 101-430-3160-43810 | Street Lighting  |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 33.13    | 0.00     | 12/17/2013 | Street Lights - 3014   | Jamley                 | -    | No   |      | 0000           |
| 101-430-3160-43810 | Street Lighting  |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 673.83   | 0.00     | 12/17/2013 | Fire Station # - 4259  | Jamaca                 | -    | No   |      | 0000           |
| 101-420-2220-43810 | Electric Utility |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 349.24   | 0.00     | 12/17/2013 | City Hall - 3800       | Laverne                | -    | No   |      | 0000           |
| 101-410-1940-43810 | Electric Utility |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 34.05    | 0.00     | 12/17/2013 | Traffic Lights - 100   | Keats                  | -    | No   |      | 0000           |
| 101-430-3160-43810 | Street Lighting  |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 669.13   | 0.00     | 12/17/2013 | City Hall - 3800       | Laverne                | -    | No   |      | 0000           |
| 101-410-1940-43810 | Electric Utility |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 15.06    | 0.00     | 12/17/2013 | Tennis Court - 3510    | Laverne                | -    | No   |      | 0000           |
| 101-450-5200-43810 | Electric Utility |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 97.54    | 0.00     | 12/17/2013 | Parks Bldg - 11194     | Upper 33rd             | -    | No   |      | 0000           |
| 101-450-5200-43810 | Electric Utility |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 15.77    | 0.00     | 12/17/2013 | Pebble Park - 8170     | Lake Jane Trl          | -    | No   |      | 0000           |
| 101-450-5200-43810 | Electric Utility |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 1,604.16 | 0.00     | 12/17/2013 | Wells 1 & 2 - 3303     | Langly & 11975<br>55th | -    | No   |      | 0000           |
| 601-494-9400-43810 | Electric Utility |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 49.41    | 0.00     | 12/17/2013 | Traffic Lights - 998   | Inwood                 | -    | No   |      | 0000           |
| 101-430-3160-43810 | Street Lighting  |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 118.42   | 0.00     | 12/17/2013 | Arts Center - 3585     | Laverne                | -    | No   |      | 0000           |
| 101-450-5200-43810 | Electric Utility |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 20.35    | 0.00     | 12/17/2013 | Lift Station - 11062   | 34th St                | -    | No   |      | 0000           |
| 602-495-9450-43810 | Electric Utility |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 34.52    | 0.00     | 12/17/2013 | Lift Station - 2759    | Legion Ave             | -    | No   |      | 0000           |
| 101-495-9450-43810 | Electric Utility |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 382.89   | 0.00     | 12/17/2013 | Fire Station 1 - 3510  | Laverne                | -    | No   |      | 0000           |
| 101-420-2220-43810 | Electric Utility |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 131.61   | 0.00     | 12/17/2013 | Legion Park - 3511     | Laverne                | -    | No   |      | 0000           |
| 101-450-5200-43810 | Electric Utility |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 2,009.61 | 0.00     | 12/17/2013 | Street Lights -        |                        | -    | No   |      | 0000           |
| 101-430-3160-43810 | Street Lighting  |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 28.52    | 0.00     | 12/17/2013 | Traffic - Manning &    | Stillwater Blvd        | -    | No   |      | 0000           |
| 101-430-3160-43810 | Street Lighting  |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 11.66    | 0.00     | 12/17/2013 | VFW Ballfields Lts -   | 3675 Layton            | -    | No   |      | 0000           |
| 101-450-5200-43810 | Electric Utility |          |          |            |                        |                        |      |      |      |                |
| 11/20/2013         | 11/20/2013       | 34.33    | 0.00     | 12/17/2013 | VFW Ballfields Lts -   | 3675 Layton            | -    | No   |      | 0000           |
| 101-450-5200-43810 | Electric Utility |          |          |            |                        |                        |      |      |      |                |

| Invoice #                          | Inv Date             | Amount       | Quantity | Pmt Date   | Description                              | Reference | Task | Type | PO # | Close POLine # |
|------------------------------------|----------------------|--------------|----------|------------|--|-----------|------|------|------|----------------|
| 11/20/2013                         | 11/20/2013           | 848.06       | 0.00     | 12/17/2013 | Public Works - 3400 Ideal                |           | -    | No   |      | 0000           |
| 101-430-3100-43810                 | Electric Utility     |              |          |            |  |           |      |      |      |                |
| 11/20/2013                         | 11/20/2013           | 167.48       | 0.00     | 12/17/2013 | Water Tower 2 - 3445 Ideal Ave           |           | -    | No   |      | 0000           |
| 601-494-9400-43810                 | Electric Utility     |              |          |            |  |           |      |      |      |                |
| 11/20/2013                         | 11/20/2013           | 12.48        | 0.00     | 12/17/2013 | Speed Sign Hwy 5 - 10901 Stillwater Blvd |           | -    | No   |      | 0000           |
| 101-430-3160-43810                 | Street Lighting      |              |          |            |  |           |      |      |      |                |
| 11/20/2013                         | 11/20/2013           | 37.69        | 0.00     | 12/17/2013 | Welcome Sign - 425 Keats                 |           | -    | No   |      | 0000           |
| 101-430-3160-43810                 | Street Lighting      |              |          |            |  |           |      |      |      |                |
| 11/20/2013                         | 11/20/2013           | 614.69       | 0.00     | 12/17/2013 | Library - 3537 Lake Elmo Ave             |           | -    | No   |      | 0000           |
| 206-450-5300-43810                 | Electric Utility     |              |          |            |  |           |      |      |      |                |
|                                    | 11/29/2013 Total:    | 8,158.80     |          |            |  |           |      |      |      |                |
|                                    | XCEL Total:          | 8,158.80     |          |            |  |           |      |      |      |                |
| YALEMECH Yale Mechanical           |                      |              |          |            |  |           |      |      |      |                |
| 14-0234                            | 11/29/2013           | 3,910.00     | 0.00     | 12/17/2013 | Furnance Replacement - Fire Station 1    |           | -    | No   |      | 0000           |
| 101-420-2220-44010                 | Repairs/Maint Bldg   |              |          |            |  |           |      |      |      |                |
|                                    | 14-0234 Total:       | 3,910.00     |          |            |  |           |      |      |      |                |
|                                    | YALEMECH Total:      | 3,910.00     |          |            |  |           |      |      |      |                |
| YOCUM Yocum Oil Company, Inc.      |                      |              |          |            |  |           |      |      |      |                |
| 593119                             | 11/20/2013           | 1,625.15     | 0.00     | 12/17/2013 | Fuel - Public Works                      |           | -    | No   |      | 0000           |
| 101-430-3120-42120                 | Fuel, Oil and Fluids |              |          |            |  |           |      |      |      |                |
|                                    | 593119 Total:        | 1,625.15     |          |            |  |           |      |      |      |                |
|                                    | YOCUM Total:         | 1,625.15     |          |            |  |           |      |      |      |                |
| YOUTHSEB Youth Service Bureau, Inc |                      |              |          |            |  |           |      |      |      |                |
| 961                                | 11/25/2013           | 5,000.00     | 0.00     | 12/17/2013 | YSB Services for 2013                    |           | -    | No   |      | 0000           |
| 101-410-1110-44330                 | Dues & Subscriptions |              |          |            |  |           |      |      |      |                |
|                                    | 961 Total:           | 5,000.00     |          |            |  |           |      |      |      |                |
|                                    | YOUTHSEB Total:      | 5,000.00     |          |            |  |           |      |      |      |                |
|                                    | Report Total:        | 2,012,424.25 |          |            |  |           |      |      |      |                |



MAYOR & COUNCIL COMMUNICATION

DATE: December 17, 2013  
CONSENT  
ITEM #3  
MOTION

AGENDA ITEM: November 2013 Financial Reporting

SUBMITTED BY: Cathy Bendel, Finance Director

THROUGH: Cathy Bendel, Finance Director

REVIEWED BY: Dean Zuleger, City Administrator

**SUGGESTED ORDER OF BUSINESS:**

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

**POLICY RECOMMENDER:** Finance

**FISCAL IMPACT:** NA

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

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

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

The most significant variances are highlighted below:

Revenues:

- Building Permit revenue for the month was 26% below budget. On a year to date basis actual activity continues to be above plan by 13%.
- Utility Permit revenue for the month and year to date continues to be well above budget due to the extensive development work along Hudson Boulevard and the need to relocate numerous utilities. These amounts represent the ROW permit fees.
- Plan review fees for the month were 42% below budget bringing the year to date revenue to 40% above budget.

Expenses:

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

- The City Council recently approved participation in the Youth Services bureau and the expense of \$5,000 is reflected in the Mayor and Council department. A portion of the funds recently donated by the Jaycees will be used to fund this expense.
- The cost for the Special Election in November are not reflected in the Financials due the costs being 100% reimbursable.
- The Planning Department has incurred expenses above the amounts budgeted for many expense items due to the City expansion initiative. The majority of the expenses were related to Engineering support and Contractor expenses.
- Small tools and equipment are over for the Fire Department for the month of November due to the purchase of the turnout gear for the 5 new firemen. These funds were budgeted earlier in the year and as a result, on a year to date basis, this expense category continues to be 39% under budget.
- Engineering costs are above budget in the Building Inspection department on a year to date basis due to all the additional work necessary due to the growth initiative.
- The Cost for the Permit Works software and licenses of \$16.3k is reflected in the year to date Info technology costs for the Building Inspection department. This expense was not budgeted.
- Contract services in the Animal Control department are above budget due to an initiative to get the cat population under control. There was a large group of cats contained in November and the majority of these expenses will be recovered.

- Sand and salt for the month came in under budget but with the recent snow it will swing back around in December. On a year to date basis the costs are very close to budget.
- Please note that the salary and benefit expenses are based on more accurate departmental allocations than we had in August 2012 when the 2013 budget was initially compiled. As a result, some departments are above budget, while others are under but overall, personnel expenses are below budget.

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

**ATTACHMENT:**

1. November Financial Reports



**EXPENSE**

**1110 - Mayor & Council**

|                                  |               |                 |                   |                  |                  |                   |                |
|----------------------------------|---------------|-----------------|-------------------|------------------|------------------|-------------------|----------------|
| PT Salaries                      | 0.00          | 0.00            | 0.00              | 12,845.00        | 12,845.00        | 0.00              | 0.00%          |
| FICA Contributions               | 0.00          | 0.00            | 0.00              | 796.39           | 796.39           | 0.00              | 0.00%          |
| Medicare Contributions           | 0.00          | 0.00            | 0.00              | 186.25           | 186.27           | (0.02)            | -0.01%         |
| Workers Compensation             | 0.00          | 0.00            | 0.00              | 36.00            | 215.80           | (179.80)          | -499.44%       |
| Mileage                          | 500.00        | 0.00            | 500.00            | 1,000.00         | 53.11            | 946.89            | 94.69%         |
| Miscellaneous                    | 0.00          | 5,037.49        | (5,037.49)        | 565.27           | 6,575.82         | (6,010.55)        | -1063.31%      |
| Dues & Subscriptions             | 0.00          | 0.00            | 0.00              | 8,391.00         | 12,711.32        | (4,320.32)        | -51.49%        |
| Conferences & Training           | 0.00          | 0.00            | 0.00              | 2,155.00         | 1,586.00         | 569.00            | 26.40%         |
| <b>Total Mayor &amp; Council</b> | <b>500.00</b> | <b>5,037.49</b> | <b>(4,537.49)</b> | <b>25,974.91</b> | <b>34,969.71</b> | <b>(8,994.80)</b> | <b>-34.63%</b> |

**1320 - Administration**

|                             |                  |                  |                   |                   |                   |                   |               |
|-----------------------------|------------------|------------------|-------------------|-------------------|-------------------|-------------------|---------------|
| FT Salaries                 | 13,000.00        | 12,628.81        | 371.19            | 167,444.93        | 150,927.34        | 16,517.59         | 9.86%         |
| PERA Contributions          | 942.50           | 930.51           | 11.99             | 11,814.07         | 10,835.55         | 978.52            | 8.28%         |
| ICMA Contributions          | 0.00             | 0.00             | 0.00              | 0.00              | 0.00              | 0.00              | 0.00%         |
| FICA Contributions          | 806.00           | 752.53           | 53.47             | 10,186.13         | 8,844.13          | 1,342.00          | 13.17%        |
| Medicare Contributions      | 188.50           | 175.98           | 12.52             | 2,382.30          | 2,068.43          | 313.87            | 13.18%        |
| Health/Dental Insurance     | 3,127.60         | 1,611.00         | 1,516.60          | 34,403.60         | 27,721.00         | 6,682.60          | 19.42%        |
| Unemployment Benefits       | 0.00             | 0.00             | 0.00              | 0.00              | 3,082.47          | (3,082.47)        | 0.00%         |
| Workers Compensation        | 0.00             | 0.00             | 0.00              | 1,396.00          | 728.39            | 667.61            | 47.82%        |
| Office Supplies             | 300.00           | 576.39           | (276.39)          | 4,938.61          | 5,715.41          | (776.80)          | -15.73%       |
| Printed Forms               | 0.00             | 0.00             | 0.00              | 363.91            | 0.00              | 363.91            | 100.00%       |
| Legal Services              | 4,000.00         | 7,090.55         | (3,090.55)        | 44,000.00         | 53,455.34         | (9,455.34)        | -21.49%       |
| Newsletter/Website          | 0.00             | 0.00             | 0.00              | 0.00              | 355.66            | (355.66)          | 0.00%         |
| Assessing Services          | 2,000.00         | 2,000.00         | 0.00              | 23,500.00         | 30,234.14         | (6,734.14)        | -28.66%       |
| Contract Services           | 0.00             | 1,000.00         | (1,000.00)        | 0.00              | 4,000.00          | (4,000.00)        | 0.00%         |
| Information Technology      | 0.00             | 0.00             | 0.00              | 0.00              | 862.67            | (862.67)          | 0.00%         |
| Telephone                   | 300.00           | 337.07           | (37.07)           | 0.00              | 2,359.45          | (2,359.45)        | 0.00%         |
| Postage                     | 150.00           | 129.57           | 20.43             | 3,300.00          | 3,053.50          | 246.50            | 7.47%         |
| Mileage                     | 0.00             | 0.00             | 0.00              | 1,650.00          | 1,050.55          | 599.45            | 36.33%        |
| Legal Publishing            | 0.00             | 438.90           | (438.90)          | 157.74            | 2,656.78          | (2,499.04)        | -1584.28%     |
| Insurance                   | 0.00             | 0.00             | 0.00              | 38,800.00         | 35,339.30         | 3,460.70          | 8.92%         |
| Cable Operation Expense     | 0.00             | 0.00             | 0.00              | 0.00              | 0.00              | 0.00              | 0.00%         |
| Miscellaneous               | 100.00           | 0.00             | 100.00            | 1,100.00          | 2,623.49          | (1,523.49)        | -138.50%      |
| Dues & Subscriptions        | 100.00           | 0.00             | 100.00            | 1,100.00          | 1,265.96          | (165.96)          | -15.09%       |
| Books                       | 0.00             | 238.82           | (238.82)          | 0.00              | 464.31            | (464.31)          | 0.00%         |
| Conferences & Training      | 200.00           | 239.86           | (39.86)           | 1,975.93          | 3,283.39          | (1,307.46)        | -66.17%       |
| Staff Development           | 0.00             | 0.00             | 0.00              | 870.00            | 0.00              | 870.00            | 100.00%       |
| <b>Total Administration</b> | <b>25,214.60</b> | <b>28,149.99</b> | <b>(2,935.39)</b> | <b>349,383.22</b> | <b>350,927.26</b> | <b>(1,544.04)</b> | <b>-0.44%</b> |

|                                 |                 |                 |                   |                |             |             |             |                 |                  |               |
|---------------------------------|-----------------|-----------------|-------------------|----------------|-------------|-------------|-------------|-----------------|------------------|---------------|
| <b>1410 - Elections</b>         |                 |                 |                   |                |             |             |             |                 |                  |               |
| PT Salaries                     | 0.00            | 0.00            | 0.00              | 0.00           | 0.00        | 0.00        | 0.00        | 100.00          | (100.00)         | 0.00%         |
| Office Supplies                 | 0.00            | 0.00            | 0.00              | 0.00           | 0.00        | 0.00        | 0.00        | 0.00            | 150.00           | 100.00%       |
| Legal Publications/Notification | 0.00            | 0.00            | 0.00              | 0.00           | 0.00        | 0.00        | 0.00        | 0.00            | 2,150.00         | 100.00%       |
| Election Equipment              | 0.00            | 0.00            | 0.00              | 0.00           | 0.00        | 0.00        | 0.00        | 0.00            | 7,460.00         | 100.00%       |
| Equipment Repair                | 0.00            | 0.00            | 0.00              | 0.00           | 0.00        | 0.00        | 0.00        | 0.00            | 450.00           | 100.00%       |
| County Election Fees            | 0.00            | 0.00            | 0.00              | 0.00           | 0.00        | 0.00        | 0.00        | 940.00          | 0.00             | 0.00%         |
| Printed Forms                   | 0.00            | 0.00            | 0.00              | 0.00           | 0.00        | 0.00        | 0.00        | 0.00            | 450.00           | 100.00%       |
| Miscellaneous                   | 0.00            | 0.00            | 0.00              | 0.00           | 0.00        | 0.00        | 0.00        | 0.00            | 350.00           | 100.00%       |
| <b>Total Elections</b>          | <b>0.00</b>     | <b>0.00</b>     | <b>0.00</b>       | <b>0.00</b>    | <b>0.00</b> | <b>0.00</b> | <b>0.00</b> | <b>1,040.00</b> | <b>10,910.00</b> | <b>91.30%</b> |
| <b>1450 - Communications</b>    |                 |                 |                   |                |             |             |             |                 |                  |               |
| FT Salaries                     | 2,916.67        | 1,452.90        | 1,463.77          | 50.19%         |             |             |             |                 |                  |               |
| PERA Contributions              | 211.46          | 105.34          | 106.12            | 50.18%         |             |             |             |                 |                  |               |
| FICA Contributions              | 180.83          | 87.24           | 93.59             | 51.76%         |             |             |             |                 |                  |               |
| Medicare Contributions          | 42.29           | 20.42           | 21.87             | 51.72%         |             |             |             |                 |                  |               |
| Health/Dental Insurance         | 0.00            | 272.00          | (272.00)          | 0.00%          |             |             |             |                 |                  |               |
| Workers Compensation            | 0.00            | 0.00            | 0.00              | 0.00%          |             |             |             |                 |                  |               |
| Newsletter                      | 0.00            | 0.00            | 0.00              | 0.00%          |             |             |             |                 |                  |               |
| Office Supplies                 | 0.00            | 0.00            | 0.00              | 0.00%          |             |             |             |                 |                  |               |
| Info Technology/Web             | 2,000.00        | 2,714.17        | (714.17)          | -35.71%        |             |             |             |                 |                  |               |
| Telephone                       | 250.00          | 108.81          | 141.19            | 56.48%         |             |             |             |                 |                  |               |
| Public Notices                  | 200.00          | 31.64           | 168.36            | 84.18%         |             |             |             |                 |                  |               |
| Cable Operations                | 275.00          | 0.00            | 275.00            | 100.00%        |             |             |             |                 |                  |               |
| Conferences                     | 0.00            | 291.88          | (291.88)          | 0.00%          |             |             |             |                 |                  |               |
| Repair/Maint Equipment          | 0.00            | 0.00            | 0.00              | 0.00%          |             |             |             |                 |                  |               |
| <b>Total Communications</b>     | <b>6,076.25</b> | <b>5,084.40</b> | <b>991.85</b>     | <b>16.32%</b>  |             |             |             |                 |                  |               |
| <b>1520 - Finance</b>           |                 |                 |                   |                |             |             |             |                 |                  |               |
| FT Salaries                     | 4,576.40        | 6,871.30        | (2,294.90)        | -50.15%        |             |             |             |                 |                  |               |
| PERA Contributions              | 331.79          | 498.17          | (166.38)          | -50.15%        |             |             |             |                 |                  |               |
| FICA Contributions              | 283.74          | 400.68          | (116.94)          | -41.22%        |             |             |             |                 |                  |               |
| Medicare Contributions          | 66.36           | 93.69           | (27.33)           | -41.19%        |             |             |             |                 |                  |               |
| Health/Dental Insurance         | 718.02          | 1,088.00        | (369.98)          | -51.53%        |             |             |             |                 |                  |               |
| Unemployment Benefits           | 0.00            | 0.00            | 0.00              | 0.00%          |             |             |             |                 |                  |               |
| Workers Compensation            | 0.00            | 0.00            | 0.00              | 0.00%          |             |             |             |                 |                  |               |
| Office Supplies                 | 0.00            | 73.01           | (73.01)           | 0.00%          |             |             |             |                 |                  |               |
| Printed Forms                   | 0.00            | 0.00            | 0.00              | 0.00%          |             |             |             |                 |                  |               |
| Audit Services                  | 0.00            | 0.00            | 0.00              | 0.00%          |             |             |             |                 |                  |               |
| Contract Services               | 0.00            | 5.49            | (5.49)            | 0.00%          |             |             |             |                 |                  |               |
| Software Programs               | 0.00            | 0.00            | 0.00              | 0.00%          |             |             |             |                 |                  |               |
| Telephone                       | 0.00            | 90.12           | (90.12)           | 0.00%          |             |             |             |                 |                  |               |
| Mileage                         | 0.00            | 0.00            | 0.00              | 0.00%          |             |             |             |                 |                  |               |
| Miscellaneous                   | 0.00            | 0.00            | 0.00              | 0.00%          |             |             |             |                 |                  |               |
| Dues & Subscriptions            | 0.00            | 0.00            | 0.00              | 0.00%          |             |             |             |                 |                  |               |
| Conferences & Training          | 500.00          | 0.00            | 500.00            | 100.00%        |             |             |             |                 |                  |               |
| <b>Total Finance</b>            | <b>6,476.30</b> | <b>9,120.46</b> | <b>(2,644.16)</b> | <b>-40.83%</b> |             |             |             |                 |                  |               |

|  |                  |                   |                    |                |      |      |      |      |          |         |
|--|------------------|-------------------|--------------------|----------------|------|------|------|------|----------|---------|
|  | 0.00             | 0.00              | 0.00               | 0.00           | 0.00 | 0.00 | 0.00 | 0.00 | 0.00     | 0.00%   |
|  | 150.00           | 150.00            | 0.00               | 0.00           | 0.00 | 0.00 | 0.00 | 0.00 | 150.00   | 100.00% |
|  | 2,150.00         | 2,150.00          | 0.00               | 0.00           | 0.00 | 0.00 | 0.00 | 0.00 | 2,150.00 | 100.00% |
|  | 7,460.00         | 7,460.00          | 0.00               | 0.00           | 0.00 | 0.00 | 0.00 | 0.00 | 7,460.00 | 100.00% |
|  | 450.00           | 450.00            | 0.00               | 0.00           | 0.00 | 0.00 | 0.00 | 0.00 | 450.00   | 100.00% |
|  | 940.00           | 940.00            | 0.00               | 0.00           | 0.00 | 0.00 | 0.00 | 0.00 | 0.00     | 0.00%   |
|  | 450.00           | 450.00            | 0.00               | 0.00           | 0.00 | 0.00 | 0.00 | 0.00 | 450.00   | 100.00% |
|  | 350.00           | 350.00            | 0.00               | 0.00           | 0.00 | 0.00 | 0.00 | 0.00 | 350.00   | 100.00% |
|  | <b>11,950.00</b> | <b>1,040.00</b>   | <b>10,910.00</b>   | <b>91.30%</b>  |      |      |      |      |          |         |
|  | 32,083.33        | 16,966.59         | 15,116.74          | 47.12%         |      |      |      |      |          |         |
|  | 2,326.04         | 1,230.11          | 1,095.93           | 47.12%         |      |      |      |      |          |         |
|  | 1,989.17         | 1,018.82          | 970.35             | 48.78%         |      |      |      |      |          |         |
|  | 465.21           | 238.23            | 226.98             | 48.79%         |      |      |      |      |          |         |
|  | 0.00             | 2,992.00          | (2,992.00)         | 0.00%          |      |      |      |      |          |         |
|  | 56.00            | 85.23             | (29.23)            | -52.20%        |      |      |      |      |          |         |
|  | 9,061.00         | 7,785.63          | 1,275.37           | 14.08%         |      |      |      |      |          |         |
|  | 150.00           | 976.09            | (826.09)           | 0.00%          |      |      |      |      |          |         |
|  | 22,000.00        | 28,823.63         | (6,823.63)         | -31.02%        |      |      |      |      |          |         |
|  | 2,750.00         | 1,029.83          | 1,720.17           | 62.55%         |      |      |      |      |          |         |
|  | 2,200.00         | 5,863.62          | (3,663.62)         | -166.53%       |      |      |      |      |          |         |
|  | 3,025.00         | 1,754.84          | 1,270.16           | 41.99%         |      |      |      |      |          |         |
|  | 0.00             | 498.00            | (498.00)           | 0.00%          |      |      |      |      |          |         |
|  | 0.00             | 155.50            | (155.50)           | 0.00%          |      |      |      |      |          |         |
|  | <b>76,105.75</b> | <b>69,418.12</b>  | <b>6,687.63</b>    | <b>8.79%</b>   |      |      |      |      |          |         |
|  | 50,340.40        | 80,944.82         | (30,604.42)        | -60.79%        |      |      |      |      |          |         |
|  | 3,649.68         | 5,868.49          | (2,218.81)         | -60.79%        |      |      |      |      |          |         |
|  | 3,121.10         | 4,754.38          | (1,633.28)         | -52.33%        |      |      |      |      |          |         |
|  | 729.94           | 1,111.79          | (381.85)           | -52.31%        |      |      |      |      |          |         |
|  | 7,898.21         | 11,968.00         | (4,069.79)         | -51.53%        |      |      |      |      |          |         |
|  | 0.00             | 0.00              | 0.00               | 0.00%          |      |      |      |      |          |         |
|  | 0.00             | 405.18            | (405.18)           | 0.00%          |      |      |      |      |          |         |
|  | 300.00           | 432.06            | (132.06)           | -44.02%        |      |      |      |      |          |         |
|  | 500.00           | 0.00              | 500.00             | 100.00%        |      |      |      |      |          |         |
|  | 8,500.00         | 20,500.00         | (12,000.00)        | -141.18%       |      |      |      |      |          |         |
|  | 10,000.00        | 14,319.03         | (4,319.03)         | -43.19%        |      |      |      |      |          |         |
|  | 0.00             | 128.54            | (128.54)           | 0.00%          |      |      |      |      |          |         |
|  | 0.00             | 630.84            | (630.84)           | 0.00%          |      |      |      |      |          |         |
|  | 0.00             | 44.40             | (44.40)            | 0.00%          |      |      |      |      |          |         |
|  | 1,500.00         | 1,381.93          | 118.07             | 7.87%          |      |      |      |      |          |         |
|  | 100.00           | 185.00            | (85.00)            | 0.00%          |      |      |      |      |          |         |
|  | 1,100.00         | 225.00            | 875.00             | 79.55%         |      |      |      |      |          |         |
|  | <b>87,739.33</b> | <b>142,899.46</b> | <b>(55,160.13)</b> | <b>-62.87%</b> |      |      |      |      |          |         |

**1910 - Planning & Zoning**

|                                    |                  |                  |                   |                |                   |                    |                |
|------------------------------------|------------------|------------------|-------------------|----------------|-------------------|--------------------|----------------|
| FT Salaries                        | 8,278.95         | 12,499.36        | (4,220.41)        | -50.98%        | 140,701.94        | (45,494.02)        | -47.78%        |
| PERA Contributions                 | 600.22           | 906.20           | (305.98)          | -50.98%        | 10,379.23         | (3,476.66)         | -50.37%        |
| FICA Contributions                 | 513.29           | 730.76           | (217.47)          | -42.37%        | 8,413.64          | (2,510.75)         | -42.53%        |
| Medicare Contributions             | 81.83            | 170.93           | (89.10)           | -108.88%       | 1,967.94          | (625.64)           | -46.61%        |
| Health/Dental Insurance            | 886.48           | 1,656.00         | (769.52)          | -86.81%        | 18,216.00         | (8,464.67)         | -86.81%        |
| Workers Compensation               | 0.00             | 0.00             | 0.00              | 0.00%          | 751.34            | (251.34)           | -50.27%        |
| Office Supplies                    | 50.00            | 2.62             | 47.38             | 94.76%         | 2,509.71          | (1,959.71)         | -356.31%       |
| Printed Forms                      | 0.00             | 1,702.00         | (1,702.00)        | 0.00%          | 2,287.85          | (2,287.85)         | 0.00%          |
| Engineering Services               | 1,500.00         | 0.00             | 1,500.00          | 100.00%        | 19,792.84         | (3,292.84)         | -19.96%        |
| Contract Services                  | 0.00             | 0.00             | 0.00              | 0.00%          | 14,869.24         | (14,869.24)        | 0.00%          |
| Information Technology             | 0.00             | 0.00             | 0.00              | 0.00%          | 2,952.01          | (2,952.01)         | 0.00%          |
| Telephone                          | 0.00             | 147.74           | (147.74)          | 0.00%          | 1,034.82          | (1,034.82)         | 0.00%          |
| Postage                            | 0.00             | 33.98            | (33.98)           | 0.00%          | 53.62             | (53.62)            | 0.00%          |
| Mileage                            | 30.00            | 0.00             | 30.00             | 100.00%        | 0.00              | 330.00             | 100.00%        |
| Miscellaneous                      | 20.00            | 0.00             | 20.00             | 100.00%        | 971.56            | (751.56)           | -341.62%       |
| Dues & Subscriptions               | 400.00           | 0.00             | 400.00            | 100.00%        | 270.00            | 130.00             | 0.00%          |
| Books                              | 0.00             | 0.00             | 0.00              | 0.00%          | 200.00            | (11.37)            | 0.00%          |
| Conferences & Training             | 0.00             | 7.00             | (7.00)            | 0.00%          | 1,439.24          | 660.76             | 31.46%         |
| <b>Total Planning &amp; Zoning</b> | <b>12,360.78</b> | <b>17,856.59</b> | <b>(5,495.81)</b> | <b>-44.46%</b> | <b>226,822.35</b> | <b>(86,915.33)</b> | <b>-62.12%</b> |

**1930 - Engineering Services**

|                                   |                 |               |                 |               |                  |                  |               |
|-----------------------------------|-----------------|---------------|-----------------|---------------|------------------|------------------|---------------|
| Engineering Services              | 5,000.00        | 155.90        | 4,844.10        | 96.88%        | 29,545.77        | 25,454.23        | 46.28%        |
| <b>Total Engineering Services</b> | <b>5,000.00</b> | <b>155.90</b> | <b>4,844.10</b> | <b>96.88%</b> | <b>29,545.77</b> | <b>25,454.23</b> | <b>46.28%</b> |

**1940 - City Hall**

|                                 |                 |                 |                 |               |                  |                 |               |
|---------------------------------|-----------------|-----------------|-----------------|---------------|------------------|-----------------|---------------|
| Cleaning Supplies               | 50.00           | 0.00            | 50.00           | 100.00%       | 7.48             | 542.52          | 98.64%        |
| Building Repair Supplies        | 75.00           | 0.00            | 75.00           | 100.00%       | 36.53            | 788.47          | 95.57%        |
| Telephone                       | 700.00          | 121.44          | 578.56          | 82.65%        | 1,820.20         | 6,079.80        | 76.96%        |
| Utilities                       | 900.00          | 706.77          | 193.23          | 21.47%        | 9,019.04         | 880.96          | 8.90%         |
| Refuse                          | 108.32          | 108.32          | 0.00            | 0.00%         | 1,191.52         | 0.00            | 0.00%         |
| Repairs/Maint Contractual Bldg  | 700.00          | 245.81          | 454.19          | 64.88%        | 8,733.70         | (1,033.70)      | -13.42%       |
| Repairs/Maint Contractual Equip | 400.00          | 180.59          | 219.41          | 54.85%        | 5,003.57         | (603.57)        | -13.72%       |
| Miscellaneous                   | 100.00          | 0.00            | 100.00          | 100.00%       | 900.00           | 759.54          | 84.39%        |
| <b>Total City Hall</b>          | <b>3,033.32</b> | <b>1,362.93</b> | <b>1,670.39</b> | <b>55.07%</b> | <b>25,952.50</b> | <b>7,414.02</b> | <b>22.22%</b> |

**Total General Government**

|                                 |                  |                  |                   |                |                   |                     |                |
|---------------------------------|------------------|------------------|-------------------|----------------|-------------------|---------------------|----------------|
| <b>Total General Government</b> | <b>58,661.26</b> | <b>66,767.76</b> | <b>(8,106.50)</b> | <b>-13.82%</b> | <b>881,575.17</b> | <b>(102,148.42)</b> | <b>-13.11%</b> |
|---------------------------------|------------------|------------------|-------------------|----------------|-------------------|---------------------|----------------|



**2400 - Building Inspection**

|                                   |                 |                 |                   |                |                  |                   |                    |                |
|-----------------------------------|-----------------|-----------------|-------------------|----------------|------------------|-------------------|--------------------|----------------|
| FT Salaries                       | 5,747.36        | 6,689.06        | (941.70)          | -16.38%        | 68,968.32        | 79,769.96         | (10,801.64)        | -15.66%        |
| PERA Contributions                | 416.68          | 484.98          | (68.30)           | -16.39%        | 4,442.91         | 5,783.43          | (1,340.52)         | -30.17%        |
| FICA Contributions                | 356.34          | 389.42          | (33.08)           | -9.28%         | 3,755.90         | 4,644.44          | (888.54)           | -23.66%        |
| Medicare Contributions            | 83.34           | 91.09           | (7.75)            | -9.30%         | 878.41           | 1,086.13          | (207.72)           | -23.65%        |
| Health/Dental Insurance           | 767.49          | 1,414.00        | (646.51)          | -84.24%        | 8,442.40         | 15,554.00         | (7,111.60)         | -84.24%        |
| Unemployment Benefits             | 0.00            | 0.00            | 0.00              | 0.00%          | 0.00             | 0.00              | 0.00               | 0.00%          |
| Workers Compensation              | 0.00            | 0.00            | 0.00              | 0.00%          | 2,000.00         | 397.88            | 1,602.12           | 80.11%         |
| Office Supplies                   | 0.00            | 0.00            | 0.00              | 0.00%          | 0.00             | 880.02            | (880.02)           | 0.00%          |
| Printed Forms                     | 0.00            | 0.00            | 0.00              | 0.00%          | 0.00             | 146.61            | (146.61)           | 0.00%          |
| Fuel, Oil & Fluids                | 0.00            | 0.00            | 0.00              | 0.00%          | 0.00             | 267.67            | (267.67)           | 0.00%          |
| Engineering                       | 500.00          | 0.00            | 500.00            | 100.00%        | 5,500.00         | 11,644.73         | (6,144.73)         | -111.72%       |
| Surcharge Pmts                    | 0.00            | 0.00            | 0.00              | 0.00%          | 0.00             | 0.00              | 0.00               | 0.00%          |
| Inspector Contract Services       | 0.00            | 193.50          | (193.50)          | 0.00%          | 0.00             | 5,569.50          | (5,569.50)         | 0.00%          |
| Info Technology (Permit Works)    | 0.00            | 0.00            | 0.00              | 0.00%          | 0.00             | 17,146.69         | (17,146.69)        | 0.00%          |
| Software Programs                 | 0.00            | 0.00            | 0.00              | 0.00%          | 0.00             | 48.59             | 0.00               | 0.00%          |
| Telephone                         | 18.00           | 91.10           | (73.10)           | -406.11%       | 198.00           | 832.34            | (634.34)           | -320.37%       |
| Mileage                           | 100.00          | 48.59           | 51.41             | 51.41%         | 100.00           | 1,055.09          | (955.09)           | 0.00%          |
| Insurance                         | 0.00            | 0.00            | 0.00              | 0.00%          | 255.00           | 340.00            | (85.00)            | 0.00%          |
| Repairs/Maint Equip               | 0.00            | 0.00            | 0.00              | 0.00%          | 500.00           | 463.28            | 36.72              | 7.34%          |
| Uniforms                          | 0.00            | 0.00            | 0.00              | 0.00%          | 0.00             | 86.38             | (86.38)            | 0.00%          |
| Miscellaneous                     | 0.00            | 0.00            | 0.00              | 0.00%          | 500.00           | 1,497.49          | (997.49)           | -199.50%       |
| Dues & Subscriptions              | 0.00            | 0.00            | 0.00              | 0.00%          | 190.00           | 90.00             | 100.00             | 52.63%         |
| Books                             | 0.00            | 0.00            | 0.00              | 0.00%          | 100.00           | 120.64            | (20.64)            | -20.64%        |
| Conferences & Training            | 0.00            | 0.00            | 0.00              | 0.00%          | 250.00           | 825.00            | (575.00)           | -230.00%       |
| <b>Total Building Inspections</b> | <b>7,989.21</b> | <b>9,401.74</b> | <b>(1,412.53)</b> | <b>-17.68%</b> | <b>96,080.94</b> | <b>148,249.87</b> | <b>(52,120.34)</b> | <b>-54.25%</b> |

**2500 - Emergency Communications**

|                                       |             |             |             |              |                 |                 |                 |              |
|---------------------------------------|-------------|-------------|-------------|--------------|-----------------|-----------------|-----------------|--------------|
| Contract Services                     | 0.00        | 0.00        | 0.00        | 0.00%        | 6,000.00        | 3,799.50        | 2,200.50        | 36.68%       |
| <b>Total Emergency Communications</b> | <b>0.00</b> | <b>0.00</b> | <b>0.00</b> | <b>0.00%</b> | <b>6,000.00</b> | <b>3,799.50</b> | <b>2,200.50</b> | <b>0.00%</b> |

**2700 - Animal Control**

|                             |                  |                  |                    |                 |                   |                   |                   |                 |
|-----------------------------|------------------|------------------|--------------------|-----------------|-------------------|-------------------|-------------------|-----------------|
| Printed Forms               | 0.00             | 0.00             | 0.00               | 0.00%           | 0.00              | 0.00              | 0.00              | 0.00%           |
| Contract Services           | 550.00           | 4,418.13         | (3,868.13)         | -703.30%        | 6,450.00          | 10,609.93         | (4,159.93)        | -64.50%         |
| Miscellaneous               | 0.00             | 158.59           | (158.59)           | 0.00%           | 0.00              | 2,468.59          | (2,468.59)        | 0.00%           |
| <b>Total Animal Control</b> | <b>550.00</b>    | <b>4,576.72</b>  | <b>(4,026.72)</b>  | <b>-732.13%</b> | <b>6,450.00</b>   | <b>13,078.52</b>  | <b>(6,628.52)</b> | <b>-102.77%</b> |
| <b>Total Public Safety</b>  | <b>40,347.88</b> | <b>54,347.12</b> | <b>(13,999.24)</b> | <b>-34.70%</b>  | <b>885,765.55</b> | <b>850,075.24</b> | <b>35,738.90</b>  | <b>4.03%</b>    |

DEPT 430 - PUBLIC WORKS

3100 - Public Works

|                               |                  |                  |                 |               |                   |                   |                    |               |
|-------------------------------|------------------|------------------|-----------------|---------------|-------------------|-------------------|--------------------|---------------|
| FT Salaries                   | 9,700.00         | 11,323.85        | (1,623.85)      | -16.74%       | 118,000.00        | 143,087.89        | (25,087.89)        | -21.26%       |
| PT Salaries                   | 0.00             | 1,673.00         | (1,673.00)      | 0.00%         | 0.00              | 12,066.33         | (12,066.33)        | 0.00%         |
| PERA Contributions            | 703.25           | 942.26           | (239.01)        | -33.99%       | 8,555.00          | 11,215.96         | (2,660.96)         | -31.10%       |
| FICA Contributions            | 601.40           | 762.33           | (160.93)        | -26.76%       | 7,316.00          | 9,057.08          | (1,741.08)         | -23.80%       |
| Medicare Contributions        | 140.65           | 178.29           | (37.64)         | -26.76%       | 1,711.00          | 2,118.24          | (407.24)           | -23.80%       |
| Health/Dental Insurance       | 2,893.14         | 2,899.00         | (5.86)          | -0.20%        | 31,824.56         | 31,889.00         | (64.44)            | -0.20%        |
| Unemployment Benefits         | 0.00             | 0.00             | 0.00            | 0.00%         | 4,000.00          | 0.00              | 4,000.00           | 100.00%       |
| Workers Compensation          | 0.00             | 0.00             | 0.00            | 0.00%         | 12,000.00         | 7,399.76          | 4,600.24           | 38.34%        |
| Office Supplies               | 25.00            | 77.57            | (52.57)         | -210.28%      | 475.00            | 1,047.63          | (572.63)           | -120.55%      |
| Shop Materials                | 150.00           | 0.00             | 150.00          | 100.00%       | 1,650.00          | 779.50            | 870.50             | 52.76%        |
| Building Repair Supplies      | 0.00             | 0.00             | 0.00            | 0.00%         | 0.00              | 229.25            | (229.25)           | 0.00%         |
| Small Tools and Minor Equip   | 250.00           | 143.95           | 106.05          | 42.42%        | 2,750.00          | 1,768.66          | 981.34             | 35.69%        |
| Engineering Services          | 150.00           | 0.00             | 150.00          | 100.00%       | 1,650.00          | 6,388.75          | (4,738.75)         | -287.20%      |
| Contract Services             | 400.00           | 0.00             | 400.00          | 100.00%       | 4,400.00          | 4,995.40          | (595.40)           | -13.53%       |
| Information Technology        | 650.00           | 333.60           | 316.40          | 48.68%        | 0.00              | 1,051.33          | (1,051.33)         | 0.00%         |
| Telephone                     | 300.00           | 822.79           | (522.79)        | -174.26%      | 7,350.00          | 6,334.54          | 1,015.46           | 13.82%        |
| Radio                         | 0.00             | 0.00             | 0.00            | 0.00%         | 3,300.00          | 909.18            | 2,390.82           | 72.45%        |
| Mileage                       | 0.00             | 0.00             | 0.00            | 0.00%         | 0.00              | 0.00              | 0.00               | 0.00%         |
| Insurance                     | 0.00             | 0.00             | 0.00            | 0.00%         | 22,000.00         | 19,772.00         | 2,228.00           | 0.00%         |
| Electric Utility              | 2,000.00         | 523.90           | 1,476.10        | 73.81%        | 22,000.00         | 15,575.61         | 6,424.39           | 29.20%        |
| Refuse                        | 207.82           | 207.82           | 0.00            | 0.00%         | 2,286.02          | 2,078.20          | 207.82             | 9.09%         |
| Fuel, Oil, Fluids (ALL depts) | 3,000.00         | 0.00             | 3,000.00        | 100.00%       | 33,000.00         | 37,844.36         | (4,844.36)         | -14.68%       |
| Repair/Maint Bldg             | 250.00           | 0.00             | 250.00          | 100.00%       | 2,750.00          | 5,937.58          | (3,187.58)         | -115.91%      |
| Repair/Maint NOT Bldg         | 40.00            | 0.00             | 40.00           | 100.00%       | 460.00            | 153.38            | 306.62             | 66.66%        |
| Repair/Maint Equip (out)      | 500.00           | 0.00             | 500.00          | 100.00%       | 5,500.00          | 140.73            | 5,359.27           | 97.44%        |
| Equipment Parts               | 500.00           | 0.00             | 500.00          | 100.00%       | 5,500.00          | 0.00              | 5,500.00           | 100.00%       |
| Uniforms                      | 175.00           | 0.00             | 175.00          | 100.00%       | 1,925.00          | 898.66            | 1,026.34           | 53.32%        |
| Miscellaneous                 | 100.00           | 224.03           | (124.03)        | -124.03%      | 900.00            | 1,071.02          | (171.02)           | -19.00%       |
| Landscaping Material          | 80.00            | 0.00             | 80.00           | 100.00%       | 920.00            | 64.13             | 855.87             | 93.03%        |
| Dues & Subscriptions          | 0.00             | 0.00             | 0.00            | 0.00%         | 60.00             | 56.00             | 4.00               | 6.67%         |
| Conferences & Training        | 0.00             | 0.00             | 0.00            | 0.00%         | 1,619.60          | 260.00            | 1,359.60           | 83.95%        |
| Clean up Days                 | 0.00             | 0.00             | 0.00            | 0.00%         | 6,000.00          | 4,481.33          | 1,518.67           | 25.31%        |
| <b>Total Public Works</b>     | <b>22,816.26</b> | <b>20,112.39</b> | <b>2,703.87</b> | <b>11.85%</b> | <b>309,902.18</b> | <b>328,671.50</b> | <b>(18,769.32)</b> | <b>-6.06%</b> |

3120 - Streets

|                              |                 |                 |                   |                 |                  |                  |                    |                |
|------------------------------|-----------------|-----------------|-------------------|-----------------|------------------|------------------|--------------------|----------------|
| Equipment Parts              | 0.00            | 0.00            | 0.00              | 0.00%           | 0.00             | 4,208.93         | (4,208.93)         | 0.00%          |
| Street Maintenance Materials | 1,000.00        | 3,117.89        | (2,117.89)        | -211.79%        | 11,000.00        | 22,212.41        | (11,212.41)        | -101.93%       |
| Sign Repair Materials        | 250.00          | 0.00            | 250.00            | 100.00%         | 2,750.00         | 1,479.16         | 1,270.84           | 46.21%         |
| Contract Services            | 850.00          | 650.00          | 200.00            | 23.53%          | 9,350.00         | 10,578.05        | (1,228.05)         | -13.13%        |
| Repairs/Maint Equipment      | 0.00            | 581.58          | (581.58)          | 0.00%           | 0.00             | 1,986.21         | (1,986.21)         | 0.00%          |
| <b>Total Streets</b>         | <b>2,100.00</b> | <b>4,349.47</b> | <b>(2,249.47)</b> | <b>-107.12%</b> | <b>23,100.00</b> | <b>40,464.76</b> | <b>(17,364.76)</b> | <b>-75.17%</b> |



DEPT 450 - CULTURE, RECREATION

5200 - Parks & Recreation

|                                     |                  |                  |                 |               |                   |                   |                  |               |
|-------------------------------------|------------------|------------------|-----------------|---------------|-------------------|-------------------|------------------|---------------|
| FT Salaries                         | 8,583.96         | 8,146.21         | 437.75          | 5.10%         | 103,007.12        | 82,660.41         | 20,346.71        | 19.75%        |
| PT Salaries                         | 700.00           | 0.00             | 700.00          | 100.00%       | 13,450.00         | 17,973.89         | (4,523.89)       | -33.63%       |
| PERA Contributions                  | 622.34           | 590.60           | 31.74           | 5.10%         | 7,468.02          | 6,560.89          | 907.13           | 12.15%        |
| FICA Contributions                  | 575.61           | 482.97           | 92.64           | 16.09%        | 7,220.34          | 6,016.94          | 1,203.40         | 16.67%        |
| Medicare Contributions              | 134.62           | 112.95           | 21.67           | 16.10%        | 1,688.63          | 1,407.13          | 281.50           | 16.67%        |
| Health/Dental Insurance             | 1,084.57         | 290.16           | 794.41          | 73.25%        | 11,930.31         | 4,436.96          | 7,493.35         | 62.81%        |
| Unemployment Benefits               | 0.00             | 0.00             | 0.00            | 0.00%         | 0.00              | 0.00              | 0.00             | 0.00%         |
| Workers Compensation                | 0.00             | 0.00             | 0.00            | 0.00%         | 3,000.00          | 4,105.81          | (1,105.81)       | -36.86%       |
| Shop Materials                      | 0.00             | 250.13           | (250.13)        | 0.00%         | 0.00              | 673.80            | (673.80)         | 0.00%         |
| Chemicals                           | 50.00            | 0.00             | 50.00           | 100.00%       | 550.00            | 740.98            | (190.98)         | -34.72%       |
| Equipment Parts                     | 150.00           | 98.47            | 51.53           | 34.35%        | 1,650.00          | 2,223.42          | (573.42)         | -34.75%       |
| Building Repair Supplies            | 0.00             | 0.00             | 0.00            | 0.00%         | 0.00              | 10.63             | (10.63)          | 0.00%         |
| Landscaping Materials               | 200.00           | 0.00             | 200.00          | 100.00%       | 2,200.00          | 2,780.50          | (580.50)         | -26.39%       |
| Small Tools and Minor Equip         | 75.00            | 0.00             | 75.00           | 100.00%       | 825.00            | 2,276.93          | (1,451.93)       | -175.99%      |
| Telephone                           | 100.00           | 91.00            | 9.00            | 9.00%         | 1,100.00          | 970.46            | 129.54           | 11.78%        |
| Mileage                             | 0.00             | 0.00             | 0.00            | 0.00%         | 0.00              | 0.00              | 0.00             | 0.00%         |
| Insurance                           | 0.00             | 0.00             | 0.00            | 0.00%         | 5,000.00          | 3,683.00          | 1,317.00         | 26.34%        |
| Electric Utility                    | 750.00           | 348.09           | 401.91          | 53.59%        | 8,250.00          | 7,288.66          | 961.34           | 11.65%        |
| Refuse                              | 207.82           | 207.82           | 0.00            | 0.00%         | 2,286.02          | 2,286.02          | 0.00             | 0.00%         |
| Repair/Maint Bldg                   | 25.00            | 0.00             | 25.00           | 100.00%       | 275.00            | 383.20            | (108.20)         | -39.35%       |
| Repair/Maint NOT Bldg               | 50.00            | 528.25           | (478.25)        | -956.50%      | 550.00            | 3,979.70          | (3,429.70)       | -623.58%      |
| Repair/Maint Equip                  | 100.00           | 0.00             | 100.00          | 100.00%       | 1,100.00          | 0.00              | 1,100.00         | 100.00%       |
| Rental Buildings                    | 400.00           | 0.00             | 400.00          | 100.00%       | 4,400.00          | 5,292.62          | (892.62)         | -20.29%       |
| Miscellaneous                       | 0.00             | 360.22           | (360.22)        | 0.00%         | 0.00              | 996.94            | (996.94)         | 0.00%         |
| <b>Total Parks &amp; Recreation</b> | <b>13,808.91</b> | <b>11,506.87</b> | <b>2,302.04</b> | <b>16.67%</b> | <b>175,950.43</b> | <b>156,748.89</b> | <b>19,201.54</b> | <b>10.91%</b> |

DEPT 460 - COMP ADJ

DEPT 490 - CONTINGENCY FUND

DEPT 493 - OTH FINANCING

GRAND TOTAL ALL DEPTS

Net Income over Expenses

|                                 |                    |                     |                    |               |                     |                     |                    |                |
|---------------------------------|--------------------|---------------------|--------------------|---------------|---------------------|---------------------|--------------------|----------------|
| DEPT 460 - COMP ADJ             | 0.00               | 0                   | 0                  | 0.00%         | 0.00                | 0.00                | 0.00               | 0.00%          |
| DEPT 490 - CONTINGENCY FUND     | 0.00               | 0                   | 0                  | 0.00%         | 60,339.70           | 58,546.10           | 1,793.60           | 2.97%          |
| DEPT 493 - OTH FINANCING        | 0.00               | 0                   | 0                  | 0.00%         | 0.00                | 0.00                | 0.00               | 0.00%          |
| <b>GRAND TOTAL ALL DEPTS</b>    | <b>170,384.32</b>  | <b>172,757.60</b>   | <b>(2,373.28)</b>  | <b>-1.39%</b> | <b>2,290,244.91</b> | <b>2,376,492.41</b> | <b>(86,198.91)</b> | <b>-3.76%</b>  |
| <b>Net Income over Expenses</b> | <b>(86,763.32)</b> | <b>(136,411.05)</b> | <b>(49,647.73)</b> | <b>57.22%</b> | <b>(541,681.60)</b> | <b>(458,678.80)</b> | <b>83,002.80</b>   | <b>-15.32%</b> |



# MAYOR & COUNCIL COMMUNICATION

**DATE:** December 17, 2013  
**CONSENT**  
**ITEM** #4

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

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

**THROUGH:** Rick Chase, Building Official

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

**SUGGESTED ORDER OF BUSINESS:**

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

**POLICY RECOMMENDER:** NA

**FISCAL IMPACT:** NA

**SUMMARY AND ACTION REQUESTED:** As part of its Consent Agenda, the City Council is asked to accept the monthly new single family home permit report for November 2013. No specific motion is needed as this is recommended to be part of the *Consent Agenda*.

**LEGISLATIVE HISTORY/BACKGROUND INFORMATION:**

|                    | <u>2013</u>  | <u>2012</u>  | <u>2011</u> |
|--------------------|--------------|--------------|-------------|
| New homes          | 32           | 29           | 21*         |
| Total valuation    | \$14,603,169 | \$13,196,112 | \$9,214,000 |
| Average home value | \$456,349    | \$455,038    | \$438,762   |

\*No new houses in November 2011

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

DATE: December 17, 2013  
CONSENT  
ITEM # 5

AGENDA ITEM: 2014 Meeting Calendar  
SUBMITTED BY: Beckie Gumatz, Program Assistant  
THROUGH: Dean Zuleger, City Administrator  
REVIEWED BY: Adam Bell, City Clerk

**SUGGESTED ORDER OF BUSINESS (if removed from the consent agenda):**

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

**POLICY RECOMMENDER:** Staff

**FISCAL IMPACT:** N/A

**SUMMARY AND ACTION REQUESTED:** As part of its Consent Agenda, the City Council is respectfully requested to approve the proposed 2014 City Meeting Calendar or amend as necessary. If removed from the Consent Agenda, the recommended motion is as follows:

*“Move to approve the proposed 2014 Meeting Calendar.”*

**LEGISLATIVE HISTORY:** At the end of each year it has been City Council practice to adopt a calendar of City Council and Planning Commission regular meetings and workshops for the following year.

**BACKGROUND INFORMATION (SWOT):**

**Strengths** Adopting a meeting calendar serves as the official notice for the year of all upcoming meetings; thereby, satisfying legal requirements and increasing transparency to the general public.

|                      |     |
|----------------------|-----|
| <b>Weaknesses</b>    | N/A |
| <b>Opportunities</b> | N/A |
| <b>Threats</b>       | N/A |

**RECOMMENDATION:** If removed from the consent agenda, the recommended motion is as follows:

*“Move to approve the proposed 2014 Meeting Calendar.”*

**ATTACHMENTS:**

1. Proposed 2014 Calendar of City Council and Planning Commission regular meetings and workshops

# 2014 CALENDAR OF LAKE ELMO CITY COUNCIL & PLANNING COMMISSION MEETINGS AND WORKSHOPS

(The Mayor and Council have the right to add or cancel meetings)

## City Council & Planning Commission Meetings/Workshops:

January 6 (Mon) – Regular Meeting  
January 13 – Planning Commission  
January 14 – Workshop  
January 21 – Regular Meeting  
January 27 – Planning Commission

February 4 – Regular Meeting  
February 10 – Planning Commission  
February 11 – Workshop  
February 18 – Regular Meeting  
February 24 – Planning Commission

March 4 – Regular Meeting  
March 10 – Planning Commission  
March 11 – Workshop  
March 18 – Regular Meeting  
March 24 – Planning Commission

April 1 – Regular Meeting  
April 8 – Workshop  
April 14 – Planning Commission  
April 15 – Regular Meeting  
April 28 – Planning Commission

May 6 – Regular Meeting  
May 12 – Planning Commission  
May 13 – Workshop  
May 20 – Regular Meeting  
May 28 (Wed) – Planning Commission

June 3 – Regular Meeting  
June 9 – Planning Commission  
June 10 – Workshop  
June 17 – Regular Meeting  
June 23 – Planning Commission

July 1 – Regular Meeting  
July 8 – Workshop  
July 14 – Planning Commission  
July 15 – Regular Meeting  
July 28 – Planning Commission

August 5 – Regular Meeting  
August 11 – Planning Commission  
August 12 - Workshop  
August 19 – Regular Meeting  
August 25 – Planning Commission

September 2 – Regular Meeting  
September 8 – Planning Commission  
September 9 – Workshop  
September 16 – Regular Meeting  
September 22 – Planning Commission

October 7 – Regular Meeting  
October 13 – Planning Commission  
October 14 - Workshop  
October 21 – Regular Meeting  
October 27 – Planning Commission

November 5 (Wed) – Regular Meeting  
November 10 – Planning Commission  
November 12 (Wed) – Workshop  
November 18 – Regular Meeting  
November 24 – Planning Commission

December 2 – Regular Meeting  
December 8 – Planning Commission  
December 9 - Workshop  
December 16 – Regular Meeting



MAYOR & COUNCIL COMMUNICATION

**DATE:** December 17, 2013  
**CONSENT**  
**ITEM #6**

**AGENDA ITEM:** Adoption of Amended 2014 Fee Schedule

**SUBMITTED BY:** Beckie Gumatz, Program Assistant

**THROUGH:** Dean Zuleger, City Administrator

**REVIEWED BY:** Adam Bell, City Clerk

**SUGGESTED ORDER OF BUSINESS (if removed from the consent agenda):**

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

**POLICY RECOMMENDER:** Staff

**FISCAL IMPACT:** Specific annual dollar amount impact is not available at this time. Several fees are being lowered and theoretically could result in lower revenue to City; however most of the fees being lowered are minimal to begin with and paid so infrequently, if at all, there should be no recognized revenue loss.

**SUMMARY AND ACTION REQUESTED:** City Council is respectfully requested to consider approval of Ordinance 08-097, an Ordinance Amending the Lake Elmo Fee Schedule. As part of its consent agenda, no formal motion is required. If Council would like to remove this item from the Consent Agenda, the suggested motion is as follows:

*“Move to approve Ordinance 08-097, An Ordinance Amending the Lake Elmo Fee Schedule.”*

**LEGISLATIVE HISTORY:** It is incumbent upon the City to continually and regularly review the Municipal Fee Schedule to ensure that it is in compliance with state and local law as well as continually able to be justified. Below are the changes/modifications being proposed to the Lake Elmo Fee Schedule:

- Copy fees were clarified to reflect state law
- Eliminate Service Dog Fee (staff opinion is that it is too high)
- Change Video Reproduction Fee (staff opinion is that it is too high)
- Add Data DVD Fee (was part of video reproduction fee)
- Add Bulk Water Rate purchase for Sod Installation (add convenience for tax payer)
- Add Zoning Letter (New fee for increasingly frequent service)
- Remove OP Ordinance Fee (follow state fee)
- Remove Code Book Fees (follow state fee)
- Change Plan Size Map Fee (staff opinion is that it is too high)
- Remove Parks Plan Fee (follow state fee)
- Clarify Massage License Fee legislative intention
- Change Massage Therapy License Amendment Fee (staff opinion is that it is too high)
- Change SAC Charge (Met Council) Fee (Met Council raised fee for 2014)

**BACKGROUND INFORMATION (SWOT):**

**Strengths** Keeping the Fee Schedule up-to-date helps the City ensure that it is in compliance with state and local laws. It also helps to provide correct information to residents who pay for city services. Updating many items on the Fee Schedule at one time reduces the number of times this item must come before City Council.

**Weaknesses** At times, after further information or data is available, fees may need to be adjusted. This inherent weakness is not an argument against adoption, but simply a fact.

**Opportunities** The Fee Schedule should be updated annually and throughout the year as needed. This is currently being done, but staff should always strive to stay ahead of any required fee changes.

**Threats** Any fee that is not statutorily specified is subject to legal challenge. Short of being legally challenged, any fee the City imposes is subject to being challenged by a payer of any fee. It is incumbent on staff to stay up to date on the law and make sure that each fee is compliant and can be justified and legally defended.

**RECOMMENDATION:** City Council is respectfully requested to consider approval of Ordinance 08-097, an Ordinance Amending the Lake Elmo Fee Schedule. As part of its consent agenda, no formal motion is required. If Council would like to remove this item from the Consent Agenda, the suggested motion is as follows:

*“Move to approve Ordinance 08-097, An Ordinance Amending the Lake Elmo Fee Schedule.”*

**ATTACHMENTS:**

1. Ordinance 08-097
2. 2014 City of Lake Elmo Fee Schedule
3. Fee Schedule Modifications Summary

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

**ORDINANCE NO. 08-097**

**AN ORDINANCE SETTING MUNICIPAL FEES FOR CALENDAR YEAR 2014**

The Lake Elmo City Council hereby adopts the following fee schedule for calendar year 2014 and directs that it be added to the Lake Elmo Municipal Code as Appendix A.

Appendix A – 2013 Fee Schedule

**ADOPTION DATE:** Passed by the Lake Elmo City Council on the 17th day of December, 2014.

CITY OF LAKE ELMO

By: \_\_\_\_\_  
Mike Pearson  
Mayor

ATTEST:

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

**EFFECTIVE DATE:** This ordinance shall become effective on January 1, 2014 following adoption and publication.

**PUBLICATION DATE:** Published on the \_\_\_\_\_ day of \_\_\_\_\_ 2013.

# City of Lake Elmo Fee Schedule 2013

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

# City of Lake Elmo Fee Schedule 2013

| APPLICATION/FEE/PERMIT TYPE                        | 2013 FEE        | ESCROW OR ADDITIONAL CHARGE   | DEPARTMENT     |
|--|-----------------|---|----------------|
| <b>Conditional Use Permit (CUP)</b>                |                 |   |                |
| New  | \$1,050.00      | Wireless Communication Facilities Fee Escrow \$6,000.00. Flood Plain Ordinance Fee Escrow \$500.00. | Planning       |
| Amended  | \$500.00        |   | Planning       |
| <b>Contractor License Fees</b>                     |                 |   |                |
| Demolition   | \$50.00         |   | Licensing      |
| Driveway   | \$50.00         |   | Licensing      |
| Excavator  | \$50.00         |   | Licensing      |
| HVAC   | \$50.00         |   | Licensing      |
| Irrigation   | \$50.00         |   | Licensing      |
| Sewer/Water Line Installer                         | \$50.00         |   | Licensing      |
| Sign Installer                                     | \$50.00         |   | Licensing      |
| Solid Waste Hauler                                 | \$120.00        |   | Licensing      |
| <b>Copy Services (Paper/Electronic)</b>            |                 |   |                |
| Copies (B&W)                                       | \$0.25 per page | 100 pages or more are charged at actual cost of production  | Administration |
| Copies (Color)                                     | \$0.50 per page | 100 pages or more are charged at actual cost of production  | Administration |
| Copies (B&W) 11x17                                 | \$1.00 per page | 100 pages or more are charged at actual cost of production  | Administration |
| Copies (Color) 11x17                               | \$2.00 per page | 100 pages or more are charged at actual cost of production  | Administration |
| Data DVD Fee                                       | \$15.00         |   | Administration |
| GIS Scaled Aerial                                  | \$15.00         |   | Administration |
| City Street Maps (36x40)                           | \$20.00         |   | Administration |
| Existing Maps                                      | \$5.00          |   | Administration |
| Custom (Per Hour Rate)                             | \$70.00         |   | Administration |
| Plan Size Maps (Larger than 11x17)                 | \$20-\$15       |   | Administration |
| Development Standards Specs/Details                | \$55.00         |   | Administration |
| Code-Book  | \$160.00        |   | Administration |
| Code Book Sections 1,2,4,6-12,14                   | \$12.00         |   | Administration |
| Code Book Section 3                                | \$52.00         |   | Administration |
| Code Book Sections 5 & 13                          | \$27.00         |   | Administration |
| Comprehensive Plan                                 | \$125.00        |   | Administration |
| OP-Ordinance                                       | \$12.00         |   | Administration |
| Parks Plan   | \$80.00         |   | Administration |
| Video reproduction                                 | \$10.00         |   | Administration |
| <b>Culverts in Developments with Rural Section</b> | \$160.00        |   | Administration |

# City of Lake Elmo Fee Schedule 2013

| APPLICATION/FEE/PERMIT TYPE                                      | 2013 FEE            | ESCROW OR ADDITIONAL CHARGE  | DEPARTMENT     |
|--|---------------------|--|----------------|
| Daycare Inspection Fee   | \$60.00             | Plus \$5.00 Surcharge (State Mandated) Plus 1% of Value.<br>Minimum \$100.00 | Fire           |
| Dog License- altered   | \$20.00             |  | Licensing      |
| Dog License- unaltered   | \$25.00             |  | Licensing      |
| Dog License- late fee  | \$2.50 per month    | Maximum \$10   | Licensing      |
| Service Dogs License   | \$5 No Charge       |  | Licensing      |
| Duplicate License or Tag   | \$1.00              |  | Licensing      |
| First Impound- Unlicensed Dog                                    | \$60.00             |  | Licensing      |
| First Impound- Licensed Dog                                      | \$42.00             | All Impound Fees plus \$20/day Boarding Fee                                  | Licensing      |
| First Impound- Cat   | \$42.00             |  | Licensing      |
| Subsequent dog/ cat impound                                      | \$85.00             |  | Licensing      |
| Driveway   |                     |  | Planning       |
| Residential  | \$70.00             |  | Planning       |
| Commercial   | \$160.00            |  | Planning       |
| Easement Encroachment  | \$100.00            | Staff & Recording Fee  | Planning       |
| Electronic Fund Withdrawal/Bill Payment                          | Fee + Trans. Charge |  | Administration |
| Erosion Control  |                     |  | Building       |
| Re-inspection Fee (portal to portal from City Hall: 1 Hr. min)   | \$50.00 per hour    | \$5,000.00 Security  | Building       |
| Excavating & Grading ≥ 50 cubic yards, up to 400 cubic yds       | \$125.00            | Security \$500.00  | Building       |
| Excavating & Grading ≥ 400 cubic yards                           | \$500.00            | \$500.00 fee escrow plus security \$1,500.00 per acre with \$1,500 minimum.  | Engineering    |
| False Alarms (12 Month Period)* (*1-3 no charge)                 |                     |  | Fire           |
| Residential  |                     |  | Fire           |
| 4-6 False Alarms   | \$110.00            |  | Fire           |
| In Excess of 6 False Alarms                                      | \$185.00            |  | Fire           |
| Commercial   |                     |  | Fire           |
| 4-6 False Alarms   | \$315.00            |  | Fire           |
| In Excess of 6 False Alarms                                      | \$520.00            |  | Fire           |
| Fire Alarm Systems (new or rework including low voltage systems) | 1.2% of value       | plus \$5.00 surcharge; Minimum \$100   | Fire           |
| Flood Plain District Delineation                                 | \$500.00            |  | Planning       |
| Fuel Tank Removal (Underground)                                  | \$100.00            | Plus \$5.00 Surcharge (State Mandated)                                       | Administration |
| Fuel Tank Install  | 2% of value of work | Minimum \$100.00   | Administration |

# City of Lake Elmo Fee Schedule 2013

| APPLICATION/FEE/PERMIT TYPE                  | 2013 FEE     | ESCROW OR ADDITIONAL CHARGE   | DEPARTMENT |
|--|--------------|---|------------|
| <b>HVAC</b>                                  |              |   |            |
| Residential                                  | \$60.00/unit | Up to 3 units, max fee \$180.00 plus \$5.00 Surcharge (State Mandated)                        | Building   |
| Commercial                                   | \$60.00/unit | Up to 3 units or 1% of total valuation, whichever is greater. Plus Surcharge (State Mandated) | Building   |
| <b>Interim Use Permit (IUP)</b>              |              |   |            |
| Fee  | \$1,050.00   |   | Planning   |
| Renewal                                      | \$300.00     |   | Planning   |
| <b>Liquor License</b>                        |              |   |            |
| Club On-Sale Intoxicating                    | \$100.00     |   | Licensing  |
| On-Sale Intoxicating                         | \$1,500.00   |   | Licensing  |
| Off-Sale Intoxicating                        | \$200.00     |   | Licensing  |
| Off-Sale Non-Intoxicating                    | \$150.00     |   | Licensing  |
| On-Sale Intoxicating- 2nd Building           | \$750.00     |   | Licensing  |
| On-Sale Non-Intoxicating                     | \$100.00     |   | Licensing  |
| Investigation                                | \$350.00     |   | Licensing  |
| On-Sale Sunday Intoxicating                  | \$200.00     |   | Licensing  |
| Temporary Intoxicating                       | \$25.00      |   | Licensing  |
| Wine   | \$300.00     |   | Licensing  |
| <b>Lot Line Adjustment</b>                   | \$325.00     |   | Planning   |
| <b>Manufactured Home Parks</b>               |              |   |            |
| Fee  | \$1,000.00   |   | Planning   |
| New  | \$1,200.00   | Plus \$2,500.00 Fee Escrow  | Planning   |
| Move home out of the city                    | \$200.00     | Plus \$5.00 Surcharge (State Mandated)  | Building   |
| Move home into the city                      | \$200.00     | Plus \$5.00 Surcharge (State Mandated)  | Building   |
| <b>Massage Therapy Premises License</b>      |              |   |            |
| Application Fee                              | \$100.00     | Fee includes one Therapist  | Licensing  |
| Investigation Fee                            | \$100.00     |   | Licensing  |
| <b>Massage Therapy Practitioner License</b>  |              |   |            |
| Application Fee                              | \$50.00      |   | Licensing  |
| Investigation Fee                            | \$25.00      |   | Licensing  |
| Massage Therapy Premises License Renewal     | \$50.00      | Fee includes one Therapist  | Licensing  |
| Massage Therapy Practitioner License Renewal | \$25.00      |   | Licensing  |
| Massage Therapy License Amendment            | \$50 \$25    |   | Licensing  |

# City of Lake Elmo Fee Schedule 2013

| APPLICATION/FEE/PERMIT TYPE                 | 2013 FEE                | ESCROW OR ADDITIONAL CHARGE   | DEPARTMENT     |
|---|-------------------------|---|----------------|
| Minor Subdivision                           | \$525.00                |   | Planning       |
| Moving House or Primary Structure into City | \$520.00                | Plus security w/amount to be determined by the City w/recommendation from building official | Administration |
| Moving Accessory Structure into City        | \$305.00                | Plus security to be determined by the City w/recommendation from building official          | Administration |
| <b>Other Inspections and Fees</b>           |                         |   | Building       |
| Inspection outside of business hours        | \$70.00 (2 Hr. Minimum) |   | Building       |
| Re-inspection Fees Assessed                 | \$50.00 per hour        |   | Building       |
| Inspections with no fee assigned            | \$50.00 per hour        |   | Building       |
| Construction Escrow                         | \$5,000.00              | Or determined by Building Official  | Building       |
| Cancelled Permits                           | \$25.00                 |   | Building       |
| Work without Permit                         | see notes               | Investigative fee to equal permit fee   | Building       |
| <b>Park Dedication</b>                      |                         |   | Planning       |
| Residential - Up to three lots              | \$3,600.00 per lot      |   | Planning       |
| Commercial                                  | \$4,500.00 per acre     | Four or more lots per \$153.14  | Planning       |
| <b>Parking Lots</b>                         |                         |   | Planning       |
| New Commercial                              | \$175.00                | \$500 Fee Escrow. Security \$1,500.00 per acre with \$1,500.00 minimum.                     | Planning       |
| Existing Commercial                         | \$200.00                |   | Planning       |
| <b>Platting</b>                             |                         |   | Planning       |
| Sketch Plan Review (Subdivision)            | \$500.00                | \$3,500.00 Fee Escrow   | Planning       |
| Preliminary Plat (Subdivision)              | \$1,850.00              | \$10,000.00 Fee Escrow  | Planning       |
| Final Plat (Subdivision)                    | \$1,250.00              | \$8,000.00 Fee Escrow   | Planning       |
| Concept Plan (OP Development)               | \$1,250.00              | \$5,000.00 (<100 units) Fee Escrow<br>\$7,500.00 (>100 units) Fee Escrow                    |                |
| Preliminary Plat Review (OP Development)    | \$1,850.00              | \$5,000.00 (<100 units) Fee Escrow<br>\$7,500.00 (>100 units) Fee Escrow                    |                |
| Final Plat (OP Development)                 | \$1,250.00              | \$5,000.00 (<100 units) Fee Escrow<br>\$7,500.00 (>100 units) Fee Escrow                    |                |
|   |                         | (City will retain escrows to reimburse review costs for each stage of development review)   | Planning       |
| <b>Planned Unit Development</b>             |                         |   | Planning       |
| General Concept Plan                        | \$1,250.00              | \$7,500.00 Fee Escrow   | Planning       |
| Development Stage Plan                      | \$1,850.00              | \$7,500.00 Fee Escrow   | Planning       |
| Final Plan                                  | \$1,250.00              | \$7,500.00 Fee Escrow   | Planning       |

# City of Lake Elmo Fee Schedule 2013

| APPLICATION/FEE/PERMIT TYPE  | 2013 FEE                 | ESCROW OR ADDITIONAL CHARGE   | DEPARTMENT     |
|--|--------------------------|---|----------------|
| Plumbing   |                          | (City will retain escrows to reimburse review costs for each stage of development review)     | Planning       |
| Residential  | \$60.00/unit             | Up to 3 units, max fee \$180.00 plus \$5.00 Surcharge (State Mandated)                        | Administration |
| Commercial   | \$60.00/unit             | Up to 3 units or 1% of total valuation, whichever is greater. Plus Surcharge (State Mandated) | Building       |
| Private Roads (Permitted only in AG zone)                                    | \$150.00                 |   | Building       |
| Restrictive Soils and Wetland Restoration Protection and Preservation Permit | \$800.00                 |   | Planning       |
| Retaining Walls over 4'  | \$150.00                 | \$1,500.00 Fee Escrow   | Planning       |
| Returned Check (NSF)   | \$25.00                  | Plus \$5.00 State Surcharge   | Building       |
| Right-of-Way Permit  |                          |   | Administration |
| Annual Registration  | \$200.00                 |   | Engineering    |
| Excavation Permit  | \$275.00 + \$.60/foot    | \$5,000.00 Security   | Engineering    |
| Joint Trench Permit (per lot per utility)                                    | \$100.00                 |   | Engineering    |
| Obstruction Permit   | \$275.00                 |   | Engineering    |
| Permit Extension   | \$100.00                 |   | Engineering    |
| Delay Penalty (per calendar day)   | \$25.00                  |   | Engineering    |
| Roofing  |                          |   | Engineering    |
| Residential  | \$150.00                 | Plus \$5.00 State Surcharge   | Building       |
| Commercial   | see notes                | Based on valuation  | Building       |
| SAC Charge (City) (Sewer Availability Charge)                                | \$3,000.00               | Per REC Unit: collected at time of plat for new lot or at time of connection for existing.    | Engineering    |
| SAC Charge (Met Council) (Sewer Availability Charge)                         | <del>\$2435</del> \$2485 | Per REC Unit: <del>\$2,435.00</del> \$2,485.00 to Met Council at time of connection.          | Engineering    |
| Scaled Aerial Drawing  | \$15.00                  |   | Engineering    |
| Sewer Connection Charge  | \$1,000.00               | Per REC Unit  | Planning       |
| Sewer Lateral Benefit Charge   | \$5,800.00               | Per REC Unit connecting to a Trunk Sewer Main and that has never been assessed                | Engineering    |
| Sewer Rate   | \$4.50/1,000 Gal         |   | Administration |
| 201 Off-Site Maintenance Fee   | \$75.00/unit/quarter     |   | Administration |
| Siding   |                          |   | Building       |
| Residential  | \$150.00                 | Plus \$5.00 State Surcharge   | Building       |
| Commercial   | see notes                | Based on valuation  | Building       |

# City of Lake Elmo Fee Schedule 2013

| APPLICATION/FEE/PERMIT TYPE               | 2013 FEE           | ESCROW OR ADDITIONAL CHARGE  | DEPARTMENT     |
|---|--------------------|--|----------------|
| <b>Signs</b>                              |                    |  |                |
| Permanent                                 | \$180.00           |  | Planning       |
| Temporary                                 | \$75.00            |  | Planning       |
| Temporary Renewal                         | \$25.00            |  | Planning       |
| Re-inspection Fee                         | \$25.00            |  | Planning       |
| Site Plan Review                          | \$980.00           |  | Planning       |
| Special Event Permit                      | \$75.00            |  | Planning       |
| Sprinkler System (Inspection Fee)         | 1.2% of value      |  | Fire           |
| Sprinkler System (Re-Inspection Fee)      | \$50.00            | plus \$5.00 surcharge; Minimum \$100   | Fire           |
| Surface Water                             |                    |  | Administration |
| Residential                               | \$50.00            |  | Administration |
| Non-Residential (Commercial etc.)         | \$50.00            |  | Administration |
| Vacations (Streets or Easements)          |                    | Utility rate factor per code   | Administration |
| Easements                                 | \$515.00           | \$500.00 Fee Escrow  | Planning       |
| Streets                                   | \$515.00           | \$500.00 Fee Escrow  | Planning       |
| Variance                                  | \$750.00           |  | Planning       |
| <del>Video Reproduction</del>             | <del>\$25.00</del> |  | Administration |
| Water Availability Charge (WAC)           | \$3,000.00         | Per REC Unit; collected at time of plat for new lot or at time of connection for existing. | Engineering    |
| Water Connection Charge                   | \$1,000.00         | Per REC Unit   | Administration |
| Water Equipment/Set up                    |                    |  | Administration |
| Meter (3/4" or less)                      | \$300.00           |  | Administration |
| Driveway Curb Stop Lid                    | \$100.00           |  | Administration |
| Disconnect Service                        | \$80.00            |  | Administration |
| Reconnect Service                         | \$80.00            |  | Administration |
| Water Lateral Benefit Charge              | \$5,800.00         | Per REC Unit connecting to a Trunk Water Main and that has never been assessed             | Engineering    |
| <b>Water Usage</b>                        |                    |  | Administration |
| Residential - Quarterly Rate              | \$25.00 Base       |  | Administration |
| Residential - Plus Rate per 1,000 Gallons |                    |  | Administration |
| Plus Rate for 0-15,000 Gallons            | \$2.14             |  | Administration |
| Plus Rate for 15,001-30,000 Gallons       | \$2.86             |  | Administration |
| Plus Rate for 30,001-50,000 Gallons       | \$3.77             |  | Administration |
| Plus Rate for 50,001-80,000 Gallons       | \$5.00             |  | Administration |
| Plus Rate for 80,001 + Gallons            | \$6.63             |  | Administration |

# City of Lake Elmo Fee Schedule 2013

| APPLICATION/FEE/PERMIT TYPE   | 2013 FEE              | ESCROW OR ADDITIONAL CHARGE  | DEPARTMENT     |
|---|-----------------------|--|----------------|
| <b>Water Usage</b>  |                       |  |                |
| Commercial - Quarterly Rate   | \$25.00 Base          |  | Administration |
| Commercial - Plus Rate Per 1,000 Gallons  |                       |  | Administration |
| Plus Rate for 0 - 15,000 Gallons  | \$3.11                |  | Administration |
| Plus Rate for 15,001 - 30,000 Gallons   | \$3.26                |  | Administration |
| Plus Rate for 30,001 - 50,000 Gallon  | \$3.77                |  | Administration |
| Plus Rate for 50,001 - 80,000 Gallons   | \$5.00                |  | Administration |
| Plus Rate for 80,001 + Gallons  | \$6.63                |  | Administration |
| <b>Water Usage</b>  |                       |  |                |
| Hotel / Motel - Quarterly Rate  | \$25.00 Base          | For metered non-irrigation (domestic) consumption  | Administration |
| Hotel / Motel - Plus Rate Per 1,000 Gallons   |                       |  | Administration |
| Plus Rate for 0 - 30,000 Gallons  | \$3.11                |  | Administration |
| Plus Rate for 30,001 - 50,000 Gallons   | \$3.26                |  | Administration |
| Plus Rate for 50,001 + Gallons  | \$4.00                |  | Administration |
| <b>Water Usage Delinquent Accounts</b>  |                       |  |                |
| Regular   | 6% per quarter        | Plus \$25.00 or 8%, whichever is greater, if certified to County for collection with taxes | Administration |
| Storm Water   | 10% per year          | Plus \$25.00 or 8%, whichever is greater, if certified to County for collection with taxes | Administration |
| <b>Bulk Water Purchase</b>  |                       |  |                |
| Water from Hydrant  | \$61.20 1st 5,000 Gal | Plus \$3.26/additional 1,000 gallons   | Administration |
| Sod Installation (New Construction)   | \$61.20 1st 5,000 Gal | Up to 45 days. Resident must contact city in advance.                                      | Administration |
| Swimming Pool Fill  | \$61.20 1st 5,000 Gal | Plus \$3.26 per 1,000 gallons and \$15.00/hr labor   | Administration |
| Wind Generator  | \$850.00              | \$2,000.00 Fee Escrow  | Planning       |
| Wireless Communication Permit   | \$500.00              | \$6,000.00 Fee Escrow  | Planning       |
| Zoning Amendment (Text or Map)  | \$1,245.00            |  | Planning       |
| Definition of Terms   |                       |  |                |
| * Fee Escrow: City will maintain a fee escrow to cover all City review costs. Application fees include all professional fees and expenses incurred by the City.                                   |                       |  |                |
| ** Security: City will retain a security escrow to ensure completion of work as directed by the approved permit/application and compliance with the State Building Code and the City of Lake Elmo |                       |  |                |

## 2014 FEE SCHEDULE MODIFICATIONS SUMMARY

| APPLICATION/FEE/PERMIT TYPE                          | 2013 FEE              | ESCROW OR ADDITIONAL CHARGE   | MODIFICATION  |
|--|-----------------------|---|---|
| Copies (B&W)   | \$0.25 per page       | 100 pages or more are charged at actual cost of production                | Clarified to reflect state law.                             |
| Copies (Color)                                       | \$0.50 per page       | 100 pages or more are charged at actual cost of production                | Clarified to reflect state law.                             |
| Copies (B&W) 11x17                                   | \$1.00 per page       | 100 pages or more are charged at actual cost of production                | Clarified to reflect state law.                             |
| Copies (Color) 11x17                                 | \$2.00 per page       | 100 pages or more are charged at actual cost of production                | Clarified to reflect state law.                             |
| Data DVD Fee   | \$15.00               |   | New fee. Previously included in Video Reproduction fee.     |
| City Street Maps (36x40)                             | \$20.00               |   | Eliminated separate fee. Follow general fee rate.           |
| Plan Size Maps (Larger than 11x17)                   | \$20 \$15             |   | Fee lowered \$5.00.   |
| Code Book  | \$160.00              |   | Eliminated separate fee. Follow general fee rate.           |
| Code Book Sections 1, 2, 4, 6-12, 14                 | \$12.00               |   | Eliminated separate fee. Follow general fee rate.           |
| Code Book Section 3                                  | \$52.00               |   | Eliminated separate fee. Follow general fee rate.           |
| Code Book Sections 5 & 13                            | \$27.00               |   | Eliminated separate fee. Follow general fee rate.           |
| Comprehensive Plan                                   | \$125.00              |   | Eliminated separate fee. Follow general fee rate.           |
| OP Ordinance   | \$42.00               |   | Eliminated separate fee. Follow general fee rate.           |
| Parks Plan   | \$80.00               |   | Eliminated separate fee. Follow general fee rate.           |
| Video reproduction                                   | \$10.00               |   | Fee lowered \$25.00.  |
| Dog License- late fee                                | \$2.50 per month      | Maximum \$10  | Maximum amount clarified.                                   |
| Service Dogs License                                 | \$5 No Charge         |   | Eliminated fee.   |
| Application Fee                                      | \$100.00              | Fee includes one Therapist  | Clarified policy to reflect intention of ordinance.         |
| Massage Therapy Premises License Renewal             | \$50.00               | Fee includes one Therapist  | Clarified policy to reflect intention of ordinance.         |
| Massage Therapy License Amendment                    | \$50 \$25             |   | Fee lowered \$25.00.  |
| SAC Charge (Met Council) (Sewer Availability Charge) | \$2435 \$2485         | Per REC Unit: \$2,425.00 \$2,485.00 to Met Council at time of connection. | Metropolitan Council raised fee by \$50 effective 1/1/2014. |
| Sod Installation (New Construction)                  | \$61.20 1st 5,000 Gal | Up to 45 days. Resident must contact city in advance.                     | New fee.  |

DATE: December 17, 2013  
CONSENT  
ITEM # 7

AGENDA ITEM: Approve Ski Trail Grooming Agreement

SUBMITTED BY: Beckie Gumatz, Program Assistant

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Adam Bell, City Clerk

**SUGGESTED ORDER OF BUSINESS (if removed from the consent agenda):**

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

**POLICY RECOMMENDER:** Staff

**FISCAL IMPACT:** The 2014 budget includes funds to cover the services of this contract at the seasonal average number of hours.

**SUMMARY AND ACTION REQUESTED:**

It is recommended that the City Council approve the renewal of the contract with Washington County to provide services for Ski Trail Grooming as outlined in the attached contract. The contract specifies that there is no base fee and the City only pays for services as they are provided. The contract has been reviewed and approved by the City Attorney. As part of its consent agenda, no formal motion is required. Should council decide to remove this item from the consent agenda, the recommended motion is as follows:

*“Move to approve the agreement with Washington County for Ski Trail Grooming services.”*

**LEGISLATIVE HISTORY:** Each year the City enters into a contractual agreement with Washington County to provide ski trail grooming services in Sunfish Lake Park.

**BACKGROUND INFORMATION (SWOT):**

**Strengths:**

- Strengthens partnership with County. Provides groomed trails for skiing, which helps encourage Sunfish Lake Park be utilized. There is no rate increase from 2013.

**Weaknesses:**

- City is required to rely on County for services and is subject to the priorities/limitations of the County. The City is not at the top of the County's priority list.

**Opportunities:**

- Purchasing a City groomer would offer potential to provide increased service and long-term cost savings.

**Threats:**

- There is no remedy provided for the County's failure to groom trails in time for Park users to actually use the trails. As a contracted party, this is always a risk.

**RECOMMENDATION:** It is recommended that the City Council approve the renewal of the contract with Washington County to provide services for Ski Trail Grooming as outlined in the attached contract. As part of its consent agenda, no formal motion is required. Should council decide to remove this item from the consent agenda, the recommended motion would be as follows:

*“Move to approve the agreement with Washington County for Ski Trail Grooming services.”*

**ATTACHMENTS:**

1. 2014 Ski Grooming Contract with Washington County
2. Map of ski trails to be maintained under the contract
3. Exhibit B. Washington County – Parks Division Accounts Receivable Rates

**CONTRACT BETWEEN WASHINGTON COUNTY AND  
CITY OF LAKE ELMO  
FOR SKI TRAIL GROOMING**

|                   |                       |
|-------------------|-----------------------|
| WASHINGTON COUNTY |                       |
| CONTRACT NO.      | _____                 |
| DEPT.             | PUBLIC WORKS          |
| DIVISION          | Parks                 |
| TERM              | Signature to 12/31/14 |

This Agreement is made and entered into by and between Washington County, hereinafter referred to as "County", and the **City of Lake Elmo, 3800 Laverne Avenue North, Lake Elmo, MN 55043**, herein referred to as "Municipality."

**WITNESSETH:**

WHEREAS, the Municipality has requested to contract with the County to perform ski trail grooming located on properties under the jurisdiction of said Municipality; and

WHEREAS, the County is agreeable to rendering such maintenance services on the terms and conditions hereinafter set forth.

NOW, THEREFORE, the parties agree as follows:

**SECTION I**

The County agrees to provide, through Parks Operations, ski trail grooming (defined as tilling, blading, and leveling of snow) within the Municipality subject to the following conditions:

1. The County will groom the ski trail system as shown on the map labeled Exhibit A.
2. The standards of performance shall be determined by the Parks Manager.
3. The County shall keep record of labor, materials, and equipment furnished, and prepare an itemized statement of the amount due and submit it monthly to the Municipality.

**SECTION II**

The Municipality agrees to pay the County the cost and expense for performing the ski trail grooming services provided for by this agreement.

1. The Municipality agrees to reimburse the County for County employee wages as outlined on attached Exhibit B. The determination of hours paid and overtime rate shall be in accordance with the current memorandum of agreement with Local 49 of the International Union of Operating Engineers.
2. The Municipality agrees that the rates as outlined in Exhibit B for County employees may be adjusted at any time within the contract period by an amount equal to that given by the County Board of Commissioners in negotiated contracts with employees' authorized representatives.
3. The Municipality agrees to reimburse the County for County equipment used at the rates outlined on attached Exhibit B. Invoices shall include the time of equipment in going from the place where stationed to the site of work and the

return to its station.

4. The Municipality agrees to reimburse the County for any materials provided.
5. Upon receipt of a monthly itemized statement of employee, equipment and material costs, the Municipality agrees to reimburse the County monthly.
6. Except as otherwise specified herein, the Municipality shall not be obligated to, or responsible for, or liable for compensation or indemnity to any County employee performing maintenance services under this agreement to the Municipality for injury or sickness arising out of this employment, and the County agrees to hold harmless the Municipality against any such claim.
7. The Municipality agrees to determine the extent, nature and level of service to be provided on said ski trails.

### **SECTION III**

The parties hereto, the County and Municipality, agree as follows:

1. The County, its officers, agents and employees shall not assume or be liable for any intentional or negligent act of the Municipality or any officer, agent, or employee of the Municipality, and the Municipality agrees to hold the County, its officers, agents and employees harmless from any intentional or negligent act of the Municipality or any officer agent or employee of the Municipality, and the Municipality agrees to defend the County, its officers, agents or employees from any claim for damages resulting from the negligent or intentional act of the Municipality, or any officer, agent or employee of the Municipality.
2. The Municipality, its officers, agents and employees shall not assume or be liable for any intentional or negligent act of the County or any officer, agent, or employee of the County, and the County agrees to hold the Municipality, its officers, agents and employees harmless from any intentional or negligent act of the County or any officer, agent, or employee of the County, and the County agrees to defend the Municipality, its officers, agents or employees from any claim for damages resulting from the negligent or intentional act of the County, or any officer, agent or employee of the County.
3. This agreement shall be for the period indicated below except that the Municipality or the County may terminate this agreement upon thirty (30) days written notice. The effective date of this agreement is from the date of this agreement to December 31, 2014.
4. Notwithstanding any termination of this agreement, the provisions of Section II, Paragraph 6 and Section III, Paragraphs 1 and 2, shall survive the termination of the full extent necessary for the protection of the County and the municipality.



# Sunfish Lake Park Ski Trails

**KEY**

- Lake or Pond
- Meadow
- Woodland
- Powerline
- Fence
- Sledding Hill
- Parking
- Easiest
- More Difficult
- Most Difficult

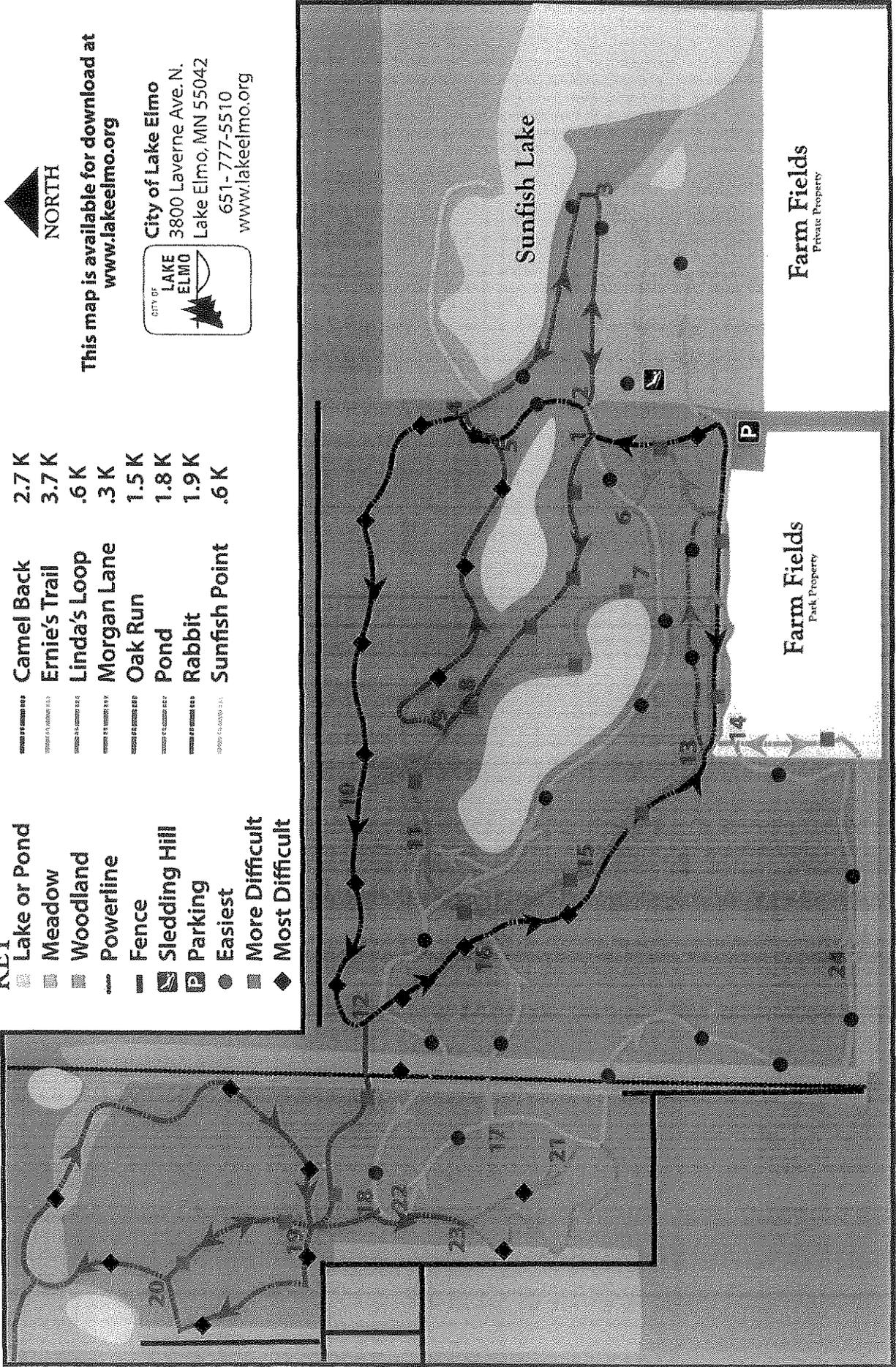
- Camel Back 2.7 K
- Ernie's Trail 3.7 K
- Linda's Loop .6 K
- Morgan Lane .3 K
- Oak Run 1.5 K
- Pond 1.8 K
- Rabbit 1.9 K
- Sunfish Point .6 K

NORTH

This map is available for download at [www.lakeelmo.org](http://www.lakeelmo.org)



City of Lake Elmo  
3800 Laverne Ave. N.  
Lake Elmo, MN 55042  
651-777-5510  
[www.lakeelmo.org](http://www.lakeelmo.org)



To Jamaica Ave.

EXHIBIT B

Washington County – Parks Division  
Accounts Receivable Rates

SCHEDULE A – LABOR (HOURLY RATES)

| <u>Classification</u> | <u>Step</u> | <u>2014 A/R Rates</u> | <u>2014 Overtime Rates</u> |
|-----------------------|-------------|-----------------------|----------------------------|
| Maintenance Worker    | Minimum     | \$37.58               | \$56.37                    |
|                       | Maximum     | \$47.58               | \$71.37                    |
| Parks Foreman         | Minimum     | \$48.32               | \$72.18                    |
|                       | Maximum     | \$65.84               | \$98.76                    |

SCHEDULE B – EQUIPMENT (HOURLY RATES)

| <u>Description</u>        | <u>Unit</u> | <u>Make</u> | <u>Model</u> | <u>Year</u> | <u>2014 Rental Rate</u> |
|---------------------------|-------------|-------------|--------------|-------------|-------------------------|
| 1 ½ Ton Dump Truck        | 302         | Ford        | F700         | 1991        | \$41.00                 |
| Tucker Snow Cat & Trailer | 326-363     | Tucker      | 1342         | 1985        | \$60.00                 |
| Snowmobile                | 334         |             |              | 1999        | \$20.00                 |



MAYOR & COUNCIL COMMUNICATION

DATE: December 17, 2013  
CONSENT  
ITEM #: 8

AGENDA ITEM: Section 34 Water and Sewer Utility Extension Improvements – Pay Request No. 2

SUBMITTED BY: Ryan Stempki, Project Engineer

THROUGH: Dean A. Zuleger, City Administrator

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

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

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

**POLICY RECOMMENDER:** Engineering

**FISCAL IMPACT:**

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

**SUMMARY AND ACTION REQUESTED:**

The City Council is respectfully requested to consider approving Pay Request No. 2 for the Section 34 Water and Sewer Utility Extension Improvements. If removed from the consent agenda, the recommended motion for this action is as follows:

*“Move to approve Pay Request No. 2 to Redstone Construction Company, Inc. in the amount of \$770,621.29, for the Section 34 Water and Sewer Utility Extension Improvements.”*

**LEGISLATIVE HISTORY/BACKGROUND INFORMATION:**

Redstone Construction Company, Inc. (the Contractor for the project) has submitted Partial Pay Estimate No. 2 in the amount of \$770,621.29. 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 \$54,837.13.

**RECOMMENDATION:**

Staff is recommending that the City Council consider approving, *as part of the Consent Agenda*, Pay Request No. 2 for the Section 34 Water and Sewer Utility Extension Improvements. If removed from the consent agenda, the recommended motion for this action is as follows:

***“Move to approve Pay Request No. 2 to Redstone Construction Company, Inc. in the amount of \$770,621.29, for the Section 34 Water and Sewer Utility Extension Improvements.”***

**ATTACHMENT(S):**

1. Partial Pay Estimate No. 2

**PROJECT PAY FORM**

|                                   |                                |
|-----------------------------------|--------------------------------|
| PARTIAL PAY ESTIMATE NO. <u>2</u> | <b>FOCUS</b> ENGINEERING, Inc. |
|-----------------------------------|--------------------------------|

|   |   |
|---|---|
| SECTION 34 WATER & SEWER UTILITY EXTENSION IMPROVEMENTS<br>PROJECT NO. 2013.126 | PERIOD OF ESTIMATE<br>FROM <u>11/2/2013</u> TO <u>12/1/2013</u> |
|---|---|

|  |   |
|--|---|
| PROJECT OWNER:<br>CITY OF LAKE ELMO<br>3800 LAVERNE AVENUE NORTH<br>LAKE ELMO, MN 55042<br>ATTN: JACK GRIFFIN, CITY ENGINEER | CONTRACTOR:<br>REDSTONE CONSTRUCTION COMPANY INC.<br>PO BOX 218<br>MORA, MN 55051<br>ATTN: DALE MANS, PROJECT MANAGER |
|--|---|

| CONTRACT CHANGE ORDER SUMMARY |               |             |            | PAY ESTIMATE SUMMARY         |                |
|-------------------------------|---------------|-------------|------------|------------------------------|----------------|
| No.                           | Approval Date | Amount      |            |                              |                |
|                               |               | Additions   | Deductions |                              |                |
| 1                             | 11/6/2013     | \$11,162.82 |            | 1. Original Contract Amount  | \$1,701,884.50 |
|                               |               |             |            | 2. Net Change Order Sum      | \$11,162.82    |
|                               |               |             |            | 3. Revised Contract (1+2)    | \$1,713,047.32 |
|                               |               |             |            | 4. *Work Completed           | \$1,096,742.56 |
|                               |               |             |            | 5. *Stored Materials         | \$0.00         |
|                               |               |             |            | 6. Subtotal (4+5)            | \$1,096,742.56 |
|                               |               |             |            | 7. Retainage* <u>5.0%</u>    | \$54,837.13    |
|                               |               |             |            | 8. Previous Payments         | \$271,284.14   |
|                               |               |             |            | 9. Amount Due (6-7+8)        | \$770,621.29   |
| TOTALS                        |               | \$11,162.82 | \$0.00     |                              |                |
| NET CHANGE                    |               | \$11,162.82 |            | *Detailed Breakdown Attached |                |

| CONTRACT TIME           |                   |                |            |             |                                     |
|-------------------------|-------------------|----------------|------------|-------------|-------------------------------------|
| START DATE:             | <u>10/7/2013</u>  | ORIGINAL DAYS: | <u>235</u> | ON SCHEDULE |                                     |
| SUBSTANTIAL COMPLETION: | <u>12/20/2013</u> | REVISED DAYS:  | <u>0</u>   | YES         | <input checked="" type="checkbox"/> |
| FINAL COMPLETION:       | <u>5/30/2014</u>  | REMAINING:     | <u>180</u> | NO          | <input type="checkbox"/>            |

|  |   |
|--|---|
| ENGINEER'S CERTIFICATION:<br>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.<br><br>ENGINEER<br><u>12-5-13</u><br>DATE |
|--|---|

|  |  |
|--|--|
| CONTRACTOR'S CERTIFICATION:<br>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<br><br>BY<br><u>12-5-13</u><br>DATE |
|--|--|

|   |            |
|---|------------|
| APPROVED BY OWNER: CITY OF LAKE ELMO, MINNESOTA |            |
| BY _____  | BY _____   |
| DATE _____                                      | DATE _____ |

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

**FOCUS** ENGINEERING, inc.

| ITEM  | DESCRIPTION OF PAY ITEM                            | UNIT | CONTRACT |             |                     | THIS PERIOD |                     | TOTAL TO DATE |                     |
|---|--|------|----------|-------------|---------------------|-------------|---------------------|---------------|---------------------|
|   |  |      | QUANTITY | UNIT PRICE  | AMOUNT              | QUANTITY    | AMOUNT              | QUANTITY      | AMOUNT              |
| <b>DIVISION 1 - GENERAL</b>                                       |  |      |          |             |                     |             |                     |               |                     |
| 1   | MOBILIZATION                                       | LS   | 1        | \$48,000.00 | \$48,000.00         | 0.00        | \$19,200.00         | 0.00          | \$48,000.00         |
| 2   | TRAFFIC CONTROL                                    | LS   | 1        | \$6,800.00  | \$6,800.00          | 0.00        | \$0.00              | 0             | \$0.00              |
| 3   | CLEAR AND GRUB TREES                               | LS   | 1        | \$19,000.00 | \$19,000.00         | 0.00        | \$0.00              | 1             | \$19,000.00         |
| 4   | TEMPORARY ROCK CONSTRUCTION ENTRANCE               | EA   | 2        | \$1,100.00  | \$2,200.00          | 0.00        | \$0.00              | 0             | \$0.00              |
| 5   | STREET SWEEPING                                    | HR   | 40       | \$1.75.00   | \$7,000.00          | 0.00        | \$0.00              | 0             | \$0.00              |
| <b>SUBTOTAL - DIVISION 1</b>                                      |  |      |          |             | <b>\$92,500.00</b>  |             | <b>\$19,200.00</b>  |               | <b>\$62,200.00</b>  |
| <b>DIVISION 2 - SANITARY SEWER (GRAVITY SEWER - HUDSON BLVD.)</b> |  |      |          |             |                     |             |                     |               |                     |
| 6   | CONCRETE JERSEY BARRIERS                           | LF   | 900      | \$21.00     | \$18,900.00         | 900.00      | \$18,900.00         | 900           | \$18,900.00         |
| 7   | REMOVE AND DISPOSE OF EXISTING BITUMINOUS DRIVEWAY | SY   | 500      | \$2.20      | \$1,100.00          | 0.00        | \$0.00              | 0             | \$0.00              |
| 8   | REMOVE PIPE CULVERT                                | LF   | 245      | \$3.50      | \$1,847.50          | 0.00        | \$0.00              | 0             | \$0.00              |
| 9   | REMOVE SANITARY SEWER PIPE                         | LF   | 13       | \$6.55      | \$85.15             | 0.00        | \$0.00              | 0             | \$0.00              |
| 10  | SALVAGE AND REINSTALL 12" RCP, INCL APRONS         | LF   | 50       | \$22.10     | \$1,105.00          | 0.00        | \$0.00              | 0             | \$0.00              |
| 11  | PATCH BITUMINOUS DRIVEWAY                          | SY   | 500      | \$3.00      | \$1,500.00          | 0.00        | \$0.00              | 0             | \$0.00              |
| 12  | PATCH GRAVEL DRIVEWAY                              | TH   | 100      | \$15.00     | \$1,500.00          | 209.00      | \$3,135.00          | 209           | \$3,135.00          |
| 12  | 24" X 42" ARCH CMP CULVERT                         | LF   | 69       | \$51.90     | \$3,581.10          | 0.00        | \$0.00              | 0             | \$0.00              |
| 14  | 30" CMP CULVERT                                    | LF   | 71       | \$44.20     | \$3,138.20          | 0.00        | \$0.00              | 0             | \$0.00              |
| 15  | 36" CMP CULVERT                                    | LF   | 35       | \$51.90     | \$1,816.50          | 0.00        | \$0.00              | 0             | \$0.00              |
| 16  | 42" CMP CULVERT                                    | LF   | 64       | \$76.20     | \$4,876.80          | 0.00        | \$0.00              | 0             | \$0.00              |
| 17  | 24" X 42" ARCH CMP CULVERT                         | EA   | 2        | \$498.00    | \$996.00            | 0.00        | \$0.00              | 0             | \$0.00              |
| 18  | 30" CMP APRON                                      | EA   | 3        | \$389.00    | \$1,167.00          | 0.00        | \$0.00              | 0             | \$0.00              |
| 19  | 36" CMP APRON                                      | EA   | 2        | \$572.00    | \$1,144.00          | 0.00        | \$0.00              | 0             | \$0.00              |
| 20  | 42" CMP APRON                                      | EA   | 7        | \$1,120.00  | \$7,840.00          | 0.00        | \$0.00              | 0             | \$0.00              |
| 21  | CONNECT TO EXISTING SANITARY SEWER MH              | EA   | 1        | \$993.00    | \$993.00            | 1.00        | \$993.00            | 1             | \$993.00            |
| 22  | 8" PVC SANITARY SEWER, SDR 35, 0' - 10' DEEP       | LF   | 25       | \$38.90     | \$972.50            | 28.00       | \$1,089.20          | 28            | \$1,089.20          |
| 23  | 10" PVC SANITARY SEWER, SDR 26, 25' - 30' DEEP     | LF   | 20       | \$35.40     | \$708.00            | 20.00       | \$708.00            | 20            | \$708.00            |
| 24  | 12" PVC SANITARY SEWER, SDR 35, 0' - 10' DEEP      | LF   | 855      | \$35.20     | \$30,096.00         | 860.00      | \$30,132.00         | 860           | \$30,132.00         |
| 25  | 12" PVC SANITARY SEWER, SDR 35, 10' - 15' DEEP     | LF   | 675      | \$40.00     | \$27,000.00         | 700.00      | \$28,000.00         | 700           | \$28,000.00         |
| 26  | 12" PVC SANITARY SEWER, SDR 26, 15' - 20' DEEP     | LF   | 280      | \$71.40     | \$20,000.00         | 194.00      | \$13,851.60         | 194           | \$13,851.60         |
| 27  | 12" PVC SANITARY SEWER, SDR 35, 15' - 20' DEEP     | LF   | 65       | \$83.00     | \$5,395.00          | 63.00       | \$5,266.80          | 63            | \$5,266.80          |
| 28  | 12" PVC SANITARY SEWER, SDR 26, 20' - 25' DEEP     | LF   | 200      | \$91.20     | \$18,240.00         | 200.00      | \$18,240.00         | 200           | \$18,240.00         |
| 29  | 12" PVC SANITARY SEWER, SDR 26, 25' - 30' DEEP     | LF   | 560      | \$102.00    | \$57,120.00         | 516.00      | \$52,641.60         | 516           | \$52,641.60         |
| 30  | JACK 12" PVC SANITARY SEWER                        | LF   | 40       | \$410.00    | \$16,400.00         | 40.00       | \$16,400.00         | 40            | \$16,400.00         |
| 31  | ROCK FOUNDATION BORROW                             | LF   | 1,500    | \$0.01      | \$15.00             | 0.00        | \$0.00              | 0             | \$0.00              |
| 32  | INSULATION, 2" THICK                               | SY   | 150      | \$19.90     | \$2,985.00          | 106.00      | \$2,085.70          | 106           | \$2,085.70          |
| 33  | PLACE FILL OVER SANITARY SEWER PIPE (LV)           | CY   | 150      | \$7.33      | \$1,099.50          | 0.00        | \$0.00              | 0             | \$0.00              |
| 34  | CROSS HIGH PRESSURE GAS PIPE LINE                  | LS   | 1        | \$2,760.00  | \$2,760.00          | 0.00        | \$0.00              | 0             | \$0.00              |
| 35  | SANITARY SEWER MH, 4' DIAMETER                     | EA   | 8        | \$2,530.00  | \$20,240.00         | 8.00        | \$20,240.00         | 8             | \$20,240.00         |
| 36  | EXCESS MANHOLE DEPTH, 4' DIAMETER                  | LF   | 55       | \$97.20     | \$5,346.00          | 43.89       | \$4,266.11          | 44            | \$4,266.11          |
| 37  | TELEWISE SANITARY SEWER                            | LF   | 12,572   | \$1.75      | \$21,991.00         | 0.00        | \$0.00              | 0             | \$0.00              |
| 38  | OFF ROAD STRUCTURE MARKER                          | EA   | 17       | \$35.20     | \$598.40            | 0.00        | \$0.00              | 0             | \$0.00              |
| 39  | SEED MIX 250 & BLANKET                             | SY   | 5,000    | \$1.00      | \$5,000.00          | 0.00        | \$0.00              | 0             | \$0.00              |
| 40  | SEED MIX 270 & BLANKET                             | SY   | 5,200    | \$1.14      | \$5,928.00          | 0.00        | \$0.00              | 0             | \$0.00              |
| 41  | SEED MIX 250 & HYDROMULCH                          | SY   | 5,000    | \$0.42      | \$2,100.00          | 0.00        | \$0.00              | 0             | \$0.00              |
| 42  | SEED MIX 270 & HYDROMULCH                          | SY   | 5,200    | \$0.46      | \$2,392.00          | 0.00        | \$0.00              | 0             | \$0.00              |
| 43  | EROSION STABILIZATION MAT                          | SY   | 150      | \$9.90      | \$1,485.00          | 0.00        | \$0.00              | 0             | \$0.00              |
| 44  | TEMPORARY SEED MIX 100 AND MULCH                   | AC   | 4        | \$496.00    | \$1,984.00          | 0.00        | \$0.00              | 0             | \$0.00              |
| 45  | DITCH CHECK  | EA   | 6        | \$97.50     | \$585.00            | 0.00        | \$0.00              | 0             | \$0.00              |
| 46  | CULVERT INLET PROTECTION                           | EA   | 8        | \$200.00    | \$1,600.00          | 0.00        | \$0.00              | 0             | \$0.00              |
| 47  | SILT FENCE   | LF   | 1,500    | \$1.71      | \$2,565.00          | 0.00        | \$0.00              | 0             | \$2,565.00          |
| <b>SUBTOTAL - DIVISION 2</b>                                      |  |      |          |             | <b>\$305,781.85</b> |             | <b>\$219,791.41</b> |               | <b>\$270,947.37</b> |

| ITEM  | DESCRIPTION OF PAY ITEM                            | UNIT | CONTRACT |              |                     | THIS PERIOD         |                     | TOTAL TO DATE |              |
|---|--|------|----------|--------------|---------------------|---------------------|---------------------|---------------|--------------|
|   |  |      | QUANTITY | UNIT PRICE   | AMOUNT              | QUANTITY            | AMOUNT              | QUANTITY      | AMOUNT       |
| <b>DIVISION 3 - SANITARY SEWER (LIFT STATION SYSTEM)</b>      |  |      |          |              |                     |                     |                     |               |              |
| 48  | REMOVE AND DISPOSE OF EXISTING BITUMINOUS DRIVEWAY | SY   | 570      | \$2.75       | \$1,567.50          | 345.00              | \$948.75            | 915           | \$948.75     |
| 49  | REMOVE AND DISPOSE OF EXISTING CONCRETE DRIVEWAY   | SY   | 40       | \$8.75       | \$350.00            | 0.00                | \$0.00              | 0             | \$0.00       |
| 50  | REMOVE AND DISPOSE OF CONCRETE CURB AND GUTTER     | LF   | 30       | \$4.35       | \$130.50            | 0.00                | \$0.00              | 0             | \$0.00       |
| 51  | REMOVE PIPE CULVERT                                | LF   | 165      | \$5.50       | \$907.50            | 0.00                | \$0.00              | 0             | \$0.00       |
| 52  | SALVAGE AND REINSTALL 18" RCP, INCL APRONS         | LF   | 60       | \$24.30      | \$1,458.00          | 0.00                | \$0.00              | 0             | \$0.00       |
| 53  | PATCH BITUMINOUS DRIVEWAY                          | SY   | 300      | \$35.00      | \$10,500.00         | 0.00                | \$0.00              | 0             | \$0.00       |
| 54  | PATCH GRAVEL DRIVEWAY                              | TN   | 280      | \$15.00      | \$4,200.00          | 94.00               | \$1,410.00          | 94            | \$1,410.00   |
| 55  | 8618 CONCRETE CURB AND GUTTER                      | LF   | 30       | \$30.00      | \$900.00            | 0.00                | \$0.00              | 0             | \$0.00       |
| 56  | 12" CMP CULVERT                                    | LF   | 30       | \$20.50      | \$615.00            | 0.00                | \$0.00              | 0             | \$0.00       |
| 57  | 18" CMP CULVERT                                    | LF   | 52       | \$29.80      | \$1,549.60          | 0.00                | \$0.00              | 0             | \$0.00       |
| 58  | 21" CMP CULVERT                                    | LF   | 40       | \$31.60      | \$1,264.00          | 0.00                | \$0.00              | 0             | \$0.00       |
| 59  | 12" CMP APRON                                      | EA   | 1        | \$131.00     | \$131.00            | 0.00                | \$0.00              | 0             | \$0.00       |
| 60  | 18" CMP APRON                                      | EA   | 2        | \$157.00     | \$314.00            | 0.00                | \$0.00              | 0             | \$0.00       |
| 61  | 21" CMP APRON                                      | EA   | 2        | \$187.00     | \$374.00            | 0.00                | \$0.00              | 0             | \$0.00       |
| 62  | 8" DIP SANITARY SEWER, CLASS 52, 10' - 15' DEEP    | LF   | 40       | \$44.30      | \$1,772.00          | 40.00               | \$1,772.00          | 40            | \$1,772.00   |
| 63  | 8" PVC SANITARY SEWER, SDR 35, 0' - 10' DEEP       | LF   | 700      | \$25.70      | \$17,990.00         | 0.00                | \$0.00              | 59            | \$1,516.30   |
| 64  | 8" PVC SANITARY SEWER, SDR 35, 10' - 15' DEEP      | LF   | 1,275    | \$28.00      | \$35,700.00         | 370.00              | \$10,380.00         | 600           | \$16,800.00  |
| 65  | 8" PVC SANITARY SEWER, SDR 35, 15' - 20' DEEP      | LF   | 425      | \$35.00      | \$14,875.00         | 0.00                | \$0.00              | 744           | \$26,396.00  |
| 66  | 8" PVC SANITARY SEWER, SDR 35, 20' - 25' DEEP      | LF   | 10       | \$74.30      | \$743.00            | 0.00                | \$0.00              | 0             | \$0.00       |
| 67  | 8" PVC SANITARY SEWER, SDR 26, 0' - 10' DEEP       | LF   | 50       | \$34.10      | \$1,705.00          | 0.00                | \$0.00              | 0             | \$0.00       |
| 68  | 8" PVC SANITARY SEWER, SDR 26, 10' - 15' DEEP      | LF   | 705      | \$34.50      | \$24,322.50         | 203.00              | \$6,991.50          | 747           | \$25,714.00  |
| 69  | 8" PVC SANITARY SEWER, SDR 26, 15' - 20' DEEP      | LF   | 435      | \$69.90      | \$30,106.50         | 0.00                | \$0.00              | 381           | \$26,631.90  |
| 70  | 8" PVC SANITARY SEWER, SDR 26, 20' - 25' DEEP      | LF   | 715      | \$62.90      | \$44,783.50         | 0.00                | \$0.00              | 886           | \$74,778.40  |
| 71  | 8" PVC SANITARY SEWER, SDR 26, 25' - 30' DEEP      | LF   | 85       | \$94.20      | \$7,907.00          | 0.00                | \$0.00              | 70            | \$6,594.00   |
| 72  | 10" PVC SANITARY SEWER, SDR 26, 15' - 20' DEEP     | LF   | 70       | \$80.10      | \$5,607.00          | 0.00                | \$0.00              | 0             | \$0.00       |
| 73  | 10" PVC SANITARY SEWER, SDR 26, 20' - 25' DEEP     | LF   | 32       | \$51.50      | \$1,648.00          | 0.00                | \$0.00              | 102           | \$5,253.00   |
| 74  | 10" PVC SANITARY SEWER, SDR 26, 25' - 30' DEEP     | LF   | 0        | \$109.00     | \$0.00              | 0.00                | \$0.00              | 0             | \$0.00       |
| 75  | 10" PVC SANITARY SEWER, SDR 26, 30' - 35' DEEP     | LF   | 0        | \$187.00     | \$0.00              | 0.00                | \$0.00              | 0             | \$0.00       |
| 76  | ROCK FOUNDATION BORROW                             | LF   | 5,000    | \$0.01       | \$50.00             | 0.00                | \$0.00              | 0             | \$0.00       |
| 77  | 8" DIP SANITARY SEWER OUTSIDE DROP                 | LF   | 27       | \$162.00     | \$4,374.00          | 12.00               | \$1,944.00          | 11            | \$1,944.00   |
| 78  | 8" DIP SANITARY SEWER BLIND OUTSIDE DROP           | LF   | 129      | \$151.00     | \$19,479.00         | 0.00                | \$0.00              | 2930          | \$4,424.30   |
| 79  | SANITARY SEWER MH, 4' DIAMETER                     | EA   | 27       | \$2,460.00   | \$66,420.00         | 4.00                | \$9,840.00          | 20            | \$48,200.00  |
| 80  | EXCESS MANHOLE DEPTH, 4' DIAMETER                  | LF   | 168      | \$97.20      | \$16,329.60         | 13.00               | \$1,263.60          | 145.00        | \$14,066.00  |
| 81  | TELEVIEW SANITARY SEWER                            | LF   | 4,783    | \$1.75       | \$8,369.25          | 0.00                | \$0.00              | 0             | \$0.00       |
| 82  | OFF ROAD STRUCTURE MARKER                          | EA   | 109      | \$8.20       | \$893.80            | 0.00                | \$0.00              | 0             | \$0.00       |
| 83  | 8" PVC FORCE MAIN                                  | LF   | 5,960    | \$24.90      | \$14,740.20         | 5,940.00            | \$14,700.60         | 5,940         | \$14,700.60  |
| 84  | AIR RELEASE MH                                     | EA   | 2        | \$5,410.00   | \$10,820.00         | 2.00                | \$10,820.00         | 2             | \$10,820.00  |
| 85  | DIP FITTINGS                                       | LB   | 186      | \$5.95       | \$1,107.30          | 0.00                | \$0.00              | 0             | \$0.00       |
| 86  | LIFT STATION                                       | LS   | 1        | \$220,000.00 | \$220,000.00        | 0.40                | \$88,000.00         | 10            | \$88,000.00  |
| 87  | BITUMINOUS DRIVEWAY (LIFT STATION)                 | SY   | 1317     | \$33.00      | \$43,461.00         | 0.00                | \$0.00              | 0             | \$0.00       |
| 88  | SEED MIX 250 & BLANKET                             | SY   | 24,600   | \$1.10       | \$27,060.00         | 0.00                | \$0.00              | 0             | \$0.00       |
| 89  | SEED MIX 250 & HYDROMULCH                          | SY   | 24,000   | \$0.42       | \$10,080.00         | 0.00                | \$0.00              | 0             | \$0.00       |
| 90  | EROSION STABILIZATION MAT                          | SY   | 50       | \$2.90       | \$145.00            | 0.00                | \$0.00              | 0             | \$0.00       |
| 91  | SEED MIX 250, MULCH, & DISC ANCHOR                 | AC   | 5        | \$829.00     | \$4,145.00          | 0.00                | \$0.00              | 0             | \$0.00       |
| 92  | TEMPORARY SEED MIX 250 AND MULCH                   | AC   | 15       | \$693.00     | \$10,395.00         | 0.00                | \$0.00              | 0             | \$0.00       |
| 93  | WETLAND RESTORATION WITH BWSR MIX 34-181           | SY   | 180      | \$9.91       | \$1,783.80          | 0.00                | \$0.00              | 0             | \$0.00       |
| 94  | DITCH CHECK  | EA   | 17       | \$97.50      | \$1,657.50          | 0.00                | \$0.00              | 0             | \$0.00       |
| 95  | CULVERT INLET PROTECTION                           | EA   | 8        | \$200.00     | \$1,600.00          | 0.00                | \$0.00              | 0             | \$0.00       |
| 96  | SILT FENCE   | LF   | 5,310    | \$1.71       | \$9,070.10          | 0.00                | \$0.00              | 1,315         | \$2,248.65   |
| <b>SUBTOTAL - DIVISION 3</b>                                  |  |      |          |              | <b>\$793,732.23</b> | <b>\$281,173.10</b> | <b>\$512,559.13</b> |               |              |
| <b>DIVISION 4 - SANITARY SEWER (SERVICE TO CM PROPERTIES)</b> |  |      |          |              |                     |                     |                     |               |              |
| 97  | 8" PVC SANITARY SEWER, SDR 35, 0' - 10' DEEP       | LF   | 45       | \$33.20      | \$1,494.00          | 0.00                | \$0.00              | 0             | \$0.00       |
| 98  | JACK 8" PVC SANITARY SEWER                         | LF   | 60       | \$400.00     | \$24,000.00         | 0.00                | \$0.00              | 0             | \$0.00       |
| 99  | SEED MIX 250 & BLANKET                             | SY   | 300      | \$1.50       | \$450.00            | 0.00                | \$0.00              | 0             | \$0.00       |
| 100   | SILT FENCE   | LF   | 50       | \$1.71       | \$85.50             | 0.00                | \$0.00              | 25            | \$42.75      |
| <b>SUBTOTAL - DIVISION 4</b>                                  |  |      |          |              | <b>\$24,929.50</b>  | <b>\$0.00</b>       | <b>\$42.75</b>      |               |              |
| <b>DIVISION 5 - SANITARY SEWER (LENNAR AREA SERVICES)</b>     |  |      |          |              |                     |                     |                     |               |              |
| 101   | 8" PVC WYE, SDR 36                                 | EA   | 11       | \$127.00     | \$1,397.00          | 7.00                | \$889.00            | 11            | \$1,297.00   |
| 102   | 4" PVC SANITARY SEWER SERVICE RISER                | LF   | 230      | \$7.75       | \$1,782.50          | 50.00               | \$387.50            | 148           | \$1,147.00   |
| <b>SUBTOTAL - DIVISION 5</b>                                  |  |      |          |              | <b>\$2,179.50</b>   | <b>\$1,276.50</b>   | <b>\$1,534.00</b>   |               |              |
| <b>DIVISION 6 - WATERMAIN</b>                                 |  |      |          |              |                     |                     |                     |               |              |
| 103   | CONNECT TO EXISTING 12" WATER MAIN                 | EA   | 1        | \$404.00     | \$404.00            | 0.00                | \$0.00              | 0             | \$0.00       |
| 104   | 8" DIP, CL 52 WATER MAIN                           | LF   | 215      | \$26.50      | \$5,697.50          | 62.00               | \$1,643.00          | 82            | \$1,767.00   |
| 105   | 8" DIP, CL 52 WATER MAIN                           | LF   | 40       | \$35.60      | \$1,424.00          | 29.00               | \$1,042.40          | 29            | \$1,042.40   |
| 106   | 12" DIP, CL 52 WATER MAIN                          | LF   | 7,805    | \$46.50      | \$362,922.50        | 4,998.00            | \$231,744.00        | 4,995         | \$231,744.00 |
| 107   | CROSS HIGH PRESSURE GAS PIPE LINE                  | LS   | 1        | \$882.00     | \$882.00            | 0.00                | \$0.00              | 0             | \$0.00       |
| 108   | 8" GATE VALVE AND BOX                              | EA   | 14       | \$1,220.00   | \$17,080.00         | 7.00                | \$8,540.00          | 7             | \$8,540.00   |
| 109   | 8" GATE VALVE AND BOX                              | EA   | 4        | \$1,830.00   | \$7,320.00          | 3.00                | \$5,490.00          | 3             | \$5,490.00   |
| 110   | 12" GATE VALVE AND BOX                             | EA   | 12       | \$9,070.00   | \$108,840.00        | 6.00                | \$54,420.00         | 6             | \$108,840.00 |
| 111   | VALVE BOX EXTENSION                                | LF   | 15       | \$55.40      | \$831.00            | 0.00                | \$0.00              | 0             | \$0.00       |
| 112   | VALVE NUT EXTENSION                                | LF   | 15       | \$37.70      | \$565.50            | 0.00                | \$0.00              | 0             | \$0.00       |

| ITEM                  | DESCRIPTION OF PAY ITEM   | UNIT | CONTRACT |            |             | THIS PERIOD |              | TOTAL TO DATE |              |
|-----------------------|---------------------------|------|----------|------------|-------------|-------------|--------------|---------------|--------------|
|                       |                           |      | QUANTITY | UNIT PRICE | AMOUNT      | QUANTITY    | AMOUNT       | QUANTITY      | AMOUNT       |
| 113                   | HYDRANT                   | EA   | 11       | \$4,050.00 | \$44,950.00 | 7.00        | \$28,650.00  | 7             | \$28,650.00  |
| 114                   | HYDRANT EXTENSION         | LF   | 6        | \$666.00   | \$3,996.00  | 0.00        | \$0.00       | 0             | \$0.00       |
| 115                   | OFF ROAD STRUCTURE MARKER | EA   | 17       | \$55.20    | \$938.40    | 0.00        | \$0.00       | 0             | \$0.00       |
| 116                   | DUCTILE IRON FITTINGS     | LB   | 3,000    | \$4.95     | \$14,850.00 | 164.00      | \$811.80     | 164           | \$811.80     |
| SUBTOTAL - DIVISION 6 |                           |      |          |            | \$68,794.40 |             | \$289,444.30 | 0             | \$289,444.30 |

TOTALS - BASE CONTRACT \$1,704,102.98 \$811,195.31 \$1,098,688.16

CHANGE ORDER NO. 1

|                             |   |    |         |            |             |      |        |         |             |
|-----------------------------|---|----|---------|------------|-------------|------|--------|---------|-------------|
| CO1-1                       | CLEAR & GRUB TREES (LIFT STATION SITE ON CITY PROPERTY) | LS | 1.0     | \$9,500.00 | \$9,500.00  | 0.00 | \$0.00 | 0.71    | \$2,425.00  |
| CO1-2                       | EXTRA F' OF DEPTH AT VALVE MH                           | LS | 1.0     | \$1,631.84 | \$1,631.84  | 0.00 | \$0.00 | 0.0     | \$0.00      |
| CO1-3                       | EXTRA DEPTH OF FORCEMAIN                                | LF | 300.0   | \$28.58    | \$8,574.00  | 0.00 | \$0.00 | 0.0     | \$0.00      |
| CO1-4                       | LIFT STATION GRAVEL DRIVEWAY                            | TN | 358.0   | \$15.00    | \$5,370.00  | 0.00 | \$0.00 | 0.9     | \$0.00      |
| CO1-5                       | DEDUCT FOR GRAVITY SANITARY SEWER TRACER WIRE           | LF | 7,865.0 | -\$0.60    | -\$4,719.00 | 0.00 | \$0.00 | 7,865.0 | -\$4,719.00 |
| TOTALS - CHANGE ORDER NO. 1 |   |    |         |            | \$8,944.34  |      | \$0.00 |         | -\$1,946.00 |

TOTALS - REVISED CONTRACT \$1,713,047.32 \$811,195.31 \$1,096,742.56



MAYOR & COUNCIL COMMUNICATION

DATE: December 17, 2013  
CONSENT  
ITEM # 9

AGENDA ITEM: Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30<sup>th</sup> Street  
– Pay Request No. 3

SUBMITTED BY: Ryan Stempski, Project Engineer

THROUGH: Dean A. Zuleger, City Administrator

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

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

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

**POLICY RECOMMENDER:** Engineering

**FISCAL IMPACT:**

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

**SUMMARY AND ACTION REQUESTED:**

The City Council is respectfully requested to consider approving Pay Request No. 3 for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30<sup>th</sup> Street. If removed from the consent agenda, the recommended motion for this action is as follows:

*“Move to approve Pay Request No. 3 to Minger Construction, Inc. in the amount of \$954,513.43 for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30<sup>th</sup> Street.”*

**LEGISLATIVE HISTORY/BACKGROUND INFORMATION:**

Minger Construction, Inc., the Contractor for the project, has submitted Partial Pay Estimate No. 3 in the amount of \$945,513.43. 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 \$88,237.69.

**RECOMMENDATION:**

Staff is recommending that the City Council consider approving, *as part of the Consent Agenda*, Pay Request No. 3 for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30<sup>th</sup> Street. If removed from the consent agenda, the recommended motion for this action is as follows:

***“Move to approve Pay Request No. 3 to Minger Construction, Inc. in the amount of \$954,513.43, for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30<sup>th</sup> Street.”***

**ATTACHMENT(S):**

1. Partial Pay Estimate No. 3

**PROJECT PAY FORM**

|   |                                |
|---|--------------------------------|
| PARTIAL PAY ESTIMATE NO. <u>    3    </u> | <b>FOCUS</b> ENGINEERING, inc. |
|---|--------------------------------|

|  |   |
|--|---|
| LAKE ELMO AVENUE SEWER INFRASTRUCTURE IMPROVEMENTS<br>PROJECT NO. 2013.123 | PERIOD OF ESTIMATE<br>FROM <u>  11/2/2013  </u> TO <u>  12/1/2013  </u> |
|--|---|

|  |   |
|--|---|
| PROJECT OWNER:<br>CITY OF LAKE ELMO<br>3800 LAVERNE AVENUE NORTH<br>LAKE ELMO, MN 55042<br>ATTN: JACK GRIFFIN, CITY ENGINEER | CONTRACTOR:<br>MINGER CONSTRUCTION, INC.<br>2471 GALPIN COURT, SUITE 110, PO BOX 236<br>CHANHASSEN, MN 55317-0236<br>ATTN: AARON HOEFS, PROJECT MANAGER |
|--|---|

| CONTRACT CHANGE ORDER SUMMARY |               |               |             | PAY ESTIMATE SUMMARY          |                     |
|-------------------------------|---------------|---------------|-------------|-------------------------------|---------------------|
| No.                           | Approval Date | Amount        |             |                               |                     |
|                               |               | Additions     | Deductions  |                               |                     |
| 1                             | 10/15/2013    |               | \$19,603.70 | 1. Original Contract Amount   | \$3,463,201.60      |
| 2                             | 11/6/2014     | \$9,070.00    |             | 2. Net Change Order Sum       | -\$10,533.70        |
|                               |               |               |             | 3. Revised Contract (1+2)     | \$3,452,667.90      |
|                               |               |               |             | 4. *Work Completed            | \$1,728,062.13      |
|                               |               |               |             | 5. *Stored Materials          | \$36,691.60         |
|                               |               |               |             | 6. Subtotal (4+5)             | \$1,764,753.73      |
|                               |               |               |             | 7. Retainage* <u>  5.0%  </u> | \$88,237.69         |
|                               |               |               |             | 8. Previous Payments          | \$722,002.61        |
|                               |               |               |             | 9. Amount Due (6-7-8)         | <b>\$954,513.43</b> |
| TOTALS                        |               | \$9,070.00    | \$19,603.70 | *Detailed Breakdown Attached  |                     |
| NET CHANGE                    |               | (\$10,533.70) |             |                               |                     |

| CONTRACT TIME           |                       |               |                |             |                                     |
|-------------------------|-----------------------|---------------|----------------|-------------|-------------------------------------|
| START DATE:             | <u>  9/9/2013  </u>   | ORIGINAL DAYS | <u>  265  </u> | ON SCHEDULE |                                     |
| SUBSTANTIAL COMPLETION: | <u>  12/20/2013  </u> | REVISED DAYS  | <u>  0  </u>   | YES         | <input checked="" type="checkbox"/> |
| FINAL COMPLETION:       | <u>  6/1/2014  </u>   | REMAINING     | <u>  182  </u> | NO          | <input type="checkbox"/>            |

|  |   |
|--|---|
| ENGINEER'S CERTIFICATION:<br>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.<br><br><br>_____<br>ENGINEER<br><br><u>  12-5-2013  </u><br>_____<br>DATE |
|--|---|

|  |  |
|--|--|
| CONTRACTOR'S CERTIFICATION:<br>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<br><br><br>_____<br>BY<br><br><u>  12-5-13  </u><br>_____<br>DATE |
|--|--|

|  |               |
|--|---------------|
| APPROVED BY OWNER: <u>  CITY OF LAKE ELMO, MINNESOTA  </u> |               |
| _____<br>BY  | _____<br>BY   |
| _____<br>DATE  | _____<br>DATE |

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



| ITEM                               | DESCRIPTION OF PAY ITEM                                      | UNIT  | CONTRACT |              |                       | THIS PERIOD |                       | TOTAL TO DATE |                       |
|------------------------------------|--|-------|----------|--------------|-----------------------|-------------|-----------------------|---------------|-----------------------|
|                                    |  |       | QUANTITY | UNIT PRICE   | AMOUNT                | QUANTITY    | AMOUNT                | QUANTITY      | AMOUNT                |
| <b>DIVISION 1 - GENERAL</b>        |  |       |          |              |                       |             |                       |               |                       |
| 1                                  | MOBILIZATION   | LS    | 1        | \$33,000.00  | \$33,000.00           | 0.25        | \$8,250.00            | 1             | \$33,000.00           |
| 2                                  | TRAFFIC CONTROL  | LS    | 1        | \$16,500.00  | \$16,500.00           | 0.35        | \$5,775.00            | 0.50          | \$8,250.00            |
| 3                                  | SILT FENCE   | LF    | 3654     | \$1.65       | \$6,029.10            | 0.00        | \$0.00                | 1,827         | \$3,014.55            |
| 4                                  | ROCK CONSTRUCTION ENTRANCE                                   | EA    | 3        | \$970.00     | \$2,910.00            | 0.00        | \$0.00                | 1             | \$485.00              |
| 5                                  | WATER FOR DUST CONTROL                                       | M GAL | 2        | \$278.00     | \$556.00              | 0.00        | \$0.00                | 0             | \$0.00                |
| 6                                  | TREE REMOVAL   | EA    | 208      | \$266.00     | \$54,796.00           | 4.00        | \$1,054.00            | 208           | \$55,328.00           |
| 7                                  | CLEARING & GRUBBING  | AC    | 1.9      | \$4,180.00   | \$7,904.00            | 0.00        | \$0.00                | 1.9           | \$7,904.00            |
| 8                                  | INLET PROTECTION   | EA    | 4        | \$950.00     | \$1,400.00            | 4.00        | \$1,400.00            | 6             | \$2,100.00            |
| 9                                  | HYDRO MULCH W/ SEED & FERTILIZER                             | AC    | 9.49     | \$8,700.00   | \$82,113.00           | 3.00        | \$11,100.00           | 3             | \$11,100.00           |
| 10                                 | SEEDING (WETLAND MIX)  | AC    | 0.2      | \$4,250.00   | \$850.00              | 0.00        | \$0.00                | 0             | \$0.00                |
| 11                                 | EROSION CONTROL BLANKET (WOOD FIBER)                         | SY    | 5625     | \$1.10       | \$6,187.50            | 0.00        | \$0.00                | 0             | \$0.00                |
| 12                                 | TOPSOIL BORROW   | CY    | 500      | \$13.00      | \$6,500.00            | 0.00        | \$0.00                | 0             | \$0.00                |
| 13                                 | DITCH CHECK  | LF    | 60       | \$5.25       | \$915.00              | 0.00        | \$0.00                | 0             | \$0.00                |
| 14                                 | MODULAR BLOCK RETAINING WALL                                 | SF    | 60       | \$55.00      | \$3,300.00            | 0.00        | \$0.00                | 0             | \$0.00                |
| 15                                 | SALVAGE/SALVAGE AND REINSTALL EXISTING IRRIGATION PUMP HOUSE | LS    | 0        | \$1,400.00   | \$0.00                | 0.00        | \$0.00                | 0             | \$0.00                |
| 16                                 | RAIN GARDEN  | LS    | 1        | \$11,500.00  | \$11,500.00           | 0.00        | \$0.00                | 0             | \$0.00                |
| <b>SUBTOTAL - DIVISION 1</b>       |  |       |          |              | <b>\$186,860.60</b>   |             | <b>\$27,589.00</b>    |               | <b>\$121,181.55</b>   |
| <b>DIVISION 2 - SANITARY SEWER</b> |  |       |          |              |                       |             |                       |               |                       |
| 1                                  | CONNECT TO EXISTING MANHOLE                                  | EA    | 1        | \$11,600.00  | \$11,600.00           | 0.00        | \$0.00                | 1             | \$11,600.00           |
| 2                                  | SALVAGE & REINSTALL EXISTING SANITARY SEWER MANHOLE          | EA    | 1        | \$3,760.00   | \$3,760.00            | 0.50        | \$1,880.00            | 1             | \$3,760.00            |
| 3                                  | SALVAGE & REINSTALL EXISTING SANITARY SEWER                  | LF    | 100      | \$84.00      | \$8,400.00            | 10.00       | \$840.00              | 52            | \$4,368.00            |
| 4                                  | LIFT STATION STRUCTURE, VALVE VAULT, AND PIPING              | LS    | 1        | \$187,000.00 | \$187,000.00          | 0.50        | \$93,500.00           | 1             | \$93,500.00           |
| 5                                  | LIFT STATION PUMPS AND ACCESSORIES                           | LS    | 1        | \$66,750.00  | \$66,750.00           | 0.00        | \$0.00                | 0             | \$0.00                |
| 6                                  | LIFT STATION ELECTRICAL AND CONTROLS                         | LS    | 1        | \$134,000.00 | \$134,000.00          | 0.00        | \$0.00                | 0             | \$0.00                |
| 7                                  | GENERATOR  | LS    | 1        | \$98,250.00  | \$98,250.00           | 0.00        | \$0.00                | 0             | \$0.00                |
| 8                                  | CHEMICAL FEED SYSTEM   | LS    | 1        | \$243,000.00 | \$243,000.00          | 0.00        | \$0.00                | 0             | \$0.00                |
| 9                                  | 16" HDPE FORCEMAIN, INSTALLED BY HDD                         | LF    | 15649    | \$81.00      | \$1,267,569.00        | 5,328.00    | \$431,568.00          | 7,169         | \$580,689.00          |
| 10                                 | 16" HDPE FORCEMAIN, INSTALLED BY OPEN CUT                    | LF    | 399      | \$57.00      | \$22,743.00           | 217.00      | \$12,369.00           | 250           | \$14,250.00           |
| 11                                 | 8" PVC, SDR 35 SANITARY SEWER (10'-15' DEPTH)                | LF    | 15       | \$155.00     | \$2,325.00            | 0.00        | \$0.00                | 15            | \$2,325.00            |
| 12                                 | 8" PVC, SDR 35 SANITARY SEWER (15'-20' DEPTH)                | LF    | 15       | \$155.00     | \$2,325.00            | 0.00        | \$0.00                | 15            | \$2,325.00            |
| 13                                 | 8" PVC, SDR 35 SANITARY SEWER (20'-25' DEPTH)                | LF    | 0        | \$155.00     | \$0.00                | 0.00        | \$0.00                | 0             | \$0.00                |
| 14                                 | 18" PVC, SDR 26 SANITARY SEWER (10'-15' DEPTH)               | LF    | 213      | \$91.00      | \$19,383.00           | 211.00      | \$19,201.00           | 211           | \$19,201.00           |
| 15                                 | 18" PVC, SDR 26 SANITARY SEWER (15'-20' DEPTH)               | LF    | 193      | \$91.00      | \$17,563.00           | 193.00      | \$17,563.00           | 193           | \$17,563.00           |
| 16                                 | 18" PVC, PS115 SANITARY SEWER (30'-35' DEPTH)                | LF    | 25       | \$258.00     | \$6,450.00            | 20.00       | \$5,160.00            | 20            | \$5,160.00            |
| 17                                 | 24" SANITARY SEWER (0-30' DEPTH)                             | LF    | 45       | \$116.00     | \$5,220.00            | 25.00       | \$2,900.00            | 25            | \$2,900.00            |
| 18                                 | 24" SANITARY SEWER (10-15' DEPTH)                            | LF    | 999      | \$116.00     | \$115,884.00          | 944.00      | \$109,304.00          | 1,513         | \$175,508.00          |
| 19                                 | 24" SANITARY SEWER (15-20' DEPTH)                            | LF    | 1353     | \$116.00     | \$156,948.00          | 270.00      | \$31,320.00           | 934           | \$108,344.00          |
| 20                                 | 24" SANITARY SEWER (20-25' DEPTH)                            | LF    | 583      | \$116.00     | \$67,628.00           | 196.00      | \$22,736.00           | 486           | \$56,376.00           |
| 21                                 | 24" SANITARY SEWER (25-30' DEPTH)                            | LF    | 213      | \$116.00     | \$24,708.00           | 202.00      | \$23,432.00           | 202           | \$23,432.00           |
| 22                                 | 24" SANITARY SEWER (30-35' DEPTH)                            | LF    | 92       | \$116.00     | \$10,672.00           | 5.00        | \$580.00              | 153           | \$17,748.00           |
| 23                                 | 24" SANITARY SEWER (35'-40' DEPTH)                           | LF    | 189      | \$116.00     | \$21,804.00           | 0.00        | \$0.00                | 105           | \$12,180.00           |
| 24                                 | 6" PVC, SDR 26 SOLVENT WELD SERVICE PIPE                     | LF    | 20       | \$82.00      | \$1,640.00            | 120.00      | \$9,840.00            | 120           | \$9,840.00            |
| 25                                 | 6" ON 18" WYE BRANCH   | EA    | 1        | \$1,140.00   | \$1,140.00            | 6.00        | \$6,840.00            | 6             | \$6,840.00            |
| 26                                 | 48" DIAMETER SAN. MANHOLE, TYPE 301 (0'-10' DEPTH)           | EA    | 12       | \$4,900.00   | \$58,800.00           | 6.00        | \$29,400.00           | 10            | \$49,000.00           |
| 27                                 | 54" DIAMETER SAN. MANHOLE, TYPE 301 (0'-10' DEPTH)           | EA    | 4        | \$8,400.00   | \$33,600.00           | 3.00        | \$25,200.00           | 5             | \$42,000.00           |
| 28                                 | 48" DIAMETER SAN. MANHOLE, TYPE 301 EXTRA DEPTH (>10' DEPTH) | VF    | 120.1    | \$73.00      | \$8,767.30            | 62.76       | \$4,581.48            | 112.0         | \$8,173.08            |
| 29                                 | 54" DIAMETER SAN. MANHOLE, TYPE 301 EXTRA DEPTH (>10' DEPTH) | VF    | 44.1     | \$120.00     | \$5,292.00            | 41.82       | \$5,018.40            | 54.7          | \$6,566.40            |
| 30                                 | 72" CLEANOUT MANHOLE   | EA    | 5        | \$10,400.00  | \$52,000.00           | 2.00        | \$20,800.00           | 3             | \$31,200.00           |
| 31                                 | 72" AIR RELEASE MANHOLE                                      | EA    | 4        | \$13,500.00  | \$54,000.00           | 2.00        | \$27,000.00           | 2             | \$27,000.00           |
| 32                                 | 6" DIP CLASS 50 SANITARY SEWER                               | LF    | 0        | \$108.00     | \$0.00                | 0.00        | \$0.00                | 0             | \$0.00                |
| 33                                 | 18" DIP CLASS 50 SANITARY SEWER                              | LF    | 18       | \$138.00     | \$2,484.00            | 20.00       | \$2,760.00            | 20            | \$2,760.00            |
| 34                                 | 24" DIP CLASS 50 SANITARY SEWER                              | LF    | 36       | \$301.00     | \$10,836.00           | 40.00       | \$12,040.00           | 40            | \$12,040.00           |
| 35                                 | EXTERNAL MANHOLE DROP  | EA    | 3        | \$9,300.00   | \$27,900.00           | 3.00        | \$27,900.00           | 3             | \$27,900.00           |
| 36                                 | 16" RES. SEAT GATE VALVE & BOX                               | EA    | 18       | \$8,000.00   | \$144,000.00          | 8.00        | \$64,000.00           | 10            | \$80,000.00           |
| 37                                 | EXCAVATE, SALVAGE, AND STOCKPILE WETLAND SOIL (CV)           | CY    | 803      | \$1.00       | \$803.00              | 300.00      | \$300.00              | 300           | \$300.00              |
| 38                                 | PLACE SALVAGED WETLAND SOIL (CV)                             | CY    | 803      | \$1.00       | \$803.00              | 300.00      | \$300.00              | 300           | \$800.00              |
| 39                                 | TRENCH STABILIZATION ROCK                                    | LF    | 300      | \$32.00      | \$9,600.00            | 0.00        | \$0.00                | 0             | \$0.00                |
| 40                                 | TELEVISIONING  | LF    | 4541     | \$1.25       | \$5,676.25            | 0.00        | \$0.00                | 0             | \$0.00                |
| 41                                 | HORIZONTAL DIRECTIONAL DRILLING BORE PITS                    | LS    | 1        | \$190,000.00 | \$190,000.00          | 0.35        | \$66,500.00           | 0.50          | \$95,000.00           |
| <b>SUBTOTAL - DIVISION 2</b>       |  |       |          |              | <b>\$3,099,123.55</b> |             | <b>\$1,075,032.88</b> |               | <b>\$1,550,148.48</b> |

| ITEM  | DESCRIPTION OF PAY ITEM                                 | UNIT | CONTRACT |             |              | THIS PERIOD |             | TOTAL TO DATE |             |
|---|---|------|----------|-------------|--------------|-------------|-------------|---------------|-------------|
|   |   |      | QUANTITY | UNIT PRICE  | AMOUNT       | QUANTITY    | AMOUNT      | QUANTITY      | AMOUNT      |
| <b>DIVISION 3 - WATERMAIN</b>               |   |      |          |             |              |             |             |               |             |
| 1   | 8"X6" WET TAP (INCLUDE SLEEVE AND VALVE)                | EA   | 0        | \$5,100.00  | \$0.00       | 0.00        | \$0.00      | 0             | \$0.00      |
| 2   | 8" DIP. CL. S2 WATERMAIN                                | LF   | 100      | \$41.00     | \$4,100.00   | 153.00      | \$6,273.00  | 153           | \$6,273.00  |
| 3   | 6" RES. SEAT GATE VALVE & BOX                           | EA   | 1        | \$1,300.00  | \$1,300.00   | 1.00        | \$1,300.00  | 1             | \$1,300.00  |
| 4   | 6" HYDRANT (8'-6" BURY)                                 | EA   | 1        | \$4,600.00  | \$4,600.00   | 1.00        | \$4,600.00  | 1             | \$4,600.00  |
| <b>SUBTOTAL - DIVISION 3</b>                |   |      |          |             | \$10,000.00  |             | \$12,173.00 |               | \$12,173.00 |
| <b>DIVISION 4 - STREETS AND RESTORATION</b> |   |      |          |             |              |             |             |               |             |
| 1   | SAWCUT BITUMINOUS PAVEMENT                              | LF   | 85       | \$5.50      | \$467.50     | 24.00       | \$132.00    | 24            | \$132.00    |
| 2   | REMOVE PIPE CULVERT (ALL TYPES & SIZES)                 | LF   | 178      | \$4.50      | \$801.00     | 0.00        | \$0.00      | 178           | \$801.00    |
| 3   | SALVAGE & REINSTALL WOOD WIER                           | EA   | 1        | \$1,050.00  | \$1,050.00   | 0.50        | \$525.00    | 1.0           | \$1,050.00  |
| 4   | REMOVE & DISPOSE OF EXIST. BITUMINOUS PAVEMENT, DRIVES  | SY   | 120      | \$2.90      | \$348.00     | 0.00        | \$0.00      | 135           | \$391.50    |
| 5   | REMOVE & DISPOSE OF EXIST. BITUMINOUS PAVEMENT, STREETS | SY   | 25       | \$2.90      | \$72.50      | 39.00       | \$113.10    | 39            | \$113.10    |
| 6   | REMOVE & DISPOSE OF EXIST. CONCRETE CURB & GUTTER       | LF   | 20       | \$2.50      | \$50.00      | 25.00       | \$62.50     | 25            | \$62.50     |
| 7   | LIFT STATION SITE GRADING                               | LS   | 1        | \$21,600.00 | \$21,600.00  | 0.00        | \$0.00      | 0             | \$0.00      |
| 8   | CL.5 AGGREGATE BASE                                     | TN   | 1101     | \$18.00     | \$19,818.00  | 38.00       | \$684.00    | 38            | \$684.00    |
| 9   | SPWEA2406 BITUMINOUS WEAR COURSE, DRIVES                | SY   | 120      | \$44.00     | \$5,280.00   | 0.00        | \$0.00      | 0             | \$0.00      |
| 10  | SPNWB2306 BITUMINOUS NON-WEAR COURSE, STREETS           | TN   | 165      | \$194.00    | \$32,010.00  | 7.00        | \$1,358.00  | 7             | \$1,358.00  |
| 11  | SPWEA240B BITUMINOUS WEAR COURSE, STREETS               | TN   | 125      | \$194.00    | \$24,250.00  | 0.00        | \$0.00      | 0             | \$0.00      |
| 12  | BITUMINOUS MATERIAL FOR TACK COAT                       | GA   | 69       | \$4.25      | \$293.25     | 0.00        | \$0.00      | 0             | \$0.00      |
| 13  | CONCRETE CURB & GUTTER                                  | LF   | 20       | \$55.00     | \$1,100.00   | 0.00        | \$0.00      | 0             | \$0.00      |
| 14  | CL.5 AGGREGATE BASE, SHOULDER                           | TN   | 55       | \$47.00     | \$2,585.00   | 0.00        | \$0.00      | 0             | \$0.00      |
| 15  | 15" CMP PIPE CULVERT W/APRON                            | LF   | 178      | \$47.00     | \$8,356.00   | 186.00      | \$8,742.00  | 186           | \$8,742.00  |
| 16  | CL. 3 RIP RAP W/ GEOTEXTILE FABRIC                      | CY   | 5        | \$125.00    | \$625.00     | 0.00        | \$0.00      | 0             | \$0.00      |
| 17  | OFF ROAD STRUCTURE MARKER                               | EA   | 25       | \$88.00     | \$2,200.00   | 0.00        | \$0.00      | 0             | \$0.00      |
| <b>SUBTOTAL - DIVISION 4</b>                |   |      |          |             | \$120,916.25 |             | \$11,616.60 |               | \$13,334.10 |

**TOTALS - BASE CONTRACT** \$3,416,900.40      \$1,126,411.48      \$1,696,837.13

**CHANGE ORDER NO. 1**

|                                    |   |    |      |          |            |       |            |      |            |
|------------------------------------|---|----|------|----------|------------|-------|------------|------|------------|
| CO1-1                              | 8" PVC, SDR 23.5 SANITARY SEWER (25'-30" DEPTH) | LF | 44.0 | \$200.00 | \$8,800.00 | 40.00 | \$8,000.00 | 40.0 | \$8,000.00 |
| CO1-2                              | 4" POLYSTYRENE INSULATION                       | SY | 10.5 | \$95.00  | \$967.50   | 0.00  | \$0.00     | 0.0  | \$0.00     |
| <b>TOTALS - CHANGE ORDER NO. 1</b> |   |    |      |          | \$9,167.50 |       | \$8,000.00 |      | \$8,000.00 |

**CHANGE ORDER NO. 2**

|                                    |   |    |       |             |             |        |             |       |             |
|------------------------------------|---|----|-------|-------------|-------------|--------|-------------|-------|-------------|
| CO2-1                              | COST FOR ADDITIONAL EASEMENT TO RELOCATE MH 0-1 | LS | 1.0   | -\$3,500.00 | -\$3,500.00 |        |             | 1.0   | -\$3,500.00 |
| CO2-2                              | 8" X 6" WET TAP INCL. VALVE & SLEEVE            | EA | 1.0   | \$5,500.00  | \$5,500.00  |        |             | 1.0   | \$5,500.00  |
| CO2-3                              | 12" DIP CL. S2 WATERMAIN INCL. FITTINGS         | LF | 328.0 | \$75.00     | \$24,600.00 | 260.00 | \$19,500.00 | 283.0 | \$21,225.00 |
| <b>TOTALS - CHANGE ORDER NO. 2</b> |   |    |       |             | \$26,600.00 |        | \$19,500.00 |       | \$23,225.00 |

**TOTALS - REVISED CONTRACT** \$3,452,667.90      \$1,153,911.48      \$1,728,062.13





MAYOR & COUNCIL COMMUNICATION

**DATE:** December 17, 2013  
**CONSENT**  
**ITEM #** 10

**AGENDA ITEM:** United Properties/Northeast Metro ISD 916 PUD Amendment and Conditional Use Permit for a New School Facility

**SUBMITTED BY:** Kyle Klatt, Community Development Director

**THROUGH:** Dean Zuleger, City Administrator

**REVIEWED BY:** Planning Commission  
Nick Johnson, City Planner

**SUGGESTED ORDER OF BUSINESS (If Removed from Consent Agenda):**

- Introduction of Item .....Community Development Director
- Report/Presentation.....Community Development Director
- Questions from Council to Staf3f ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

**POLICY RECCOMENDER:** Staff (Approval) and Planning Commission (Denial)

**FISCAL IMPACT:** TBD – the Applicant has agreed to enter into a services agreement with the City to reimburse the City for public services that will be needed to serve the school facility.

**SUMMARY AND ACTION REQUESTED:** At its last meeting, the City Council approved a request from BWBR Architects, acting on behalf of United Properties and Northeast Metro 916 Intermediate School District, to amend the Planned Unit Development (PUD) for the Eagle Point Business Park to allow a public school as a conditional use within the park. The City Council also took action at this same meeting to approve the associated Conditional Use Permit (CUP) that was submitted in conjunction with the PUD request. Staff had not drafted a Resolution specific to the CUP for the previous Council packet, and therefore, is asking the Council to confirm its previous action by adopting the attached Resolution No. 2013-107. The resolution incorporates all conditions as previously discussed and adopted by the Council.

*The suggested motion to confirm the previous Council action (if removed from the Consent Agenda) is as follows:*

***“Move to adopt Resolution No. 2013-107 approving a Conditional Use Permit to allow the construction of a public school facility within the Eagle Point Business Park.”***

**LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT:** The Staff memorandum that was prepared for the previous City Council meeting included a brief legislative history of the Eagle Point Business Park and a summary of the Planning Commission discussion concerning this item.

**BACKGROUND INFORMATION (SWOT):** The previous Staff memorandum also included a detailed SWOT analysis. The previous analysis is applicable to the Council’s CUP decision as well.

**RECOMMENDATION:** Staff is recommending that the City Council confirm its previous decision to approve a request from BWBR Architects, acting on behalf of United Properties and Northeast Metro 916 Intermediate School District, to allow the construction of a new public school serving disabled students in grades kindergarten through eighth grade within the Eagle Point Business Park. The suggested motion for this action is as follows:

***“Move to adopt Resolution No. 2013-107 approving a Conditional Use Permit to allow the construction of a public school facility within the Eagle Point Business Park.”***

**ATTACHMENTS:**

1. Resolution No. 2013-107

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

**RESOLUTION NO. 2013-107**

*A RESOLUTION APPROVING A CONDITIONAL USE PERMIT TO ALLOW A PUBLIC SCHOOL  
BUILDING WITHIN THE EAGLE POINT BUSINESS PARK*

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

**WHEREAS**, BWBR Architects, acting on behalf of Northeast Metro 916 Intermediate School District, 2540 County Road F East, White Bear Lake, MN and United Properties, 3600 American Boulevard, Suite 750, Minneapolis, MN (“Applicant”) has submitted an application to the City of Lake Elmo (the “City”) for a Conditional Use Permit to allow the construction of a new public school serving disabled students in grades kindergarten through eighth grade within the Eagle Point Business Park; and

**WHEREAS**, notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.102; and

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing on said matter on November 25, 2013; and

**WHEREAS**, the Lake Elmo Planning Commission submitted its report and recommendation concerning the Conditional Use Permit request to the City Council as part of a Staff Memorandum dated December 3, 2013; and

**WHEREAS**, the City Council considered said matter at its December 3, 2013 and December 17, 2013 meetings.

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

**FINDINGS**

- 1) That the procedures for obtaining said Conditional Use Permit (CUP) are found in the Lake Elmo Zoning Ordinance, Section 154.106.
- 2) That all the submission requirements of said Section 154.106 have been met by the Applicant.
- 3) That the proposed Conditional Use Permit is to allow the construction of a new public school serving disabled students in grades kindergarten through eighth grade within the Eagle Point Business Park as more fully described in application materials submitted to the City.
- 4) That the proposed Conditional Use Permit will be located on property legally described as Outlot A of Eagle Point Business Park Seventh Addition according to the plat thereof filed of record in the office of the Register of Titles in and for Washington County, Minnesota.

- 5) That a public school is designated as a Conditional Use within the BP – Business Park Zoning District in Section 154.551 of the Zoning Ordinance; and
- 6) That the proposed use will not be detrimental to or endanger the public health, safety, comfort, convenience or general welfare of the neighborhood or the city.
- 7) That the proposed use conforms to the City of Lake Elmo Comprehensive Plan.
- 8) That the proposed use is compatible with the existing neighborhood.
- 9) That the proposed use meets all specific development standards for such use listed in Article 7 of the Zoning Ordinance.
- 10) That the proposed use will be designed, constructed, operated and maintained so as to be compatible in appearance with the existing or intended character of the general vicinity and will not change the essential character of that area.
- 11) That the proposed use will not be hazardous or create a nuisance as defined under this Chapter to existing or future neighboring uses.
- 12) That the proposed use will be served adequately by essential public facilities and services, including streets, police and fire protection, drainage structures, refuse disposal, water and sewer systems and schools or will be served adequately by such facilities and services provided by the persons or agencies responsible for the establishment of the proposed use.
- 13) That the proposed use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community.
- 14) That the proposed use will not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare because of excessive production of traffic, noise, smoke, fumes, glare or odors.
- 15) That vehicular approaches to the property, where present, will not create traffic congestion or interfere with traffic on surrounding public thoroughfares.
- 16) That the proposed use will not result in the destruction, loss or damage of a natural or scenic feature of major importance.

### CONCLUSIONS AND DECISION

Based on the foregoing, the Applicants' application for a Conditional Use Permit is granted subject to the following conditions:

- 1) The applicant shall submit final development plans and a final plat consistent with the City's Planned Unit Development and Subdivision requirements prior to the issuance of a building permit and prior to the commencement of any grading activity on the site.
- 2) The applicant shall secure any required permits from the South Washington Watershed District prior to commencing any grading or construction activity on the site.

- 3) The final development plans shall include detailed landscape plans that conform to the Lake Elmo Zoning Ordinance and Eagle Point Business Park PUD Standards.
- 4) The applicant shall submit detailed architectural plans at the time of the final development plan review by the City. These plans shall conform to the City's Design Guidelines and Standards Manual and the Eagle Point Business Park Design Guidelines.
- 5) The final development plans shall include a signage plan.
- 6) The applicant shall pay a fee in lieu of park land dedication as determined by the City prior to the final plat being released for recording.
- 7) The final plat shall include all easements for drainage and utility and other purposes as required by the City Engineer.
- 8) The applicant shall enter into a service agreement with the City prior to issuance of a building permit for the site.
- 9) The Conditional Use Permit shall be valid for a period of 24 months. The permit shall become void if an application for a final development plan is not submitted within 24 months of the date on which the conditional use permit was granted by the City Council.
- 10) The applicant shall work with the City and neighboring property owners to develop an amicable resolution to the traffic and access spacing concerns that were voiced during the public hearing by a business owner within the Eagle Point Business Park.

Passed and duly adopted this 17<sup>th</sup> day of December by the City Council of the City of Lake Elmo, Minnesota.

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

ATTEST:

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





MAYOR & COUNCIL COMMUNICATION

DATE: December 17, 2013  
CONSENT  
ITEM # 11

AGENDA ITEM: Ki Pro Digital Recording Device Cable Equipment Upgrade  
SUBMITTED BY: Alyssa MacLeod, Taxpayer Relations and Communications Coordinator  
THROUGH: Dean Zuleger, City Administrator  
REVIEWED BY: Adam Bell, City Clerk

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

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

**POLICY RECCOMENDER:** Alyssa MacLeod, Communications Coordinator

**FISCAL IMPACT:** \$3,523.10 upfront for hardware purchase. Fees will be reimbursed in full through cable franchise grant funds.

**SUMMARY AND ACTION REQUESTED:**

Requesting authorization to purchase AJA Ki Pro Rack digital file recorder to replace outdated and failing equipment used to record council meetings. If removed from the consent agenda, the recommended motion for this action is as follows:

*“Move to approve the purchase of a Ki Pro digital recording device from B&H for \$3,523.10.”*

**LEGISLATIVE HISTORY:**

The City of Lake Elmo is currently in a Franchise Agreement with the Suburban Community Channels for local cable service. As part of the agreement the City has been allocated \$25,000 in grant funds to use toward the purchase of equipment to improve the City’s broadcast and archival of council and commission meetings, and community programming. The timeline to utilize funds has been extended through June 2013.

**BACKGROUND INFORMATION (SWOT)**

The current equipment that is used for recording City Council and Commission meetings is outdated and failing. After consulting with the cable commission, it has been found that options for recording devices are limited. Hard media recording devices are becoming obsolete, and are

not compatible with new broadcasting technology. Digital recorders, as a newer technology, are a more reliable recording mechanism and are easier to maintain.

**Strengths:**

- Will replace current equipment with a more reliable option
- Provides capability to record digital files, which are easier to edit and archive than hard media.

**Weaknesses:**

- More expensive than hard media recorders

**Opportunities:**

- The City of Lake Elmo will be reimbursed for equipment costs through grant funds.

**Threats**

- Not utilizing the grant monies would result in forfeiture of funds.
- The City would need to pay for the equipment upfront

**RECOMMENDATION:**

Based on the aforementioned, the staff recommends the appropriate guiding motion.

***“Move to approve the purchase of a Ki Pro digital recording device from B&H for \$3,523.10.”***

**ATTACHMENTS:**

- 1) B&H Equipment Quote



# Government, Education, and Corporate Department

For Pricing Requests, Purchase Orders, and Customer Service:

**Phone:** 800-947-8003  
212-239-7503

**Fax:** 800-858-5517  
212-239-7759

**Email:** Education: emailbids@bhphoto.com  
Corporate: corporatesales@bhphoto.com

Federal Government: gsa@bhphoto.com  
State and Local: biddept@bhphoto.com

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420 Ninth Avenue, New York City, NY 10001 • www.bhphotovideo.com

Federal ID#: 13-2766071

**Prices Are Valid Until:** 12/19/13      **Bid No.:** 462490270

**Sold To:** Alyssa Macleod  
City Of Lake Elmo  
3800 Laverne Ave. N.  
Attn: Alyssa Macleod  
LAKE ELMO, MN 55042

**Ship To:**  
City Of Lake Elmo  
3800 Laverne Ave. N.  
Attn: Alyssa Macleod  
LAKE ELMO, MN 55042

Bill Phone: (651)747-3908  
Work Phone: (651)373-7259

(651)747-3908

| Date   | Customer Code  | Terms                      | Salesperson   | Ship Via          |
|--|--|----------------------------|---------------|-------------------|
| 12/05/13   | 61321711   | N/A                        | CT            | STANDARD          |
| Qty Ord  | Item Description   | SKU#<br>MFR#               | Item Price    | Amount            |
| 1  | AJA RKMNT DIG FILE RECRDR/PRORES 422/DNXHD/REG<br><i>This Item Has Free Shipping To The Continental USA.</i> | AJKIPRORACK<br>(KIPRORACK) | 3,523.10      | 3,523.10          |
| PLEASE NOTE: -----<br>***** B&H HOLIDAY SCHEDULE *****<br>We will be closed on Wednesday December 25th<br>*****<br>We will be open on New Year's Day,<br>Wednesday January 1st 10AM - 6PM<br>Certain items may be enforced by vendor to sell at the<br>vendor-imposed price posted at the time of order. |  |                            |               |                   |
| <b>Payment Type</b>  |  |                            | <b>Amount</b> | <b>Sub-Total:</b> |
| NO PAYMENT TYPE SELECTED   |  |                            |               | 3,523.10          |
|  |  |                            |               | <b>Shipping:</b>  |
|  |  |                            |               | 0.00              |
|  |  |                            | <b>Total:</b> | 3,523.10          |

B&H Photo



MAYOR & COUNCIL COMMUNICATION

**DATE:** December 17, 2013  
**REGULAR**  
**ITEM #12**

**AGENDA ITEM:** Washington County Library Card Reimbursement

**SUBMITTED BY:** Mike Pearson, Mayor  
Lake Elmo Library Board

**THROUGH:** Dean Zuleger, City Administrator

**REVIEWED BY:** Adam Bell, City Clerk

**SUGGESTED ORDER OF BUSINESS:**

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

**POLICY RECOMMENDER:** Mayor/Library Board

**FISCAL IMPACT:** \$80,000 of the annual Library Fund Tax Levy would be used for the purposes outlined herein. There is no impact on the overall budget or residents' taxes.

**SUMMARY AND ACTION REQUESTED:** City Council is respectfully requested to consider entering a fee for service arrangement with Washington County to improve the access to County Library resources. In order to do this, the Lake Elmo Library Board has requested that the Council offer to purchase this more streamlined and equitable access in the amount of \$80,000. Council can do so by making the following motion:

*“Move to approve, at the request of the Lake Elmo Library Board, an annual distribution of \$80,000 library levy dollars to Washington County in order to buy Lake Elmo residents the same ease of access and use of the county library system similar to all other Washington county residents. This direct fee for service amount reflects Lake Elmo residents’ 2013 county card purchase revenues plus an additional \$50,000.”*

**LEGISLATIVE HISTORY:** Presently, Washington County Library cards are purchased via individual retail transactions. A county employee must perform the transaction, record it and eventually deposit the payment. The Lake Elmo resident, subsequent to the purchase, seeks reimbursement from the City by delivering the receipt to the city hall. At such time, city staff provides the remuneration via checks which are sent out on a bi monthly basis following Council approval of disbursements. At a minimum, the process takes two to three weeks and is revisited annually. Clearly, this process is inefficient and time consuming for Lake Elmo residents, county and City staff. A more wholesale arrangement would be far superior for all involved parties.

Recent changes in access to certain county resources (mainly electronic) imposed by the county provides a perfect time to try and find a better and more equitable solution to library access. As part of the county's rationale for changes to access has been financial, this also is a good time for City to show itself as a good partner by offering an increased contribution to the system.

**BACKGROUND INFORMATION (SWOT):**

**Strengths** This proposal would provide equal ease of access to county library resources to Lake Elmo residents and taxpayers that are currently granted to other county residents. There is no increased cost to the residents either way as the proposed funds come out of the library levy. The budget remains unaffected. By streamlining the process, this will save the county money as well by decreasing the bureaucracy involved in the reimbursement procedure.

**Weaknesses** The proposal may not be high enough for county to accept, despite it being \$50,000 over last year's contribution (160% increase).

**Opportunities** This proposal provides and opportunity for continuing discussion and negotiations with county staff towards ultimately a greater affiliation with the county system.

**Threats** Washington County could reject the proposal, and City residents would still be subject to the current reimbursement process. The county could demand the entire levy amount and leave the City residents with the status quo.

**RECOMMENDATION:** The Lake Elmo Library Board requests that the City Council pay Washington County \$80,000 for equal access to Washington County Library resources by taking the following action:

*“Move to approve, at the request of the Lake Elmo Library Board, an annual distribution of \$80,000 library levy dollars to Washington County in order to buy Lake Elmo residents the same ease of access and use of the county library system similar to all other Washington county residents. This direct fee for service amount reflects Lake Elmo residents’ 2013 county card purchase revenues plus an additional \$50,000.”*

**ATTACHMENTS:**

1. Draft 12/11/2013 Library Board Minutes

**City of Lake Elmo**  
**The Lake Elmo Library Board**  
**Wednesday, November 13, 2013**  
**Lake Elmo Public Library**  
**Meeting Room**  
**3537 Lake Elmo Ave. N**  
**6 p.m.**  
**MINUTES**

12.11.2013 Lake Elmo Library Board Meeting Minutes  
Motions are italicized.

Present: Steve DeLapp, Paul Ryberg, Renee Murray, Mike Pearson, Brett Emmons ,  
Marjorie Williams, Rosemary Meier, Ann Buchek, Sarah Linder, Megan Schmidt

Meeting called to order by Steve DeLapp at 6:03 p.m.

Agenda approved with minor amendments (reordering of existing agenda). Ann  
moved to approve, Mike seconded, and passed unanimously.

Review of minutes. Holiday decorating guidelines were missing, so Renee will add  
those to this month's minutes.

**Treasurers Report (Paul):** Per city, the library will be billed \$0 in property taxes in  
2014, but will be billed in 2015 for the rented portion deemed taxable. Paul added  
that we need clarification from city on these taxes. Paul and Linda will work with  
city to get a better explanation.

Marjorie said she contacted the state librarian to learn about law vis a vis  
city/library relationship with respect to finances. State librarian explained that best  
practices is to keep library finances separate from city for auditing purposes. Sarah  
L. explained that city has the library expenses and revenues separated in their  
system. Sarah reported that she received the 2011 and 2012 library general ledger  
from city, and Sarah is entering that data into a separate system so that we have a  
parallel system, and we can add other accounts specific to our system such as  
donations from Friends, etc. to produce a complete reporting tool for library  
finances.

There was discussion of budget vs. actual numbers as reported on the latest  
spreadsheet. We are projecting around \$40,000 surplus for 2013, but there are  
some expenses yet to be entered for 2013.

The treasurer explained that city has asked that we leave 10% of our surplus into a  
"fund A" (reserve). *Therefore, Paul made a motion for board to set aside \$26,000 for a  
cash flow fund (about 10% of total budget) at the end of 2013 in accordance with our*

*agreement with city council. All remaining monies will go into another fund (emergency fund). Discussion. Seconded by Sarah. Motion passed unanimously.*

Paul will be leaving as treasurer, and he requested that someone else be appointed. There is a nominating committee in place, and Steve said they'll be making recommendations.

**Library Director Report (Linda):** Board addressable item on Linda's report was her recommendation that we hold a board retreat/planning workshop early in 2014.

*Marjorie made a motion: Board will conduct a planning retreat toward end of January, 2014. Paul R. seconded. Discussion. Paul recommended a facilitator who has offered to work pro bono, and Linda said she would coordinate with that person. Passed unanimously.*

**Friends Report (Paul):** Friends of LE Library are conducting a children's book sale, and it's going well. More books were shipped out to BWB.

#### **Committee Reports:**

**Collections:** New oversized book labeling completed, and Linda gave training to cataloguers at their last meeting.

**Facilities (Steve):** He's working on drawings for an ADA bathroom. Suite 120 (old computer biz) now has a new lock, and Linda has the key. Steve said they would start next week on creating an opening in the wall from the children's series room to the new space in the front of building.

Sarah reported that all parties are evicted from Suite 120. Priority One will be notified that they can pick up items that remain in the space. Sarah asked for volunteers to monitor the move out, and Marjorie, Paul, Ann, and Mike volunteered. Sarah proposed Tuesday, Dec 17, Thursday, Dec 19, and Saturday, Dec 21<sup>st</sup> during business/library open hours as move out days (next week) to give them Priority One choices on move out time.

*Sarah made a motion for permission to facilitate the move out under her supervision with the attorney's approval. Seconded by Rosemary. Passed.*

Suite 140: Sarah said that a letter was sent to this tenant requesting compliance with insurance requirement by January 17<sup>th</sup>. If tenant is not in compliance by that date board action will be taken.

**Personnel (Marjorie):** *Marjorie made a motion to close library on Tues, New Years Eve Day. Seconded by Rosemary and passed unanimously.*

Linda described the Experience Works Training program. We can have a part-time employee (around 20 hours a week) through this program, paid for by the program. The program participant lives in Lake Elmo. *Motion made to authorize library director to retain services of a staffer through the Experience Works Training program. Seconded by Sarah L. Passed.*

**Outreach (Ann):** The December 7th "Chemists in Library" program was a great success, with 57 participants. Ann reported that the programming committee organized 47 programs in 2013.

### **Old Business:**

#### **Building use:**

Suite 120 area (the old computer business) is slated to become the children's area. The present plan is to put a door through the children's series room. Discussion.

*Paul made a motion that Suite 120 and Suite 190 be removed from rental space and made into library space. Marjorie seconded. Passed unanimously.*

**Inclement weather policy (Linda):** Linda will draft a written policy for review at our next meeting. *Renee made a motion to give the library director discretion to call a snow day at library. Seconded by Mike. Passed unanimously.*

**Electronic resource loss for Washington County purchased card holders (Linda):** Linda read an email from Pat Conley stating the new policy. The new policy is that anyone with a card purchased before December 1<sup>st</sup> will have the use of electronic resources until the expiration of the card. Cards purchased after December 1<sup>st</sup> will not have access to these resources.

Ann reported that Ramsey county will allow access to ebooks with a paid (\$60) card. Linda will investigate use of these cards.

Linda described the options available to us with costs. OverDrive, Freading, Tumblebooks -- discussion of cost/benefits and level of use.

*Marjorie made a motion that we purchase the Tumblebooks subscription (\$699), Freading subscription (estimated at around \$1200), and purchase Audiobooks (TEI Landmark Audio) (\$651.08). Because Freading is a "pay as you go" based on usage, we will monitor the Freading up to \$1000 cap and review the program at that time.*

Paul said that Friends of Lake Elmo Library may be able to fund the Tumblebooks subscription.

Mike P. suggested tabling until we have more discussion/information about cost of ebooks (Lake Elmo resident use) to the county library system. We would simply be

delaying this decision until city council completes revenue research and discussion with county.

*Marjorie amended her motion to table discussion on Overdrive and Freading subscription but continue with Tumblebooks if the Friends will be pay for it.*

*Seconded by Renee. Passed unanimously.*

*Motion from Marjorie Williams: Lake Elmo Library board recommends that city council discuss this issue with county commissioners to alleviate revenue concerns.*

*Seconded by Renee. Passed with one nay from Sarah L. (6-1)*

*Mike P made a motion: In order to buy LE residents same ease of access and use of the county library system similar to all other Washington county residents, the Lake Elmo Library Board requests that the city council provide an annual distribution of \$80,000 (using library levy dollars) to the county. This direct fee for service amount reflects Lake Elmo residents 2013 county card purchase revenues and an additional \$50,000.*

*Seconded by Steve.*

*Lengthy discussion.*

*Steve called the vote. Renee seconded. Passed. (5-2 – nays were Sarah and Marjorie).*

*Motion passed (4-3). For: Mike P., Paul R, Steve D., Renee M. Against: Sarah L., Marjorie W., Rosemary M.*

#### **Executive Session:**

*Motion made to give 2.5% 6 month evaluation raise to Library Director. Amendment by Paul Ryberg to give a 3% raise beginning Jan. 1, 2014.*

*Amendment seconded.*

*Vote on amended motion (to give 3% raise to Library Director Linda Orsted). Passed unanimously.*

*Sarah discussed negotiations with the ex-tenants of the computer biz for back rent and penalties.*

*Board then discussed the tenant debt and the process for recovery (Sarah working with the attorney).*

*Adjourned at 11:45 pm*



MAYOR & COUNCIL COMMUNICATION

**DATE:** December 17, 2013  
**REGULAR**  
**ITEM #** 13

**AGENDA ITEM:** Formal Adoption of Lake Elmo I-94 Land Use and Housing Chapter Comprehensive Plan Updates

**SUBMITTED BY:** Kyle Klatt, Community Development Director

**THROUGH:** Dean Zuleger, City Administrator

**REVIEWED BY:** Metropolitan Council  
Met Council Community Development Committee  
Planning Commission  
Village Planning Work Group  
Nick Johnson, City Planner

**SUGGESTED ORDER OF BUSINESS:**

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

**POLICY RECCOMENDER:** Staff and Planning Commission

**FISCAL IMPACT:** None – the Village Planning Area Comprehensive Plan amendment includes various implementation strategies that will require Council authorization in the future.

**SUMMARY AND ACTION REQUESTED:** The City Council is being asked to review and consider formal adoption of amendments to the 2030 Comprehensive Plan related to the Village Planning Area based on the Metropolitan Council’s acceptance of this document at its December 11, 2013 meeting. The action by the Met Council grants Lake Elmo authorization to put the Village Planning Area Comprehensive Plan Amendment into effect.

Please be advised that the Met Council has previously adopted a resolution modifying and clarifying the scope and nature of the Memorandum of Understanding (MOU) between the City of Lake Elmo and the Met Council. The MOU amendment allows the City to include revised

household and population forecasts in the Comprehensive Plan update based on a previous agreement with the Met Council that granted the City additional flexibility from the mandated growth numbers. The Village amendment does not alter the previously-agreed upon numbers adopted as part the I-94 Corridor update in any manner.

*The recommended motion to take action on this item is as follows:*

***“Move to approve Resolution No. 2013-108 adopting amendments to the Lake Elmo 2030 Comprehensive Plan”***

**LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT:** Minnesota law specifies that a local governmental unit cannot formally adopt a major amendment to a comprehensive plan within the Twin Cities metropolitan area until after the Metropolitan Council has reviewed and taken action on the plan. In cases where the Met Council has recommended changes, the local government should incorporate them into the plan or respond to the Council before the governing body finally adopts the comprehensive plan. The Met Council’s comments concerning the Village Area Comprehensive Plan Amendment were all advisory in nature, and the City did not receive any comments during the adjacent jurisdiction review that warranted revisions to the plan. Because no further changes are needed to the document, the City may now formally place the Comprehensive Plan amendments into effect.

Please note that the final version of the plan does incorporate additional language and a map concerning the Lake Elmo Regional Airport. Because these additions did not alter the intent of the original section, and were drafted to provide additional clarity during the course of the Met Council review, the City Council will be able to implement the final draft as presented. The attached document represents the final version of the Village Area Comprehensive Plan Amendment that was submitted and approved by the Metropolitan Council. This new section will augment the land use plan amendment adopted earlier this year.

The Planning Commission has conducted the required public hearing for the Village Planning Area Comprehensive Plan amendment, and the Planning Department has previously incorporated comments from the Commission and City Council into the final documents.

**BACKGROUND INFORMATION (SWOT):** The strengths, weaknesses, opportunities, and threats associated with the adoption of the revised Village Planning Area Comprehensive Plan Amendment have been thoroughly discussed and debated during the course of the City’s review of this document. This review included a substantial community engagement effort with:

- 20+ Village Work Group Meetings
- 2 Stakeholder Meetings
- 1 Technical Group Meeting
- 1 Public Open House Meeting
- 1 Town Hall Meeting

The most significant opportunity associated with formal adoption of the Plan at this time is that it will allow the City to move forward with implementation of the vision for the Village. The most obvious threat concerning adoption of the plan is that it will take time and effort to carry out the goals and objectives in the plan.

**RECOMMENDATION:** Based upon the above background information, Staff report, Planning Commission recommendation and Metropolitan Council action, it is recommended that the City Council approve the Village Area Comprehensive Plan amendment by undertaking the following action:

*“Move to approve Resolution No. 2013-108 adopting amendments to the Lake Elmo 2030 Comprehensive Plan”*

**ATTACHMENTS:**

1. Resolution No. 2013-108
2. Met Council Committee Report (12/11/13)
3. Final Village Area Comprehensive Plan Amendment

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

**RESOLUTION NO. 2013-108**

*A RESOLUTION AUTHORIZING ADOPTION OF THE VILLAGE PLANNING AREA UPDATE  
TO THE LAKE ELMO 2030 COMPREHENSIVE PLAN*

**WHEREAS**, the City of Lake Elmo has established a Comprehensive Plan that provides a compilation of background data, policy statements, standards, and maps, which help to guide the future physical, social, and economic development of the City; and

**WHEREAS**, said Comprehensive Plan has been prepared in compliance with Minnesota Statutes section 473.864 that requires local governmental units to review and, if necessary, amend their entire comprehensive plans and their fiscal devices and official controls at least once every ten years to ensure comprehensive plans conform with metropolitan system plans and ensure fiscal devices and official controls do not conflict with comprehensive plans or permit activities that conflict with metropolitan system plans; and

**WHEREAS**, the City of Lake Elmo previously updated the Land Use and Housing chapters in its Comprehensive Plan in 2006 to include plans to extend regional sewer service into two distinct areas within the City; and

**WHEREAS**, the City of Lake Elmo prepared further amendments to its Comprehensive Plan concerning Transportation, Surface Water Management, Water Resources, and Implementation as part of the 2008 decennial review; and

**WHEREAS**, the City of Lake Elmo adopted updates to the Land Use Chapter of the Comprehensive Plan that included a revised land use plan for the I-94 Corridor to be served by regional sanitary sewer services and the Housing Chapter of the Comprehensive Plan on April 2, 2013; and

**WHEREAS**, the City Council, City Staff, and the Planning Commission have prepared a further amendment to Chapter III – Land Use concerning the Village Planning Area intended to meet the requirements of Minnesota Statutes and the Metropolitan Council guidelines;

**WHEREAS**, the City conducted a public hearing on February 25, 2013 relative to the adoption of the Village Planning Area Land Use Plan amendment; and

**WHEREAS**, the City Council has reviewed the Village Planning Area Comprehensive Plan amendment and those recommendations, public comments, and comments from neighboring jurisdictions and affected governing bodies;

**WHEREAS**, the City Council granted the draft plan preliminary approval on March 5, 2013 and authorized staff to submit the plan to the Metropolitan Council for review;

**WHEREAS**, the Metropolitan Council has reviewed and taken final action on the plan on December 11, 2013 and found that the plan meets all Metropolitan Land Planning Act requirements, conforms to regional systems plans for transportation, water resources management, and parks, and is compatible with the plans of adjacent and affected jurisdictions.

**NOW THERE, BE IT RESOLVED** by the City Council of the City of Lake Elmo that the City of Lake Elmo Village Planning Area Comprehensive Plan amendment is hereby adopted and put into effect.

The foregoing resolution, offered by Councilmember \_\_\_\_\_ and supported by Councilmember \_\_\_\_\_, was declared and carried on the following vote:

Ayes: \_\_\_\_\_

Nays: \_\_\_\_\_

Passed: December 17, 2013

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

Attest:

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

## Community Development Committee

For the Metropolitan Council meeting of December 11, 2013

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**Subject:** City of Lake Elmo Village Area Comprehensive Plan Amendment, Review File No. 20599-5

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### **Proposed Action**

That the Metropolitan Council:

1. Adopt the attached review record and allow the City of Lake Elmo to put the Village Area comprehensive plan amendment (CPA) into effect.
2. Find that the proposed amendment does not change the official forecasts for the City.
3. Encourage the City to begin participation in the Livable Communities Act (LCA) Local Housing Incentives Account in order to become eligible for LCA grants that can assist in the development and preservation of affordable housing.
4. Advise the City to implement the advisory comments in the Review Record for Transportation.

### **Summary of Committee Discussion/Questions**

LisaBeth Barajas, Local Planning Assistance Manager, introduced City representatives in attendance: Mayor Mike Pearson, City Administrator Dean Zuleger, Planning Director Kyle Klatt, and City Planner Nick Johnson. She presented the staff report and proposed actions. The Committee did not have any questions or discussion.

Motion to approve was made, seconded, and passed unanimously.

## Village Planning Area – Comprehensive Plan Amendment

### Introduction

The approximately 1,300 acres that comprise the Village Planning Area as defined on the Village Land Use Map, Map 3-5, have been the subject of numerous studies and planning efforts extending back for several decades. The Village Area serves as the heart of the community and provides a direct connection to the City's past with its historic buildings and small-town character. As part of Lake Elmo's most recent Comprehensive Plan update in 2005, the City decided to accommodate a portion of future sewered development within the Village Planning Area with the direct intent of building upon the existing character of the Village while preserving those aspects that make it unique.

This section of the Lake Elmo Land Use Plan includes an updated land use plan for the Village Planning Area and has been prepared with the specific intent of building off of previous planning efforts for this area, including the City's 2005 Comprehensive Plan update and the Village Master Plan completed in 2007. This revised plan generally recognizes the adopted goals and objectives from these previous planning efforts while updating some of the specific land use elements to conform to the broader Land Use plans for the City.

The decision to extend public sanitary sewer services into the Village Planning Area and to plan for new development within this planning area has been based on a number of factors, including the following:

- The desire to maintain the Village Planning Area as the core of the city by accommodating a portion of new development set to occur outside of the rural development areas.
- The ability to locate new and expanded public services and facilities in a central location.
- The need to extend public services, and specifically public sanitary sewer, to existing users within the Village Area that are presently using older and non-compliant septic treatment systems.
- The potential to take advantage of redevelopment and renovation activities within the existing core of the Village and to encourage new development that builds off of the existing character of the Village.
- The need to address existing traffic congestion and safety problems along the main roadway corridors that transect the Village Planning Area.
- The opportunity to preserve open space around the Village Planning Area to clearly delineate the edge of the Village and preserve the sense of place that presently exists.
- The desire to accommodate some of the expected future urban growth outside of the I-94 Corridor closer to the historic center of the community.

### History of the Village

Lake Elmo has a long history as one of the oldest settled areas in Minnesota, beginning with its platting by the railroad company in 1878 in the approximate location of the present Village. The namesake lake, formerly Bass Lake, served as a focal point for much of the early development, which included a large hotel that was erected on the north side of the lake in the 1880's and a 330-acre residential development called Elmo Residential Park that was platted to the north and east of the lake (which was never fully developed as planned).

After incorporation as a Village in 1925, the city continued to develop as a rural center providing goods and services to the surrounding agricultural lands in Washington County. Lake Elmo later flourished as a center for farmers throughout the middle part of the 20<sup>th</sup> Century. It also became a popular destination for summer villas and cottages, attracting residents from the larger Minneapolis and St. Paul region as a picnic and excursion area.

As a result of this varied history, one can find examples of wide variety of architectural eras within the Village Planning Area, including buildings that were built from the early 20<sup>th</sup> Century through the post World War II time period. New subdivisions began appearing in the post war era, and these housing developments began to shift the focus of community life from farming to housing for commuters. This general transformation continued as the cabins and summer homes north of Lake Elmo were converted into permanent homes.

While the City has undergone significant changes over the course of its history, many of the buildings located in the Village Planning Area still retain their early 20<sup>th</sup> Century settlement character. An excellent example of this character is the historic farmstead built by William S. Moscrip, who in 1921 was selected as Minnesota's best farmer. The farmstead is currently located on land owned by the Peter Schiltgen family. Moscrip's North Star Farm, known for its Holstein cows, still stands essentially as it did nearly 100 years ago and continues to serve as an exemplary gateway into the Village Planning Area.

### Physical Context

Located 15 miles east of downtown Saint Paul, Lake Elmo has been successful at retaining its rural character even with its close proximity to the Twin Cities metropolitan area. Like traditional mid-western towns, the edges of the Old Village are clearly defined; one can literally walk into a cornfield from the outfield of the local ball diamond, which represents a unique environment within the suburban metropolitan area. The Village Planning Area includes a small historic Main Street that contains several lovely buildings arranged at an intimate scale that is bisected by an active rail line.

State Highway 5, also known as Stillwater Boulevard, runs east-west through the community and leads to Stillwater to the east and Minneapolis/St. Paul to the west. The highway was designed as a rural section, with ditches, culverts and large setbacks to buildings. Approximately 12,000 cars traverse the road a day, with most of this traffic occurring during the morning and evening rush hours. The City has expressed interest in having the roadway turned over from the State to the County in the past. There are no signalized or controlled intersections on Highway 5 in the Old Village, which makes this route attractive to commuters interested in bypassing busier roadways. With its significant traffic levels, Highway 5 divides the Village Planning Area and crossing this road is dangerous for both vehicles and pedestrians.

County Road 17, Lake Elmo Avenue, runs north and south through the heart of the Village (it is the historic Main Street), and provides a direct connection between Highway 36 to the north and the 1-94 frontage road to the south. The road jogs about a block to the east via a quarter-mile section of Highway 5, which is both confusing and dangerous for motorists. The location of Lake Elmo Elementary School at this intersection further exacerbates concerns regarding safety in this area.

County Road 15, Manning Trail, runs north to south on the east side of the Old Village, connecting Stillwater Boulevard to I-94. This is a preferred route for many commuters and will eventually be upgraded to a four-lane section by Washington County.

Two significant lakes and associated parks contribute to the quality of life in the Village. These lakes and parks include Lake Elmo and the Lake Elmo Regional Park Reserve located on the southwest side of the

community, the 30-acre Reid Park on the south side of the Village, the smaller Lions and VFW parks in the middle of the City, and Sunfish Lake and Sunfish Lake Park are to the west, all of which represent beautiful amenities for community residents and visitors.

The Lake Elmo Regional Airport is located immediately across Manning Trail in Baytown Township. Primarily a recreational facility, the airport safety zones associated with the airport extend into the Village Planning Area and will need to be considered as development occurs along the eastern boundary of the Village area. The City will work the Metropolitan Airports Commission to develop appropriate multi-jurisdictional zoning to help plan for future residential development in this area.

A number of new developments lie on the outskirts of the Old Village. In most of these developments the City's OP – Open Space Preservation zoning designation has guided site design so that major portions of these subdivisions are retained as open space. Existing and proposed trails are planned to connect to several of these neighborhoods.

Finally, it should be noted that some other challenges exist related to the physical context of the Village. These challenges include the following:

- There is a significant natural gas-line easement running from north to south on the eastern portion of the Village.
- The area east of downtown Lake Elmo in the Village has experienced some groundwater contamination. Development within this site should be aware of the contamination.
- The location of the Christ Cemetery along State Highway 5 may present some challenges related to buffering for residential development adjacent to this facility.
- The area to the east of downtown experiences significant drainage and storm water runoff. The drainage and runoff creates sizeable water-courses that could create challenges in managing storm water in this area.

### Previous Planning Efforts

The City last updated its Land Use Plan in 2005 to reflect the extension of public sanitary sewer services into the Village and the City's plan to accommodate a portion of the required REC units within the Village Planning Area. Prior to the preparation of the 2005 plan, the City undertook numerous planning initiatives to analyze land use within the Village, which in the recent past has included the following studies:

- The 1996 Minnesota Design Team Report
- The 1999 Thornbeck Architects Old Village Urban Design Study
- The 2000 Calthorpe Design Study
- The 2002 Thornbeck and Associates design work
- The 2003 TKDA Water Supply, Traffic, and Surface Water Reports

These efforts demonstrate the comprehensive approach that has been taken with planning in the Village. In addition, many of the planning efforts were spearheaded by countless volunteer hours of many Lake Elmo residents, representing a grass-roots approach. Throughout all of these studies, as well as the studies that preceded them, several common themes have emerged. These themes have helped shape the goals and objectives for the Village Planning Area that are reflected in this plan. After adoption of the 2005 Comprehensive Plan, the City decided to prepare an overall master plan for the Village Planning Area as part of a larger and more focused land use study in this area.

### Village Master Plan and Village AUAR

In the summer of 2005, the City of Lake Elmo retained a team led by Robert Engstrom Companies to prepare a Master Plan to guide anticipated development within the Village Planning Area. This study focused on techniques that could be used by the City to help preserve the character of the Village while accommodating the growth and development anticipated under the updated Comprehensive Plan. This plan further acknowledges the pressures that the City will face once sanitary sewer services are extended into the Village, and further establishes policies intended to minimize any negative impacts to the unique charm and scale of the area.

The design team, which included Jerry Mazzara of Design Forum and Bob Close and Bruce Jacobson of Close Landscape Architecture, was charged with two areas of focus: 1) to prepare a physical plan with associated guidelines, and 2) to provide a strategy for allocating development units throughout the planning area. The intent of this approach was to present a guide for development that would allow the City to work with developers to achieve common goals while ultimately strengthening community character through good design.

The Village Master Plan creates an overall vision that places new development within a framework of parks, trails, and open space. It also notes that balancing growth with the preservation of small town living will rely on creative design and careful implementation of the plan.

While the plan as a whole is not being adopted as part of this chapter, the overall guiding principles and various recommendations from this plan are referenced in the latter portions of this plan. The Village Master Plan will continue to serve as a guide for new development within the Village Planning Area and will be used to help define the development qualities and preferences being sought by the City.

Upon completion of the Village Master Plan, the City prepared an Alternate Urban Area-Wide Review (AUAR) for the Village Planning Area in order to address the expected cumulative environmental impacts associated with the anticipated growth and development within the Village. This study used the Master Plan as the basis for the three alternatives that were studied, each of which assumed increasing intensities of residential, commercial, and mixed-use development. The AUAR document includes a mitigation plan that will need to be addressed as development occurs in the Village. The Village Planned Land Use Map that accompanies this Chapter, Map 3-5, has been designed to fall within the scope of the alternatives that were studied and it is expected that the AUAR will remain a valid environmental review as the City works to implement this plan.

### Village Planning Area Objectives and Goals

The land use plan for the Village Planning Area focuses on downtown Lake Elmo, the residential neighborhoods south of the downtown, and the farm land immediately surrounding it. The plan addresses future land uses, location of new roads, location of open space corridors, and the measures that could be used to implement the overall vision for the Village Planning Area. The primary objective of this plan is to create a blueprint for new development that builds on existing community strengths such as the compact, walkable core, easy access to recreation, and proximity to major transportation corridors. The plan recommends locating new neighborhoods contiguous to the existing core and emphasizing walking connections between neighborhoods and the core and within the neighborhoods themselves.

The land use plan will provide space for civic buildings, new retail and service businesses, lifestyle housing, and recreational/open spaces that will combine to make a highly desirable, sustainable and welcoming center for the City. The ultimate goal of the plan is to build on the existing strengths of Lake

Elmo, including a compact assemblage of streets and blocks, a distinct edge, a historic main street and good access to parks and open space. The plan intends to extend these qualities to the newly developing areas surrounding the existing downtown. In addition, it proposes connecting the existing residential neighborhoods to the south with the village core and new neighborhoods.

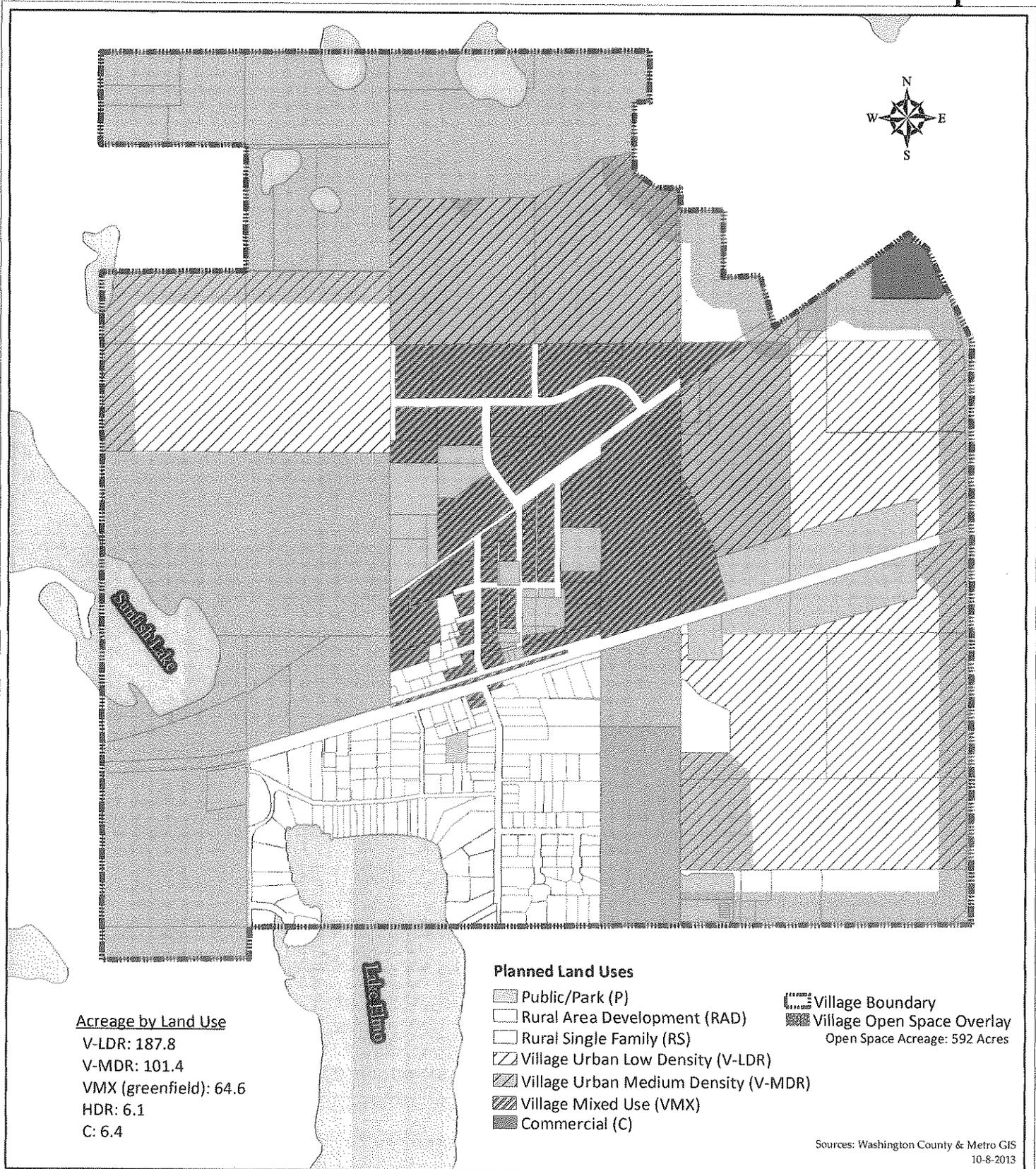
The Village Land Use Plan includes a series of specific goals and objectives for each of the land use elements, and establishes the following as the overall goals and objectives for the plan:

- 1) Adhere to the Guiding Principles from the Village Master Plan, which are incorporated into this land use plan in Table 3D.
- 2) Preserve the existing character of the Village while accommodating new housing and businesses to comply with the growth projections of the Comprehensive Plan.
- 3) Create a walkable, viable community with a distinct center.
- 4) Explore options to provide space for public and commercial activities around a village green that can serve as a focal point for new development.
- 5) Create an open space buffer around the new development areas to foster a true village feel.
- 6) Plan for development on a “village” scale rather than a “suburban” scale, recognizing the existing character of the Old Village.
- 7) Promote traffic calming measures along State Highway 5 to improve auto and pedestrian safety, particularly in the vicinity of Lake Elmo Avenue and Lake Elmo Elementary School.
- 8) Plan for at least one grade-separated crossing of Highway 5 for bicycles and pedestrians
- 9) Provide for the recreation needs of the new neighborhoods while building on existing facilities and accommodating the need for community-wide recreation facilities.
- 10) Create a natural system for storm water management that takes advantage of existing drainage patterns.
- 11) Plan for a new Village Parkway as a major north/south collector with a new railroad crossing approximately midpoint between Lake Elmo Avenue and Manning Ave.
- 12) Promote mixed-use development in the areas close to the Village Center.

### Village Land Use Plan

The Village Land Use Plan, Map 3-5, identifies three primary land use categories within this planning area that will accommodate growth, and incorporates an open space overlay category to specify which portions of the area will be designated for open space. The land use categories as applied in the Village Planning Area include:

- V-LDR – Village Urban Low Density Residential at 1.5 to 2.5 units per acre
- V-MDR – Village Urban Medium Density Residential at 3.0 to 4.0 units per acre
- VMX – Village Mixed Use with residential densities of 6.0 to 10.0 units per acre



**Village Planned Land Use**  
*Lake Elmo Comprehensive Plan 2030*



Sources: Washington County & Metro GIS  
 10-8-2013

All of these categories are defined in the previous section of this Chapter. The Village Open Space Overlay category is further described below.

The Village Land Use Plan was designed to accommodate a range of 900 to 1,100 new housing units with the understanding that the target growth for the Village is 934 additional units of housing. Using the midpoint of the density range and gross acreages associated with each land use category, the City expects that up to 800 of these units will be located within areas guided for V-LDR and V-MDR land uses, while an additional 200-300 housing units are expected to be built within the VMX land use category. As these numbers represent a calculation based on gross acreages, the actual unit numbers are expected to be somewhat lower on a net acreage basis.

A summary of the purpose and intent of each of the elements of the land use plan is included in the following section along with the goals and objectives that are specific to each of these elements.

### *Village Center – Mixed Use Area*

In order to achieve the goals and objective of the Village Land Use Plan, a heavy emphasis is placed on the planning of the existing Village Center, or downtown area. The Village Center is comprised of the area guided for mixed-use development. Building off the existing historic development pattern surrounding Lake Elmo Avenue to the south of State Highway 5 is critical to creating a distinctive and walkable core. This core is envisioned to provide an experience that is consistent with a historic downtown. To make this vision a reality, the Village Land Use Plan utilizes mixed-use zoning (VMX) for the Village Center to encourage a variety of uses that will provide opportunities for commerce, retail, entertainment, community spaces and housing, all working in synergy to drive activity, energy and people to downtown Lake Elmo.

To successfully achieve the desired vision, the following details surrounding implementation will be provided for:

- The Village Center may include a development with a village green or outdoor community gathering space. This development is intended to support downtown Lake Elmo by providing an increased sense of place and opportunities for community events.
- The Village Center will utilize mixed-use zoning, allowing a broad mix of uses that are consistent with historical development patterns and reflect traditional downtown areas.
- Additional protections will be afforded to existing homes in terms of providing additional screening or landscaping to buffer existing homes from new development in the Village Center.
- Existing homes will be considered conforming uses within the mixed-use district.
- Infill development that is sensitive to the existing context, development pattern and architecture is encouraged, particularly along Lake Elmo Avenue.
- The City may consider the adoption of a historic district to promote the preservation of historic properties and the existing character and architecture of downtown Lake Elmo.
- In order to preserve the historic development pattern of downtown Lake Elmo, the City will pursue the adoption of a form-based or hybrid code in the mixed-use area of the Village.
- To ensure that parking is adequately addressed downtown, the City will work with business and property owners in the Village Center to devise solutions for parking that are agreeable to all parties. Providing additional parking is necessary for business and district vitality. In addition,

the provision of parking in the Village Center should be mindful of maintaining a safe and pleasing pedestrian experience, which is critical in supporting a successful downtown.

- *Village Green – Community Space*

In order to draft a plan moving forward to stimulate growth in the Village Center and build off the existing downtown along Lake Elmo Avenue, the City may work to pursue a mixed-use development known as the Village Green that will serve as a community gathering space and destination. The intent of this development is to drive more energy and activity to downtown, specifically along Lake Elmo Avenue. As part of this project, the City anticipates the following aspects of implementation and design will be considered:

- The project could be developed as part of a master plan prepared by private developers with the potential for City involvement.
- The signature feature of the project shall be a village green or other community gathering space. This gathering space is intended to be a destination, hosting community events such as concerts and farmers markets.
- The project is intended to include mixed-use development surrounding the community space, with residential development incorporated into retail, office and service uses.
- The opportunity to incorporate public facilities into the development may arise.
- Development in the Village Green will most likely include: 1) direct access and visibility from Lake Elmo Avenue, 2) access from the new village collector road, 3) connections to the Old Village, and 4) opportunities to create pedestrian connections to areas of new residential development.
- The configuration of HWY-5 and the future Village collector road system, or parkway, will provide an excellent opportunity for additional anchor-type development along State Highway 5 (e.g. community center, health care facility, retail, etc.) that will drive additional users to support downtown Lake Elmo.

- *Public Spaces*

The City anticipates that additional growth in the Village may provide opportunities to add new or improve existing public facilities and amenities. Planning for additional public facilities or improvements will be done in a manner that is consistent with the goals of the Village Land Use Plan. More specifically, public facilities and amenities shall be provided in a user-friendly way that promotes accessibility and safety for all Lake Elmo residents.

- City Hall will continue to serve as a key public building within the mixed-use development area. Opportunities for the expansion and/or relocation of City Hall may be considered either as part of the Village Green or in another prominent location within the Village Center.
- Other public uses within the mixed use development area are encouraged, including recreational facilities, the downtown post office, and others, as long as they are consistent with the character and function of a traditional downtown.
- The Lake Elmo Parks Commission will play an integral role in planning for recreational facilities in the Village and ensuring that they are accessible to the surrounding residential areas.

### - Commercial Areas

Lake Elmo Avenue has traditionally functioned as the commercial center for the City, and the Land Use Plan strives to maintain the Village as a viable and attractive place to do business, while providing opportunities for new development to occur in appropriate locations. The key strategy to accomplish this objective is the reclassification of the existing commercial core and certain portions of the surrounding land to the VMX – Village Mixed Use district. This district will allow a wide range of commercial activities and is intended to provide an area for compact, mixed use development made compatible through a combination of careful planning and urban design. When planning for such a variety of commercial uses, different performance standards may be incorporated to accommodate both auto-oriented and pedestrian-oriented uses so that these different uses are able to function well in proximity to one another. As long as these uses are implemented in a thoughtful manner, the mixture of land uses within the district will establish the level of vitality and intensity needed to support retail and service uses in downtown Lake Elmo.

Preserving and enhancing the character of the existing main street along Lake Elmo Avenue is another key strategy that will help further reinforce this area as the heart of the community. Lake Elmo Avenue, at present, does not have a unified streetscape and is missing key elements that would improve workability throughout the corridor. The City intends to work with Washington County and the Minnesota Department of Transportation to incorporate streetscape improvements with future road reconstruction projects. Specific recommendations are included in the transportation section below.

Opportunities for expansion of commercial activity will be limited to the mixed-use areas within the Village Center, particularly areas adjacent to the existing core and along major collector roads (Lake Elmo Avenue and State Highway 5). New commercial development will adhere to strict standards related to form and design in order to ensure compatibility with surrounding land uses and to maintain a sense of place within the Village Planning Area.

A small area of commercial development outside of the mixed use development area is planned at the intersection of State Highway 5 and Manning Avenue. The appropriate zoning for this area will be convenience commercial in order to provide for smaller scale commercial development or an attractive neighborhood shopping center that is compatible with surrounding residential development.

Other objectives for the commercial components of the Village Planning area include the following:

- Mixed use buildings are encouraged as the primary building type throughout the mixed use areas. Retail uses should be located on ground floor levels and facing the street where practical.
- New commercial development along State Highway 5 should be oriented in a manner that keeps the majority of parking to the side or rear of buildings in order to promote a main street feel for this road segment.
- Uses within the Village Center that primarily cater to automobiles will be permissible through careful site design and the incorporation of pedestrian-oriented design elements.
- Business activity should be focused on the key roadway segments within the mixed use development area, and in particular, along the traditional downtown core along Lake Elmo Avenue.

### Residential Development

Residential development as the primary land use will occur within those areas designated for V-LDR and V-MDR within the Village Planning Area. Residential uses will also be allowed within the mixed-use development (VMX) areas either as the primary land use or as part of a mixed-use development project.

The existing residential neighborhoods within the Village Planning Area will be guided either as RS – Rural Single Family or as VMX – Village Mixed-Use with the intent of classifying all existing single family residential homes as permitted uses.

The Village Master Plan includes a series of recommendations for housing types, with key provisions that encourage the construction of “life-cycle housing” (a mix of housing types, styles, locations and prices that will offer both opportunity and choice for a range of potential buyers and renters) and that also promotes a balanced transportation system that does not favor one mode of transportation (i.e. cars, bicycles, and pedestrians) over another. The descriptions for these housing types are adopted by reference as part of this chapter, and are consistent with the Land Use Plan that calls for denser residential development as one moves closer to the center of the Village Planning Area.

The City will adopt zoning districts that correlate with the planned V-LDR, V-MDR and VMX land uses, which generally relate to the Master Plan categories as follows:

*V-LDR: Large Lot Single Family, Medium Lot Single Family, Small Lot Single Family*

*V-MDR: Small Lot Single Family, Twin Home, Townhouse, Apartment/Condominium*

*VMX: Twin Home, Townhouse, Apartment/Condominium, Housing Above Retail*

These categories should be used as a general guide for the types of housing that may be built within the Village Planning Area. The densities depicted in the Land Use Plan will take precedence over any such figures used in the Master Plan.

The zoning that correlates to the various residential land uses will be designed to allow for smaller lots and higher densities than allowed under each land use category with the expectation that residential subdivisions will incorporate open space into developments. The use of these open space areas may include: storm water infiltration, trails, natural or engineered watercourses, natural areas, private or public parkland, and other similar purposes. No development will be allowed that exceeds the density levels specified in the Comprehensive Plan, and the median of the density range will be used as a target for planning purposes.

The areas depicted on the Land Use Plan as open space may not be used to calculate residential densities; however, any internal open space, other than City park land, will not be deducted from these calculations.

Other objectives for residential development in the Village include the following:

- It is important to foster connections between the residential areas in the Village, maintaining some continuity of character between residential areas as opposed to many distinct and disconnected neighborhoods.
- In terms of housing, the City supports a variety of housing types and price points that are inclusive to all generations.
- While not required, residential design that incorporates environmental considerations, such as energy efficiency and solar orientation, is encouraged.

#### Greenbelt /Open Space

When evaluating the context of the existing land uses and development types surrounding the Village, one cannot overlook the significant number of open space preservation (OP) developments in Lake Elmo. These open space developments have had a significant role in shaping Lake Elmo’s character and identity; an identity that is unique in the Twin Cities Metropolitan Area. In order to preserve the elements that have made Lake Elmo and specifically the Village unique, it is important to plan for

sewered development in a manner that is reflective of the community's existing character. For that reason, all of the previous planning efforts within the Village have included significant amounts of open space. Building off of the vision created in the Village Master Plan, the current Land Use Plan also utilizes open space in a strategic way to balance future growth and existing conditions within the Village. Ultimately, the open space included in the Village will serve as a critical amenity that ensures that the existing character of the heart of the community is preserved to the best extent possible.

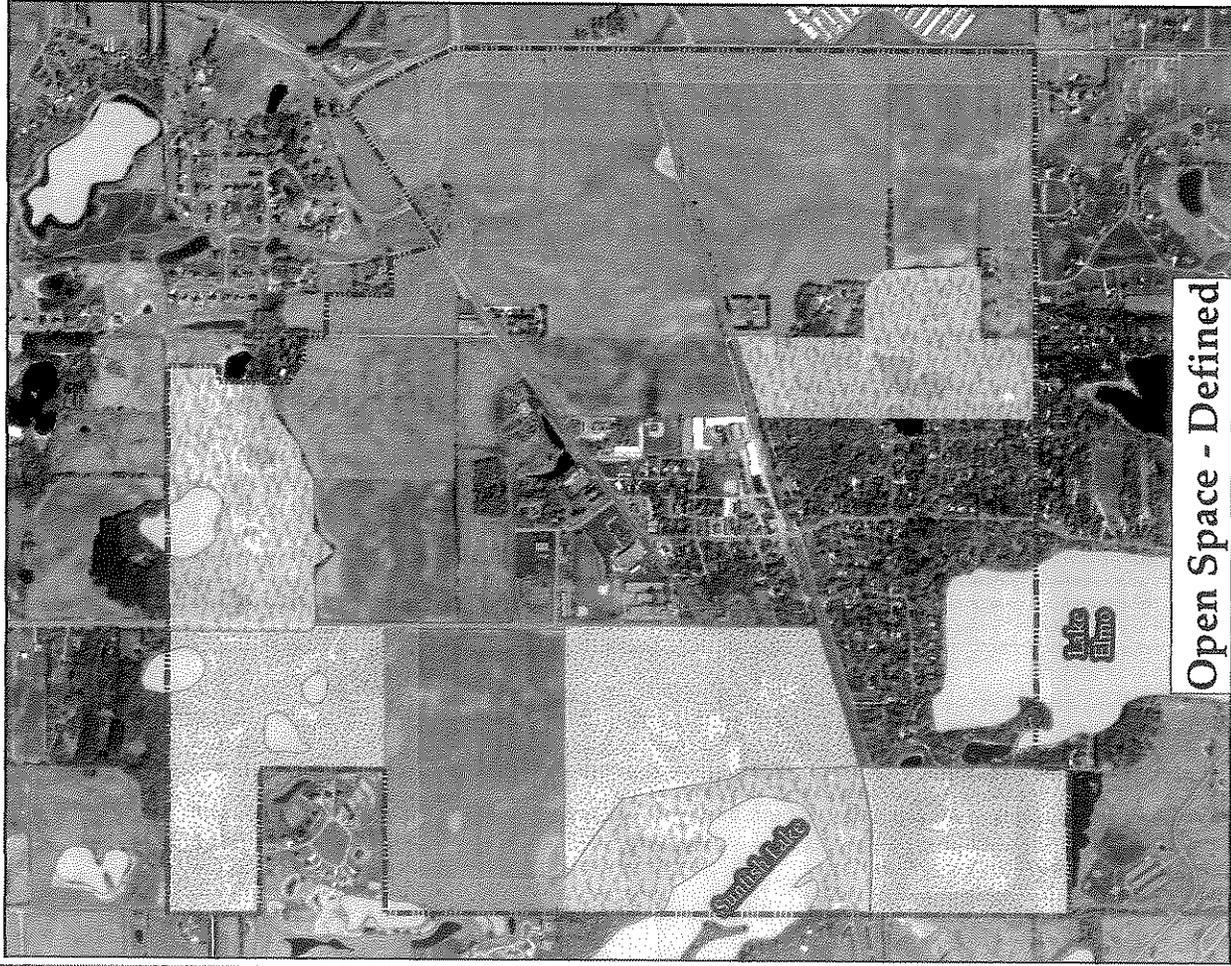
The future open space areas in the Village, as determined by the Village Open Space Plan, [Map 3-6](#), will be consistent with one of the three following open space types, all offering different opportunities and purposes:

1. **Natural Resource Preservation Areas.** Natural Resource Preservation Areas are natural areas considered to be of high environmental and aesthetic value. Such areas in the Village include but are not limited to the areas adjacent to Sunfish Lake and Reid Park. These areas are considered to be of high environmental value due to the large stands of mature trees, steep slopes, wetlands, natural amenities, and the other ecologically sensitive features that are located in these areas. The Natural Resource Preservation Area may include uses such as passive recreation, trails, natural areas, and other activities or uses that are consistent with passive recreation.
2. **Rural Preservation Areas.** Rural Preservation Areas are areas within the Village historically utilized for agricultural purposes. Agriculture remains an integral part of the community's history and identity. Providing for open spaces dedicated to agricultural uses in the Village is critical for maintaining the existing character of the Village. Uses within the Rural Preservation Areas include active farming, passive recreation, trails, public gathering spaces, natural areas, natural water courses and other amenities that are consistent with agricultural use or character.
3. **Greenbelt Corridors.** Greenbelt Corridors run along the perimeter of proposed development and serve as transitional areas between future sewer growth within the Village and existing rural development. The corridor may be reduced if the design of the development includes the following: (1) a design that is mindful of the landscape features of the site, providing enhanced environmental benefit, (2) a design that is consistent with overall goals for the Village Land Use Plan, and (3) a design that meets the requirements of the underlying land use category of the parcel. At a minimum, the corridor shall be established and provided for by performance standards within the Zoning Code based upon the locations of the existing Village Boundary and area guided for commercial use in the northeastern portion of the Village. Not only will this provide a significant physical and visual amenity, but it will also encourage more residential development closer to the Village Center. Uses within the Greenbelt Corridor may include trails, passive recreation, public gathering spaces, natural areas, storm water management systems, natural water courses, small-scale or community oriented agricultural activities and other amenities intended for aesthetic enjoyment.

These open space types will comprise the Village Open Space Overlay, as detailed in the Village Open Space Plan ([Map 3-6](#)) and Village Land Use Plan ([Map 3-5](#)). The details surrounding the implementation of the Village Open Space Plan and the associated land use implications are further discussed in the section on implementation.

### Parks and Trails

The City has adopted a Parks and Trails Plan, Chapters IX and X of this Comprehensive Plan, which will be used as a guide for locating new parks and trails associated with development within the Village



**Open Space - General**

**THE CITY OF LAKE ELMO**

Source: Washington County and Metro GIS  
9-6-13

**Open Space Category**

- Natural Resource Preservation Area
- Rural Preservation Area
- Greenbelt Corridor

**Village Open Space Plan**  
*Lake Elmo Comprehensive Plan 2030*

Planning Area. Other specific objectives that are specific to the Village concerning parks and trails include the following:

- Construction of a new trail connection between the northeastern portion of the Lake Elmo Regional Park Reserve and the Village. This proposed trail connection would primarily follow existing road right-of-way and serve as a new off-road entrance into the Park Reserve.
- Utilizing 36<sup>th</sup> Street as a key pedestrian connection between the existing commercial areas along Lake Elmo Avenue and future development in the Village Center, or mixed-use area.
- Development of a grade separated trail either over or under State Highway 5 (Stillwater Boulevard) in order to promote a safe pedestrian crossing between the northern and southern portions of the Village Planning Area.
- Construction of a multi-use trail along Lake Elmo Avenue that is separated from vehicular traffic and that will serve as the primary trail connection to the I-94 corridor. Due to constraints associated with the available right-of-way and other limitation associated with its location next to Lake Elmo, this trail should be given special consideration as part of any future improvements to Lake Elmo Avenue.
- Expansion of Reid Park into adjacent prime natural areas and other property to the east of Reid Park that is not well-suited for residential development. Future trails will be encouraged to connect Reid Park with the surrounding residential neighborhoods.
- Development of a larger community recreational facility to the east of the Village Center adjacent to the railroad right-of-way.
- The establishment of trail connections between the new and existing neighborhoods located within the Village Planning Area. Sidewalks will be required for all new developments; however, the City will consider trails as a substitute for sidewalks in instances where they provide connections to other neighborhoods or other public features within the planning area.
- The City may consider the relocation of the existing ball fields located downtown to a new community recreation facility in the Village.

### Transportation

The existing and planned transportation corridors that circumvent the Village Planning Area will play a critical role in shaping the character of the Village. State Highway 5 and County Highway 17 serve as the primary routes into and out of the Village and will continue to see increasing levels of traffic in the future. These routes also represent important connections for the local businesses, many of which rely on these major transportation routes for visibility and access. The Village Land Use Plan balances the need for access to local businesses with the overall objective of managing and calming the expected increases in traffic levels throughout the planning area. The general transportation goals for the planning area include the following:

#### *State HWY-5 (Stillwater Boulevard)*

State Highway 5 is the primary east-west travel route through the Village. Because of existing high speed limits and traffic volumes, it is often a barrier (or at least a significant inconvenience) to pedestrian and vehicular movement. Its current design includes ditches, culverts and wide setbacks for buildings along the right of way.

The City is seeking design flexibility with regards to future improvements to this roadway in order to reduce speed limits, narrow travel lanes, and to consider other features that will encourage a future Main Street that emphasizes pedestrian character, traffic calming and mix of uses described in the Comprehensive Plan. A potential turn-back of the road to Washington County may help accomplish this design flexibility.

Specific considerations:

- Roundabouts may be used at the east and west ends of Stillwater Boulevard to slow traffic and mark the edges of “downtown”. The redesigned road segment in between will transition from the existing rural section to a traditional Main Street design that includes:
  - Curb and gutter with associated storm sewer
  - Wider sidewalks with pedestrian scale amenities (benches, lights, street trees)
  - Narrower lanes perhaps with planted medians and center turn lanes
  - Curb-side parking if feasible, with additional parking located between or behind Main Street buildings
  - Controlled intersections, one at Lake Elmo Avenue and one at 39th Street, will provide safe crossings, slow traffic and pull the Village together as one piece, not two halves.

Stillwater Boulevard and Lake Elmo Avenue will continue to be the primary commercial streets in the Village, promoting existing businesses, while encouraging new and expanded opportunities for local goods and services. Buildings will be located at (or near) the right of way, with generous walkways for pedestrian movement and ‘spill-out’ activities, such as sidewalk café, coffee shop or other uses.

#### *County HWY-17 (Lake Elmo Avenue)*

Lake Elmo Avenue, specifically south of State Highway 5, is recognized as the existing Main Street of the Village. The existing conditions include a “T” intersection terminus and jog along State Highway 5 to connect with Lake Elmo Avenue to the north. The Comprehensive Plan does not plan for the realignment of this roadway segment, and instead recommends improvements along Highway 5 to calm traffic and reduce speeds in order to better manage the traffic through these intersections.

The City will consider modifications to Lake Elmo Avenue in conjunction with the public improvements necessary to bring public sanitary sewer service into existing buildings within the Village Planning Area. Future road improvements to Lake Elmo Avenue will include an emphasis on the pedestrian environment and incorporate appropriate features including benches, lighting, sidewalks, and other elements in order to create an inviting pedestrian environment.

Specific recommendations:

- Consideration of angled parking along Lake Elmo Avenue in order to provide additional parking for businesses and to provide additional separation between pedestrians and vehicles.
- Development of a streetscape plan for Lake Elmo Avenue that will identify the design features appropriate for Village-scale development.

- A controlled intersection, with the potential for a round-a-bout at the intersection of State Highway 5, will help calm traffic and provide opportunities to create a gateway into the Village core.

### *Traffic Calming*

Future roadway improvements should incorporate traffic calming measures to help manage the projected traffic levels. The City will pursue both non-physical and physical measures as described in the U.S. Traffic Calming Manual (American Planning Association and the American Society of Civil Engineers) in order to help reduce the need for a major roadway expansion (in terms of additional traffic lanes) and to promote road improvements that are designed to be consistent with a Village scale. In this context, traffic calming may involve changes in street alignment, installation of barriers and other physical measures to reduce traffic speeds in the interest of street safety, livability and other public purposes.

Traffic calming measures will be considered for all existing streets that are renovated and all new streets constructed within the Village Planning Area.

### *New Village Parkway*

A new collector road system will provide for a new north/south connection between State Highway 5 and 30<sup>th</sup> Street within the Village Planning Area. This road will serve as the backbone for much of the new development within this area and will provide for a connection back to the existing downtown via an extension of 36<sup>th</sup> Street. The City will work the Union Pacific Railway company to create a new crossing of the railroad at approximately the mid-point between Lake Elmo Avenue and Manning Avenue. The design of this street will employ a parkway style of design and serve as a collector road for new development on the east side of the Village Planning Area. Finally, the alignment of the collector road may serve as the boundary between the mixed-use (VMX) and medium density (MDR) land uses.

### *Street Design*

The City will work to establish a unified street design for all streets (existing and new) within the Village Planning Area. As a part of this process, the City has initiated an effort to develop a common theme for public spaces within the City and will use the results of this theming work as part of future streetscape designs. The theming effort will be critical in creating a unified sense of place in the new and old areas of the Village.

### *Trail System along HWY-5 and CSAH-17*

New trails along State Highway 5 and Lake Elmo Avenue will serve as the backbone for a trail system that connects the existing and new development within the Village Planning Area and that also connects to major destinations such as the Lake Elmo Elementary School, Stillwater Area High School, Village Center, Village Green, Lake Elmo Regional Park Reserve, and residential and commercial areas along the I-94 Corridor.

### *HWY-5 Pedestrian Crossings*

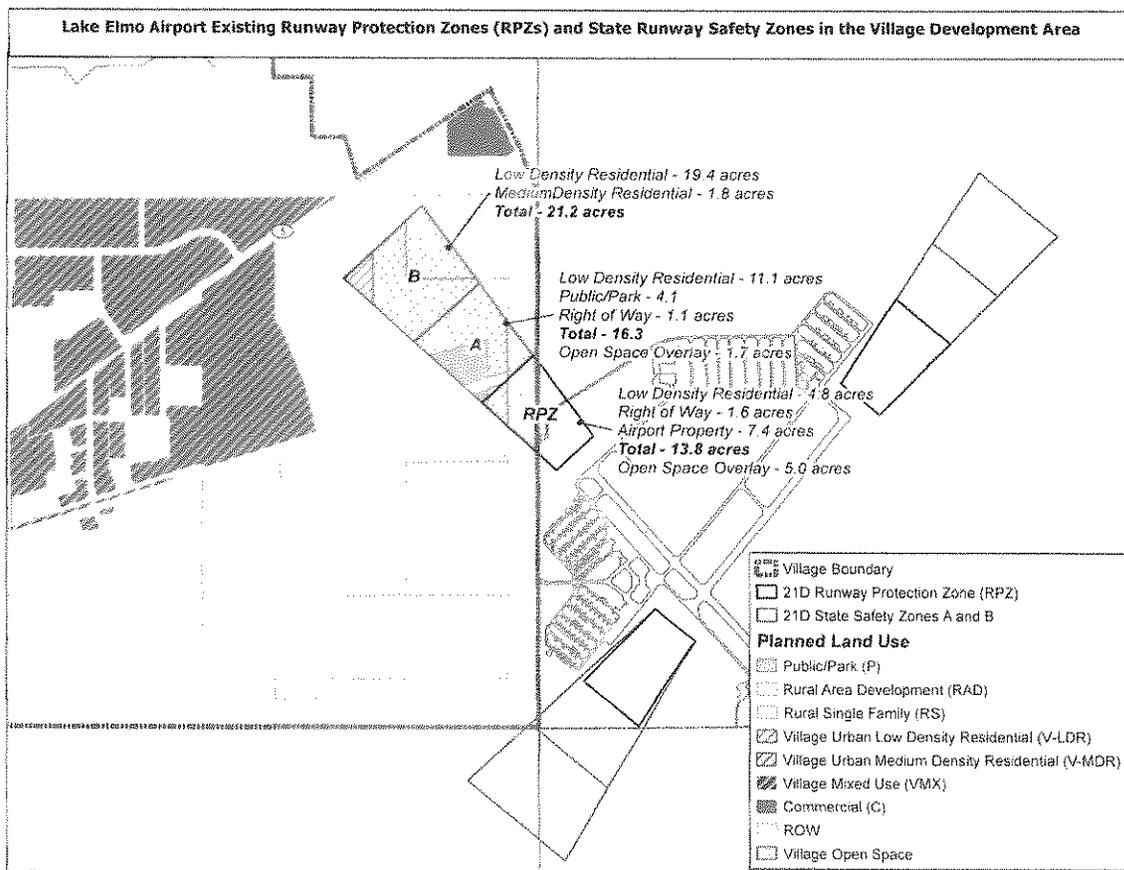
As improvements are made to State Highway 5, the ability of pedestrians to safely cross this roadway will be given strong consideration as part of the final design. In addition to crossings at controlled intersections, the plan recommends that at least one grade separated crossing be incorporated into the sidewalk and trail network.

**Lake Elmo Regional Airport**

The Lake Elmo Regional Airport is located adjacent to the Village Planning Area and portions of its safety zones and noise contours/impact areas are located within this planning area (see Map 3-7). The Land Use Plan proposes a green belt/buffer zone within a portion of these airport zones. No development will be allowed within the Runway Protection Zone (RPZ), and all portions of the RPZ zone are included in the green belt corridor along Manning Avenue. Urban low density residential land uses are proposed in Safety Zones A and B; however, no zoning map amendments to rezone property within these safety zones will be approved until an updated airport zoning ordinance is adopted by the City (or a Joint Planning Board) to regulate land uses within these areas.

The City will work with the Metropolitan Airports Commission and MnDOT Aeronautics Division to develop airport zoning regulations that address noise and safety concerns within these zones.

Map 3-7



**Phasing Plan**

The Village Planning Area will initially be served by a new sanitary sewer force main that extends from the southern boundary of the City to a lift station immediately north of 30<sup>th</sup> Street and east of Reid Park. This force main is scheduled to be constructed by 2014 and will be the starting point for further service

extensions into the Village Planning Area. Future sewer extensions can be divided into three distinct phasing areas as follows:

- New development areas east of existing residential and commercial development, north of 30<sup>th</sup> Street, and South of State Highway 5;
- New development areas located north of 39<sup>th</sup> Street and west of Lake Elmo Avenue; and
- Existing homes and businesses within the Village Planning Area served by a new sewer line within or parallel to Lake Elmo Avenue.

Water and other municipal services are already present in those portions of the Village Planning Area that are already developed, and these other services will be extended into future developments concurrent with sewer service.

The City intends to be flexible with the timing of each of the project phases described above in order to remain responsive to market conditions. Developments within each phase may occur independently of the other phases; however, the City's ability to efficiently serve a proposed area with municipal services (including public sanitary sewer and water) must be addressed by potential developers. In general, a development must either be contiguous as much as possible to areas that have already been served, or as an alternative, there must be an approved plan for extending services that also addresses the financing related to these improvements. All projects will be evaluated for continuity with existing service areas and whether or not the City can efficiently provide services to a site.

The Existing and Planned Land Use Table (Table 3-B) includes the updated projections for land use changes based on the Village Land Use Plan. Urban services will be extended to the Village starting in 2014. Following the availability of services, development is expected to occur in the Village throughout the planning time period in response to market conditions.

## Implementation

The City of Lake Elmo will use a wide variety of tools to implement the vision for development within the Village Planning Area, specifically focusing on the following:

### *Zoning*

In order to achieve the desired vision for the Village Center, the City will adopt a mixed-use zoning district. The purpose of the mixed-use district is to establish land use and performance standards with the intent of enhancing the existing "main-street" character and aesthetic found within the Old Village. The mixed-use district will allow for a variety of use classifications, as long as the various land uses can be integrated into the context of a traditional downtown. These land use classifications include various types of residential and commercial uses, as well as multiple land uses integrated into the same site or structure, such as multi-family housing above retail or office space. With the intent of maintaining a pedestrian friendly downtown in the Village Center, different use classifications will be evaluated based upon their impact on the built environment. Use classifications that are more auto-oriented in nature and do not conform to the form found in traditional downtown developments will be subject to special performance standards to ensure that these uses can coexist in the downtown setting. The City may also identify the areas of the Village Center that are more conducive to auto-oriented uses.

It is important to recognize that there are many existing single family homes located within the Village Center. Similar to many other historic downtown areas, the City values these properties as an integral part of the aesthetic and character of the area. Akin to other historic districts, these properties will have

the opportunity to transition or redevelop to other land uses. However, single family residential uses will continue in the mixed-use area as well. In order to provide the necessary protections so that these different uses can coexist in the downtown, the mixed-use (VMX) zoning district shall include performance standards aimed at buffering residential properties from other more intensive uses. In addition, existing single family homes in the mixed-use district will not be given non-conforming status. These properties may continue to be used in a manner that is consistent with their existing zoning classification.

Finally, the City will consider drafting performance standards specific to the LDR and MDR zoning districts in the Village Planning Area. These standards would be informed by the objectives and goals of the Village Planning Area, translating the vision towards implementation. To achieve the desired vision for the Village, it is important to integrate performance standards that are consistent with the vision and can be implemented into the built environment.

### Form-Based Zoning

In addition to standard zoning, the City will pursue the adoption of a form-based code, or hybrid code, in the Village Center or mixed-use area. The purpose of this code is to more effectively regulate the form and street pattern in the Village Center, providing more concrete guidance for the downtown. At a base level, this form-based code will be aimed at extending the traditional main street development pattern that currently exists in downtown Lake Elmo. The City views the continuation of this development pattern as crucial to establishing downtown Lake Elmo as a destination, evoking a unique and inspiring sense of place. As part of the form-based code, the City will consider different standards for pedestrian-oriented uses and automobile-oriented uses, possibly resulting in two transects within the mixed-use area. The ultimate goal for the Village Center is to create a pedestrian-friendly district that provides excellent opportunities to live, work and play. The form-based or hybrid code may be critical in making the downtown district a success.

### Design Standards

Considering the fact that it is difficult to transform the built environment once it has already been established, it is important to incorporate quality design elements from the onset. As a result, it is important to provide guidance or standards related to site and building design as the City proceeds with growth and development. To ensure that the newly developed areas of Lake Elmo are of a high quality in both form and function, the City will pursue the adoption of design guidelines or standards. These standards will be applicable to the higher intensity uses in the community. More specifically, design guidelines or standards will be established for high-density residential, commercial, business park and mixed-use development in Lake Elmo. These higher intensity uses will have a larger impact on the built environment and public spaces of the community. Creating a set of uniform guidelines ensures that everyone is playing by the same rules, thereby protecting the property values of all who invest in the community. In addition to guidelines aimed at site and building design, the design standards may encourage other guidelines related to environmentally sensitive design or site specific considerations, such as acoustical standards near the Lake Elmo Airport. These considerations will be offered as guidance as opposed to strict standards. To ensure the success of the newly developed areas over the long-term, it is important to promote high quality site and building design.

### Greenbelt/Open Space

The provision of open space is a critical component of fulfilling the vision of the Village Land Use Plan. Equally important is the method of implementation. If the implementation of the Village Open Space

Plan is ineffective, than the vision for the Village may not be realized. The following section provides an overview of the details of implementation for the Village Open Space Plan.

In terms of how the Village Open Space Plan is implemented on the ground, the land that is guided for open space is designated by the Village Open Space Overlay on the Village Planned Land Use map, Map 3-5. While the different types of open space in the Village serve different purposes or have different physical characteristics, the implications of the open space overlay on the land itself remain uniform. The distinction in how the open space overlay affects land in the Village rests in the base land use category for each parcel.

**For all parcels that are designated with rural land use categories (RAD and RS), the open space overlay does not impact the use of the property.** In other words, lands that are guided and zoned for rural use may function normally under the same rural zoning districts as before the inclusion of the open space overlay. For example, parcels that are within Rural Preservation or Natural Preservation Areas will maintain their Agricultural, Rural Residential or Rural Single Family zoning designation. The regulations of these zoning districts will remain the same regardless of the Village Open Space Overlay.

**For all parcels that are designated with urban land use categories (V-LDR, V-MDR, VMX and C), the open space overlay shall act as a zoning or subdivision restriction.** Through restrictions via zoning or the subdivision process, the City will have multiple tools to provide for the open space areas in the urban districts in the Village. For example, the City can utilize zoning to enforce various setbacks from the existing Village Boundary. Another option would be to dedicate outlots in the open space areas through the subdivision process. As long as the end result is achieved, the City would like to take a flexible approach so that the private market can select the best solution for achieving the intent of the Village Open Space Plan.

After the open space areas have been established, it is important to pursue strategies that will provide for the long-term preservation of these areas. To accomplish preservation, the City will either pursue conservation easements with the MN Land Trust or other partners, or investigate the acquisition of land that is determined to be a significant natural asset to the community. Through a combination of both strategies, the Village Open Space Plan is more likely to succeed.

**Conservation Easements:** In working to pursue conservation in the Village, finding the funding mechanisms needed to create and maintain the easement will remain the most important project related to future open space work. With the foundation of the Village Open Space Plan in place, the City will investigate grants and other funding mechanisms, such as the Metro Greenways Program and Legacy Funds, to provide for conservation. To achieve positive results, finding willing private and public partners will be critical. In addition, the City may be willing to work with private property owners in the Village who wish to pursue conservation easements on their property. Finally, to make the conservation program as cost-effective as possible, the City will identify the areas of open space that are of the highest priority for conservation. Prioritizing areas for preservation will allow for an incremental approach to obtaining conservation easements.

**Acquisition:** Another strategy that may be pursued is the outright acquisition, either through parkland dedication or purchase, of property that is deemed to be a significant environmental or ecological asset. If the City were to pursue this strategy, the land acquired would most likely be incorporated into parks or trails planning for the community. In other words, the land would most likely have some form of recreational component. For example, the area to the east of Reid Park could be seen as an opportunity to acquire environmentally sensitive lands that could be incorporated into recreation. In addition, the City may wish to pursue the expansion of trails around Sunfish Lake to tie into Sunfish Lake Park. These potential projects are some examples where acquisition may be in the best interest of the City.

Overall, the work of maintaining the Village Open Space Plan does not stop with the establishment of the Village Open Space Overlay. If the open space is to remain a key element of plans for the Village, the City will have to pursue strategies to incrementally preserve these open space areas. In that respect, the City can play a significant role in supporting open space amenities in the Village for decades to come.

### *Parks and Trails*

One consistent theme of the many planning efforts focused on the Village that has continued to resonate is the need to provide access to recreational opportunities within proximity to the areas guided for growth. Lake Elmo, and more specifically the Village, has the unique fortune of having access to some of the best parks in the Metropolitan Area. As development occurs, fostering connections and access to these parks and open space will be an important part of ensuring an amenity rich residential experience within the Village and community as a whole. For that reason, the City will work to pursue the following projects related to parks and trails:

- The City will work with Washington County to develop an “East Side Access” Plan for the Lake Elmo Regional Park Reserve.
- The City will work with Washington County to incorporate a separated on-grade bicycle or multi-purpose trail along Lake Elmo Avenue when this corridor is reconstructed.
- The City will work with the Lake Elmo Parks Commission to plan for trail connection between the Village and any access points that become available to the Lake Elmo Regional Park Reserve.
- The City will work with the Lake Elmo Parks Commission to site a new community recreation facility to the east of the Village Center, or mixed-use area.
- As new residential subdivisions in the Village are proposed, the City will require land dedication for the purpose of incorporating neighborhood or pocket parks within the new subdivisions.
- The City will consider using parkland dedication as a tool to construct an off-road/multi-purpose trail system within the Greenbelt Corridors and other open space areas surrounding the Village.
- To expand an existing asset of significant natural value, the City may investigate the acquisition of land around Reid Park to expand the park into ecologically sensitive areas.
- The City will remain open to opportunities to secure rights for a trail connection around Sunfish Lake.

### *Transportation*

To provide for a safe and effective transportation system in the Village, the City will utilize a number of strategies to maintain and improve new and existing facilities. More specifically, the City will consider the following strategies of implementation in regards to transportation:

- Transportation related maintenance and improvements led by the City will be incorporated into the City’s 5-year Capital Improvement Plan (CIP). Projects will be prioritized according to need.
- The City will investigate the use of State Aid Funds for collector road systems in the Village. These funds are critical in the maintenance of more heavily traveled corridors.
- The City will work with the State and Washington County on future reconstruction projects, including State Highway 5, Lake Elmo Avenue (CSAH-17) and Manning Avenue (CSAH-15).

- The City will continue to advocate for safety improvements to State Highway 5, especially the area adjacent to Lake Elmo Elementary School and Lake Elmo Avenue. To improve travel along this corridor, the City will work with Mn/DOT and Washington County to explore many different strategies to enhance automobile and pedestrian safety. These strategies may include traffic calming measures, at-grade crossings, recreation trails, roundabouts and signalized intersections, among others.
- The City will continue to be active in any plans or discussions by Washington County and the State regarding the turnback of State Highway 5. The potential turnback of State Highway 5 would have large impact on the future of the roadway. Therefore, the City should continue to play a prominent role in those discussions.
- The City will investigate the use of Tax Increment Financing (TIF) as a mechanism to support various streetscape improvements in downtown Lake Elmo.
- The City will partner with private developers on various street improvement projects, such as the Village parkway, related to the growth of the Village. These improvements present opportunities to improve connectivity in the Village. More specifically, the City will look at the possibility of incorporating trails into various street improvements.
- The City will work with the Metropolitan Airports Commission to develop airport safety regulations around the airport.

### Public Services

To provide for a significant amount of growth in the Village, the Village Planning Area will have to be served with the appropriate urban services. These services include water, sanitary sewer and storm sewer. While water is already currently available, the extension of sanitary sewer from the I-94 Corridor up Lake Elmo Avenue (CSAH-17) is required to support future growth in the Village. The extension of sanitary sewer to the Village will include the installation of a force main sewer to a lift station to the east of Reid Park along 30<sup>th</sup> Street. From this lift station, two gravity sewer systems will be able to serve the Village Planning Area. One of these gravity systems will serve the western portion of the Village, including the existing properties within the Old Village. The other gravity system will serve the eastern portion of the Village, where there are more opportunities for greenfield development.

To designate the lands guided for urban services, the City is required to adopt a Municipal Urban Service Area (MUSA), or boundary that designates parcels for the provision of sanitary sewer service. The current MUSA boundary for the Village Planning Area is the Village boundary itself. However, in order to include other properties adjacent to the Village that can be efficiently served by sanitary sewer, the City will amend its MUSA boundary in the Village. The MUSA amendment is found in [Map 3-8](#). Many of the properties that will be added to the MUSA can be efficiently served by sanitary sewer given the close proximity to the urban service area. Many of these properties should be connected to sanitary sewer to replace aging and non-compliant individual sewage treatment systems or septic systems. These connections should provide an environmental benefit to Lake Elmo and the Village. Regarding the connection of existing properties in the Village to sanitary sewer, the priority level of future lateral service lines is still undetermined. However, the connection of existing properties in the Village will follow the natural development progression. In addition, the City intends to follow State Statutes that require hook-up within two (2) years once sewer service is available to a property.

With regards to water service, the City will have to expand its water system to serve the newly developing areas in the Village. As the supply of drinking water has been under greater strain in the East Metro in recent years, the City will continue to work with Washington County and the Metropolitan

Council on regional planning issues that will impact the City's water supply. These efforts will be coordinated with the Minnesota Departments of Health and Natural Resources.

In regards to storm water management in the Village, it will be the responsibility of the private landowners to devise management systems that meet the Valley Branch Watershed District and the City's standards for storm water. Considering that the Village experiences significant storm water runoff events, it will be critical for landowners seeking to develop their land to take a proactive approach to storm water management. These efforts should be informed by the City's Surface Water Management Plan, Chapter V of the Comprehensive Plan. Landowners are encouraged to work with the City to arrive at the best solutions for storm water management in the Village. In addition, land owners may want to take advantage of the resources of the Washington County Conservation District, who offer assistance in devising rain garden systems to support on-site infiltration of storm water.



Village MUSA - Proposed



Village MUSA - Existing

Sources: Washington County & Metro GIS  
2-14-13

# Village MUSA Amendment

Lake Elmo Comprehensive Plan 2030



**Table 3-D  
Village Development Guiding Principles**

| PRINCIPLE   | EXAMPLE   |
|---|---|
| <p>Principle #1</p> <p><b>Evoke a sense of place . . .</b></p> <p>Build on existing assets to preserve the small town, rural character of Lake Elmo, maintaining the Old Village as the heart of the city.</p>  | <p>For example: the words ‘small-town America’ still bring forth almost iconic images of ‘place,’; images that represent a way of life steeped in civic pride, knowing your neighbor and celebrating tradition. The Master Plan seeks to build on this idea, not detract from it.</p>   |
| <p>Principle #2</p> <p><b>Balance natural and built systems . . .</b></p> <p>Integrate development within a green framework of parks, trails and the open space greenbelt.</p>  | <p>For example: the Master Plan is based on the inseparable relationship between various systems working together to create the ‘whole-cloth’ of community. The idea of a village within a park is an attainable vision . . . with new development, infrastructure improvements and other plan components carefully conceived and constructed as if to appear part of the original settlement.</p>  |
| <p>Principle #3</p> <p><b>Broaden the mix of local goods and services . . .</b></p> <p>Support existing, and encourage new opportunities for retail shops, restaurants, office, civic and institutional uses, particularly along Lake Elmo Avenue and the proposed Route 5 Main Street.</p> | <p>For example: having a variety of visible, inviting, high quality purveyors nearby that meet the daily needs of Lake Elmo residents is a hallmark of small town life. Rather than displacement, the Master Plan seeks to enhance the climate for commercial development (including existing businesses), while creating an active Main Street and signature destination centerpiece for the Village.</p>  |
| <p>Principle #4</p> <p><b>Provide a variety of housing choices . . .</b></p> <p>Make life-cycle housing a top priority, specifically targeting a growing and increasingly diverse population.</p>   | <p>For example: some existing residents would like to live in Lake Elmo long after they’ve left the family homestead; children born and raised in the area would like to find ‘first-time-buyer’ housing they can afford; new residents attracted to the Village should be able to pick from a mix of high quality, reasonably priced options for families, active living, low maintenance and special needs housing close to Main Street and in nearby neighborhoods.</p>                          |
| <p>Principle #5</p> <p><b>Invest in quality public space . . .</b></p> <p>Construct signature parks and a destination main street as the centerpiece for community events with increased recreational opportunities and improved amenities throughout the Old Village.</p>                  | <p>For example: some of our most memorable and celebrated places are our parks . . . from the traditional town square to the world renowned Grand Rounds in Minneapolis, the contribution of these special places to our quality of life is beyond measure. The Master Plan seeks to create a network of public parks and trails available for active recreational users, casual spontaneous visits or simply an element of the Village fabric you might pass by as part of your daily routine.</p> |

|   |   |
|---|---|
| <p>Principle #6</p> <p><b>Preserve and enhance natural and cultural resources . . .</b></p> <p>Develop strategies to insure long term protection of the qualities that make the Old Village unique.</p>   | <p>For example: Lake Elmo seems to have sort of a quiet history represented by only a few visible reminders of bygone days, yet the Master Plan seeks to interpret this cultural legacy in a very public expression of meaning and place. And although much of what was once natural in the Village Area is mostly gone . . . we still have a responsibility to preserve and protect what remains, seek to restore what’s missing and connect with regional systems where natural areas still flourish.</p> |
| <p>Principle #7</p> <p><b>Improve connectivity . . .</b></p> <p>Provide a balanced network for movement that links local neighborhoods and Village Area attractions with city-wide and regional systems, paying equal attention to cars, bicycles, pedestrians and transit.</p>                               | <p>For example: the Master Plan is not anti-car . . . but it also does not emphasize traffic management and car convenience as the primary drivers of Village design. Instead, the Plan seeks to create a safe, functional and aesthetically pleasing experience for everyone, while encouraging increased pedestrian and bicycle trips with a decreased dependency on the automobile.</p>  |
| <p>Principle #8</p> <p><b>Build partnerships . . .</b></p> <p>Leverage investment through public/private partnerships including expanded relationships with builder/developers, corporate, institutional, county, state and national organizations with shared interest in specific elements of the plan.</p> | <p>For example: you can’t do this alone . . . each and every component of the Master Plan requires the knowledge and active participation of a variety of potential partners. Their success helps ensure your success, and a positive, engaging and respectful experience should be the outcome for everyone doing business with Lake Elmo.</p>   |
| <p>Principle #9</p> <p><b>Foster public safety . . .</b></p> <p>Create a vital and inviting Village center that encourages activity throughout the day.</p>   | <p>For example: safe streets, safe parks, safe neighborhoods . . . much of the world we live in is ‘self-policing.’ The proposed mix and location of uses and amenities intentionally promotes casual surveillance (eyes-on-the-street) with easy monitoring and access by emergency services when needed.</p>  |
| <p>Principle #10</p> <p><b>Forward a vision that can be implemented . . .</b></p> <p>Balance economic realities and technical constraints with a mandate for quality and livability.</p>  | <p>For example: the Master Plan becomes meaningless if it can’t be built . . . implementation of the Plan must include reasonable cost in a reasonable time frame, with built-in flexibility that responds to market shifts, political reprioritization, technological advances and potential outside influences (oil prices, war, transit).</p>  |
| <p>Principle #11</p> <p><b>Become a great model . . .</b></p> <p>Encourage other communities to ‘raise the bar’ by demonstrating low impact development, best practices and sustainability.</p>   | <p>For example: there is a growing responsibility and broader perspective that suggests that status quo is not an option. The Master Plan actively pursues opportunities to not only explore, but also put into practice, a variety of methods and approaches that reduce the negative impacts of development, minimize intrusions on our natural systems, conserve energy where possible and leave a lasting legacy for others to follow.</p>  |

|  |   |
|--|---|
| <p>Principle #12</p> <p><b>Lead by design . . .</b></p> <p>Creative and innovative thinking locally should also be part of the regional, national and global collaboration of problem solvers.</p>             | <p>For example: there is a wealth of information and real-world examples to help small towns like Lake Elmo respond to the complex challenges of growth, development, finance, preservation and health. The Master Plan seeks to build from this knowledge base, benefit from the experience of others and participate in meaningful problem solving for this rapidly changing world.</p> |
| <p>Principle #13</p> <p><b>Minimize negative impacts . . .</b></p> <p>Promote long term stability and quality of life through effective balance of economic, environmental and social/cultural priorities.</p> | <p>For example: the overall health of the Village is intricately linked to the health of your local economy, the health and attractiveness of the natural and built environment, and the social fabric of rural living. Incremental growth and the attendant changes that go with it must accommodate both existing and future Lake Elmo citizens.</p>                                    |

# Metropolitan Council

December 12, 2013

Kyle Klatt, Planning Director  
City of Lake Elmo  
3800 Laverne Avenue N  
Lake Elmo, MN 55042

**RE: City of Lake Elmo Village Area Comprehensive Plan Amendment**  
Metropolitan Council Review File No. 20599-5  
Metropolitan Council District 12

Dear Mr. Klatt:

At its meeting on December 11, 2013, the Metropolitan Council reviewed the City's Village Area Comprehensive Plan Amendment (CPA), based on the staff's report (Business Item 2013-320). The amendment proposes to incorporate detailed planning efforts for the Village Area, as well as updating the wastewater plan to reflect changes in land use and staging for the Village Area and the I-94 Corridor (Business Item 2013-28, Review File No. 20599-3).

The Council found that the CPA conforms to the regional system plans for transportation, wastewater, and parks; is consistent with the *2030 Regional Development Framework* and Council policies; and is compatible with the plans of adjacent jurisdictions. Therefore, the City may place the CPA into effect.

The Council took the following actions:

1. Adopt the attached review record and allow the City of Lake Elmo to put the Village Area CPA into effect.
2. Find that the proposed amendment does not change the official forecasts for the City.
3. Encourage the City to begin participation in the Livable Communities Act (LCA) Local Housing Incentives Account in order to become eligible for LCA grants that can assist in the development and preservation of affordable housing.
4. Advise the City to implement the advisory comments in the Review Record for Transportation.

A copy of the staff report to the Council on both business items is attached for your records, along with a copy of the resolution. The Council will append the amendment, submission form, and supplemental information to the City's plan in the Council's files. If you have any questions at all, please do not hesitate to contact me at 651-602-1895.

Sincerely,



LisaBeth Barajas, Manager  
Local Planning Assistance

*Attachment*

CC: Crystal Sheppeck, Minnesota Housing  
Tod Sherman, Development Reviews Coordinator, MnDOT Metro  
Harry Melander, Metropolitan Council District 12  
Kyle Colvin, Environmental Services  
Raya Esmaeili, Reviews Coordinator

*N:\CommDev\LPA\Communities\Lake Elmo\Letters\Lake Elmo 2013 CPA Village Area 20599-5 postCouncilaction.docx*

[www.metrocouncil.org](http://www.metrocouncil.org)

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# MAYOR & COUNCIL COMMUNICATION

**DATE:** December 17, 2013  
**REGULAR**  
**ITEM #** 14

**AGENDA ITEM:** Boulder Ponds PUD Concept Plan  
**SUBMITTED BY:** Nick M. Johnson, City Planner  
**THROUGH:** Dean Zuleger, City Administrator  
**REVIEWED BY:** Planning Commission  
Kyle Klatt, Community Development Director  
Jack Griffin, City Engineer  
Mike Bouthilet, Public Works Superintendent  
Greg Malmquist, Fire Chief  
Matt Moore, South Washington Watershed District

**SUGGESTED ORDER OF BUSINESS:**

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

**POLICY RECCOMENDER:** The Planning Commission unanimously recommends approval of a Planned Unit Development (PUD) Concept Plan for a residential planned development to be named Boulder Ponds of Lake Elmo, located in Stage 1 of the I-94 Corridor Planning Area. In recommending approval of the PUD Concept Plan, the Planning Commission made four findings of fact and recommended 11 conditions of approval.

**FISCAL IMPACT:** None – All costs incurred to the City through the review of the application are reimbursed by land use application fees and a development escrow.

**SUMMARY AND ACTION REQUESTED:** The City Council is asked to consider a request by Amaris Company, LLC for a PUD Concept Plan to be called Boulder Ponds of Lake Elmo. The proposed Concept Plan consists of 93 single family lots and a 64-unit multi-family dwelling. The proposed development is located in between the Eagle Point Business Park and the future

Lennar low density residential development (Savona), north of Hudson Boulevard and south of the Stonegate residential subdivision. The Planning Commission held a public hearing on the Boulder Ponds PUD Concept Plan on December 9, 2013. The Planning Commission unanimously recommended the PUD Concept Plan for approval based upon 4 findings of fact. In addition, the Planning Commission is recommending 11 conditions of approval, as shown in Resolution No. 2013-109.

*The Planning Commission is unanimously recommending that the City Council approve the Boulder Ponds PUD Concept Plan through the following motion:*

***“Move to adopt Resolution No. 2013-109, approving the Boulder Ponds PUD Concept Plan.”***

**LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT:** The City adopted the current version of the Comprehensive Plan in April of 2013 (Resolution No. 2013-25). The amendment to the Comprehensive Plan included a new Land Use Plan to accommodate sewered residential and commercial growth in the I-94 Corridor Planning Area. In response to the City’s adopted land use plan, Amaris Company, LLC is proposing a planned development on properties owned by the Louis Damiani Trust (managed by Security Bank & Trust Co.) and Mr. Tim Montgomery. The PIDs for the subject parcels are the following: 34.029.21.33.0001, 34.029.21.32.0001 and 34.029.21.33.0002. The proposed PUD Concept Plan contains a total of 157 residential units (93 single family, 64 multi-family) and is consistent with the land use guidance under the City’s Comprehensive Plan.

Regarding the Planning Commission review of the request, it should be noted that a Public Hearing was held on December 9, 2013. During the Public Hearing, the Planning Commission received the following testimony:

- Mr. Curt Montieth, 331 Julep Ave. N., stated that he wants to ensure that the City is adequately looking at places for parks and recreation for new residents of Lake Elmo. He noted that there is no mention of parks or playgrounds in any of the open space areas in the Boulder Ponds Concept Plan. He noted that if Stonegate Park is to serve as a more regional park, than improvements and upgrades are needed in the park to accommodate increased use.
- Mr. David Anderson, representing Bremer Financial Services, noted that Bremer owns the land just to the west of the subject property. He shared that Bremer has plans to eventually expand their facility in Lake Elmo in the future, and the proposed alignment of the collector road could have an impact on these expansion plans. To protect Bremer’s future plans, it is necessary to preserve land necessary for future expansion, storm water management, parking and other needs. He also noted that the eastern side of the Bremer site contains critical infrastructure related to Bremer’s operation of the facility. He would like to coordinate elements of Bremer’s future facility plans as the Boulder Ponds subdivision moves forward.
- Mr. John Jarros, 429 Julep Ave. N., noted that he also has concerns about the amount of park space, as well as the amount of development in one small area of Lake Elmo. He

believes that the amount of park space will not be adequate. He also requested that the northern buffer trail, which straddles the Stonegate subdivision, be moved further to the south to be in closer proximity to the newly developing neighborhood as opposed to the Stonegate neighborhood.

After testimony was gathered, the Planning Commission discussed the Boulder Ponds PUD Concept Plan. More specifically, the Planning Commission affirmed four of the five findings of fact in the Staff Report, striking the 5<sup>th</sup> finding related to engineering design standards. The findings of fact by the Planning Commission include the following:

1. That the Boulder Ponds PUD Concept Plan is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
2. That the Boulder Ponds PUD Concept Plan complies with the general intent of the City's Urban Low Density Residential and Urban Medium Density Residential zoning districts.
3. That the Boulder Ponds PUD Concept Plan complies with the City's Subdivision Ordinance.
4. That the Boulder Ponds PUD Concept Plan complies with the City's PUD Ordinance.

In addition to the findings of fact, the Planning Commission discussed the proposed conditions of approval outlined in the Staff Report. Based upon applicant testimony and general discussion, the Planning Commission decided to amend Conditions #1, 3, 5 and 8. More specifically, related to Condition #1, the Planning Commission asked that a consideration for a right-of-way of 100-feet be allowed at the pinch point between Bremer Bank and Stonegate Park. The Planning Commission felt that a reduced right-of-way was warranted in this location due to the limited area between the Bremer facility and Stonegate Park. Regarding Condition #3, the Planning Commission affirmed a proposed amendment to the condition as presented by Staff at the Planning Commission meeting. The amendment would make the condition more general, so that the City could work with the applicant to provide access to neighboring properties where feasible. Related to Condition #5, the Planning Commission wanted to make it clear that allowances for flexibility from zoning requirements as part of the PUD are not approved until PUD Preliminary Plan approval. Finally, regarding Condition #8, the Planning Commission wanted to support the applicants' ability to allow for meandering sidewalks in the development through the use of maintenance easements. Along with the recommendation for approval, the Planning Commission recommended 11 total conditions of approval. The purpose of the conditions are to inform the applicant's next intended phase of application submittal, PUD Preliminary Plan and Preliminary Plat, as well as document the conditions in the public record. The recommended list of conditions provided by the Planning Commission are found in Resolution No. 2013-109 (Attachment #1).

#### **BACKGROUND INFORMATION (SWOT):**

**Strengths:** Approval of the Boulder Ponds PUD Concept Plan allows the applicants to move forward with the preparation of a PUD Preliminary Plan and Preliminary Plat application. The Planning Commission and Staff both determined that the proposed Concept Plan is consistent with the City's Comprehensive Plan. The proposed planned

development offers unique design that is consistent with the City's desire to promote single family neighborhoods with common open space. Ultimate approval of the development will assist the City in meeting required growth numbers as set by the Memorandum of Understanding with the Metropolitan Council, as well as add users to the City's municipal water and sewer systems.

**Weaknesses:** N/A

**Opportunities:** N/A

**Threats:** The City must continue to work with the applicants and adjacent property owners on the alignment and right-of-way of the 5<sup>th</sup> Street minor collector road. To allow urban development to occur in the I-94 Corridor, the collector road is a necessary transportation improvement that will serve a significant amount of traffic generated by a variety of residential and commercial properties. The City must continue to stay ahead of the design, alignment and construction to the roadway to ensure that the vision of the City's Land Use Plan is carried forward in the I-94 Corridor.

**RECOMMENDATION:**

*Based on the aforementioned, the Planning Commission is unanimously recommending that the City Council approve the Boulder Ponds PUD Concept Plan through the following motion:*

***“Move to adopt Resolution No. 2013-109, approving the Boulder Ponds PUD Concept Plan.”***

**ATTACHMENTS:**

1. Resolution No. 2013-109
2. Staff Report, 12-9-13
3. Boulder Ponds Application, Narrative, Concept Plan and Supporting Materials
4. Location Map
5. City Engineer's Report
6. South Washington Watershed District Review Letter
7. 5<sup>th</sup> Street Alignment Letter, Dale Properties

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

**RESOLUTION NO. 2013-109**

*RESOLUTION APPROVING THE BOULDER PONDS PUD GENERAL CONCEPT PLAN*

**WHEREAS**, Amaris Company, LLC, P.O. Box 10811, White Bear Lake, MN, (“Applicant”) has submitted an application to the City of Lake Elmo (“City”) for a Planned Unit Development (PUD) Concept Plan for a proposed planned development to be called Boulder Ponds of Lake Elmo, copies of which are on file in the City Planning Department; and

**WHEREAS**, the proposed Concept Plan is for a planned development that includes 93 single family lots and a 64-unit multi-family dwelling on three parcels of land (PIDs: 34.029.21.33.0001, 34.029.21.32.0001 and 34.029.21.33.0002) totaling approximately 58 acres in the Stage 1 of the I-94 Corridor Planning Area; and

**WHEREAS**, the Lake Elmo Planning Commission held a Public Hearing on December 9, 2013 to consider the request; and

**WHEREAS**, on December 9, 2013 the Lake Elmo Planning Commission unanimously adopted a motion to recommend that the City Council approve the Boulder Ponds PUD Concept Plan; and

**WHEREAS**, the Lake Elmo Planning Commission submitted its report and recommendation to the City Council as part of a memorandum from the Planning Department dated December 17, 2013; and

**WHEREAS**, the City Council reviewed the recommendation of the Planning Commission and the proposed Boulder Ponds PUD Concept Plan at a meeting on December 17, 2013; and

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

**FINDINGS**

- 1) That the Boulder Ponds PUD Concept Plan is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 2) That the Boulder Ponds PUD Concept Plan complies with the general intent of the City’s Urban Low Density Residential and Urban Medium Density Residential zoning districts.
- 3) That the Boulder Ponds PUD Concept Plan complies with the City’s Subdivision Ordinance.

- 4) That the Boulder Ponds PUD Concept Plan complies with the City's PUD Ordinance.

### CONCLUSIONS AND DECISION

Based on the foregoing, the Applicants' application for a PUD Concept Plan is granted, provided the following conditions are met:

- 1) The applicant must obtain permission and consent from the adjoining property owner, Bremer Bank, related to the 100' right-of-way and alignment of the 5<sup>th</sup> Street minor collector road in the northwest corner of the site. The final alignment must be determined prior to the submittal of the PUD Preliminary Plan and Preliminary Plat applications.
- 2) The applicant must resolve the alignment of the 5<sup>th</sup> Street minor collector road in the southeast portion of the site with adjoining property owners, specifically Lennar and Dale Properties. The final alignment must be determined prior to the submittal of the PUD Preliminary Plan and Preliminary Plat applications.
- 3) The applicants must work with Staff to provide access to adjacent parcels where feasible in a manner that is acceptable to the City. Access locations must meet the approval of the City Engineer.
- 4) The applicant must acquire additional land in the eastern portion of the site to plat single family residential Lots 14-18 as part of the Preliminary Plat application, or revise their plan accordingly.
- 5) Request for flexibilities related to lot size, width, setbacks and all other requirements per the City's Zoning Ordinance or Design Standards must be clarified and documented as part of the PUD Preliminary Plan and Preliminary Plat submission. All requests for flexibility must be approved by the City at PUD Preliminary Plan approval.
- 6) The applicant must revise the Phasing Plan to accommodate the construction of all public infrastructure adjacent to any proposed areas to be platted within said phase per the City Engineer's report dated November 20, 2013.
- 7) All street and median geometrics must accommodate emergency vehicle access and maintenance. Applicants must demonstrate acceptable turning radii for all uniquely shaped landscape medians and cul-de-sacs.
- 8) The applicant shall come to an agreement acceptable to City Staff to accommodate meandering walkways within acceptable easements or public right-of-way. All trails must be located within dedicated right-of-way, City parkland, or a 30-foot wide dedicated easement at a minimum.
- 9) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall acquire the needed permits from the appropriate watershed district prior to the commencement of any grading or development activity on the site.
- 10) Any land under which public trails are located will be accepted as park land provided the developer constructs said trails as part of the public improvements for the subdivision, and the land is located outside of any restrictive easements.

11) The applicant shall observe all comments and recommendations from the City Engineer documented on the Engineer's report dated November 20, 2013.

Passed and duly adopted this 17<sup>th</sup> day of December, 2013 by the City Council of the City of Lake Elmo, Minnesota.

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Mike Pearson, Mayor

ATTEST:

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Adam Bell, City Clerk



PLANNING COMMISSION  
DATE: 12/09/13  
AGENDA ITEM: 4A – PUBLIC HEARING  
CASE # 2013-29

ITEM: Boulder Ponds Planned Unit Development (PUD) – Concept Plan

SUBMITTED BY: Nick Johnson, City Planner

REVIEWED BY: Kyle Klatt, Community Development Director  
Jack Griffin, City Engineer  
Mike Bouthilet, Public Works Superintendent  
Greg Malmquist, Fire Chief  
Rick Chase, Building Official  
Matt Moore, South Washington Watershed District

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

The Planning Commission is being asked to hold a public hearing for a request from Amaris Company LLC for a residential Planned Unit Development Concept Plan with 93 single family residential homes and a 64-unit multifamily dwelling to be located on approximately 58 acres immediately east of the Eagle Point Business Park and within the City's I-94 Corridor Planning Area. Staff is recommending approval of the PUD Concept Plan with 11 conditions of approval as listed in the Staff Report.

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### **GENERAL INFORMATION**

*Applicant:* Amaris Company, LLC, P.O. Box 10811, White Bear Lake, MN 55110

*Property Owners:* Louis Damiani Trust, c/o Security Bank & Trust Co., William C. Kuhlmann,  
2202 11<sup>th</sup> Street East, Glencoe, MN 55336

Tim Montgomery, 6211 Upper 51<sup>st</sup> Street North, Oakdale, MN 55128

*Location:* Part of Section 34 in Lake Elmo, north of I-94 and Hudson Boulevard, south of Stonegate residential subdivision, and east of Eagle Point Business Park. PINs: 34.029.21.33.0001; 34.029.21.32.0001; 34.029.21.33.0002.

*Request:* Application for Concept Plan approval of a Planned Unit Development (PUD) containing 93 single family homes and a 64-unit senior housing multi-family residential building to be named Boulder Ponds of Lake Elmo.

*Existing Land Use and Zoning:* Agricultural land with one single family home (9120 Hudson Blvd. N.). Current Zoning: RT – Rural Transitional Zoning District; Proposed Zoning: LDR and MDR PUD

*Surrounding Land Use and Zoning:* North: Residential Estates subdivision (Stonegate) – RE zoning and Park (Stonegate Park) – PF zoning;  
West: Offices (Eagle Point Town Office Park) – BP zoning;

South: Retail Trade (Lampert Lumber) – C zoning and Sales and Storage Lots (Cranky Ape) – C zoning; and  
 East: future proposed Lennar urban low density residential subdivision (Savona) – current zoning: RT, future zoning: LDR.

*Comprehensive Plan:* Urban Low Density Residential (2.5 – 4 units per acre), Urban Medium Density Residential (4.5 – 7 units per acre), and Commercial.

*History:* Applicants are participating in the Section 34 Utility Project under a Statute 429 area-wide assessment. The utility project is expected to be completed in December of 2013.

*Deadline for Action:* Application Complete – 11/7/13  
 60 Day Deadline – 1/6/14  
 Extension Letter Mailed – No  
 120 Day Deadline – 3/7/13

*Applicable Regulations:* Chapter 153 – Subdivision Regulations  
 Article 10 – Urban Residential Districts (§154.450)  
 Article 16 – Planned Unit Development (§154.800)

## **REQUEST DETAILS**

The City of Lake Elmo has received an application from Amaris Company, LLC for a Planned Unit Development (PUD) Concept Plan on approximately 58 acres of land located within the I-94 Corridor Planning Area. The Concept Plan includes 93 single family homes on the northern and central portion of the site, as well as a proposed 64-unit senior housing multi-family residential building. In addition, the Concept Plan includes vacant land along the Hudson Blvd that is planned for future Commercial land uses per the City's Comprehensive Plan. It is the applicant's intention to plat the Commercial areas as outlots until Commercial users are identified. The proposed PUD, to be called Boulder Ponds of Lake Elmo, would be located on property currently owned by the Louis Damiani Trust, currently managed by Security Bank & Trust Co., and Mr. Tim Montgomery.

The Concept Plan has been developed in response to the City's adopted Comprehensive Plan for the I-94 Corridor, which guide the applicant's land as a mix of Urban Low Density Residential – LDR, Urban Medium Density Residential – MDR and Commercial. The plan incorporates 93 single family lots, most of which are designed with a width of approximately 65 feet. The majority (76) of the single family lots are located north of the future minor collector road, 5<sup>th</sup> Street, whereas 17 single family lots are located south of the minor collector. In addition, the 64-unit senior housing multi-family building is also located south of the minor collector road adjacent to the areas that are guided for future Commercial land uses.

As opposed to following the City's normal subdivision procedures, the applicants have determined that a planned development approach offers the best method to achieve their development vision for their property. The purpose of the City's PUD ordinance is to provide flexibility in development and zoning standards for large parcels under unified control with the goal of achieving higher quality development. More specifically, the General Concept Plan phase of the PUD procedure allows the applicant to submit a general plan to the City demonstrating his or her basic intent of the development, including general density ranges, location of residential and nonresidential land uses, and location of streets, paths and open space. The purpose of approving the Concept Plan is to

provide the applicant with conceptual approval related to the requested flexibilities or variations from the City Zoning and Subdivision Ordinances, or other City standards, before incurring substantial costs related to submitting a full Preliminary Plat application. In terms of procedure, the planned development path is similar to the normal subdivision process in that Preliminary and Final PUD Plan approvals must follow parallel track to Preliminary and Final Plat. However, one critical difference between the planned development process and standard subdivision process is that the PUD Concept Plan phase requires a public hearing and the approval of the City Council.

Alternatively, the Sketch Plan review phase, the first step in the standard subdivision process, does not require a public hearing and City approval. The reason that the PUD Concept Plan requires a public hearing and City approval is due to the requested flexibility and variation from the City's standard zoning and subdivision procedures. Regarding variation from the City's Zoning Ordinance and Comprehensive Plan, the applicants have requested minor flexibility in a couple of areas, hence justifying the planned development approach. The requested variances or flexibilities will be further discussed and analyzed in the Planning and Zoning section of the Staff Report.

The Boulder Ponds Concept Plan also includes a significant portion of the proposed 5<sup>th</sup> Street minor collector road as planned in the City's Transportation Plan. Once completed, the minor collector road will serve as the primary access for the Boulder Ponds planned development. The segment of the minor collector road included in the Concept Plan is part of the 1<sup>st</sup> phase of the 5<sup>th</sup> Street collector road, from Inwood Avenue (CSAH 13) to Keats Avenue (CSAH 19). Eventually, the 5<sup>th</sup> Street minor collector road is planned to serve the entire I-94 Corridor from west to east (Inwood Ave. to Manning Ave.). As shown in the Concept Plan, the design of the minor collector road as part of the Boulder Ponds development is consistent with the City's specifications for this roadway segment. The applicant has provided for a 120-foot wide right-of-way, which will provide sufficient room for the construction of a parkway with turning lanes, 10-foot bituminous trail, sidewalk, trees, lighting, and other design elements as planned by the City. It should also be noted that the applicants and other interested landowners in the area have recently met with City staff to discuss the possibility of petitioning the City for a 429 area-wide assessment project to complete the 5<sup>th</sup> Street minor collector road from Keats Ave. (CSAH 19) to the western boundary of the Boulder Pond project next year. Finally, to achieve the desired vision of development for their project, as well as address difficult grade issues on the site, the applicants are proposing to move the alignment of the minor collector road to the south. The applicants are currently working with the adjacent property owners to the east, US Homes Corp. (Lennar Homes) and DPS-Lake Elmo LLC (Dale Properties), to come to terms on an agreed alignment of the 5<sup>th</sup> Street minor collector road. The proposed alignment of the minor collector road will be further discussed in the Review and Analysis section of the Staff Report.

In terms of utilities, the applicants are currently participating in the Section 34 Utility Project, which is extending sewer and water throughout Stage 1 of the I-94 Corridor Planning Area. With the improvements associated with the Section 34 project, the applicants will have access to both sewer and water from the south (Hudson Blvd.) and west (Eagle Point Business Park). Currently, sewer and water service are being provided by the City of Oakdale via a Joint Services Agreement. There is currently enough capacity in the Oakdale system to provide sewer and water service to the Boulder Ponds development. As the build-out of the Stage 1 Area of the I-94 Corridor progresses, the City will need to transition water services to the Lake Elmo municipal water system via the Inwood Ave Trunk Watermain Extension Project, as well as transition sewer flows to the Met Council W.O.N.E interceptor station along Hudson Blvd. The City will work with the applicants to plan for adequate utility infrastructure with the submission of the PUD Preliminary Plan and Preliminary Plat.

Other major features of the proposed planned development include outlot areas that will provide for open space, trails, and storm water management throughout the development area. The development

also incorporates a buffer/greenway area along the northern boundary of the plat adjacent to an existing RE – Residential Estates subdivision as required in the City’s Comprehensive Plan. All outlots that are planned for park land or storm water use will be deeded to the City, while the future home owner’s association will retain ownership of the remaining outlots.

Regarding next steps, the applicant is proposing to bring forward a Preliminary Plan and Preliminary Plat application upon approval of the Concept Plan. Per the PUD Ordinance, the final approval of the proposed planned unit development will result in a zoning change to a specific PUD zoning district, with specific requirements and standards that are specific to the development. If the application moves forward, the change in the base zoning (LDR, MDR, C) of the property would occur at the time of Preliminary Plan approval, and the final PUD zoning with approved flexibility that is specific to the development would be established at Final Plan approval.

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## **PLANNING AND ZONING ISSUES**

The Boulder Ponds site is guided for Urban Low Density Residential, Urban Medium Density Residential and Commercial land uses in the City’s Comprehensive Plan. The Density Analysis sheet within the Boulder Ponds Concept Plan delineates the low density, medium density and commercial areas respectively within the proposed planned development. The realignment of the 5<sup>th</sup> Street minor collector road to the south allows the applicant to maximize the single family residential area to the north, creating a larger distinct single family neighborhood as opposed to having the parcels bisected in half by the collector road.

Regarding the design of the planned development, the single family residential area to the north of the minor collector street is defined by one curvilinear residential through street that allows for ease of travel through the neighborhood. The remaining portions of the single family neighborhood are served by three cul-de-sacs, none exceeding 500 feet in length. Also, the applicants are proposing to include several landscaped medians and islands within the proposed City streets, the highlights of which are three medians in the middle of the single family neighborhood. In relation to the lots and blocks, the arrangement follow a curvilinear pattern, which allows the vast majority of the lots to back up to common open space of some form. The northern portion of the single family area north of the minor collector street also contains the 100’ greenbelt buffer between the new growth areas and the Stonegate residential estates subdivision as guided by the City’s Comprehensive Plan. The greenbelt buffer contains a trail that connects to the trail provided by the Lennar urban low density subdivision to the east and connects with the trail within the 5<sup>th</sup> Street corridor to the west. This area is also the location of a power line easement owned by Xcel Energy. On the southern half of the minor collector road, a local street connects the medium density residential commercial areas from 5<sup>th</sup> Street to Hudson Boulevard. South of the collector road, the plan include one small area of 17 single family lots, as well as a 64-unit multi-family building intended for senior housing. Regarding the commercial areas (approximately 9 acres) to the south of the medium density residential area, it is the applicant’s intention to plat these areas as outlots until prospective users are identified.

For pedestrian circulation and recreation, sidewalks and trails are planned throughout the Boulder Ponds planned development. Consistent with City Design Standards, the applicants have included sidewalks to be installed on at least one side of all streets. Also, the greenbelt buffer trail included on the northern portion of the site is consistent with the guidance of the Comprehensive Plan. In addition to the internal trails and sidewalks that are proposed by the developer, the 5<sup>th</sup> Street Corridor include a 10-foot bituminous trail on the north side of the road and a six-foot sidewalk on the south

side. The internal trails and sidewalks provide good circulation to the 5<sup>th</sup> Street trail, which is intended to provide a regional transportation and recreation purpose.

Regarding the single family lots within the Boulder Ponds Concept Plan, the vast majority of the lots meet the minimum size requirements for the City's Urban Low Density Residential – LDR zoning district. The minimum lot size per the City's LDR zoning district is 8,000 square feet, and the minimum lot width at building setback line is 60'. Of the 93 single family lots, all but five lots (Lot 59, 69, 72, 73 and 75) meet or exceed the minimum lot size of 8,000 square feet as required under LDR zoning. Overall, the average single family lot size in the planned development is approximately 10,495 square feet. In addition, the vast majority of the single family lots meet or exceed the minimum 60' lot width. The applicants have noted that allowing for minor flexibility in lot area and width is one of the key reasons for proceeding with a planned development. Also pertaining to the single family residential lots, the applicants are requesting that the City consider reduced side yard and front yard setbacks to accommodate the unique design of the single family residential portion of the planned development. Reduced setbacks allow for greater clustering, which promotes high levels of open space. According to §154.802.E-F, planned developments may allow for reduced setbacks and reductions in area and width of individual lots. It is Staff's understanding that the applicants are seeking to allow 5' side yard setbacks on both sides of the principal structure. In addition, the applicants may be seeking reduced front yard setbacks. Any reductions in front yard setback must be approved with the understanding that adequate separation is provided between parking areas (driveways) and sidewalks, so that any potential obstacles, such as parked vehicles or trailers, do not encroach on residential sidewalks. Overall, reductions in all residential lot sizes and setbacks must be clearly identified, reviewed and approved at time of PUD Preliminary Plan phase.

Also related to single family lots, the applicants have included five residential lots that are partially or almost entirely on a small triangular piece of property owned by Dale Properties. The applicants are proposing to acquire this land from Dale Properties in order to facilitate the platting of these five additional lots and realign the minor collector road to the south. Dale Properties has submitted a letter (Attachment #5) indicating that general agreement has been reached on the land acquisition. For the purposes of the Concept Plan, the applicants have "ghost platted" the five lots, Lots 14-18 on the PUD Lot Areas sheet, with the intention of acquiring the land prior to Preliminary Plat submission. If these lots are to be included in the PUD Preliminary Plan and Preliminary Plat, the applicants must submit evidence demonstrating control or consent of this area being included in the plat. If this is not possible, plans must be revised accordingly.

Regarding the proposed multi-family residential building, the applicant has noted that it is likely intended for a senior living facility. Given that the application is currently at Concept Plan phase, it is not required that significant detail be provided. However, it should be noted that within the Urban Medium Density Residential – MDR zoning district, multi-family dwellings are considered a conditional use. At the time of Final Plat and PUD Final Plan approval for the phase that includes the 64-unit multi-family dwelling, the applicant will be required to apply for a Conditional Use Permit (CUP). Further review of the multi-family dwelling should occur at the time of review for the required CUP.

On the topic of housing density, the applicants have submitted a density analysis worksheet to present the gross densities associated with the low density and medium density areas. Due to the fact that the minor collector road has been moved to the south, the proposed Boulder Ponds planned development would include more single family residential development than is currently planned for in the Comprehensive Plan. However, it is important to note that per the Comp Plan, the 5<sup>th</sup> Street

minor collector road serves as the boundary between low density and medium density areas in the Stage 1 Area (Inwood Ave. to Keats Ave.) of the I-94 Corridor. The gross density of the single family area to the north of the collector road, which is approximately 28.5 acres, is calculated to be 2.66 units per acre. The medium density area, which is approximately 10.1 acres, contains 81 residential units (17 single family, 64 multi-family), resulting in a gross density of 7.98 units per acre. It should be noted that this density figure is slightly higher than what is guided by the Comprehensive Plan. However, given that the proposed development is a PUD, and that the amount of land guided for medium density residential development on these parcels by the Comprehensive Plan is much greater, Staff has determined that the proposed Concept Plan meets the spirit and intent of the Comprehensive Plan. To explain Staff's reasoning for this determination in another way, the proposed Concept Plan decreases the amount of total land guided for medium density development by over 20 acres by moving the collector road south. The slight increase in density above the allowed range per the Comp Plan is balanced by the significant reduction in the amount of land guided medium density. To put it in simple terms, by using the low end of gross density ranges in the Comp Plan, these parcels were guided to have 195 total residential units (not accounting for road right-of-way), whereas the proposed PUD Concept Plan includes 157 total units. Overall, the proposed PUD Concept Plan is consistent with the intent of the land use and density requirements as guided by the City's Comprehensive Plan.

In terms of parkland dedication requirements, the Subdivision Ordinance requires that 10% of the land in urban residential districts to be dedicated for park purposes. Alternatively, fees may be submitted to the City in lieu of land dedication at a rate equal to the market value of the land. It is at the discretion of the City Council how parkland/fees are accepted to meet this requirement. The Boulder Ponds site is approximately 58 acres in size. Therefore, under the approach of a pure land dedication, the applicants would be required to dedicate approximately 5.8 acres of land for parkland purposes. In the application narrative, the applicants note that within the proposed Plan Concept Plan, 11.8 acres are devoted as park space. However, it must be noted that to be accepted as parkland for dedication purposes, the land must be able to serve an active recreation purpose. In addition, if linear land dedications are accepted, a trail that provides effective connectivity in the community must be provided and constructed. Also, it should be noted that the City cannot accept land that is subject to private easement for public parkland dedication. This consideration relates to the location of the Xcel Energy power line easement in the greenbelt buffer area in the northern portion of the site. It is the recommendation of Staff that further discussions be had with the applicants regarding which areas are eligible for parkland dedication. Greater clarity regarding parkland dedication requirements and eligibility should be reached in advance of Preliminary Plat.

Regarding available or future park facilities, the applicants are proposing to continue the greenbelt/buffer trail along the northern portion of the property. This trail provides connections to the 5<sup>th</sup> Street regional trail and Stonegate Park from the east. Given its proximity, it makes logical sense that Stonegate Park, in addition to other City parks, will serve the future residents of the Boulder Ponds planned development. It is recommended by Staff that the City works with the applicants and property owners to the west of Stonegate Park, Azure Properties, to investigate possible expansions or improvements to Stonegate Park. In addition Staff will work with the Park Commission to evaluate if any additional facilities or programs should be offered at Stonegate Park. Evaluating the facilities and programming of Stonegate Park should inform future planning or expansion efforts.

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## REVIEW AND ANALYSIS

City Staff has reviewed the proposed Boulder Ponds PUD Concept Plan, which has gone through multiple iterations in advance of the formal application being accepted as complete by the City. During the course of these reviews, several of the issues and concerns that were previously raised by Staff have been addressed by the applicant with updated submission documents. However, it is important to note that there are other elements of the plan that still require additional attention in advance of a PUD Preliminary Plan and Preliminary Plat submittal. In general, the proposed plan will meet all applicable City requirements for PUD Concept Plan approval, and any deficiencies or additional work that is needed is noted for the purpose of inclusion in the review record. In addition there are several things happening in and around the Boulder Ponds planned development that will have an impact on the project, including the possible petition for a 429 area-wide assessment project to construct the 5<sup>th</sup> Street minor collector road, as well as the final alignment of said road. Given that some of these efforts are still underway, Staff recognizes that some minor modifications may be necessary from PUD Concept Plan phase to PUD Preliminary Plan phase.

The City has received a detailed list of comments from the City Engineer, in addition to general comments by the South Washington Watershed District, all of which are attached for consideration by the Commission.

In addition to the general comments that have been provided in the preceding sections of this report, Staff would like the Planning Commission to consider the issues and comments related to the following discussion areas as well:

- ***Comprehensive Plan.*** The proposed subdivision is consistent with the Lake Elmo Comprehensive Plan for this area and with the densities that were approved as part of this plan. The gross densities for the development generally are consistent with the ranges allowed for the urban low density and urban medium density land use categories. Other aspects of the Comprehensive Plan relate to the Boulder Ponds PUD Concept Plan as follows:
  - ***Transportation.*** The City's transportation plan calls for the construction of a minor collector road that will connect the eastern and western portions of the I-94 Corridor. Staff views this road as a critical piece of the transportation infrastructure that is needed to serve the densities that have been planned for this area. The applicant has incorporated the right-of-way at the width necessary to construct the minor collector as part of its PUD Concept Plan.
  - ***Parks.*** The greenbelt trail provided on the northern portion of the site is consistent with the City's Land Use Plan in the Comprehensive Plan. In addition, the City's Park Plan in the Comprehensive Plan does not identify this area as a future location of a neighborhood park due to its proximity to Stonegate Park.
  - ***Water.*** Water will eventually be provided to this area via a future extension of the municipal system along Inwood Avenue. The Boulder Ponds planned development will be able to be served under the City's current agreement with the City of Oakdale until the Inwood watermain extension is completed.
  - ***Sanitary Sewer.*** The Boulder Ponds planned development will be required to connect to the sewer main being constructed as part of the Section 34 area wide assessment project. In this case, all of the property owners that are planned to be served by sanitary sewer have petitioned the City to construct the required sewer and water mains to serve the area.

- **Phasing.** The Boulder Ponds planned development is located within the Stage 1 phasing area for the I-94 Corridor and therefore the proposed development is consistent with the City's anticipated phasing of growth.
- **Zoning.** The proposed base zoning for the Boulder Ponds site will be split between the Urban Low Density Residential – LDR, the Urban Medium Density Residential – MDR, and Commercial – C zoning districts. However, approval of PUD Final Plan will result in a zoning change to a specific PUD Zoning District, recording all of the permitted variations, such as minimum lot size and setbacks, from the Zoning requirements of the base zoning district.
- **Subdivision Requirements.** The City's Subdivision Ordinance includes a fairly lengthy list of standards that must be met by all new subdivisions, and include requirements for blocks, lots, easements, erosion and sediment control, drainage systems, monuments, sanitary sewer and water facilities, streets, and other aspects of the plans. The City will work with the applicant to ensure that all standards specified in the Subdivision Ordinance are met, or that the appropriate variation is requested through the PUD Preliminary Plan.
- **Concept Phasing.** The applicants have also submitted a Concept Phasing Plan, indicating how they intend to proceed with construction and build-out of the proposed planned development. As proposed by the applicants, the Phasing Plan indicates that Phase I includes construction of the access road to Hudson Blvd. and the southern portion of the northern single family residential area. Phase II includes construction of the medium density residential area. Finally, Phase III includes the construction of the remaining single family area in the northern portion of the site, as well the 5<sup>th</sup> Street minor collector road. Staff is recommending that the Phasing Plan be revised so that all public infrastructure is constructed adjacent to any areas being platted. More specifically, the minor collector road should be constructed adjacent to any areas of residential homes that are being platted. It is critical that the city ensures that all public improvements needed to serve development in the I-94 Corridor are installed as growth occurs.
- **Infrastructure.** The developer will be required to construct all streets, sewer, water, storm water ponds, and other infrastructure necessary to serve the development. Storm water facilities should be platted as outlots and deeded to the city for maintenance purposes. Adequate access to storm water facilities must be provided.
- **Tree Preservation and Protection.** Based upon the existing tree cover of the site, it is possible that the applicant may not be required to complete a Tree Preservation Plan. If the applicant can demonstrate that significant trees on the site will not be negatively impacted by development activity, they would be allowed to submit a Woodland Evaluation Report in lieu of a Tree Preservation Plan.
- **Green Belt/Buffer.** The Comprehensive Plan identifies an area north of the Boulder Ponds planned development and south of the Stonegate subdivision as a green belt/buffer space with a minimum width of 100 feet. In the case of the subject property, this area is also the location for a significant power line easement held by Xcel Energy. As proposed in the PUD Concept Plan, the applicant is utilizing this space for the continuation of trail corridor from the east. Design of the greenbelt trail is consistent with City planning efforts to date. Staff believes that that green belt/buffer requirements of the Comprehensive Plan have been met by the applicant.

- ***Streets and Transportation.*** The proposed street system has been designed to comply with all applicable subdivision requirements and City engineering standards, with the exception of the requested variance as noted in the City Engineer’s report. Staff does have some concerns related to the landscape medians and island in term of acceptable turning radii, emergency vehicle access, snow removal, general maintenance, and safe turning movements. More specifically, the central intersection of the northern single family area contains three large medians/island that present difficult turning movements and safety concerns related to limited turning radii, potential limited visibility due to plantings, and, in multiple instances, direct driveway access that intersects with this unique central intersection. The applicant will be directed to provide significant geometric detail of these areas and work with staff to ensure that all islands and medians allows for safe travel movements and efficient maintenance. Finally, further clarification must be provided regarding proposed plantings in these medians/islands, as well as the responsible party for the maintenance of these plantings.
- ***5<sup>th</sup> Street Alignment and Design.*** Staff has the following comments regarding the proposed alignment of the 5<sup>th</sup> Street minor collector road and design:
  - The applicants have proposed to relocate the alignment of the 5<sup>th</sup> Street minor collector road to the south in order to maximize the potential for a single family neighborhood to the north, as well as mitigate difficult grade issues that exist on the site. From meeting with the applicants on multiple occasions regarding the proposed alignment of the minor collector road, staff has found the existing grade challenges to be accurate, and the alignment proposed in the Concept Plan to work in the context of meeting Municipal State Aid (MSA) road design requirements. To make the proposed alignment feasible, the applicants are working with the property owners to the east, Lennar and Dale Properties, to negotiate realigning the road to the south. All indications that the City has received indicate that general agreement has been reached, and the realignment will move forward. Evidence of these negotiations is documented in Attachment #5, a letter from Mr. Alan Dale of Dale Properties.
  - In addition to the eastern alignment, the applicants have also been working with Bremer Bank regarding the alignment of the minor collector road in the northwestern portion of the site. As proposed, the 5<sup>th</sup> Street right-of-way would encroach on the Bremer Bank property, and the road would encroach ever so slightly on the very northeast corner of the Bremer property. It is the City’s understanding that discussion regarding the alignment of the collector in the northwest corner are moving forward in a positive direction. As a condition of seeking PUD Preliminary Plan and Preliminary Plat approval, Staff is recommending that both alignment areas, the northwestern and eastern alignments, are resolved or agreed upon by all interested parties in advance of future application submittals.
  - Regarding the proposed alignment of the collector road, as well as the alignment of the local access road connecting Hudson Blvd., the properties to the south and east (Cranky Ape and Lampert Lumber) of the subject property do not currently have access provided. It is Staff’s recommendation that right-of-way be platted to these adjacent parcels in a location that is acceptable to the City Engineer.
  - Finally, as part of the PUD Preliminary Plan and Preliminary Plat application submission, Staff is requesting that the plans for 5<sup>th</sup> Street include all design elements as requested by the City, including the street trees, landscaping, lighting, median plantings, and other elements as proposed by the Damon Farber design work.

- ***Sidewalks and Trails.*** As noted in the City Engineer’s report, there are several instances where sidewalks and trails are located within either private outlots or on individual residential single family lots. The Subdivision Ordinance requires that all front property lines include 10’ drainage and utility easements. The placement of sidewalks within these easements would impact the City’s ability to use these easements for utility or maintenance purposes. In addition, having the sidewalks located on private property hinders the City’s ability to maintain these public improvements. Also, it is important to maintain appropriate clear zones for all sidewalks and trails. Staff is recommending that all sidewalks and trails be located in City right-of-way.
- ***City Engineer Review.*** The City Engineer has provided the Planning Department with a detailed comment letter dated November 20, 2013 as a summary of his PUD Concept Plan review. Staff has incorporated the more significant issues identified by the Engineer as part of the recommended conditions of approval, and has also included a general condition that all issues identified by the City Engineer must be addressed by the applicant prior to approval of a the PUD Preliminary Plan and Preliminary Plat. The Engineer does note that the proposed Concept Plan complies with the City’s standards, with one exception related to base material of City streets.
- ***Watershed Districts.*** The project area lies within the South Washington Watershed District. Comments have been provided (Attachment #4) by the SWWD Engineer, Matt Moore.
- ***Environmental Review.*** Based upon the proposed scope of the Concept Plan, the City does not believe that the planned development will individually trigger further environmental review.

Based on the above Staff Report and analysis, Staff is recommending approval of the Boulder Ponds PUD Concept Plan with multiple conditions intended to address future considerations related to the submission of a PUD Preliminary Plan and Preliminary Plat application. The recommended conditions are as follows:

***Recommended Conditions of Approval:***

- 1) The applicant must obtain permission and consent from the adjoining property owner, Bremer Bank, related to the right-of-way and alignment of the 5<sup>th</sup> Street minor collector road in the northwest corner of the site. The final alignment must be determined prior to the submittal of PUD Preliminary Plan and Preliminary Plat applications.
- 2) The applicant must resolve the alignment of the 5<sup>th</sup> Street minor collector road in the southeast portion of the site with adjoining property owners, specifically Lennar and Dale Properties. The final alignment must be determined prior to the submittal of PUD Preliminary Plan and Preliminary Plat applications.
- 3) Access must be provided to the adjacent parcels owned by Star River Holdings LLC (Cranky Ape) and Lampert Yards Inc (Lampert Lumber) via either the 5<sup>th</sup> Street minor collector road or the access road to Hudson Boulevard. The access location must meet the approval of the City Engineer.
- 4) The applicant must acquire additional land in the eastern portion of the site to plat single family residential Lots 14-18 as part of the Preliminary Plat application, or revise their plan accordingly.

- 5) Request for flexibilities related to lot size, width, setbacks and all other requirements per the City's Zoning Ordinance or Design Standards must be clarified and documented as part of the PUD Preliminary Plan and Preliminary Plat submission.
- 6) The applicant must revise the Phasing Plan to accommodate the construction of all public infrastructure adjacent to any proposed areas to be platted within said phase per the City Engineer's report dated November 20, 2013.
- 7) All street and median geometrics must accommodate emergency vehicle access and maintenance. Applicants must demonstrate acceptable turning radii for all uniquely shaped landscape medians and cul-de-sacs.
- 8) All sidewalks must be located in dedicated public right-of-way. All trails must be located within dedicated right-of-way, City parkland, or a 30-foot wide dedicated easement at a minimum.
- 9) The developer shall follow all of the rules and regulations spelled out in the Wetland Conservation Act, and shall acquire the needed permits from the appropriate watershed district prior to the commencement of any grading or development activity on the site.
- 10) Any land under which public trails are located will be accepted as park land provided the developer constructs said trails as part of the public improvements for the subdivision, and the land is located outside of any restrictive easements.
- 11) The applicant shall observe all comments and recommendations from the City Engineer documented on the Engineer's report dated November 20, 2013.

## **DRAFT FINDINGS**

Staff is recommending that the Planning Commission consider the following findings with regards to the proposed Boulder Ponds Concept Plan:

- 1) That the Boulder Ponds PUD Concept Plan is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
- 2) That the Boulder Ponds PUD Concept Plan complies with the general intent of the City's Urban Low Density Residential and Urban Medium Density Residential zoning districts.
- 3) That the Boulder Ponds PUD Concept Plan complies with the City's Subdivision Ordinance.
- 4) That the Boulder Ponds PUD complies with the City's PUD Ordinance.
- 5) That the Boulder Ponds PUD Concept Plan is consistent with the City's engineering standards with one exception as noted by the City Engineer in his review comments to the City dated November 20, 2013.

## **RECCOMENDATION:**

Staff recommends that the Planning Commission recommend approval of the Boulder Ponds PUD Concept Plan with the 11 conditions of approval as listed in the Staff Report. Suggested motion:

***“Move to recommend approval of the Boulder Ponds PUD Concept Plan with the findings of fact and conditions of approval as drafted in the Staff Report.”***

**ATTACHMENTS:**

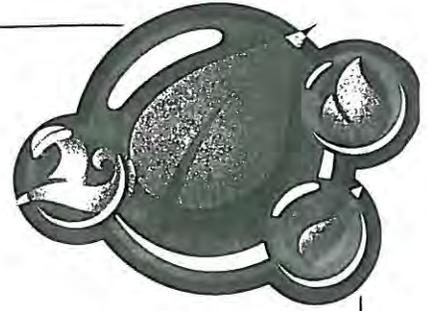
- 1. Boulder Ponds PUD Concept Plan & Attached Materials
- 2. Location Map
- 3. City Engineer' Report
- 4. South Washington Watershed District Review Letter
- 5. 5<sup>th</sup> Street Alignment Letter, Dale Properties

**ORDER OF BUSINESS:**

- Introduction .....Planning Staff
- Report by Staff .....Planning Staff
- Questions from the Commission ..... Chair & Commission Members
- Open the Public Hearing .....Chair
- Close the Public Hearing.....Chair
- Discussion by the Commission ..... Chair & Commission Members
- Action by the Commission ..... Chair & Commission Members

# AMARIS COMPANY

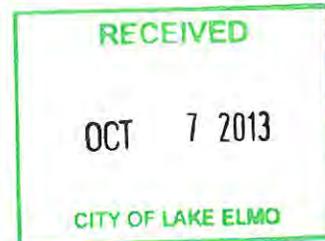
P.O. BOX 10695 | WHITE BEAR LAKE, MN 55110



October 7, 2013

Kyle Klatt  
City of Lake Elmo  
Planning Director  
3800 Laverne Avenue  
Lake Elmo, MN 55042

Nick Johnson  
City Planner  
3800 Laverne Avenue  
Lake Elmo, MN 55042



Reference: Master Plan PUD  
Boulder Ponds

Dear Kyle & Nick,

Please find the enclosed revised Master Plan PUD submission for Boulder Ponds. The updated documents dated 10-04-2013 are enclosed and include:

1. Density Analysis
2. Color Master Plan PUD
3. Variances & Sections
4. PUD Lot Areas
5. Phasing Plan

if you have any question or need any further information to progress this application, please call or email myself or Dean Robbins at 651-303-7208 and email [sonnyrobbins101@yahoo.com](mailto:sonnyrobbins101@yahoo.com)

Sincerely,

Raymond Pruban  
Chief Manager  
651-248-3631  
[rpruban@amariscompany.com](mailto:rpruban@amariscompany.com)



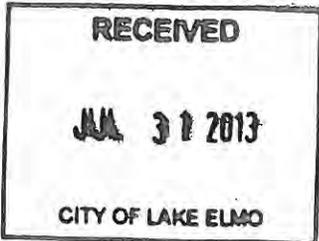
651.426.0584



[WWW.AMARISCOMPANY.COM](http://WWW.AMARISCOMPANY.COM)



651.426.0585



Fee \$ \_\_\_\_\_

City of Lake Elmo  
DEVELOPMENT APPLICATION FORM

- Comprehensive Plan Amendment
- Zoning District Amendment
- Text Amendment
- Flood Plain C.U.P.
- Conditional Use Permit
- Conditional Use Permit (C.U.P.)
- Variance \* (See below)
- Minor Subdivision
- Lot Line Adjustment
- Residential Subdivision Sketch/Concept Plan
- Site & Building Plan Review
- Residential Subdivision Preliminary/Final Plat
  - 01 - 10 Lots
  - 11 - 20 Lots
  - 21 Lots or More
- Excavating & Grading Permit
- Appeal
- PUD

APPLICANT: AMARIS COMPANY, LLC P.O. Box 10811 WHITE BEAR LAKE MN 55111  
(Name) (Mailing Address) (Zip)

TELEPHONES: 651-426-0584 651-248-3631 651-426-0585  
(Home) (Work) (Mobile) (Fax)

FEE OWNER: TIM MONTGOMERY 6211 UPPER 51st N OAKDALE MN 55128  
LOUIS CAMMHI TRUST c/o SECURITY BANK TRUST CO. 2202 11th St E CLARK MN 55331  
(Name) (Mailing Address) (Zip)

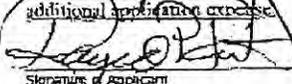
TELEPHONES: TIM MONTGOMERY 612-201-5616  
WILLIAM KUHLMANN (TRUSTEE) 952-239-2297  
(Home) (Work) (Mobile) (Fax)

PROPERTY LOCATION (Address and Complete (Long) Legal Description): 9120 HUDSON RD  
LAKE ELMO MN  
(SEE ATTACHED LEGAL)

DETAILED REASON FOR REQUEST: PUD MASTER PLAN APPROVAL

\*VARIANCE REQUESTS: As outlined in Section 301.060 C of the Lake Elmo Municipal Code, the Applicant must demonstrate a hardship before a variance can be granted. The hardship related to this application is as follows:

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning and Subdivision Ordinances 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.

 7/25/2013  
 Signature of Applicant Date

X  7/28/13  
 Signature of Applicant Date

X Security Bank & Trust Company, trustee  
By: \_\_\_\_\_, Senior Vice President

That part of the East Half of the Northwest Quarter of the Southwest Quarter  
and the West Half of the West Half of the Southwest Quarter of Section 34,  
Township 29, Range 21, Washington County, Minnesota, lying north of the north  
line of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT 82-43.

# PUD Development Submission Requirements

## *PUD Planned Unit Development Stage*

### **1 General Information**

- a** The landowner's name and address and his/her interest in the subject property.

1/3rd Owner            Tim Montgomery  
6211 Upper 51st St N  
Oakdale, MN 55128  
Cell (612) 701-5616  
[ccnmont@yahoo.com](mailto:ccnmont@yahoo.com)

2/3rd Owner            Louis Camani Trust  
c/o Security Bank & Trust Co  
Willam C Kuhlmann  
Cell (952) 239-2297  
[bill@securitybanks-trust.com](mailto:bill@securitybanks-trust.com)  
2202 11th Street East  
Glencoe, MN 55336

- b** The applicant's name and address if different from the landowner

Amaris Company, LLC  
P O Box 10811  
White Bear Lake, MN 55110  
2593 Lake ave  
White Bear Township, MN 55110  
Raymond Pruban  
[rpruban@amariscompany.com](mailto:rpruban@amariscompany.com)  
Office 651-426-0584  
Office Fax 651-426-0585  
Cell 651-248-3631

- c** The names and addresses of all professional consultants who have contributed to the development of the PUD plan being submitted, including but not limited to attorney, land planner, engineering and surveyor

Rick Harrison  
Site Planner  
Rick Harrison Site Design  
Office 763-595-0055  
[rharrison@performanceplanningsystem.com](mailto:rharrison@performanceplanningsystem.com)

Dean Robbins  
Civil Engineer  
Evolution Engineering  
Cell 651-303-7208  
[sonnyrobbins101@yahoo.com](mailto:sonnyrobbins101@yahoo.com)

Paul Brandt  
Soils Scientist & Wetlands Specialist  
Soils Company  
(651) 260-3783  
[pjbrandt1@yahoo.com](mailto:pjbrandt1@yahoo.com)

Jason Rud  
land Surveyor  
E.G. Rud and Sons Land Surveying  
Work (651) 361-8200  
jrud@egrud.com

Mitchel Cookas/John Hink  
Hydrology & Storm Water Analysis/Engineering  
Solution Blue INC  
Office (651)294-0038  
[jhink@solutionblue.com](mailto:jhink@solutionblue.com)  
[mcookas@solutionblue.com](mailto:mcookas@solutionblue.com)

Charlie Devine  
Real Estate Professional Advisor  
Remax Specialsits  
Cell 612-220-0140  
[devinec@icloud.com](mailto:devinec@icloud.com)

## 2 Present Status

- a** The address and legal description of the property.

That part of the East Half of the Northwest Quarter of the Southwest Quarter and the West Half of the West Half of the Southwest Quarter of Section 34, Township 29, Range 21, Washington County, Minnesota, lying north of the north line of MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT 82-43.

- b** The existing zoning classification and present use of the subject property and all lands within 350' of the subject property.

1) The existing zoning classification of the subject property is low density residential, medium density residential and commercial. 2) The existing zoning classification of the property to the northern boundary is "Residential Estate". 3) The existing zoning classification of the property to the western boundary is "Business Park". 4) The existing zoning classification of the property to the southern boundary is "N/A" (Hudson Road with Interstate Hwy 94). 5) The existing zoning classification of the property to the east boundary is low density, medium and commercial.

- c** A map depicting the existing development of the subject property and all land within 350' of the subject property and showing the location of existing streets, property lines, easements, water mains, and storm and sanitary sewers, with invert elevations on and within 100' of the subject property. See Survey
- d** Site conditions: Where deemed necessary by the City, graphic reproductions of the existing site conditions at a scale of (1) inch equals one hundred (100) feet shall be submitted and contain the following:
  - i** Contours (min 5' intervals) See Survey
  - ii** Location, type and extent of tree cover. Discuss  
The site is primarily cleared. There are some trees on property lines that have not yet been located by the surveyor.
  - iii** Slope analysis Discuss  
In our understanding of steep slopes, there are no steep slopes on the site that would require a slope analysis.
  - iv** Location and extent of water bodies, wetlands, streams and flood plains within 300' of the subject property. See Survey
- e** A written statement generally describing the proposed PUD and showing its relationship to the City Comprehensive Plan.

The Cities Comprehensive plan shows a mixture of Low density residential, medium density residential and commercial. The initial comp plan shows a majority of the property as being medium density housing demarcated by the 5th Street collector road. Due to the grades of the site, the pipeline and the requirements of the MSA collector road (5th Street), it became obvious from an engineering standpoint that 5th Street needed to be moved to the south and west edges of the property. The PUD Plan then integrates the low density single family lots (65' wide) into one neighborhood north and east of 5th Street. The medium density area south of 5th Street then integrates the (65' wide) lots with a senior housing development. The PUD Plan is one that meets the intent of the ordinance for overall density, yet offers an upscale feeling .

- f** Schematic drawing of the proposed development concept, including but not limited to the general location of major circulation elements, public and common open space, residential and other land uses. See PUD Plan
- g** Proposed design features related to proposed streets, showing right-of-way widths, typical cross-sections, and areas other than streets including but not limited to pedestrian ways, utility easements and storm water facilities. See Sketches
- h** Statement of the estimated total number of dwelling units proposed for the PUD and a tabulation of the proposed approximate allocations of land use expressed in acres and as a percent of the total project area, which shall include at least the following:

**i** Area devoted to residential use by building type.

| <u>Lot Type</u>              | <u>SQ FT</u> | <u>Acres</u> | <u>%</u> |
|------------------------------|--------------|--------------|----------|
| 65' Single Family (N of 5th) | 1,241,454    | 28.500       | 48.90%   |
| 65' Single Family (S of 5th) | 311,048      | 7.141        | 12.25%   |
| Senior Housing               | 130,960      | 3.006        | 5.16%    |
| Commercial Propety           | 390,141      | 8.956        | 15.37%   |

**ii** Area devoted to common open space.

| <u>Description</u>       | <u>SQ FT</u> | <u>Acres</u> |        |
|--------------------------|--------------|--------------|--------|
| Park Space               | 514,367      | 11.808       | 20.26% |
| Ponds Outside Commercial | 66,993       | 1.538        | 2.64%  |
| Wetlands                 | 16,912       | 0.388        | 0.67%  |
| 5th Street ROW           | 178,873      | 4.106        | 7.05%  |
| Internal ROW             | 187,844      | 4.312        | 7.40%  |
| ROW South of Collector   | 124,453      | 2.857        | 4.90%  |

**iii** Area devoted to public open space and public amenities.

| <u>Description</u>       | <u>SQ FT</u> | <u>Acres</u> |                  |
|--------------------------|--------------|--------------|------------------|
| Regional Ope/Park Space  | 402,737      | 9.246        | 15.86%           |
| 6' Wide Trails           | 22,292       | 0.512        | Counted In Parks |
| 5' Wide Meandering Walks | 26,729       | 0.614        | Counted In Parks |

**iv** Approximate area devoted to, and number of, off-street parking and loading spaces and related access.

Each dwelling unit offers a minimum of two car garges (and some three) and a minimum of two cars to park outside in the driveways. The residential streets are all 28' curb to curb allowing for on street parking along the interior local roads. The commercial parking will provided as part of the site plan submitted when purchased and built by a commercial developer. At tis time, the PUD Plan does not antcipate any variances with regards to commercial parking requirements.

| <u>Lot Type</u>         | <u>Driveway</u> | <u>Units</u> | <u>Per Unit</u> |
|-------------------------|-----------------|--------------|-----------------|
| Single Family Driveways | 57,603          | 93           | 619.39          |
| Senior Parking          | 26,329          | 64           | 411.39          |

**v** Approximate area, and floor area, devoted to commercial uses.  
The commercial area is being platted as outlots at this time. The total of the outlots is 8.988 acres. When the outlots are eventually sold the commercial developer will provide a site plan at that time for consideration and approval.

**vi** Approximate area, and floor area, devoted to industrial or office use.

None

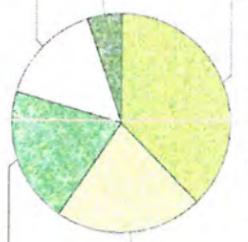
- i** When the PUD is to be constructed in stages during a period of time extending beyond a single construction season, a preliminary schedule for the development of such stages or units shall be submitted stating the approximate beginning and completion date for each such stage and overall chronology of development to be followed from stage to stage. See Phasing Plan
- j** The City may excuse an applicant from submitting any specific item of information or document required in this stage which it finds to be unnecessary to the consideration of the specific proposal. ??
- k** The City may require the submission of any additional information or documentation which it may find necessary or appropriate to full consideration of the proposed PUD. ??



1" = 200 feet



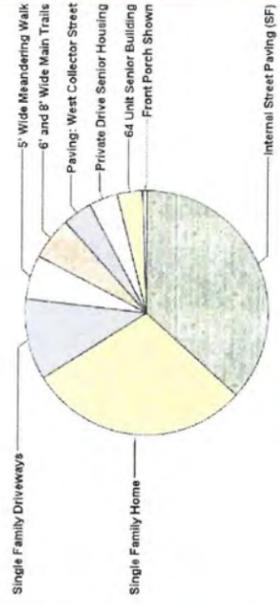
Areas Compared To Site (78.2%)



Site Area: 2,564,910 ft<sup>2</sup> (58.8822 acres)

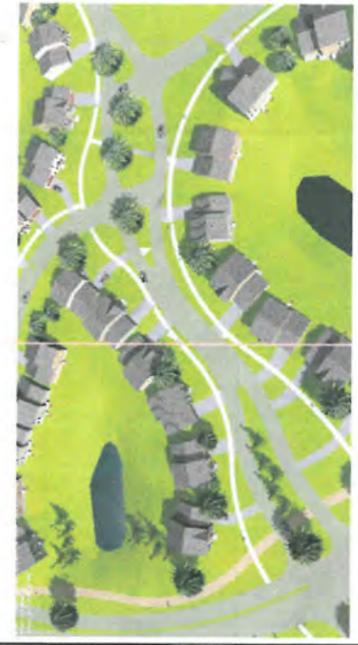
|                            |       |                         |                 |
|----------------------------|-------|-------------------------|-----------------|
| Multi-Family Area          | 5.1%  | 130,680 ft <sup>2</sup> | (3.0060 acres)  |
| Commercial                 | 15.3% | 391,621 ft <sup>2</sup> | (8.9881 acres)  |
| Park - Public Open Space   | 20.1% | 516,602 ft <sup>2</sup> | (11.8556 acres) |
| Remaining Site             | 23.8% | 609,151 ft <sup>2</sup> | (13.9334 acres) |
| 65' Wide Single Family Lot | 37.7% | 967,956 ft <sup>2</sup> | (22.2917 acres) |

Area Chart



Total Area: 690,588 ft<sup>2</sup> (15.8537 acres)

|                               |       |                         |                |
|-------------------------------|-------|-------------------------|----------------|
| Front Porch Shown             | 0.6%  | 4,342 ft <sup>2</sup>   | (0.0997 acres) |
| 64 Unit Senior Building       | 3.4%  | 23,574 ft <sup>2</sup>  | (0.5412 acres) |
| Private Drive Senior Housing  | 3.8%  | 26,329 ft <sup>2</sup>  | (0.6044 acres) |
| Paving: West Collector Street | 3.9%  | 26,951 ft <sup>2</sup>  | (0.6187 acres) |
| 6' and 8' Wide Main Trails    | 5.7%  | 39,195 ft <sup>2</sup>  | (0.8998 acres) |
| 5' Wide Meandering Walk       | 5.7%  | 39,656 ft <sup>2</sup>  | (0.9104 acres) |
| Single Family Driveways       | 10.8% | 74,606 ft <sup>2</sup>  | (1.7127 acres) |
| Single Family Home            | 29.5% | 203,397 ft <sup>2</sup> | (4.6654 acres) |
| Internal Street Paving (SF)   | 36.6% | 252,538 ft <sup>2</sup> | (5.7975 acres) |



152,517 ft<sup>2</sup>  
(3.501299 acres)

239,005 ft<sup>2</sup>  
(5.486794 acres)

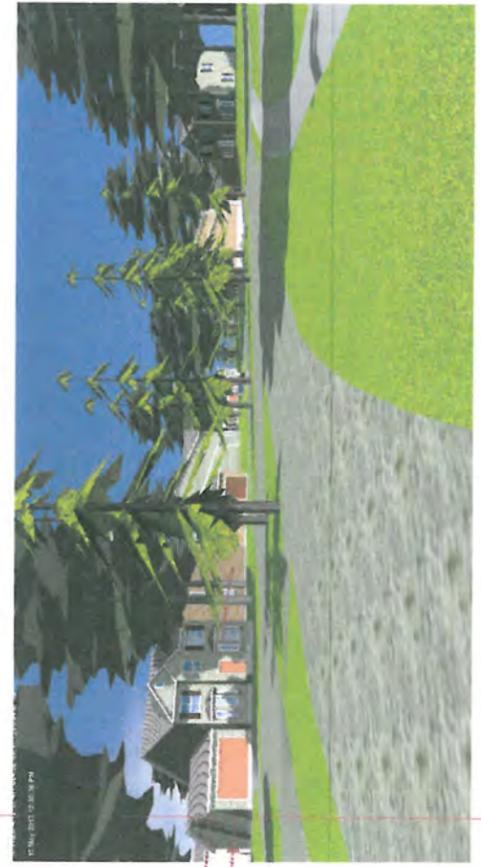
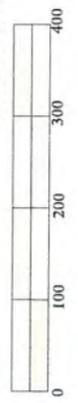
HUDSON BOULEVARD

INTERSTATE HIGHWAY 94

# Boulder Ponds

of Lake Elmo, MN

Total Number of lots 93  
Average Lot Size 10,408 sq.ft.  
Minimum lot Size 7,200 sq.ft.



Rick Harrison Site Design Studio

8832 7th Ave. North  
Golden Valley, MN 55427  
[www.rhsdplanning.com](http://www.rhsdplanning.com)

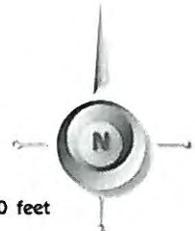
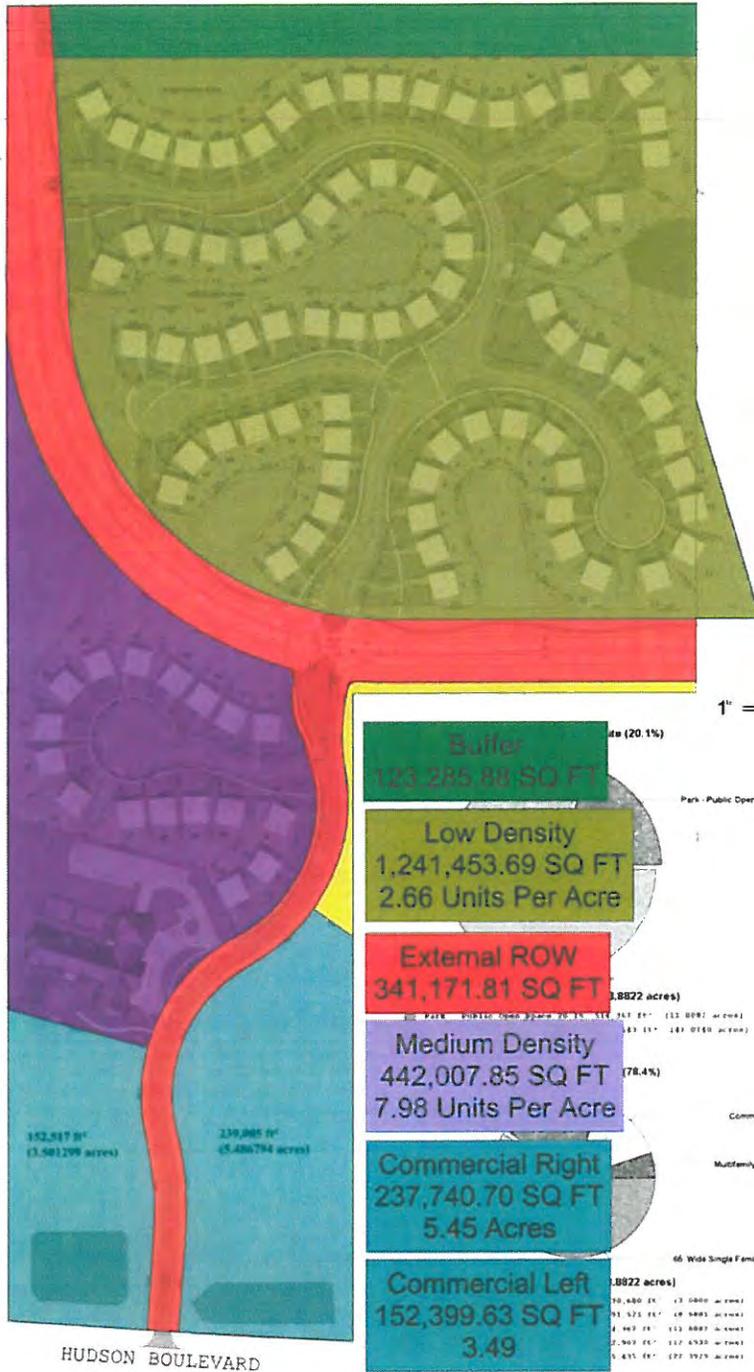


technology for sustainable design

# Density Analysis

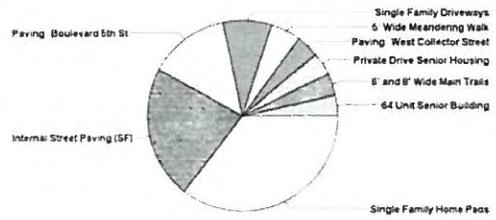
3RD ADDITION

EAGLE POINT TOWN OFFICE PARK



|                         |                    |                     |
|-------------------------|--------------------|---------------------|
| <b>Buffer</b>           | 123,285.88 SQ FT   | (20.1%)             |
| <b>Low Density</b>      | 1,241,453.69 SQ FT | 2.66 Units Per Acre |
| <b>External ROW</b>     | 341,171.81 SQ FT   |                     |
| <b>Medium Density</b>   | 442,007.85 SQ FT   | 7.98 Units Per Acre |
| <b>Commercial Right</b> | 237,740.70 SQ FT   | 5.45 Acres          |
| <b>Commercial Left</b>  | 152,399.63 SQ FT   | 3.49                |

Area Chart



**Total Area: 683,522 ft<sup>2</sup> (15.6915 acres)**

|                              |       |                         |                |
|------------------------------|-------|-------------------------|----------------|
| 64 Unit Senior Building      | 3.4%  | 23,374 ft <sup>2</sup>  | (0.5417 acres) |
| 6' and 8' Wide Main Trails   | 3.7%  | 25,174 ft <sup>2</sup>  | (0.5779 acres) |
| Private Drive Senior Housing | 1.5%  | 76,325 ft <sup>2</sup>  | (0.6081 acres) |
| Paving West Collector Street | 3.9%  | 76,951 ft <sup>2</sup>  | (0.6181 acres) |
| 5' Wide Meandering Walk      | 5.0%  | 34,249 ft <sup>2</sup>  | (0.7847 acres) |
| Single Family Driveways      | 8.4%  | 57,603 ft <sup>2</sup>  | (1.3274 acres) |
| Paving Boulevard 5th St      | 13.7% | 93,798 ft <sup>2</sup>  | (2.1513 acres) |
| Internal Street Paving (85') | 22.5% | 154,048 ft <sup>2</sup> | (3.5364 acres) |
| Single Family Home Pads      | 35.4% | 241,800 ft <sup>2</sup> | (5.5510 acres) |



## Boulder Ponds of Lake Elmo, MN

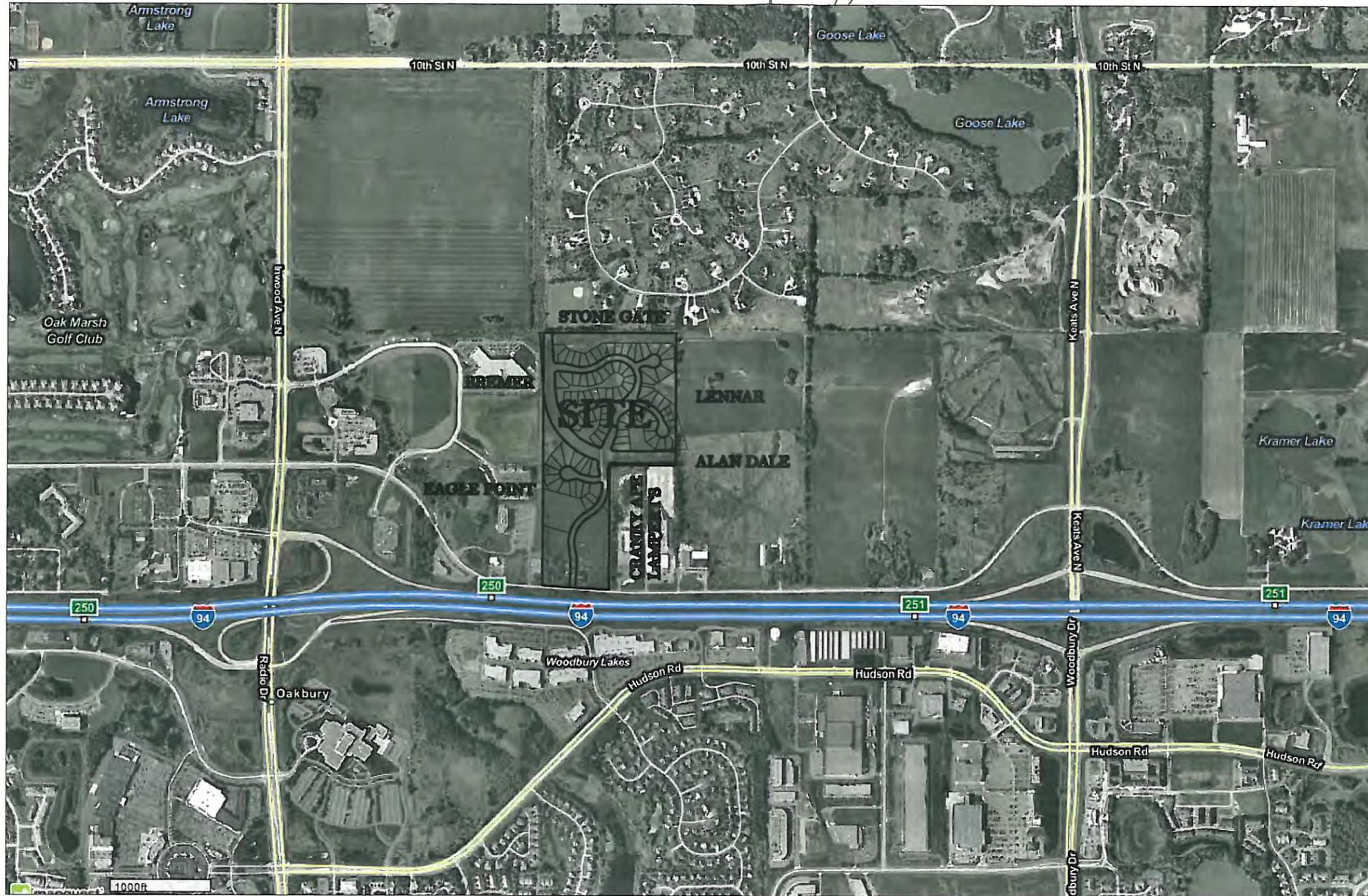
|                      |               |
|----------------------|---------------|
| Total Number of lots | 93            |
| Average Lot Size     | 10,489 sq.ft. |
| Minimum Lot Size     | 7,200 sq.ft.  |

**Rick Harrison Site Design Studio**  
 8832 7th Ave North  
 Golden Valley, MN 55427  
[www.rhsdplanning.com](http://www.rhsdplanning.com)

**LandMentor**  
 technology for sustainable design

WILDERNESS LIVES

# Boulder Ponds of Lake Elmo - Concept P.U.D. for Amaris Company, LLC



Location Map

**SHEET INDEX**

1. Title Sheet
2. Variances & Sections
3. Lot Areas
4. Phasing
5. 5th Street w/Contours (Boulder Ponds)
6. 5th Street w/Contours (Bremer & Park)
7. 5th Street w/Contours (West to Inwood)
8. 5th Street w/o Contours (Boulder Ponds)
9. 5th Street w/o Contours (Bremer & Park)
10. 5th Street w/o Contours (West to Inwood)

Boulder Ponds of Lake Elmo

**Evolution**  
ENGINEERING

16790 2nd Street North  
Lakeland Shores, MN 55043  
Phone: 651-303-7208  
E-mail: sonnyrobbins101@yahoo.com

Certification:  
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the Law of the State of Minnesota.

Name \_\_\_\_\_ Reg. Number \_\_\_\_\_

|               |               |       |
|---------------|---------------|-------|
| DESIGNED: DMR | REVISION DATE | 8. -  |
| DRAWN: DMR    | 1. 10-4-2013  | 9. -  |
| CHECKED: DMR  | 2. 11-7-2013  | 10. - |
| DATE: 7-26-13 |               | 11. - |
|               |               | 12. - |
|               |               | 13. - |
|               |               | 14. - |

CLIENT NAME  
**Amaris Company, LLC**

SHEET  
**Title Sheet**

SHEET NO.  
**1 of 10**

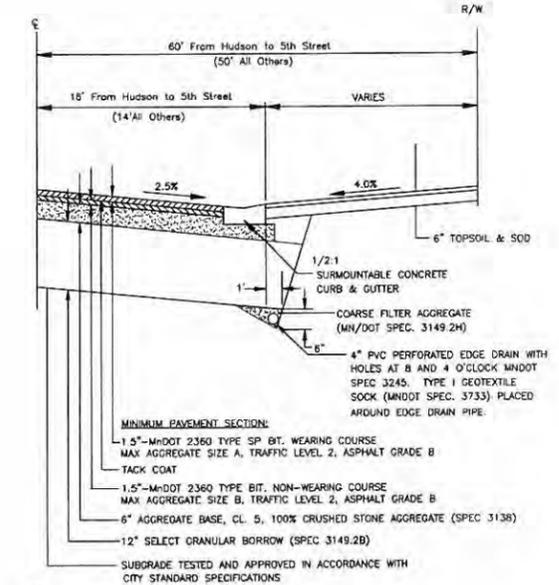
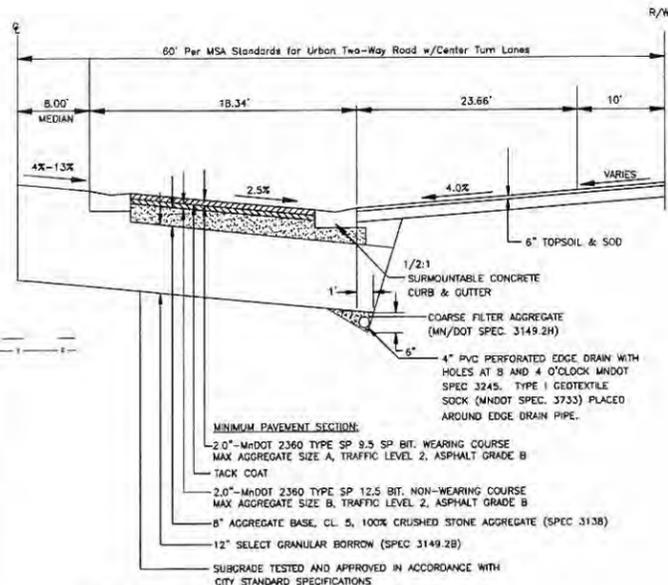
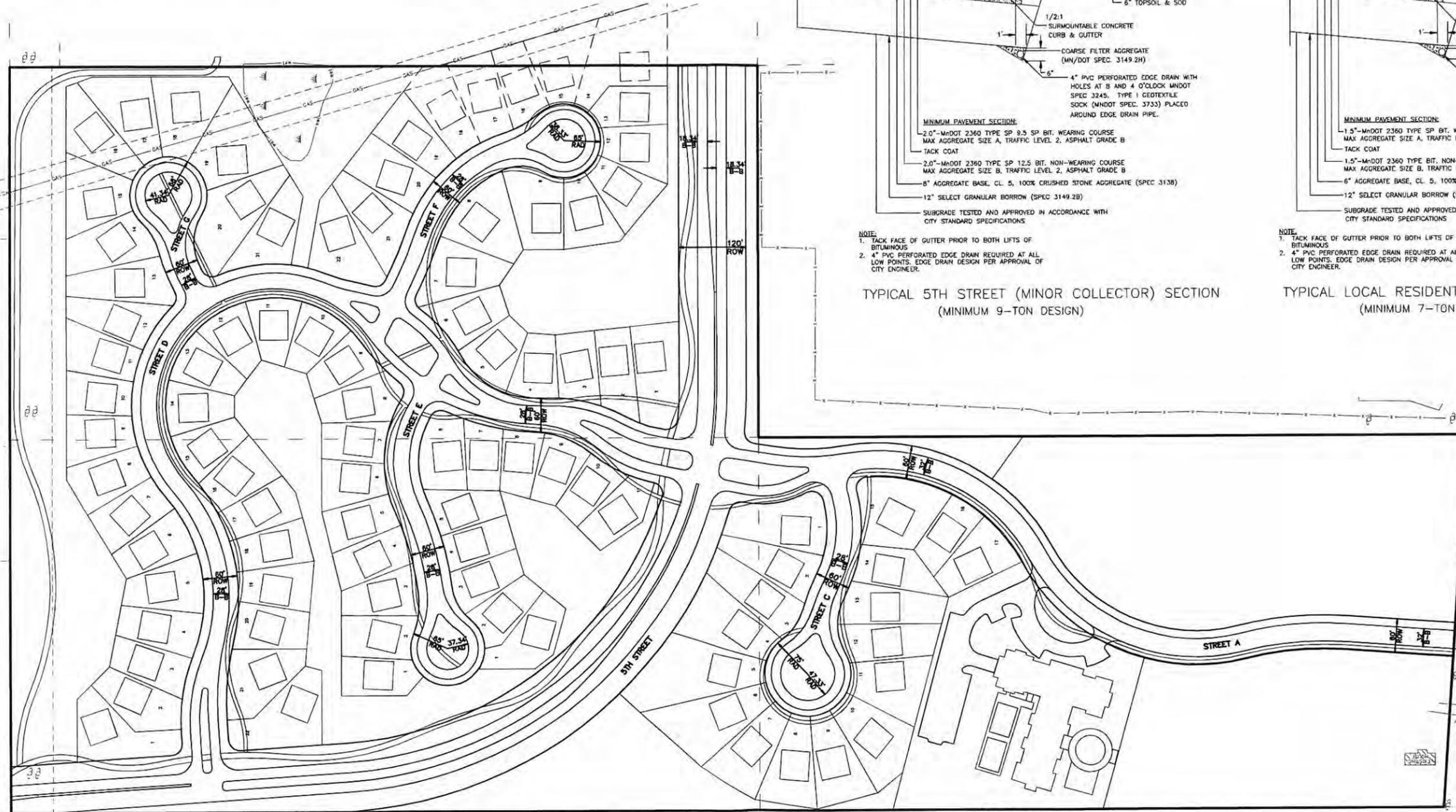
Developer - Amaris Company, LLC  
Engineer - Evolution Engineering  
Planner - Rick Harrison Design Studio

**VARIANCES REQUESTS:**

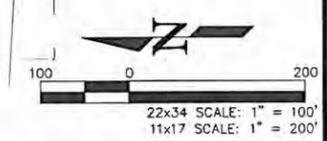
- LOT SIZE VARIANCES PER EXHIBIT - PUD LOT AREAS
- SIDE YARD SETBACK 5' MIN. WITH 10' AVERAGE DUE TO LOT SHAPING AND COVING.
- FRONT YARD SETBACK 20' MIN.
- 12" OF SELECT GRANULAR ONLY IN AREAS WHERE IT IS NEEDED TO BRIDGE OVER UNSUITABLE SUBGRADE FOR RESIDENTIAL STREETS.

**LEGEND**

- BOUNDARY LINE
- RIGHT-OF-WAY
- BACK OF CURB
- PROPERTY LINE
- BITUMINOUS PATH
- CONCRETE WALK
- BUILDING PAD
- SENIOR HOUSING
- FUTURE LOTS



**NOTE:**  
All single family lots are 65' at min. setback.



**Evolution ENGINEERING**

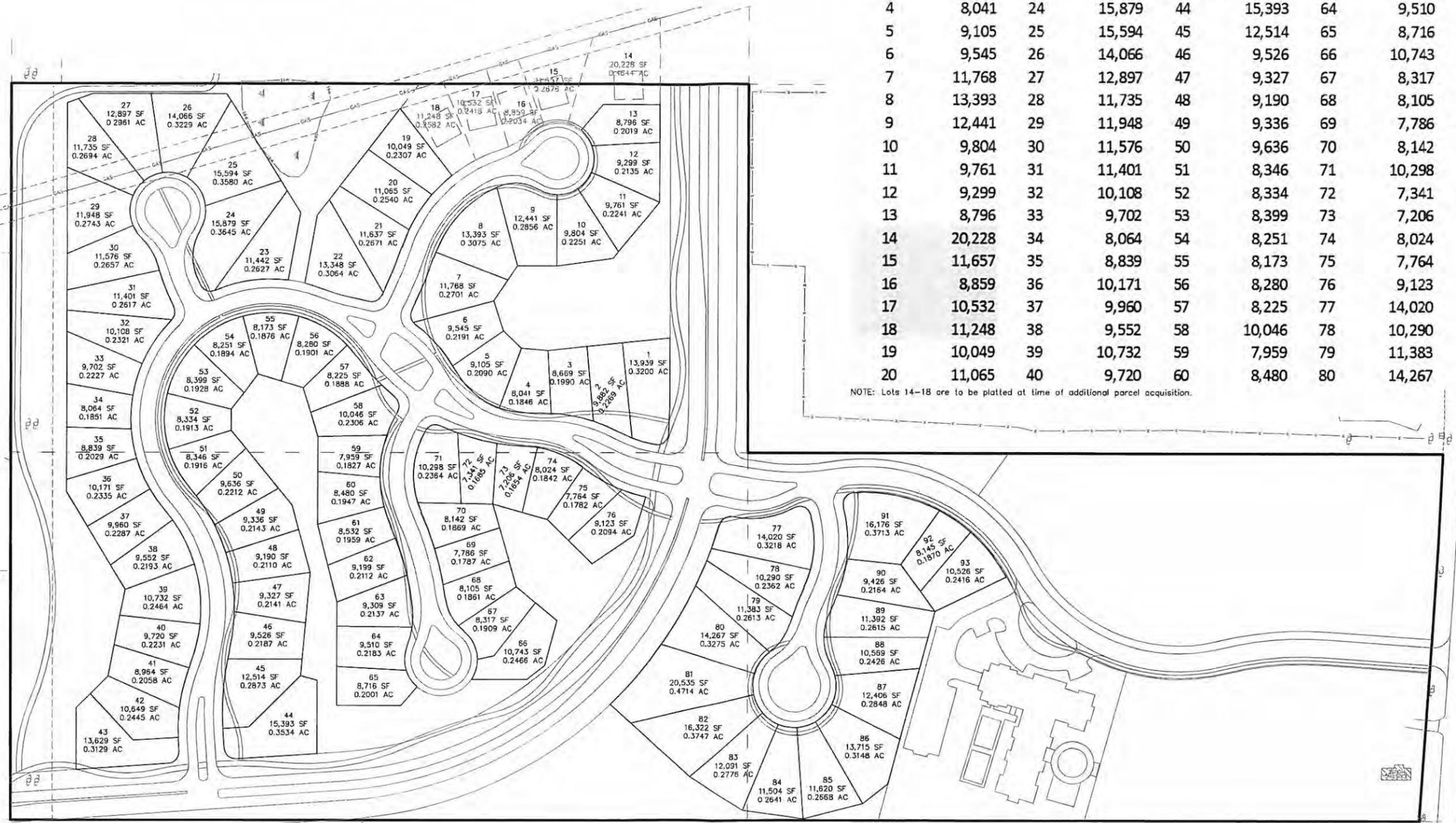
16790 2nd Street North  
Lakeland Shores, MN 55043  
Phone: 651-303-7208  
E-mail: sonnyrobbins101@yahoo.com

|  |               |               |      |
|--|---------------|---------------|------|
| Certification:<br>I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the Law of the State of Minnesota. | DESIGNED: DMR | REVISION DATE | 8 -  |
|  | DRAWN: DMR    | 1. 10-4-2013  | 9 -  |
|  | CHECKED: DMR  | 2. 11-7-2013  | 10 - |
|  | DATE: 7-26-13 | 3 -           | 11 - |
| Name   | Reg Number    | 4 -           | 12 - |
|  |               | 5 -           | 13 - |
|  |               | 6 -           | 14 - |
|  |               | 7 -           |      |

CLIENT NAME  
**Amaris Company, LLC**

SHEET  
**Variations & Sections**

SHEET NO.  
**2 of 10**

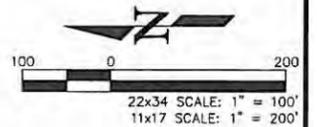


| Lot # | Area (SF) |
|-------|-----------|-------|-----------|-------|-----------|-------|-----------|-------|-----------|
| 1     | 13,939    | 21    | 11,637    | 41    | 8,964     | 61    | 8,532     | 81    | 20,535    |
| 2     | 9,882     | 22    | 13,348    | 42    | 10,649    | 62    | 9,199     | 82    | 16,322    |
| 3     | 8,669     | 23    | 11,442    | 43    | 13,629    | 63    | 9,309     | 83    | 12,091    |
| 4     | 8,041     | 24    | 15,879    | 44    | 15,393    | 64    | 9,510     | 84    | 11,504    |
| 5     | 9,105     | 25    | 15,594    | 45    | 12,514    | 65    | 8,716     | 85    | 11,620    |
| 6     | 9,545     | 26    | 14,066    | 46    | 9,526     | 66    | 10,743    | 86    | 13,715    |
| 7     | 11,768    | 27    | 12,897    | 47    | 9,327     | 67    | 8,317     | 87    | 12,406    |
| 8     | 13,393    | 28    | 11,735    | 48    | 9,190     | 68    | 8,105     | 88    | 10,569    |
| 9     | 12,441    | 29    | 11,948    | 49    | 9,336     | 69    | 7,786     | 89    | 11,392    |
| 10    | 9,804     | 30    | 11,576    | 50    | 9,636     | 70    | 8,142     | 90    | 9,426     |
| 11    | 9,761     | 31    | 11,401    | 51    | 8,346     | 71    | 10,298    | 91    | 16,176    |
| 12    | 9,299     | 32    | 10,108    | 52    | 8,334     | 72    | 7,341     | 92    | 8,145     |
| 13    | 8,796     | 33    | 9,702     | 53    | 8,399     | 73    | 7,206     | 93    | 10,526    |
| 14    | 20,228    | 34    | 8,064     | 54    | 8,251     | 74    | 8,024     |       |           |
| 15    | 11,657    | 35    | 8,839     | 55    | 8,173     | 75    | 7,764     |       |           |
| 16    | 8,859     | 36    | 10,171    | 56    | 8,280     | 76    | 9,123     |       |           |
| 17    | 10,532    | 37    | 9,960     | 57    | 8,225     | 77    | 14,020    |       |           |
| 18    | 11,248    | 38    | 9,552     | 58    | 10,046    | 78    | 10,290    |       |           |
| 19    | 10,049    | 39    | 10,732    | 59    | 7,959     | 79    | 11,383    |       |           |
| 20    | 11,065    | 40    | 9,720     | 60    | 8,480     | 80    | 14,267    |       |           |

NOTE: Lots 14-18 are to be platted at time of additional parcel acquisition.

**NOTE:**

All single family lots are 65' at min. setback.



**Evolution**  
ENGINEERING

16790 2nd Street North  
Lakeland Shores, MN 55043  
Phone: 651-303-7208  
E-mail: sonnyrobbins101@yahoo.com

Certification:  
I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the Law of the State of Minnesota.

Name \_\_\_\_\_ Reg Number \_\_\_\_\_

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|---------------|---------------|-------|
| DESIGNED: DMR | REVISION DATE | 8. -  |
| DRAWN: DMR    | 1.10-4-2013   | 9. -  |
| CHECKED: DMR  | 2.11-7-2013   | 10. - |
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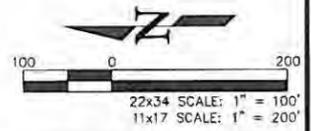
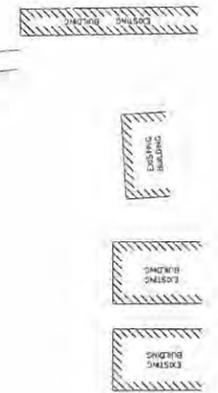
CLIENT NAME  
**Amaris Company, LLC**

SHEET  
**PUD Lot Areas**

SHEET NO.  
**3 of 10**

**LEGEND**

- ■ ■ PHASE BOUNDARY
- ▨ PHASE I
- ▤ PHASE II
- PHASE III



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|               |               | 13 - |
| DATE: 7-26-13 |               | 14 - |

CLIENT NAME  
**Amaris Company, LLC**

SHEET  
**Concept Phasing**

SHEET NO.  
**4 of 10**



100 0 200  
22x34 SCALE: 1" = 100'  
11x17 SCALE: 1" = 200'

**Evolution**  
ENGINEERING

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|               | 5. -          | 13 - |
|               | 6. -          | 14 - |
| DATE: 7-26-13 |               |      |

CLIENT NAME  
**Amaris Company, LLC**

SHEET  
**5th Street Alignment to Inwood**

SHEET NO.  
**5 of 10**



**Evolution**  
ENGINEERING

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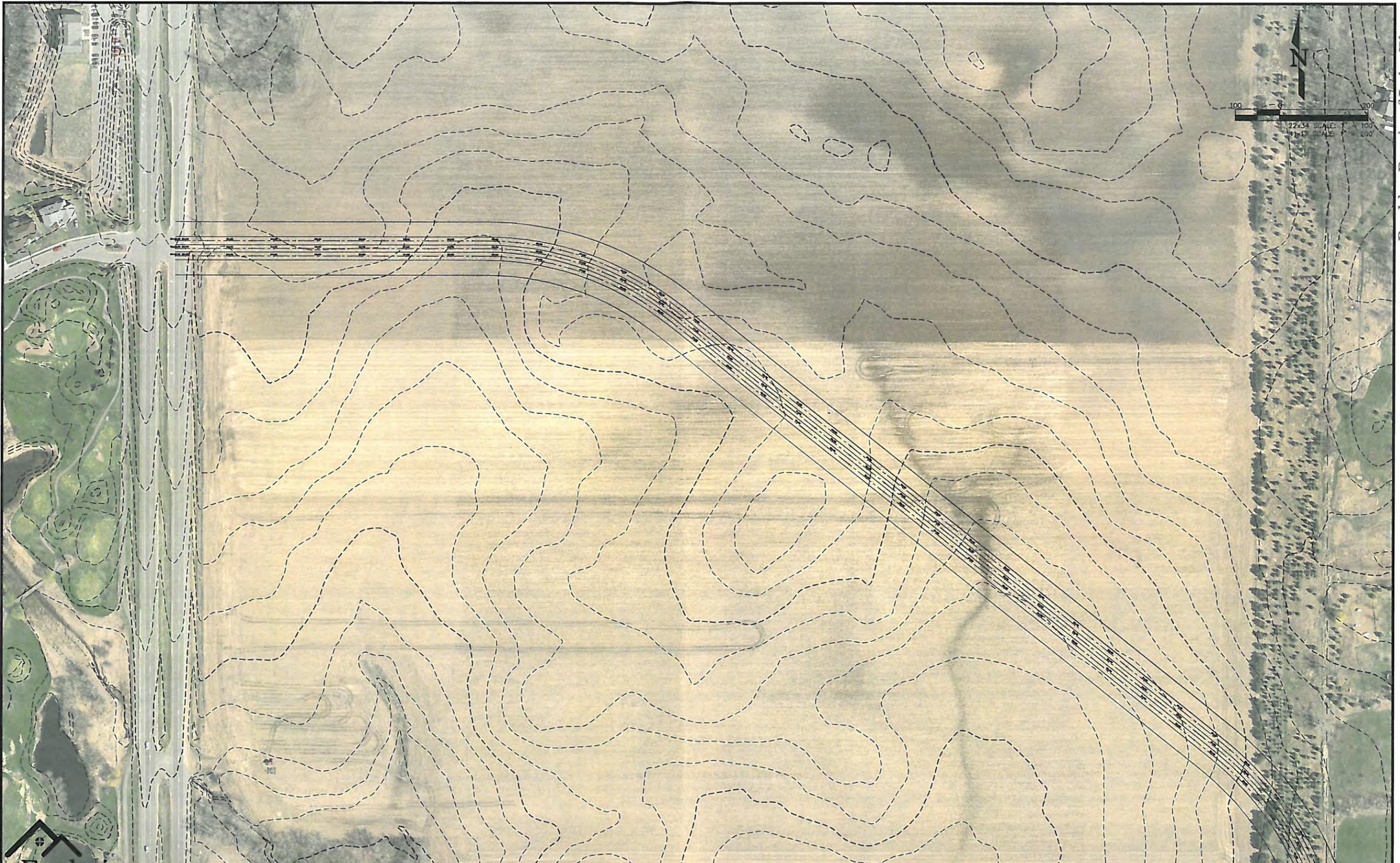
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|               | 7. -          |       |

CLIENT NAME  
**Amaris Company, LLC**

SHEET  
**5th Street Alignment to Inwood**

SHEET NO.  
**6 of 10**



Boulder Ponds of Lake Elmo

**Evolution**  
ENGINEERING

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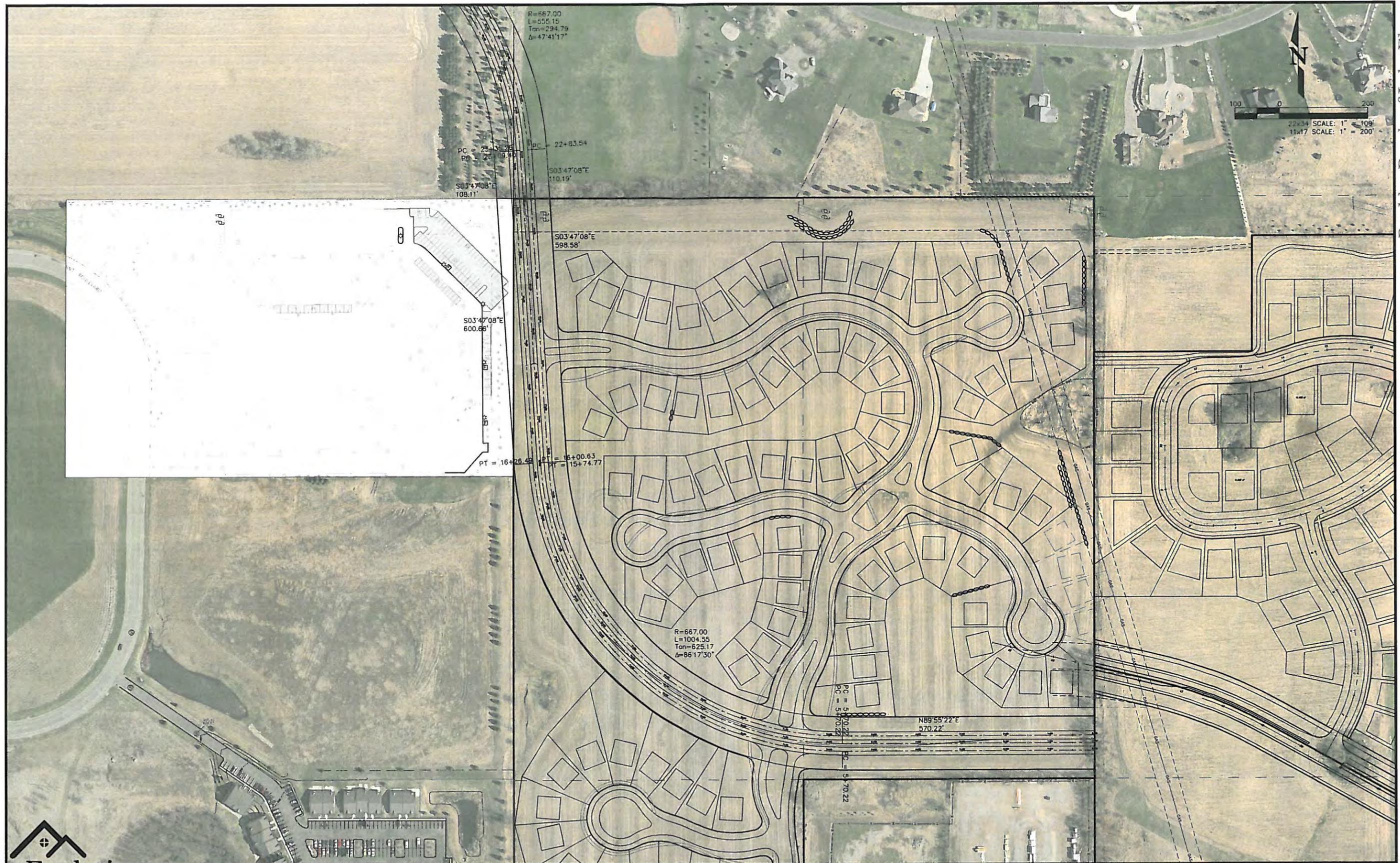
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|               |               | 14. - |

CLIENT NAME  
**Amaris Company, LLC**

SHEET  
**5th Street Alignment to Inwood**

SHEET NO.  
**7 of 10**



**Evolution**  
ENGINEERING

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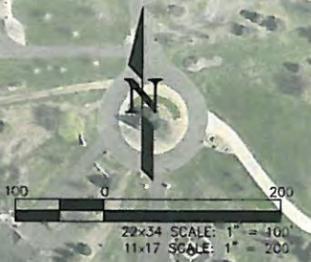
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CLIENT NAME  
**Amaris Company, LLC**

SHEET  
**5th Street Alignment to Inwood**

SHEET NO.  
**8 of 10**



**Evolution**  
ENGINEERING

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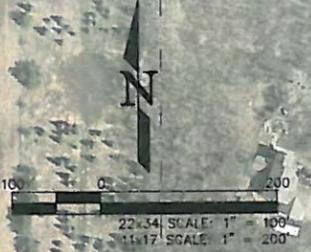
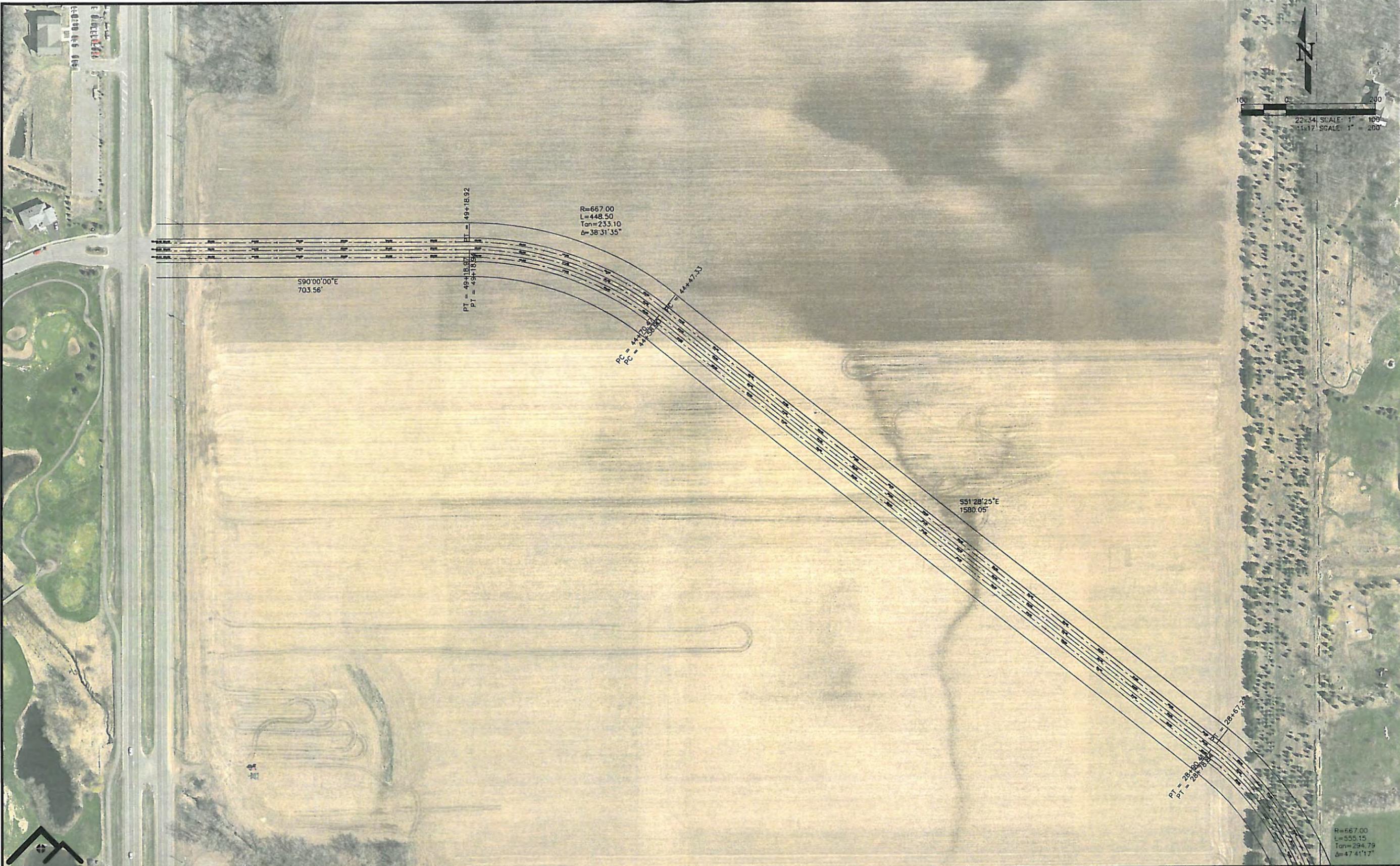
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| DATE: 7-26-13 |               | 14. - |

CLIENT NAME  
**Amaris Company, LLC**

SHEET  
**5th Street Alignment to Inwood**

SHEET NO.  
**9 of 10**



**Evolution**  
ENGINEERING

16790 2nd Street, North  
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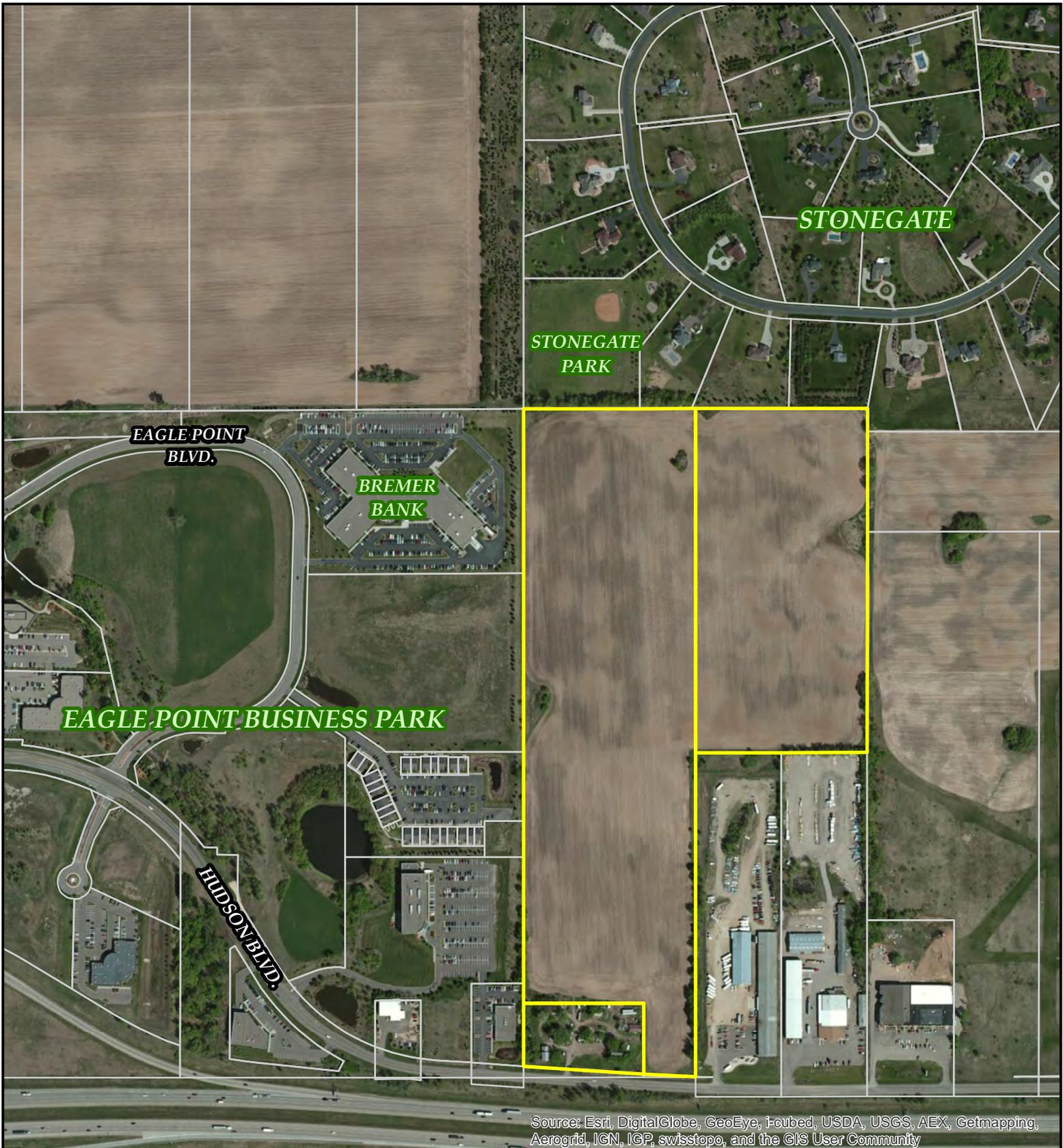
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CLIENT NAME  
**Amaris Company, LLC**

SHEET  
**5th Street Alignment to Inwood**

SHEET NO.  
**10 of 10**



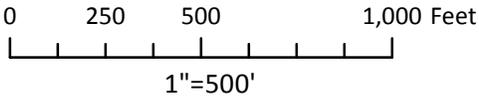
Source: Esri, DigitalGlobe, GeoEye, i-cubed, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community

# Location Map: Boulder Ponds PUD



Data Source: Washington County, MN  
12-4-2013

 Boulder Ponds Site



# MEMORANDUM

Cara Geheren, P.E. 651.300.4261  
Jack Griffin, P.E. 651.300.4264  
Ryan Stempski, P.E. 651.300.4267  
Chad Isakson, P.E. 651.300.4285

Date: November 20, 2013

To: Kyle Klatt, Planning Director  
Cc: Nick Johnson, City Planner

Re: Bolder Ponds  
Concept Plat Review

From: Jack Griffin, P.E., City Engineer

We have reviewed the above referenced Concept Plan submittal that we received on November 18, 2013 consisting of the following documentation prepared by Evolution Engineering:

- Concept PUD Plans dated November 7, 2013.
- 5<sup>th</sup> Street Alignment Bremer Parking Impacts dated November 7, 2013.

**STATUS/FINDINGS: No specific approvals are intended from this review. The comments below have been provided for the purpose to facilitate direction and guidance for both City staff and the applicant; as well as highlight potential issues and concerns as the applicant prepares for preliminary plat submittal.**

#### VARIANCE REQUEST:

- The applicant is requesting a variance from the city street pavement section to ONLY require a 12-inch select granular subbase in areas with unsuitable in-situ materials. It is strongly recommended that all new city streets be constructed in strict accordance with the minimum engineering design standards manual to ensure that the city streets provide the intended useful service life of the asset. The purpose of the standard section requirements is to keep the asset from premature failure and avoid the cost burden that would fall upon the general tax payer of Lake Elmo.
- Side yard setback of 5 feet. Any allowance to deviate from the side yard setback should be conditioned upon proof of an acceptable drainage plan, with drainage NOT passing along that side of the structure.
- Front yard setback of 20 feet. Any allowance to deviate from the front yard setback should be conditioned upon ensuring a minimum distance of 25 feet between the garage door and any sidewalk or trail along the street to keep vehicles parked in the driveway from obstructing the pedestrian thoroughway.

#### STREET SECTIONS:

- The applicant is proposing a roadway configuration that is generally acceptable and in accordance with city standard requirements.
- Primary and secondary access appears adequate for the site. The proposed access along Hudson Boulevard will require further review to determine access spacing and sight lines.
- Detailed grades and sight lines will require further review to ensure the intersection design and configuration of 5<sup>th</sup> Street North and the new "STREET A" meet acceptable MSA standards.
- Typical sections for each road will be reviewed in further detail as part of the preliminary plat. Issues for staff to consider in greater detail include:
  - Sidewalk and trail placement and requirements. Sidewalks and trails must remain within the R/W.

- Street geometrics varying from the city standard will require significant geometric detail from the applicant, as part of the preliminary plat, to verify acceptable use for maintenance and emergency services. This includes intersection and cul-de-sac details.

#### CONCEPT PHASING:

- The concept phasing must be revised to accommodate the construction of all public infrastructures adjacent to any proposed areas to be platted within said phase. For example, the northeast segment of 5<sup>th</sup> Street connecting to the Lennar development must be constructed together with the lots platted adjacent and to the north of this street. The segment of 5<sup>th</sup> Street along the southeast side of the Bremer bank property should also be constructed at the same time that the lots adjacent to the segment are platted (also Phase 1 according to this plan).

5TH STREET ALIGNMENT: 5th Street seeks to become the backbone of future development along the I94 corridor, essentially becoming the primary access in and out of the future neighborhoods. The street is required for the sole purpose to support the growth and development within the corridor. The quality of the street and its connections are critically important. The purpose of the proposed street standards are to 1) improve the function and appearance of the street, 2) encourage pedestrian and bicycle use, and 3) reduce the potential for speeding.

- The plan indicates a minimum 120 foot R/W as required.
- The proposed 2-lane collector parkway street (5th Street) design and geometrics must meet all Municipal State Aid design standards for urban streets (8820.9936) for ADT > 10,000; 40 mph design speed; and must be consistent with the detailed parkway cross section installed throughout the remaining corridor segments.
- The proposed alignment appears to be consistent with this design intent. However, the proposed plan indicates impacts to adjacent properties. Permission to impose these impacts will be required as needed.
- Access spacing to 5th Street is allowed at 1/8 mile intervals for non-continuous local streets, at ¼ mile intervals for continuous local streets and collector streets, and at ½ mile intervals for streets with higher classification.
- Additional streetscape amenities are required along 5th Street consistent with the remaining corridor segments and the preliminary design that was provided to the city by Damon Farber. 5th Street Amenities include:
  - North side off-road bituminous trail, minimum 10 foot width with 5 foot clear zone.
  - South side concrete sidewalk, minimum 6 foot width with 2 foot clear zone.
  - Landscaping elements including: Center landscape median [combination perennial/shrub beds + sod + median trees]. Center median lined with 2 ft. wide concrete ribbon curb. Boulevard trees [boulevard trees, deciduous trees at 2.5" caliper in. minimum + ornamental trees at 1.5" caliper in. minimum. Tree spacing at 75 feet on both sides. Special concrete in median [pavers or color concrete at end caps of median]. Landscape Berms, 3 to 5 feet in height, between residential property and street R/W. Site Irrigation.
  - Theming Elements including: Street Lights -25 ft. poles at 250 ft. spacing [Xcel Energy - 'Evans' Lamp]. Ornamental Street Lights – 15 ft. poles at intersections [Xcel Energy - 'Acorn' Lamp]. Banner Poles at primary gateway intersections. White post & rail fencing along important arterial streets.

#### RESIDENTIAL STREETS

- The plan indicates all residential streets being constructed to a 28 foot width from back of curb to back of curb. Surmountable concrete curb and gutter shall be installed in single family residential areas and B618 curb in commercial and multi-family areas.
- The plan indicates a minimum 60 foot R/W as required.
- Ten (10) utility easements are required on either side of the right-of-way.
- Five (5) foot sidewalks must be provided along all continuous residential streets and along other streets as may be required for connectivity.

- All street intersections must be at 90 degrees and maintain 100 feet of tangent with maximum slopes of 2% for first 100 feet.
- Residential maximum longitudinal grade is 8% with no sidewalks, 6% where there are sidewalks.
- The plan indicates minimum diameter cul-de-sac's at 90 feet with minimum 120 foot right-of-ways.
- Landscape median geometrics must accommodate maintenance and emergency vehicle access. Applicants must demonstrate acceptable turning radii for all unique shaped center landscape medians at cul-de-sacs.

#### MUNICIPAL WATER AND SANITARY SEWER SERVICE

- The applicant is responsible to extend the municipal water and sanitary sewer service into the development site at developers cost. The city's practice has been to reimburse the developer for oversize costs for pipe sizes over 8-inch diameter. Both municipal water supply and sanitary sewer service will be available along Hudson Blvd.
- The subject property is a participant in the SECTION 34 Water and Sewer Utility Improvement project. Water and sewer are being extended to the property through a city led project with the costs to be assessed against the property. Water and sewer service will be available to the site in December 2013.
- A connecting trunk watermain is identified in the city comp plan along the northern part of the property, extending from the Lennar development to the east, across the subject property and connecting to the Eagle Point Business Park or Azur property. Details may be determined as part of the preliminary plat submittal.
- WATERMAIN DETAILS FOR PRELIMINARY PLAT
  - Watermain distribution lines will need to be looped wherever reasonably possible. Maximum length of for a watermain dead end is 600 feet.
  - Hydrant and valve placement will be made per city standards and as laid out by city staff.
  - Curb stops to be placed to edge of right-of-way.
  - Location of watermain in street [North or West side].
- SANITARY SEWER DETAILS FOR PRELIMINARY PLAT
  - Manhole and appurtenances shall be installed per city standards.
  - Location of sewer main in street [Centerline].

#### STORMWATER MANAGEMENT

- The proposed development resides within the South Washington Watershed District (SWWD). City staff recommends early planning/coordination meetings with the watershed district to clearly understand development requirements, including rate and volume control.
- The design of the storm water management systems must be compliant with the requirements of the applicable watershed district and the City of Lake Elmo. The City of Lake Elmo maintains engineering design standards intended to ensure an efficient and cost effective stormwater management system for both operation and maintenance purposes.
- The storm water facilities must be platted as Outlots and deeded to the city for maintenance purposes.
- Maintenance access roads must be provided for the storm water facilities including easements.
- Location of storm sewer main in street [South or East side].

#### EXISTING CONDITIONS DATA:

- Existing conditions of the proposed site was not fully provided as part of the submittal. Some information is apparent from the aerial drawings and contour mapping, however, the applicant should be required to identify all exiting utilities, utility owners, pipe material and sizes, pipe invert data, easements and right-of-ways clearly identified, and identifying the normal and high water levels for existing low areas including wetland and floodplain boundaries.
- The plans do not show the existence of a Lot within the proposed plat boundaries [PID 3402921330002]. Removal and remediation of this site will need to be addressed as a condition of preliminary plat.

GENERAL PLAN AND SPECIFICATION PREPARATION COMMENTS:

- When preparing preliminary plat, final plat and construction plans, the applicant should reference the engineering design standards manual and strictly follow the plan preparation and design requirements. Plan sheets, plan scales, line types and legends, sections, details, profiles, existing conditions and proposed improvements shall all be prepared consistent with these requirements. Line types cannot be repeated.
- Plan details shall be inserted on the details page as provided by the city with no edits, unless specifically allowed by the city engineer.
- Plan notes shall be placed on the appropriate plan sheet as provided by the city with no edits, unless specifically allowed by the city engineer.
- City standard specifications shall be inserted within the specification manual unedited. Specification edits shall be called out on separate specification sections as special provisions.

**From:** [Moore, Matt](#)  
**To:** [Nick Johnson](#)  
**Cc:** [Loomis, John](#)  
**Subject:** RE: December Land Use Review  
**Date:** Tuesday, December 03, 2013 12:17:51 PM

---

Nick:

A quick comment, they will have to apply for a watershed district permit for stormwater design and they have submitted a Wetland Conservation Act delineation, however the application was deemed incomplete and will need to be re-submitted in the spring.

Let us know if you have any questions.

Thank you.

Matt Moore

Administrator

South Washington Watershed District

2302 Tower Drive

Woodbury, MN 55125

Phone: 651-714-3729

Fax: 651-714-3721

Cell: 651-249-7096

[mmoore@ci.woodbury.mn.us](mailto:mmoore@ci.woodbury.mn.us) <BLOCKED::<mailto:mmoore@ci.woodbury.mn.us>>

[www.swwdmn.org](http://www.swwdmn.org) <BLOCKED::<http://www.swwdmn.org>>

From: Nick Johnson [<mailto:NJohnson@lakeelmo.org>]  
Sent: Friday, November 29, 2013 11:32 AM  
To: Moore, Matt; 'Jack Griffin'; Mike Bouthilet; Greg Malmquist  
Cc: Kyle Klatt; 'Ann Pung-Terwedo'; Dean Zuleger  
Subject: December Land Use Review

Please find attached a Land Use Review for the December 9th Lake Elmo Planning Commission. Hard copies will be mailed today. Let me know if you have any questions.



*A Development Company*

6007 Culligan Way  
Minnetonka, MN 55345  
phone 952.288.2200  
fax 952.473.2206  
[www.stonehenge-usa.com](http://www.stonehenge-usa.com)

November 1, 2013

Nick Johnson  
City Planner  
City of Lake Elmo  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

Reference: 5<sup>th</sup> Street Road Alignment  
Dale Properties, Lennar, Amaris

Dear Nick,

This letter is to inform the City of Lake Elmo that Dale Properties, Lennar and Amaris Company are working collaboratively on the realignment of 5<sup>th</sup> Street consistent with the needs and requirements of Dale Properties, Lennar and Amaris. We have reached a general understanding on the realignment and the Dale Properties sale of the raw land remnant parcel moving north of 5<sup>th</sup> street to Lennar and Amaris.

We are working out the details, with our attorneys, for the land sale and road alignment culminating in a purchase and sale agreement. When the agreement is finalized and all parties are signatory, I will cooperate with signing the necessary applications that are required by the City of Lake Elmo related to this matter.

If you have any questions, please contact me.

Sincerely,

Alan Dale



MAYOR & COUNCIL COMMUNICATION

**DATE:** December 17, 2013  
**REGULAR**  
**ITEM #** 15

**AGENDA ITEM:** 2013 Community Development Department Annual Report

**SUBMITTED BY:** Kyle Klatt, Community Development Director

**THROUGH:** Dean Zuleger, City Administrator

**REVIEWED BY:** Planning Commission  
Nick Johnson, City Planner  
Rick Chase, Building Official

**SUGGESTED ORDER OF BUSINESS:**

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

**POLICY RECOMMENDER:** The Community Development Department has prepared an annual report to summarize the work performed by the departmental Staff and the Planning Commission over the past year.

**FISCAL IMPACT:** N/A – The annual report can be used to help measure the effectiveness of the Community Development Department over the past year.

**SUMMARY AND ACTION REQUESTED:** The City Council is being asked to review the 2103 Community Development Department Annual Report. The Planning Commission considered the annual report at its December 9, 2013 meeting and adopted a motion to accept the report as presented and to forward the report to the City Council. Staff will present a brief update to the Council at its meeting, highlighting the key activities and projects that were undertaken in 2013.

The attached report is being presented for informational purposes; no action is necessary by the Council on this item.

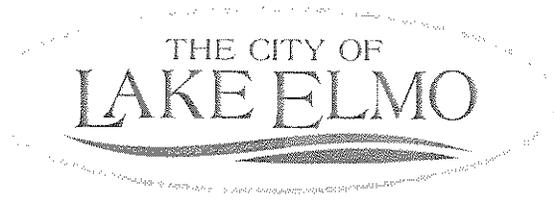
**LEGISLATIVE HISTORY/PLANNING COMMISSION REPORT:** The annual report is intended to summarize activities within the Community Development Department. These activities include the more significant building and planning activities undertaken by the City in 2013. The Planning Commission did not make any changes to the document other than minor typographic corrections.

**BACKGROUND INFORMATION (SWOT):** N/A – For review and discussion only.

**RECOMMENDATION:** Staff and the Planning Commission have recommended that the City Council accept the annual report for the Community Development Department as presented.

**ATTACHMENTS:**

1. 2013 Community Development Department Annual Report



## 2013 Community Development Department Annual Report

### I. Annual Summary

The Lake Elmo Community Development Department is submitting its annual report for consideration by the City Council and Planning Commission. 2013 marked a year of transition for the City as much of the workload for the Planning Commission and Planning Department focused on preparing for future growth and development. As a result of these planning efforts, the City saw its first major preliminary plat in seven years in the Savona Subdivision, which also represents the City's first sewered residential development. These planning efforts have also led to the project currently underway to extend sanitary sewer service into the Village, a project that has been in the works for over a decade.

The most important accomplishment for the Planning Commission in 2013 has been the completion of two major updates to the Lake Elmo Comprehensive Plan. Specifically, the City Council was able to implement the I-94 Corridor Land Use Plan and Housing Chapter updates upon approval of these plan amendments by the Metropolitan Council. Early in the year, the Planning Commission also recommended an amendment concerning the Village Planning Area that was also adopted by the City Council. The Village Plan is expected to be approved by the Metropolitan Council in December, which will signify the end of a very long process to create a unified vision for the Village.

While working on these major updates to the Comprehensive Plan, the City also approved an amendment to the waste water chapter of the plan that brought this section into conformance with the land use chapter revisions. In addition, the City undertook a joint project with the City of Oakdale to bring sanitary sewer service to a small number of lots on the western shore of Lake Olson. The waste water plan was further revised to identify a future sewer service area in this portion of the community.

In order to implement the newly updated Comprehensive Plan, the Planning Commission has been working on significant amendments to the Zoning Ordinance. Rather than tackling this work as one large project, the Commission has been reviewing and recommending code amendments on a section by section basis. This has allowed the Commission to focus on smaller segments of the Code while keeping existing regulations in place. In 2013, the City Council adopted 14 such amendments ranging in size and scope from a driveway ordinance to a new Village mixed use district. The Zoning Map was also updated in 2013 to incorporate the transitional zoning that will facilitate the rezoning of parcels guided for future sewered development. The 2014 work plan will include the additional amendments that must be drafted to complete the Zoning Ordinance update project.

In preparing for future growth and development, one of the critical projects that was undertaken during the year was the creation of a design standards and guidelines manual. The approved manual replaces the City's outdated zoning design standards. With assistance from the City's Communications Coordinator, the Planning Department has produced a document that should provide potential developers with a clear and concise description of the City's vision for new commercial, mixed-use, and multi-family housing projects. Additionally, the City partnered with Damon Farber Associates to prepare a community Theming report that will help guide the appearance of public right-of-way and other public lands. This document is being shared with all future developers in the City to further clarify the City's expectations concerning the expected character of new developments.

Throughout the year, the Community Development Department has spent a large amount of time preparing for new development, both in terms of meeting with potential developers to discuss the City's review and application process and working on various applications. The City received three subdivision sketch plans in 2013, and based on recent discussions with potential developers, Staff expects that there will be a minimum of five more such reviews over the course of the next several months. Furthermore, based on the reviews conducted in 2013, there will be at least five major residential projects under construction in 2014 with the potential for new commercial development on the horizon as well.

Towards the end of 2013, the Planning Commission was able to direct some of its attention to the City's rural planning areas, which have not been subject to any significant discussion since before the 2005 Comprehensive Plan update. These areas are seen as critical to helping maintain the open space character of the City well into the future, especially with the changes that will be occurring with the new sewer development areas.

Consistent with the theme of change in 2013, the City successfully negotiated an amendment to the Memorandum of Understanding between the City and the Metropolitan Council. With the release of the preliminary 2040 forecast numbers from the Met Council (with numbers much lower than the 2030 forecast amounts), the City also expects to continue working with the Met Council at a quantitative easing of the City's REC unit mandates. Based on conversations and meetings with the Met Council that were conducted in 2013, it appears that the elimination of the MOU in its entirety is not out of the realm of possibility for 2014.

On a staffing level, the Community Development Department added a Planning Program Assistant in 2013 who has provided much needed clerical and administrative support to the entire department. The Building Official continues to make substantial progress at improving the City's Building Inspection department by implementing a consistent application and review process for builders and by developing a series of work books for specific permits. The City's code enforcement activities saw a significant increase in the number of cases that were not only investigated, but also resolved by the Building Official.

## II. Annual Review: Major Projects

Major accomplishments for the Community Development Department in 2013 include the following projects:

**Comprehensive Plan Updates.** The City completed work on several significant updates to the Comprehensive Plan in 2013, including:

- *I-94 Land Use Plan and Housing Chapter.* These elements of the plan were adopted in late 2012 by the City Council, but authorized for implementation by the Met Council in early 2013. The final adoption for these land use plan amendments have allowed several projects within the I-94 Corridor planning area to begin moving forward.
- *Village Planning Area.* The Village Area amendment to the Land Use Chapter was approved by the City Council in the first half of 2013, but due to airport zoning issues and updates needed to other portions of the Comprehensive Plan, the final review has only recently been completed by the Met Council. This plan is expected to be approved on December 11, 2013 and can then be implemented by the City Council.
- *Waste Water Chapter.* The City was required to update the Waste Water section of the Comprehensive Plan before the Met Council was able to complete its review of the Village Land Use Plan. An updated plan was approved by the City and forwarded to the Met Council to consider during its review of the Village Plan.
- *Olson Lake Trail Sewer Area Amendment.* The City created a new sewer service area comprised of approximately 15 properties along the western shoreline of Lake Olson that will be served via a joint project with the City of Oakdale. The project is being viewed as a pilot project for potential future cooperation between Oakdale and Lake Elmo to address sewer issues in the Tri-Lakes area.

**Metropolitan Council – MOU.** The City successfully negotiated an amendment to the 2005 Memorandum of Understanding between the City of Lake Elmo and Met Council that implemented the previous flexibility that was granted to account for the housing downturn that began around 2007. The update MOU now reflects the City's population and household growth forecasts that were adopted as part of the I-94 Land Use Plan update. The City received preliminary 2040 forecast numbers from the Met Council, and has drafted a response to the forecast that will guide future conversations on this subject.

**Design Standards and Guidelines Manual.** The City Council adopted a Design Guidelines and Standards Manual that will be used to guide new commercial, mixed-use, and multi-family housing developments throughout the community. This manual was completed after a lengthy public review process and involved the coordination and cooperation of several City departments.

**Land Use Applications.** Through the support of the Planning Commission, the Community Development Department worked on 40 land use applications/projects in 2013, including but not limited to amendments to the Comprehensive Plan, conditional use permits, zoning text amendments, and variances. The most common application processed were zoning text amendments, most of which were directly related to the larger Zoning Ordinance Update project. The City reviewed the first major subdivision to be submitted in seven years.

**Building Permits.** The City of Lake Elmo processed 306 building permits, not including plumbing and mechanical permits, in 2013. The number of permits issued in the past year is very consistent with amount of building activity over the past 5 years. In terms of new single family homes, the City has issued permits for 32 new homes in 2013 to date, which represents the highest number in almost 10 years . With the addition of 32 single family homes and demolition of four homes, the City experienced a net increase of 28 dwelling units.

**Staffing.** Over the course of the year, the City of Lake Elmo added one new position to the Community Development Department. The new employee is Joan Ziertman, filling the role of Planning Program Assistant. With this full-time addition to Staff, the City is better positioned to handle the expected growth in the coming years.

**Airport Zoning.** Planning Staff conducted a series of meeting with the Metropolitan Airport Commission, MnDOT Aeronautics Division, Metropolitan Council, Washington County, and impacted land owners to begin the process of drafting an airport zoning ordinance. This process led to some minor modifications to the Village Comprehensive Plan amendment in order to account for the existing runway safety zones. The Planning Department has established a goal to have an airport zoning ordinance adopted in 2014.

**Railroad Crossing Study.** The Planning Department conducted a meeting with the Union Pacific Railroad to begin the process of created a new railroad crossing for the Village Parkway roadway.

**Comprehensive Planning Workgroups.** With the completion of major updates to the Comprehensive Plan in 2013, the I-94 and Village Planning Work Groups stopped meeting in 2013.

**Lake Elmo Theming Manual.** Upon completion of a public input process led by Damon Farber Associates (and attended by members of the Village Planning Work Group and Planning Commission), the City Council adopted a Theming Manual for Lake Elmo. Whereas design guidelines are intended for the private realm, the Theming project is geared towards the public spaces of the community, such as roads and public gathering spaces. The final document is comprised of a 'Kit of Parts' that includes various color palettes, site amenities, and other designs that are reflective of the Lake Elmo theme.

**Form Based Codes.** The Planning Commission discussed the benefits and drawbacks of adopting a form-based code and directed Staff to begin work on such a code amendment. Staff met with two planning firms to consider the process and steps necessary to implement a form-based code.

**Permit Works Implementation.** The City installed and began using a new software program called Permit Works to track building permits. The new system allows permit to be issued through the electronic system and can be accessed by all employees within the department. This software has helped create a substantial improvement in Staff efficiency by improving access to and reporting of building permit information.

**Savona EAW.** The Lennar residential subdivision (Savona) was large enough that it required a mandatory Environmental Assessment Worksheet. Although the document was prepared by the developer's consultants, City Staff was involved in the processing and review of the document.

**Village Sewer Policy.** Through the efforts of the City Administrator, the City Council adopted a sewer policy for existing septic systems within the Village Planning area. This policy, which was reviewed and accepted by Washington County, provides flexibility for property owners whose treatment systems are unable to meet current county septic requirements. This relief will be important for ensuring a smooth transition to public sanitary sewer when it is made available to Village property owners.

**Rural Area Discussion.** The Planning Commission began discussing the future of the City's rural development areas. The adoption of the 2040 regional development forecast by the Met Council is seen as a crucial next step in determining the appropriate level of development within these areas. The rural area discussion will be a major component of the Commission's 2014 plan of work.

**Park Planning Review.** Planning Staff reviewed several subdivision sketch plans with the Park Commission in order to solicit their feedback concerning new parks and trails in the community.

**Trail Planning.** The Planning Department assisted the Park Commission Trail Subcommittee in its work to identify a preferred trail alignment that will connect portions of Lake Elmo to the Stillwater Area High School and to the trail system in adjacent communities.

**Buberl/Nass Detachment.** Staff continued to provide support in the City's efforts to appeal the decision to detach property in the northeast portion of the City to Stillwater Township. Do date, the City has been unsuccessful in overturning this decision.

**Subdivision Files and Records.** With the recent acquisition of a large format plotter and scanner, Staff has been able to create electronic scans of all subdivisions within the City. This work has resulted in a substantial time savings for all City Staff that can now access every plat in the City from their desks. The scanning of older address and project files is expected to continue into 2014.

**Policy Success Loops.** The Community Development Department has created a policy document that has been used to improve (and measure the success of) the City's application completeness reviews. Staff will be looking to make similar improvements to other aspects of the land use review and approval process.

**Creation of Escrow Fee System.** The City Council adopted a new fee schedule in 2013 that requires the submission of an escrow deposit for larger land use applications. Staff has started tracking its time against certain projects in 2013, and this time is now being reimbursed by developers.

**Gateway Corridor Technical Committee.** Staff continues to participate as part of the Gateway Corridor Technical Advisory Committee. The committee has begun working on the required environmental analysis and review of alternatives for this process.

**Annual State Planning Conference.** The Community Development Director and City Planner attended the State Planning Conference in Rochester, MN in September of this year. The theme for the conference was Operation Plan: Prioritizing Community Vitals.

**City Code Amendments.** In 2013 the Planning Commission reviewed 14 major City Code Amendments, including the following (and all of which were adopted by the City Council):

- LDR District Standards Amendment
- Tree Preservation and Protection Ordinance
- Rural Development Districts
- I-94 and Rural Transitional Zoning Map Amendments
- Parking Standards
- Village Mixed Use District
- Specific Development Standards
- Sign Ordinance Update
- Administrative and Enforcement
- Fence Ordinance
- Landscape Requirements
- Design Review Ordinance Amendments
- Driveway Ordinance
- Subdivision Ordinance Amendments (Public Land Dedication)

**Land Use Applications.** In 2013, Staff processed nine (9) land use applications, including the following:

- Valley Branch Watershed District CUP – Raleigh Creek Culvert Removal
- Country Sun Farms Interim Use Permit Renewal and Amendment
- Sketch Plan Review:
  - Hammes Estates Subdivision
  - Ryland Homes (Landucci Property) Subdivision
- Savona Preliminary Plat
- Boulder Ponds PUD Concept Plan
- Comprehensive Plan Amendments:
  - Olson Lake Trail Sewer Service Area

- Landucci Property (Ryland Homes)
- Dietrich/Reider Property (Pratt Homes)
- 10689 60<sup>th</sup> Street North
- Minor Subdivision/Lot Line Adjustments:
  - Christ Lutheran Church Minor Subdivision
  - Lennar Lot Line Adjustment
  - Boyle (32<sup>nd</sup> Street) Lot Line Adjustment
- Northeast Metro 916 Intermediate School District PUD Amendment and CUP

**Board of Adjustment Actions .** Planning Staff processed four (4) variances in 2012:

- Lot Area Variance – Christ Lutheran Church
- Building Setback Variance: Brink – Olson Lake Trail
- Holding Tank Variance: Brink – Olson Lake Trail
- Lot Size Variance: Dworak – Hill Trail North
- Sign Size Variance: Lake Elmo Event Center

**Building Inspections Process Improvements.** The Building Official undertook several initiatives in 2013 to improve the processing and review of building permits, which included: updating the City’s website, creating commercial plan review workbooks, developing a residential homebuilder workbook, hosting builder’s meetings at City Hall, developing standard operating guides for various components of the permit review process, and implementing a new scheduler for tracking the building inspectors’ time.

**Building Code Updates.** Several ordinance updates related to building inspections were updated, including codes concerning: electrical inspections, contractor licensing, fees, and the property maintenance code.

### III. Statistical Information

#### A. Planning Commission Meetings

1. Regular Meetings: 22
2. Workshop Meetings: 1
3. Public Hearings: 33

## B. Planning and Zoning Permits

| 2013 Planning and Zoning Applications |          |        |         |         |       |
|---------------------------------------|----------|--------|---------|---------|-------|
| Planning Applications                 | Approved | Denied | Pending | Amended | Total |
| Comprehensive Plan Amendments         | 5        | 1      |         |         | 6     |
| Zoning Map Amendments                 | 1        | 1      |         |         | 2     |
| Zoning Text Amendments                | 14       |        |         |         | 14    |
| City Code Amendments                  |          |        | 1       |         | 1     |
| Conditional Use Permits               | 2        |        |         |         | 2     |
| Interim Use Permits                   |          |        |         | 1       | 1     |
| Sketch Plans                          | 2*       |        |         |         | 2     |
| Concept Plans                         |          |        | 1       |         | 1     |
| Preliminary Plats                     | 1        |        |         |         | 1     |
| Final Plats                           |          |        |         |         | 0     |
| Minor Subdivisions                    | 2        |        |         |         | 2     |
| Lot Line Adjustments                  | 2        |        |         |         | 2     |
| Variances                             | 5        |        |         |         | 5     |
| Vacations                             |          |        |         |         | 0     |
| Sign Permits                          | 8        |        |         |         | 8     |
| Appeals                               |          |        |         |         | 0     |
| Other                                 | 1        |        |         |         | 1     |

\*Sketch Plan reviews do not require formal action by the City.

## C. Building Permits: 5-Year Summary

| Building Permits Issued (by type): 5-Year Summary |                               |      |                    |              |                               |                |               |       |
|---|-------------------------------|------|--------------------|--------------|-------------------------------|----------------|---------------|-------|
| Year  | SF Dwellings - Remodel/Repair | Demo | Manufactured Homes | Multi-Family | Commercial/Ind Remodel/Repair | New Commercial | Single Family | Total |
| 2009  | 338                           | 4    | 12                 | 0            | 32                            | 0              | 29            | 415   |
| 2010  | 265                           | 10   | 6                  | 0            | 20                            | 0              | 26            | 327   |
| 2011  | 320                           | 2    | 0                  | 0            | 24                            | 0              | 24            | 370   |
| 2012  | 250                           | 3    | 8                  | 0            | 19                            | 0              | 31            | 311   |
| 2013  | 254                           | 4    | 0                  | 0            | 16                            | 0              | 32            | 306   |
| Total Units                                       | 1427                          | 23   | 26                 | 0            | 111                           | 0              | 142           | 1729  |
| Average   | 285.4                         | 4.6  | 5.2                | 0            | 22.2                          | 0              | 28.4          | 345.8 |

#### D. Housing Starts: 5-Year Summary

| Housing Starts in Lake Elmo: 5-Year Summary |               |              |                    |                      |                                |
|---|---------------|--------------|--------------------|----------------------|--------------------------------|
| Year  | Single Family | Multi-Family | Manufactured Homes | Dwellings Demolished | Net increase in Dwelling Units |
| 2009  | 29            | 0            | 9                  | 4                    | 34                             |
| 2010  | 26            | 0            | 1                  | 8                    | 19                             |
| 2011  | 24            | 0            | 0                  | 0                    | 24                             |
| 2012  | 29            | 0            | 8                  | 3                    | 34                             |
| 2013  | 32            | 0            | 0                  | 4                    | 28                             |
| Total Units                                 | 140           | 0            | 18                 | 19                   | 139                            |
| Average                                     | 28            | 0            | 3.6                | 3.8                  | 27.8                           |

Respectfully Submitted,

Kyle Klatt  
 Planning Director



## 2014 City of Lake Elmo Plan of Work

The 2014 City of Lake Elmo Plan of Work has been developed to reflect the governing principles established by the 2014 Lake Elmo City Council, which are:

1. **Efficient, low cost taxpayer serviced-based government;**
2. **Disciplined and balanced market driven growth;**
3. **Well-ordered, low regulatory burdened quality of life**

From an operational standpoint five core ideas of local government have been applied to reflect public trust and accountability. **First**, our work must be proactive and taxpayer-centered. **Second**, the program must add value to the community in all aspects. **Third**, our operations must be efficient, stable and consistently fair. **Fourth**, program must be cross-functional and team based. And **Fifth**, staff members must be allowed to demonstrate expertise in their individual fields.

### Taxpayer Service

**Mission Statement:** To provide the citizens of Lake Elmo with the most informed, efficient and transparent customer service experience possible.

#### 2014 Goals & Objectives

1. Continue to develop a multi-platform information strategy that includes a relevant website, daily, weekly and quarterly news updates, and pertinent mailings on key community issues;
2. Create procedures and standard operating guidelines to insure a 24 hour turnaround response on all taxpayer issues including an established FAQ section of the website; Continue a consistent and transparent method for taxpayer input that includes website polling, citizen surveys, focus groups and neighborhood meetings
3. Improve utilization of cable access capabilities & web streaming to maximize technology and inform the community via production of public affairs programming.
4. Continue implementation of the Speak Your Peace civil dialogue project in cooperation with Lake Elmo Elementary, Jaycees and Rotary.
5. Continue development of Next Gen Leaders group for community building and leadership development.
6. Conduct (5) neighborhood outreach meetings in community parks.

### Land Use Planning

**Mission Statement:** To thoughtfully adopt a City-wide Comprehensive Plan that maintains the open space character of the community while balancing attractive, sustainable growth opportunities that meet the requirements of the Metropolitan Council. *(Planning Dept. will enhance plans formally by year end)*

#### 2014 Goals & Objectives

1. Adoption of the City Zoning Code
2. Adoption of Form Based Code for Old Village;

3. Streamline & Improve Policies /Procedures for the handling of routine land matters including but not limited to variances, site plan review, setbacks et al;
4. Reduce the population expectations to 18,000 by 2040 and eliminate the MOU with the Met Council.
5. Efficiently process / approve final plats for Lennar, Amaris, Hammes, Ryland, Gonyea, Chase, Pratt and Engstrom for future housing developments as prescribed by the Comprehensive Plan
6. Resolve zoning conflicts with the Metropolitan Airports Commission / MNDOT.
7. Add Planning module from Permit Works for project tracking.
8. Fully implement escrow and developers agreement process.

### Municipal Code / Recordkeeping

**Mission Statement:** To create a City Code that is based on the development of an orderly community, reflects state-of-the-art municipal governance, and can be fairly understood and applied to the matter regulated. To create a record retention system that provides orderly access and transparency.

#### 2014 Goals & Objectives

1. Convert paper files from years 2000-2012 to Laserfiche record retention.
2. Establish public document destruction plan consistent with MN State Statutes.
3. Conduct, in the Spring of 2014 an Open Meeting, Data Practices & Ethics Seminar for all elected and appointed officials.

### Finance

**Mission Statement:** To efficiently steward the tax dollars and other resources of the City of Lake Elmo in a manner that eliminates waste, maximizes the investment of our residents and maintains an affordable tax rate that is in the bottom quartile of MN Cities.

#### 2014 Goals & Objectives

1. Implement Performance Based Budgeting for the 2015 Budget;
2. Complete City's first Comprehensive Annual Financial Review prior to 2014 Borrowing;
3. Complete New Water and Sewer Rate Study Prior to the 2015 Billing Cycle;
4. Complete Audit by May 15<sup>th</sup> / Maintain Aa2 Bond Rating;
5. Implement ACH – Credit Card electronic payment system for fees, utility bills, etc.
6. 100% recovery or assessments/ fees for service of developer created operational expense in 2014.

### Public Safety / Quality of Life / Building Inspection

**Mission Statement:** To provide the resources and manpower to sufficiently protect taxpayers and their property values from harm.

#### 2014 Goals & Objectives

1. To modernize the fire fleet through purchase of 78' aerial/engine that ensures state-of-the art fire suppression and maximizes firefighter safety;
2. To reduce the number of nuisance properties by 50% by the end of fiscal year 2014;
3. Improve permit review time to 5 working days or less.
4. Full implementation of electrical inspection policy
5. Implement hearing appeal process for Code Enforcement and Animal Control Issues

## Streets & Utilities

**Mission Statement:** To construct and maintain efficient infrastructure (streets and utilities) for the purpose of providing safe thoroughfares, potable drinking water, and the elimination of waste.

### 2014 Goals & Objectives:

1. Construct watermain line on Inwood to I-94 corridor;
2. Construct watermain line on LE Avenue to the I-94 corridor;
3. Develop a Village sewer phasing plan with 2015 Phase I construction;
4. Develop a water tower timing and siting plan including land acquisition;
5. Complete design specifications for Village Parkway for new development;
6. Hire (2) additional FTES for frontline sewer & water maintenance;
7. Develop Comprehensive Operational/Maintenance Plans for the Lake Elmo Water and Sewer System.

## Sustainable Growth

**Mission Statement:** To allow Lake Elmo to develop as a community in an environmentally sustainable manner at a pace that reflects "open space" character and marketplace realities.

### 2014 Goals & Objectives:

1. Develop Business Improvement District in the Old Village District – Establish TIF District;
2. Complete stormwater studies (with VBWS) for growth areas
3. Create "Fresh" community Image / Branding Campaign that emphasizes open space character.
4. Recruit (3) new commercial businesses in the I-94 corridor.

## Transportation

**Mission Statement:** To develop efficient and safe local transportation policy that allows for orderly, lawful traffic flow.

### 2014 Goals & Objectives:

1. Complete and approve a Highway 36 corridor plan;
2. Actively participate in the design process for the reconstruction of Lake Elmo Avenue in 2015 including the development of a downtown streetscape improvement plan;
3. Partner & Enhance Washington County's Manning Avenue Re-Construction Plan.
4. Design, Build & Assess 5<sup>th</sup> Street via 429 Process between Inwood and Keats / Design, Build & Assess 5<sup>th</sup> Street for Lake Elmo East (Ryland/Diedrich). *\*\*Parkway will incorporate theming elements. (Project dependent on developer participation).*
5. Complete railroad crossing trade out for the creation of a new Village parkway crossing by the End of 2014.

## Elections

**Mission Statement:** To provide for an orderly process that allows for all Lake Elmo residents to exercise their right to vote.

### 2014 Goals & Objectives:

1. Conduct successful primary and general elections in 2014.

### Park & Recreation

**Mission Statement:** To develop a comprehensive and fully accessible park, recreation and trail plan that provides use opportunities for all citizens.

#### 2014 Goals & Objectives:

1. Obtain grant funding for the construction of the Lake Elmo Regional Trail.
2. Complete Park Commission Strategic Plan of Work (see attached)
3. Complete Sun Fish Lake Park Utilization Plan

### Groundwater / Storm water / Environmental

**Mission Statement:** To balance the monetary realities with the protection of natural resources of the City of Lake Elmo through carefully policy development, deliberate advocacy for clean groundwater, drinking water and surface water, and proper management of storm water.

#### 2014 Goals & Objectives:

1. Work with State Legislature secure funds \$4 million in bonding to alleviate infrastructure costs associated with the provision of clean drinking water to our taxpayers as a result of the 3M groundwater contamination – Continue to Pursue Economic Remedies of 3M Contamination;
2. Create wetland and woodlands overlay districts within land use map;
3. In cooperation with waste haulers, develop a community-wide recycling program that utilizes single-stream recycling, a centralized drop-off for over-sized items, and continual education. Create a garbage pick-up schedule that allows for free market competition and reduce the impact on the local roads;
4. Work with Washington County and the Valley Branch District to mitigate current surface water flooding issues associated with the Old Village.

### Process / Procedure

**Mission Statement:** To create a lean and efficient government that properly stewards taxpayer dollars and resources.

#### 2014 Goals & Objectives:

1. Complete 30 standard operating procedure protocols in six disciplinary areas using key success factor looping including snowplowing, street maintenance, meeting efficiency, permitting, land use review, utility & assessment collections;
2. Paperless Council & Planning Commission Meetings by 3rd Quarter 2014.

### Council / Commission / Board Procedures

**Mission Statement:** To establish the public trust in policy-making by creating a productive, trust-base meeting process that is relevant to the issues at hand and civil in dialogue.

#### 2014 Goals & Objectives:

1. Complete 24 policy-focused meetings & 10 technically-based workshops;
2. Continue the creation of a citizen based Committee structure utilizing the expertise of the community;
3. Complete an error free, sound record-keeping and technically sound broadcast of all affected Planning Commission and City Council meetings.



## **2014 Park Commission Strategic Plan of Work**

The City of Lake Elmo Park Commission has affirmed their priorities to be: 1) Insure that our parks and trail system are constructed / maintained; 2) Provide recreational amenities that will attract more taxpayer use of public lands; 3) Create a safe environment in all our parks; 4) Serve as a review body to make sure the "open space" character development is preserved in new developments.

With the broader priorities defined, the 2014 Park Commission Strategic Plan of Work has been broken down into (6) segment; Planning & Audit; Park Development & Equipping ; Maintenance & Refurbishing; Nature & Conservation; Park Awareness; and Finance.

### **Planning & Audit**

**Mission Statement:** Through the use of diagnostics / surveys / audits, carefully plan for the proper equipping of parks and available park funding to maximize taxpayer utilization.

#### **2013-2014 Goals & Objectives**

- 1. Conduct an audit of (6) Community Parks & (8) Neighborhood Parks for utilization improvement.**
- 2. Begin the planning & fund development of the Lake Elmo Regional Trail. Complete trail plan feasibility study.**
- 3. Create the Sunfish Lake Park Task Force to address utilization, safety, forest management, nature center & education, structures and parking issues.**
- 4. Identify 5-10 potential Eagle Scout projects for park improvement.**

### **Development & Equipping**

**Mission Statement:** To construct / develop / equip appropriate park facilities to serve the community generally and neighborhoods specifically in accordance with the open space philosophy of the City.

#### **2013-2014 Goals & Objectives**

- 1. Break ground and basically equip Sanctuary Park.**
- 2. Create a mountain biking venue / cf. with Planning & Audit.**

4. Determine location for Community Park in the SE Quadrant (LE Ave – Manning)
5. Work with HOAs to create / maintain community connection trail access.

### Maintenance & Refurbishing

**Mission Statement:** To maintain and upgrade all park facilities in a manner that increases park use for a relevant experience.

#### 2013-2014 Goals & Objectives

1. Refurbish (1) current playground set in a community park.
2. Establish, based on the park audit, a maintenance plan (including turf, safety & sanitation) for each City owned park.
3. Update park recreational amenities based on current trends, conditions & typical use.

### Nature & Conservation

**Mission Statement:** To promote the open space character and commitment to the environment via nature observation amenities and targeted conservation programs.

#### 2013-2014 Goals & Objectives

1. Complete tree planting in Area II / Jamaca Landfill Site.
2. Improve tree maintenance at Carriage Station Park.
3. Create & \*Implement Sunfish Lake Forest Management Plan. *cf. Planning & Audit*
4. Monitor new development landscaping & tree plans; aid in the design of Village parkway & 5<sup>th</sup> Street landscape design.

### Park Awareness

**Mission Statement:** To promote through public relations & signage the utilization of City Parks.

#### 2013-2014 Goals & Objectives

1. Establish through special events, publications, website, eblasts and pother promotion a park awareness plan
2. Update (contemporize) Park Signage.

## Finance

**Mission Statement:** To effectively spend parkland dedication funds to meet the objectives of each year's Strategic Plan of Work while maintaining a minimum fund balance of \$100,000.

- Funding Priorities =**
1. Trails & Pathways
  2. Revitalization of Current Parks
  3. Destination Features
  4. Establish New Parks
  5. Parking & Safety
  6. Nature & Conservation

### 2013-2014 Goals & Objectives

1. Purchase new mower, pick-up and trailer, and four-wheel utility vehicle for park maintenance (\$65,000)
2. Expend \$100,000 in the establishment of Sanctuary Park
3. Expend \$80,000 in establishment of bathroom in Reid Park
4. Expend \$8-10,000 in update of (1) playground set
5. Expend \$12,000 for LERT feasibility study
6. Expend MPCA provided funds (\$20,000) for Jamaca tree planting.



# MAYOR & COUNCIL COMMUNICATION

**DATE:** December 17, 2013  
**CONSENT**  
**ITEM #:** 17

**AGENDA ITEM:** Special Assessment Policy – Resolution to Adopt Minor Revisions

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

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

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

**SUGGESTED ORDER OF BUSINESS:**

- Introduction of Item ..... City Engineer
- Report/Presentation ..... City Engineer
- Questions from Council to Staff ..... Mayor Facilitates
- Open Public Improvement Hearing; Public Input ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion ..... Mayor & City Council
- Action on Motion ..... Mayor Facilitates

**POLICY RECOMMENDER:** Engineering

**FISCAL IMPACT:** None.

**SUMMARY AND ACTION REQUESTED:**

The City Council is respectfully requested to consider approving Resolution No. 2013-110, adopting minor revisions to the City of Lake Elmo Special Assessment Policies and Procedures for Public Improvements. The recommended motion for this action is as follows:

*“Move to approve Resolution No. 2013-110, adopting minor revisions to the City of Lake Elmo Special Assessment Policies and Procedures for Public Improvements.”*

**LEGISLATIVE HISTORY/BACKGROUND INFORMATION:**

On November 16, 2010, the City Council adopted the Special Assessment Policies and Procedures for Public Improvements. The policy was developed by an assessment policy review Subcommittee working with the City Administrator, City Engineer and City Attorney to review and develop an updated policy based upon the following goals/objectives established by the Council:

- To establish a policy that will result in the benefiting properties from the public improvement paying as much of the cost of the improvement as reasonable, reducing the city's reliance on general property taxes.
- To remain fair and equitable for the benefit received.
- To be defensible, able to hold up against appeal.
- To balance the assessable costs to the benefiting properties with the city costs for the better good of the community.
- To promote public support for the city to install improvements deemed desirable for the betterment of the community.
- To be comprehensive and flexible, able to be fairly applied to differing circumstances.
- To deter the undesirable subdivision of land for the purpose of paying assessments.

In addition, the Subcommittee identified that while Special Assessments remain an important financing tool for public infrastructure, they remain highly regulated and are becoming more and more litigated. Therefore policy recommendations were made to create a policy that is in greater conformity with current laws and practices, including the following Statutory Rules:

- The assessments must be uniform in relation to the other properties (fair and equitable).
- On the high end – the amount of the assessment is limited – it cannot exceed the increase in fair market value of the property (special benefit).
- On the low end – the total amount of the project to be assessed must exceed 20% of the total project costs, in order to purchase bonds to fund the improvements.

Over the past few years staff and Council have applied the assessment policy for the levy of special assessments for several projects. From these experiences, staff has identified a desire to incorporate minor amendments as they relate to the assessment of street improvement costs against corner properties with direct access to two public streets. Staff has therefore prepared amended language to assess corner properties 50% of the per unit basis when each street is improved; in lieu of levying 100% for each street. Staff is further recommending that the per unit assessment basis be increased to 70% for the second access if that access is to a collector street. The proposed policy is intended to promote roadway safety throughout the community through improved access management principals along collector routes. The added assessment amount is intended to encourage a property owner with two public accesses to consider the removal of the collector street access at the time of the improvement.

In addition, the amended policy corrects the levy period for water and sewer assessments from 20 years to 15 years, which is the current practice for the city.

**RECOMMENDATION:**

Staff is recommending that the City Council consider approving Resolution No. 2013-110, adopting minor revisions to the City of Lake Elmo Special Assessment Policies and Procedures for Public Improvements. The recommended motion for this action is as follows:

*“Move to approve Resolution No. 2013-110, adopting minor revisions to the City of Lake Elmo Special Assessment Policies and Procedures for Public Improvements.”*

**ATTACHMENT(S):**

1. City of Lake Elmo Special Assessment Policies and Procedures for Public Improvements; Amended December 17, 2013.

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

**RESOLUTION NO. 2013-110**

**A RESOLUTION ADOPTING MINOR REVISIONS TO THE  
CITY OF LAKE ELMO SPECIAL ASSESSMENT POLICIES AND  
PROCEDURES FOR PUBLIC IMPROVEMENTS**

**WHEREAS**, the City undertakes public improvement projects from time to time, and may desire to defray all or a portion of the cost of the improvements against the benefiting properties; and

**WHEREAS**, on November 16, 2010, the City adopted the Special Assessment Policies and Procedures for Public Improvements manual, to serve as the general guide for a systematic assessment process for public improvements in Lake Elmo, and

**WHEREAS**, City staff is recommending amendments to the policy to correct minor discrepancies and amend the treatment of corner lots for street improvement projects to improve the fair and equitable distribution of costs.

**NOW, THEREFORE, BE IT RESOLVED,**

1. The Special Assessment Policies and Procedures for Public Improvements manual, amended December 17, 2013, a copy of which is attached hereto and made a part hereof, is hereby approved and adopted.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE SEVENTEENTH DAY OF  
DECEMBER, 2013.**

**CITY OF LAKE ELMO**

By: \_\_\_\_\_  
Mike Pearson  
Mayor

(Seal)  
ATTEST:

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

**CITY OF LAKE ELMO**  
**SPECIAL ASSESSMENT POLICIES**  
**AND PROCEDURES**  
**FOR**  
**PUBLIC IMPROVEMENTS**

| Amended by Resolution No. 2013-109 on: December 17, 2013  
Adopted by Resolution No. 2010-063 on: November 16, 2010

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## SECTION I. GENERAL POLICY STATEMENT

A special assessment is a levy on a property to defray the cost of public improvements. Chapter 429 of the Minnesota Statutes grants cities the authority to use special assessments as a mechanism to finance a broad range of public improvements. The primary purpose of special assessments is to have the properties that benefit from the public improvements pay as much of the cost of the improvements as reasonable, thereby reducing a city's reliance on general property taxes. However, Chapter 429 of the Minnesota Statutes limits the amount that may be assessed to the increase in the market value of the property being assessed as a result of the public improvement.

The purpose of this Special Assessment Policy is to establish a fair and equitable manner of recovering and distributing the cost of public improvements. The procedures used by the City of Lake Elmo ("City") for levying special assessments are those specified by Minnesota Statutes § Chapter 429, which provides that "all or a part of the cost of improvements may be assessed against benefiting properties." This assessment policy is intended to serve as a general guide for a systematic assessment process in the City of Lake Elmo.

Special Assessments must meet the following criteria:

- A. The land must have received special benefit from the improvement.
- B. The amount of the assessment must not exceed the special benefit.
- C. The assessment must be uniform in relation to the same class of property within the assessment area.

It is important to recognize that the actual cost of extending an improvement past a particular parcel is not the determining factor in determining the amount to be assessed. However, in most cases the method for determining the value of the benefit received by the improvement, and therefore the amount to be assessed, shall be the cost of providing the improvement, as long as the cost does not exceed the increase in the market value of the property being assessed. The entire project shall be considered as a whole for the purpose of calculating and computing an assessment rate. In the event City staff has doubt as to whether or not the costs of the project

may exceed the special benefits to the property, the City Council may obtain such appraisals as may be necessary to support the proposed assessment.

The City must recover the expense of installing public improvements undertaken, while ensuring that each parcel pays its fair share of the project cost in accordance with these assessment guidelines. While there is no perfect assessment policy, it is important that assessments be implemented in a reasonable, consistent and fair manner. There may be exceptions to the policy or unique circumstances or situations that may require special consideration and discretion by City staff and the City Council.

**SECTION II.  
DEFINITION OF IMPROVEMENTS ELIGIBLE  
FOR SPECIAL ASSESSMENT**

This policy shall be applicable to those types of public improvements that are allowable under Minnesota Statutes §429.021. Generally the improvements include:

- A. **Street and sidewalk improvements:** Acquisition, construction, reconstruction, extension and major maintenance of any street and sidewalk and improvement of streets and sidewalks including base and subbase, pavement, gutters, curbs, and vehicle parking stripes, paver cross walks, pedestrian crossings, medians, beautification amenities, and street and sidewalk drainage systems.
- B. **Street lighting systems.** Installation, replacement, extension, and maintenance of street lights, street lighting systems, and special lighting systems.
- C. **Parks, trails, open space areas, playgrounds, and recreational facilities.** Acquisition and improvement of land, and purchase of equipment and facilities, and the construction, reconstruction, and extension of trails.
- D. **Street trees.** Planting, trimming, care, and removal.
- E. **Potable waterworks systems.** Construction, reconstruction, extension, and maintenance of water supply wells and pump houses, water treatment facilities, storage tanks, and all components of the watermain distribution system network and related appurtenances.
- F. **Sanitary sewer systems.** Acquisition, development, construction, reconstruction, extension, and maintenance of sanitary sewer conveyance and treatment systems. This may include sanitary sewers, interceptor mains, lift stations, treatment facilities and treatment systems, service connections, and other appurtenances of a sanitary sewer system.
- G. **Storm sewer and drainage systems.** Acquisition, development, construction, reconstruction, extension, and maintenance of storm water management facilities and storm sewer systems. This may include outlets, culverts, pipe systems, catch basins,

holding areas and ponds, infiltration basins, rain gardens, treatment plants, pumps, lift stations, service connections, and other appurtenances of a storm sewer system.

- H. **Nuisance abatement.** Includes, but is not limited to, draining and filling swamps, marshes, and ponds on public or private property.
- I. **Dikes and other flood control works.** Construction, reconstruction, extension, and maintenance.
- J. **Retaining and area walls, including highway noise barriers.** Acquisition, construction, reconstruction, improvement alteration, extension, and maintenance.
- K. **Malls, plazas, or courtyards.** Acquisition, construction, improvement, alteration, extension, operation, maintenance, and promotion of public malls, plazas, and courtyards.
- L. **Parking lots.** Acquisition or construction of parking facilities.

**SECTION III.  
INITIATION OF PUBLIC IMPROVEMENT PROJECTS**

Public improvement projects may be initiated in the following ways:

- A. A public improvement project may be initiated by petition of at least 35% of the affected property owners.
  
- B. Public improvements may be initiated by the City Council when, in its judgment, such action is required. A resolution ordering any Council initiated improvements requires a 4/5th vote, rather than a simple majority.

**SECTION IV.  
PUBLIC IMPROVEMENT PROCEDURES**

The following is the general procedure that will be followed by the City Council for all public improvement projects from initiation of such a project through certification of the assessment role to the County Auditor. The City Council reserves the right to alter the procedure on a case-by-case basis and within the context of Minnesota Statutes § Chapter 429.

Improvements of different kinds anywhere in the City may be included in a proceeding and conducted as one or more improvements. Thus, a single proceeding may encompass sidewalk, curb and gutter, and water and sewer mains installed anywhere in the City.

- A. Staff reviews petition for local improvements from property owners and submits the petition to the City Council, or the City Council passes a resolution ordering a Feasibility Report on the improvement.
- B. Council accepts or rejects the petition. If accepted, the Council orders the preparation of a Feasibility Report on the improvement. The Council may condition further action on the recovery of costs associated with the project and/or Feasibility Report.
- C. Staff prepares a Feasibility Report on the proposed improvements, or reviews the report submitted by another agency/representatives.
- D. Council accepts or rejects the Feasibility Report. If accepted, the Council orders a public hearing on the improvements.
- E. Staff publishes a hearing notice and mails notices to the affected property owners.
- F. Council conducts improvement hearing and adopts or rejects a resolution ordering the improvement and the preparation of plans and specifications. Bonds to finance project costs may be issued at any time after the improvements are ordered.
- G. Staff prepares final plans for Council approval. Council approves the plans and authorizes the advertisement of the improvements and the opening of Bids.

- H. Staff receives bids, prepares a bid tabulation, and makes a recommendation to the City Council for Award. Council rejects the bids or awards a contract based on the bids received.
- I. Performance of the work under contract is completed. Staff supervises construction, prepares payments, and completes the improvement project.
- J. Staff prepares an assessment roll and presents it to the Council.
- K. Council reviews the assessment schedule and orders an assessment hearing.
- L. Staff publishes a hearing notice, mails the notice of hearing date and the proposed assessments to the affected property owners.
- M. Council conducts assessment hearing, adopts, revises, or rejects the resolution adopting the assessment roll. If adopted, Council authorizes certification of the assessment to the County Auditor.
- N. Staff certifies the assessments to the County Auditor.

\* Note: At Council's discretion, Item G may be carried out in advance of the improvement hearing.

\* Note: At Council's discretion, Items J-N may be carried out in advance to Council award and constructing the improvements.

**SECTION V.  
GENERAL ASSESSMENT POLICIES**

The cost of any improvement shall be assessed upon property benefited by the improvements, based upon the benefits received. The following general principles shall be used as a basis of the City's assessment policy:

- A. It is the general policy of the City of Lake Elmo to require future development in accordance with the City Comprehensive Plan and for new areas of development in an orderly manner, typically contiguous to existing development areas. It is also the general policy of the City of Lake Elmo to require all new development areas to provide for adequate public infrastructure at the Developer's sole expense, and in accordance with the City Comprehensive Plans and Design Standards.
- B. The use of special assessments will typically be employed by the City to finance needed public improvements (e.g. parks and trails, sidewalks, water, sewer, and street improvements) in certain areas that have previously been developed without all needed infrastructure, or to repair and/or replace aging infrastructure.
- C. The "project cost" of an improvement includes the costs of all necessary construction work required to accomplish the improvement, plus engineering, legal, administrative, financing, and other contingent costs, including acquisition of right-of-way, easements and other property. The financing charges include all costs of financing the project. These costs include, but are not limited to, financial consultant's fees, bond attorney's fees, and capitalized interest. When the project is started and funds are expended prior to receiving the proceeds from a bond sale, the project may be charged interest on the funds expended from the date of expenditure to the date the bond proceeds are received. The interest rate charged will be the average interest rate earned by the City's investments during the six months preceding the receipt of the bond proceeds. The interest charged to the project shall be included as financing charges.
- D. The "assessable cost" of an improvement is equal to the "project cost" minus the "City cost".
- E. The City of Lake Elmo will charge interest on Special Assessments at a rate specified in the resolution. If bonds were sold to finance the improvement project, the interest rate

shall be two percent (2%) more than the average coupon interest rate of the bonds, rounded to the nearest quarter of a percent. If no bonds were sold, the interest rate shall be set at the rate allowed by State law.

- F. *Pre-payment.* The City will certify each year's collection (principal and interest) to the County Auditor by November 30th. The owner of any property that is assessed may pay their assessment in full, interest free for a period of 30 days after the adoption of the assessment. After such period interest shall be computed from the date specified in the assessment resolution. The owner of any property that is assessed may also, at any time prior to certification of the assessment or the first installment thereof to the county auditor, pay the whole of the assessment on such property to the City, with interest accrued to the date of payment. In any subsequent year, the owner may at any time prior to November 15, prepay to the City, the whole assessment remaining due with interest accrued to December 31 of the year in which said prepayment is being made.
- G. Where an improvement is designed for service of an area beyond that of direct benefit, increased project costs due to such provisions for future service extensions may be paid for by the City. The City will levy assessments to cover this cost when a new improvement is installed as an extension of the existing improvement. As an alternative, the City may assess these costs to the area of future benefit immediately.
- H. Where the project cost of an improvement is not entirely attributable to the need for service to the area served by said improvement, or where unusual conditions beyond the control of the owners of the property in the area served by the improvement would result in an inequitable distribution of special assessments, the City, through the use of other funds, may pay such "City cost" which, in the opinion of the City Council, represents the excess cost not directly attributable to the area served.
- I. If financial assistance is received by the City from the Federal Government, from the State of Minnesota, the County, or from any other source to defray a portion of the costs of a given improvement, such aid will be used first to reduce the "City cost" of the improvement. If the financial assistance received is greater than the normal "City cost", the remainder of the aid will be applied according to the terms of the assistance program or at the Council's discretion.

- J. City-owned properties, including municipal building sites, parks and playgrounds, but not including public streets and alleys, shall be regarded as being assessable on the same basis as if such property was privately-owned.
- K. Improvements specifically designed for or shown to be of direct benefit to one or more properties may be constructed by the City. The costs for these improvements will be assessed directly to such properties, and not included in the assessments for the remainder of the project. An example of this would be utility service lines running from the main lines to the property.
- L. Benefit Appraisals: In the event that City staff has doubt as to whether or not the proposed assessments exceed the special benefits to the property in question (increased property value as defined by State law), the City Council may order benefit appraisals as deemed necessary to support the proposed assessments.
- M. A property owner may elect to offset Special Assessments against condemnation awards by executing a Net Assessment Agreement with the City Council.
- N. Assessment Deferral Procedure for Green Acres Parcels: In cases where improvement projects are determined to benefit properties that have been certified to qualify for Green Acres exemption, the City will determine that portion of the project cost that benefits those properties, and finance that portion of the project cost as a system cost. During the period of deferral, interest shall be applied annually to the unpaid principal balance of the deferred amount at the rate established on the original special assessment, or as adopted by resolution of the City Council at the time the original assessment is adopted. Once the benefiting properties no longer qualify for Green Acres status, the City may recover the unpaid principal balance plus interest either through assessments or connection charges.
- O. Assessment Deferral for Hardships: The City Council will consider deferment for the payment of special assessments on any homestead property, owned by a person 65 years of age or older, or retired by virtue of permanent and total disability. A hardship may be deemed to exist when the annual principal installment of all assessments levied against the property exceeds two percent (2%) of the adjusted gross income of the applicant as evidenced by the applicant's most recent federal income tax return, and

total assets (excluding the homestead property) do not exceed six times the adjusted gross income.

The City Council may also determine, on a case by case basis, the existence of a hardship on the basis of exceptional and unusual circumstances not covered by these standards and guidelines, if done in a non-discriminatory manner and without giving the applicant an unreasonable preference or advantage over other property owners.

During the period of deferral, interest shall be applied annually to the unpaid principal balance at the rate established on the original special assessment, or as adopted by resolution of the City Council at the time the original assessment is adopted.

The deferment shall terminate and all principle and interest becomes due and payable upon the occurrence of any of the following events: (1) The death of the owner when there is no spouse whom is eligible for deferment, (2) The sale, transfer or subdivision of the property or any part thereof, (3) The property should lose its homestead status, (4) The City Council should determine that the hardship no longer exists. A review of the hardship will be conducted every three to five years.

**SECTION VI.  
METHODS OF ASSESSMENT**

**A. GENERAL POLICY STATEMENT**

The City of Lake Elmo has adopted the following three methods for assessment of public improvements: fixed cost unit, adjusted front footage, and by area method. For any particular project one of these methods will more adequately reflect the true benefits received in the assessment area than the other methods. The City Engineer, in his Feasibility Study to the Council, will recommend one or a combination of these methods for each project, based upon past practices and the method that would best reflect the benefit received for the area to be assessed. The City Council will select the preferred method of calculating the assessments at the time the project is ordered.

The general rule is to assess platted residential lots using the "unit" assessment basis; however, where platted residential lots do not reflect a general similar size and shape, consideration will be given to an adjusted front footage basis. Commercial, institutional, and industrial lots will be assessed on an adjusted front footage basis; however, consideration will be given to a "unit" assessment if the special benefit to the property in the district is essentially the same. The methods of assessment outlined within this policy are not intended to be an exhaustive list of acceptable approaches. The Council may adopt alternative approaches as they deem necessary to fairly and equitably allocate assessments for unique situations.

**B. ASSESSMENT METHODS**

The following methods of assessment, as described and defined below, are hereby established as the official methods of assessment in the City of Lake Elmo:

1. *Fixed Cost "Unit" Method of Assessment*

When it has been determined to assess by the "unit" method, all lots within the benefited area shall be assessed equally for the improvements.

The "fixed cost per unit" shall be defined as a quotient of the "assessable cost" divided by the total assessable lots or parcels benefiting from the improvement.

For the purpose of determining the "units" or "parcels", all parcels, including governmental agencies, shall be included in such calculations.

When large lots can be subdivided into more than one lot, the number of assessable lots attributed to that parcel will be determined from the number of potential future lots that could be obtained using current subdivision regulations.

For multi-family, commercial, industrial and institutional properties, the number of fixed units assigned to the property may be determined by an equivalent "residential" factor representing the properties use compared to a single family residential home (e.g. SAC units, WAC units, or standard traffic generation units).

2. *"Adjusted Front Footage" Method of Assessment*

When it has been determined to assess by the "Adjusted Front Footage" method, the "cost per adjusted front foot", or assessment rate, shall be defined as the quotient of the "assessable cost" divided by the total assessable frontage benefiting from the improvement. The assessment for each parcel is then obtained by multiplying the assessment rate times the adjusted front footage for each property. For the purpose of determining the "assessable frontage", all properties, including governmental agencies, shall have their frontages included in such calculation.

The actual physical dimensions of a parcel abutting an improvement (i.e., street, sewer, water, etc.) shall NOT be construed as the frontage utilized to calculate the assessment for a particular parcel. Rather, an "adjusted front footage" will be determined. In the Adjustment Front Footage method, odd shaped lots are adjusted to an average footage that would be the equivalent to the frontage of a rectangular shaped lot of the same area and depth. The purpose of this method is to equalize assessment calculations for lots of similar size.

3. *"Area" Method of Assessment*

When it has been determined to assess by the "area" method, the area shall be defined as the number of square feet or acres within the boundaries of the appropriate property lines of the areas benefiting from the project. The assessment rate (i.e. cost per square foot) shall be calculated by dividing the

total assessable cost by the total assessable area. The assessment for each parcel is then obtained by multiplying the assessment rate times the benefitting area of the parcel. On large lots, the City Engineer may determine that only a portion of the lot receives the benefit and may select a lot depth for the calculations equal to the benefit received.

For the purposes of defining assessable areas, all properties included in the benefited area, including other governmental areas, churches, etc. shall be included in the assessable areas. The following items may not be included in area calculations: public right-of-ways, natural waterways, swamps and lakes or other wetlands designated by the Mn/DNR. The City Engineer will make the recommendation on the benefited area in the Feasibility Report.

**SECTION VII.  
POLICIES OF REASSESSMENT**

The City of Lake Elmo, in constructing or reconstructing any public improvement, shall design such improvement to last for a defined period. The life expectancy or service life shall be as stated in the policy statement of this section, or if different, shall be as stated in the Resolution ordering the improvement and preparation of plans. When such project needs renewing or replacement prematurely, the amount to be assessed against the property owner shall be limited to an amount determined by dividing the actual life of the original improvement by the expected service life of the original improvement.

**A. POLICY STATEMENT**

The following are hereby established as the "life expectancies" or "service lives" of public improvements unless otherwise stated in the Resolution ordering improvement and preparation of plans, in which case, the life set forth in the Resolution shall govern.

1. *Sidewalks and Trails - 15 years*
2. *Street Improvements, including surfacing and curb and gutter - 20 years*
3. *Street Lighting - 20 years*
4. *Water Mains and Appurtenances - 40 years*
5. *Sanitary Sewers and Appurtenances - 40 years*
6. *Storm Sewers and Appurtenances - 40 years*
7. *Mechanical and Electrical Systems, Pumps and Controls - 15 years*

**SECTION VIII.  
DETERMINATION OF ASSESSABLE COSTS**

**A. STREET IMPROVEMENTS**

Street Improvement assessments, including paving, curb and gutter, and related street drainage systems are normally levied over a 10-year period. Single family Low-Density residential properties will be assessed if the property has direct access to the improvement. High Density Residential, Commercial, and Industrial Properties will be assessed if the property abuts the improvement. Large lots and undeveloped properties may be assessed additional units in accordance with Section VI. B.

Corner Lots: A corner property having direct access to two public streets shall be assessed 50% of the per unit basis when each public street is improved. When one street is a collector street, the property shall be assessed 70% of the per unit basis for the higher class street.

1. *New Street Improvement Construction and Paving*

All new street improvements will be assessed 100% to the benefited properties when the improvement includes a "New" street. For new storm drainage systems, adding curb and gutter, and paving gravel roadways, the "New" improvement will be assessed 100%, while the base, subbase and other in place elements will be assessed as defined under Street Reconstructions.

2. *Local Street Improvements*

Local street improvements and paving shall be assessed based on the minimum City design standard detail and pavement section and will normally be assessed by the unit method; however, other methods may be considered. Oversizing costs which are incurred in excess of the above may be paid by: (1) State Aid Funds, (2) larger assessment rates to properties, (3) general obligation bonds, or (4) any other method or combination of methods authorized by the City Council

3. *Collector and Arterial Street Improvements*

In general, collector and arterial street improvements are considered a community wide benefit and will be paid for through various City funds such as

municipal state aid funds. Residential properties with private access to collector and arterial streets will be assessed for access benefit, equivalent to the cost for a local City standard street determined by removing street oversize costs and additional costs associated with higher traffic volumes.

All street-oversizing costs associated with collector streets will not be assessed directly to residential properties. Oversizing costs may be assessed to a broader property benefitting area with the area to be determined by the City and approved by the City Council.

4. *Street Reconstruction Improvements*

All residential street reconstructions shall be 30% assessed to the benefitting properties and will normally be assessed by the unit method. Street reconstruction improvements in Commercial, Business District, Institutional and Industrial areas shall be assessed 100% of the total project costs or determined on a project-by-project basis.

5. *Street Maintenance Overlays and Seal Coating*

Bituminous overlay projects, bituminous seal coats, patching, crack sealing, fog sealing, and filling potholes will not be assessed when completed as part of the street system's "life cycle" maintenance activities.

**B. SIDEWALKS, TRAILS, AND BIKEWAYS**

Assessments for sidewalk, trails and bikeway improvements are levied over a 10-year period. The City may install sidewalks, trails or bikeway improvements in accordance with the City Comprehensive Plan for the community, or for City Council directed purposes, in which case the City may not assess the improvements. At City Council discretion, sidewalk, trail and bikeway improvements may be fully or partially funded as part of a street construction/reconstruction assessment, through park dedication fees, using Municipal State Aid funding, Capital Infrastructure funding, or general tax levy funds.

1. *New Construction*

New sidewalks, trails, and bikeway improvements will be 100% assessed to the benefitting properties based upon the adjusted front footage.

2. *Reconstruction*

Replacement sidewalks, trails and bikeway improvements will be assessed 30% to the abutting residential properties and assessed 100% to the abutting commercial, industrial, and institutional properties.

**C. LANDSCAPING / STREET BOULEVARD TREES**

Landscaping and street boulevard tree improvements may be assessed as determined by the Council for each specific project.

**D. STREET LIGHT IMPROVEMENTS**

Street Light improvements may be assessed as determined by the Council for each specific project.

**E. TRANSPORTATION IMPROVEMENTS**

All costs associated with traffic and transportation related improvements, such as widening of a roadway for turn lanes, additional driving lanes, on-street parking, traffic calming, and traffic signalization may be assessed 100% to the benefitting properties.

**F. STORM SEWER AND DRAINAGE FACILITY IMPROVEMENTS**

Storm sewer and drainage facility improvements shall be considered and incorporated as part of street improvement projects and assessed as part of the project and levied over a 10-year period. Storm sewer and drainage facility improvements completed as independent projects will normally be assessed by the area method taking into account each parcels land use and rate of runoff as determined by the City Engineer.

1. *New Storm Sewer and Drainage Facility Improvements*

New storm sewer and drainage facility improvements installed in conjunction with new street construction where no storm sewer previously existed will be assessed 100% and be included in the street assessment to benefitting

properties. If the facilities are oversized to accommodate drainage from areas outside the street improvement assessment area, the additional costs may be assessed to the properties in the contributing area. Their assessment will be determined by the area method based on the contributing area of the parcel(s) taking into account the land use and rate of runoff.

2. *Replacement and Major Maintenance of Storm Sewer Improvements*

Any replacement costs or reconstruction of existing storm sewers and drainage facilities in conjunction with street reconstruction projects will be assessed 30% and be included in the street assessment to benefiting properties. If the facilities are oversized to accommodate drainage from areas outside the street improvement assessment area, the additional costs may be assessed to the properties in the contributing area. Their assessment will be determined by the area method based on the contributing area of the parcel(s) taking into account the land use and rate of runoff.

**G. SANITARY SEWER IMPROVEMENTS**

Assessments for sanitary sewer improvements shall be based upon the cost of construction of 8-inch sewer mains. Oversizing costs due to larger mains and larger appurtenances and/or extra depths required to service future development, and major trunk sewers or interceptors will not be assessed and will be "City system costs" funded out of the Sanitary Sewer Reserve Fund. Normally, sanitary sewers will be assessed using an adjusted per lot method; with the adjustment made using the Metropolitan Council calculation to establish a residential equivalent unit (REC). Normally, sanitary sewer system assessments are levied over a 1520-year period, or as otherwise set by the City Council.

Street improvements and major street maintenance that are completed as part of utility replacement projects and has effectively accelerated the replacement of the street before it's expected useful life, shall be funded through the Sanitary Sewer Reserve Fund in proportion to the remaining design life of the street.

1. *Interceptor Sewer System*

The Metropolitan Council Environmental Services (MCES) is responsible for the construction of the regional interceptor sewer system and for the wastewater treatment facility to treat the sewage generated in the City of Lake Elmo. The MCES has established a Sewer Availability Charge (SAC) that is collected from each unit connected to the sanitary sewer system. The current charge per residential equivalent unit (REC) is collected, in full, by the City at the time of connection or the issuance of the building permit as part of the City's Sewer Availability Charge. The City collects this charge and passes the required portion of this fee on to the MCES.

2. *Trunk Sanitary Sewer System*

The Trunk Sanitary Sewer System is constructed to serve the entire community or a larger service area and therefore is deemed to be of community-wide benefit. Trunk sanitary sewers, lift stations, and other trunk sewer system facilities shall be financed by a City Sewer Availability Charge (SAC) to be paid at the time of connection to the City system with a City trunk system component and a pass through component to the MCES.

The City portion of the Sewer Availability Charge (SAC) on units existing at the time of construction may be paid in normally not more than 15 annual installments of principal plus interest on the unpaid principal balance at an interest rate set by the City Council. The Sewer Availability Charge (SAC) on units built after the sewer construction should be paid in full at the time the building permit is issued.

3. *Lateral Sanitary Sewer System*

The costs for lateral sanitary sewers shall be fully assessed 100% to the benefiting properties. Commercial, institutional, industrial and multiple land uses and undeveloped lands are converted into equivalent residential units for assessment purposes. Any building unit which is served directly by an interceptor or trunk sewer and therefore requires no lateral sewer, is levied a lateral benefit assessment which is equal to the Sewer Lateral Benefit Charge as set in the latest adopted City Fee Schedule.

The replacement of existing sanitary sewer mains and service lines within the right-of-way will not be assessed, but rather financed from the Sanitary Sewer Reserve Fund or other funding sources identified by the City Council. Each property shall pay for the replacement of the service line on their private property, from the right-of-way to the building/home.

## H. WATERMAIN IMPROVEMENTS

Assessments for new water main improvements shall be based upon the cost of construction of 8-inch water mains. Oversizing costs due to larger mains and larger appurtenances will not be assessed and will be "City system costs" funded out of the Water Reserve Fund. Normally, water mains will be assessed using an adjusted per lot method; with the adjustment made using the Metropolitan Council sewer calculation to establish a residential equivalent unit (REC). Normally, water system assessments are levied over a 1520-year period, or as otherwise set by the City Council.

Street improvements and major street maintenance that is completed as part of utility replacement projects and has effectively accelerated the replacement of the street before it's expected useful life, shall be funded through the Water Reserve Fund in proportion to the remaining design life of the street.

### 1. *Trunk Water Mains, Supply, Storage, and Treatment Facilities*

The Trunk Water System Facilities are constructed to serve the entire community or a larger service area and therefore deemed to be of community-wide benefit. Trunk water mains, pump stations, wells, storage tanks, and treatment facilities shall be financed by a Water Availability Charge (WAC) to be paid at the time of connection to the City system.

Water Availability Charge (WAC) on units existing at the time of construction may be paid in normally not more than 15 annual installments of principal plus interest on the unpaid principal balance at an interest rate set by the City Council. Water Availability Charge (WAC) on units built after the water main construction should be paid in full at the time the building permit is issued.

2. *Lateral Water Mains*

The costs for lateral water mains shall be fully assessed 100% to the benefiting properties. Commercial, institutional, industrial and multiple land uses, and undeveloped lands are converted into equivalent residential units for assessment purposes. Any building unit which is served directly by a trunk water main and therefore requires no lateral water main, is levied a lateral benefit assessment which is equal to the Watermain Lateral Benefit Charge as set in the latest adopted City Fee Schedule.

The replacement of existing water mains and service lines within the right-of-way will not be assessed, but rather financed from the Water Reserve Fund or other funding sources identified by the City Council. Each property shall pay for the replacement of the service line on their private property, from the right-of-way to the building/home.