

**NOTICE OF MEETING**

**City Council Meeting**

**Wednesday, November 6, 2013 7:00 P.M.**

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

**AGENDA**

- 7:00 **A. Call to Order**
- B. Pledge of Allegiance**
- C. Roll Call**
- D. Order of Business**
- E. Approval of Agenda**
- F. Accept Minutes**
1. Accept September 10, 2013 Special City Council Meeting Minutes
  2. Accept October 15, 2013 City Council Meeting Minutes
- G. Council Reports**
- Mayor
  - Council
- 7:10 **H. Public Comments/Inquiries**
- I. Speak Your Peace – Pearson**
- J. Presentations**
- Quality Star – Cathy Bendel for Growth Pro Forma
- 7:15 **K. Consent Agenda**
3. Approve Payment of Disbursements and Payroll
  4. 2013 Crack Seal Project – Pay Request No. 1 (FINAL)
  5. Section 34 Water and Sewer Utility Extension Improvements – Change Order No. 1
  6. Lake Elmo Sewer Infrastructure Improvements: I-94 to 30<sup>th</sup> St. – Change Order No. 2
  7. Encroachment Agreement – 10950 57<sup>th</sup> St. N
  8. Encroachment Agreement – 5820 Lily Ave. N.
  9. Establishment and Appointment of Lake Elmo Public Safety Committee (*Mayor Pearson Request*)
  10. Approve New Council Memo Format (*Per Council Request*)
  11. New Single Axle Plow Truck Purchase
  12. Approve Resolution 2013-90 Calling For Public Hearing To Vacate Easement;  
*Resolution 2013-90A, Resolution 2013-90B*
- 7:20 **L. Regular Agenda**
- 13a. Keats MSA Street and Trunk Watermain Improvements – Final Street Assessment Hearing; *Resolution 2013-91*
- 13b. Keats MSA Street and Trunk Watermain Improvements – Final Watermain Assessment Hearing; *Resolution 2013-92*

14. Lake Elmo Avenue Trunk Watermain Improvements – Accept Feasibility Report; Call Hearing; **Resolution 2013-93**
- 7:45 15. Approve Resolution 2013-94, A Resolution Granting Assessment Deferral For Hardship to Eligible Properties; **Resolution 2013-94**
16. Consider Parks Commission Appointment
- 8:00 17. Village Mixed-Use Zoning District; **Ordinance 08-091, Resolution 2013-95**
18. Dietrich-Rieder Comprehensive Plan Amendment; **Resolution 2013-96**
19. Design Standards Manual; **Resolution 2013-97**
- 8:40 20. Design Review Ordinance; **Ordinance 08-092, Resolution 2013-98**

**M. New Business**

21. Park Commission Mission Statement; **Ordinance 08-093**
22. Feasibility Study for Lake Elmo Regional Trail

9:00 **N. Staff Reports and Announcements**

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

9:10 **O. Adjourn**

**LAKE ELMO CITY COUNCIL MINUTES**  
**September 10, 2013**

**CITY OF LAKE ELMO**  
**CITY COUNCIL SPECIAL MEETING MINUTES**  
**September 10**

*Mayor Pearson called the Special Meeting to order at 6:28PM*

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

**ABSENT:** Council Member Reeves

Also present: City Administrator Zuleger, Finance Director Bendel, City Clerk Bell, and Program Assistant Gumatz

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

*MOTION: Council Member Smith moved **TO APPROVE THE SEPTEMBER 10, 2013 CITY COUNCIL AGENDA.** Council Member Nelson seconded the motion. **MOTION PASSED 4-0.***

**I. 2013 BUDGET WORKSHOP**

Finance Director Bendel provided overview of the updated proposed 2014 budget. The final levy must be approved by December 2013. Ms. Bendel gave a summary of the Debt Policy that was created as well as the Revenue and Expenses. Overview of fiscal disparities was discussed. It was noted that they are now being tracked by staff.

City Administrator Zuleger noted explained that with the \$10K reduction and shifting of the Forester request the impact on the general fund was reduced by \$15K. Forestry request was brought down to \$5K and \$5K going to Public Works pruning budget. A forestry consultant would be sought and an RFP would be used in conjunction with recommendations by previous forester. Mr. Zuleger also explained the proposed shifting of the Youth Services Bureau \$5,000 to the Jaycee funds for community improvement. How the proposed changes are formally made was discussed.

Mayor Pearson spoke on the Jaycee's money. Because both organizations are youth oriented, he thinks that move make sense. Mayor Pearson also agreed that a more comprehensive approach for the forestry funds is appropriate. Perhaps someone who can offer additional tree related services would be more beneficial. Council consensus was for approval of the forester change.

**ITEM I-A: FORESTER REQUEST**

*MOTION: Council Member Nelson moved **TO REDUCE THE FORESTER BUDGET TO \$5,000 AND SHIFT THE ADDITIONAL \$5,000 FUNDS TO THE PUBLIC WORKS PRUNING BUDGET.** Council Member Smith seconded the motion. **MOTION PASSED 4-0.***

**ITEM I-B: YOUTH SERVICES BUREAU REQUEST**

*MOTION: Council Member Nelson moved **TO SHIFT THE YOUTH SERVICES BUREAU \$5,000 FROM THE AVAILABLE VILLAGE COMMUNITY IMPROVEMENT FUNDS DONATED BY THE JAYCEES.** Council Member Bloyer seconded the motion. **MOTION PASSED 4-0.***

Council Member Bloyer asked about listed animal control costs. City Administrator Zuleger explained the status of animal enforcement. People are not taking care of their pets, both

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cats and dogs. Animals are not being picked up from the shelter. Prior to this year, deputies were really not even picking up dogs. They were not picking up cats at all.

Mr. Bloyer asked if striping rural roads was required. City Administrator Zuleger explained that MSA qualified roads are required to have traffic control measures, which include striping.

Council Member Nelson noted his concern with the amount of health insurance costs. Council Member Smith stated that her memory is that the cost used to be more reasonable, but there were some employee health issues that necessitated adding to plan.

City Administrator Zuleger explained that employee utilization rate is extremely well. The employer ratio of payment is about 85%. Being in the 80-20 range is attractive for staff retention and recruitment. The type of plan was discussed. It was pointed out that a quality health plan does play a role in attracting a talented workforce. City Administrator Zuleger explained that the City is part of a health service co-operative, which greatly reduces costs.

Ms. Bendel gave a short history of the levy, and overview of the General Fund expenditures, personnel.

Mayor Pearson spoke on the condition of the streets and possibly addressing the repairs in a more aggressive fashion. The Council consensus is to perhaps spend some of the undesignated fund balance on streets repair.

Council Member Smith asked why the employee pay breakdown does not include the library. Ms. Bendel stated that because the library is a different fund and is paid out as the expense occurs.

**ITEM I-C: FIRE RELIEF PENSION AMENDMENT**

Council Member Nelson explained his opinion that it would be reasonable to approve plan B, which provides a bump in pension but keeps city solvent through 2017. He noted that any change has to come back to council. Mayor Pearson concurred with the Plan B assessment.

*MOTION: Council Member Nelson moved **TO ADOPT FIRE RELIEF PENSION AMENDMENT PLAN B, THEREBY KEEPING THE PENSION BENEFIT AT \$3,100 AND INCREASING TO \$3,400 IN 2014, 2015, 2016, AND 2017.** Mayor Pearson seconded the motion.*

*Mayor Pearson thanked District Chief Winkels for his efforts.*

**MOTION PASSED 4-0.**

**ITEM 1-D. APPROVE PROPOSED GENERAL LEVY AND PROPOSED 2014 BUDGET;  
RESOLUTION 2013-73**

*MOTION: Mayor Pearson moved **TO ADOPT 2014 LEVY AND BUDGET.** Council Member Bloyer seconded the motion. **MOTION PASSED 4-0.***

**ITEM I-E: BUDGET MEETING CALENDAR UPDATE**

Finance Director Bendel explained changes and updates to the budget calendar. There will be workshops on October 8 and November 12 if needed. The need for holding a second meeting in December was discussed. Council Member Smith said she believes we should have two meetings in December, especially with all the business going on in the City. The consensus of the Council was that there will be a second meeting that month. City

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Administrator Zuleger asked that one of those meetings include the Truth in Taxation hearing.

*No formal action requested.*

**II. APPROVE RESOLUTION SUPPORTING THE 2014 STATE OF MN BONDING REQUEST; RES. 2013-74**

City Administrator Zuleger explained that state law requires the City approve a resolution in support of the bonding request with the state.

*MOTION: Council Member Smith moved TO APPROVE RESOLUTION NO. 2013-74 . Council Member Bloyer seconded the motion. MOTION PASSED 4-0.*

City Clerk Bell noted that Council Member Reeves wrote letter of support in approving the 2014 Levy and Budget.

**III. ANIMAL ORDINANCE AMENDMENT INTRODUCTION**

City Clerk Bell provided overview of the proposed animal ordinance and the timeline staff would like to formally bring items to Council. It was explained that the purpose of the proposed amendments was to clarify the current regulation of animals in the city as well as increase the efficiency in administration.

Clerk Bell pointed out the current animal code. He noted that chickens and bees require a minimum of 10 acres. Many metro cities are allowing chickens and bees on smaller lots. The City has received many similar requests in Lake Elmo. Mr. Bell noted that the livestock ordinance was being looked at for amendment in order to allow the keeping of chickens and bees on lots smaller than 10 acres.

Council Member Bloyer said the type of proposal is exactly what he is asking for by submitting the proposal ahead of time and providing the old and proposed code language.

The number of animals was discussed in regards to more rural properties. One option doing it by zoning area. City Administrator Zuleger explained that the impetus for licensing is a public health and safety reason. It was noted the dangerous dog portions were kept intact. Staff thanked the Council for input and looks forward to more feedback on the proposal. Also discussed was the licensing of cats and nuisance barking. City Clerk Bell invited Council feedback on the proposed ordinance.

*No formal action requested.*

*Mayor Pearson adjourned the meeting at 7:32 p.m.*

**LAKE ELMO CITY COUNCIL**

ATTEST:

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

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

**LAKE ELMO CITY COUNCIL MINUTES  
OCTOBER 15, 2013**

**CITY OF LAKE ELMO  
CITY COUNCIL MINUTES  
OCTOBER 15, 2013**

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

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

**ABSENT: Council Member**

Also Present: City Administrator Zuleger, Associate City Attorney Brekken, City Engineer Griffin, Finance Director Bendel, and City Clerk Bell.

**PLEDGE OF ALLIGENCE**

**APPROVAL OF AGENDA**

*MOTION: Council Member Smith moved **TO APPROVE THE OCTOBER 15, 2013 CITY COUNCIL AGENDA AS AMENDED.** Council Member Nelson seconded the motion. **MOTION PASSED 5-0.***

**ITEM 1: ACCEPT MINUTES**

***THE OCTOBER 1, 2013 CITY COUNCIL MINUTES WERE APPROVED AS AMENDED BY CONSENSUS OF THE CITY COUNCIL.***

**SPEAK YOUR PEACE - REEVES**

Council member reeves spoke on Speak Your Peace and “ping pong” discussions, which entails not truly listening, but planning what will be said next. What is needed is effective and active listening. He then explained a few techniques to listen actively: don’t interrupt, ask questions, don’t be judgmental, use positive body language, and practice, practice, practice. Mr. Reeves also commended Council Member Nelson for his listening and good questions.

**PRESENTATIONS**

**Washington County**

a. County Commissioner Gary Kriesel on Highway 5 Traffic Safety Grant

Commissioner Kriesel announced County has received \$462,000 for 2015 FY for right turn lanes and traffic signal for Hwy 15 and CSAH 17. Project will be a benefit to trunk highway system and local community. Washington County has been very pleased with Lake Elmo staff and the working relationship that has been built. Comm. Kriesel introduced some of other Washington County staff with him and thanked citizens for getting involved.

Mayor Pearson thanked Commissioner Kriesel for his work.

b. Gateway Corridor BRT/LRT Planning

Washington County Commissioner Weik spoke about the gateway corridor. Noted the DEIS (draft environmental impact statement). Introduced Andy Gitzlaff explained process and the BRT/LRT study. He explained the differences of Bus Rapid Transit and Light Rail Transit. BRT is half the cost of LRT. Explained what the DEIS is. There is a federally prescribed process. He then presented an overview of EIS issues. Mr. Gitzlaff explained the options and provided a map of the options. Also presented was the timeline and schedule. Group is about to enter scoping phase. The parties involved were noted.

Mayor Pearson commended Commissioner Weik for her well run meetings and hard work.

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c. West Side Access Plan for the Lake Elmo Regional Park Reserve

Peter Mott, Washington County Planning Director, spoke on accessing park from the west. Great experience working with staff and community. Study 15 years ago identified two access points. One access point is off Inwood Ave. and one off 15<sup>th</sup> street. Group held meetings with community members and staff in both Oakdale and Lake Elmo. One of the goals is to promote healthy living by improving access to park. Mr. Mott gave an overview of the trail plans and explained project outcomes.

Council Member Smith asked about whether county was aware that development is planned in the Old Village and that those residents have long been calling for access from downtown. Mr. Mott said that the county wants to conduct another study to look at additional east side access. Both acknowledged that funds are limited. Motts noted that this is also a regional plan.

Council Member Bloyer asked about cost estimates. Mr. Motts said that the costs have been estimated and would be in the several million dollar range. Council thanked Washington County for all their presentations.

**CONSENT AGENDA**

2. Approve Payment of Disbursements and Payroll in the Amount of \$736,431.48
  3. Accept Financial Report dated September 30, 2013
  4. Accept Building Permit Report dated September 30, 2013
  5. Keats MSA Street and Trunk Watermain Improvements – Change Order 5.
  6. Keats MSA Street and Trunk Watermain Improvements – Pay Request No. 5.
  7. Production Well No. 4 – Pay Request No. 3.
  8. Lake Elmo Sewer Infrastructure Improvements: I-94 to 30th St. – Pay Request No. 1.
  9. Lake Elmo Sewer Infrastructure Improvements: I94 to 30th Street - Change Order No. 1
  10. Approve Resolution No. 2013-87, Approving Tax Forfeited Parcels for Public Auction;
- MOTION: Council Member Nelson moved **TO APPROVE THE CONSENT AGENDA**. Council Member Bloyer seconded the motion. **MOTION PASSED 5-0.***

**REGULAR AGENDA**

**ITEM 12: VARIANCE - 09.029.21.22.0025 (HILL TRAIL NORTH); RES. 2013-82**

Planning Director Klatt provided an update on the variance application and background and current status.

Council Member Bloyer asked Mr. Klatt about a variance denial at 8160 Hill Trail. Council Member Smith said she was a part of the denial back in 2006 or 2008. Parcel in question was tip of peninsula. Application was for 5000-6000 sq. ft. home. Council asked applicants to bring back another more reasonable plan. No plan brought back yet. There were concerns about the septic system impact of that size. Council at that time was hesitant to set a precedent granting the variance.

Mr. Klatt noted another variance south of Lake Jane, but it did not have any shoreline issues.

Council Member Reeves asked why the Planning Commission recommended denial, but staff recommended granting. Mr. Klatt provided explanation. Staff believed application met the comp plan guidance, unique circumstances existed, fit within the traditional neighborhood character, practical difficulties existed, and met eh county septic requirements. Mr. Reeves asked when staff found granting variance would not negatively affect the character, what was the size? Applicant stated that it would be a 2900 foot print resulting in 5800 sq. ft. Mr. Reeves also asked about Washington County's septic approval. Mr. Klatt said resident would be better source for what changed.

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Mayor Pearson asked about similar size lots and the domino effect. Mr. Boyer asked about how many others would come to ask for variance. Mr. Klatt explained the research and staff findings. 12 vacant lots adjacent to other properties and therefore non-buildable. Eight were not tied to other property, but lot sizes and other factors would limit the number to about 3 as eligible for variances. This included all three lakes. Mr. Klatt further explained the septic requirements.

Ms. Smith asked if changing the ordinance was more appropriate instead of granting the ordinance. Associate City Attorney Brekken said that changing the ordinance is an option, but it is ultimately a council policy decision. Mr. Boyer asked Mr. Klatt which way was better way to go. Grant variance or change allowed lot size to ½ acre. Mr. Klatt noted that at the time the area was plotted, different rules were in place. Whatever is done now, the future considerations of sewer and water need to be carefully considered. County septic requirements are going to limit the number of future variances.

**Public comment:**

**Carl Abrahamson** 8061 Hill Trail N., spoke on the 201 systems put in by the county. He gave overview on the surrounding systems that are experiencing problems. He is concerned about the impact of more septic systems. Claims there are already a lot of houses in area.

Mayor Pearson inquired about the 201 systems. Jack said he was not familiar with those systems and the locations. Mayor Pearson asked if Mr. Abrahamson was interested in sewer. He answered in the affirmative. Council Member Smith asked Griffin about the downtown 201 systems. Griffin said that the downtown systems are a bit different.

Council Member Boyer said that his opinion has changed regarding sewer in the lakes area. He noted that the Hanson's land is able to accommodate a septic and it is his land. The City needs to be careful not to take people's land. Also look at providing sewer in the future.

**Dick Nelson** 8123 Hill Trail N., located right across from parcel. He noted that the Planning Commission determined that the standards were not met. He wants council to take a stand and deny the variance.

**Bonnie Weisbrod** 8111 Hill Trail N., her opinion is lot is too small for septic system. She explained the problems with water on her low lying lot. She is concerned about the impact of the water that will run on her land as a result of the house being built. He claimed it was unbuildable when the Hanson's bought it.

**Steve Iverson** 8108 Hill Trail N., concerned about the possibility of there also being a basement. He believes it is a mistake to allow building on lots this size. He claimed that the reasons in favor of granting are opinion based. He alleged the reasons against the variance are fact based.

**Gregory Collins** representing Amy Gustafson - 8120 Hill Trail N., spoke about the comp plan and the lot's size. He also spoke about the comp plan requiring 20,000 sq. ft. available for sewage treatment and second available drain field site. He claimed that the lot only has 2,400 sq. ft. available and believes council should not grant the variance.

**Bruce Malkerson** representing Hanson's, noted that his letter submitted laid out the reasons for granting the variance. He noted that the Lake Elmo standards are beyond the state standards and may not even be upheld. He went over a couple points from the letter - reasonableness and uniqueness. He asserted the knowledge of build or unbuild-ability should not be considered for uniqueness.

Council Member Reeves asked about differences between county standards for septic and city standards regarding space. Mr. Klatt said that the city turned over septic regulation about three years ago and adopted by reference the county standards. The differences were: frequency of pumping; and lot sizes. He noted that the county did find that there was space for primary and secondary sites. Mr. Reeves asked the Associate City Attorney which standards the City needs to follow. Mr. Brekken said that it is the council's discretion in granting variances and that the

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Council's findings should be directed towards the pertinent questions. Mr. Reeves is empathetic with many of the concerns, but wants to know where city should "hang its hat." He would rather rely on the County, who is responsible for septic, on whether the septic is an issue. Mr. Brekken reiterated that County and City staff would have more expertise on details for septic, but there is state statutory structure.

Council Member Bloyer asked about who is the authority for septic. Mr. Klatt said Washington County; however, variances that involve septic are the purview of the City. Mr. Klatt recalled the discussions regarding the size standards for septic.

Council Member Smith again reiterated her opinion that the ordinance should be changed. She also has concerns about offending the same people who were involved in the water surface use debate. Mr. Pearson noted that the purpose of the variance is to vary from the code. It is his opinion that it is not prudent to amend code every time a variance is needed.

Council Member Reeves reiterated his empathy. He believes that taking a stand would be looking at the rules and the fact before the Council. He is trying hard to apply fact and not emotion. He wants to follow rule of law. Ms. Smith noted she took a walk on property with Mr. Hanson. Great walk, but is basing her decision on what council has done in the past and apply the ordinance. She noted that the property is steep and the surrounding issues with the existing septic.

Council Member Nelson asked about the motion to make. Council Member Bloyer stated he concurred with Mr. Reeves.

**Dean Dworak** 12325 Upper Heather, Hugo: Variance applicant was in attendance.

**Paul Hansen** 8024 Hill Trail North: Variance co-applicant and owner was also in attendance.

*MOTION: Council Member Bloyer moved **TO APPROVE RESOLUTION 2013-82, A RESOLUTION GRANTING THE VARIANCE REQUESTED AT 09.029.21.22.0025 (HILL TRAIL NORTH) TO ALLOW FOR THE CONSTRUCTION OF A SINGLE FAMILY HOME ON A LOT THAT IS NOT CONSIDERED A BUILDABLE LOT OF RECORD, BASED UPON MEETING ALL REQUIRED FINDINGS NECESSARY TO GRANT THE VARIANCE AS AMENDED SUBJECT TO CONDITIONS.** Council Member Nelson seconded the motion.*

Council Member Nelson asked about the staff conditions. Mr. Klatt said those conditions should be a part of the motion. Mr. Nelson asked Mr. Bloyer about a friendly amendment. Council Member Bloyer accepted the friendly amendment.

Council Member Smith said that the Council should amend the ordinance if it wants to grant the variance. Mayor Pearson noted that he voted for denial last time based on a misunderstanding on the purchase situation. He has since received additional information.

Mr. Brekken reminded council to consider that while the owner's knowledge cannot be used solely to grant or deny but can be considered. Mayor Pearson said it does fit the neighborhood and is a reasonable request. Ms. Smith noted that the Hansons bought the parcels separately (4 and 2) and should have known it would not be buildable. Mayor Pearson also noted that additional conditions must be met.

Mr. Bloyer asked about the plan itself. Mr. Klatt said planners have seen a site plan and general overview plans, but not specific house plans. Mr. Bloyer does not think it appropriate to consider the size of the house. Council discussed of what size is appropriate, and whether it fits the character of the neighborhood.

***MOTION PASSED 4-1 (SMITH – NAY).***

**ITEM 13: ADOPT ANIMAL CODE AMENDMENT; ORD. 08-088, RES. 2013-88, ORD. 08-089**

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City Clerk Bell explained the purpose for bringing the amendment and proposal itself. He noted that the questions received from council have been incorporated in the updated proposal. He explained that the definition of a Kennel will need to be amended to allow a greater number of dogs. This will need to be brought to the Planning Commission because part of the definition is in the Livestock section of the Zoning Code.

Council Member Reeves asked about the different charges for altered versus unaltered dogs. Mr. Bell said that it is a common practice based on the research staff conducted. Staff estimates that less than 5% of the currently licensed dogs are unaltered, and therefore staff does not expect the upcharge to be an onerous burden on the public. Clerk Bell noted that there is a state requirement for licensing of dogs.

Clerk Bell went through the changes that the Council suggested. One was the number of animals. Another question was section 10.99. That section is the city penalty language. Another was concern about 4<sup>th</sup> Amendment and warrantless entry on property. Additional safeguard language was added. Animals in heat had a typo corrected. Dangerous dog designations were explained. It is done by the Animal Control Officer or Sheriff's Deputies. They follow the state definition.

Clerk Bell noted that there is also a summary publication and fee ordinance included.

Council Member Boyer voiced his concern about the animal seizure sections and the positive enabling city agents to enter private property. Clerk Bell responded that staff was cognizant of the 4<sup>th</sup> Amendment and property rights issues while drafting the language, staff also sought to find balance between the ability to enforce the code and creating a situation where the Animal Control Officer could not do his or her job. Mr. Bell stated that despite Council's past unease with trusting City agents, a certain level of trust will be required for provisions such as these. Council Member Nelson said he accepted the fact that it is about practicality, and that he did not believe there would be many instances at all of problem situations. Mr. Reeves also noted that it is ultimately about public health and safety.

***MOTION: Council Member Smith moved TO APPROVE ORDINANCE 09-88, WHICH AMENDS THE ANIMALS CHAPTER OF THE CURRENT CITY CODE. Council Member Reeves seconded the motion. MOTION PASSED 4-1 (BOYER- NAY)***

***MOTION: Council Member Smith moved TO APPROVE Resolution 2013-88, AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 08-088. Council Member Reeves seconded the motion. MOTION PASSED 5-0.***

***MOTION: Council Member Smith moved TO APPROVE ORDINANCE 09-89, AN ORDINANCE AMENDING MUNICIPAL FEES. Council Member Pearson seconded the motion. MOTION PASSED 5-0.***

Mayor Pearson noted that he believes that there are a large number of unlicensed dogs and that he hopes that the City can do more to make the public aware and increase compliance. Council Member Nelson thanked staff for answering his questions and noting that the issue is really all about safety.

Council Member Boyer asked about multiple year licenses. Clerk Bell stated that multiple year licenses can be done, but it would require additional staff resources to monitor the rabies vaccinations that are required for a license.

**ITEM 14: STORM WATER ORDINANCE - APPROVING REVISIONS TO CITY CODE SECTION 150.277; ORD. 08-090, RES. 2013-89**

City engineer griffin provided overview of proposed amendment and the reasons for the changes. There are many changes occurring in the storm water world. State, federal and local watersheds are all making changes. The EPA is the federal entity and the Minnesota Pollution Control Agency is the

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state entity. MPCA Storm Water program has two general storm water permits. Mr. Griffin explained what those two permits were- MS4 permit regulating storm water in urbanized areas, and the construction storm water. He then provided further detail on each permit and what is involved. Lake Elmo is a mandatory MS4 permit City. The City is required to get reauthorized. Our application is due December 29, 2013. He noted any promises made in the application are binding on the city. The City must be careful to not promise something we cannot follow. The Construction storm water is statewide mandatory permit.

Mr. Griffin went over the recent changes. New language: MS4 Permits requires regulation of volume of discharge. Traditionally just the rate of discharge was regulated. Now volume discharge is regulated. The purpose is preserving water quality. Sediment and phosphorus are the main pollutants. Construction storm water permits are required for projects that disturb more than one acre. Now the project must include permanent storm water management regulating volume. Mr. Griffin then explained the differences between the changes for the state and the watershed.

Lake Elmo's ordinance is the most restrictive standard he has seen anywhere and makes it very difficult to manage. It forces developers to hire engineers to calculate storm water two different ways- one for the City and one for the watershed. Proposal adopts the state standard rules, which will remove the regulatory burden of duplicating efforts. The proposal only changes the rate and volume aspects of our criteria.

***MOTION: Mayor Pearson moved TO APPROVE, ORDINANCE 08-090 APPROVING REVISIONS TO SECTION 150.277 OF THE CITY CODE GOVERNING STORM WATER AND EROSION AND SEDIMENT CONTROL IN THE CITY OF LAKE ELMO. Council Member Nelson seconded the motion. MOTION PASSED 5-0.***

***MOTION: Mayor Pearson moved TO APPROVE, RESOLUTION 2013-89 AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 08-090. Council Member Reeves seconded the motion. MOTION PASSED 5-0.***

***MAYOR PEARSON POINT OF PRIVILEGE 9:28PM***

***RECONVENED 9:34PM***

**ITEM 15: ESTABLISH 2014 CITY OF LAKE ELMO GROWTH PROJECTIONS TO SUBMIT TO THE METROPOLITAN COUNCIL**

Planning Director Klatt provided overview and background of the discussions held with the Met Council and what Lake Elmo's goals are. He noted that he has worked with Mayor Pearson and Council Member Smith to devise the specific targets, which are 18,000 population by 2040 down from 24,000 by 2030 and 5,000 RECs down from 6,600. Mr. Klatt noted that the new RECs were based on the population target and spread out over the areas where development will occur as opposed to specifically focusing on how many should go where.

Council Member Reeves asked if Council Member Smith was okay with the village numbers as he knows she has worked on the issue for some time. Ms. Smith said she is comfortable with the numbers because they are flexible. She also noted that determining the REC counts is not an exact science because the future is unknown. Her only concern is that the city does not bite off more than it can chew. She is confident with the work that has been done.

***MOTION: Council Member Bloyer moved TO AUTHORIZE STAFF TO PRESENT THE PROPOSED 2040 FORECAST NUMBERS TO THE MET COUNCIL. Council Member Reeves seconded the motion. MOTION PASSED 5-0.***

Mr. Reeves thanked everyone who worked on this. Mr. Bloyer thanked everyone for the hard work.

*Council Member Smith left at 9:45 PM.*

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**ITEM 16: CONSIDER PARKS COMMISSION APPOINTMENT**

Mayor Pearson noted that he felt very good about Dana Nelson's interview.

*MOTION: Council Member Bloyer moved **TO APPOINT DANA NELSON OF 2871 LEGION AVENUE NORTH AS 1<sup>ST</sup> ALTERNATE ON THE LAKE ELMO PARKS COMMISSION, EFFECTIVE IMMEDIATELY.** Council Member Nelson seconded the motion. **MOTION PASSED 4-0.***

**ITEM 17: COUNCIL POLICY ON NON-COMPLIANT SEPTIC SYSTEMS IN OLD VILLAGE/  
POTENTIAL SEWER AREA**

City Administrator Zuleger provided overview of the non-compliant septic systems located in the old village due in part to the new regulations. Lake Elmo has sewer coming in the near future, so the city is trying to provide a bridge for the gap between failing/non-compliant systems and the new sewer connection. The two scenarios are 1) septic failure, which is considered an imminent health threat and will require an immediate holding tank; and 2) non-compliant systems, which would be required to connect as soon as sewer is available. Mr. Zuleger explained what the letter. It was noted that Washington County supports. Proposal was reviewed by city attorney and engineer.

Council Member Nelson asked if there was a funding source to help residents bridge the burden to hook up to these systems. Mr. Zuleger explained a couple possible sources but there are no specific funds known. Commissioner Kriesel has noted that legacy dollars may be available to protect surface water. It was explained that the City is not eligible for USDA funds for rural areas because Lake Elmo is part of metro area. Rep. McCollum may have some information federal funding.

City Engineer Griffin explained that most of the funding he knows of go off of median household income. Lake Elmo's median income is too high. Staff will look for and ask about additional sources. Council Member Bloyer asked if the state statutes require two years for connection. Associate City Attorney Brekken said he would check and get back to council. Mr. Griffin stated he believes it is two years.

Council Member Reeves stated that he would like to look into the potential issues near the lakes that residents mentioned during the variance discussion and see if there is anything that can be done.

Mayor Pearson thanked staff for communicating with residents about costs, but asked if there was anything else can be done. The costs and variables with connecting to sewer were discussed. It was estimated to be about \$20,000-\$25,000. Mr. Griffin noted that many of the projects may include multiple assessments because projects overlap (water, sewer, and roads).

*MOTION: Council Member Nelson moved **TO ADOPT THE GENERAL PROPERTY NOTICE REGARDING PRIVATE SEPTIC SYSTEMS RESIDING IN THE OLD VILLAGE OF LAKE ELMO DATED OCTOBER 15, 2013.** Council Member Bloyer seconded the motion.*

Mayor Pearson thinks it wonderful that City Administrator Zuleger did this. He thinks it's great. He applauds Mr. Zuleger for his efforts.

**MOTION PASSED 4-0.**

**SUMMARY REPORTS AND ANNOUNCEMENTS**

**Council Member Nelson:** no report, but noted his conversations with Mr. Zuleger about sewer for lakes and possible partnership with Oakdale.

**Mayor Pearson:** after investigation, he thinks that staff did exemplary work and responded appropriately to recent resident issues.

**Council Member Bloyer:** concurred with Council Member Nelson.

**LAKE ELMO CITY COUNCIL MINUTES  
OCTOBER 15, 2013**

**Council Member Reeves:** working on parks commission retreat summary. It is going to be outcomes based; preparing for upcoming Human Resources Committee meeting; working with Alyssa on a school project for Speak Your Peace. On October 25<sup>th</sup>, there is an event at the grade school. Council Member Nelson gave kudos to Mr. Reeves for promoting it. Mr. Reeves gave judos to Mr. Zuleger and Alyssa MacLeod for doing the Speak Your Peace project

**Council Member Smith:** no report (Absent for reports)

**City Administrator Zuleger:** HR meeting coming up; EDA meeting on 10/23 at 6:30PM; noted Parks Commission meets next week.

**Associate City Attorney Brekken:** no report

**Planning Director Klatt:** Planning Commission approved village mixed use ordinance; staff is hoping to have village comp plan amendment finalized in next 30 days; continuing to work with MNDOT aeronautics and MAC on airport issues.

**City Engineer Griffin:** several projects are busy; wrapping up Keats Ave; Three feasibility reports are coming to Council; upcoming closure on 30<sup>th</sup> street for four working days and over the weekend as part of the Lake Elmo Ave sewer project. Notices and mailings are being sent out.

**Finance Director Bendel:** held initial Finance Committee meeting. The committee outlined expectations and goals; storm water assessments certified to county. About 75% were resolved; 3<sup>rd</sup> quarter water bills will be going out; street assessments are due by end of November; completing updating capital fund and enterprise budgets.

**City Clerk Bell:** provided update on tax forfeitures in the city. One commercial property was approved tonight for sale. 12 properties in Whistling Valley are still pending. Staff is working with Washington County to have the HOA take responsibility for them. Council Member Nelson asked if the City could acquire them. Mr. Bell explained that if the City were to acquire them, the lots must be used for a public purpose. However, because of the nature of the lots being subject to conservation easements and several of them including septic systems, the City's options are very limited. At this time, staff recommends that the HOA pay for them. It was explained that the developer agreement is silent on where the properties should go, but the HOA covenants do direct the developer to transfer the lots to the HOA. Unfortunately, that never happened.

**Mayor Pearson adjourned the meeting at 10:00 PM.**

**LAKE ELMO CITY COUNCIL**

ATTEST:

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

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



**MAYOR AND COUNCIL COMMUNICATION**

DATE: 11/06/2013

**CONSENT**

ITEM #: 3

**AGENDA ITEM:** Approve Disbursements in the Amount of \$286,015.19

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

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

**SUMMARY AND ACTION REQUESTED:** As part of its Consent Agenda, the City Council is asked to approve disbursements in the amount of \$286,015.19 No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

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

Claim #	Amount	Description
ACH	\$ 11,846.63	Payroll Taxes to IRS & MN Dept of Revenue 10/17/13
ACH	\$ 5,915.43	Payroll Retirement to PERA 10/17/13
DD4997- D5041	\$ 34,592.20	Payroll Dated (Direct Deposits) 10/17/13
40518-40519	\$ 187.00	Accounts Payable Manual 10/15/13 & 10/24/13
ACH	\$ 10,652.28	Payroll Taxes to IRS & MN Dept of Revenue 10/31/13
ACH	\$ 5,910.90	Payroll Retirement to PERA 10/31/13
DD5042- D5070	\$ 28,387.87	Payroll Dated (Direct Deposits) 10/31/13
40520-40580	\$ 187,802.88	Accounts Payable 11/06/13
2100-2011	\$ 720.00	Library Card Reimbursement 11/06/13
<b>TOTAL</b>	<b>\$ 286,015.19</b>	

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

**RECOMMENDATION:** It is recommended that the City Council approve as part of the Consent Agenda proposed disbursements in the amount of \$286,015.19.

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

**“Move to approve the November 06, 2013, Disbursements as  
Presented *[and modified]* herein.”**

**ATTACHMENTS:**

1. Accounts Payable – Check Registers

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

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

# Accounts Payable To Be Paid Proof List

User: JOAN Z

Printed: 10/15/2013 - 3:01 PM

Batch: 032-10-2013

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
FIORILLO Fiorillo Megan										
10/15/2013	10/15/2013	55.00	0.00	10/15/2013	Cable Operations	9/17/13	.			0000
101-410-1450-43620	Cable Operations									No
	10/15/2013 Total:	55.00								
	FIORILLO Total:	55.00								
	Report Total:	55.00								

# Accounts Payable To Be Paid Proof List

User: denise  
 Printed: 10/24/2013 - 8:57 AM  
 Batch: 033-10-2013

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
MCMA MN City/County Mgmt. Assoc. May 01 2013 101-410-1320-44330	10/24/2013	132.00	0.00	10/24/2013	MCMA-Mbrship	5/1/13 - 4/30/14	-			0000
Dues & Subscriptions May 01 2013 Total:		132.00								
MCMA Total:		132.00								
Report Total:		132.00								

# Accounts Payable To Be Paid Proof List

User: denise

Printed: 10/30/2013 - 1:28 PM

Batch: 035-10-2013

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
ADVANCED Advanced Eng & Environ Svs Inc										
36088	09/26/2013	1,504.00	0.00	10/31/2013	Production Well#4 Services 9/1-9/30/13		-	No		0000
601-494-9400-43030	Engineering Services	1,504.00								
	36088 Total:	1,504.00								
	ADVANCED Total:									
AIRGAS Airgas USA, LLC										
9912949849	10/01/2013	35.78	0.00	10/31/2013	02 - C02 Tank/Maintenance Lease		-	No		0000
101-430-3100-43150	Contract Services	35.78								
	9912949849 Total:	35.78								
	AIRGAS Total:	35.78								
ANCOM ANCOM Communications, Inc.										
101-4202220-432	08/21/2013	125.31	0.00	10/31/2013	Pager Repair - Fire Dept		-	No		0000
101-420-2220-43230	Radio	101.77								
101-4202220-432	08/21/2013	101.77	0.00	10/31/2013	Pager Repair - Fire Dept		-	No		0000
101-420-2220-43230	Radio	227.08								
	101-4202220-432 Total:	227.08								
	ANCOM Total:	227.08								
ASPENMI Aspen Mills, Inc.										
140755	10/09/2013	119.90	0.00	10/31/2013	#140755-Boots, N Malmquist Fire Dpt		-	No		0000
101-420-2220-44170	Uniforms	119.90								
	140755 Total:	119.90								
140756	10/09/2013	120.88	0.00	10/31/2013	#140756-Nametags Fire Dpt		-	No		0000
101-420-2220-44170	Uniforms	120.88								
	140756 Total:	120.88								
	ASPENMI Total:	240.78								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
BERTELSON Bertelson's										
WO-887408-1	10/15/2013	41.40	0.00	10/31/2013	Office Supplies - Administration		-	No		0000
101-410-1320-42000	Office Supplies									
	WO-887408-1 Total:	41.40								
WO-887898-1	10/22/2013	50.98	0.00	10/31/2013	Office Supplies - Administration		-	No		0000
101-410-1320-42000	Office Supplies									
	WO-887898-1 Total:	50.98								
	BERTELSON Total:	92.38								
BIFFS Biff's Inc.										
W509178-W509187	10/16/2013	781.29	0.00	10/31/2013	Portable Restrooms- Parks		-	No		0000
101-450-5200-44120	Rentals - Buildings									
	W509178-W509187 Total:	781.29								
	BIFFS Total:	781.29								
CARDMEMB Cardmember Service										
10/22/2013	10/22/2013	15.39	0.00	10/31/2013	Breakfast 3M- D Zuleger VISA		-	No		0000
101-410-1320-44300	Miscellaneous									
10/22/2013	10/22/2013	71.24	0.00	10/31/2013	Carbone's Pizza - D Zuleger VISA		-	No		0000
101-410-1320-44300	Miscellaneous									
10/22/2013	10/22/2013	40.00	0.00	10/31/2013	Lake Elmo Inn - D Zuleger VISA		-	No		0000
101-410-1320-44300	Miscellaneous									
10/22/2013	10/22/2013	56.41	0.00	10/31/2013	Park Retreat Rainbow Food - D Zuleger		-	No		0000
101-450-5200-44300	Miscellaneous									
10/22/2013	10/22/2013	100.90	0.00	10/31/2013	Keys Cafe 10/16 & 10/21 - D Zuleger		-	No		0000
101-410-1320-44300	Miscellaneous									
10/22/2013	10/22/2013	0.75	0.00	10/31/2013	St Paul Public Wks - D Zuleger		-	No		0000
101-410-1320-44300	Miscellaneous									
10/22/2013	10/22/2013	5.00	0.00	10/31/2013	Parking Impark 9/18 A Bell		-	No		0000
101-410-1320-44300	Miscellaneous									
10/22/2013	10/22/2013	6.99	0.00	10/31/2013	Target - Coffee - 9/23/ A Bell		-	No		0000
101-410-1320-44300	Miscellaneous									
10/22/2013	10/22/2013	351.98	0.00	10/31/2013	Tiger Direct 9/20 A Bell		-	No		0000
101-410-1910-43180	Information Technology/Web									
10/22/2013	10/22/2013	144.92	0.00	10/31/2013	Tiger Direct 9/20 A Bell		-	No		0000
101-410-1320-43180	Information Technology/Web									
10/22/2013	10/22/2013	144.92	0.00	10/31/2013	Tiger Direct 9/20 A Bell		-	No		0000
101-420-2400-43180	Information Technology/Web									
10/22/2013	10/22/2013	22.54	0.00	10/31/2013	Target-NPL PIPO Coffee- A Bell		-	No		0000
101-410-1320-44300	Miscellaneous									
10/22/2013	10/22/2013	22.06	0.00	10/31/2013	Target MP Water PIPO - A Bell		-	No		0000
101-410-1320-44300	Miscellaneous									
10/22/2013	10/22/2013	408.00	0.00	10/31/2013	CTC Email Marketing - C Bendel		-	No		0000
101-410-1450-43090	Newsletter									



Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	Oct 19 2013 Total:	163.86								
	CENTURYL Total:	163.86								
CONLEYMO Conley Morgan										
	Cable Oper1014 10/14/2013	55.00	0.00	10/31/2013	Cable Operations-10/14 Planning Com(4hr)		-	No		0000
	101-410-1450-43620 Cable Operations	61.88	0.00	10/31/2013	Cable Operations-10/28 Planning Com(4.5)		-	No		0000
	Cable Oper1014 10/14/2013	116.88								
	101-410-1450-43620 Cable Operations	116.88								
	Cable Oper1014 Total:	116.88								
	CONLEYMO Total:	116.88								
DWINC D.W. INC.										
	210410 10/15/2013	138.09	0.00	10/31/2013	Repair Chain Saw for Ranger-Fire Dpt		-	No		0000
	101-420-2220-44040 Repairs/Maint Eqpt	138.09								
	210410 Total:	138.09								
	DWINC Total:	138.09								
EMERGAPP Emergency Apparatus Maint. INC										
	71069 10/16/2013	953.35	0.00	10/31/2013	Emergency Repair Brakes T2-Fire Dept		-	No		0000
	101-420-2220-44040 Repairs/Maint Eqpt	953.35								
	71069 Total:	953.35								
	EMERGAPP Total:	953.35								
EMERGAUT Emergency Automotive Tech, Inc										
	22137 10/28/2013	963.00	0.00	10/31/2013	CV1 Siren Repair - Fire Dept		-	No		0000
	101-420-2220-44040 Repairs/Maint Eqpt	963.00								
	22137 Total:	963.00								
	EMERGAUT Total:	963.00								
ENVENTIS Enventis										
	Acct 738507 10/01/2013	57.05	0.00	10/31/2013	Telephone/Data Ser - City Hall Oct 2013		-	No		0000
	101-410-1940-43210 Telephone	57.05								
	Acct 738507 Total:	57.05								
	ENVENTIS Total:	57.05								
FASTENAL Fastenal Company										
	MNOAK4808 10/10/2013	11.04	0.00	10/31/2013	Hardware		-	No		0000
	101-450-5200-42210 Equipment Parts	11.04								
	MNOAK4808 Total:	11.04								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
FASTENAL Total:		11.04								
FIORILLO Fiorillo Megan										
CableOper101513	10/15/2013	55.00	0.00	10/31/2013	Cable Operations (4hrs)	10/15 CC Meeting	-	No		0000
101-410-1450-43620	Cable Operations									
CableOper101513 Total:		55.00								
FIORILLO Total:		55.00								
FOCUS Focus Engineering, Inc.										
847 & 848	10/27/2013	2,303.11	0.00	10/31/2013	General Engineering		-	No		0000
101-410-1930-43030	Engineering Services									
847 & 848	10/27/2013	566.50	0.00	10/31/2013	General Engineering - Planning		-	No		0000
101-410-1910-43030	Engineering Services									
847 & 848 Total:		2,869.61								
849	10/27/2013	1,675.00	0.00	10/31/2013	General Engineering-VRA -Building		-	No		0000
101-420-2400-43030	Engineering									
849	10/27/2013	632.62	0.00	10/31/2013	General Engineering-VRA - Planning		-	No		0000
101-410-1910-43030	Engineering Services									
849	10/27/2013	81.50	0.00	10/31/2013	General Engineering-VRA - Cap Proj		-	No		0000
404-480-8000-43030	Engineering Services				Parks					
849	10/27/2013	586.75	0.00	10/31/2013	General Engineering-VRA - ROW		-	No		0000
101-430-3100-43030	Engineering Services									
849	10/27/2013	683.00	0.00	10/31/2013	General Engineering-VRA - Water		-	No		0000
601-494-9400-43030	Engineering Services									
849	10/27/2013	649.00	0.00	10/31/2013	General Engineering-VRA - Sewer		-	No		0000
602-495-9450-43030	Engineering Services									
849	10/27/2013	3,558.50	0.00	10/31/2013	General Engineering-VRA - Surface		-	No		0000
603-496-9500-43030	Engineering Services				Water					
849 Total:		7,866.37								
850	10/27/2013	591.06	0.00	10/31/2013	Transportation & Traffic Systems		-	No		0000
409-480-8000-43030	Engineering Services									
850	10/27/2013	147.50	0.00	10/31/2013	Street Maintenance		-	No		0000
409-480-8000-43030	Engineering Services									
850	10/27/2013	1,156.00	0.00	10/31/2013	Capital Improvement Planning		-	No		0000
409-480-8000-43030	Engineering Services									
850	10/27/2013	2,530.17	0.00	10/31/2013	2013 Crack Seal Project		-	No		0000
409-480-8000-43030	Engineering Services									
850	10/27/2013	662.56	0.00	10/31/2013	Trunk Highway 37 Corridor Planning		-	No		0000
409-480-8000-43030	Engineering Services									
850	10/27/2013	531.00	0.00	10/31/2013	State Hwy 5 Traffic Mgmt & Safety		-	No		0000
409-480-8000-43030	Engineering Services				Improv					
850 Total:		5,618.29								
851	10/27/2013	88.50	0.00	10/31/2013	Village Area Infrastructure Planning		-	No		0000
409-480-8000-43030	Engineering Services									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
851 Total:		88.50								
852	10/27/2013	413.00	0.00	10/31/2013	10th Street Infrastructure Planning		-		No	0000
420-480-8000-43030	Engineering Services									
852 Total:		413.00								
853	10/27/2013	717.00	0.00	10/31/2013	Demontreville Highlands Area Street Imp		-		No	0000
419-480-8000-43030	Engineering Services									
853 Total:		717.00								
854	10/27/2013	29.50	0.00	10/31/2013	Olson Lake Trail Sewer Ext. Feasibility		-		No	0000
409-480-8000-43030	Engineering Services									
854 Total:		29.50								
855	10/27/2013	918.25	0.00	10/31/2013	Inwood Ave Trunk Watermain		-		No	0000
601-494-9400-43030	Engineering Services									
855 Total:		918.25								
856	10/27/2013	467.50	0.00	10/31/2013	Water System Design Phasing Study		-		No	0000
601-494-9400-43030	Engineering Services									
856 Total:		467.50								
857	10/27/2013	2,430.67	0.00	10/31/2013	Keats Ave Watermain 43%		-		No	0000
601-494-9400-43030	Engineering Services									
857 Total:		2,430.67								
857	10/27/2013	3,222.06	0.00	10/31/2013	Keats Ave Street 57%		-		No	0000
409-480-8000-43030	Engineering Services									
857 Total:		3,222.06								
858	10/27/2013	5,652.73	0.00	10/31/2013	Lennar I-94 West Corridor		-		No	0000
203-490-9070-43030	Engineering Services									
858 Total:		5,652.73								
859	10/27/2013	1,229.62	0.00	10/31/2013	LE Ave Infrastructure 194 to 30th Street		-		No	0000
409-480-8000-43030	Engineering Services									
859 Total:		1,229.62								
860	10/27/2013	23,405.79	0.00	10/31/2013	Water System Funding Activities (Deeds)		-		No	0000
409-480-8000-43030	Engineering Services									
860 Total:		23,405.79								
861	10/27/2013	88.50	0.00	10/31/2013	Production Well Number 4		-		No	0000
601-494-9400-43030	Engineering Services									
861 Total:		88.50								
862	10/27/2013	846.50	0.00	10/31/2013	Section 34 Water 40%		-		No	0000
601-494-9400-43030	Engineering Services									
862 Total:		846.50								
862	10/27/2013	7,249.84	0.00	10/31/2013	Section 34 Sewer Extension 60%		-		No	0000
602-495-9450-43030	Engineering Services									
862 Total:		7,249.84								
863	10/27/2013	10,874.77	0.00	10/31/2013	CSAH 15(Manning Ave)Corridor Mgmt& Saf		-		No	0000
602-495-9450-43030	Engineering Services									
863 Total:		10,874.77								
864	10/27/2013	18,124.61	0.00	10/31/2013	Amaris Homes ( Montgomery Property)		-		No	0000
203-490-9070-43030	Engineering Services									
864 Total:		18,124.61								
864	10/27/2013	981.62	0.00	10/31/2013	Amaris Homes ( Montgomery Property)		-		No	0000
203-490-9070-43030	Engineering Services									
864 Total:		981.62								
864	10/27/2013	737.50	0.00	10/31/2013	Amaris Homes ( Montgomery Property)		-		No	0000
203-490-9070-43030	Engineering Services									
864 Total:		737.50								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
865	10/27/2013	442.06	0.00	10/31/2013	Landucci Property (Ryland)		-	No		0000
203-490-9070-43030	Engineering Services									
	865 Total:	442.06								
866	10/27/2013	447.50	0.00	10/31/2013	Well No 4 Connecting Watermain Imp Feas		-	No		0000
601-494-9400-43030	Engineering Services									
	866 Total:	447.50								
867	10/27/2013	1,190.25	0.00	10/31/2013	Pumphouse No 4		-	No		0000
601-494-9400-43030	Engineering Services									
	867 Total:	1,190.25								
868	10/27/2013	2,852.00	0.00	10/31/2013	LE Ave Trunk Watermain Imp Feas		-	No		0000
601-494-9400-43030	Engineering Services									
	868 Total:	2,852.00								
869	10/27/2013	59.00	0.00	10/31/2013	LE Ave Corridor Improvements		-	No		0000
409-480-8000-43030	Engineering Services									
	869 Total:	59.00								
	FOCUS Total:	75,045.70								
KAMCO Kamco, Corp										
4004	10/26/2013	550.00	0.00	10/31/2013	Cut & Removed Trees & Limbs Section 34		-	No		0000
603-496-9500-43150	Contract Services									
	4004 Total:	550.00								
	KAMCO Total:	550.00								
LAKEFIRE Lake Elmo Fire Department										
PettyCash	10/30/2013	21.01	0.00	10/31/2013	Postage -		-	No		0000
101-420-2220-42000	Office Supplies									
	PettyCash	15.38	0.00	10/31/2013	New Recruit Orientation		-	No		0000
101-420-2220-44300	Miscellaneous									
	PettyCash	48.57	0.00	10/31/2013	Training Meals		-	No		0000
101-420-2220-44370	Conferences & Training									
	PettyCash	23.56	0.00	10/31/2013	Equipment Parts		-	No		0000
101-420-2220-44040	Repairs/Maint Eqpt									
	PettyCash Total:	108.52								
	LAKEFIRE Total:	108.52								
LEAGMN League of MN Cities										
187524	09/01/2013	2,372.32	0.00	10/31/2013	Annual Mbrship Dues 9/1/13-12/31/13		-	No		0000
101-410-1110-44330	Dues & Subscriptions									
	187524	4,744.68	0.00	10/31/2013	Annual Mbrship Dues 1/1/14-8/31/14		-	No		0000
101-000-0000-15500	Prepaid Items									
	187524 Total:	7,117.00								
192347	09/01/2013	620.00	0.00	10/31/2013	Storm Water Coalition Contributions		-	No		0000
603-496-9500-44370	Conferences & Training									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	192347 Total:	620.00								
	LEAGMN Total:	7,737.00								
LEOIL Lake Elmo Oil, Inc.										
012360	09/30/2013	1,042.19	0.00	10/31/2013	Fuel		-	No		0000
101-430-3120-42120	Fuel, Oil and Fluids									
	012360 Total:	1,042.19								
012361	09/30/2013	2,594.20	0.00	10/31/2013	Fuel		-	No		0000
101-430-3120-42120	Fuel, Oil and Fluids									
	012361 Total:	2,594.20								
012362	09/30/2013	3,665.58	0.00	10/31/2013	Fuel		-	No		0000
101-430-3120-42120	Fuel, Oil and Fluids									
	012362 Total:	3,665.58								
	LEOIL Total:	7,301.97								
LOFF Loffler Companies, Inc.										
1643085	10/17/2013	879.65	0.00	10/31/2013	Copy Machines Overage & Base 9/10-10/9		-	No		0000
101-410-1940-44040	Repairs/Maint Contractual Eqpt									
	1643085 Total:	879.65								
	LOFF Total:	879.65								
LOGANSTY Logan & Styrbicki Court Report										
7698	09/30/2013	628.00	0.00	10/31/2013	Legal Services - Horning Matter #7698		-	No		0000
101-410-1320-43040	Legal Services									
	7698 Total:	628.00								
	LOGANSTY Total:	628.00								
MADDMN MADD Minnesota										
10/07/2013	10/07/2013	175.00	0.00	10/31/2013	Crash Car Fire Prevention/LE Days		-	No		0000
101-420-2220-42090	Fire Prevention									
	10/07/2013 Total:	175.00								
	MADDMN Total:	175.00								
MENARDST Menards - Stillwater										
28503	10/17/2013	40.27	0.00	10/31/2013	Burn Ignitor for Training Burn House		-	No		0000
101-420-2220-44370	Conferences & Training									
	28503 Total:	40.27								
	MENARDST Total:	40.27								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
MESSERLI Messerli & Kramer 290508 101-410-1320-43150 Contract Services	10/23/2013	1,000.00	0.00	10/31/2013	2013-2014 Legislative Repre	10/1-10/31	-	No		0000
290508 Total:		1,000.00								
MESSERLI Total:		1,000.00								
MIDWESTL Midwest Legal, LLC 11474 101-410-1320-43040 Legal Services	10/07/2013	225.32	0.00	10/31/2013	Legal Services - Horning Matter#11474		-	No		0000
11474 Total:		225.32								
11486 101-410-1320-43040 Legal Services	10/07/2013	50.00	0.00	10/31/2013	Legal Services - Horning Matter#11486		-	No		0000
11486 Total:		50.00								
MIDWESTL Total:		275.32								
MNADMIN State of Minnesota 485972 101-410-1320-43040 Legal Services	10/21/2013	247.50	0.00	10/31/2013	Legal Work-Karl s Horning Sept 2013		-	No		0000
485972 Total:		247.50								
MNADMIN Total:		247.50								
MNRURAL MN Rural Water Association Mbrshp Renewal 601-494-9400-44370 Conferences & Training	10/01/2013	225.00	0.00	10/31/2013	MN Rural Water Membership 2013-2014		-	No		0000
Mbrshp Renewal Total:		225.00								
MNRURAL Total:		225.00								
NEXTEL Nextel Communications 771950227-127 101-410-1940-43210 Telephone	10/18/2013	59.89	0.00	10/31/2013	Cell Phone Service - Administration		-	No		0000
771950227-127 101-420-2220-43210 Telephone	10/18/2013	223.00	0.00	10/31/2013	Cell Phone Service - Fire Dept		-	No		0000
771950227-127 101-420-2400-43210 Telephone	10/18/2013	46.04	0.00	10/31/2013	Cell Phone Service - Building Dept		-	No		0000
771950227-127 101-430-3100-43210 Telephone	10/18/2013	84.23	0.00	10/31/2013	Cell Phone Service - Public Wks Dpt		-	No		0000
771950227-127 101-450-5200-43210 Telephone	10/18/2013	91.01	0.00	10/31/2013	Cell Phone Service - Parks Dpts		-	No		0000
771950227-127 101-410-1450-43210 Telephone	10/18/2013	57.63	0.00	10/31/2013	Cell Phone Service - Taxpayer Services		-	No		0000
771950227-127 101-410-1910-43210 Telephone	10/18/2013	15.66	0.00	10/31/2013	Cell Phone Service - Planning Dpt		-	No		0000

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	771950227-127 Total:	577.46								
	NEXTEL Total:	577.46								
OAKDRC Oakdale Rental Center										
10091270	10/13/2013	18.16	0.00	10/31/2013	Propane		-	No		0000
101-430-3120-42240	Street Maintenance Materials									
10091270	10/13/2013	70.53	0.00	10/31/2013	Propane - Patching Trailer		-	No		0000
101-430-3120-42240	Street Maintenance Materials									
	10091270 Total:	88.69								
	OAKDRC Total:	88.69								
OFFICEMX OfficeMax										
415413	09/26/2013	179.91	0.00	10/31/2013	6CT Reim Case X 9x11 Inv#415413		-	No		0000
101-410-1320-42000	Office Supplies									
	415413 Total:	179.91								
728425	09/26/2013	182.36	0.00	10/31/2013	5CT Reim X 9x11 Paper Inv#728425		-	No		0000
101-410-1320-42000	Office Supplies									
	728425 Total:	182.36								
	OFFICEMX Total:	362.27								
ORSTEDLI Orsted Linda										
10/15/2013	10/15/2013	94.35	0.00	10/31/2013	Reimbursement Mileage L Orsted		-	No		0000
206-450-5300-43310	Mileage									
	10/15/2013 Total:	94.35								
	ORSTEDLI Total:	94.35								
POMPS Pump's Tire Service, Inc.										
210007169	09/27/2013	-397.88	0.00	10/31/2013	Invoice paid twice credit		-	No		0000
101-430-3125-44040	Repairs/Maint Eqpt									
	210007169 Total:	-397.88								
210080922	09/27/2013	506.90	0.00	10/31/2013	Tool Cat Tires -		-	No		0000
101-430-3125-44040	Repairs/Maint Eqpt									
	210080922 Total:	506.90								
210087503	10/24/2013	301.96	0.00	10/31/2013	Truck Tire Dodge 1 Ton Dump		-	No		0000
101-430-3125-44040	Repairs/Maint Eqpt									
	210087503 Total:	301.96								
	POMPS Total:	410.98								
RENLUNDT Renlund Terry										
10	10/22/2013	49.72	0.00	10/31/2013	Building Inspector Mileage		-	No		0000
101-420-2400-43310	Mileage									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
10	10/22/2013	216.00	0.00	10/31/2013	Building Inspector Services		-			0000
101-420-2400-43150	Inspector Contract Services									No
	10 Total:	265.72								
9	10/09/2013	405.00	0.00	10/31/2013	Building Inspector Services		-			0000
101-420-2400-43150	Inspector Contract Services									No
9	10/09/2013	86.45	0.00	10/31/2013	Building Inspector Mileage		-			0000
101-420-2400-43310	Mileage									No
	9 Total:	491.45								
	RENLUNDT Total:	757.17								
RIVRCOOP River Country Cooperative										
101-420-2220-42	09/30/2013	577.39	0.00	10/31/2013	Fuel		-			0000
101-420-2220-42120	Fuel, Oil and Fluids									No
	101-420-2220-42 Total:	577.39								
	RIVRCOOP Total:	577.39								
S&T S&T Office Products, Inc.										
01QA1930-3823	10/08/2013	123.90	0.00	10/31/2013	Office Supplies - Administration		-			0000
101-410-1320-42000	Office Supplies									No
01QA1930-3823	10/08/2013	14.16	0.00	10/31/2013	Office Supplies -Building		-			0000
101-420-2400-42000	Office Supplies									No
	01QA1930-3823 Total:	138.06								
01QA5668	10/16/2013	9.53	0.00	10/31/2013	Office Supplies -Administration		-			0000
101-410-1320-42000	Office Supplies									No
	01QA5668 Total:	9.53								
01QA7742 8217	10/22/2013	38.14	0.00	10/31/2013	Office Supplies -Administration		-			0000
101-410-1320-42000	Office Supplies									No
01QA7742 8217	10/22/2013	45.27	0.00	10/31/2013	Office Supplies -Planning		-			0000
101-410-1910-42000	Office Supplies									No
	01QA7742 8217 Total:	83.41								
	S&T Total:	231.00								
SAFEFAST Safe-Fast, Inc.										
INV 131826	10/10/2013	602.85	0.00	10/31/2013	Hi-Vis Safety jackets, sweat shirts,hats		-			0000
101-430-3100-44300	Miscellaneous									No
	INV 131826 Total:	602.85								
	SAFEFAST Total:	602.85								
SAMSLUB Sam's Club										
05331;77278110	10/07/2013	398.56	0.00	10/31/2013	Supplies - LE Days #005331		-			0000
204-450-5200-44300	Miscellaneous									No

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
05331;7727/8110	10/07/2013	320.75	0.00	10/31/2013	Supplies - LE Days #007727		-	No		0000
204-450-5200-44300	Miscellaneous									
05331;7727/8110	10/07/2013	-101.47	0.00	10/31/2013	Supplies Refunded - LE Days #008110		-	No		0000
204-450-5200-44300	Miscellaneous									
05331;7727/8110 Total:		617.84								
SAMSCCLUB Total:		617.84								
<hr/>										
SELECTAC SelectAccount										
964744	10/05/2013	5.49	0.00	10/31/2013	Participant Fee- 10/1/2013 - 10/31/2013		-	No		0000
101-410-1520-43150	Contract Services									
964744 Total:		5.49								
SELECTAC Total:		5.49								
<hr/>										
TASCH T.A. Schifsky & Sons Inc										
55681	10/15/2013	2,424.63	0.00	10/31/2013	Asphalt 10/15/2013		-	No		0000
101-430-3120-42240	Street Maintenance Materials									
55681 Total:		2,424.63								
55724	10/15/2013	143.75	0.00	10/31/2013	Asphalt 10/18/2013		-	No		0000
101-430-3120-42240	Street Maintenance Materials									
55724 Total:		143.75								
TASCH Total:		2,568.38								
<hr/>										
TDS TDS Metrocom - LLC										
651-779-8882	10/13/2013	146.38	0.00	10/31/2013	Analog Lines - Fire		-	No		0000
101-420-2220-43210	Telephone									
651-779-8882	10/13/2013	236.15	0.00	10/31/2013	Analog Lines - Public Works		-	No		0000
101-430-3100-43210	Telephone									
651-779-8882	10/13/2013	135.84	0.00	10/31/2013	Analog Lines - Lift Station Alarms		-	No		0000
602-495-9450-43210	Telephone									
651-779-8882	10/13/2013	47.48	0.00	10/31/2013	Arllarm Well House Station #2		-	No		0000
601-494-9400-43210	Telephone									
651-779-8882 Total:		565.85								
TDS Total:		565.85								
<hr/>										
TORQBUEDD Torqbuddy LLC										
2219	10/05/2013	4,328.44	0.00	10/31/2013	Hydrant/Gate Valve Exccriser		-	No		0000
601-494-9400-42400	Small Tools & Minor Equipment									
2219 Total:		4,328.44								
TORQBUEDD Total:		4,328.44								

Invoice #      Inv Date      Amount      Quantity      Pmt Date      Description      Reference      Task      Type      PO #      Close POLine #

WAS-SHER Washington County  
 76931      10/10/2013      54.50      0.00      10/31/2013      Code Red 7/2, 7/3, & 7/6 218 min      -      -      No      0000  
 101-420-2100-43150 Law Enforcement Contract

76931 Total:      54.50  
 WAS-SHER Total:      54.50

Report Total:      115,240.95

# Accounts Payable To Be Paid Proof List

User: denise  
 Printed: 10/30/2013 - 2:06 PM  
 Batch: 001-11-2013

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
ADVANCED	Advanced Eng & Environ Svs Inc									
36089	10/30/2013	1,197.34	0.00	11/06/2013	Water System Design Phasing Study-Phase	-	-	No		0000
601-494-9400-43030	Engineering Services						Water System Design Phasing Study-Phase			
	36089 Total:	1,197.34								
	ADVANCED Total:	1,197.34								
AMAZONIN	Amazon Inc									
Acct xxx0320404	10/10/2013	1,033.22	0.00	11/06/2013	Books & DVD's-Library	-	-	No		0000
206-450-5300-42500	Library Collection Maintenance						Books & DVD's- Library			
	Acct xxx0320404 Total:	1,033.22								
	AMAZONIN Total:	1,033.22								
BANYON	Banyon Data Systems, Inc.									
150592	11/01/2013	663.00	0.00	11/06/2013	Banyon Annual Software Support	-	-	No		0000
601-494-9400-43180	Software Support						Banyon Annual Software Support			
150592	11/01/2013	442.00	0.00	11/06/2013	Banyon Annual Software Support	-	-	No		0000
603-496-9500-43180	Software Support						Banyon Annual Software Support			
	150592 Total:	1,105.00								
	BANYON Total:	1,105.00								
BASTYRJE	Bastry Jed									
10/14/2013	10/14/2013	500.00	0.00	11/06/2013	Refund Escrow #8989 11619 58th St	-	-	No		0000
803-000-0000-22900	Deposits Payable									
	10/14/2013 Total:	500.00								
	BASTYRJE Total:	500.00								
BOLTONME	Bolton & Menk, Inc									
160592	09/30/2013	4,405.88	0.00	11/06/2013	2013.132 Pumphouse No 4 Design Consultant	-	-	No		0000
601-494-9400-43030	Engineering Services						2013.132 Pumphouse No.4 Design Consultant			

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
160592 Total:		4,405.88								
BOLTONME Total:		4,405.88								
BRAUN Braun Intertec Corporation										
603464	10/11/2013	1,951.11	0.00	11/06/2013	Keats MSA Street Watermain Impr	-	-	No		0000
409-480-8000-43030	Engineering Services				Keats MSA Street and Trunk Watermain Imp					
603464	10/11/2013	1,471.89	0.00	11/06/2013	Keats MSA Street Watermain Impr	-	-	No		0000
601-494-9400-43030	Engineering Services				Keats MSA Street and Trunk Watermain Imp					
603464 Total:		3,423.00								
BRAUN Total:		3,423.00								
CARDBLDR Cardinal Home Builders, Inc.										
10/10/2013		5,000.00	0.00	11/06/2013	Refund Escrow #8793; 8961 37th Street	-	-	No		0000
803-000-0000-22900	Deposits Payable				Refund Escrow #8793; 8961 37th Street					
Total:		5,000.00								
CARDBLDR Total:		5,000.00								
CREATHOM Creative Home Construction										
10/25/2013	10/25/2013	5,000.00	0.00	11/06/2013	Refund Escrow #8173 2959 Jonquil Trail	-	-	No		0000
803-000-0000-22900	Deposits Payable									
10/25/2013 Total:		5,000.00								
CREATHOM Total:		5,000.00								
DELTA Delta Dental Of Minnesota										
5279526	10/15/2013	1,871.20	0.00	11/06/2013	November 2013 Dental Coverage	-	-	No		0000
101-000-0000-21706	Medical Insurance				November 2013 Dental Coverage					
5279526 Total:		1,871.20								
DELTA Total:		1,871.20								
EMMONS&O Emmons & Olivier Resources										
156562	10/21/2013	2,361.20	0.00	11/06/2013	2012.130 Savona Dev SW Grading Plan Rev	-	-	No		0000
803-000-0000-22900	Deposits Payable				2012.130 Savona Development SW Grading P					
156562 Total:		2,361.20								
EMMONS&O Total:		2,361.20								
FXL FXL, Inc.										
November 2013	11/01/2013	2,000.00	0.00	11/06/2013	Assessor Services-November 2013	-	-	No		0000
101-410-1320-43100	Assessing Services				Assessor Services-November 2013					

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	November 2013 Total:	2,000.00								
	FXL Total:	2,000.00								
<hr/>										
Gophseal Gopher State Sealcoat Inc.	10/31/2013	25,765.00	0.00	11/06/2013	2013 Crack Seal Project Final Payment	-	-	No		0000
409-480-8000-43030	Engineering Services	25,765.00			2013 Crack Seal Project Final Payment					
	Total:	25,765.00								
	Gophseal Total:	25,765.00								
<hr/>										
NCPERS 566200-NCPERS Minnesota	10/22/2013	176.00	0.00	11/06/2013	November 2013 Premiums	-	-	No		0000
101-000-0000-21708	Other Benefits	176.00			November 2013 Premiums					
	5662913 Total:	176.00								
	NCPERS Total:	176.00								
<hr/>										
PERFORPO Performance Pools & Spa, Inc	10/10/2013	500.00	0.00	11/06/2013	Refund Escrow #8819 5747 Linden Ave	-	-	No		0000
803-000-0000-22900	Deposits Payable	500.00			Refund Escrow #8819 5747 Linden Ave					
	10/10/2013 Total:	500.00								
10/15/2013	10/15/2013	500.00	0.00	11/06/2013	Refund Escrow #8900 5090 Marquess Trail	-	-	No		0000
803-000-0000-22900	Deposits Payable	500.00			Refund Escrow #8900 5090 Marquess Trail					
	10/15/2013 Total:	500.00								
	PERFORPO Total:	1,000.00								
<hr/>										
PETERSBR Peterson, Bryant & Bernadett	10/29/2013	500.00	0.00	11/06/2013	Refund Escrow #8800 27th St Court N	-	-	No		0000
803-000-0000-22900	Deposits Payable	500.00			Refund Escrow #8800 27th St Court N					
	10/29/2013 Total:	500.00								
	PETERSBR Total:	500.00								
<hr/>										
SRFCONSUSRF Consulting Group, Inc	10/15/2013	827.03	0.00	11/06/2013	State Highway 36 South Frontage Rd Study	-	-	No		0000
409-480-8000-43030	Engineering Services	827.03			State Highway 36 South Frontage Rd Study					
	8132.00-3 Total:	827.03								
	SRFCONSUSRF Total:	827.03								
<hr/>										
TKDA TKDA, Inc.	10/10/2013	21.32	0.00	11/06/2013	Keats MSA Street Improvement	-	-	No		0000
2013003098	Engineering Services	21.32			Keats MSA Street Improvement					
409-480-8000-43030	Engineering Services				2012.129 Keats MSA Street & Trunk Waterm					

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
2013003098	10/10/2013	16.09	0.00	11/06/2013	Keats Trunk Watermain Improvement	-	-			0000
601-494-9400-43030	Engineering Services				2012.129 Keats MSA Street & Trunk Waterm					
	2013003098 Total:	37.41								
2013003099	10/10/2013	110.84	0.00	11/06/2013	General Engineering Svcs-Records & Data	-	-			0000
101-410-1930-43030	Engineering Services				General Engineering Services - Records &					
	2013003099 Total:	110.84								
2013003168	10/11/2013	6,569.62	0.00	11/06/2013	2013.123 LE Ave Sewer Infr Construction	-	-			0000
409-480-8000-43030	Engineering Services				2013.123 Lake Elmo Ave Sewer Infr Impr					
2013003168	10/11/2013	9,679.19	0.00	11/06/2013	5th Street Sewer Re-alignment Services	-	-			0000
602-495-9450-43150	Contract Services				2013.123 Lake Elmo Ave Sewer Infr Impr					
	2013003168 Total:	16,248.81								
	TKDA Total:	16,397.06								

Report Total: 72,561.93



MAYOR AND COUNCIL COMMUNICATION

DATE: 11/06/2013  
CONSENT  
ITEM #: 4

**AGENDA ITEM:** 2013 Crack Seal Project – Pay Request No. 1 (Final)  
**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

**SUMMARY AND ACTION REQUESTED:**

The City Council is respectfully requested to consider accepting the improvements and approving final payment to Gopher State Sealcoat, Inc. in the amount of \$25,765 for the 2013 Crack Seal Project.

**STAFF REPORT:**

The 2013 Crack Seal Project has been fully completed. The Project Engineer has prepared a Certificate of Completion and is recommending acceptance of the improvements. The two-year warranty period will begin on November 6, 2013, and will extend to November 6, 2015.

Final payment in the amount of \$25,765 has been requested by the Contractor, Gopher State Sealcoat, Inc., based upon the work completed. The original Contract price was a lump sum of \$25,765. The project is being funded through the Public Works Street Maintenance Fund.

**RECOMMENDATION:**

Staff is recommending that the City Council consider, *as part of the Consent Agenda*, accepting the improvements for the 2013 Crack Seal Project and approving Pay Request No. 1 (Final) in the amount of \$25,765. If removed from the consent agenda, the recommended motion for this action is as follows:

*“Move to accept the improvements for the 2013 Crack Seal Project and approve Pay Request No. 1 (Final) to Gopher State Sealcoat, Inc. in the amount of \$25,765”.*

**ATTACHMENT(S):**

1. Pay Request No. 1 (Final)
2. Certificate of Completion

**PROJECT PAY FORM**

PARTIAL PAY ESTIMATE NO. <u>1 (FINAL)</u>		<b>FOCUS ENGINEERING, inc.</b>	
2013 STREET CRACK SEAL PROJECT PROJECT NO. 2013.119		PERIOD OF ESTIMATE FROM <u>10/7/2013</u> TO <u>10/31/2013</u>	
PROJECT OWNER: CITY OF LAKE ELMO 3800 LAVERNE AVENUE NORTH LAKE ELMO, MN 55042 ATTN: JACK GRIFFIN, P.E., CITY ENGINEER		CONTRACTOR: GOPHER STATE SEALCOAT, INC. 12519 RHODE ISLAND AVENUE S. SAVAGE, MN 55378 ATTN: CRAIG OLSON, PROJECT MANAGER	
CONTRACT CHANGE ORDER SUMMARY		PAY ESTIMATE SUMMARY	
No.	Approval Date	Amount	
		Additions	Deductions
TOTALS		\$0.00	\$0.00
NET CHANGE		\$0.00	\$0.00
		*Detailed Breakdown Attached	
		1. Original Contract Amount <u>\$25,765.00</u> 2. Net Change Order Sum <u>\$0.00</u> 3. Revised Contract (1+2) <u>\$25,765.00</u> 4. *Work Completed <u>\$25,765.00</u> 5. *Stored Materials <u>\$0.00</u> 6. Subtotal (4+5) <u>\$25,765.00</u> 7. Retainage* <u>0.0%</u> <u>\$0.00</u> 8. Previous Payments _____ 9. Amount Due (6-7-8) <u>\$25,765.00</u>	
CONTRACT TIME			
START DATE:	<u>10/7/2013</u>	ORIGINAL DAYS	<u>24</u>
SUBSTANTIAL COMPLETION:	<u>N/A</u>	REVISED DAYS	<u>0</u>
FINAL COMPLETION:	<u>10/31/2013</u>	REMAINING	<u>0</u>
		ON SCHEDULE YES <input checked="" type="checkbox"/> NO <input type="checkbox"/>	
ENGINEER'S CERTIFICATION: The undersigned certifies that the work has been reviewed and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.		FOCUS Engineering, inc.  ENGINEER <u>10-29-2013</u> DATE	
CONTRACTOR'S CERTIFICATION: The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the contractor for work for which previous payment estimates was issued and payments received from the owner, and that current payment shown herein is now due.		CONTRACTOR  BY <u>10-30-2013</u> DATE	
APPROVED BY OWNER: <u>CITY OF LAKE ELMO, MINNESOTA</u>			
BY _____	BY _____		
DATE _____	DATE _____		

PARTIAL PAY ESTIMATE NO. 1 (FINAL)

2013 STREET CRACK SEAL PROJECT  
CITY OF LAKE ELMO, MINNESOTA  
PROJECT NO. 2013.119

# FOCUS ENGINEERING, inc.

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT		THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	QUANTITY	AMOUNT	QUANTITY	AMOUNT
1	ROUTE AND SEAL CRACKS	LS	1.0	\$25,765.00	1.00	\$25,765.00	1.00	\$25,765.00

**TOTALS - BASE CONTRACT**

**\$25,765.00**

**\$25,765.00**

**\$25,765.00**

**CERTIFICATE OF COMPLETION**

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DATE OF ISSUANCE: November 6, 2013

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OWNER: CITY OF LAKE ELMO, MN  
CONTRACTOR: GOPHER STATE SEALCOAT, INC.  
PROJECT NAME: 2013 CRACK SEAL PROJECT  
PROJECT NO.: 2013.119

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- This Certification of Completion applies to all work under the Contract Documents  
 This Certification of Completion applies to the following specified parts of the Contract Documents

I do hereby certify that the work to which this Certificate applies has been constructed in accordance with the Contract dated September 17, 2013. The above-mentioned improvement is hereby declared to be complete and acceptance of this work is recommended.

DATE OF COMPLETION: November 6, 2013

Ryan Stempski Reg. No. 45395

  
FOCUS Engineering, Inc.

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THE WARRANTY PERIOD BEGINS November 6, 2013 AND ENDS November 6, 2015

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MAYOR AND COUNCIL COMMUNICATION

DATE: 11/06/2013  
CONSENT  
ITEM #: 5

**AGENDA ITEM:** Section 34 Water & Sewer Utility Extension Improvements – Change Order No. 1  
**SUBMITTED BY:** Ryan Stempski, Project Engineer  
**THROUGH:** Dean A. Zuleger, City Administrator  
**REVIEWED BY:** Jack Griffin, City Engineer  
Cathy Bendel, Finance Director

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

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

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider approving, *as part of the Consent Agenda*, Change Order No. 1 for the Section 34 Water and Sewer Utility Extension Improvements, thereby increasing the Contract Amount by \$11,162.82. If removed from the consent agenda, the recommended motion for this action is as follows:

*“Move to approve Change Order No. 1 for the Section 34 Water and Sewer Utility Extension Improvements, thereby increasing the contract amount by \$11,162.82.”*

STAFF REPORT:

Change Order No. 1 includes changes to the construction contract at the request of the City. The project was originally approved for construction with a temporary lift station location established within utility easements in the northeast corner of the Hammes property. Subsequent to the project approval, City staff worked with the developer for Hammes Estates to identify a County approved Keats Avenue North (CSAH 19) roadway access for the future development. With a revised roadway access plan, the lift station was relocated further north on city-owned property to better accommodate the future development.

This change order includes the relocation of the lift station site from the northeast corner of the Hammes property to the City-owned parcel immediately to the north. The relocation required additional length of gravity sanitary sewer and forcemain, additional depth placement for 300 feet of forcemain and other quantity adjustments for the revised lift station site plan. This change order also includes the Contractor’s deduct to not install tracer wire along the gravity sanitary sewer.

Change Order No. 1 incorporates revised plan sheets to alter the project design (Plan Sheets C4.05, C5.01 and C6.01), and revises the contract quantities and contract amount for the project (see attached Change

Order No. 1). With approval of Change Order No. 1, the Contract will be increased by \$11,162.82 for a revised Contract Amount of \$1,713,047.32. The project costs remain within the construction budget for this project.

**RECOMMENDATION:**

Staff is recommending that the City Council consider approving, *as part of the Consent Agenda*, Change Order No. 1 for the Section 34 Water and Sewer Utility Extension Improvements, thereby increasing the Contract Amount by \$11,162.82. If removed from the consent agenda, the recommended motion for this action is as follows:

*“Move to approve Change Order No. 1 for the Section 34 Water and Sewer Utility Extension Improvements, thereby increasing the contract amount by \$11,162.82.”*

**ATTACHMENT(S):**

1. Change Order No. 1

**CONTRACT CHANGE ORDER FORM**

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

**FOCUS** ENGINEERING, inc.

CHANGE ORDER NO. 1

DATE: November 6, 2013

TO: REDSTONE CONSTRUCTION COMPANY, INC. , PO BOX 218, MORA, MN 55051

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

**CHANGE ORDER DESCRIPTION / JUSTIFICATION:**

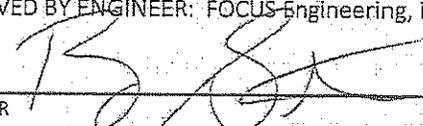
Change Order for moving lift station location from Hammes property to City property immediately to the north. Includes adjustment in gravity sanitary sewer, forcemain and structures along Keats Avenue to accommodate the Lift Station relocation and sewer service to the Hammes Property. Also includes the Contractor's deduct to not install tracer wire along the gravity sanitary sewer on the project.

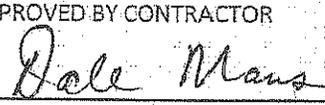
Attachments (list documents supporting change): Change Order No. 1 Itemization, Plan Sheets C4.05, C5.01 and C6.01 have been replaced.

ITEM	DESCRIPTION OF PAY ITEM	UNIT	QTY	UNIT PRICE	INCREASE/(DECREASE)
	***SEE ATTACHED ITEMIZATION				
<b>NET CONTRACT CHANGE</b>					<b>\$11,162.82</b>

Amount of Original Contract	\$ 1,701,884.50
Sum of Additions/Deductions approved to date	\$ 0.00
Contract Amount to date	\$ 1,701,884.50
Amount of this Change Order (ADD) (DEDUCT) (NO-CHANGE)	\$ 11,162.82
Revised Contract Amount	\$ 1,713,047.32

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

APPROVED BY ENGINEER: FOCUS Engineering, inc.  
  
ENGINEER  
10-30-2013  
DATE

APPROVED BY CONTRACTOR  
  
BY  
10/30/2013  
DATE

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

BY  
DATE

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

ITEM NO.	ITEM	UNIT	ORIGINAL CONTRACT			CHANGE ORDER NO. 1		REVISED CONTRACT AMOUNT	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
<b>PART 1 - GENERAL</b>									
1	MOBILIZATION	LS	1	\$48,000.00	\$48,000.00	0	\$0.00	1	\$48,000.00
2	TRAFFIC CONTROL	LS	1	\$6,300.00	\$6,300.00	0	\$0.00	1	\$6,300.00
3	CLEAR AND GRUB TREES	LS	1	\$19,000.00	\$19,000.00	0	\$0.00	1	\$19,000.00
4	TEMPORARY ROCK CONSTRUCTION ENTRANCE	EA	2	\$1,100.00	\$2,200.00	0	\$0.00	2	\$2,200.00
5	STREET SWEEPING	HR	40	\$175.00	\$7,000.00	0	\$0.00	40	\$7,000.00
<b>TOTAL PART 1 - GENERAL</b>					<b>\$82,500.00</b>	<b>\$0.00</b>		<b>\$82,500.00</b>	
<b>PART 2 - SANITARY SEWER (GRAVITY SEWER - HUDSON BLVD)</b>									
6	CONCRETE JERSEY BARRIERS	LF	900	\$21.00	\$18,900.00	0	\$0.00	900	\$18,900.00
7	REMOVE AND DISPOSE OF EXISTING BITUMINOUS DRIVEWAY	SY	500	\$2.20	\$1,100.00	0	\$0.00	500	\$1,100.00
8	REMOVE PIPE CULVERT	LF	245	\$5.50	\$1,347.50	0	\$0.00	245	\$1,347.50
9	REMOVE SANITARY SEWER PIPE	LF	13	\$6.53	\$85.15	0	\$0.00	13	\$85.15
10	SALVAGE AND REINSTALL 12" RCP, INCL APRONS	LF	50	\$22.10	\$1,105.00	0	\$0.00	50	\$1,105.00
11	PATCH BITUMINOUS DRIVEWAY	SY	500	\$35.00	\$17,500.00	0	\$0.00	500	\$17,500.00
12	PATCH GRAVEL DRIVEWAY	TN	100	\$15.00	\$1,500.00	0	\$0.00	100	\$1,500.00
13	25" X 42" ARCH CMP CULVERT	LF	69	\$51.90	\$3,581.10	0	\$0.00	69	\$3,581.10
14	30" CMP CULVERT	LF	71	\$44.20	\$3,138.20	0	\$0.00	71	\$3,138.20
15	35" CMP CULVERT	LF	35	\$51.90	\$1,816.50	0	\$0.00	35	\$1,816.50
16	42" CMP CULVERT	LF	64	\$76.20	\$4,876.80	0	\$0.00	64	\$4,876.80
17	25" X 42" ARCH CMP APRON	EA	2	\$488.00	\$976.00	0	\$0.00	2	\$976.00
18	30" CMP APRON	EA	3	\$369.00	\$1,107.00	0	\$0.00	3	\$1,107.00
19	36" CMP APRON	EA	2	\$573.00	\$1,146.00	0	\$0.00	2	\$1,146.00
20	42" CMP APRON	EA	2	\$1,110.00	\$2,220.00	0	\$0.00	2	\$2,220.00
21	CONNECT TO EXISTING SANITARY SEWER MH	EA	1	\$993.00	\$993.00	0	\$0.00	1	\$993.00
22	8" PVC SANITARY SEWER, SDR 35, 0' - 10' DEEP	LF	25	\$38.90	\$972.50	0	\$0.00	25	\$972.50
23	10" PVC SANITARY SEWER, SDR 26, 25' - 30' DEEP	LF	20	\$154.00	\$3,080.00	0	\$0.00	20	\$3,080.00
24	12" PVC SANITARY SEWER, SDR 35, 0' - 10' DEEP	LF	885	\$36.20	\$32,037.00	0	\$0.00	885	\$32,037.00
25	12" PVC SANITARY SEWER, SDR 35, 10' - 15' DEEP	LF	675	\$40.00	\$27,000.00	0	\$0.00	675	\$27,000.00
26	12" PVC SANITARY SEWER, SDR 35, 15' - 20' DEEP	LF	290	\$71.40	\$20,706.00	0	\$0.00	290	\$20,706.00
27	12" PVC SANITARY SEWER, SDR 35, 15' - 20' DEEP	LF	65	\$88.50	\$5,752.50	0	\$0.00	65	\$5,752.50
28	12" PVC SANITARY SEWER, SDR 26, 20' - 25' DEEP	LF	200	\$87.20	\$17,440.00	0	\$0.00	200	\$17,440.00
29	12" PVC SANITARY SEWER, SDR 26, 25' - 30' DEEP	LF	360	\$163.00	\$58,680.00	0	\$0.00	360	\$58,680.00
30	JACK 12" PVC SANITARY SEWER	LF	40	\$410.00	\$16,400.00	0	\$0.00	40	\$16,400.00
31	ROCK FOUNDATION BORROW	LF	1,300	\$0.01	\$13.00	0	\$0.00	1,300	\$13.00
32	INSULATION, 2" THICK	SY	150	\$19.50	\$2,925.00	0	\$0.00	150	\$2,925.00
33	PLACE FILL OVER SANITARY SEWER PIPE (LV)	CY	150	\$7.75	\$1,162.50	0	\$0.00	150	\$1,162.50
34	CROSS HIGH PRESSURE GAS PIPE LINE	LS	1	\$2,760.00	\$2,760.00	0	\$0.00	1	\$2,760.00
35	SANITARY SEWER MH, 4' DIAMETER	EA	8	\$2,530.00	\$20,240.00	0	\$0.00	8	\$20,240.00
36	EXCESS MANHOLE DEPTH, 4' DIAMETER	LF	56	\$97.20	\$5,443.20	0	\$0.00	56	\$5,443.20
37	TELEVISION SANITARY SEWER	LF	2,672	\$1.75	\$4,676.00	0	\$0.00	2,672	\$4,676.00
38	OFF ROAD STRUCTURE MARKER	EA	7	\$55.20	\$386.40	0	\$0.00	7	\$386.40
39	SEED MIX 250 & BLANKET	SY	5,000	\$1.20	\$600.00	0	\$0.00	5,000	\$600.00
40	SEED MIX 270 & BLANKET	SY	5,200	\$1.14	\$592.80	0	\$0.00	5,200	\$592.80
41	SEED MIX 250 & HYDROMULCH	SY	5,000	\$0.42	\$2,100.00	0	\$0.00	5,000	\$2,100.00
42	SEED MIX 270 & HYDROMULCH	SY	5,200	\$0.46	\$2,392.00	0	\$0.00	5,200	\$2,392.00
43	EROSION STABILIZATION MAT	SY	150	\$9.90	\$1,485.00	0	\$0.00	150	\$1,485.00
44	TEMPORARY SEED MIX 100 AND MULCH	AC	4	\$886.00	\$3,544.00	0	\$0.00	4	\$3,544.00
45	DITCH CHECK	EA	8	\$97.50	\$780.00	0	\$0.00	8	\$780.00
46	CULVERT INLET PROTECTION	EA	8	\$200.00	\$1,600.00	0	\$0.00	8	\$1,600.00
47	SILT FENCE	LF	1,500	\$1.71	\$2,565.00	0	\$0.00	1,500	\$2,565.00
<b>TOTAL PART 2 - SANITARY SEWER (GRAVITY SEWER - HUDSON BLVD)</b>					<b>\$305,781.85</b>	<b>\$0.00</b>		<b>\$305,781.85</b>	
<b>PART 3 - SANITARY SEWER (LIFT STATION SYSTEM)</b>									
48	REMOVE AND DISPOSE OF EXISTING BITUMINOUS DRIVEWAY	SY	570	\$2.75	\$1,567.50	0	\$0.00	570	\$1,567.50
49	REMOVE AND DISPOSE OF EXISTING CONCRETE DRIVEWAY	SY	40	\$8.75	\$350.00	0	\$0.00	40	\$350.00
50	REMOVE AND DISPOSE OF EXISTING CONCRETE CURB AND GUTTER	LF	30	\$4.35	\$130.50	0	\$0.00	30	\$130.50
51	REMOVE PIPE CULVERT	LF	165	\$5.50	\$907.50	0	\$0.00	165	\$907.50
52	SALVAGE AND REINSTALL 12" RCP, INCL APRONS	LF	60	\$24.30	\$1,458.00	0	\$0.00	60	\$1,458.00
53	PATCH BITUMINOUS DRIVEWAY	SY	200	\$95.00	\$19,000.00	0	\$0.00	200	\$19,000.00
54	PATCH GRAVEL DRIVEWAY	TN	250	\$19.00	\$4,750.00	0	\$0.00	250	\$4,750.00
55	80# CONCRETE CURB AND GUTTER	LF	30	\$30.00	\$900.00	0	\$0.00	30	\$900.00
56	12" CMP CULVERT	LF	30	\$20.50	\$615.00	0	\$0.00	30	\$615.00
57	18" CMP CULVERT	LF	52	\$26.80	\$1,393.60	0	\$0.00	52	\$1,393.60
58	21" CMP CULVERT	LF	40	\$51.00	\$2,040.00	0	\$0.00	40	\$2,040.00
59	12" CMP APRON	EA	1	\$131.00	\$131.00	0	\$0.00	1	\$131.00
60	18" CMP APRON	EA	2	\$157.00	\$314.00	0	\$0.00	2	\$314.00
61	21" CMP APRON	EA	2	\$287.00	\$574.00	0	\$0.00	2	\$574.00
62	8" DIP SANITARY SEWER, CLASS 52, 10' - 15' DEEP	LF	60	\$44.30	\$2,658.00	-20	-\$685.00	40	\$1,773.00
63	8" PVC SANITARY SEWER, SDR 35, 0' - 10' DEEP	LF	700	\$25.70	\$17,990.00	0	\$0.00	700	\$17,990.00
64	8" PVC SANITARY SEWER, SDR 35, 10' - 15' DEEP	LF	1,275	\$28.00	\$35,700.00	0	\$0.00	1,275	\$35,700.00
65	8" PVC SANITARY SEWER, SDR 35, 15' - 20' DEEP	LF	425	\$58.00	\$24,650.00	0	\$0.00	425	\$24,650.00
66	8" PVC SANITARY SEWER, SDR 35, 20' - 25' DEEP	LF	10	\$74.30	\$743.00	0	\$0.00	10	\$743.00
67	8" PVC SANITARY SEWER, SDR 26, 0' - 10' DEEP	LF	50	\$24.10	\$1,205.00	0	\$0.00	50	\$1,205.00
68	8" PVC SANITARY SEWER, SDR 26, 10' - 15' DEEP	LF	605	\$34.50	\$20,872.50	201	\$6,934.50	405	\$13,938.00
69	8" PVC SANITARY SEWER, SDR 26, 15' - 20' DEEP	LF	345	\$69.50	\$23,867.50	90	\$6,210.00	255	\$17,657.50
70	8" PVC SANITARY SEWER, SDR 26, 20' - 25' DEEP	LF	565	\$82.90	\$46,628.50	150	\$12,435.00	415	\$34,193.50
71	8" PVC SANITARY SEWER, SDR 26, 25' - 30' DEEP	LF	15	\$94.20	\$1,413.00	0	\$0.00	15	\$1,413.00
72	10" PVC SANITARY SEWER, SDR 26, 15' - 20' DEEP	LF	70	\$80.10	\$5,607.00	0	\$0.00	70	\$5,607.00
73	10" PVC SANITARY SEWER, SDR 26, 20' - 25' DEEP	LF	165	\$51.30	\$8,564.50	-155	-\$7,879.50	10	\$685.00
74	10" PVC SANITARY SEWER, SDR 26, 25' - 30' DEEP	LF	170	\$109.00	\$18,530.00	-170	-\$18,530.00	0	\$0.00
75	10" PVC SANITARY SEWER, SDR 25, 30' - 35' DEEP	LF	90	\$137.00	\$12,330.00	-90	-\$12,330.00	0	\$0.00
76	ROCK FOUNDATION BORROW	LF	5,000	\$0.01	\$50.00	0	\$0.00	5,000	\$50.00
77	8" DIP SANITARY SEWER OUTSIDE DROP	LF	27	\$162.00	\$4,374.00	0	\$0.00	27	\$4,374.00
78	8" DIP SANITARY SEWER BLIND OUTSIDE DROP	LF	29	\$151.00	\$4,379.00	0	\$0.00	29	\$4,379.00
79	SANITARY SEWER MH, 4' DIAMETER	EA	26	\$2,460.00	\$63,960.00	1	\$2,460.00	27	\$66,420.00
80	EXCESS MANHOLE DEPTH, 4' DIAMETER	LF	165	\$97.20	\$16,147.20	16.5	\$1,614.72	181.5	\$17,761.92
81	TELEVISION SANITARY SEWER	LF	4,655	\$1.75	\$8,136.25	78	\$136.50	4,733	\$8,272.75
82	OFF ROAD STRUCTURE MARKER	EA	28	\$55.20	\$1,545.60	1	\$55.20	29	\$1,600.80
83	8" PVC FORCE MAIN	LF	5,860	\$24.90	\$146,112.00	80	\$1,892.00	5,940	\$148,004.00
84	AIR RELEASE MH	EA	2	\$5,410.00	\$10,820.00	0	\$0.00	2	\$10,820.00
85	DIP FITTINGS	LB	140	\$5.55	\$777.00	46	\$273.70	186	\$1,050.70
86	LIFT STATION	LS	1	\$220,000.00	\$220,000.00	0	\$0.00	1	\$220,000.00
87	BITUMINOUS DRIVEWAY (LIFT STATION)	SY	160	\$38.00	\$6,080.00	157	\$5,964.00	317	\$11,944.00

88	SEED MIX 250 & BLANKET	SY	24,000	\$1.70	\$26,400.00	600	\$650.00	24,600	\$27,060.00
89	SEED MIX 250 & HYDROMULCH	SY	24,000	\$0.42	\$10,080.00	0	\$0.00	24,000	\$10,080.00
90	EROSION STABILIZATION MAT	SY	50	\$9.90	\$495.00	0	\$0.00	50	\$495.00
91	SEED MIX 250, MULCH, & DISC ANCHOR	AC	5	\$929.00	\$4,645.00	0	\$0.00	5	\$4,645.00
92	TEMPORARY SEED MIX 100 AND MULCH	AC	15	\$686.00	\$10,290.00	0	\$0.00	15	\$10,290.00
95	WETLAND RESTORATION WITH BWSR MIX 34-181	SY	80	\$9.91	\$792.80	0	\$0.00	80	\$792.80
94	DITCH CHECK	EA	17	\$97.50	\$1,657.50	0	\$0.00	17	\$1,657.50
95	CULVERT INLET PROTECTION	EA	9	\$200.00	\$1,800.00	0	\$0.00	9	\$1,800.00
96	SILT FENCE	LF	5,050	\$1.71	\$8,635.50	260	\$44.60	5,310	\$9,080.10
TOTAL PART 3 - SANITARY SEWER (LIFT STATION SYSTEM)						\$791,519.75		\$7,216.48	\$798,736.23
PART 4 - SANITARY SEWER (SERVICE TO CM PROPERTIES)									
97	6" PVC SANITARY SEWER, SDR 35, 0' - 10' DEEP	LF	45	\$35.20	\$1,584.00	0	\$0.00	45	\$1,584.00
98	JACK 8" PVC SANITARY SEWER	LF	60	\$405.00	\$24,300.00	0	\$0.00	60	\$24,300.00
99	SEED MIX 250 & BLANKET	SY	300	\$1.10	\$330.00	0	\$0.00	300	\$330.00
100	SILT FENCE	LF	50	\$1.71	\$85.50	0	\$0.00	50	\$85.50
TOTAL PART 4 - SANITARY SEWER (SERVICE TO CM PROPERTIES)						\$26,209.50		\$0.00	\$26,209.50
PART 5 - SANITARY SEWER (LENNAR AREA SERVICES)									
101	6" X 4" PVC WYE, SDR 26	EA	11	\$177.00	\$1,947.00	0	\$0.00	11	\$1,947.00
102	4" PVC SANITARY SEWER SERVICE RISER	LF	130	\$7.75	\$1,007.50	0	\$0.00	130	\$1,007.50
TOTAL PART 5 - SANITARY SEWER (LENNAR AREA SERVICES)						\$2,954.50		\$0.00	\$2,954.50
PART 6 - WATER MAIN									
103	CONNECT TO EXISTING 12" WATER MAIN	EA	1	\$404.00	\$404.00	0	\$0.00	1	\$404.00
104	6" DIP, CL. 52 WATER MAIN	LF	215	\$26.50	\$5,697.50	0	\$0.00	215	\$5,697.50
105	8" DIP, CL. 52 WATER MAIN	LF	40	\$35.90	\$1,436.00	0	\$0.00	40	\$1,436.00
106	12" DIP, CL. 52 WATER MAIN	LF	7,305	\$48.50	\$354,292.50	0	\$0.00	7,305	\$354,292.50
107	CROSS HIGH PRESSURE GAS PIPE LINE	LS	1	\$882.00	\$882.00	0	\$0.00	1	\$882.00
108	6" GATE VALVE AND BOX	EA	14	\$1,220.00	\$17,080.00	0	\$0.00	14	\$17,080.00
109	8" GATE VALVE AND BOX	EA	4	\$1,830.00	\$7,320.00	0	\$0.00	4	\$7,320.00
110	12" GATE VALVE AND BOX	EA	12	\$5,070.00	\$60,840.00	0	\$0.00	12	\$60,840.00
111	VALVE BOX EXTENSION	LF	15	\$55.40	\$831.00	0	\$0.00	15	\$831.00
112	VALVE NUT EXTENSION	LF	15	\$37.70	\$565.50	0	\$0.00	15	\$565.50
113	HYDRANT	EA	11	\$4,090.00	\$44,990.00	0	\$0.00	11	\$44,990.00
114	HYDRANT EXTENSION	LF	6	\$665.00	\$3,990.00	0	\$0.00	6	\$3,990.00
115	OFF ROAD STRUCTURE MARKER	EA	17	\$55.20	\$938.40	0	\$0.00	17	\$938.40
116	DUCTILE IRON FITTINGS	LB	3,000	\$4.95	\$14,850.00	0	\$0.00	3,000	\$14,850.00
TOTAL PART 6 - WATER MAIN						\$499,474.90		\$0.00	\$499,474.90

TOTALS - BASE CONTRACT \$1,701,884.50 \$2,216.48 \$1,704,102.98

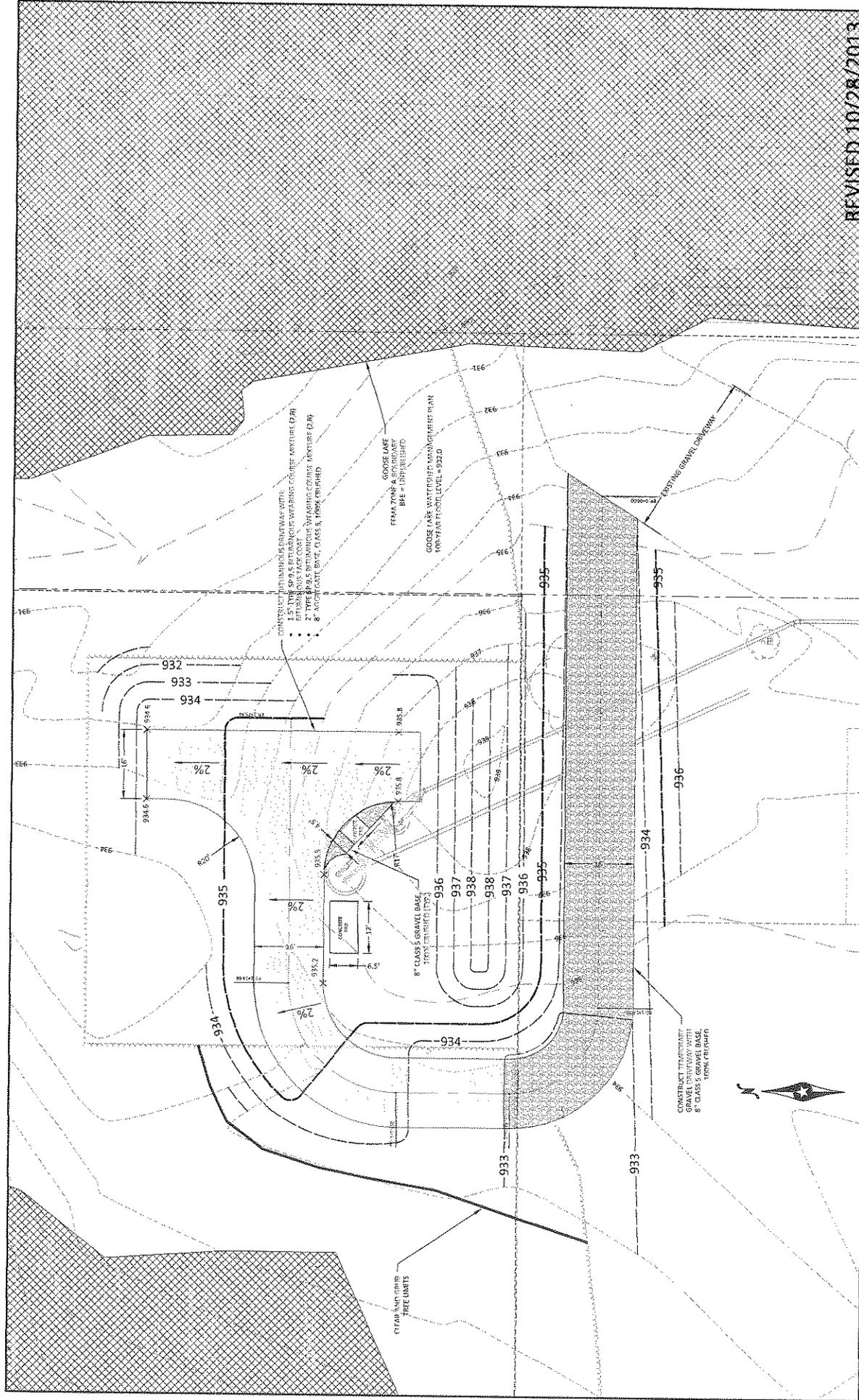
CHANGE ORDER NO. 1

CO1-1	CLEAR & GRUB TREES (LIFT STATION SITE ON CITY PROPERTY)	LS		\$9,500.00		1.0	\$9,500.00	1.0	\$9,500.00
CO1-2	EXTRA 8" OF DEPTH AT VALVE MH	LS		\$1,621.94		1.0	\$1,621.94	1.0	\$1,621.94
CO1-3	EXTRA DEPTH OF FORCEMAIN	LF		\$20.58		300.0	\$6,174.00	300.0	\$6,174.00
CO1-4	LIFT STATION GRAVEL DRIVEWAY	TN		\$15.00		138.0	\$2,070.00	138.0	\$2,070.00
CO1-5	DEDUCT FOR GRAVITY SANITARY SEWER TRACER WIRE	LF		-\$0.60		7,366.0	-\$4,419.60	7,366.0	-\$4,419.60
TOTALS - CHANGE ORDER NO. 1						\$0.00	\$8,944.34	\$8,944.34	

TOTALS - REVISED CONTRACT \$1,701,884.50 \$11,162.82 \$1,713,047.32







REVISED 10/28/2013

LAKE ELMO, MINNESOTA  
SECTION 34 WATER AND SEWER UTILITY EXTENSION  
LIFT STATION SITE PLAN

SHEET  
C6.01

**BOLTON & MENK, INC.**  
Engineering & Surveyors  
10000 13th Avenue NW  
Woodbury, MN 55129  
Phone: 612-835-1100  
Fax: 612-835-1101  
www.boltonmenk.com

PROJECT: SECTION 34 WATER AND SEWER UTILITY EXTENSION  
DRAWN BY: J. WOODRUFF  
CHECKED BY: J. WOODRUFF  
DATE: 10/28/2013

DATE: 10/28/2013  
SCALE: 1" = 10' FEET  
PROJECT: SECTION 34 WATER AND SEWER UTILITY EXTENSION  
DRAWN BY: J. WOODRUFF  
CHECKED BY: J. WOODRUFF  
DATE: 10/28/2013



MAYOR AND COUNCIL COMMUNICATION

DATE: 11/06/2013  
CONSENT  
ITEM #: 6

**AGENDA ITEM:** Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30<sup>th</sup> Street – Change Order No. 2  
**SUBMITTED BY:** Ryan Stempski, Project Engineer  
**THROUGH:** Dean A. Zuleger, City Administrator  
**REVIEWED BY:** Jack Griffin, City Engineer  
Cathy Bendel, Finance Director

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

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

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to consider approving, *as part of the Consent Agenda*, Change Order No. 2 for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30<sup>th</sup> Street, thereby increasing the Contract Amount by \$9,070. If removed from the consent agenda, the recommended motion for this action is as follows:

*“Move to approve Change Order No. 2 for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30<sup>th</sup> Street, thereby increasing the contract amount by \$9,070.”*

STAFF REPORT:

Change Order No. 2 includes changes to the construction contract to address three field changes as directed by the City Engineer:

- 1) A deduct in the construction contract is being issued in the amount of \$1,400 for work to salvage and relocate a privately owned irrigation pump house located on the Country Air Golf Course. The contract amount is being provided to the property owner instead of the City’s contractor. The City is absolved from any future liability related to damage of the system. The project budget will remain cost neutral related to this item.
- 2) A deduct in the construction contract is being issued in the amount of \$3,500 for work to relocate Manhole 0-1 at the request of the contractor. The relocation benefitted the contractor by providing additional work area for a deep excavation. The \$3,500 represents the amount the City incurred to redesign the manhole location and to acquire additional permanent easement from RECO Properties on PIN No. 36-029-21-33-0004. The project budget will also remain cost neutral related to this item.

- 3) An increase in the construction contract is being issued in the amount of \$13,970 to increase the watermain pipe size (and related appurtenances) to the lift station site from the minimum 6-inch diameter pipe to a trunk 12-inch diameter pipe. This increase is needed to accommodate an improved future connection location for development in the Village that will result in a lower future water system extension cost.

Change Order No. 2 incorporates revised Plan Sheet C500 and Plan Sheet C517, and revises the contract quantities and amount for the project (see attached Change Order No. 2). With approval of Change Order No. 2, the Contract will be increased by \$9,070 for a revised Contract Amount of \$3,452,667.90.

**RECOMMENDATION:**

Staff is recommending that the City Council consider approving, *as part of the Consent Agenda*, Change Order No. 2 for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30<sup>th</sup> Street, thereby increasing the Contract Amount by \$9,070. If removed from the consent agenda, the recommended motion for this action is as follows:

*“Move to approve Change Order No. 2 for the Lake Elmo Avenue Sewer Infrastructure Improvements: I-94 to 30<sup>th</sup> Street, thereby increasing the contract amount by \$9,070.”*

**ATTACHMENT(S):**

1. Change Order No. 2

**CONTRACT CHANGE ORDER FORM**

**CITY OF LAKE ELMO, MINNESOTA**  
**LAKE ELMO AVE SEWER INFRASTRUCTURE IMPROVEMENTS**  
**2013.123**

**FOCUS** ENGINEERING, inc.

**CHANGE ORDER NO.** 2 **DATE:** November 6, 2013

**TO:** Minger Construction, Inc. 2471 Galpin Court, Suite 110, Chanhassen, MN 55317

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

**CHANGE ORDER DESCRIPTION / JUSTIFICATION:**

This change order is being issued (1) due to a request by the Contractor to relocate MH 0-1 to create more separation from Hudson Boulevard to install the manhole. The Contractor has agreed to pay the cost for additional permanent easement on PIN No. 36-029-21-33-0004 to accomodate this request. (2) includes deduction for the salvage existing irrigation pump house bid item, as this task was completed by the owners of the Country Air Golf Course. (3) includes increasing the watermain pipe to the lift station site from a 6" diameter to a 12" diameter to serve future Village Development. The attached itemization indicates the revised quantities and contract amounts to reflect these changes.

**Attachments (list documents supporting change):** Change Order No. 2 Itemization; Plan Sheet C500 and C517 have been replaced.

ITEM	DESCRIPTION OF PAY ITEM	UNIT	QTY	UNITE PRICE	INCREASE/(DECREASE)
	***SEE ATTACHED ITEMIZATION				\$9,070.00
<b>NET CONTRACT CHANGE</b>					<b>\$9,070.00</b>

Amount of Original Contract	\$ 3,463,201.60
Sum of Additions/Deductions approved to date (CO # 1)	\$ (19,603.70)
Contract Amount to date	\$ 3,443,597.90
Amount of this Change Order (ADD) (DEDUCT) (NO CHANGE)	\$ 9,070.00
Revised Contract Amount	\$ 3,452,667.90

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

APPROVED BY ENGINEER: FOCUS Engineering, inc.

APPROVED BY CONTRACTOR

  
 ENGINEER \_\_\_\_\_  
10-30-2013  
 DATE \_\_\_\_\_

BY \_\_\_\_\_  
 DATE \_\_\_\_\_

APPROVED BY OWNER: CITY OF LAKE ELMO, MINNESOTA

BY \_\_\_\_\_  
 DATE \_\_\_\_\_

BY \_\_\_\_\_  
 DATE \_\_\_\_\_

LAKE ELMO AVE SEWER INFRASTRUCTURE IMPROVEMENTS  
CITY OF LAKE ELMO, MINNESOTA  
2013.123



ITEM	DESCRIPTION OF PAY ITEM	UNIT	CURRENT CONTRACT			CHANGE ORDER NO.2		REVISED CONTRACT AMOUNT	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
<b>DIVISION 1 - GENERAL</b>									
1	MOBILIZATION	LS	1	\$33,000.00	\$33,000.00	0		1	\$33,000.00
2	TRAFFIC CONTROL	LS	1	\$16,500.00	\$16,500.00	0		1	\$16,500.00
3	SILT FENCE	LF	3654	\$1.65	\$6,029.10	0		3,654	\$6,029.10
4	ROCK CONSTRUCTION ENTRANCE	EA	3	\$970.00	\$2,910.00	0		3	\$2,910.00
5	WATER FOR DUST CONTROL	M GAL	2	\$278.00	\$556.00	0		2	\$556.00
6	TREE REMOVAL	EA	204.0	\$266.00	\$54,264.00	2	\$552.00	206	\$54,796.00
7	CLEARING & GRUBBING	AC	1.90	\$4,160.00	\$7,904.00	0		2	\$7,904.00
8	INLET PROTECTION	EA	4	\$350.00	\$1,400.00	0		4	\$1,400.00
9	HYDRO MULCH 1/2" SEED & FERTILIZER	AC	9.49	\$3,700.00	\$35,113.00	0		9	\$35,113.00
10	SEEDING (WETLAND MIX)	AC	0.2	\$4,250.00	\$850.00	0		0	\$850.00
11	EROSION CONTROL BLANKET (WOOD FIBER)	SY	5625	\$1.10	\$6,187.50	0		5,625	\$6,187.50
12	TOPSOIL BORROW	CY	500	\$13.00	\$6,500.00	0		500	\$6,500.00
13	DITCH CHECK	LF	60	\$5.25	\$315.00	0		60	\$315.00
14	MODULAR BLOCK RETAINING WALL	SF	60	\$55.00	\$3,300.00	0		60	\$3,300.00
15	SALVAGE/SALVAGE AND REINSTALL EXISTING IRRIGATION PUMP HOUSE AND EQUIPMENT	LS	1	\$1,400.00	\$1,400.00	-1	-\$1,400.00	0	\$0.00
16	RAIN GARDEN	LS	1	\$11,500.00	\$11,500.00	0		1	\$11,500.00
<b>SUBTOTAL - DIVISION 1</b>					\$187,728.60		-\$868.00		\$186,860.60
<b>DIVISION 2 - SANITARY SEWER</b>									
1	CONNECT TO EXISTING MANHOLE	EA	1	\$11,600.00	\$11,600.00	0		1	\$11,600.00
2	SALVAGE & REINSTALL EXISTING SANITARY SEWER MANHOLE	EA	1	\$3,760.00	\$3,760.00	0		1	\$3,760.00
3	SALVAGE & REINSTALL EXISTING SANITARY SEWER	LF	100	\$84.00	\$8,400.00	0		100	\$8,400.00
4	LIFT STATION STRUCTURE, VALVE VAULT, AND PIPING	LS	1	\$187,000.00	\$187,000.00	0		1	\$187,000.00
5	LIFT STATION PUMPS AND ACCESSORIES	LS	1	\$66,750.00	\$66,750.00	0		1	\$66,750.00
6	LIFT STATION ELECTRICAL AND CONTROLS	LS	1	\$134,000.00	\$134,000.00	0		1	\$134,000.00
7	GENERATOR	LS	1	\$98,250.00	\$98,250.00	0		1	\$98,250.00
8	CHEMICAL FEED SYSTEM	LS	1	\$243,000.00	\$243,000.00	0		1	\$243,000.00
9	16" HDPE FORCEMAIN, INSTALLED BY HDD	LF	15,649	\$91.00	\$1,267,569.00	0		15,649	\$1,267,569.00
10	16" HDPE FORCEMAIN, INSTALLED BY OPEN CUT	LF	399	\$57.00	\$22,743.00	0		399	\$22,743.00
11	8" PVC, SDR 35 SANITARY SEWER (10'-15' DEPTH)	LF	15	\$155.00	\$2,325.00	0		15	\$2,325.00
12	8" PVC, SDR 35 SANITARY SEWER (15'-20' DEPTH)	LF	15	\$155.00	\$2,325.00	0		15	\$2,325.00
13	8" PVC, SDR 35 SANITARY SEWER (20'-25' DEPTH)	LF	0	\$155.00	\$0.00	0		0	\$0.00
14	18" PVC, SDR 26 SANITARY SEWER (10'-15' DEPTH)	LF	213	\$91.00	\$19,383.00	0		213	\$19,383.00
15	18" PVC, SDR 26 SANITARY SEWER (15'-20' DEPTH)	LF	193	\$91.00	\$17,563.00	0		193	\$17,563.00
16	18" PVC, PS115 SANITARY SEWER (30-35" DEPTH)	LF	25	\$258.00	\$6,450.00	0		25	\$6,450.00
17	24" SANITARY SEWER (0-10' DEPTH)	LF	45	\$116.00	\$5,220.00	0		45	\$5,220.00
18	24" SANITARY SEWER (10-15' DEPTH)	LF	999	\$116.00	\$115,884.00	0		999	\$115,884.00
19	24" SANITARY SEWER (15-20' DEPTH)	LF	1,353	\$116.00	\$156,948.00	0		1,353	\$156,948.00
20	24" SANITARY SEWER (20-25' DEPTH)	LF	563	\$116.00	\$67,628.00	0		563	\$67,628.00
21	24" SANITARY SEWER (25-30' DEPTH)	LF	213	\$116.00	\$24,708.00	0		213	\$24,708.00
22	24" SANITARY SEWER (30-35' DEPTH)	LF	92	\$116.00	\$10,672.00	0		92	\$10,672.00
23	24" SANITARY SEWER (35-40' DEPTH)	LF	169	\$116.00	\$19,604.00	0		169	\$19,604.00
24	6" PVC, SDR 26 SOLVENT WELD SERVICE PIPE	LF	20	\$82.00	\$1,640.00	0		20	\$1,640.00
25	6" ON 18" WYE BRANCH	EA	1	\$1,140.00	\$1,140.00	0		1	\$1,140.00
26	48" DIAMETER SAN. MANHOLE, TYPE 301 (0'-10' DEPTH)	EA	12	\$4,800.00	\$58,800.00	0		12	\$58,800.00
27	54" DIAMETER SAN. MANHOLE, TYPE 301 (0'-10' DEPTH)	EA	4	\$8,400.00	\$33,600.00	0		4	\$33,600.00
28	48" DIAMETER SAN. MANHOLE, TYPE 301 EXTRA DEPTH (>10' DEPTH)	VF	120.1	\$73.00	\$8,767.30	0		120	\$8,767.30
29	34" DIAMETER SAN. MANHOLE, TYPE 301 EXTRA DEPTH (>10' DEPTH)	VF	44.1	\$120.00	\$5,292.00	0		44	\$5,292.00
30	72" CLEANOUT MANHOLE	EA	5	\$10,400.00	\$52,000.00	0		5	\$52,000.00
31	72" AIR RELEASE MANHOLE	EA	4	\$13,500.00	\$54,000.00	0		4	\$54,000.00
32	6" DIP CLASS 50 SANITARY SEWER	LF	0	\$108.00	\$0.00	0		0	\$0.00
33	18" DIP CLASS 50 SANITARY SEWER	LF	18	\$138.00	\$2,484.00	0		18	\$2,484.00
34	24" DIP CLASS 50 SANITARY SEWER	LF	36	\$301.00	\$10,836.00	0		36	\$10,836.00
35	EXTERNAL MANHOLE DROP	EA	3	\$9,900.00	\$27,900.00	0		3	\$27,900.00
36	16" RES. SEAT GATE VALVE & BOX	EA	18	\$8,000.00	\$144,000.00	0		18	\$144,000.00
37	EXCAVATE, SALVAGE, AND STOCKPILE WETLAND SOIL (CV)	CY	803	\$1.00	\$803.00	0		803	\$803.00
38	PLACE SALVAGED WETLAND SOIL (CV)	CY	803	\$1.00	\$803.00	0		803	\$803.00
39	TRENCH STABILIZATION ROCK	LF	300	\$30.00	\$9,000.00	0		300	\$9,000.00
40	TELEVISION	LF	4,541	\$1.25	\$5,676.25	0		4,541	\$5,676.25
41	HORIZONTAL DIRECTIONAL DRILLING BORE PITS	LS	1	\$190,000.00	\$190,000.00	0		1	\$190,000.00
<b>SUBTOTAL - DIVISION 2</b>					\$3,099,123.55		\$0.00		\$3,099,123.55
<b>DIVISION 3 - WATERMAIN</b>									
1	8"X6" WET TAP (INCLUDE SLEEVE AND VALVE)	EA	1	\$5,100.00	\$5,100.00	-1	-\$5,100.00	0	\$0.00
2	6" DIP, CL. 52 WATERMAIN	LF	382	\$41.00	\$15,662.00	-282	-\$11,562.00	100	\$4,100.00
3	6" RES. SEAT GATE VALVE & BOX	EA	1	\$1,300.00	\$1,300.00	0		1	\$1,300.00
4	6" HYDRANT (8'-6" BURY)	EA	1	\$4,600.00	\$4,600.00	0		1	\$4,600.00
<b>SUBTOTAL - DIVISION 3</b>					\$26,662.00		-\$16,662.00		\$10,000.00
<b>DIVISION 4 - STREETS &amp; RESTORATION</b>									
1	SAWCUT BITUMINOUS PAVEMENT	LF	85	\$5.50	\$467.50	0		85	\$467.50
2	REMOVE PIPE CULVERT (ALL TYPES & SIZES)	LF	178	\$4.50	\$801.00	0		178	\$801.00
3	SALVAGE & REINSTALL WOOD WIER	EA	1	\$1,050.00	\$1,050.00	0		1	\$1,050.00
4	REMOVE & DISPOSE OF EXIST. BITUMINOUS PAVEMENT, DRIVES	SY	120	\$3.90	\$468.00	0		120	\$468.00
5	REMOVE & DISPOSE OF EXIST. BITUMINOUS PAVEMENT, STREETS	SY	25	\$2.90	\$72.50	0		25	\$72.50
6	REMOVE & DISPOSE OF EXIST. CONCRETE CURB & GUTTER	LF	20	\$2.50	\$50.00	0		20	\$50.00
7	LIFT STATION SITE GRADING	LS	1	\$21,600.00	\$21,600.00	0		1	\$21,600.00
8	CLS AGGREGATE BASE	TN	1,101	\$18.00	\$19,818.00	0		1,101	\$19,818.00
9	SPWEA240B BITUMINOUS WEAR COURSE, DRIVES	SY	120	\$44.00	\$5,280.00	0		120	\$5,280.00
10	SPHWB230B BITUMINOUS NON-WEAR COURSE, STREETS	TN	165	\$184.00	\$30,360.00	0		165	\$30,360.00
11	SPWEA240B BITUMINOUS WEAR COURSE, STREETS	TN	125	\$194.00	\$24,250.00	0		125	\$24,250.00
12	BITUMINOUS MATERIAL FOR TACK COAT	GA	69	\$4.25	\$293.25	0		69	\$293.25
13	CONCRETE CURB & GUTTER	LF	20	\$55.00	\$1,100.00	0		20	\$1,100.00
14	CLS AGGREGATE BASE, SHOULDER	TN	55	\$47.00	\$2,585.00	0		55	\$2,585.00
15	15" CMP PIPE CULVERT W/APRON	LF	178	\$47.00	\$8,366.00	0		178	\$8,366.00
16	CL. 3 RIP RAP W/ GEOTEXTILE FABRIC	CY	5	\$125.00	\$625.00	0		5	\$625.00

17	OFF ROAD STRUCTURE MARKER	EA	25	\$88.00	\$2,200.00	0	25	\$2,200.00
<b>SUBTOTAL - DIVISION 4</b>					\$120,816.25		\$0.00	\$120,816.25

**TOTALS - CURRENT CONTRACT** \$3,434,430.40 -\$17,530.00 \$3,416,900.40

**CHANGE ORDER NO. 1**

CD1-1	8" PVC, SDR 23.5 SANITARY SEWER (25'-30" DEPTH)	LF	44.0	\$200.00	\$8,800.00		44.0	\$8,800.00
CD1-2	4" POLYSTYRENE INSULATION	SY	10.5	\$35.00	\$367.50		10.5	\$367.50

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

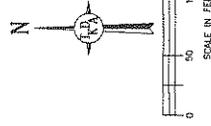
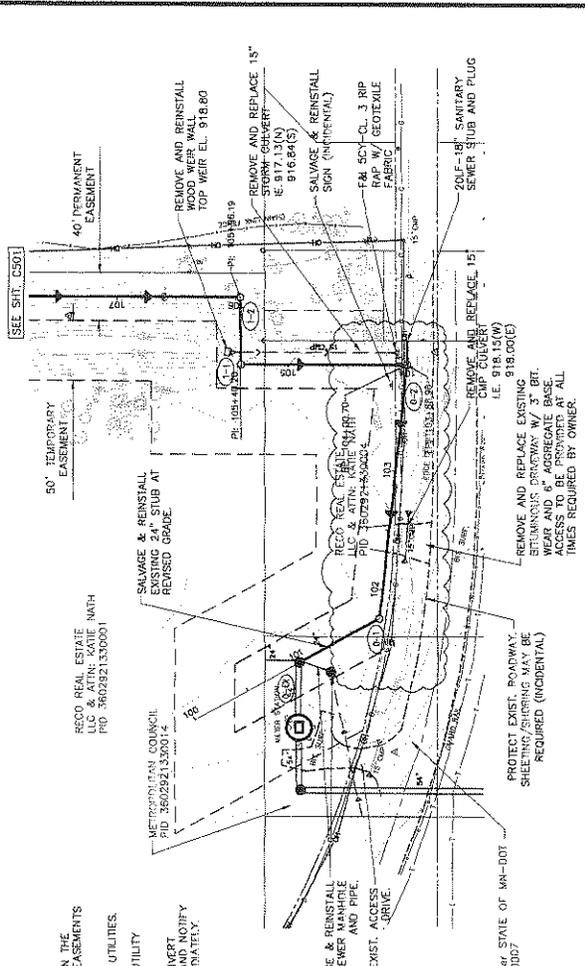
**CHANGE ORDER NO. 2**

CD2-1	COST FOR ADDITIONAL EASEMENT TO RELOCATE MH D-1	LS		-\$3,500.00		1.00	1.0	-\$3,500.00
CD2-2	8" X 8" WET TAP INCL VALVE & SLEEVE	EA		\$5,500.00		1.00	1.0	\$5,500.00
CD2-3	12" DIP CL. 52 WATERMAIN INCL FITTINGS	LF		\$75.00		328.00	328.0	\$24,600.00

**TOTALS - CHANGE ORDER NO. 2** \$0.00 \$9,070.00 \$26,600.00

**TOTALS - REVISED CONTRACT** \$3,443,597.90 \$3,452,667.90

- NOTES:
1. ALL WORK SHALL BE PERFORMED WITHIN THE ALL EASEMENT LIMITS AS DENIED BY EASEMENTS OR ROW.
  2. CONTRACTOR SHALL PROTECT EXISTING UTILITIES.
  3. CONTRACTOR SHALL COORDINATE ALL UTILITY IMPACTS WITH APPROPRIATE UTILITIES.
  4. CONTRACTOR SHALL VERIFY EXISTING INVERT ELEVATIONS PRIOR TO CONSTRUCTION AND NOTIFY ENGINEER OF ANY DISCREPANCIES IMMEDIATELY.

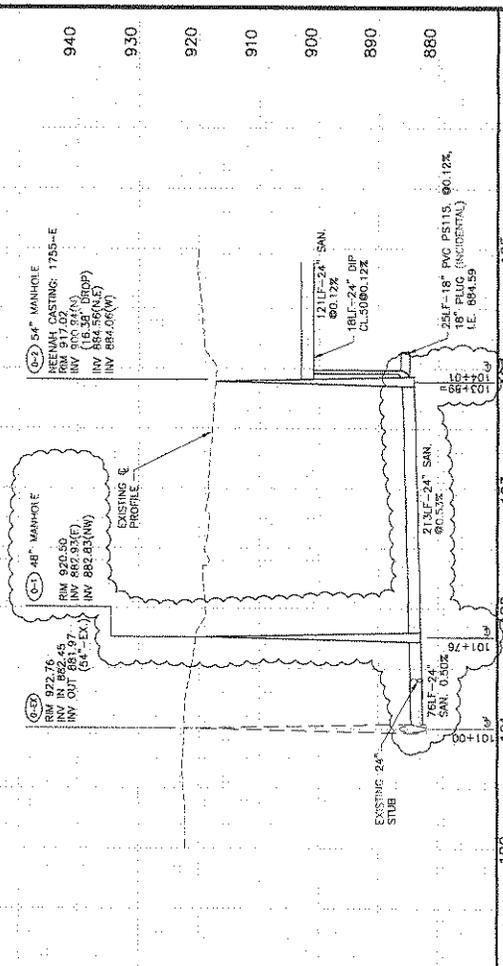


LAKE ELMO Owner, STATE OF MN-001  
PID: 3602921330007

PROTECT EXIST. ROADWAY. SHEETING/SHORING MAY BE REQUIRED (INCIDENTAL)

REMOVE AND REPLACE EXISTING STEEL/CONCRETE DRIVEWAY W/ 3" BIT. WEAR AND 6" AGGREGATE BASE. ACCESS TO BE PROVIDED AT ALL TIMES REQUIRED BY OWNER.

REMOVE AND REPLACE 15" 20\"/>



SEE SHIT. C501

50' TEMPORARY EASEMENT

40' PERMANENT EASEMENT

REMOVE AND REINSTALL WOOD DECK WALL TOP WEIR EL. 918.80

REMOVE AND REPLACE 15" STORM GULLY (INCIDENTAL) E. 917.12(N) B16.84(S)

SALVAGE & REINSTALL SIGN (INCIDENTAL)

FM 50' CL. 3 RIP RAP W/ GEOTEXILE FABRIC (INCIDENTAL)

20\"/>

LAKE ELMO Avenue Sewer Infrastructure Improvements I-94 to 30th Street

LAKE ELMO MINNESOTA

Station 101+00 to Station 105+00

SANITARY SEWER

444 Cedar Street, Suite 1500  
Saint Paul, MN 55101  
651.292.4400  
tkcd.com

DATE: 11/11/2011 11:11 AM

PROJECT: LAKE ELMO AVENUE SEWER INFRASTRUCTURE IMPROVEMENTS I-94 TO 30TH STREET

SCALE: 1" = 10'-0"

NO.	DATE	BY	REVISION

PROJECT: LAKE ELMO AVENUE SEWER INFRASTRUCTURE IMPROVEMENTS I-94 TO 30TH STREET

DATE: 11/11/2011 11:11 AM

SCALE: 1" = 10'-0"

LAKE ELMO Avenue Sewer Infrastructure Improvements I-94 to 30th Street

LAKE ELMO MINNESOTA

Station 101+00 to Station 105+00

SANITARY SEWER





MAYOR AND COUNCIL COMMUNICATION

DATE: 11/06/2013  
CONSENT  
ITEM #: 7

**AGENDA ITEM:** Easement Encroachment Agreement – 10950 57<sup>th</sup> Street  
**SUBMITTED BY:** Joan Ziertman, Planning Program Assistant  
**THROUGH:** Dean Zuleger, City Administrator  
**REVIEWED BY:** Rick Chase, Building Official  
Adam Bell, City Clerk  
Nick Johnson, City Planner  
Ryan Stempski, Engineer

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

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

**SUMMARY AND ACTION REQUESTED:**

The City Council is respectfully requested to authorize as part of tonight’s Consent Agenda the execution of an easement encroachment agreement. The City has received a request to install a retaining wall within a drainage and utility easement area at 10950 57<sup>th</sup> Street North from Gonyea Homes. Approval of the requested agreement would allow the property owners to construct the requested improvement within the City’s drainage and utility easements located on their private property.

**BACKGROUND AND STAFF REPORT:**

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

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

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

**RECOMMENDATION:**

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

**ATTACHMENT(S):**

1. Easement Encroachment Agreement – 10950 57<sup>th</sup> Street North

## ENCROACHMENT AGREEMENT

THIS AGREEMENT is made this \_\_\_\_ day of \_\_\_\_\_, 2013, by and between the CITY OF LAKE ELMO, a Minnesota municipality (hereinafter "City"), and Gonyea Homes, (hereinafter "Owner") and their successors in title.

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

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

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

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

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

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

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

4. The permission granted herein is limited exclusively to the proposed improvement within the City's easement. Owner shall not alter the grade, perform any other site disturbing activities, or permit such alteration anywhere upon the land upon which the City has reserved its easement without proper express written consent of the City. Owner shall construct and maintain The Improvements in compliance with all applicable laws and in good repair. Owner shall, at all times, use best efforts to conduct all of activities on said easement area in such a manner as to not interfere with or impede the operation of the City's easement and related activities in any manner whatsoever and shall remove The Improvements at no cost to the City when directed by the City. The work shall be done and The Improvements maintained in conformance with the direction of the City.

[SIGNATURES ON FOLLOWING PAGES]

CITY OF LAKE ELMO

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

By \_\_\_\_\_  
Dean A. Zuleger, City Administrator

STATE OF MINNESOTA     )  
                                          ) ss.  
COUNTY OF WASHINGTON )

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

\_\_\_\_\_  
Notary Public

STATE OF MINNESOTA     )  
                                          ) ss.  
COUNTY OF WASHINGTON )

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

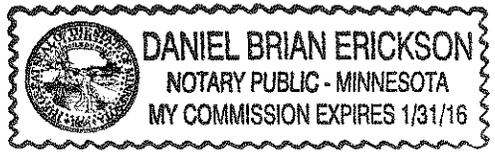
\_\_\_\_\_  
Notary Public

By *[Signature]* (Owner) By \_\_\_\_\_ (Owner)

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF WASHINGTON )

On this 16<sup>th</sup> day of October, 2013, before me, a Notary Public, personally appeared Tony Sonnen and /, property owners, who signed the foregoing instrument and acknowledged said instrument to be his free act and deed.

*[Signature]*  
Notary Public



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

**Attachment A**

Lot 5, Block 2, Discover Crossing (10950 57<sup>th</sup> Street North)



MAYOR AND COUNCIL COMMUNICATION

DATE: 11/06/2013

CONSENT

ITEM #: 8

AGENDA ITEM: Easement Encroachment Agreement – 5820 Lily Avenue

SUBMITTED BY: Nick Johnson, City Planner

THROUGH: Dean Zuleger, City Administrator

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

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

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

**SUMMARY AND ACTION REQUESTED:**

The City Council is respectfully requested to authorize as part of tonight’s Consent Agenda the execution of an easement encroachment agreement. The City has received a request to install a retaining wall within a drainage and utility easement area at 5820 Lily Avenue North from Ryan & Andrea Anderson. Approval of the requested agreement would allow the property owners to construct the requested improvement within the City’s drainage and utility easements located on their private property.

**BACKGROUND AND STAFF REPORT:**

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

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

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

**RECOMMENDATION:**

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

**ATTACHMENT(S):**

1. Easement Encroachment Agreement – 5820 Lily Avenue N

## ENCROACHMENT AGREEMENT

THIS AGREEMENT is made this 3<sup>rd</sup> day of October, 2013, by and between the CITY OF LAKE ELMO, a Minnesota municipality (hereinafter "City"), and Ryan Anderson & Andrea Anderson, husband and wife, (hereinafter "Owner") and their successors in title.

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

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

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

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

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

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

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

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

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

[SIGNATURES ON FOLLOWING PAGES]

CITY OF LAKE ELMO

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

By \_\_\_\_\_  
Dean A. Zuleger, City Administrator

STATE OF MINNESOTA     )  
                                          ) ss.  
COUNTY OF WASHINGTON )

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

\_\_\_\_\_  
Notary Public

STATE OF MINNESOTA     )  
                                          ) ss.  
COUNTY OF WASHINGTON )

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

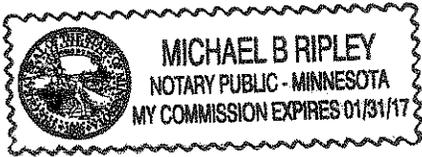
\_\_\_\_\_  
Notary Public

By [Signature]  
Ryan Anderson [Owner]

By [Signature]  
Andrea Anderson [Owner]

STATE OF MINNESOTA )  
 ) ss.  
COUNTY OF WASHINGTON )

On this 2 day of September, 2013, before me, a Notary Public, personally appeared Ryan Anderson and Andrea Anderson, Husband and Wife, property owners, who signed the foregoing instrument and acknowledged said instrument to be his free act and deed.



[Signature]  
Notary Public

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

EXHIBIT A

Lot 3 Block 4, St. Croix's Sanctuary (5820 Lily Avenue North, Lake Elmo, MN 55042)

by \_\_\_\_\_ County Auditor  
Deputy

STATE DEED TAX DUE HEREON: \$ 11073.60

Date: August 22, 2013

(reserved for recording data)

FOR VALUABLE CONSIDERATION, Lake Elmo Builders Inc. a Corporation under the laws of Minnesota, Grantor, hereby conveys and warrants to Ryan Anderson and Andrea Anderson, Husband and Wife, Grantee(s), as joint tenants, real property in WASHINGTON County, Minnesota, described as follows:

Lot 3, Block 4, St. Croix's Sanctuary

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:  
Subject to restrictions, reservations, covenants, conditions, and easements of record, if any.

- The Seller Certifies that the seller does not know of any wells on the described real property.
- A Well Disclosure Certificate accompanies this document or has been electronically filed.  
If electronically filed, the Well Disclosure Certificate number is: \_\_\_\_\_
- I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property has not changed since the last previously filed well disclosure certificate.
- An eCRV has been electronically filed. The eCRV ID number is: 1107673

Affix Deed Tax Stamp Here

Lake Elmo Builders Inc  
By: [Signature]  
Its President

STATE OF MINNESOTA }  
COUNTY OF Ramsey } ss.

The foregoing instrument was acknowledged before me this 22nd day of August, 2013, by Lisa L. Anderson, the President of Lake Elmo Builders Inc, a Corporation under the laws of Minnesota, on behalf of the Corporation.

NOTARIAL STAMP OR SEAL (OR OTHER TITLE OR RANK)  
CARLA J. SIGELBAUGH  
Notary Public - Minnesota  
My Commission Expires Jan 31, 2015

[Signature]  
SIGNATURE OF PERSON TAKING ACKNOWLEDGMENT

Tax Statements for the real property described in this instrument should be sent to  
Ryan Anderson  
5820 Lily Avenue N  
Lake Elmo, MN 55042

THIS INSTRUMENT WAS DRAFTED BY (NAME AND ADDRESS):  
Network Title, Inc.  
371 Commerce Court  
Vadnais Heights, MN 55127  
00048664

Receipt# 237886

WAR 516 00  
CONV 55 00  
SDT 51623 00  
Transfered Entered  
DRV Filed  
No Delinquent Taxes

Return to:  
RECORDING PARTNERS  
400 SECOND AVENUE  
SOUTH

MINNEAPOLIS MN 55401

3964455



Certified Filed and/or recorded on:

9/17/2013 9:47 AM

3964455

Office of the County Recorder  
Washington County, Minnesota  
Jennifer Wegelius, County Recorder  
Kevin Corbus, Auditor-Treasurer



# MAYOR & COUNCIL COMMUNICATION

DATE: 11/06/2013  
CONSENT  
ITEM #: 9

**AGENDA ITEM:** Creation of Administrative Committees / Public Safety

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

**THROUGH:** Mayor Mike Pearson

**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
- Public Input, if Appropriate ..... Mayor Facilitates
- Call for Motion ..... Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

**SUMMARY AND ACTION REQUESTED:** To further improve the operations of the City of Lake Elmo government, the City Council will create an administrative committees under the general provisions of the Lake Elmo Code of Ordinances. The Public Safety Committee will review the operations of the Fire Department, the service contracts with Washington County Sheriff's Department (police), and the Humane Office Contract as part of the public safety operations of the City. As part of its consent agenda, no formal action is required. If council removes this item from Consent, the recommended motion is as follows:

*“Move to create the City of Lake Elmo Public Safety Committee and adopt the attached operational guidelines.”*

In addition, Staff recommends appointing two of the three Lake Elmo residents to the Lake Elmo Public Safety Committee with the following motion:

*“Move to appoint Dave Moore and Al Bevers to the Lake Elmo Public Safety Committee as two of the three Lake Elmo residents.”*

**BACKGROUND INFORMATION:** Most statutory cities in Minnesota are organized with a committee structure that encompasses six main areas: Finance, Public Works, Public Safety, Human Resources, Parks, and Land Use (aka Planning Commission). For the most part, the Lake Elmo City Council has taken in upon itself to act as a Committee of the Whole in the area of Finance, Public Works, Public Safety and Parks – often using regular Council Meetings to accomplish the work of traditional municipal committees. This type of oversight has led to longer meetings, and perhaps, cursory reviews of critical issues in each of these five disciplines.

In 2013, the Finance Committee and the Human Resources Committee have been established and are in their infant stages of development. At the Mayor’s request it is now being recommended that a Public Safety Committee be established as well.

**STAFF REPORT:** With the City of Lake Elmo poised to embark on a period of mandated growth, the proper provision for public safety must be reviewed and analyzed as policing and fire services historically make up a large part of municipal budgets. With three main areas of growth (I94, Old Village and Open Space Rural) being considered, the size and scope of the operations of all public safety functions needed to be metered to serve the growth. The creation of a Public Safety Committee will help to evaluate staffing, equipping, and infrastructure needs in the areas of police, fire, and humane services. If appropriate, Building Inspections and Code Enforcement could also be placed under the purview of the Public Safety Committee.

**RECOMMENDATION:** Based on the aforementioned information, the City Staff recommends the following action:

*“Move to create the City of Lake Elmo Public Safety Committee and adopt the attached operational guidelines.”*

In addition, Staff recommends appointing two of the three Lake Elmo residents to the Lake Elmo Public Safety Committee with the following motion:

*“Move to appoint Dave Moore and Al Bevers to the Lake Elmo Public Safety Committee as two of the three Lake Elmo residents.”*

**ATTACHMENTS:**

1. Public Safety Committee Guidelines



## **Public Safety Committee Operating Policies & Procedures**

**Scope & Purpose:** To aid the City Council in the administration of public safety policies including but not limited to community policing, fire suppression and emergency services, animal control, liquor licenses and other matters concerning the general health and welfare of Lake Elmo citizens.

### **Committee Duties:**

- a. Review traffic and pedestrian safety matters and recommend needed action for Council approval.
- b. Advise the Council on policies for police and fire protection and advise the Board and Plan Commission on revisions in the Village's building, nuisance properties, health and safety codes.
- c. Advise the Council on matters concerning the Washington County Policing contract, fire department and emergency services programs.
- d. Review and recommend Council action regarding proposed state legislation impacting upon the Village and its residents.
- e. In cooperation with the Administrator, recommend to the Council appropriate policies and procedures regarding public safety operations and the delivery of such services to the public.
- f. Make recommendations to Council on the City's animal control program and humane officer contract.
- h. Consider requests for new retail alcohol licenses, review retail alcohol violations relating to licensing, develop alcohol related policies and make recommendations to the City Council.
- i. Consider any other matter the Council may refer.

**Meeting Schedule:** The Public Safety Committee will meet every quarter (March, June, September & December on the second Thursday from 6-7:30 PM or as needed.

**Committee Composition:** (2) City Council Members  
(3) Lake Elmo Residents w/ an interest in public safety

**Submitted:** November 6, 2013



# MAYOR & COUNCIL COMMUNICATION

**DATE: November 6, 2013**  
**CONSENT**  
**ITEM #10**  
**MOTION**

**AGENDA ITEM:** New Council memo Format

**SUBMITTED BY:** Dean Zuleger

**THROUGH:** 2014 City Council Retreat

**REVIEWED BY:** City Council / Staff

**SUGGESTED ORDER OF BUSINESS:**

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

**POLICY RECCOMENDER:** (Council, Commission, Committee, Citizen Group, Staff)

**FISCAL IMPACT:** (Include Labor and Time Costs)

**SUMMARY AND ACTION REQUESTED:**

**LEGISLATIVE HISTORY:** (How we got here)

**BACKGROUND INFORMATION (SWOT):**

- Strengths** (Should Include Options for Improvement & Best Practices)
- Weaknesses** (Should Include Identification of Waste / Inefficiency)
- Opportunities** (Should Include Areas for Reduction in Bureaucracy / Obsolescence)
- Threats** (Should Include Any Major Pitfall / Potholes)

**RECOMMENDATION:** Based on the aforementioned, the staff recommends and appropriate guiding motion.



MAYOR AND COUNCIL COMMUNICATION

DATE: 11/06/2013

CONSENT

ITEM #: 11

**AGENDA ITEM:** Purchase of a New Single Axle Plow Truck

**SUBMITTED BY:** Mike Bouthilet, Public Works Director

**THROUGH:** Dean Zuleger, City Administrator

**REVIEWED BY:** Cathy Bendel, Maintenance Advisory Committee / Finance Director

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

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

**SUMMARY AND ACTION REQUESTED:**

It is respectfully requested the City Council authorize the purchase of a new single axle truck with dump box, front plow, wing plow, underbody scraper, salt/brine distribution and all hydraulics/controls. As part of its consent agenda, no formal action is required. If Council wishes to remove this item from Consent, the recommended corresponding motion is as follows:

*“Move to authorize the purchase of a new Mack GU812 truck equipped with the Towmaster component package for \$197,661.26.”*

**BACKGROUND AND STAFF REPORT:**

The additional full time employee added to the Parks Department provides an opportunity to increase the snow plowing fleet. This truck has been programmed into the CIP. The addition of this truck would eliminate the need of contracting one of the PW department’s snow plow routes. Full time staff, utilizing City owned equipment, has proven to provide the most expedient, thorough, and proficient means of snow and ice control on our streets.

The Maintenance Advisory Committee held two meetings to discuss the truck and equipment specifications for this purchase. All items discussed were provided from the MN State Cooperative Purchasing Venture. The first meeting established all minimum specifications and components recommended. A second meeting was held to provide firm build out quotes and comparisons of two specific models. The second meeting resulted in the following motion:

**M/S/P Gurney/Dege: Recommend to Council, the State Contract CPV purchase, of the specified Mack Truck, equipped with dump box, plows, hydraulic, and component package from Towmaster, at a not to exceed price of \$198,000.00 Motion passed 4-0.**

**RECOMMENDATION:** To authorize the purchase of a new Mack GU812 truck equipped with the Towmaster component package for \$197,661.26. If removed from the Consent Agenda, the recommended motion is as follows:

*“Move to authorize the purchase of a new Mack GU812 truck equipped with the Towmaster component package for \$197,661.26.”*

**ATTACHMENT(S):**

1. MAC Minutes October 14, 2013 and September 25, 2013
2. Towmaster Equipment Specs
3. Mack Bid
4. Towmaster Bid

## MINUTES

### City of Lake Maintenance Advisory Committee Monday October 14<sup>th</sup>, 2013

**Members Present:** R. Gustafson, S. Gurney, D. Moore, and G. Dege (6:50)  
**Members Absent:** Ziertman (Excused)  
**Others Present:** PWS Bouthilet, MO Duddeck, MO Gustafson

The meeting was called to order by S. Gurney at 6:07 PM

#### A. 2013 Single Axel Dump/Plow Truck Specifications Review

The Committee reviewed the discussion from the previous meeting. The consensus of the Committee was to:

- Confirm the minimum 350 HP and minimum 1200 ft/lbs torque specification.
- Equip the truck with an Allison 4000 rugged duty transmission.
- If a Mack truck is purchased, equip it with a Mack Motor. (*Cummings option rejected*)
- If a Freightliner is purchased, equip it with the Cummings motor. (*Detroit Diesel option rejected*)
- Add the salt brine tanks due to availability brine from the City of Mahtomedi.
- Upgrade and utilize a front set back axel, providing a tighter turn radius.

Bouthilet reported that our contract truck mechanic, Dan Larson, said they are all good motors, but it did not make sense to put a Cummings motor in a Mack truck. He added he would recommend the Cummings motor over the more expensive (\$3000) Detroit Diesel, even if the prices were equal.

To meet the requested information from the September 25<sup>th</sup> MAC meeting, Bouthilet presented the following truck specifications and prices:

- Freightliner 370 HP, 1250 ft/lbs torque, Allison 4000 RDS \$95,585.00
- Mack 365 HP, 1340 ft/lbs torque, Allison 4000 RDS \$99,272.00

Both trucks closely matched specifications on frame, axels, and other components. Questions from the Committee included:

- Projected delivery date? – Mack, truck and body build out, late Feb. Freightliner, TBD.
- Color? - Cab standard white unless green can be added at no cost. Box stainless steel.
- What is primary benefit/value of the Mack vs. Freightliner? – Trade-in value.

Consensus of the MAC was because the Mack truck would have a higher trade in value, and exceeded some primary specs of the Freightliner to recommend a Mack truck purchase.

**M/S/P Gurney/Dege: Recommend to Council, the State Contract CPV purchase, of the specified Mack Truck, with the box, plow, hydraulic, and component package from Towmaster, at a not to exceed price of \$198,000.00 4-0**

**Meeting Adjourned: 7:45 PM**

Prepared and Submitted By: Mike Bouthilet

# MINUTES

## City of Lake Maintenance Advisory Committee Wednesday September 25<sup>th</sup>, 2013

**Members Present:** R. Gustafson, S. Gurney, D. Moore, and Ziertman  
**Members Absent:** Dege  
**Others Present:** Hydraulic specialist Steve Chlebeck (Force America), Diesel engine and truck mechanic Daniel Larson (Larson Diesel), PWS Bouthilet, MO Duddeck, MO Gustafson

The meeting was called to order by S. Gurney at 6:05 PM

### A. 2013 Single Axel Dump/Plow Truck Specifications Review

Bouthilet gave a brief review and synopsis of State Contract Cooperative Purchasing Venture equipment and specifications provided to the MAC in their packet:

- Itemized specifications and pricing for a Mack GRU 432 (dealer suggested)
- Itemized specifications and pricing for a Mack GRU 712 (dealer suggested)
- Specifications and prices for a Freightliner 114SD (not itemized)
- Specifications and prices for a Kenworth T470 (dealer suggested snow plow set-up)
- Recent truck specs and prices for a GRU 812 purchased by Inver Grove Heights (Specs. by IGH)
- Recent truck specs and prices for a GRU 712 purchased by Maplewood (Dealer built demo.)
- Specifications and pricing for all truck components from Towmaster
- An international truck is also on the state contract, but was not recommended for review.

To help answer questions and provide clarification during the hydraulics and truck components specification review, Bouthilet introduced Steve Chlebeck a 20+ year Lake Elmo resident who has 25+ years working in hydraulics, valves and truck controls. Steve is employed by Force America the company which has supplied hydraulic components for the Lake Elmo and the majority of the municipal trucks in the twin cities.

Steve gave the Commission a brief overview of his company, products, and his experience. He next reviewed the hydraulic and control specifications proposed to the MAC by Bouthilet. Notable comments included:

- 30% Salt savings documented by Dakota County when utilizing the salt controller specified.
- Recommended utilizing the next size up hydraulic pump. It will provide the flow needed under high demand and reduce overall wear. Larson concurred with the recommendation.
- The stainless steel hydraulic tank an oil level warning were noted and accepted by the MAC.
- Chlebeck suggested saving cost by installing the "Road Watch" in the controls, as opposed to the truck console.
- Bouthilet reported he would have to verify the availability of salt brine before the tanks would be added to the truck body.

For the truck motor chassis specification review, Bouthilet introduced Lake Elmo resident Dan Larson from Larson Diesel. Larson has been the department's contract mechanic for DOT inspections and any major truck or diesel engine repairs. Notable comments included:

- Larson- Spec. at least 350 H.P. and Allison 4000 Rugged duty transmission.
- Ziertman/Larson- utilize synthetic fluid in transmission.
- Moore/Larson- Mack truck should have Mack engine.

- Duddeck- Higher trade value with a Mack truck.
- Larson- Highly recommends extended warranty with any truck. Engine, EAF, Harness.
- Larson-Recommended Cumming vs. Detroit Diesel engine.
- Spec the front axle in a set back position-tighter turn radius.

All other specifications on the truck chassis and box & plows were reviewed, deemed appropriate and matched specification/requirements of previously purchased trucks

Consensus of the MAC was to get pricing on the trucks with an upgraded engine, transmission, hyd. motor, set back axle and salt brine availability, and provide quotes at a follow up meeting.

**Meeting Adjourned: 7:40 PM**

Prepared and Submitted By: Mike Bouthilet



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## Equipment Specifications

Ref: Quote # 12229-TGG  
LAKE ELMO

**MODEL: 106 EDGE-RS**

### **DIMENSIONS:**

10'6" long x 96" wide O.D.

### **FRONT PANEL:**

46" high, 7ga Stainless Steel const, reinforced top rail with inclined mount & rubber flap seal.

### **SIDES: (Struck)**

36" high, 7ga Stainless Steel panels, 18" radius corners, fully boxed top rails, w/inv angles full length, Board pockets front and rear/DELETED, full depth 7 ga Stainless Steel rear corner posts, dual 2-line sander manifold(s) @ RH & LH REAR corner post, Removable 3-1/2" Bustin (Painted Carbon Steel) walk rail full length both sides, TMTE "FLIP-A-Way" Stainless Steel access ladder - LH REAR, with interior step & upper grab handle.

### **TAILGATE:**

36" high, 3/16" HARDOX-450 Interior main panel, 10 ga Stainless Steel outer reinforcing, 3 panel design, 1-1/4" dia bottom pins, 1" thick upper hinges w/bushings & 1-3/4" dia pins, Lever top-pin release system, 3/8" alloy spreader chains, steel latches, airtrip ready linkage. (See also "SANDER" for flow plates type)

### **FLOOR:**

1/4" HARDOX-450 steel.

### **UNDERSTRUCTURE:**

W8" x 13.0#/ft struct (I-BEAM) longsilts, w/8" rear bolster.

### **PREP/PAINT:**

Exterior Acid Washed and left in Stainless Mill Finish. Underside & Carbon Steel parts blasted, Seam-Sealed, Urethane primed and painted w/Gloss black Polyurethane.

### **LIGHTS/WIRE: (D-Housings)**

FMVSS 108 compliant, rubber mounted LED clearance lights, LED Cluster of 3, w/Factory sealed wire harness, Ground strap, Stainless Steel STROBE/ STOP-TAIL-TURN /BACKUP light provisions in corner posts (see D.O.T. Warning Light System below).

### **MUD FLAPS:**

Rear of rear tires, attached to mounts. (SEE ALSO FENDERS)

### **CABSHIELD: (Stationary)**

1/2 type, 24" Stainless steel cabshield Canopy, Stationary "Free-Standing" style, Hot-Dipped Galvanized frame, w/2vert shovel holders, Adj tubing strobe brkts, reservoir mounting brkts, & Full window, Installed. Canopy Acid Washed/blasted, primed, and painted]. (SEE ALSO STROBE SYSTEM)

### **HOIST:**

Omaha Standard-Palfinger Model: 720DH Overhang: (see truck layout form), Dump angle: 50°, Double acting, W/solid block rear hinge point & OSHA approved safety prop.

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**PUMP:**

Front frame mounted, Engine crank-shaft driven, LS type. Make: Force America Model: FASD34L, 4.67, Including an H.P. ball valve on pressure outlet.

**VALVE:**

Make: Force America Model: Add-A-Fold MCV-ISO, 9 function, LS type. Providing control for: Box Hoist, Plow Lift, Plow Angle, Wing Toe, Wing Heel, Wing Push-Bar, Scraper Lift, Auger, & Spinner, Including Relief on ON HOIST, Float on PLOW, Wing-Loc valve on wing heel (by Falls)] & external valve Enclosure.

**SANDER VALVE/CONTROL: (Integrated)**

Force America model SSC-6100 w/auger reverse ground-based closed loop electronic control] Internally mounted in main control console.

**CONTROLS: (Electronic)**

Force ULTRA- 4 type remote electronic controls, Adjustable Arm-mounted off of the driver's seat. (Note: Control will move up and down with air seat)

**RESERVOIR & FILTRATION: (Cabshield)**

30 gal Stainless Steel, cabshield mounted w/sight-level gauge, filler-breather, magnetic drain plug, 100 mesh suction screen, gate type shut off valve, & quick drain valve with remote hose. 12 volt DC Low oil indicator system included. Return line type, IN-TANK mounted - hydraulic oil filter w/replaceable element, & 12 volt condition indicator installed, Filled with DEXRON III hydraulic oil.

**PLUMBING:**

2" suction line, 1" main pressure line, 1-1/4" return line, balance to match component port sizing requirements. All swivel fittings are 37° JIC or dry-seal type.

**TOOL BOX:**

18" x 18" x 24" long, aluminum construction, with diamond plate door, Twist handle latch & weather seal, installed on LH frame rail, with angle-iron mounts.

**CAMERA SYSTEM:**

Brigade Electronics model VBV-750-BM-010 camera system (max 3 inputs), including 7" LCD color screen (in cab), infrared "night vision" camera, & all cables, Installed complete for Wing operation/Reverse viewing.

**FENDERS:**

MINIMIZER model: MIN2260 black poly fender set, w/bolt-on frame brackets, Installed.

**VIBRATOR:**

Cougar model: DC-3200 12 volt D.C., Installed on Front center underside of body, w/Switch mounted in cab (See CAB LAYOUT Drawing)

**TAILGATE TRIP:**

3-1/2" x 10" air cylinder, Solenoid air valve, w/piping and fittings, & installed

**ROADWATCH:**

RWSS ROAD WATCH system installed with Force America cable hooked up to 6100 Salter control.

**REAR HITCH: Pintle Height 24"**

3/4" Steel pull plate w/bracing to truck frame, Safety chain D-rings, Premier 370 air-cushion Pintle hook, with Transfer of 7 round female electrical socket, & Transfer of air glad-hand connections to rear plate.

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**D.O.T. WARNING LIGHT SYS: (w/Wing TIR)**

TMTE-1-5 (custom built by Whelen) warning light system, consisting of: (2) 23H 3-light LED Micro-Edges, (2) 5M-400 Linear Super-LEDs, (2) Side TIR3 LEDs, 400 Max B-T-T LEDs, & (2) 400 L.E.D. Backup Lights, in Stainless Steel Housings. System also includes (1) LED Wing Plow light, and (2) 4" dia LED work lights (sander & wing). Installed complete with cables, & switches in cab. Note: Separate switching of Micros, Rear Body Lights, & Wing Warning Light

**SNOWPLOW LIGHTS:**

Combo HOH headlight w/turn signal, Mirror mounted on Std Alum brackets, w/OEM Selector switch dash mounted.

**UNDERBLADE: (SDL App)**

Falls model IB-11A Fixed angle 11', RH discharge, **set forward of standard location**, 1" thick moldboard, all mtg hdwe & plbg, w/Pressure gauge cab mounted. Nitrogen accumulator cushion & auto reset w/External adj pressure reducing/relief valve included. Blade auto lift in reverse system provided and installed

**SNOWPLOW:**

Falls Model PR1243 SPRING TRIP Power Reversible Straight Moldboard snowplow, complete with all std equip, SPRING Trip Mechanism, Rubber Snow Flap, End Markers & plow push unit for Falls X4 PIN AND LOOP hitch system. Painted Falls std Gloss Black paint color. Shipped loose in dump body.

**PLOW HITCH:**

Falls Model 44XB2 PIN AND LOOP heavy duty hitch system, complete with all std features, all mtg hdwe, wing post provision, Std plbg, S.A. lift cylinder, & Spring Return. Installed and painted gloss black.

**SNOW WING:**

Falls Model SDL9RL REAR LIFT All Hydraulic Patrol Style snow wing, Scraper Discharge mounted, complete with all std features, Nitro-Cush Hyd Pushbar, all mtg hdwe & Std plbg, installed complete, and Moldboard painted Falls std "BLACK" paint color.

**SANDER: (Salt Special)**

Falls Model #1ASD-6CDLMSS Salt Special Stainless Steel under-gate sander, 6" dia, 6" pitch 3" inner tube auger, External-Removable, STAINLESS Steel side spill plates, LH poly spinner ass'y, Extra "anti-Salt" plate, plbg, Std couplers, & mtg hardware, Installed. NOTE: Plumbing connections at RH & LH Cornerpost Manifolds.

**PRE-WET SYSTEM:**

Varitech/Force model LDS-TMR110 EGF-ON/OFF gravity feed; pre-wet system, complete with mounting brackets, & piping Fitted to body Sides, and Installed with all wiring & lines. Manual ON-OFF over-ride switch mounted in cab

**WARRANTY:**

**24 Months** (from In-Service/Invoice Date), on all components, equipment, and services sold by and installed by **TOWMASTER** (or its assigned subcontractors). This includes: Dump Body, Hoist, Hydraulic System, Controls, Lighting, & Snow Fighting Equipment. Whelen All L.E.D. light systems carry 5 yr unconditional warranty, with the exception for breakage or water damage due to breakage.

Specifications Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

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SEQ 330-113  
Date 1-Feb-13

**REBID - Single Axle Cab & Chassis**

VENDOR NAME NUSS TRUCK & EQUIPMENT

YEAR, MAKE AND MODEL 2014 MACK GU812 SBA

This section for use when ordering	
WB	165
CA	99"
AF	62"
Rear Ratio	TBD
Cab Color	GREEN
Wheel Color	WHITE
Notes	CITY OF LAKE ELMO

Grand Total	\$	102,558.26
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Code	Spec #	Description	Qty	Price	Subtotal
1.0		<b>PRICE FOR BASE UNIT:</b>	1	\$ 77,113.00	\$ 77,113.00
2.0		<b>FRAME OPTIONS</b>			
2.1		Front frame extension	1	\$ 759.00	\$ 759.00
2.2		Custom hole punching in frame		\$ 150.00	\$ -
2.3		Deduct for no front bumper	1	\$ (10.00)	\$ (10.00)
2.4		Frame fastener option ( huck spun)	1	\$ 0.01	\$ 0.01
2.5		Frame, R.B.M., S.M., PSI, CA			
2.6		1,880,000 15.7 120,000 87 - 129 CA		\$ 0.01	\$ -
2.7		1,880,000 15.7 120,000 130 - 164 CA		\$ 191.00	\$ -
2.8		2,120,000 17.7 120,000 87 - 129 CA		\$ 75.00	\$ -
2.9		2,120,000 17.7 120,000 130 - 164 CA		\$ 266.00	\$ -
2.10		2,4700,00 20.6 120,000 87 - 129 CA		\$ 292.00	\$ -
2.11		2,4700,00 20.6 120,000 130 - 164 CA		\$ 483.00	\$ -
2.12		2,820,000 23.5 120,000 87 - 129 CA	1	\$ 606.00	\$ 606.00
2.13		2,820,000 23.5 120,000 130 - 164 CA		\$ 797.00	\$ -
		<b>DOUBLE FRAME - PARTIAL IC REINFORCEMENT</b>			\$ -
2.14		3,230,000 26.9 120,000 87 - 129 CA		\$ 546.00	\$ -
2.15		3,230,000 26.9 120,000 130 - 164 CA		\$ 869.00	\$ -
2.16		3,580,000 29.8 120,000 87 - 129 CA		\$ 763.00	\$ -
2.17		3,580,000 29.8 120,000 130 - 164 CA		\$ 1,661.00	\$ -
2.18		3,920,000 32.7 120,000 87 - 129 CA		\$ 1,077.00	\$ -
2.19		3,920,000 32.7 120,000 130 - 164 CA		\$ 1,401.00	\$ -
		<b>DOUBLE FRAME - FULL IC REINFORCEMENT</b>			
2.20		3,230,000 26.9 120,000 87 - 129 CA		\$ 727.00	\$ -
2.21		3,230,000 26.9 120,000 130 - 164 CA		\$ 1,050.00	\$ -
2.22		3,580,000 29.8 120,000 87 - 129 CA		\$ 944.00	\$ -
2.23		3,580,000 29.8 120,000 130 - 164 CA		\$ 1,267.00	\$ -
2.24		3,920,000 32.7 120,000 87 - 129 CA		\$ 1,258.00	\$ -
2.25		3,920,000 32.7 120,000 130 - 164 CA		\$ 1,581.00	\$ -

STATE OF MINNESOTA  
PRICING PAGE

Code	Spec #	Description	Qty	Price	Subtotal
	2.26	Flush bright finish channel steel		\$ 102.00	\$ -
	2.27	Extended stylized-silver-bright finish steel w/stone guard		\$ 1,354.00	\$ -
	2.28	Extended stylized-silver-painted steel w/stone guard		\$ 1,074.00	\$ -
	2.29	Extended - swept back steel with stone guard - includes center tow pin		\$ 729.00	\$ -
	2.30	Extended - swept back steel, bright finish with stone guard - includes center tow pin		\$ 1,031.00	\$ -
	2.31	Mill finish, flush mounted, unpainted aluminum		\$ 62.00	\$ -
	2.32	Stainless steel clad aluminum flush mounted		\$ 305.00	\$ -
	2.33	Extended swept back channel steel with bright finish w/painted center tow pin		\$ 561.00	\$ -
	2.34	Extended swept back steel channel w/bright finish		\$ 234.00	\$ -
	2.35	Extended swept back painted steel		\$ 327.00	\$ -
	2.36	Plate type radiator guard		\$ 90.00	\$ -
	2.37	Bright finish plate type radiator guard		\$ 141.00	\$ -
	2.38	Tectyl 185 GW pigmented compound between frame rails		\$ 106.00	\$ -
<b>3.0</b>	<b>FRONT AXLE/SUSPENSION/BRAKE/OPTION</b>				
	3.1	Set back front axle option	1	\$ 0.01	\$ 0.01
	3.2	14,600 front axle & matching suspension - Mack FXL14.6		\$ 698.00	\$ -
	3.3	16,000 front axle and matching suspension - Mack FXL18		\$ 1,523.00	\$ -
	3.4	18,000 front axle and matching suspension - Mack FXL18	1	\$ 1,523.00	\$ 1,523.00
	3.5	20,000 front axle and matching suspension - Mack FXL20		\$ 2,331.00	\$ -
	3.51	23,000 front axle and matching suspension - Mack FXL23		\$ 2,553.00	\$ -
	3.6	Heavy duty front axle shocks	1	\$ 0.01	\$ 0.01
	3.7	Front stabilizer bar			\$ -
	3.8	Right hand air bag suspension per Spec 3.7, Driver-controlled			\$ -
	3.9	Left air bag suspension per Spec 3.7, Driver controlled			\$ -
	3.10	Front axle lubrication cap with slotted venthole			\$ -
	3.11	Front brake dust shields	1	\$ 16.00	\$ 16.00
	3.12	Dual-front auxiliary steering gear		\$ 807.00	\$ -
	3.13	RH spring build up for wing plow application		\$ 25.00	\$ -
	3.14	LH spring build up for wing plow application		\$ 25.00	\$ -
	3.15	All wheel drive front axle		\$ 43,000.00	\$ -
	3.16	Twin Steer Front Axle		\$ 32,210.00	\$ -
	3.17	Aluminum front hubs		\$ 48.00	\$ -
	3.18	Centerfuse outboard mounted brake drums		\$ 197.00	\$ -
	3.19	Multileaf front spring ILO taperleaf (2 leaf spring)		\$ 32.00	\$ -
	3.20	HD multileaf front spring ILO taperleaf (2 leaf spring)		\$ 59.00	\$ -
	3.21	HD taperleaf (3 leaf spring) ILO of taperleaf (2 leaf spring)	1	\$ 55.00	\$ 55.00
	3.22	Meritor front slack adjusters - Need same slack on rear axle	1	\$ 44.00	\$ 44.00
	3.23	Haldex front slack adjusters - eed same slack adjustor on rear axle		\$ 47.00	\$ -
	3.24	Meritor front brakes - Need to match same brakes with rear axle		\$ 74.00	\$ -

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Code	Spec #	Description	Qty	Price	Subtotal
4.0		<b>4.0 SINGLE REAR AXLE/SUSPENSION/BRAKE/OPTIONS</b>			
4.1		17,500# driver differential locking rear axle and matching suspension			\$ -
4.2		19,000# rear axle & matching suspension			\$ -
4.3		19,000# driver differential locking rear axle and matching suspension			\$ -
4.4		21,000# rear axle and matching suspension		\$ (141.00)	\$ -
4.5		21,000# driver differential locking rear axle and matching suspension		\$ 195.00	\$ -
4.6		22,000# rear axle and matching suspension			\$ -
4.7		22,000# driver differential locking rear axle and matching suspension			\$ -
4.8		23,000# rear axle and matching suspension		\$ 0.01	\$ -
4.9		23,000# driver differential locking rear axle and matching suspension		\$ 439.00	\$ -
4.10		26,000 # rear axle and matching suspension		\$ 2,364.00	\$ -
4.11		26,000 # driver differential locking rear axle and matching suspension		\$ 2,807.00	\$ -
4.12		Meritor RS23160 rear axle and 26,000-31,000# rear suspension, driver diff. lock.		\$ 839.00	\$ -
4.13		17,500# air suspension in lieu of springs			\$ -
4.14		19,000# air suspension in lieu of springs			\$ -
4.15		21,000# air suspension in lieu of springs			\$ -
4.16		22,000# air suspension in lieu of springs			\$ -
4.17		23,000# air suspension in lieu of springs		\$ 825.00	\$ -
4.18		26,000# air suspension in lieu of springs			\$ -
4.19		Dash mounted air dump system			\$ -
4.20		½ round universal joints		\$ 0.01	\$ -
4.21		Spicer 1810 HD drive line with half round universal joints		\$ 77.00	\$ -
4.22		Rear axle heavy duty shocks			\$ -
4.23		Rear auxiliary spring, 4500#			\$ -
4.24		Rear stabilizer bar			\$ -
4.25		Rear brake dust shield		\$ 16.00	\$ -
4.26		Meritor 18 MXL drive line with half round universal joints		\$ 38.00	\$ -
4.27		Mack RA23R 23,000 lbs rear axle & suspension	1	\$ 412.00	\$ 412.00
4.28		30,000 lbs rear spring for Mack RA23R rear axle		\$ 400.00	\$ -
4.29		Meritor RS-30-185 30,000 lbs driver differential locking rear axle & matching suspension		\$ 3,218.00	\$ -
4.30		Dana-Spicier S30-190 30,000 lbs driver differential locking rear axle & matching suspension		\$ 2,733.00	\$ -
4.31		Mack interwheel power divider	1	\$ 965.00	\$ 965.00
4.32		Mack driver control differential lock		\$ 439.00	\$ -
4.33		Helper springs	1	\$ 120.00	\$ 120.00
4.34		Aluminum rear hubs		\$ 67.00	\$ -
4.35		Centerfuse outboard brake drums		\$ 93.00	\$ -
4.36		Meritor rear slack adjustors	1	\$ 44.00	\$ 44.00
4.37		Haldex rear slack adjustors		\$ 47.00	\$ -
4.38		Dana-spicier SPL170XL extended lube series		\$ 92.00	\$ -
4.39		Dana-spicier SPL250XL extended lube series		\$ 113.00	\$ -
4.40		Dana-spicier SPL250HDXL extended lube series		\$ 188.00	\$ -
4.41		Haldex "Life Seal"		\$ 1.00	\$ -
4.42		MGM MDL TR-T (Tamper Resistant Brake Chamber) reclock inlet ports for optimum ground clearance		\$ 29.00	\$ -
4.43		Haldex Gold Seal		\$ 6.00	\$ -
4.44		Meritor rear brakes		\$ 53.00	\$ -
4.45		No spin differential - Spicer axle only		\$ 503.00	\$ -

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Code	Spec #	Description	Qty	Price	Subtotal
446		13,500 lbs Hendrickson steerable composilite HPLUS-2 pusher axle - includes tires and rims		\$ 8,289.00	\$ -
4.47		10,000 lbs Hendrickson steerable composilite HPLUS-2 pusher axle - includes tires and rims		\$ 8,289.00	\$ -
4.48		20,000 lbs Watson-Chalin steerable SL-2089 Thu Track Series pusher axle - includes tire and rims		\$ 11,678.00	\$ -
4.49		13,200 lbs Watson-Chalin steerable SL-1187 Thu Track Series pusher axle - includes tire and rims		\$ 8,628.00	\$ -
4.50		8,000 lbs Watson-Chalin steerable SL-0851 Thu Track Series pusher axle - includes tire and rims		\$ 8,515.00	\$ -
4.51		20,000 lbs Watson-Chalin non-steerable AL-2200 Atlas Series pusher axle - includes tire and rims		\$ 7,763.00	\$ -
4.52		20,000 lbs Hendrickson non - steerable composilite HLM pusher axle - includes tires and rims		\$ 7,669.00	\$ -
4.53		13,200 lbs Hendrickson steerable HPLUS2Z pusher axle - includes tires and rims		\$ 8,289.00	\$ -
4.54		20,000 lbs Hendrickson Paralift HLP20 steerable pusher axle - includes tires and rims		\$ 6,531.00	\$ -
4.55		13,500 lbs Hendrickson steerable composilite HPLUS-2 tag axle - includes tires and rims		\$ 8,289.00	\$ -
4.56		10,000 lbs Hendrickson steerable composilite HPLUS-2 tag axle - includes tires and rims		\$ 8,289.00	\$ -
4.57		20,000 lbs Watson-Chalin steerable SL-2089 Thu Track Series tag axle - includes tire and rims		\$ 11,678.00	\$ -
4.58		13,200 lbs Watson-Chalin steerable SL-1187 Thu Track Series tag axle - includes tire and rims		\$ 8,628.00	\$ -
4.59		20,000 lbs Watson-Chalin non-steerable AL-2200 Atlas Series tag axle - includes tire and rims		\$ 7,763.00	\$ -
4.60		20,000 lbs Hendrickson non - steerable composilite HLM tag axle - includes tires and rims		\$ 7,669.00	\$ -
4.61		13,200 lbs Hendrickson steerable HPLUS2Z tag axle - includes tires and rims		\$ 8,289.00	\$ -
4.62		20,000 lbs Hendrickson Paralift HLP20 steerable tag axle - includes tires and rims		\$ 6,531.00	\$ -
4.63		Furnish Meritor wide track axle option - Need for Super Singles		\$ 1,404.00	\$ -
					\$ -

5.0 INTENTIONALLY LEFT BLANK:

6.0 TIRES/RIMS OPTIONS:

6.1		Nylon wafers or wheel guards on all wheels (6 ea)		\$ 39.00	\$ -
6.2		Heavier 7500 lb 22.5 x 8.25 Steel rims in lieu of standard 7300# rims (10 ea)		\$ 0.01	\$ -
6.3		Heavier 7500 lb 22.5 x 8.25 Steel rims in lieu of standard 7300# rims (2 ea) in rear only		\$ 0.01	\$ -
6.4		11R 22.5 H front tires		\$ 115.00	\$ -
6.5		12R 22.5 H front tires		\$ 253.00	\$ -
6.6		9000 lb 22.5 9" front steel rims, 315/80R 22.5 J front tires		\$ 440.00	\$ -
6.7		10,000 lb 22.5 9" front steel rims, 315/80R 22.5 J front tires	1	\$ 472.00	\$ 472.00
6.8		10,500 lb 22.5 x 12.25 front steel rims, 385/65R 22.5 J front tires		\$ 769.00	\$ -
6.9		10,500 lb 22.5 x 12.25 front steel rims, 425/65R 22.5 J front tires		\$ 823.00	\$ -
6.10		11R 22.5 H rear tires		\$ 592.00	\$ -
6.11		7,300 lb 24.5" x 8.25" steel front rims		\$ 105.00	\$ -
6.12		7300 lb 24.5" x 8.25" rear steel rims		\$ 166.00	\$ -
6.13		8,000 lb 24.5" x 8.25" steel front rims		\$ 145.00	\$ -
6.14		8,000 lb 24.5" x 8.25" steel rear rims		\$ 229.00	\$ -

Code	Spec #	Description	Qty	Price	Subtotal
6.15		11R 24.5 G front tires		\$ 97.00	\$ -
6.16		11R 24.5 H front tires		\$ 171.00	\$ -
6.17		11R 24.5 G rear tires		\$ 351.00	\$ -
6.18		11R 24.5 H rear tires		\$ 527.00	\$ -
6.19		Spare rim, size 22.5 x 8.25		\$ 150.00	\$ -
6.20		Spare rim, size 24.5 x 8.25		\$ 160.00	\$ -
6.21		Spare rim, size 22.5 x 9.0		\$ 345.00	\$ -
6.22		Spare rim, size 22.5 x 12.25		\$ 445.00	\$ -
6.23		12R22.5 H front tires		\$ 373.00	\$ -
6.24		12R 22.5 H rear tires		\$ 1,492.00	\$ -
6.25		Wheel lugwrench - includes handle		\$ 44.00	\$ -
6.26		Aluminum front wheel - 22.5 x 8.25		\$ 224.00	\$ -
6.27		Aluminum front wheel - 24.5 x 8.25		\$ 261.00	\$ -
6.28		Aluminum front wheel - 22.5 x 9.0		\$ 362.00	\$ -
6.29		Aluminum front wheel - 22.5 x 12.25		\$ 364.00	\$ -
6.30		Polished aluminum front wheel		\$ 44.00	\$ -
6.31		Dura-bright bright finish front wheels		\$ 185.00	\$ -
6.32		Aluminum rear wheels - 22.5 x 8.25		\$ 810.00	\$ -
6.33		Aluminum rear wheels - 24.5 x 8.25		\$ 842.00	\$ -
6.34		Polished aluminum rear wheel four outboard of dual wheels		\$ 120.00	\$ -
6.35		Polished aluminum rear wheel all eight (4) wheels		\$ 241.00	\$ -
6.36		Dura-bright bright finish on all eight (4) rear wheels		\$ 1,209.00	\$ -
6.37		Dura-bright bright finish on all four (4) outboard rear wheels		\$ 605.00	\$ -
6.38		445/65R22.5 20 ply Michelin XZY3 rear tire in lieu of dual		\$ 1,202.00	\$ -
6.39		22.5 x 13.0 steel rear wheels in lieu of duals		\$ 441.00	\$ -
6.40		22.5 x 13.0 steel aluminum rear wheels in lieu of duals		\$ 682.00	\$ -
6.41		Power coat paint for steel wheels - each	6	\$ 5.00	\$ 30.00

**7.0 BRAKE SYSTEM OPTIONS:**

7.1	Wabco System Saver 1200 E heated air dryer	1	\$ 0.01	\$ 0.01
7.2	Manual cable drain valves on air tanks		\$ 15.00	\$ -
7.3	Heated air tanks			\$ -
7.4	Auto drain valves on air tanks	1	\$ 36.00	\$ 36.00
7.5	MGM type TR-T rear brake chambers		\$ 55.00	\$ -
7.6	S.S. pins on slack adjuster yoke (2 ea per yoke) For all air brake chambers	1	\$ 22.00	\$ 22.00
7.7	Inverted rear brake chamber mounting in lieu of regular mounting		\$ 1.00	\$ -
7.8	Relocate air dryer		\$ 52.00	\$ -
7.9	Bendix AD9 heated air dryer		\$ 108.00	\$ -
7.10	Bendix AD-IP heated air dryer		\$ 148.00	\$ -
7.11	Meritor/Wabco system twin heated air dryer		\$ 488.00	\$ -
7.12	Auto heated drain valve		\$ 36.00	\$ -
7.13	Aluminum air reservoirs		\$ 174.00	\$ -
7.14	Polished aluminum air reservoirs		\$ 228.00	\$ -
7.15	Increase air capacity for installation of extra axles		\$ 261.00	\$ -
7.16	Meritor/Wabco ABS system w/o automatic traction control		\$ 125.00	\$ -
7.17	Bendix ABS system with traction control	1	\$ 264.00	\$ 264.00
7.18	Meritor/Wabco ABS system w/auto traction control		\$ 343.00	\$ -
7.19	Lanyard control on supply wet tank		\$ 16.00	\$ -
7.20	Lanyard control on all tanks w/manual drain valves		\$ 22.00	\$ -

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Code	Spec #	Description	Qty	Price	Subtotal
8.0		<b>ENGINE/EXHAUST AND FUEL TANKS OPTIONS:</b> <b>(List Make &amp; Model, H.P., torque of engine and exhaust and fuel tank options)</b>			
8.1		Mack MP7-345A, 345 HP @ 1500 - 1700 RPM, Max Torque @ 1100 - 1300 RPM, 1360 LB FT		\$ 344.00	\$ -
8.2		Mack MP7-345C, 345 HP @ 1500 - 1700 RPM, Max Torque @ 1100 - 130 RPM, 1360 LB FT		\$ 344.00	\$ -
8.3		Mack MP7-365C, 365 HP @ 1500 - 1700 RPM, Max Torque @ 1100 - 1200 RPM, 1460 LB FT		\$ 603.00	\$ -
8.4		Mack MP7-395C, 395 HP @ 1500 - 1700 RPM, Max Torque @ 1100 - 1200 RPM, 1560 LB FT		\$ 861.00	\$ -
8.5		Mack MP7-325M, 325 HP @ 1500 - 1900 RPM, Torque @ 1100 - 1300 RPM, 1200 LB FT Max		\$ 0.01	\$ -
8.6		Mack MP7-365M, 365 HP @ 1500 - 1900 RPM, Torque @ 1100 - 1300 RPM, 1340 LB FT Max	1	\$ 526.00	\$ 526.00
8.7		Mack MP7-405M, 405 HP @ 1500 - 1900 RPM, Torque @ 1100 - 1300 RPM, 1480 LB FT Max		\$ 1,042.00	\$ -
8.8		Mack MP8-415C, 415 HP @ 1500 - 1700 RPM, Torque @ 1100 - 1300 RPM, 1660 LB FT Max		\$ 2,338.00	\$ -
8.9		Mack MP8-445C, 445 HP @ 1500 - 1760 RPM, Max Torque @ 1100 - 1300 RPM, 1760 LB FT		\$ 2,855.00	\$ -
8.10		Mack MP8-505C, 505 HP @ 1500 - 1700 RPM, Torque @ 1100 - 1500 RPM, 1760 LB FT Max		\$ 3,890.00	\$ -
8.11		Mack MP8-425M, 425 HP @ 1500 - 1900 RPM, Torque @ 1100 - 1300 RPM, 1570 LB FT Max		\$ 2,519.00	\$ -
8.12		Mack MP8-455M, 455 HP @ 1500 - 1900 RPM, Torque @ 1100 - 1300 RPM, 1650 LB FT Max		\$ 3,036.00	\$ -
8.13		Mack MP8-505M, 505 HP @ 1500 - 1900 RPM, Torque @ 1100 - 1500 RPM, 1760 LB FT Max		\$ 4,071.00	\$ -
8.14		Clear Back of Cab - DPF & SCR Frame Mounted , RH Side under Cab		\$ 625.00	\$ -
8.15		No Muffler, Single (R/S) Vertical Exhaust Cab Mounted, Lower Venturi Diffuser, Turned End	1	\$ 227.00	\$ 227.00
8.16		No Muffler, Single (R/S) Vertical Exhaust Cab Mounted, Lower Venturi Diffuser, Plain End		\$ 227.00	\$ -
8.17		Single (R/S) Vertical Straight Exhaust Stack Plain End		\$ (22.00)	\$ -
8.18		Single (R/S) Vertical Straight Exhaust Stack Turned Out	1	\$ 0.01	\$ 0.01
8.19		Single (R/S) Vertical Straight Exhaust Stack Plain End Perf Stack Deffuser		\$ 27.00	\$ -
8.20		Single (R/S) Vertical Straight Exhaust Stack Plain End Side Outlet Deffuser		\$ 114.00	\$ -
8.21		Single (R/S) Vertical Straight Exhaust Stack Plain Top Outlet Deffuser		\$ 117.00	\$ -
8.22		Dual Vertical Straight Exhaust Stack Plain End - N/A with Allison Transmission		\$ 965.00	\$ -
8.23		Dual Vertical Straight Exhaust Stack Turned Out End - N/A with Allison Transmission		\$ 989.00	\$ -
8.24		Dual Vertical Straight Exhaust Stack Plain End Perf Stack Deffuser - N/A with Allison Transmission		\$ 1,072.00	\$ -
8.25		Dual Vertical Straight Exhaust Stack Plain Side Outlet Deffuser - N/A with Allison Transmission		\$ 1,364.00	\$ -
8.26		Dual Vertical Straight Exhaust Stack Plain Top Outlet Deffuser - N/A with Allison Transmission		\$ 1,364.00	\$ -
8.27		Single, Bright finish heat shield & stack	1	\$ 59.00	\$ 59.00
8.28		Dual, Bright finish heat shield & stack		\$ 117.00	\$ -
8.29		Single, Bright finish heat shield, stack & elbow		\$ 147.00	\$ -
8.30		Dual, Bright finish heat shield, stack & elbow		\$ 312.00	\$ -
8.31		Single, Bright finish stack only		\$ 45.00	\$ -
8.32		Dual, Bright finish stack only		\$ 90.00	\$ -

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Code	Spec #	Description	Qty	Price	Subtotal
	8.33	Single, Bright finish lower elbow & stack		\$ 134.00	\$ -
	8.34	Dual, Bright finish lower elbow & stack		\$ 267.00	\$ -
	8.35	Single, Bright finish heat shield only		\$ 14.00	\$ -
	8.36	Dual, Bright finish heat shield only		\$ 28.00	\$ -
	8.37	Bright finish stainless steel heat shield for frame mounted Mack Cap DPF		\$ 155.00	\$ -
	8.38	50 Gallon LH steel 22" Dia fuel tank		\$ 0.01	\$ -
	8.39	66 Gallon LH steel 22" Dia fuel tank		\$ 24.00	\$ -
	8.40	88 Gallon LH steel 22" Dia fuel tank		\$ 282.00	\$ -
	8.41	116 Gallon LH steel 22" Dia fuel tank		\$ 333.00	\$ -
	8.42	50 Gallon LH aluminum 22" Dia fuel tank		\$ 61.00	\$ -
	8.43	66 Gallon LH aluminum 22" Dia fuel tank		\$ 83.00	\$ -
	8.44	88 Gallon LH aluminum 22" Dia fuel tank		\$ 342.00	\$ -
	8.45	116 Gallon LH aluminum 22" Dia fuel tank		\$ 398.00	\$ -
	8.46	50 Gallon LH Steel D-Shape		\$ 1.00	\$ -
	8.47	66 Gallon LH Steel D-Shape		\$ 56.00	\$ -
	8.48	88 Gallon LH Steel D-Shape		\$ 225.00	\$ -
	8.49	116 Gallon LH Steel D-Shape		\$ 405.00	\$ -
	9.50	50 Gallon LH Aluminum D-Shape		\$ 61.00	\$ -
	8.51	66 Gallon LH Aluminum D-Shape		\$ 103.00	\$ -
	8.52	88 Gallon LH Aluminum D-Shape		\$ 290.00	\$ -
	8.53	116 Gallon LH Aluminum D-Shape		\$ 465.00	\$ -
	8.54	66 Gallon LH Steel D-Shape with Integral DEF Tank		\$ 80.00	\$ -
	8.55	88 Gallon LH Steel D-Shape with Integral DEF Tank		\$ 325.00	\$ -
	8.56	111 Gallon LH Steel D-Shape with Integral DEF Tank		\$ 427.00	\$ -
	8.57	66 Gallon LH Aluminum D-Shape with Integral DEF Tank	1	\$ 133.00	\$ 133.00
	8.58	72 Gallon LH Aluminum D-Shape 26" Dia. with Integral DEF Tank		\$ 288.00	\$ -
	8.59	88 Gallon LH Aluminum D-Shape with Integral DEF Tank		\$ 350.00	\$ -
	8.60	93 Gallon LH Aluminum D-Shape 26" Dia. with Integral DEF Tank		\$ 409.00	\$ -
	8.61	111 Gallon LH Aluminum D-Shape with Integral DEF Tank		\$ 444.00	\$ -
	8.62	50 Gallon RH steel 22" Dia fuel tank		\$ 456.00	\$ -
	8.63	66 Gallon RH steel 22" Dia fuel tank		\$ 480.00	\$ -
	8.64	88 Gallon RH steel 22" Dia fuel tank		\$ 737.00	\$ -
	8.65	116 Gallon RH steel 22" Dia fuel tank		\$ 789.00	\$ -
	8.66	50 Gallon RH aluminum 22" Dia fuel tank		\$ 517.00	\$ -
	8.67	66 Gallon RH aluminum 22" Dia fuel tank		\$ 538.00	\$ -
	8.68	88 Gallon RH aluminum 22" Dia fuel tank		\$ 797.00	\$ -
	8.69	116 Gallon RH aluminum 22" Dia fuel tank		\$ 861.00	\$ -
	8.70	50 Gallon RH Steel D-Shape		\$ 456.00	\$ -
	8.71	66 Gallon RH Steel D-Shape		\$ 513.00	\$ -
	8.72	88 Gallon RH Steel D-Shape		\$ 682.00	\$ -
	8.73	116 Gallon RH Steel D-Shape		\$ 861.00	\$ -
	8.74	50 Gallon RH Aluminum D-Shape		\$ 517.00	\$ -
	8.75	66 Gallon RH Aluminum D-Shape		\$ 559.00	\$ -
	8.76	88 Gallon RH Aluminum D-Shape		\$ 746.00	\$ -
	8.77	111 Gallon RH Aluminum D-Shape		\$ 921.00	\$ -
	8.78	Single polished aluminum fuel tank		\$ 178.00	\$ -
	8.79	Dual polished aluminum fuel tank		\$ 356.00	\$ -
	8.80	Isolate RH fuel tank from fuel system for hyd oil		\$ 27.00	\$ -
	8.81	Isolate LH fuel tank from fuel system for hyd oil		\$ 27.00	\$ -
	8.82	Dual draw & return fuel system		\$ 74.00	\$ -
	8.83	Filter neck screen for fuel tank		\$ 64.00	\$ -
	8.84	Bright finish DEF tank cover - Requires with bright finish tanks		\$ 25.00	\$ -
	8.85	Bright Finish Fuel Tank Straps - Single Tank	1	\$ 27.00	\$ 27.00
	8.86	Bright Finish Fuel Tank Straps - Dual Tank		\$ 54.00	\$ -

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Code	Spec #	Description	Qty	Price	Subtotal
9.0		<b>ENGINE RELATED OPTIONS:</b>			
9.1		Oil fill and dipstick EZ access		\$ -	\$ -
9.2		Delco 35 SI Brushless Alternator, 135 AMP		\$ 92.00	\$ -
9.3		Delco 24 SI Alternator, 130 AMP		\$ 0.01	\$ -
9.4		Delco 24 SI Alternator, 145 AMP	1	\$ 16.00	\$ 16.00
9.5		Leece-Neville Alternator, 145 AMP		\$ 64.00	\$ -
9.6		Dual element air cleaner			\$ -
9.7		Donaldson Single Stage Air cleaner per spec 12.1	1	\$ 252.00	\$ 252.00
9.8		Thumb screws for Dnldsn. Single Stage Air Cleaner.			\$ -
9.9		Fuel/water separator/heated/ Thermostatically-controlled, _____ (Brand)			\$ -
9.10		Davco 382 fuel/water separator, non heated			\$ -
9.11		Non-heated fuel/water separator, Racor 1000 FH		\$ 316.00	\$ -
9.12		Coolant spin on filter/conditioner	1	\$ 18.00	\$ 18.00
9.13		Front engine powered take off adapter and radiator cut out	1	\$ 93.00	\$ 93.00
9.14		Air applied fan drive, Borg Warner Cool Logic Fan	1	\$ 59.00	\$ 59.00
9.15		Air applied fan drive, _____ (Brand)			\$ -
9.16		Viscous fan drive			\$ -
9.17		Radiator hose package (Silicone) per Spec 12.2	1	\$ 26.00	\$ 26.00
9.18		Curved exhaust pipe end	1	\$ 0.01	\$ 0.01
9.19		Fuel tank per specification 12.7			\$ -
9.20		Engine block heater		\$ 59.00	\$ -
9.21		In line fuel heater - Artic-Fox in Line Fuel Heater		\$ 359.00	\$ -
9.22		In tank fuel heater - Artic Fox in tank fuel warmer with coolant by pass		\$ 338.00	\$ -
9.23		Fuel cooler			\$ -
9.24		Radiator bug screen	1	\$ 0.01	\$ 0.01
9.25		Engine brake system		\$ 535.00	\$ -
9.26		Relocate Air Dryer		\$ 52.00	\$ -
9.27		Extended life anti-freeze	1	\$ 15.00	\$ 15.00
9.28		Starter motor options - Delco 39MT-MXT	1	\$ 0.01	\$ 0.01
9.29		Mitsubishi electric 105P planetary gear reduction		\$ 45.00	\$ -
9.30		Leece-Neville Alternator, 200 AMP		\$ 445.00	\$ -
9.31		Leece-Neville Alternator, 160 AMP Brushless		\$ 96.00	\$ -
9.32		Delco 36SI Alternator, 165A Amp Brushless		\$ 161.00	\$ -
9.33		Leece-Neville Alternator, 140 Amp		\$ 45.00	\$ -
9.34		Leece-Neville Alternator, 160 AMP Brush		\$ 93.00	\$ -
9.35		Meritor/Wabco 636 (37.4 CFM) air compressor		\$ 709.00	\$ -
9.36		Winterfront over radiator mtg bug screen		\$ 113.00	\$ -
9.37		Winter front cover only		\$ 72.00	\$ -
9.38		Corrosion resistant oil pan - Recommended for snow plow trucks	1	\$ 114.00	\$ 114.00
9.39		Davco 382 heated fuel-water separator		\$ 350.00	\$ -
9.40		Racor fuel filter 1000 FH, 12V electrical heater with Mack integral fuel-water separator		\$ 335.00	\$ -
9.41		120V, 1500W block heater with 150W oil pan heater wired to same receptical		\$ 124.00	\$ -
9.42		Electric preheater	1	\$ 48.00	\$ 48.00
9.43		Tether device -furnish cap retainer for oil fill, radiator overflow tank, battery box & tool box when furnish		\$ 20.00	\$ -
9.44		Rear engine PTO (Repto)		\$ 1,658.00	\$ -
9.45		Transmission rear mounted PTO		\$ 317.00	\$ -
9.46		Furnish transmission thru shaft for local installation of RMPTO for Fuller transmission (lower left)		\$ 47.00	\$ -
9.47		Provision for local installation of rear mounted PTO (lower center) includes dash mounted indicator light		\$ 144.00	\$ -
9.48		Air operated PTO control - includes in cab control (RMPTO only)		\$ 107.00	\$ -
9.49		PTO switch and light with wiring and piping		\$ 142.00	\$ -

Code	Spec #	Description	Qty	Price	Subtotal
<b>10.0 TRANSMISSION OPTIONS:</b>					
<b>(After the first five listed options, list manual and automatic transmission options. List make and model, # of speeds, type of shifting and whether or not transmission includes PTO gear(s) or not). Example:Allison 3000 HS, 5 speed, push button, no PTO.</b>					
10.1		2 plate 14" ceramic clutch option for manual transmission		\$ -	\$ -
10.2		2 plate 15½" ceramic clutch option for manual transmission		\$ 0.01	\$ -
10.3		External grease fitting for throw out bearing		\$ 7.00	\$ -
10.4		Adjustment free option for 2 plate clutches		\$ 105.00	\$ -
10.5		Synthetic (TranSynd) lubrication for Automatic Transmission	1	\$ 336.00	\$ 336.00
10.6		Synthetic lubrication for manual transmission		\$ 64.00	\$ -
10.7		Allison 3000-RDS 6 spd push button, PTO		\$ 5,300.00	\$ -
10.8		Allison 3000-RDS 6 spd with retarder push button, PTO		\$ 8,700.00	\$ -
10.9		Allison 3000-EVS 6 spd push button, PTO		\$ 6,192.00	\$ -
10.10		Allison 4500-RDS 6 spd, push button, PTO		\$ 11,600.00	\$ -
10.11		Allison 4500-RDS-R 6 spd, with retarder, push button, PTO		\$ 16,850.00	\$ -
10.12		Allison 4000-RDS 5/6 spd, push button, PTO	1	\$ 11,200.00	\$ 11,200.00
10.13		Allison 4000-EVS 6 spd, push button, PTO		\$ 13,664.00	\$ -
10.14		Allison 4500-EVS 6 spd, push button, PTO		\$ 14,273.00	\$ -
10.15		Mack TM308M, 8 speed manual transmission, PTO		\$ 918.00	\$ -
10.17		Mack TM309M, 9 speed manual transmission, PTO		\$ 1,405.00	\$ -
10.18		Mack T309, 9 speed manual transmission, PTO		\$ 902.00	\$ -
10.19		Mack T309LR, 9 speed manual transmission, PTO		\$ 1,093.00	\$ -
10.20		Fuller RTX-14609B, 9 speed manual trans, PTO		\$ 366.00	\$ -
10.21		Fuller RTX-16709B, 9 speed manual trans, PTO		\$ 1,006.00	\$ -
10.22		Mack T310, 10 speed manual transmission, PTO		\$ 926.00	\$ -
10.23		Mack T310M, 10 speed manual transmission, PTO		\$ 1,794.00	\$ -
10.24		Mack T310ME, 10 speed manual trans, PTO		\$ 1,890.00	\$ -
10.25		Mack T310MLR, 10 speed manual trans, PTO		\$ 1,986.00	\$ -
10.26		Fuller FRO-14210C, 10 speed manual trans, PTO		\$ 400.00	\$ -
10.27		Fuller RTO-14908LL, 10 speed manual trans, PTO		\$ 1,514.00	\$ -
10.28		Fuller FRO-12210C, 10 speed manual trans, PTO		\$ 31.00	\$ -
10.29		Fuller FRO-13210C, 10 speed manual trans, PTO		\$ 157.00	\$ -
10.30		Fuller FRO-15210C, 10 speed manual trans, PTO		\$ 719.00	\$ -
10.31		Fuller FRO-16210C, 10 speed manual trans, PTO		\$ 1,017.00	\$ -
10.32		Fuller RTO-16908LL, 10 speed manual trans, PTO		\$ 2,053.00	\$ -
10.33		Fuller FRO-18210C, 10 speed manual trans, PTO		\$ 1,931.00	\$ -
10.34		Fuller RTO-14908ALL, 11 spd manual trans, PTO		\$ 1,163.00	\$ -
10.35		Fuller RTO-16908ALL, 11 spd manual trans, PTO		\$ 1,686.00	\$ -
10.36		Mack T313LR, 13 speed manual transmission, PTO		\$ 2,033.00	\$ -
10.37		Mack T313, 13 speed manual transmission, PTO		\$ 1,890.00	\$ -
10.38		Fuller RTLO-14913A, 13 spd manual trans, PTO		\$ 2,512.00	\$ -
10.39		Fuller RTLO-16913A, 13 spd manual trans, PTO		\$ 2,711.00	\$ -
10.40		Fuller RTLO-18913A, 13 spd manual trans, PTO		\$ 3,230.00	\$ -
10.41		Fuller RTO-14915, 15 spd manual trans, PTO		\$ 891.00	\$ -
10.42		Fuller RTO-16915, 15 spd manual trans, PTO		\$ 1,603.00	\$ -
10.43		Mack T318LR, 18 speed manual transmission, PTO		\$ 2,150.00	\$ -
10.44		Mack T318, 18 speed manual transmission, PTO		\$ 2,057.00	\$ -
10.45		Fuller RTLO-14918B, 18 spd manual trans, PTO		\$ 2,663.00	\$ -
10.46		Fuller RTLO-16918B, 18 spd manual trans, PTO		\$ 3,138.00	\$ -
10.47		Fuller RTLO-18918B, 18 spd manual trans, PTO		\$ 3,635.00	\$ -
10.48		Spicier clutch 15.5" for manual trans 1700 lbs		\$ 38.00	\$ -
10.49		Air assist clutch		\$ 180.00	\$ -
10.50		Open grated clutch pedal		\$ 4.00	\$ -
10.51		Transmission oil cooler	1	\$ 291.00	\$ 291.00
10.52		Driveshaft guard for center bearing		\$ 24.00	\$ -
10.53		Transmission dust proofing		\$ 32.00	\$ -
10.54		Allison shift to neutral when park brake engaged		\$ 166.00	\$ -
10.55		Shift lever control for Allison		\$ 138.00	\$ -
10.56		3rd or 4th gear hold for Allison transmission		\$ 300.00	\$ -

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Code	Spec #	Description	Qty	Price	Subtotal
<b>11.0</b>		<b>ELECTRICAL OPTIONS:</b>			
11.1		Resettable circuit breaker electrical protection	1	\$ 0.01	\$ 0.01
11.2		Automatic reset circuit breakers - Some	1	\$ 0.01	\$ 0.01
11.3		Solid state circuit protection			\$ -
11.4		Circuit box under hood or end of frame, each	1	\$ 0.01	\$ 0.01
11.5		Battery disconnect off negative side in cab control		\$ 88.00	\$ -
11.6		Remote jump start terminals		\$ 101.00	\$ -
11.7		Back up alarm (Preco Factory Model)			\$ -
11.8		OEM daytime running lights		\$ 24.00	\$ -
11.9		3000 CCA batteries in lieu of 1950CCA		\$ 60.00	\$ -
11.10		3 each 650/1950 CCA batteries in lieu of 2 each batteries	1	\$ 0.01	\$ 0.01
11.11		Battery box aft of cab			\$ -
11.12		Grote 44710 flasher		\$ 20.00	\$ -
11.13		Signal-Stat 935 turn signal per Spec 12.6		\$ 90.00	\$ -
11.14		Auxiliary customer access circuits			\$ -
11.15		Switch for snowplow lights mounted on instrumental panel. Includes wiring terminated near headlights, for customer mounted auxiliary snowplow lights.	1	\$ 72.00	\$ 72.00
11.16		Power source terminal-2 stud type-mounted on firewall or inside cab with ground to frame rail and to starter, with 6 gauge wire.			\$ -
11.17		lighted switches, ignition control; switches will control relays which will feed stud type junction block mounted inside cab.			\$ -
11.18		Vehicle speed sensor with speed signal at fuse panel for sander ground speed control system.	1	\$ 10.00	\$ 10.00
11.19		Dash mounted indicator body/hoist up body builder lamp		\$ 65.00	\$ -
11.20		RH/LH led work light on both side of truck		\$ 103.00	\$ -
11.21		Polished aluminum battery box cover		\$ 47.00	\$ -
11.22		Battery shock pad		\$ 4.00	\$ -
11.23		Body Link w/cab floor pass thru hole/rubber boot		\$ 1.00	\$ -
11.24		Body Link w/o cab floor pass thru hole/rubber boot	1	\$ 0.01	\$ 0.01
11.25		2 Extra dash mounted illuminated toggle switches		\$ 14.00	\$ -
11.26		One extra dash mounted rocker switch thru battery for local installed items		\$ 8.00	\$ -
11.27		One extra dash mounted rocker switch thru ignition for local installed items		\$ 8.00	\$ -
11.28		Six extra switches 2-15A ignition, 1-20A ignition, 1-10A ignition, 1- 5A battery, & 1-20A battery		\$ 101.00	\$ -
11.29		Eight switches - rotate light, bat switch, strobe light, sander light, load light, tail gate lock, chain light, alternating light	1	\$ 163.00	\$ 163.00
11.30		Back up alarm with intermittent feature (Ambient noise sensitive)		\$ 89.00	\$ -
11.31		Ecco back-up alarm 575 constant sound level	1	\$ 68.00	\$ 68.00
11.32		Ecco back-up alarm SA917 ambient noise sensitive		\$ 89.00	\$ -
11.33		Pollak 41-722 constant audible (mounted on rear crossmember)		\$ 72.00	\$ -
11.34		Fog lights		\$ 84.00	\$ -
11.35		Fog lights provisions - includes dash control & wiring for local installation of fog lights		\$ 11.00	\$ -
11.36		Rear brake lights circuit activated when spring brakes are applied and key in run position - no tail lights		\$ 47.00	\$ -
11.37		Omit rear tail lights		\$ (39.00)	\$ -
11.38		Incandescent tail light module		\$ 83.00	\$ -
11.39		LED type tail lights	1	\$ 180.00	\$ 180.00
11.40		Tridon EL12 electro/mechanical option signal flasher		\$ 4.00	\$ -
11.41		Trucklite ultraflash solid state heavy duty flasher		\$ 46.00	\$ -
11.42		Trailer hook-up light		\$ 33.00	\$ -
11.43		Three Mack 800 CCA AGM Long Life Batteries		\$ 238.00	\$ -
13.44		Chassis & power harness with heavy duty casing		\$ 139.00	\$ -
13.45		Dash mounted switch for strobe light		\$ 74.00	\$ -

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Code	Spec #	Description	Qty	Price	Subtotal
12.0		<b>CAB EXTERIOR OPTIONS:</b>			
12.1		Dual electric horns		\$ 4.00	\$ -
12.2		Air horns, dual, round, with snow shields		\$ 86.00	\$ -
12.3		Dual rectangular air horns		\$ 66.00	\$ -
12.4		Fender mirrors per Spec 12.4		\$ 108.00	\$ -
12.5		Heated mirrors per Spec 12.5 - <input checked="" type="checkbox"/> Bulldog <input type="checkbox"/> West Coast <input type="checkbox"/> Areo	1	\$ 99.00	\$ 99.00
12.6		Remote control for R.H. mirror & heated - <input type="checkbox"/> Bulldog <input type="checkbox"/> West Coast <input type="checkbox"/> Areo		\$ 343.00	\$ -
12.7		Remote control for dual mirrors & heated - <input type="checkbox"/> Bulldog <input type="checkbox"/> West Coast <input type="checkbox"/> Areo		\$ 430.00	\$ -
12.8		Upcharge for cab extension or larger cab			\$ -
12.9		Severe duty aluminum cab option			\$ -
12.10		Dupont Highway orange paint or equal		\$ 32.00	\$ -
12.11		Premium paint color option		\$ 137.00	\$ -
12.12		Imron paint option		\$ 0.01	\$ -
12.13		Imron and clear coat paint option	1	\$ 128.00	\$ 128.00
12.14		Top of hood painted flat black		\$ 501.00	\$ -
12.15		Cab Air Ride Suspension	1	\$ 0.01	\$ 0.01
12.16		Tilting hood per Spec 12.8		\$ 0.01	\$ -
12.17		Butterfly option on hood		\$ 374.00	\$ -
12.18		Transverse hood opening w/setback axle			\$ -
12.19		Front fender mounted turn signals			\$ -
12.20		Cab visor, external, painted to match cab color	1	\$ 131.00	\$ 131.00
12.21		Front fender extensions	1	\$ 95.00	\$ 95.00
12.22		Front fender mud flaps			\$ -
12.23		Arctic winter wiper blades	1	\$ 16.00	\$ 16.00
12.24		Optional windshield washer tank	1	\$ 24.00	\$ 24.00
12.25		Per truck charge for all trucks, key identical		\$ 18.00	\$ -
12.26		RH observation prism window in door		\$ 44.00	\$ -
12.27		Spotlight LH, RH, or roof mounted each			\$ -
12.28		Front tow hooks	1	\$ 0.01	\$ 0.01
12.29		Rear tow hooks		\$ 20.00	\$ -
12.30		Heated electric wiper blades		\$ 107.00	\$ -
12.31		Heated windshield	1	\$ 399.00	\$ 399.00
12.32		One piece windshield		\$ 75.00	\$ -
12.33		Tinted windshield and sides w/50% transmittance gray, tinted rear window		\$ 16.00	\$ -
12.34		Bright finish hood intake	1	\$ 13.00	\$ 13.00
12.35		Bright finish bars with surround grille		\$ 81.00	\$ -
12.36		Bright finish bars with surround grille with front frame extension		\$ 218.00	\$ -
12.37		Bright finish grille		\$ 29.00	\$ -
12.38		Bullet type chrome marker & clearance lights		\$ 42.00	\$ -
12.39		Led type marker & clearance lights	1	\$ 69.00	\$ 69.00
12.40		RH tool box mounted on frame rail		\$ 201.00	\$ -
12.41		Bug deflector mounted on hood - N/A with butterfly hood		\$ 68.00	\$ -
12.42		Hood insulation - N/A with inspection hatch		\$ 0.01	\$ -
12.43		Heated convex mirrors		\$ 30.00	\$ -
12.44		Electronic keyless entry		\$ 118.00	\$ -
12.45		Bright finish RH fender mirror		\$ 52.00	\$ -
12.46		Stainless steel exterior sun visor		\$ 225.00	\$ -
12.47		Bright Finish hood latches		\$ 81.00	\$ -
12.48		10" round bright finish heated fender mirrors	1	\$ 223.00	\$ 223.00

Code	Spec #	Description	Qty	Price	Subtotal
13.0		<b>CAB INTERIOR OPTIONS:</b>			
13.1		<b>Medium grade interior trim package</b>			
13.1A		Sandstone Color with woodgrain instrument panel		\$ 310.00	\$ -
13.1 B		Sandstone Color with brushed metallic instrument panel		\$ 310.00	\$ -
13.1C		Slate Gray Color with woodgrain instrument panel		\$ 310.00	\$ -
13.1D		Slate Gray Color with brushed metallic instrument panel	1	\$ 310.00	\$ 310.00
13.2		<b>Premium grade interior trim package</b>			\$ -
13.2A		Sandstone Color with woodgrain instrument panel		\$ 1,031.00	\$ -
13.2B		Sandstone Color with brushed metallic instrument panel		\$ 1,031.00	\$ -
13.2C		Slate Gray Color with woodgrain instrument panel		\$ 1,031.00	\$ -
13.2D		Slate Gray Color with brushed metallic instrument panel		\$ 1,031.00	\$ -
13.3		Round universal gauge package	1	\$ 0.01	\$ 0.01
13.4		Power window, passenger side		\$ 191.00	\$ -
13.5		Power window/both driver and passenger window	1	\$ 294.00	\$ 294.00
13.6		O.E.M factory installed, AM/FM/CD with weatherband	1	\$ 149.00	\$ 149.00
13.7		AM/FM premium stereo CD w/weatherband, MP3, WMA, & bluetooth		\$ 330.00	\$ -
13.8		O.E.M factory installed, air conditioning	1	\$ 0.01	\$ 0.01
13.9		Cab mounted non-resettable hour meter	1	\$ 0.01	\$ 0.01
13.10		Dash mounted air cleaner air restriction gauge	1	\$ 0.01	\$ 0.01
13.11		AM-FM premium stereo CD w/weatherband and MP3 & WMA		\$ 282.00	\$ -
13.12		Transmission temp gauges	1	\$ 0.01	\$ 0.01
13.13		Windshield defroster fan w/switch dash mounted		\$ 56.00	\$ -
13.14		Between seats mounted console			\$ -
13.15		Transmission oil sensor (check & fill) Allison only	1	\$ 0.01	\$ 0.01
13.16		CB hot jacks dash mounted		\$ 10.00	\$ -
13.17		Tilt & telescope steering wheel	1	\$ 0.01	\$ 0.01
13.18		Tilt steering wheel			\$ -
13.19		Self canceling turn signals	1	\$ 23.00	\$ 23.00
13.20		List seating options for driver and passenger seats. Use as many options as you need to offer seat variations customers have been buying.			\$ -
13.21		Bostrom Talladega 915 Hi-Back air driver seat		\$ 24.00	\$ -
13.22		Bostrom Talladega 915 wide ride Hi-Back air driver		\$ 174.00	\$ -
13.23		Air-Sears Atlas 70 hi-back with black fabriform cushions		\$ 223.00	\$ -
13.24		National 2000 hi-back air driver seat - single chamber air lumbar, 2 position front cushion adjustable	1	\$ 96.00	\$ 96.00
13.25		National 2000 hi-back air driver seat - three chamber air lumbar, 2 position front cushion adjustable front cushion with adjustable rear cushion		\$ 180.00	\$ -
13.26		Mack fixed rider seat mid-back with integral storage compartment		\$ 74.00	\$ -
13.27		Mack fixed rider seat hi-back with integral storage compartment		\$ 96.00	\$ -
13.28		Extended non suspension rider seat		\$ 91.00	\$ -
13.29		Mack fixed hi-back rider seat		\$ 41.00	\$ -
13.30		Bostrom Talladega 900R mid-back non suspension rider seat		\$ 49.00	\$ -
13.31		Bostrom Talladega 915 mid back air rider seat		\$ 174.00	\$ -
13.32		Bostrom Talladega 915 hi-back air rider seat		\$ 225.00	\$ -
13.33		National 2000 mid-back air rider seat		\$ 194.00	\$ -
13.34		National 2000 hi-back air rider seat		\$ 226.00	\$ -
13.35		Omit rider seat		\$ (58.00)	\$ -
13.36		Inboard mounted driver arm rest	1	\$ 0.01	\$ 0.01
13.37		Inboard mounted rider arm rest - Air Ride Seat Only		\$ 0.01	\$ -
13.38		Cloth with vinyl driver & rider seat	1	\$ 0.01	\$ 0.01
13.39		Driver seat dust cover	1	\$ 0.01	\$ 0.01
13.40		Passenger seat dust cover - Not Available with fix passenger seat		\$ 0.01	\$ -
13.41		Orange driver & rider seat belt		\$ 12.00	\$ -
13.42		Roof vent ventilation		\$ 145.00	\$ -
13.43		Push button type starter		\$ 12.00	\$ -
13.44		Diagonal grab handle on inside of driver door	1	\$ 27.00	\$ 27.00
13.45		Co-pilot driver display (enhanced 4.5" diagonal graphic LCD display w/4-button stalk control - includes guarddog routine maintenance monitoring	1	\$ 0.01	\$ 0.01

Code	Spec #	Description	Qty	Price	Subtotal
13.46		Roadwatch ambient air temp gauge for outside and road temps - requires aero-dynamic mirrors		\$ 588.00	\$ -
13.47		Roadwatch ambient air temp gauge for outside and road temps without display - includes cable to D panel with 6" extra wire		\$ 876.00	\$ -
13.48		Roadwatch ambient air temp gauge for outside and road temps with display on dash panel		\$ 980.00	\$ -
13.49		5lb fire extinguisher between LH seat base and door with valve aimed rearward	1	\$ 60.00	\$ 60.00
13.50		Reflector kit parallel to inside of rider base seat	1	\$ 21.00	\$ 21.00
13.51		Air conditioning blend air HVAC w/pads		\$ 120.00	\$ -
13.52		Cab cleanout - includes in cab pneumatic line		\$ 42.00	\$ -
13.53		In dash large storage pocket - not available with dash mounted shfter for Allison		\$ 34.00	\$ -
13.54		40 Channel CB Radio		\$ 267.00	\$ -
13.55		Single multiband antenna		\$ 28.00	\$ -
13.56		Dual multiband antenna	1	\$ 29.00	\$ 29.00
13.57		Single CB radio antenna - driver side		\$ 25.00	\$ -
13.58		Dual CB radio antenna - mirror mounted		\$ 48.00	\$ -
13.59		CB radio mounting in console & external speakers		\$ 97.00	\$ -
13.60		Auto shutoff for radio when truck is in reverse		\$ 43.00	\$ -
13.61		Exhaust pyrometer & transmission oil temperature gauges		\$ 0.01	\$ -
13.62		Exhaust pyrometer, transmission oil temperature, manifold pressure and air application gauges	1	\$ 69.00	\$ 69.00
13.63		Exhaust pyrometer, transmission oil temperature, manifold pressure and air application gauges, Air Suspension		\$ 91.00	\$ -
13.64		Rear Axle temperature gauge		\$ 98.00	\$ -
13.65		Light & buzzer for seat belt		\$ 25.00	\$ -
13.66		Red floor lighting w/switch plus (4) door lamps w/switches		\$ 93.00	\$ -
13.67		Interior storage console mounted on floor between seats w/12 volt power outlet		\$ 280.00	\$ -
13.68		Bodybuilder interior console mounted to floor between seats		\$ 189.00	\$ -
<b>14.0</b>		<b>MN/DOT OPTIONS:</b>			
14.1		Manufacture Warranty Term - Chassis - 12 months or 100,000 miles, Engine - 24 months or 250,000 miles		\$ 0.01	\$ -
14.1A		List extended warranty options (include terms and conditions with the proposal.)			
14.1A		Bulldog Black Engine Warranty 60 months 150,000 miles		\$ 1,400.00	\$ -
14.1B		Bulldog Black Engine Warranty 72 months 250,000 miles		\$ 2,100.00	\$ -
14.1C		Bulldog Black Engine Warranty 84 months 250,000 miles		\$ 2,400.00	\$ -
14.1D		Bulldog Bronze Engine Warranty 60 months 100,000 miles		\$ 2,100.00	\$ -
14.1E		Bulldog Bronze Engine Warranty 60 months 150,000 miles		\$ 2,400.00	\$ -
14.1F		Bulldog Bronze Engine Warranty 60 months 200,000 miles		\$ 2,800.00	\$ -
14.1G		Bulldog Bronze Engine Warranty 60 months 250,000 miles		\$ 2,100.00	\$ -
14.1H		Bulldog Bronze Engine Warranty 72 months 100,000 miles	1	\$ 2,500.00	\$ 2,500.00
14.1I		Bulldog Bronze Engine Warranty 72 months 150,000 miles		\$ 2,800.00	\$ -
14.1J		Bulldog Bronze Engine Warranty 72 months 200,000 miles		\$ 3,200.00	\$ -
14.1K		Bulldog Bronze Engine Warranty 72 months 250,000 miles		\$ 3,600.00	\$ -
14.1L		Bulldog Bronze Engine Warranty 84 months 200,000 miles		\$ 3,700.00	\$ -
14.1M		Bulldog Bronze Engine Warranty 84 months 250,000 miles		\$ 4,100.00	\$ -
14.1N		Engine after-treatment systems (EATS) 60 months 100,000 miles	1	\$ 625.00	\$ 625.00
14.1O		Engine after-treatment systems (EATS) 60 months 150,000 miles		\$ 640.00	\$ -
14.1P		Engine after-treatment systems (EATS) 60 months 200,000 miles		\$ 655.00	\$ -
14.1Q		Engine after-treatment systems (EATS) 60 months 250,000 miles		\$ 675.00	\$ -
14.1R		Engine sensors/EA harness 60 months 100,000 miles	1	\$ 320.00	\$ 320.00
14.1S		Engine sensors/EA harness 60 months 150,000 miles		\$ 330.00	\$ -
14.1T		Engine sensors/EA harness 60 months 200,000 miles		\$ 350.00	\$ -
14.1U		Engine sensors/EA harness 60 months 250,000 miles		\$ 375.00	\$ -
14.2		Prebuild specification meeting (per person) to be held in St. Paul/Minneapolis area.		\$ 1.00	\$ -
14.3		Pilot inspection meeting per person		\$ 900.00	\$ -

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Code	Spec #	Description	Qty	Price	Subtotal
15.0		<b>TRAILER TOW OPTIONS:</b>			
15.1		Trailer tow package extended to rear of frame	1	\$ 326.00	\$ 326.00
15.2		Trailer package extend to rear of frame per Spec 12.12		\$ 348.00	\$ -
15.3		Single 7 pins Std SAE type, end of frame	1	\$ 108.00	\$ 108.00
16.0		<b>MANUALS / INTEREST FEE:</b>			
16.1		Percent interest per month (non-compounding) on unpaid cab & chassis balance. Applies only to CPV Members. (Payable after trade-in is delivered to vendor). Percentage/per month. <b>SEE Special Terms and Conditions re interest to State agencies.</b>		1.50%	\$ -
16.2		Manuals in print form, parts repair and service, per set		\$ 900.00	\$ -
16.3		Manuals in CD form, parts repair and service, per set		\$ 500.00	\$ -
16.4		VCADS		\$ 2,500.00	\$ -
17.0		<b>Delivery Charges:</b>			
17.1		Price per loaded mile		\$ 2.00	\$ -
18.0		<b>Maintenance/ Body Shop Labor rates</b>			
18.1		Rate for Initial Inspection/Diagnostoce		\$ 118.00	\$ -
18.2		Rate for Mechanical Work		\$ 118.00	\$ -
18.3		Rate for Body Work		\$ 118.00	\$ -
19.0		<b>Quantity Discounts:</b> Enter the number of units that must be purchased and the corresponding discount offered to the purchaser. More than one quantity discount may be entered.			
19.1					\$ -
19.2		Stanless steel transmission coolant pipes	1	\$ 165.00	\$ 165.00
				<b>Total Cost:</b>	<b>\$ 102,558.26</b>
20.0		<b>Upcharge for the following Model Year</b>			
20.1		Up Charge for the 2015__ Production Model Year (%)		1.50%	\$ -
20.2		Up Charge for the 2015__ Production Model Year Options (%)		1.50%	\$ -



Towmaster, Inc.  
 61381 US Hwy. 12, Litchfield, MN  
 Phone: 800-462-4517 / 320-693-7900



FX: 320-693-7921

**STATE CONTRACT 61353**

Parts FX: 320-593-5703

<b>Bill To:</b> LAKE ELMO, CITY OF 3445 IDEAL AVE NORTH LAKE ELMO, MN 55042	<b>Cust#:</b> P287	<b>Phone:</b> 651-770-2537 <b>FAX:</b> 651-777-6530	<b>Ship To:</b> LAKE ELMO, CITY OF 3445 IDEAL AVE NORTH LAKE ELMO, MN 55042	<b>Phone:</b> 651-770-2537 <b>FAX:</b> 651-777-6530
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<b>Contact:</b>		<b>Contact:</b>			
PO#	Reference No.	Terms	Date Created	Order Date	Appx. Ship Date
	12229-TGG	NET 30 DAYS	09/24/2013	9/23/2013	
Trk VIN	MO #	CO #	Salesman	Tom Gertgen	
<b>Freight Instructions:</b>		<b>Build Instructions:</b>	<b>Other Credit:</b>	<b>Other Charge:</b>	

ATTENTION: MIKE BOUTHILET 61353

Qty	Part No.	Description	Discount Rate:	0.00%	Price Each	Net Amt
1	9900118	Body 106EDGE-RS/SCIS-46-36-36-RAW			11,545.00	11,545.00
1	9901701	Installation of Dump Body to hoist			1,023.00	1,023.00
1	9900145	Body acc'y TMTE Air trip kit, w/solenoid valve,			249.00	249.00
1	9901702	Installation of air operated tailgate latch kit			289.00	289.00
1	9900147	Body acc Box Vibrator - Cougar model DC3200			727.00	727.00
1	9901703	Installation of Box Vibrator			337.00	337.00
1	9900156	Cabshield, 1/2 type Stationary Free-Standing style, w/plain STAINLESS STEEL canopy, Hot-Dipped Galvanized tubing construction support stand, (2) shovel holders, & reservoir mounts, Installed.			2,214.00	2,214.00
1	9900181	Walkrail removable both sides of 10' RC & RS body, Installed			893.00	893.00
1	9900207	Ladder Flip-A-Way Access ladder (STAINLESS STEEL) ea, Installed			453.00	453.00
1	9900211	Body acc'y Dual "split" sander manifolds in rear corner posts			192.00	192.00
1	9900214	Body acc'y Tailgate LEVER TOP PIN release (Single Axle bodies only)			388.00	388.00
1	9900217	Light Warning TMTE-1-5 PKG: (2) 23H 3-light LED Micro-Edge, (2) 5M-400 Super-LED, (2) Side TIR3 LED, (2) 400 Max B-T-T LED, & (2) 400 LED BU Lights, in Stainless M Housings, (1) TIR3 LED Wing light, and (2) 4" LED work lights Installed			3,661.00	3,661.00
1	9900244	Light Mirror mt HOH plow light pkg INSTALLED			561.00	561.00
1	9900266	Fender set Minimzer MIN2260, for Single Axle, black Poly, Installed			787.00	787.00
1	9900290	Tool Box PRO-TECH Alum 18" x 18" x 24" tool box & Brackets Installed			687.00	687.00
1	9901028	Camera System, Brigade model VBV-750-BM-010, w/color LCD screen, Night vision Camera, & Cables, INSTALLED			767.00	767.00
1	9901691	RoadWatch RWSS Sensor only INSTALLED			450.00	450.00



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1	9902930	RoadWatch Force America Interface CABLE ONLY for 6100, installed	133.00	133.00
1	9900958	Pre-Wet Towmaster/Varitech LDS-TMR-110-EGF Body Side Mt Sys for Elliptical body W/EXISTING REMOVABLE WALKRAIL (2) 55 gal tanks, mtg hardware, plumbing, Electric Gravity Feed valve	1,303.00	1,303.00
1	9901834	Hoist OSP/Towmaster 720DH, Double Acting, W/Solid block rear hinge point, & OSHA approved saftey props	2,283.00	2,283.00
1	9901712	Installation of SCISSORS TYPE double acting hoist	1,467.00	1,467.00
1	9900931	Scraper FALLS IB-11A 1" MB, w/single lift cylinder	5,480.00	5,480.00
1	9901705	Installation of underbody fixed angle scraper w/single lift cylinder	2,182.00	2,182.00
1	9900351	Scraper FORCE reverse/Auto-Lift system, ADD-A-FOLD valve, installed	341.00	341.00
1	9900361	Wing Falls RHSDL9A-HYDPB Primed	8,831.00	8,831.00
1	9900387	Installation Falls SDL Series Wing - Standard	3,147.00	3,147.00
1	9901431	Wing Falls RL (REAR LIFT) up charge SDL/TDL WING	378.00	378.00
1	9900479	Wing Falls Gloss Black - Paint Moldboard	269.00	269.00
1	9900555	Plow Hitch Falls 44XB2/STD/STD/SA/SPR-RET/HITCH	2,661.00	2,661.00
1	9900588	Installation Falls Plow Hitch - 40 SERIES-STD	1,150.00	1,150.00
1	9900625	Plow Push Unit Falls 24/44 Series Std	777.00	777.00
1	9900637	Plow Falls High Visibility Marker Set	82.00	82.00
1	9900639	Plow Falls Rubber Belt Deflector Kit - installed	296.00	296.00
1	9900702	Plow Falls PR1243/SPR-TRP/NOSHU/Plow PRI-E1/10GA	5,798.00	5,798.00
1	9900681	Plow Falls Gloss Black Paint, Rev Plow, w/installation	355.00	355.00
1	9900757	Hitch TMTE Heavy Duty plate assembly,	248.00	248.00
1	9901716	Hitch Installation of Pup Hitch (weld in style)	768.00	768.00
1	9900760	Hitch PREMIER 370 Air Cushion Pintle, installed	736.00	736.00
1	9900791	Sander Falls 1ASD-6CDSS-6P-1D-1S-LM, Salt Special 6", Stainless Steel Unit, LH Discharge, Single Poly Spinner Ass'y, complete sander (includes extra salt shield)	4,332.00	4,332.00
1	9901718	Sander Install & dual manifold RH & LH rear	814.00	814.00
1	9900823	Sander TMTE Exterior (removable) sander/tailgate spill plates, Stainless Steel	360.00	360.00
1	9900851	Valve System, Force Add-A-Fold MCV-ISO Valve 9 Functions , INSTALLED	9,273.00	9,273.00
1	9902497	Control System Force ULTRA-4-6100 Commander control, Installed	11,469.00	11,469.00
1	9900874	Filter Force IN-TANK mounted filter installed	439.00	439.00
1	9900882	Reservoir TMTE Cabshield mt (stainless steel) w/intank filter provision, installed	1,599.00	1,599.00



Towmaster, Inc.  
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 Phone: 800-462-4517 / 320-693-7900



1	9900888	Pump Force FASD45L LS (6 ci) installed	2,687.00	2,687.00
1	9900884	Sensor Force Low oil indicator system, SLIM-LINE AND CABSHIELD MOUNTED w/light mounted in cab installed	222.00	222.00

NOTE: If changes are made to an order after a P.O. has been issued, a FEE may be assessed and a revised or new P.O. MUST BE submitted to reflect changes.

Visit us online at [www.towmastertruck.com](http://www.towmastertruck.com)

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

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

Price:	\$95,103.00
Discount:	\$0.00
Other Credit (see above):	\$0.00
Net Cost:	\$95,103.00
Sales Tax:	\$6,538.33
Other Charge (see	\$0.00
Freight	\$0.00
Total:	\$101,641.33



MAYOR AND COUNCIL COMMUNICATION

DATE: 11/06/2013  
**CONSENT**  
ITEM #: 12

**AGENDA ITEM:** Approve Resolution Nos. 2013-90A & 2013-90B, Resolutions Calling For Public Hearing To Vacate Easements  
**SUBMITTED BY:** Adam Bell, City Clerk  
**THROUGH:** Dean A. Zuleger, City Administrator  
**REVIEWED BY:** Dave Snyder, City Attorney  
Jack Griffin, City Engineer

SUGGESTED ORDER OF BUSINESS

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

**SUMMARY AND ACTION REQUESTED:** The City Council is respectfully requested to approve two related resolutions. The first is Resolution No. 2013-90A, A Resolution Calling For Public Hearing To Vacate Easement for the Permanent Public Utility Easement and Agreement. As part of the Consent Agenda, no formal motion is required. However, if Council wishes to remove item from the Consent Agenda for further discussion, it can then pass the resolution by taking the following action:

*“Move to approve Resolution No. 2013-90A, A Resolution Calling For Public Hearing To Vacate Easement”*

In addition, Council is also respectfully requested to approve as part of the Consent Agenda Resolution No. 2013-90B, A Resolution Calling For Public Hearing To Vacate Easement for the Temporary Construction Easement and Agreement. Again, as part of the Consent Agenda, no formal motion is required. However, if Council wishes to remove item from the Consent Agenda for further discussion, it can then pass the resolution by taking the following action: by taking the following action:

*“Move to approve Resolution No. 2013-90B, A Resolution Calling For Public Hearing To Vacate Easement”*

**FINANCIAL IMPACT:** The consideration given for the initial easements was \$16,141.71. City staff is working out the details of the repayment of those funds to the City in regards to the location change. Specific questions about the financial impact should be directed to the Finance Director.

**BACKGROUND INFORMATION:** On April 19, 2013 the City obtained permanent and temporary easements from Tammy Diedrich and Gerhard Rieder for consideration as part of the Lake Elmo sewer and water infrastructure project. Those easements were subsequently recorded in the Washington County Property Records. A copy of those recorded easements is attached to this memo.

The location of the easements was changed at the request of the land owners to facilitate development and make for more efficient infrastructure placement. New easements with the updated information were obtained by staff; however the city has been requested to vacate the previously recorded easements.

**STAFF REPORT:** Pursuant to Minn. Stat. §§ 412.861 and 462.358, subd. 7, a city may vacate a public utility easement in the same manner as vacating streets. By law, in order to vacate a recorded easement, Council must hold a public hearing on the vacation and then pass a resolution vacating the easement. Presently before the council is a resolution calling for the required public hearing. Notice of the hearing is required to be published and posted by the City Clerk at least two weeks prior to the hearing and mailed by the City Clerk to affected property owners at least 10 days prior to the hearing. The soonest that a public hearing can be held is on December 3, 2013 at 7:00 p.m.

A resolution granting a vacation commenced solely on the initiative of the city council requires a four-fifths majority vote in favor of the resolution. The call for the public hearing only needs a simple majority vote. Both the City Engineer and City Attorney have reviewed this process.

**RECOMMENDATION:**

*Staff recommends the City Council, as part of the Consent Agenda, approve Resolution No. 2013-90A, A Resolution Calling For Public Hearing To Vacate Easement for the Permanent Public Utility Easement And Agreement. As part of the Consent Agenda, no formal motion is required. However, if Council wishes to remove item from the Consent Agenda for further discussion, it can then pass the resolution by taking the following action:*

***“Move to approve Resolution No. 2013-90A, A Resolution Calling For Public Hearing To Vacate Easement”***

*In addition, staff recommends Council approve, as part of the Consent Agenda, Resolution No. 2013-90B, A Resolution Calling For Public Hearing To Vacate Easement for the Temporary Construction Easement and Agreement. Again, as part of the Consent Agenda, no formal motion is required. However, if Council wishes to remove item from the Consent Agenda for further discussion, it can then pass the resolution by taking the following action: by taking the following action:*

***“Move to approve Resolution No. 2013-90B, A Resolution Calling For Public Hearing To Vacate Easement”***

**ATTACHMENTS:**

- 1) Resolution No. 2013-90A, A Resolution Calling For Public Hearing To Vacate Easement
- 2) Resolution No. 2013-90B, A Resolution Calling For Public Hearing To Vacate Easement
- 3) Public Notice to be published
- 4) Recorded Diedrich-Rieder Public Utility Easement and Agreement

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

**RESOLUTION NO. 2013 – 90A**

**A RESOLUTION SETTING A PUBLIC HEARING ON A VACATION**

**THE CITY COUNCIL OF THE CITY OF LAKE ELMO, MINNESOTA DOES HEREBY  
RESOLVE AS FOLLOWS:**

**WHEREAS**, the City Council pursuant to Minnesota Statute § 412.861 desires to consider the vacation of a Permanent Public Utility Easement and Agreement on the subject property legally described as:

**The north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, according to the United States Government Survey thereof and situated in Washington County, Minnesota.**

**; and**

**WHEREAS**, that said public utility easement located in the City of Lake Elmo, County of Washington, State of Minnesota is described as follows, to-wit:

**A perpetual easement for public utility purposes over, under and across the following described property:**

**Over, under and across that part of the north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, Washington County, Minnesota, except the west 50 feet thereof. Said perpetual easement lies northerly and easterly of the following described line:**

**Commencing at the northwest corner of said Northwest Quarter of the Southwest Quarter; thence on an assumed bearing of South 00 degrees 02 minutes 54 seconds West, along the west line of said Northwest Quarter of the Southwest Quarter, a distance of 40.00 feet to the point of beginning of the line to be described; thence North 89 degrees 48 minutes 29 seconds East a distance of 597.64 feet; thence South 87 degrees 08 minutes 18 seconds East a distance of 187.72 feet; thence North 89 degrees 48 minutes 29 seconds East a distance of 483.28 feet; thence South 00 degrees 01 minutes 17 seconds East a distance of 424.06 feet to the south line of said north 474.06 feet of the Northwest Quarter of the Southwest Quarter and said line there terminating.**

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE ELMO, COUNTY OF WASHINGTON, MINNESOTA:**

1. The Council will consider the vacation of such Permanent Public Utility Easement and Agreement and a public hearing shall be held on such proposed vacation on the 3rd day of December, 2013, before the City Council in the City Hall located at 3800 Laverne Avenue North, Lake Elmo, MN 55042 at 7:00 p.m.
2. The City Clerk is hereby directed to give published, posted and mailed notice of such hearing as required by law.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE SIXTH DAY OF NOVEMBER, 2013.**

**CITY OF LAKE ELMO**

(Seal)

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

ATTEST:

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

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

**RESOLUTION NO. 2013 – 90B**

**A RESOLUTION SETTING A PUBLIC HEARING ON A VACATION**

**THE CITY COUNCIL OF THE CITY OF LAKE ELMO, MINNESOTA DOES HEREBY  
RESOLVE AS FOLLOWS:**

**WHEREAS**, the City Council pursuant to Minnesota Statute § 412.861 desires to consider the vacation of a Temporary Construction Easement and Agreement legally described as:

**A temporary easement for construction purposes over, under and across that part of the north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, Washington County, Minnesota, except the west 50 feet thereof. Said temporary easement lies northerly and easterly of the following described line:**

**Commencing at the northwest corner of said Northwest Quarter of the Southwest Quarter; thence on an assumed bearing of South 00 degrees 02 minutes 54 seconds West, along the west line of said Northwest Quarter of the Southwest Quarter, a distance of 90.00 feet to the point of beginning of the line to be described; thence North 89 degrees 48 minutes 29 seconds East a distance of 597.85 feet; thence South 79 degrees 36 minutes 58 seconds East a distance of 190.69 feet; thence North 89 degrees 48 minutes 29 seconds East a distance of 408.06 feet; thence South 00 degrees 01 minutes 17 seconds East a distance of 349.06 feet to the south line of said north 474.06 feet of the Northwest Quarter of the Southwest Quarter and said line there terminating.**

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE ELMO, COUNTY OF WASHINGTON, MINNESOTA:**

- 1. The Council will consider the vacation of such Temporary Construction Easement and Agreement and a public hearing shall be held on such proposed vacation on the 3rd day of December, 2013, before the City Council in the City Hall located at 3800 Laverne Avenue North, Lake Elmo, MN 55042 at 7:00 p.m.**
- 2. The City Clerk is hereby directed to give published, posted, and mailed notice of such hearing as required by law.**

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE SIXTH DAY OF NOVEMBER, 2013.**

**CITY OF LAKE ELMO**

ATTEST:

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

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

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

**NOTICE OF PUBLIC HEARING ON VACATION OF EASEMENTS PURSUANT TO  
MINNESOTA STATUTE § 412.861**

**NOTICE IS HEREBY GIVEN** that a hearing will be held before the City Council on the third day of December, 2013, in the City Hall located at 3800 Laverne Avenue North, Lake Elmo, MN 55042 at 7:00 p.m. to consider a proposed vacation of a Permanent Public Utility Easement and Agreement on the subject property legally described as:

**The north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, according to the United States Government Survey thereof and situated in Washington County, Minnesota.**

; and

a public utility easement located in the City of Lake Elmo, County of Washington, State of Minnesota described as follows, to-wit:

**A perpetual easement for public utility purposes over, under and across the following described property:**

**Over, under and across that part of the north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, Washington County, Minnesota, except the west 50 feet thereof. Said perpetual easement lies northerly and easterly of the following described line:**

**Commencing at the northwest corner of said Northwest Quarter of the Southwest Quarter; thence on an assumed bearing of South 00 degrees 02 minutes 54 seconds West, along the west line of said Northwest Quarter of the Southwest Quarter, a distance of 40.00 feet to the point of beginning of the line to be described; thence North 89 degrees 48 minutes 29 seconds East a distance of 597.64 feet; thence South 87 degrees 08 minutes 18 seconds East a distance of 187.72 feet; thence North 89 degrees 48 minutes 29 seconds East a distance of 483.28 feet; thence South 00 degrees 01 minutes 17 seconds East a distance of 424.06 feet to the south line of said north 474,06 feet of the Northwest Quarter of the Southwest Quarter and said line there terminating.**

**FURTHERMORE, NOTICE IS HEREBY GIVEN** that a hearing will be held before the City Council on the third day of December, 2013, in the City Hall located at 3800 Laverne Avenue

North, Lake Elmo, MN 55042 at 7:00 p.m. to consider a proposed vacation of a Temporary Construction Easement and Agreement legally described as:

**A temporary easement for construction purposes over, under and across that part of the north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, Washington County, Minnesota, except the west 50 feet thereof. Said temporary easement lies northerly and easterly of the following described line:**

**Commencing at the northwest corner of said Northwest Quarter of the Southwest Quarter; thence on an assumed bearing of South 00 degrees 02 minutes 54 seconds West, along the west line of said Northwest Quarter of the Southwest Quarter, a distance of 90.00 feet to the point of beginning of the line to be described; thence North 89 degrees 48 minutes 29 seconds East a distance of 597.85 feet; thence South 79 degrees 36 minutes 58 seconds East a distance of 190.69 feet; thence North 89 degrees 48 minutes 29 seconds East a distance of 408.06 feet; thence South 00 degrees 01 minutes 17 seconds East a distance of 349.06 feet to the south line of said north 474.06 feet of the Northwest Quarter of the Southwest Quarter and said line there terminating.**

Dated this sixth day of November, 2013.

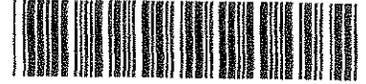
SIGNED BY:

By: \_\_\_\_\_  
Adam Bell  
Clerk

Receipt# 224811

EAS \$46.00  
CRV Not Required  
Exempt from Tax

3947069



Return to:  
JOHNSON/TURNER  
56 E BROADWAY AVE #206  
FOREST LAKE MN 55025

Certified Filed and/or recorded on:

5/23/2013 3:32 PM

3947069

Office of the County Recorder  
Washington County, Minnesota  
*Jennifer Wagenius, County Recorder*  
*Kevin Corbid, Auditor Treasurer*

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Return to:  
Johnson & Turner, P.A.  
Attn: David K. Snyder  
56 East Broadway Avenue, Suite 206  
Forest Lake, MN 55025

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PUBLIC UTILITY  
EASEMENT AND AGREEMENT

**PERMANENT  
PUBLIC UTILITY  
EASEMENT AND AGREEMENT**

THIS INDENTURE, made this 19<sup>th</sup> day of April, 2013, by and between **TAMMY DIEDRICH AND GERHARD RIEDER**, joint tenants, parties of the first part; and the **CITY OF LAKE ELMO**, Washington County, Minnesota, party of the second part.

WITNESSETH:

WHEREAS, the above-named party of the first part is the owner in fee simple of the real estate being located in the City of Lake Elmo, County of Washington and State of Minnesota, being described as follows:

**The north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, according to the United States Government Survey thereof and situate in Washington County, Minnesota.**

That for and in consideration of the sum of **SIXTEEN THOUSAND ONE HUNDRED FORTY-ONE AND 71/100 DOLLARS (\$16,141.71)**, and other good and valuable consideration, the receipt of which is hereby acknowledged, the party of the first part has this day bargained and sold, and by these presents do bargain, sell and transfer unto the **CITY OF LAKE ELMO** its successors and assigns the following:

A perpetual easement for public utility purposes with the right to enter upon the real estate hereinafter described at any time that the **CITY OF LAKE ELMO** may see fit, and construct, maintain and repair any lines, equipment, materials, or other items for public municipal utility purposes, for the purpose of maintaining, repairing or replacing the said municipal utility facilities

over, across, through and under the lands hereinafter described, together with the right to excavate and refill ditches and/or trenches for the location of said public utilities, drainage and related facilities, and the further right to remove trees, bushes, undergrowth, and other obstructions interfering in the location, construction and maintenance of said public drainage and utilities.

That said public utility easement located in the City of Lake Elmo, County of Washington, State of Minnesota, and is described as follows, to-wit:

A perpetual easement for public utility purposes over, under and across the following described property:

**Over, under and across that part of the north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, Washington County, Minnesota, except the west 50 feet thereof. Said perpetual easement lies northerly and easterly of the following described line:**

**Commencing at the northwest corner of said Northwest Quarter of the Southwest Quarter; thence on an assumed bearing of South 00 degrees 02 minutes 54 seconds West, along the west line of said Northwest Quarter of the Southwest Quarter, a distance of 40.00 feet to the point of beginning of the line to be described; thence North 89 degrees 48 minutes 29 seconds East a distance of 597.64 feet; thence South 87 degrees 08 minutes 18 seconds East a distance of 187.72 feet; thence North 89 degrees 48 minutes 29 seconds East a distance of 483.28 feet; thence South 00 degrees 01 minutes 17 seconds East a distance of 424.06 feet to the south line of said north 474.06 feet of the Northwest Quarter of the Southwest Quarter and said line there terminating.**

TO HAVE AND TO HOLD, said perpetual easement unto the City of Lake Elmo, its successors and assigns, forever.

The parties of the first part do hereby covenant with the **CITY OF LAKE ELMO**, that they are lawfully seized and possessed of the real estate above described.

IN WITNESS WHEREOF, the said parties have caused this instrument to be executed the day and year first above written.

IN PRESENCE OF:

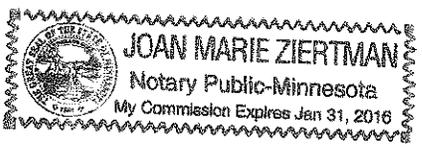
PARTIES OF THE FIRST PART:

Tammy Diedrich  
Tammy Diedrich

Gerhard Rieder  
Gerhard Rieder

STATE OF MINNESOTA        )  
                                          ) ss.  
COUNTY OF WASHINGTON    )

On this 16<sup>th</sup> day of April, 2013, before me, a Notary Public, in and for said County and State, appeared Tammy Diedrich and Gerhard Rieder, joint tentants, to me personally known, who being by me first duly sworn, did say that they acknowledged said instrument to be the free act and deed of said Tammy Diedrich and Gerhard Rieder.



Joan Ziertman  
Notary Public

PARTY OF THE SECOND PART:

CITY OF LAKE ELMO

By: [Signature]  
Its Mayor

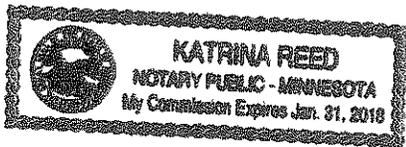
By: [Signature]  
Its Administrator

Approved as to form:

By: [Signature]  
Lake Elmo City Attorney

STATE OF MINNESOTA     )  
                                          ) ss.  
COUNTY OF WASHINGTON    )

On this 19 day of April, 2013, before me, a notary public within and for said County and State, personally appeared MIKE PEARSON and DEAN ZULEGER to me personally known, who, being each by me duly sworn did say that they are respectively the Mayor and Administrator of the CITY OF LAKE ELMO, by authority of the City Council of the City of Lake Elmo, and said Mayor and Administrator acknowledged said instrument to be the free act and deed of said City of Lake Elmo.



[Signature]  
Notary Public

THIS INSTRUMENT DRAFTED BY:  
DAVID K. SNYDER  
JOHNSON & TURNER, P.A.  
56 East Broadway Avenue, Suite 206  
Forest Lake, MN 55025  
(651) 464-7292

# PERPETUAL & TEMPORARY EASEMENT EXHIBIT

-for- City of Lake Elmo

LAKE ELMO INFRASTRUCTURE IMP.  
I-94 to 30th Street  
TKDA Project No. 13857.000

Parcel PIN No. 36-029-21-32-0002  
Owner: Tammy Diedrich and Gerhard Rieder

## EXISTING PROPERTY DESCRIPTION

(Per Doc. No. 3193933)

The north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, according to the United States Government Survey thereof and shown in Washington County, Minnesota.

## PROPOSED PERPETUAL AND TEMPORARY EASEMENT DESCRIPTION

A perpetual easement for utility purposes over, under and across that part of the north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, Washington County, Minnesota, except the west 50 feet thereof. Said perpetual easement lies northerly and easterly of the following described line:

Commencing at the northwest corner of said Northwest Quarter of the Southwest Quarter; thence on an assumed bearing of South 00 degrees 02 minutes 54 seconds West, along the west line of said Northwest Quarter of the Southwest Quarter, a distance of 40.00 feet to the point of beginning of the line to be described; thence North 89 degrees 48 minutes 29 seconds East a distance of 397.85 feet; thence South 87 degrees 08 minutes 18 seconds East a distance of 187.72 feet; thence North 89 degrees 48 minutes 29 seconds East a distance of 483.78 feet; thence South 00 degrees 01 minutes 17 seconds East a distance of 474.06 feet to the south line of said north 474.06 feet of the Northwest Quarter of the Southwest Quarter and said line there terminating.

Together with a temporary easement for construction purposes over, under and across that part of the north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, Washington County, Minnesota, except the west 50 feet thereof. Said temporary easement lies northerly and easterly of the following described line, except that part herebefore described as perpetual easement:

Commencing at the northwest corner of said Northwest Quarter of the Southwest Quarter; thence on an assumed bearing of South 00 degrees 02 minutes 54 seconds West, along the west line of said Northwest Quarter of the Southwest Quarter, a distance of 90.00 feet to the point of beginning of the line to be described; thence North 89 degrees 48 minutes 29 seconds East a distance of 397.85 feet; thence South 87 degrees 08 minutes 18 seconds East a distance of 180.68 feet; thence North 89 degrees 48 minutes 29 seconds East a distance of 190.69 feet; thence South 00 degrees 01 minutes 17 seconds East a distance of 349.06 feet to the south line of said north 474.06 feet of the Northwest Quarter of the Southwest Quarter and said line there terminating.

## LEGEND

- DENOTES PARCEL PROPERTY LINE
- DENOTES PERPETUAL EASEMENT
- DENOTES TEMPORARY EASEMENT
- DENOTES ADJACENT PROPERTY LINE
- DENOTES SECTION LINE
- DENOTES PROPOSED PERPETUAL UTILITY EASEMENT
- DENOTES PROPOSED TEMPORARY CONSTRUCTION EASEMENT

## PROPERTY & EASEMENT AREAS:

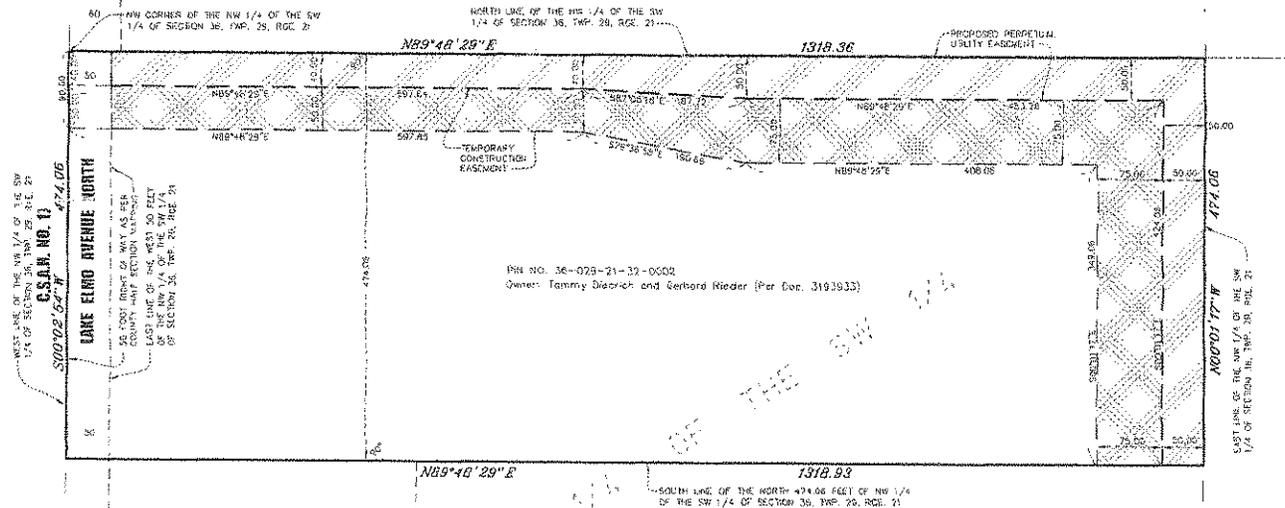
TOTAL AREA OF PARCEL: 625,112 S.F.  
AREA EXCLUDING CSAM NO. 17: 607,414 S.F.

TOTAL AREA OF PERPETUAL EASEMENT: 78,209 S.F.  
TOTAL AREA OF TEMPORARY EASEMENT: 101,570 S.F.

TEMPORARY EASEMENT TO EXPIRE: \_\_\_\_\_

## SURVEY NOTES

- No field survey work was completed for this survey.
- Bearings shown are on Washington County Coordinate System, NAD83 (1986)
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.



## GRAPHIC SCALE



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

*Daniel W. Obermiller*  
DANIEL W. OBERMILLER  
Date: 3/15/13 License No. 25341

**E. G. RUD & SONS, INC.**  
Professional Land Surveyors  
6776 Lake Drive NE, Suite 110  
Lino Lakes, MN 55014  
Tel. (651) 361-8200 Fax (651) 361-8701

NO.	DATE	DESCRIPTION	BY
1			
2			
3			

---

RETURN TO:  
DAVID K. SNYDER  
Johnson & Turner, P.A.  
56 East Broadway Avenue, Suite 206  
Forest Lake, MN 55025

**TEMPORARY CONSTRUCTION  
EASEMENT AND AGREEMENT**

THIS INDENTURE, made this 19<sup>th</sup> day of April, 2013, by and between **TAMMY DIEDRICH AND GERHARD RIEDER**, joint tenants, parties of the first part; and the **CITY OF LAKE ELMO**, a municipal corporation organized under the laws of the State of Minnesota, party of the second part.

WITNESSETH:

WHEREAS, the above-named parties of the first part are the owners in fee simple of the real estate hereinafter described.

That for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties of the first part have this day bargained and sold, and by these presents do bargain, sell and transfer unto the **CITY OF LAKE ELMO**, its successors and assigns the following:

A temporary construction easement, including the right to enter upon the real estate hereinafter described and grade and excavate land for the purpose of constructing municipal utilities, and the further right to remove bushes, trees, undergrowth, and other obstructions interfering in the location and construction of said public utilities.

That said easement located in the County of Washington, State of Minnesota, is described as follows, to-wit:

**A temporary easement for construction purposes over, under and across that part of the north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, Washington County, Minnesota, except the west 50 feet thereof. Said temporary easement lies northerly and easterly of the following described line:**

**Commencing at the northwest corner of said Northwest Quarter of the Southwest Quarter; thence on an assumed bearing of South 00 degrees 02 minutes 54 seconds West, along the west line of said Northwest Quarter of the Southwest Quarter, a distance of 90.00 feet to the point of beginning of the line to be described; thence North 89 degrees 48 minutes 29 seconds East a distance of 597.85 feet; thence South 79 degrees 36 minutes 58 seconds East a distance of 190.69 feet; thence North 89 degrees 48 minutes 29 seconds East a distance of 408.06 feet; thence South 00 degrees 01 minutes 17 seconds East a distance of 349.06 feet to the south line of said north 474.06 feet of the Northwest Quarter of the Southwest Quarter and said line there terminating.**

TO HAVE AND TO HOLD, said temporary easement unto the City of Lake Elmo, Washington County, Minnesota, its successors and assigns, until December 31, 2014, at which time said easement shall expire.

The parties of the first part do hereby covenant with the City of Lake Elmo, that they are lawfully seized and possessed of the real estate above described.

It is understood and agreed that the party of the second part will restore said land to as good or better a condition as it was prior to the time of any excavation for public water and sewer and storm sewer utilities or any other purpose, however the party of the second part will





# PERPETUAL & TEMPORARY EASEMENT EXHIBIT

-for- City of Lake Elmo

LAKE ELMO INFRASTRUCTURE IMP.  
I-94 to 30th Street  
TKDA Project No. 13857.000

Parcel PIN No. 36-029-21-32-0002  
Owner: Tammy Diedrich and Gerhard Rieder

## EXISTING PROPERTY DESCRIPTION

(Per Doc. No. 3193933)

The north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, according to the United States Government Survey thereof and situate in Washington County, Minnesota.

## PROPOSED PERPETUAL AND TEMPORARY EASEMENT DESCRIPTION

A perpetual easement for utility purposes over, under and across that part of the north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, Washington County, Minnesota, except the west 50 feet thereof. Said perpetual easement lies northerly and easterly of the following described line:

Commencing at the northwest corner of said Northwest Quarter of the Southwest Quarter; thence on an assumed bearing of South 00 degrees 02 minutes 54 seconds West, along the west line of said Northwest Quarter of the Southwest Quarter, a distance of 40.00 feet to the point of beginning of the line to be described; thence North 89 degrees 48 minutes 29 seconds East a distance of 597.84 feet; thence South 87 degrees 08 minutes 18 seconds East a distance of 187.72 feet; thence North 89 degrees 48 minutes 29 seconds East a distance of 483.26 feet; thence South 00 degrees 02 minutes 17 seconds East a distance of 424.06 feet to the south line of said north 474.06 feet of the Northwest Quarter of the Southwest Quarter and said line there terminating.

Together with a temporary easement for construction purposes over, under and across that part of the north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, Washington County, Minnesota, except the west 50 feet thereof. Said temporary easement lies northerly and easterly of the following described line, except that part hereafter described as perpetual easement:

Commencing at the northwest corner of said Northwest Quarter of the Southwest Quarter; thence on an assumed bearing of South 00 degrees 02 minutes 54 seconds West, along the west line of said Northwest Quarter of the Southwest Quarter, a distance of 50.00 feet to the point of beginning of the line to be described; thence North 89 degrees 48 minutes 29 seconds East a distance of 597.85 feet; thence South 76 degrees 36 minutes 58 seconds East a distance of 190.65 feet; thence North 89 degrees 48 minutes 29 seconds East a distance of 408.06 feet; thence South 00 degrees 02 minutes 17 seconds East a distance of 349.06 feet to the south line of said north 474.06 feet of the Northwest Quarter of the Southwest Quarter and said line there terminating.

## LEGEND

- DENOTES PARCEL PROPERTY LINE
- DENOTES PERPETUAL EASEMENT
- DENOTES TEMPORARY EASEMENT
- DENOTES ADJACENT PROPERTY LINE
- DENOTES SECTION LINE
- DENOTES PROPOSED PERPETUAL UTILITY EASEMENT
- DENOTES PROPOSED TEMPORARY CONSTRUCTION EASEMENT

## PROPERTY & EASEMENT AREAS:

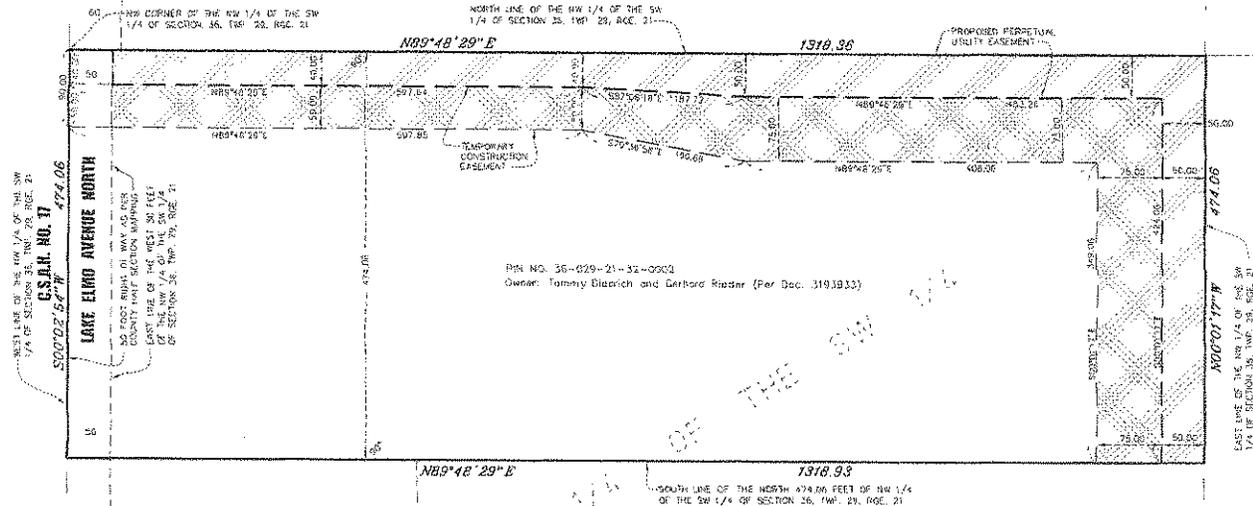
TOTAL AREA OF PARCEL: 628,117 S.F.  
AREA EXCLUDING CSAM NO. 17: 801,514 S.F.

TOTAL AREA OF PERPETUAL EASEMENT: 78,209 S.F.  
TOTAL AREA OF TEMPORARY EASEMENT: 161,920 S.F.

TEMPORARY EASEMENT TO EXPIRE: \_\_\_\_\_

## SURVEY NOTES

- No field survey work was completed for this survey.
- Bearings shown are on Washington County Coordinate System, NAD83 (1983).
- This survey was prepared without the benefit of title work. Additional easements, restrictions and/or encumbrances may exist other than those shown hereon. Survey subject to revision upon receipt of a current title commitment or an attorney's title opinion.



## GRAPHIC SCALE



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

*Daniel W. Obermiller*  
DANIEL W. OBERMILLER  
Date: 3/15/13 License No. 25341

**E. G. RUD & SONS, INC.**  
EST. 1877  
Professional Land Surveyors  
6776 Lake Drive NE, Suite 110  
Lino Lakes, MN 55014  
Tel. (651) 361-8200 Fax (651) 361-8701  
www.egrud.com

NO.	DATE	DESCRIPTION	BY
1			
2			
3			

5/15/2013 10:14:09 AM CBT



MAYOR AND COUNCIL COMMUNICATION

DATE: 11/06/2013  
**REGULAR**  
ITEM #: 13A

**AGENDA ITEM:** Keats MSA Street and Trunk Watermain Improvements – Assessment Hearing on Street Improvements and Adopting the Final Assessment Roll  
**SUBMITTED BY:** Jack Griffin, City Engineer  
**THROUGH:** Dean A. Zuleger, City Administrator  
**REVIEWED BY:** Adam Bell, City Clerk  
Cathy Bendel, Finance Director  
Chad Isakson, Engineering Project Manager

**SUGGESTED ORDER OF BUSINESS:**

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

**SUMMARY AND ACTION REQUESTED:**

The City Council is respectfully requested to conduct the Final Assessment Hearing for street improvements completed as a part of the Keats MSA Street and Trunk Watermain Improvements. Pursuant to Minnesota Statutes, Section 429 the Council must conduct a final assessment hearing to declare the amounts to be assessed to the benefitting properties. The Council will also present and hear upon any objections to the proposed assessment whether presented verbally or in writing. The recommended motion for this action is as follows:

*“Move to approve Resolution No. 2013-91, Adopting the Final Assessment Roll for the street improvements for the Keats MSA Street and Trunk Watermain Improvements.”*

**STAFF REPORT:**

On October 1, 2013, the City Council approved a Resolution declaring the costs to be assessed, ordering the preparation of the proposed assessment, and calling for the hearing on proposed assessment for the street improvements for the Keats MSA Street and Trunk Watermain Improvements. The Project is substantially complete and the special assessments for this project

were established as fixed amounts for a Collector Roadway. Therefore the unit assessments remain unchanged with the final project costs.

Pursuant to Minnesota Statutes, Section 429 the Council must declare the final amount to be assessed against the benefitting properties and the hearing on the proposed assessment for these improvements must be conducted. Staff has attached a proposed Final Assessment Roll. The final unit assessment amount for each benefitting property is \$3,400.

Mailed notice has been provided to each assessed property and notice of the public hearing has been published in the local paper in accordance with Minnesota Statutes, Section 429. The Final Assessment Roll must be certified to the County Auditor by November 30, 2013.

**RECOMMENDATION:**

Staff is recommending that the City Council adopt Resolution No. 2013-91, thereby Adopting the Final Assessment Roll for the street improvements for the Keats MSA Street and Trunk Watermain Improvements. The recommended motion for this action is as follows:

*“Move to approve Resolution No. 2013-91, Adopting the Final Assessment Roll for the street improvements for the Keats MSA Street and Trunk Watermain Improvements.”*

**ATTACHMENT(S):**

1. Resolution No. 2013-91, Adopting the Final Assessment Roll on Street Improvements
2. Final Assessment Roll
3. Notice of Hearing on Street Improvements

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

**RESOLUTION NO. 2013-91**

**A RESOLUTION ADOPTING THE FINAL ASSESSMENT ROLL  
FOR THE STREET IMPROVEMENTS FOR THE KEATS MSA STREET  
AND TRUNK WATERMAIN IMPROVEMENTS**

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for the street improvements for the Keats MSA Street and Trunk Watermain Improvements.

**NOW, THEREFORE, BE IT RESOLVED,**

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday in January, 2014, and shall bear interest at the rate of 4.50% percent per annum from the date of the adoption of the assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2013. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to the certification of the assessment to the county auditor, pay the whole of the assessment on such property, with the interest accrued to the date of payment, to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and he/she may, at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the next succeeding year.

4. The City Clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the county. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE SIXTH DAY OF NOVEMBER, 2013.**

**CITY OF LAKE ELMO**

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

(Seal)  
ATTEST:

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

NO.	NAME	ADDRESS	PID	UNITS	AMOUNT
1	ZIERTMAN STEVEN R & JOAN M	5761 KEATS AVE LAKE ELMO	0202921220001	1	\$ 3,400.00
2	SLOMKOWSKI LEEANN M	5415 KEATS AVE LAKE ELMO	0202921310003	1	\$ 3,400.00
3	CROCKER GEORGE W & CYNTHIA L FOUSHEE	5093 KEATS AVE LAKE ELMO	0202921330003	1	\$ 3,400.00
4	SESSING DIANE L	5699 KEATS AVE LAKE ELMO	0202921230003	1	\$ 3,400.00
5	VOGEL WILLIAM J & CHERYL	5055 KEATS AVE LAKE ELMO	0202921330002	1	\$ 3,400.00
6	MAGILL JOSEPH M & MAUREEN M	5275 KEATS AVE LAKE ELMO	0202921310005	2	\$ 6,800.00
7	MENZ RICHARD J	5615 KEATS AVE LAKE ELMO	0202921230001	1	\$ 3,400.00
8	BERGER KATHLEEN A & DUSTIN M	5435 KEATS AVE LAKE ELMO	0202921320002	1	\$ 3,400.00
9	HERMANSON CHRISTINE L	5545 KEATS AVE LAKE ELMO	0202921230005	1	\$ 3,400.00
10	EGERSDORF RICHARD J	9960 57TH ST LAKE ELMO	0302921140002	1	\$ 3,400.00
11	BOETTCHER JEFFREY A & KARISSA	5630 KEATS AVE LAKE ELMO	0302921140008	1	\$ 3,400.00
12	EGGEN PETER D & PAMELA K	5250 KEATS AVE LAKE ELMO	0302921410002	1	\$ 3,400.00
13	SPAETH KEVIN & KARI	5010 KEATS AVE LAKE ELMO	0302921440017	1	\$ 3,400.00
14	NELSON CYNTHIA JANE	5240 KEATS AVE LAKE ELMO	0302921410003	1	\$ 3,400.00
15	MEYER ROBERT F & MARIE	5220 KEATS AVE LAKE ELMO	0302921440004	1	\$ 3,400.00
16	SCHUBERT ROLF & KARIN A	5222 KEATS AVE LAKE ELMO	0302921440003	1	\$ 3,400.00
17	EDER MELVIN J & JANE R	4890 KEATS AVE LAKE ELMO	1002921110005	1	\$ 3,400.00
18	CARLSON JOHN F & CARRIE E	4950 KEATS AVE LAKE ELMO	1002921110004	1	\$ 3,400.00
19	KELCH JOYCE E	4855 KEATS AVE LAKE ELMO	1102921220001	1	\$ 3,400.00
TOTAL				20	\$ 68,000.00

**CITY OF LAKE ELMO  
NOTICE OF HEARING ON PROPOSED ASSESSMENT  
KEATS MSA STREET AND TRUNK WATERMAIN IMPROVEMENTS**

Notice is hereby given that the City Council of Lake Elmo will meet in the Council Chambers of the City Hall at or approximately after 7:00 P.M. on Wednesday, November 6, 2013, to consider, and possibly adopt, the proposed assessment against abutting property for the Keats MSA Street and Trunk Watermain Improvements. Adoption by the Council of the proposed assessment may occur at the hearing. The following are the areas proposed to be assessed:

Keats Avenue Street Improvements: The amount to be specially assessed against each particular lot, piece, or parcel of land located along Keats Avenue (from Trunk Highway 36 to 47<sup>th</sup> Street), is \$3,400.

You may at any time prior to certification of the assessment to the county auditor on November 15, 2013, pay the entire assessment on such property to the City Clerk with interest accrued to the date of payment. No interest shall be charged if the entire assessment is paid to the City Clerk 30 days from the adoption of this assessment. You may at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 (date assessment certified to County Auditor) or interest will be charged through December 31 of the succeeding year. If you decide not to prepay the assessment before the date given above the rate of interest that will apply is 4.50 percent per year.

Once assessments are certified to the County, the assessments are payable in equal annual installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday in January 2014, and will bear interest at the rate of 4.50 percent per annum from the date of adoption of the assessment resolution. To the first installment shall be added interest on the entire assessment from the date of the assessment resolution until December 31, 2013. To each subsequent installment when due shall be added interest for one year on all unpaid installments.

The proposed assessment roll is on file for public inspection at the City Clerk's office. The total amount of the proposed street improvement assessment is \$74,800. *The City contribution for the street improvement project is \$1,244,120.* Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of an assessment unless a written objection signed by the affected property owner is filed with the municipal clerk prior to the assessment hearing or presented to the presiding officer at the hearing. The Council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

An owner may appeal an assessment to district court pursuant to Minnesota Statutes, Section 429.081 by serving notice of the appeal upon the Mayor or Clerk within 30 days

after the adoption of the assessment and filing such notice with the district court within ten days after service upon the Mayor or Clerk.

The City Council is authorized in its discretion to defer the payment of an assessment for any homestead property owned by a person for whom it would be a hardship to make payment if the owner is 65 years of age or older and/or the owner is a person retired by virtue of a permanent and total disability or by a person who is a member of the Minnesota National Guard or other military reserves who is ordered into active military service, as defined in section 190.05 subdivision 5b or 5c, as stated in the person's military orders, for whom it would be a hardship to make the payments. The owner must request a deferment of the assessment at or before the public hearing at which the assessment is adopted and make application on forms prescribed by the City Clerk within 30 days after the adoption.

Notwithstanding the standards and guidelines established by the City for determining a hardship, a deferment of an assessment may be obtained pursuant to Minnesota Statutes Section 435.193.

**DATED:** October 1, 2013

**BY ORDER OF THE LAKE ELMO CITY COUNCIL**

**Mike Pearson, Mayor**

*(Published in the Oakdale-Lake Elmo Review on October 9, 2013)*



MAYOR AND COUNCIL COMMUNICATION

DATE: 11/06/2013

REGULAR

ITEM #: 13B

**AGENDA ITEM:** Keats MSA Street and Trunk Watermain Improvements – Assessment Hearing on Water Improvements and Adopting the Final Assessment Roll

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

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

**REVIEWED BY:** Adam Bell, City Clerk  
Cathy Bendel, Finance Director  
Chad Isakson, Engineering Project Manager

SUGGESTED ORDER OF BUSINESS:

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

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to conduct the Final Assessment Hearing for watermain improvements completed as a part of the Keats MSA Street and Trunk Watermain Improvements. Pursuant to Minnesota Statutes, Section 429 the Council must conduct a final assessment hearing to declare the amounts to be assessed to the benefitting properties. The Council will also present and hear upon any objections to the proposed assessment whether presented verbally or in writing. The recommended motion for this action is as follows:

*“Move to approve Resolution No. 2013-92, Adopting the Final Assessment Roll for the watermain improvements for the Keats MSA Street and Trunk Watermain Improvements.”*

STAFF REPORT:

On October 1, 2013, the City Council approved a Resolution declaring the costs to be assessed, ordering the preparation of the proposed assessment, and calling for the hearing on proposed assessment for the trunk watermain improvements for the Keats MSA Street and Trunk Watermain Improvements. The Project is substantially complete and the special assessments for this project were established as fixed amounts for a trunk watermain extension. Therefore the unit assessments remain unchanged with the final project costs.

Pursuant to Minnesota Statutes, Section 429 the Council must declare the final amount to be assessed against the benefitting properties and the hearing on the proposed assessment for these improvements must be conducted. Staff has attached a proposed Final Assessment Roll. The final unit assessment amount for each benefitting property is \$2,900.

Mailed notice has been provided to each assessed property and notice of the public hearing has been published in the local paper in accordance with Minnesota Statutes, Section 429. The Final Assessment Roll must be certified to the County Auditor by November 30, 2013.

**RECOMMENDATION:**

Staff is recommending that the City Council adopt Resolution No. 2013-92, thereby Adopting the Final Assessment Roll for the watermain improvements for the Keats MSA Street and Trunk Watermain Improvements. The recommended motion for this action is as follows:

*“Move to approve Resolution No. 2013-92, Adopting the Final Assessment Roll for the watermain improvements for the Keats MSA Street and Trunk Watermain Improvements.”*

**ATTACHMENT(S):**

1. Resolution No. 2013-92, Adopting the Final Assessment Roll on Watermain Improvements
2. Final Assessment Roll
3. Notice of Hearing on Watermain Improvements

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

**RESOLUTION NO. 2013-92**

**A RESOLUTION ADOPTING THE FINAL ASSESSMENT ROLL  
FOR THE WATERMAIN IMPROVEMENTS FOR THE KEATS MSA  
STREET AND TRUNK WATERMAIN IMPROVEMENTS**

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for the watermain improvements for the Keats MSA Street and Trunk Watermain Improvements.

**NOW, THEREFORE, BE IT RESOLVED,**

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday in January, 2014, and shall bear interest at the rate of 4.50% percent per annum from the date of the adoption of the assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2013. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to the certification of the assessment to the county auditor, pay the whole of the assessment on such property, with the interest accrued to the date of payment, to the City Clerk, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and he/she may, at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the next succeeding year.

4. The City Clerk shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the county. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE SIXTH DAY OF NOVEMBER, 2013.**

**CITY OF LAKE ELMO**

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

(Seal)  
ATTEST:

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

NO.	NAME	ADDRESS	PID	UNITS	AMOUNT
1	ZIERTMAN STEVEN R & JOAN M	5761 KEATS AVE LAKE ELMO	0202921220001	1	\$ 2,900.00
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3	CROCKER GEORGE W & CYNTHIA L FOUSHEE	5093 KEATS AVE LAKE ELMO	0202921330003	1	\$ 2,900.00
4	SESSING DIANE L	5699 KEATS AVE LAKE ELMO	0202921230003	1	\$ 2,900.00
5	VOGEL WILLIAM J & CHERYL	5055 KEATS AVE LAKE ELMO	0202921330002	1	\$ 2,900.00
6	MAGILL JOSEPH M & MAUREEN M	5275 KEATS AVE LAKE ELMO	0202921310005	1	\$ 2,900.00
7	MENZ RICHARD J	5615 KEATS AVE LAKE ELMO	0202921230001	1	\$ 2,900.00
8	BERGER KATHLEEN A & DUSTIN M	5435 KEATS AVE LAKE ELMO	0202921320002	1	\$ 2,900.00
9	HERMANSON CHRISTINE L	5545 KEATS AVE LAKE ELMO	0202921230005	1	\$ 2,900.00
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17	EDER MELVIN J & JANE R	4890 KEATS AVE LAKE ELMO	1002921110005	1	\$ 2,900.00
18	CARLSON JOHN F & CARRIE E	4950 KEATS AVE LAKE ELMO	1002921110004	1	\$ 2,900.00
19	KELCH JOYCE E	4855 KEATS AVE LAKE ELMO	1102921220001	1	\$ 2,900.00
20	EDER RICHARD F & JANET M	9825 47TH ST LAKE ELMO	1002921140004	1	\$ 2,900.00
21	EDER DELMAR F & JOAN	4515 JULEP AVE LAKE ELMO	1002921140007	1	\$ 2,900.00
TOTAL				21	\$ 60,900.00

**CITY OF LAKE ELMO  
NOTICE OF HEARING ON PROPOSED ASSESSMENT  
KEATS MSA STREET AND TRUNK WATERMAIN IMPROVEMENTS**

Notice is hereby given that the City Council of Lake Elmo will meet in the Council Chambers of the City Hall at or approximately after 7:00 P.M. on Wednesday, November 6, 2013, to consider, and possibly adopt, the proposed assessment against abutting property for the Keats MSA Street and Trunk Watermain Improvements. Adoption by the Council of the proposed assessment may occur at the hearing. The following are the areas proposed to be assessed:

Keats Avenue Trunk Water Improvements: The amount to be specially assessed against each particular lot, piece, or parcel of land receiving an individual service stub located along Keats Avenue (from Trunk Highway 36 to 47<sup>th</sup> Street) and along 47<sup>th</sup> Street from Keats Avenue to 45<sup>th</sup> Street, is \$2,900.

You may at any time prior to certification of the assessment to the county auditor on November 15, 2013, pay the entire assessment on such property to the City Clerk with interest accrued to the date of payment. No interest shall be charged if the entire assessment is paid to the City Clerk 30 days from the adoption of this assessment. You may at any time thereafter, pay to the City Clerk the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 (date assessment certified to County Auditor) or interest will be charged through December 31 of the succeeding year. If you decide not to prepay the assessment before the date given above the rate of interest that will apply is 4.50 percent per year.

Once assessments are certified to the County, the assessments are payable in equal annual installments extending over a period of 10 years, the first of the installments to be payable on or before the first Monday in January 2014, and will bear interest at the rate of 4.50 percent per annum from the date of adoption of the assessment resolution. To the first installment shall be added interest on the entire assessment from the date of the assessment resolution until December 31, 2013. To each subsequent installment when due shall be added interest for one year on all unpaid installments.

The proposed assessment roll is on file for public inspection at the City Clerk's office. The total amount of the proposed watermain improvement assessment is \$63,800. *The City contribution for the watermain improvement project is \$762,214.* Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of an assessment unless a written objection signed by the affected property owner is filed with the municipal clerk prior to the assessment hearing or presented to the presiding officer at the hearing. The Council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

An owner may appeal an assessment to district court pursuant to Minnesota Statutes, Section 429.081 by serving notice of the appeal upon the Mayor or Clerk within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the Mayor or Clerk.

The City Council is authorized in its discretion to defer the payment of an assessment for any homestead property owned by a person for whom it would be a hardship to make payment if the owner is 65 years of age or older and/or the owner is a person retired by virtue of a permanent and total disability or by a person who is a member of the Minnesota National Guard or other military reserves who is ordered into active military service, as defined in section 190.05 subdivision 5b or 5c, as stated in the person's military orders, for whom it would be a hardship to make the payments. The owner must request a deferment of the assessment at or before the public hearing at which the assessment is adopted and make application on forms prescribed by the City Clerk within 30 days after the adoption.

Notwithstanding the standards and guidelines established by the City for determining a hardship, a deferment of an assessment may be obtained pursuant to Minnesota Statutes Section 435.193.

**DATED:** October 1, 2013

**BY ORDER OF THE LAKE ELMO CITY COUNCIL**

**Mike Pearson, Mayor**

*(Published in the Oakdale-Lake Elmo Review on October 9, 2013)*



MAYOR AND COUNCIL COMMUNICATION

DATE: 11/06/2013

**REGULAR**

ITEM #: 14

**AGENDA ITEM:** Lake Elmo Avenue Trunk Watermain Improvements – Resolution Receiving Feasibility Report and Calling Hearing on Improvement

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

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

**REVIEWED BY:** Adam Bell, City Clerk  
Cathy Bendel, Finance Director  
Dave Snyder, City Attorney  
Chad Isakson, Project Engineer

**SUGGESTED ORDER OF BUSINESS:**

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

**SUMMARY AND ACTION REQUESTED:**

The City Council is respectfully requested to consider adopting Resolution No. 2013-93 receiving the Feasibility Report and calling for a Public Improvement Hearing to be held on December 3, 2013. The recommended motion for this action is as follows:

*“Move to adopt Resolution No. 2013-93, receiving the Feasibility Report and calling Hearing on Lake Elmo Avenue Trunk Watermain Improvements.”*

**STAFF REPORT:**

In September, 2013 the City received a written request to have municipal water available by the fall of 2014 to serve two active residential development projects and one pending commercial development. In response to this request, the City Council authorized the preparation of a feasibility study to be completed in order to identify the necessary improvements, the estimated project costs, and to consider the assessment of a portion of the project costs to properties adjacent to and benefitting from the improvements.

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

Individual home service stubs and fire hydrants will be installed as a part of the project as the trunk watermain is extended past existing residential properties. The improvements will benefit the property owners by providing them the opportunity to connect to the municipal water system and will provide increased fire protection for the property. The feasibility report is necessary to satisfy the state required process to assess the benefiting property owners if the City wishes to levy assessments as part of the project.

This project is being installed as part of the overall water system capital improvement plan, and not as a project to specifically deliver municipal water to the adjacent properties. Therefore the adjacent properties are not required to pay 100% of the infrastructure extension costs as is seen in other utility extension projects, but the properties will receive benefit.

Staff will present the findings and recommendations of the Feasibility Report at the meeting. The report identifies 32 resident properties (1 unit each) and 1 commercial property (3 units) as benefiting from the proposed improvements. It is recommended each benefiting property be assessed a \$2,900 lateral benefit for the improvements, with an additional \$2,900 lateral benefit charge deferred until the property chooses to connect to the water system.

**RECOMMENDATION:**

Staff is recommending that the City Council adopt Resolution No. 2013-93, receiving the Feasibility Report and calling Hearing on Lake Elmo Avenue Trunk Watermain Improvements. The recommended motion for this action is as follows:

***“Move to adopt Resolution No. 2013-93, receiving the Feasibility Report and calling Hearing on Lake Elmo Avenue Trunk Watermain Improvements.”***

**ATTACHMENT(S):**

1. Resolution 2013-93, Receiving the Feasibility Report for the Lake Elmo Avenue Trunk Watermain Improvements and Calling Hearing on Improvement.
2. Notice of Hearing on Improvement.
3. Project Schedule.
4. Location Map.
5. Feasibility Report *(available for review at City Hall)*

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

**RESOLUTION NO. 2013-93**

**A RESOLUTION RECEIVING A FEASIBILITY REPORT FOR THE  
LAKE ELMO AVENUE TRUNK WATERMAIN IMPROVEMENTS  
AND CALLING HEARING ON IMPROVEMENT**

**WHEREAS**, pursuant to City Council authorization, adopted on September 17, 2013, a feasibility report has been prepared by FOCUS Engineering, Inc. to extend the Village water system approximately 2.5 miles south along Lake Elmo Avenue, from 30th Street North to the future intersection of Lake Elmo Avenue and 5th Street, to provide municipal water service to developing properties in the southeast part of the City; and

**WHEREAS**, the feasibility report recommends that connection service stubs be installed to properties located adjacent to the watermain improvements and recommends that a portion of the cost of the improvements be assessed pursuant to the City's Special Assessment Policy and Minnesota Statutes, Chapter 429; and

**WHEREAS**, the feasibility report provides information regarding whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvements as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

**NOW, THEREFORE, BE IT RESOLVED,**

1. That the City Council will consider the improvements in accordance with the report and the assessments of the abutting properties for all or a portion of the cost of the improvements pursuant to Minnesota Statutes, Chapter 429 at an estimated total project cost of \$2,894,000.
2. A public hearing shall be held on such proposed improvements on the 3rd day of December, 2013, in the council chambers of the City Hall at or approximately after 7:00 P.M. and the clerk shall give mailed and published notice of such hearing and improvement as required by law.

**ADOPTED BY THE LAKE ELMO CITY COUNCIL ON THE SIXTH DAY OF NOVEMBER, 2013.**

**CITY OF LAKE ELMO**

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

(Seal)  
ATTEST:

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

CITY OF LAKE ELMO  
NOTICE OF HEARING ON IMPROVEMENT  
LAKE ELMO AVENUE TRUNK WATERMAIN IMPROVEMENTS

Notice is hereby given that the City Council of Lake Elmo will meet in the council chambers of the city hall at or approximately after 7:00 P.M. on Tuesday, December 3, 2013, to consider the making of the following improvements, pursuant to Minnesota Statutes, Sections 429.011 to 429.111;

The improvement will consist of extending the Village water system approximately 2.5 miles south along Lake Elmo Avenue, from 30th Street North to the future intersection of Lake Elmo Avenue and 5th Street, to provide municipal water service to developing properties in the southeast part of the City. Individual service stubs will be installed to properties with existing homes that are located adjacent to the watermain improvements. Fire hydrants will be installed along the corridor, providing increased fire suppression capabilities in the extended service area.

The area proposed to be assessed for these improvements include the properties with existing residences and located along Lake Elmo Avenue, directly abutting the location of the proposed watermain improvements. The estimated total cost of the improvements is \$2,894,000. A reasonable estimate of the impact of the assessment will be available at the hearing. Such persons as desire to be heard with reference to the proposed improvements will be heard at this meeting.

**DATED:** November 6, 2013

**BY ORDER OF THE LAKE ELMO CITY COUNCIL**

**Mike Pearson, Mayor**

*(Published in the Oakdale-Lake Elmo Review on November 13, 2013 and November 20, 2013)*

PROJECT SCHEDULE  
CITY OF LAKE ELMO

**FOCUS** ENGINEERING, inc.

LAKE ELMO AVENUE TRUNK WATERMAIN IMPROVEMENTS  
PROJECT NO. 2013.133

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

*SEPTEMBER 2013*

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- September 17, 2013 Council authorizes Feasibility Report.
- November 6, 2013 Presentation of Feasibility Report. Council accepts Report and Calls Hearing.
- November, 2013 Property owner meeting. Presentation of Report findings and recommendations.
- December 3, 2013 Public Improvement Hearing. Council orders Preparation of plans and specifications.
- March 4, 2014 Council approves Plans and Specifications; Orders Advertisement for Bids.
- April 8, 2014 Receive Contractor Bids.
- April 15, 2014 Council accepts bids and awards Contract.
- May 12, 2014 Conduct Pre-construction Meeting and Issue Notice to Proceed.
- September, 2014 Substantial completion (estimated 10-13 weeks).
- October, 2014 Final Completion.

# PROJECT LOCATION

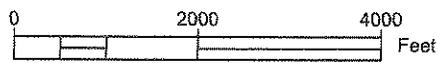
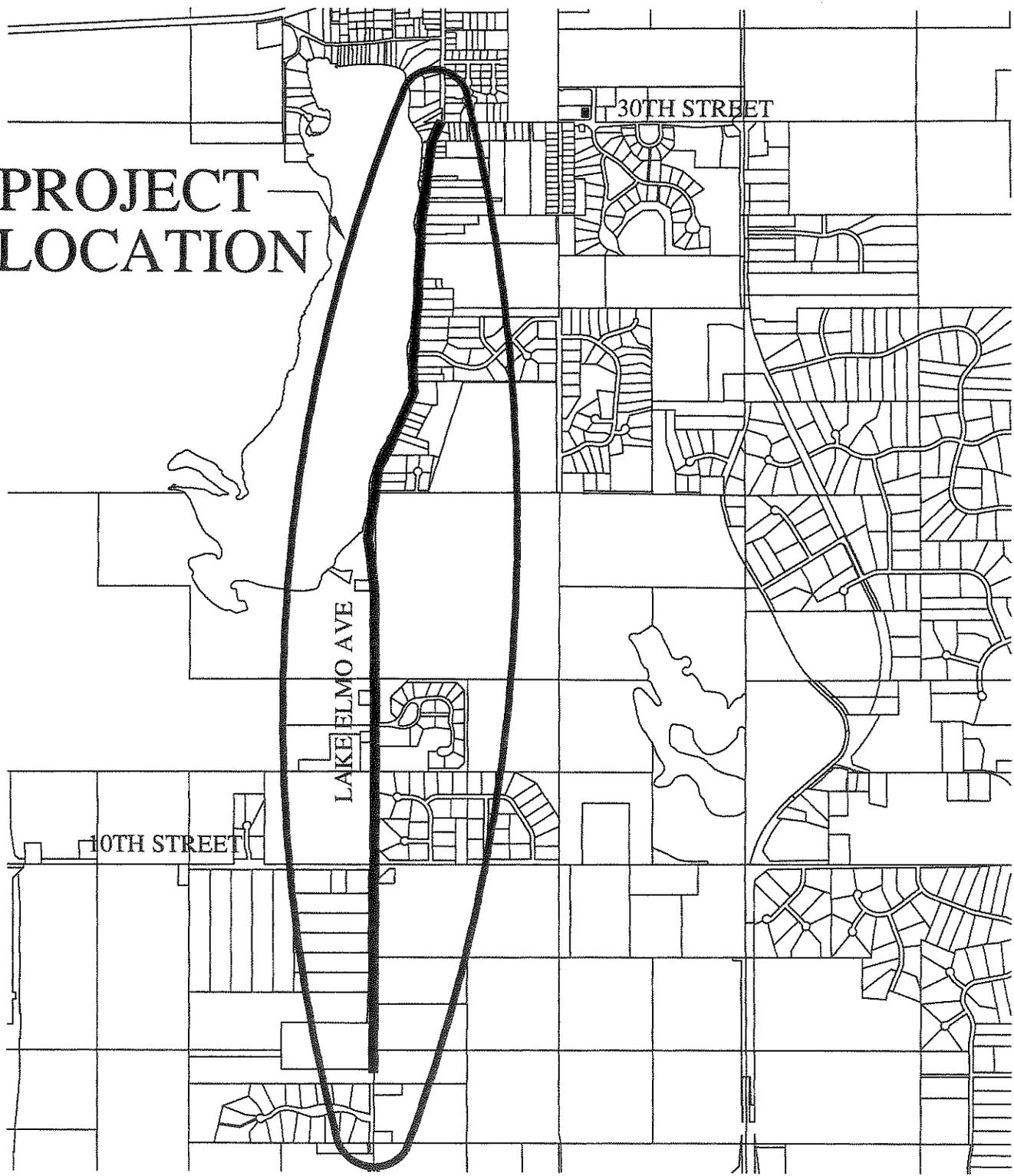


FIGURE NO. 1

## LOCATION MAP

LAKE ELMO AVENUE TRUNK  
WATERMAIN IMPROVEMENTS

**FOCUS**  
ENGINEERING

PROJ. NO. 2013.133  
LAKE ELMO, MINNESOTA  
OCTOBER, 2013



MAYOR AND COUNCIL COMMUNICATION

DATE: 11/06/2013  
REGULAR  
ITEM #: 15

**AGENDA ITEM:** Approve Resolution 2013-94, A Resolution Granting Assessment Deferral For Hardship to Eligible Properties  
**SUBMITTED BY:** Adam Bell, City Clerk  
**THROUGH:** Dean A. Zuleger, City Administrator  
**REVIEWED BY:** Cathy Bendel, Finance Director

**SUGGESTED ORDER OF BUSINESS**

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

**SUMMARY AND ACTION REQUESTED:**

The City Council is respectfully requested to approve Resolution No. 2013-94, A Resolution Granting Assessment Deferral For Hardship to Eligible Properties by taking the following action:

*“Move to approve Resolution No. 2013-94, A Resolution Granting Assessment Deferral For Hardship to Eligible Properties pending eligibility verification”*

**FINANCIAL IMPACT:**

The financial impact of granting the deferral is that the deferred amount of the respective assessments will be delayed for the duration of the deferment. In this case, the deferment is valid until one of the following conditions set forth in the special assessment policy: (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.

The proposed deferments include \$6,000 total assessment – \$3,000 each – assuming both owners are eligible for deferral. The City would book those funds as long-term receivables.

**BACKGROUND INFORMATION:**

On November 16, 2010 the City adopted Resolution No. 2010-063, Special Assessment Policies and Procedures for Public Improvements. Pursuant to that adopted policy, “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.” The excerpted portion of the policy is attached to this memo.

The City recently adopted the 2012 Street and Water Quality Improvement Final Assessment Roll on October 1, 2013. The adopted assessment for this project is \$3,000 per parcel. Notices of the final assessment was mailed to all affected property owners and legally published. The notice included information for the legal option for deferral. The City will certify the unpaid assessment roll to Washington County on November 15, 2013, for addition to the respective property taxes.

**STAFF REPORT:**

Staff has received requests from two property owners for deferral under the 65 years of age or older provision of the assessment policy. City Staff is currently verifying the eligibility of those applications, and upon verification, will classify those properties as deferred in its certification to the County if the Council elects to grant the deferral.

**RECOMMENDATION:**

*Staff recommends the City Council approve Resolution No. 2013-94, A Resolution Granting Assessment Deferral For Hardship to Eligible Properties by taking the following action:*

*“Move to approve Resolution No. 2013-94, A Resolution Granting Assessment Deferral For Hardship to Eligible Properties Pending Eligibility Verification”*

**ATTACHMENTS:**

- 1) Resolution No. 2013-94
- 2) Special Assessment Policy (*deferral excerpt*)

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

**RESOLUTION 2013-94**

**A RESOLUTION GRANTING ASSESSMENT DEFERRAL FOR HARDSHIP TO  
ELIGIBLE PROPERTIES**

**WHEREAS**, the City of Lake Elmo is; and

**WHEREAS**, the City recently approved the 2012 Street and Water Quality Improvement Final Assessment Roll on October 1, 2013, and the City will certify the unpaid assessment roll to Washington County on November 15, 2013, for addition to the respective property taxes; and

**WHEREAS**, under the City's assessment policy, certain assessments are eligible for deferral under certain circumstances; and

**WHEREAS**, 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; and

**WHEREAS**, 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; and

**WHEREAS**, 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; and

**WHEREAS**, 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; and

**WHEREAS**, the City has received applications for deferral from certain property owners claiming eligibility for deferral under the 65 years of age or older provision of the policy. City Staff is currently verifying the eligibility of those applications, and upon verification, will

classify those properties as deferred in its certification to the County if the Council elects to grant the deferral.

**NOW THEREFORE BE IT RESOLVED**, that the City of Lake Elmo grants a special assessment deferral to the following property owners, upon verification of eligibility:

Property Owner: John B. & Barbara L. Thill  
Property Address: 8330 59<sup>th</sup> Street, Lake Elmo  
Parcel ID#: 04.029.21.21.0015  
Original Assessment: \$3,000.00

Property Owner: Marlene Lee  
Property Address: 5920 Highlands Trail, Lake Elmo  
Parcel ID#: 04.029.21.22.0002  
Original Assessment: \$3,000.00

**ADOPTED BY THE CITY COUNCIL OF THE CITY OF LAKE ELMO THIS SIXTH DAY OF NOVEMBER 2013.**

**CITY COUNCIL  
CITY OF LAKE ELMO**

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

ATTEST:

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

**CITY OF LAKE ELMO**  
**SPECIAL ASSESSMENT POLICIES**  
**AND PROCEDURES**  
**FOR**  
**PUBLIC IMPROVEMENTS**

Adopted by Resolution No. 2010-063 on:

November 16, 2010

- 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.



MAYOR AND COUNCIL COMMUNICATION

DATE: 11/06/2013  
REGULAR  
ITEM #: 16

AGENDA ITEM: Consider Parks Commission Appointment  
SUBMITTED BY: Adam Bell, City Clerk  
THROUGH: Dean A. Zuleger, City Administrator  
REVIEWED BY: Beckie Gumatz, Deputy Clerk

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SUGGESTED ORDER OF BUSINESS:

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

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to formally appoint a 2nd Alternate on the Parks Commission. The options before the Council are as follows:

- a) If the Council desires to approve the appointment of Mary Frick, it can do so by taking the following action:

*“Move to appoint Mary Frick of 2773 Lisbon Ave N as 2<sup>nd</sup> Alternate on the Lake Elmo Parks Commission, effective immediately.”*

- b) If the Council desires to approve the appointment of George Johnson, it can do so by taking the following action:

*“Move to appoint George Johnson of 3070 Lake Elmo Avenue as 2<sup>nd</sup> Alternate on the Lake Elmo Parks Commission, effective immediately.”*

- c) If the Council desires to further deliberate the appointment, it can do so by taking the following action:

*“Move to postpone making any appointment until a later City Council Meeting.”*

**BACKGROUND INFORMATION:**

With the recent departures from the Parks Commission, there is currently one position open. It is recommended that the Council makes an appointment without much delay so that the Parks Commission can be fully staffed and operational as soon as possible.

Applicants Mary Frick and George Johnson recently applied for the vacant Commission seat. They were interviewed for the position on October 15, 2013. Council interviewed one additional candidate immediately prior to this meeting and he has since withdrawn his application. At the Mayor's request, staff prepared action for one appointment tonight so as to move forward filling the Parks Commission. The question of this appointment is now before the Council. The Council has the option to appoint Ms. Frick, appoint Mr. Johnson, or postpone any appointment decision until a later City Council Meeting.

**RECOMMENDATION:**

Staff is requesting the City Council formally appoint a 2nd Alternate on the Parks Commission. The options before the Council are as follows:

- a) If the Council desires to approve the appointment of Mary Frick, it can do so by taking the following action:

*“Move to appoint Mary Frick of 2773 Lisbon Ave N as 2<sup>nd</sup> Alternate on the Lake Elmo Parks Commission, effective immediately.”*

- b) If the Council desires to approve the appointment of George Johnson, it can do so by taking the following action:

*“Move to appoint George Johnson of 3070 Lake Elmo Avenue as 2<sup>nd</sup> Alternate on the Lake Elmo Parks Commission, effective immediately.”*

- c) If the Council desires to further deliberate the appointment, it can do so by taking the following action:

*“Move to postpone making any appointment until a later City Council Meeting.”*

**ATTACHMENTS:**

- 1. Mary Frick Parks Commission Application
- 2. George Johnson Parks Commission Application



## Application for Park Commission Appointment

Please return to City Clerk's Office - Thank You for your interest in the Lake Elmo Park Commission

Date: 09/27/2013

Name: Mary L Frick

Address: 2773 Lisbon Ave N, Lake Elmo, MN 55042

Phone Number: H) 651-773-7052 W) 651-773-7052 C) 651-308-1778

Email: mary.frick@live.com

Mary.frick@live.com

Resume Attached (Optional): Yes  No

*will provide if desired.*

**1. Why are you interested in serving on the Lake Elmo Parks Commission? What personal interests and expertise will you bring?**

I view serving on the Lake Elmo Parks Commission as a way to give back to the community and to our parks. I place tremendous value in our parks and have used them extensively all year round for many years. My involvement is cross-generational, as my children have used the parks for outdoor recreation and sports activities. I know the parks don't exist without considerable work. I'm an outdoors advocate and have an advanced degree in Ecology. I'm very familiar with our surrounding County and State Parks and I'm knowledgeable of their strengths and useage. I bring business savy and knowledge, having had an extensive career in business.

**2. How will those skills and interests be of service to the development and management of the city's parks, trails and natural areas?**

Being routinely in the parks, I've first hand knowledge of their condition; how the parks are being used, by whom and how frequent. This provides insight on how to improve and optimally maintain these areas. As an outdoor's advocate and trained in ecology, I'm vested in developing and maintaining our natural areas. I'm able to assist in how the trails are developed and used, as I'm on them all year long, either walking, running, snow shoeing or cross-country skiing. My long time in business has taught me the value of good communication and working well with individuals and teams. I'm skilled in developing departments and organizations and well versed in budgets. Through my work, I'm adept at dealing with government regulations, which may bring value in dealing with park policies.

**3. What do you see as the role and function of the Parks Commission? How does this relate to the role and responsibility of the City Council in Park matters?**

The Commission should strategically plan, direct and oversee the development and maintenance of our parks, so that our citizens and future generations may be provided optimal use and enjoyment of our parks. The Commission should actively seek input from the community on interests and desires regarding our parks, analyze community needs and come to consensus on how best to develop and maintain our parks. The Commission should prioritize park needs and work within budget limits. The Commission should serve to advise and direct the City Council on park matters and provide assistance if conflicts occur.

**4. What value do parks and trails have to our citizens? What role or function do they provide?**

Studies have shown the mental and physical health benefits of spending time outdoors. Our parks and trails provide our citizens an opportunity to be exposed to the natural environment and their benefits. There is a vast array of opportunities to enjoy our parks. With our theater of seasons, there is much to do and can be provided to our citizens. The trails provide many varied physical activities whether it be a walk, a jog, horseback riding or skiing or snow shoeing in the winter. Socially, there might be a picnic or games played in the parks. There our game fields for competitive sports. For the young and old, there is much to see and do outdoors. It might be orienteering, fishing, swimming or canoeing. There is the opportunity to observe nature and to take in it's many wonders, perhaps bird watch or to photograph nature.

**5. How much time do you have or are you willing to devote to Parks Commission activities?**

I could provide as much as 4 to 8 hours a week. I've recently become semi-retired, and now work as a part-time consultant in a medical field.



## Application for Park Commission Appointment

Please return to City Clerk's Office - Thank You for your interest in the Lake Elmo Park Commission

Date: 10-3-13

Name: George Johnson

Address: 3070 Lake Elmo

Phone Number: H| 773-5195

W|

C| 757-5610

Email: george@envisionplanet.com

Resume Attached (Optional): Yes  No

1. Why are you interested in serving on the Lake Elmo Parks Commission? What personal interests and expertise will you bring?

I love the Lake Elmo Parks, in particular I go to Sunfish 2-3 times per week. My family has lived in Lake Elmo in our current house for 11.5 years.

I am an experienced business leader having started and run over 10 companies.

I am now a business coach and advisor. My expertise is vision and planning. I have conducted over 50 strategic planning sessions.

2. How will those skills and interests be of service to the development and management of the city's parks, trails and natural areas?

I am excellent in helping people reach consensus and moving forward in exciting directions

I am great at keeping things focused

I make every meeting fun and light hearted

3. What do you see as the role and function of the Parks Commission? How does this relate to the role and responsibility of the City Council in Park matters?

Set a vision for the parks in conjunction with the City Council and implement it

4. What value do parks and trails have to our citizens? What role or function do they provide?

The more crazy the world gets the more important it is to be out in nature.

5. How much time do you have or are you willing to devote to Parks Commission activities?

I have been the president of 4 non profit groups. In each one I inherited a disfunctional board and within three years helped them prosper. I'm not saying we are disfunctional, only that I help an organization and do it in less than 3 years.



MAYOR AND COUNCIL COMMUNICATION

DATE: 11/06/2013  
REGULAR  
ITEM #: 17

**AGENDA ITEM:** VMX – Village Mixed Use District Zoning Text Amendment  
**SUBMITTED BY:** Kyle Klatt, Planning Director  
**THROUGH:** Dean A. Zuleger, City Administrator  
**REVIEWED BY:** Planning Commission  
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
- Public Input, if Appropriate..... Mayor Facilitates
- Call for Motion..... Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

PUBLIC POLICY STATEMENT

The recently approved Comprehensive Plan update for the Village Planning Area calls for the creation of a new mixed-use zoning district that will replace the existing intermingling of commercial, residential, and public zoning classifications within the central portion of the Village area. Upon approval of the City's Comprehensive Plan update by the Met Council, the City will be able to adopt a zoning map amendment to rezone those portions of the Village that are designated for mixed use in accordance with this plan.

**FISCAL IMPACT:** None – the adoption of the VMX – Village Mixed Use District is one of the steps necessary to implement the land use plan for the Village Planning Area.

SUMMARY AND ACTION REQUESTED:

The City Council is being asked to consider adopting a new VMX – Village Mixed Use Zoning District that would be added as one of the urban service zoning districts in the Lake Elmo Zoning Ordinance. Specifically, this district would be incorporated into Article 11 of the revised Ordinance, which is the section of the code that contains the standards for each of the City's zoning districts. The City has previously approved new urban residential districts, revised the rural zoning districts to match the new format, and updated the general commercial districts within Article 11. The VMX ordinance has been drafted in order to help implement the recently adopted land use plan for Village Planning Area.

*The Planning Commission recommends that the City Council approve the proposed text amendments to the Zoning Ordinance to add a VMX – Village Mixed Use District by undertaking the following action:*

***“Move to approve Ordinance 08-091 amending Chapter 154 of the City Code and adding the VMX Village Mixed Use District to the Zoning Ordinance”***

*In addition, Staff is recommending that the City Council approve summary publication of the ordinance through the following motion:*

***“Move to approve Resolution No. 2013-95, authorizing summary publication of Ordinance 08-091.”***

**BACKGROUND INFORMATION:**

A major component of the land use plan for the Village Planning Area, which is scheduled to be reviewed by the Met Council later this month, is the creation of a mixed-use development area around the existing downtown core. The intent of the VMX ordinance is to facilitate development that is consistent with a compact, walkable environment that builds upon the historical land use patterns of the Village. It has also been designed to allow a wide range of uses and activities and encourages the mixing of different use types. The ordinance includes standards for specific development types with provisions that address the unique character of the Village.

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

**PLANNING COMMISSION REPORT:**

The Planning Commission has reviewed the proposed VMX zoning district on multiple occasions dating back to March of 2013, including a Planning Commission Workshop on 10/7/13 with representatives of the Village Work Group, who established the vision for the Village Land Use Plan. Through reviewing the proposed VMX district over several months, the Planning Commission provided significant input, and staff has refined the zoning district through multiple iterations. The Planning Commission held a public hearing on the VMX District on 9/23/13 and continued the hearing on 10/14/13. No testimony was received on either date. The Planning Commission did recommend several amendments to the proposed draft, all of which are reflected in Ordinance 08-091. Upon reaching consensus over the various minor amendments to the VMX district, the Planning Commission unanimously recommended the ordinance for approval (Vote: 6-0).

**PLANNING COMMISSION RECCOMENDATION:**

*The Planning Commission recommends that the City Council approve the proposed text amendments to the Zoning Ordinance to add a VMX – Village Mixed Use District by undertaking the following action:*

***“Move to approve Ordinance 08-091 amending Chapter 154 of the City Code and adding the VMX Village Mixed Use District to the Zoning Ordinance”***

*In addition, Staff is recommending that the City Council approve summary publication of the ordinance through the following motion:*

***“Move to approve Resolution No. 2013-95, authorizing summary publication of Ordinance 08-091.”***

**ATTACHMENTS:**

1. Ordinance 08-091
2. Resolution No. 2013-95
3. Draft Village Land Use Plan – Map 3-5
4. Draft Village Land Use Plan – Excerpt Regarding Implementation

CITY OF LAKE ELMO  
COUNTY OF WASHINGTON  
STATE OF MINNESOTA

ORDINANCE NO. 08-091

AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY ADDING  
A VMX - VILLAGE MIXED USE ZONING DISTRICT TO THE ZONING ORDINANCE

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

Article 11 - VILLAGE MIXED USE DISTRICT

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§154.500	Purpose and District Description
§154.501	Permitted and Conditional Uses
§154.502	Lot Dimensions and Building Bulk Requirements
§154.503	Dimensional Requirements and Preservation of Open Space
§154.504	General Site Design Considerations - LMX District
§154.505	Development Standards for Specific Uses
§154.506	VMX District Design and Demolition Review
§154.507	Accessory Uses and Structures
§154.508	Residential Accessory Structures
§154.509	Accessory Uses
§154.510	Accessory Uses and Structures Not Listed

**§154.500 Purpose.**

The purpose of the VMX district is to provide an area for compact, mixed use development made mutually compatible through a combination of careful planning and urban design and coordinated public and private investment. This district is intended to continue the traditional mixed use development that has occurred in the Village area by allowing retail, service, office, civic and public uses as well as residential units. The mixture of land uses within the district is essential to establishing the level of vitality and intensity needed to support retail and service uses. The placement of building edges and treatment of building, parking, landscaping, and pedestrian spaces is essential to creating the pedestrian friendly environment envisioned for the VMX district. The standards in this chapter are intended to implement and effectuate the principles and relationships established in the Village Master Plan, which will be carried out through specific standards related to site planning, signage, architecture, building materials, and landscaping. Renovation and infill of traditional storefront-type buildings is encouraged, and parking standards may be waived to recognize the availability of on-street and shared parking facilities.

**§154.501 Permitted and Conditional Uses.**

Table 11-1 lists all permitted and conditional uses allowed in the urban residential districts. "P" indicates a permitted use, "C" a conditional use. Uses not so indicated shall be considered prohibited. Cross-references listed in the table under "Standards" indicate the location within this Ordinance of specific development standards that apply to the listed use.

A. *Combinations of uses.* The following use types may be combined on a single parcel:

1. Principal and accessory uses may be combined on a single parcel.

2. A principal and secondary dwelling unit may be combined according to the standards of Section 155.137.
3. Single-family attached or multi-family complexes designed for rental or condominium occupancy, since these typically include multiple units and buildings on a single parcel.
4. Other permitted or conditional uses allowed within the district may be combined on a single parcel, provided that a unified and integrated site plan is approved. The entire development must be approved as a conditional use.
5. A mixed-use building that combines permitted or conditionally permitted residential, service, retail and civic uses may be developed meeting the form standards of this Article. Office or studio uses on upper stories are encouraged.

**Table 11-1: Permitted and Conditional Uses, VMX Districts**

	VMX	Standard
<b>Residential Uses</b>		
<b>Household Living</b>		
Single-family detached dwelling	P*	* See Restrictions in 155.504.A
Two-family dwelling	P	* See Restrictions in 155.504.A
Single-family attached dwelling	C	154.505.B
Multifamily dwelling	C	154.505.C
Secondary dwelling	C	154.505.D
Live-work unit	P	155.505.J
<b>Group Living</b>		
Group Home	P	155.102.C
Group Residential Facility	C	155.102.D
Congregate Housing	C	155.102.E
Semi-Transient Accommodations	C	155.102.F
<b>Public and Civic Uses</b>		
Community Services	P	155.103.C
Day Care Center	P	155.103.D
Public Assembly	C	155.505.M
Religious Institutions	C	155.505.N
Schools, Public and Private	C	155.505.O
<b>Services</b>		
Business Services	P	
Business Center	P	
Offices	P	
Communications Services	P	
Education Services	P	
Financial Institution	P	155.505.P
Funeral Home	C	

Lodging	C	155.505.Q
Medical Facility	C	155.505.R
Membership Organization	C	155.505.N
Nursing and Personal Care	C	155.104.C
Personal Services	P	
Repair and Maintenance Shop	C	155.505.E
Trade Shop	C	155.505.F
Veterinary Services	C	154.505.G
<b>Food Services</b>		
Standard Restaurant	P	155.505.S
Restaurant with Drive-through	C	155.505.S
Drinking and Entertainment	P	155.505.S
<b>Sales of Merchandise</b>		
Retail Trade <sup>1</sup>	P	155.505.T
Farmer's Market	C	155.505.AA
Garden Center	C	155.505.U
Neighborhood Convenience Store	P	155.505.V
Shopping Center	C	155.505.W
Wayside Stand	P	
<b>Automotive/Vehicular Uses</b>		
Automobile Maintenance Service	C	155.505.X
Automobile Parts/Supply	P	155.505.X
Gasoline Station	C	155.505.X
Parking Facility	C	155.505.X
Sales and Storage Lots	C	155.505.X
<b>Outdoor Recreation</b>		
Outdoor Recreation Facility	C	155.505.Y
Parks and Open Areas	P	
<b>Indoor Recreation/Entertainment</b>		
Indoor Athletic Facility	C	155.505.Z
Indoor Recreation	C	155.505.Z
<b>Transportation and Communications</b>		
Broadcasting or Communications Facility	C	155.110.B
<b>Accessory Uses</b>		
Home Occupation	P	155.111.A,E
Bed and Breakfast	C	155.111.C
Domestic Pets	P	
Family Day Care	P	155.111.G

Group Family Day Care	C	155.111.G
Temporary Sales	P	155.107.B
Parking Facility	P	
Solar Equipment	P	155.111.I
Swimming Pools, Hot Tubs, Etc.	P	155.111.J
Other Structures Typically Incidental and Clearly Subordinate to Permitted Uses	P	

Note: Standards listed in Table 11-1 are listed by Article, Section and Subsection.

<sup>1</sup> Retail Trade in the VMX District includes all uses and activities defined as Retail Trade in §155.507.B.5 with the exception of building supplies sales and warehouse club sales.

**§154.502 Lot dimensions and building bulk requirements.**

Lot area and setback requirements shall be as specified in Table 11-2, Lot Dimension and Setback Requirements.

**Table 11-2: Lot Dimension and Setback Requirements, VMX District**

	VMX
<b>Minimum Lot Area (sq. ft.)<sup>a</sup></b>	
Non-Residential Use	None
Single Family Detached Dwelling	5,000
Two-Family Dwelling (per unit) <sup>b</sup>	3,000
Single-Family Attached (per unit) <sup>c</sup>	2,500
Multi-Family Dwelling (per unit)	1,800
Secondary Dwelling	See 154.454.C
Live-Work Unit	3,000
Congregate Housing	See 155.102
Other Structures	3,500
<b>Maximum Lot Area (acres)</b>	
Residential Structures	N/A
Other Structures	5
<b>Minimum Lot Width (feet)</b>	
Single Family Detached Dwelling	50
Two-Family Dwelling (per unit) <sup>b</sup>	30
Single-Family Attached (per unit) <sup>c</sup>	25
Multi-Family Dwelling (per building)	75

Live-Work Unit	25
Maximum Height (feet/stories)	35/3 <sup>d</sup>
Maximum Impervious Coverage	
Residential Structures	75%
Other Structures	No Limit
Minimum Building Setbacks (feet)	
Front Yard <sup>e</sup>	See 155.506
Interior Side Yard <sup>f</sup>	10
Corner Side Yard <sup>g</sup>	0
Rear Yard	10

Notes to VMX District Table

- a. No development may exceed the residential density range as specified in the Comprehensive Plan for the Village Mixed Use land use category.
- b. Two-family units may be side-by-side with a party wall between them (“twin”) or located on separate floors in a building on a single lot (“duplex”). The per-unit measurements in this table apply to “twin” units, whether on a single lot or separate lots. The standards for single-family detached dwelling shall apply to a “duplex” containing two vertically-separated units on a single lot.
- c. In the case of single-family attached dwellings that are not situated on individual lots, minimum lot size shall be applied to each unit as a measure of density; i.e. 1 unit per 2,500 square feet. This standard is also used for multifamily dwellings.
- d. Buildings up to 45 feet in height may be permitted as part of a PUD.
- e. The front yard setback for single family homes shall be 25 feet.
- f. Side yard setbacks in the VMX District apply only along lot lines abutting residentially zoned parcels or those parcels with residential uses as the sole use.
- g. Corner properties: the side yard façade of a corner building adjoining a public street shall maintain the front setback of the adjacent property fronting upon the same public street, or the required front yard setback, whichever is less. If no structure exists on the adjacent property, the setback shall be shown in the table.

**§154.503 Dimensional Requirements and Preservation of Open Space**

- A. *Averaging of Lot Area.* When lots are clustered within a development to provide common open space, the open space may be used to calculate an average density per lot to determine compliance with the individual lot area requirements.

- B. *Lot Dimension Reductions.* Other reductions in dimensional standards may be considered as part of a Planned Unit Development if these reductions provide for common open space within a development.

**§154.504 General Site Design Considerations VMX District**

Development of land within the VMX District shall follow established standards for traffic circulation, landscape design, and other considerations as specified in *Articles 5, 6 and 7.*

- A. *Circulation.* New access points to State Highway 5 may be refused or restricted to right-in right-out movement if alternatives exist. Internal connections shall be provided between parking areas on adjacent properties wherever feasible.
  - 1. The number and width of curb-cuts shall be minimized. To promote pedestrian circulation, existing continuous curb-cuts shall be reduced to widths necessary for vehicular traffic, and unnecessary or abandoned curb cuts shall be removed as parcels are developed.
- B. *Fencing and screening.* Fencing and screening walls visible from the public right-of-way shall be constructed of materials compatible with the principal structure.
- C. *Lighting design.* Lighting shall be integrated into the exterior design of new or renovated structures to create a greater sense of activity, security, and interest to the pedestrian, and shall comply with §150.035-150.038 *Lighting, Glare Control, and Exterior Lighting Standards.*
- D. *Exterior Storage.* Exterior materials storage must be screened from view from adjacent public streets and adjacent residential properties, by a wing of the principal structure or a screen wall constructed of the same materials as the principal structure. Height of the structure or screen wall must be sufficient to completely conceal the stored materials from view at eye level (measured at six feet above ground level) on the adjacent street or property.
- E. *Screening of Existing Residential Structures.* When a new development is proposed adjacent to an existing single family residential structure, screening shall be provided in accordance with §154.258.F. The City may require buffering or screening above and beyond this section in cases where the required screening will not provide an adequate separation between incompatible uses.

**§154.505 Development Standards for Specific Uses**

Development of land within the VMX District shall follow established standards for traffic circulation, landscape design, parking, signs and other considerations as specified in *Articles 5, 6 and 7.* The following standards apply to specific uses; other standards related to design and building type may be found at §154.506.

- A. *Single-Family and Two-Family Dwellings.*
  - 1. Single-Family Dwellings are limited to those existing at the time of adoption of this Ordinance. Existing single-family dwellings shall be considered permitted uses, rather than nonconforming uses.
  - 2. Unless otherwise specified in this Article, Single and Two Family dwellings in the VMX district shall adhere to the MDR district setbacks as specified in §154.452
- B. *Single-Family Attached Dwellings.*
  - 1. A maximum of eight (8) units shall be permitted within a single building.
  - 2. Townhouse dwellings shall be located on lots in such a way that each individual unit has a minimum of twenty-five (25) feet of public street frontage. No parking shall be located in the front yard or between the front façade and the street.

3. The primary entrance to each unit shall be located on the façade fronting a public street; an additional entrance may be provided on the rear or side façade.
  4. Common open space for use by all residents or private open space adjacent to each unit shall be provided. Such open space shall comprise a minimum of three hundred (300) square feet per unit.
- C. *Multi-Family Dwelling Units.* Dwelling units (both condominium and rental) are restricted to the upper floors or rear or side ground floors of a mixed-use building.
1. No parking shall be located in the front yard or between the front façade and the street
- D. *Secondary Dwellings.* Restricted to lots occupied by single-family dwellings, and must meet the standards for secondary dwellings in residential districts, §154.134.C.
- E. *Repair and Maintenance Shop.* No outdoor storage is permitted unless fully screened from public view.
- F. *Trade Shop.* Exterior materials storage must be totally screened from view from adjacent public streets and adjacent residential properties by a wall of the principal structure or a screen wall constructed of the same materials as the principal structure.
- G. *Veterinary Services.* All activities must be conducted within an enclosed building.
- H. *Garden Center.*
1. The storage or display of any materials or products shall meet all setback requirements of a structure, and shall be maintained in an orderly manner. Screening along the boundaries of adjacent residential properties may be required, meeting the standards of Article 6, Section 155.89.F.
  2. All loading and parking shall be provided off-street.
  3. The storage of any soil, fertilizer or other loose, unpackaged materials shall be contained so as to prevent any effects on adjacent uses.
- I. *Automobile Maintenance Service and Automobile Parts/Supply.*
1. All vehicle repairs shall be conducted in a completely enclosed building.
  2. The storage or display of inoperable or unlicensed vehicles or other equipment shall meet all setback requirements of a structure, and shall be totally screened from view from adjacent public streets and adjacent residential properties.
- J. *Live-Work Unit.* The purpose of a live-work unit is to provide a transitional use type between a home occupation and a larger commercial enterprise, and to provide neighborhood-oriented commercial services, while maintaining a generally residential character in which the work space is subordinate to the residential use.
1. The work space component shall be located on the first floor or basement of the building.
  2. The dwelling unit component shall maintain a separate entrance located on the front or side facade and accessible from the primary abutting public street.
  3. The work space component of the unit shall not exceed thirty (30) percent of the total gross floor area of the unit.
  4. A total of two (2) off-street parking spaces shall be provided for a live-work unit, located to the rear of the unit, or underground/enclosed.
  5. The size and nature of the work space shall be limited so that the building type may be governed by residential building codes. An increase in size or intensity beyond the specified limit on floor area would require the building to be classified as a mixed-use building.

6. The business component of the building may include offices, small service establishments, home crafts which are typically considered accessory to a dwelling unit, or limited retailing (by appointment only) associated with fine arts, crafts, or personal services. It may not include a wholesale business, a manufacturing business, a commercial food service requiring a license, a limousine business or auto service or repair for any vehicles other than those registered to residents of the property.
  7. The business of the live-work unit must be conducted by a person who resides on the same lot. The business shall not employ more than two (2) workers on-site at any one time who live outside of the live-work unit.
- K. *Parking Facility.* Structured parking is permitted as a ground floor use within a mixed-use building, provided that it is located on side or rear facades, not facing the primary abutting street. The primary street-facing façade shall be designed for retail, office or residential use. The primary street façade may include an entrance into the parking facility.
- L. *Outdoor Dining Accessory to Food Services.* Outdoor dining is allowed as an accessory use in the commercial districts, provided that tables do not block the sidewalk. A minimum of five (5) feet of sidewalk must remain open.

**§154.506 VMX District Design Review and Demolition Review**

- A. *Review of Design or Demolition.* For certain development activity as specified in the *Lake Elmo Design Standards Manual*, design review is required as part of the approval process for a permit or certificate under this Ordinance. All projects subject to design review shall be reviewed for conformance with the *Lake Elmo Design Standards Manual*. Demolition review is also required prior to the demolition of structures in the VMX District as provided for in §154.506.B. A separate process for design review or demolition review is not established.
1. *Review Authority and Process.* Design review shall be the responsibility of the individual or body authorizing the permit or certificate and shall be incorporated in the established review of the applicable permit or certificate. For those applications under this Ordinance that require review by the Planning Commission, the Planning Commission shall consider the standards in the *Lake Elmo Design Standards Manual* as part of its recommendation to the City Council.
  2. *Review by Professional.* The authorizing body may request review by a design professional of the proposed design or demolition. The cost of review by such design professional shall be charged to the applicant, and shall not exceed \$1,000 unless otherwise agreed to by the applicant.
  3. *Development Activity Defined.* Development Activity consists of new construction and redevelopment activities, including remodeling, altering, or repairing a structure in any manner that will change the exterior appearance of said structure. Development activity also includes the construction of new parking lots and installation of signage.
    - a. *Exempt Activities.* The following activities shall be exempt from review under this Section:
      - i. Ordinary repairs and maintenance that will not change the exterior appearance of a structure;
      - ii. Removal of existing signage without replacement unless said signs are an integral part of the building;
      - iii. Emergency repairs ordered by the Director of Planning in order to protect public health and safety;
      - iv. Exterior alteration, addition, or repair of a structure used as a single-family residence, duplex, or two-family residence.

- v. Temporary signage, installed in accordance with §154.212 of this Ordinance, or during which time an application for permanent signage is pending under this Ordinance;
  - vi. Maintenance of existing signage advertising an on-site business;
  - vii. Alterations only to the interior of a structure.
- A. *Demolition Review.* The Planning Commission shall review any application for the demolition of structure within the VMX Village Mixed Use District in accordance with the following standards. No demolition permits shall be issued in the VMX District until this review has been completed.
1. *Demolition Defined.* The demolition review process shall be required for any work that requires a demolition permit in accordance with Section 155.34 (A) of this Chapter. Demolition does not include the removal of non-structural components of a building, including, but not limited to, ornamental features, staircases, decks, balconies, and other features.
  2. Applications to demolish any structure or portion thereof built prior to 1950 shall be reviewed in accordance with the following:
    - a. That the rehabilitation of a structure or construction of a new structure will have a greater positive impact upon the District's economic vitality and appearance than the preservation of the structure proposed to be demolished and the rehabilitation of the structure or the construction of the new structure would not be possible or economically feasible without the demolition of the structure proposed to be demolished; or
    - b. That the applicant cannot obtain a reasonable economic return from the property or structure unless the structure is demolished; or
    - c. That the structure has serious structural defects or represents a threat to public health and safety, and that it is not economically feasible to repair these defects in a manner consistent with this Ordinance.
  3. No application for demolition shall be approved without concurrent approval of a plan for construction of a new structure to replace the demolished structure that shall reinforce and enhance the character of the District.

**§154.507 Accessory Uses and Structures.**

Accessory uses are listed in the VMX District Use Table as permitted or conditional accessory uses. Accessory uses and structures in the VMX District shall comply with the following standards and all other applicable regulations of this ordinance:

- A. *Phasing.* No accessory use or structure shall be constructed or established on any lot prior to the time of construction of the principal use to which it is accessory.
- B. *Incidental to Principal Use.* The accessory use or structure shall be incidental to and customarily associated with the principal use or structure served.
- C. *Subordinate to Principal Use.* The accessory use or structure shall be subordinate in area, extent, and purpose to the principal use or structure served.
- D. *Function.* The accessory use or structure shall contribute to the comfort, convenience, or necessity of the occupants of the principal use or structure served.
- E. *Location.* The accessory use or structure shall be located on the same zoning lot as the principal use or structure.

**§154.508 Residential Accessory Structures.**

On parcels used for residential structures within the VMX District, the design and construction of any garage, carport, or storage building shall be similar to or compatible with the design and construction of the main building. The exterior building materials, roof style, and colors shall be similar to or compatible with the main building or shall be commonly associated with residential construction.

- A. *Attached structures.* An accessory structure shall be considered attached, and an integral part of, the principal structure when it is connected by an enclosed passageway. All attached accessory structures shall be subject to the following requirements:
  - 1. The structure shall meet the required yard setbacks for a principal structure, as established for the zoning district in which it is located.
  - 2. The structure shall not exceed the height of the principal building to which it is attached.
- B. *Attached Garages.*
  - 1. Attached garages are encouraged to be side or rear loaded. If facing the primary street, garages shall be designed using one of the following techniques, unless specific physical conditions on the lot in question require a different approach:
    - a. The front of the garage is recessed at least four (4) feet behind the plane of the primary façade; or
    - b. The front of the garage is recessed at least four (4) feet behind a porch if the garage is even with the primary façade; or
    - c. The width of the attached garage shall not exceed 40% of the width of the entire principal building façade (including garage) fronting the primary street.
  - 2. Attached garages shall not exceed one thousand (1,000) square feet in area at the ground floor level except by conditional use permit.
  - 3. Garage doors or openings shall not exceed fourteen (14) feet in height.
- C. *Detached structures.* Detached accessory structures for permitted residential structures in the VMX District accordance with the following requirements:
  - 1. Detached accessory structures shall be located to the side or rear of the principal building, and are not permitted within the required front yard or within a side yard abutting a street.
  - 2. Detached garages shall not exceed one thousand (1,000) square feet at ground floor level and shall not exceed a height of twenty-two (22) feet or the height of the principal structure, whichever is higher. The maximum size and height may be increased upon approval of a conditional use permit, provided that lot coverage requirements are satisfied.
  - 3. Pole barns, as defined herein, shall be prohibited.
  - 4. No more than thirty (30) percent of the rear yard area may be covered by accessory structures.
  - 5. Garage doors or openings shall not exceed fourteen (14) feet in height.

**§154.509 Accessory Uses.**

- A. *Exterior Storage on Residential Parcels.* All materials and equipment shall be stored within a building or be fully screened so as not to be visible from adjoining properties, except for the following:
  - 1. Laundry drying,

2. Construction and landscaping materials and equipment currently being used on the premises. Materials kept on the premises for a period exceeding six (6) months shall be screened or stored out of view of the primary street on which the house fronts.
  3. Agricultural equipment and materials, if these are used or intended for use on the premises.
  4. Off-street parking and storage of vehicles and accessory equipment, as regulated in Article 5, Section 155.67.
  5. Storage of firewood shall be kept at least ten (10) feet from any habitable structure and screened from view from adjacent properties.
  6. Outdoor parking.
- B. *Temporary Sales.* Temporary sales, also known as yard or garage sales, are permitted in all residential districts, limited to two (2) per calendar year per residence, not to exceed four (4) days in length for each event.

**§154.510 Accessory Uses and Structures Not Listed.**

Standards for accessory uses and structures that are permitted in all districts, or in all residential buildings in any district, are listed in Article 7, *Specific Development Standards*. These include uses such as family and group family day care, bed and breakfast facilities, and home occupations, and structures such as swimming pools and solar equipment.

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

**SECTION 3. Adoption Date.** This Ordinance 08-091 was adopted on this 6<sup>th</sup> day of November 2013, by a vote of \_\_\_ Ayes and \_\_\_ Nays.

**LAKE ELMO CITY COUNCIL**

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

ATTEST:

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

This Ordinance 08-091 was published on the \_\_\_ day of \_\_\_\_\_, 2013.

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

**RESOLUTION NO. 2013-95**

**RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE 08-091 BY TITLE  
AND SUMMARY**

**WHEREAS**, the City Council of the City of Lake Elmo has adopted Ordinance No. 08-091, an ordinance establishing the Village Mixed-Use (VMX) zoning district in the City's Zoning Code; and

**WHEREAS**, the ordinance is lengthy; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Lake Elmo, that the City Clerk shall cause the following summary of Ordinance No. 08-091 to be published in the official newspaper in lieu of the entire ordinance:

**Public Notice**

The City Council of the City of Lake Elmo has adopted Ordinance No. 08-091, which adopts the Village Mixed-Use (VMX) zoning district into the City's Zoning Code and includes the following provisions:

- The ordinance establishes the purpose of the VMX zoning district.
- The ordinance establishes permitted and conditional uses within the VMX zoning district.
- The ordinance specifies dimensional and building bulk requirements in the VMX district.
- The ordinance includes general site design provisions that specifically relate to the mixed-use areas.
- The ordinance includes standards for specific use classifications within the VMX zoning district.
- The ordinance establishes design review procedures and integrates the Lake Elmo Design Standards Manual by reference.
- The ordinance specifies dimensional and bulk requirements for accessory structures and standards for accessory uses within the VMX zoning district

The full text of Ordinance No. 08-091 is available for inspection at Lake Elmo city hall during regular business hours.

**BE IT FURTHER RESOLVED** by the City Council of the City of Lake Elmo that the City

Administrator keep a copy of the ordinance at City Hall for public inspection and that a full copy of the ordinance be placed in a public location within the City.

Dated: November 6, 2013.

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

ATTEST:

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

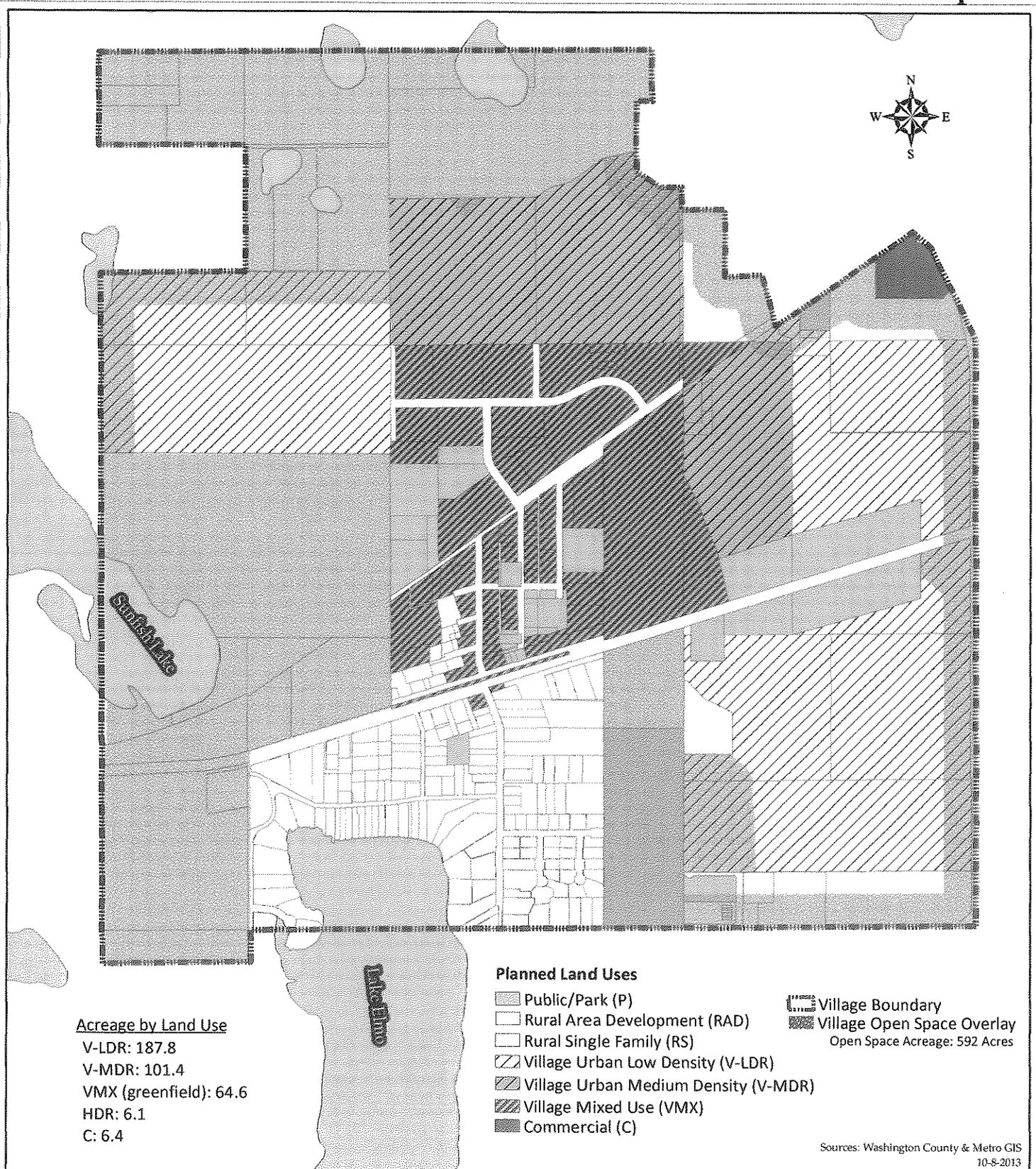
(SEAL)

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

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

and the following voted against same:

Whereupon said resolution was declared duly passed and adopted.



**Acreage by Land Use**  
 V-LDR: 187.8  
 V-MDR: 101.4  
 VMX (greenfield): 64.6  
 HDR: 6.1  
 C: 6.4

**Planned Land Uses**

-  Public/Park (P)
-  Rural Area Development (RAD)
-  Rural Single Family (RS)
-  Village Urban Low Density (V-LDR)
-  Village Urban Medium Density (V-MDR)
-  Village Mixed Use (VMX)
-  Commercial (C)
-  Village Boundary
-  Village Open Space Overlay  
Open Space Acreage: 592 Acres

Sources: Washington County & Metro GIS  
 10-9-2013

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



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



**MAYOR AND COUNCIL COMMUNICATION**

DATE: 11/06/2013  
**REGULAR**  
ITEM #: 18

**AGENDA ITEM:** Diedrich/Reider Property Comprehensive Plan Amendment  
**SUBMITTED BY:** Nick Johnson, City Planner  
**THROUGH:** Dean A. Zuleger, City Administrator  
**REVIEWED BY:** Planning Commission  
Kyle Klatt, Community Development Director  
Washington County

**SUGGESTED ORDER OF BUSINESS:**

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

**PUBLIC POLICY STATEMENT**

The City of Lake Elmo has received a request to amend the City’s Comprehensive Plan, and specifically the Future Land Use Map, for a 14.3 acre parcel located within the I-94 Corridor. The City Council may consider such an amendment after review by the Planning Commission. Please note that this would be considered a minor comprehensive amendment but would still be subject to review and approval by the Metropolitan Council.

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

**SUMMARY AND ACTION REQUESTED:**

The City Council is being asked to consider a request from Tammy Diedrich and Gary Reider, the property owners, for a Comprehensive Plan Amendment to change the future land use designation of property (36.029.21.32.0002) north of Interstate 94 and east of Lake Elmo Avenue from High Density Residential (HDR) to Medium Density Residential (MDR). This property is located within the I-94 Corridor Planning Area and was therefore part of the area that was included in the last Comprehensive Plan update approved by the City. The property is presently under contract for purchase by Pratt Homes. Pratt would like to develop the property as a single attached/detached residential townhome development at a density that is much lower than the future land use guidance of HDR (7.5 to 15 units per acre) that was approved as part of the Comprehensive Plan Update.

To support the Comprehensive Plan Amendment application, the applicants have submitted a Preliminary Sketch Plan for the property. The Preliminary Sketch Plan includes 48 single family townhome units (22 attached and 26 detached). Given the size of the parcel and the proposed number of units, staff expects that the proposed development will meet the net density requirements for the MDR zoning district (4.5-7.0 units per acre). It is anticipated that the applicants will submit a Sketch Plan for formal review by the Planning Commission and City Council at some point in the future.

Staff and the Planning Commission are recommending that the City Council approve the Comprehensive Plan Amendment as described in the attached resolution through the following motion:

*“Motion to adopt Resolution No. 2013-96 approving the request by Tammy Diedrich and Gary Reider to amend the Lake Elmo Comprehensive Plan”*

**BACKGROUND INFORMATION:**

Attached is the original detailed Staff report that was provided to the Planning Commission regarding the applicant’s request for a Comprehensive Plan Amendment, which includes general information about the application, details concerning the request, a summary of the relevant planning and zoning issues, a review and analysis of the requested amendment, draft findings, and the Staff recommendation to the Planning Commission. This report also includes a map depicting the specific area that would be changed from the MDR to LDR land use category if approved by the Council.

**PLANNING COMMISSION REPORT:**

The Planning Commission reviewed the Comprehensive Plan Amendment at its October 28, 2013 meeting and conducted a public hearing on the request at this time. The Commission generally discussed how the potential impacts of the requested change and how it may impact the City’s Memorandum of Understanding with the Met Council. Staff noted that the proposed amendment area was small enough that it would not have a significant impact on the City’s overall population and household projections.

During the public hearing, the Commission received testimony as follows:

- Tammy Diedrich, the property owner and applicant, and Len Pratt, the prospective developer, spoke about the reason for the request. They noted that there is minimal market interest in multi-family housing at the densities required by the HDR – High Density Residential land use guidance (7.5-15 units per acre). They are making the amendment request to pursue future plans that would include a townhome development that is consistent with the City’s MDR – Medium Density Residential land use category.
- Steve DeLapp, 8468 Lake Jane Trail, noted his support for the Comprehensive Plan Amendment request.

The Commission did not make any modifications to the findings of fact as drafted by Staff and unanimously recommended approval of the Comprehensive Plan amendment as presented.

**PLANNING COMMISSION RECCOMENDATION:**

Based upon the above background information, Staff report and Planning Commission recommendation, it is recommended that the City Council approve the request by Tammy Diedrich and Gary Reider to amend the Lake Elmo Comprehensive Plan by changing the future land use designation of property immediately east of Lake Elm Avenue from HDR – High Density Residential to MDR – Medium Density Residential.

The Planning Commission is recommending that the City Council approve the Comprehensive Plan Amendment as described in the attached resolution through the following motion:

*“Motion to adopt Resolution No. 2013-96 approving the request by Tammy Diedrich and Gary Reider to amend the Lake Elmo Comprehensive Plan”*

**ATTACHMENTS:**

1. Resolution No. 2013-96
2. Detailed Staff Report to Planning Commission (10/28/13)
3. Application Materials w/Narrative and Preliminary Sketch Plan
4. Location Map
5. City’s Future Land Use Map (Comprehensive Plan)
6. Proposed Amendment: HDR to MDR
7. Washington County Review Comments

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

**RESOLUTION NO. 2013-96**

*RESOLUTION APPROVING AN AMENDMENT TO THE CITY OF LAKE ELMO  
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**, Tammy Diedrich and Gary Redier, 7401 Wyndham Way, Woodbury, MN, (“Applicant”) has submitted an application to the City of Lake Elmo (“City”) to amend the Lake Elmo Comprehensive Plan, a copy of which is on file in the City Planning Department; and

**WHEREAS**, the request to amend the Comprehensive Plan was submitted along with a preliminary sketch plan for a proposed single-family attached/detached residential townhome subdivision; and

**WHEREAS**, the Lake Elmo Planning Commission held a public hearing on October 28, 2013 to consider the request to amend the Comprehensive Plan; and

**WHEREAS**, on October 28, 2013 the Lake Elmo Planning Commission adopted a motion to recommend that the City Council approve the request to amend the Comprehensive Plan; and

**WHEREAS**, the City Council reviewed the recommendation of the Planning Commission and the proposed amendment to the Comprehensive Plan at a meeting on November 6, 2013; and.

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

**FINDINGS**

- 1) That the Applicant has submitted a request to amend the Comprehensive Plan in accordance with the procedures as established by the Lake Elmo Planning Department and Lake Elmo Planning Commission.
- 2) That the request to is to amend the Future Land Use Map (Map 3-3 in Chapter III – *Land Use Plan*) in the Lake Elmo Comprehensive Plan, and to specifically change the future land use designation a parcel of land located east of Lake Elmo Avenue and approximately ½ mile south of 10<sup>th</sup> Street North (CSAH 10) (PID 36.029.21.32.0002) from HDR – High Density Residential to MDR – Medium Density Residential.

- 3) That the Comprehensive Plan Amendment will apply to property legally described in the attached Exhibit "A".
- 4) That the proposed area impacted by the proposed amendment is relatively small and will not have a significant impact on the City's ability to achieve its 2030 household and population forecasts.
- 5) That current market conditions are not favorable for multi-family housing, yet it is in the City's interests to accommodate market-driven development at present in order to provide a reasonable return on recent major infrastructure improvements.
- 6) That the City is continuing to work towards potential reductions to the 2030 growth targets specified in the Met Council MOU that will likely reduce the amount of areas in the community that are guided for high density housing.

**NOW, THEREFORE, BE IT RESOLVED**, that based on the foregoing, the Lake Elmo City Council hereby approves the Applicant's request to amend the Lake Elmo Comprehensive Plan, subject to and contingent upon the following:

- 1) Submission of the Comprehensive Plan Amendment to the Metropolitan Council and the receipt of formal notification from the Metropolitan Council that its review has been completed and approved. Acknowledgement of these comments and final adoption of the Comprehensive Plan Amendment will require formal action by the City Council.

Passed and duly adopted this 6<sup>th</sup> day of November 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

**EXHIBIT A**Legal Description (PID 36.029.21.32.0002)

The north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, according to the United States Government Survey thereof and situated in Washington County, Minnesota.



PLANNING COMMISSION  
DATE: 10/28/13  
AGENDA ITEM: 4A – PUBLIC HEARING  
CASE # 2013-35

ITEM: Comprehensive Plan Amendment – Diedrich Property  
SUBMITTED BY: Nick Johnson, City Planner  
REVIEWED BY: Kyle Klatt, Community Development Director  
Washington County

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**SUMMARY AND ACTION REQUESTED:**

The Planning Commission is being asked to consider a request to amend the Lake Elmo Comprehensive Plan to change the future land use designation of property immediately east of Lake Elmo Avenue and approximately 2,200 feet north of Interstate 94 from HDR – Urban High Density Residential to MDR – Urban Medium Density Residential. The applicant has submitted a Preliminary Sketch Plan for a proposed residential subdivision to support the Comprehensive Plan Amendment (CPA) request. It is anticipated that the applicants will be presenting a formal Sketch Plan at an upcoming Planning Commission meeting. Staff is recommending that the Planning Commission recommend approval of the request.

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**GENERAL INFORMATION**

*Applicant:* Tammy Diedrich and Gary Reider, 7401 Wyndham Way, Woodbury, MN  
*Property Owners:* Tammy Diedrich and Gary Reider, 7401 Wyndham Way, Woodbury, MN  
*Location:* Part of Section 36 in Lake Elmo, north of I-94, east of Lake Elmo Avenue, and south of the Cimarron Manufactured Home Park. PID Number 36.029.21.32.0002  
*Request:* Application for Comprehensive Plan Amendment – HDR to MDR  
*Existing Land Use:* Vacant  
*Existing Zoning:* RT – Rural Transitional Zoning  
*Surrounding Land Use:* North – manufactured home park; west – vacant/agricultural land, south – single family home and golf practice facility, and east – light industrial  
*Surrounding Zoning:* RT – Rural Transitional; RS – Single Family Residential; MDR – Urban Medium Residential  
*Comprehensive Plan:* Urban High Density (7.5 – 15 units per acre)  
*Proposed Zoning:* MDR – Urban Medium Density Residential  
*History:* The subject property is currently vacant.  
*Deadline for Action:* Application Complete – 10/2/13

60 Day Deadline – 12/1/13  
 Extension Letter Mailed – No  
 120 Day Deadline – 1/30/14

*Applicable Regulations:* Article 10 – Urban Residential Districts (MDR)

## REQUEST DETAILS

The City of Lake Elmo has received a request from Tammy Diedrich and Gary Reider for a Comprehensive Plan Amendment to change the future land use designation of property north of Interstate 94 and east of Lake Elmo Avenue from High Density Residential (HDR) to Medium Density Residential (MDR). This property is located within the I-94 Corridor Planning Area, and was included in the previous Comprehensive Plan Amendment to incorporate the I-94 Land Use Plan. The property is presently owned by Tammy Diedrich and Gary Reider and is under contract for purchase by Pratt Homes. Pratt would like to develop the property as a single family attached/detached townhome development at a density that is lower than the future land use guidance of HDR (7.5 to 15 units per acre) that was approved as part of the Comprehensive Plan Update.

In addition to the request for a Comprehensive Plan Amendment, the applicant has submitted a preliminary sketch plan to aid the review of the CPA. The preliminary sketch plan includes 48 total residential units (22 attached, 26 detached). While it is difficult to calculate an accurate figure for net density at this time, it is anticipated that the proposed townhome development will have a net density that is consistent with the City's Urban Medium Density Residential – MDR land use category. Finally, it is likely that the applicants will be presenting a Sketch Plan for formal review at an upcoming Planning Commission meeting in the future.

## BACKGROUND

The applicant's site is currently vacant and is approximately ½ mile south of 10<sup>th</sup> Street (CSAH 10), and just south of Cimarron Manufactured Home Park and Golf Course. Water services have been requested by the applicant, but would need to be installed as part of a larger City project to extend water down Lake Elmo Avenue.

When the City drafted the future land use map for this area as part of the I-94 Comprehensive Plan Update last year, this site was guided for high density residential development at a density of 7.5 to 15 units per acre. The applicants have stated that the existing HDR – High Density Residential guidance for this site is not consistent with plans to develop the site as proposed in the submitted preliminary sketch plan. Due to this inconsistency, the applicants are petitioning the City to change the future land use map for this area to MDR – Medium Density Residential. Based upon a similar request for the property to the south of the Diedrich property, as well as other feedback from the development community in general, the market for high density multi-family housing does not appear strong for this location at this time.

Finally, it should be noted that the property to the south the Diedrich property, the Landucci property, is currently under contract by Ryland Homes. Ryland also petitioned the City for an amendment of the future land use map in the Comprehensive Plan for this property, changing the land use designation from Urban Medium Density Residential – MDR to Urban Low Density Residential – LDR. The City Council approved this request on 10/1/13 (Resolution #2013-086) contingent upon Met Council approval. In addition, Ryland completed a Sketch Plan review with the Planning

Commission and City Council on 9/23/13 and 10/1/13 respectively. As part of the Ryland submittal process for the Landucci property, the alignment of the 5<sup>th</sup> Street minor collector road was relocated to the south to accommodate all parties. This alignment has been mutually agreed upon by all parties and is included in both the sketch plan for the Landucci property (Ryland) and preliminary sketch plan for the Diedrich property (Pratt).

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## PLANNING AND ZONING ISSUES

The City undertook a lengthy process to update the Comprehensive Plan for the I-94 Corridor, which included establishing a work group to help craft the overall land use plan and conducting a series of meetings in order to receive public comments concerning the plan. The updated plan made several modifications from the City's earlier plans, and most significantly, created several different categories of residential development. The approved plan now establishes three distinct residential planning categories that use increasing densities to separate each of these residential areas ranging from low density to high density. The City was also able to successfully negotiate a lower threshold at the bottom end of the density scale in order to better respond to current market conditions.

In order to achieve the growth targets as specifies in the City's Memorandum of Understanding (MOU) with the Met Council, the City did need guide a certain portion of the I-94 Corridor for medium and high density residential development. The applicant's site was determined to be an appropriate location for high density housing. This decision was partly based on comments from the impacting property owners stating their desire to guide their properties for the higher density residential development.

The applicant's parcel and parcel to the south are somewhat unique because they are isolated from the larger residential areas within the I-94 corridor. The subject parcel is located immediately adjacent to land that is guided for Business Park development, while the remaining property it borders is guided for high density residential. The property is also close in proximity to The Forest single family residential neighborhood. Given the surrounding land uses, a rational argument could be made to either keep this area guided for higher density residential development in order to provide for additional buffering from future business park uses, or to change the designation to medium density in order to better fit with the existing neighborhood across the street and the single family development expected on the Landucci property to the south.

In order to consider a Comprehensive Plan Amendment, the Planning Commission should take into account any changes that may have occurred in the community since the Comprehensive Plan was adopted that would warrant an amendment. In this case, it has been a very short time since the I-94 Corridor Land Use plan was adopted; however, Staff would like to note that in the time since adoption there has been considerable interest in development from the market that was either lacking or non-existent in the recent past. Based upon the nature of the development interest generated thus far, there has been little interest in multi-family residential projects in the areas that have been guided for such uses. Obviously the market can and will change in the future, but the City will be faced with significant infrastructure costs (and potential penalties under the MOU) should projects fail to materialize.

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## REVIEW AND ANALYSIS

The applicant's site is 14.34 acres in size, representing a small portion of the total I-94 development area. Given the size of the parcel, the proposed reduction in overall density will not have a significant impact on the overall projections for residential units in this area. Additionally, the three residential categories that are used in the Comprehensive Plan are defined by a range of units, which provides some additional room for the City to achieve its City's growth targets while taking into account the uncertainty surrounding the true development potential for any given parcel of land. The City did not perform any detailed studies to identify how much of each parcel in the corridor was developable (i.e. not wetland, heavily wooded, located on steep slopes, etc.), and the range will allow some leeway for allowing an appropriate level of development that is consistent with the City's overall goals and objectives for growth and development.

Staff is also continuing to work with the Met Council to achieve the City Council's stated objective of reducing the overall residential unit counts that are mandated under the MOU. Given recent conversations with the Met Council, the City anticipates that some relief will be granted, reducing the overall projected REC unit and population figures as part of the upcoming 2040 projections. It is Staff's initial opinion that any reductions would likely occur in the areas of the City that are guided for the denser residential categories since it may be difficult to develop the entirety of these areas at the planned higher densities.

Finally, it should be noted that Washington County submitted review comments related to the requested Comprehensive Plan Amendment. Washington County's review comments can be found in attachment #5. While the majority of the review comments are applicable to the Preliminary Sketch Plan submitted by the applicants, it should be noted that Washington County does not offer any objection to the request to amend the City's Comprehensive Plan.

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#### **DRAFT FINDINGS**

Given the relatively small size of the applicant's parcel (taking into account potential changes in the vicinity) and the current lack of interest in high density, or multi-family, residential development, Staff is supportive of the proposed amendment and is recommending approval of the requested change to the Comprehensive Plan based on the following findings:

1. That the proposed area impacted by the proposed amendment is relatively small and will not have a significant impact on the City's ability to achieve its 2030 household and population forecasts.
2. That current market conditions are not favorable for multi-family housing, yet it is in the City's interests to accommodate market-driven development at present in order to provide a reasonable return on recent major infrastructure improvements.
3. That the City is continuing to work towards potential reductions to the 2030 growth targets specified in the Met Council MOU that will likely reduce the amount of areas in the community that are guided for high density housing.

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#### **RECCOMENDATION:**

Staff recommends that the Planning Commission recommend approval of request by Tammy Diedrich and Gary Reider to amend the Lake Elmo Comprehensive Plan by changing the future land use designation of property immediately east of Lake Elmo Avenue and approximately ½ mile south

of 10<sup>th</sup> Street North (PID: 36.029.21.32.0002) from HDR – Urban High Density Residential to MDR – Urban Medium Density Residential. Suggested motion:

*“Move to recommend approval of the request by Tammy Diedrich and Gary Reider to amend the Lake Elmo Comprehensive Plan based upon the findings outlined in the Staff Report”*

**ATTACHMENTS:**

- 1. Application w/Narrative and Preliminary Sketch Plan
- 2. Location Map
- 3. Future Land Use Map (Map 3-3 from Comprehensive Plan)
- 4. Proposed Amendment: MDR to LDR
- 5. Washington County Review Comments

**ORDER OF BUSINESS:**

- Introduction .....Community Development Director
- Report by Staff.....Community Development Director
- 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

Date Received: \_\_\_\_\_  
Received By: \_\_\_\_\_  
Permit #: \_\_\_\_\_



851-747-3900  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

### LAND USE APPLICATION

- <sup>Amendment</sup> Comprehensive Plan  Zoning District Amend  Zoning Text Amend  Variance\*(see below)  Zoning Appeal
- Conditional Use Permit (C.U.P.)  Flood Plain C.U.P.  Interim Use Permit (I.U.P.)  Excavating/Grading

- Lot Line Adjustment  Minor Subdivision

Applicant: Gary Reider and Tammy Diedrich  
Address: 7401 Wyndham Way, Woodbury MN 55125  
Phone #: 612-328-6115  
Email Address: Gary.Reider@co.hennepin.mn.us and Tammy.Diedrich@minneapolismn.gov

Fee Owner: Same as above  
Address: \_\_\_\_\_  
Phone #: \_\_\_\_\_  
Email Address: \_\_\_\_\_

Property Location (Address and Complete (long) Legal Description): P10 36 029 21 32 0002  
see attached legal

Detailed Reason for Request: see attached letter

\*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

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

Signature of applicant: Tammy Diedrich Date: 9/25/13

<b>City Use Only</b>	
Planning: Zoning District: _____	Date: _____
Reviewed by: _____	Date: _____
Subject to the following conditions: _____	
Engineering: Reviewed by: _____	Date: _____
Subject to the following conditions: _____	

LEGAL DESCRIPTION

The north 474.06 feet of the Northwest Quarter of the Southwest Quarter of Section 36, Township 29 North, Range 21 West, according to the United States Government Survey thereof and situate in Washington County, Minnesota.

**Gary Reider and Tammy Diedrich**  
**7401 Wyndham Way**  
**Woodbury, MN 55125**

September 27, 2013

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

Re: Comp Plan Amendment Request

Dear Mr. Klatt:

Enclosed please find our Comp Plan Amendment Request, along with a sketch plan for our property located on the east side of Lake Elmo Avenue, N., approximately ½ mile north of Interstate Hwy 94. With this application, we are requesting a Comprehensive Plan Amendment from High Density Residential to Medium Density Residential, which will allow for the new neighborhood's proposed density.

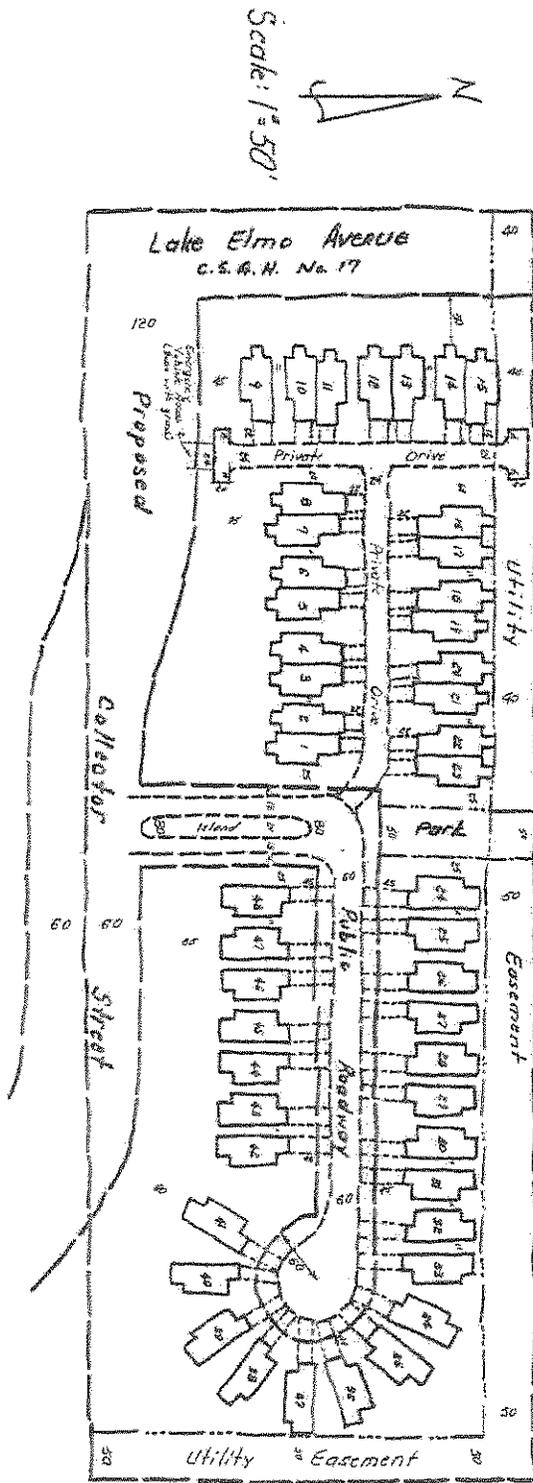
The proposed new neighborhood would include 48 townhomes and right-of-way for Lake Elmo's new east/west collector road (5<sup>th</sup> Street). Access to the new neighborhood would be from the new east/west collector road.

We have appreciated City Staff's comments and direction so far with this project and we look forward to continuing to work with City Staff to make this a successfully new neighborhood for the City of Lake Elmo. Please feel free to contact us with any questions.

Sincerely,

  
Gary Reider and Tammy Diedrich

Preliminary Sketch Plan



9-22-2015

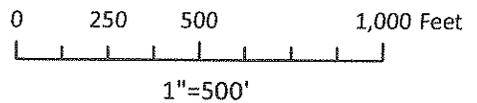


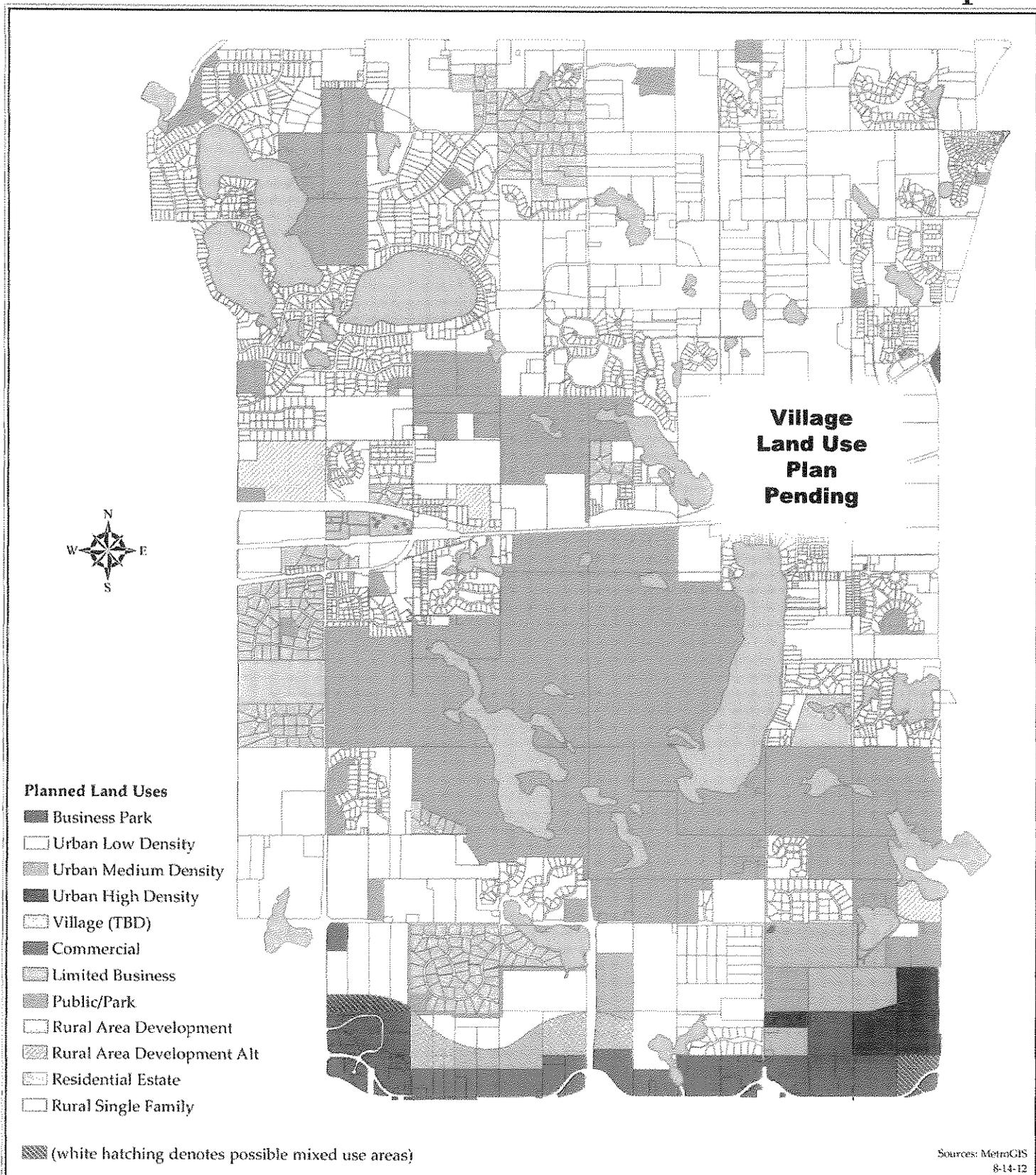
**Location Map: Diedrich Property (PIN: 36.029.21.32.0002)**

THE CITY OF  
**LAKE ELMO**

Data Source: Washington County, MN  
10-22-2013

Diedrich Property



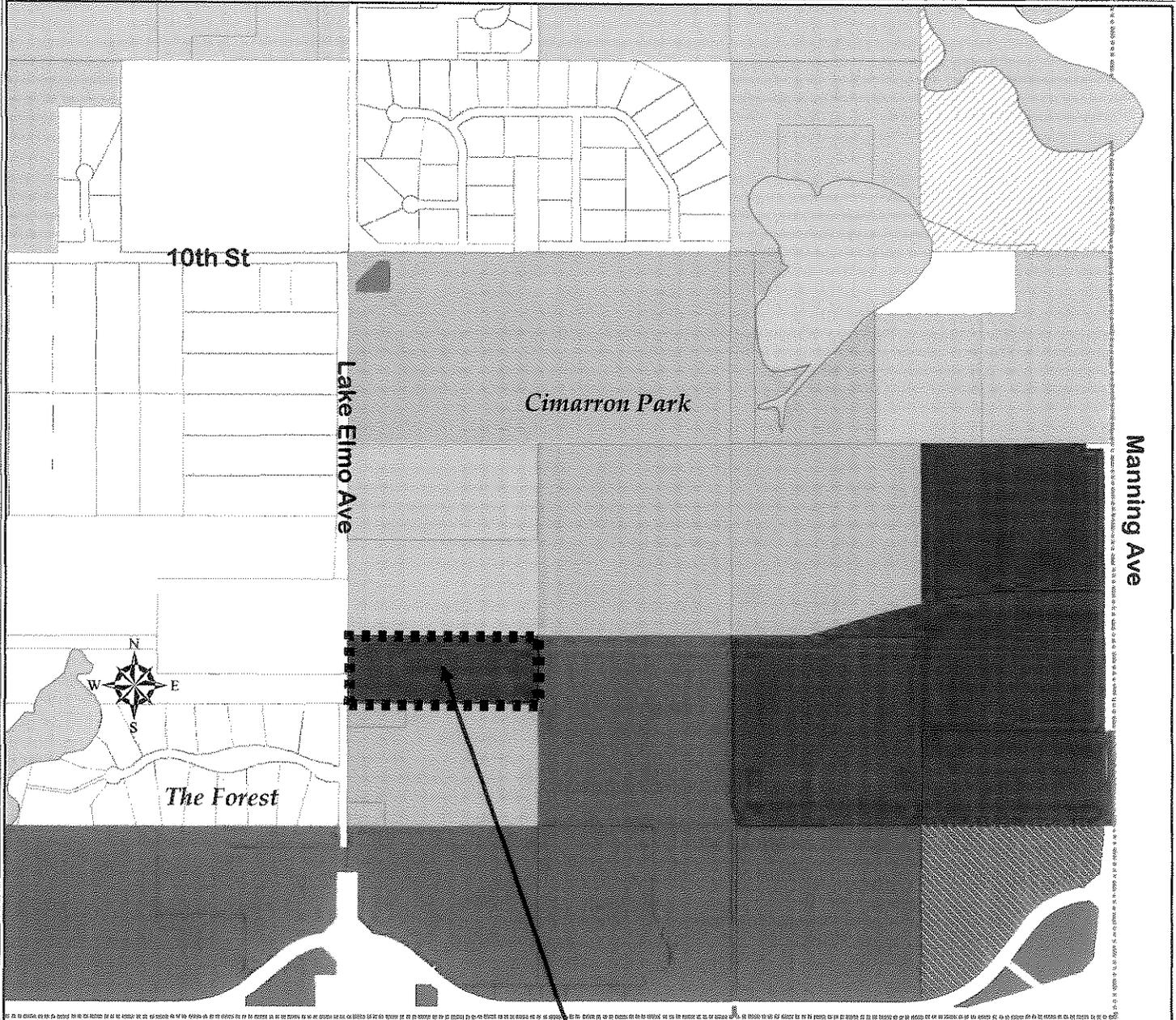


## Planned Land Use

Lake Elmo Comprehensive Plan 2030



This map was created using MFR's Geographic Information Systems (GIS). It is a compilation of information and data from various sources. This map is not a surveyed or legally recorded map and is intended to be used as a reference. MFR is not responsible for any inaccuracies contained herein.

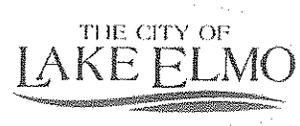


- Municipal Boundary
  - White hatching denotes possible mixed use areas
- Planned Land Uses**
- |                              |                            |
|------------------------------|----------------------------|
| Business Park                | Urban Medium Density       |
| Commercial                   | Urban High Density         |
| Limited Business             | Rural Single Family        |
| Village Mixed Use            | Residential Estate         |
| Village Urban Low Density    | Rural Area Development     |
| Village Urban Medium Density | Rural Area Development Alt |
| Urban Low Density            | Public/Park                |

**Proposed Amendment: HDR to MDR**

Sources: Washington County & Metro GIS  
10-22-2013

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





**Public Works Department**

Donald J. Theisen, P.E.  
Director

Wayne H. Sandberg, P.E.  
Deputy Director/County Engineer

October 23, 2013

Nick Johnson  
City Planner  
City of Lake Elmo  
3600 Laverne Avenue North  
Lake Elmo, MN 55042

**RE: Washington County comments on the Comprehensive Plan Amendment, concept plan for a 48 Unit single family detached townhome development on 14 acres of property, PID: 3602921320002.**

Dear Mr. Johnson:

Thank you for providing the county with the concept plan for the detached townhome subdivision, Section 36, Township 29N , Range 21W along County Road (CR) 17B/Lake Elmo Avenue in the City of Lake Elmo. The project consists of 48 single family detached townhome units on 14 acres of land. Based on the plan provided, we have the following comments:

- The development plan is consistent with the Washington County Comprehensive Plan 2030, A Policy Guide to 2030, Land Use, The development implements Goal 3-2, which states "support the growth of attractive urban communities while preserving rural functions and appearances."The development will implement strategies such as utilizing the Municipal Urban Service Area (MUSA), and development along the Gateway Transitway Corridor."
- According to the Washington County Comprehensive Plan 2030, CR 17 B is classified as an "A" Minor arterial roadway with 184 feet future right-of-way necessary. There is currently 50 feet of right-of-way from the center line of the road; therefore, an additional 42 feet should be dedicated on the plat or the same dedication as the Landucci Plat located south of this property. Their preliminary concept has identified 40 feet.
- Local street connections from the development to the north and east should be considered even though there is an existing golf course to the north and a commercial/warehouse use to the east.
- Future improvements on 17 B are required for the new collector road intersection which include left and right turn lanes. Washington County and the City of Lake Elmo will continue to work towards an acceptable roadway /intersection plan. A Washington County Right of Way Permit and Access Permit will be required for the improvements and connection to 17B which will be constructed based on traffic impacts from new development in the area.
- Any grading within County right of way will require a Washington County Right of Way Permit.

- All utility connections for the development require Washington County Right of Way permits. Typically, these are the responsibility of the utility companies.
- Washington County's policy is to assist local governments in promoting compatibility between land use and highways. Residential uses located adjacent to highways often result in complaints about traffic noise. Traffic noise from this highway could exceed noise standards established by the Minnesota Pollution Control Agency (MPCA), the U.S. Department of Housing and Urban Development, and the U.S. Department of Transportation. Minnesota Rule 7030.0030 states that municipalities are responsible for taking all reasonable measures to prevent land use activities listed in the MPCA's Noise Area Classification (NAC) where the establishment of the land use would result in violations of established noise standards. Minnesota Statute 116.07, Subpart 2a exempts County Roads and County State Aid Highways from noise thresholds. County policy regarding development adjacent to existing highways prohibits the expenditure of highway funds for noise mitigation measures in such areas. The developer should assess the noise situation and take any action outside of County right of way deemed necessary to minimize the impact of any highway noise.

Thank you for the opportunity to comment on this comprehensive plan amendment. If you have any questions, please contact me at 651-430-4362 or [ann.pung-terwedo@co.washington.mn.us](mailto:ann.pung-terwedo@co.washington.mn.us)

Regards,



Ann Pung-Terwedo  
Senior Planner

Cc: Carol Hanson, Office Specialist  
Joe Gustafson, Traffic Engineer



**MAYOR AND COUNCIL COMMUNICATION**

DATE: 11/06/2013  
REGULAR  
ITEM #: 19

**AGENDA ITEM:** Lake Elmo Design Standards Manual  
**SUBMITTED BY:** Nick Johnson, City Planner  
**THROUGH:** Dean A. Zuleger, City Administrator  
**REVIEWED BY:** Planning Commission  
Kyle Klatt, Community Development Director

**SUGGESTED ORDER OF BUSINESS:**

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

**PUBLIC POLICY STATEMENT**

The adoption of the Lake Elmo Design Standards Manual will establish a comprehensive review process related to site and architectural design for four development types in Lake Elmo: High Density Residential, Commercial, Business Park and Mixed-Use.

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

**SUMMARY AND ACTION REQUESTED:**

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

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

*“Motion to adopt Resolution No. 2013-97 approving the Lake Elmo Design Standards Manual”*

**BACKGROUND INFORMATION:**

In addition to the recent Comprehensive Plan Amendments to prepare the community for future growth, the City has been working on multiple efforts to better define the City’s vision for future development.

These efforts include the Lake Elmo Branding and Theming Study, form-based codes, and comprehensive design standards. Within the City's Comprehensive Plan (Chapter III - Land Use), the adoption of design standards is a noted policy intended to ensure quality development outcomes. As the effort to develop design standards has progressed over the last year, a comprehensive manual with guidelines related to site and architectural design has taken shape.

Throughout the effort, the manual has undergone significant review from multiple parties, especially the Planning Commission. The content of the manual was developed through a mixture of researching the design guidelines of several other communities and integrating or shaping them to fit Lake Elmo's context and desired characteristics and vision. As multiple drafts of the document have been reviewed, the manual has been refined in multiple iterations. One critical form of review that was initiated by the City was a Stakeholder Workshop, held on October 29, 2012. At the workshop, the City invited multiple members of the development community to provide feedback on the proposed document. The feedback from the guests who attended was overall very positive and helpful in identifying the possible pitfalls that may be present at the time. Through the feedback and review of the Planning Commission and members of the development community, it is the goal of the manual to reach a good balance point between good design and practical application.

Regarding the structure of the Lake Elmo Design Standards Manual, the document is broken into 5 sections: 1) Introduction, 2) High Density Residential, 3) Commercial, 4) Business Park and 5) Mixed-Use. Under each development type, the design standards or guidelines are broken into two categories: Site Design and Building Design. Within these two categories, design standards and guidelines are organized under various subsections (e.g. streetscapes, parking, form and façade, lighting, signage, etc.).

Finally, further background as to how the design review process will be administered must be provided. The manual is designed to allow design review to integrate directly into whichever development or building permit process that is being initiated. For example, if a development application was submitted before the City for final approval, design review would be integrated into the already established process for final development or plat approval. It is the intention of integrating design review to not to create additional meeting or process requirements outside the bounds of the already established procedure. In addition, the review authority for conducting the design review will be the body or individual responsible to issuing the certificate or permit. In other words, for approval of a development application, the Planning Commission and City Council would be authorized review authorities, whereas for a major renovation (requiring only a building permit), staff would be responsible to conduct the design review. Finally, to integrate the design standards manual into the City's established review procedures, staff and the Planning Commission are recommending that the manual be adopted by reference in the Zoning Code. The code language proposed to execute this strategy would replace the existing design related performance standards found in the City's commercial zoning districts (§154.555 – Attachment #3). The final goal, procedurally speaking, it to adopt the design standards by reference and seamlessly integrate design review into the existing permit review procedures.

#### **PLANNING COMMISSION REPORT:**

The Planning Commission has formally reviewed the Lake Elmo Design Standards Manual a total of 7 times on the following dates:

- August 27, 2012 (staff research and proposed template presented)
- October 10, 2012 (staff presented first draft of proposed standards)
- October 22, 2012 (staff presented updated draft of proposed standards)
- October 29, 2012 (Design Standards Stakeholder Workshop – Planning Commission in attendance)
- October 7, 2013 (staff presented first draft of Design Standards Manual (w/pictures and layout)
- October 14, 2013 (Planning Commission review of Design Standards Manual)
- October 28, 2013 (Planning Commission recommend Design Standards Manual for approval)

The Commission did make some minor amendments to the document at the meeting on 10/28/13 and unanimously recommended the Lake Elmo Design Standards Manual for approval (Vote 7-0).

**PLANNING COMMISSION RECCOMENDATION:**

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

*“Motion to adopt Resolution No. 2013-97 approving the Lake Elmo Design Standards Manual”*

**ATTACHMENTS:**

1. Resolution No. 2013-97
2. Lake Elmo Design Standards Manual
3. Existing Commercial District Design Standards (§154.555)

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

**RESOLUTION NO. 2013-97**

*RESOLUTION ADOPTING THE LAKE ELMO DESIGN STANDARDS MANUAL*

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

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

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

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

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

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

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

**FINDINGS**

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

*“Following the completion of the Comprehensive Plan, the City will adopt design standards to ensure the look and feel of future development is compatible with the community vision of a small town within a rural setting. Standards for building materials, building articulation, design variety and other requirements should be upheld to ensure the quality of the built environment is distinctly Lake Elmo.”*

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

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

Passed and duly adopted this 6<sup>th</sup> day of November 2013 by the City Council of the City of Lake Elmo, Minnesota.

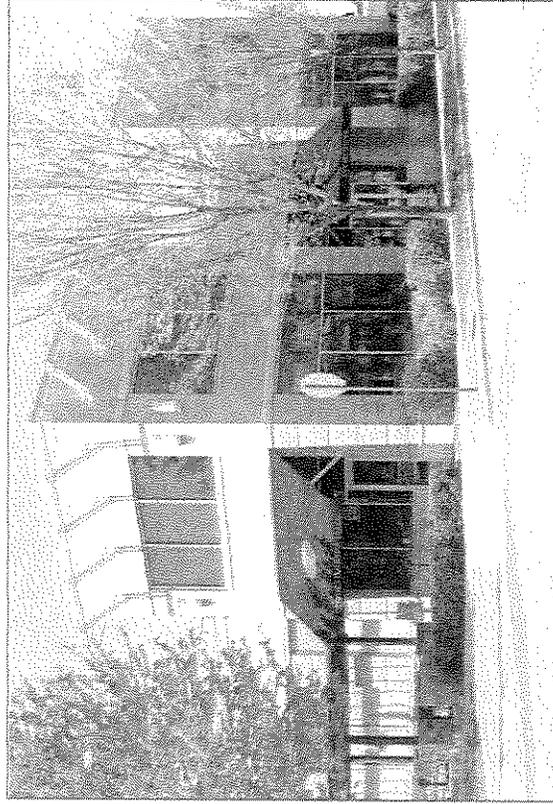
**CITY OF LAKE ELMO**

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

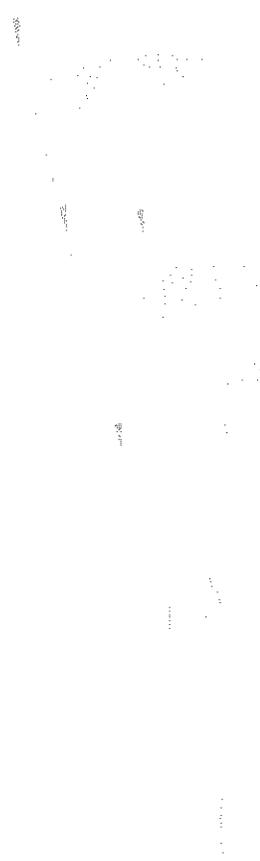
ATTEST:

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

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



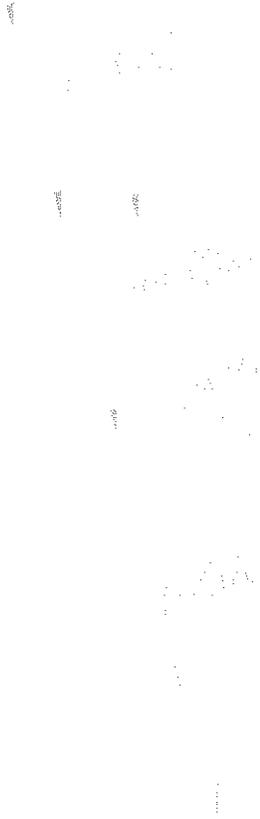
THE CITY OF  
**LAKE ELMO**



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# 1 Introduction

## Intent and Purpose

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

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

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

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

## Areas of Growth

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

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

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

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

## INTRODUCTION

### Structure of the Standards

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

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

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

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

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

### Compliance

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

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

In order to receive relief or exception to the stan-

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

# 2 High Density Residential Development

## Applicable Zoning Districts:

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

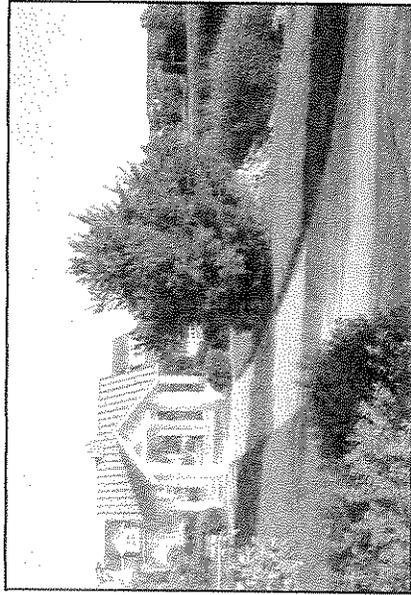
Both the I-94 Corridor and Old Village are expected to experience growth in the form of high density residential development. This growth will be comprised of single-family attached (townhome) development and multi-family residential development, including apartments and condominiums. For residential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

## A. Site Design

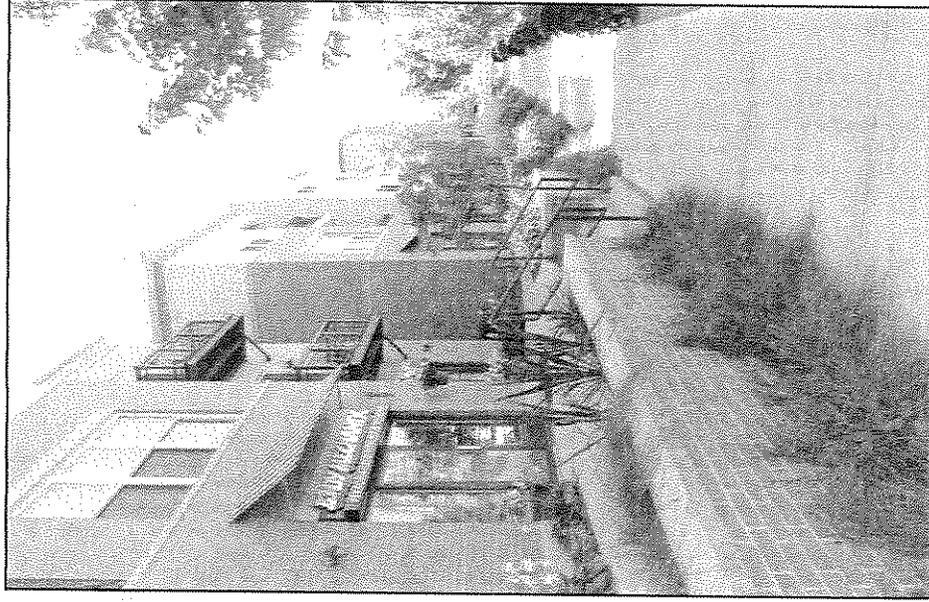
### Building Placement

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

- Buildings are encouraged to be located as close to the public street as possible while still meeting the setback requirement. In addition, the setbacks of adjacent residential buildings are encouraged to be varied slightly to contribute to an interesting streetscape, avoiding monotonous facade or wall depth.
- Buildings should be easily accessed from the street, particularly near commercial or mixed-use development.
- The area fronting the main public street, or front-yard setback area, should be utilized for

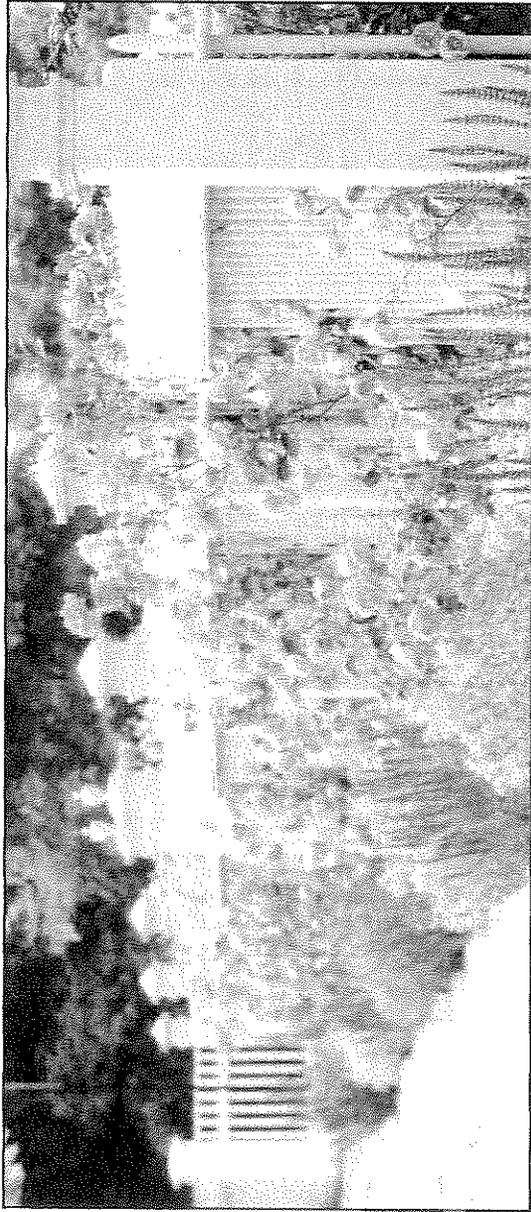


*Common open or recreation spaces should be located to the interior or rear of the site.*

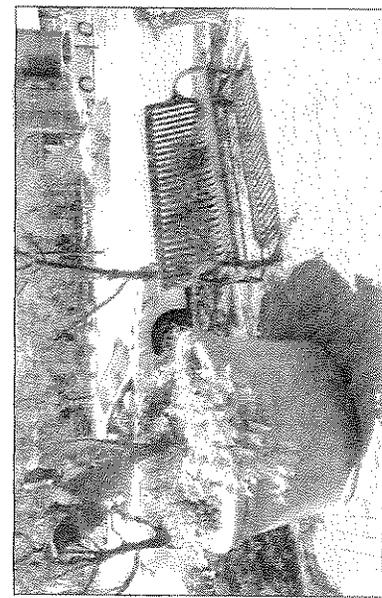


*Buildings are encouraged to be sited closer to public streets to promote access and visual interest.*

# HIGH DENSITY RESIDENTIAL DEVELOPMENT



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



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

## Streetscape

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

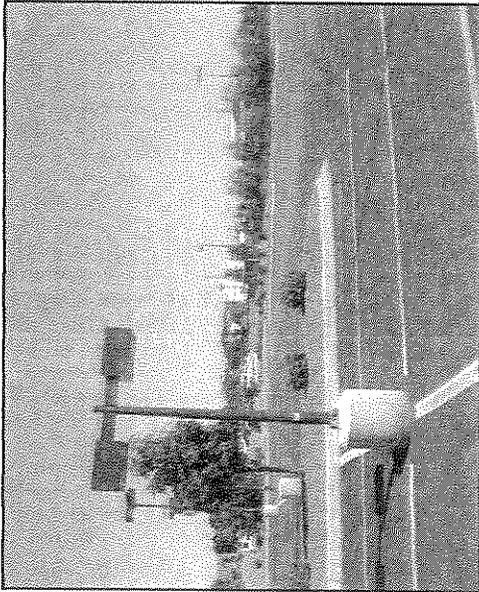
- a. Sidewalks shall be provided parallel to public streets in order to ensure pedestrian accessibility and circulation.
- b. Sidewalk materials should be attractive and low-maintenance, such as concrete or decorative pavers.
- c. Boulevard areas should be planted with turf grass and/or other attractive,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

## Landscaping

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

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

# HIGH DENSITY RESIDENTIAL DEVELOPMENT



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

## Parking

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

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

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

## Delivery, Service, Storage and Utility Areas

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

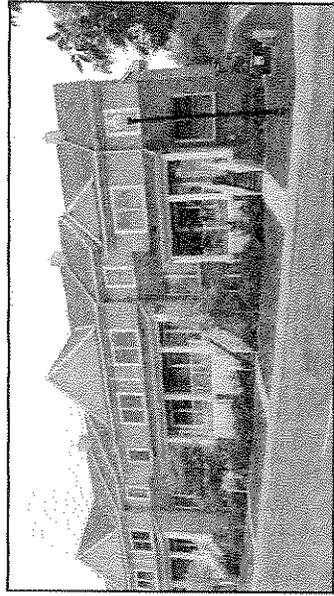
- a. Exterior storage and utility areas should be located in low trafficked areas and screened from adjacent properties.
- b. Trash enclosures should be located so that noise and odor do not affect nearby residents or adjacent properties.
- c. Screening of storage and utility areas may include landscaping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

## B. Building Design

### Form and Facade

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

- a. No blank facades without windows and doors are allowed. All sides of the structures shall have architectural treatments.
- b. Window and door styles should reflect the prevailing architectural style of the structure.
- c. Window sills and trim are required for all exterior windows.
- d. Flat panel exterior and garage doors are discouraged.
- e. Garages should be recessed from the facade of the principal structure whenever possible to draw visual attention away from parking areas.
- f. If there are multiple garages within a structure, they should be varied in their location to minimize the visual impact of a row of garage doors.



Attached units on a public street benefit from individual entries.

# HIGH DENSITY RESIDENTIAL DEVELOPMENT

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

## Building Materials

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

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

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

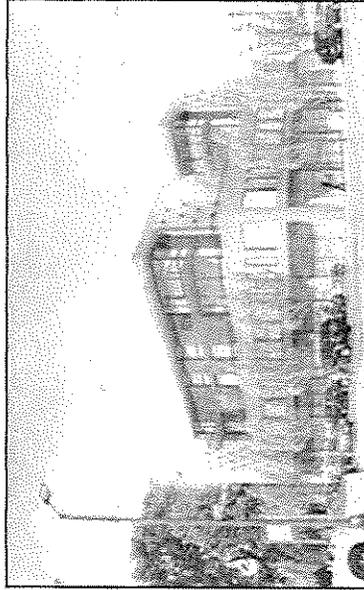
- h. Roofing materials should consist of composition shingles, wood shakes, or clay or stone tiles. Metal used as a roofing material must incorporate ribs or standing seams to be acceptable.
- i. Samples of facade and roof materials must be submitted to the City prior to the approval of the building permit.

## Scale and Mass

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

- a. Building volume should be broken up with recesses and projections such as balconies, bay windows, dormers, porches, and other features

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



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

# HIGH DENSITY RESIDENTIAL DEVELOPMENT

## Roof Design

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

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

## Entries

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

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

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

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

## Lighting

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

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

## Signage

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

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

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# 3 Commercial Development

## Applicable Zoning Districts:

- Commercial (C) • Convenience Commercial (CC)

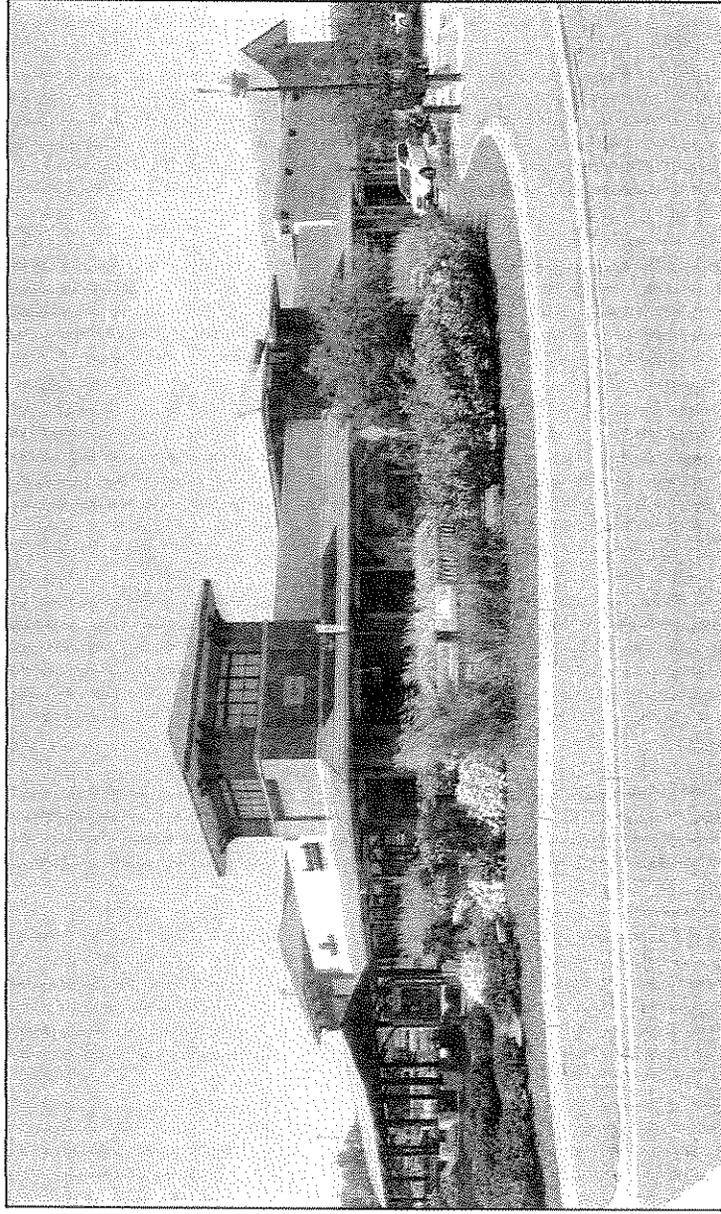
The future commercial areas within the I-94 Corridor and Old Village will include a variety of service, office, retail and other uses that will serve existing and future Lake Elmo residents and beyond. While the differences in character and geography of these two growth areas may attract different types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

## A. Site Design

### Building Placement

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

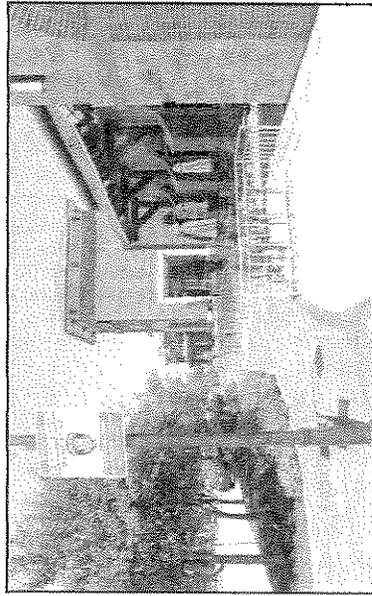
- Buildings must be setback at least 30 feet from the public right of way. Buildings are encouraged to be located as close to the public street as possible while still meeting the setback requirement.
- The orientation of multiple buildings on one site must be clearly coordinated.



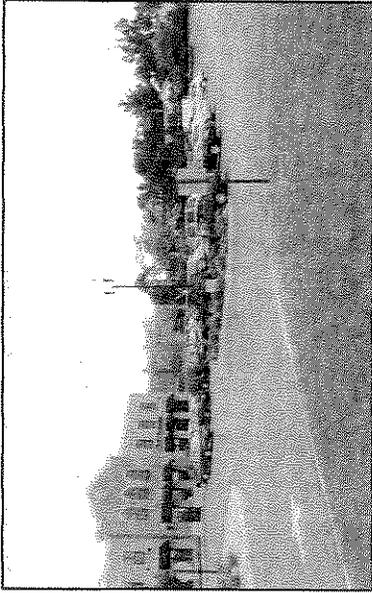
*Landscaped gathering spaces provide a distinctive and welcoming space for visitors.*

- Buildings should be oriented parallel or perpendicular to the street they front, promoting continuity of design.
- Buildings should be arranged to provide convenient access to entrances and efficient on-site circulation for vehicles and pedestrians.
- Shared access points from the public ROW are encouraged. Vehicular access points should be limited to minimize traffic disruption.
- For master planned development, the provision of landscaped open or gathering spaces is encouraged within commercial developments.

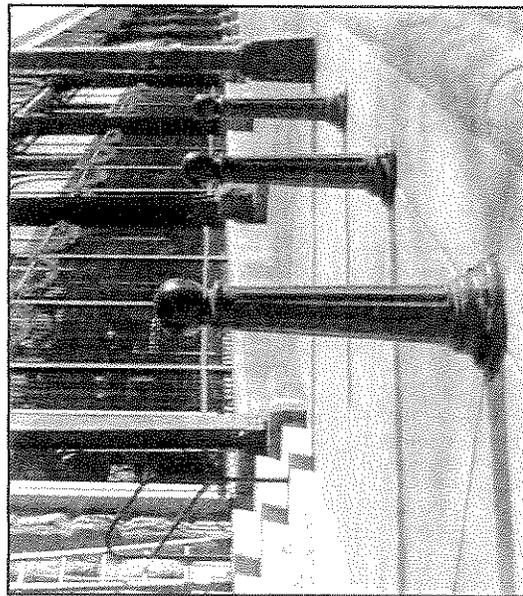
# COMMERCIAL DEVELOPMENT



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



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



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

## Streetscape

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

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

## Landscaping

**Goal:** To ensure development of a high aesthetic quality, and to reduce the amount of impervious

surface at commercial sites.

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

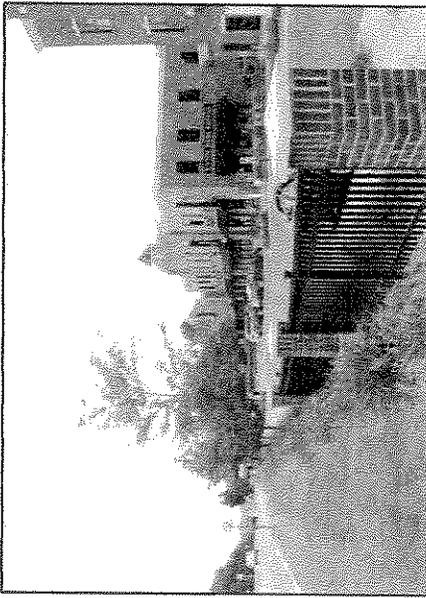


Sidewalks within larger parking lots improve pedestrian circulation and safety.

## Parking

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

# COMMERCIAL DEVELOPMENT



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

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

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

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

- a. Service, storage, maintenance or trash collection areas should be located out of the view from the public right of way, or significantly screened through landscaping or architectural features.
- b. Service, storage and trash collection areas are not allowed in the setback areas.
- c. The location of delivery, storage and service areas should be clearly marked with signage and

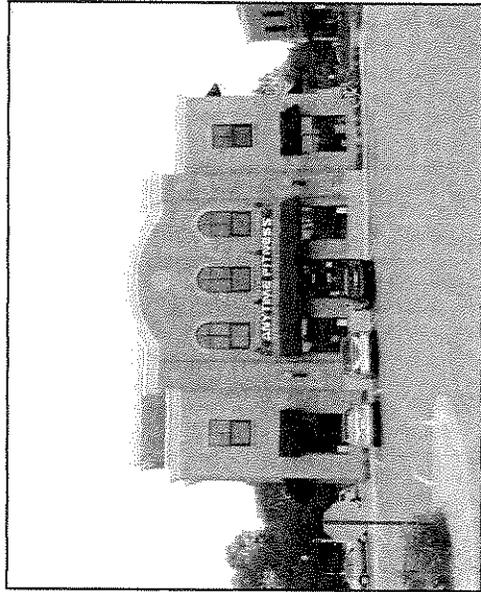
- should not interfere with other automobile or pedestrian circulation.
- d. Storage and delivery areas should be hard surface, minimizing the dispersal of dust.

## **B. Building Design**

### **Form and Facade**

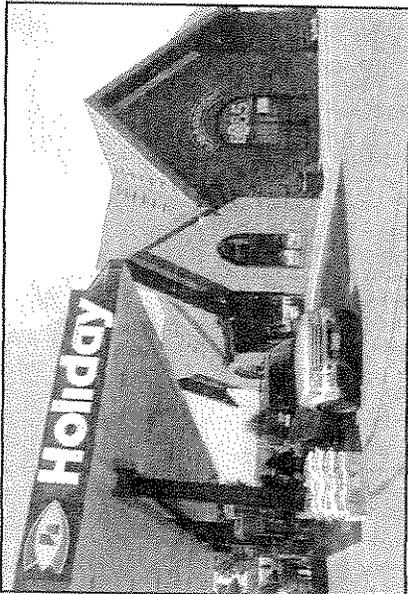
*Goal: To ensure structures of high architectural quality that promote visual interest, thereby supporting district identity.*

- a. No blank facades without windows and doors are allowed. All sides of structures should have architectural treatment. Variety and creativity in building facade is encouraged through changes in building materials, fenestration height, and roof lines, especially on primary facades that face the public right of way.



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

# COMMERCIAL DEVELOPMENT



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

## Building Materials

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

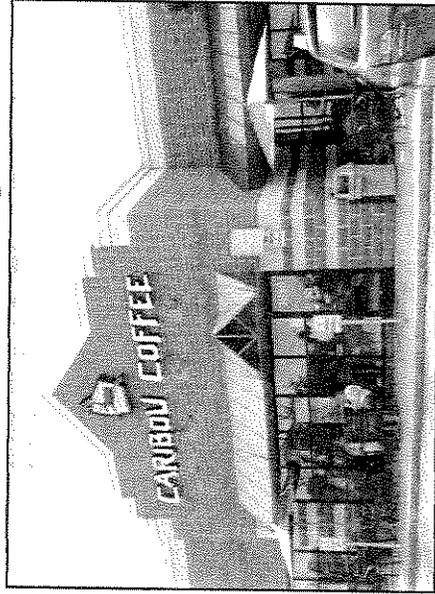
- a. High-quality and durable materials should be used in street facing facades.
- b. Primary building materials for commercial structures should include brick, finished wood, stone, cast stone, or pre-cast concrete panels with exposed aggregate, banding, texturing, or other similar decorative finish treatment.
- c. High quality synthetic materials that adequately duplicate natural materials may be accepted if approved by the City.

- b. Window and door styles shall reflect the prevailing architectural style of the structure.
- c. Ground level retail and commercial uses should employ a significant amount of transparent glass in the form of windows and doors, particularly near pedestrian entrances.
- d. Minimizing continuous expanses of wall through facade articulation, recession and projection is encouraged.
- e. Structures that are oriented towards the public street are encouraged to provide multiple access points or entrances if the parking area is located to the rear of the structure.
- f. Architects and builders are encouraged to incorporate topographical features into the form of the structure when possible, utilizing natural grades to create unique design.

## Scale and Mass

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

- a. Buildings should be broken down into smaller parts to avoid monotonous or continuous design and the appearance of mass.
- b. Exterior design that provides the appearance of multiple structures is encouraged to reduce scale and minimize mass.
- c. Building mass should be broken up with multiple roof and ridgelines perpendicular with one another.
- d. Structures of two-stories or higher should have



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

- d. The following building materials are not allowed to be used as the primary facade for commercial development:
  - Unpainted galvanized metal
  - Unfinished "green-treated" lumber
  - Unfinished wood
  - Plain or unpainted concrete
  - Cast-in-place concrete
  - "Tilt-up" concrete panels
  - Painted concrete block may be used on the rear of the building or sides not visible from the public right of way.
  - Vinyl siding
- e. Facade colors should reflect subtle earth tones. However, other primary facade colors will be considered by the Review Authority. Accent materials should complement the colors of the primary facade.
- f. Samples of facade and roof materials shall be submitted to the City prior to the approval of the building permit.

# COMMERCIAL DEVELOPMENT

articulated facades to minimize the appearance of mass, as well as multiple roof lines with corresponding gables.

- e. Scale should be reduced by utilizing "step-down" methods towards the public street. Entrances and other bump out features are effective in this regard.

## Roof Design

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

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

## Entries

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

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

bles, benches, or lighted bollards are encouraged near entryways to commercial buildings.

## Lighting

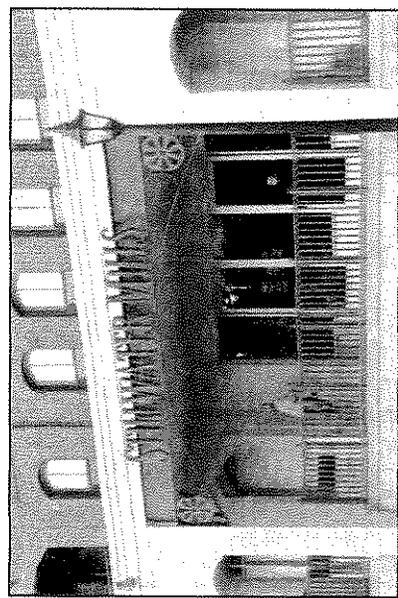
*Goal: To ensure safety of patrons, employees, pedestrians and automobiles, as well as providing visual interest and aesthetic value to a site, while limiting light pollution of the night sky to the best extent possible.*

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

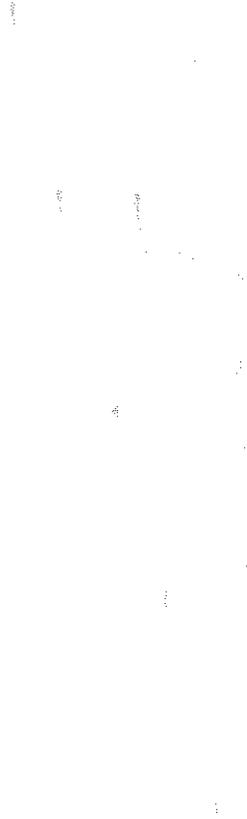
## Signage

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

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



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



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# 4 Business Park Development

## Applicable Zoning Districts:

- Business Park/Light Manufacturing (BP)

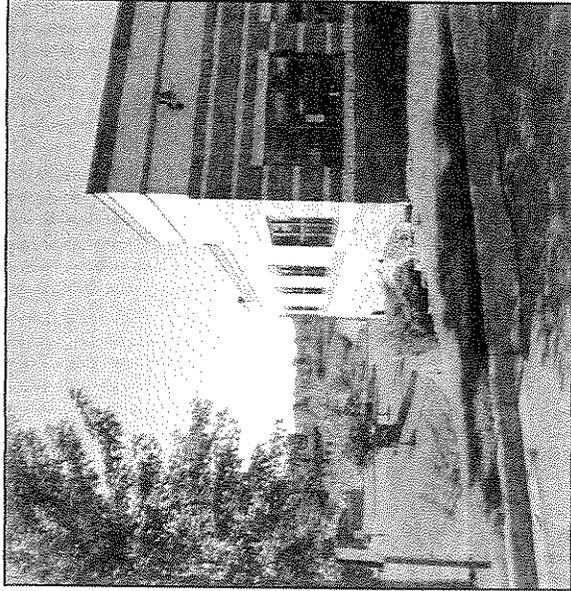
The intent of this zoning district is to provide opportunities for high quality business park development for office, light manufacturing, and other non-retail uses. In terms of design, this manual establishes consistent architectural standards between various users in the BP district. These architectural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

## A. Site Design

### Building Placement

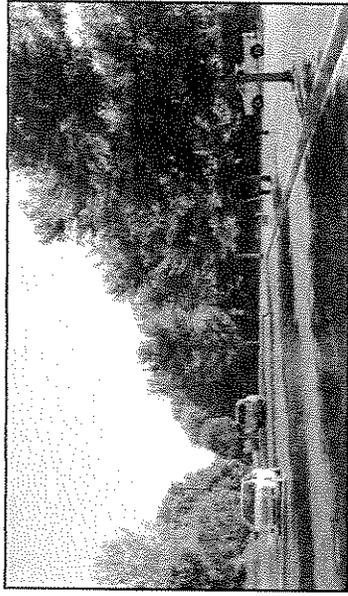
**Goal:** To establish standards for building location that ensure effective automobile and pedestrian circulation and promote coordination of buildings between adjacent sites and structures.

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



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

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



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

### Streetscape

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

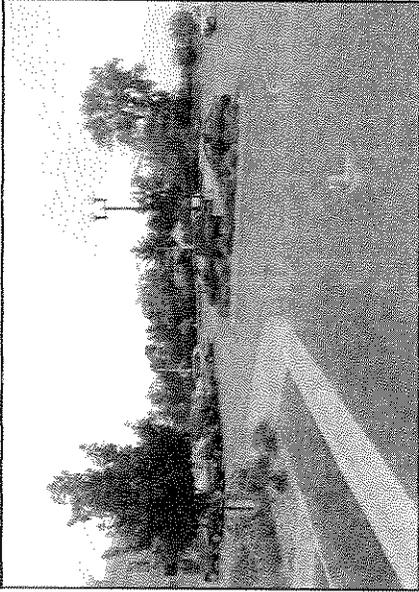
- Street trees shall be installed at regular intervals along the public right of way. Species of street trees should be selected according to root zone and salt tolerance.
- Additional landscaping along public streets is encouraged. Landscape materials should be low-maintenance and native to ensure heartiness.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

## BUSINESS PARK DEVELOPMENT

### Landscaping

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

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



*Landscaped islands greatly improve that character of surface parking lots.*

### Parking

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

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

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

### Delivery, Service, Storage and Utility Areas

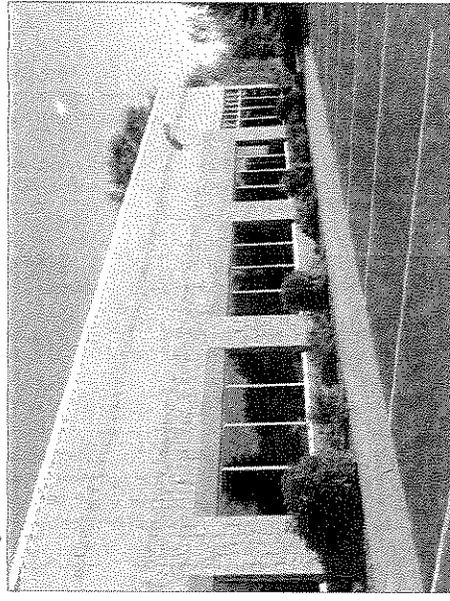
*Goal: To provide physical and visual separation of delivery, service, storage and utility areas from the public right of way and areas of automobile and pedestrian circulation.*

# BUSINESS PARK DEVELOPMENT

## Building Materials

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

- a. High-quality and durable materials should be used in street facing facades.
- b. Primary building materials for structures in the BP district should include brick, stone, cast stone, quality metals, glass, Exterior Insulation Finish Systems (EFIS), or pre-cast concrete panels with exposed aggregate, banding, texturing or other similar decorative finish treatment.
- c. Synthetic materials that adequately duplicate natural materials may be acceptable.
- d. The following building materials are not allowed to be used as primary finished facade material for business park development:
  - Unpainted galvanized metal



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

a. No blank facades without windows and doors are allowed. All sides of the structures should have architectural treatments.

b. Window and door styles should reflect the prevailing architectural style of the structure.

c. Variety and creativity in building facade is encouraged through changes in building materials, fenestration height, and roof lines. Primary facades should not present a continuous wall without architectural details that add visual interest.

d. Minimizing continuous expanses of wall through facade articulation, recession or projection is encouraged.

e. Architects and builders are encouraged to incorporate topographical features into the form of the structure when possible, utilizing natural grades to create unique design.



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

a. Delivery, service, storage, maintenance or trash collection areas should be located out of the view from the public right of way, or significantly screened through landscaping or architectural features that match the primary structure.

b. Service, storage and trash collection areas are not allowed in the setback areas.

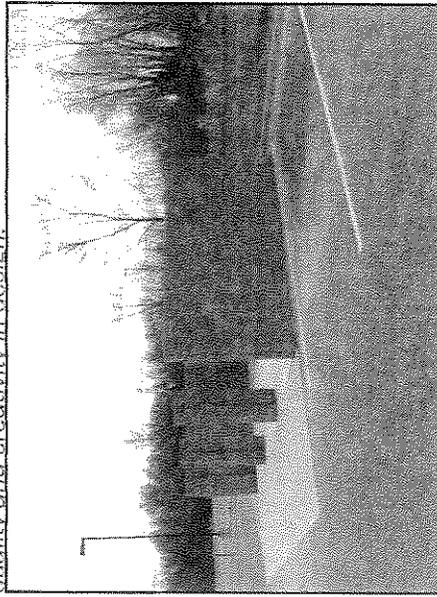
c. The location of delivery, storage and service areas should be clearly marked with signage and should not interfere with other automobile or pedestrian circulation.

d. Storage and delivery areas should be hard surface, minimizing the dispersal of dust.

## B. Building Design

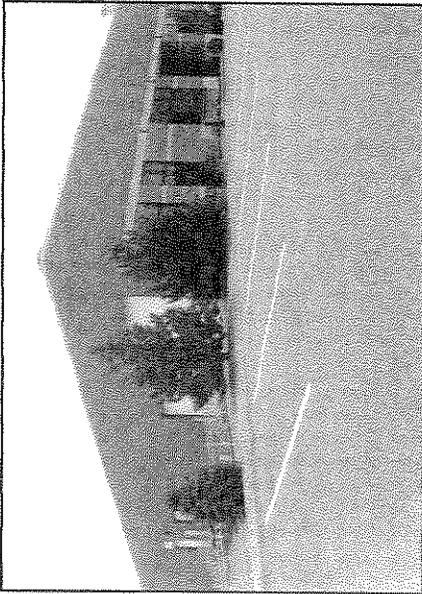
### Form and Facade

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



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

# BUSINESS PARK DEVELOPMENT



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

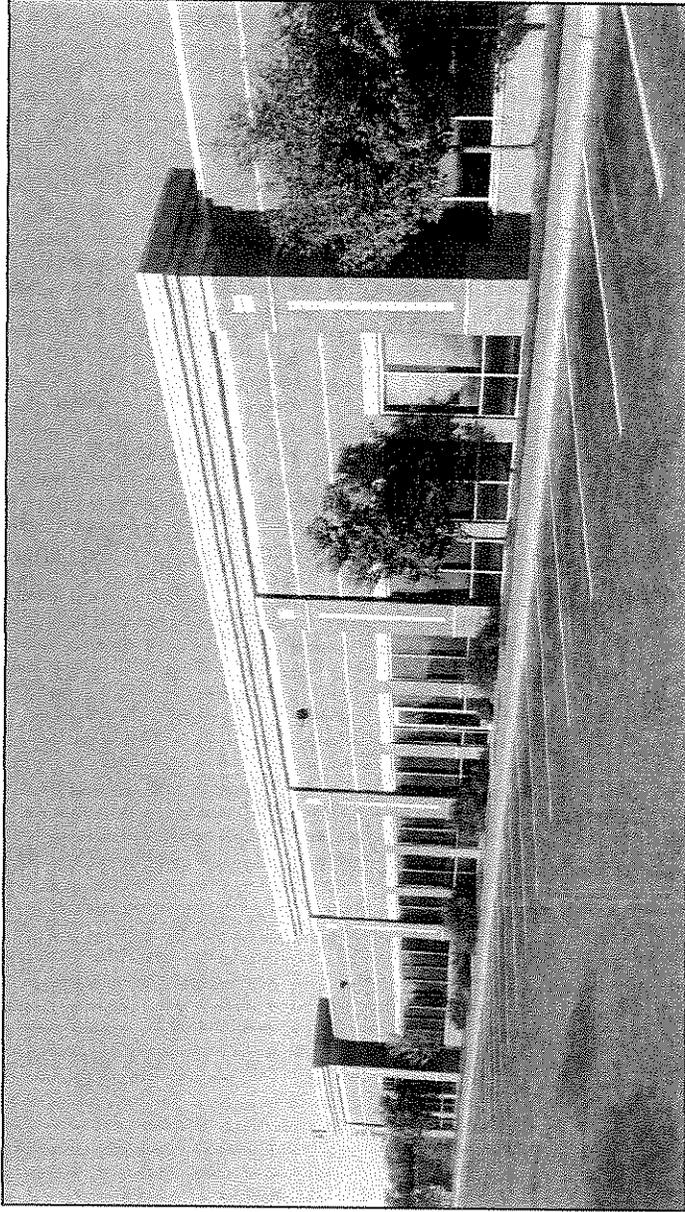
## Unfinished "green-treated" lumber

- Unfinished wood
- Plain or unpainted concrete
- Cast-in-place concrete
- "Tilt-up" concrete panels
- Painted concrete block may be used on the rear of the building or sides not visible from the public right of way.

- g. Facade colors should reflect subtle earth tones. However, other primary facade colors will be considered by the Review Authority. Accent materials shall complement the colors of the primary facade.
- h. Samples of facade and roof materials should be submitted to the City prior to the approval of the building permit.

## Scale and Mass

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



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

- a. Scale should be reduced by utilizing "step-down" methods, particularly near areas of pedestrian circulation. Entries and other bump out features are effective in this regard.

- b. Structures of two-stories or higher should utilize facade treatments, such as multiple building materials or additional windows, to minimize the appearance of mass.
- c. Parapets of varying heights are required for buildings in the BP district with flat roofs. Rooftop equipment, particularly on flat roofs, must be screened by the parapet or other architectural features.

## Entries

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

## Roof Design

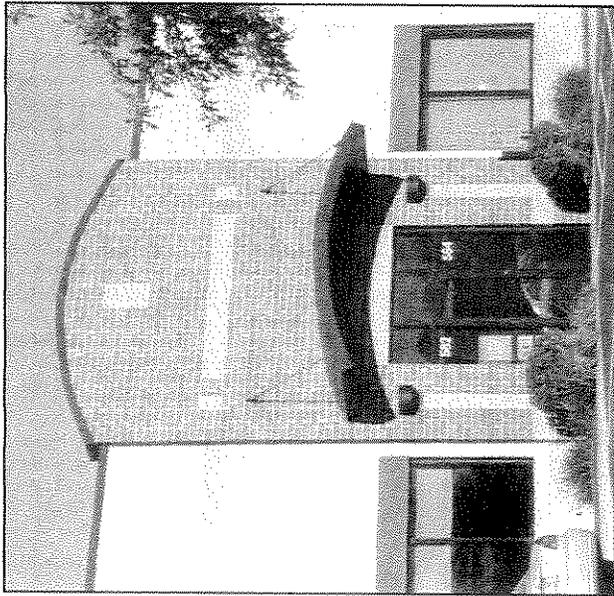
Goal: To ensure architectural consideration and consistency in roof design in relation to the architecture of the building, and to reduce the visual

# BUSINESS PARK DEVELOPMENT

## Lighting

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

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



Canopies and changes in building materials help accentuate entryways.

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

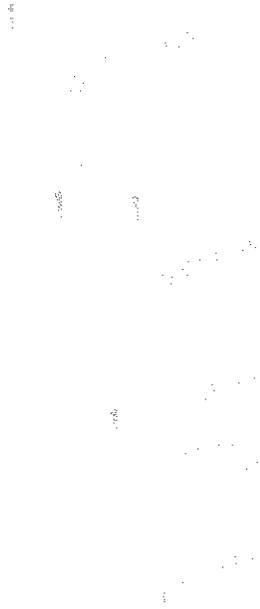
## Signage

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

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



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



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# MIXED-USE DEVELOPMENT



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



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

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

b. Parking, service, storage and utility areas should be buffered by plantings.

Near areas of pedestrian circulation, these plantings shall not exceed 4 feet in height for safety purposes.

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

d. Making use of similar plant materials as adjacent properties and public spaces is encouraged to create continuity.

e. Mature trees should be retained when possible.

f. Bare soils should be planted or mulched with bark, stone or other suitable material to avoid unnecessary runoff.

g. The installation of rain gardens is encouraged to increase on-site storm water infiltration, particularly in parking areas.

## Parking

a. Off-street surface parking is not allowed in front of the building along the primary street frontage. However, opportunities for on-street parking on the public street should be available.

## Landscaping

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

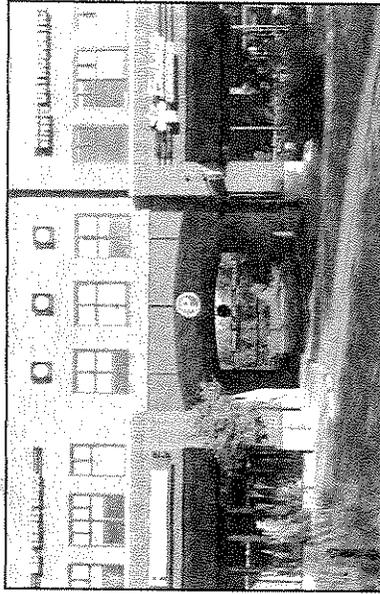
a. Parking, public and streetscape areas should

b. Structured parking located to the side, rear or beneath the building is encouraged in the Mixed-Use district.

c. Structure parking should be screened with architectural elements that match the primary building.

d. The entrance to parking facilities should be located on secondary streets when possible.

e. Shared parking facilities between adjacent



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



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

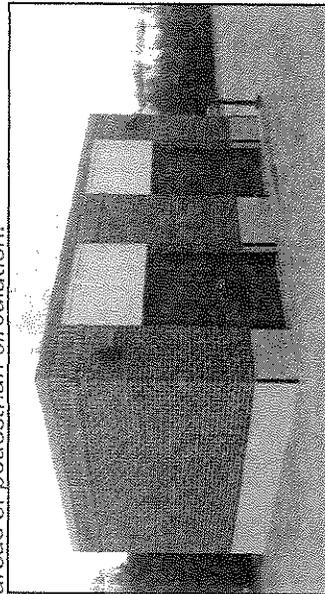
## MIXED-USE DEVELOPMENT

uses or businesses are strongly encouraged when possible to avoid excessive amounts of parking.

- f. Surface parking areas should be screened from view of public streets by means of grading and/or landscaping.
- g. Landscaped islands should be installed within surface parking areas to break up continuous hardscape and reduce concentration of impervious surface.
- h. The installation of rain gardens within parking areas is encouraged for storm water infiltration purposes.
- i. Lighting must be provided in parking areas at night for safety purposes. However, direct glare, spillover or other forms of light pollution directed at adjacent properties are prohibited.
- j. Parking facilities must be ADA compliant when deemed necessary.

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

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



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

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

- b. Delivery areas should be located in the rear of the building whenever possible.
- c. Service, storage and trash collection areas are not allowed in the setback areas.
- d. Delivery, service, storage, maintenance and utilities should be located in a way that does not interfere with pedestrian circulation.
- e. These areas should be marked with directional

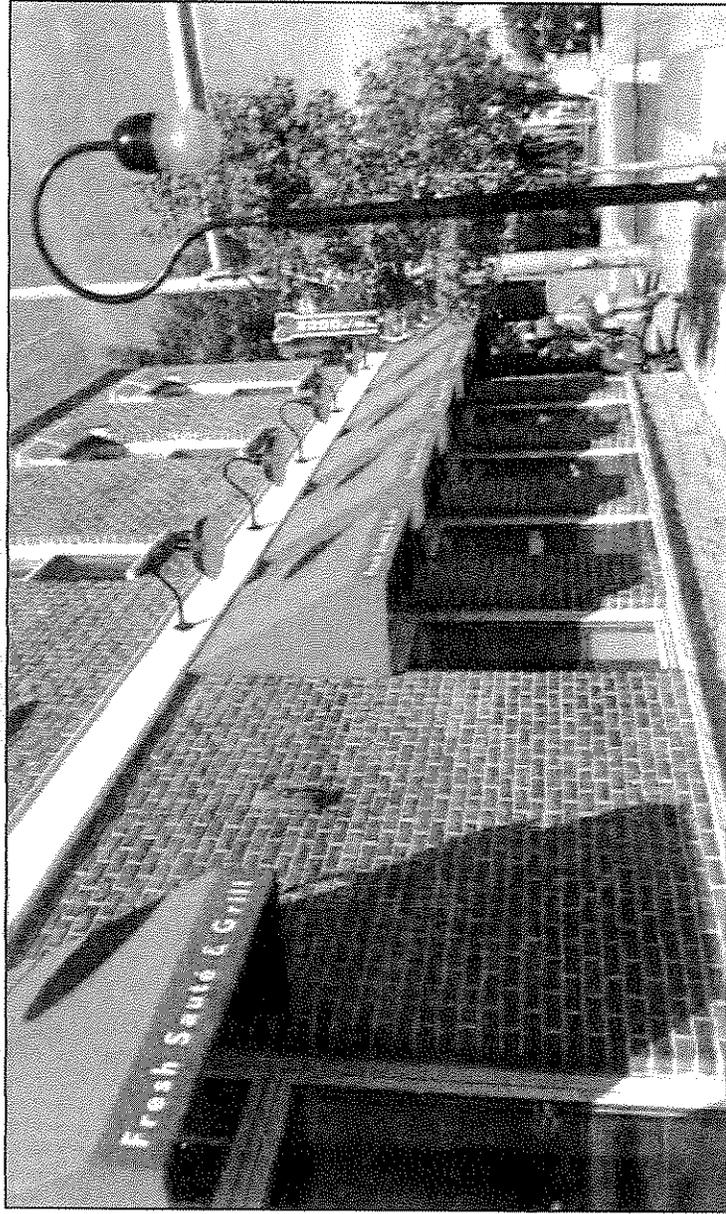
signage when appropriate.

- f. Delivery, storage and trash collection areas should be hard surface, minimizing the dispersal of dust.

### **B. Building Design**

#### **Form and Facade**

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



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

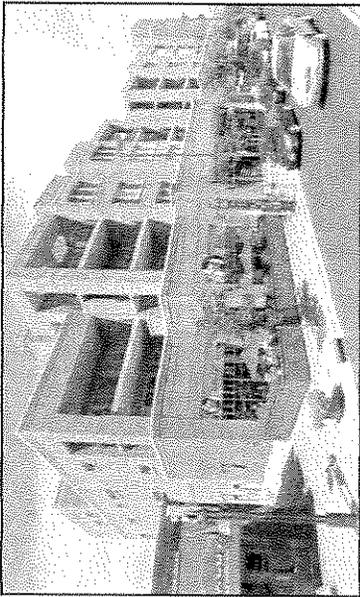
## MIXED-USE DEVELOPMENT

- a. No blank facades without windows and doors are allowed. All sides of the structures should have architectural treatments.
- b. Variety and creativity in building facade is encouraged through changes in building materials, fenestration height, and roof lines.
- c. Minimizing continuous expanses of wall through facade articulation, recession or projection is encouraged.
- d. Window and door styles should reflect the prevailing architectural style of the structure.
- e. Architecture should be conscious of the design of surrounding structures and overall district identity, including facade treatments, windows, building materials and entries.
- f. Buildings should be designed to provide human scale.
- g. The highest level of architectural detail should occur adjacent to areas of pedestrian activity.
- h. Auto-oriented uses, such as garages, delivery areas or bay should be oriented away from the primary street frontage.

### Building Materials

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

- a. High quality and durable materials should be used on all facades.
- b. Primary building materials for commercial structures should include brick, finished wood, glass, stone, cast stone, or pre-cast concrete panels with exposed aggregate, banding, texturing, or other similar decorative finish treatment.
- c. Synthetic materials that adequately duplicate



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

natural materials may be acceptable pending approval of the City of Lake Elmo.

- d. The following building materials are not allowed to be used as the primary facade for development in the Mixed Use district:
  - Unpainted galvanized metal
  - Unfinished "green-treated" lumber
  - Unfinished wood
  - Concrete block (painted or unpainted)
  - Cast-in-place concrete
  - "Tilt-up" concrete panels
- e. Facade colors should reflect muted earth tones. However, other primary facade colors will be considered by the Review Authority. Accent materials should complement the colors of the primary facade.
- f. Samples of facade and roof materials shall be submitted to the City prior to building permit approval.

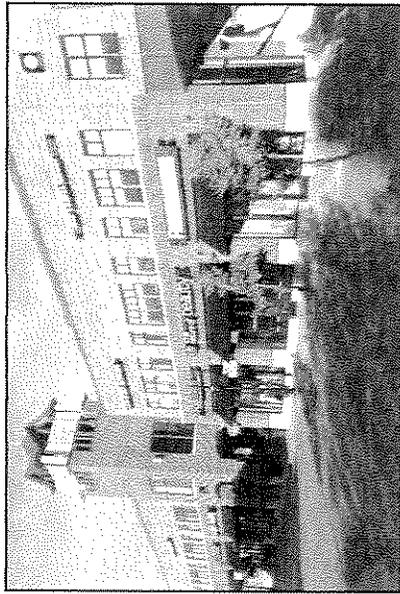
### Mass and Scale

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

- a. Buildings should be broken down into smaller parts to avoid monotonous or continuous design and the appearance of mass.
- b. Exterior design that provides the appearance of multiple structures is encouraged to reduce scale and minimize mass.
- c. Scale should be reduced by utilizing "step-down" methods towards the public street. Entries and other bump out features are effective in this regard.
- d. Structures of two-stories or higher should have articulated facades to minimize the appearance of mass.
- e. Building mass should be broken up by multiple roof and ridgelines perpendicular with one another.

### Roof Design

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



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

# MIXED-USE DEVELOPMENT

- a. The design of the roof must be consistent with the overall architecture or design of the structure.
- b. Creativity and variety in roof design is encouraged in the Mixed-Use district to support district identity.
- c. Flat roofs should include variation in parapet height, materials, and architectural detailing to avoid monotonous roof lines.
- d. Rooftop equipment, particularly on flat roofs, must be screened by the parapet or other architectural features.
- e. Rooftops that are visible from adjacent buildings should minimize the visual impact of rooftop equipment and give consideration to rooftop aesthetics.

## Entries

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

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

## Lighting

**Goal:** To ensure safety of patrons, employees, pe-

destrians and automobiles, as well as providing visual interest and aesthetic value to a site, while limiting light pollution of the night sky to the best extent possible.

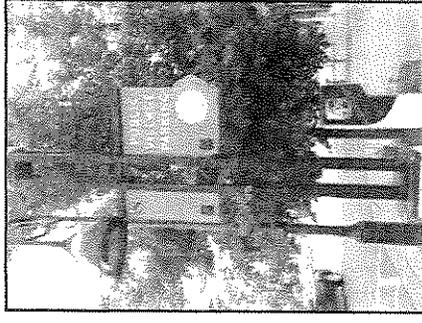
- a. Lighting must be provided in entryways, parking areas, pedestrian ways, storage and service areas, and other locations that require additional safety lighting.
- b. Lighting styles should be complementary to the architectural style of the building and surrounding district.
- c. Lighting of architectural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

## Signage

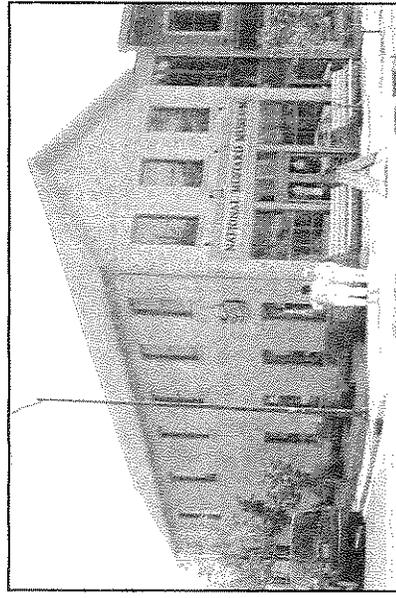
**Goal:** To provide durable, quality signage that identifies businesses and supports district identity.

- a. Building signage must be complementary to the architecture of the structure, as well as consistent with the style of the surrounding buildings or district.
- b. Sign elements that will be evaluated for consistency include scale, color, lighting and materials.

- c. Signs must be constructed of high-quality, durable materials.
- d. Directional signage to delivery, service and storage areas is required.
- e. Two and three-dimensional signs are encouraged to promote creativity and district identity.
- f. All buildings are encouraged to incorporate elements of community theming in appropriate signage, supporting district and city identity.



Directional signage helps facilitate good traffic circulation and flow.



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

*Existing Commercial District Design Standards (to be replaced)*

**§ 154.555 COMMERCIAL DISTRICT DESIGN STANDARDS.**

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

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

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

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

- (1) Elevations of all sides of the buildings;
- (2) Type and color of exterior building materials;
- (3) Typical general floor plans;
- (4) Dimensions of all structures; and
- (5) Location of trash containers, heating, cooling and ventilation equipment and systems.

(C) *Applicability - Structure Additions and Renovation.*

(1) Additions to existing structures resulting in an increase of gross floor area of the structure of less than 100%; and/or installation of replacement exterior surfacing of any portion of an existing structure shall be exempt from the standards of this division where it is found that the new or replacement exterior surfacing proposed is identical to that of the existing structure.

(2) Where additions to an existing structure result in an increase in the gross floor area of the existing structure of 100% or greater, the entire structure (existing structure and structure addition) shall be subject to the standards of this section.

(D) *Performance Standards - Primary Exterior Surfacing.*

(1) The primary exterior surfacing of structures shall be limited to natural brick, stone, or glass. Artificial or thin veneer brick or stone less than nominal 4 inches thick shall not qualify as complying with this performance standard.

(2) Primary Exterior Surface shall be defined as not less than 70% of the sum of the area

of all exterior walls of a structure nominally perpendicular to the ground. All parapet or mansard surfaces extending above the ceiling height of the structure shall be considered exterior surface for the purposes of this division. Windows and glass doors shall be considered a primary surface, but the sum area of this glass shall be deducted from the wall area for purposes of the 70% primary/30% accent formulas of this chapter. Doors of any type of material, except glass, shall not be considered a primary exterior surface.

(3) Each wall of the structure shall be calculated separately and, individually comply with the 70/30 formula.

(E) *Performance Standards - Exterior Surfacing Accents.* Not more than 30% of the exterior wall surfacing, as defined by division (D) of this section, may be of the following listed accent materials, but no single accent material, except natural wood, may comprise more than 20% of the total of all accent materials; and, no combustible materials shall be used:

- (1) Cedar, redwood, wood siding;
- (2) Cement fiber board;
- (3) Standing seam metal;
- (4) Architectural metal;
- (5) Stucco;
- (6) Poured in place concrete (excluding "tilt-up" panels);
- (7) Architectural metal panels; and
- (8) Porcelain or ceramic tile.

(F) *Performance Standard - Accessory Structures.* All accessory structures shall comply with the exterior surfacing requirements specified by division (D) of this section.

(G) *Performance Standard - HVAC Units and Exterior Appurtenances.* All exterior equipment, HVAC and trash/recycling and dock areas shall be screened from view of the public with the primary exterior materials used on the principal structure.

(H) *Performance Standard - Visible Roofing Materials.* Any roofing materials that are visible from ground level shall be standing seam metal, fire-treated cedar shakes, ceramic tile, clay tile, concrete or slate.

(I) *Applicability - New Construction.* The standards of this division shall be applicable to all structures and buildings constructed in the city, on and after the effective date of this chapter. The performance standards of this division shall not be in any manner minimized by subsequent planned unit development plans or agreement.

(Ord. 2012-062, passed 9-18-2012)



**MAYOR AND COUNCIL COMMUNICATION**

DATE: 11/06/2013  
**REGULAR**  
ITEM #: 20

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

**SUGGESTED ORDER OF BUSINESS:**

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

**PUBLIC POLICY STATEMENT**

The Design Review Ordinance adopts the Lake Elmo Design Standards Manual by reference and establishes procedures for design review in the Urban Residential and Commercial zoning districts.

**FISCAL IMPACT:** None

**SUMMARY AND ACTION REQUESTED:**

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

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

***“Motion to adopt Ordinance 08-092, integrating the Lake Elmo Design Standards Manual by reference and establishing design review procedures in the Urban Residential and Commercial zoning districts”***

*In addition, Staff recommends that the City Council approve Resolution No. 2013-98, authorizing summary publication of Ordinance 08-092, through the following motion (a 4/5 vote is required):*

***“Motion to adopt Resolution No. 2013-98, authorizing summary publication of Ordinance 08-092”***

**BACKGROUND INFORMATION:**

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

#### **PLANNING COMMISSION REPORT:**

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

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

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

#### **PLANNING COMMISSION RECCOMENDATION:**

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

***“Motion to adopt Ordinance 08-092, integrating the Lake Elmo Design Standards Manual by reference and establishing design review procedures in the Urban Residential and Commercial zoning districts”***

*In addition, Staff recommends that the City Council approve Resolution No. 2013-98, authorizing summary publication of Ordinance 08-092, through the following motion (a 4/5 vote is required):*

***“Motion to adopt Resolution No. 2013-98, authorizing summary publication of Ordinance 08-092”***

#### **ATTACHMENTS:**

1. Ordinance 08-092
2. Resolution No. 2013-98

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

**ORDINANCE NO. 08-092**

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

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

**§154.455 Residential District Design Standards**

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

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

**§154.555 Commercial District Design Standards**

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

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

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

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

- (1) Elevations of all sides of the buildings;
- (2) Type and color of exterior building materials;
- (3) Typical general floor plans;
- (4) Dimensions of all structures; and
- (5) Location of trash containers, heating, cooling and ventilation equipment and systems.

(C) *Applicability - Structure Additions and Renovation.*

(1) Additions to existing structures resulting in an increase of gross floor area of the structure of less than 100%; and/or installation of replacement exterior surfacing of any portion of an existing structure shall be exempt from the standards of this division where it is found that the new or replacement exterior surfacing proposed is identical to that of the existing structure.

(2) Where additions to an existing structure result in an increase in the gross floor area of the existing structure of 100% or greater, the entire structure (existing structure and structure addition) shall be subject to the standards of this section.

(D) *Performance Standards - Primary Exterior Surfacing.*

(1) The primary exterior surfacing of structures shall be limited to natural brick, stone, or glass. Artificial or thin veneer brick or stone less than nominal 4 inches thick shall not qualify as complying with this performance standard.

(2) Primary Exterior Surface shall be defined as not less than 70% of the sum of the area of all exterior walls of a structure nominally perpendicular to the ground. All parapet or mansard surfaces extending above the ceiling height of the structure shall be considered exterior surface for the purposes of this division. Windows and glass doors shall be considered a primary surface, but the sum area of this glass shall be deducted from the wall area for purposes of the 70% primary/30% accent formulas of this chapter. Doors of any type of material, except glass, shall not be considered a primary exterior surface.

(3) Each wall of the structure shall be calculated separately and, individually comply with the 70/30 formula.

(E) *Performance Standards - Exterior Surfacing Accents.* Not more than 30% of the exterior wall surfacing, as defined by division (D) of this section, may be of the following listed accent materials, but no single accent material, except natural wood, may comprise more than 20% of the total of all accent materials; and, no combustible materials shall be used:

- (1) Cedar, redwood, wood siding;
- (2) Cement fiber board;
- (3) Standing seam metal;
- (4) Architectural metal;
- (5) Stucco;
- (6) Poured in place concrete (excluding "tilt-up" panels);
- (7) Architectural metal panels; and
- (8) Porcelain or ceramic tile.

(F) *Performance Standard - Accessory Structures.* All accessory structures shall comply with the exterior surfacing requirements specified by division (D) of this section.

(G) *Performance Standard - HVAC Units and Exterior Appurtenances.* All exterior equipment, HVAC and trash/recycling and dock areas shall be screened from view of the public with the primary exterior materials used on the principal structure.

(H) *Performance Standard - Visible Roofing Materials.* Any roofing materials that are visible from ground level shall be standing seam metal, fire-treated cedar shakes, ceramic tile,

clay tile, concrete or slate.

(I) *Applicability - New Construction.* The standards of this division shall be applicable to all structures and buildings constructed in the city, on and after the effective date of this chapter. The performance standards of this division shall not be in any manner minimized by subsequent planned unit development plans or agreement.

(Ord. 2012-062, passed 9-18-2012)

**SECTION 3. The City Council of the City of Lake Elmo hereby amends Title XV: Land Usage; Chapter 154: Zoning Code, City Code Section 154.555 by adding the following language:**

**§154.555 Commercial District Design Standards**

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

**SECTION 4. Effective Date.** This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

**SECTION 5. Adoption Date.** This Ordinance 08-092 was adopted on this sixth day of November 2013, by a vote of \_\_\_\_\_ Ayes and \_\_\_\_\_ Nays.

**LAKE ELMO CITY COUNCIL**

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

ATTEST:

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

This Ordinance 08-092 was published on the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

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

**RESOLUTION NO. 2013-98**

**RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE 08-092 BY TITLE AND SUMMARY**

**WHEREAS**, the City Council of the City of Lake Elmo has adopted Ordinance No. 08-092, an ordinance to the City's regulations pertaining to Design Review; and

**WHEREAS**, the ordinance is lengthy; and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Lake Elmo, that the City Clerk shall cause the following summary of Ordinance No. 08-092 to be published in the official newspaper in lieu of the entire ordinance:

**Public Notice**

The City Council of the City of Lake Elmo has adopted Ordinance No. 08-092, which adopts the Lake Elmo Design Standards Manual by reference and establishes design review procedures for certain types of development activity in the Urban Residential and Commercial zoning districts.

The full text of Ordinance No. 08-092 is available for inspection at Lake Elmo city hall during regular business hours.

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

Dated: November 6, 2013.

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

ATTEST:

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

(SEAL)

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

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

and the following voted against same:

Whereupon said resolution was declared duly passed and adopted.



# MAYOR & COUNCIL COMMUNICATION

DATE: 11/06/2013  
REGULAR  
ITEM #: 21

**AGENDA ITEM:** Parks Commission Mission Statement  
**SUBMITTED BY:** Parks Commission / Council Member Reeves  
**THROUGH:** Mayor Mike Pearson  
**REVIEWED BY:** Dean Zuleger, City Administrator

**SUGGESTED ORDER OF BUSINESS:**

- Introduction of Item ..... Council Member Reeves
- 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

**SUMMARY AND ACTION REQUESTED:** The City of Lake Elmo Parks Commission recently completed a one day retreat where they focused on their current role, a review of parks, and the creation of a 2014 Program of Work & Budget. During the course of the retreat the Commission developed a new Mission Statement that centered on their role in the future. It is requested that the City Council ratify this mission statement and amend the Lake Elmo City Code 32.081 to read: **“The Lake Elmo Parks Commission serves as an advisory committee to the City Council and city staff and makes recommendations to the Council on all matters relating to parks, trails, park development, and recreational uses of the city’s open space”**  
The motion for this action is as follows:

*“Move to approve Ordinance 08-093, ratifying a new mission statement for the Lake Elmo Parks Commission”*

**BACKGROUND INFORMATION:** The Parks Commission spent much of the AM session of their retreat talking about their roles and responsibilities as it affects both the physical nature of the parks and the respective use of the parks. Similarly, they labored over defining their role of advisor to the City Council. Out of this work came four main policy objectives:

- Maintaining Current Parks

- Developing a utilized trail system
- Developing New Parks
- Determining Recreational Uses for City Open Space

Since the last revision of the City Code, trail development and recreational use / programming have come to the forefront of needed focus by the Commission. At the October 21, 2013 Parks Commission monthly meeting, the Commission adopted the above mission statement (crafted by Council Member Reeves) to best reflect the group's current understanding of their role.

**STAFF REPORT:** The Staff believes that this mission statement is consistent with the current program of work and reflective of the role of park's commission's or committees in the East Metro.

**RECOMMENDATION:** To amend City Ordinance 32.081 to read: **"The Lake Elmo Parks Commission serves as an advisory committee to the City Council and city staff and makes recommendations to the Council on all matters relating to parks, trails, park development, and recreational uses of the city's open space"** The motion for this action is as follows:

***"Move to approve Ordinance 08-093, ratifying a new mission statement for the Lake Elmo Parks Commission."***

CITY OF LAKE ELMO  
COUNTY OF WASHINGTON  
STATE OF MINNESOTA

ORDINANCE NO. 08-093

AN ORDINANCE AMENDING SECTION 32.081 OF THE LAKE ELMO CITY CODE OF  
ORDINANCES GOVERNING CITY ORGANIZATIONS

**SECTION 1.** The City Council of the City of Lake Elmo hereby ordains that Section 32.081 is hereby amended to read as follows:

The Parks Commission is established to review and make recommendations to the Council on the future development of city parks, including the establishment of and improvements to the parks, and to make recommendations to the Council on policies governing the maintenance and public use of the parks within the city.

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

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

LAKE ELMO CITY COUNCIL

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

ATTEST:

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

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



MAYOR AND COUNCIL COMMUNICATION

DATE: 11/06/2013  
REGULAR \$\$  
ITEM #: 22

**AGENDA ITEM:** Feasibility Study for Lake Elmo Regional Trail  
**SUBMITTED BY:** City of Lake Elmo Parks Commission  
**THROUGH:** Dean Zuleger, City Administrator  
**REVIEWED BY:** Shane Weiss, Chair, City of Lake Elmo Parks Commission  
Parks Commission Trail Committee

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

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

**SUMMARY AND ACTION REQUESTED:**

To allocate \$12,000 of Parkland Dedication Funds to complete a feasibility study of a multi-use trail corridor, to be known as the Lake Elm Regional Trail, that would extend from Oakdale (at the corner of Inwood & Stillwater Avenue) to the Stillwater Senior High School. This trail segment has been endorsed by the Parks Commission as their priority trail project. The motion for this action is as follows:

*“Move to approve the allocation of parkland dedication funds, not to exceed \$12,000 for a study to determine the feasibility of an east-west regional trail connecting Oakdale to the Stillwater Senior High School in reasonable proximity to the Highway 5 Corridor.”*

**STAFF REPORT:**

In 2013, the City of Lake Elmo Parks Commission conducted a community survey to assess park & recreational needs. The survey results noted that community connectivity and trail development was a priority with respondents. The Park Commission created a Committee to study trail needs that incorporated the survey results, the City’s Trail Plan and traffic safety needs of the community. At the conclusion of their study they determined that the creation of a trail from Oakdale to the Stillwater High School with tangential access to Sunfish Lake, the Lake Elmo Park Reserve and downtown Lake Elmo was a priority in the implementation of a trail plan. This trail would interconnect with the County’s plan to provide west-side access to the LEPR as well. This plan would also utilize existing public land, ROW, and other public lands to minimize the cost of right of way acquisition. The project would be constructed in two phases – Oakdale to the Old Village and then the Old Village to the Stillwater Senior High. It is the intention of the Park Commission to apply for a Minnesota Legacy Grant through Washington County to the met Council for the funding of this project. Currently former Mayor Dean Johnston serves as the Chairman of the Met Council’s Parks & Open Space Commission and community advocate Jennifer

Pelletier serves as a member of the Washington County Parks Commission – both are supportive of this project and will play key roles in the advocacy of this plan.

In order to make proper application for the Legacy Grant, a feasibility study needs to be completed of the trail to identify ADA issues, right of way issues, safety needs, and potential interface conflicts with the rail line, STH 5, and use of the Lake Elmo Park Reserve. It is anticipated that this study will cost \$12,000 to complete to determine feasibility. The study would be coordinated by Focus Engineering.

**RECOMMENDATION:**

Staff Recommends the following action:

*Move to approve the allocation of parkland dedication funds, not to exceed \$12,000, for a study to determine the feasibility of an east-west regional trail connecting Oakdale to the Stillwater Senior High School in reasonable proximity to the Highway 5 Corridor.*

**ATTACHMENT(S):**

1. Lake Elmo Regional Trail Concept Map



# Lake Elmo Regional Trail - Feasibility



- Phase 1
- Phase 2
- Municipal Boundary

City of Lake Elmo  
 10-31-2013  
 Data Source:  
 Washington County, MN

