



City Council Meeting – 6:00 p.m.
Tuesday, April 15, 2014
Lakeland City Hall

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|-----|--|--------------------------------|
| 1. | CALL TO ORDER | Bob Livingston |
| 2. | PLEDGE OF ALLEGIANCE | Bob Livingston |
| 3. | CONSENT AGENDA – Items defined as routine business not requiring discussion and approved by roll call vote. Items may be pulled from the Consent Agenda for discussion and/or separate action. | Bob Livingston |
| 4. | LAW ENFORCEMENT REPORT | Amy Williams
Deputy Sheriff |
| 5. | PETITIONS TO THE COUNCIL – Items requested to be placed on the Agenda from the public or from the floor. | Bob Livingston |
| 6. | 2014 STREETS SEAL COAT & CRACKSEAL PROJECTS | Matt Kline |
| 7. | YOUTH SERVICE BUREAU SERVICE AGREEMENT | Chris Wallberg |
| 8. | CITY STAFF REPORTS | |
| | - Attorney | - Engineer |
| | - City Clerk | - Public Works Director |
| | - Spring Clean Up | - Skid Steer |
| | - Recycling Update | - Treasurer |
| | - Tax Forfeited Land | |
| 9. | COUNCIL MEMBER REPORT/Bednar | Asia Bednar |
| 10. | COUNCIL MEMBER REPORT/Glasgow | Richard Glasgow |
| 11. | COUNCIL MEMBER REPORT/Williams | Amy Williams |
| 12. | COUNCIL MEMBER REPORT/Paiement | Joe Paiement |
| 13. | MAYOR'S REPORT | Bob Livingston |
| 14. | ADJOURN | Bob Livingston |

CONSENT AGENDA

CONSENT AGENDA ITEMS are defined as routine business not requiring discussion or approval by roll call vote. Members may elect to pull Consent Agenda item(s) for discussion and/or separate action.

- A. Minutes of the March 18, 2014 & March 25, 2014 Regular City Council meeting
- B. Treasurer's Report
- C. Bills to be Approved
- D. Transfer massage salon at 326 St. Croix Trail / Lakeland Village to new owner, Jianping Wan and change the business name to Sunny Spa

CITY COUNCIL MEETING
Tuesday, March 18, 2014

CITY COUNCIL PRESENT: Bob Livingston, Asia Bednar, Richard Glasgow

STAFF PRESENT: Chris Wallberg, Matt Kline, Steve Iverson, Tom Niedzwiecki, Chris Johnson

OTHERS PRESENT: Chris White, Jim Space, Terrance Hogan

1. **CALL TO ORDER** by Mayor Livingston at 6:04 p.m.
2. **PLEDGE OF ALLEGIANCE** *was recited.*
3. **CONSENT AGENDA – M/S/P (Glasgow/Bednar) to approve the Consent Agenda. Passed Unanimously.**
 - A. Minutes of the February 18, 2014 Regular City Council meeting
 - B. Treasurer's Report
 - C. 2013 Final Financial Statements
 - D. Bill to be Approved
 - E. Resolution approving authorized signers for 4M Fund City of Lakeland with US Bank
 - F. Transfer massage salon at 326 St. Croix Trail / Lakeland Village to new owner, Ben Wei, and change name to Rainbow Spa
 - G. Expenditure of up to \$2,400 for the Lakeland-Lakeland Shores Spring Clean Up Day
4. **LAW ENFORCEMENT REPORT** – The Law Enforcement report was yielded to Deputy Sullivan. Deputy Sullivan explained the difference between types of medical incidents on the ICR report. He stated a heroin overdose took place in Lakeland. The incident involved a 20 year-old who overdosed, had Narcan administered and was resuscitated by the LSCV Fire Department. The individual survived and is now in treatment. He added that heroin is now very cheap and is in upwards of 96% pure, which is very deadly. He stated that heroin usage has not been a large problem in the Lower St. Croix Valley, but has been in Hudson, WI. Bednar requested an update on the robberies that were discussed at the previous meeting. Sullivan stated that all the issues surrounding the robberies have been resolved and there is no threat to the community.
5. **PETITIONS TO THE COUNCIL** – Jim Space, 1109 Quixote Ave. N, stated that he submitted a letter to City Council and Staff voicing concern over receiving an invoice for \$3,795.31 for additional expenses related to his variance and grading & filling permit applications. He stated he feels the invoiced amount is excessive and decided to do research of his own. He stated he contacted three nearby communities regarding fees associated with permit and variance applications. He claimed that his comparison was "apples to apples" because the communities he contacted also have river properties. He stated his findings were detailed in the letter he submitted [On file with the City Clerk]. He claimed that Hudson, WI is the most expensive of the cities he contacted, and the cost is \$350. Livingston stated the comparison is not accurate because the information Space presented is for fees. He added the invoice from the City of Lakeland is based on hours worked by consultants and staff in relation to his grading & filling permit and variance applications. Space stated he contacted Sarah Taylor of Bayport and she informed him that applying for a variance, permit and engineer's plan review would cost \$250. Livingston stated he could not comment on Bayport's application fees or process. Livingston stated skepticism that Lakeland and Bayport would have such a stark contrast in expenses related to the application process. Space stated he contacted Shawn Sanders of Stillwater who informed him applying for a variance and grading & filling permit is free of charge. Livingston stated he does not hold the belief that Stillwater or Bayport absorbs the cost of contractors and staff when working on items in relation to variance or grading & filling permit applications. Space stated Sarah Taylor informed him that SEH is Bayport's engineering firm and that \$250 is the total fee including engineer review and inspection. Livingston stated that a majority of Space's arguments were legal issues and would not be discussed by the Council. He added most of the items were discussed previously and would not be revisited. He stated there is a court order against Mr. Space and he does not believe the Council should be involved with certain issues. He stated the court order was not yet completed and there is very little that can be done by the Council at present. Space stated there was no discussion regarding the termination of the required foliage to be planted on his property. Space stated that due to shady conditions and the presence of a tree canopy, very little foliage can grow in the required area. He stated the only foliage that has grown is weeds and large trees. Livingston agreed that the area does not receive a large amount of sunlight and stated a willingness to have the City Forester and the MSCWMO investigate to make suggestions on appropriate plantings. Space stated he is willing to work with those individuals. He added he has contacted Twin Cities Seed and Final Grade regarding what types of vegetation will grow in the area. He claimed both companies advised that the only item from the plantings list

that would grow successfully is fescue. Space questioned if he would be responsible if the foliage died due to a lack of sun. Livingston stated that he would prefer to leave that decision to an individual with expertise in the area. Livingston directed Space to contact the City Clerk for the telephone number of the City Forester. Space stated he is legally handicapped and during times of flood, he is only able to access his property by driving a pickup truck to the staircase located on the north side of his house. Livingston stated that issue would need to be addressed by someone other than the Council since it is part of the court order. Space claimed that the court order did not address vehicular traffic on the property and the Council imposed the vehicular traffic restrictions. Livingston stated he was unaware of whether Space's claims were fact and would not address them for that reason. Space enquired if the Council would address his situation at the next City Council meeting after the completion of research. Livingston stated the Council would not revisit the situation. He added he would allow experts to complete their evaluations at which time reports would be distributed to the Council for review. Attorney Chris Johnson stated he had the sense that a review of the previously granted variance was being requested by Space. He added that the Council already reached a quasi-legislative decision regarding the variance, and further review was inappropriate.

6. **PURCHASE OF STRUCTURE – HUMPHRIES PARK** – Bednar stated there was a request for a public meeting regarding improvements at Humphries Park. She stated the public meeting took place and a handful of residents attended along with the Planning Commission Chair and the City Clerk; the residents arrived at the consensus that they would like to see a play structure added. Residents would also like slides, tables and/or benches added and would prefer not to add a grill. They would also like the existing swings to be lowered. She added that the proposed location of the new structure was discussed and was indicated in the packet materials. She stated she is pleased with the input received from residents over the course of the public meetings and workshops that took place. She is seeking approval to move forward with the purchase of the play structure. Livingston stated he was not personally opposed to moving forward with the structure but was concerned about doing so due to the absence of a Councilmember, who voiced concern about purchasing the structure. He added he is not prepared to vote on the item for that reason and he would like to go to Humphries to examine the proposed location of the structure. Bednar stated residents favored the proposed location indicated in materials. She added the residents are not aiming at a target age group for the park and would like all age groups to use it. She continued that with the proposed placement of the structure on the east side of the park would allow young adults to continue their use of the open area for Ultimate Frisbee. The new equipment would be in a more open area that would also be inviting. Bednar stated the proposed structure would be appropriate for younger children. Kline indicated that a drainage swale was located in the area where Bednar proposed to place the structure. Bednar stated the location indicated in the materials was approximate and could be moved to accommodate the drainage swale. She added the proposed structure would not be the same as she presented in October. She stated the residents indicated they would like the structure to include a tunnel and larger slide. Glasgow stated he would like to see a vote take place next month and would like more input from the absent Councilmembers. Bednar expressed frustration that no other Councilmembers attended the public meeting or the workshop to give input. Chris White, 301 Queenan Ave S., stated there has been adequate opportunity for Councilmembers to express their opinions and they should have done so by now so a vote could be taken. Bednar expressed disappointment for the residents who have taken time to provide their opinion at workshops and meetings. Livingston stated he would like the item on the agenda for a vote in April. Glasgow questioned how many children lived around Humphries Park. Bednar stated she did not have exact figures, but is aware there are day cares in the area. She added that she had received no communication that Councilmembers were unable to attend the public meeting; she would have been willing to accommodate schedules if notification was received. Bednar stated this item was pushed back month by month since December and she feels as though everything that Council had requested was accommodated. Livingston said the item will be on the agenda for the April meeting and a vote will be taken. Wallberg clarified the item was on the current agenda for action. Livingston stated no action would be taken and the item would be revisited in April.
7. **ONLINE PAYMENT OF WATER BILLS** – Livingston stated online payment of water bills was discussed in the workshop preceding the Council Meeting. Kline stated a consensus was reached at the workshop to move forward with the purchase of ACH module software from Civic Systems with a one-time purchase price of \$1,750 and annual support fee of \$175. This software would allow the Water Utility to complete auto-bank withdrawal transactions. It would not give the capability to pay water utility bills online but this software would also allow an update of current software to allow automatic billing updates if online payments were pursued later. Kline stated he did not expect the software would save a large amount of time or money for the Water Utility, and is more of a convenience for citizens. Wallberg clarified a consensus of the Council was reached at the workshop. **M/S/P(Glasgow/Bednar) to approve the purchase of ACH Module software from Civic Systems for \$1,750 initial purchase cost and \$175 annual support fee.** Bednar stated she wished to clarify that residents will not have the ability to pay online with the software. Kline stated that an article in the newsletter and on the website would be available for informing residents.

Glasgow suggested placing information directly on the water bill and Kline stated that would be possible. Kline added he was unsure of the timeline of implementing the software. **Passed Unanimously.**

8. **PERSONNEL COMMITTEE UPDATE ON PLANNING/ZONING** – Livingston stated he would like to move the Personnel Committee Update on Planning/Zoning to the April meeting due to the absence of Councilmembers Williams and Paiement.

9. **RECYCLING COMMITTEE – SINGLE-STREAM UPDATE** – Wallberg stated a memo and information regarding the single-stream recycling proposal were included in the meeting materials. She stated the Recycling Committee has been meeting with Maroney's Sanitation and Eureka Recycling over a period of approximately 6 months to formulate the proposal. The Committee includes representatives from Lakeland and Lakeland Shores. The two cities have participated in a joint recycling arrangement for over 20 years. By switching to single stream, recycling Lakeland will come in line with other surrounding communities. She added Lakeland would still receive revenue sharing from Eureka Recycling as it currently does. Maroney's Sanitation would continue to pick up recycling materials but the pickup day would change to every other Wednesday, as that is when their garbage collection takes place. Lowering the amount of garbage truck traffic would be beneficial to maintaining good condition of the streets. She stated new containers would be required to switch to single-stream recycling and each property would receive a new container. Currently only about two-thirds of the City households were provided with the old blue containers. A truck with a mechanized arm would be used for the collection of single-stream recycling materials and new containers would be required for that reason. Maroney's Sanitation is proposing to buy, assemble and deliver new containers, which the Committee agreed with. Maroney's also will offer disposal of the old blue containers at the annual spring cleanup for a fee of \$3. She stated obtaining the carts would be an investment and the cost of recycling would go from \$2.98 per household per month, to \$3.78 per household per month in the first year of the contract, and \$3.51 per household per month for the final two years of the contract. Maroney's Sanitation has requested a 3-year contract to cover the costs associated with purchasing, assembling, and delivering the containers; there would also be an option for a 2-year extension. She stated that there is an option to have the program implemented by May 1, 2014, which would allow residents to dispose of old containers at the Spring Clean-up on May 3 if desired. Approval is being sought for the Recycling Committee's recommendation to switch to single-stream recycling with Maroney's Sanitation providing and delivering containers; and seeking direction on where additional costs for 2014 would be expensed. Glasgow questioned if Maroney's Sanitation or the homeowner would own the carts. Wallberg stated Maroney's would own the carts and a provision could be added to contract to clarify ownership. Glasgow stated the desire to strike section 20 regarding termination of services and discussion followed. Johnson suggested that striking section 20 and amending section 6 may be appropriate. He also suggested adding language regarding a contract termination period and/or renegotiation period to section 6. He stated concern regarding ownership of the containers and added the decision was at the discretion of the Council. Glasgow and Livingston stated the preference that Maroney's maintains ownership of the containers. **M/S/P(Glasgow/Bednar) to approve the contract with Maroney's Sanitation for full service curbside recycling, eliminating item #20 from the contract, adding language to the contract stating Maroney's would retain ownership of the containers, and changing the wording of contract item #6 to read (60) days as opposed to (30) days before the expiration of this Agreement.** There was discussion regarding the increase in recycling costs that was not budgeted for 2014. Niedzwiecki stated it was not necessary to address at the current time and could be examined at the end of 2014. **Passed Unanimously.**

10. **LEAGUE OF MINNESOTA CITIES INSURANCE TRUST LIABILITY** – Wallberg stated the form presented in the meeting materials is a clerical item that is required periodically with changes or renewal of the City's insurance. Johnson provided an explanation as to why City would waive statutory tort limit. He stated waiving the statutory tort limit would expose the City to greater liability, as it would allow an individual sustaining injury to pursue greater amounts of compensation than is covered by insurance. Electing not to waive the statutory tort limit ultimately lowers insurance premiums. Johnson stated that the statutory tort limit cap is fixed. There was discussion regarding the coverage limit listed on waiver form. **M/S/P (Livingston/Bednar) to confirm Lakeland does not waive the monetary limits on municipal tort liability established by Minnesota Statutes 466.04. Passed Unanimously.**

11. STAFF REPORT

Attorney – None.

City Clerk – Wallberg reported that she attended a meeting regarding the new system for Code Red. She outlined the purpose of the meeting, the steps necessary to implement its use in Lakeland and stated it would likely be a significant amount of time before it was ready for use. She stated the only additional fee for Code Red is associated

with sending out community voice alerts, and the fee is minimal. Lakeland's Board of Appeal and Equalization is scheduled for April 8, 2014 from 5 p.m. until 6 p.m. and gives residents an opportunity to discuss the valuation and classification of their property. If it is necessary, there will be a Board of Appeal and Equalization follow up meeting scheduled as part of the regular City Council meeting on April 15, 2014. She stated it is very important for Councilmembers to attend the Board of Appeal and Equalization meetings. She stated she spoke to Jeff Heimann, the volunteer coordinator of the Spring Clean-up, which will take place May 3, 2014 from 8 a.m. to 12 p.m. All services offered in past clean-ups are expected to be available. Mr. Heimann is currently in the process of obtaining a company that disposes of e-waste. If a company is unable to be identified, flyers from the Washington County e-waste disposal site will be distributed.

Public Works Director – Kline stated there has been a large number of water line freeze ups in Minnesota; there has been 58 freeze ups in the Lakeland Water Utility system. He reiterated that homeowners are responsible for water lines from inside the home to the water main and are responsible for maintenance costs. He stated the Water Utility was helping customers with mitigating freeze ups until recently as the LMC advised against it. He stated the Water Utility helped due Lakeland being a small City but has now moved away from it based on the advice of the LMC. He stated the Water Utility covered expenses for welding services for approximately 40 customers for which invoices will be issued. He stated water tower #1 experienced severe freezing outside of what is considered normal. He added the walls of the tower always have some freezing but the entire top of water tower #1 froze. When the top becomes frozen the likelihood of the entire tower freezing increases, which can compromise the integrity of the entire structure. He stated high-pressure water was used to blast a hole in frozen top area. He stated water has been running since the hole was created in an attempt to bring warmer water to the top of the tank. Due to this and customers with frozen lines continuously running water, massive amounts of water have been used when compared to normal winter usage. He thanked City Engineer John Parotti and the Lower St. Croix Valley Fire Department for their assistance. He stated spring could present more problems as they are unsure if pipes that were frozen burst, all the frozen lines would need to be monitored to ensure they did not break. He stated potential leaks might not come to the surface due to the areas sandy terrain. There is also a possibility that houses that are not connected to the Water Utility may have frozen at the curb-stop, which may cause leaks. He stated the other Cities involved in the JPA own their water system infrastructure and around 90% of the freeze ups have taken place in St. Croix Beach. The Water Utility is unsure why most have occurred in St. Croix Beach but the City is at the far end of the water system. The Water utility has instructed customers with freeze ups to continuously run water for which they are receiving credit on their bills. He stated between 5 and 6 million gallons would be used, which will cost the Water Utility between 11 and 12 thousand dollars. There was discussion regarding responsibility for Water Utility lines and curb-stops at properties not currently connected to City Water. Kline stated the JPA indicates responsibility of the homeowner begins once a property has been connected to City water. Glasgow suggested the JPA needs to be examined. Chris White questioned how the decision was made to credit homeowners who must have water running continuously. Kline stated there had been freeze ups approximately 20 years ago and the previous Public Works Director had credited the customers. He also added the JPA allows the Water Utility to make that decision. He also stated the decision was made when approximately 5 or 6 freeze ups had occurred and he did not expect 58 homes to freeze up.

Treasurer – Niedzwiecki reported that roughly \$6,000 of charges related to the freeze ups were charged to Public Works but will be amended and charged to the Water Utility. He stated when the water rate analysis is completed there is a contingency for prospective problems that may arise, such as frozen pipes. He will be filing the year-end report with the State Auditor, which is due by March 31. He stated Lakeland would be receiving between \$12,000 and \$15,000 from FEMA for the beach restoration project. He reported that building surcharge reports had not been submitted dating back to the 2nd Quarter of 2013 and approximately \$1,500 is owed. He stated a special distribution of \$10,853 was received from the Cable Commission, which is about 40% of the total distribution. The Communications reserve is approximately \$40,000 as of February. Approximately \$14,000 was spent from the Communications fund in 2013, which included a one-time initial set-up payment of roughly \$2,400 to GovOffice for the new website.

Zoning – None.

12. **COUNCIL MEMBER REPORT/** Bednar reported she plans to work with former Mayor Craggs on obtaining grants to address the bike path.
13. **COUNCIL MEMBER REPORT/** Glasgow reported LSCFD had 13 calls in Lakeland. He stated Commissioner Kreisel is working with Washington County to eliminate the costs of disposing of fluorescent light bulbs at the LSCFD. He stated the Alliance will hold a meeting on March 24; Judy Hunter of Washington County will be present to explain the

environmental charge that is present on refuse hauling bills; Senator Katie Sieben was invited to explain Senate file 2272 which addresses the authority of the DNR in local decisions.

14. **COUNCIL MEMBER REPORT/** Williams was not present to report.
15. **COUNCIL MEMBER REPORT/** Paiement was not present to report.
16. **MAYOR'S REPORT/** Livingston stated he had a meeting with County and State Officials regarding water quality. He reported a workshop with DNR took place and he felt it went well. Both parties were well represented and he was impressed with the DNR's presentation. He felt the positive progress was made at the meeting but it was negatively affected when Senate file 2272 was brought to the attention of the City. Both parties agreed to meet again on May 13 at 6 p.m. He feels communication between the City and the DNR is important. Wallberg requested that Councilmembers inform her if they are unable to attend the meeting. Glasgow suggested expanding the meeting to include other cities in the valley. Livingston stated he would prefer to wait to involve other cities due to recent events.
17. **ADJOURN – M/S/P (Glasgow/Bednar) to adjourn meeting at 7:29 p.m. Passed unanimously.**

Bob Livingston, Mayor

Steve Iverson, Deputy Clerk/Recorder

SPECIAL CITY COUNCIL MEETING
Tuesday, March 25, 2014

CITY COUNCIL PRESENT: Bob Livingston, Asia Bednar, Richard Glasgow, Amy Williams, Joe Paiement

STAFF PRESENT: Chris Wallberg, Steve Iverson, Dave Snyder

OTHERS PRESENT: Brian Zeller, Bill Francel, Josh Brekken, Rod Burt

1. **CALL TO ORDER** by Mayor Livingston at 6:04 p.m.
2. **PLEDGE OF ALLEGIENCE** *was recited.*
3. **S.F. 2272 CERTIFICATION OF LOCAL ZONING DECISIONS** – Livingston stated the bill was introduced to Committee on March 21 and was substantially changed. Brian Zeller, 16616 11th St, stated the amended bill has a hearing scheduled at the Senate Finance Committee on March 28 at 9 a.m. He stated the bill was amended and a majority of the language that he found personally concerning was removed; the bill seems to reaffirm the DNR has oversight over changes in the River District zoning. He stated line 1.31 could potentially set a new standard but without the ability to enforce it the impact would likely be minimal. He feels it “opens the door” for the DNR to create other minor text amendments that may be more harmful to the authority of local units of government. The bill has not yet been scheduled for review in the House. Williams stated the “door was open” a number of years ago when River District overlay was instituted. She added she was pleased with the amendments to the bill. Glasgow stated he attended the Senate hearing. He feels it is a shame that local government must be weary of State government. He takes issue with the process regarding the bill and does not feel it is a bad bill in its amended form. He also feels it is a shame when a bill is introduced and local government is not notified or involved. He also stated displeasure that the City was not notified by our local Senator or Representative. He feels the City Council is transparent and State government should be held to the same standard. Paiement questioned what content remained in the amended bill. Williams stated the bill effectively does nothing and it reiterates that any changes to Zoning Ordinance must be approved by the DNR if it’s in the Lower St. Croix Valley River District. The original bill included language that would’ve required the DNR to certify variances in the St. Croix River Valley Bluffland/Shoreland District. She stated she spoke to Jenny Shillcox of the DNR, who indicated she was in favor of the bill because it established the role of the DNR in counseling and working directly with the cities. The bill would provide statute that clearly spells out the DNR’s role in working with cities. She stated it also provides the DNR justification for a new hiring, which is part of the reason why it is front of the Finance Committee. She stated Craig Johnson informed her that the statute would allow the DNR to make an expenditure of \$40,000 per year on a part-time liaison. She stated she has no significant concerns and she spoke to Senator Katie Sieben, Senator Karen Housley, and Craig Johnson who stated Lakeland will be informed of anything that arises with the bill. Zeller stated he would like the Council to request a legal opinion on line 1.31 of the bill. A current copy of the bill was not available to examine line 1.31. Williams stated she would keep abreast on information coming forward and inform the Council of any new developments. Livingston stated he would like to have a report from elected officials regarding progress of the bill. Zeller questioned if Attorney Snyder has had an opportunity to review the language in the bill. Snyder stated he had examined the bill. He stated the statute as proposed purports to establish a DNR representative to coordinate with municipalities to communicate regarding variances. He stated the current language is an improvement from the standpoint of retaining City involvement and administering ordinances. He stated this is a policy question regarding what the Council desires to be able to do in terms of jurisdiction. If the Council wished to retain jurisdiction the amended bill is favorable. He added the new language is sufficiently restrictive. He stated the Council has to make a policy decision on where to have regulatory role. There are three options to the Council’s next step which include taking a position, taking no position or communicating with representatives. He added that if communicating with representatives is the path chosen, in his opinion, incorporation of reasonableness standards should be included in the statute. He stated the current statute indicates that it would require the applicant to provide reasoning that no other option other than variance exists for the proposed development. He stated it is unrealistic to expect this of applicants, which is why reasonableness standards are necessary in the statute. He suggested that the Council consider requesting the DNR notify the City very early in the process if there are legislative initiatives. He feels the insinuation may be that local units of governments have not been active. He stated that no other cities have been as active as Lakeland in terms of enforcing ordinances. He added he believes Lakeland has an outstanding track record regarding variance requests and ordinance enforcement. He stated the Council ultimately needs to decide a course of action but a letter would be the most effective means if communication is the chosen path. He suggested that if a letter is sent the City insist on the incorporation of reasonableness standards. Secondly, he suggested to note the record of the City of Lakeland in regard to variance requests in terms of enforcement efforts which come at great effort and cost to the City. Lastly, he suggested the letter requests the DNR notify the City early of any regulatory efforts. **M/S/P(Williams/Livingston)**

authorizing the City Attorney Dave Snyder to compose a letter to the DNR covering points indicated by Dave Snyder during workshop discussion - including the incorporation of reasonableness standards, noting the record of the City of Lakeland in regard to variance requests in terms of enforcement, and requesting the DNR notify the City of any regulatory efforts early in the process – with a draft provided to the Mayor for review prior to submission and signed by the Mayor after approval. It was agreed upon to send the letter to Senator Housley, Senator Sieben, and the Environmental subcommittees in the Minnesota Senate and House. Snyder stated he would work with Mayor to ensure the letter is reflective of the Council's opinion. Livingston stated he would like the Council to review the draft letter and provide commentary so he is not the only Councilmember reviewing the letter. He added he would like the review to be limited in timeframe and would like the letter sent by the end of the current week. **Passed Unanimously.** Livingston stated he would like to continue to explore the concept of representation in the press and to other groups; requested to have the item added to the May workshop agenda.

4. **PURCHASE OF STRUCTURE AT HUMPHRIES PARK** – Bednar stated the proposed structure at Humphries Park has been on every agenda since October 2013, other than December. She added that all members of the Council weren't present at previous meeting so she desired to re-address the issue to reach a decision. Livingston stated usually Special Council Meetings are for urgent and time sensitive items but he understood the exception for this issue. Bednar stated the proposal had not changed since the previous meeting. She reiterated for the Councilmembers that were not present at the March 18 meeting that a Public Meeting took place for residents to voice their opinions. The residents indicated they would like to see an additional play structure at Humphries Park. They would like the new structure to include a crawl through tunnel, a hang and slide apparatus, one large slide and one small slide. Residents stated they were not in favor of adding a grill. They were in favor of lowering the existing swings, adding additional benches near the proposed structure and in the northern section of the park. They added they would like the proposed structure to be adequate for children ranging from 2 years old to approximately 4th grade. There are daycares located directly by the park, which would lead to heavy use of the equipment. She stated she is seeking approval to move forward with the purchase. Williams enquired if the placement of the new structure would allow for picnic area or gazebo to be added to Humphries Park in the future. She said the feedback she received indicated gazebo or expanded picnic would be desired as none of the parks in Lakeland have a good picnic facility. Bednar stated there would be adequate space in the northern section of the park for a future picnic structure. Bednar suggested that money saved by City employees placing mulch at the new structure at Crocker Park, potentially could be used for the purchase of additional picnic tables. Bednar explained that she is seeking a not to exceed amount of \$45,000 for the expenditure on the new structure. **M/S/P(Williams/Livingston) to authorize Councilmember Bednar to purchase playground equipment for Humphries Park, with the price not to exceed \$45,000.** Williams stated concern about road deficits and she stated there is about a \$200,000 deficit in 2018. She added that since residents are in favor of adding the structure now, she is willing to relent on her previous stance objecting to the purchase. She stated the desire to exercise caution on elective spending until the road shortfall has been addressed. Livingston stated he does not want to go into major budget cutting because of roads, after a lot of progress in repairs and maintenance. He stated roads were a major point of contention for residents in years past, but complaints have subsided due to recent repairs and maintenance. Livingston stated the projected shortfall will have to be examined in detail and discussed with the Public Works Director. There was discussion regarding seeking volunteers or residents to construct the new play structure. Livingston suggested checking the City's insurance for liability when using volunteers. **Passed Unanimously.**

5. **ADJOURN – M/S/P(Williams/Bednar) to adjourn meeting at 6:38 p.m. Passed unanimously.**

Bob Livingston, Mayor

Steve Iverson, Deputy Clerk/Recorder



Public Works

690 Quinnell Avenue North
Lakeland, MN 55043-9463
Voice: (651) 436-8044
Fax: (651) 436-3949
E-mail: lakelandwater@comcast.net

To: Lakeland City Council
From: Matt Kline | Director of Public Works
Date: April 10, 2014
Re: 2014 Street Project Bids Recommendation

Bid openings for the 2014 Street Project that includes crack sealing and seal coating were executed on Wednesday April 9th. Three bids were received for each project. I've attached SEH's recommendations and reviews of the bids. The recommended bids for each project came in under the estimate for the entire project.

Staff recommends awarding the bids as outlined in the memos from SEH. Acceptance of Allied Blacktop bid for seal coating in the amount of \$82,626.50 and acceptance of Precision Sealcoating bid for crack sealing in the amount of \$13,395.00.



Building a Better World
for All of Us®

MEMORANDUM

TO: Matt Kline | Director of Public Works

FROM: John D. Parotti, PE | City Engineer

DATE: April 10, 2014

RE: 2014 Street Maintenance Seal Coating, Recommendation to Award
SEH No. LAKEL 127195 14.00

On Wednesday, April 9, 2014, bids were received for the above-referenced project. Three bids were received as noted below. A detailed bid tabulation is also attached for your reference.

Contractor	Total Bid
Allied Blacktop Company	\$82,626.50
Pearson Bros., Inc.	\$87,636.55
Fahrner Asphalt Sealers, LLC	\$89,333.30

Three bids were received for the project. The bids ranged from \$82,626.50 to \$89,333.30. The low bid was submitted by Allied Blacktop Company, Maple Grove, Minnesota. Based on our experience and review, it is our opinion that Allied Blacktop Company has the required equipment and expertise to perform the work as outlined in the contract specifications. We, therefore, recommend award of the project to Allied Blacktop Company in the amount of \$82,626.50.

Attachment

p:\ko\lakel127195\bitding documents\2014 seal coat\bid award memo 2014_04_10.docx

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 156 High Street, Suite 300, New Richmond, WI 54017-1128
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TABULATION OF BIDS

2014 Street Maintenance - Bituminous Pavement Seal Coating
 Lakeland, Minnesota
 SEH No.: LAKEL 127195
 Bid Date: 1:00 p.m., Wednesday, April 9, 2014

Item No.	Item	Unit	Est. Quantity	Allied Blacktop Company		Fahrner Asphalt Sealers LLC		Pearson Bros., Inc.	
				Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
2356.505	Bituminous Material for Seal Coat	GAL	15145	\$3.30	\$49,978.50	\$4.02	\$60,882.90	\$3.14	\$47,555.30
2356.507	Seal Coat Aggregate (FA-2)	TON	583	\$56.00	\$32,648.00	\$48.80	\$28,450.40	\$68.75	\$40,081.25
TOTAL BID PRICE					\$82,626.50		\$89,333.30		\$87,636.55



Building a Better World
for All of Us®

MEMORANDUM

TO: Matt Kline | Director of Public Works

FROM: John D. Parotti, PE | City Engineer

DATE: April 10, 2014

RE: 2014 Street Maintenance Crack Sealing, Recommendation to Award
SEH No. LAKEL 127195 14.00

On Wednesday, April 9, 2014, bids were received for the above-referenced project. Three bids were received as noted below. A detailed bid tabulation is also attached for your reference.

Contractor	Total Bid
Precision Sealcoating	\$13,395
Allied Blacktop Company	\$18,178
Fahrner Asphalt Sealers, LLC	\$30,340

Three bids were received for the project. The bids ranged from \$13,395.00 to \$30,340.00. The low bid was submitted by Precision Sealcoating, Inc., Princeton, Wisconsin. Based on our experience and review, it is our opinion that Precision Sealcoating, Inc. has the required equipment and expertise to perform the work as outlined in the contract specifications. We, therefore, recommend award of the project to Precision Sealcoating, Inc. in the amount of \$13,395.00.

Attachment

p:\ko\lakel\127195\biting documents\2014 crack seal\bid award memo 2014_04_10.docx

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SEH TABULATION OF BIDS

2014 Street Maintenance - Bituminous Pavement Crack Sealing

Lakeland, Minnesota

SEH No.: LAKEL 127195

Bid Date: 1:00 p.m., Wednesday, April 9, 2014

Item No.	Street Name	From	To	Est. Length (ft)	Est. Width (ft.)	Est. Area (SY)	Bid Unit	Precision Sealcoating, Inc.			Allied Blacktop Company			Fahner Asphalt Sealers LLC		
								Bid Unit Price	Bidder's Est. of Cracks (LF)	Bidder's Est. of Cracks (LF)	Bid Unit Price	Bidder's Est. of Cracks (LF)	Bidder's Est. of Cracks (LF)	Bid Unit Price	Bidder's Est. of Cracks (LF)	Bidder's Est. of Cracks (LF)
1	12th St So	Co. Rd. 18	Quinlan Ave. S.	650	24	1733.3	LS	\$810.00	1,200	880	\$1,450.00	1,250	880	\$1,450.00	1,250	
2	Quinlan Ave So	12th St So	South City Limits	350	24	933.33	LS	500.00	1,000	290	290.00	250	290	290.00	250	
3	10th St Ct So	Co. Rd. 18	East End	310	24	826.67	LS	390.00	900	400	1,220.00	1,050	400	1,220.00	1,050	
4	8th St Place So	Co. Rd. 18	East CDS	450	24	1200	LS	480.00	1,000	800	1,450.00	1,250	800	1,450.00	1,250	
5	8th St Place So	8th St Place So	North End	480	24	1280	LS	495.00	1,100	1,100	957.00	2,000	1,100	2,310.00	2,000	
6	7th St So	Co. Rd. 18	East End	930	22	2273.3	LS	560.00	1,320	1,410	4,740.00	4,100	1,410	4,740.00	4,100	
7	Quixote Ave No	6th St No	7th St No	500	14	777.78	LS	180.00	280	60	240.00	200	60	240.00	200	
8	Quinlan Ave No	8th St No	3rd St No	2875	25	7986.1	LS	375.00	1,075	1,450	1,690.00	1,460	1,450	1,690.00	1,460	
9	Rivercrest Rd No	11th St No	South End	1300	24	3466.7	LS	900.00	1,400	3,400	1,990.00	1,720	3,400	1,990.00	1,720	
10	Rivercrest Rd No	11th St No	1243 Rivercrest Rd	480	24	1280	LS	600.00	800	1,340	2,500.00	2,160	1,340	2,500.00	2,160	
11	Rivercrest Rd No	1243 Rivercrest Rd	Old Toll Bridge Rd	595	26	1718.9	LS	660.00	1,400	180	330.00	280	180	330.00	280	
12	Rivercrest Rd No	Old Toll Bridge Rd	Old Toll Bridge Rd	705	24	1880	LS	310.00	600	300	370.00	320	300	370.00	320	
13	Rivercrest Rd No	Old Toll Bridge Rd	North City Limits	1700	24	4533.3	LS	405.00	800	840	1,170.00	1,010	840	1,170.00	1,010	
14	2nd St No	Co. Rd. 18	Quehl Ave No	620	22	1515.6	LS	200.00	220	120	220.00	190	120	220.00	190	
15	Quehl Ave No	South End	Quehl Ave Ct No	860	22	2102.2	LS	300.00	400	150	180.00	150	150	180.00	150	
16	Quehl Ave Ct No	Quehl Ave No	East End	250	22	611.11	LS	290.00	200	60	70.00	60	60	70.00	60	
17	Quehl Ave No	Quehl Ave Ct No	5th St Ct No	600	22	1466.7	LS	260.00	200	260	340.00	290	260	340.00	290	
18	5th St Ct No	Quehl Ave No	North End	450	22	1100	LS	230.00	154	210	420.00	360	210	420.00	360	
19	5th St No	5th St Ct No	Co. Rd. 18	500	22	1222.2	LS	210.00	200	160	180.00	150	160	180.00	150	
20	Quality Ave No	8th St No	Quality Ln No	300	24	800	LS	430.00	472	380	440.00	380	380	440.00	380	
21	Quality Ave No	Quality Ln No	Quality Ln No	640	24	1706.7	LS	295.00	298	810	850.00	730	810	850.00	730	
22	3rd St No	Quality Ave No	6th St No	500	22	1222.2	LS	310.00	600	140	290.00	250	140	290.00	250	
23	6th St No	3rd St No	Quality Ave No	1260	22	3080	LS	140.00	190	350	630.00	540	350	630.00	540	
24	3rd St No	Quality Ave No	Quant Ave No	1300	18	2600	LS	410.00	500	960	170.00	140	960	170.00	140	
25	2nd St No	Quality Ave No	East End	480	22	1173.3	LS	200.00	220	190	190.00	160	190	190.00	160	
26	2nd St No	Quality Ave No	West End	520	22	1271.1	LS	180.00	210	150	240.00	200	150	240.00	200	
27	3rd St Ct So	3rd St So	South End	450	22	1100	LS	160.00	190	680	910.00	780	190	910.00	780	
28	Queenan Ave So	3rd St So	5th St So	1320	22	3226.7	LS	510.00	968	1,400	1,280.00	1,100	1,400	1,280.00	1,100	
29	5th St So	Queenan Ave So	West End	875	22	2138.9	LS	300.00	300	680	710.00	610	680	710.00	610	
30	5th St So	Queenan Ave So	Co. Rd. 18	500	24	1333.3	LS	400.00	600	250	240.00	200	600	240.00	200	
31	St Cr Tr Frontage Rd	2nd St No	Division St	700	20	1555.6	LS	230.00	400	360	670.00	580	400	670.00	580	



SEH TABULATION OF BIDS

2014 Street Maintenance - Bituminous Pavement Crack Sealing

Lakeland, Minnesota

SEH No.: LAKEL 127195

Bid Date: 1:00 p.m., Wednesday, April 9, 2014

Item No.	Street Name	From	To	Est. Length (ft)	Est. Width (ft.)	Est. Area (SY)	Bid Unit	Precision Sealcoating, Inc.		Allied Blacktop Company		Fahmer Asphalt Sealers LLC	
								Bid Unit Price	Bidder's Est. of Cracks (LF)	Bid Unit Price	Bidder's Est. of Cracks (LF)	Bid Unit Price	Bidder's Est. of Cracks (LF)
32	St Cr Tr Frontage Rd	Freedom Station	North End	300	20	666.67	LS	195.00	280	181.00	230	250.00	210
33	Water Treatment Plant #2	Parking Lot	1190 St. Croix Trail South			1232	LS	400.00	500	522.00	620	1,110.00	960
34	Water Storage Tank #1	Site				1304	LS	620.00	425	244.00	290	720.00	620
35	Water Storage Tank #2	Access Road and Site				4544	LS	280.00	425	418.00	490	430.00	370
36	Humphries Park	Parking lot				210	LS	180.00	75	0.00	0	50.00	50
TOTAL BID PRICE								\$13,395.00	20,902	\$18,178.00	21,390	\$30,340.00	26,130



TO: City Council
FROM: Chris Wallberg
RE: Youth Service Bureau
DATE: April 15, 2014

Youth Service Bureau has submitted the attached draft Purchase of Service Agreement and requested \$6,300 for this year's expenditure.

This arrangement began in 2012, when the City provided \$4,373. Council approved an increase to \$5,000 for 2013. That amount was over what was budgeted, and \$800 was taken from cable funds to approve the increase. \$5,500 was budgeted for this line item for 2014, based on the Council's wish to have adequate funds available for this and other items that might come up.

The Agreement has been reviewed and approved by the City Attorney. Staff requests Council consideration for approval of the Agreement, at an amount within the \$5,500 amount budgeted for 2014. We recommend not using all the budgeted funds, so there is a cushion for other purposes.

cw

**CITY OF LAKELAND
YOUTH SERVICE BUREAU, INC.
PURCHASE OF SERVICE AGREEMENT**

The City of Lakeland, hereinafter referred to as the "City," and Youth Service Bureau, Inc., 101 West Pine Street, Stillwater, Minnesota, 55082, hereinafter referred to as the "Contractor," enter into this agreement for the period from April 1, 2014, to March 31, 2015.

WHEREAS, the mission of the City is to build safer communities by repairing the harm from, reducing the risk of, and involving the community in the resolution of juvenile crime;

WHEREAS, the City is committed to using community-based approaches to strengthen individuals, families, and community;

WHEREAS, the City has identified the following outcomes for juvenile diversion and early intervention:

Juvenile offenders will be held accountable for their actions by engaging in activities that repair the harm done to the victim and community and will participate in programs that promote an increased understanding of the impact of their offense on victims, communities, and themselves;

Crime victims will be notified of diversion proceedings; will have opportunities to provide input; and, if willing, will have the opportunity to participate in the process;

Community members will have active and direct involvement in programming;

WHEREAS, the City, pursuant to its goals of providing accountability and the most appropriate diversion and early intervention available to juvenile offenders, wishes to purchase services for youth involved in at-risk behavior from the Contractor to support these outcomes;

NOW, THEREFORE, the parties agree as follows:

1. Contractor's Duties – The Contractor agrees to the provision of the following services:
 - a. Recruit and support community work-service sites. Supervise and monitor community work-service clients who are ordered by the court and/or referred by the City Police Department.
 - b. Educational and prevention programs, specifically as follows: chemical awareness, fire awareness, theft awareness, violence awareness, or another approved alternative. Eligible juveniles include those who are referred by the City Police Department. The reason for the referral must be behavior or actions that could result in a police report and a petition for delinquency.
 - c. Evaluation and counseling. Counseling services include crisis intervention, youth, and family and group counseling. Referrals will be made for psychological/psychiatric evaluation and long-term mental health treatment.
 - d. The City law enforcement agrees to provide victims of crimes diverted by local law

enforcement the opportunity for direct or indirect involvement into how the juvenile should be held accountable, including consideration of the impact of the crime on the victim and any specific needs for restitution. When necessary, due to the offense, restitution will be determined and collected.

- e. When possible and appropriate, facilitate restorative justice interventions, such as victim/offender mediation, family group conferencing, and/or community panels, so that juvenile offenders are held direct accountable to the victim and victimized community through some form of reparation.
2. Attachments and References – The Contractor agrees to provide the enumerated services in Exhibit A, which is attached and incorporated herein by reference.
 3. Cost and Delivery of Purchased Services – The total amount to be paid to the Contractor for services purchased under this agreement shall be \$6,300.00. For these services, the City agrees to make a single annual payment to the Contractor of \$6,300.00 on or about July 1, 2014.
 4. Eligibility for Services – A Ramsey or Washington County resident between the ages of five and eighteen (or older if still in high school), their family members, and the victims of juvenile crime who are assessed to be appropriate shall be eligible for the services provided under the terms of this agreement.
 5. Evaluation, Reporting, and Information Requirements – The Contractor agrees to reasonable evaluations of its programs, employees, and volunteers and make them available for review by the City if so requested. The Contractor agrees to comply with all reporting requirements as assigned by law, rule, or contract by the State of Minnesota and Ramsey County. The Contractor further agrees to abide by all laws and rules regarding confidentiality and data practices. The Contractor agrees to provide necessary information allowed by law and deemed necessary by the City on referred cases.
 6. Indemnification – The Contractor agrees to indemnify, defend, and hold harmless the City, its officers, employees, and agents for all claims arising out of the Contractor's activities related to the services provided under this agreement up to the liability limits set forth in Minn. Stat. 466.04. The City will indemnify YSB, Inc. from and against all liability up to the liability limits set forth in Minn. Stat. 466.04. No other provision of this agreement shall serve to limit in any way the obligations of the Contractor to indemnify and defend the City under this clause.
 7. Insurance Requirements – The Contractor agrees that in order to protect it self, as well as the City, from claims arising out of the Contractor's activities under this agreement, it will at all times during the term of this agreement keep in force policies of insurance providing the following liabilities: professional liability insurance policy in the minimum amount of Four Hundred Thousand Dollars (\$400,000) bodily injury or death of one person; One Million Two Hundred Thousand Dollars (\$1,200,000) for bodily injury per occurrence; comprehensive general liability insurance policy in the minimum amount of Four Hundred Thousand Dollars (\$400,000) bodily injury or death of one person; One Million Two Hundred Thousand Dollars (\$1,200,000) bodily injury per occurrence; One Million Dollars (\$1,000,000) property damage; automobile insurance, including non-owned and hired autos, in the minimum of Four Hundred Thousand Dollars (\$400,000)

bodily injury or death of one person; One Million Two Hundred Thousand Dollars (\$1,200,000) bodily injury per occurrence; and One Million Dollars (\$1,000,000) property damage. The Contractor further agrees to maintain Workers' Compensation insurance in the statutory amounts. Certificates of Insurance showing the coverage listed herein shall be provided to the City prior to the effective date of this contract.

8. Data Privacy – All data collected, created, received, maintained, or disseminated for any purpose by the activities of the Contractor because of this agreement is governed by the Minnesota Government Data Practices Act, Minn. Stat. Chapter 13, as amended, the Minnesota Rule implementing such Act now in force or as adopted, as well as federal regulations on data privacy.
9. Record Disclosures/Monitoring – Pursuant to Minn. Stat. 16C.05, Subd. 5, the Contractor agrees that the City, the State Auditor, or any of their duly authorized representatives at any time during normal business hours and as often as they may reasonably deem necessary, shall have access to and the right to examine, audit, excerpt, and transcribe any books, documents, papers, records, etc., which are pertinent to the accounting practices and procedures of the Contractor and involve transactions relating to this agreement. The Contractor agrees to maintain these records for a period of three years from the date of termination of this agreement.
10. Nondiscrimination – During the performance of this agreement, the Contractor agrees to the following: No person shall, on the grounds of race, color, religion, age, sex, disability, marital status, public assistance status, criminal record, creed, or national origin be excluded from full employment rights in, participation in, be denied the benefits of, or be otherwise subjected to discrimination under any and all applicable federal and state laws against discrimination.
11. Independent Contractor – Nothing contained in this agreement is intended or should be construed as creating the relationship of co-partners or joint ventures with the City. No tenure or any rights or benefits, including Workers' Compensation, unemployment insurance, medical care, sick leave, vacation leave, severance pay, PERA, or other benefits available to City employees shall accrue to the Contractor or employees of the Contractor performing services under this agreement.
12. Conditions of the Parties' Obligation – This agreement may be canceled by either party at any time, with or without cause, upon 30 days' notice, in writing, delivered by mail, or in person. Any alterations, variations, modifications, or waivers of the provisions of this agreement shall be valid only when they have been reduced to writing, duly signed by both parties, and attached to the original of this agreement.
13. Compliance With Law – The Contractor shall abide by all federal, state, or local laws, statutes, ordinances, rules, and regulations now in effect or hereinafter adopted insofar as they relate to the Contractor's performance of the provisions of this agreement.
14. Firearms – Unless specifically required by the terms of this contract, no provider of services pursuant to this contract, including, but not limited to, employees, agents, or subcontractors of the Contractor shall carry or possess a firearm on City premises. Violation of this provision shall be considered a substantial breach of the agreement. Violation of this provision is grounds for immediate suspension or termination of this contract, without notice, pursuant to Section 12.

15. Savings Clause – If any section of this agreement is found to be invalid or not enforceable, the remainder of the agreement will remain in force and binding.
16. Governing Law – The laws of Minnesota shall govern the interpretation and prosecution of this agreement.
17. Notices – If any official correspondence concerning this agreement needs to be communicated to the other party, the following shall be deemed the effective addresses:

As to the City:

City of Lakeland
690 Quinnell Avenue North
Lakeland, MN 55043-9643

As to the Youth Service Bureau, Inc.:

Youth Service Bureau, Inc.
101 West Pine Street
Stillwater, MN 55082

IN WITNESS THEREOF, the City and the Contractor have executed this agreement this _____ day of _____, 2014.

APPROVED AS TO FORM

By: _____
City Attorney

By: _____
Mayor, City of Lakeland

By: Mary J. Poulter-Creef
Executive Director, Youth Service Bureau, Inc.



Youth Service Bureau

Improving young lives

www.ysb.net

STILLWATER

Historic Court House
101 W. Pine Street
Stillwater, MN 55082
Phone 651-439-8800
Fax 651-439-1040

WI Phone 715-781-0409

WOODBURY

1976 Wooddale Drive
Suite 4
Woodbury, MN 55125
Phone 651-735-9534
Fax 651-735-8986

COTTAGE GROVE

7064 W. Point Douglas Rd.
Suite 201
Cottage Grove, MN 55016
Phone 651-458-5224
Fax 651-458-5310

February 20, 2014

Ms. Christine Wallberg, City Clerk
City of Lakeland
690 North Quinnell Avenue
Lakeland, MN 55043-9643

Dear Ms. Wallberg,

Since 1976, Youth Service Bureau (YSB) has served the City of Lakeland and families throughout Washington County. Thanks to your support we have built partnerships throughout the community to meet the changing needs of youth and their families.

We are asking you to continue this partnership in 2014 by allocating \$6,300 to help youth and families learn the skills they need to be more successful at home, in school and throughout the community.

YSB programs make a real difference in the lives of youth and families by improving school performance and health outcomes and reducing truancy, near-term court costs, and the need for social services.

In 2013, we continued to see an increase in the number of youth and families seeking counseling and chemical health services. We provided 2,285 services to 1,426 families throughout Washington County. We're proud to share that 77% of the families involved in our counseling program report improvement and 85% of the youth served will not reoffend.

YSB remains committed to providing access to respectful and affordable programs that promote healthier youth, families and communities. We offer affordable fees that can be waived, flexible scheduling that includes evening and Saturday appointments, and neighborhood based locations.

We would be happy to attend an upcoming City Council meeting to share information about the services we've provided to Lakeland youth and their families and the outcomes of those services.

Thank you for your consideration and past support in finding local solutions that help youth and their families make better choices and have brighter futures.

Sincerely,

Mary E. Planten-Krell
Executive Director





TO: City Council
FROM: Chris Wallberg
RE: Conveyance for Tax Forfeited Land
DATE: April 15, 2014

Washington County has offered a tax forfeited parcel show on the attached to the City of Lakeland. The City requested and obtained conveyance of a parcel adjacent to the bike trail back in 2002. Council chose not to acquire another very small parcel in 2003, which was subsequently purchased by the owner of an adjacent property.

Staff has reviewed the parcel, and recommends that it not be requested to be acquired by the City. The property is completely surrounded by the MnDOT parcels and holds no revenue or other benefit for the City. Council response is needed. You may indicate by simple motion/vote if you do not have interest in the parcel; or adopt the attached draft resolution if you wish to request conveyance of it.

cw



**Property Records and
Taxpayer Services**

Jennifer Wagenius
Director

Steve Gransee
Taxpayer Services Division Manager

March 27th, 2014

Lakeland City Hall
690 Quinnell Ave N
Lakeland MN 55043

Re: Conveyances of Tax Forfeited Land to Governmental Subdivisions

City Clerk:

We have a number of parcels on our tax forfeited property master listing that either you specified having an interest in or our review indicates that you may have an interest in acquiring them for your governmental subdivision.

Attached for your review is a listing of these parcels sited in your governmental subdivision. I have also included a document entitled "Governmental Subdivision Acquisition" that describes the three methods available for you to acquire a parcel of tax forfeited land.

Please review the listing of parcels and the acquisition document and reply to us confirming which parcels you are interested in and the method of acquisition you would like to pursue. If you would like to meet and discuss the parcels and/or acquisition methods, call and we can schedule an April meeting.

We plan on reviewing the governmental subdivision acquisition requests during the month of April and submitting them for action to our Finance Committee and County Board in May.

Please feel free to contact either Andrea Banaszewski or myself at the following phone numbers or email addresses with any questions.

Andrea Banaszewski	651-430-8261	Andrea.Banaszewski@co.washington.mn.us
Steve Gransee	651-430-8272	Steve.Gransee@co.washington.mn.us

Sincerely,

Steve Gransee
Taxpayer Services Division Manager
Enc/Parcel listing and Governmental Subdivision Acquisition document

[Sign in](#)



Property Viewer

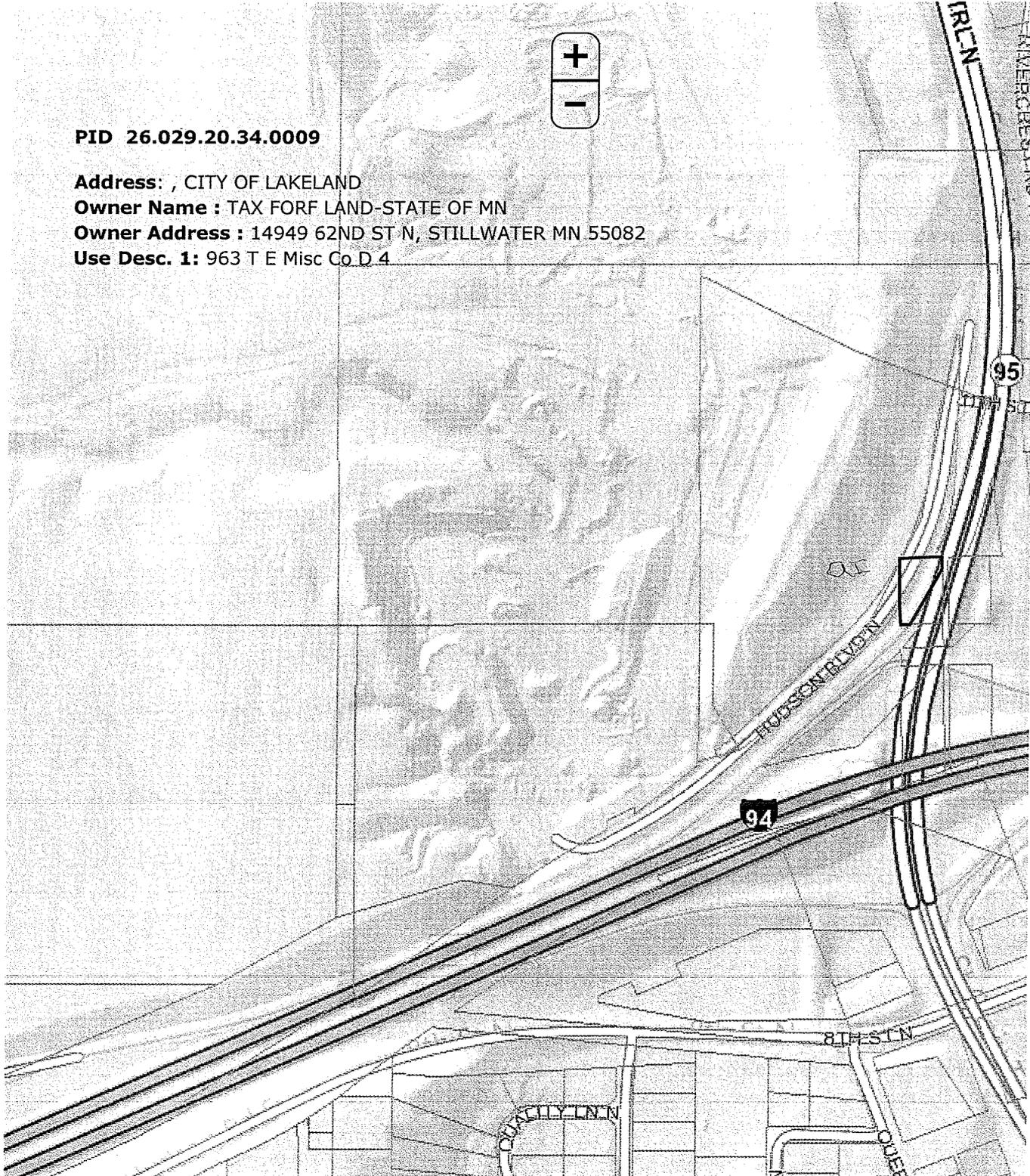
PID 26.029.20.34.0009

Address: , CITY OF LAKELAND

Owner Name : TAX FORF LAND-STATE OF MN

Owner Address : 14949 62ND ST N, STILLWATER MN 55082

Use Desc. 1: 963 T E Misc Co D 4



MWD DOT
all
around

Governmental Subdivision Acquisition

Tax Forfeited Parcels

A governmental subdivision may acquire a tax forfeited parcel either:

- (1) free of charge as long as it continues to be used for the authorized public use
- (2) by paying market value for an authorized public purpose
- (3) by paying less than the market value if the intentions for the property meet the requirements of M.S. 282.01, Subd. 1a, para. (d).

DEFINITION: "GOVERNMENTAL SUBDIVISION". A governmental subdivision may request to purchase a parcel of tax-forfeited land or to acquire it free of charge with a "conditional use deed." The statutes do not define the term, "governmental subdivision," for the purpose of either purchasing tax-forfeited land or acquiring it free of charge with a conditional use deed. (M.S. 282.01, Subd. 1a)

The Department of Revenue (DOR) recommends that the term, "governmental subdivision," be defined in the same way as the term, "political subdivision," is defined for property tax purposes. This definition includes the following local taxing districts: counties, cities, townships, school districts, and special taxing districts.

Examples of the special taxing districts that are most likely to purchase tax-forfeited land include, but are not limited to, the following:

- (1) housing and redevelopment authorities (HRA's) under sections 469.001 to 469.047
- (2) economic development authorities (EDA's) under sections 469.090 to 469.1081
- (3) port authorities under sections 469.048 to 469.068
- (4) watershed districts under chapter 103D

See MN Stat 275.066 for a definition of special taxing districts and other entities that apply.

(1) free of charge as long as it continues to be used for the AUTHORIZED PUBLIC USE

A county may convey tax-forfeited property free of charge to a governmental subdivision that uses the land for an authorized public use.

Authorized public use means a use that allows an indefinite segment of the public to physically use and enjoy the property in numbers appropriate to its size and use, or is for a public service facility. (M.S. 282.01, Subd. 1a, para (e)). The limitations of authorized public uses are enumerated in statute. The following list details the only property uses valid under the term "authorized public use":

1. A road, or right-of way for a road. (M.S. 282.01, Subd. 1a, para. (e)(1)).
2. A park that is both available to, and accessible by, the public that contains amenities such as campgrounds, playgrounds, athletic fields, trails, or shelters. (M.S. 282.01, Subd. 1a, para. (e)(2)).
3. Trails for walking, bicycling, snowmobiling, or other recreational purposes, along with a reasonable amount of surrounding land maintained in its natural state. (M.S. 282.01, Subd. 1a, para. (e)(3)).
4. Transit facilities for buses, light rail transit, commuter rail or passenger rail, including transit ways, park-and-ride lots, transit stations, maintenance and garage facilities, and other facilities related to a public transit system. (M.S. 282.01, Subd. 1a, para. (e)(4)).
5. Public beaches or boat launches. (M.S. 282.01, Subd. 1a, para. (e)(5)).
6. Public parking. (M.S. 282.01, Subd. 1a, para. (e)(6)).
7. Civil recreation or conference facilities. (M.S. 282.01, Subd. 1a, para. (e)(7))
8. Public service facilities such as fire halls, police stations, lift stations, water towers, sanitation facilities, water treatment facilities, and administrative offices. (M.S. 282.01, Subd. 1a, para (e)(8)).

CONDITIONAL USE DEEDS. The state deed which is issued by the Department of Revenue (DOR) for this method of acquisition is commonly called a conditional use deed. A conditional use deed contains two clauses that distinguish it from other state deeds. One states the authorized public use, and the other declares that the title is restricted by the authorized public use. This means that the title will revert to the state if the parcel does not continue to be used for the authorized public use. (M.S. 282.01, Subd. 1c)

The county auditor must present the governmental subdivision's conveyance request to the county board. Approval by the county board is completed by resolution.

The resolution should contain the following information: (1) a statement approving the conveyance, (2) the names of the governmental subdivisions, (3) the identification number (PID) of each parcel, (4) a summary of

the authorized public use for each parcel, (5) the names of each board member with an indication of how each one voted, and (6) the date and signature of the clerk of the county board.

The Property Tax Division, acting for the DOR, will review the information on the form and either approve or disapprove the conveyance. If the conveyance is approved, the Property Tax Division will execute a conditional use deed in the name of the governmental subdivision and mail it to the county auditor. The county auditor is to have the deed recorded before forwarding it to the governmental subdivision.

RULE OF REVERSION. The governmental subdivision has three years from the date of conveyance to implement the authorized public use on the tax-forfeited land. If after those three years the governmental subdivision has failed to put the land to the intended use, or has abandoned that use, the governing body of the subdivision must do one of two things:

1. With the approval of the county board, the governing body may purchase the property for an authorized public purpose at the present market value as determined by the county board, OR
2. The governing body of the subdivision may authorize the proper officers to convey the land, or the part of the land not required for an authorized public use, to the state of Minnesota in trust for the taxing districts.

COST OF GOVT. ACQUISITION FOR USE DEEDS. When an application is approved, the Department of Revenue (DOR) will issue a state deed ("use deed") in the name of the governmental subdivision free of charge. (M.S. 282.01, Subd. 1a)

- The issuance of the state deed "free of charge" means that the governmental subdivision does not have to pay the following costs which are charged when the parcel is sold at a private or public auction: (1) the basic sale price, (2) the state deed fee, and (3) the 3% surcharge.
- The governmental subdivision does have to pay the following costs in order to record the state deed ("use deed"): (1) the state deed tax, (2) the county recording fee, and (3) the agricultural conservation fee.
- The 2010 changes to M.S. 282.01 incorporated a conditional use deed fee. The new provision (M.S. 282.01, Subd. 1g) establishes an application fee of \$250 for use deeds, \$150 of which is refunded if the application is denied. The proceeds from the deed fee are deposited in a Department of Revenue revolving fund and are appropriated to the commissioner of revenue for making the \$150 refunds and administering conditional use deed laws. Conditional use deeds are more administratively burdensome than other deeds.

(2) by paying market value for an AUTHORIZED PUBLIC PURPOSE

Nonconservation tax-forfeited lands may be sold by the county board for their market value as determined by the county board, to an organized or incorporated governmental subdivision of the state for any public purpose for which the subdivision is authorized to acquire property. (M.S. 282.01, Subd. 1a, para. (b)) The governmental subdivision must apply to the county board for such a sale.

For a governmental subdivision, the language reads: "...for any public purpose for which the subdivision is authorized to acquire property." (M.S. 282.01, Subd. 1a, para b). This means that the only restriction on the sale of tax-forfeited land to a governmental subdivision is that the parcel must be used for a purpose authorized by statute, law, or local charter.

The parcel does not have to be available to the general public as it does if it is acquired free of charge. Access to the parcel may be limited to a select group of people as long as the purpose is authorized by statute, law, or local charter.

Let's use the example to illustrate this point. A city wants to acquire a parcel of tax-forfeited land to build a parking lot next to the city's municipal garage. The parking lot is to be used exclusively by the city employees who work at the garage. The sale of the parcel to the city would not be disapproved. If it pays for the parcel, the city can use it for an employee parking lot. The general public does not have to have access to it.

COUNTY BOARD APPROVAL. The county board may sell a parcel of tax-forfeited land to a governmental subdivision or state agency for an authorized public purpose. The verb, "may," indicates that the county board is responsible for approving or denying each purchase request.

In order to make a decision, the county board has the right to require the governmental subdivision or state agency to submit a written application containing at least the following information: (1) a description of the proposed public purpose for which the parcel will be used, and (2) a citation for the statute, law, or charter provision that authorizes it to acquire property for the proposed public purpose.

Before ruling on a sale, the county board may want to ask the following questions: (1) Is the proposed purpose authorized by statute, law, or local charter?, and (2) Will the proposed purpose serve the public interest as much or more than having the parcel back on the tax rolls? If both questions can be answered in the affirmative, the county board may choose to approve the request. Approvals should be confirmed by resolution.

Unlike the "conditional use deed", the governmental subdivision or state agency does not need the approval of the Department of Revenue (DOR) to purchase a parcel of tax-forfeited land. The purchase request must be made directly to the county auditor and must be approved by the county board.

NO RULE OF REVERSION FOR GOVT. PURCHASES. The rule of reversion (M.S. 282.01, Subd. 1c-1e) does not apply to the purchase of a parcel of tax-forfeited land by a governmental subdivision or state agency. Once the sale has been approved by the county board and the state deed has been recorded, the title does not have to be reconveyed to the state regardless of what the governmental subdivision does with the parcel

(3) by paying LESS THAN MARKET VALUE

Correcting Blight and Creating Affordable Housing

Nonconservation tax-forfeited lands may be sold by the county board to an organized or incorporated governmental subdivision of the state or state agency for less than their market value if:

1. The county board determines that a sale at a reduced price is in the public interest because a reduced price is necessary to provide an incentive to correct the blighted conditions that make the lands undesirable on the open market, or the reduced price will lead to the development of affordable housing; AND
2. The governmental subdivision has documented its specific plans for correcting the blighted conditions or developing affordable housing, and the specific law or laws that empower it to acquire real property in furtherance of the plans. (M.S. 282.01, Subd. 1a, para. (d))

The Department of Revenue has not defined what a "specific plan" is or is not. The county is therefore given some discretion as to what is specific enough, reliable enough, or extensive enough to meet this requirement. The Department of Revenue does not need a copy of the plan and it will not directly officiate whether it meets the "specific plan" threshold. However, the plan does need to be in written form and describe with some specificity the intentions for the use of the land. Perceived abuses may cause the Department to consider proposing law changes with more specific requirements. The intent behind M.S. 282.01, Subd. 1a, para. (d) is to avoid general economic development land speculation. A discounted price for the land is earned by the public good associated with blight removal or affordable housing. Citing generic pursuits within the entirety of the Housing and Redevelopment Authority statutes is not sufficient to qualify for the discounted price for the sale of land. A county that suspects economic development land speculation is a motivating factor for the application by the governmental subdivision should not approve the sale.

The county must recite the specific statute or law that empowers the local unit to acquire the property. The Department of Revenue may provide some direct oversight in this area to ensure that there is authority since the deed and the act of acquisition are immediately relevant.

Other Information

COST OF GOVT. PURCHASE. (applies to options 2 & 3) A governmental subdivision is required to pay not less than the value of the property as determined by the county board plus the other costs that would be charged to any other purchaser. In most cases, the value of the property will be the same as the basic sale price which other purchasers must pay. The county board makes the final decision after negotiating with the governmental subdivision.

The specific costs that must be paid by a governmental subdivision or state agency to purchase a parcel of tax-forfeited land are outlined below. The list assumes that the basic sale price is paid.

1. The Basic Sale Price
2. The State Deed Fee
3. The 3% Surcharge
4. The State Deed Tax
5. The County Recording Fee
6. The Agricultural Conservation Fee

DRAFT

RESOLUTION NO. 2014-_____

CITY OF LAKELAND
WASHINGTON COUNTY, MINNESOTA

A RESOLUTION REQUESTING CONVEYANCE OF
TAX FORFEITED LANDS TO THE CITY FOR PUBLIC USE

WHEREAS, the City of Lakeland has been advised that Parcel 26.029.20.34.0009 has been forfeited to Washington County for nonpayment of property taxes; and,

WHEREAS, the City has been asked if it has an interest in acquiring this parcel.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF LAKELAND, WASHINGTON COUNTY, MINNESOTA, AS FOLLOWS:

1. The City of Lakeland desires to acquire the parcel for public roadway purposes or other public use.
2. The City Staff is authorized to take all steps necessary to acquire the property and to execute any documents to secure said property free of charge to the City.

Passed by the City Council for the City of Lakeland this 15th day of April, 2014.

Robert A. Livingston, Mayor

ATTEST:

Chris Wallberg, City Clerk



Public Works

690 Quinnell Avenue North
Lakeland, MN 55043-9463

Voice: (651) 436-8044

Fax: (651) 436-3949

E-mail: lakelandwater@comcast.net

To: Lakeland City Council
From: Matt Kline | Director of Public Works
Date: April 4, 2014
Re: Potential Skid Steer Purchase

Last month I provided the council with a list of items that were done with the use of a skid steer that we have been using for the past 6 months. The use of the skid steer has allowed us to accomplish a notable number of items that would not be practical without one. The council indicated that they would like some numbers in relation to the cost of the skid steer. The price point that I have targeted was \$34,000. This would provide us with a skid steer and a bucket; other attachments would be over and above that price.

I've attached a set of used skid steer descriptions for comparison sake. The prices are to show that the state contract is saving cities money and that a skid steer holds its price incredibly well.

I contacted Jared Essen from US Bank for a quote on a loan. I've attached his quote and a breakdown of the monies related to that quote. I also contacted the Bobcat dealer from where the state contract is run through. The sales representative indicated that Bobcat does not issue leases for government entities at the state contract price.

Staff is asking council to consider the purchase of a Bobcat skid steer. Staff feels that the usage justifies the cost of the skid steer.



EQUIPMENT FINANCE

04/04/2014

At your request, U.S. Bancorp Equipment Finance, Inc. ("USBEF") has prepared for your consideration the following proposal for financing ("Proposal"). **This is only a proposal and does not represent a commitment by U.S. Bancorp Equipment Finance, Inc.**

Lessor: U.S. Bancorp Equipment Finance, Inc.

Lessee: City of Lakeland, MN

Equipment: Skid Steer

Expiration: 05/04/2014

Proposed Structure and Payment Options:

Cost	Interest Rate	Payment	Documentation fee	Term	Pmts / Yr	Adv / Arr
\$34,000	2.25%	\$11,852.49	\$0	3 YEARS	1	Arrears
\$34,000	2.49%	\$9,041.86	\$0	4 YEARS	1	Arrears
\$34,000	2.75%	\$7,378.53	\$0	5 YEARS	1	Arrears

Notes:

The Lease will be structured as a tax-exempt municipal lease, with title in the Lessee's name and USBEF holding a security interest in the equipment during the term. **Quoted interest rates are predicated upon the Lessee designating the lease as "Bank-Qualified", pursuant to Section 265 (b) of the Internal Revenue Code of 1986, as amended.** The lease is "triple-net" with the Lessee responsible for taxes, maintenance and insurance. Documentation will be provided by USBEF, including (i) standard representations, warranties and covenants by the Lessee pertaining to the accuracy of information, organization, authority, essential use, compliance with laws, pending legal action, location and use of collateral, insurance, financial reporting and financial covenants; and (ii) standard USBEF provisions pertaining to events of default and remedies available upon default. This offer is subject to the execution of all documentation by the Lessee within a reasonable time and in form and substance acceptable to Lessee, USBEF and USBEF's counsel, including terms and conditions not outlined in this Proposal. **\$0.00 origination fee is due with signed documents.**

The terms and conditions outlined herein are subject to final review and approval (including collateral and essential use review) by USBEF's business, legal, credit, and equipment risk management personnel. ***Seven year term is subject to an equipment valuation procedure before final approval of seven year term can be granted.***

Sincerely,

Jared Essen
Equipment Finance Specialist

ACCEPTANCE:

By accepting this Proposal, Lessee acknowledges that **this Proposal does not represent a commitment to provide financing** but only outlines general terms and conditions of the USBEF's financing program currently available to qualified lessees.

ACCEPTED BY:

Name / Title
dated: _____

Skid Steer

Cost \$ 34,000.00

Bank Quote is Based on Purchase Price of \$34,000

	Monthly Payments		
	3 Year	4 Year	5 Year
<u>US Bank Financing</u>			
Down Payment (1st Payment)	0	0	0
Principal	\$ 34,000.00	\$ 34,000.00	\$ 34,000.00
Rate	2.25%	2.49%	2.75%
Term (Months)	36	48	60
Monthly Payment	(\$977.56)	(\$744.93)	(\$607.17)
Yearly Payment	(\$11,730.75)	(\$8,939.13)	(\$7,285.99)
Total Payments	(\$35,192.26)	(\$35,756.54)	(\$36,429.93)
Total Interest Paid	(\$1,192.26)	(\$1,756.54)	(\$2,429.93)

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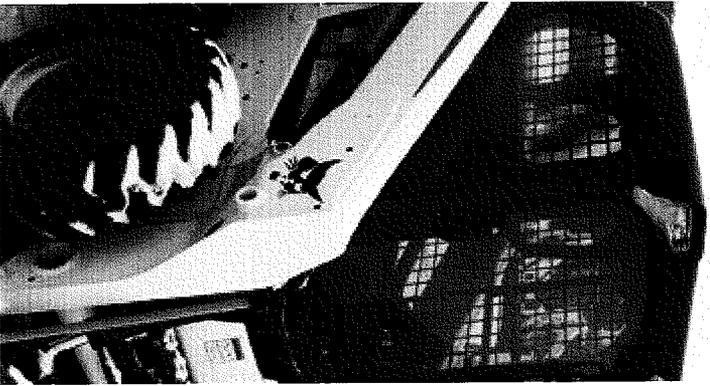
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2013 BOBCAT S570



EMAIL THIS	FINANCIAL CALCULATOR	PRINT THIS	ADD TO WATCHLIST
----------------------------	--------------------------------------	----------------------------	----------------------------------

Equipment Specifications	
Year	2013
Manufacturer	BOBCAT
Model	S570
Price	\$34,900 <input type="text" value="USD"/> ▼
Location	Fairbault, Minnesota
Condition	Used
Hours	112
Horse Power	61
Drive	Wheel
ROPS	Enclosed

Contact Information	
Company	Matejcek Implement
Location	Fairbault, Minnesota
Phone	(507)334-2233
Fax	(507)334-2236

[Send Matejcek Implement A Message](#)

[General Information](#)

A-51, ACS, AIR SEAT, 2 SPEED, heat/ac

2008 BOBCAT S185 SKID STEERS in BRAINERD, MINNESOTA

DETAILS

FINANCING

SHIPPING

SHARE THIS

CONTACT SELLER



Price: \$22,900 Specification

Year: 2008
 Make: BOBCAT
 Model: S185
 Class: EARTH/MC
 Hours: 685
 New/Used: U
 Price: \$22,900

Seller Information

US Equipment Broker
 (866) 580-7982
 Reference Stock #: GZ-S185685



5782 Gornon Rd
 Brainerd, MN
 56401 (Map)

[See All Inventory](#)

Attn: US Equipment Broker

*required

Hello, I'm interested in your **2008 BOBCAT S185** Stock #: **GZ-S185685**. Please contact

me at your earliest convenience , you can reach me at Phone * or at

Email *

Comments

2008 BOBCAT S185, 2008 Bobcat S185, 685 Hours, No Cab/Heat, Unit Has a Block Heater, New Tires, Complete Service, Will have a 68" bucket Ready to Work. \$22,900.00

Description



Find Similar Equipment new search



2012 Job
 New Generation 225
Call for Price
 Macedonia, OH



2013 Job
 New Generation 320T
 Skid Steers
Call for Price
 Macedonia, OH



2012 Job
 New Generation 280
 Skid Steers
\$39,579
 Macedonia, OH

**Let's go for 4.5%*
 fuel economy improvement.**



Click here to see how much you can save >>

*SAE J1321 Fuel Consumption test for the DeLo® 400LE Synthetic SAE 5W-30 shows up to 4.5% fuel economy improvement with short haul trucks (Class 6) and 2% with long haul trucks (Class 8) when compared to SAE 15W-40 oil. Actual results will vary depending upon vehicle type, load and other driving conditions.

DeLo® Let's go further.™

2004 Caterpillar
 252B
 Skid Steers
\$21,900
 Council Bluffs, IA

2008 Job
 1110
 Skid Steers
\$41,900
 Council Bluffs, IA

Skid Steer Usage

Task

Loading Salt

Grading Ditches/Storm Drain Clean-Up

Beach Parking Lot Work

Plowing Snow/Remove Snow Piles

Playground Area Grading

Lifting Wings and Plows

Pulling Stumps/Cleaning Up After Stump Grind

Lifting Items Out of and Into Trucks

Loading/Spreading Black Dirt/Recycled Asphalt

Installation of Salt Pad

Specific Occurences

Allows PW to Clean Trucks Daily

7th St Ct So Drainage Area

Beach Road

206 Quehl Ave No - Driveway Drainage

180 Quality Ave No - Road Drainage

Moved Rip Rap and Black Dirt

Graded Parking Lot After Flood

Clean Up on Walking Trail

Easier Mobility @ Hydrants Than Truck

Tower #1 Plowing

Moved and Loaded Mulch for Transport

Graded Area for New Playset

Broken Hydraulic Line in Front of Shop

4th St No and Quixote - Fallen Tree in ROW

20 Quehl Ave So - Stump Grind Clean-Up

Generator

Water Valve

Black Dirt - Ditch Repairs - Quality Ave

Recycled Ashphalt - Sides of Streets

Grading of Paved Area



TO: City Council
FROM: Chris Wallberg
RE: City Administration Report
DATE: April 15, 2014

This is to provide you with an update on work being done in the Clerk's office, beyond continuing routine administrative/clerical tasks.

Aggregate Industries will again facilitate the monthly Brush Site for Lakeland residents..
Ballfield scheduling is complete.

The following work is in process:

Spring Clean Up is set for May 3rd.
Recycling Program will launch in May. New carts will be delivered to properties April 26th.
The first collection day is Wednesday, May 7th.
Parks Preparation/Field maintenance and Porta-Potties
Election Preparation
Set up of the new City email system.
Researching computer needs for City offices.

Website - <http://ci.lakeland.mn.us>

The new website is in place and growing. Meeting videos have been added, and on-going announcements/events are being updated as appropriate. More materials and information will be added as we go along (and time permits). We invite input for what the website should include.

Zoning

Administration responsibilities have been moved back in-house. This will affect priorities for work in this office for a period of time. The SRF contract is complete, and they will be called on to work on applications as needed.

Septic noncompliance issues for 661 Quixote / Billig - Public Health Department has determined that this property has noncompliant cesspool, and a number of notices have been issued to the current owner. Anticipate a meeting is planned with the owner and County representatives soon.

Communication continues regarding pending variance applications for these projects:

16610 11th Street North / Statz. The applicants propose to build a new garage in a location that would require a variance to the front yard setback.

1121 Quinlan Avenue South / Nustvold. The applicants propose to build a new screen porch That would require a variance to bluffline setback.

737 Quentin Avenue South / Ruprecht. The applicants propose to renovate their home such that it would require variance/s.

Preliminary plans have been reviewed, and all the property owners are in process of providing additional information and submit applications.

Upcoming projects:

- Continue to identify what will be included on the website, develop those materials and meet with Council to get direction regarding content of the website.
- Establish structure for email system for elected officials and staff, and work on developing an email list for broader communication with residents.
- Establish lists for expanded use of the County Code Red system.
- Address zoning projects as they come in.
- Update business files

CW

Lakeland Mayor's Update – March, 2014

1. I continue to monitor the Thrive MSP 2040 Plan process that the Metro Council is currently conducting...Metro Council staff has released the updated Draft Thrive MSP 2040 Plan (called ProtoThrive), will hold Public Meetings in April – the closest one for Lakeland will be on 4/16 @ 5 PM @ Metro Council, 390 N Robert St, St Paul. The full Metro Council is expected to vote on the document in May, 2014. You can find the draft online by googling Metropolitan Council – ThriveMSP 2040.
2. Along with this document, the population estimates originally showed Lakeland as gaining 1,000 people due to the Gateway Corridor, even though there is no planned stop in Lakeland. As you know, many Metro area cities expressed the same concerns at the meeting, as Lakeland did. The 2040 estimates were released on Wednesday, February 19th and there was a reversal of the estimate down to 1,500, which is about half of the previous estimate. I contacted the city's Metro Council Rep, Lisa Barajas, about the change in "direction" for further explanation for the City's drop of almost 1,300 people in the revised estimates. There were mistakes in the model used to make the 2040 estimates, which did change the projections, but the new estimate reflects an aging population, little room to grow, and less impact from the projected improvements in mass transit along the Gateway Corridor.
3. Select Senior Living secured an investor, Northern Lights Venture Fund, for the project. They have lined up ViewPoint Consulting Group which reviewed and confirmed the Maxfield, Inc marketing study; engaged dba Architects to work on a preliminary design; the property manager would be Oxford Property Management; and Pointmark Construction will handle the project development. The "pieces" are in place to make a formal proposal to purchase the property, which I expect to be made in mid-April.
4. I met with BKV Group in February and they are working with Ebert Construction on a number of projects, including Lakeland. I continue to stay in touch with them on their interest in the project. They have 1 project to nail down before focusing on this one that has a July, 2014. Their "team" consists of BKV Architects, Ebert Construction, and 3 Links of Northfield for property management, so they are a good "backup" plan, if the above group does not move forward.

5. I have contacted another potential developer, Common Bond, about the project...I will set a date to meet with them, if the above 2 developers do not move forward. I haven't given up on Ebenezer yet, either, since the market continues to improve.
6. I worked with Washington County HRA on updating the current, 18 month old senior housing market study in Fall, 2013. The update was completed by Maxfield Research, Inc. on October 16, 2013. It shows that the market is growing in Lakeland and by 2018, there will be a need for 140 units of market rate, affordable, congregate, assisted living and, memory care units in Lakeland. Maxfield notes that a stand-alone facility would not work, but a project that combines these needs would work, which is the premise that we've been working under. All of the interested developers, along with the City, have been supplied a copy of the updated market study. I am now working with Kathryn Paulson at the WCHRA, who has been assigned to work with us on the senior housing project.
7. Aging Services of Minnesota, which is a consortium of agencies and nonprofits focused on helping seniors, has hired Clifton, Larson, Allen to do a study on senior housing construction in the Metro area. I responded to their request for information and they will send a copy of their study when it is completed in April. It will be interesting to compare their market data with that of the Washington County study released in January, 2014.
8. The County Board also approved a Low Interest Loan Program for homeowners with failing septic systems. The program will be run through the Washington County HRA and will have an interest rate of 1.5% on a 5 year loan and would be added as a Special Assessment on the homeowner's Property Taxes. Homeowners would also have access to other grant and loan programs that could reduce the costs. The County Board entered into agreements for the program at their 3/18 meeting. The program is tentatively set to begin May, 2014. I'm not sure the extent of the problem of failing septic systems in Lakeland, but this does offer a low cost method of getting them resolved. I will send information to Staff when I see it.
9. The foreclosure data provided by the Washington County HRA for 2013 shows that total Sheriff's sales are down by 700+ for 2013 over 2012, a good indication that the housing market continue to improve. Lakeland has had 51 Sheriff's Sales since 2009, including 12 for 2012. For 2013, Lakeland had only 4 foreclosures. However, to start off 2014,

Lakeland had 1 of the 36 Sheriff's Sales in January at 1839 Quinlan Avenue South.

10. The Legislative session got underway on February 25th (adjournment is scheduled for May 19th)...and, there is a lot of activity affecting cities. Just a reminder that the comments on legislation are already a couple of weeks old when you get them, so they may have changed. The LMC and Metro Cities staff are great resources for up-to-the-minute info, but let me know if there are specific bills that you'd like me to follow.
11. I am sure that the city is aware of SF 2272 introduced by Senator Katie Sieben in mid-March to grant review and certification authority to the DNR over land use ordinance and variance decisions made by cities along the Lower St Croix River. Metro Cities opposes this legislation and has been able to modify the impact. The latest version grants the DNR authority to certify compliance with applicable federal laws, which the city must do anyway. As for variances, the DNR would provide a liaison to cities to provide outreach on ordinance implementation to evaluate if variances are consistent with the intent of Federal laws and whether the issue can be alleviated by other methods than a variance. However, it did not make the deadline in the House and will not proceed, according to Metro Cities.
12. LGA has been a topic of discussion at the Legislature this session, even though it is not budget year. The House and Senate introduced a Bills that would increase the LGA distribution by \$56 million beginning in 2015, which would add \$ to Lakeland's share, but the Governor's March 6th Supplemental Budget, while directing half of the projected \$1.2 billion surplus to tax relief, did not include any additional funding for LGA. On 3/31, the latest version of the House Omnibus Tax Bill included \$13.1 million for an inflation adjustment beginning 2015, which is much less than original amount, but still positive, if it survives in the final Omnibus Tax Bill.
13. Bills in the House and Senate have been introduced to increase PERA General Plan Pension contributions for both employers (7.5%) and employees (6.5%) by .25% each; however this does not affect the PERA Police and Fire Plan. The change would take effect on 1/1/15, so it would not affect the 2014 Budget. Both the House and Senate Committees have now approved similar versions of an Omnibus Pension Bill.
14. Bills streamlining and clarifying the new local government Sales Tax Exemption were introduced. Of particular interest to Lakeland is the further definition of which goods and services provided by private

businesses to cities are exempt and for construction contracts and materials. The most recent House version of the Omnibus Tax Bill does include most of these adjustments. More will be known about the final Omnibus Tax Bills of both the House and Senate in early April.

15. Also included in the House Omnibus Tax Bill is a provision to move the Property Tax Certification date back to September 30th from September 15th starting next year.
16. Another bill of interest to Lakeland would allow City purchases of snowplow and road maintenance vehicles to be exempt from State motor vehicle sales tax, an exemption that Townships now receive. It is in the most recent version of the House Omnibus Tax Bill and would be effective 7/1/15, so if Lakeland has any of these scheduled to be bought, then it might be good to wait, assuming the legislation passes.
17. The "Pothole Fix" funding Bills are moving through the House and Senate. The Senate bill has \$1.2 million in it to be distributed to cities under 5,000, while the House allocates zero dollars. Clearly, the Senate version serves Lakeland the best.
18. A bill to create a Legislative Commission on Data Practices and Personal Data Privacy to study issues related to government data practices, privacy, security, and other related issues appears headed for passage. The Commission, made up of 5 Senators and 5 Representatives, would review any legislation related to the Minnesota Data Practice Act.
19. Other items – The State Revenues for February, 2014 were 1.4% less than forecasted; the Governor also released his Bonding recommendations for the 2014 Bonding Bill – nothing that pertains to Lakeland directly; the County Board had a Workshop on Assessment Year 2014/Pay 2015 Property Valuations on 3/25, which will be trending up as the housing market continues to improve; the County Board is also working on an Economic Development Strategic Plan to be released later this Spring/Summer; the LMCIT also has a new Loss Control guide for Parks and Rec facilities, which was used to bring Lakeland's parks up-to-date, so it might be good to check them again; and the Metro Cities Annual Meeting will be on Thursday, April 24th beginning at 5:30 PM at the University Club in St. Paul.
20. March, 2014 Work Plan – Focus on the senior housing project and State Legislative session.