



Workshop 5:00 p.m.  
Regular City Council Meeting 6:00 p.m.  
Tuesday, October 20, 2015  
Lakeland City Hall

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WORKSHOP:  
OLD CITY HALL DISCUSSION  
LAKELAND PLAZA PUD AND SUBDIVISION AGREEMENT UPDATE

REGULAR CITY COUNCIL MEETING AGENDA

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ADOPT AGENDA
4. CONSENT AGENDA (Items may be pulled for discussion and/or separate action)
  - A. Approve September 15, 2015 City Council Meeting Minutes
  - B. Approval of Continued Partnership with Hamline University MPA Internships
  - C. Resolution 2015-30 Supporting the Washington County Library System
  - D. Resolution 2015-32 Special Assessment Levied to Washington County Taxes
  - E. Monthly List of Claims
  - F. City Treasurer's Report
5. AGENCY REPORTS
  - A. Law Enforcement Report
  - B. Fire Department Report
  - C. Government Affairs Report
6. OPEN FORUM (Public comments, presentations and petitions)
7. PUBLIC HEARING: ZONING CODE CHANGES TO CONDITIONAL USE PERMIT PROCESS
8. CITY BUSINESS
  - A. Ordinance 7548 Amending City Code §159 Pertaining to CUP Process
  - B. Modification to Engineering Budget – 2015 Street Project
  - C. Snow Plowing and Street Sweeping Contracts with Tri-County Services
  - D. Resolution 2015-29 Amending Lakeland Snowplow Policy
  - E. New City Hall and Request for Proposals for Architect Services
  - F. Resolution 2015-31 Adopting the 2015 Updated Fee Schedule
9. CITY STAFF REPORTS
10. CITY COUNCIL AND MAYOR REPORTS
11. ADJOURN

OFFICIAL RECORDED MINUTES OF LAKELAND CITY COUNCIL MEETING  
TUESDAY, SEPTEMBER 15, 2015

CITY COUNCIL PRESENT: Mayor Amy Williams, Council Member Richard Glasgow, Council Member Joe Paiement, Council Member Jeri Ryan, Council Member Evan Loenser

STAFF PRESENT: Public Works Director Matt Kline, City Administrator/Clerk Sandie Thone, City Attorney Representative Katie Jarvi , City Treasurer Tom Niedzwiecki, Deputy Clerk Halli Sevilla

OTHER PRESENT: MNSPECT President/Building Official Scott Qualle, MNSPECT Relationship Manager Tom Richardson

WORKSHOP: 5:02 p.m.-5:57 p.m.

1. CALL TO ORDER by Mayor Williams at 6:04 p.m.
2. PLEDGE OF ALLEGIANCE was recited.
3. ADOPTED AGENDA: **Motion/Second/Passed; Council Member Jeri Ryan / Council Member Evan Loenser**
4. ADOPTED CONSENT AGENDA: Motion/Second/Passed; Council Member Richard Glasgow / Council Member Jeri Ryan
  - a. Approve August 18 2015 City Council Meeting Minutes
  - b. Accept Resignation of Public Works II/Water Utility Operator Jacob McNabb
  - c. Approve Posting and Recruitment for Public Works Operator I
  - d. Approve 2014 TIF Reports
  - e. Accept Recycling Grand Funding from Washington County
  - f. Monthly List of Claims
  - g. City Treasurer's Report
5. AGENCY REPORTS
  - a. No sheriff deputy present, refer to September 15th meeting packet
  - b. Fire Department Report/Council Member Richard Glasgow reported a total of 44 calls last month; Lakeland had 6 and Afton had 22; 306 calls year to date. Discussion of vehicle replacement plan for Lower St. Croix Valley Fire Department.
  - c. Government Affairs Report/Mayor Amy Williams referenced the monthly report in packets prepared by Mark Nagel and his work with senior housing in the city and his assistance regarding the Hamline student projects.
6. OPEN FORUM (Public comments, presentations, and petitions)
  - a. Introduction of Halli Sevilla, Lakeland's new Deputy Clerk

7. CITY BUSINESS

a. Building Inspection Services Contract

Tom Richardson, relationship manager, mentioned the excellent fit that Lakeland offers to MNSPECT. Scott Qualle, owner and building inspector, discussed the principles of MNSPECT and their job to protect the business/property owner or resident in making sure they follow the safest building guidelines.

Approve Request for the City to hire MNSPECT as Lakeland's Building Inspection Services  
**Motion/Second/Passed 4-0; Council Member Richard Glasgow / Council Member Jeri Ryan**

Time Stamp 31:05

b. Middle St. Croix Water Management Organization 2016 Budget Increase

Discussion of adopting scenario four for 2016 budget increase

**Motion/Second/Passed 4-0; Council Member Joseph Paiement / Council Member Richard Glasgow**

Time Stamp 36:28

c. Snowplowing Service Contract

Allow Public Works Director Matt Kline the authority to negotiate an agreement with contractor upon acceptance of quote from snowplowing contractor

**Motion/Second/Passed 4-0; Council Member Jeri Ryan / Council Member Evan Loenser**

8. CITY STAFF REPORTS

**City Attorney**

Katie Jarvi deferred to City Attorney, Josh Brekken, for additional reports, and has been working with staff and MNSPECT on the building department contract.

**City Administrator/Clerk Sandie Thone**

"No parking signs" will be covered for Beanies fishing event on Saturday September 19<sup>th</sup>, welcomed the new Deputy Clerk, Halli Sevilla to the city, assessment regarding 1243 Rivercrest, will go on the October agenda to be assessed by the county, received four minor complaints in the last month, new city hall build will be brought up during October meeting, feedback welcomed, records project in process, animal control reports: no warning letters, one lost dog and one found cat.

**Public Works Director Matt Kline**

Street project progressing with end of September completion. Thanked Jacob McNabb for years of service.

**Treasurer Tom Niedzwiecki**

Received estimated market values from the county. Average taxable market value was 3% for Washington County and 7.3% for the City of Lakeland. This was able to decrease tax rates from 43.5% to 42.4% for residents.

9. CITY COUNCIL AND MAYOR REPORTS

**Council Member Evan Loenser**

Thanked Hamline students and would like to see projects continued in the future. Mayor Williams mentioned the transition within the last 9 months and getting to the appropriate number of staff, and when finished, will be agenda items during the winter. Evan thanked staff.

**Council Member Jeri Ryan**

No report.

**Council Member Richard Glasgow**

Oliver North gave council member his book for his veteran support efforts.

**Council Member Joe Paiement**

No report.

**Mayor Amy Williams**

Trip to Washington D.C. in October with Gateway who will meet with members of congress and U.S. Department of Transportation which is on their "dashboard." Gateway is the commission working to bring rapid transit to the East Metro. Welcomed back Councilmember Ryan and thanked Jake McNabb for his service.

10. ADJOURN

**Motion to adjourn effective 7:09 p.m. Motion/Second/Passed; Council Member Jeri Ryan / Council Member Richard Glasgow**

Respectfully Submitted by Deputy Clerk, Halli Sevilla

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Amy Williams, Mayor

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Sandie Thone, City Administrator/Clerk



TO: Mayor and City Council  
FROM: Sandie Thone, City Administrator/Clerk  
RE: Hamline MPA Student Intern Project Partnership  
DATE: October 20, 2015

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#### Background

During the Spring and Summer of 2015 the City partnered with Hamline University MPA students on city projects requiring review, research and feedback. The program resulted in five student project presentations which were shared at the August 2015 City Council Meeting and are available to view on the City's website.

#### Discussion

The partnership and resulting project recommendations were a complete success. Both city staff, city officials and Hamline students and professors were extremely happy with the results. Hamline would like to continue the partnership by offering a winter session of student projects.

#### Recommendation

Staff is requesting the City Council Approve the Continued Partnership with Hamline University MPA Student Interns. Motion/Second/Simple Majority Vote required.

4C



TO: Mayor and City Council  
FROM: Sandie Thone, City Administrator/Clerk  
RE: Resolution 2015-30 Supporting Washington County Library System  
DATE: October 20, 2015

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### Background

In August of 2015 Washington County released key initiatives in crafting the 2016 budget to all county municipalities. One of the initiatives included investment in local library programming in communities and in the library's collection.

### Discussion

While approximately 80% of the county's programs are mandated by the state and federal governments, funding from those governments do not cover the full costs of the programs. A preliminary levy was set on September 15, 2015 and a public hearing on the budget will be conducted on December 1, 2015 and the final budget will be set on December 15, 2015.

Lakeland is fortunate to have a Washington County community library branch located at Lakeland Plaza. At the September regular meeting the Lakeland City Council expressed an interest in showing their support of the Washington County Library System by passing a resolution. Please find that resolution attached.

### Recommendation

Staff is respectfully requesting the City Council approve Resolution 2015-30 Supporting the Washington County Library System which includes community branches and programming. Motion, Second and Majority vote required

**CITY OF LAKELAND  
WASHINGTON COUNTY, MINNESOTA**

**RESOLUTION 2015-30  
SUPPORTING WASHINGTON COUNTY LIBRARY SYSTEM**

WHEREAS, the City of Lakeland is a municipality located in Washington County, MN; and

WHEREAS, the City of Lakeland is a partner in community offerings in the greater county area; and

WHEREAS, the City of Lakeland values the Washington County Library System and is in full support of the Lakeland community branch and its program offerings; and

WHEREAS, the City of Lakeland shows this support by advertising and communicating to the residents and surrounding areas of the many benefits and events the library offers the communities;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Lakeland, Minnesota Supporting the Washington County Library System on this twentieth day of October 2015.

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Amy Williams, Mayor

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Sandie Thone, City Administrator/Clerk



TO: Mayor and City Council  
FROM: Sandie Thone, City Administrator/Clerk  
RE: Resolution 2015-32 Certifying Special Assessment to Washington County Taxes  
DATE: October 20, 2015

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### Background

On July 15, 2014 the Lakeland City Council rendered the property at 1243 Rivercrest Road North in Lakeland a Hazardous Building. The home was destroyed by a fire on May 3, 2014.

### Discussion

Many code violations and safety hazards were noted at the property as a result of the fire and an order was issued to the homeowner for remediation within a 30-day period. The property was not brought into compliance within the specified period. Per the 'Order' the City proceeded with the remediation and compliance issues at costs to be certified by the City to the County Auditor for entry on the tax lists as a special assessment charged against the property.

Special Assessments are due to Washington County by November 30, 2015 for the 2016 tax year. Costs incurred by the City resulted in a total assessment of \$17,734.37 (see attached). Per City Fee Schedule a \$50.00 Assessment Fee charged by the City was added. The final total of \$17,784.37 will be assessed to the property tax of 1243 Rivercrest Road North, Lakeland, MN 55043; PID: 26.029.20.43.0001 for the year 2016.

In speaking with the county taxation department it appears the property is currently in the redemption period on its way to being forfeited to the State of Minnesota. The property owners have until 2018 to pay the taxes on the property (this will include the special assessment once certified). If this is paid or the property is sold, the City can expect payment at that time. If nothing happens with the property during this three-year period it will remain on the tax rolls as an assessment and actual payment of the assessment to be distributed to the City will be delayed as well.

### Recommendation

Staff is requesting the City Council Approve Resolution 2015-32 Special Assessment to Washington County for the year 2016. Motion/Second/Majority Vote required.

**CITY OF LAKELAND  
WASHINGTON COUNTY, MINNESOTA**

**RESOLUTION 2015-32  
CERTIFYING SPECIAL ASSESSMENT  
TO THE 2016 WASHINGTON COUNTY TAX**

WHEREAS, the City of Lakeland and its activities as a municipality per MN State Statute §429.101 may provide for the collection of unpaid special charges as a special assessment against the property in which we provided services to remediate violations as described in 504B.445; and

WHEREAS, the City of Lakeland incurred costs in the amount of \$17,784.37 remediating violations at the 1234 Rivercrest Road North, Lakeland, MN 55043 property; PID: 26.029.20.43.0001; and

WHEREAS, the City of Lakeland wishes to certify the above amount as a special assessment to Washington County for the year 2016.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Lakeland, Minnesota the above noted Certified Special Assessment to be forwarded to the county no later than November 30, 2015 for the 2016 tax year.

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Amy Williams, Mayor

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Sandie Thone, City Administrator/Clerk



# CITY OF LAKELAND

Address: 1190 Saint Croix Trail  
 City, State, Zip Code: Lakeland, MN 55043

Phone: 651.436.4430  
 Fax: 651.436.4939  
 E-mail: city@ci.lakeland.mn.us

## STATEMENT

Statement #: 7292015  
 Date: 7/29/2015  
 Customer ID: 1243

Bill To: Property Owner/Edith Nelson  
 1243 Rivercrest Road North  
 Lakeland, MN 55043

| DATE         | TYPE       | INVOICE # | DESCRIPTION  | AMOUNT      | PAYMENT | BALANCE            |
|--------------|------------|-----------|--|-------------|---------|--------------------|
| 1/19/2015    | Waste      | 563143    | Waste Hauling  | \$439.37    | \$0.00  | \$439.37           |
| 10/17/2014   | Publicatio | 153015    | Hazardous/Destroyed House Notice   | \$536.80    | \$0.00  | \$536.80           |
| 5/20/2014    | FD         | 14-148    | 10 pails of class A Foam @ \$75 each   | \$750.00    | \$0.00  | \$750.00           |
| 12/11/2014   | Well       | 30609     | Abandonment/Capping of Well and Disposal   | \$1,285.00  | \$0.00  | \$1,285.00         |
| 12/30/2014   | Demo       | 3277      | Demo House, Abate Septic, Dispose of 450 yards of demo debris, 140 yards of concrete and deliver and grade 533 yards of fill | \$13,200.00 | \$0.00  | \$13,200.00        |
| <b>TOTAL</b> |            |           |  |             |         | <b>\$16,211.17</b> |

Reminder: Please include the statement number on your check.  
 Terms: Balance due in 30 days.

## REMITTANCE

Customer Name:   
 Customer ID:   
 Statement #:   
 Date:   
 Amount Due:   
 Amount Enclosed:

*T - \$ 17,734.37*  
*inc/legal*  
*\$ staff time*  
*\$ 17,734.37*  
*\$ 50.00 fee*  
*\$ 17,784.37*  
*detailed in 2015 Escrow Report*

**ORDER OF THE CITY OF LAKELAND REGARDING  
THE HAZARDOUS BUILDING LOCATED AT  
1243 RIVERCREST ROAD NORTH IN LAKELAND, MINNESOTA**

WHEREAS, this Order is made in connection with the property located at 1243 Rivercrest Road North in Lakeland, Minnesota, legally described as:

26.029.20.43.0001 PT GOV LOT 4 BEG AT A PT ON N LN OF SD LOT 1460.8FT E OF NW COR THEREOF RUN THEN SLY 279.4 FT THEN S45DEGW 101.2FT THEN WLY PARL TO N LINE OF SD LOT 219.2FT TO E LINE OF PUBLIC HWY KNOWN AS MN ST TK HWY NO. 12 & 95 AS SAME EXISTED IN YEAR 1937 THEN NLY ALONG SD E LINE OF SD PUB HWY TO SD N LINE OF SD LOT THEN E ALONG SD N LINE TO PT OF BEG ALSO ALL RIGHT TITLE & INTEREST OF SD PARTIES OF 1ST PT IN & TO ANY OTHER PT OR PTS OF TRACT OF LAND COMPRISING THAT PT OF SD GOV LOT 4 LYING E OF CO RD RUN NLY & SLY THROUGH SAME AS SD RD EXISTED PRIOR TO ESTABLISHMENT OF SD ST TK HWY WHICH TRACT WAS DES IN DECREE OF DESCENT IN ESTATE OF AUGUST NELSON DECEASED A CERTIFIED COPY OF WHICH WAS RECORDED IN OFFICE OF REGISTER OF DEEDS OF SD CO IN BOOK 108 OF DEEDS PG 9 EXC THOSE PTS OF SD TRACT HERETOFORE CONVEYED BY SD PARTIES OF 1ST PT TO MILBERT CLYMER & LILLY CLYMER HUSBAND & WIFE AS JOINT TENANTS BY DEED RECORDED IN OFFICE OF SD REGISTER OF DEEDS IN BOOK 124 OF DEEDS PG 573 & TO MELVIN C KRAFT & KAY A KRAFT HUSBAND & WIFE AS JOINT TENANTS BY DEED RECORDED IN SD OFFICE IN BOOK 216 OF DEEDS PG 6 EXC TO HWY Section 26 Township 029 Range 020

(“The Property”).

The Property is owned by, without limitation, Edith Nelson (“The Owner”).

WHEREAS, The Property is in a state of dilapidation due to damage caused by fire on May 3, 2014; and

WHEREAS, without limitation, the following other conditions exist upon The Property in violation of the Lakeland City Code:

1. Section 155 requires reasonable maintenance of all structures, landscaping, and fences shall be reasonably maintained so as to avoid health and safety hazards and prevent degradation in the value of adjacent property. The property is in violation of this provision.
2. Section 159.087 requires all personal property shall be stored within a building or fully screened so as not to be visible from public streets or public lands.
3. The principal building does not meet the minimum standard of the Minnesota State Building Code. [in violation of Section 159.082 (D)]

NOW THEREFORE, The City of Lakeland, by and through its City Council, finds that the property is in a dilapidated, hazardous state and orders, pursuant to, without limitation, Minn. Stat. S. 463.15 and et. seq., 412.221, 429.021, 429.101, Lakeland City Code 151 et. seq. orders as follows:

1. The principal structure shall be removed and the basement filled in up to current grade within thirty (30) days of the date hereof; however, this shall not preclude the institution of enforcement action for performance of The Agreement by the City before that time and all such enforcement actions are hereby authorized.

2. The septic system shall be pumped and collapsed within thirty (30) days of the date hereof; however, this shall not preclude the institution of enforcement action for performance of The Agreement by the City before that time and all such enforcement actions are hereby authorized. Minnesota Pollution Control Agency and Washington County Public Health

3. The well shall be capped and sealed by a Licensed Contractor within thirty (30) days of the date hereof; however, this shall not preclude the institution of enforcement action for performance of The Agreement by the City before that time and all such enforcement actions are hereby authorized. Minnesota State Health Department

4. The above-listed conditions constituting code violations shall be corrected within thirty (30) days hereof and the property brought into compliance with the code and all substandard, dilapidated, hazardous and violative conditions upon it abated; however, this shall not preclude the institution of enforcement action for performance of The Agreement by the City before that time and all such enforcement actions are hereby authorized.

5. The Lakeland City Council hereby orders removal of the hazardous building, collapse of the septic system, capping and sealing the well and abatement of the code violations unless removal/collapse/abatement is completed within thirty (30) days or an answer filed within twenty (10) days.

6. A copy of this order shall be personally served upon The Owner.

7. The Lakeland City Council hereby orders that unless the above-listed conditions are met within thirty (30) days, the City shall cause those conditions to be brought into compliance; and all costs shall be certified by the City Clerk to the County Auditor for entry on the tax lists as a special charge against the property.

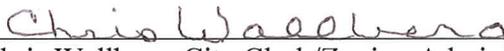
8. A motion for summary enforcement of this order will be made to the district court of Washington County unless corrective action is taken or an answer filed but this shall not preclude the institution of enforcement action for performance of The Agreement by the City before that time and all such enforcement actions are hereby authorized.

Passed and adopted by the City Council for the City of Lakeland this 15<sup>th</sup> day of July, 2014.



Robert Livingston, Mayor

ATTEST:

  
Chris Wallberg, City Clerk/Zoning Administrator

**June 24, 2014**

**To: City of Lakeland, Mayor and Council**

**Re: House Damaged by Fire May 3<sup>rd</sup> 2014, at the address of**

**1243 River Crest Road North, Lakeland MN**

**The single family resident located at the above address was destroyed by fire on May 3<sup>rd</sup>, 2014. The existing structure cannot be repaired and cannot be properly secured to prevent access to the structure. It is an immediate danger to the health and safety of persons in the community. The listed owner Edith Nelson has recently passed away. Per the State Statues listed below, it's my recommendation to have the structure removed as soon as possible and the basement filled in up to present grade and all costs accrued to be assessed to the property taxes; there are also costs from the Lower St Croix Valley Fire Department to extinguish the fire ( AFFF Foam Agent ). Please consider this request to start the process to get quotes for the removal of the structure.**

**Thank You**

**John Buckley**

**City of Lakeland, Building Official**

**463.15 DEFINITIONS.**

5A

CJBWPF\$

PRT CONTRACT ICR REPORT

QIJS Page 1  
10/01/15 5:16:54

Washington County Sheriff's Office  
CONTRACT ICR's  
Contract Report for LAKELAND  
For the Period 9/01/15 To 9/30/15

| Date    | Time     | ICR #     | ID#  | Street Name     | Complaint                      |
|---------|----------|-----------|------|-----------------|--------------------------------|
| 9/01/15 | 12:29:28 | 115029078 | 0130 | 6TH ST          | THREATS REPORT                 |
| 9/01/15 | 13:29:17 | 115029095 | 0151 | I94             | LEVEL 3 INSPECTION             |
| 9/01/15 | 15:02:55 | 115029119 | 0094 | QUEHL AV        | FOUND PROPERTY                 |
| 9/01/15 | 16:52:01 | 115029144 | 0176 | QUENTIN AV      | VEHICLE LOCK OUT               |
| 9/01/15 | 19:02:38 | 115029153 | 0094 | QUEHL AV        | DRIVING COMPLAINT              |
| 9/02/15 | 10:42:24 | 115029199 | 0160 | I94             | ROAD RAGE                      |
| 9/03/15 | 8:41:39  | 115029295 |      | QUINNELL AV     | RECEIPT# 150002460             |
| 9/03/15 | 9:38:13  | 115029301 | 0100 | QUINNELL AV     | OFFICER INFO                   |
| 9/03/15 | 11:59:47 | 115029321 | 0063 | QUINNELL AV     | NOISE COMPLAINT                |
| 9/03/15 | 17:22:54 | 115029375 | 0176 | SAINT CROIX TR  | ACCIDENT *STATE A              |
| 9/03/15 | 19:45:32 | 115029390 | 0100 | I94             | INTOXICATED DRIVER             |
| 9/04/15 | 9:01:41  | 115029446 | 0152 | QUALITY AV      | CHILD PROTECTION REFERRAL      |
| 9/04/15 | 10:21:29 | 115029454 | 0151 | I 94            | LEVEL 1 INSPECTION             |
| 9/04/15 | 18:01:25 | 115029524 | 1255 | ST CROIX RIVER  | POSSIBLE BOAT ON FIRE          |
| 9/04/15 | 22:08:18 | 115029546 | 1255 | ST CROIX RIVER  | WATERCRAFT VIOLATION - WRITTEN |
| 9/04/15 | 22:08:44 | 115029547 | 1255 | ST CROIX RIVER  | WATERCRAFT VIOLATION - WRITTEN |
| 9/05/15 | 15:48:46 | 115029606 | 1260 | ST CROIX RIVER  | WATERCRAFT VIOLATION           |
| 9/05/15 | 15:57:48 | 115029609 | 1257 | ST CROIX RIVER  | WATERCRAFT VIOLATION           |
| 9/05/15 | 16:19:35 | 115029614 | 1260 | ST CROIX RIVER  | WATERCRAFT VIOLATION CT82-164  |
| 9/05/15 | 16:35:04 | 115029619 | 1257 | ST CROIX RIVER  | WATERCRAFT VIOLATION           |
| 9/05/15 | 17:45:09 | 115029634 | 0176 | RIVERCREST RD   | TRAFFIC *SCANNED CITE*         |
| 9/05/15 | 19:51:30 | 115029649 | 1252 | ST CROIX RIVER  | WATERCRAFT VIOLATION           |
| 9/05/15 | 19:52:58 | 115029651 | 1252 | ST CROIX RIVER  | WATERCRAFT VIOLATION           |
| 9/05/15 | 19:54:33 | 115029652 | 1252 | ST CROIX RIVER  | WATERCRAFT VIOLATION           |
| 9/05/15 | 19:56:21 | 115029653 | 1252 | ST CROIX RIVER  | WATERCRAFT VIOLATION           |
| 9/05/15 | 19:57:17 | 115029654 | 1252 | ST CROIX RIVER  | WATERCRAFT VIOLATION           |
| 9/05/15 | 19:58:18 | 115029655 | 1252 | ST CROIX RIVER  | WATERCRAFT VIOLATION           |
| 9/06/15 | 15:06:48 | 115029709 | 0139 | RIVERCREST RD   | SCAM REPORT                    |
| 9/06/15 | 17:30:47 | 115029721 | 0139 | RIVERCREST RD   | SUSPICIOUS VEHICLE             |
| 9/06/15 | 20:19:36 | 115029737 | 1255 | ST CROIX RIVER  | WATERCRAFT VIOLATION - WRITTEN |
| 9/06/15 | 23:23:25 | 115029749 | 1204 | 2ND ST          | LOUD PARTY                     |
| 9/07/15 | 4:14:50  | 115029757 | 1204 | I94             | CHECK AREA                     |
| 9/07/15 | 12:16:18 | 115029781 | 0151 | ST CROIX RIVER  | WATER CRAFT VIOLATION          |
| 9/07/15 | 21:36:36 | 115029839 | 1261 | ST CROIX RIVER  | WATERCRAFT VIOLATION           |
| 9/08/15 | 11:15:46 | 115029889 | 0075 | SAINT CROIX RIV | BOATER ASSIST                  |
| 9/08/15 | 12:12:47 | 115029897 | 0075 | I94             | SIGN DAMAGE                    |
| 9/09/15 | 10:37:46 | 115030006 | 0151 | I94             | LEVEL 1 INSPECTION             |
| 9/09/15 | 15:48:52 | 115030055 | 0139 | 2ND ST          | DOG BITE REPORT                |
| 9/09/15 | 17:08:04 | 115030068 | 1261 | ST CROIX RIVER  | WATERCRAFT VIOLATION           |
| 9/09/15 | 23:45:26 | 115030088 | 1202 | QUINNELL AV     | ALARM SOUNDING **RSTK CALL PR  |
| 9/10/15 | 7:06:14  | 115030099 | 0063 | RIVERCREST RD   | AUD ALARM                      |
| 9/11/15 | 0:03:13  | 115030198 | 0139 | 5TH ST          | MEDICAL LEVEL 3                |
| 9/11/15 | 9:14:20  | 115030217 | 0160 | I94             | TRAFFIC - EXP REG              |
| 9/11/15 | 10:59:50 | 115030230 | 0190 | RIVERCREST RD   | BURG ALARM                     |
| 9/12/15 | 21:27:38 | 115030407 | 0089 | SAINT CROIX TR  | DK DRIVER                      |
| 9/12/15 | 21:30:11 | 115030410 | 0065 | UPPER 4TH ST    | ROAD RAGE INCIDENT             |
| 9/12/15 | 22:57:34 | 115030418 | 0065 | SAINT CROIX TR  | DRIVING COMPLAINT              |
| 9/13/15 | 15:40:37 | 115030482 | 1260 | ST CROIX RIVER  | WATERCRAFT VIOLATION           |
| 9/13/15 | 15:47:57 | 115030483 | 1260 | ST CROIX RIVER  | WATERCRAFT VIOLATION           |
| 9/13/15 | 15:48:11 | 115030486 | 0176 | QUEENAN AV      | MEDICAL LEVEL 1                |
| 9/14/15 | 16:47:54 | 115030624 | 0139 | RIVERCREST RD   | WARRANT PICK UP                |
| 9/14/15 | 17:07:52 | 115030631 | 0078 | 3RD ST          | MOTOR BIKE COMPLAINT           |

PRT CONTRACT ICR REPORT

QIJS Page 2  
10/01/15 5:16:54

CJBWPRF\$  
 Washington County Sheriff's Office  
 CONTRACT ICR's  
 Contract Report for LAKELAND  
 For the Period 9/01/15 To 9/30/15

| Date    | Time     | ICR #     | ID#  | Street Name     | Complaint                      |
|---------|----------|-----------|------|-----------------|--------------------------------|
| 9/14/15 | 22:18:22 | 115030657 | 0139 | SAINT CROIX TR  | TRAFFIC                        |
| 9/15/15 | 11:25:59 | 115030719 | 0081 | WASHINGTON COUN | PUBLIC ASSIST                  |
| 9/15/15 | 12:25:53 | 115030728 | 0088 | QUAMWELL AV     | SUSPICIOUS VEH                 |
| 9/15/15 | 16:18:24 | 115030788 | 1270 | SAINT CROIX TR  | FOUND DOG                      |
| 9/15/15 | 16:24:54 | 115030791 | 0100 | PARIS AV CT     | OFFICER INFO                   |
| 9/16/15 | 7:56:20  | 115030843 | 0130 | SAINT CROIX TR  | TRAFFIC SPEED **SCANNED CI     |
| 9/16/15 | 8:44:21  | 115030847 | 0130 | 7TH ST LN       | FOUND WALLET *RESTACK-CALL*    |
| 9/16/15 | 12:38:24 | 115030886 | 0172 | SAINT CROIX TR  | MEET N GREET                   |
| 9/17/15 | 2:45:21  | 115030957 | 0123 | 7TH ST          | TRAFFIC-CITATION               |
| 9/17/15 | 9:19:07  | 115030981 | 0081 | I94             | ACCIDENT *STATE                |
| 9/17/15 | 12:56:16 | 115031017 | 0152 | 10TH ST CT      | ASSAULT REPORT ***21** COMP    |
| 9/18/15 | 8:03:30  | 115031115 | 0160 | SAINT CROIX TR  | MEDICAL LEVEL 1                |
| 9/18/15 | 8:24:21  | 115031120 | 0075 | I94             | ROAD HAZARD                    |
| 9/18/15 | 17:19:33 | 115031225 | 1255 | ST CROIX RIVER  | WATERCRAFT VIOLATION - WRITTEN |
| 9/18/15 | 18:54:27 | 115031232 | 0176 | UPPER 2ND ST    | DISTURBANCE                    |
| 9/19/15 | 11:52:55 | 115031274 | 0087 | SAINT CROIX TR  | MOTORCYCLE ACCIDENT *ST        |
| 9/19/15 | 17:31:29 | 115031305 | 1255 | ST CROIX RIVER  | WATERCRAFT VIOLATION - WRITTEN |
| 9/19/15 | 17:31:52 | 115031306 | 1255 | ST CROIX RIVER  | WATERCRAFT VIOLATION - WRITTEN |
| 9/19/15 | 19:44:39 | 115031318 | 0120 | SAINT CROIX TR  | JUVENILE MISCHIEF              |
| 9/20/15 | 11:22:43 | 115031356 | 1270 | ST CROIX RIVER  | WATERCRAFT VIOLATION           |
| 9/20/15 | 12:10:37 | 115031360 | 0087 | 8TH ST          | PARKING COMPLAINT              |
| 9/20/15 | 12:43:19 | 115031363 | 0088 | HUDSON BLVD     | TRESPASSERS                    |
| 9/21/15 | 15:41:57 | 115031493 | 0096 | SAINT CROIX TR  | VEH LOCKOUT                    |
| 9/22/15 | 9:26:55  | 115031567 | 0151 | I94             | LEVEL 1 INSPECTION             |
| 9/22/15 | 11:19:03 | 115031593 | 0151 | I94             | LEVEL 1 INSPECTION MN LIC#YBM3 |
| 9/22/15 | 15:45:43 | 115031623 | 0078 | SAINT CROIX TR  | POSS CSC REPORT                |
| 9/23/15 | 8:32:40  | 115031675 | 0063 | DIVISION ST     | SUSPICIOUS ACTIVITY            |
| 9/23/15 | 12:58:52 | 115031734 | 0063 | QUINMORE AV     | MISSING DOG                    |
| 9/23/15 | 21:00:29 | 115031786 | 0139 | AFTON BLVD      | CAR VS DEER ACCIDENT           |
| 9/24/15 | 22:08:02 | 115031935 | 1263 | ST CROIX RIVER  |                                |
| 9/25/15 | 9:56:58  | 115031970 | 0160 | SAINT CROIX TR  | THEFT REPORT                   |
| 9/25/15 | 13:57:55 | 115032039 | 0088 | 8TH ST          | OPF VIOLATION                  |
| 9/25/15 | 16:27:02 | 115032078 |      | 3RD ST          | RECEIPT# 150002694             |
| 9/25/15 | 16:34:33 | 115032082 |      | QUASAR AV       | RECEIPT# 150002695             |
| 9/26/15 | 3:46:42  | 115032144 | 1204 | SAINT CROIX TR  | SUSPICIOUS VEHICLE/DWI 2ND DEG |
| 9/26/15 | 6:45:04  | 115032149 | 0160 | RIVERCREST RD   | THEFT                          |
| 9/26/15 | 9:42:18  | 115032168 | 0087 | QUANT CT        | REQUEST FOR EXTRA PATROL       |
| 9/26/15 | 12:33:30 | 115032189 | 0087 | QUENTIN AV      | VANDALISM REPORT               |
| 9/26/15 | 17:14:59 | 115032213 | 1255 | SAINT CROIX RIV | WATERCRAFT VIOLATION - WRITTEN |
| 9/26/15 | 17:15:34 | 115032214 | 1255 | SAINT CROIX RIV | WATERCRAFT VIOLATION - WRITTEN |
| 9/26/15 | 17:20:22 | 115032215 | 0139 | SAINT CROIX TR  | TRAFFIC *SCANNED CITE*         |
| 9/26/15 | 18:50:41 | 115032222 | 0139 | QUEENAN AV      | DIRT BIKE COMPLAINT            |
| 9/26/15 | 21:14:15 | 115032233 | 0139 | SAINT CROIX TR  | DISABLED VEHICLE               |
| 9/27/15 | 11:59:59 | 115032286 | 1270 | ST CROIX RIVER  | WATER CRAFT VIOLATION          |
| 9/27/15 | 12:31:45 | 115032289 | 1270 | ST CROIX RIVER  | WATER CRAFT VIOLATION          |
| 9/27/15 | 18:26:47 | 115032322 | 1261 | STAGECOACH TR   | TRAFFIC                        |
| 9/27/15 | 18:42:17 | 115032325 | 0120 | QUEENAN AV      | ILLEGAL RACING                 |
| 9/27/15 | 23:59:06 | 115032345 | 0068 | 8TH ST          | DOMESTIC                       |
| 9/28/15 | 10:01:04 | 115032380 | 0151 | I94             | LEVEL 1 INSPECTION             |
| 9/28/15 | 10:42:48 | 115032388 | 0160 | I94             | ROAD HAZARD                    |
| 9/28/15 | 14:00:58 | 115032412 | 0088 | QUENTIN AV      | ALARM                          |
| 9/28/15 | 16:07:02 | 115032428 | 0100 | 3RD ST          | OFFICER INFO                   |

PRT CONTRACT ICR REPORT

CJBWPR\$  
Contract Report for LAKELAND  
For the Period 9/01/15 To 9/30/15

| Date    | Time     | ICR #     | ID#  | Street Name    | Complaint                      |
|---------|----------|-----------|------|----------------|--------------------------------|
| 9/29/15 | 14:30:23 | 115032537 | 0067 | 2ND ST         | SCAM REPORT                    |
| 9/29/15 | 17:26:32 | 115032564 | 0151 | SAINT CROIX TR | LEVEL 1 INSPECTION             |
| 9/29/15 | 18:27:57 | 115032566 | 1201 | SAINT CROIX TR | POSS DK DRIVER-FIRE ROUTINE FO |
| 9/30/15 | 11:09:30 | 115032617 | 0151 | I94            | LEVEL 1 INSPECTION             |
| 9/30/15 | 18:38:28 | 115032684 | 0061 | QUINNELL AV    | FOUND DOG **MESSAGE LEFT WI    |

Total ICRs Processed: 109

\*\* END OF REPORT \*\*

PF Citations by City Rpt

ALCOPFR\$

QIJS Page 1  
10/01/15 5:16:54

Washington County Sheriff's Office  
CITATIONS BY CITY REPORT

City selected: LAKELAND

From Date: 9/01/2015 To: 9/30/2015

LAKELAND

| Offense Date             | Offense Time | Location              | Citation # |
|--------------------------|--------------|-----------------------|------------|
| 9/05/2015<br>Statute 86B | 1616<br>501  | ST CROIX RIVER        | CT16423    |
|                          |              | PFD UNDER 10 REQUIRED |            |
| 9/16/2015<br>Statute     | 0750         | ST CROIX S/10TH ST S  | CT8224476  |
|                          |              | SPEED 64/50MPH ZONE   |            |

Total for City: LAKELAND

2

\*\* END OF REPORT \*\*

## Sandie Thone

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**From:** sheriff@co.washington.mn.us  
**Sent:** Thursday, October 01, 2015 5:17 AM  
**To:** cityoflakeland@comcast.net  
**Subject:** NOENCRYPT This is the monthly contract report for LAKELAND Monthly report for 10/01/15  
**Attachments:** ALCOPFR\$.txt

This email contains your Citation Report and is best viewed in a simple text editor such as Notepad. Please contact us at (651) 430-7600 or by email at sheriff@co.washington.mn.us if you have any questions or would like to be removed from this distribution. Thank you.

## Lakeland Update – August, 2015

- 1. At their request, I did a Conference Call with Select Senior Housing (SSH) on Monday, 9/14 to further discuss their interest in the Lakeland project. While they like the Lakeland site for senior housing, they've been unable to make any "headway" in lowering the price of the property, such that it works for their financial "pro forma". Without a price below \$10,000 per unit for land, the "numbers" won't work and the "numbers" are well above that maximum. That same day, I met with a representative of Ebenezer, one of the leading builders of senior housing in the Metro area on the project, but at 75 to 85 units, it remains too small for them to do. The cost of the land and the size of the project are the primary reasons for the standstill on the project.**
- 2. In a meeting with Hamline University in mid-September, the Student Projects were very successful from their perspective. They have indicated that Lakeland could continue to use Student Teams again beginning in January, 2016, if they would like to. We have a number of projects that they could work on, so all we need is a City Council motion to continue this relationship with Hamline at a future City Council meeting.**
- 3. I have been assisting the Clerk/Administrator in developing an Architect RFP should City Council decide to begin the process of considering a new City Hall.**
- 4. Now that Thrive MSP 2040 has laid out the direction, the Metro Council is working on the Local Planning Handbook, which will guide work on the Comp Plan Update. It started with a Local Planning Handbook Update survey last Winter, which I responded to, and continued with the review of current Policy Plans for Transportation, Housing, Water Resources, and Regional Parks. In an e-mail exchange with the City's new Sector Rep, Ryan Garcia, the Local Planning Handbook is now "reincarnated" as an online, interactive resource, which made its debut on September 18th. In addition, the individualized System Statements were released at the same time, so Lakeland now has a "blueprint" on what the City needs to do to comply with the 4 Policy Plans and can now proceed with their Comp Plan. More on each of the Policy Plans below, but now all 4 have been approved.**

5. The Transportation Policy Plan, over 500 pages long, was released for public comment on 8/13/14. I did not submit comments, since the only part of the TPP that affects Lakeland specifically is the Gateway Corridor, which the City has monitored, and additional, but not yet located, “park and ride” lots. The Metro Council gave Final Approval of the TPP at their meeting of 1/14/15 without any further revisions. The City Council, acting as the Planning Commission, can begin to review any changes to this section of the Comp Plan and submit them for review to our Sector Rep for review and comment.
6. The Housing Policy Plan draft came out for public comment at the end of July, 2014 and it took a full year, including a recent amendment, to have it approved. The final step was taken at the July 20<sup>th</sup> Community Development Committee when they met to finalize their recommendation to the Full Metro Council on the methodology for determining each city’s allocation of the region’s affordable housing need and new criteria for reviewing housing element of the Local Comp Plans. In an e-mail into Ryan Garcia, our Metro Council Sector Rep, on the Draft of the Affordable Housing Allocation, in July, I noted that Lakeland was not assigned a “number” for providing new affordable housing units. It was not oversight, he said in his return e-mail in August, since Lakeland does not meet the population threshold, so the City will NOT need to provide a plan to show how it will meet a specific number of affordable housing units in its Comp Plan. While this is good news, Lakeland will still need a paragraph or 2 on affordable housing efforts in the Comp Plan. Again, everything is in place to begin work on this section of the Comp Plan.
7. The Metro Council completed the process of updating its 2010 Master Water Supply Plan (WPP) with the full Metro Council approving it on September 23rd. The results will impact future water planning and supply requirements for metro area cities. Lakeland’s 2020 Comp Plan will NOT need to be consistent with this Master Water Supply Plan, because the Legislature removed that requirement this session. Still, Lakeland will need to complete an update of its Local Water Plan between January 1, 2017 and December 31, 2018. As noted, Lakeland cannot begin work on this until 1/1/17, but will need to find some funding in order to pay for engineering expenses related to this update, along with Local Surface Water Management Plan.
8. The final Policy Plan released was the Regional Parks Policy Plan, which is 118 pages long. I reviewed the RPPP to see if there’s anything related to Lakeland. The Washington County did send a 4 page letter

of comments to the Metro Council, which I shared with the Planning Commission. Again, there was nothing directly pertaining to Lakeland parks, so I did not submit any comments on behalf of Lakeland by the Thursday, 10/30/14 deadline. It went to the full Metro Council on 2/11/15 where it was approved. Since there is little that will affect Lakeland's Comp Plan in the RPP, this is an area that the City Council, acting as the Planning Commission, can begin work on for the Comp Plan. This was one of the Hamline Student Projects that will help start the community discussion on the Parks and Recreation section for the Comp Plan, so the City is ahead on this section.

9. As I noted, the System Statement process by the Metro Council is now complete and the issuance of the Local Planning Handbook outlines the requirements that the City's Comp Plan will have to meet. We now have everything needed to begin the update of the Comp Plan. The next step is for the City Council/Planning Commission on the process for getting citizen thoughts on the proposed goals when the Handbook comes out.
10. Based on an E-mail exchange with Sector Rep, Ryan Garcia, Metro Council will likely offer a no interest, 3 year loan to assist small cities in completing their Comp Plan. This is Good News for Lakeland, since we will likely need engineering expertise to complete parts of the Comp Plan. I'll stay in touch with him to get details should the loans be made available, since they'll be offered on a "first come, first served" basis. Lakeland will need to get their application quickly. I expect to have more details in October.
11. The foreclosure data provided by the Washington County HRA thru July, 2015 shows that Lakeland had 2 foreclosures for the month of June – 16625 20<sup>th</sup> Street South, which may be a duplex – and another in July – 301 Quentin Ave. Like Lakeland, Sheriff's Sales are "creeping up" over the last couple of months...since this data is about 2 months behind, it'll be interesting to see what August and September brings on foreclosures.
12. One of the best sources of comparative license and permit fees is Metro Cities. Metro Cities provides this information free to any City that fills out the survey providing their own license and permit fees. Most Minnesota Cities update their license and permit fees every 2 years based on comparable fees by cities of their size. With the 2016 Budget "season" in full swing, it may be good for Lakeland to do the survey and then compare to other cities of 2,500 or less to make sure that the

City is not undercharging for these services. If there's interest, then I can stop by and walk Staff thru the process.

13. The Metro Council has completed discussion of their 2016 Operating Budget, which will increase by 2% under their Preliminary Budget. What does this mean for the Lakeland taxpayer? For a Lakeland homeowner, this would mean an annual increase of \$23 for a home valued at \$250,000. Just one of the many organizations that affect the Tax Levy in Lakeland that Council has little control over.
14. I continue to work with the Sector Rep on Metro Council's population and employment estimates for Lakeland. The population estimates in May, 2015 for Thrive 2040 show Lakeland's population dropping from 1,796 to 1,500 over the next 25 years – this is not good news for Lakeland's LGA allocation. However, at least for now, I have been able to reverse the trend and actually have Lakeland's population increasing from 1,796 to 1,806, which adds about \$275 to the LGA allocation to Lakeland instead of losing LGA revenue. For your info, each resident brings in about \$28 in LGA revenue. Good News! (sort of because the long range projections are for population declines for Lakeland) When the final population figures were released in late July for the projected population in 2040 they had been increased to 1,670 from 1,580 ...better, but still the wrong direction. The City will need to pay particular attention to the annual population estimates or it may find that LGA \$ will continue to decline.
15. This month, I completed mandatory surveys on the 2016 Affordable Housing and Life-Cycle Housing Opportunity Amount (ALHOA), which is met by our participation in the Washington county HRA Tax Levy (in 2016 the ALHOA amount Lakeland will need to meet is \$14,806) and the Affordable Housing Production Survey and Scoring Tool, which keeps the City eligible for Metro Council grants/loans for housing projects. Finally, I also completed the MnDOT External Partner Cost Participation Survey, which I noted that Lakeland would certainly like to see the continuation of the additional funds for local roads that it received this year.
16. There is also a new revolving loan fund for cities to pay for the cost of an energy audit or a renewable energy feasibility study for public buildings. If the city proceeds in constructing a new City Hall, then these \$ could be used to study energy updates to the present Public Works/Public Utility building, as well as evaluate such alternate energy sources as solar for an addition to the building. Let me know if there's interest.

- 17. Other news...the Metro Cities Annual Meeting takes place on Wednesday, 11/18 @ the Ramada Plaza, 1330 Industrial Blvd in NE Minneapolis, so mark your calendars – details to follow; Speaking of Metro Cities, they've hired a new Gov't Relations Specialist, Steve Huser, to replace Todd Olson; the Washington County Board has been revamping their Solid Waste Master Plan, which includes the purchase of the Newport Resource Recovery Facility; in State Budget news, the August revenues were 8.5% higher than anticipated, so for the first 2 months of FY2016, revenues are up \$143 million...and that's on top of the ending FY2015 at \$555 million over budget – given this pattern, there should be little problems with 2016 LGA allocations; the Minnesota Housing Finance Agency provides low interest loans to Lakeland homeowners for purchasing/fixing up homes – go to [www.mnhousing.gov](http://www.mnhousing.gov) for more info – some of the info could be made available to Lakeland residents thru the Newsletter and Website and the Legislature approved additional dollars for housing rehab.**
- 18. I've attached an interesting article on the City of Newport's consideration of disbanding their police force. In it, there's a cost comparison of police service costs in Washington County cities – in Newport, the cost is \$246.87 per capita and in Lakeland, the cost is \$57.45 per capita, which nearly 4 times less for Lakeland residents.**
- 19. October, 2015 Work Plan – Focus on the 2020 Comp Plan Process, Hamline Projects followup...and any other assignments!**

# Move to disband Newport police kicks up a fuss

Sheriff's office would take over policing, saving the city a bundle, officials say

By DAVID PETERSON  
david.a.peterson@startribune.com

There's nothing subtle about the fight to keep a police department in Newport.

Right across the street from City Hall there ripples a good-sized protest sign, on the property of retired Newport cop and 55-year resident Fred Leimbek.

"If we give up our police department," he said, "what next? It's part of our identity. When the council took a preliminary vote, one of them hollered out an unhappy 'Nay!'"

Both sides expect a lively evening on Oct. 15 when the City Council convenes a public hearing on whether to sign up for police services with the Washington County sheriff.

The change, if approved, will save the tiny city close to a million dollars in the first five years, said city administrator Deb Hill.

"Opponents are spreading a wide variety of misinformation," she said. "Some say there'll be no policing in town here, the officers will be behind a desk in Stillwater. Actually we will keep our officers, who will become employees of the county, all of them housed right here."

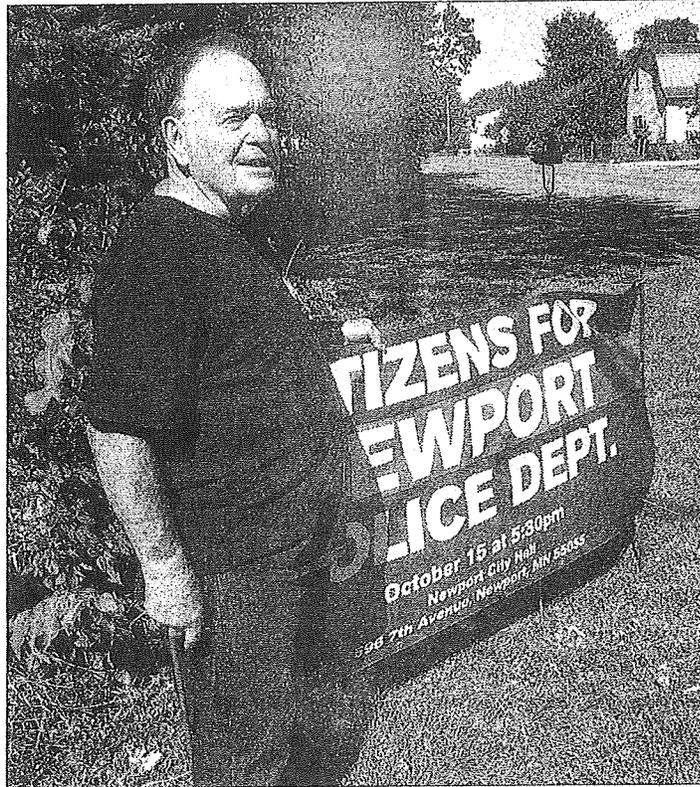
The Sept. 30 retirement of the city's police chief created ideal timing for the change, Hill said. Much of the savings stem from the ability to get along without a chief and a chief's vehicle without actually dismissing an incumbent and depriving that person of a living, she said.

Karla Bigham, the county commissioner for the area, stressed that the city approached the county and not the other way around.

"I'm obviously supportive of the decision of the local community," she said. "But I would say that it's in the best interests of Newport to have the discussion with Cottage Grove and St. Paul Park about collaboration of services and definitely to listen to the public on their wants as far as services in their community."

Collaborating with the two neighboring suburbs, rather than contracting with the county, is still in the mix, but there is a draft agreement with the county.

"We met with Cottage Grove and St. Paul Park," Hill said, "but the county has a turnkey operation that can turn on a dime. They know what the costs are, they've been doing it so long [the sheriff's office polices 21 smaller com-



DAVID PETERSON • david.a.peterson@startribune.com

Fred Leimbek, a retired Newport police officer, has a sign in his yard facing City Hall, calling on residents to turn out for a council meeting in October that will consider abolishing the city's police department.

## POLICE COSTS PER CAPITA, WASHINGTON COUNTY

In dollars; higher cost cities tend to have their own departments

|                  |        |                      |       |
|------------------|--------|----------------------|-------|
| Oak Park Heights | 275.82 | Lakeland Shores      | 58.23 |
| Newport          | 246.87 | Willernie            | 57.63 |
| St. Paul Park    | 234.24 | Lakeland             | 57.45 |
| Bayport          | 213.62 | Lake St. Croix Beach | 57.45 |
| Forest Lake      | 207.87 | Afton                | 57.28 |
| Stillwater       | 170.72 | St. Marys Point      | 56.91 |
| Cottage Grove    | 165.93 | Birchwood Village    | 55.54 |
| Landfall         | 155.31 | Dellwood             | 54.98 |
| Oakdale          | 154.47 | Mahtomedi            | 53.37 |
| Woodbury         | 151.64 | Grant                | 27.89 |
| Lake Elmo        | 61.74  | Scandia              | 27.53 |
| Hugo             | 60.41  |                      |       |

Source: City of Newport

munities] so they are not reinventing the wheel. There's a bigger economy of scale to make the cost savings real."

If it contracted with the county, the city would need two squad cars rather than six, a huge savings itself, partly because it wouldn't need backup vehicles: the sheriff has a fleet.

Newport (pop. 3,469) bears the second-highest per capita policing costs in the county, according to a fact sheet compiled by city officials: \$247 per res-

ident per year, behind only Oak Park Heights and several times as high as places like Lake Elmo and Grant.

The city could save close to \$200,000 a year against a general fund budget of \$2.5 million, applying the savings to tax reductions or other needs.

Public testimony at the Oct. 15 meeting will start at 6 p.m. The council could vote on the issue that night or Nov. 5.

David Peterson • 651-925-5039

STAR TRIBUNE, SUNDAY, 10/4/15



8A

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To: Mayor and City Council  
From: Sandie Thone, City Administrator/Clerk  
Re: Ordinance 7548 Amending City Code Chapter 159 Pertaining to Conditional Use Permit (CUP) Annual Review and Summary Publication  
Date: October 20, 2015

**BACKGROUND:**

In June of 2015 staff brought the Conditional Use Permit process to the city council workshop for review and direction. The following information was provided:

A conditional use is described as a land use designated in a zoning ordinance that is specifically allowed in a zoning district so long as certain standards are met.

A use is typically designated in a zoning ordinance as 'conditional' because of hazards inherent in the use itself or because of unique characteristics that its proposed location may present.

The CUP is issued by the city when certain standards have been met by the applicant.

A zoning ordinance will typically detail general standards that apply to all conditional uses, such as conformance to the city's comprehensive plan. The city's code will also detail specific standards for particular uses, such as accommodating a drive-thru business, etc.

Problem #1) State statute § 462.3595 subd.3 provides that a CUP remains in effect as long as the conditions agreed upon are observed. \*\*Automatic annual review are not consistent with state law. If the city wishes to place time constraints on particular uses, then the appropriate tool would be an interim use permit which allows a temporary use for a specified period of time.

Solution: City Code 159.024 needs to be updated; removing section H1 and modifying J to reflect the discontinuation of the annual CUP process currently reflected in Lakeland's zoning code.

**DISCUSSION:**

The city council provided direction for staff to move forward to review and remediate the city code and bring it back for approval at a future council meeting. Notice of the public hearing necessary when any changes are made to the zoning code was published in the official newspaper and a public hearing was held at tonight's meeting in which the public may be heard.

Ordinance 7548 attached addresses the annual review of CUP process which has been eliminated from our code language and master fee schedule. The ordinance will go into effect upon its publication in the City's legal newspaper.

In addition, the Summary Publication is included in your packets as well and requires a separate council action.

***RECCOMENDATION:***

Staff requests city council approve Ordinance 7548 Amending City Code Chapter 159 Pertaining to the Annual Review of Conditional Use Permits. Motion, Second and Majority Vote of all members required.

Staff requests city council approve the Summary Publication and its content regarding Ordinance 7548 Amending City Code Chapter 159 Pertaining to the Annual Review of Conditional Use Permits. Motion, Second and Super Majority (four/fifths) Vote required. (Simple Majority Vote required for Summary content).

**ORDINANCE 7548**

**CITY OF LAKELAND  
WASHINGTON COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 159 OF THE CODE OF ORDINANCES  
FOR THE CITY OF LAKELAND PERTAINING TO CONDITIONAL USE PERMITS AND  
INTERIM USE PERMITS**

**THE CITY COUNCIL FOR THE CITY OF LAKELAND DOES ORDAIN:**

**Section 1: Amendment.** Chapter 159 of the Code of Ordinances is hereby amended as follows:

**Section 159.024 CONDITIONAL USE PERMITS AND INTERIM USE PERMITS**

(A) *Generally.*

(1) The City Council may grant a conditional use permit or an interim use permit, provided the proposed use is designated in § 159.005 or § 159.043 of this chapter as a conditional use or interim use for the district, upon finding that:

- (a) Certain conditions as detailed in this chapter exist;
- (b) The use or development conforms to the zoning regulations of the city;
- (c) Is compatible with existing neighborhood; and/or
- (d) Meets conditions or standards adopted by the city not incorporated in this chapter.

(2) Conditional use permits and interim use permits shall be granted for a particular property and use, and not for a particular person or firm.

(3) For all uses designated as a conditional use or interim use, the City Council may determine whether to require a conditional use permit or an interim use permit for the use. (Prior Code, Ch. 300 § 505.01)

(B) *Record.* The Zoning Administrator shall maintain a record of all applications for and all conditional use permits and interim use permits issued including information on the use, location, conditions imposed by the city, time limits, review dates, and such other information as may be appropriate. (Prior Code, Ch. 300 § 505.02)

(C) *Application.* Application for a conditional use permit or interim use permit shall be filed with the Zoning Administrator. The application shall be accompanied by development plans for the proposed use showing such information as may be reasonably required by the Administrator, including but not limited to those things listed under division (C)(1) below.

(1) The plans shall contain sufficient information for the city to determine whether the proposed development will meet all applicable development standards.

(a) Name and address of the applicant. If the application is being made by someone other than the owner of the property, a signed statement from the owner must accompany the application authorizing the applicant to represent the property owner on this application;

(b) The name and address of the owners of the property and any person having a legal interest therein, if other than the applicant;

(c) The legal description of the property involved in the request as shown on a copy of the current property tax statement, including the street address, if any, of the property;

(d) A site plan drawn to scale showing the property dimensions or a legal survey if requested by a representative of the city;

(e) Location of all existing and proposed buildings and their size, including square footage and elevation of finished building;

(f) Proposed floor plan and elevations of any building with use indicated;

(g) Sanitary sewer and water plan with estimated flow rates;

(h) Location of curb cuts, driveways, access road, parking spaces, off-street loading areas and sidewalks, if applicable;

(i) Landscaping and screening plans, including species and size of trees and shrubs proposed;

(j) Soil type and soil limitations for the intended use. If severe soil limitations for the intended use are noted, a plan or statement indicating the soil conservation practice or practices to be used to overcome the limitations shall be made part of the application;

(k) A statement describing the reason for the application, including business or activity and number of employees;

(l) An applicant's certificate showing the names and addresses of the record owners of all property (obtained from the County Surveyor's office), located within a minimum of 500 feet of all the contiguous property owned by the applicant;

(m) A location map showing the general location of the proposed use within the city, along with a map showing all principal land use within 500 feet of the parcel for which the application is being made, certified as to its accuracy by the applicant; and

(n) The application fee, as established by city ordinance, which can be changed from time to time.

(2) The application process will not proceed forward until all applicable items are provided to the Zoning Administrator and formally accepted as a completed application.

(3) The applicant shall supply proof of ownership of the property for which the conditional use permit is requested, consisting of an abstract of title or registered property certificate, certified by a licensed abstractor, together with any unrecorded documents whereby the petitioners acquired legal or equitable ownership.

(Prior Code, Ch. 300 § 505.03)

(D) *Public hearing.* The Zoning Administrator shall refer the application to the Planning Commission for consideration at its next regular meeting; however, if the next regular

meeting of the Planning Commission is within 15 days of the date of filing, then such consideration may be at the second regular meeting after the filing. At that meeting, the Planning Commission shall conduct a public hearing on the application. The public hearing shall be scheduled by the Zoning Administrator and as provided or allowed by law.

(1) Notice of the purpose, time, and place of the public hearing shall be published in the official newspaper of the city and mailed to each of the owners of all property located within a minimum of 500 feet of the property described in the application and such other persons as the Planning Commission may direct, at least 10 days prior to the date of the hearing. A copy of the notice and a list of the owners and addresses to which the notice was sent shall be attested to by the responsible person and shall be made a part of the records of the proceedings. The failure to give mailed notice to individual property owners or defects in the notice shall not invalidate the proceedings, provided a bona fide attempt to comply with the provisions of this section has been made.

(2) The applicant or that applicant's representative must appear at the public hearing in order to answer questions concerning the proposed use.  
(Prior Code, Ch. 300 § 505.04)

(E) *Planning Commission report.* The Planning Commission report on the application, as provided in the official minutes of the public hearing/Planning Commission meeting, shall be forwarded to the City Council, for consideration at its next regular meeting; unless the applicant consents to extending consideration by the Planning Commission.

(1) The report shall recommend that the conditional use permit or the interim use permit be granted or denied and shall include the Planning Commission's recommendation as to any conditions to be imposed if the conditional use permit or interim use permit is granted, including time limits or provisions for periodic review, and shall state the reasons therefor.

(2) The Planning Commission's report shall be referred by the Zoning Administrator to the City Council for consideration at its next regular meeting. At the same time, the Zoning Administrator shall mail to the applicant a copy of the Planning Commission report and a notice of the time and place of the meeting at which the report will be considered by the City Council.  
(Prior Code, Ch. 300 § 505.05)

(F) *City Council action on application.*

(1) The City Council shall make its decision on the application within the time prescribed by law. The City Council shall make written findings and state therein the reasons for its decision; and the Zoning Administrator shall mail a copy thereof bearing the notation of the filing date, to the applicant.

(2) The City Council may impose such conditions and restrictions, as appear to be necessary and proper to protect adjacent property and comply with the intent and purposes of this chapter and the Comprehensive Plan, as well as a specific expiration date on the interim use permit.  
(Prior Code, Ch. 300 § 505.06)

(G) *Re-application.* No application for a conditional use permit or an interim use permit shall be resubmitted for a period of 6 months from the date of the denial of a previous application.  
(Prior Code, Ch. 300 § 505.07)

(H) *Renewal of Interim use Permit.*

(1) The City Council shall establish a date on which the interim use permit will expire. All interim use permits shall be reviewed by the Planning Commission at a public hearing at least one month prior to the expiration of the permit. Notice of the public hearing shall be published in the official newspaper at least 10 days prior to the review. It shall be the responsibility of the Zoning Administrator to schedule the public hearing and notify the permit holder by mail at least 10 days prior to the review hearing. The Planning Commission shall make a recommendation to the City Council regarding the renewal of the interim use permit. The renewal may involve adding conditions to the interim use permit. The City Council shall make the determination regarding the renewal of the interim use permit.  
(Prior Code, Ch. 300 § 505.08)

(I) *Compliance with permit; violation of conditions.* Any use permitted under the terms of a conditional use permit or interim use permit shall be established and conducted in accordance with all of the terms, conditions and restrictions of such permit. The violation of any term, condition, or restriction of a conditional use permit or interim use permit shall be a violation of this chapter.  
(Prior Code, Ch. 300 § 505.09)

(J) *Expiration and suspension of interim use permit.* An interim use permit shall expire 1 year after it has been issued unless the Planning Commission has set some other time limitation or unless the use for which the permit has been granted has commenced within such year, except that upon written application of the owner of the affected land for which the interim use permit was granted prior to the end of the year, the City Council may extend the expiration date of the permit for an additional period, not to exceed 1 year. If, under the interim use permit, building is commenced and subsequently determined by the Zoning Administrator to be abandoned for a period of 120 days, the interim use permit shall be suspended at the end of the 120 days. Before the construction may be recommenced, an interim use permit can be reinstated by the Planning Commission, provided that no changes or alterations in the original plan have been made. If the building permit for the construction that was determined to be abandoned became invalid prior to the recommencement of the construction, the suspended interim use permit shall expire at the time the building permit became invalid.  
(Prior Code, Ch. 300 § 505.10)

(K) *Administration.* An amended conditional use permit application or interim use permit application may be administered in a manner similar to that required for a new conditional use permit or interim use permit. Amended conditional use permits and interim use permits shall include reapplication for permits that have been denied or permits that have expired, requests for changes in conditions, and as otherwise described in this chapter. Clerical or non-substantive changes to conditional use permits and interim use permits may be processed under the administrative provisions of this section.  
(Prior Code, Ch. 300 § 505.11)

(L) *Inclusion.* All uses permitted by this chapter by conditional use permit in existence prior to the adoption date of this chapter shall be automatically issued a conditional use permit by the Zoning Administrator. Any changes in the existing use after the adoption date of this chapter shall require an amended conditional use permit.  
(Prior Code, Ch. 300 § 505.12)

#### A. **Section 159.043 USES**

Add Interim Use Permit to the key as follows:

The following table represents the uses and restrictions for the city. The key is as follows:

KEY:

- P = Permitted
- C/IUP = Conditional Use Permit or Interim Use Permit and Public Hearing
- CP = City Permit
- A = Permitted Accessory Use
- N = Not Permitted
- \* = N in R-1

**Section 2. Effective Date.** This Ordinance shall be in full force and effect from and after its adoption and publication according to law.

Passed and adopted by the City Council for the City of Lakeland this 20th day of  
October 2015.

---

Amy Williams, Mayor

ATTEST:

---

Sandie Thone, City Administrator/Clerk

ORDINANCE NO. ~~7538~~ 7548

CITY OF LAKELAND  
WASHINGTON COUNTY, MINNESOTA

AN ORDINANCE AMENDING CHAPTER 159 OF THE CODE OF ORDINANCES  
FOR THE CITY OF LAKELAND RELATIVE PERTAINING TO ~~CONDITIONAL USE PERMITS~~  
~~AND INTERIM USE PERMITS~~

THE CITY COUNCIL FOR THE CITY OF LAKELAND DOES ORDAIN:

**Section 1: Amendment.** Chapter 159 of the Code of Ordinances is hereby amended as follows:

~~A. Section 159.024 CONDITIONAL USE PERMITS~~

~~Delete this section in its entirety and substitute the following therefore:~~

**Section 159.024 CONDITIONAL USE PERMITS AND INTERIM USE PERMITS**

(A) *Generally.*

(1) The City Council may grant a conditional use permit or an interim use permit, provided the proposed use is designated in § 159.005 or § 159.043 of this chapter as a conditional use or interim use for the district, upon finding that:

- (a) Certain conditions as detailed in this chapter exist;
- (b) The use or development conforms to the zoning regulations of the city;
- (c) Is compatible with existing neighborhood; and/or
- (d) Meets conditions or standards adopted by the city not incorporated in this chapter.

(2) Conditional use permits and interim use permits shall be granted for a particular property and use, and not for a particular person or firm.

(3) For all uses designated as a conditional use or interim use, the City Council may determine whether to require a conditional use permit or an interim use permit for the use. (Prior Code, Ch. 300 § 505.01)

(B) *Record.* The Zoning Administrator shall maintain a record of all applications for and all conditional use permits and interim use permits issued including information on the use, location, conditions imposed by the city, time limits, review dates, and such other information as may be appropriate. (Prior Code, Ch. 300 § 505.02)

(C) *Application.* Application for a conditional use permit or interim use permit shall be filed with the Zoning Administrator. The application shall be accompanied by development plans for the proposed use showing such information as may be reasonably required by the Administrator, including but not limited to those things listed under division (C)(1) below.

(1) The plans shall contain sufficient information for the city to determine whether the proposed development will meet all applicable development standards.  
Ordinance 7538

Page 2

(a) Name and address of the applicant. If the application is being made by someone other than the owner of the property, a signed statement from the owner must accompany the application authorizing the applicant to represent the property owner on this application;

(b) The name and address of the owners of the property and any person having a legal interest therein, if other than the applicant;

(c) The legal description of the property involved in the request as shown on a copy of the current property tax statement, including the street address, if any, of the property;

(d) A site plan drawn to scale showing the property dimensions or a legal survey if requested by a representative of the city;

(e) Location of all existing and proposed buildings and their size, including square footage and elevation of finished building;

(f) Proposed floor plan and elevations of any building with use indicated;

(g) Sanitary sewer and water plan with estimated flow rates;

(h) Location of curb cuts, driveways, access road, parking spaces, off-street loading areas and sidewalks, if applicable;

(i) Landscaping and screening plans, including species and size of trees and shrubs proposed;

(j) Soil type and soil limitations for the intended use. If severe soil limitations for the intended use are noted, a plan or statement indicating the soil conservation practice or practices to be used to overcome the limitations shall be made part of the application;

(k) A statement describing the reason for the application, including business or activity and number of employees;

(l) An applicant's certificate showing the names and addresses of the record owners of all property (obtained from the County Surveyor's office), located within a minimum of 500 feet of all the contiguous property owned by the applicant;

(m) A location map showing the general location of the proposed use within the city, along with a map showing all principal land use within 500 feet of the parcel for which the application is being made, certified as to its accuracy by the applicant; and

(n) The application fee, as established by city ordinance, which can be changed from time to time.

(2) The application process will not proceed forward until all applicable items are provided to the Zoning Administrator and formally accepted as a completed application.

(3) The applicant shall supply proof of ownership of the property for which the conditional use permit is requested, consisting of an abstract of title or registered property

certificate, certified by a licensed abstractor, together with any unrecorded documents whereby the petitioners acquired legal or equitable ownership.  
(Prior Code, Ch. 300 § 505.03)

(D) *Public hearing.* The Zoning Administrator shall refer the application to the Planning Commission for consideration at its next regular meeting; however, if the next regular meeting of the Planning Commission is within 15 days of the date of filing, then such consideration may be at the second regular meeting after the filing. At that meeting, the Planning Commission shall conduct a public hearing on the application. The public hearing shall be scheduled by the Zoning Administrator and as provided or allowed by law.

(1) Notice of the purpose, time, and place of the public hearing shall be published in the official newspaper of the city and mailed to each of the owners of all property located within a minimum of 500 feet of the property described in the application and such other persons as the Planning Commission may direct, at least 10 days prior to the date of the hearing. A copy of the notice and a list of the owners and addresses to which the notice was sent shall be attested to by the responsible person and shall be made a part of the records of the proceedings. The failure to give mailed notice to individual property owners or defects in the notice shall not invalidate the proceedings, provided a bona fide attempt to comply with the provisions of this section has been made.

(2) The applicant or that applicant's representative must appear at the public hearing in order to answer questions concerning the proposed use.  
(Prior Code, Ch. 300 § 505.04)

(E) *Planning Commission report.* The Planning Commission report on the application, as provided in the official minutes of the public hearing/Planning Commission meeting, shall be forwarded to the City Council, for consideration at its next regular meeting; unless the applicant consents to extending consideration by the Planning Commission.

(1) The report shall recommend that the conditional use permit or the interim use permit be granted or denied and shall include the Planning Commission's recommendation as to any conditions to be imposed if the conditional use permit or interim use permit is granted, including time limits or provisions for periodic review, and shall state the reasons therefor.

(2) The Planning Commission's report shall be referred by the Zoning Administrator to the City Council for consideration at its next regular meeting. At the same time, the Zoning Administrator shall mail to the applicant a copy of the Planning Commission report and a notice of the time and place of the meeting at which the report will be considered by the City Council.  
(Prior Code, Ch. 300 § 505.05)

(F) *City Council action on application.*

(1) The City Council shall make its decision on the application within the time prescribed by law. The City Council shall make written findings and state therein the reasons for its decision; and the Zoning Administrator shall mail a copy thereof bearing the notation of the filing date, to the applicant.

(2) The City Council may impose such conditions and restrictions, ~~including time limits on the conditional use or periodic review,~~ as appear to be necessary and proper to protect adjacent property and comply with the intent and purposes of this chapter and the Comprehensive Plan, as well as a specific expiration date on the interim use permit.  
(Prior Code, Ch. 300 § 505.06)

(G) *Re-application.* No application for a conditional use permit or an interim use permit shall be resubmitted for a period of 6 months from the date of the denial of a previous application.

(Prior Code, Ch. 300 § 505.07)

(H) ~~*Periodic review of Conditional Use Permit and Expiration and Renewal of Interim use Permit.*~~

~~\_\_\_\_\_ (1) Periodic review may be imposed as a condition of the granting of a conditional use permit. All conditional use permits subject to annual review shall be reviewed by the Planning Commission at a public hearing during the regular meeting in October of each year. Notice of the public hearing shall be published in the official newspaper at least 10 days prior to the review. It shall be the responsibility of the Zoning Administrator to schedule the public hearing and notify the permit holder, by mail at least 10 days prior to the review hearing.~~

**(1)** The City Council shall establish a date on which the interim use permit will expire. All interim use permits shall be reviewed by the Planning Commission at a public hearing at least one month prior to the expiration of the permit. Notice of the public hearing shall be published in the official newspaper at least 10 days prior to the review. It shall be the responsibility of the Zoning Administrator to schedule the public hearing and notify the permit holder by mail at least 10 days prior to the review hearing. The Planning Commission shall make a recommendation to the City Council regarding the renewal of the interim use permit. The renewal may involve adding conditions to the interim use permit. The City Council shall make the determination regarding the renewal of the interim use permit.

(Prior Code, Ch. 300 § 505.08)

(I) *Compliance with permit; violation of conditions.* Any use permitted under the terms of a conditional use permit or interim use permit shall be established and conducted in accordance with all of the terms, conditions and restrictions of such permit. The violation of any term, condition, or restriction of a conditional use permit or interim use permit shall be a violation of this chapter.

(Prior Code, Ch. 300 § 505.09)

(J) ~~*Expiration and suspension of conditional use permit or interim use permit.*~~ An **A** conditional use permit or interim use permit shall expire 1 year after it has been issued unless the Planning Commission has set some other time limitation or unless the use for which the permit has been granted has commenced within such year, except that upon written application of the owner of the affected land for which the conditional use permit or interim use permit was granted prior to the end of the year, the City Council may extend the expiration date of the permit for an additional period, not to exceed 1 year. If, under the conditional use permit or interim use permit, building is commenced and subsequently determined by the Zoning Administrator to be abandoned for a period of 120 days, the conditional use permit or interim use permit shall be suspended at the end of the 120 days. Before the construction may be recommenced, an **A** conditional use permit or interim use permit can be reinstated by the Planning Commission, provided that no changes or alterations in the original plan have been made. If the building permit for the construction that was determined to be abandoned became invalid prior to the recommencement of the construction, the suspended conditional use permit or interim use permit shall expire at the time the building permit became invalid.

(K) *Administration.* An amended conditional use permit application or interim use permit application may be administered in a manner similar to that required for a new conditional use permit or interim use permit. Amended conditional use permits and interim use permits shall include reapplication for permits that have been denied or permits that have expired, requests for changes in conditions, and as otherwise described in this chapter. Clerical or non-substantive changes to conditional use permits and interim use permits may be processed under the administrative provisions of this section.

(Prior Code, Ch. 300 § 505.11)

(L) *Inclusion.* All uses permitted by this chapter by conditional use permit in existence prior to the adoption date of this chapter shall be automatically issued a conditional use permit by the Zoning Administrator. Any changes in the existing use after the adoption date of this chapter shall require an amended conditional use permit.

(Prior Code, Ch. 300 § 505.12)

**B. Section 159.043 USES**

Add Interim Use Permit to the key as follows:

The following table represents the uses and restrictions for the city. The key is as follows:

KEY:

- P = Permitted
- C/IUP = Conditional Use Permit or Interim Use Permit and Public Hearing
- CP = City Permit
- A = Permitted Accessory Use
- N = Not Permitted
- \* = N in R-1

**Section 2. Effective Date.** This Ordinance shall be in full force and effect from and after its adoption and publication according to law.

Passed and adopted by the City Council for the City of Lakeland this 20th day of October 2015.

\_\_\_\_\_  
Amy Williams, Mayor

ATTEST:

\_\_\_\_\_  
Sandie Thone, City Administrator/Clerk

**ORDINANCE 7548**

**CITY OF LAKELAND  
WASHINGTON COUNTY, MINNESOTA**

**AN ORDINANCE AMENDING CHAPTER 159 OF THE CODE OF ORDINANCES  
FOR THE CITY OF LAKELAND PERTAINING TO CONDITIONAL USE PERMITS AND  
INTERIM USE PERMITS  
SUMMARY PUBLICATION  
(Complete Ordinance Available upon Request)**

**THE CITY COUNCIL FOR THE CITY OF LAKELAND DOES ORDAIN:**

**Section 1: Amendment.** Chapter 159 of the Code of Ordinances is hereby amended as follows:

**Section 159.024 CONDITIONAL USE PERMITS AND INTERIM USE PERMITS**

(H) *Periodic review of Conditional Use Permit and Expiration and Renewal of Interim use Permit.*

~~\_\_\_\_\_ (1) Periodic review may be imposed as a condition of the granting of a conditional use permit. All conditional use permits subject to annual review shall be reviewed by the Planning Commission at a public hearing during the regular meeting in October of each year. Notice of the public hearing shall be published in the official newspaper at least 10 days prior to the review. It shall be the responsibility of the Zoning Administrator to schedule the public hearing and notify the permit holder, by mail at least 10 days prior to the review hearing.~~

**Section 2. Effective Date.** This Ordinance shall be in full force and effect from and after its adoption and publication according to law.

Passed and adopted by the City Council for the City of Lakeland this 20th day of  
October 2015.

s/s Sandie Thone, City Administrator/Clerk



## Public Works Department

1190 St Croix Trail South  
Lakeland MN 55043  
Voice: 651-436-8044  
Fax: 651-436-3949  
E-mail: [waterdept@ci.lakeland.mn.us](mailto:waterdept@ci.lakeland.mn.us)

---

To: Lakeland City Council

From: Matt Kline | Director of Public Works

Date: October 20, 2015

RE: 2015 Street Project - Modification to Engineering Budget

### **Background**

At the April Council meeting, the city council approved the expenditure of \$38,442 for construction engineering and surveying services in conjunction with the 2015 Street Project. During the meeting, staff expressed concern with the experience and past history of the contractor and indicated that it might be necessary to increase the construction engineering budget due to increased staff time on site. That concern has come to fruition with an estimated \$14,000 in construction engineering services required; but as indicated with John Parotti's memo (attached) the total project budget is still well under budget.

### **Discussion**

Indications were that there was a good chance that we would need to increase the construction engineering budget, but staff also was accepting of that risk due to the bid price of the contractor. Their bid price allowed for increased staff time and even with the increase in engineering services, the bid is still less than the second highest bidder.

With that said, it is staff's opinion that having the onsite inspector on the job for a greater amount of time was very beneficial. The contractor, while understaffed and inefficient at times, was very accommodating to our onsite inspector. The contractor was receptive to all advice given and so far has performed a very sufficient service; albeit with a lot of guidance.

### **Recommendation**

Staff recommends approving the \$14,000 for final construction engineering services for the 2015 street improvement project. Motion, second, majority vote required.



Building a Better World  
for All of Us®

October 14, 2015

RE: City of Lakeland, MN  
2015 Street Improvements Project  
SEH No. LAKEL 130230 14.00

Matt Kline  
Director of Public Works  
City of Lakeland  
1190 St. Croix Trail South  
Lakeland, MN 55043

Dear Matt:

This letter serves to request a modification to the engineering budget for the 2015 Street Improvements Project. As you know, the project schedule has been delayed and the contractor has required more of a fulltime engineering presence than has been required on past projects. Since Lakeland typically only requires part-time engineering representation, the approved budget is not enough to complete the project.

Engineering services have been previously approved for the design and construction phases of the project. However, as we have discussed, the City's contractor for this project has taken more time than expected to complete the work and due to the apparent lack of available, experienced contractor personnel, it has been necessary for our staff to spend more time communicating with the Contractor to ensure the project is completed correctly. The end result is that the estimated fee for engineering construction services will not be adequate to complete the project and additional fees will need to be approved.

Based on our estimate of the work remaining and the level of engineering effort required to complete the project, we estimate that an additional \$14,000 in engineering service is required. Note that, even with the additional fee, the project is projected to come in well under the original program budget. A summary of the project budget and projected completion costs are as follows:

|  |                 |
|--|-----------------|
| Original Project Budget.....                                       | \$568,479       |
| Construction Contract Bid (Fitzgerald Excavating & Trucking) ..... | \$367,381       |
| Total Engineering Approved to Date .....                           | \$80,642        |
| <u>Engineering Budget Modification (pending approval).....</u>     | <u>\$14,000</u> |
| Total Projected Project Cost.....                                  | \$462,023       |

Upon your approval, we will continue with the engineering construction services as discussed. Please don't hesitate to contact me if you have any questions.

Sincerely,

John D. Parotti, PE  
City Engineer

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## Public Works Department

1190 St Croix Trail South  
Lakeland MN 55043  
Voice: 651-436-8044  
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E-mail: [waterdept@ci.lakeland.mn.us](mailto:waterdept@ci.lakeland.mn.us)

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To: Lakeland City Council

From: Matt Kline | Director of Public Works

Date: October 20, 2015

RE: Snow Plowing Agreement and Street Sweeping Contract

### Background

City council authorized staff to move forward with the development of contracts for both snow plowing and street sweeping with Tri-County Services.

### Discussion

The combination of both services from the same vendor allowed the city to receive a discounted price for both services. Both contracts are for three year terms. The contracts have been vetted by an LMC attorney.

### Recommendation

Staff recommends approving the agreements as written. Motion, second, majority vote required.

## **Independent Contractor/Professional Snow Plow Service Agreement**

This Agreement is entered into by and between the City of Lakeland, 1190 St Croix Trail South, Lakeland , MN 55043, (hereafter "City") and Tri-County Services Inc. (hereafter, "Contractor"), (collectively the "Parties").

Whereas, the City, wishes to purchase the services of Contractor for snow plow services;  
and

Whereas, the services are necessary to maintain travel within the City;

NOW THEREFORE, in consideration of the mutual undertakings and agreements hereinafter set forth, the City, and the contractor agree as follows:

### **1. Scope of Services**

Contractor agrees to perform various Project services as detailed in Exhibit 1, Scope of Services, attached hereto and incorporated herein by reference.

#### **Changes to Scope of Services**

Upon mutual agreement of the parties of this contract, a change to the scope of services detailed in Exhibit 1, attached hereto, may be authorized. In the event that such a change requires additional services by Contractor, Contractor shall be entitled to additional compensation consistent with Section 2.B. of this agreement.

### **2. Term and Termination**

#### **A. Term.**

This Agreement shall commence November 1, 2015 and be for a period not to exceed five years ending on May 15, 2018. The contract shall be reviewed on an annual basis every May. This agreement may also be renewed prior to or after its expiration by written mutual consent of both the City and the Contractor.

#### **B. Payment for Services**

City will compensate Contractor as detailed in Exhibit 3, Equipment List and Rates, which is attached hereto and incorporated herein by reference, for Contractor's performance of services under this Agreement.

Contractor will provide a detailed invoice of services monthly along with a detailed account of salt or sand/salt mixture used within the City. A separate invoice for salt or sand/salt mixture will be billed directly by Washington County. The contractor's detailed invoice will include the hourly totals for all equipment used within the city rounded to 15 minute increments and a record of salt and/or sand/salt tonnage

used. The monthly invoice will be also be detailed per snow event. The City will pay all approved invoices within 30 days of receipt.

In the event of termination, Contractor shall be entitled to payment, determined on a pro rata basis, for services satisfactorily performed.

**C. Termination.**

- a. If the Contractor fails to perform any of the provisions of this Agreement or so fails to administer the work as to endanger the performance of the Agreement, this shall constitute default.

Unless the Provider's default is excused by the City, the City may, upon written notice to the Contractor's representative listed herein (Section 11 Notices), cancel this Agreement in its entirety.

- b. This Agreement may be cancelled with or without cause by either party upon ninety (90) days written notice.

**3. Indemnification and Insurance**

Each party shall be liable for its own acts to the extent provided by law and hereby agrees to indemnify, hold harmless and defend the other, its officers and employees against any and all liability, loss, costs, damages, expenses, claims or actions, including attorney's fees which the other, its officers and employees may hereafter sustain, incur or be required to pay, arising out of or by reason of any act or omission of the party, its agents, servants or employees, in the execution or performance or failure to adequately perform its obligations pursuant to this Agreement.

It is understood and agreed that the City's liability shall be limited by the provisions of Minn. Stat. Chap. 466 and/or other applicable law.

Contractor further agrees that in order to protect itself as well as the City under the indemnity provision set forth above; it will at all times during the term of the Agreement keep in force:

- A. Commercial General Liability Insurance Policy with minimum limits of \$2,000,000 combined single limit (CSL) per occurrence; \$2,000,000 annual aggregate, with coverage pertaining to premises and completed operations. In the event Combined Single Limits Coverage is not secured by the contractor, the following minimum limits apply:

\$2,000,000 Aggregate

\$2,000,000 Products and Completed Operations Aggregate

\$1,000,000 Personal Injury and Advertising Injury

\$1,000,000 Each Occurrence

\$100,000 Fire Damage Limit

\$5,000 Medical Expense

The policy should be written on an "occurrence" basis and not a "claims-made" basis.

- B. Automobile Liability Insurance including owned, non-owned, and hired vehicles in an amount not less than \$1,000,000 combined single limit (CSL) for total bodily injuries and/or damages arising from any accident.
- C. The insurance requirements may be met through any combination of primary and umbrella/excess insurance.
- D. Workers' Compensation Insurance. The Contractor agrees to provide Workers' Compensation insurance for all its employees in accordance with the statutory requirements of the State of Minnesota. The Contractor shall also carry Employers' Liability Coverage with minimum limits as follows:
  - \$500,000 Bodily Injury by Disease per employee
  - \$500,000 Bodily Injury by Disease Aggregate
  - \$500,000 Bodily Injury by Accident
- E. Prior to the effective date of this Agreement, and as a condition precedent, the Contractor will furnish the City with an original Certificate of Insurance listing the City as an "Additional Insured" in all coverage areas except Workers' Compensation.
- F. The Contractor's policies shall be primary insurance to any other valid and collectible insurance available to the City with respect to any claim arising out of Contractor's performance under this agreement.

**4. Independent Contractor Status**

Contractor, at all times and for all purposes hereunder, shall be an independent contractor and is not an employee of the City for any purpose. No statement contained in this Agreement shall be construed so as to find Contractor to be an employee of City, and Contractor shall not be entitled to any of the rights, privileges, or benefits of employees of City, including but not limited to, worker's compensation, health/death benefits, and indemnification for third party personal injury/property damage claims.

Contractor acknowledges that no withholding or deduction for State or Federal income taxes, FICA, FUTA, or otherwise, will be made from the payments due Contractor, and that it is Contractor's sole responsibility to comply with the applicable provisions of all Federal and State tax law.

Contractor shall at all times be free to exercise initiative, judgment and discretion as to how to best perform or provide services identified herein.

Contractor is responsible for hiring sufficient workers to perform the services/duties required by this Agreement, withholding their taxes and paying all other employment tax obligations on their behalf.

**5. Data Practices**

The City and Contractor acknowledge that this Agreement is subject to the requirements of Minnesota's Government Data Practices Act, Minnesota Stat. Chapter 13 and related statutes.

**6. Subcontracting**

Contractor shall not enter into any subcontract for performance of any services contemplated under this Agreement nor assign any interest without the prior written approval of the City and subject to such conditions and provisions as the City may deem necessary. Contractor shall be responsible for the performance of all subcontractors.

**7. Modifications/Amendment**

Any alterations, variations, modifications, amendments or waivers of the provisions of this agreement shall only be valid when they have been reduced to writing, and signed by the authorized representative of the City and Contractor.

**8. Nondiscrimination**

The provisions of any applicable law or ordinance relating to civil rights and discrimination shall be considered part of this Agreement as if fully set forth herein.

**9. Health and Safety**

The Contractor shall be solely responsible for the health and safety of its employees and subcontractor's employees in connection with the services performed in accordance with the Agreement. The Contractor shall ensure that all employees, including those of all subcontractors, have received training required to properly and safely perform services outlined in this Agreement. Such training is to include, but not be limited to, all

applicable sections of the State and Federal Occupation Safety and Health Administration (OSHA) laws, Superfund Amendments and Reauthorization Act (SARA), Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), Uniform Fire Code and/or any other applicable health and safety regulations.

**10. Non-waiver, Severability, and Applicable Laws**

**A. Non-Waiver**

Nothing in this Agreement shall constitute a waiver by the City of any statute of limitations or exceptions on liability.

**B. Severability**

If any part of this Agreement is rendered void, invalid or unenforceable, such rendering shall not affect the remainder of this Agreement unless it shall substantially impair the value of the entire Agreement with respect to either party. The parties agree to substitute for the invalid provision a valid provision that most closely approximates the intent of the invalid provision.

**C. Applicable Laws**

The Laws of the State of Minnesota shall apply to this agreement.

**11. Notices**

The Parties representatives for notification for all purposes are:

**City:**

Matthew Kline  
Director of Public Works  
1190 St Croix Tr So, Lakeland MN  
Phone: 651-253-3263 (C)  
Email: [mkline@ci.lakeland.mn.us](mailto:mkline@ci.lakeland.mn.us)

**Contractor:**

Name: Tri-County Services Inc  
Name/ Title: Ben Thurmest, Owner  
Address:14235 80<sup>th</sup> St So, Hastings MN  
Phone651-775-3209  
Email: [thurmest@aol.com](mailto:thurmest@aol.com)

Contractor, having signed this Agreement, and the Lakeland City Council having duly approved such on the \_\_\_\_ day of \_\_\_\_\_, 2015 and pursuant to the proper City and Contractor officials having signed this Agreement, the parties hereto agree to be bound by the provisions herein and attached.

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Tri-County Signature Date

---

Tri-County Printed Name

Approved by the Council this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ for an agreement period of 3 years.

---

Amy Williams, Mayor Date

---

Sandie Thone, City Administrator/Clerk Date

# **Exhibit 1**

## **Scope of Services**

This includes, but is not limited to, the provision of the following services:

1. Snow and/or ice control operations will occur using the following criteria:
  - a. Snow accumulations of 2 inches or more;
  - b. Drifting of snow that causes problems for travel;
  - c. Icy conditions which seriously affect travel;
  - d. Time of snowfall in relationship to heavy use of streets; and
  - e. At the discretion of the director of public works.
2. Snow plow priority routes are as specified on the attached map.
3. Snow plow service shall be performed at times mutually agreed upon between the City and Contractor. Contractor and Public Works Director have met on this scope and determined that at this time the contractor will base his snow plow timing on past plowing practices of the city. Past practices were discussed. If specific times need to be recorded, this scope of service will be reviewed.
4. Authorization for snow plowing is required prior to November 1 and after March 1 from the Director of Public Works.
5. Sand/salt or straight salt will be measured by the contractor on a per ton basis and dispensed per stipulations within the Lakeland Snow Plow Policy.
6. The Contractor shall ensure that at least one of its contact persons is available and accessible 24 hours per day, seven days a week.
7. Provisions of the Lakeland Snow Plow policy shall be adhered too.

## Exhibit 3

### Equipment List and Rates

| Equipment                                   | Please check the box that pertains to primary equipment that will be used. | Rate/Hour       |                 |
|---|--|-----------------|-----------------|
|   |  | 3 Year Contract | 5 Year Contract |
| Single Axle Plow Truck with Wing and Sander | ✓  | \$95            |                 |
| One-Ton Plow Truck                          | ✓  | \$95            |                 |
| Front End Loader with Plow                  | ✓  | \$95            |                 |
| Tractor with Plow                           | ✓  | \$95            |                 |
| Tandem Axle Plow Truck with Wing and Sander | ✓  | \$95            |                 |
| Road Grader                                 | ✓  | \$95            |                 |
|   |  |                 |                 |

**2015-2018 STREET SWEEPING  
CONTRACT WITH CITY OF LAKELAND**

This Contract made this \_\_\_\_\_ day of \_\_\_\_\_, 2015 by and between the City of Lakeland, a Minnesota municipal corporation located in Washington County, Minnesota (“City”), and Tri-County Services, Inc., 14235 80<sup>th</sup> St., Hastings, MN 55033, (“Contractor”).

WHEREAS, the City desires to hire a contractor to provide street sweeping of its public streets for removal of sand, sediment, leaves and other debris within the City (the “Project”);

WHEREAS, the Parties desire to formalize their relationship by execution of an agreement;

NOW THEREFORE, It is hereby mutually agreed by the parties, as follows:

**1. Recitals and Parties.** The Parties to this Agreement shall be the City of Lakeland (“City”) and Tri-County Services, Inc. (“Contractor”). The above-noted recitals are hereby incorporated into and made a part of this agreement.

**2. Term.** This contract shall be for a period of three (3) years and commence as of the date this agreement is fully executed by the parties and continue until completion of the Project.

**3. Services to be Performed by Contractor.** Contractor shall perform the following services:

- Street sweeping services of all public streets within the municipal boundaries of the City, utilizing mechanical sweepers.
- Street sweeping shall be performed annually in the Spring and on an as needed basis in the Fall, on mutually agreeable dates as selected by representatives of the City and Contractor.
- Hauling of all debris off-site.
- Disposal of all debris.
- Contractor shall comply with all state and federal regulations, including DNR and watershed organization rules, if any, relating to such activities.

Contractor shall purchase, provide, and pay for all labor, equipment and materials to be utilized by Contractor for the Project.

The Contractor shall notify the City of completion of the project, and allow the City an opportunity to inspect and accept the work. City shall have the opportunity to identify any defects or deficiencies in the work and demand correction from Contractor. Upon satisfactory correction of any defects or deficiencies, the City shall accept Contractor’s work. Notice of completion by Contractor and acceptance by City may be given either orally or in writing.

**4. Invoicing and Payment.** The City shall pay the Contractor for the Project on the following terms:

**Per Hour Price including Labor:**

**Street Sweeper: \$72/hr**

**Dump Truck: \$72/hr**

All other work necessary to complete the work as specified shall be incidental including but not limited to posting signs, traffic control and any hauling and disposal of materials shall be included in the above-noted prices. Contractor shall be responsible to pay any disposal costs/fees without additional charges to the City.

Contractor shall invoice its services to the City upon completion of the Project and acceptance of the Work by the City. Invoice shall include the dates, times, and description of services provided. The City shall approve payment to Contractor at its next regularly scheduled meeting of the City Council, provided that Contractor submits its invoice at least one (1) week in advance of such meeting.

**5. Independent contractor.** The Contractor shall be deemed an independent contractor for purposes of all services to be provided under this Contract. Unless otherwise agreed by the parties, Contractor shall provide its own tools and equipment and shall select its own manner and method of performing its services. Contractor shall not be considered an employee of the City for any purpose, and shall waive, release, and not be entitled to any of the benefits usually accorded regular City employees, including but not limited to severance pay, health insurance benefits, retirement credits, worker's compensation coverage, or any other rights or benefits that accrue to present City employees.

**6. Notice to parties.** Notices required to be provided pursuant to this Contract shall be given by United States Mail to the following addresses, by personal service, or fax, or by e-mail if the parties agree:

| <b>To the City:</b>  | <b>To the Contractor:</b>   |
|--|---|
| City of Lakeland<br>1190 St Croix Trail So<br>Lakeland MN 55043<br>Phone: 651-436-8044 | Tri-County Services, Inc<br>14235 80 <sup>th</sup> St So<br>Hastings, MN 55033<br>Phone: 651-775-3209 |

**7. Insurance.** The Contractor shall maintain appropriate insurance coverage to cover its activities at all times while this Contract is in effect, in at least the following amounts:

- General liability: \$500,000/\$1,500,000
- Property: \$1,000,000
- Auto liability: \$500,000/\$1,500,000
- Worker's Comp: Per Statute

Contractor shall provide the City with a certificate of insurance to demonstrate the required coverage. Contractor shall have City named as an additional insured on all policies, and shall provide at least 30 days notice to City before amending or terminating any insurance coverage.

**8. Indemnity.** The Contractor agrees to indemnify, defend, and hold the City harmless for any and all responsibility, claim, liability, or obligation resulting from the Contractor's activities under this Contract. This obligation shall survive termination of the Contract.

**9. Transfer of Rights and Obligations.** The Contractor shall not transfer or subcontract its obligations under this Contract without notice to and approval of the City.

**10. Nondiscrimination.** The Contractor agrees that during the term of this Contract, it will not within the State of Minnesota discriminate against any employee or applicant for employment because of race, color, creed, sex, national origin, or ancestry and will include a similar provision in all subcontract(s) entered into for the performance hereof. This paragraph is included in this Contract to comply with provisions of Minnesota Statutes § 181.59. Violation of this statute is a misdemeanor, and if violated, will permit the City to cancel this Contract.

**11. Costs and Attorney Fees.** The prevailing party in any dispute arising out of this Contract shall be entitled to reimbursement of its costs and attorneys' fees in asserting or defending its rights hereunder against the non-prevailing party.

**12. Amendment.** This Contract may be amended at any time by agreement of the City and the Contractor. Any amendments shall be in writing to be effective.

**13. Termination.** This Contract shall terminate upon completion of the services and payment by the City.

**IN WITNESS WHEREOF,** the Parties have caused this Contract to be executed as of the dates set forth below.

**CITY OF LAKELAND**

By: \_\_\_\_\_  
Amy Williams, Mayor

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Sandie Thone, City Administrator/Clerk

Dated: \_\_\_\_\_

**CONTRACTOR: Tri-County Services, Inc.**

By: \_\_\_\_\_  
Ben Thurmest, Owner

Dated: \_\_\_\_\_

CITY OF LAKELAND  
WASHINGTON COUNTY, MINNESOTA

RESOLUTION 2015-29

RESOLUTION AMENDING LAKELAND SNOWPLOW POLICY

WHEREAS, the City of Lakeland adopted the Snow Plow Policy on November 20, 2012; and;

WHEREAS, the city shall review the policy on an as needed basis.

NOW, THEREFORE, BE IT RESOLVED THE CITY COUNCIL OF LAKELAND, MINNESOTA, does hereby adopt the Lakeland Snowplowing Policy.

LAKELAND SNOWPLOWING POLICY

1. Introduction

The city of Lakeland believes it is in the best interest of the residents for the city to maintain control of snow and ice removal on city streets. Reasonable ice and snow control is necessary for routine travel and emergency services. The city will provide such control in a safe and cost effective manner, keeping in mind safety, budget, personnel, and environmental concerns. The city will use public and/or private contractors to provide this service.

2. When will the city start snow or ice control operations?

The Public Works Director or a designee in his absence and/or designated contractor will decide when to begin snow or ice control operations. The criteria for that decision are as follows:

- A. Snow accumulation of 2 inches or more;
- B. Drifting of snow that causes problems for travel;
- C. Icy conditions which seriously affect travel;
- D. Time of snowfall in relationship to heavy use of streets; and
- E. At the discretion of the Director of Public Works.

Snow and ice control operations are expensive and involve the use of the cities limited resources, personnel, and equipment. Consequently snow plowing operations will generally not be conducted for snowfalls of less than 1 inch.

3. How snow will be plowed

Snow will be plowed in a manner so as to minimize any traffic obstructions. The center of the roadway will be plowed first. Plows will follow traffic flow and will not go against traffic flow. The snow shall then be pushed from left to right. The discharge shall go onto the boulevard area of the street. In times of extreme snowfall, streets will not always immediately be able to be completely cleared of snow.

4. **Snow removal**

The Public Works Director will determine when snow will be removed from the area by truck. Such snow removal will occur in areas where there is no room on the boulevard for snow storage and in areas where accumulated piles of snow create a hazardous condition. Snow removal operations will not commence until other snowplowing operations have been completed. Snow removal operations may also be delayed depending on weather conditions, personnel, and budget availability. The snow will be removed and hauled to a snow storage area. The snow storage area will be located to minimize environmental problems.

5. **Priorities and schedule for which streets will be plowed**

The city has classified city streets based on the street function, traffic volume, and importance to the welfare of the community. Those streets classified as “Snow Plow Routes” will be plowed first. These are high volume routes, which connect major sections of the city and provide access for emergency fire, police, and medical services.

The second priority streets are those streets providing access to schools and commercial businesses. The third priority streets are low volume residential streets. The fourth priority areas are alleys and city parking lots. See plow priorities map.

During significant and severe storms, the city must be prepared to move personnel and equipment to maintain priority routes first. In fulfilling the need to have all priority streets safe and passable, when resources are limited, plowing of all other streets may be stopped at any time so resources can be shifted to priority routes.

Unforeseeable circumstances may cause delays in completing assigned plow routes. Such circumstances may include weather conditions that endanger the safety of plow operators and/or safe and effective operation of equipment, commuter traffic, disabled vehicles, poor visibility conditions, parked cars along streets, assistance to emergency vehicles, equipment breakdown, and personnel shortages.

6. **Traffic Regulations**

The city recognizes that snowplow operators are exempt from traffic regulations set forth in Minnesota Statutes, Chapter 169 while actually engaged in work on streets, except for regulations related to driving while impaired and the safety of school children. Pursuant to this authority, snowplow operators engaged in snow removal or ice control on city streets have discretion to disregard traffic laws set forth in Chapter 169, except for laws relating to impaired driving and school children safety, when in their judgment, it is safe to disregard such laws. The privileges granted herein to operators of snow removal and ice control vehicles shall apply only if the vehicle is equipped with on lighted lamp displaying a flashing, oscillating, or rotating amber light placed in such a position on the vehicle as to be visible throughout an arc of 360 degrees.

7. **Weather conditions**

Snow and ice control operations will be conducted only when weather conditions do not endanger the safety of city/contracted employees and equipment. Factors that may delay snow and ice control operations include: severe cold, significant winds, and limited visibility.

8. **Use of sand, salt and other chemicals**

The city will use sand, salt, and other chemicals when there are hazardous ice or slippery conditions. Priorities for sand and salt usage are for vehicular safety at intersections, roads with steep grades or areas deemed dangerous by the Public Works Director or in his absence, his designee. Application of sand/salt mixtures is intended to provide traction; the application is not intended to provide bare pavement during winter conditions. The city is concerned about the effect of such chemicals on the environment and will limit its use for that reason.

The city cannot be responsible for damage to grass caused by the sand/salt mixture and therefore will not make repairs or compensate residents for salt damage to turf areas in the street right-of-way.

9. **Sidewalks / Bike trail**

The city will maintain the sidewalks located at city hall and water plant #2. The bike trail located on the east side of CSAH 18 is designated as a snowmobile trail during the winter months and will not be plowed or sanded. The bike trail located on the west side of CSAH 18 is designated as a biking / walking trail year round and will be maintained as such. The bike trail will only be maintained after the streets have been plowed.

10. **Property Damage**

Snow plowing and ice control operations can cause property damage even under the best of circumstances and care on the part of the operators. The major types of damage are to improvements in the City right-of-way which extends from the street edge to the property line. The intent of the right-of-way is to provide room for snow storage, utilities, and other City uses. However, certain private improvements such as mailboxes are required within this area. Therefore, the City will cooperate with the property owner to determine if the damage is the responsibility of the City and when it shall be the responsibility of the resident. Damage to fences, landscaping, trees, or other structures will be repaired or replaced by the City if they are on private property. None of these structures will be repaired or replaced if they are located in the right-of-way. Lawns that are gouged by City/Contractor equipment will be repaired by top dressing and seeding the following spring. Residents are requested to assist by watering the areas that are repaired.

In instances where there is disagreement as to the source of the damage and the resulting responsibility, the Director of Public Works shall determine the responsibility.

11. **Mailboxes**

Mailboxes shall be constructed sturdily enough to withstand snow rolling off a plow or wing. Therefore, any damage resulting from pushing snow shall be the responsibility of the resident.

However, the City/Contractor will be responsible for any mailbox that was damaged due to direct contact with a wing or plow. Under these circumstances, the city will install a temporary mailbox until the spring thaw has occurred. A new post (4x4 green treated) and generic black mailbox, not to exceed \$50 total, will be installed by the City/Contractor upon request from the resident. If the resident so desires, a \$50 credit will be given to the resident for the installation of a mailbox that exceeds the City specifications from above. In this instance, the City will no longer install the new mailbox.

12. **Driveways**

One of the most frequent and irritable problems in removal of snow from public streets is the snow deposited in driveways during plowing operations. Snow being accumulated on the plow blade has no place to go but in the driveway. The drivers make every attempt to minimize the amount of snow deposited in driveways, but the amount can still be significant. Based on priorities and staffing level, City personnel do not provide driveway cleaning. Possible exceptions are at the discretion of the Supervisor for emergency situations.

13. **Mail Delivery**

The snow plow operators make every effort to remove snow as close to the street edge as practical and to provide access to mailboxes for the Postal Service. However, it is not possible to provide perfect conditions and minimize damage to mailboxes with the size and type of equipment the City operates. Therefore, the final cleaning adjacent to mailboxes is the responsibility of each resident.

14. **Complaints**

Complaints regarding snow and ice control or damage shall be taken during normal working hours and handled by the Director of Public Works. Response time should not exceed twenty-four (24) hours for any complaint. It should be noted that complaint responses are to ensure that the provisions of this policy have been fulfilled and that all residents of the City have been treated uniformly. It is the City's intention to log all complaints and upgrade this policy as necessary in consideration of the constraints of our resources.

15. **Deviation From Policy**

The Director of Public Works may deviate from this policy when in his or her judgment it is in the best interest of the city or is necessary because of budget needs or other

circumstances. Changes in priorities (lasting more than 4 hours) will be documented as to what caused such actions, why the change was necessary, and for how long the change is to be in effect. Those city employees and/or contractors affected will be notified immediately by radio or cell phone of such changes with all communications logged. Information logged will include the time and date of the communication, name of employee contacted, and how they were contacted. Any changes or priorities lasting more than 24 hours should be made in a written record and the public should be informed of such changes through normal methods used by the city for emergency notifications.

**16. Review and Modification of Policy**

The Director of Public Works shall keep on file all written comments and complaints regarding this policy. The policy will be reviewed periodically. Any review will consider comments and complaints since the last review and any other factors affecting the policy or its implementation.

Passed and adopted by the City of Lakeland City Council this 20<sup>th</sup> day of October, 2015.

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Amy Williams, Mayor

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Sandie Thone, City Clerk/Administrator

8E



TO: Mayor and City Council

FROM: Sandie Thone, City Administrator/Clerk

RE: New City Hall and Request for Proposals for Architect Services

DATE: October 20, 2015

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### Background

In early 2015 the City Council began discussions regarding current and future facility needs. In February a task force including staff, residents and city officials was formed. At the July regular city council meeting the task force reported their findings to the City Council. The findings included the many benefits for the community of combining city staff and services to one location and the costs and inefficiencies associated with continuing to operate out of two locations. In August Hamline intern students presented the results of research regarding what the community would desire in a new city hall facility.

### Discussion

In August the City Council approved the preliminary 2016 Budget and Levy which included budgeted amounts for the new city hall project. The budget allowed for \$700,000 towards the 'essentials' for the project or the bottom figure expected to build the new city facility. The \$700,000 includes funding of \$500,000 which is available in the Reserves Fund. In addition, \$200,000 of the funding is expected to come from debt service. An additional \$300,000, if warranted and approved as 'extras' as determined by the public and the council would be available in debt service as well if necessary for a cap of \$1,000,000. The estimated project cost therefore would range from \$700,000 to \$1,000,000 depending on what the community wants with regard to the city facility. Other funding sources in lieu of debt service include funds and savings in the following areas: Sale of "Old City Hall", Public Works (PW) Garage Rental Contract, Public Works staff expense related to Snow Plowing, etc., MN Small City Assistance, possible partnership(s) with non-profit organizations desiring use of the new facilities, grants available for senior centers, etc.

In the monthly community newsletter, the website and other communication channels both staff and elected officials are spreading the word that this project is the community's vision, hence the surveys and invitation for comment and involvement. Every step of the way during this process, the community will be informed and allowed to express their opinions, concerns and desires so that the result will be mindful, well thought out and community driven.

## Recommendation

Staff is requesting the following two motions:

- 1) Staff is respectfully requesting the city council approve moving forward with the new city Hall project at a cost of \$700,000 but not to exceed \$1,000,000. Motion, Second and Majority vote required.
- 2) Staff is respectfully requesting the city council approve moving forward with the Request for Proposal process for Architect Firm Services (see attached RFP). Motion, Second and Majority vote required

# **CITY OF LAKELAND REQUEST FOR PROPOSALS**

## **NEW CITY HALL**

City of Lakeland  
1190 Saint Croix Trail South  
Lakeland, MN 55043  
[www.ci.lakeland.mn.us](http://www.ci.lakeland.mn.us)

## **PROJECT BACKGROUND**

The City of Lakeland (population 1,860) is seeking proposals from qualified firms to assist City Council in developing and implementing a plan to add a new City Hall onto the current Public Works property.

The selection firm would work closely with the City Council and Staff to determine the needed size and services for the City Hall addition. Using a Cost Estimator, the Architect should identify facility size and cost (in today's dollars), include recommendations regarding configuration of the interior of City Hall, and, pending City Council approval, plans and specifications, along with construction oversight, for completion of the City Hall building.

## **SUBMISSION PROCEDURES**

1. Interested firms should submit written proposals that meet the Proposal Requirements on page 3 of this RFP.
2. Proposals are due by 4:30 p.m. Thursday, December 3, 2015.
3. Submit to: Sandie Thone, City Administrator/Clerk  
City of Lakeland  
1190 Saint Croix Trail South  
Lakeland, MN 55043
4. Proposals (five (5) copies and one loose copy) must be submitted in writing.
5. Once submitted, a proposal becomes public property and will not be returned.
6. All information included in the submitted proposal will be classified in accordance with the Minnesota statutes governing data practices.
7. The City Council will conduct interviews on Tuesday, December 15, 2015 beginning at 4:00 p.m. at the City of Lakeland City Hall located at 690 Quinnell Avenue North, Lakeland, MN 55043.
8. Final selection/contract approval by City Council will be on Tuesday, December 15, 2015 at the regularly scheduled City Council meeting based on evaluation of which firm best meets the proposed requirements.

## **PROPOSAL REQUIREMENTS**

- a) Cover Letter
  - Firm name, address, phone, fax, E-mail and Website
  - Contact person and their direct contact information (phone, E-mail)

- Summarize your understanding of the project scope and services required
- b) Firm Background
- Brief description of firm and its history
  - Number of people and design disciplines
  - Capabilities and services provided
- c) Project Team
- Provide the following information for all individuals who will be assigned to this project, including consultants/subcontractors:
    - Name(s) of key personnel
    - Role and responsibilities for this project
    - Specific qualifications applicable to this project
    - Education, registrations, other professional credentials
    - Experience on projects of similar size and type
- d) Relevant Experience
- Provide information on similar feasibility studies completed within the last 10 years including the specific number of like projects, specific project information and client references.
- e) Project Understanding and Approach
- Discuss your understanding of the project scope and services required
  - Discuss any unique and/or challenging aspects of the project regarding scope, schedule, budget, site, etc.
  - Describe your methodology or approach to the project
  - Discuss any factors about your approach to the project
  - Discuss any factors about your approach that differentiate your firm from others
- f) Compensation
- Description of fee requirements and costs
  - Timeline for project completion
- g) Other
- Additional applicable information may be included at the discretion of firm
- h) Examples
- Provide examples of completed comparable projects

## **CITY COUNCIL**

Amy Williams, Mayor  
Richard Glasgow, Councilmember  
Joe Paiement, Councilmember  
Jeri Ryan, Councilmember  
Evan Loenser, Councilmember

## **ANTICIPATED PROJECT BUDGET**

The anticipated total project cost is expected to be \$700,000.

## **ESTIMATED PROJECT SCHEDULE**

October 20, 2015

- Council Expected to Approve Request for Proposals (RFP)

October 21 and 23, 2015

- Post and Publish RFP

December 3, 2015

- Deadline to Submit Proposals

December 7 through 14, 2015

- RFP Review Period

December 15, 2015 at 4:00 p.m. Lakeland City Hall

- Consultant Presentations and Interviews by the City Council

December 15, 2015 at 6:00 p.m. Lakeland City Hall

- Final Selection/Contract Approval by City Council

Consultants should anticipate attending a total of (6) six meetings for this project.

## **DELIVERABLES**

All completed studies, plans, specs, and related project documents will become the property of the City of Lakeland.

## **EVALUATION AND SELECTION**

1. The City reserves the right to reject and/or award any and all proposals or parts thereof and to waive any formalities and technicalities according to the best interests of the City.
2. The City reserves the right to interview any or all proposers at its discretion.
3. The City will review proposals based on the following criteria:
  - a. The proposer's understanding of the scope of services requested, and their approach to the project. (25%)
  - b. The experience, resources and qualifications of the firm and individuals to be assigned to the project, including consultants/subcontractors. (25%)
  - c. Experience with similar projects. (25%)
  - d. Ability to meet project requirements and services. (25%)

## **QUESTIONS**

Please contact: Sandie Thone, City Administrator/Clerk, City of Lakeland  
1190 Saint Croix Trail South, Lakeland, MN 55043  
651-436-4430 (office) [sthone@ci.lakeland.mn.us](mailto:sthone@ci.lakeland.mn.us)



TO: Mayor and City Council  
 FROM: Sandie Thone, City Administrator/Clerk  
 RE: Resolution 2015-31 Amending City Master Fee Schedule  
 DATE: October 20, 2015

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### Background

The City of Lakeland's Chapter 33: Section 33.01 authorizes the city to impose fees, rates or charges for city services as necessary and relevant and within state guidelines. The fees determined and allowed to be amended from time to time by resolution are set forth in the Master Fee Schedule.

### Discussion

At the September 15<sup>th</sup> City Council meeting the Council approved a contract with MNSPECT to provide building official and inspection services to the community. MNSPECT worked with staff in determining fair, relevant and competitive fees for building permits and services. In the following proposed fee schedule you will find many building fees which were previously based on valuation now proposed as flat fees, saving the community both time and money.

Staff audited a few additional fees that appeared outdated and made additions and corrections as relevant. Therefore, in addition to the building permit and service fee changes you will find the following amendments to the existing fee schedule:

|  |                   |                    |                             |
|--|-------------------|--------------------|-----------------------------|
| Athletic Field (Cully Park)                                | \$7.00            | \$10.00            | (both parks/same fee)       |
| Copies over 101 pages:                                     | \$.05/page        | Eliminated         | (.25/per page per state)    |
| Copies of Meeting Minutes                                  | \$2.00            | Eliminated         | (see copy fees per page)    |
| CUP Annual Review  | \$50.00           | Eliminated         | (eliminated process)        |
| Certification to Taxes (Utility)                           | \$25.00           | \$50.00            | (in-line with actual costs) |
| Certification to Taxes (Other)                             | \$50.00           | Added              | (no fee currently set)      |
| Mobile Home Park Permit                                    | \$10.00           | Eliminated         | (not allowed per code)      |
| Park/Beach Rental Permits<br>community's park rental fees) | \$150.00-\$200.00 | \$100/Resident     | (more in line with other    |
| Park/Beach Non-Resident<br>community's park rental fees)   | \$300.00-\$400.00 | \$150/Non-Resident | (more in line with other    |

|  |   |
|--|---|
| Park Rental Damage Deposit \$200/Resident<br>community's park damage deposits)     | \$100/Resident (more in line with other     |
| Park Rental Damage Deposit \$250/Non-Resident<br>community's park damage deposits) | \$150/Non-Resident (more in line with other |
| Pet License                                    \$15.00                             | Eliminated      (no pet licensing-2015)     |
| Temporary Liquor License    \$100.00   | Added            (no fee set currently)     |

Recommendation

Staff is requesting the City Council Approve Resolution 2015-31 Amending the City's Master Fee Schedule. Motion/Second/Majority Vote required.

**CITY OF LAKELAND  
WASHINGTON COUNTY, MINNESOTA**

**RESOLUTION 2015-31  
APPROVING THE 2015 UPDATED CITY FEE SCHEDULE**

**WHEREAS, the City of Lakeland and its activities as a municipality require us to set forth fees and charges for permits and services; and**

**WHEREAS, the City of Lakeland must maintain a relevant schedule of fees and regularly audit their effectiveness; and**

**WHEREAS, the City of Lakeland entered into a new contract with Building Official/Building Inspection Services MNSPECT on September 21, 2015; and**

**WHEREAS, the City of Lakeland and MNSPECT determined many of the fees were in need of updating;**

**NOW, THEREFORE, BE IT RESOLVED by the City Council of Lakeland, Minnesota the following fee schedule effective October 20, 2015:**

**CITY OF LAKELAND  
2015 FEE SCHEDULE**

| <b>PERMIT AND APPLICATION FEES</b>                 | <b>NON-REFUNDABLE FEE</b> | <b>ESCROW DEPOSIT</b> |
|--|---------------------------|-----------------------|
| CONDITIONAL USE PERMIT (CUP) APPLICATION/AMENDMENT | \$400.00                  | \$300.00              |
| INTERIM USE PERMIT (IUP) APPLICATION/AMENDMENT     | \$400.00                  | \$300.00              |
| ADMINISTRATIVE CHANGES TO CUP OR IUP               | \$50.00                   |                       |
| RE-ZONING/COMPREHENSIVE PLAN AMENDMENT             | \$575.00                  | \$2,575.00            |
| PARK FEE – PER LOT OR DWELLING UNIT                | \$100.00                  |                       |
| PLANNED UNIT DEVELOPMENT (PUD) APPLICATION         | \$350.00                  | \$6,000.00            |
| STREET VACATION APPLICATION                        | \$350.00                  | \$750.00              |
| MINOR SUBDIVISION (1-4 LOTS)                       | \$1000.00                 | \$2,500.00            |
| MAJOR SUBDIVISION (5 OR MORE LOTS)                 | \$1,500.00                | \$6,000.00            |
| VARIANCE APPLICATION                               | \$400.00                  | \$800.00              |
| CERTIFICATE OF COMPLIANCE                          | \$125.00                  |                       |
| CERTIFICATE OF COMPLIANCE ANNUAL REVIEW            | \$50.00                   |                       |
| UTILITY PERMIT                                     | \$140.00                  | \$5,000 BOND          |
| GOLF CART PERMIT                                   | \$50.00                   |                       |
| GRADING AND FILLING PERMIT                         | \$250.00                  | \$1,500.00            |
| PARKING PERMIT – ANNUAL                            | \$2.00                    |                       |

|   |                |                         |
|---|----------------|-------------------------|
| PARKING PERMIT – EVENT                          | \$10.00        |                         |
| SIGN PERMIT – TEMPORARY                         | \$15.00        |                         |
| SWIMMING POOL – CERTIFICATE OF COMPLIANCE       | \$100.00       |                         |
| VEGETATIVE CUTTING PERMIT                       | NO CHARGE      |                         |
| <b>LICENSE FEES</b>                             |                |                         |
| ADULT BUSINESS LICENSE                          | SET BY COUNCIL |                         |
| BEER LICENSE (NON-INTOXICATING)                 | \$50.00        |                         |
| GARBAGE HAULER LICENSE (ANNUAL FEE)             | \$80.00        |                         |
| LIQUOR LICENSE – INITIAL APPLICATION FEE        | \$50.00        |                         |
| LIQUOR LICENSE – ADDITIONAL INVESTIGATION FEE   | \$50.00        |                         |
| LIQUOR LICENSE – CHANGE OF OWNERSHIP FEE        | \$50.00        |                         |
| LIQUOR LICENSE – ADDITIONAL PREMISES FEE        | \$50.00        |                         |
| LIQUOR LICENSE – OFF SALE                       | \$240.00       |                         |
| LIQUOR LICENSE – ON SALE                        | \$1,600.00     |                         |
| LIQUOR LICENSE – SUNDAY SALES                   | \$200.00       |                         |
| LIQUOR LICENSE – 3.2% MALT LIQUOR               | \$100.00       |                         |
| LIQUOR LICENSE TEMPORARY                        | \$100.00       |                         |
| MINING LICENSE                                  | \$450.00       |                         |
| PAWNBROKER'S LICENSE (ANNUAL FEE)               | \$1,000.00     |                         |
| TAVERN LICENSE (ANNUAL FEE)                     | \$80.00        |                         |
| TOBACCO LICENSE (ANNUAL FEE)                    | \$75.00        |                         |
| USED CAR DEALER LICENSE                         | \$25.00        |                         |
| <b>CITY PARK AND BEACH FEES</b>                 |                |                         |
| ATHLETIC FIELD FEES (PER DAY)                   | \$10.00        |                         |
| CITY PARK/BEACH RESERVED RENTAL (RESIDENTS)     | \$100.00       | \$100.00 DAMAGE DEPOSIT |
| CITY PARK/BEACH RESERVED RENTAL (NON-RESIDENTS) | \$150.00       | \$150.00 DAMAGE DEPOSIT |
| PEACE OFFICER SERVICES                          | \$40/PER HOUR  |                         |

|   |                       |  |
|---|-----------------------|--|
| <b>COPY FEES</b>  |                       |  |
| COPIES  | .25 PER PAGE          |  |
| SPECIAL PROJECTS/RESEARCH                                 | ACTUAL TIME AND COSTS |  |
| CERTIFICATION OF COPIES                                   | \$3.50                |  |
| DVD COPIES  | \$5.00                |  |
| ZONING MAP  | \$2.50                |  |
| <b>MISCELLANEOUS FEES</b>                                 |                       |  |
| ADULT USE FEE   | \$10,000.00           |  |
| ASSESSMENT SEARCH   | \$25.00               |  |
| CITY HALL RENTAL  | \$100.00              |  |
| NEWSLETTER SPONSORSHIP<br>(ANNUAL)                        | \$350.00              |  |
| NOTARY SERVICE<br>(RESIDENTS AND BUSINESS<br>OWNERS ONLY) | NO CHARGE             |  |
| PLAN REVIEW (PRIOR TO<br>APPLICATION)                     | \$30.00 PER HOUR      |  |
| SPECIAL PROJECTS/RESEARCH                                 | ACTUAL TIME AND COSTS |  |
| TAX CERTIFICATION ASSESSMENT<br>FEE                       | \$50.00               |  |
| <b>WATER UTILITY FEES</b>                                 |                       |  |
| HYDRANT PERMIT (ANNUAL)                                   | \$50.00               |  |
| MN STATE WATER TAX (MONTHLY)                              | \$.52                 |  |
| WATER CONNECTION FEE                                      | \$300.00              |  |
| LATE PENALTY  | 1.5% OF TOTAL BILL    |  |
| WATER SHUT OFF FEE  | \$15.00               |  |
| WATER TURN ON FEE   | \$15.00               |  |
| FROZEN METER REPAIR                                       | \$25.00               |  |
| TAX CERTIFICATION ASSESSMENT<br>FEE                       | \$50.00               |  |
| CERTIFIED MAIL FEE  | \$7.00                |  |
| NSF RETURNED CHECK FEE                                    | \$25.00               |  |

| UPGRADE METER FEE                            | METER COST LESS 5/8<br>METER COST |  |
|--|-----------------------------------|--|
| BASE CHARGE                                  | \$8.00                            |  |
| WATER USAGE PER 1000 GALLONS                 | \$2.30                            |  |
| TOWER DEBT SERVICE                           | \$9.33                            |  |
| DEBT SERVICE CREDIT                          | (\$4.66)                          |  |
| WATER PERMIT                                 | \$15.00                           |  |
| MAIN TAP PERMIT                              | \$40.00                           |  |
| WINTERIZATION (PULL METER AND<br>DRAIN PIPE) | \$75.00                           |  |

*The ESCROW deposit is used to pay expenses incurred by the City related to the permit. Any excess funds remaining after the matter has been concluded shall be refunded to the applicant. No interest shall accrue on any deposit. If expenses, in excess of the refundable deposit are incurred, the applicant will be billed for the excess.*

## LAKELAND BUILDING CODE FEE SCHEDULE

Effective Date: 10/20/2015

### Residential Fees

#### **(for permits that are issued over-the-counter and have flat-rate fees)**

*(Definition of residential: **IRC-1 Single Family Dwelling:** Any building that contains one dwelling unit used, intended, or designed to be built, used, rented, leased, let, or hired out to be occupied, or occupied for living purposes. **IRC-2 Two-Family Dwelling:** Any building that contains two separate dwelling units with separation either horizontal or vertical on one lot used, intended, or designed to be built, used, rented, leased, let, or hired out to be occupied, or occupied for living purposes. **IRC-3 – Townhouse:** Definition: A single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from the foundation to the roof and having open space on at least two sides of each unit. Each single-family dwelling unit shall be considered to be a separate building. Separate building service utilities shall be provided to each single-family dwelling unit when required by other chapters of the State Building Code. **IRC-4 Accessory Structure:** Definition: A structure not greater than 3000 ft<sup>2</sup> in floor area, and not over two stories in height, the use of which is customarily accessory to and incidental to that of the dwelling(s) and which is located on the same lot.*

#### **Maintenance Permit Fees:**

- Re-Roof: \$75.00 see handout for when building permit is required
- Re-Side: \$75.00 see handout for when building permit is required
- Re-Window: \$75.00 replacement of same size windows (Exception: egress windows refer to handout)
- Re-Door (Exterior): \$75.00 replacement of same-size exterior doors
- Garage door: \$75.00 replacement of same size doors

#### **Plumbing Permit Fees:**

- New fixtures: \$80.00 (minimum) (\$10.00 per fixture after 8 fixtures)
- Lawn Irrigation Systems: \$80.00
- Fixture Maintenance: \$50.00 (This permit is for replacing ONE previously existing fixture or appliance where only disconnecting and reconnecting of existing pipes or ducts is to be done. Changing vent systems, running new drain or supply lines, or replacing or installing new ductwork, pipes, or vents is not fixture maintenance. Examples include Water Softener, or Water Heater Replacement. Multiple fixtures: use new fixture fees.)

#### **Mechanical Permit Fees:**

- New appliances: \$75.00 (minimum) (\$37.50 per unit/two unit minimum)
- Gas Line (with mechanical permit): \$12.50 per gas line, \$25.00 minimum
- Gas Line only permit: \$50.00
- Fire Place insert see Above (Mechanical Permits)
- Fire Place masonry Based on valuation (building permit required)
- Fixture Maintenance: \$50.00 (This permit is for replacing ONE previously existing appliance where only disconnecting and reconnecting of existing pipes or ducts is to be done. Changing vent systems, running new gas lines, or replacing or installing new ductwork, pipes, or vents is not fixture maintenance. Examples include Furnace, Boiler, A/C, or Water Heater Replacement. Multiple units: use new appliance fees.)

#### **Moved in Structures: See Building Permit Related Fees – commercial and residential**

### Commercial Fees (all projects not defined as residential)

ALL Commercial permit applications require plan review, and permit fees are based on valuation (includes, re-roof, re-side, re-window, and re-door).

Plumbing and Mechanical Permit Fees: Valuation-based fee (copy of contract must be submitted with permit application)

|  |         |
|--|---------|
| Building Permit minimum:                                       | \$75.00 |
| Plumbing minimum:  | \$75.00 |
| Mechanical minimum:  | \$75.00 |
| Gas line minimum (unless included with other mechanical work): | \$50.00 |

Commercial Plumbing Plan Review: Plumbing Plan Review Fee Schedule

Fire Sprinkler Systems require regular building permit; fees are based on valuation  
 Fire Alarm Systems require regular building permit; fees are based on valuation

Valuation Based Fees (Building Official will calculate these fees)

(Residential and Commercial building permit fees when plan review is required):

Fee Schedule Base: 1997

| Value up to (and including): |            | For the first: | Plus    | For each additional:        |
|------------------------------|------------|----------------|---------|-----------------------------|
| \$500                        | \$40.00    | \$500          |         |                             |
| \$2000                       | \$40.00    | \$500          | \$3.05  | \$100 or fraction thereof   |
| \$25,000                     | \$85.75    | \$2,000        | \$14.00 | \$1,000 or fraction thereof |
| \$50,000                     | \$407.75   | \$25,000       | \$10.10 | \$1,000 or fraction thereof |
| \$100,000                    | \$660.25   | \$50,000       | \$7.00  | \$1,000 or fraction thereof |
| \$500,000                    | \$1,010.25 | \$100,000      | \$5.60  | \$1,000 or fraction thereof |
| \$1,000,000                  | \$3,250.25 | \$500,000      | \$4.75  | \$1,000 or fraction thereof |
| 1,000,001 and up             | \$5,620.25 | \$1,00,000     | \$3.80  | \$1,000 or fraction thereof |

\*Pursuant to MN Rules Chapter 1300.0160 subpart 3, Building permit valuations shall be set by the Building Official. For determining the permit valuation, the Building Official will use the supplied valuation with a minimum value as calculated by the current Building Valuation Data Table, published each May by the Department of Labor and Industry and other data, as needed, for projects not otherwise specified.

Building Permit Related Fees – commercial and residential)

- **Plan Check/Document Evaluation fee:** 65% of the Permit Fee for Residential and Commercial Projects. All valuation-based permits require plans/documents to be submitted for review
- **Master Plan:** When submittal documents for similar plans are approved, plan review fees shall not exceed 25 percent of the normal building permit fee established and charged for the same structure. Plan review fees for the original plan review is 65% of the permit fee.
- **Review of state approved plans:** 25% of the plan review required by the adopted fee schedule (for orientation to the plans)
- **Residential Site Inspection (including initial S.E.C.),** required for all new construction (new homes, detached garages, accessory structures) \$60.00
- **Commercial Site Inspection (including initial S.E.C.),** required for all new construction (new buildings and accessory structures) \$90.00
- **S.E.C. (soil and erosion control)** .0006 x permit valuation for all *Building* Permits except re-roof, re-side, window replacement, decks & interior remodels. Minimum \$150.00 new home or commercial construction, minimum \$50.00 on any other non-exempt construction.
- **Demolition Permit Fees:** Based on valuation with a minimum fee of \$100.00
- **Exterior Structures:**
  - Retaining Wall (over 4' in height): based on valuation
  - Fence (over 7' in height): based on valuation
  - Sheds (over 200 sq. feet): based on valuation
  - Swimming Pools:
    - Seasonal Swimming Pools: \$50.00
    - (Seasonal residential swimming pools requiring permits (over 24" and 5000 gallons, installed entirely above grade) are allowed to be installed with a single application and approval provided that the same pool is installed in the same location each year. Once

approved, the pool may be put up and taken down any number of times. A site plan is required to be approved as a part of the permit submittal, and must be kept on site for review as needed.)

Permanent and In-ground Swimming Pools: Based on Valuation

- **Pre-moved in single family dwelling – code compliance inspection:** \$175.00 plus travel time and mileage from municipality office (as calculated by Google maps)
- **Pre-moved in accessory structure – code compliance inspection:** \$125.00 plus travel time and mileage from municipality office (as calculated by Google maps)
- **Connection fee – Moved in structure:** \$200.00 (does not include foundation/interior remodel)
- **Manufactured home installation:** \$200.00 (does not include foundation/interior remodel) plus connection fees (if applicable)
- **Connection fee – plumbing:** \$50.00
- **Connection fee – mechanical:** \$50.00
- **Site work for manufactured, prefab, or moved in home (foundation, basement, etc.):** valuation based

State Surcharge Fees

**State Surcharge:** Schedule is based on the currently adopted State Surcharge Table – per MN Statute 326B.148

State Surcharge is applicable on all permits unless otherwise noted.

Other Inspections and Fees

|     |  |                            |
|-----|--|----------------------------|
| 1.  | Re-inspection Fee - A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. On valuation-based building permits, this fee is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of the code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection. Re-inspection fees shall also be assessed when: 1) the address of the jobsite is not posted, 2) the inspection record card is not posted or provided at the worksite, 3) the approved plans are not readily available for the inspector, 4) full access to the site is not provided for the inspector, 5) the inspector is not met by the responsible individual (no show), 6) on residential (IRC) maintenance permits where corrections are required to be inspected, and 7) deviations from the approved plans occur without prior building official approval. Re-inspection fees are due on or before the re-inspection. Payment shall be made payable to the Municipality: | \$50.00 each               |
| 2.  | Inspections outside of normal business hours (will include travel time both ways – 2 hour minimum):  | \$60/hr.                   |
| 3.  | Inspections for which no fee is indicated, Miscellaneous and Special Services (1/2 hour minimum):  | \$60/hr.                   |
| 4.  | Additional Plan Review required by changes, additions, or revisions to approved plans (½ hour minimum)   | \$75/hr.                   |
| 5.  | Special Investigation fee (work started without obtaining a permit) – applied whether permit is issued or not  | 100% of permit fee         |
| 6.  | Copy charge (black/white 8 ½ x 11) – per side  | \$.25/sheet                |
| 7.  | Copy charge (black/white 11 x 17 and 8 ½ x 14) – per side  | \$.50/sheet                |
| 8.  | Copy charge (color 8 ½ x 11) – per side  | \$1.00/sheet               |
| 9.  | Copy charge (color 11 x 17 and 8 ½ x 14) – per side  | \$2.00/sheet               |
| 10. | Replacement permit card fee – short card (8 ½ x 7)   | \$25.00                    |
| 11. | Replacement permit card fee – long card (8 ½ x 14)   | \$40.00                    |
| 12. | License Look-Up (contractor license verification)  | \$5.00                     |
| 13. | Lead Certification (for eligible construction) (contractor Lead Certification Verification)  | \$5.00                     |
| 14. | Permit Renewal within 6 mos. of expiration (no plan changes, no code changes, new permit number)   | 50% of original permit fee |
| 15. | Change of Use of occupancy classification  | \$100.00                   |

|     |   |            |
|-----|---|------------|
| 16. | Pre-Final inspection (new home or structure) – 2 hour minimum                           | \$60/hr.   |
| 17. | Temporary Certificate of Occupancy – Escrow (less costs to administer)                  | \$1,000.00 |
| 18. | Refunds:  |            |
|     | Plan review (if plan review has not started)  | 100%       |
|     | Plan review (if plan review has started - partial)                                      | 50%        |
|     | Plan review (if plan review has been completed)   | 0%         |
|     | Permit fee (if work has not started) within 6 months of permit issuance by municipality | 75%        |
|     | Permit fee (if work started)  | 0%         |
|     | Maintenance Permits   | 0%         |
|     |   |            |
|     |   |            |

Effective 10/20/2015

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Amy Williams, Mayor

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Sandie Thone, City Administrator/Clerk