



City Council Workshop 5:00 p.m.
Regular City Council Meeting 6:00 p.m.
Tuesday, September 20, 2016
Lakeland City Hall

REGULAR CITY COUNCIL MEETING AGENDA
WORKSHOP: INTRODUCTION OF DEPUTY CLERK JENNIFER HUTCHINS-FARRELL
ZONING DISTRICT UPDATES: JIM ROBINSON OF SAMBOTEC

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. Approval of August 16, 2016 City Council Meeting Minutes
 - B. Accept Resignation of Public Work's Operator Darren Addy
 - C. Posting and Recruitment for Public Work's Operator Position
 - D. Resolution 2016-17 LSCV Fire Department Relief Association Benefit Increase
 - 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
 - D. Animal Control Report
 - E. Building Permit Report
6. OPEN FORUM (Public comments, presentations and petitions)
 - A. Kandis Hansen - MNSPECT Relationship Manager
 - B. Bob Antonsen – Antonsen Construction
7. PUBLIC HEARINGS
 - A. CUP City Hall Project
 - B. Variance: 453 Quixote Avenue South
8. CITY BUSINESS
 - A. Resolution 2016-20 Award Contractor Bid and Approve Contract for City Hall Project
 - B. Resolution 2016-18 Conditional Use Permit (CUP) City Hall Project
 - C. Resolution 2016-19 Variance 453 Quixote Avenue South
 - D. Resolution 2016-16 2017 Proposed Budget and Levy
 - E. Zoning District Update Proposal
 - F. Lakeland Shores City Office Rent
 - G. Canvass Board Meeting Date (November 11-18, 2016)
 - H. Professional Public Survey Re: Old City Hall Options
 - I. Old City Hall
9. CITY STAFF REPORTS
10. CITY COUNCIL AND MAYOR REPORTS
11. ADJOURN

CITY COUNCIL MEETING MINUTES / AUGUST 16, 2016

OFFICIAL RECORDED MINUTES OF LAKELAND CITY COUNCIL MEETING
TUESDAY, AUGUST 16, 2016

WORKSHOP: HAMLIN STUDENT PRESENTATIONS

5:00 p.m. to 6:10 p.m.

Hamline Graduate Students (Masters in Public Administration) City Projects:

- | | |
|--|--------------------|
| 1. Economic Development Strategy/The Next Step | Peter Castro |
| 2. Cully Pavilion Project | Matthew Graybar |
| 3. Housing | Krisandra Hoffmann |
| 4. Metropolitan Council: Planning Assistance Grant | Nathan Hanson |
| 5. New Town Hall Grants & Rebates | Gabriel Exman |

CITY COUNCIL MEETING

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

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

OTHERS PRESENT: Kevin Johnson (LSCVFD), Kevin Wall (LSVCFD), Chris White, Rod Burt, Nancy Millard, Nancy Haberman, David Millard, Art Doyle, Julie Thron, William Kaye, Mike Hafner, Bob Piotrowski

1. CALL TO ORDER by Mayor Williams at 6:15 p.m.
2. PLEDGE OF ALLEGIENCE was recited.
3. ADOPT AGENDA:
Motion: Council Member Ryan / Second: Council Member Loenser / All Ayes; 5-0; Motion Carried Unanimously.

Time Stamp 02:08

4. CONSENT AGENDA:
Request from Mayor Williams to pull Consent Agenda Item B. **Motion: Council Member Ryan / Second: Council Member Loenser, to accept Consent Agenda Items A-H, omitting Item B - All Ayes; 5-0; Motion Carried.**

- A. Approval of July 19, 2016 City Council Meeting Minutes
- C. Resolution 2016-13 Application for Planning Assistance Grant Funds
- D. Youth Service Bureau Contract 2016-2017
- E. Employee Handbook Section 2.4 Probationary Period Update
- F. Hiring of Deputy Clerk/Accounting Assistant Jennifer Hutchins-Farrell
- G. Monthly List of Claims
- H. City Treasurer's Report

Mayor Williams addressed Item 4(B) from the July 28, 2016 Special Meeting minutes referencing referendum discussion 'new city hall is not being funded' should be corrected to 'new city hall is not being bonded for.' **Motion: Council Member Ryan / Second: Council Member Loenser, to accept amended Consent Agenda Item B – All Ayes; 5-0; Motion Carried.**

- B. Approval of July 28, 2016 Special City Council Minutes

Time Stamp 03:41

5. AGENCY REPORTS

A. Law Enforcement Report

In the Deputy's absence, Mayor Williams reported 172 ICRs (that included numerous watercraft violations) and 8 citations issued for July 2016. Council Member Glasgow also commented recent break-ins across CSAH 18 – one a home invasion and the other a car window broken and electronic cigarette stolen; both involved an older light blue van or white pickup. Mayor Williams also thanked deputies for their time at Night to Unite.

B. Fire Department Report

Kevin Wall, Lower St. Croix Valley Fire, reported on annual audit report of the Lower St. Croix Valley Fire Relief Association; general membership voted at June 2016 annual meeting to approve a benefit level increase (Relief Association must have 100% joint power cities approval for the benefit level to be fully ratified); requesting the city officially ratify the benefit level increase. Mayor Williams suggested having resolution for the September city council meeting.

C. Government Affairs Report

Mark Nagel's Government Affairs Report was discussed; Mayor Williams noted presentation from Hamline students in workshop that will assist with Comprehensive Plan due in the next 18 months.

D. Animal Control Report

Found Report - 1 dog; Lost Report - 1 dog/2 cats/fainting goat.

E. Building Permit Report

MNSPECT working to clear older permits in order to close.

6. OPEN FORUM – no comments

7. PUBLIC HEARING

A. CUP Application for St. Croix Classics LLC at 78 St. Croix Trail South

Hearing opened at 6:50 p.m.

Written Comments: (1) provided in packet

Public Comments:

Art Doyle, 73 Quehl Avenue South

William Kaye, Jr., St. Croix Classics LLC

Julie Thron, 16411 Division Street

Mike Hafner, building owner of 78 St. Croix Trail

Hearing Closed at 7:02 p.m.

8. CITY BUSINESS

A. CUP St. Croix Classics LLC at 78 St. Croix Trail South

Motion: Council Member Glasgow / Second: Council Member Ryan, to approve the application by St. Croix Classics LLC and William Kaye, Jr. requesting a Conditional Use Permit for St. Croix Classics LLC to allow the operation of boutique classic car dealership at 78 St. Croix Trail, Lakeland – All Ayes; 5-0; Motion Passed.

Time Stamp 1:34:23

B. City Hall

Mayor Williams expressed appreciation for all input received from residents; makes sense to investigate options that are available for 690 Quinnell; proposed survey from an outside firm and asked for consensus to direct staff to estimate cost of a survey and how data should be collected. Council Member Paiement stated he was unable to attend the special

meeting; message he has received from residents is they do not want to build a new city hall; made a motion to stop building at water plant until they received more information regarding 690 Quinnell. Council Member Glasgow agreed and expressed city council should listen to residents, as they have lost confidence in the city council. Discussion ensued regarding city hall, including the misinformation given to residents and the subsequent impacts and confusion. **Motion: Council Member Paiement / Second: Council Member Glasgow, to terminate the project of building a new City Hall – Council Member Loenser; nay, Council Member Ryan; nay, Mayor Williams; nay, Council Member Glasgow; aye, Council Member Paiement; aye; 2-3; Motion Failed.**

Time Stamp 1:34:25

The following were heard at the meeting:

[Please refer to meeting video]

Julie Thron, 16411 Division Street
 Rodney Burt, 16139 2nd Street North
 Bob Piotrowski, 337 Quinnell Avenue North
 Nancy Millard, 16051 Quality Ct.
 Nancy Haberman, 676 Quinnell Avenue North
 Ron Barrett, 131 Quality Avenue South
 David Millard, 16051 Quality Ct.
 Mike Soine, 16221 6th Street North

Consensus of city council to have staff look into cost of having a professional survey done by an independent party going forward. Project is presently out for bids due by Tuesday, August 30, 2016, at 2:00 p.m. Bids will be publically opened and read by the city administrator and then forwarded to the architect EAPC for review.

- C. Resolution 2016-14 Updating City Fee Schedule: Temporary Health Care Dwelling
 City Attorney Jarvi recommended city council look into new law regarding temporary health care dwellings; recommendation to opt out by ordinance, but would require public hearing since change to zoning code; 2016 fee schedule updated until decision is made whether to opt out of ordinance. **Motion: Council Member Ryan / Second: Council Member Loenser, to approve Resolution 2016-14, a Resolution approving the Updated 2016 City Fee Schedule to reflect permit fees as suggested by the State of \$100 for initial temporary health care dwelling permit and \$50 annual renewal fee until such time the city council makes a decision on whether to opt out of ordinance – All Ayes; 5-0; Resolution adopted.**

Time Stamp 2:06:33

- D. Preliminary Survey Work for 2018 Streets Project
 Letter provided from City Engineer Parotti addressing professional services and scope of services associated with preliminary surveys of Cully and residential properties adjacent to the park – purpose to provide additional detail to further develop desired drainage from Quehl Avenue sub-watershed – as well as additional surveying and engineering services required for surveying balance of project, design, and construction phases; cost of preliminary survey \$6,920. Consensus to approve agreement with SEH, the City's engineering firm.
- E. City Parks Improvements and CIP
 Director of Public Works Kline provided Park CIP that included recommended improvements and also provided comments from former planning commission member

Pete DeCorsey on possible improvements at Crocker ballfield – about half are housekeeping items that will be completed later this fall or early spring; water faucet/drinking fountain and electric moved to capital improvement plan list. Mayor Williams reported Washington County will mill up bike path next year and repave from Lakeland to Afton – subsequently freeing up funds that were budgeted for roads or future garage; would like to direct staff to ask interested residents to form a task force for Cully as capital improvement project.

F. Off-Street Parking Discussion

Mayor Williams requested this agenda item and referred to *93.05 Nuisance Parking and Storage*; would like to have staff look into how other cities handle issues. City Attorney Jarvi suggested to delineate more restrictive than having room for interpretation.

9. CITY STAFF REPORTS

City Attorney Katie Jarvi

Facilitated regular city business – no additional report.

Public Works Director Matt Kline

Thanked Lower St. Croix Valley Fire Department for making streets passable after the last storm and also Aggregate Industries for opening brush site the following Saturday; Code Red alarm issued to both Lakeland and Lakeland Shores that site would be open; rented skid steer to clear right of way; provided specific Lakeland residents to St. Croix Tree Service to clear right-of-way brush.

City Treasurer Tom Niedzwiecki

Focus on budget; since last meeting, received 2017 estimate for service from Washington County Sheriff's Department and county assessor; looking for additional input from staff; 2017 Proposed Budget and Certified Levy due to county by September 30; Proposed Budget for consideration based on Washington County estimates, taxable market values, and local taxable values.

10. CITY COUNCIL AND MAYOR REPORTS

Council Member Evan Loenser

No additional report

Council Member Jeri Ryan

No additional report

Council Member Richard Glasgow

Had gathering at Washington County at county board meeting; developed new card depicting EMS, fire, and police; card rolled out at meeting and has gone nationwide; Jim Stanley, Sheriff Hutton, and Bridget O'Brien present.

Council Member Joe Paiement

No additional report

Mayor Amy Williams

Night to Unite very successful and well attended; will contact winners of gift cards and publish sponsors names in newsletter; Gateway meeting postponed; thanked Public Works Director Kline, the Lower St. Croix Valley Fire Department, and Aggregate Industries for their assistance after the August 11, 2016 storm.

11. ADJOURN

Motion: Council Member Ryan; Second: Council Member Loenser, to adjourn meeting; 5-0. Meeting adjourned at 9:09 p.m.

Time Stamp 2:54:36

Respectfully submitted by Kate Piscitello

Amy Williams, Mayor

Sandy Thone, City Administrator/Clerk

AGENDA ITEM 4B



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

To: Lakeland City Council

From: Matt Kline | Director of Public Works

Date: September 20, 2016

RE: Public Works Water Operator Resignation

Background

The current Public Works – Water Operator, Darren Addy, has tendered his resignation. Darren has been a valuable employee while with the city and allowed a seamless transition from past employees due to his experience and public works background.

Recommendation

Staff recommends accepting Darren's resignation. Approved as a consent agenda item

AGENDA ITEM 4C



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

To: Lakeland City Council

From: Matt Kline | Director of Public Works

Date: September 20, 2016

RE: Public Works Water Operator Position

Background

The current Public Works – Water Operator, Darren Addy, has given his resignation.

Given that the previous job posting was reposted and we only had one applicant who applied after the reposting, I'm asking the council for permission to repost without coming back to the council if no applicants are qualified or no applications are received. If during the reposting of the position we still don't get any qualified applicants we may have to revisit the job description regarding the qualifications. I'm concerned about lowering the qualifications due to the need to have a certified water operator running the water treatment plant.

An employee that does not have a water operator certificate will need to complete at least one year of training within the system in order to sit for the Class D license exam. Another 2 years of training is needed to sit for the Class C license. The Lakeland water system is a Class C facility.

Recommendation

Staff recommends that the city council authorize the posting and recruitment for the Public Works Water Operator position for the City of Lakeland beginning September 21, 2016 and closing October 12, 2016 at a hiring range of \$17.31 to \$20.69 per hour (DOQ). Staff also recommends that the council allow staff to repost the position if needed.

Approved as a consent agenda item.

City Of Lakeland

Public Works Operator - Water

Job Description

Department: Public Works

Accountable To: Director of Public Works

Supervision Exercised: None

May provide on-site direction to full-time employees, seasonal employees, or contract employees on an as needed basis

FLSA Status: Full Time, Non-exempt (May earn overtime/comp. time)

Position Summary

Performs the role of public works operator and all duties associated with the position. Performs duties to include water operations, snowplowing, and maintenance of parks, streets, buildings, and vehicles.

Essential Functions and Responsibilities

Water Operator Duties

Performs the daily operation of the municipal water treatment plant including the operation, function, and maintenance of the treatment plant and distribution system.

- Maintenance and repair of pumps, wells, radios, towers, distribution lines and booster pumps
- Complete daily checks of the water plants and weekly inspections of the water towers and booster station
- Monitoring and maintenance of chemical input and chemical feed equipment, instrument calibration, water lab testing equipment, and SCADA system
- Quarterly water billing procedures including printing of bills, collection of receipts, water shut offs, and meter readings
- Maintenance of the distribution system: hydrant flushing, valve turning, hydrant repairs, water meter installation inspections, radio read installations, water meter rebuilds, contractor oversight, and field locates
- Weekend and Weekday On-Call Status
- Maintain MN Water Operator license
- Perform Utility Locates
- Continuing education in water operations, safety practices, and public works operations
- Record Keeping: hydrant flushings, valve exercising, daily readings, etc.
- Customer Service including responding to billing questions, water quality inquiries, etc.

Represents the city with agencies including MDH, MPCA, MN DNR, EPA, and OSHA by monitoring, recording, testing, and reporting to ensure compliance with regulations.

Maintains a working knowledge of the federal, state, and local regulations in regards to the water system.

Orders chemicals, meters, radio read devices, and other pertinent supplies from distributors.

Works closely with the public works director in regards to water department budget, future expenditures, and infrastructure needs.

Reviews plans, bids, and specifications when infrastructure projects are related to the water system.

Performs Public Works Director duties in his absence

Public Works Duties

Snow Plowing Duties

- Winter on call status, weekend work, and call backs for snow plow events
- Plow city alleys, bike trail, and parking lots with a pickup truck
- Shovel and snow blow sidewalks

Park Maintenance

- Mow Grass, Tree Trimming, Brush Hauling, Chainsaw Work

Street Maintenance

- Performs pothole patching of city streets
- Installs and/or repair street signs
- Line striping duties including stop sign bars, parking lot stripes, and fog lines

Building Maintenance

- Various building maintenance duties performed at water treatment plants one and two, city hall, city shop, and city outbuildings

Vehicle Maintenance

- Performs general maintenance on all city vehicles i.e. oil changes, basic troubleshooting, charge batteries, check brakes, etc.

Performs other duties and assumes additional responsibilities as directed by the Public Works Director to ensure efficient, effective, and safe city operations.

Minimum Requirements

High School Diploma

MN Class D Water Operator's License or Equivalent Out of State License or Technical or College Degree related to Public Works or Water Resources/Biology

Must be able to report to city offices within 30 minutes when on call for water system alarms and snow plow emergencies

Ability to lift 75 lbs.

Preferred Qualifications

MN Class D Water Operator License or Higher or Out of State Equivalent License

Two year technical degree or greater in water treatment or related field

Two or more years of experience as a water operator or an equivalent combination of education, training, and work experience

Previous snow plowing experience

Training/education in public works type maintenance, machinery, mechanics or related fields

Experience working in a municipal public works department

Working knowledge of computer programs: Microsoft Word, Excel, Access, Outlook, Casselle Billing Software, Database Management Software

Special Working Conditions

Work involves walking, standing, sitting, and lifting and carrying objects weighing over 75 pounds. Duties require manual dexterity, motor coordination, reaching with hands and arms, ability to climb and balance, and stoop or kneel. Assignments may require visual acuity and ability to hear. Noise level is usually moderate, but varies greatly depending upon the nature of the work being undertaken. Ability to work outdoors in all weather conditions including extremes of heat and cold. Ability to work in controlled hazardous environments, including work with chemicals and in a confined space. Flexibility to work a varied schedule, respond to calls 24 hours a day, and cover weekend shifts.

AGENDA ITEM 4D

CITY OF LAKELAND WASHINGTON COUNTY, MINNESOTA RESOLUTION 2016-17

A Resolution Approving the Lower St. Croix Valley Fire Department (LSCVFD) Relief Association Service Pension Benefit Amount

WHEREAS the fire fighters of LSCVFD have lawfully organized as a Relief Association to administer a firefighter relief association pension fund under the laws of the State of Minnesota; and

WHEREAS the Association has a Lump Sum Pension Plan, which is a special fund that is used to provide a lump sum service pension upon the retirement of a volunteer fire fighter; and

WHEREAS this Service Pension Plan is a recruitment and retention tool for the LSCVFD; and

WHEREAS the Relief Association has audited the pension fund through the services of a qualified professional accountant and have determined that an annual service pension amount of \$3,400.00 would be supported by the fund; and

WHEREAS Minnesota Statute 424A.02 states that the relief association service pension amounts must be approved by the City Council(s); and

WHEREAS the LSCVFD Relief Association is requesting the City Council approve the 2016 benefit level of \$3,400.00 per year of service, a \$150.00 increase annually.

SO THEREFORE BE IT RESOLVED by the Lakeland City Council that it hereby approves a benefit amount increase for the LSCVFD Relief Association members in the amount of \$3,400.00 per year of service, effective September 20, 2016.

Adopted by the Lakeland City Council this twentieth day of September 2016.

Amy Williams, Mayor

ATTEST:

Sandie Thone, City Administrator/Clerk

AGENDA ITEM

5A

CJBWPR\$

PRT CONTRACT ICR REPORT

TALEE Page 1
9/01/16 7:29:27

Washington County Sheriff's Office
CONTRACT ICR's
Contract Report for LAKELAND
For the Period 8/01/16 To 8/31/16

Date	Time	ICR #	ID#	Street Name	Complaint
8/01/16	10:31:02	116028309	0068	QUALITY AV	AUD ALARM
8/01/16	12:46:35	116028331	0068	7TH ST CT	JUV COMPLAINT
8/01/16	12:46:56	116028332	0068	QUIXOTE AV	WELFARE CHECK RSTK
8/01/16	22:36:39	116028401	0076	I94	DRIVING COMPLAINT
8/02/16	16:05:36	116028523	0077	2ND ST	ASSIST
8/02/16	18:01:24	116028537	0093	SAINT CROIX TR	FIGHT
8/02/16	20:24:57	116028555	0076	10TH ST CT	FRAUD INFORMATION
8/02/16	23:10:35	116028569	1281	SAINT CROIX TR	NIGHT TO UNITE
8/03/16	6:50:25	116028592	0160	SAINT CROIX TR	TRAFFIC - LOUD EXHAUST
8/03/16	11:29:48	116028632	0151	I94	LEVEL 2 INSPECTION
8/03/16	16:20:20	116028678	0151	I94	LEVEL 3 INSPECTION/OVER TANDEM
8/04/16	13:08:15	116028808	0151	I94	LEVEL 1 INSPECTION/BYPASS THE
8/05/16	6:58:28	116028893	0130	HUDSON BLVD	ERRATIC DRIVER
8/05/16	11:33:55	116028939	0130	5TH ST	IRS SCAM
8/05/16	16:27:53	116029002	1255	ST CROIX RIVER	WATERCRAFT VIOLATION
8/05/16	16:28:20	116029003	1255	ST CROIX RIVER	WATERCRAFT VIOLATION
8/05/16	20:07:51	116029030	0084	SAINT CROIX TR	WARRANT INFORMATION
8/06/16	1:31:15	116029058	0072	7TH ST LN	PUBLIC ASSIST
8/06/16	13:57:17	116029092	1253	ST CROIX RIVER	WATER CRAFT VIOLATION TIMES 1
8/06/16	13:57:49	116029093	1253	ST CROIX RIVER	WATER CRAFT VIOLATION TIMES 1
8/06/16	13:58:28	116029094	1253	ST CROIX RIVER	WATER CRAFT VIOLATION TIMES 2
8/06/16	13:59:04	116029095	1253	ST CROIX RIVER	WATER CRAFT VIOLATION WARNING
8/07/16	6:53:55	116029195	0130	I94	ACCIDENT
8/07/16	7:09:34	116029196	0063	QUEHL AV	DAMAGE TO PROPERTY
8/07/16	14:47:15	116029242	0088	ST CROIX RIVER	AOA-DOMESTIC
8/07/16	16:36:16	116029248	1253	ST CROIX RIVER	WATERCRAFT VIOLATION WARNING T
8/07/16	17:20:28	116029251	1253	ST CROIX RIVER	WATERCRAFT VIOLATION TIMES 1
8/07/16	17:49:10	116029256	1253	ST CROIX RIVER	WATERCRAFT VIOLATION WARNING
8/07/16	17:49:24	116029257	1253	ST CROIX RIVER	WATERCRAFT VIOLATION WARNING
8/08/16	9:33:30	116029307		QUANT AV	RECEIPT# 160003809
8/08/16	11:13:34	116029322	0130	2ND ST	MEDICAL LEVEL 1
8/09/16	0:06:34	116029432	0159	RIVERCREST RD	ALARM
8/09/16	1:55:52	116029443	0067	I94	CAR VS DEER
8/09/16	10:07:10	116029488	0130	RIVERCREST RD	ALARM
8/09/16	13:45:43	116029521	0091	QUAMWELL AV	THEFT FROM MV
8/09/16	17:47:25	116029553	0075	SAINT CROIX TR	ACCIDENT **RSTK RE OTHER
8/10/16	20:46:28	116029724	0084	SAINT CROIX TR	COMMERCIAL BURG ALARM **PRO
8/10/16	21:52:52	116029736	1255	ST CROIX RIVER	STRANDED BOATER
8/11/16	1:06:54	116029751	0092	6TH ST	ASSIST
8/11/16	9:42:04	116029781	0100	RIVIERA AV	OFFICERS INFO
8/11/16	10:30:51	116029798	0143	SAINT CROIX TR	SHERIFF SALE
8/11/16	10:33:52	116029799	0143	SAINT CROIX TR	SHERIFF SALE
8/11/16	10:37:09	116029800	0143	SAINT CROIX TR	SHERIFF SALE
8/11/16	11:40:21	116029811	0160	5TH ST	ALARM
8/11/16	11:44:21	116029812	0160	QUINLAN AV	POWER LINE FIRE
8/11/16	13:08:21	116029833	0077	QUEHL AV	FRAUD REPORT
8/11/16	14:17:41	116029847	0077	SAINT CROIX TR	WELFARE CONCERN
8/11/16	16:32:04	116029865	0176	QUINNELL AV	SUSPICIOUS ACTIVITY
8/11/16	19:29:33	116029877	0176	QUINMORE AV	MISSING DOG **DOG RE
8/11/16	21:12:33	116029887	0088	SAINT CROIX TR	TRAFFIC CONCERN/COMPLAINT **R
8/12/16	2:32:59	116029904	1281	SAINT CROIX TR	AOA-TRAFFIC DUI ARREST
8/12/16	5:54:19	116029910	0066	QUAMWELL AV	CHECK THE AREA

PRT CONTRACT ICR REPORT

TALEE Page 2
9/01/16 7:29:27

CJBWPR\$
 Washington County Sheriff's Office
 CONTRACT ICR's
 Contract Report for LAKELAND
 For the Period 8/01/16 To 8/31/16

Date	Time	ICR #	ID#	Street Name	Complaint
8/12/16	11:26:15	116029960	0088	I94	ROAD DEBRIS
8/12/16	14:48:04	116029998	0160	QUINNELL AV	TRAFFIC
8/12/16	17:12:10	116030021	0111	I94	SUSPICIOUS ACTIVITY
8/12/16	17:12:10	116502057	0100	I94	SUSPICIOUS ACTIVITY *AOA*
8/12/16	17:34:02	116030024	0142	QUINNELL AV	ASSIST RSTK: MEDICAL E
8/12/16	17:47:42	116502059		I94	ACCIDENT
8/12/16	17:53:39	116030025	0111	I94	ACCIDENT *STA
8/13/16	9:34:42	116030073	0145	I94	MEDICAL LEVEL 1
8/13/16	11:15:48	116030083	1253	ST CROIX RIVER	WATERCRAFT VIOLATION WARNING
8/13/16	19:25:30	116030134	0095	3RD ST	DRIVING COMPLAINT
8/13/16	20:37:56	116030145	1274	ST CROIX RIVER	BWI - DRIVING WHILE IMPAIRED 1
8/14/16	17:17:18	116030255	1253	ST CROIX RIVER	WATERCRAFT VIOLATION WARNING T
8/14/16	17:31:02	116030258	1253	ST CROIX RIVER	WATERCRAFT VIOLATION TIMES THR
8/14/16	18:12:57	116030261	1253	ST CROIX RIVER	WATER CRAFT VIOLATION TIMES ON
8/14/16	18:30:47	116030266	1255	ST CROIX RIVER	WATERCRAFT VIOLATION (X2)
8/14/16	18:31:24	116030267	1255	ST CROIX RIVER	WATERCRAFT VIOLATION
8/15/16	7:44:52	116030319	0075	PARK AND RIDE	PUBLIC ASSIST
8/16/16	4:42:05	116030449	1264	RIVERCREST RD	ACCIDENT
8/18/16	15:38:43	116030813	0095	7TH ST LN	VERBAL DOMESTIC
8/18/16	17:53:51	116030827	0063	SAINT CROIX TR	SUSPICIOUS ACTIVITY
8/18/16	20:46:11	116030844	0170	QUEHL AV	ALARM
8/18/16	21:17:05	116030847	0084	QUEHL AV	AUDIBLE ALARM
8/19/16	20:44:34	116031016	0095	I94	ROAD DEBRIS
8/19/16	20:54:30	116031018	0095	SAINT CROIX TR	DRIVING COMPLAINT
8/20/16	8:13:17	116031059	0160	QUALITY AV	DAMAGE TO PROPERTY
8/20/16	21:34:49	116031145	0091	DIVISION ST	LOUD PARTY MUSIC
8/21/16	18:35:15	116031231	1255	ST CROIX RIVER	WATERCRAFT VIOLATION
8/22/16	12:58:21	116031327	0172	QUIXOTE AV	TK VS POWER LINES
8/22/16	17:19:09	116031377	0091	2ND ST	ACCIDENT REPORT
8/23/16	14:44:18	116031501		QUENTIN AV	RECEIPT# 160004078
8/23/16	14:46:33	116031502		QUEENAN AV	RECEIPT# 160004079
8/25/16	3:03:11	116031721	1280	QUEHL AV	BURGLAR ALARM
8/25/16	21:43:39	116031870	0174	QUEHL AV	ALARM
8/26/16	11:24:57	116031939	0081	SAINT CROIX TR	ACCIDENT REPORT
8/26/16	14:58:11	116031979	0183	SAINT CROIX RIV	WATERCRAFT VIOLATION
8/26/16	15:39:41	116031988	0091	QUENTIN AV	WELFARE CHECK
8/26/16	15:43:35	116031991	0091	CROCKER PARK	SUSPICIOUS VEH
8/27/16	15:47:45	116032087	0176	QUALITY AV	NEIGHBORHOOD COMPLAINT
8/27/16	20:13:41	116032110	1272	ST CROIX RIVER	WATERCRAFT VIOLATION
8/27/16	20:50:08	116032113	1272	ST CROIX RIVER	WATERCRAFT VIOLATION
8/28/16	15:32:59	116032181	0063	I94	RECKLESS DRIVER
8/28/16	17:22:59	116032196	1272	ST CROIX RIVER	WATER CRAFT VIOLATION
8/28/16	17:43:04	116032198	1272	ST CROIX RIVER	WATERCRAFT VIOLATION
8/28/16	19:28:24	116032210	0091	I94	ROAD HAZARD
8/29/16	13:13:49	116032303	0160	QUAMWELL AV	DOG ATTACK ***SEE COMP AT 9
8/29/16	21:43:49	116032386	0176	I94	DRIVING COMPLAINT
8/29/16	21:51:35	116032388	0176	LAKEVIEW CEMETA	SUSPICIOUS ACTIVITY
8/29/16	22:24:25	116032393	0176	QUIXOTE AV	EXTRA PATROL REQUEST
8/29/16	22:48:34	116032397	0176	I94	WELFARE CONCERN
8/30/16	5:52:00	116032408	0072	QUINLAN AV	ALARM
8/30/16	6:46:58	116032412	1208	QUIXOTE AV	EXTRA PATROL
8/30/16	20:17:26	116032513	0091	I94	PROPERTY DAMAGE

PRT CONTRACT ICR REPORT

TALEE Page 3
9/01/16 7:29:27

CJBWPR\$
Contract Report for LAKELAND
For the Period 8/01/16 To 8/31/16

Date	Time	ICR #	ID#	Street Name	Complaint
8/30/16	20:49:23	116032516	0176	RIVERCREST RD	911 OPEN LINE
8/31/16	8:40:06	116032551	0100	QUEHL AV	OFFICERS INFO
8/31/16	22:09:34	116032660	1255	ST. CROIX RIVER	WATERCRAFT VIOLATION (X2)
8/31/16	22:10:57	116032662	1255	ST. CROIX RIVER	WATERCRAFT VIOLATION (X2)
8/31/16	22:11:24	116032663	1255	ST. CROIX RIVER	WATERCRAFT VIOLATION (X2)
8/31/16	23:42:41	116032673	1209	RIVERCREST RD	ALARM

Total ICRs Processed: 110

** END OF REPORT **

AGN	Date	Citation Number	Badge	Officer Name	Citation Type	Warning	Street Name	City	Literal Desc
WCSSO	2016-08-13	820012622601	1274	T. Wessels Jr	Citation	N	saint croix river	Lakeland	DWI - Operate Motorboat Under Influence of Alcohol
WCSSO	2016-08-12	820013622501	111	M. Rindfleisch	Citation	N	SAINT CROIX TRL N	Lakeland	MOV-Fail to Drive with Due Care

Lakeland Update – August, 2016

- 1. I want to express my appreciation to the Lakeland City Council for their willingness to provide projects for Hamline students to work on this Summer. The 5 presentations that Council heard on August 16th were – City Hall – Handicapped Accessibility Grants and Energy Reduction Grants; 2 components of the Comp Plan – Housing and Economic development; Writing the Grant for the Metro Council Planning Grant for doing the Comp Plan; and the Cully Park Pavilion. Thank you for your time in providing this experience to them...I heard nothing but good things from the students about it! They are the future of Public Administration!**
- 2. At some point, it would be good to talk to Mary Devine about doing a story on these presentations, so that we can showcase this positive work to our residents.**
- 3. With the help of Nate Hanson, one of those student presenters, the grant application for \$10,000 for assistance in completing the 2040 Comp Plan to Metro Council was submitted on August 30th. We should hear whether or not it was approved by the end of September. If it is, then a Consent Agenda item should be scheduled for the October City Council Meeting accepting the Grant Agreement with Metropolitan Council for Planning Assistance.**
- 4. I have had renewed interest in Senior Housing in Lakeland. I've been contacted by a Developer that is interested in the site near the Lakeland Plaza. They have a good track record for building low-moderate income senior housing. The company will be in town in late-September, early-October to take a look at the site.**
- 5. In answer to a question that came up at a recent City Council Meeting, the Washington County HRA administrates the Community Development Block Grant Program (CDBG) in the county. It is a competitive process with about \$317,000 available for projects. Applications for 2015 are closed, and now approved by the County Commissioners on 2/16, but it would be good to meet with the HRA to take a look at possible projects for 2017. I will facilitate that for the City later this year.**
- 6. As I mentioned previous Updates, there are sections that the City can complete by simply updating the current Comp Plan – Aviation, Transit System, and Metro Highway System are 3 examples that will**

require minimal revisions. I started drafting those sections this month for future Council review. I will integrate the information from the recent Hamline student projects into the draft 2040 Comp Plan. The City will need to begin the process for the Comp Plan by November to stay on schedule.

7. Speaking of the 2040 Comp Plan, as you may know, the City's Metro Council Sector Rep, Ryan Garcia, is no longer working at Metro Council. Temporarily, Lisa Barajas, the City's previous Sector Rep, will be our contact until another person is hired.
8. As part of the Comp Plan process, all local Water Supply Plans are now to be submitted to the DNR only and on a standard template provided by the DNR. The DNR will then contact Metro Council for their comments on consistency with regional plans. The DNR will then approve the local Water Supply Plan, which will fulfil the requirements of the Comp Plan. Lakeland must submit their Water Supply Plan on the template by 12/31/16. Assuming approval, the city simply makes this part of the Comp Plan. I'll be working with Matt on its inclusion into the Comp Plan.
9. The 2016 Legislative Session began on March 8th and the end of the Session was on May 23rd. There were 4 major bills this Session – a Bonding bill, a Transportation funding package, a supplement to the State's Biennial Budget, and an Omnibus Tax Bill...the only 1 that was approved was the Biennial Budget Supplement. In late August, Governor Dayton said that NO Special Session will be called to deal with these bills, which means 2 major effects on Lakeland's 2017 Budget: first, roads appropriations, which netted Lakeland valuable \$ last year for maintenance of City streets, but was only for 1 year, so needed approval for 2017, is no longer in play...second, the same goes for including more funds for LGA. Both are key Legislative positions for Lakeland. Lakeland would've picked up an additional payment of LGA of \$5,836 for 2017 (there would've been 3 LGA payments this year – June, July, and September - which helps with cash flow).
10. The foreclosure data provided by the Washington County HRA thru July, 2016 shows that the news continues to be good...Sheriff's sales are averaging 24/month, which is down from 104/month in 2010...no foreclosures in Lakeland in July, 2016.
11. The Minnesota minimum wage went to \$9.50/hr on 8/1/16...this includes all PT staff – firefighters, election judges, and temporary employees. The new overtime rules will go into effect on 12/1/16 – all FT employees will need to be paid at least \$47,476 a year or be subject

to paid overtime. Let me know if you have questions about the new rule.

12. The Washington County Board of Commissioners heard the Library's Strategic Plan and adopted it on February 16th. In reviewing it, as it pertains to Lakeland, the Goals include cultivating partnerships, improving library facilities, and making libraries a "tech hub". At its July 12th Meeting the Board, accepted a recommendation "to identify alternative space options for the Valley Branch Library", which seems to suggest that losing the library may be "on the table". At the August 23rd County Board Meeting, the Library System received the OK to spend \$56,770 to contract with CIVICTechnologies for "demographic disaggregation, implementation, and market services to assist in the implementation and assessment of their Strategic Plan." Not exactly sure what that means in terms of Lakeland's branch, but I will continue to follow the progress of the Library's Strategic Plan.
13. One Bill that was passed by the State Legislature was to change the Washington County HRA into a Community Development Agency (CDA) with the powers of an HRA AND EDA (Economic Development Authority). The new law requires local approval by City Resolution if the development district or economic development project is within its boundaries. At its June 28th meeting, the County Board gave their local approval to the change. I will line up a visit from the newly hired Economic Development Director in the next couple of months, if the City would like to discuss re/development options with him, since the city will likely need to coordinate its Comp Plan with the County's Economic Development strategies.
14. Other news: the State Revenue Collections exceeded the forecast by \$200 million for the FY 2016, or about 1% over budget, but revenue collections for the month of July were down \$31 million; the State also regained its AAA bond rating from Fitch, but not from Moody's or Standard & Poor's yet; Metropolitan Council announced a Preliminary Levy increase of 1.9% for 2017; Washington County is beginning its update of their Solid Waste Master Plan, as required by the State; and annual LMC/Metro Cities Regional Meeting is set for Wednesday, November 30th @ the Embassy Suites in Brooklyn Center, so mark your calendar.
15. September, 2016 Work Plan – Focus on the 2020 Comp Plan Process, Assist on the City Hall project, Complete/Respond to Affordable Housing Survey; Complete/Respond to ALHOA Survey; Working on the Comp Plan Update...and any other projects!

Permit #	Date Out	Name	Address	Res or Comm	Permit type	Other Description	Last Inspection
LL 15-01	9/17/15	Chris Wallberg	768 Quinnell Avenue N	Residential	Accessory	Re-Roof	
LL 15-03	9/13/15	Jean Sortedahl	261 Quehl Court N	Residential	Accessory	Re-Roof	
LL 15-09	9/30/15	Al McDonough	100 Quality Avenue S	Residential	Accessory	Floating Slab	
LL 15-14	10/29/15	Steve Zigan	301 Quentin Avenue N	Residential	Accessory	Re-Window	
LL 15-16	10/21/15	Adam Peterson	397 Quinnell Avenue N	Residential	Accessory	Re-Roof	
LL 15-18	10/21/15	Adam Peterson	397 Quinnell Avenue N	Residential	Accessory	Re-Window	
LL 15-19	10/26/15	Janet Conroy/Champton Plumbing	1611 3rd Street N	Residential	Plumbing	Plumbing	
LL 15-21	11/4/15	Brian Beedle	268 Quinmoore Avenue	Residential	Accessory	Re-Roof	
LL 15-22	11/12/15	Jon Morris/Fireside Hearth & Home	901 Quentin Avenue S	Residential	Mechanical	Mechanical	11/17/15
LL 15-26	12/17/15	John Dewall/One Hour	16028 5th Street S	Residential	Mechanical	Mechanical	
LL 16-01	1/7/16	Lahcen Oubaha/Airc's Heating	16605 11th Avenue N	Residential	Mechanical	Mechanical	2/16/16
LL 16-02			1-25-16 Halli thinks she may have skipped this number. BB				
LL 16-03	1/8/16	Corey Snider	16655 7th Street N	Residential	Plumbing	Plumbing	1/26/16
LL 16-06	3/4/16	William Abrahamson/EOL Brown Plumt	16644 7th Street N	Residential	Plumbing	Plumbing	
LL 16-23	5/4/16	JTS Heating & Air	499 Quinlan Avenue S	Residential	Mechanical	Mechanical	7/6/16
LL 16-26	5/24/16	John Orner/Image Builders	499 Quinlan Avenue S	Residential	Plumbing	Plumbing	6/1/16
LL 16-27	5/24/16	Scott Lueders	16438 5th Street Court Nor	Residential	Accessory	Re-Roof	
LL 16-28	6/2/16	Helen Cool/Owens Companies	16233 5th Street S	Residential	Mechanical	Mechanical	
LL 16-29	6/2/16	Steve Lauber/Renewal By Anderson	620 Quality Avenue N	Residential	Accessory	Re-Window	
LL 16-30		Scott Lueders	16438 5th Street Court Nor	Residential	Accessory	Re-Window	8/30/16
LL 16-31	6/16/16	Scott Lueders	16438 5th Street Court Nor	Residential	Mechanical	Mechanical	
LL 16-32	6/23/16	Bruce Napier/Fireside Hearth & Home	499 Quinlan Avenue S	Residential	Mechanical	Mechanical	
LL 16-34	6/27/16	Jim Kleve/ABS of WI Inc.	16416 5th Street Court Nor	Residential	Accessory	Re-Window	
LL 16-35	6/27/16	Mark Bluhm/All Residential	780 Quixote Avenue N	Residential	Mechanical	Mechanical	7/13/16
LL 16-37	6/28/16	Peter Selb	157 Quamwell Ave S	Residential	Accessory	Re-Side	
LL 16-38	6/29/16	Deborah Nei/J&B Roofing	16160 7th Street N	Residential	Accessory	Re-Roof	
LL 16-40	7/12/16	Roger Moe/Lindus Construction	421 Queenan Avenue S	Residential	Accessory	Re-Roof	
LL 16-41	7/11/16	Sue Sivertsen/Window Concepts	16130 5th Street N	Residential	Accessory	Re-Window	
LL 16-42	7/26/16	John Cunico/Standard Heating & AC	16036 6th Street N	Residential	Mechanical	Mechanical	
LL 16-46		PENDING					
LL 16-49	8/15/16	Eric Beinlich/Chad Johnson Const	273 Quant Avenue N	Residential	Accessory	Re-Window	
LL 16-50	8/15/16	Eric Beinlich/Chad Johnson Const	273 Quant Avenue N	Residential	Plumbing	Plumbing	
LL 16-51	8/15/16	Nick Reynolds/Pronto Heating & AC	16290 7th Street Lane S	Residential	Mechanical	Mechanical	
LL 16-53	8/17/16	Vicki Goebel/Rooster Exteriors	16835 5th Street N	Residential	Accessory	Re-Roof	
LL 16-55	8/22/16	Peter Schanbach/Champton Plumbing	1615 Rivercrest Road N	Residential	Plumbing	Plumbing	
LL 16-56	8/19/16	Evan Anderson/DC Roofing	16655 7th Street South	Residential	Accessory	Re-Roof	
LL 16-57	8/31/16	Desiree Monson	16410 5th Street S	Residential	Accessory	Re-Window	

Permit #	Date Out	Name	Address	Residential Commercial	Public/Institutional	Permit type	Other Description	Last Inspection
131504	10/7/2013	Randy Simmons	1775 Queens Ave S	Residential		Building	Garage	
141580	7/24/2014	Lindsey Pittman/Centraire	16161 6th St N	Residential		Mechanical	Mechanical	
141589	8/19/2014	Dan Nustvold/Rolling Plains Bldrs	1121 Quentin Ave S	Residential		Building	Porch	10/14/14
151685	5/14/2015	William Abrah/Renewal By Anderson	16644 7th St N	Residential		Accessory	Re-Window	
151694	6/8/2015	Roger Christenson/K Designers	690 Quixote Ave N	Residential		Accessory	Re-Window	
151696	6/16/2015	Bill Curtis/Titan Exterior	16539 10th St Ct S	Residential		Accessory	Re-Roof	
151698	6/18/2015	Vicki Belisle	312 Quinmore Ave N	Residential		Building	Addition	7/1/15
151705	7/1/2015	Melissa Magler	303 Quentin Ave N	Residential		Accessory	Fence	
151709	7/9/2015	Jake Lopac/Renewal By Adnerson	412 Quinmore Ave N	Residential		Accessory	Re-Window	
151710	7/9/2015	Donald Brunckhorst/Renwal by Anderson	16643 4th St N	Residential		Accessory	Re-Window	
151711	7/9/2015	Jerri Schneider/Bear Roofing	16585 11th St Ct N	Residential		Accessory	Re-Roof	
151715	7/30/2015	Afton/Lakeland School/Septic Solutions	475 St Croix Ave S	commercial		Plumbing	Plumbing	
151719	7/30/2015	Brian Talcott/TRS Builders	384 Queenan Ave S	Residential		Accessory	Re-Roof	
151722	8/3/2015	Joshua Clark	16131 3rd St N	Residential		Building	Remodel	11/25/15
151726	8/6/2015	Bob Andersen/Performance Pools	303 Quentin Ave N	Residential		Building	Pool	5/27/15
151729	8/10/2015	David Jacobsen/Hillside Lifts	16684 7th St S	Residential		Building	Tram	
151730	8/10/2015	Steve Zigan	301 Quentin Ave N	Residential		Accessory	Re-Roof	
151733	8/27/2015	Melissa Magler/Antonsen Construction	303 Quentin Ave N	Residential		Building	Garage	
151735	9/3/2015	Andy Tappan	16063 3rd St N	Residential		Accessory	Re-Roof	
15-02	10/21/2015	Keith Knefelkamp	180 Quality Ave S	Residential		Building	Remodel	
16-01	3/18/2016	Valley Baptist Church	860 St Croix Trail S	commercial		Building	Remodel	8/9/16
16-02	3/18/2016	Valley Baptist Church/St Croix Plg	860 St Croix Trail S	commercial		Plumbing	Plumbing	6/15/16
16-03	3/29/2016	John Orner/Image Builders	499 Quinlan Ave S	Residential		Building	Remodel	6/29/16
16-05	4/22/2016	Peter T Kemp	677 Quinlan Ave S	Residential		Building	Deck	
16-08	5/17/2016	Lindsay Pittman/Window World	16161 6th St N	Residential		Building	Egress Window	6/17/16
16-09	5/26/2016	Mark Bluhm/Enerjac Construction	780 Quixote Ave N	Residential		Building	Garage	7/21/16
16-10	5/31/2016	Gerald Tvedt	176 Quant Ave N	Residential		Building	Deck	
16-11	6/15/2016	Aaron Kroma	16520 4th Street N	Residential		Building	Deck Remodel	
16-12	6/23/2016	Tami Fahey/Croix River Construction	1747 Rivercrest Rd N	Residential		Building	Garage	8/1/16
16-13	6/24/2016	Brian Vanbeek	568 Quinell Ave N	Residential		Building	Remodel	
16-14	6/24/2016	Brian Vanbeek	568 Quinell Ave N	Residential		Mechanical	Mechanical	
16-15	6/24/2016	Brian Vanbeek	568 Quinell Ave N	Residential		Plumbing	Plumbing	
16-16	7/25/2016	Washington Co Library/Perfection Heating	380 St. Croix Trail S	Commercial		Mechanical	Mechanical	8/9/16
16-17	7/13/2016	Scott and Melissa Lueders	16438 5th Ct N	Residential		Building	Addition	8/30/16
16-18	7/29/2016	Patricia Hill/Innovative Bsmt Sys	363 Quentin Ave N	Residential		Building	Misc.	
16-19	8/4/2016	Bill Peterson	585 Quinell Ave N	Residential		Building	Egress Window	
16-20	8/15/2016	Elizabeth & David Meyers	453 Quixote Ave N	Residential		Building	Demolition	
16-21	8/22/2016	Trena & Sara Arthur-Noble/Able Energy	16600 5th St N	Residential		Building	Solar	
16-22	8/23/2016	Scott Johnson/Bruce Lenzen Design Build	1067 Quixote Ave N	Residential		Building	New Home	
16-23	8/23/2016	Scott Johnson/Anderson	1067 Quixote Ave N	Residential		Mechanical	Mechanical	
16-24	8/23/2016	Scott Johnson/M&S Plg	1067 Quixote Ave N	Residential		Plumbing	Plumbing	
16-25	8/26/2016	Eric & Linda Beinlich/Chad Johnson Construction	273 Quant Ave N	Residential		Building	Remodel	

AGENDA ITEM 6A

**MNSPECT is pleased
to announce that
Kandis Hanson has
joined our team!**



As Relationship Manager, Kandis is charged with placing MNSPECT in the most positive position for client acquisition and retention. She is responsible for initiation, development and cultivation of business relationships with Minnesota local governments.

Ms Hanson comes with an AAS in marketing and a MA in local government management. She has 22 years of experience leading cities as city administrator/manager and brings expertise in human relations, promotions and communications. She comes by way of the City of Mound, where she was charged with relationship building that resulted in the redevelopment of the community over 15 years. Officials representing cities, townships and counties are invited to get to know Kandis by contacting her during business hours (8:00-4:30) at 952-442-7520 x 102 or kandis@mnspect.com

MNSPECT, LLC provides cost-effective Building Official and as-needed supplemental services including plan reviews and inspections that result in high-quality services for communities, residents, contractors, and governments, with a positive impact on community buildings and budgets. MNSPECT has partnered with Minnesota communities since 1987.

See www.mnspect.com for more information.





MNSPECT L.L.C.

HELPING YOU COMPLY WITH THE CODE

CITY OF LAKELAND PERMITS AND VALUATION August - 2016

RESIDENTIAL	Current Month		Current Quarter		2016 YTD	
	PERMITS	**VALUATION	PERMITS	VALUATION	PERMITS	VALUATION
New Single Family Homes	1	\$ 325,000.00	1	\$ 325,000.00	1	\$ 325,000.00
Townhouse/Twin Homes	0	\$ -	0	\$ -	0	\$ -
House Additions	0	\$ -	1	\$ 21,600.00	1	\$ 21,600.00
House Remodels/Basement Finish	1	\$ 2,100.00	1	\$ 2,100.00	3	\$ 154,838.00
Garages	0	\$ -	0	\$ -	3	\$ 123,760.00
Garage Additions and Remodels	0	\$ -	0	\$ -	0	\$ -
3-Season Porches/Sun Rooms	0	\$ -	0	\$ -	0	\$ -
Decks/Deck Ftgs Only	0	\$ -	0	\$ -	4	\$ 18,882.00
Fire Damage Repair	0	\$ -	0	\$ -	0	\$ -
Swimming Pools	0	\$ -	0	\$ -	0	\$ -
Demolition Permits	1	\$ 2,716.00	1	\$ 2,716.00	1	\$ 2,716.00
Sheds and Accessory Structures	0	\$ -	0	\$ -	0	\$ -
Move-In House/Garage	0	\$ -	0	\$ -	0	\$ -
Mechanical Permits	3	\$ -	6	\$ -	14	\$ -
Plumbing Permits	3	\$ -	3	\$ -	10	\$ -
Maintenance Permits Issued *OTC	8	\$ -	12	\$ -	32	\$ -
Egress Window	1	\$ 2,500.00	1	\$ 2,500.00	3	\$ 26,575.00
Fence	0	\$ -	0	\$ -	0	\$ -
Solar Energy	1	\$ 20,660.00	1	\$ 20,660.00	1	\$ 20,660.00
Fire Sprinkler	0	\$ -	0	\$ -	0	\$ -
Electrical	0	\$ -	0	\$ -	0	\$ -
Trams	0	\$ -	0	\$ -	0	\$ -
Miscellaneous	0	\$ -	1	\$ 3,700.00	1	\$ 3,700.00
TOTAL RESIDENTIAL	19	\$352,976.00	28	\$378,276.00	74	\$697,731.00

COMMERCIAL/INDUSTRIAL

New Buildings	0	\$ -	0	\$ -	0	\$ -
Remodel/Additions	0	\$ -	0	\$ -	1	\$ 40,000.00
Re-Roof, Re-Window and Re-Side	0	\$ -	0	\$ -	0	\$ -
Mechanical Permits	0	\$ -	1	\$ 3,500.00	1	\$ 3,500.00
Plumbing Permits	0	\$ -	0	\$ -	1	\$ -
Fire Sprinklers	0	\$ -	0	\$ -	0	\$ -
Fire Alarms	0	\$ -	0	\$ -	0	\$ -
Solar Energy	0	\$ -	0	\$ -	0	\$ -
Electrical Permits	0	\$ -	0	\$ -	0	\$ -
Miscellaneous	0	\$ -	0	\$ -	0	\$ -
TOTAL COMMERCIAL/INDUSTRIAL	0	\$0.00	1	\$3,500.00	3	\$43,500.00

PUBLIC & INSTITUTIONAL (E & I)

New Buildings	0	\$ -	0	\$ -	0	\$ -
Remodel/Additions	0	\$ -	0	\$ -	0	\$ -
Re-Roof, Re-Window and Re-Side	0	\$ -	0	\$ -	0	\$ -
Mechanical Permits	0	\$ -	0	\$ -	0	\$ -
Plumbing Permits	0	\$ -	0	\$ -	0	\$ -
Fire Sprinklers	0	\$ -	0	\$ -	0	\$ -
Fire Alarms	0	\$ -	0	\$ -	0	\$ -
Solar Energy	0	\$ -	0	\$ -	0	\$ -
Electrical Permits	0	\$ -	0	\$ -	0	\$ -
Miscellaneous	0	\$ -	0	\$ -	0	\$ -
TOTAL PUBLIC & INSTITUTIONAL	0	\$0.00	0	\$0.00	0	\$0.00

GRAND TOTALS	19	\$352,976.00	29	\$381,776.00	77	\$741,231.00
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*OTC = Permits Issued Over The Counter

**Pursuant to MN Rules Chapter 1300.0160 Subpart 3, the applicant for a permit shall provide an estimated permit value at time of application. Permit valuations shall include total value of all construction work including materials and labor, for which the permits is being issued, such as electrical, gas, mechanical, plumbing equipment, and permanent systems. 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.



MNSPECT Standards of Service

Plan Review

- We perform a comprehensive plan review utilizing detailed checklists to ensure that code issues have been reviewed, evaluated and addressed to save homeowners, building owners, contractors and other stakeholders time and money by identifying deficiencies before work begins. This thorough plan review also helps inspectors complete their inspections efficiently.

Inspections

- We utilize inspection checklists to help manage contractor/builder expectations and provide quality control for the construction process. We give specific times for inspections, and make every attempt to reach the contact person if the inspector has met with unexpected delay of more than 10 minutes.

Permit Processing Time

- Same day for maintenance permits where no code review is required.
- Minimum of one business day when code review is required. Permit processing time greatly depends on project type (residential vs. commercial), project scope (ranging from maintenance to new structures), and submitted information (complete vs. incomplete).

Inspection Scheduling

- We schedule all inspections through our office.
- Next day inspections are our standard; however, same day inspections can be scheduled when possible.

Availability

- Office and Inspection Hours: 8:00 a.m. to 4:30 p.m., Monday through Friday
- We utilize voicemail during off hours.
- We have an on-call inspector to accommodate emergencies.
- We utilize a toll-free phone number: 888-446-1801.
- Each inspector is equipped with a mobile phone.
- Skype/video conferencing as needed

Arrangements with the City

- Provide a dedicated in/out box and desk space with phone for office time.
- Provide a location for applications, permit cards, and handouts.
- We will pick up and drop off inter-office communications, information, and permit applications whenever activity dictates.
- We will assist the City in any way requested.

Record Keeping

- All inspection documentation is scanned for our records.
- All original inspection/project documentation is returned to the City for permanent retention.

Office Time/On-Site Availability at City Office

- All meetings with residents and contractors will normally occur at City offices or at the construction site.
- MNSPECT Building Code Officials, live or via video conferencing, will be available, during business hours at City Hall, to assist homeowners, building owners, contractors and other stakeholders and to answer questions, perform plan reviews, and meet with City staff.

The MNSPECT Value Proposition Advantage

Plan Review

We perform a comprehensive plan review utilizing detailed checklists to ensure that code issues have been reviewed, evaluated and addressed to save homeowners, building owners, contractors and other stake holders time and money by identifying deficiencies before work begins. This thorough plan review also helps inspectors complete their inspections efficiently.

MNSPECT's Invoicing Advantage

After the first of each month, MNSPECT billing department sends out an Invoice and an itemized spreadsheet showing fees for each permit issued during the previous month. The spreadsheet has separate columns for:

- | | |
|----------------------|--|
| • Permit Number | • Plan Review Fee |
| • Issue Date | • State Surcharge |
| • Property Address | • Applicable Miscellaneous Fees such as site inspection, sediment and erosion control, license look-up, copy charges, etc. |
| • Permit Description | |
| • Project Valuation | |
| • Permit Fee | |

These columns have calculations that correspond with the contractual rates between MNSPECT and Lakeland for each type of project, with calculated columns for our fees. We send the actual Excel spreadsheet, not just a printout, saving you redundant data entry time, minimizing data entry errors, and simplifying the reconciliation process.

MNSPECT's Reporting Advantage

In addition to the itemized spreadsheet provided with the monthly billing, MNSPECT creates a Monthly/Quarterly/Yearly (MQY) report which reflects the number of permits issued for Residential, Commercial, and Industrial projects and the total valuations of those permits.

State Surcharge Report, State Fire Surcharge, Municipal Construction & Development Fee Revenue and Expenses Annual Report, C-404, Permits on Hold, Permits in Progress, and Permits Nearing Expiration reports are also available, upon request, at no charge during the duration of the contract.

Upon selection of our firm for back-up services (plan review and/or field inspections), Lakeland will have the opportunity to identify which of these reports, in addition to the MQY, you would like MNSPECT to provide. MNSPECT will work with Lakeland to develop any additional reporting needs the City might have.

MNSPECT's Service Advantage

We are available for the City of Lakeland's needs every business day. We provide a local and a toll free phone number for scheduling inspections. Our office hours are 8:00 a.m. to 4:30 p.m. Monday-Friday. In addition, we have an after-hours voice mail for contractors, residents, or property owners to leave messages. Our after-hours message also provides an emergency phone number, if needed.

We make every attempt to meet the scheduling needs of the permit holders, and to schedule no later than the next business day if required. When possible we will accommodate same-day inspection requests.

Our inspectors will provide daily pick-up and drop-off service if required; otherwise, we stop in the municipal office whenever we are in town for inspections, or as requested – both for drop-off and pick-up as well as to see if there is anything we can do for the municipality or any questions we can answer. If needed, our administrative staff will also transport documents to and from the municipal office if inspectors are not scheduled to be in the area. In addition, letter-size permit applications and submissions can be transmitted electronically by fax or emailed to our office to be placed in the plan review queue in advance of our next pick-up date/time.

MNSPECT Building Code Officials, live or via video conferencing, will be available, during business hours at City Hall, to assist homeowners, building owners, contractors and other stakeholders and to answer questions, perform plan reviews, and meet with City staff.

By selecting MNSPECT for back-up plan review and/or inspection services, Lakeland is ensured of meeting the fluctuating demands and will fully respond to contractors and home owners under all circumstances, living up to its standard of service.

- **COMPREHENSIVE PLAN REVIEW** – Thorough and in-depth review of plans at this stage saves time and money for building/home owners, contractors and the municipality by identifying deficiencies while still on paper, not after construction has taken place.

- **ROBUST REPORTING** – Permits, Activity, Revenue Tracking – saves Lakeland money and time by documenting permit activity, fees, charges and permit status and concisely organizing and presenting key data in an electronic format.

Additional reports such as State Surcharge, State Fire Surcharge, Municipal Construction Development Fee Revenue, C-404, Permits in Progress – available upon request at no charge.

- **CODE EDUCATION AND ENFORCEMENT** – A common sense approach, we help ensure Building Quality Control for Lakeland.
- **EXTENSIVE RESOURCE INFORMATION/HANDOUTS AVAILABLE** – MNSPECT's resource handouts help all stakeholders through the permit, building, and inspections process.
- **SEAMLESS, PROFESSIONAL AND RELIABLE INTEGRATION OF SERVICES** – Thorough on-boarding process, efficient transition, and superior service going forward.
- **CERTIFICATION, LICENSING, QUALIFICATIONS AND INSURANCE EXCEEDING MINIMUM REQUIREMENTS**
MNSPECT's certification credentials exceed minimum requirements
MNSPECT's qualifications exceed minimum requirements.
MNSPECT's insurances exceed minimum requirements.
MNSPECT possesses the state-issued Municipal Delegation Agreement
- **SERVICE ORIENTED**
Timely Service – Prompt plan review and inspection services.
Transparency – Consistent delivery of all services.
Responsive – Prompt response on all issues for all stakeholders.

MNSPECT's Permit Application Submittal Procedures

- A Building Permit application is picked up from the municipality or received via fax or email, and receives a time/date stamp. Maintenance permits are issued over the counter at the municipality office.
- Information related to the permit is entered into our permit tracking software, where a job number is assigned to the permit and a Comment Sheet (cover sheet) is created. This sheet will be updated with notes on new information received, phone calls with the applicant, and other plan review status changes.

- A preliminary review of the submission is made at this time to determine if any worksheets, valuations, plans, etc. are missing (this is not inclusive of information related to specific building codes).
- The permit is placed in the appropriate Residential or Commercial plan review queue.
- The Plans Examiner reviews the plan for code compliance. If additional information is required or changes need to be made, the Plans Examiner contacts the applicant directly.
- The Certificate of Occupancy is generated for issuance at the successful completion of the project (when applicable).
- Two copies of plans are marked with the examiner's comments and corrections: one will remain on the job site, and one is returned to the municipality for the permanent property file.
- Upon completion of the review, fees are calculated and double-checked. The permit information is entered into our permit tracking software. The permit's status is changed to "issued to City."
- The comment sheet, permit application, site plans, and appropriate plan sets and approved submittal documents are returned to the municipal office for permit issuance. For commercial projects, the municipal copy of the plans are retained at MNSPECT and are forwarded to the municipality when the file is closed.
- After payment is received and noted on the permit, the permit will be emailed, faxed, or a copy forwarded to MNSPECT. At that time, we know that the permit has been formally issued and that work and inspections have been authorized.
- The applicant calls our office, and we schedule an inspection for the permitted project. We perform and document the inspection using a "notice of inspection" slip.
- We track the information on the inspection slip in our software, then scan it for our records, and return the original to the City for your permanent record.
- When the final inspection is successfully completed the inspector indicates "ok to issue certificate of occupancy pending municipality approval" (if applicable to the project) on the inspection notice and marks it "close file." The municipality then issues the Certificate of Occupancy that was initially delivered with the permit pack (again, if applicable).
- Upon completion of an inspection, a copy of the inspection record is left on the job site, and the original is logged into our software, scanned for our records, and returned to the City.

- All physical copies of documents (i.e. correspondence, plans, certifications, inspection slips, and reports) will be returned to the City.
- At the City's request, MNSPECT can send notices to permit holders when permits are due to expire without final inspection. Upon receipt of this notice, the contractor/owner will have 10 business days to call and request an inspection or an extension of the permit. If the permit holder does not respond, the permit will be expired. Some of our municipalities prefer to handle this notice process themselves.

AGENDA ITEM

8A



TO: Mayor and City Council

FROM: Sandie Thone, City Administrator/Clerk

RE: Resolution 2016-20 Bid Award and Contract for City Hall Project

DATE: September 20, 2016

Background

The City Council approved Resolution 2015-34 Moving Forward with New City Hall at its December 15, 2015 regular city council meeting and approved Resolution 2016-04 Approving the Location of the New City Hall as City-Owned Property located at 1190 St. Croix Trail South at its February 16, 2016 regular city council meeting. The City Council approved EAPC Architects Engineers as the lead architects for the new city hall project at its April 19, 2016 regular city council meeting and entered into a formal contract with EAPC at its May 17, 2016 meeting to plan and develop the new city hall. The new city hall project has completed the phases through the construction phase of the project.

Discussion

Invitation to Bid for the construction of the new city hall was issued August 9, 2016 following the competitive bidding process requirements. Bids were received and opened at a public meeting held at 2:00 p.m. on August 30, 2016 at city hall by the Lead Architect on the project Dan Ablen of EAPC Architects and City Administrator/Clerk Sandie Thone. A total of eight (8) bids were received for the project ranging in amount from \$495,000 to \$613,579.00.

The apparent low bidder, Antonsen Construction, with a bid of \$495,000, failed to produce the required bid security of 5% as prescribed in the Bid Requirements: BID SECURITY. Bid Security in the amount of five (5%) percent of the Bid including all alternates, must accompany each Bid in accord with the Instructions to Bidders 00 1000.7. Cash, Bidders Bond, cashier's checks or certified checks will be accepted.

Prescribed in the Instructions to Bidders; Each Bidder, by making his Bid, represents that he has read and understands the Bidding Documents and his Bid is made in accordance therewith. The Bid Specifications were furnished to all bidders and the expressed requirement was met by the remaining seven (7) bidders. A bidder not submitting a bid security could choose to withdraw their bid if they found it to be low without any penalty giving them a competitive and bidding advantage. The City Attorney's office recommends rejecting the bid received lacking a bid security as it would make the process inequitable and unfair to the remaining bidders. Parkos Construction was the lowest competitive bid that met all of the Bidding Requirements with a bid of \$512,700.

Antonsen Construction supplied the bid bond on September 8, 2016. The City Council does have the discretion to overlook the failure to produce the required bid security.

In addition if the council determines that the failure of the apparent lowest bidder to produce the bid security has muddled the process the City Council has discretion to rebid the project. Rebidding the project will likely result in increased fees and additional time for completion.

The Bid Tabulation is attached for your review. The names of bidders and amounts of bids are public data per MN state statutes.

For the above reasoning, staff has provided the attached three (3) resolutions for the council's review. In addition, staff has provided the contract for construction services between the contractor and the City of Lakeland for review and approval as well in the event the bid is awarded. City Attorney Dave Snyder will be available to provide additional details at the meeting and answer any questions the council may have before making a decision to award the bid and approve the contract.

Recommendation

Staff respectfully requests the City Council approve Resolution 2016-20.
Motion/Second/Majority Vote required.



539 Bielenberg Drive, Suite 115
 St. Paul, MN 55125
 (763) 225-5050

BID TABULATION FORM

PROJECT: New City Hall

LOCATION: Lakeland, MN

PROJ. NO: 20162640

BID DATE: Tuesday, August 30th, 2016

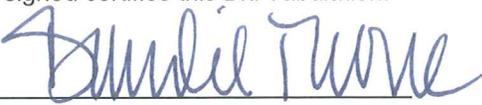
BID TIME: 2:00 P.M. local time

BIDDERS	LICENSE NO.	BID SECURITY 5%	RESP. CONT. VFCTN.	ADDENDUM NO. 1	ADDENDUM NO. 2	LUMP SUM BASE BID
Mohs Construction	*	X	X			\$588,000.00
Parkos Construction	BC 001171	X	X	X	X	\$512,700.00
M. Magnuson Construction	IR 652846	X	X	X	X	\$557,700.00
RJ Marco Construction	*	X	X	X	X	\$613,579.00
Karkela	BC 007948	X	X	X	X	\$533,000.00
Jorgenson Construction	IR 652056	X	X	X	X	\$544,000.00
Ebert Construction	*	X	X	X	X	\$527,800.00
Antonsen Construction **	BC 638317		X	X	X	\$495,000.00

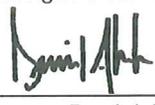
* Scott Qualle at MNSpect clarified that a contractor license was not required for this work, per MN laws, only residential construction requires a contractors license.

** Bid is recommended to be rejected by the City Attorney due to lack of bid bond.

The undersigned certifies this Bid Tabulation.

Signed: 
 Sandie Thone

The undersigned certifies this Bid Tabulation.

Signed: 
 Daniel Abeln

RESOLUTION NO. 2016-20

**CITY OF LAKELAND
WASHINGTON COUNTY, MINNESOTA**

**A RESOLUTION AWARDED BID TO CONTRACTOR AND APPROVING
CONTRACT FOR SERVICES FOR NEW CITY HALL PROJECT**

WHEREAS, The City Council approved Resolution 2015-34 Moving Forward with New City Hall at its December 15, 2015 regular city council meeting and approved Resolution 2016-04 Approving the Location of the New City Hall as City-Owned Property located at 1190 St. Croix Trail South at its February 16, 2016 regular city council meeting; and

WHEREAS, The City Council approved EAPC Architects Engineers as the lead architects for the new city hall project at its April 19, 2016 regular city council meeting and entered into a formal contract with EAPC at its May 17, 2016 meeting to plan and develop the new city hall; and

WHEREAS, Invitation to Bid for the construction of the new city hall was issued August 9, 2016 following the competitive bidding process requirements, bids were received and opened at 2:00 p.m. on August 30, 2016; and

WHEREAS, A total of eight (8) bids were received for the project ranging from \$495,000 to \$613,579.00; and

WHEREAS, Prescribed in the Instructions to Bidders; Each Bidder, by making his Bid, represents that he has read and understands the Bidding Documents and his Bid is made in accordance therewith; and

WHEREAS, The apparent low bidder, Antonsen Construction, with a bid of \$495,000, failed to produce the required bid security of 5% pursuant to the Bid Requirements: BID SECURITY. Bid Security in the amount of five (5%) percent of the Bid including all alternates, must accompany each Bid in accord with the Instructions to Bidders 00 1000.7. Cash, Bidders Bond, cashier's checks or certified checks will be accepted; and;

WHEREAS, The Bid Specifications were furnished to all bidders and the expressed requirement was met by the remaining seven (7) bidders; and

WHEREAS, A bidder not submitting a bid security could choose to withdraw their bid if they found it to be low without any penalty giving them a competitive and bidding advantage; and

WHEREAS, The City Attorney's office recommends rejecting the bid received lacking a bid security as it would make the process inequitable and unfair to the remaining bidders; and

WHEREAS, Parkos Construction was the lowest competitive bid that met all of the Bidding Requirements with a bid of \$512,700.

BE IT RESOLVED THE LAKELAND CITY COUNCIL does hereby adopt Resolution 2016-20 awarding the bid to Parkos Construction in the amount of \$512,700 for construction of the new city hall located at 1190 St. Croix Trail South, Lakeland, MN 55043 and approving the contract for services between Parkos Construction and the City of Lakeland.

Passed and adopted by the City Council for the City of Lakeland this 20th day of September 2016.

Amy Williams, Mayor

Sandie Thone, City Administrator/Clerk

RESOLUTION NO. 2016-20

**CITY OF LAKELAND
WASHINGTON COUNTY, MINNESOTA**

**A RESOLUTION AWARDING BID TO CONTRACTOR AND APPROVING
CONTRACT FOR SERVICES FOR NEW CITY HALL PROJECT**

WHEREAS, The City Council approved Resolution 2015-34 Moving Forward with New City Hall at its December 15, 2015 regular city council meeting and approved Resolution 2016-04 Approving the Location of the New City Hall as City-Owned Property located at 1190 St. Croix Trail South at its February 16, 2016 regular city council meeting; and

WHEREAS, The City Council approved EAPC Architects Engineers as the lead architects for the new city hall project at its April 19, 2016 regular city council meeting and entered into a formal contract with EAPC at its May 17, 2016 meeting to plan and develop the new city hall; and

WHEREAS, Invitation to Bid for the construction of the new city hall was issued August 9, 2016 following the competitive bidding process requirements, bids were received and opened at 2:00 p.m. on August 30, 2016; and

WHEREAS, A total of eight (8) bids were received for the project ranging in amount from \$495,000 to \$613,579.00; and

WHEREAS, The apparent low bidder, Antonsen Construction, with a bid of \$495,000, failed to produce the required bid security of 5% as prescribed in the Bid Requirements: BID SECURITY. Bid Security in the amount of five (5%) percent of the Bid including all alternates, must accompany each Bid in accord with the Instructions to Bidders 00 1000.7. Cash, Bidders Bond, cashier's checks or certified checks will be accepted; and;

WHEREAS, Antonsen Construction supplied the bid bond on September 8, 2016; and

WHEREAS, The City Council has discretion to overlook the failure to produce the required bid security.

BE IT RESOLVED THE LAKELAND CITY COUNCIL does hereby adopt Resolution 2016-20 awarding the bid to Antonsen Construction in the amount of \$495,000 for construction of the new city hall located at 1190 St. Croix Trail South, Lakeland, MN 55043 and approving the contract for services between Antonsen Construction and the City of Lakeland.

Passed and adopted by the City Council for the City of Lakeland this 20th day of September 2016.

Amy Williams, Mayor

ATTEST:

Sandie Thone, City Administrator/Clerk

RESOLUTION NO. 2016-20

**CITY OF LAKELAND
WASHINGTON COUNTY, MINNESOTA**

A RESOLUTION TO REBID FOR CONSTRUCTION SERVICES FOR NEW CITY HALL PROJECT

WHEREAS, The City Council approved Resolution 2015-34 Moving Forward with New City Hall at its December 15, 2015 regular city council meeting and approved Resolution 2016-04 Approving the Location of the New City Hall as City-Owned Property located at 1190 St. Croix Trail South at its February 16, 2016 regular city council meeting; and

WHEREAS, The City Council approved EAPC Architects Engineers as the lead architects for the new city hall project at its April 19, 2016 regular city council meeting and entered into a formal contract with EAPC at its May 17, 2016 meeting to plan and develop the new city hall; and

WHEREAS, Invitation to Bid for the construction of the new city hall was issued August 9, 2016 following the competitive bidding process requirements, bids were received and opened at 2:00 p.m. on August 30, 2016; and

WHEREAS, A total of eight (8) bids were received for the project ranging in amount from \$495,000 to \$613,579.00; and

WHEREAS, The apparent low bidder, Antonsen Construction, with a bid of \$495,000, failed to produce the required bid security of 5% as prescribed in the Bid Requirements: BID SECURITY. Bid Security in the amount of five (5%) percent of the Bid including all alternates, must accompany each Bid in accord with the Instructions to Bidders 00 1000.7. Cash, Bidders Bond, cashier's checks or certified checks will be accepted; and;

WHEREAS, The failure of the apparent lowest bidder to produce the bid security has muddled the process; and

WHEREAS, The City Council has discretion to rebid the project with the understanding that this action would likely result in increased fees and additional time for completion.

BE IT RESOLVED THE LAKELAND CITY COUNCIL does hereby adopt Resolution 2016-20 to Rebid the City Hall Project for construction of the new city hall located at 1190 St. Croix Trail South, Lakeland, MN 55043.

Passed and adopted by the City Council for the City of Lakeland this 20th day of September 2016.

Amy Williams, Mayor

ATTEST:

Sandie Thone, City Administrator/Clerk



AIA® Document A101™ – 2007

Standard Form of Agreement Between Owner and Contractor where the basis of payment is a Stipulated Sum

AGREEMENT made as of the Twentieth day of September in the year Two Thousand Sixteen
(In words, indicate day, month and year.)

BETWEEN the Owner:
(Name, legal status, address and other information)

City of Lakeland
1190 St. Croix Trail South
Lakeland, MN 55043
Telephone Number: (651) 436-4430
Fax Number: (651) 436-3949

and the Contractor:
(Name, legal status, address and other information)

for the following Project:
(Name, location and detailed description)

New City Hall, City of Lakeland
1190 St. Croix Trail South
Lakeland, Minnesota
Construction services for a new City Hall in Lakeland, MN per EAPC drawings dated 8-9-16, with two addenda. The project consists of a 40 foot by 60 foot wood-framed building with metal siding and a hip, shingled roof. The project is located at 1190 Saint Croix Trail South, in Lakeland, on City property immediately north of the existing water treatment plant.

The Architect:
(Name, legal status, address and other information)

Engineers-Architects, P.C. (herein known as EAPC Architects Engineers)
539 Bielenberg Drive, Suite 115
St. Paul, MN 55125
Telephone Number: (763) 225-5050
Fax Number: (651) 702-2646

The Owner and Contractor agree as follows.

ADDITIONS AND DELETIONS:
The author of this document has added Information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

AIA Document A201™-2007, General Conditions of the Contract for Construction, is adopted in this document by reference. Do not use with other general conditions unless this document is modified.

TABLE OF ARTICLES

1	THE CONTRACT DOCUMENTS
2	THE WORK OF THIS CONTRACT
3	DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION
4	CONTRACT SUM
5	PAYMENTS
6	DISPUTE RESOLUTION
7	TERMINATION OR SUSPENSION
8	MISCELLANEOUS PROVISIONS
9	ENUMERATION OF CONTRACT DOCUMENTS
10	INSURANCE AND BONDS

ARTICLE 1 THE CONTRACT DOCUMENTS

The Contract Documents consist of this Agreement, Conditions of the Contract (General, Supplementary and other Conditions), Drawings, Specifications, Addenda issued prior to execution of this Agreement, other documents listed in this Agreement and Modifications issued after execution of this Agreement, all of which form the Contract, and are as fully a part of the Contract as if attached to this Agreement or repeated herein. The Contract represents the entire and integrated agreement between the parties hereto and supersedes prior negotiations, representations or agreements, either written or oral. An enumeration of the Contract Documents, other than a Modification, appears in Article 9.

ARTICLE 2 THE WORK OF THIS CONTRACT

The Contractor shall fully execute the Work described in the Contract Documents, except as specifically indicated in the Contract Documents to be the responsibility of others.

ARTICLE 3 DATE OF COMMENCEMENT AND SUBSTANTIAL COMPLETION

§ 3.1 The date of commencement of the Work shall be the date of this Agreement unless a different date is stated below or provision is made for the date to be fixed in a notice to proceed issued by the Owner.

(Insert the date of commencement if it differs from the date of this Agreement or, if applicable, state that the date will be fixed in a notice to proceed.)

September 21, 2016

If, prior to the commencement of the Work, the Owner requires time to file mortgages and other security interests, the Owner's time requirement shall be as follows:

The Owner anticipates having permits and jurisdictional review in hand by the date of construction commencement. The Owner currently owns the property where the project is to be built.

§ 3.2 The Contract Time shall be measured from the date of commencement.

§ 3.3 The Contractor shall achieve Substantial Completion of the entire Work not later than March 1, 2017. *(Insert number of calendar days. Alternatively, a calendar date may be used when coordinated with the date of commencement. If appropriate, insert requirements for earlier Substantial Completion of certain portions of the Work.)*

ARTICLE 4 CONTRACT SUM

§ 4.1 The Owner shall pay the Contractor the Contract Sum in current funds for the Contractor's performance of the Contract. The Contract Sum shall be [REDACTED] (\$ [REDACTED]), subject to additions and deductions as provided in the Contract Documents.

§ 4.2 The Contract Sum is based upon the following alternates, if any, which are described in the Contract Documents and are hereby accepted by the Owner:
(State the numbers or other identification of accepted alternates. If the bidding or proposal documents permit the Owner to accept other alternates subsequent to the execution of this Agreement, attach a schedule of such other alternates showing the amount for each and the date when that amount expires.)

N/A

§ 4.3 Unit prices, if any:
(Identify and state the unit price; state quantity limitations, if any, to which the unit price will be applicable.)

Item	Units and Limitations	Price Per Unit (\$0.00)
N/A		

§ 4.4 Allowances included in the Contract Sum, if any:
(Identify allowance and state exclusions, if any, from the allowance price.)

Item	Price
N/A	

ARTICLE 5 PAYMENTS

§ 5.1 PROGRESS PAYMENTS

§ 5.1.1 Based upon Applications for Payment submitted to the Architect by the Contractor and Certificates for Payment issued by the Architect, the Owner shall make progress payments on account of the Contract Sum to the Contractor as provided below and elsewhere in the Contract Documents.

§ 5.1.2 The period covered by each Application for Payment shall be one calendar month ending on the last day of the month, or as follows:

§ 5.1.3 Provided that an Application for Payment is received by the Architect not later than the Twenty-fifth day of a month, the Owner shall make payment of the certified amount to the Contractor not later than the third Wednesday of the month. If an Application for Payment is received by the Architect after the application date fixed above, payment shall be made by the Owner not later than Forty-five (45) days after the Architect receives the Application for Payment.

(Federal, state or local laws may require payment within a certain period of time.)

§ 5.1.4 Each Application for Payment shall be based on the most recent schedule of values submitted by the Contractor in accordance with the Contract Documents. The schedule of values shall allocate the entire Contract Sum among the various portions of the Work. The schedule of values shall be prepared in such form and supported by such data to substantiate its accuracy as the Architect may require. This schedule, unless objected to by the Architect, shall be used as a basis for reviewing the Contractor's Applications for Payment.

§ 5.1.5 Applications for Payment shall show the percentage of completion of each portion of the Work as of the end of the period covered by the Application for Payment.

§ 5.1.6 Subject to other provisions of the Contract Documents, the amount of each progress payment shall be computed as follows:

- .1 Take that portion of the Contract Sum properly allocable to completed Work as determined by multiplying the percentage completion of each portion of the Work by the share of the Contract Sum

allocated to that portion of the Work in the schedule of values, less retainage of Five percent (5.00 %). Pending final determination of cost to the Owner of changes in the Work, amounts not in dispute shall be included as provided in Section 7.3.9 of AIA Document A201™-2007, General Conditions of the Contract for Construction;

- .2 Add that portion of the Contract Sum properly allocable to materials and equipment delivered and suitably stored at the site for subsequent incorporation in the completed construction (or, if approved in advance by the Owner, suitably stored off the site at a location agreed upon in writing), less retainage of Five percent (5.00 %);
- .3 Subtract the aggregate of previous payments made by the Owner; and
- .4 Subtract amounts, if any, for which the Architect has withheld or nullified a Certificate for Payment as provided in Section 9.5 of AIA Document A201-2007.

§ 5.1.7 The progress payment amount determined in accordance with Section 5.1.6 shall be further modified under the following circumstances:

- .1 Add, upon Substantial Completion of the Work, a sum sufficient to increase the total payments to the full amount of the Contract Sum, less such amounts as the Architect shall determine for incomplete Work, retainage applicable to such work and unsettled claims; and
(Section 9.8.5 of AIA Document A201-2007 requires release of applicable retainage upon Substantial Completion of Work with consent of surety, if any.)
- .2 Add, if final completion of the Work is thereafter materially delayed through no fault of the Contractor, any additional amounts payable in accordance with Section 9.10.3 of AIA Document A201-2007.

§ 5.1.8 Reduction or limitation of retainage, if any, shall be as follows:

(If it is intended, prior to Substantial Completion of the entire Work, to reduce or limit the retainage resulting from the percentages inserted in Sections 5.1.6.1 and 5.1.6.2 above, and this is not explained elsewhere in the Contract Documents, insert here provisions for such reduction or limitation.)

No reduction or limitation of retainage outside of Minnesota State Laws.

§ 5.1.9 Except with the Owner's prior approval, the Contractor shall not make advance payments to suppliers for materials or equipment which have not been delivered and stored at the site.

§ 5.2 FINAL PAYMENT

§ 5.2.1 Final payment, constituting the entire unpaid balance of the Contract Sum, shall be made by the Owner to the Contractor when

- .1 the Contractor has fully performed the Contract except for the Contractor's responsibility to correct Work as provided in Section 12.2.2 of AIA Document A201-2007, and to satisfy other requirements, if any, which extend beyond final payment; and
- .2 a final Certificate for Payment has been issued by the Architect.

§ 5.2.2 The Owner's final payment to the Contractor shall be made no later than 30 days after the issuance of the Architect's final Certificate for Payment, or as follows:

N/A

ARTICLE 6 DISPUTE RESOLUTION

§ 6.1 INITIAL DECISION MAKER

The Architect will serve as Initial Decision Maker pursuant to Section 15.2 of AIA Document A201-2007, unless the parties appoint below another individual, not a party to this Agreement, to serve as Initial Decision Maker.
(If the parties mutually agree, insert the name, address and other contact information of the Initial Decision Maker, if other than the Architect.)

§ 6.2 BINDING DISPUTE RESOLUTION

For any Claim subject to, but not resolved by, mediation pursuant to Section 15.3 of AIA Document A201-2007, the method of binding dispute resolution shall be as follows:

(Check the appropriate box. If the Owner and Contractor do not select a method of binding dispute resolution below, or do not subsequently agree in writing to a binding dispute resolution method other than litigation, Claims will be resolved by litigation in a court of competent jurisdiction.)

Arbitration pursuant to Section 15.4 of AIA Document A201-2007

Litigation in a court of competent jurisdiction

Other (Specify)

ARTICLE 7 TERMINATION OR SUSPENSION

§ 7.1 The Contract may be terminated by the Owner or the Contractor as provided in Article 14 of AIA Document A201-2007.

§ 7.2 The Work may be suspended by the Owner as provided in Article 14 of AIA Document A201-2007.

ARTICLE 8 MISCELLANEOUS PROVISIONS

§ 8.1 Where reference is made in this Agreement to a provision of AIA Document A201-2007 or another Contract Document, the reference refers to that provision as amended or supplemented by other provisions of the Contract Documents.

§ 8.2 Payments due and unpaid under the Contract shall bear interest from the date payment is due at the rate stated below, or in the absence thereof, at the legal rate prevailing from time to time at the place where the Project is located.

(Insert rate of interest agreed upon, if any.)

18.00 % per annum

§ 8.3 The Owner's representative:
(Name, address and other information)

Amy Williams
1190 St. Croix Trail South
Lakeland, MN 55043
Telephone Number: (651) 436-4430
Fax Number: (651) 436-3949

Email Address: awilliams@ci.lakeland.mn.us

§ 8.4 The Contractor's representative:
(Name, address and other information)

Email Address:

§ 8.5 Neither the Owner's nor the Contractor's representative shall be changed without ten days written notice to the other party.

(Paragraphs deleted)

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(1112297290)

ARTICLE 9 ENUMERATION OF CONTRACT DOCUMENTS

§ 9.1 The Contract Documents, except for Modifications issued after execution of this Agreement, are enumerated in the sections below.

§ 9.1.1 The Agreement is this executed AIA Document A101–2007, Standard Form of Agreement Between Owner and Contractor.

§ 9.1.2 The General Conditions are AIA Document A201–2007, General Conditions of the Contract for Construction.

§ 9.1.3 The Supplementary and other Conditions of the Contract:

Document	Title	Date	Pages
Article 16	Supplementary Conditions		
<i>(Row deleted)</i>			

§ 9.1.4 The Specifications:

(Either list the Specifications here or refer to an exhibit attached to this Agreement.)

Section	Title	Date	Pages
DIVISION 00 - PROCUREMENT AND CONTRACTING REQUIREMENTS			
00 0200	INVITATION TO BID		
00 1000	INSTRUCTION TO BIDDERS		
00 2000	INFORMATION AVAILABLE TO BIDDERS		
00 3000	FORMS		
00 7000	AIA DOCUMENT A201, GENERAL CONDITIONS OF THE CONTRACT FOR CONSTRUCTION ARTICLE 16 – SUPPLEMENTARY CONDITIONS		
DIVISION 01 - GENERAL REQUIREMENTS			
01 1000	SUMMARY		
01 2500	SUBSTITUTION PROCEDURES		
01 2900	PAYMENT PROCEDURES		
01 3100	PROJECT MANAGEMENT AND COORDINATION		
01 3200	CONSTRUCTION PROGRESS DOCUMENTATION		
01 3300	SUBMITTAL PROCEDURES		
01 7300	EXECUTION		
01 7419	CONSTRUCTION WASTE MANAGEMENT AND DISPOSAL		
01 7700	CLOSEOUT PROCEDURES		
01 7823	OPERATION AND MAINTENANCE DATA		
01 7839	PROJECT RECORD DOCUMENTS		
01 7900	DEMONSTRATION AND TRAINING		
DIVISION 03 - CONCRETE			
03 3000	CAST-IN-PLACE CONCRETE		
DIVISION 06 - WOOD, PLASTICS, AND COMPOSITES			
06 1000	ROUGH CARPENTRY		

Init.

06 1600 SHEATHING
06 1753 SHOP-FABRICATED WOOD TRUSSES
06 4116 PLASTIC-LAMINATE-FACED ARCHITECTURAL CABINETS

DIVISION 07 - THERMAL AND MOISTURE PROTECTION

07 2100 THERMAL INSULATION
07 2500 WEATHER BARRIERS
07 2600 VAPOR RETARDERS
07 3113 ASPHALT SHINGLES
07 4619 STEEL SIDING
07 9200 JOINT SEALANTS

DIVISION 08 - OPENINGS

08 1213 HOLLOW METAL FRAMES
08 1416 FLUSH WOOD DOORS
08 3313 COILING COUNTER DOORS
08 4113 ALUMINUM-FRAMED ENTRANCES AND STOREFRONTS
08 5200 WOOD WINDOWS
08 7100 DOOR HARDWARE
08 7113 AUTOMATIC DOOR OPERATORS
08 8000 GLAZING

DIVISION 09 - FINISHES

09 2900 GYPSUM BOARD
09 3013 CERAMIC TILING
09 5113 ACOUSTICAL PANEL CEILINGS
09 6513 RESILIENT BASE AND ACCESSORIES
09 6519 RESILIENT TILE FLOORING
09 6813 TILE CARPETING
09 9123 INTERIOR PAINTING

DIVISION 10 - SPECIALTIES

10 2800 TOILET, BATH, AND LAUNDRY ACCESSORIES

DIVISION 12 - FURNISHINGS

12 3623.13 PLASTIC-LAMINATE-CLAD COUNTERTOPS

DIVISION 20 - BASIC MECHANICAL REQUIREMENTS

20 0513 COMMON MOTOR REQUIREMENTS
20 0517 SLEEVES AND SLEEVE SEALS FOR PIPING
20 0518 ESCUTCHEONS FOR PIPING
20 0519 METERS AND GAGES FOR PIPING
20 0523 GENERAL-DUTY VALVES FOR PIPING
20 0529 HANGERS AND SUPPORTS FOR PIPING AND EQUIPMENT
20 0548.13 VIBRATION CONTROLS

20 0553 IDENTIFICATION
20 0719 PIPING INSULATION

DIVISION 22 - PLUMBING

22 1116 DOMESTIC WATER PIPING
22 1119 DOMESTIC WATER PIPING SPECIALTIES
22 1316 SANITARY WASTE AND VENT PIPING
22 1319 SANITARY WASTE PIPING SPECIALTIES
22 4213.13 COMMERCIAL WATER CLOSETS
22 4216.13 COMMERCIAL LAVATORIES
22 4216.16 COMMERCIAL SINKS

DIVISION 23 - HEATING, VENTILATING, AND AIR CONDITIONING (HVAC)

23 0593 TESTING, ADJUSTING, AND BALANCING FOR HVAC
23 0713 DUCT INSULATION
23 0923 HVAC INSTRUMENTATION AND CONTROLS
23 0923.12 CONTROL DAMPERS
23 0993.11 SEQUENCE OF OPERATIONS
23 1123 FACILITY NATURAL-GAS PIPING
23 2300 REFRIGERANT PIPING
23 3113 METAL DUCTS
23 3300 AIR DUCT ACCESSORIES
23 3713 DIFFUSERS, REGISTERS, AND GRILLES
23 5416.13 GAS-FIRED FURNACES
23 6200 PACKAGED COMPRESSOR AND CONDENSER UNITS
23 7200 AIR-TO-AIR ENERGY RECOVERY EQUIPMENT

DIVISION 26 - ELECTRICAL

26 0519 LOW-VOLTAGE ELECTRICAL POWER CONDUCTORS AND CABLES
26 0526 GROUNDING AND BONDING FOR ELECTRICAL SYSTEMS
26 0529 HANGERS AND SUPPORTS FOR ELECTRICAL SYSTEMS
26 0533 RACEWAYS AND BOXES FOR ELECTRICAL SYSTEMS
26 0553 IDENTIFICATION FOR ELECTRICAL SYSTEMS
26 0572 OVERCURRENT PROTECTIVE DEVICE SHORT-CIRCUIT STUDY
26 0923 LIGHTING CONTROL DEVICES
26 2416 PANELBOARDS
26 2726 WIRING DEVICES
26 2813 FUSES
26 2913.03 MANUAL AND MAGNETIC MOTOR CONTROLLERS
26 5119 LED INTERIOR LIGHTING
26 5219 EMERGENCY AND EXIT LIGHTING
26 5619 LED EXTERIOR LIGHTING

DIVISION 27 - COMMUNICATIONS

27 0526 GROUNDING AND BONDING FOR COMMUNICATIONS SYSTEMS

27 0528 PATHWAYS FOR COMMUNICATIONS SYSTEMS
 27 5116 PUBLIC ADDRESS SYSTEMS

DIVISION 28 - ELECTRONIC SAFETY AND SECURITY

28 1300 ACCESS CONTROL
 28 2300 VIDEO SURVEILLANCE
 28 3111 DIGITAL, ADDRESSABLE FIRE-ALARM SYSTEM

DIVISION 31 - EARTHWORK

31 2000 EARTH MOVING

DIVISION 32 - EXTERIOR IMPROVEMENTS

32 1216 ASPHALT PAVING
 32 1723 PAVEMENT MARKINGS
 32 9200 TURF AND GRASSES

DIVISION 33 - UTILITIES

33 0500 COMMON WORK RESULTS FOR UTILITIES

§ 9.1.5 The Drawings:

(Either list the Drawings here or refer to an exhibit attached to this Agreement.)

Number	Title	Date
ARCHITECTURAL		
COVER	COVER	8-9-16
A001	GENERAL ARCHITECTURAL NOTES	8-9-16
A101	BUILDING ELEVATIONS	8-9-16
A201	FIRST FLOOR PLAN	8-9-16
A301	FIRST FLOOR REFLECTED CEILING PLAN – ADD #2	8-26-16
A401	INTERIOR ELEVATIONS	8-9-16
A501	BUILDING SECTIONS – ADD #2	8/26/16
I001	INTERIOR FINISHES, NOTES, MATERIAL LEGEND & DETAILS	8-9-16
STRUCTURAL		
S001	GENERAL STRUCTURAL NOTES	8-9-16
S200	FOOTING/FOUNDATION PLAN	8-9-16
S201	ROOF FRAMING PLAN	8-9-16
S401	SHEARWALL PLAN	8-9-16
S601	STRUCTURAL DETAILS	8-9-16
MECHANICAL/PLUMBING		
M201	GAS PIPING SITE PLAN	8-9-16
M301	FIRST FLOOR VENTILATION PLAN	8-9-16
M601	MECHANICAL DETAILS	8-9-16
M801	MECHANICAL SCHEDULES – ADD #1	8/19/16
P200	UNDERGROUND PLUMBING PLAN	8-9-16
P201	FIRST FLOOR PLUMBING PLAN – ADD #1	8/19/16
P601	PLUMBING DETAILS/RISERS	8-9-16
P801	PLUMBING SCHEDULES	8-9-16

Int.

ELECTRICAL

E001	ELECTRICAL SYMBOLS & ABBREVIATIONS LEGEND	8-9-16
E100	ELECTRICAL SITE PLAN	8-9-16
E201	FIRST FLOOR POWER PLAN	8-9-16
E301	FIRST FLOOR LIGHTING PLAN	8-9-16
E401	FIRST FLOOR SYSTEMS PLAN	8-9-16

CIVIL

C001	CIVIL ABBREVIATIONS, LEGENDS & GENERAL NOTES	8-9-16
C002	SWPP PLAN	8-9-16
C100	SITE DEMOLITION PLAN	8-9-16
C200	SITE UTILITY PLAN – ADD #2	8/26/16
C201	'SITE LAYOUT PLAN – ADD #2	8/26/16
C202	SITE GRADING PLAN – ADD #2	8/26/16
C600	SWPP DETAILS	8-9-16
C601	UTILITY DETAILS – ADD #2	8/26/16
C701	SITE DETAILS – ADD #2	8/26/16

§ 9.1.6 The Addenda, if any:

Number	Date	Pages
Addendum #1	8-19-16	5 pages
Addendum #2	8-26-16	29 pages

Portions of Addenda relating to bidding requirements are not part of the Contract Documents unless the bidding requirements are also enumerated in this Article 9.

§ 9.1.7 Additional documents, if any, forming part of the Contract Documents:

- .1 AIA Document E201™–2007, Digital Data Protocol Exhibit, if completed by the parties, or the following:

None.
- .2 Other documents, if any, listed below:
(List here any additional documents that are intended to form part of the Contract Documents. AIA Document A201–2007 provides that bidding requirements such as advertisement or invitation to bid, Instructions to Bidders, sample forms and the Contractor’s bid are not part of the Contract Documents unless enumerated in this Agreement. They should be listed here only if intended to be part of the Contract Documents.)

None.

ARTICLE 10 INSURANCE AND BONDS

The Contractor shall purchase and maintain insurance and provide bonds as set forth in Article 11 of AIA Document A201–2007.

(State bonding requirements, if any, and limits of liability for insurance required in Article 11 of AIA Document A201–2007.)

Type of Insurance or bond

Limit of liability or bond amount (\$0.00)

This Agreement entered into as of the day and year first written above.

OWNER (Signature)

Amy Williams, Mayor of Lakeland
(Printed name and title)

CONTRACTOR (Signature)

[Redacted Signature] Parkos Jr., Vice President
(Printed name and title)

ATTEST

(Signature)

Sandie Thone, City Administrator
(Printed name and title)

DATE
TIME
PAGE
NO.
OF
PAGES

Inf.



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Document A312™ – 2010

Performance Bond

CONTRACTOR:

(Name, legal status and address)

SURETY:

(Name, legal status and principal place of business)

OWNER:

(Name, legal status and address)

City of Lakeland
1190 St. Croix Trail South
Lakeland, MN 55043

CONSTRUCTION CONTRACT

Date: September 20, 2016

Amount: \$

Description:

(Name and location)

New City Hall, City of Lakeland
1190 St. Croix Trail South
Lakeland, Minnesota

BOND

Date:

(Not earlier than Construction Contract Date)

Amount: \$

Modifications to this Bond: None See Section 16

CONTRACTOR AS PRINCIPAL

Company: *(Corporate Seal)*

SURETY

Company: *(Corporate Seal)*

Signature: _____

Name and

Title:

(Any additional signatures appear on the last page of this Performance Bond.)

Signature: _____

Name and

Title:

(FOR INFORMATION ONLY — Name, address and telephone)

AGENT or BROKER:

OWNER'S REPRESENTATIVE:

(Architect, Engineer or other party:)

Amy Williams
City of Lakeland
1190 St. Croix Trail South
Lakeland, MN 55043
Telephone Number: (651) 436-4430
Fax Number: (651) 436-3949
Email Address:
awilliams@ci.lakeland.mn.us

ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

§ 1 The Contractor and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to the Owner for the performance of the Construction Contract, which is incorporated herein by reference.

§ 2 If the Contractor performs the Construction Contract, the Surety and the Contractor shall have no obligation under this Bond, except when applicable to participate in a conference as provided in Section 3.

§ 3 If there is no Owner Default under the Construction Contract, the Surety's obligation under this Bond shall arise after

- .1 the Owner first provides notice to the Contractor and the Surety that the Owner is considering declaring a Contractor Default. Such notice shall indicate whether the Owner is requesting a conference among the Owner, Contractor and Surety to discuss the Contractor's performance. If the Owner does not request a conference, the Surety may, within five (5) business days after receipt of the Owner's notice, request such a conference. If the Surety timely requests a conference, the Owner shall attend. Unless the Owner agrees otherwise, any conference requested under this Section 3.1 shall be held within ten (10) business days of the Surety's receipt of the Owner's notice. If the Owner, the Contractor and the Surety agree, the Contractor shall be allowed a reasonable time to perform the Construction Contract, but such an agreement shall not waive the Owner's right, if any, subsequently to declare a Contractor Default;
- .2 the Owner declares a Contractor Default, terminates the Construction Contract and notifies the Surety; and
- .3 the Owner has agreed to pay the Balance of the Contract Price in accordance with the terms of the Construction Contract to the Surety or to a contractor selected to perform the Construction Contract.

§ 4 Failure on the part of the Owner to comply with the notice requirement in Section 3.1 shall not constitute a failure to comply with a condition precedent to the Surety's obligations, or release the Surety from its obligations, except to the extent the Surety demonstrates actual prejudice.

§ 5 When the Owner has satisfied the conditions of Section 3, the Surety shall promptly and at the Surety's expense take one of the following actions:

§ 5.1 Arrange for the Contractor, with the consent of the Owner, to perform and complete the Construction Contract;

§ 5.2 Undertake to perform and complete the Construction Contract itself, through its agents or independent contractors;

§ 5.3 Obtain bids or negotiated proposals from qualified contractors acceptable to the Owner for a contract for performance and completion of the Construction Contract, arrange for a contract to be prepared for execution by the Owner and a contractor selected with the Owner's concurrence, to be secured with performance and payment bonds executed by a qualified surety equivalent to the bonds issued on the Construction Contract, and pay to the Owner the amount of damages as described in Section 7 in excess of the Balance of the Contract Price incurred by the Owner as a result of the Contractor Default; or

§ 5.4 Waive its right to perform and complete, arrange for completion, or obtain a new contractor and with reasonable promptness under the circumstances:

- .1 After investigation, determine the amount for which it may be liable to the Owner and, as soon as practicable after the amount is determined, make payment to the Owner; or
- .2 Deny liability in whole or in part and notify the Owner, citing the reasons for denial.

§ 6 If the Surety does not proceed as provided in Section 5 with reasonable promptness, the Surety shall be deemed to be in default on this Bond seven days after receipt of an additional written notice from the Owner to the Surety demanding that the Surety perform its obligations under this Bond, and the Owner shall be entitled to enforce any remedy available to the Owner. If the Surety proceeds as provided in Section 5.4, and the Owner refuses the payment or the Surety has denied liability, in whole or in part, without further notice the Owner shall be entitled to enforce any remedy available to the Owner.

§ 7 If the Surety elects to act under Section 5.1, 5.2 or 5.3, then the responsibilities of the Surety to the Owner shall not be greater than those of the Contractor under the Construction Contract, and the responsibilities of the Owner to the Surety shall not be greater than those of the Owner under the Construction Contract. Subject to the commitment by the Owner to pay the Balance of the Contract Price, the Surety is obligated, without duplication, for

- .1 the responsibilities of the Contractor for correction of defective work and completion of the Construction Contract;
- .2 additional legal, design professional and delay costs resulting from the Contractor's Default, and resulting from the actions or failure to act of the Surety under Section 5; and
- .3 liquidated damages, or if no liquidated damages are specified in the Construction Contract, actual damages caused by delayed performance or non-performance of the Contractor.

§ 8 If the Surety elects to act under Section 5.1, 5.3 or 5.4, the Surety's liability is limited to the amount of this Bond.

§ 9 The Surety shall not be liable to the Owner or others for obligations of the Contractor that are unrelated to the Construction Contract, and the Balance of the Contract Price shall not be reduced or set off on account of any such unrelated obligations. No right of action shall accrue on this Bond to any person or entity other than the Owner or its heirs, executors, administrators, successors and assigns.

§ 10 The Surety hereby waives notice of any change, including changes of time, to the Construction Contract or to related subcontracts, purchase orders and other obligations.

§ 11 Any proceeding, legal or equitable, under this Bond may be instituted in any court of competent jurisdiction in the location in which the work or part of the work is located and shall be instituted within two years after a declaration of Contractor Default or within two years after the Contractor ceased working or within two years after the Surety refuses or fails to perform its obligations under this Bond, whichever occurs first. If the provisions of this Paragraph are void or prohibited by law, the minimum period of limitation available to sureties as a defense in the jurisdiction of the suit shall be applicable.

§ 12 Notice to the Surety, the Owner or the Contractor shall be mailed or delivered to the address shown on the page on which their signature appears.

§ 13 When this Bond has been furnished to comply with a statutory or other legal requirement in the location where the construction was to be performed, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

§ 14 Definitions

§ 14.1 **Balance of the Contract Price.** The total amount payable by the Owner to the Contractor under the Construction Contract after all proper adjustments have been made, including allowance to the Contractor of any amounts received or to be received by the Owner in settlement of insurance or other claims for damages to which the Contractor is entitled, reduced by all valid and proper payments made to or on behalf of the Contractor under the Construction Contract.

§ 14.2 **Construction Contract.** The agreement between the Owner and Contractor identified on the cover page, including all Contract Documents and changes made to the agreement and the Contract Documents.

§ 14.3 **Contractor Default.** Failure of the Contractor, which has not been remedied or waived, to perform or otherwise to comply with a material term of the Construction Contract.

§ 14.4 **Owner Default.** Failure of the Owner, which has not been remedied or waived, to pay the Contractor as required under the Construction Contract or to perform and complete or comply with the other material terms of the Construction Contract.

§ 14.5 **Contract Documents.** All the documents that comprise the agreement between the Owner and Contractor.

§ 15 If this Bond is issued for an agreement between a Contractor and subcontractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

§ 16 Modifications to this bond are as follows:

(Space is provided below for additional signatures of added parties, other than those appearing on the cover page.)

CONTRACTOR AS PRINCIPAL

SURETY

Company:

(Corporate Seal)

Company:

(Corporate Seal)

Signature: _____

Signature: _____

Name and Title: _____

Name and Title: _____

Address: _____

Address: _____



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Document A312™ – 2010

Payment Bond

CONTRACTOR:

(Name, legal status and address)

SURETY:

(Name, legal status and principal place of business)

OWNER:

(Name, legal status and address)

City of Lakeland
1190 St. Croix Trail South
Lakeland, MN 55043

CONSTRUCTION CONTRACT

Date: September 20, 2016

Amount: \$

Description

(Name and location)

New City Hall, City of Lakeland
1190 St. Croix Trail South
Lakeland, Minnesota

BOND

Date:

(Not earlier than Construction Contract Date)

Amount: \$

Modifications to this Bond: None See Section 18

CONTRACTOR AS PRINCIPAL

Company: *(Corporate Seal)*

SURETY

Company: *(Corporate Seal)*

Signature: _____

Name:

Title:

(Any additional signatures appear on the last page of this Payment Bond.)

Signature: _____

Name and

Title:

(FOR INFORMATION ONLY — Name, address and telephone)

AGENT or BROKER:**OWNER'S REPRESENTATIVE:**

(Architect, Engineer or other party:)

Amy Williams
City of Lakeland
1190 St. Croix Trail South
Lakeland, MN 55043
Telephone Number: (651) 436-4430
Fax Number: (651) 436-3949

Email Address:

ADDITIONS AND DELETIONS:

The author of this document has added information needed for its completion. The author may also have revised the text of the original AIA standard form. An *Additions and Deletions Report* that notes added information as well as revisions to the standard form text is available from the author and should be reviewed. A vertical line in the left margin of this document indicates where the author has added necessary information and where the author has added to or deleted from the original AIA text.

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

|
awilliams@ci.lakeland.mn.us



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§ 1 The Contractor and Surety, jointly and severally, bind themselves, their heirs, executors, administrators, successors and assigns to the Owner to pay for labor, materials and equipment furnished for use in the performance of the Construction Contract, which is incorporated herein by reference, subject to the following terms.

§ 2 If the Contractor promptly makes payment of all sums due to Claimants, and defends, indemnifies and holds harmless the Owner from claims, demands, liens or suits by any person or entity seeking payment for labor, materials or equipment furnished for use in the performance of the Construction Contract, then the Surety and the Contractor shall have no obligation under this Bond.

§ 3 If there is no Owner Default under the Construction Contract, the Surety's obligation to the Owner under this Bond shall arise after the Owner has promptly notified the Contractor and the Surety (at the address described in Section 13) of claims, demands, liens or suits against the Owner or the Owner's property by any person or entity seeking payment for labor, materials or equipment furnished for use in the performance of the Construction Contract and tendered defense of such claims, demands, liens or suits to the Contractor and the Surety.

§ 4 When the Owner has satisfied the conditions in Section 3, the Surety shall promptly and at the Surety's expense defend, indemnify and hold harmless the Owner against a duly tendered claim, demand, lien or suit.

§ 5 The Surety's obligations to a Claimant under this Bond shall arise after the following:

§ 5.1 Claimants, who do not have a direct contract with the Contractor,

- .1 have furnished a written notice of non-payment to the Contractor, stating with substantial accuracy the amount claimed and the name of the party to whom the materials were, or equipment was, furnished or supplied or for whom the labor was done or performed, within ninety (90) days after having last performed labor or last furnished materials or equipment included in the Claim; and
- .2 have sent a Claim to the Surety (at the address described in Section 13).

§ 5.2 Claimants, who are employed by or have a direct contract with the Contractor, have sent a Claim to the Surety (at the address described in Section 13).

§ 6 If a notice of non-payment required by Section 5.1.1 is given by the Owner to the Contractor, that is sufficient to satisfy a Claimant's obligation to furnish a written notice of non-payment under Section 5.1.1.

§ 7 When a Claimant has satisfied the conditions of Sections 5.1 or 5.2, whichever is applicable, the Surety shall promptly and at the Surety's expense take the following actions:

§ 7.1 Send an answer to the Claimant, with a copy to the Owner, within sixty (60) days after receipt of the Claim, stating the amounts that are undisputed and the basis for challenging any amounts that are disputed; and

§ 7.2 Pay or arrange for payment of any undisputed amounts.

§ 7.3 The Surety's failure to discharge its obligations under Section 7.1 or Section 7.2 shall not be deemed to constitute a waiver of defenses the Surety or Contractor may have or acquire as to a Claim, except as to undisputed amounts for which the Surety and Claimant have reached agreement. If, however, the Surety fails to discharge its obligations under Section 7.1 or Section 7.2, the Surety shall indemnify the Claimant for the reasonable attorney's fees the Claimant incurs thereafter to recover any sums found to be due and owing to the Claimant.

§ 8 The Surety's total obligation shall not exceed the amount of this Bond, plus the amount of reasonable attorney's fees provided under Section 7.3, and the amount of this Bond shall be credited for any payments made in good faith by the Surety.

§ 9 Amounts owed by the Owner to the Contractor under the Construction Contract shall be used for the performance of the Construction Contract and to satisfy claims, if any, under any construction performance bond. By the Contractor furnishing and the Owner accepting this Bond, they agree that all funds earned by the Contractor in the performance of the Construction Contract are dedicated to satisfy obligations of the Contractor and Surety under this Bond, subject to the Owner's priority to use the funds for the completion of the work.

§ 10 The Surety shall not be liable to the Owner, Claimants or others for obligations of the Contractor that are unrelated to the Construction Contract. The Owner shall not be liable for the payment of any costs or expenses of any Claimant under this Bond, and shall have under this Bond no obligation to make payments to, or give notice on behalf of, Claimants or otherwise have any obligations to Claimants under this Bond.

§ 11 The Surety hereby waives notice of any change, including changes of time, to the Construction Contract or to related subcontracts, purchase orders and other obligations.

§ 12 No suit or action shall be commenced by a Claimant under this Bond other than in a court of competent jurisdiction in the state in which the project that is the subject of the Construction Contract is located or after the expiration of one year from the date (1) on which the Claimant sent a Claim to the Surety pursuant to Section 5.1.2 or 5.2, or (2) on which the last labor or service was performed by anyone or the last materials or equipment were furnished by anyone under the Construction Contract, whichever of (1) or (2) first occurs. If the provisions of this Paragraph are void or prohibited by law, the minimum period of limitation available to sureties as a defense in the jurisdiction of the suit shall be applicable.

§ 13 Notice and Claims to the Surety, the Owner or the Contractor shall be mailed or delivered to the address shown on the page on which their signature appears. Actual receipt of notice or Claims, however accomplished, shall be sufficient compliance as of the date received.

§ 14 When this Bond has been furnished to comply with a statutory or other legal requirement in the location where the construction was to be performed, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirement shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

§ 15 Upon request by any person or entity appearing to be a potential beneficiary of this Bond, the Contractor and Owner shall promptly furnish a copy of this Bond or shall permit a copy to be made.

§ 16 Definitions

§ 16.1 Claim. A written statement by the Claimant including at a minimum:

- .1 the name of the Claimant;
- .2 the name of the person for whom the labor was done, or materials or equipment furnished;
- .3 a copy of the agreement or purchase order pursuant to which labor, materials or equipment was furnished for use in the performance of the Construction Contract;
- .4 a brief description of the labor, materials or equipment furnished;
- .5 the date on which the Claimant last performed labor or last furnished materials or equipment for use in the performance of the Construction Contract;
- .6 the total amount earned by the Claimant for labor, materials or equipment furnished as of the date of the Claim;
- .7 the total amount of previous payments received by the Claimant; and
- .8 the total amount due and unpaid to the Claimant for labor, materials or equipment furnished as of the date of the Claim.

§ 16.2 Claimant. An individual or entity having a direct contract with the Contractor or with a subcontractor of the Contractor to furnish labor, materials or equipment for use in the performance of the Construction Contract. The term Claimant also includes any individual or entity that has rightfully asserted a claim under an applicable mechanic's lien or similar statute against the real property upon which the Project is located. The intent of this Bond shall be to include without limitation in the terms "labor, materials or equipment" that part of water, gas, power, light, heat, oil, gasoline, telephone service or rental equipment used in the Construction Contract, architectural and engineering services required for performance of the work of the Contractor and the Contractor's subcontractors, and all other items for which a mechanic's lien may be asserted in the jurisdiction where the labor, materials or equipment were furnished.

§ 16.3 Construction Contract. The agreement between the Owner and Contractor identified on the cover page, including all Contract Documents and all changes made to the agreement and the Contract Documents.

Int.

§ 16.4 Owner Default. Failure of the Owner, which has not been remedied or waived, to pay the Contractor as required under the Construction Contract or to perform and complete or comply with the other material terms of the Construction Contract.

§ 16.5 Contract Documents. All the documents that comprise the agreement between the Owner and Contractor.

§ 17 If this Bond is issued for an agreement between a Contractor and subcontractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

§ 18 Modifications to this bond are as follows:

(Space is provided below for additional signatures of added parties, other than those appearing on the cover page.)

CONTRACTOR AS PRINCIPAL

SURETY

Company: _____ (Corporate Seal)

Company: _____ (Corporate Seal)

Signature: _____

Signature: _____

Name and Title: _____

Name and Title: _____

Address: _____

Address: _____



AIA Document G702™ - 1992

Application and Certificate for Payment

TO OWNER: City of Lakeland
1190 St. Croix Trail South
Lakeland, MN 55043

PROJECT: New City Hall, City of Lakeland
1190 St. Croix Trail South
Lakeland, Minnesota

APPLICATION NO: _____
PERIOD TO: _____
CONTRACT FOR: _____
CONTRACT DATE: _____
PROJECT NOS: 20162640 / /

FROM CONTRACTOR: _____

VIA ARCHITECT: Engineers-Architects, P.C. (herein known
as EAPC Architects Engineers)
539 Bielenberg Drive, Suite 115
St. Paul, MN 55125

Distribution to:
OWNER: _____
ARCHITECT: _____
CONTRACTOR: _____
FIELD: _____
OTHER: _____

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM \$ 0.00
2. NET CHANGE BY CHANGE ORDERS \$ 0.00
3. CONTRACT SUM TO DATE (Line 1 ± 2) \$ 0.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$ 0.00
5. RETAINAGE:
 - a. 0 % of Completed Work (Column D + E on G703) \$ 0.00
 - b. 0 % of Stored Material (Column F on G703) \$ 0.00
- Total Retainage (Lines 5a + 5b or Total in Column I of G703) \$ 0.00
6. TOTAL EARNED LESS RETAINAGE \$ 0.00
(Line 4 Less Line 5 Total)
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$ 0.00
(Line 6 from prior Certificate)
8. CURRENT PAYMENT DUE \$ 0.00
9. BALANCE TO FINISH, INCLUDING RETAINAGE
(Line 3 less Line 6) \$ 0.00

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: _____
By: _____ Date: _____
State of: _____
County of: _____
Subscribed and sworn to before
me this _____ day of _____
Notary Public: _____
My Commission expires: _____

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ _____
(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

CHANGE ORDER SUMMARY	ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$	\$
Total approved this Month	\$	\$
TOTALS	\$ 0.00	\$ 0.00
NET CHANGES by Change Order	\$	\$ 0.00

ARCHITECT: _____
By: _____ Date: _____

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.



AIA® Document G706™ – 1994

Contractor's Affidavit of Payment of Debts and Claims

PROJECT: *(Name and address)*
New City Hall, City of Lakeland
1190 St. Croix Trail South
Lakeland, Minnesota

TO OWNER: *(Name and address)*
City of Lakeland
1190 St. Croix Trail South
Lakeland, MN 55043

ARCHITECT'S PROJECT NUMBER:
20162640
CONTRACT FOR: General Construction

CONTRACT DATED: September 20, 2016

OWNER:
ARCHITECT:
CONTRACTOR:
SURETY:
OTHER:

STATE OF: Minnesota
COUNTY OF: Washington

The undersigned hereby certifies that, except as listed below, payment has been made in full and all obligations have otherwise been satisfied for all materials and equipment furnished, for all work, labor, and services performed, and for all known indebtedness and claims against the Contractor for damages arising in any manner in connection with the performance of the Contract referenced above for which the Owner or Owner's property might in any way be held responsible or encumbered.

EXCEPTIONS:

SUPPORTING DOCUMENTS ATTACHED HERETO:

1. Consent of Surety to Final Payment. Whenever Surety is involved, Consent of Surety is required. AIA Document G707, Consent of Surety, may be used for this purpose

Indicate Attachment Yes No

The following supporting documents should be attached hereto if required by the Owner:

1. Contractor's Release or Waiver of Liens, conditional upon receipt of final payment.
2. Separate Releases or Waivers of Liens from Subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof.
3. Contractor's Affidavit of Release of Liens (AIA Document G706A).

CONTRACTOR: *(Name and address)*

BY:

(Signature of authorized representative)

(Printed name and title)

Subscribed and sworn to before me on this date:

Notary Public:
My Commission Expires:



AIA® Document G706A™ – 1994

Contractor's Affidavit of Release of Liens

PROJECT: <i>(Name and address)</i>	ARCHITECT'S PROJECT NUMBER:	OWNER: <input type="checkbox"/>
New City Hall, City of Lakeland 1190 St. Croix Trail South Lakeland, Minnesota	20162640	ARCHITECT: <input type="checkbox"/>
TO OWNER: <i>(Name and address)</i>	CONTRACT FOR: General Construction	CONTRACTOR: <input type="checkbox"/>
City of Lakeland 1190 St. Croix Trail South Lakeland, MN 55043	CONTRACT DATED: September 20, 2016	SURETY: <input type="checkbox"/>
		OTHER: <input type="checkbox"/>

STATE OF: Minnesota
COUNTY OF: Washington

The undersigned hereby certifies that to the best of the undersigned's knowledge, information and belief, except as listed below, the Releases or Waivers of Lien attached hereto include the Contractor, all Subcontractors, all suppliers of materials and equipment, and all performers of Work, labor or services who have or may have liens or encumbrances or the right to assert liens or encumbrances against any property of the Owner arising in any manner out of the performance of the Contract referenced above.

EXCEPTIONS:

SUPPORTING DOCUMENTS ATTACHED HERETO:

1. Contractor's Release or Waiver of Liens, conditional upon receipt of final payment.

2. Separate Releases or Waivers of Liens from Subcontractors and material and equipment suppliers, to the extent required by the Owner, accompanied by a list thereof.

CONTRACTOR: *(Name and address)*

BY:

(Signature of authorized representative)

(Printed name and title)

Subscribed and sworn to before me on this date:

Notary Public:
My Commission Expires:



AIA® Document G707™ – 1994

Consent of Surety to Final Payment

PROJECT: *(Name and address)*
New City Hall, City of Lakeland
1190 St. Croix Trail South
Lakeland, Minnesota

ARCHITECT'S PROJECT NUMBER: 20162640

OWNER:

CONTRACT FOR: General Construction

ARCHITECT:

CONTRACTOR:

TO OWNER: *(Name and address)*
City of Lakeland
1190 St. Croix Trail South
Lakeland, MN 55043

CONTRACT DATED: September 20, 2016

SURETY:

OTHER:

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
(Insert name and address of Surety)

on bond of
(Insert name and address of Contractor)

, SURETY,

hereby approves of the final payment to the Contractor, and agrees that final payment to the Contractor shall not relieve the Surety
of any of its obligations to
(Insert name and address of Owner)

, CONTRACTOR,

City of Lakeland
1190 St. Croix Trail South
Lakeland, MN 55043

, OWNER,

as set forth in said Surety's bond.

IN WITNESS WHEREOF, the Surety has hereunto set its hand on this date:
(Insert in writing the month followed by the numeric date and year.)

(Surety)

(Signature of authorized representative)

Attest:
(Seal):

(Printed name and title)

ACKNOWLEDGEMENT OF PRINCIPAL OF CONTRACTOR

(Corporation)

STATE OF _____

ss

COUNTY OF _____

On this _____ day of _____, 20____, before me personally appeared _____, known to me to be the president (or other office or person) of the corporation that is described in and that executed the within instrument, and acknowledged to me that such corporation executed the same.

(SEAL)

1 _____
Notary Public

ACKNOWLEDGEMENT OF PRINCIPAL OF CONTRACTOR

(Individual or Partnership)

STATE OF _____

ss

COUNTY OF _____

On this _____ day of _____, 20____, before me personally appeared _____, known to me to be the person (or persons) who is (are) described in and who executed the within instrument, and acknowledged to me that he (or they) executed the same.

(SEAL)

1 _____
Notary Public

ACKNOWLEDGEMENT OF ATTORNEY-IN-FACT OF SURETY

STATE OF _____

ss

COUNTY OF _____

On this _____ day of _____, 20____, before me personally appeared _____, known to me to be the person who is described in and whose name is subscribed to the within instrument as the Attorney-in-Fact of _____ and acknowledged to me that subscribed the name of _____ thereto as surety and his own name as Attorney-in-Fact.

(SEAL)

1 _____
Notary Public

- NOTE:
1. The name of the notary must be legibly printed, stamped or typed immediately following his signature and the date of expiration of his commission must be endorsed thereon separately from his seal.
 2. Attach copy of Power of Attorney to each Bond.

WAIVER OF SUBROGATION AND SEVERABILITY OF INTERESTS ENDORSEMENT

A certificate of liability insurance has been provided to the Owner, by the undersigned insurer on behalf of the Contractor: _____

for the following project:

The endorsement is provided to certify that, with respect to the insurance coverages listed on the certificate, the undersigned insured hereby waives all rights to subrogation against the Owner, it's agencies, officers, Architects and Engineers, and other employees under the insurance policies as so indicated on the certificate.

Further, where the Owner is included as an additional insured, the policies as stated on the certificate of insurance shall include a cross liability or severability of interests clause in addition to the waiver of subrogation.

The undersigned also certifies that they are authorized to make this endorsement on behalf of said insurer.

Insurer

Date

CONTRACTOR CERTIFICATION OF NON-ASBESTOS AND NON LEAD MATERIALS

PROJECT NAME AND LOCATION: _____ EAPC FILE: _____

BUILDING OWNER AND ADDRESS _____

CONTRACTORS NAME: _____

Address: _____

Telephone No. _____

The contractor hereby certifies that he, his subcontractors, and his suppliers have used or will use only non-asbestos containing materials and non-lead paints and no lead in the water systems in the construction of this project.

by: (Signature) _____ Date _____

(Print Name) _____

(Print Title) _____

NOTE: "Asbestos-Free" materials are not allowed on this project as the definition of "asbestos-free" materials allows asbestos content up to 1%. Only non-asbestos containing materials (which have no asbestos) are allowed.

INDEMNIFICATION

a) The CONTRACTOR will indemnify and hold harmless the OWNER and the ARCHITECT/ENGINEER and their agents and employees from and against all claims, damages, losses and expenses including attorney's fees arising out of or resulting from the use in this contract of any asbestos or lead material prohibited under Section 70, Article 16, 3.5.1, provided that any such claims, damage, loss or expense is attributable to bodily injury, sickness, disease or death, or to injury to or destruction of tangible property or removal costs including the loss of use resulting therefrom; and is caused in whole or in part by any negligent or willful act or omission of the CONTRACTOR, and SUBCONTRACTORS, anyone directly or indirectly employed by any of them or anyone for whose acts any of them may be liable.

b) In any and all claims against the OWNER or the ARCHITECT/ENGINEER, or any of their agents or employees, by any employee of the CONTRACTOR, any SUBCONTRACTOR, anyone directly or indirectly employed by any of them, or anyone for whose acts any of them may be liable, the indemnification obligation shall not be limited in any way by any limitation on the amount or type of damages, compensation or benefits payable by or for the CONTRACTOR or any SUBCONTRACTOR under workmen's compensation acts, disability benefit acts or other employee benefit acts.



SUBMITTAL TRANSMITTAL

Project Name		Date	
Project Number		Previous Submittal Date	

To		From	
Attn			

**Incomplete submittals will be returned "Not Accepted".
For each submittal, include a minimum of 1 copy and complete the following information:**

SHOP DRAWINGS	No. of Copies _____	<input type="checkbox"/> Partial	<input type="checkbox"/> Complete	<input type="checkbox"/> Preliminary	<input type="checkbox"/> Final
Spec Section					
Item Description					
Manufacturer					
Supplier's Name		Phone Number			
Deviations					

PRODUCT DATA	No. of Copies _____	<input type="checkbox"/> Partial	<input type="checkbox"/> Complete	<input type="checkbox"/> Preliminary	<input type="checkbox"/> Final
Spec Section					
Item Description					
Manufacturer					
Supplier's Name		Phone Number			
Deviations					

SAMPLES	No. of Copies _____	<input type="checkbox"/> Partial	<input type="checkbox"/> Complete	<input type="checkbox"/> Preliminary	<input type="checkbox"/> Final
Spec Section					
Item Description					
Manufacturer					
Supplier's Name		Phone Number			
Deviations					

Please review the following attached submittal(s) as required by the Contract Documents.

Submitted By: _____

Phone Number: _____ **Email:** _____

Signature: _____

AGENDA ITEM

8B



TO: Mayor and City Council

FROM: Sandie Thone, City Administrator/Clerk

RE: Resolution 2016-18 Conditional Use Permit for 1190 St. Croix Trail South to Allow for Grading in Excess of 50 Cubic Yards Per Acre

DATE: September 20, 2016

Discussion

A review of the city hall project located on city owned property at 1190 St. Croix Trail South, Lakeland, MN revealed that a Conditional Use Permit would be required to allow for grading in excess of 50 cubic years per acre pursuant to Lakeland zoning code.

The application has been reviewed by the City's Zoning Administrator and the City Engineer and is attached to this memo as is the supporting documentation and Conditional Use Permit (CUP). Conditional Use Permits are granted for a particular property and use, and not for a particular person or firm pursuant to Lakeland City Code §159.024 (A) (2). A public hearing notice was published in the city's official newspaper and public hearing notices were sent to all property owners within 500 feet of the property. A public hearing will be held at the City Council's September 20, 2016 meeting.

Recommendation

Staff respectfully requests the City Council approve Resolution 2016-18 Conditional Use Permit for 1190 St. Croix Trail South to Allow for Grading in Excess of 50 Cubic Yards Per Acre. Motion/Second/Majority Vote required.

RESOLUTION NO. 2016-18

**CITY OF LAKELAND
WASHINGTON COUNTY, MINNESOTA**

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT
FOR 1190 ST.CROIX TRAIL SOUTH, CITY OF LAKELAND TO ALLOW
FOR GRADING IN EXCESS OF 50 CUBIC YARDS PER ACRE**

WHEREAS, the City of Lakeland has submitted an application for a Conditional Use Permit for the location at 1190 St. Croix Trail South; and

WHEREAS, Conditional Use Permits are granted for a particular property and use, and not for a particular person or firm pursuant to Lakeland City Code §159.024 (A) (2); and

WHEREAS, A public hearing notice was published in the city's official newspaper and public hearing notices were sent to all property owners within 500 feet of the property; and

WHEREAS, the application requests authorization to allow for grading in excess of 50 cubic yards per acre; and

WHEREAS, the City of Lakeland's application for a Conditional Use Permit was considered at the City Council's September 20, 2016 meeting and a public hearing was held; and

WHEREAS, the City Council approved the Conditional Use Permit for the property located at 1190 St. Croix Trail South to allow for grading in excess of 50 cubic yards per acre; and

WHEREAS, the City Council forwarded the matter to City Staff for documentation of these findings.

NOW, THEREFORE, BE IT RESOLVED BY THE LAKELAND CITY COUNCIL:

The application for a Conditional Use Permit for the property located at 1190 St. Croix Trail South to allow for grading in excess of 50 cubic yards per acre is hereby approved on the basis that the proposed use of the property meets all of the conditions imposed.

1. The applicant shall adhere to the recommendations of the WMO and City Engineer pursuant to their review of the grading plans.
2. The applicant shall adhere to all Lakeland city code requirements pertaining to the project relating to grading
3. The applicant shall comply with the grading plan as submitted and reviewed by staff.

Passed and adopted by the City Council for the City of Lakeland this 20th day of September 2016.

Amy Williams, Mayor

Sandie Thone, City Administrator/Clerk

CONDITIONAL USE PERMIT
FOR
1190 St. Croix Trail South
City of Lakeland

Date Issued: 9/20/2016

Legal Description: Washington County Parcel Number 11.028.20.21.0007 and 11.028.20.21.0008
See Attached "Exhibit A"

Business owners: *City of Lakeland*
Address: 1190 St Croix Trail So
Lakeland MN 55043
Telephone: 651-436-4430

Property Owner: *City of Lakeland*
Address: 1190 St Croix Trail So
Lakeland MN 55043
Telephone: 651-436-4430

Site Address: 1190 St Croix Trail So
Lakeland, MN 55043

Present Zoning District: R-1

Permitted use/s set forth in City Code 159.005 and/or 159.043

I. CONDITIONAL USE PERMIT FOR 1190 St Croix Trail So, City of Lakeland

All uses shall be subject to the following conditions and/or restrictions imposed by the City Council of the City of Lakeland.

General Description

- A. Grading in excess of 50 cubic feet per acre for city hall project per city code

II. ADDITIONAL RESTRICTIONS AND PROVISIONS

The following additional restrictions and provisions being part of the Conditional Use Permit to be issued herein affecting the following matters shall be:

A. Grading

1. The applicant shall adhere to the recommendations of the WMO and City Engineer pursuant to their review findings of the grading plans.
2. The applicant shall adhere to all Lakeland city code requirements pertaining to the project relating to grading.
3. The applicant shall comply with the grading plan as submitted and reviewed by staff.

Any change in the provisions of this permit requires an application to the City Council for an amendment to be made.

In Witness Whereof, the parties have set forth their hands and seals.

CITY OF LAKELAND

Date _____ By _____
Amy Williams, Mayor

Date _____ By _____
Sandie Thone, City Administrator/Clerk

City of Lakeland
Washington County, Minnesota

APPLICATION FORM

- | | |
|--|--|
| <input type="checkbox"/> Certificate of Compliance | <input type="checkbox"/> Special Use Permit |
| <input checked="" type="checkbox"/> Conditional Use Permit <u>fee/waived</u> | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Text Amendment |
| <input type="checkbox"/> Grading and Filling Permit | <input type="checkbox"/> Street Vacation |
| <input type="checkbox"/> Interim Use Permit | <input type="checkbox"/> Variance |
| <input type="checkbox"/> Preliminary/Final Plat | <input type="checkbox"/> Zoning District Amendment |
| <input type="checkbox"/> Planned Unit Development | |
| <input type="checkbox"/> Other _____ | |

Applicant CITY OF LAKELAND
(Name)

1190 ST. CROIX TRAIL SOUTH 651.436.4430
(Address) (Phone)

Fee Owner of Affected Property CITY OF LAKELAND
(Name)

Same Same
(Address) (Phone)

Property Legal Description PLD 11.028.20.21.0007
11.028.20.21.0008

Description and/or Reason for Request Grading in excess of
50 cubic ft per acre for city hall
project per city code

An incomplete application will delay the processing of this request and may necessitate a re-scheduling of the review time frame. The application approval time line commences and an application is considered complete when all required information and fees are submitted to the City.

I acknowledge that I have read and understand the following:

1. Before this request can be considered and/or approved, all required information and fees, including any deposits and escrow amounts, must be paid to the City.
2. The fee necessary to make this application is a deposit for administrative expenses.
3. For applications requiring escrow amounts, escrow deposits will provide the City necessary cash to in an amount estimated to be adequate to secure all City out-of-pocket expenses including by not limited to attorneys fees, engineering fees, planning fees, etc. to complete the project. Should service costs approach the escrow total, the applicant will be required to provide additional funds in the amount determined by City staff; and the project will be suspended until additional funds have been submitted. Where additional fees are required to cover costs incurred by the City, the City Clerk has a right to require additional payment from me. Any unused funds shall be returned to the applicant.
4. For applications not requiring escrow amounts but where additional fees are required to cover costs incurred by the City, the City Clerk has a right to require additional payment from me.

Dated this 24th of August, 2016

Dundie Turner (on behalf of City)
Applicant

Applicant

I hereby certify that all data required under the Ordinances of the City of Lakeland and pertaining to this application has been provided by the applicant and that the above application is hereby received and accepted by the City of Lakeland.

Dated this 24th of August, 2016

Dundie Turner
City Clerk



Applicant,

It is important for you to be aware that costs will be incurred as your application is processed. The application fee submitted is a deposit for administrative expenses. Additional costs will include but are not limited to mailing, copying, publishing, attorney fees, engineering costs, planning fees and any other fees required to complete the process. You will be responsible to pay those expenses.

For applications requiring escrow amounts, escrow deposits will provide the City necessary cash to in an amount estimated to be adequate to secure all City out-of-pocket expenses shown above. Should service costs approach the escrow total, you will be required to provide additional funds in the amount determined by City staff, and the project will be suspended until additional funds have been submitted. Any unused funds shall be returned to the applicant.

For applications not requiring escrow amounts but where additional fees are required to cover costs incurred by the City, you will receive an initial invoice when the expenses incurred reach \$1,000, or when the work is completed – whichever is first. Fees not paid according to terms on the invoices will be certified to your property taxes.



Parcel Number: 11.028.20.21.0007
 Property Address: LAKELAND, MAPS
 Class: EXEMPT

Legal Description:
 ALL THAT PT OF E 372.12 FT OF E 1/2-NW 1/4 LYING SLY OF N 390 FT THEREOF AND LYING NLY OF 12 TH ST S EXCEPTING THEREFROM ALL THAT PT OF A TRACT OF LAND CONVEYED TO THE STATE OF MN HWY DEPT FOR RD PURPOSES SECTION 11 TOWNSHIP 028 RANGE 020

Prior Year Value Information

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2016	\$259,900	\$0	\$99,200	\$359,100
2015	\$161,200	\$0	\$127,800	\$289,000

More Years...

Land Information

Lot Type	Square Feet	Acres
Sq. Ft x Rate	173,286	3.978

Sale Information

Sale Date	Amount	Recording
10/01/1991	\$4,180	

Building Permit Information

Date	Number	Tag Descr	Tag Date	Amount	Reason
09/25/1997	997096	No	01/01/2004	0	Misc
05/23/1995	995029	No	01/01/2004	108,000	Misc

GIS Map Information



Parcel Number: 11.028.20.21.0008

Property Address: LAKELAND, MAPS

Class: EXEMPT

Legal Description:

THAT PT OF TRACT A DESC AS: PT OF ELY 500FT OF NW1/4 SD SEC 11 LYING NLY OF NLY R/W LN OF 12TH ST S WHICH LIES ELY OF A LN RUN PARL WITH & DIST 75FT WLY OF LN 1 DESC BELOW AND WLY OF A LN RUN PARL WITH AND DIST 75FT WLY OF LN 2 DESC BELOW: LN 1 BEG AT A PT ON THE E AND W QTR LINE OF SEC 02 TWP 28 RANGE 20 DIST OF 6.9 FT WLY OF THE CTR OF SD SEC 2 THN RUN SELY TO S QTR COR SD SEC 2 THN CONT SLY ALG LAST DESC COURSE DIST 1000FT AND THERE TERM LINE 2. FROM A POINT ON N LN OF SD SEC 11 DIST OF 82.77 FT E OF N QTR COR THEREOF THN RUN SLY AT AN ANG OF 89DEG49' 18" FROM SD N SEC LN (MEAS FROM E TO S) DIST OF 1000FT AND THERE TERM SECTION 11 TOWNSHIP 028 RANGE 020

Prior Year Value Information

Year	Land Value	Dwelling Value	Improvement Value	Total Value
2016	\$1,500	\$0	\$0	\$1,500
2015	\$12,000	\$0	\$0	\$12,000
▼ More Years...				

Land Information

Lot Type	Square Feet	Acres
Lump Sum	66,037	1.516

GIS Map Information

The GIS map displays an aerial view of a parcel. The parcel number 11.028.20.21.0008 is overlaid on the map. A legend panel on the right side of the map includes the following sections:

- Views**
 - Base Layer
 - Imagery On
 - Imagery Off
 - Overlays
 - Parcel Dimensions
 - Water
 - Roads
 - Parcel Number
 - Sales from 10/1/14 to 9/30/15
 - Sales from 10/1/13 to 9/30/14
 - Sales from 10/1/12 to 9/30/13
- Search
- Legend
- Help
- Tools



100% DESIGN
 90% DESIGN
 75% DESIGN
 50% DESIGN
 25% DESIGN
 10% DESIGN
 5% DESIGN
 0% DESIGN

100% DESIGN
 90% DESIGN
 75% DESIGN
 50% DESIGN
 25% DESIGN
 10% DESIGN
 5% DESIGN
 0% DESIGN

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Michigan.
 License No. 20152640
 License Expiration Date: 12/31/2018

This document, explicitly issued and sealed by the State of Michigan, is valid for use only in the State of Michigan.
 Date of Issue: 08/31/16
 Date of Expiration: 08/31/16

CLIENT
CITY OF LAKELAND

PROJECT DESCRIPTION
LAKELAND CITY HALL

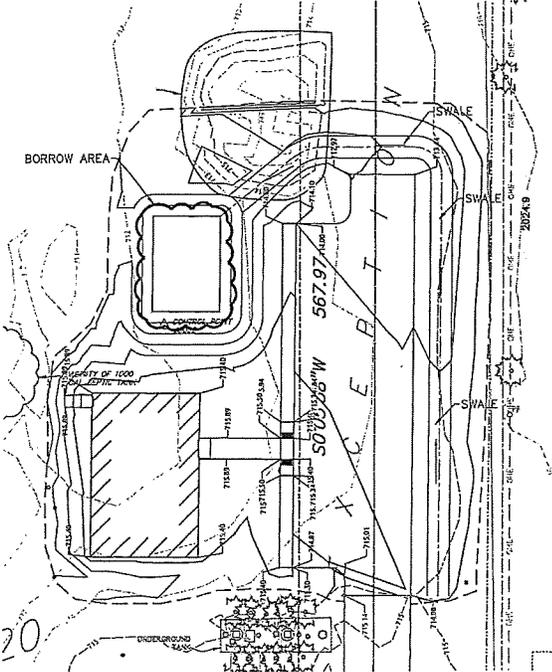
CITY: LAKELAND
 STATE: MI
 ISSUE DATES:

DATE	21 AUG 16
BY	COMPUTER/DRAWN
DATE	21 AUG 16
BY	ENGINEER
PROJECT NO.	20152640
DRAWN BY:	JCE
CHECKED BY:	REK
COMPANIES:	

DRAWING TITLE
SWALE PLAN & PROFILE

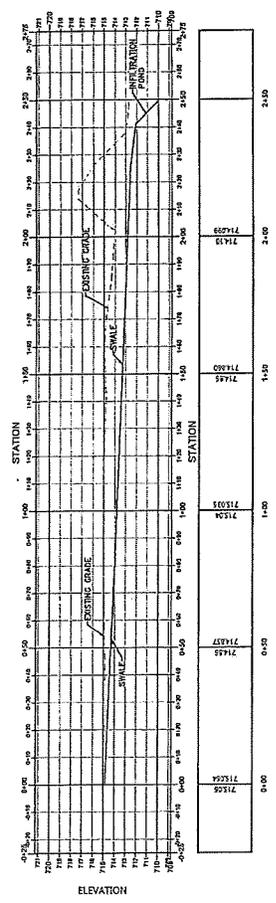
C301

- GENERAL NOTES:**
- ALL SPOT ELEVATIONS ARE FINISHED/OUTTER AND GROUND OVER NOTED AS SUCH.
 - BENCHMARK DATA BY SOURCE BASIS SHOULD BE.
 - CHANGING QUANTITIES REFLECT FINISHED PAVEMENT GRADE VERSUS TOP OF EXISTING GRADE.
 - CONTRACTOR SHALL VERIFY ALL SPOT ELEVATIONS AND BENCHMARK DATA TO BE USED TO CONSTRUCT THIS PROJECT. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL SPOT ELEVATIONS AND BENCHMARK DATA TO BE USED TO CONSTRUCT THIS PROJECT. CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL SPOT ELEVATIONS AND BENCHMARK DATA TO BE USED TO CONSTRUCT THIS PROJECT.
 - CONTRACTOR TO PLACE EROSION CONTROL MEASURES IN SWALE AS PERMANENT FEATURE UNTIL FULL GRASS GROWTH HAS ESTABLISHED.
 - EXISTING STRUCTURE ON SITE TO BE REMOVED BY CITY AS NOTED TO FACILITATE CONSTRUCTION.
 - REMOVE ALL SIGNS OF PREVIOUS SWALE AND PAVING AREA TO BE RECONSTRUCTED AND REPAVED FOR NEW INSTALLATION.



SWALE PLAN
 1" = 20'-0"
 N

SWALE PROFILE



SWALE PLAN
 1" = 20'-0"
 N

ADDED DRAWING TO SET

REK RF
 8-31-16



Inver Grove Heights
 6160 Carmen Ave. E
 Inver Grove Heights, MN, 55076
 P: 651-389-4191
 www.NTIGeo.com

BORING NUMBER SB-1

PAGE 1 OF 1

CLIENT City of Lakeland PROJECT NAME Proposed Lakeland City Hall
 PROJECT NUMBER 16.61560.100 PROJECT LOCATION Lakeland, MN
 DATE STARTED 7/13/16 COMPLETED 7/13/16 GROUND ELEVATION 712 ft HOLE SIZE 6 1/2 inches
 DRILLING CONTRACTOR NTI GROUND WATER LEVELS:
 DRILLING METHOD 3 1/4 in H.S.A AT TIME OF DRILLING ---
 LOGGED BY Robert Hawkins CHECKED BY Steve Gerber AT END OF DRILLING ---
 NOTES Elevations estimated off of provided survey. AFTER DRILLING ---

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE TYPE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS			FINES
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0		TOPSOIL (10 Inches) NOTE: Organic content of topsoil = 9.8%	AU 1					9				
0.8		POORLY GRADED SAND, (SP) reddish brown, fine to medium grained, moist, loose to medium dense, trace gravel (Glacial Outwash)	SS 2	100	3-4-6 (10)							
5			SS 3	100	4-6-6 (12)			5				
			SS 4	83	4-7-8 (15)							
10			SS 5	89	4-4-4 (8)			8				
			SS 6	83	3-6-7 (13)							
15			SS 7	89	4-3-3 (6)			9				
20			SS 8	67	5-5-5 (10)							

Bottom of borehole at 21.0 feet.

NTI GEOTECH COLUMBUS - GNT STD US LAB MAY 2012.GDT - 7/2/16 07:31 - H:\R\MSB11-PROJECTS\016-PROJECTS\NEW LAKELAND CITY HALL - GEO - (16.61560.100)ENGINEERING REPORTS\GINT\LAKELAND CITY HALL.GPJ



NTI
NORTHERN
TECHNOLOGIES, LLC

Inver Grove Heights
6160 Carmen Ave. E
Inver Grove Heights, MN, 55076
P: 651-389-4191
www.NTIGeo.com

BORING NUMBER SB-2

CLIENT City of Lakeland PROJECT NAME Proposed Lakeland City Hall
 PROJECT NUMBER 16.61560.100 PROJECT LOCATION Lakeland, MN
 DATE STARTED 7/13/16 COMPLETED 7/13/16 GROUND ELEVATION 714 ft HOLE SIZE 6 1/2 inches
 DRILLING CONTRACTOR NTI GROUND WATER LEVELS:
 DRILLING METHOD 3 1/4 in H.S.A AT TIME OF DRILLING ---
 LOGGED BY Robert Hawkins CHECKED BY Steve Gerber AT END OF DRILLING ---
 NOTES Elevations estimated off of provided survey. AFTER DRILLING ---

DEPTH (ft)	GRAPHIC LOG	MATERIAL DESCRIPTION	SAMPLE NUMBER	RECOVERY % (RQD)	BLOW COUNTS (N VALUE)	POCKET PEN. (tsf)	DRY UNIT WT. (pcf)	MOISTURE CONTENT (%)	ATTERBERG LIMITS			FINES
									LIQUID LIMIT	PLASTIC LIMIT	PLASTICITY INDEX	
0		TOPSOIL (10 Inches)	AU 1									
0.8		POORLY GRADED SAND, (SP) reddish brown, fine to medium grained, moist, medium dense, trace gravel (Glacial Outwash)	SS 2	94	5-6-7 (13)			4				3
5			SS 3	100	5-6-6 (12)							
			SS 4	100	5-5-7 (12)			5				
10			SS 5	100	5-6-7 (13)							
11.0		Bottom of borehole at 11.0 feet.										

NTI, GEOTECH COLUMNS - GRF STD US LAB MAY 2012.GBT - 7/2/16 D131 - HIRANSEYI-PROJECTS016 PROJECTSNEW LAKELAND CITY HALL - GEO - 16.61560.100/ENGINEERING/ENGINEERING REPORTS/NTI/LAKELAND CITY HALL.GPJ



1190 Saint Croix Trail South
Lakeland, MN 55043
Phone: (651) 436-4430
E-mail: city@ci.lakeland.mn.us
Website: www.ci.lakeland.mn.us

September 1, 2016

Dear Property Owner (within 500 feet of requesting property):

The purpose of this letter is to advise you that the Lakeland City Council will hold a Public Hearing on September 20, 2016 at 6:00 p.m. at Lakeland City Hall located at 690 Quinnell Avenue North to consider a request regarding an application by the City of Lakeland and EAPC Architects for a Conditional Use Permit (CUP) for grading in excess of 50 cubic yards per acre for the new city hall project at 1190 St. Croix Trail South. All persons wishing to be heard with reference to this request will be heard at the meeting. The real property affected by said application is legally described as PID 11.028.20.21.0008. Legal description available upon request.

Posted at city offices 9/1/2016, published in the Stillwater Gazette 9/2/2016 and mailed to all property owners within 500 feet of the subject property 9/1/2016.

Sincerely,

A handwritten signature in black ink that reads "Sandie Thone". The signature is fluid and cursive, with the first name "Sandie" and last name "Thone" clearly distinguishable.

Sandie Thone
City Administrator

Resident
16359 12th Street S
Lakeland, MN 55043

Resident
1305 Quant Ave S.
Lake St. Croix Beach, MN 55043

Resident
1370 Quasar Ct. S.
Lake St Croix Beach, MN 55043

Resident
16525 8th Street Place S.
Lakeland, MN 55043

Resident
16530 10th Street Ct. S.
Lakeland, MN 55043

Resident
16344 7th Street Ct S.
Lakeland, MN 55043

Resident
1310 Quasar Ct. S.
Lake St Croix Beach, MN 55043

Resident
16352 7th Street Ct S.
Lakeland, MN 55043

Resident
950 St. Croix Trail S.
Lakeland, MN 55043

Resident
16336 7th Street Lane S.
Lakeland, MN 55043

Resident
16332 7th Street Lane S.
Lakeland, MN 55043

Resident
16233 5th Street S.
Lakeland, MN 55043

Resident
1350 Quasar Ct. S.
Lake St Croix Beach, MN 55043

Resident
1230 Quant Ave S.
Lakeland, MN 55043

Resident
1330 Quasar Ct. S.
Lake St Croix Beach, MN 55043

Resident
16539 10th Street Ct. S.
Lakeland, MN 55043

Valley Baptist Church
860 St. Croix Trail S.
Lakeland, MN 55043

Resident
16320 7th Street Court S.
Lakeland, MN 55043

Resident
16356 7th Street Court S.
Lakeland, MN 55043

Resident
16540 10th Street Ct. S.
Lakeland, MN 55043

Resident
16316 7th Street Court S.
Lakeland, MN 55043

Resident
1480 Quant Ave S.
Lakeland, MN 55001

Resident
16475 12th Street S.
Lakeland, MN 55043

Resident
16334 7th Street Lane S.
Lakeland, MN 55043

Resident
1180 Quant Ave S.
Lakeland, MN 55043

Resident
16549 10th Street Ct. S.
Lakeland, MN 55043

Resident
940 St. Croix Trail S.
Lakeland, MN 55043

Resident
16399 12th Street S.
Lakeland, MN 55043

Resident
16324 7th Street Lane S.
Lakeland, MN 55043

Resident
16348 7th Street Court S.
Lakeland, MN 55043

AGENDA ITEM

8C



TO: Mayor and City Council

FROM: Sandie Thone, City Administrator/Clerk

RE: Resolution 2016-19 Variance to Bluffline Setback and Substandard Structure Requirements to Construct an Addition on the Non-River Facing Sides of Single Family Home at 453 Quixote Avenue South

DATE: September 20, 2016

Background

The City Zoning Administrator received a variance application from Beth and David Meyers on August 25, 2016 and the application was deemed complete on September 1, 2016. The application includes two variance requests 1) a variance to the 40 foot setback from the bluffline (§155.016(A)(5)) and 2) a variance to allow the height of the improvement to exceed the existing height of the substandard structure (§40(C)(2)(f)). A public hearing notice was published in the city's legal newspaper and noticed to all property owners within 500 feet of the proposed project. All persons wishing to be heard were requested to attend the public hearing set for September 20, 2016 at 6 p.m. at Lakeland City Hall or provide written comments beforehand.

Discussion

The application has been reviewed by the City's Zoning Administrator, City Engineer, and representatives of the MSCWMO and the DNR, and a Pre-Application meeting was held with the owner. It should be noted that during the pre-application meeting a lengthy discussion ensued regarding the proposal of three separate sets of design plans for the addition to the existing structure. Only one proposed plan exceeded the current height of the existing structure thereby technically adding to the non-conformance creating the need for a variance. This specific plan however offered a benefit to an existing drainage issue in the area by allowing drainage from the roof to be directed away from the river, actually mitigating an existing problem. As pointed out by the City Engineer, water currently empties onto the property and to the property to the south towards the bluff causing visible erosion to the bluff. Therefore the group strongly encouraged the property owner to move ahead with that specific proposed design plan, despite having to go through the variance process for this reason. In addition, the group recommended the city consider waiving all or a portion of the fees associated with the variance due to the fact that the City, DNR and WMO felt they would all benefit from the proposed project.

The following conditions for approval are inclusive of the recommendations.

Variances

1. Allow the current structure building setback of approximately 32 feet from the bluffline, encroaching eight (8) feet into the building setback from the bluffline classifying the structure as a substandard structure since it was constructed prior to adopting of the current code requirements §155.016 (A) (5).

2. Allow the height of the improvement to exceed the existing height of the current substandard structure (§40(C)(2)(f), the height of the improvement shall not exceed the height of the roof line of the existing structure) which is approximately 15 feet but not to exceed the 35 foot requirement per city code for a new conforming structure. The proposed structure's height is lower than the neighboring property to the south and significantly less than the 35 foot requirement.

Findings of Fact

1. The applicant's proposal to reconstruct and expand on the property is reasonable based on the surrounding properties and the zoning designation. The zoning designation is residential. The variances being proposed are not extensive and result from improving the structure in the same location.
2. The proposed structure will not alter the essential character of the locality, and is compatible with uses on adjacent land because of the conformity with the neighboring structures both north and south of the property. Neighboring structures are single family homes of similar sizes and character that are also located on river front lots.
3. The color of all structures, including roofs, will be compatible with the code requirements of earth or summer vegetation tones.
4. The property has unique circumstances, not caused by the landowner, including limitations related to the location of the existing structure. The structure was created prior to the city ordinances being enacted.
5. A Pre-Application meeting with the property owners and representatives of the Middle St. Croix Watershed Management (WMO), Lakeland City Engineer's office, Lakeland City Zoning Administration and Minnesota Department of Natural Resources (DNR) confirmed that the plan proposed allowing for the variance(s) was the ideal plan to mitigate current drainage issues between the property to the south as it directs roof run-off away from the river; all regulatory and advising authorities recommended the proposed plan and are in support of it.
6. The granted variances are in harmony with the general purposes and intent of the Zoning Code. The purpose of the Zoning Code is to protect and conserve natural resources as applied to the river bluff and the St. Croix River. The granted variances move to protect the bluff and river by keeping the house in the same location, not allowing further encroachment to the river, and requiring conditions such as a restoration plan and erosion control to protect runoff and screening.
7. The granted variances are consistent with goals in the Comprehensive Plan to preserve and protect the natural scenic values and resources of the St. Croix River Valley. The goals are to redevelop Lakeland consistent with the aesthetics of the St Croix River valley and preserve and protect Lakeland's natural environment.
8. The proposed impervious surface percentage is 18.6%. The maximum impervious surface is 20%.
9. The MN DNR has reviewed the proposal and the recommendations have been incorporated into the conditions for approval.
10. The City Engineer has reviewed the proposal and the recommendations have been incorporated into the conditions of approval.

Conditions of Approval

1. The applicant shall pay any remaining fees or escrow balance prior to the variance being certified and before a building permit issued.
2. The project shall comply with the conditions of the MSCWMO permit approval process.
3. The project shall comply with Department of Natural Resources (DNR) recommendations.
4. The property shall comply with Lakeland City Code requirements of the St. Croix River District Bluff Requirements (Ch. 155) and St. Croix River Floodplain Requirements (Ch. 155).
5. The bluffline has been shown on the plan and certified by a Registered Land Surveyor pursuant to Lakeland City Code Bluffland and Shoreland Regulations.
6. Impervious surface totals 18.6%. Maximum allowed is 20%.
7. The height of the structure may not exceed 35 feet. The height of the proposed structure will be lower than that of the property to the south and well-screened by trees on the bluff and should not alter the view from the river.
8. The applicant must submit a Certificate of Compliance for the existing septic system or a copy of the septic permit from Washington County.
9. The failure to fulfill any one of the conditions will result in revocation of all variances.

Recommendation

Staff is requesting the city council approve the following variances for 453 Quixote Avenue South with the above conditions of approval and waive the escrow portion of the fees for the property owners charging only the flat administrative fee for a variance of \$400.00:

Variances

1. Allow the current structure building setback of approximately 32 feet from the bluffline, encroaching eight (8) feet into the building setback from the bluffline classifying the structure as a substandard structure since it was constructed prior to adopting of the current code requirements §155.016 (A) (5).
2. Allow the height of the improvement to exceed the existing height of the current substandard structure (§40(C)(2)(f), the height of the improvement shall not exceed the height of the roof line of the existing structure) which is approximately 15 feet but not to exceed the 35 foot requirement per city code for a new conforming structure. The proposed structure's height is lower than the neighboring property to the south and significantly less than the 35 foot requirement.

Motion/Second/Majority Vote required.

RESOLUTION NO. 2016-19

**CITY OF LAKELAND
WASHINGTON COUNTY, MINNESOTA**

**A RESOLUTION APPROVING A VARIANCE TO CONSTRUCT AN
ADDITION TO THE EXISTING HOME ON THE NON-RIVER FACING
SIDES OF THE PROPERTY AT 453 QUIXOTE AVENUE SOUTH**

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

WHEREAS, the City Council of the City of Lakeland has adopted zoning, subdivision, and building regulations as part of the Lakeland Code of Ordinances, to promote the orderly, economic, and safe development and utilization of land within the City; and

WHEREAS, Elizabeth and David Meyers (Applicants) have made an application to the City for a variance to the building setback from the bluffline (§155.016(A)(5), a variance to the required 40 foot building setback from the bluffline) and substandard structure (§40(C)(2)(f), the height of the improvement shall not exceed the height of the roof line of the existing structure); and

WHEREAS, the real property affected by said application is located at 453 Quixote Avenue South, Lakeland, and MN and legally described as:

Legal Description:

LOT 20 SUBDIVISIONCD 2688 SUBDIVISIONNAME LAKELAND BLUFFS

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lakeland hereby approves the two variances listed below regarding the application for 453 Quixote Avenue South. The approvals are based on the following findings of facts listed below, additional findings of council made on record, and are subject to the conditions listed below:

Variances

1. Allow the current structure building setback of approximately 32 feet from the bluffline, encroaching eight (8) feet into the building setback from the bluffline classifying the structure as a substandard structure since it was constructed prior to adopting of the current code requirements §155.016 (A) (5).
2. Allow the height of the improvement to exceed the existing height of the current substandard structure (§40(C)(2)(f), the height of the improvement shall not exceed the height of the roof line of the existing structure) which is approximately 15 feet but not to exceed the 35 foot requirement per city code for a new conforming structure. The proposed structure's height is lower than the neighboring property to the south and significantly less than the 35 foot requirement.

Findings of Fact

1. The applicant's proposal to reconstruct and expand on the property is reasonable based on the surrounding properties and the zoning designation. The zoning designation is

residential and the variances being proposed are not extensive and result from improving the structure in the same location.

2. The proposed structure will not alter the essential character of the locality, and is compatible with uses on adjacent land because of the conformity with the neighboring structures both north and south of the property. Neighboring structures are single family homes of similar sizes and character that are also located on river front lots.
3. The color of all structures, including roofs, will be compatible with the code requirements of earth or summer vegetation tones.
4. The property has unique circumstances, not caused by the landowner, including limitations related to the location of the existing structure. The structure was created prior to the city ordinances being enacted.
5. A Pre-Application meeting with the property owners and representatives of the Middle St. Croix Watershed Management (WMO), Lakeland City Engineer's office, Lakeland City Zoning Administration and Minnesota Department of Natural Resources (DNR) confirmed that the plan proposed allowing for the variance(s) was the ideal plan to mitigate current drainage issues between the property to the south as it directs roof run-off away from the river; all regulatory and advising authorities recommended the proposed plan and are in support of it.
6. The granted variances are in harmony with the general purposes and intent of the Zoning Code. The purpose of the Zoning Code is to protect and conserve natural resources as applied to the river bluff and the St. Croix River. The granted variances move to protect the bluff and river by keeping the house in the same location, not allowing further encroachment to the river, and requiring conditions such as a restoration plan and erosion control to protect runoff and screening.
7. The granted variances are consistent with goals in the Comprehensive Plan to preserve and protect the natural scenic values and resources of the St Croix River Valley. The goals are to redevelop Lakeland consistent with the aesthetics of the St Croix River valley and preserve and protect Lakeland's natural environment.
8. The proposed impervious surface percentage is 18.6%. The maximum impervious surface is 20%.
9. The MN DNR has reviewed the proposal and the recommendations have been incorporated into the conditions for approval.
10. The City Engineer has reviewed the proposal and the recommendations have been incorporated into the conditions of approval.

Conditions of Approval

1. The applicant shall pay any remaining fees or escrow balance prior to the variance being certified and before a building permit issued.
2. The project shall comply with the conditions of the MSCWMO permit approval process.

3. The project shall comply with Department of Natural Resources (DNR) recommendations.
4. The property shall comply with Lakeland City Code requirements of the St. Croix River District Bluff Requirements (Ch. 155) and St. Croix River Floodplain Requirements (Ch. 155).
5. The bluffline has been shown on the plan and certified by a Registered Land Surveyor pursuant to Lakeland City Code Bluffland and Shoreland Regulations.
6. Impervious surface totals 18.6%. Maximum allowed is 20%.
7. The height of the structure may not exceed 35 feet. The height of the proposed structure will be lower than that of the property to the south and well-screened by trees on the bluff and should not alter the view from the river.
8. The applicant must submit a Certificate of Compliance for the existing septic system or a copy of the septic permit from Washington County.
9. The failure to fulfill any one of the conditions will result in revocation of all variances.

Passed and adopted by the Lakeland City Council this 20th day of September 2016.

Amy Williams, Mayor

ATTEST:

Sandie Thone, City Administrator/Clerk



1190 Saint Croix Trail South
Lakeland, MN 55043
Phone: (651) 436-4430
E-mail: city@ci.lakeland.mn.us
Website: www.ci.lakeland.mn.us

September 1, 2016

Dear Property Owner (within 500 feet of requesting property):

The purpose of this letter is to advise you that the Lakeland City Council will hold a Public Hearing on September 20, 2016 at 6:00 p.m. at Lakeland City Hall located at 690 Quinnell Avenue North to consider a request regarding an application by David and Elizabeth Meyers for a variance to construct an addition on the existing home at 453 Quixote Avenue North. All persons wishing to be heard with reference to this request will be heard at the meeting. The real property affected by said application is legally described as PID 35.029.20.41.0006. Property description available upon request.

Sincerely,

A handwritten signature in cursive script that reads "Sandie Thone".

Sandie Thone
City Administrator

Posted at city offices 9/1/2016, published in the Stillwater Gazette 9/2/2016 and mailed to all property owners within 500 feet of the subject property 9/1/2016.

**CITY OF LAKELAND
WASHINGTON COUNTY, MINNESOTA
(OFFICIAL PUBLICATION)
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the City Council for the City of Lakeland, Washington County, Minnesota shall conduct a Public Hearing on September 20, 2016 at 6:00 p.m. at Lakeland City Hall located at 690 Quinnell Avenue North to consider a request regarding an application by Elizabeth and David Meyers for a variance to construct an addition on the existing home at 453 Quixote Avenue North. All persons wishing to be heard with reference to this request will be heard at the meeting. The real property affected by said application is legally described as PID 35.029.20.41.0006. Legal description available upon request.

Posted at city offices 9/1/2016, published in the Stillwater Gazette 9/2/2016 and mailed to all property owners within 500 feet of the subject property 9/1/2016.

Sandie Thone
City Administrator/Clerk

Published in the
Stillwater Gazette
September 2, 2016
589223

City of Lakeland
Washington County, Minnesota

APPLICATION FORM

- | | |
|---|--|
| <input type="checkbox"/> Certificate of Compliance | <input type="checkbox"/> Special Use Permit |
| <input type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Subdivision |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Text Amendment |
| <input type="checkbox"/> Grading and Filling Permit | <input type="checkbox"/> Street Vacation |
| <input type="checkbox"/> Interim Use Permit | <input checked="" type="checkbox"/> Variance |
| <input type="checkbox"/> Preliminary/Final Plat | <input type="checkbox"/> Zoning District Amendment |
| <input type="checkbox"/> Planned Unit Development | |
| <input type="checkbox"/> Other _____ | |

Applicant Elizabeth + David Meyers
(Name)

453 Quixote Ave N, Lakeland MN 55043 715-684-9049
(Address) (Phone)

Fee Owner of Affected Property Same
(Name)

(Address) (Phone)

Property Legal Description PID 3502920410006

Description and/or Reason for Request Height Exception to
code 155.040(c)(2)(f). See attached
reason documentation

An incomplete application will delay the processing of this request and may necessitate a re-scheduling of the review time frame. The application approval time line commences and an application is considered complete when all required information and fees are submitted to the City.

I acknowledge that I have read and understand the following:

1. Before this request can be considered and/or approved, all required information and fees, including any deposits and escrow amounts, must be paid to the City.
2. The fee necessary to make this application is a deposit for administrative expenses.
3. For applications requiring escrow amounts, escrow deposits will provide the City necessary cash to in an amount estimated to be adequate to secure all City out-of-pocket expenses including by not limited to attorneys fees, engineering fees, planning fees, etc. to complete the project. Should service costs approach the escrow total, the applicant will be required to provide additional funds in the amount determined by City staff; and the project will be suspended until additional funds have been submitted. Where additional fees are required to cover costs incurred by the City, the City Clerk has a right to require additional payment from me. Any unused funds shall be returned to the applicant.
4. For applications not requiring escrow amounts but where additional fees are required to cover costs incurred by the City, the City Clerk has a right to require additional payment from me.

Dated this 25 of August, 2016

[Signature]
Applicant

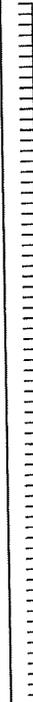
1
Applicant

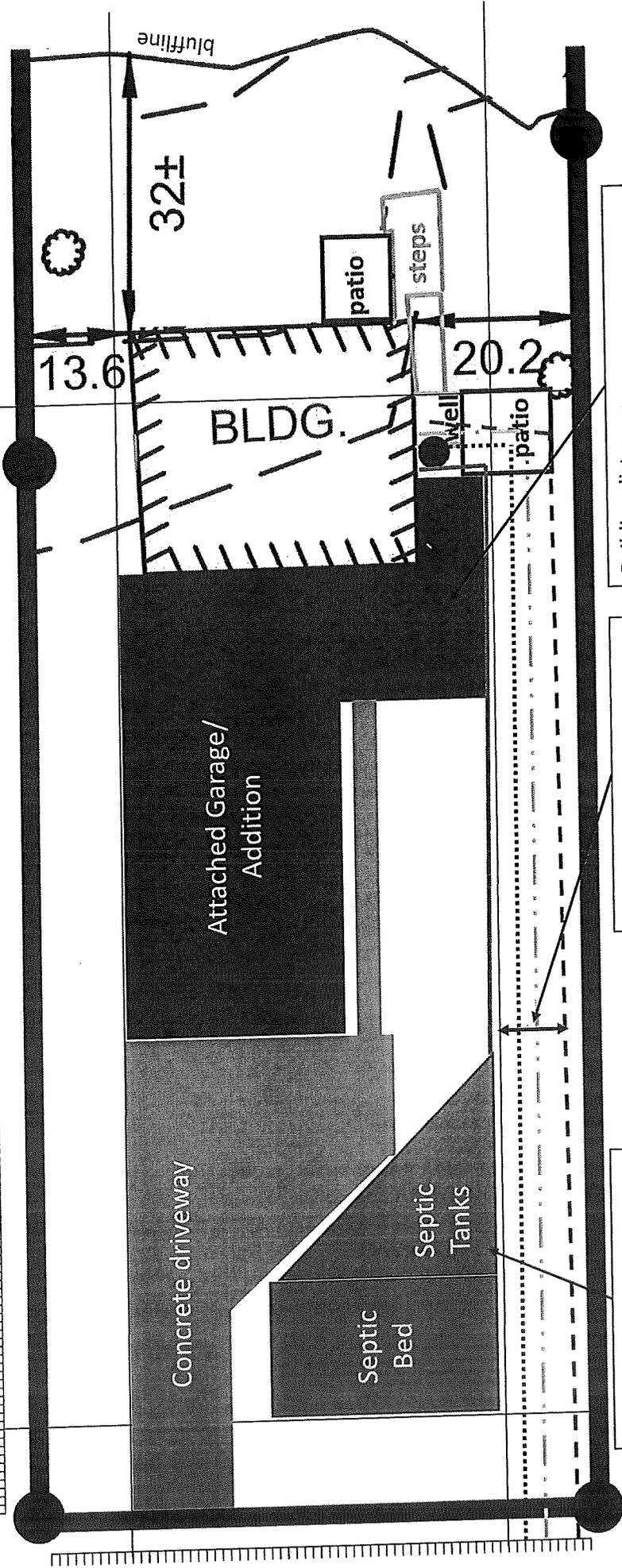
I hereby certify that all data required under the Ordinances of the City of Lakeland and pertaining to this application has been provided by the applicant and that the above application is hereby received and accepted by the City of Lakeland.

Dated this 1st of September, 2016

[Signature]
City Clerk

Site Plan - 453 Quixote Ave N, Lakeland 9/1/2016

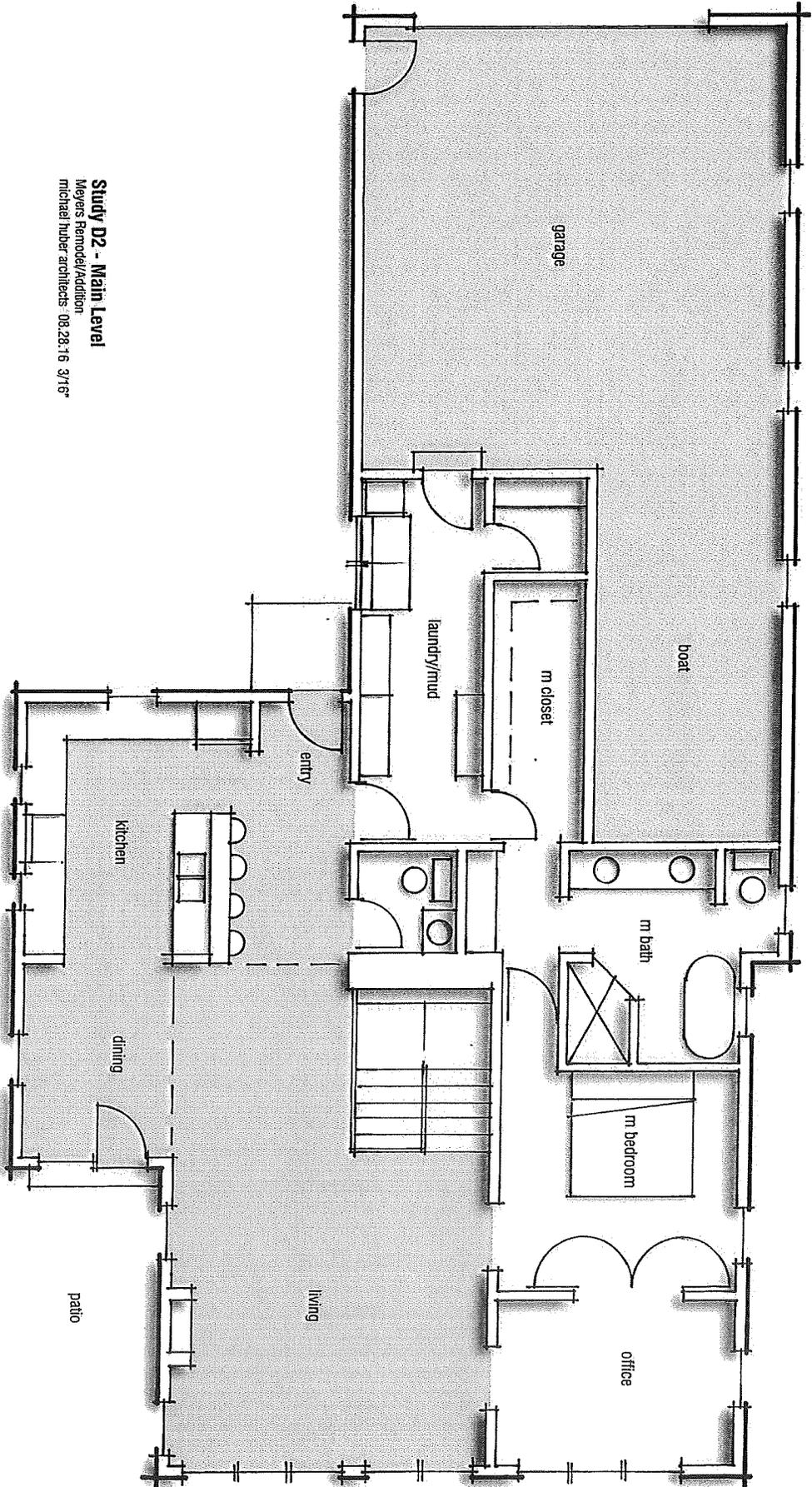
Orientation: North = top of page Scale  = 10 feet



Septic distances:
 >10 feet from garage
 >50 feet from well
 >40 feet from bluffline
 >10 feet from property lines

Distance between utilities:
 2 feet between each
 10 feet between septic and water

Building distances:
 10 feet from side property lines
 50 feet from west property line
 32 feet to bluffline - no change

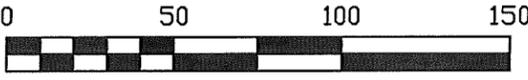


Study D2 - Main Level
Meyers Remodel/Addition
michael huber architects 08.28.16 3/16"

CERTIFICATE OF SURVEY

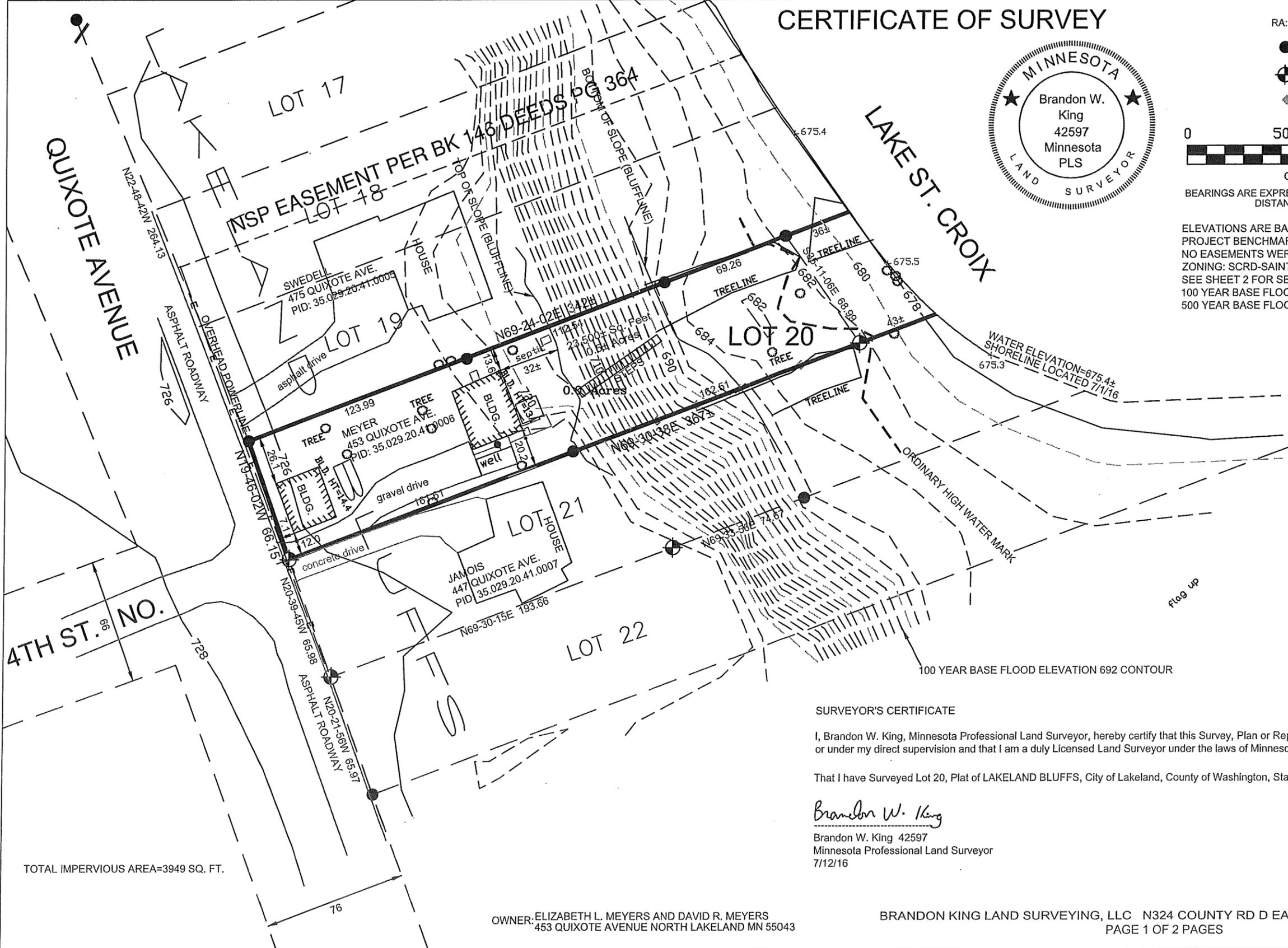


- RA: DENOTES RECORDED AS
- DENOTES A FOUND IRON PIPE.
- ⊕ DENOTES A FOUND BRASS MONUMENT.
- ◆ DENOTES A FOUND T-POST.



ONE INCH=FIFTY FEET
 BEARINGS ARE EXPRESSED IN DEGREES-MINUTES-SECONDS
 DISTANCES ARE DECIMAL FEET.

ELEVATIONS ARE BASED ON NAVD 1988.
 PROJECT BENCHMARK: NGS PID PP0653 ELVATION=723.67
 NO EASEMENTS WERE FOUND THAT IMPACT PROPERTY.
 ZONING: SCRD-SAINT CROIX RIVER DISTRICT
 SEE SHEET 2 FOR SETBACKS
 100 YEAR BASE FLOOD ELEVATION: 692.0
 500 YEAR BASE FLOOD ELEVATION: 695.5



TOTAL IMPERVIOUS AREA=3949 SQ. FT.

SURVEYOR'S CERTIFICATE

I, Brandon W. King, Minnesota Professional Land Surveyor, hereby certify that this Survey, Plan or Report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of Minnesota.

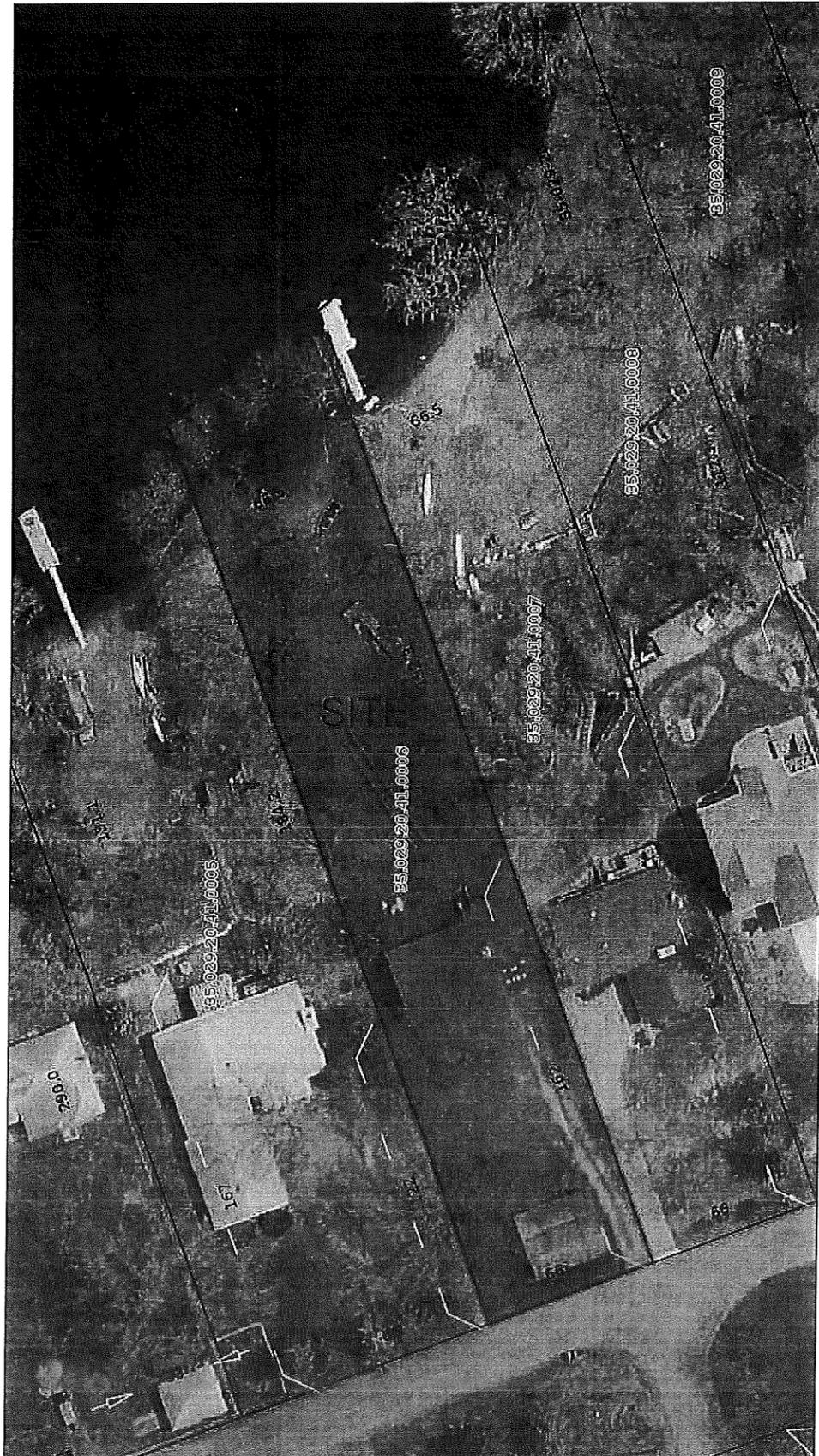
That I have Surveyed Lot 20, Plat of LAKELAND BLUFFS, City of Lakeland, County of Washington, State of Minnesota.

Brandon W. King

Brandon W. King 42597
 Minnesota Professional Land Surveyor
 7/12/16

OWNER: ELIZABETH L. MEYERS AND DAVID R. MEYERS
 453 QUIXOTE AVENUE NORTH LAKELAND MN 55043

BRANDON KING LAND SURVEYING, LLC N324 COUNTY RD D EAU GALLE WI 715-639-5243
 PAGE 1 OF 2 PAGES
 BKLSLLC@GMAIL.COM



CERTIFICATE OF SURVEY

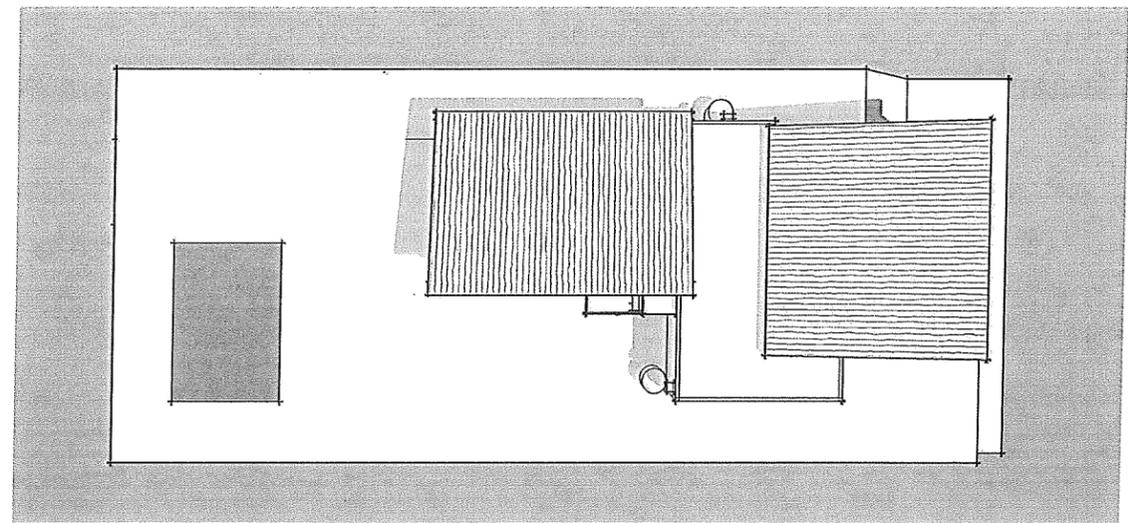
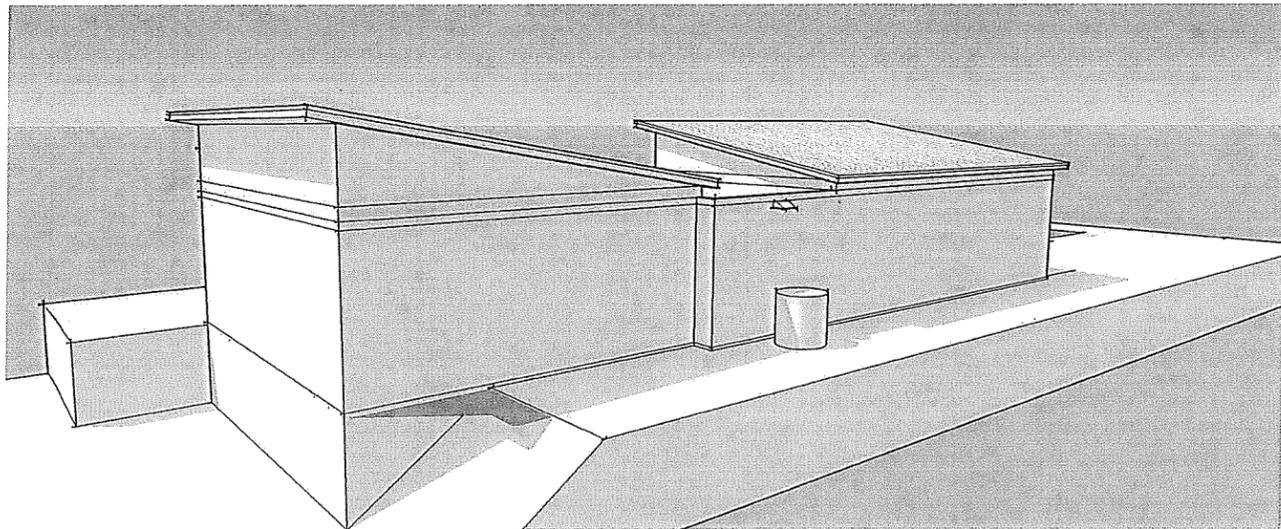
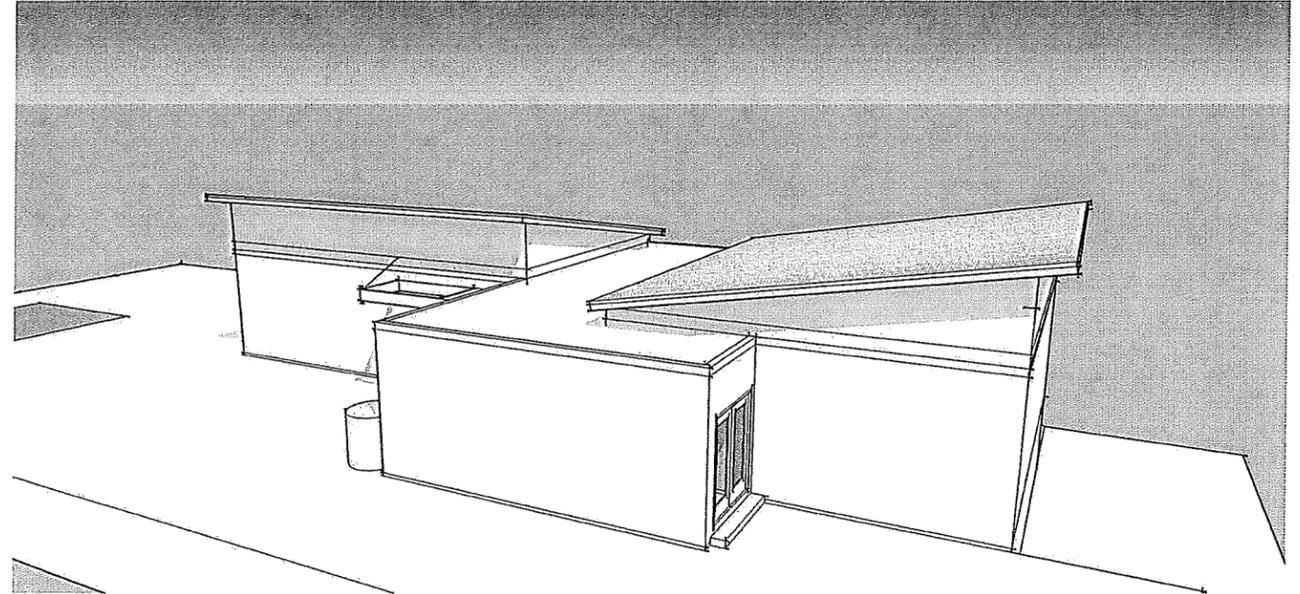
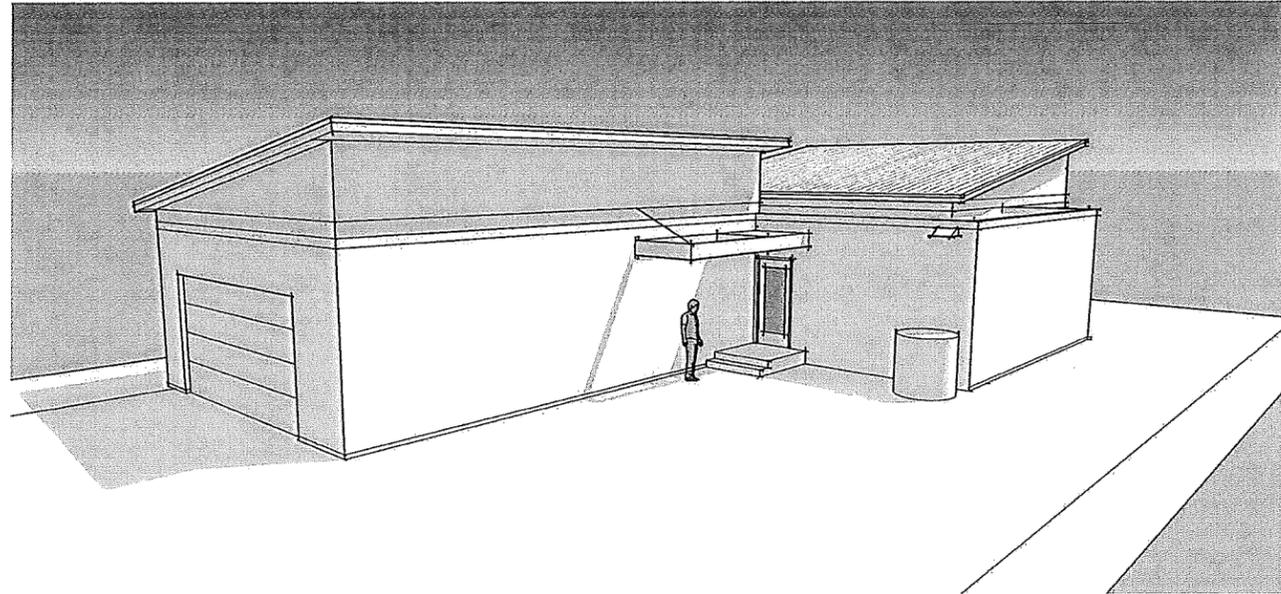
CITY CODE 155.016 MINIMUM DISTRICT DIMENSIONAL REQUIREMENTS:

<i>District Areas</i>	<i>Rural District</i>	<i>Urban District</i>	<i>Urban District with Public Sewer and Water</i>
1. Minimum lot size above ordinary high water mark	2-1/2 acres	1 acre	20,000 sq. ft.
2. Lot width at building setback line	200 feet	150 feet	100 feet
3. Lot width at water line	200 feet	150 feet	100 feet
4. Building setback from ordinary high water mark	200 feet	100 feet	100 feet
5. Building setback from bluffline	100 feet	40 feet	40 feet
6. The soil absorption portion of the on-site sewage treatment system setback from ordinary high water mark	200 feet	100 feet	
7. Sewage tank	30 feet	30 feet	
8. On-site sewage treatment system setback from bluffline	40 feet	40 feet	
9. Maximum structure height	35 feet	35 feet	35 feet
10. Maximum total lot area covered by impervious surface	20% (1/2 acre)	20% (8,700 sq. ft.)	20% (4,000 sq. ft.)
11. On slopes less than 12%, the controlled vegetative cutting areas setback are from:			
- Ordinary high water mark	200 feet	100 feet	100 feet
- Blufflines	40 feet	40 feet	40 feet

OWNER: ELIZABETH L. MEYERS AND DAVID R. MEYERS
453 QUIXOTE AVENUE NORTH LAKELAND MN 55043

BRANDON KING LAND SURVEYING, LLC N324 COUNTY RD D EAU GALLE WI 715-639-5243
PAGE 2 OF 2 PAGES

BKLSLLC@GMAIL.COM



Study D2 - Massing Study
Meyers Remodel/Addition
michael huber architects 08.28.16

AGENDA ITEM

8E



TO: Mayor and City Council
FROM: Sandie Thone, City Administrator/Clerk
RE: Zoning and Business District (RB) Code Review and Updating
DATE: September 20, 2016

Discussion

City Council has long been discussing updating the city's zoning code relative to the current business district (RB) and the future of a mixed use designation in the city. The city council has expressed interest in updating an outdated code. In addition the city has expressed interest in development of code language that promotes quality development in the city. At tonight's workshop Jim Robinson from Sambatek presented several options for the city council to consider in reviewing and updating the city code in the future.

Please review the following proposals, listen to the presentation and ask questions and have discussion regarding the proposed professional services and/or any other professional advisement desired.

Recommendation

Staff respectfully requests the council consider accepting Sambatek's proposal (Please indicate Steps 1, 2, 3, or 1-3 or/and 4, 5) for professional planning services related to updating the city zoning code relating to the business district (RB).

August 28, 2016

Sandie Thone, City Administrator
City of Lakeland
1190 Saint Croix Trail South
Lakeland, MN 55043

Subject: Zoning Code Analysis and Modifications Related to RB Zoning

Dear Ms. Thone;

Our thanks for requesting Sambatek to provide you with a Scope of Services to modify the City's zoning code to allow for mixed use development in the RB, Retail Business zoning district. As indicated in our previous correspondence, we will provide a select number of options to the City for handling RB development in the future. At an early point in our work we will be able to determine, with the City's input, the best method for encouraging economic development and processing RB project proposals based on the City's objectives and desired level of control and procedural requirements. The City may then choose among the provided options before moving forward with a more detailed plan of action as outlined in Steps 4 and 5. In addition, Sambatek is also prepared to offer economic development analysis of potential development sites in the district should Lakeland decide this would be desirable.

SCOPE OF SERVICES

1. Background Research and Analysis: Cost \$1,207

- a. Review the City's RB Zoning Code
- b. Review the City's PUD Ordinance
- c. Review the City's Comprehensive Plan
- d. Review the status of land parcels in the RB district

Outcomes: Determine adequacy of existing zoning code provisions to support a wider variety of desirable land uses in the RB District. Reach an understanding of the changes needed to the existing Comprehensive Plan to support proposed code amendments. Develop an understanding of the RB district potential to support new development/redevelopment.

2. Define the Objectives for Building a Better Code: Cost \$2,275

- a. Develop a list of existing allowable uses which no longer meet the City's desired land use goals
- b. Develop a list of possible new uses which are in keeping with the goals for the corridor.
- c. Define the level of oversight and procedural requirements appropriate for the district.

Outcomes: Develop a refined understanding of the deficiencies of the current zoning code and its ability to deliver the best outcome for future land use along the Trail Corridor. The desired uses the City would like to see moving forward are clearly defined.

Deliverables: Steps 1 and 2 Memorandum. Sambatek will provide a memorandum outlining the limitations and constraints under the current RB and PUD zoning. The review will include a list of proposed desirable land use categories that could be included as either permitted or conditional uses as well as a list of current uses for possible exclusion. In other words, here's what the City would like to see going forward, and here's what the City would rather prohibit. The City codes relating to non-conforming uses will also be addressed. We will further review and discuss with the City its Comprehensive Plan as it relates to development in the corridor, and will suggest amendments needed to work with the desired vision for the district. The memo will further clarify next steps required to move forward. Also included will be a GIS map of the current land uses in the RB District, and a brief discussion of the development/redevelopment potential in the district.

Sambatek will also provide the City, at no additional cost, a copy of a "city-wide" full-color Land Use base map using the most current Washington County GIS mapping information. This effort will greatly assist the City in its upcoming Comprehensive Plan amendment by providing a base map for a wide variety of applications in completing the required plan amendments.

3. Develop Alternatives for Processing Commercial and Mixed Use Development: Cost \$1,467

Based on City feedback to our analysis and objectives memorandum, Sambatek will develop three zoning alternatives (in a generalized memo form) to highlight the options available to the City. The options would encourage development and redevelopment along the Trail Corridor and may or may not include:

- a. Possible amendments to the RB District ordinance to provide for preferred development as permitted and/or conditional uses and to eliminate non-desirable uses.
- b. Possible amendments to the PUD ordinance to allow for preferred development scenarios in a streamlined fashion.
- c. Development of draft overlay zoning district standards to be used in conjunction with the RB zoning district and other areas of the City as desired, to allow for a wider variety of uses consistent with the City's development objectives for the Trail Corridor.

- d. Implementation of Comprehensive Plan amendments to promote the effectiveness of the proposed zoning changes.

Outcomes: The City is well informed of the potential for new land uses in the RB District and is provided with viable options for effectuating a zoning and comprehensive plan solution to enable desirable new growth in the area.

Deliverables: Sambatek will provide a cover memo and rough outline of the three alternatives discussing the merits of each and suggest possible hybrid solutions. Comprehensive Plan amendments will also be addressed. Sambatek staff will meet with Council or Planning Commission at one meeting, to explain the alternative approaches including the pros and cons of each solution.

4. **Draft Ordinance for Preferred Approach:** Cost to be determined based on the City's input in Steps 1-3 and the selected approach. *At this point the City may determine if it desires to include the R-1 gravel mine area in the amendment process or handle this as a separate item. Sambatek is prepared to proceed with either scenario.*

Based on City input to options presented, Sambatek will draft an ordinance amendment to provide the City with the best alternative to enable preferred development along the Trail Corridor.

Outcome: The City is presented with a draft ordinance which enables enhanced contemporary land uses with the appropriate level of oversight and procedural requirements as determined by the City in conjunction with this effort.

Deliverables: Sambatek will provide a draft ordinance of the preferred zoning amendment along with a staff report highlighting the rationale and procedural approach. Sambatek staff will attend one meeting to present the proposed draft ordinance and discuss the Comprehensive Plan amendment before the planning commission or City Council.

5. **Document Finalization:** Cost to be determined along with Step 4.

Based on input from the planning commission and city staff, Sambatek will draft a proposed final document along with a revised staff report for use at public hearing before the planning commission and city council:

Final Deliverables: Revised staff report and final draft ordinance for public hearing and summary publication in the local newspaper and insertion in the city code. Updated zoning map reflecting any new zoning classifications or overlay (to be determined).

Additional Services: If in the course of the update process the City decides that further study or attention is needed on a particular issue or area, our team at Sambatek would be happy to take on any or all of those services during the project; all additional services will be undertaken only at the discretion of the City. This effort may also include a comprehensive plan amendment to allow for a wider variety of uses for the subject properties as determined through the zoning amendment process.

Additional services will be billed at our hourly rates according to the attached fee schedule.

Compensation for Services: Compensation for services will be completed for Steps 1 through 3 for a lump sum fee of \$4,949 to be billed monthly through the duration of the project. Steps 4 and 5 will follow seamlessly for a separate lump sum price to be determined with the City after a preferred approach is selected.

We greatly appreciate this opportunity to provide professional services to the City of Lakeland to help promote quality development along the St. Croix Trail corridor. Sambatek has the experience, resources and expertise to help the City of Lakeland achieve its development objectives. With our commitment to service, quality and client advocacy, we look forward to building a successful relationship.

Sincerely,

Jim Robinson
Associate Planner
Sambatek Inc.

**AGENDA ITEM
8G**



TO: Mayor and City Council
FROM: Sandie Thone, City Administrator/Clerk
RE: General Election Canvas Meeting Date
DATE: September 20, 2016

Discussion

General Election Canvass Board dates are effective Friday, November 11, 2016 (Veteran's Day) through Friday, November 18, 2016. Abstract of the election results are generally not available until Friday afternoon following Tuesday's election. Please discuss a date when you can be available between those dates for this meeting.

I would propose the meeting take place at 5:00 p.m. on November 15, 2016 on our regularly held meeting night and our workshop begin at 5:30 p.m. after the Canvass Board meeting to certify the election results. The Canvass Board meeting is very brief.

Recommendation

No formal action required.

AGENDA ITEM 8H



TO: Mayor and City Council
FROM: Sandie Thone, City Administrator/Clerk
RE: Professional Survey Regarding Old City Hall Options
DATE: September 20, 2016

Background

At the August 16, 2016 regular city council meeting the city council directed staff to review options associated with conducting a professional survey to provide public input on the options regarding the future of the old city hall building.

Discussion

Staff performed extensive research on companies that provide services administering public surveys and found the following:

- A majority of the companies contacted could not provide service without email addresses. They conduct such 'surveys' online and thus require email addresses of which the city does not currently have a comprehensive list of emails for residents.
- One company – Amplitude Research would be able to perform a full-service mail survey at a cost of \$5,500 with a typical 10%-15% response rate. There are approximately 688 households in Lakeland.
- Survey Monkey: \$300/annual Gold Services would suffice for this purpose but would still require communication to residents and action on their part to take the survey.
- Utilization of interns/local students to conduct door-to-door, mail or phone survey.
- Survey via the monthly newsletter via a flyer to return via mail/scan/email/in-person like we did with the medians. A less than 10% response was noted with the medians.

Recommendation

No formal action required, please provide staff direction if desired.