

**6:30 p.m. SPECIAL CITY COUNCIL MEETING**

- 1. Call to Order -- Council Chambers**
  - 1a. Roll Call**
  
- 2. Freight Rail Relocation Project-Closed Executive Session -- Westwood Room**

Closed meeting with the City Attorney to discuss pending litigation relating to the City's appeal of MnDOT's negative declaration regarding the need for an Environmental Impact Statement for the MN&S Freight Rail Relocation Project.
  
- 3. Freight Rail Relocation Project -- Council Chambers**

Consideration of any formal action relating to the City's appeal of MnDOT's negative declaration regarding the need for an Environmental Impact Statement for the MN&S Freight Rail Relocation Project.
  
- 4. Adjournment**

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(Economic Development Authority Meeting immediately following the City Council Meeting)

**7:30 p.m.     CITY COUNCIL MEETING – Council Chambers**

**1. Call to Order**

**1a. Elected Officials Oath of Office**

**Recommended Action:** Judge Allen Oleisky to perform the swearing in of the following elected officials of the City of St. Louis Park for the four year terms commencing January 3, 2012:

Jeffrey Jacobs – Mayor

Steve Hallfin – Councilmember At Large A

Jake Spano - Councilmember At Large B

After oaths are administered, each new official shall sign an oath form which is kept on file in the City Clerk's office.

**1b. Pledge of Allegiance**

**1c. Roll Call**

**2. Presentations -- None**

**3. Approval of Minutes**

**3a. Study Session Meeting Minutes December 12, 2011**

**3b. Special City Council Meeting/Closed Executive Session Minutes December 19, 2011**

**3c. City Council Meeting Minutes December 19, 2011**

**4. Approval of Agenda and Items on Consent Calendar**

NOTE: The Consent Calendar lists those items of business which are considered to be routine and/or which need no discussion. Consent items are acted upon by one motion. If discussion is desired by either a Councilmember or a member of the audience, that item may be moved to an appropriate section of the regular agenda for discussion. The items for the Consent Calendar are listed on the last page of the Agenda.

**Recommended Action:**

Motion to approve the Agenda as presented and items listed on the Consent Calendar; and to waive reading of all resolutions and ordinances. (Alternatively: Motion to add or remove items from the agenda, or move items from Consent Calendar to regular agenda for discussion.)

**5. Boards and Commissions -- None**

**6. Public Hearings -- None**

**7. Requests, Petitions, and Communications from the Public -- None**

**8. Resolutions, Ordinances, Motions and Discussion Items**

**8a. Designating 2012 Mayor Pro Tem**

**Recommended Action:** Motion to Adopt Resolution appointing a Mayor Pro Tem for 2012.

**8b. Second Reading of Zoning Ordinance Amendment for Variances**

**Recommended Action:** Motion to Adopt Second Reading of an Ordinance amending Chapter 36-33 of the St. Louis Park Code of Ordinances relating to variances from the Zoning Ordinance, approve the summary ordinance and authorize for publication.

**9. Communication**

**Immediately following City Council Meeting**

**ECONOMIC DEVELOPMENT AUTHORITY – Council Chambers**

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Minutes -- None**
- 4. Approval of Agenda**
- 5. Reports**
  - 5a. Economic Development Authority Vendor Claims**
- 6. Old Business -- None**
- 7. New Business**
  - 7a. 2012 Economic Development Authority Officers**

**Recommended Action:** Motion to elect \_\_\_\_\_ as President, \_\_\_\_\_ as Vice-President, and \_\_\_\_\_ as Treasurer to the Economic Development Authority for the 2012 term.
- 8. Communications**
- 9. Adjournment**

St. Louis Park Economic Development Authority and regular City Council meetings are carried live on Civic TV cable channel 17 and replays are frequent; check [www.parktv.org](http://www.parktv.org) for the schedule. The meetings are also streamed live on the internet at [www.parktv.org](http://www.parktv.org), and saved for Video on Demand replays. The agenda is posted on Fridays on the official city bulletin board in the lobby of City Hall and on the text display on Civic TV cable channel 17. The agenda and full packet are available by noon on Friday on the city's website.

**Auxiliary aids for individuals with disabilities are available upon request. To make arrangements, please call the Administration Department at 952/924-2525 (TDD 952/924-2518) at least 96 hours in advance of meeting.**

#### **4. CONSENT CALENDAR**

- 4a.** Adopt Resolution Declaring 2012 City Council Meeting Dates
- 4b.** Approve Resolution designating the *St. Louis Park Sun Sailor* as the City's Official Newspaper for year 2012
- 4c.** Designate Magney Construction, Inc. the lowest responsible bidder and authorize execution of a contract with the firm in the amount of \$708,000.00 for Water Project – Water Treatment Plant No. 6 – Project No. 2010-1300
- 4d.** Adopt Resolution authorizing execution of an Agency Agreement with the Minnesota Department of Transportation providing for the Commissioner of Transportation to act as the City's agent in accepting federal aid funds for transportation related projects
- 4e.** Approve for filing Telecommunications Advisory Commission Minutes October 6, 2011
- 4f.** Approve for filing Parks & Recreation Advisory Commission Minutes October 19, 2011
- 4g.** Approve for filing Vendor Claims

**Regular Meeting**    Public Hearing    Action Item    Consent Item    Resolution    Ordinance  
                                  Presentation    Other: Oath of Office Elected Officials

**EDA Meeting**    Action Item    Resolution    Other:

**Study Session**    Discussion Item    Written Report    Other:

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**TITLE:**

Elected Officials Oath of Office.

**RECOMMENDED ACTION:**

Judge Allen Oleisky to perform the swearing in of the following elected officials of the City of St. Louis Park for four year terms commencing January 3, 2012:

Jeffrey Jacobs - Mayor  
Steve Hallfin - Councilmember At Large A  
Jake Spano - Councilmember At Large B

After the oaths are administered, each new official will be asked to sign an oath form which is kept on file in the City Clerk's office.

**POLICY CONSIDERATION:**

Not Applicable.

**BACKGROUND:**

The General Election was held on Tuesday, November 8, 2011 and election results were canvassed and certified at the St. Louis Park City Council meeting of November 14, 2011 by Resolution No. 11-118.

The St. Louis Park City Charter Section 2.03 states the following:

The Mayor and two Councilmembers shall be elected at large for a four year term. The At Large seats shall be separate elective offices designated as At Large A and At Large B. The term of Mayor and each Councilmember shall begin on the first regularly scheduled meeting of the new year following a regularly scheduled municipal election. Every officer of the City shall, before entering upon the duties of this office, take and subscribe an oath of office in substantially the following form: "I do solemnly swear to support the Constitution of the United States and of the State of Minnesota and to discharge faithfully the duties devolving upon me as (Mayor or Councilmember) of this City to the best of my judgment and ability."

**FINANCIAL OR BUDGET CONSIDERATION:**

Not Applicable.

**VISION CONSIDERATION:**

Not Applicable.

**Attachments:** None

**Prepared by:** Nancy Stroth, City Clerk

**Approved by:** Tom Harmening, City Manager



**UNOFFICIAL MINUTES  
CITY COUNCIL STUDY SESSION  
ST. LOUIS PARK, MINNESOTA  
DECEMBER 12, 2011**

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The meeting convened at 7:04 p.m.

Councilmembers present: Mayor Jeff Jacobs, Anne Mavity, Julia Ross, Susan Sanger, and Sue Santa.

Councilmembers absent: Phil Finkelstein and Paul Omodt.

Staff present: City Manager (Mr. Harmening), Director of Community Development (Mr. Locke), Economic Development Coordinator (Mr. Hunt), City Engineer (Mr. Brink), Director of Public Works (Mr. Rardin), Communications Coordinator (Mr. Zwilling), Police Lieutenant (Mr. Kraayenbrink), and Recording Secretary (Ms. Hughes).

Guests: Amy Gurski , Three Rivers Park District, April Crockett (West Area Engineer, Mn/DOT).

**1. Future Study Session Agenda Planning – January 9, 2012**

Mr. Harmening presented the proposed study session agenda for January 9, 2012. He noted that the December 27<sup>th</sup> study session meeting has been cancelled.

**2. Business Terms for Redevelopment Contract with Ellipse II LLC (Bader Development) Related to the e2 Project**

Mr. Locke presented the staff report and proposed business terms for the Redevelopment Contract with Bader Development. He indicated that Council will take formal action on the Redevelopment Contract at its January 17, 2012, meeting.

Councilmember Mavity commended Mr. Bader for his efforts in working with the neighbors to address their concerns including parking. She asked if the terms of the Redevelopment Contract are standard terms or whether there is anything unique to this particular contract. She also requested further information regarding the lease agreement currently in place that provides parking on the site.

Mr. Hunt advised that the primary financing mechanism includes \$700,000 in TIF financing, predicated on the fact that the City applied for over \$800,000 in grants for environmental clean-up of the site. He indicated if the City does not receive any or all of these grants, Council will need to discuss how to fill that gap, including additional tax increment.

Mr. Locke stated that the lease agreement will continue to provide parking spaces on the site to help with the parking needs at Ellipse. He added that there will be an easement on the site to continue to provide parking spaces on a permanent basis.

Councilmember Santa requested clarification regarding the parking arrangements during construction.

Mr. Robb Bader, Ellipse II LLC, appeared before the City Council and advised that they have begun working with Mr. Walther on options for parking during construction, including utilizing off-site parking, e.g., the Rec Center.

Councilmember Sanger commended Mr. Bader's efforts with respect to LEED certification and constructing a green building. She indicated that the application process for LEED certification is expensive and urged Mr. Bader to consider foregoing LEED certification while still constructing the building as a green building. She also questioned how the City can assume no inflation for twenty years when figuring the 20 year calculation on the TIF payback.

Mr. Locke stated that the City makes conservative assumptions with respect to inflation and indicated if there is inflation, it will mean that the City retires the TIF District earlier.

Councilmember Sanger expressed concern regarding the apparent trend toward projects with a majority of one-bedroom units and stated she was not comfortable spending TIF money on a project that provides little or no incentive for families. She felt that there needed to be a better mix of units in these projects. She added that the City has seen the negative results of focusing on just condominiums and felt the City needed to think more long term and not just on what is hot in today's real estate market.

Mayor Jacobs agreed with Councilmember Sanger's concern.

Mr. Locke stated that the development pattern is following the current market and the demographics indicate that the current market is for one-bedroom units. He indicated this site is not a strong site for families and will suit empty nesters and younger couples.

Mr. Bader stated that the e2 project, when combined with the entire Ellipse project, will have a mix of 75/25 and they are comfortable with that mix.

Councilmember Mavity agreed that this issue is important and should be tied to a further discussion about what Council wants the community to look like in thirty years and how the City's policies will affect the community in the future.

Councilmember Ross agreed but noted that this site is not the most desirable area for family housing and was supportive of the project as is. She noted that she has concerns regarding the Elliot site in terms of family housing and encouraged Council to remain mindful of this issue as well as what it means to be a family, i.e., single parents or divorced parents with shared custody.

It was the consensus of the City Council to support the business terms proposed for inclusion in a Redevelopment Contract with Bader Development to facilitate the construction of the e2 project.

Mr. Hunt clarified that the business terms in the Redevelopment Contract suggest that the redeveloper use LEED as a guideline but do not require that the redeveloper achieve LEED certification, only that the redeveloper meet the City's green building requirements.

### **3. Highway 7/Wooddale Interchange Traffic and Trail Improvement Options**

Mr. Harmening presented the staff report and indicated that Police Lieutenant Kraayenbrink was in attendance this evening, as well as representatives from SRF Consultants, Mn/DOT, and Three Rivers Park District. He noted that SRF Consultants did a full operational analysis of the Beltline and Wooddale locations.

Mr. Brink presented the recommendations to address the safety concerns at the trail crossings at Wooddale Avenue and Beltline Boulevard as well as the recommendations with respect to the sightline concerns.

Councilmember Sanger felt that the problem with the Wooddale crossing is that people cannot see cars until they are on top of you and she preferred to see some type of warning for drivers indicating that a trail is approaching, particularly coming from the north. She expressed concern regarding the proposed trail chicanes on Wooddale and Beltline and felt these would be a safety hazard, especially for people riding tandem bikes or using a baby buggy. She urged the City to put the crosswalk striping back in place which represents a low cost way to warn drivers that trail users are in the area. She also expressed concern that the median is not wide enough in this area and if more than one bicycle is in the median, they are sticking out into the roadway. She felt the City has not given residents enough education and information regarding trail crossings that is consistent with other communities which has caused confusion among drivers about whether they need to stop at a trail crossing.

Councilmember Mavity agreed that the lack of consistency on the trail crossings needs to be resolved with assistance from Three Rivers Park District. She indicated that one of the challenges at the Wooddale crossing is that traffic never eases up providing little opportunity to cross the intersection. She felt that options for improving the crossing in this area include no right turn on red at 36<sup>th</sup> Street, better advice to trail users, and widening the median.

Councilmember Santa stated that she has received complaints from residents about the difficulty of getting off the ramp on Highway 7 onto Wooddale Avenue. She felt that bicyclists posed more of a danger to pedestrians than vehicles in this area because the bicyclists are not always paying attention to pedestrians and requested that Council discuss this issue further.

Mr. Brink indicated the consultants have suggested that Wooddale Avenue be restriped to one lane in each direction. He stated that Mn/DOT reviewed the potential restriping and did not have a problem with it.

Councilmember Sanger asked if this would provide enough stacking room for cars when light rail or freight rail is blocking the intersection.

Mr. Brink replied in the affirmative and added that this will need to be re-evaluated once the light rail stations are designed.

It was the consensus of the City Council to pursue restriping of Wooddale Avenue to a two-lane roadway. It was also the consensus of the City Council that construction of trail chicanes not be pursued.

Mr. Brink stated that the only recommended change for the Beltline trail crossing is the construction of a trail chicane. He advised that the use of a speed hump to give the trail more visibility would be difficult at this location and that option was discouraged.

Councilmember Sanger indicated that at one time there was money available for a trail grade separated crossing in this area and asked if this was still a viable option.

Ms. Amy Gurski, Three Rivers Park District, appeared before the City Council and stated that the money for Beltline was returned because of the pending light rail project and she could not speculate on the likelihood of a grade separated crossing. She added that Three Rivers Park District hopes at some point to have a grade separated crossing at both Wooddale and Beltline, which would be tied into the light rail project.

Councilmember Ross stated she did not want to make major changes to the trail crossings or invest a lot of money in these projects at this time and to wait and see what happens with light rail and freight rail. She added she felt the inconsistencies in the trail crossings needs to be addressed before spending significant money.

Ms. Amy Gurski advised that Three Rivers Park District formed a coalition of member cities, Mn/DOT, the Department of Natural Resources, bicycle advocacy groups, and public safety officials to put together a professional document that contains a best practices guide for trail crossings with the goal of achieving consistency throughout the area.

Councilmember Mavity stated there have been a lot of close calls at this intersection and was not comfortable with waiting until light rail is completed. She felt the City needs to take action to change this now, including striping, raising the crosswalk so it acts as a speed bump and visual guide, and/or HAWK signaling.

Councilmember Ross agreed that these are appropriate changes, but reiterated she did not want to spend significant money on this until the implications of the light rail project are determined.

Councilmember Sanger urged the City to look at existing trail crossings in neighboring communities and use that as the City's guideline. She stated that the City needs a communication plan to educate drivers that they are required to yield to trail users in the crosswalk.

#### **4. Project Update – Highway 100 Reconstruction Project**

Mr. Rardin presented the staff report and discussed the preferred layout of the proposed Highway 100 project, Concept C. As he described city requested enhancements to Concept C, it was noted that Mn/DOT did not agree with the two-way frontage road or the 31<sup>st</sup> Street connection that Council previously asked for. He then reviewed the new layout proposed by Mn/DOT, stating that the proposal contains changes which address city concerns expressed earlier this year. He stated that Mn/DOT listened to our concerns, performed a value engineering study, conducted a road safety audit, performed preliminary modeling and an operational analysis and then made changes to Concept C. He then introduced April Crockett, Mn/DOT West Area Engineer.

Mayor Jacobs expressed concern about the significant amount of traffic created by people getting off the highway to go on Minnetonka Boulevard.

Mr. Rardin stated there will be five lanes on the west side of Highway 100 between Minnetonka Boulevard and Highway 7, with three through lanes, one auxiliary lane, and an entrance/exit merge lane which creates more room than currently exists. He indicated there will be four lanes on the east side of Highway 100 from Highway 7 to West 26th Street, three through lanes and one auxiliary lane.

Councilmember Sanger asked if there is sufficient room to install a berm or noise wall in the green space remaining on the west side of Highway 100.

Ms. Crockett advised that a noise wall will fit in this area and added that the Federal noise wall policy states that affected property owners will vote on whether to install a noise wall. She noted that if the residents vote down the noise wall, Mn/DOT would be able to berm this area from the edge of Mn/DOT's auxiliary lane to its right-of-way.

Mayor Jacobs asked if Mn/DOT will need to take the houses on Toledo.

John Griffith, Mn/DOT West Area Manager, replied that the concept as presented this evening will not require Mn/DOT to take the houses on Toledo Avenue north of Minnetonka Blvd. He added that until the process gets through the municipal consent phase, Mn/DOT cannot officially state it does not need to take these homes.

A resident appeared before the City Council and requested further information regarding the pedestrian bridge across Highway 100 north of 27<sup>th</sup> and maintaining safe access.

Mr. Rardin replied that nothing will change with the bridge.

Councilmember Mavity stated Council previously talked about the importance of having north-south connections in the City. She indicated that when the light rail stations are built, the only connection getting from Highway 7 north is Ottawa, which is insufficient and the idea of a frontage road that provided an additional north-south access between Minnetonka Boulevard and Highway 7 has some value.

Mr. Rardin explained that City staff is currently discussing north-south connections in this area, and the issue will come back to Council for further discussion as it relates to light rail station area planning. He added that the City is not losing this opportunity as it relates to the overall Highway 100 project.

Councilmember Mavity urged the City to remain mindful of what happens with the exit ramps on Highway 100 as it relates to traffic at Nordic Ware.

Mr. Rardin agreed that the proposed layout still needs detailed analysis by both the City and the County.

Mr. Rardin reviewed next steps and stated that Mn/DOT will be working on drainage analysis and final layout. He stated that Mn/DOT will also be talking with Hennepin County regarding the Minnetonka Boulevard interchange and will be preparing final details to start the municipal consent process in April or May.

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Councilmember Sanger requested detailed information from Mn/DOT regarding the process of voting on noise barriers or berms.

It was the consensus of the City Council to support the new layout presented by Mn/DOT and proposed next steps.

**5. Communications/Meeting Check-In (Verbal)**

Mr. Harmening requested guidance from Council regarding the proposed property tax levy of 4.7% in preparation for final adoption by Council on December 19<sup>th</sup>.

Councilmember Sanger requested further information regarding staff's rationale for changing the property tax levy increase to 4.7%.

Mr. Harmening explained that a 4.7% property tax levy increase represents a decrease of approximately \$30,000-\$40,000. He stated that these funds were previously targeted for the employee benefits fund and staff recommends that a portion of any year-end excess revenues be put into the employee benefits fund.

It was the consensus of the City Council to direct staff to proceed with a 4.7% property tax levy increase for the 2012 budget.

The meeting adjourned at 9:32 p.m.

Written Reports provided and documented for recording purposes only:

- 6. Project Update – Hwy 7/Louisiana Avenue Interchange Project**
- 7. Recreational Fire Permits**
- 8. Community Recreation Facility Task Force**
- 9. Fire Stations Project Update**

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Nancy Stroth, City Clerk

Jeff Jacobs, Mayor

**UNOFFICIAL MINUTES**  
**SPECIAL CITY COUNCIL MEETING**  
**ST. LOUIS PARK, MINNESOTA**  
**DECEMBER 19, 2011**

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**1. Call to Order**

Mayor Jacobs called the meeting to order at 6:30 p.m.

Councilmembers present: Mayor Jeff Jacobs, Phil Finkelstein, Anne Mavity, Julia Ross, Susan Sanger, Sue Santa.

Councilmember absent: Paul Omodt

Staff present: City Manager (Mr. Harmening), City Attorney (Mr. Scott), Director of Community Development (Mr. Locke), and Planning/Zoning Supervisor (Ms. McMonigal).

**1a. Roll Call**

**2. Closed Executive Session**

The City Council met in closed executive session with the City Attorney to discuss pending litigation relating to the City's appeal of Mn/DOT's negative declaration regarding the need for an Environmental Impact Statement for the MN&S Freight Rail Relocation Project.

**3. Adjournment**

The meeting adjourned at 7:03 p.m.

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Nancy Stroth, City Clerk

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Jeff Jacobs, Mayor



UNOFFICIAL MINUTES  
CITY COUNCIL MEETING  
ST. LOUIS PARK, MINNESOTA  
DECEMBER 19, 2011

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**1. Call to Order**

Mayor Jacobs called the meeting to order at 7:40 p.m.

Councilmembers present: Mayor Jeff Jacobs, Phil Finkelstein, Anne Mavity, Julia Ross, Susan Sanger and Sue Santa.

Councilmembers absent: Paul Omodt.

Staff present: City Manager (Mr. Harmening), City Attorney (Mr. Scott), Deputy City Manager/Human Resources Director (Ms. Deno), Controller (Mr. Swanson), Finance Supervisor (Mr. Heintz), Senior Planner (Mr. Walther), Planning/Zoning Supervisor (Ms. McMonigal), Planner (Mr. Fulton), and Recording Secretary (Ms. Hughes).

**1a. Pledge of Allegiance**

**1b. Roll Call**

**2. Presentations - None**

**3. Approval of Minutes**

**3a. City Council Meeting Minutes of November 21, 2011**

The minutes were approved as presented.

**3b. Study Session Meeting Minutes of November 28, 2011**

Councilmember Sanger requested that the eighth line of the fourth paragraph on page 2 be revised to state “subsidizing the project by providing more TIF money than necessary.” She indicated she would not vote for that kind...”

Councilmember Santa requested that the second paragraph on page 6 be revised to state “Councilmember Santa advised that she may not be able to attend the session on Friday evening and definitely would not be on time.”

The minutes were approved as amended.

**3c. City Council Meeting Minutes of December 5, 2011**

Councilmember Sanger requested that the eighth line of the sixth full paragraph on page 7 be revised to state “already making reasonable use of the land and there is no entitlement to make a more intense use by...”

The minutes were approved as amended.

**3d. Closed Executive Session Meeting Minutes of December 12, 2011**

The minutes were approved as presented.

**4. Approval of Agenda and Items on Consent Calendar**

NOTE: The Consent Calendar lists those items of business which are considered to be routine and/or which need no discussion. Consent items are acted upon by one motion. If discussion is desired by either a Councilmember or a member of the audience, that item may be moved to an appropriate section of the regular agenda for discussion.

- 4a.** Adopt Second Reading of **Ordinance No. 2407-11** amendment to Chapter 8 of the City Code clarifying the administrative appeal process for rental housing licensing.
- 4b.** Adopt **Resolution No. 11-135** authorizing fund equity transfers, operating transfers, and fund closings.
- 4c.** Adopt **Resolution No. 11-136** authorizing “10 Minute Parking” restrictions on the 6000 block of 37th Street West.
- 4d.** Adopt **Resolution No. 11-137** authorizing the special assessment for the repair of the sewer service line at 2530 Lynn Avenue South, St. Louis Park, MN, P.I.D. 31-029-24-13-0072.
- 4e.** Adopt **Resolution No. 11-138** authorizing the special assessment for the repair of the sewer service line at 4069 Vernon Avenue South, St. Louis Park, MN, P.I.D. 07-028-24-23-0114.
- 4f.** Adopt **Resolution No. 11-139** authorizing the special assessment for the repair of the water service line at 2904 Virginia Avenue South, St. Louis Park, MN - P.I.D. 07-117-21-44-0070.
- 4g.** Adopt **Resolution No. 11-140** accepting work and authorizing final payment in the amount of \$24,693 for the Soil Removal and Disposal as part of the MSC Renovation Project 2008-1900.
- 4h.** Reappoint Commissioners as city representatives to various Boards and Commissions with terms expiring 12/31/2014.
- 4i.** Approve for filing Vendor Claims.

*It was moved by Councilmember Mavity, seconded by Councilmember Santa, to approve the Agenda and items listed on the Consent Calendar; and to waive reading of all resolutions and ordinances.*

*The motion passed 6-0 (Councilmember Omodt absent).*

**5. Boards and Commissions - None**

**6. Public Hearings**

**6a. Ellipse on Excelsior – Public Hearing and First Reading of Ordinance Vacating a Landscaping Easement (Case No. 11-33-VAC)**

Mr. Walther presented the staff report and explained that Bader Development has requested the vacation of an 8’ x 54’ landscaping easement at 3924 Excelsior Boulevard,

the former American Inn site. He stated the EDA now owns the property and does not need the easement based on the proposed redevelopment of the site and anticipated removal of the raised planter.

Mayor Jacobs opened the public hearing. No speakers were present. Mayor Jacobs closed the public hearing.

*It was moved by Councilmember Mavity, seconded by Councilmember Sanger, to adopt First Reading of an Ordinance Vacating Landscaping Easement and to set second reading for January 17, 2012 .*

*The motion passed 6-0 (Councilmember Omodt absent).*

**7. Requests, Petitions, and Communications from the Public – None**

**8. Resolutions, Ordinances, Motions and Discussion Items**

**8a. Ellipse II on Excelsior (e2) Preliminary Plat, Preliminary PUD and Variances. Resolution Nos. 11-141, 11-142, and 11-143**

Mr. Walther presented the staff report and explained the proposed Ellipse II on Excelsior (“e2”) project includes a five-story, 58-unit apartment building with structured underground and at grade parking. He noted that the e2 project will include shared driveway access with the existing Ellipse on Excelsior development. He presented several artist renderings of the project and stated the e2 architecture is similar to the existing Ellipse on Excelsior. He advised that the site is currently vacant and is leased as a parking lot to Ellipse on Excelsior for overflow or valet parking use by the restaurant. He presented the preliminary plat and subdivision variance, explaining that the e2 site is currently unplatted property and proposes to transfer an 11’ strip of land from the Ellipse on Excelsior to e2. He discussed the existing easements and noted the preliminary plat adds a 5’ drainage and utility easement on the north and west sides. He advised that the developer is requesting a 6’ variance to handle the proposed staircases in the apartment building and the City granted a similar variance for the Ellipse on Excelsior development. He presented the proposed site plan and discussed the layout of the first floor which includes a loading zone parking area, a nine stall surface parking lot mainly for guest parking, and a driveway into the underground parking ramp. He explained that the project includes 22 covered parking stalls to serve the Ellipse on Excelsior valet parking that will be eliminated when the site is developed. He reviewed the proposed landscape plan which has been revised to include the addition of five Black Hills Spruce trees to screen headlights as they enter and exit the site. He advised that the application meets the City’s zoning requirements as well as the PUD criteria. He stated that the front and side yard setback requirements have been met and the applicant is requesting a 5.5’ rear yard variance and a 6’ side yard variance. He presented the shadow study summary indicating the project meets the City’s shadow requirements. He stated that 74 parking stalls are provided in the underground ramp, including 16 tandem stalls and nine compact stalls. He added the applicant has provided a total of 105 parking stalls on the site which meets and exceeds the City’s requirements. He noted that one of the conditions in the Preliminary PUD provides that the 22 commercial parking spaces shall be protected by an irrevocable covenant. He then introduced Mr. Robb Bader (Bader Development), Mr.

Scott Froemming (Walker Parking Consultants), and Mr. Dean Dovolis (DJR Architecture, Inc.)

Mr. Dean Dovolis appeared before the City Council and advised that they also incorporated five additional Black Hills spruce trees to the Ellipse on Excelsior landscaping as requested by the neighbors.

Councilmember Mavity stated she was appreciative of the developer's efforts in working with the neighborhood and indicated the landscaping plan provides 45 of the 58 trees required and provides 226 of the 559 shrubs required. She asked if there was a gap in meeting the City's requirements. She also requested further information regarding the landscape screening being provided along Excelsior Boulevard.

Mr. Walther explained the landscaping plan is short on the tree and shrub count, however, the City's landscaping ordinance provides alternative landscaping measures, and the developer has included a rooftop patio and patio space on the first level.

Mr. Dean Dovolis explained that screening the headlights coming into the development was a critical issue and they have beefed up the entire area to prevent headlight spillage into the neighborhood.

Councilmember Mavity expressed concern about availability of parking and making sure that parking does not spill into the neighborhood.

Mr. Robb Bader appeared before the City Council and stated they found that the 17 parking spaces currently reserved for the restaurant were not being fully utilized and they have taken the Partners in Pediatrics parking off the lot and put them in the 17 spaces down below. He noted those spaces can be used for guest parking in the evening.

Councilmember Sanger stated that parking is a sensitive issue and felt there should not be a charge to use valet parking so that people are encouraged to park on the Ellipse site and not in the neighborhood. She suggested that a condition be added to require that valet parking be provided free of charge.

Mr. Bader indicated that the restaurant controls the valet parking and if it is mandated that the restaurant cannot charge for valet parking, he did not know whether they would use valet parking.

Mayor Jacobs felt this issue was a private market decision between the restaurant and its patrons and goes beyond the land use and PUD planning decisions of Council.

Councilmember Ross agreed and felt the City could encourage the restaurant not to charge for valet parking, but it was not up to Council to make that determination.

Councilmember Mavity stated and Councilmember Santa agreed that Council has tools available to prevent parking from spilling into the neighborhood.

Councilmember Sanger requested further information regarding the criteria for meeting the City's landscaping requirements and stated that the patio and rooftop area also count

toward meeting the City's DORA requirements. She asked if it was appropriate to double count these amenities.

Mr. Walther replied that these amenities count towards meeting both the City's DORA requirements and landscaping requirements under the ordinance.

*It was moved by Councilmember Mavity, seconded by Councilmember Finkelstein, to adopt **Resolution No. 11-141** Approving a Preliminary Plat of Ellipse II on Excelsior with Variance for a Drainage and Utility Easement.*

*The motion passed 6-0 (Councilmember Omodt absent).*

*It was moved by Councilmember Mavity, seconded by Councilmember Finkelstein, to adopt **Resolution No. 11-142** Granting Rear Yard and Side Yard Variances at 3924 Excelsior Boulevard – Ellipse II on Excelsior (E2).*

*The motion passed 6-0 (Councilmember Omodt absent).*

*It was moved by Councilmember Mavity, seconded by Councilmember Finkelstein, to adopt **Resolution No. 11-143** Approving a Preliminary Planned Unit Development (PUD) at 3924 Excelsior Boulevard – Ellipse II on Excelsior (“e2”).*

*The motion passed 6-0 (Councilmember Omodt absent).*

**8b. Second Reading - Minikahda Mobile Service Station Rezoning Ordinance No. 2408-11**

Mr. Fulton presented the staff report and explained that Council previously approved a Conditional Use Permit (CUP) to allow a car wash to accompany the motor vehicle service station and an accompanying variance. He introduced Mr. Alberto Bertomeu, owner of the property.

Mr. Alberto Bertomeu appeared before the City Council and expressed his thanks to the City Council for allowing the car wash. He stated that two things in the CUP concern him but he wants to move forward with the building. He indicated he has gotten overwhelming support from the neighbors and is confident that the City will be pleased with his plans for the site. He stated if the two issues in the CUP become a concern to him, he will come and talk to the City Council. He added that he does not take this lightly, the City has made a very big commitment to him, and the City has always treated him well.

*It was moved by Councilmember Santa, seconded by Councilmember Ross, to adopt Second Reading of **Ordinance No. 2408-11** Amending the St. Louis Park Ordinance Code Changing Boundaries of Zoning Districts (3901 and 3921 Excelsior Boulevard).*

Councilmember Sanger indicated she continued to oppose the rezoning and stated that one requirement for granting a variance is that the request has to be for something applicable to the land itself and not something that is due to actions on the part of the property owner. She indicated the only reason the applicant is asking for a variance is

because he has taken action to upgrade the zoning and build something not permitted under the current zoning. She explained that from her perspective, the variance needs to fail because the applicant is already making reasonable use of the property and can continue this reasonable use and the applicant wants a more intense land use and zoning that has led to his request for a variance; for all these reasons, she did not believe the City has grounds for approving the variance request.

Councilmember Mavity stated that she would support the rezoning at this time, even though she shares some of the same concerns about the variance. She indicated that she appreciated the applicant's efforts to improve the property as well as staff's efforts to clarify future use of the site.

*The motion passed 5-1 (Councilmember Sanger opposed; Councilmember Omodt absent).*

### **8c. First Reading of Zoning Ordinance Amendment for Variances**

Ms. McMonigal presented the staff report and explained that the proposed amendment to the Zoning Ordinance is consistent with the recently revised statutes, keeps many provisions in the existing Code, and uses the recommended language from the League of Minnesota Cities. She indicated the amended language modifies the definition of variances consistent with the League's language and specifies that a land use variance is not permitted. She reviewed the five conditions for evaluating variance requests and stated that the Ordinance retains the evaluation criteria currently used by the City.

Councilmember Sanger requested clarification regarding Section 36-33(d)(c)(1) which states that a property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance. She felt this section was not worded clearly and interpreted this section to mean that a property owner proposes to use the property for a different land use than what is covered in the ordinance. She asked that the wording in this section be clarified prior to second reading.

Ms. McMonigal advised that this language is contained in State law and stated that the beginning of the Ordinance is specific about land uses not otherwise permitted. She agreed to review this language further.

Mr. Scott reiterated that this language is from the statute and stated the City's Ordinance contains language that prohibits land use variances. He indicated that this language may be added to this section.

*It was moved by Councilmember Mavity, seconded by Councilmember Finkelstein, to adopt First Reading of Ordinance Amending the St. Louis Park Ordinance Code Relating to Zoning by Amending Sections 36-4 Definitions and 36-33(d) Variances and to set Second Reading for January 3, 2012.*

*The motion passed 6-0 (Councilmember Omodt absent).*

**8d. Adoption of 2012 Budgets, 2012 Final City and HRA Property Tax Levies, 2012-2016 Capital Improvement Plan and 2012 Utility Rates  
Resolution Nos. 11-144, 11-145, 11-146, 11-147**

Mr. Swanson presented the staff report and proposed 2012 budget and 2012 final City and HRA Property Tax Levies. He advised that the City Council adopted a preliminary levy of \$23,830,726, an increase of approximately 5% from the 2011 levy. He stated that a 4.7% levy increase is now recommended, or \$23,762,751. He explained that the General Fund and Park and Recreation 2012 budgets increased 1.03% over 2011. He stated that the 2012 HRA levy is used by the City for redevelopment areas and the City is able to use these proceeds to fund improvement projects such as Highway 7/Louisiana Avenue. He noted that past practice has been to authorize the maximum levy based on the taxable market value in the City and for 2012, the recommended HRA levy is \$983,574, which is 4.41% less than the 2011 HRA levy. He discussed the 2012-2016 Capital Improvement Plan (CIP) and stated that overall, the CIP shows \$156 million in planned investments over the next five years of which the City has direct control over approximately \$47-\$51 million with the remaining resources coming from non-City funding sources. He noted that even though Council is asked to adopt the 2012-2016 CIP, this approval only covers the 2012 budget cycle and anything over \$100,000 is brought to Council for approval. He presented the proposed 2012 utility rates which include adjustments to achieve long term sustainability of the funds. He explained that the cumulative impact on a typical property owner is approximately \$35 per year or \$2.95 per month. He added that a typical residential property in a \$220,000 median price property will see the City's property tax increase approximately \$44 per year or \$3.74 per month, which breaks down to \$35 per year for utilities and \$9.45 per year for the City's share of property taxes.

Mayor Jacobs expressed the City Council's thanks to staff for their hard work on the budget.

*It was moved by Councilmember Sanger, seconded by Councilmember Santa, to adopt **Resolution No. 11-144** Adopting the 2012 Budgets and Authorizing the 2012 Final Property Tax Levy.*

Councilmember Mavity stated that Council has spent many hours on the budget and property tax levy and the public puts its trust in Council to be good stewards of their tax dollars. She added that this Council has done a great job in providing parks, clean water, good roads, responsive services, and responsive public safety to its citizens and she felt that residents receive good value for what they pay.

*The motion passed 6-0 (Councilmember Omodt absent).*

*It was moved by Councilmember Sanger, seconded by Councilmember Santa, to adopt **Resolution No. 11-145** Approving the 2011 Final HRA Levy Collectible in 2012.*

*The motion passed 6-0 (Councilmember Omodt absent).*

*It was moved by Councilmember Sanger, seconded by Councilmember Santa, to adopt **Resolution No. 11-146** Adopting the 2012-2016 Capital Improvement Program.*

*The motion passed 6-0 (Councilmember Omodt absent).*

*It was moved by Councilmember Sanger, seconded by Councilmember Santa, to adopt Resolution No. 11-147 Setting Utility Rates.*

*The motion passed 6-0 (Councilmember Omodt absent).*

**8e. 2012 Employee Compensation  
Resolution No. 11-148**

Ms. Deno presented the staff report and explained that 2012 non-union employee compensation will increase 2% effective January 1, 2012. She stated the compensation plan adopted by the City Council in 1997 allows the City Manager to approve standard adjustments for compensation based on CPI and the general financial condition of the City and a review of comparable sized cities confirmed a 2% increase. She advised that the City Manager's 2012 pay range is recommended to be set at \$148,750-\$175,000 based on regional market data and 2012 annual compensation is recommended to be set at \$157,181, not including car allowance and in accordance with the salary cap. She noted that the average pay range for city managers is set at the average of the market and the maximum compensation should be \$202,000; however, the City's consultant recommended moving to the average at this time. She indicated this is something Council may wish to discuss in the future. She stated that the City Manager would also receive 31.73 hours of PTO in 2012. She stated that the City's Paid-on-Call Firefighters receive a life insurance benefit and it is recommended that the City continue to participate in this program. She advised that Paid-on-Call Firefighters participate in a Performance Program instead of a separate pension and a 2% increase in this program is recommended.

Councilmember Santa stated that during these tough economic times, people have not received salary increases and it is important to note that for the last several years, City staff did not receive a raise.

Ms. Deno stated there were some furloughs in the last couple of years and employees received no increases in their benefit dollar contributions. She added that the City recently renegotiated its benefit contracts which helped to hold costs flat.

*It was moved by Councilmember Sanger, seconded by Councilmember Mavity, to adopt Resolution No. 11-148 Confirming Compensation for Non-Union Employees; Setting the City Manager's Salary; Continuing Participation in the Volunteer Firefighter Benefit Program; and Continuing Performance Program Pay for Paid-on-Call Firefighters.*

*The motion passed 6-0 (Councilmember Omodt absent).*

**8f. Summary and Acceptance of City Manager Evaluation  
Resolution No. 11-149**

Mayor Jacobs advised that Council met in closed executive session to conduct the annual City Manager evaluation. He stated that J. Forrest, consultant, reviewed the results of the

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performance evaluation and on every item reviewed, the City Manager met or exceeded expectations. He complimented Mr. Harmening and thanked him for his years of service.

Councilmember Ross expressed her personal thanks to Mr. Harmening and stated the City is very fortunate to have a great staff without a lot of turnover.

*It was moved by Councilmember Mavity, seconded by Councilmember Sanger, to adopt **Resolution No. 11-149** Accepting the Annual City Manager Evaluation.*

*The motion passed 6-0 (Councilmember Omodt absent).*

## **9. Communications**

Councilmember Finkelstein expressed his thanks to the City, Mayor Jacobs, and the City Council for allowing him to serve for the past eight years. He also expressed thanks to Councilmember Paul Omodt who served the City for ten years. He thanked the citizens of St. Louis Park who have been thoughtful and considerate as the City plans for the present and the future. He thanked his family and stated that being able to serve the City has been one of the proudest moments of his life.

Mayor Jacobs presented a plaque for outgoing Councilmembers Finkelstein and Omodt and thanked them for their years of service.

Mayor Jacobs extended safe holiday wishes to everyone.

## **10. Adjournment**

The meeting adjourned at 8:53 p.m.

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Nancy Stroth, City Clerk

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Jeff Jacobs, Mayor

**Regular Meeting**    Public Hearing    Action Item    Consent Item    Resolution    Ordinance  
                           Presentation    Other:

**EDA Meeting**    Action Item    Resolution    Other:

**Study Session**    Discussion Item    Written Report    Other:

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**TITLE:**

Declaring 2012 City Council Meeting Dates.

**RECOMMENDED ACTION:**

Motion to Adopt Resolution Declaring 2012 City Council Meeting Dates.

**POLICY CONSIDERATION:**

The St. Louis Park City Council Rules and Procedures require Council to set and approve meeting dates each year.

**BACKGROUND:**

The City Council's policy is not to meet on New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Christmas Day, Rosh Hashanah, Yom Kippur, and Passover. For New Year's Day, Christmas Day, and Yom Kippur, this includes the evening before the holiday. For Rosh Hashanah and Passover, this includes the evening before the holiday and the first and second evenings of the holiday.

Regular meetings will be held on the first and third Mondays of each month at 7:30 p.m. A schedule of all regular meetings and recognized holidays will be kept on file at City Hall. Regular meetings can be cancelled or rescheduled at any time, provided Council meets at least once per month. Study Sessions are held the second and fourth Monday of each month generally starting at 6:30 p.m.

Current policy states that when the meeting date falls on a holiday, the meeting will be scheduled on the next succeeding day that is not a holiday, unless another day has been designated in advance. If the Tuesday is also a holiday, the meeting is moved to the same hour on the next succeeding Monday that is not a holiday. Council also has the discretion to move the meeting to the Wednesday following the first two evenings of each holiday observance if deemed necessary.

**FINANCIAL OR BUDGET CONSIDERATION:**

Not Applicable.

**VISION CONSIDERATION:**

Not Applicable.

**Attachments:**           Resolution

**Prepared by:**           Nancy Stroth, City Clerk

**Approved by:**          Tom Harmening, City Manager

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**RESOLUTION NO. 12-\_\_**

**RESOLUTION DECLARING  
2012 CITY COUNCIL MEETING DATES**

**WHEREAS**, the City Council Rules and Procedures require Council to annually declare its public meetings for the year, and

**WHEREAS**, the City Council takes holidays into consideration when declaring public meetings and has chosen to not meet on New Year's Day, Martin Luther King Day, President's Day, Memorial Day, Independence Day, Labor Day, Veteran's Day, Christmas Day, Rosh Hashanah, Yom Kippur, and Passover of each year. For New Year's Day, Christmas Day and Yom Kippur, this includes the evening before the holiday. For Rosh Hashanah and Passover, this includes the evening before the holiday and the first and second evenings of the holiday, and

**WHEREAS**, regular meetings will be held on the first and third Mondays of each month at 7:30 p.m. If the meeting date falls on a holiday, the meeting will be scheduled on the next succeeding day that is not a holiday, unless another day has been designated in advance. Regular meetings can be cancelled or rescheduled at any time, provided Council meets at least once per month, and

**WHEREAS**, the City Council recognizes that not all religious holidays are included in this resolution and the Council makes it known that reasonable accommodation will be made for religious reasons when notified by an applicant or a member of the public,

**NOW, THEREFORE BE IT RESOLVED** that the City Council of St. Louis Park has reviewed **Exhibit A** and declares those dates to be the public meeting dates of the City Council.

Reviewed for Administration:

Adopted by the City Council January 3, 2012

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City Manager

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Mayor

Attest:

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City Clerk

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**Resolution No. 12-\_\_                      2012 City Council Meeting Dates                      Exhibit A**

<b>Jan. 3</b> Regular Meeting - <b>Tuesday</b> ( <i>Monday – Observe New Year’s Day</i> )	<b>July 2</b> Regular Meeting
<b>Jan. 9</b> Study Session	<b>July 9</b> Study Session
<b>Jan. 17</b> Regular Meeting - <b>Tuesday</b> ( <i>Monday - Martin Luther King Jr. Day</i> )	<b>July 16</b> Regular Meeting
<b>Jan. 23</b> Study Session	<b>July 23</b> Study Session
<b>Feb. 6</b> Regular Meeting	<b>Aug. 6</b> Regular Meeting
<b>Feb. 13</b> Study Session	<b>Aug. 13</b> Study Session
<b>Feb. 21</b> Regular Meeting - <b>Tuesday</b> ( <i>Monday - President’s Day</i> )	<b>Aug. 20</b> Regular Meeting
<b>Feb. 27</b> Study Session	<b>Aug. 27</b> Study Session
<b>Mar. 5</b> Regular Meeting	<b>Sept. 4</b> Regular Meeting - <b>Tuesday</b> ( <i>Monday-Labor Day</i> )
<b>Mar. 12</b> Study Session	<b>Sept. 10</b> Study Session
<b>Mar. 19</b> Regular Meeting	<b>Sept. 17</b> No Meeting - Rosh Hashanah
<b>Mar. 26</b> Study Session	<b>Sept. 24</b> Study Session and Regular Meeting
<b>April 2</b> Regular Meeting	<b>Oct. 1</b> Regular Meeting
<b>April 9</b> Study Session	<b>Oct. 8</b> Study Session
<b>April 16</b> Regular Meeting	<b>Oct. 15</b> Regular Meeting
<b>April 23</b> Study Session	<b>Oct. 22</b> Study Session
<b>May 7</b> Regular Meeting	<b>Nov. 5</b> Regular Meeting
<b>May 14</b> Study Session	<b>Nov. 13</b> Study Session - <b>Tuesday</b> ( <i>Monday-Veteran’s Day</i> )
<b>May 21</b> Regular Meeting	<b>Nov. 19</b> Regular Meeting
<b>May 29</b> Study Session - <b>Tuesday</b> ( <i>Monday – Memorial Day</i> )	<b>Nov. 26</b> Study Session
<b>June 4</b> Regular Meeting	<b>Dec. 3</b> Regular Meeting
<b>June 11</b> Study Session	<b>Dec. 10</b> Study Session
<b>June 18</b> Regular Meeting	<b>Dec. 17</b> Regular Meeting
<b>June 25</b> Study Session	

**Regular Meeting**    Public Hearing    Action Item    Consent Item    Resolution    Ordinance

Presentation    Other:

**EDA Meeting**    Action Item    Resolution    Other:

**Study Session**    Discussion Item    Written Report    Other:

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**TITLE:**

Designating 2012 Official Newspaper.

**RECOMMENDED ACTION:**

Motion to Approve Resolution designating the *St. Louis Park Sun Sailor* as the City's Official Newspaper for year 2012.

**POLICY CONSIDERATION:**

Minnesota Statute 331A.02 and Charter Section 3.07 require that a legal newspaper of general circulation be designated for publication of the City's official proceedings and notices and such other matters and measures as are required by law and City Charter. Does Council wish to continue designation of the *St. Louis Park Sun Sailor* as the City's Official Newspaper for Calendar Year 2012?

**BACKGROUND:**

Sun Newspapers has become the primary source of community news in the suburbs and has provided additional newspaper copies at City Hall, Rec Center and library; provided information on how to subscribe and access via the web; and has provided a discount to the City for advertisements.

**BASIS OF RECOMMENDATION:**

1. The paper is delivered to most of the residences in the City and easily accessible via the Internet, thereby providing city-wide coverage of legal notices and other city government issues to residents.
2. The paper has served well as the official newspaper for many years.
3. The paper has expressed a desire to continue to provide this service.
4. New residents receive information regarding distribution of the Sun-Sailor Newspaper in their new resident packet.
5. All legal notices are posted on Sun Sailor's website at no additional charge.
6. Two notarized affidavits on each publication are provided at no additional charge.

**FINANCIAL OR BUDGET CONSIDERATION:**

The cost for legal publications through the *St. Louis Park Sun-Sailor* is reasonable with only a slight increase in rates for the coming year.

**VISION CONSIDERATION:**

Not Applicable.

**Attachments:**            Resolution  
                                 Letter from Sun Newspapers

**Prepared by:**            Debbie Fischer, Office Assistant

**Reviewed by:**          Nancy Stroth, City Clerk

**Approved by:**          Tom Harmening, City Manager

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**RESOLUTION NO. 12 - \_\_\_\_**

**RESOLUTION DESIGNATING THE ST. LOUIS PARK  
SUN SAILOR AS THE OFFICIAL NEWSPAPER  
FOR CALENDAR YEAR 2012**

**WHEREAS**, Minnesota Statute 331A.02 and Charter Section 3.07 require that a legal newspaper of general circulation be designated for publication of the City's official proceedings and notices and such other matters and measures as are required by law and City Charter; and

**WHEREAS**, the St. Louis Park Sun Sailor is a duly qualified medium of legal publication;

**NOW THEREFORE BE IT RESOLVED** that the St. Louis Park City Council hereby designates the St. Louis Park Sun Sailor as the City's Official Newspaper for Calendar Year 2012.

Reviewed for Administration:

Adopted by the City Council January 3, 2012

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City Manager

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Mayor

Attest:

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City Clerk



December 2011

City of St. Louis Park  
City Council  
5005 Minnetonka Boulevard  
St. Louis Park, MN 55416

Dear City Council Members:

The *St. Louis Park Sun-Sailor* would like to be considered for designation as the legal newspaper for the City of Saint Louis Park for the upcoming year.

All published legal notices are posted on our website ([www.minnlocal.com](http://www.minnlocal.com)) at no additional charge. This is an enhancement to the local news coverage already available on the Internet and will broaden the readership of your legal notices.

One of the main benefits of publishing your legal notices with the *Sun-Sailor* is our home delivery. Sun Newspapers has become the primary source of community news in the suburbs. Your notices in our paper have the best chance of being seen and read.

The rate structure for legals effective the first of the year will be:

1 column width:	\$11.99 per inch for first insertion
	\$5.99 per inch for subsequent insertions
	There are 11 lines per inch

Two notarized affidavits on each of your publications will be provided with no additional charge. The *Sun-Sailor* is published every Thursday. The deadline for regular length notices is 2:00 p.m. the Thursday prior to publication. E-mailing the legal notices is an efficient and accurate way of getting the notices to us. The e-mail address for the legals department is [sunlegals@acnpapers.com](mailto:sunlegals@acnpapers.com). If you require more information to make your decision, please contact me or Lisa Smith, our Legals Representative, at 952-392-6829.

Thank you for considering the *Sun-Sailor* as the official newspaper for the City of St. Louis Park for the upcoming year. We appreciate the opportunity to serve the needs of your community.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Coolman", with a long horizontal line extending to the right.

Jeff Coolman  
Vice President and Group Publisher

**Regular Meeting**    Public Hearing    Action Item    Consent Item    Resolution    Ordinance  
                           Presentation    Other:  
**EDA Meeting**    Action Item    Resolution    Other:  
**Study Session**    Discussion Item    Written Report    Other:

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**TITLE:**

Bid Tabulation: Water Project – Water Treatment Plant No. 6 Rehabilitation – Project No. 2010-1300.

**RECOMMENDED ACTION:**

Motion to designate Magney Construction, Inc. the lowest responsible bidder and authorize execution of a contract with the firm in the amount of \$708,000.00 for Water Project – Water Treatment Plant No. 6 – Project No. 2010-1300.

**POLICY CONSIDERATION:**

Does the City Council desire staff to undertake this planned improvement?

**BACKGROUND:****Project Information:**

Water Treatment Plant No. 6 (WTP #6) is located at 4241 Zarthan Avenue in the Brookside Neighborhood. This project was developed in a similar manner as the rehabilitations completed at WTP's 1, 8, 10, and 16. This project will include the replacement of the sand filtration media inside the filters along with several improvements and upgrades to the water treatment plant, high service pump building, and Wellhouse 12.

The project generally consists of the following:

- Spot repair of filter vessel coatings for both the interior and exterior surfaces
- Replacement of sand filter media
- Replacement of motor control centers (pump controls)
- Installation of a variable frequency drive for the well pump
- Replacement of the HVAC system for the well house
- Building interior restoration including painting and floor resurfacing
- Chemical room storage upgrades
- Replacement of piping valves and installation of new flow meters
- Replacement of the air compressor in the water treatment plant
- Replacement of the electrical system in the chemical rooms and removal of electrical components no longer needed

**Bid Information:**

Bids were received on December 21, 2011 for this project. A total of four (4) bids were received for this project.

A summary of the bid results are as follows:

<b><u>CONTRACTOR</u></b>	<b><u>BID AMOUNT</u></b>
Magney Construction, Inc.	\$708,000.00
Municipal Builders, Inc.	\$756,312.00
Shank Constructors, Inc.	\$771,800.00
Steffl Drilling and Pump, Inc.	\$795,597.00
Engineer's Estimate	\$822,000.00

**Evaluation of Bids:**

Staff and our consultant, Short Elliot Hendrickson, Inc. (SEH), have reviewed all of the bids submitted and have tabulated the results. From the review, staff recommends Magney Construction, Inc. as the lowest responsible bidder (see attached SEH bid recommendation letter). Magney Construction is a reputable contractor that has worked on a previous water treatment plant project (WTP# 1) for St. Louis Park and successfully completed the work.

The bid proposals included an alternate bid item for a second brand of filter media. Two brands of filter media were bid to ensure competitive pricing of the filter media product. Review of the alternate bid item indicates an additional cost of \$17,164.00 to the base bid. Staff is not recommending that the alternate bid be awarded due to the additional cost associated with that alternate bid item.

**Minnesota Department of Health (MDH) Permit Requirements:**

As required by law the MDH has reviewed the plans and specifications for this project and by letter of December 19, 2011 has requested several changes to our plans. In subsequent conversations with MDH staff, it was determined some of their changes were not necessary. MDH approval of project plans has been received by including permanent sealing of the floor drains in the Chemical Storage rooms and installation of a spill/leak containment system for the fluoride storage tank. However, due to time limitations, this work was not included in the bid proposal. Instead, this additional work will be completed by the Utilities Operations staff as a part of the overall project. This extra work has been estimated to cost under a \$1,000.

**Construction Timeline:**

Construction is planned to begin January, 2012 and is expected to be completed by April, 2012.

**FINANCIAL OR BUDGET CONSIDERATION:**

This project was planned for and is included in the City's adopted Capital Improvement Program (C.I.P.). The Water Utility Fund will be utilized to pay for this work.

**VISION CONSIDERATION:**

Not applicable.

**Attachments:** SEH Bid Recommendation Letter – 12/22/11

**Prepared by:** Jim Olson, Engineering Project Manager

**Reviewed by:** Scott Anderson, Utilities Superintendent  
Mike, Rardin, Public Works Director

**Approved by:** Tom Harmening, City Manager



December 22, 2011

RE: City of Saint Louis Park, Minnesota  
 Water Treatment Plant No.6 Rehabilitation  
 City Project No. 2010-1300  
 SEH No. STLOU 118162

James D. Olson  
 Saint Louis Park Engineering Department  
 City of Saint Louis Park, Minnesota  
 5005 Minnetonka Boulevard - 3rd Floor  
 Saint Louis Park, MN 55416

Dear Mr. Olson:

At 2:00 pm on Wednesday December 21, 2011 four (4) bids were received for the above referenced project. The base bids ranged from a high of \$795,597.00 to a low of \$708,000.00.

	<b>Contractor</b>	<b>Base Bid</b>	<b>Alternate Bid (Add/Deduct)</b>	
1	Magney Construction Inc	\$ 708,000.00	\$ 17,164.00	Add
2	Municipal Builders Inc	\$ 756,312.00	\$ 20,000.00	Add
3	Shank Constructors Inc	\$ 771,800.00	\$ 20,000.00	Add
4	Steffl Drilling & Pump Inc	\$ 795,597.00	\$ 19,690.00	Add
	Engineer Estimate	\$ 822,000.00		

The low bid received was submitted by Magney Construction Inc of Chanhassen, Minnesota in the amount of \$708,000.00.

We have investigated the qualifications of Magney Construction Inc and find that 1) they have a sufficient understanding of the project and equipment to perform the construction for which it bid; and 2) according to their bonding agent they presently have the financial ability to complete the project bid. SEH makes no representation or warranty as to the actual financial viability of the Contractor or its ability to complete its work.

Accordingly, we recommend the project be awarded to Magney Construction Inc of Chanhassen in the amount of \$708,000.00. We do not recommend awarding the Alternate Bid in the amount of \$17,164.00.

Sincerely,

A handwritten signature in black ink, appearing to read "John Chlebeck".

John Chlebeck, PE  
 Project Engineer

S:\PT\S\Stlou\118162\5-final-dsgn\Bidding\WTP No.6 Rehab Rec Letter 122211.docx

**Regular Meeting**    Public Hearing    Action Item    Consent Item    Resolution    Ordinance  
                           Presentation    Other:  
**EDA Meeting**    Action Item    Resolution    Other:  
**Study Session**    Discussion Item    Written Report    Other:

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**TITLE:** Approve Mn/DOT Agency Agreement No. 99921.

**RECOMMENDED ACTION:**

Motion to Adopt Resolution authorizing execution of an Agency Agreement with the Minnesota Department of Transportation providing for the Commissioner of Transportation to act as the City's agent in accepting federal aid funds for transportation related projects.

**POLICY CONSIDERATION:**

Does the City Council wish to approve the proposed Agency Agreement in order to utilize federal funds on future city transportation projects?

**BACKGROUND:**

**History:**

In the past, the City has developed and constructed transportation projects that have been financed either in whole or in part with federal funds. Federal funds have been used on some of the City's larger projects and typically provide a substantial portion of the project funding. Recent examples of this include the Excelsior Blvd. Bridge Widening project over Highway 100, the Hutchinson Spur Regional Trail project, the Hwy 7 / Wooddale Ave Interchange project, and the proposed Hwy 7 / Louisiana Ave Interchange project. Federal funds for our most recent projects were accessed through Mn/DOT Agency Agreement No. 84217 which was approved by the City Council on March 7, 2005. MnDOT has proposed some amendments to the agreement that necessitate a new agreement be put in place. The attached letter from MnDOT explains these proposed changes.

**Agreement No. 99921:**

When using federal funds on City projects, specific rules and procedures must be followed. One of these rules is that the receipt and disbursement of the funds must be provided by the State Agency serving that area or type of work being performed. In the case of transportation projects, the Minnesota Department of Transportation (Mn/DOT) acts as the City's agent. This is in accordance with Minnesota State Statute §161.36. When the City advertises, accepts bids, awards contract, administers the contract and makes payment on federal aid projects, there is a process and certain requirements to fulfill which are the same for every federal aid project in the state. Mn/DOT refers to this as the Delegated Contract Process (DCP).

For DCP projects, the duties of the local agency and the state agency are spelled out in an Agency Agreement. This agency agreement uses the same language for every federal aid project as it relates to the receipt and use of federal funds on projects. Instead of preparing agreements for every federal aid project counties and cities may undertake, this standard agreement is used to cover all future federal aid projects. This is one of the methods that Mn/DOT utilizes to streamline the delivery of federally funded transportation projects.

Please note - Agency Agreement No. 99921 is not to be confused with a project "Cooperative Agreement". Project Cooperative Agreements are used for specific projects to establish the roles

and responsibilities of each partner for each specific construction project along with agreed upon funding participation amounts. Future Cooperative Agreements with Mn/DOT will be developed carefully to ensure City interests are addressed to the extent possible.

The City Attorney has reviewed this Agency Agreement.

**FINANCIAL OR BUDGET CONSIDERATION:**

There are no costs associated with approving this agreement. However, if this agreement is not approved, we will not be able to access federal funds for future transportation projects.

**VISION CONSIDERATION:**

The following Strategic Direction and focus area was identified by Council in 2007:

**St. Louis Park is committed to being a connected and engaged community.**

Focus will be on:

- Promoting regional transportation issues and related dedicated funding sources affecting St. Louis Park including but not limited to Hwy. 100 and SWLRT.

Approval of this agreement will allow the City to access federal funds for major transportation related projects directly related to this vision focus area.

**Attachments:** Resolution  
Mn/DOT Letter - October 28, 2011  
Mn/DOT Agency Agreement No. 99921

**Prepared by:** Michael P. Rardin, Director of Public Works  
**Approved by:** Tom Harmening, City Manager

**RESOLUTION NO. 12 - \_\_\_\_\_**

**CITY OF ST. LOUIS PARK  
HENNEPIN COUNTY, MINNESOTA**

**RESOLUTION AUTHORIZING THE EXECUTION OF AN AGENCY AGREEMENT  
WITH THE MINNESOTA DEPARTMENT OF TRANSPORTATION PROVIDING  
FOR THE COMMISSIONER OF TRANSPORTATION TO ACT AS THE CITY'S  
AGENT IN ACCEPTING FEDERAL AID FUNDS FOR  
TRANSPORTATION RELATED PROJECTS**

**BE IT RESOLVED**, that pursuant to Minnesota Stat. Sec. 161.36, the Commissioner of Transportation be appointed as Agent of the City of St. Louis Park to accept as its agent, federal funds which may be made available for eligible transportation related projects.

**BE IT FURTHER RESOLVED**, the Mayor and the City Manager are hereby authorized and directed for and on behalf of the City to execute and enter into an agreement with the Commissioner of Transportation prescribing the terms and conditions of said federal aid participation as set forth and contained in "Minnesota Department of Transportation Agency Agreement No. 99921", a copy of which said agreement was before the City Council and which is made a part hereof by reference.

Reviewed for Administration:

Adopted by the City Council January 3, 2012

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk



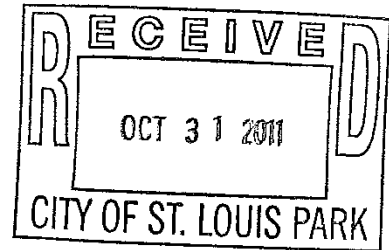
**Minnesota Department of Transportation**

**State Aid for Local Transportation**

395 John Ireland Boulevard, MS 500  
Saint Paul, MN 55155

October 28, 2011

Scott Brink  
St. Louis Park City Engineer  
5005 Minnetonka Blvd  
St Louis Park MN 55416



**SUBJECT: Agency Delegated Contracting Process Agreement  
Agency Agreement No. 99921**

Dear Mr. Brink:

Attached are three copies of the agency agreement between the City of St. Louis Park and MnDOT, which allows for MnDOT to act as the City's agent in accepting federal aid. This agreement is intended to cover all federally funded projects that the City of St. Louis Park is awarded funds for until revisions are needed to the agreement. It supersedes the agreement executed in or about 2003, which is referenced in this agreement. There are not substantial changes to the agreement. There is a more clear reference to the DCP checklist as well as requirements and references to other State Aid policies and procedures rather than MnDOT's. I also get frequent calls questioning the CFDA number for the projects so I added that information.

While I do not anticipate that the requirements in Section I.J.1 will apply to you, the language required by federal law and must be included in all federally funded project agreements as of October 1, 2010. Please review the agreement and if approved, have all three copies signed. A Council resolution similar to the attached example must be passed. The certified resolution should then be placed as the last page in each of the three copies of the agreement. Please verify that the person/title authorized to sign as stated in the resolution, corresponds to the signature (person/title) on the signature page. Please return all three copies of the agreement to me for MnDOT signatures. A fully executed copy will be returned to you.

If you have any questions or need any revisions, please feel free to contact me at 651.366.3822.

Sincerely,

A handwritten signature in cursive script that reads "Lynnette Roshell".

Lynnette Roshell, PE  
Project Development Engineer

Enclosures

cc: Greg Coughlin DSAE  
File

An Equal Opportunity Employer



MnDOT Agreement No. 99921

STATE OF MINNESOTA AGENCY AGREEMENT  
BETWEEN  
DEPARTMENT OF TRANSPORTATION  
AND  
THE CITY OF ST. LOUIS PARK  
FOR FEDERAL PARTICIPATION IN CONSTRUCTION

---

This agreement is entered into by and between the City of St. Louis Park and the State of Minnesota acting through its Commissioner of Transportation ("MnDOT"),

Pursuant to Minnesota Statutes Section 161.36, the City desires MnDOT to act as the City agent in accepting federal funds on the City behalf for the construction, improvement, or enhancement of transportation financed either in whole or in part by federal funds, hereinafter referred to as the "Project(s)"; and

This agreement is intended to cover all federal aid projects initiated by the City and therefore has not specific State Project number tied to it, and

The Catalog of Federal Domestic Assistance number or CFDA number is 20.205, and

This agreement supersedes agreement number 84217 and;

MnDOT requires that the terms and conditions of this agency be set forth in an agreement.

THE PARTIES AGREE AS FOLLOWS:

I. DUTIES OF THE CITY

- A. DESIGNATION. The City designates MnDOT to act as its agent in accepting federal funds in its behalf made available for the Project(s). Details on the required processes and procedures are available on the State Aid Website
- B. STAFFING.
  - 1. The City will furnish and assign a publicly employed licensed engineer, ("Project Engineer"), to be in responsible charge of the Project(s) and to supervise and direct the work to be performed under any construction contract let for the Project(s). In the alternative where the City elects to use a private consultant for construction engineering services, the City will provide a qualified, full-time public employee of the City, to be in responsible charge of the Project(s). The services of the City to be performed hereunder may not be assigned, sublet, or transferred unless the City is notified in writing by MnDOT that such action is permitted under 23 CFR 1.33 and 23 CFR 635.105 and state law. This written consent will in no way relieve the City

from its primary responsibility for performance of the work.

2. During the progress of the work on the Project(s), the City authorizes its Project Engineer to request in writing specific engineering and/or technical services from MnDOT, pursuant to Minnesota Statutes Section 161.39. Such services may be covered by other technical service agreements. If MnDOT furnishes the services requested, and if MnDOT requests reimbursement, then the City will promptly pay MnDOT to reimburse the state trunk highway fund for the full cost and expense of furnishing such services. The costs and expenses will include the current MnDOT labor additives and overhead rates, subject to adjustment based on actual direct costs that have been verified by audit. Provision of such services will not be deemed to make MnDOT a principal or co-principal with respect to the Project(s).

C. LETTING. The City will prepare construction contracts in accordance with Minnesota law and applicable Federal laws and regulations.

1. The City will solicit bids after obtaining written notification from MnDOT that the Federal Highway Administration ("FHWA") has authorized the Project(s). Any Project(s) advertised prior to authorization will not be eligible for federal reimbursement.
2. The City will prepare the Proposal for Highway Construction for the construction contract, which will include all of the federal-aid provisions supplied by MnDOT.
3. The City will prepare and publish the bid solicitation for the Project(s) as required by state and federal laws. The City will include in the solicitation the required language for federal-aid construction contracts as supplied by MnDOT. The solicitation will state where the proposals, plans, and specifications are available for the inspection of prospective bidders, and where the City will receive the sealed bids.
4. The City may not include other work in the construction contract for the authorized Project(s) without obtaining prior notification from MnDOT that such work is allowed by FHWA. Failure to obtain such notification may result in the loss of some or all of the federal funds for the Project(s).
5. The City will prepare and sell the plan and proposal packages and prepare and distribute any addendums, if needed.
6. The City will receive and open bids.
7. After the bids are opened, the City Council will consider the bids and will award the bid to the lowest responsible bidder, or reject all bids. If the construction contract contains a goal for Disadvantaged Business Enterprises, the City will not award the bid until it has received certification of the Disadvantaged Business Enterprise participation from the MnDOT Equal Employment Opportunity Office.

D. CONTRACT ADMINISTRATION.

1. The City will prepare and execute a construction contract with the lowest responsible bidder, hereinafter referred to as the "Contractor," in accordance with the special provisions and the latest edition of MnDOT's Standard Specifications for Construction and all amendments thereto.
2. The Project(s) will be constructed in accordance with plans, special provisions, and standard specifications of each Project. The standard specifications will be the latest edition of MnDOT Standard Specifications for Highway Construction, and all amendments thereto. The plans, special provisions, and standard specifications will be on file at the City Engineer's Office. The plans, special provisions, and specifications are incorporated into this agreement by reference as though fully set forth herein.
3. The City will furnish the personnel, services, supplies, and equipment necessary to properly supervise, inspect, and document the work for the Project(s). The services of the City to be performed hereunder may not be assigned, sublet, or transferred unless the City is notified in writing by MnDOT that such action is permitted under 23 CFR 1.33 and 23 CFR 635.105 and state law. This written consent will in no way relieve the City from its primary responsibility for performance of the work.
4. The City will document quantities in accordance with the guidelines set forth in the Construction Section of the Electronic State Aid Manual that were in effect at the time the work was performed.
5. The City will test materials in accordance with the Schedule of Materials Control in effect at the time each Project was let. The City will notify MnDOT when work is in progress on the Project(s) that requires observation by the Independent Assurance Inspector as required by the Independent Assurance Schedule.
6. The City may make changes in the plans or the character of the work, as may be necessary to complete the Project(s), and may enter into supplemental agreement(s) with the Contractor. The City will not be reimbursed for any costs of any work performed under a supplemental agreement unless MnDOT has notified the City that the subject work is eligible for federal funds and sufficient federal funds are available.
7. The City will request approval from MnDOT for all costs in excess of the amount of federal funds previously approved for the Project(s) prior to incurring such costs. Failure to obtain such approval may result in such costs being disallowed for reimbursement.
8. The City will prepare reports, keep records, and perform work so as to enable MnDOT to collect the federal aid sought by the City. Required reports are listed in the MnDOT State Aid Manual, Delegated Contract Process Checklist, available from MnDOT's authorized representative. The City will retain all records and reports in accordance with MnDOT's record retention schedule for federal aid projects.
9. Upon completion of the Project(s), the Project Engineer will determine whether the work will be accepted.

E. PAYMENTS.

1. The entire cost of the Project(s) is to be paid from federal funds made available by the FHWA and by other funds provided by the City. The City will pay any part of the cost or expense of the Project(s) that is not paid by federal funds.
2. The City will prepare partial estimates in accordance with the terms of the construction contract for the Project(s). The Project Engineer will certify each partial estimate. Following certification of the partial estimate, the City will make partial payments to the Contractor in accordance with the terms of the construction contract for the Project(s).
3. Following certification of the partial estimate, the City may request reimbursement for costs eligible for federal funds. The City's request will be made to MnDOT and will include a copy of the certified partial estimate.
4. Upon completion of the Project(s), the City will prepare a final estimate in accordance with the terms of the construction contract for the Project(s). The Project Engineer will certify the final estimate. Following certification of the final estimate, the City will make the final payment to the Contractor in accordance with the terms of the construction contract for the Project(s).
5. Following certification of the final estimate, the City may request reimbursement for costs eligible for federal funds. The City's request will be made to MnDOT and will include a copy of the certified final estimate along with the required records.

F. LIMITATIONS.

1. The City will comply with all applicable Federal, State, and local laws, ordinances, and regulations.
2. Nondiscrimination. It is the policy of the Federal Highway Administration and the State of Minnesota that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance (42 U.S.C. 2000d). Through expansion of the mandate for nondiscrimination in Title VI and through parallel legislation, the proscribed bases of discrimination include race, color, sex, national origin, age, and disability. In addition, the Title VI program has been extended to cover all programs, activities and services of an entity receiving Federal financial assistance, whether such programs and activities are Federally assisted or not. Even in the absence of prior discriminatory practice or usage, a recipient in administering a program or activity to which this part applies, is expected to take affirmative action to assure that no person is excluded from participation in, or is denied the benefits of, the program or activity on the grounds of race, color, national origin, sex, age, or disability. It is the responsibility of the City to carry out the above requirements.

3. **Workers' Compensation.** Any and all employees of the City or other persons while engaged in the performance of any work or services required or permitted by the City under this agreement will not be considered employees of MnDOT, and any and all claims that may arise under the Workers' Compensation Act of Minnesota on behalf of said employees, or other persons while so engaged, will in no way be the obligation or responsibility of MnDOT. The City will require proof of Workers' Compensation Insurance from any contractor and sub-contractor.
4. **Utilities.** The City will treat all public, private or cooperatively owned utility facilities which directly or indirectly serve the public and which occupy highway rights of way in conformance with 23 CFR 645 "Utilities" which is incorporated herein by reference.

G. **AUDIT.**

1. The City will comply with the Single Audit Act of 1984 and Office of Management and Budget (OMB) circular A-133, which are incorporated herein by reference.
2. As provided under Minnesota Statutes Section 16C.05, subdivision 5, all books, records, documents, and accounting procedures and practices of the City are subject to examination by the United States Government, MnDOT, and either the Legislative Auditor or the State Auditor as appropriate, for a minimum of seven years. The City will be responsible for any costs associated with the performance of the audit.

H. **MAINTENANCE.** The City assumes full responsibility for the operation and maintenance of any facility constructed or improved under this Agreement.

I. **CLAIMS.** The City acknowledges that MnDOT is acting only as the City's agent for acceptance and disbursement of federal funds, and not as a principal or co-principal with respect to the Project. The City will pay any and all lawful claims arising out of or incidental to the Project including, without limitation, claims related to contractor selection (including the solicitation, evaluation, and acceptance or rejection of bids or proposals), acts or omissions in performing the Project work, and any ultra vires acts. The City will indemnify, defend (to the extent permitted by the Minnesota Attorney General), and hold MnDOT harmless from any claims or costs arising out of or incidental to the Project(s), including reasonable attorney fees incurred by MnDOT. The City's indemnification obligation extends to any actions related to the certification of DBE participation, even if such actions are recommended by MnDOT.

J. **Federal Funding Accountability and Transparency Act (FFATA).** This Agreement requires the City to provide supplies and/or services that are funded in whole or in part by federal funds that are subject to FFATA. The City is responsible for ensuring that all applicable requirements, including but not limited to those set forth herein, of FFATA are met and that the City provides information to the MnDOT as required.

1. **Reporting of Total Compensation of the City's Executives.**

- a. The City shall report the names and total compensation of each of its five most highly compensated executives for the City's preceding completed fiscal year, if in the City's preceding fiscal year it received:
  - i. 80 percent or more of the City's annual gross revenues from Federal procurement contracts and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
  - ii. \$25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
  - iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at <http://www.sec.gov/answers/execomp.htm>.)

Executive means officers, managing partners, or any other employees in management positions.

- b. Total compensation means the cash and noncash dollar value earned by the executive during the City's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
  - i. Salary and bonus.
  - ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
  - iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
  - iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
  - v. Above-market earnings on deferred compensation which is not tax qualified.
  - vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds \$10,000.

2. The City must report executive total compensation described above to the MnDOT by the end of the month during which this agreement is awarded.
3. The City will obtain a Data Universal Numbering System (DUNS) number and maintain its DUNS number for the term of this agreement. This number shall be provided to MnDOT on the plan review checklist submitted with the plans for each project. More information about obtaining a DUNS Number can be found at: <http://fedgov.dnb.com/webform/>
4. The City's failure to comply with the above requirements is a material breach of this agreement for which the MnDOT may terminate this agreement for cause. The MnDOT will not be obligated to pay any outstanding invoice received from the City unless and until the City is in full compliance with the above requirements.

## II. DUTIES OF MnDOT.

A. ACCEPTANCE. MnDOT accepts designation as Agent of the City for the receipt and disbursement of federal funds and will act in accordance herewith.

### B. PROJECT ACTIVITIES.

1. MnDOT will make the necessary requests to the FHWA for authorization to use federal funds for the Project(s), and for reimbursement of eligible costs pursuant to the terms of this agreement.
2. MnDOT will provide to the City copies of the required Federal-aid clauses to be included in the bid solicitation and will provide the required Federal-aid provisions to be included in the Proposal for Highway Construction.
3. MnDOT will review and certify the DBE participation and notify the City when certification is complete. If certification of DBE participation (or good faith efforts to achieve such participation) cannot be obtained, then City must decide whether to proceed with awarding the contract. Failure to obtain such certification will result in the project becoming ineligible for federal assistance, and the City must make up any shortfall.
4. MnDOT will provide the required labor postings.

### C. PAYMENTS.

1. MnDOT will receive the federal funds to be paid by the FHWA for the Project(s), pursuant to Minnesota Statutes § 161.36, Subdivision 2.
2. MnDOT will reimburse the City, from said federal funds made available to each Project, for each partial payment request, subject to the availability and limits of those funds.
3. Upon completion of the Project(s), MnDOT will perform a final inspection and verify the federal and state eligibility of all the payment requests. If the Project is found to have been completed in accordance with the plans and

specifications, MnDOT will promptly release any remaining federal funds due the City for the Project(s).

4. In the event MnDOT does not obtain funding from the Minnesota Legislature or other funding source, or funding cannot be continued at a sufficient level to allow for the processing of the federal aid reimbursement requests, the City may continue the work with local funds only, until such time as MnDOT is able to process the federal aid reimbursement requests.
- D. **AUTHORITY.** MnDOT may withhold federal funds, where MnDOT or the FHWA determines that the Project(s) was not completed in compliance with federal requirements.
- E. **INSPECTION.** MnDOT, the FHWA, or duly authorized representatives of the state and federal government will have the right to audit, evaluate and monitor the work performed under this agreement. The City will make available all books, records, and documents pertaining to the work hereunder, for a minimum of seven years following the closing of the construction contract.
- III. **TORT LIABILITY.** Each party is responsible for its own acts and omissions and the results thereof to the extent authorized by law and will not be responsible for the acts and omissions of any others and the results thereof. The Minnesota Tort Claims Act, Minnesota Statutes Section 3.736, governs MnDOT liability.
- IV. **ASSIGNMENT.** Neither party will assign or transfer any rights or obligations under this agreement without prior written approval of the other party.
- V. **AMENDMENTS.** Any amendments/supplements to this Agreement will be in writing and executed by the same parties who executed the original agreement, or their successors in office.
- VI. **AGREEMENT EFFECTIVE DATE.** This agreement is effective upon execution by the appropriate State officials pursuant to Minnesota Statutes Section 16C.05.
- VII. **CANCELLATION.** This agreement may be canceled by the City or MnDOT at any time, with or without cause, upon ninety (90) days written notice to the other party. Such termination will not remove any unfulfilled financial obligations of the City as set forth in this Agreement. In the event of such a cancellation the City will be entitled to reimbursement for MnDOT-approved federally eligible expenses incurred for work satisfactorily performed on the Project to the date of cancellation subject to the terms of this agreement.
- VIII. **DATA PRACTICES ACT.** The parties will comply with the provisions of the Minnesota Government Data Practices Act (Minnesota Statutes chapter 13) as it applies to all data gathered, collected, created, or disseminated related to this Agreement.

**Remainder of this page left intentionally blank**

IN WITNESS WHEREOF, the parties have caused this Agreement to be duly executed intending to be bound thereby.

**CITY OF ST. LOUIS PARK**

City certifies that the appropriate person(s) have executed the contract on behalf of the City as required by applicable articles, bylaws, resolutions or ordinances

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

Title: \_\_\_\_\_

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

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

Title: \_\_\_\_\_

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

**2. DEPARTMENT OF TRANSPORTATION**

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

Title: Director  
State Aid for Local Transportation

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

**3. COMMISSIONER OF ADMINISTRATION**

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

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

OFFICIAL MINUTES  
ST. LOUIS PARK TELECOMMUNICATIONS COMMISSION  
MEETING OF OCTOBER 6, 2011  
ST. LOUIS PARK COUNCIL CHAMBERS

MEMBERS PRESENT: Bruce Browning, Rick Dworsky, Toby Keeler, Mike Mulligan and Bill Theobald  
MEMBERS ABSENT: Dale Hartman and Rolf Peterson  
STAFF PRESENT: Reg Dunlap, Civic TV Coordinator  
OTHERS PRESENT: Lance Leupold, Comcast

**1. Call to Order**

Chair Mulligan called the meeting to order at 7:03 PM.

**2. Roll Call**

Present at roll call were Commissioners Browning, Dworsky, Keeler, Mulligan and Theobald.

**3. Approval of Minutes for August 25, 2011**

*It was moved by Commissioner Browning, seconded by Commissioner Keeler, to approve the minutes of August 25, 2011, without changes. The motion passed 5-0.*

**4. Adoption of Agenda**

*It was moved by Commissioner Browning, seconded by Commissioner Keeler, to approve the agenda. The motion passed 5-0.*

**5. Public Comment - None**

**6. New Business**

**A. Comcast customer service update**

Lance Leupold, Comcast Director of Public Affairs and Programming, discussed the Internet Essentials program from Comcast, which is a program for families who qualify for free lunch to get internet access for \$9.95/month with no price increases. They are also eligible for a \$149.99 computer and free internet training. The goal is to get new people on-line. (internetessentials.com)

Mr. Leupold discussed Comcast customer service goals and the customer experience. They are adding 450 new positions to a call center in Minnetonka that will serve the Southwestern Division and Twin Cities. Residents can call the local number or 800 number and they will both go to the same place.

Commissioner Browning said that it looks like what Comcast is doing is working, because complaints are lower than they were in 2007. He said he recently connected a

cable modem for a friend and didn't even need to call customer service to get it to work, the network automatically detected the modem, requested a few settings and then it worked properly.

Commissioner Keeler asked if there were metrics to track just the St. Louis Park customers? Mr. Leupold said they didn't track that. Commissioner Keeler then asked about the turnover rate for the customer service representatives, and Mr. Leupold said it's comparable to other companies.

Chair Mulligan noted that the complaint log was trending better, but noticed some construction complaints. Mr. Dunlap speculated that the past winter had a high amount of snow, which caused some construction repairs to be completed later, since cables can't be buried underground until the ground thaws in the spring. Once particular complaint was after the tornado last summer, the cable was repaired quickly at Cedar Trails but wasn't strung on the pole until later.

Mr. Dunlap asked about the policy of getting a supervisor to speak with when a customer calls? Mr. Leupold replied customers could talk with a supervisor if they wanted to and they should get one on the phone right away.

Mr. Dunlap stated many complaints are because of billing. Do employees give feedback about this at the weekly team meetings? Mr. Leupold replied yes, there have been changes and improvements to the bill and customer service reps can make suggestions.

Mr. Dunlap asked about the customer service guarantee and how it was working? Mr. Leupold replied it is an important part of how they do business and customers who use it think more highly of Comcast, and read the highlights.

#### **B. Progress report from subcommittee to report on the future of cable TV**

Mr. Dunlap noted a summary is in the packet. Commissioners Keeler and Browning, Jamie Zwilling, Reg Dunlap and Clint Pires were the subcommittee members. Commissioner Keeler did an analysis on franchise fees. Mr. Zwilling will do a report to the Council in the next couple of months and that the Commission will probably have the report for the December meeting.

Commissioner Keeler noted NATOA is having a webinar on the future of new income streams for municipalities. (Mr. Dunlap Emailed information)

Chair Mulligan asked what does Comcast see coming in the next few years? Mr. Leupold replied he wasn't privy to those plans, but that they were still very much behind the core business of cable TV.

Commissioner Browning asked if they see more flexibility in program choices down the line? Mr. Leupold replied that would be a decision for people who owned the program content.

Mr. Dunlap referenced an article on a Comcast trial in Charleston that allowed more pricing choices and specifically offered a group of news channels as an option.

Chair Mulligan said that Comcast has been very progressive in their business and providing access to multiple devices and not just on TV's in the living room, and it's an exciting future ahead of us.

**7. Unfinished Business**

**A. Fiber Optic Study Task Force Update**

Mr. Dunlap said Mr. Pires indicated City Council approved action on September 19<sup>th</sup> and plans to begin active work with Columbia Telecommunications in October.

**8. Reports**

**A. Complaints**

Mr. Dunlap stated 18 out of 52 are related to billing. The total complaints received at city hall averages about six a month and a total of 44 in 2011. He refers complaint calls to the escalation team who do a great job of taking care of them.

Commissioner Browning asked about multiple dwelling units and is Comcast responsible for internet wiring? Mr. Leupold replied not necessarily, every building is different. If there is an issue, the resident should work with the landlord first.

**9. Communication from the Chair - None**

**10. Communications from City Staff**

Mr. Dunlap thanked Jenna Sheldon for her service on the Commission. There is now a vacancy for a new youth member. The MACTA conference will be held on October 13<sup>th</sup>. John McHugh will be a presenter.

**11. Adjournment**

*Commissioner Dworsky made a motion, Commission Browning seconded to adjourn at 7:43. The motion passed.*

Respectfully submitted by:

Amy L. Stegora-Peterson  
Recording Secretary

**OFFICIAL MINUTES**  
**Parks and Recreation Advisory**  
**Commission Meeting**  
**October 19, 2011**  
**6:30 p.m. – Meeting**

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**1. Call to Order**

Steve Hallfin, Commission member, called the meeting to order at 6:30 p.m.

Commission members present: Jim Beneke, Sophia Flumerfelt, George Foulkes, George Hagemann, Steve Hallfin and Kirk Hawkinson

Commission members absent: Christina Barberot and Tom Worthington

Staff present: Cindy Walsh, Parks and Recreation Director, Rick Birno, Recreation Superintendent, and Stacy Voelker, Administrative Secretary

Guests present: Brian Kleve, Soccer Association

**2. Presentation:**

Brian Kleve, Soccer Association, shared introductions with members and staff. Mr. Kleve advised the association offers an in-house league where park kids play park kids and a more competitive traveling league. The history of the Soccer Association, which began in 1993, was provided by Mr. Kleve along with the mission statement. The association currently has 750 members, 30 dedicated volunteers who run the association and 1,200 to 1,300 registrations from youth annually. Off-season training is included in registration. Recent growth in the program was experienced last year and anticipates more growth again this year.

The traveling league is run by a governing body, Mr. Kleve indicated. In both traveling and in-house leagues there are fewer registrations from the 9-10 year olds. Due to the low registration numbers for the in-house league, that particular age group has had to cancel in the past. Mr. Birno advised the city offers a soccer league also but not a huge amount of registrations for that age group. If there are not enough registrants for a particular group, Mr. Kleve indicated the associations provides interested registrants information on the league through the city or the Edina program and refund their registration fee.

The Association has received comments from parents of younger children that they are confused to who register with. Staff is unaware of confusion as has not received similar feedback.

Mr. Kleve advised there are more registrations in the summer versus the fall. The association is pursuing support from the high school athletic department to provide more information to students on the availability of a soccer league. Staff reminded there are no city boundaries for soccer as there are in other sports.

The most challenging issue the association faces is field and gym space in St. Louis Park. The Association, advised Mr. Kleve, pursues permits with the city for school gyms and also has

rented private space in facilities outside of St. Louis Park as gym space has decreased. Jewish Community Center has provided space, but has also seen an increase in requests. The association is proud to be part of the field development at Louisiana Oaks although the sand-based fields have challenges. Mr. Kleve indicated users that wear cleats harm the fields. Members discussed of facilities available for open play to which Mr. Birno indicated the fields are scheduled for recreation leagues, which is not the issue. All cities struggle with unscheduled people utilizing fields Ms. Walsh indicated.

Mr. Kleve indicated space is more challenging when fields are shut down for maintenance or renovation. A domed turf field would help alleviate the challenge. Members and Mr. Kleve reviewed the number of fields needed for the number of individuals registered.

Mr. Hallfin and members thanked Mr. Kleve and the soccer association for their hard work and volunteering.

### **3. Approval of Minutes**

#### **a. September 14, 2011**

*It was moved by Commission member Hawkinson seconded by Commission member Beneke to approve the Minutes. Motion passed 6 – 0.*

### **4. New Business**

#### **a. Discuss 2012 Annual Calendar and Goals**

Ms. Walsh shared comments from Council and members discussed the following goals:

- Add “Ongoing exploration of city recreation facilities”.
- Meet with CEAC (Community Education Advisory Committee) to see what joint items in common. Ms. Walsh will connect with Lisa Greene to schedule.
- Research adult playground/fitness station areas (i.e. Vita Course).
- Environmental stewardship. Rally more people for Minnehaha Creek clean up and encourage buckthorn removal in neighborhoods. Mr. Vaughan, Environmental Coordinator, also works with the neighborhoods on environmental items.
- Keep “Minnehaha Creek Clean Up” on goals. Ms. Flumberfelt will discuss event with volunteer club coordinator at Benilde-St. Margaret’s to add as an event. Members advised discuss with High School to obtain groups also. Mr. Beneke will inquire.
- Discuss environmental issues as they arise.
- Members discussed annual event with the City Council (i.e. canoe or bike ride). It was decided to add “Bike ride with Council” to the list of goals.
- Keep “Park user group meetings”.
- Work jointly with the Police Advisory. Items discussed include to ban smoking in the parks and to standardize rules for bike crossings. Mr. Hagemann volunteered to be spokesperson or meet as a group.
- Retain “Trails and Sidewalks” and invite Scott Brink, City Engineer, to a future meeting.

- Discussed keeping restroom facilities open at all times. Member discussed it is a police issue as vandalism occurs in evenings. Mr. Hallfin advised installing timers on the doors to lock when it the park closes. Ms. Walsh advised staff has researched.

Mr. Beneke inquired on the trail signage on Belt Line Boulevard and Wooddale Avenue. Both locations are stripped differently, Mr. Hagemann explained. Mr. Beneke feels no one knows what to do in those areas and Ms. Walsh concurred. Mr. Foulkes indicated it's confusing for bikes as well as vehicles. Three Rivers Park District hosted a three hour meeting recently for cities in the area. The meeting included discussions and pictures of various crossings, Mr. Birno advised. The discussion concluded cities have different trail rules (i.e. Minneapolis) and signage. It was concluded sign an rule consistency is needed throughout the area to alleviate confusion.

When talking with people in the community, Mr. Hallfin received feedback that bike crossings are an issue. Currently, Three Rivers Park District does not provide requirements for cities on their trail signs and rules but Mr. Birno feels they are attempting to lead cities to consistency. Ms. Walsh recommended allowing Three Rivers Park District to lead discussions and procedures.

Ms. Voelker will distribute goals for review at the Commissions December meeting.

b. Fastpitch Softball Reorganization

The Fastpitch Softball Association has had difficulty increasing participation as well as recruiting board members for years advised Mr. Birno. John Hynes, the new president, has formed a nine person board. The association is attempting to increase participation, develop a tournament and has partnered with the City for new equipment with a potential Hennepin County Sports Equipment Grant. Staff will invite the association to a future meeting.

**5. Old Business**

a. Staff Appreciation Lunch Recap

Mr. Hagemann inquired on electric warming dish to keep things warm during cooking. Ms. Voelker will provide portable warming unit next year. The quantity of items were discussed and noted. Staff thanked members for the event.

b. Dog Park Update

Mr. Birno updated members on a conflict at the Dakota Dog Park. The park has a large dog area and a small area. Staff received complaints of large dogs in the small dog area. Staff hosted a meeting in which eight residents and one non-resident/permitted dog owner attended. Communication was sent to residents and users; a camera was installed to watch flow plus staff researched policies from other cities. After reviewing four weeks of data provided by the camera, staff is moving forward with the following steps: lock the internal maintenance gate; and new signage installed.

## **6. Staff Reports**

Fall activities, including the Halloween programs, have strong registrations, Mr. Birno advised.

## **7. Other / Future Agenda Items**

Mr. Hagemann discussed Three Rivers trail maintenance with Mr. Beane. The Cedar Lake trail from Dakota to the old Novartis building, on the LRT trail around the Highway 100 overpasses and one area east of Louisiana Avenue has some sagging and gapping. When contacted, Three Rivers indicated maintenance and repair is budgeted next year. Minneapolis owns a section of the trail and provided maintenance to their section. Mr. Hagemann feels Three Rivers should do something as leaving it in bad shape makes St. Louis Park section look bad. Staff will be in contact with Three Rivers about the situation. In the winter, the city plows the St. Louis Park portion per their agreement with Three Rivers Park District.

Mr. Hallfin briefed staff about neighborhood dads who would like to present a plan to the city for better ice. Mr. Birno advised to call himself or Mr. Beane. They will meet with the resident(s) to discuss as the next PRAC meeting of December 7 is too late for a discussion regarding ice.

Ms. Walsh reminded members of the Nov. 16 facility tour. Attendees should RSVP to Ms. Walsh and meet at city hall. Ms. Voelker will resend the email invitation to all.

The next meeting will be held at 6:30 p.m. on Wednesday, December 7, at the Nature Center. The Football Association will be present.

## **8. Adjournment**

*It was moved by Commission member Foulkes seconded by Commission member Hagemann to adjourn at 8 p.m. The motion passed 6 - 0.*

Respectfully submitted,

*Stacy Voelker*

Stacy Voelker  
Recording Secretary

**Regular Meeting**    **Public Hearing**    **Action Item**    **Consent Item**    **Resolution**    **Ordinance**  
                           **Presentation**    **Other:**

**EDA Meeting**    **Action Item**    **Resolution**    **Other:**

**Study Session**    **Discussion Item**    **Written Report**    **Other:**

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**TITLE:**

Vendor Claims.

**RECOMMENDED ACTION:**

Motion to accept for filing Vendor Claims for the period December 10, 2011 through December 30, 2011.

**POLICY CONSIDERATION:**

Not applicable.

**BACKGROUND:**

The Finance Department prepares this report on a monthly basis for Council's review.

**FINANCIAL OR BUDGET CONSIDERATION:**

None.

**VISION CONSIDERATION:**

Not applicable.

**Attachments:**            Vendor Claims

**Prepared by:**            Connie Neubeck, Account Clerk

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 1

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
3M	FABRICATION	OTHER IMPROVEMENT SUPPLIES	1,333.80
			1,333.80
3RD LAIR SKATEPARK	SKATEBOARD PROGRAMS	OTHER CONTRACTUAL SERVICES	563.20
			563.20
A-1 OUTDOOR POWER INC	TREE MAINTENANCE	GENERAL SUPPLIES	73.59
			73.59
A.M.E. CONSTRUCTION CORP	GO BONDS-FIRE STATIONS BAL S	RETAINED PERCENTAGE	850.00-
	GO BONDS-FIRE STATIONS G&A	BUILDINGS & STRUCTURES	17,000.00
			16,150.00
ABELSON, SHARON	NEIGHBORHOOD ASSOCIATION GRANT	OTHER CONTRACTUAL SERVICES	23.67
			23.67
ABERNATHY, LISA	ORGANIZED REC G & A	MILEAGE-PERSONAL CAR	200.36
			200.36
ABLE HOSE & RUBBER INC	PARK MAINTENANCE G & A	GENERAL SUPPLIES	155.88
	SKATING RINK MAINTENANCE	GENERAL SUPPLIES	43.69
			199.57
ABRAKADOODLE	PRE-SCHOOL PROGRAMS	OTHER CONTRACTUAL SERVICES	1,056.00
			1,056.00
ACS FIREHOUSE SOFTWARE	IT G & A	EQUIPMENT MTCE SERVICE	4,004.31
			4,004.31
ACTION FLEET INC	GENERAL REPAIR	EQUIPMENT MTCE SERVICE	140.00
			140.00
AE2S	WATER UTILITY G&A	GENERAL PROFESSIONAL SERVICES	6,408.75
	WATER UTILITY G&A	IMPROVEMENTS OTHER THAN BUILDI	660.00
			7,068.75
AIRGAS NORTH CENTRAL	OPERATIONS	OPERATIONAL SUPPLIES	74.77
			74.77
AKARE COMPANIES LLC	ESCROWS	GENERAL	32,189.63
			32,189.63

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 2

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
ALBERS MECHANICAL SERVICES INC	GO BONDS-FIRE STATIONS BAL S	RETAINED PERCENTAGE	18,862.98-
	GO BONDS-FIRE STATIONS G&A	BUILDINGS & STRUCTURES	377,259.60
			<u>358,396.62</u>
AMEM	OPERATIONS	SUBSCRIPTIONS/MEMBERSHIPS	100.00
			<u>100.00</u>
AMERICAN MASONRY RESTORATION	GO BONDS-FIRE STATIONS BAL S	RETAINED PERCENTAGE	180.00-
	GO BONDS-FIRE STATIONS G&A	BUILDINGS & STRUCTURES	3,600.00
			<u>3,420.00</u>
AMERICAN MESSAGING	POLICE G & A	TELEPHONE	78.72
			<u>78.72</u>
AMERICAN TEST CENTER INC	OPERATIONS	EQUIPMENT MTCE SERVICE	800.00
	PREVENTATIVE MAINTENANCE	EQUIPMENT MTCE SERVICE	550.00
			<u>1,350.00</u>
AMERIPRIDE LINEN & APPAREL SER	GENERAL BUILDING MAINTENANCE	OPERATIONAL SUPPLIES	166.28
	PUBLIC WORKS OPS G & A	OPERATIONAL SUPPLIES	275.12
	PARK MAINTENANCE G & A	OPERATIONAL SUPPLIES	174.24
	ENTERPRISE G & A	GENERAL SUPPLIES	116.97
	VEHICLE MAINTENANCE G&A	OPERATIONAL SUPPLIES	146.85
	WATER UTILITY G&A	OPERATIONAL SUPPLIES	92.73
	SEWER UTILITY G&A	OPERATIONAL SUPPLIES	92.73
	STORM WATER UTILITY G&A	OPERATIONAL SUPPLIES	15.45
			<u>1,080.37</u>
ANCHOR PAPER CO	IT G & A	BANK CHARGES/CREDIT CD FEES	12.84-
	SUPPORT SERVICES G&A	OFFICE SUPPLIES	1,372.44
			<u>1,359.60</u>
ANCOM COMMUNICATIONS INC	GO BONDS-FIRE STATIONS G&A	IMPROVEMENTS OTHER THAN BUILDI	8,052.15
			<u>8,052.15</u>
ANDERSEN INC, EARL	INSTALLATION	OTHER IMPROVEMENT SUPPLIES	1,606.83
	FABRICATION	OTHER IMPROVEMENT SUPPLIES	230.32
			<u>1,837.15</u>
APPRAISAL INSTITUTE	ASSESSING G & A	SUBSCRIPTIONS/MEMBERSHIPS	330.00
			<u>330.00</u>

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 3

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
ARAMARK UNIFORM CORP ACCTS	GENERAL CUSTODIAL DUTIES ENTERPRISE G & A	CLEANING/WASTE REMOVAL SUPPLY GENERAL SUPPLIES	780.14 91.30 <hr/> 871.44
ARBOR DAY FOUNDATION	ENVIRONMENTAL G & A	SUBSCRIPTIONS/MEMBERSHIPS	15.00 <hr/> 15.00
ASPEN MILLS	OPERATIONS	OPERATIONAL SUPPLIES	579.66 <hr/> 579.66
AT&T	E-911 PROGRAM	TELEPHONE	34.21 <hr/> 34.21
ATOM	POLICE G & A	TRAINING	200.00 <hr/> 200.00
BARKER, BOB COMPANY	POLICE G & A	SUBSISTENCE SUPPLIES	234.60 <hr/> 234.60
BARR ENGINEERING CO	STORM WATER UTILITY G&A	OTHER IMPROVEMENT SERVICE	8,819.04 <hr/> 8,819.04
BATTERIES PLUS	BUILDING MAINTENANCE	BLDG/STRUCTURE SUPPLIES	77.33 <hr/> 77.33
BELT LINE PROPERTIES INC	GO BONDS-FIRE STATIONS G&A	RENTAL BUILDINGS	1,400.00 <hr/> 1,400.00
BERGER, JAMES	WATER UTILITY G&A	GENERAL CUSTOMERS	48.87 <hr/> 48.87
BISCHEL BUILDING	INSPECTIONS G & A	BUILDING	156.20 <hr/> 156.20
BLOOMINGTON, CITY OF	WATER UTILITY G&A	OTHER CONTRACTUAL SERVICES	3,265.19 <hr/> 3,265.19
BLUE CHIP CONSULTING	ESCROWS	PMC ESCROW	1,000.00 <hr/> 1,000.00
BOBIER, HEIDI	INSTRUCTIONAL SKATING LESSONS	OTHER CONTRACTUAL SERVICES	330.96 <hr/> 330.96

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 4

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
BOHN WELDING INC	FABRICATION	OTHER CONTRACTUAL SERVICES	180.00 180.00
BOYER TRUCK PARTS	PARK AND RECREATION BALANCE SH	INVENTORY	123.46 123.46
BOYUM PROPERTY	WATER UTILITY G&A	GENERAL CUSTOMERS	5,891.51 5,891.51
BRANDT, TANJA	YOUTH PROGRAMS	PROGRAM REVENUE	30.00 30.00
BRAUN INTERTEC CORPORATION	GO BONDS-FIRE STATIONS G&A GO BONDS-FIRE STATIONS G&A	LAND BUILDINGS & STRUCTURES	1,350.00 3,961.50 5,311.50
BREDEMUS HARDWARE COMPANY INC	GO BONDS-FIRE STATIONS BAL S GO BONDS-FIRE STATIONS G&A	RETAINED PERCENTAGE BUILDINGS & STRUCTURES	4,951.75- 99,035.00 94,083.25
BROCK WHITE CO LLC	PARK GROUNDS MAINTENANCE	BUILDING MTCE SERVICE	560.86 560.86
BROTHERS FIRE PROTECTION	GO BONDS-FIRE STATIONS BAL S GO BONDS-FIRE STATIONS G&A	RETAINED PERCENTAGE BUILDINGS & STRUCTURES	28.56- 571.25 542.69
BUDGET SIGN & GRAPHICS	POLICE G & A	OFFICE SUPPLIES	49.70 49.70
BUILDING MATERIAL SUPPLY INC	GO BONDS-FIRE STATIONS BAL S GO BONDS-FIRE STATIONS G&A	RETAINED PERCENTAGE BUILDINGS & STRUCTURES	1,084.41- 21,688.22 20,603.81
BURR, SUSAN	POLICE G & A	OFFICE SUPPLIES	14.98 14.98
BUSINESS JOURNAL	ASSESSING G & A	SUBSCRIPTIONS/MEMBERSHIPS	82.00 82.00
CALHOUN TOWERS APTS	OPERATIONS	RADIO COMMUNICATIONS	741.00

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 5

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
			741.00
CAMILON, MANNY	INSPECTIONS G & A	TRAINING	40.00
			40.00
CAMPBELL KNUTSON PROF ASSOC	ADMINISTRATION G & A	LEGAL SERVICES	5,931.46
	CABLE TV G & A	LEGAL SERVICES	240.00
	STREET CAPITAL PROJ G & A	IMPROVEMENTS OTHER THAN BUILDI	60.00
	WATER UTILITY G&A	LEGAL SERVICES	30.00
	SOLID WASTE G&A	LEGAL SERVICES	30.00
	UNINSURED LOSS G&A	LEGAL SERVICES	780.00
	MUNICIPAL BLDG	BUILDINGS & STRUCTURES	60.00
			7,131.46
CAPITAL CITY GLASS INC	GO BONDS-FIRE STATIONS BAL S	RETAINED PERCENTAGE	2,326.41-
	GO BONDS-FIRE STATIONS G&A	BUILDINGS & STRUCTURES	46,528.35
			44,201.94
CARDIAC SCIENCE INC	GENERAL FUND BALANCE SHEET	DUE TO OTHER GOVTS	17.92-
	OPERATIONS	OPERATIONAL SUPPLIES	278.64
			260.72
CARLISLE CO	PARK AND RECREATION BALANCE SH	DUE TO OTHER GOVTS	22.93-
	WESTWOOD G & A	GENERAL SUPPLIES	356.52
			333.59
CARTRIDGE CARE	IT G & A	EQUIPMENT MTCE SERVICE	1,828.62
			1,828.62
CBIZ BENEFITS & INSURANCE SERV	EMPLOYEE FLEX SPEND G&A	GENERAL PROFESSIONAL SERVICES	217.40
			217.40
CDW GOVERNMENT INC	TECHNOLOGY REPLACEMENT	OFFICE EQUIPMENT	6,551.33
			6,551.33
CEDAR SMALL ENGINE	PARK AND RECREATION BALANCE SH	INVENTORY	80.15
			80.15
CENTERPOINT ENERGY	FACILITY OPERATIONS	HEATING GAS	2,396.98
	PARK MAINTENANCE G & A	HEATING GAS	930.84
	WESTWOOD G & A	HEATING GAS	103.01
	NATURALIST PROGRAMMER	HEATING GAS	134.65

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 6

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
	WATER UTILITY G&A	HEATING GAS	4,528.38
	REILLY G & A	HEATING GAS	167.57
	SEWER UTILITY G&A	ELECTRIC SERVICE	142.42
	SEWER UTILITY G&A	HEATING GAS	58.32
			<hr/> 8,462.17
CENTERPOINT ENERGY SERVICES IN	FACILITY OPERATIONS	HEATING GAS	5,381.42
	ENTERPRISE G & A	HEATING GAS	4,514.69
			<hr/> 9,896.11
CENTURY LINK	IT G & A	TELEPHONE	70.99
	COMMUNICATIONS/GV REIMBURSEABL	TELEPHONE	104.80
	E-911 PROGRAM	TELEPHONE	38.40
			<hr/> 214.19
CINTAS FIRST AID & SAFETY	FACILITIES MCTE G & A	GENERAL SUPPLIES	25.67
			<hr/> 25.67
CITIZENS INDEPENDENT BANK	GENERAL FUND BALANCE SHEET	DUE TO OTHER GOVTS	89.69-
	ADMINISTRATION G & A	GENERAL SUPPLIES	330.19
	ADMINISTRATION G & A	MEETING EXPENSE	15.47
	HUMAN RESOURCES	GENERAL SUPPLIES	146.81
	HUMAN RESOURCES	ORGANIZATIONAL DEVELOPMENT	574.06
	HUMAN RESOURCES	RECOGNITION	700.00
	HUMAN RESOURCES	CITE	9.06
	COMM & MARKETING G & A	TELEPHONE	134.95
	IT G & A	GENERAL SUPPLIES	38.17
	IT G & A	EQUIPMENT MTCE SERVICE	249.00
	DESKTOP SUPPORT/SERVICES	GENERAL SUPPLIES	192.48
	GENERAL BUILDING MAINTENANCE	BLDG/STRUCTURE SUPPLIES	391.80
	POLICE G & A	OFFICE SUPPLIES	43.96
	POLICE G & A	POLICE EQUIPMENT	98.31
	POLICE G & A	TRAINING	345.15
	DARE PROGRAM	OPERATIONAL SUPPLIES	49.87
	TASK FORCE	POLICE EQUIPMENT	107.14
	OPERATIONS	GENERAL SUPPLIES	136.21
	OPERATIONS	OPERATIONAL SUPPLIES	1,503.44
	OPERATIONS	TRAINING	237.08
	INSPECTIONS G & A	GENERAL SUPPLIES	19.95
	INSPECTIONS G & A	TRAINING	200.00
	PARK AND RECREATION BALANCE SH	INVENTORY	5.02
	PARK AND RECREATION BALANCE SH	DUE TO OTHER GOVTS	11.07-

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 7

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
	ORGANIZED REC G & A	OFFICE SUPPLIES	31.01
	ORGANIZED REC G & A	GENERAL SUPPLIES	10.67
	ORGANIZED REC G & A	SUBSCRIPTIONS/MEMBERSHIPS	1,770.00
	ORGANIZED REC G & A	TRAINING	725.02
	ORGANIZED REC G & A	MEETING EXPENSE	175.00
	HOLIDAY PROGRAMS	GENERAL SUPPLIES	238.19
	HOLIDAY PROGRAMS	OTHER CONTRACTUAL SERVICES	33.25
	PRE-SCHOOL PROGRAMS	GENERAL SUPPLIES	851.66
	BRICK HOUSE (1324)	OTHER IMPROVEMENT SUPPLIES	9.94
	WESTWOOD G & A	GENERAL SUPPLIES	37.25
	VEHICLE MAINTENANCE G&A	GENERAL SUPPLIES	65.64
	VEHICLE MAINTENANCE G&A	SUBSCRIPTIONS/MEMBERSHIPS	79.00
	PREVENTATIVE MAINTENANCE	GENERAL SUPPLIES	69.20
	CABLE TV BALANCE SHEET	DUE TO OTHER GOVTS	20.72-
	TV PRODUCTION	GENERAL SUPPLIES	329.30
	TV PRODUCTION	NON-CAPITAL EQUIPMENT	78.96
	TV PRODUCTION	REPAIRS	10.39
			<u>9,921.12</u>
COCA-COLA BOTTLING CO	CONCESSIONS/HOCKEY ASSOC	CONCESSION SUPPLIES	657.40
			<u>657.40</u>
COLBORN, CHRISTINE	INSTRUCTIONAL SKATING LESSONS	OTHER CONTRACTUAL SERVICES	260.80
			<u>260.80</u>
COLMENALES, GUSTAVO	WATER UTILITY G&A	GENERAL CUSTOMERS	395.14
			<u>395.14</u>
COMCAST	IT G & A	DATACOMMUNICATIONS	333.82
			<u>333.82</u>
CONTINENTAL RESEARCH CORP	BUILDING MAINTENANCE	BLDG/STRUCTURE SUPPLIES	422.05
			<u>422.05</u>
COOKE JP CO	ADMINISTRATION G & A	GENERAL SUPPLIES	104.20
			<u>104.20</u>
CORNERHOUSE	GENERAL FUND BALANCE SHEET	PREPAID EXPENSES	6,775.00
			<u>6,775.00</u>
CORONA SOLUTIONS	TECHNOLOGY REPLACEMENT	OFFICE EQUIPMENT	4,000.00
			<u>4,000.00</u>

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 8

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
CROSSROAD CONSTRUCTION INC	GO BONDS-FIRE STATIONS BAL S	RETAINED PERCENTAGE	1,872.67-
	GO BONDS-FIRE STATIONS G&A	BUILDINGS & STRUCTURES	<u>37,453.50</u>
			35,580.83
CUB FOODS	POLICE G & A	SUBSISTENCE SUPPLIES	<u>141.31</u>
			141.31
CUMMINS NPOWER LLC	GENERAL REPAIR	EQUIPMENT MTCE SERVICE	926.84
	WATER UTILITY G&A	EQUIPMENT MTCE SERVICE	<u>364.93</u>
			1,291.77
CURRAN-BAKKEN, ERIC	OPERATIONS	PERA - POLICE & FIRE RELIEF	<u>455.66</u>
			455.66
DALCO ENTERPRISES INC	GENERAL BUILDING MAINTENANCE	CLEANING/WASTE REMOVAL SUPPLY	<u>7,092.22</u>
			7,092.22
DAMLOW, DAVID	GENERAL BUILDING MAINTENANCE	TRAINING	<u>50.00</u>
			50.00
DE PAUL LETTERING	OPERATIONS	OPERATIONAL SUPPLIES	<u>1,499.00</u>
			1,499.00
DEAN, ARTHUR	BASKETBALL	OTHER CONTRACTUAL SERVICES	<u>675.00</u>
			675.00
DELTA MEDICAL SUPPLY GROUP INC	OPERATIONS	OPERATIONAL SUPPLIES	<u>898.50</u>
			898.50
DEPT LABOR & INDUSTRY	BUILDING MAINTENANCE	LICENSES	<u>25.00</u>
			25.00
DEPT OF TRANSPORTATION - MS635	BRIDGE INSPECTIONS	OTHER CONTRACTUAL SERVICES	458.20
	CE MATERIALS TESTING	IMPROVEMENTS OTHER THAN BUILDI	<u>549.23</u>
			1,007.43
DESIGN SERVICE	ROTTLUND VILLAGE - PUBLIC ART	IMPROVEMENTS OTHER THAN BUILDI	<u>9,420.00</u>
			9,420.00
DEX MEDIA EAST LLC	ENTERPRISE G & A	ADVERTISING	<u>268.55</u>
			268.55

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK  
 Council Check Summary  
 12/10/2011 - 12/30/2011

12/29/2011 8:56:00

Page - 9

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
DIERSEN, TRAVAS	EMPLOYEE FLEX SPEND G&A	TUITION	2,653.39
			2,653.39
DISCOUNT STEEL INC	GENERAL REPAIR	GENERAL SUPPLIES	1,738.99
	STORM WATER UTILITY G&A	OTHER IMPROVEMENT SERVICE	109.93
			1,848.92
DLR GROUP KKE	GO BONDS-FIRE STATIONS G&A	BUILDINGS & STRUCTURES	8,801.93
			8,801.93
DO-GOOD.BIZ INC	SUPPORT SERVICES G&A	POSTAGE	4,337.18
			4,337.18
E SQUARED BUILDERS	WATER UTILITY G&A	GENERAL CUSTOMERS	44.60
			44.60
ECOLAB INC	BUILDING MAINTENANCE	BLDG/STRUCTURE SUPPLIES	1,725.95
			1,725.95
EGAN COMPANIES INC	SYSTEM REPAIR	OTHER CONTRACTUAL SERVICES	662.00
			662.00
EHLERS & ASSOCIATES INC	ESCROWS	BADER DEV/ELLIPSE APTS	1,140.00
	ESCROWS		95.00
			1,235.00
EMERGENCY APPARATUS MTNCE	PARK AND RECREATION BALANCE SH	INVENTORY	201.69
			201.69
EMERGENCY AUTOMOTIVE TECHNOLOG	PARK AND RECREATION BALANCE SH	INVENTORY	3,387.66
			3,387.66
EMERY'S TREE SERVICE INC	TREE DISEASE PUBLIC	CLEANING/WASTE REMOVAL SERVICE	2,618.44
			2,618.44
EMPLOYEE STRATEGIES INC	ADMINISTRATION G & A	TRAINING	450.00
	HUMAN RESOURCES	GENERAL PROFESSIONAL SERVICES	1,750.00
			2,200.00
EVERGREEN HOMES	WATER UTILITY G&A	GENERAL CUSTOMERS	240.14
			240.14

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK  
 Council Check Summary  
 12/10/2011 - 12/30/2011

12/29/2011 8:56:00

Page - 10

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
EVIDENT CRIME SCENE PRODUCTS	GENERAL FUND BALANCE SHEET POLICE G & A	DUE TO OTHER GOVTS SUBSISTENCE SUPPLIES	5.36- 83.36 <hr/> 78.00
FACTORY MOTOR PARTS CO	PARK AND RECREATION BALANCE SH	INVENTORY	<hr/> 1,126.63 1,126.63
FAIRMONT FIRE SYSTEMS INC	BUILDING MAINTENANCE	BUILDING MTCE SERVICE	<hr/> 117.26 117.26
FAS - AHM UTILITIES	WATER UTILITY G&A	GENERAL CUSTOMERS	<hr/> 540.81 540.81
FASTENAL COMPANY	GENERAL REPAIR SEWER UTILITY G&A	GENERAL SUPPLIES EQUIPMENT MTCE SERVICE	3.41 <hr/> 12.95 16.36
FECHNER, MARTY	ASSESSING G & A	MILEAGE-PERSONAL CAR	<hr/> 106.01 106.01
FEDEX	HUMAN RESOURCES	GENERAL SUPPLIES	<hr/> 40.81 40.81
FERGUSON WATERWORKS	STORM WATER UTILITY G&A	IMPROVEMENTS OTHER THAN BUILDI	<hr/> 1,242.68 1,242.68
FERRELLGAS	ICE RESURFACER	MOTOR FUELS	<hr/> 409.77 409.77
FIRE EQUIPMENT SPECIALTIES INC	OPERATIONS OPERATIONS	OPERATIONAL SUPPLIES SMALL TOOLS	241.09 <hr/> 666.61 907.70
FLUGAUR, THOMAS	BASKETBALL	OTHER CONTRACTUAL SERVICES	<hr/> 225.00 225.00
FORCE AMERICA INC	PARK AND RECREATION BALANCE SH	INVENTORY	<hr/> 523.66 523.66
FOTH INFRASTRUCTURE & ENVIRONM	SEWER UTILITY G&A PE DESIGN	GENERAL PROFESSIONAL SERVICES IMPROVEMENTS OTHER THAN BUILDI	2,177.76 <hr/> 2,084.20

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 11

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
			4,261.96
FOX VALLEY VIDEO SERVICE INC	CABLE TV G & A	MACHINERY & AUTO EQUIPMENT	951.64
			951.64
FRATTALONE COMPANIES INC	GO BONDS-FIRE STATIONS BAL S	RETAINED PERCENTAGE	8,223.76
	GO BONDS-FIRE STATIONS G&A	BUILDINGS & STRUCTURES	164,475.34
			156,251.58
FREEMAN, RONALD	WATER UTILITY G&A	GENERAL CUSTOMERS	106.09
			106.09
FRETHAM, KAREN	VARIANCES	ZONING/SUBDIVISION	250.00
			250.00
FUHRMANN, CORY	GENERAL FUND BALANCE SHEET	CLEARING ACCOUNT	382.75
			382.75
G S DIRECT	ENGINEERING G & A	GENERAL SUPPLIES	393.18
			393.18
GENERAL SPRINKLER CORP	GO BONDS-FIRE STATIONS BAL S	RETAINED PERCENTAGE	1,080.00
	GO BONDS-FIRE STATIONS G&A	BUILDINGS & STRUCTURES	21,600.00
			20,520.00
GLTC PREMIUM PAYMENTS	EMPLOYEE FLEXIBLE SPENDING B/S	LONG TERM CARE INSUR	4,262.60
			4,262.60
GOLDFARB, STEVEN	TREE INJECTION	TREE MAINTENANCE	239.46
			239.46
GOMEZ, PEDRO BRITO	WATER UTILITY G&A	GENERAL CUSTOMERS	352.42
			352.42
GOPHER STATE ONE-CALL INC	WATER UTILITY G&A	OTHER IMPROVEMENT SERVICE	519.10
			519.10
GRAINGER INC, WW	VEHICLE MAINTENANCE G&A	GENERAL SUPPLIES	89.94
	VEHICLE MAINTENANCE G&A	BLDG/STRUCTURE SUPPLIES	371.01
			460.95
GRANITE LEDGE ELECTRICAL CONTR	DAMAGE REPAIR	OTHER CONTRACTUAL SERVICES	777.50

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 12

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
	SYSTEM REPAIR	OTHER CONTRACTUAL SERVICES	1,210.95
			1,988.45
GRECO DEVELOPMENT	WOODDALE POINTE MET COUNCIL	SOIL REMEDIATION	19,006.17
			19,006.17
GROTH SEWER & WATER	WATER UTILITY G&A	OTHER IMPROVEMENT SERVICE	4,530.00
	STORM WATER UTILITY G&A	OTHER IMPROVEMENT SERVICE	2,233.00
			6,763.00
H & R CONST CO	ROUTINE MAINTENANCE	OTHER CONTRACTUAL SERVICES	3,408.00
			3,408.00
HAGEN, DENNIS	EMPLOYEE FLEX SPEND G&A	TUITION	1,000.74
			1,000.74
HAWKINS INC	WATER UTILITY G&A	OPERATIONAL SUPPLIES	4,454.58
			4,454.58
HEALTHPARTNERS	OPERATIONS	GENERAL PROFESSIONAL SERVICES	6,760.00
			6,760.00
HENNEPIN COUNTY INFO TECH	IT G & A	COMPUTER SERVICES	534.38
	ASSESSING G & A	OTHER CONTRACTUAL SERVICES	1,000.00
	POLICE G & A	EQUIPMENT MTCE SERVICE	2,240.00
	OPERATIONS	RADIO COMMUNICATIONS	800.00
	OPERATIONS	EMERGENCY PREPAREDNESS	256.00
			4,830.38
HENNEPIN COUNTY TAXPAYER SERVI	ASSESSING G & A	OTHER CONTRACTUAL SERVICES	34.00
			34.00
HENNEPIN COUNTY TREASURER	GENERAL FUND G&A	OTHER CONTRACTUAL SERVICES	2,240.62
	POLICE G & A	SUBSISTENCE SERVICE	4,812.45
	PARK AND REC G&A	OTHER CONTRACTUAL SERVICES	516.00
	PARK MAINTENANCE G & A	OTHER CONTRACTUAL SERVICES	8,489.00
	PARK MAINTENANCE G & A	GARBAGE/REFUSE SERVICE	125.45
	PARK IMPROVEMENT G & A	OTHER CONTRACTUAL SERVICES	100.00
	PAVEMENT MANAGEMENT G&A	OTHER CONTRACTUAL SERVICES	38.00
	TECHNOLOGY REPLACEMENT	OTHER CONTRACTUAL SERVICES	53.00
			16,374.52

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 13

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
HENRICKSEN PSG	FACILITIES MCTE G & A	OTHER	10,785.16
	OFFICE EQUIP MTCE	BLDG/STRUCTURE SUPPLIES	60.00
			<u>10,845.16</u>
HEWLETT-PACKARD CO	GO BONDS-FIRE STATIONS G&A	IMPROVEMENTS OTHER THAN BUILDI	540.67
			<u>540.67</u>
HIGHVIEW PLUMBING INC	SEWER UTILITY G&A	OTHER IMPROVEMENT SERVICE	4,985.00
			<u>4,985.00</u>
HIRSHFIELDS	GENERAL BUILDING MAINTENANCE	GENERAL SUPPLIES	169.45
			<u>169.45</u>
HOME DEPOT CREDIT SERVICES	GENERAL BUILDING MAINTENANCE	GENERAL SUPPLIES	385.57
	ROUTINE MAINTENANCE	EQUIPMENT PARTS	145.34
	SNOW PLOWING	GENERAL SUPPLIES	193.77
	SANDING/SALTING	GENERAL SUPPLIES	42.18
	SANDING/SALTING	EQUIPMENT PARTS	28.15
	PARK MAINTENANCE G & A	GENERAL SUPPLIES	259.74
	TREE MAINTENANCE	OTHER IMPROVEMENT SUPPLIES	144.67
	BUILDING MAINTENANCE	BLDG/STRUCTURE SUPPLIES	6.42
	VEHICLE MAINTENANCE G&A	GENERAL SUPPLIES	33.64
	WATER UTILITY G&A	OPERATIONAL SUPPLIES	60.77
	WATER UTILITY G&A	BLDG/STRUCTURE SUPPLIES	6.18
	SEWER UTILITY G&A	OPERATIONAL SUPPLIES	10.17
	STORM WATER UTILITY G&A	OTHER IMPROVEMENT SERVICE	106.16
			<u>1,422.76</u>
HOME DEPOT CREDIT SRVCS	WESTWOOD G & A	SMALL TOOLS	279.11
			<u>279.11</u>
HRGREEN	IT G & A	COMPUTER SERVICES	600.00
			<u>600.00</u>
HSBC BUSINESS SOLUTIONS	SWEEPING	GENERAL SUPPLIES	14.94
	WESTWOOD G & A	GENERAL SUPPLIES	161.21
	VEHICLE MAINTENANCE G&A	SMALL TOOLS	117.54
	WATER UTILITY G&A	OTHER IMPROVEMENT SERVICE	36.85
	SEWER UTILITY G&A	EQUIPMENT PARTS	43.68
			<u>374.22</u>
I.U.O.E. LOCAL NO 49	EMPLOYEE FLEXIBLE SPENDING B/S	UNION DUES	1,595.20

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 14

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
			1,595.20
I/O SOLUTIONS INC	HUMAN RESOURCES	RECRUITMENT	237.00
			237.00
ICE SKATING INST AMERICA	INSTRUCTIONAL SKATING LESSONS	OTHER CONTRACTUAL SERVICES	50.00
			50.00
IDENTISYS	TECHNOLOGY REPLACEMENT	EQUIPMENT MTCE SERVICE	1,515.00
			1,515.00
IFP TEST SERVICES	HUMAN RESOURCES	RECRUITMENT	445.00
			445.00
IKON OFFICE SOLUTIONS	IT G & A	EQUIPMENT MTCE SERVICE	2,380.76
			2,380.76
IMPACT PROVEN SOLUTIONS	WATER UTILITY G&A	POSTAGE	746.31
	SEWER UTILITY G&A	POSTAGE	746.31
	SOLID WASTE COLLECTIONS	POSTAGE	746.31
	STORM WATER UTILITY G&A	POSTAGE	746.32
			2,985.25
INDELCO	WATER UTILITY G&A	EQUIPMENT MTCE SERVICE	86.03
			86.03
INDEPENDENT ELECTRICAL CONSULT	TRAINING	TRAINING	400.00
			400.00
INFINITY WIRELESS	OPERATIONS	TELEPHONE	1,231.20
			1,231.20
INTEGRA TELECOM	IT G & A	TELEPHONE	4,994.04
			4,994.04
INVER GROVE FORD	PARK AND RECREATION BALANCE SH	INVENTORY	15.24
			15.24
IPMA-HR MINNESOTA	HUMAN RESOURCES	SUBSCRIPTIONS/MEMBERSHIPS	50.00
			50.00
JASMER, JERRY	EMPLOYEE FLEX SPEND G&A	TUITION	1,035.96

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK  
 Council Check Summary  
 12/10/2011 - 12/30/2011

12/29/2011 8:56:00

Page - 15

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
			1,035.96
JERRY'S HARDWARE	PARK AND RECREATION BALANCE SH	INVENTORY	4.80
			4.80
JM CONSULTING LTD	WATER UTILITY G&A	OTHER IMPROVEMENT SERVICE	300.00
			300.00
JOHN DEERE LANDSCAPES/LESCO	IRRIGATION MAINTENANCE	GENERAL SUPPLIES	59.76
			59.76
JOHNSON, CARRIELEA	EMPLOYEE FLEX SPEND G&A	TUITION	1,713.58
			1,713.58
KELLER, JASMINE Z	EMPLOYEE FLEXIBLE SPENDING B/S	WAGE GARNISHMENTS	553.84
			553.84
KENNEDY & GRAVEN	ESCROWS	ANDERSON BUILDERS	2,276.50
	ESCROWS		1,350.00
	GREENSBORO HIA	LEGAL SERVICES	2,358.00
			5,984.50
KEYS WELL DRILLING CO	WATER UTILITY BALANCE SHEET	RETAINED PERCENTAGE	1,125.00-
	CONSTRUCTION PAYMENTS	IMPROVEMENTS OTHER THAN BUILDI	22,500.00
			21,375.00
KOTTKE, KATHRYN	YOUTH PROGRAMS	PROGRAM REVENUE	15.00
			15.00
KRUGE-AIR INC	BLDG/GROUNDS OPS & MAINT	BUILDING MTCE SERVICE	129.00
			129.00
KUHN, HANNAH	PRE-SCHOOL PROGRAMS	PROGRAM REVENUE	10.40
			10.40
LANG, LISA	VOLLEYBALL	OTHER CONTRACTUAL SERVICES	100.00
	SPECIAL PROGRAMS	OTHER CONTRACTUAL SERVICES	96.00
			196.00
LARSCO INC	WATER UTILITY G&A	EQUIPMENT MTCE SERVICE	266.07
			266.07

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 16

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
LARSON, JH CO	BUILDING MAINTENANCE	BLDG/STRUCTURE SUPPLIES	41.49
			41.49
LAW ENFORCEMENT LABOR SERVICES	EMPLOYEE FLEXIBLE SPENDING B/S	UNION DUES	2,184.00
			2,184.00
LEAGUE OF MN CITIES INSURANCE	EMPLOYEE FLEXIBLE SPENDING B/S	PREPAID EXPENSES	79,769.84
	EMPLOYEE FLEX SPEND G&A	League of MN Cities dept'l exp	39,884.91
	UNINSURED LOSS G&A	UNINSURED LOSS	1,860.05
			121,514.80
LENTNER, LAURA	INSTRUCTIONAL SKATING LESSONS	OTHER CONTRACTUAL SERVICES	520.27
			520.27
LIFELINE TRAINING LTD	POLICE G & A	TRAINING	654.00
			654.00
LIND ELECTRONICS INC	PARK AND RECREATION BALANCE SH	INVENTORY	117.51
			117.51
LITTLE FALLS MACHINE INC	PARK AND RECREATION BALANCE SH	INVENTORY	840.91
			840.91
LLOYD, ANN	WATER UTILITY G&A	GENERAL CUSTOMERS	15.19
			15.19
LOGIS	IT G & A	TELEPHONE	2,219.71
	IT G & A	COMPUTER SERVICES	49,433.40
	TECHNOLOGY REPLACEMENT	OFFICE EQUIPMENT	3,528.00
			55,181.11
LSV METALS INC	PARK BUILDING MAINTENANCE	GENERAL SUPPLIES	333.83
			333.83
LUBRICATION TECHNOLOGIES INC	PARK AND RECREATION BALANCE SH	INVENTORY	6,235.63
			6,235.63
LYNCH, DEBRA	ASSESSING G & A	MILEAGE-PERSONAL CAR	56.25
			56.25
MAACO AUTO PAINTING	UNINSURED LOSS G&A	UNINSURED LOSS	9,427.25
			9,427.25

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 17

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
MAAPT	ENGINEERING G & A	TRAINING	150.00 150.00
MACQUEEN EQUIP CO	PARK AND RECREATION BALANCE SH	INVENTORY	128.58 128.58
MALONE, DANIEL	SKATEBOARD PROGRAMS	OTHER CONTRACTUAL SERVICES	632.00 632.00
MCGREGOR-HANNAH, MAREN	INSTRUCTIONAL SKATING LESSONS	OTHER CONTRACTUAL SERVICES	366.66 366.66
MEHA	INSPECTIONS G & A	SUBSCRIPTIONS/MEMBERSHIPS	105.00 105.00
MENARDS	BRICK HOUSE (1324)	GENERAL SUPPLIES	268.84 268.84
METRO FIRE INC	OPERATIONS	EQUIPMENT PARTS	2,296.21 2,296.21
METRO VOLLEYBALL OFFICIALS	VOLLEYBALL	OTHER CONTRACTUAL SERVICES	440.00 440.00
METROPOLITAN COUNCIL	REILLY BUDGET	CLEANING/WASTE REMOVAL SERVICE	21,081.19 21,081.19
MID AMERICA BUSINESS SYSTEMS	IT G & A	OFFICE EQUIPMENT	5,900.84 5,900.84
MIDWEST BADGE & NOVELTY CO	POLICE G & A OPERATIONS	GENERAL SUPPLIES FIRE PREVENTION SUPPLIES	11.12 2,963.12 2,974.24
MIDWEST FENCE & MFG	PARK EQUIPMENT MAINTENANCE WATER UTILITY G&A	OTHER CONTRACTUAL SERVICES BUILDING MTCE SERVICE	1,775.00 4,328.96 6,103.96
MIDWEST TESTING LLC	WATER UTILITY G&A	OTHER CONTRACTUAL SERVICES	1,660.00 1,660.00

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 18

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
MINNEAPOLIS FINANCE DEPT	PAWN FEES	OTHER CONTRACTUAL SERVICES	379.80
			379.80
MINNESOTA CHIEFS POLICE ASSOC	POLICE G & A	OPERATIONAL SUPPLIES	58.78
	POLICE G & A	SUBSCRIPTIONS/MEMBERSHIPS	425.00
			483.78
MINNESOTA CONWAY	FACILITIES MCTE G & A	GENERAL PROFESSIONAL SERVICES	575.26
			575.26
MINNESOTA MULTI-HOUSING ASSOC	INSPECTIONS G & A	SUBSCRIPTIONS/MEMBERSHIPS	133.00
			133.00
MINNESOTA POLLUTION CONTROL AG	WATER UTILITY G&A	CLEANING/WASTE REMOVAL SERVICE	1,240.00
	SEWER UTILITY G&A	SEMINARS/CONFERENCES/PRESENTAT	2,620.00
			3,860.00
MINNESOTA SEEDING CONTRACTORS	PARK MAINTENANCE G & A	SEMINARS/CONFERENCES/PRESENTAT	120.00
			120.00
MINNESOTA WANNER COMPANY	SANDING/SALTING	EQUIPMENT PARTS	224.85
			224.85
MINUTEMAN PRESS	SUPPORT SERVICES G&A	OFFICE SUPPLIES	169.50
			169.50
MINVALCO INC	BUILDING MAINTENANCE	BLDG/STRUCTURE SUPPLIES	255.44
			255.44
MN MAINTENANCE EQUIPMENT INC	ROUTINE MAINTENANCE	GENERAL SUPPLIES	6.18
			6.18
MOTOROLA	GO BONDS-FIRE STATIONS G&A	IMPROVEMENTS OTHER THAN BUILDI	8,478.59
			8,478.59
MPSTMA	PARK MAINTENANCE G & A	SUBSCRIPTIONS/MEMBERSHIPS	75.00
	ENVIRONMENTAL G & A	SUBSCRIPTIONS/MEMBERSHIPS	25.00
			100.00
MRPA	BASKETBALL	OTHER CONTRACTUAL SERVICES	731.00
			731.00

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 19

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
MSPE	PUBLIC WORKS G & A	SUBSCRIPTIONS/MEMBERSHIPS	330.00
			330.00
MTI DISTRIBUTING CO	PARK AND RECREATION BALANCE SH	INVENTORY	294.83
			294.83
MVTL LABORATORIES	REILLY BUDGET	OTHER CONTRACTUAL SERVICES	201.00
			201.00
NAC MECHANICAL & ELECTRICAL SE	GO BONDS-FIRE STATIONS BAL S	RETAINED PERCENTAGE	9,570.00-
	GO BONDS-FIRE STATIONS G&A	BUILDINGS & STRUCTURES	191,400.00
			181,830.00
NAPA (GENUINE PARTS CO)	GENERAL BUILDING MAINTENANCE	EQUIPMENT PARTS	8.38
	OPERATIONS	GENERAL SUPPLIES	5.54
	PARK AND RECREATION BALANCE SH	INVENTORY	968.14
	PARK MAINTENANCE G & A	GENERAL SUPPLIES	87.19
			1,069.25
NCEMSC	OPERATIONS	SUBSCRIPTIONS/MEMBERSHIPS	75.00
			75.00
NELSON, BRENDA	EMPLOYEE FLEX SPEND G&A	TUITION	660.00
			660.00
NEP CORP	GENERAL REPAIR	GENERAL SUPPLIES	44.17
			44.17
NEXTEL COMMUNICATIONS	ADMINISTRATION G & A	TELEPHONE	104.65
	HUMAN RESOURCES	TELEPHONE	102.46
	RESEARCH & DEVELOPMENT	TELEPHONE	412.07
	ASSESSING G & A	TELEPHONE	51.23
	FINANCE G & A	TELEPHONE	155.28
	EDA / HA REIMBURSEMENT	TELEPHONE	363.37
	POLICE G & A	TELEPHONE	895.11
	OPERATIONS	TELEPHONE	549.05
	INSPECTIONS G & A	TELEPHONE	104.37
	ENGINEERING G & A	TELEPHONE	452.45
	PUBLIC WORKS OPS G & A	TELEPHONE	657.79
	PARK AND REC G&A	TELEPHONE	296.61
	ORGANIZED REC G & A	TELEPHONE	557.00
	PARK MAINTENANCE G & A	TELEPHONE	597.17

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 20

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
	ENVIRONMENTAL G & A	TELEPHONE	109.39
	WESTWOOD G & A	TELEPHONE	231.82
	REC CENTER/AQUATIC PARK SAL	TELEPHONE	70.31
	VEHICLE MAINTENANCE G&A	TELEPHONE	251.52
	WATER UTILITY G&A	TELEPHONE	404.44
	SEWER UTILITY G&A	TELEPHONE	219.61
	SOLID WASTE G&A	TELEPHONE	17.49
			<u>6,603.19</u>
NGUYEN, CUONG	GREEN REMODELING PROGRAM	OTHER CONTRACTUAL SERVICES	112.50
			<u>112.50</u>
NICKELSON, MARK & KERI	ESCROWS	PMC ESCROW	4,500.00
			<u>4,500.00</u>
NORTH AMERICAN SALT CO	SANDING/SALTING	OTHER IMPROVEMENT SUPPLIES	14,220.06
			<u>14,220.06</u>
NORTH STAR CHAPTER APPRAISAL I	ASSESSING G & A	SUBSCRIPTIONS/MEMBERSHIPS	150.00
			<u>150.00</u>
NORTHDALE CONSTRUCTION CO INC	STORM WATER UTILITY BAL SHEET	RETAINED PERCENTAGE	10,296.74
	CONSTRUCTION PAYMENTS	IMPROVEMENTS OTHER THAN BUILDI	205,934.80
			<u>195,638.06</u>
NORTHWEST METRO DRUG TASK FORC	TASK FORCE	GRANTS - STATE	23,207.03
			<u>23,207.03</u>
OAK KNOLL ANIMAL HOSPITAL	POLICE G & A	OTHER CONTRACTUAL SERVICES	500.00
			<u>500.00</u>
OBERSTAR, KATIE	INSTRUCTIONAL SKATING LESSONS	OTHER CONTRACTUAL SERVICES	56.52
			<u>56.52</u>
OESTREICH, MARK	WESTWOOD G & A	GENERAL SUPPLIES	1,104.13
			<u>1,104.13</u>
OFFICE DEPOT	HUMAN RESOURCES	OFFICE SUPPLIES	191.86
	ASSESSING G & A	OFFICE SUPPLIES	178.32
	FINANCE G & A	OFFICE SUPPLIES	45.06
	GENERAL INFORMATION	OFFICE SUPPLIES	44.33
	POLICE G & A	OFFICE SUPPLIES	211.20

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 21

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
	SUPPORT SERVICES	OFFICE SUPPLIES	179.74
	INSPECTIONS G & A	GENERAL SUPPLIES	485.36
	PUBLIC WORKS G & A	OFFICE SUPPLIES	72.95
	ORGANIZED REC G & A	OFFICE SUPPLIES	142.46
	HOUSING REHAB G & A	OFFICE SUPPLIES	2.77
			<u>1,554.05</u>
OMAN, JEFF	VEHICLE MAINTENANCE G&A	TRAINING	96.00
			<u>96.00</u>
ON SITE SANITATION	OFF-LEASH DOG PARK	OTHER CONTRACTUAL SERVICES	85.50
			<u>85.50</u>
OPTUM HEALTH FINANCIAL SERVICE	EMPLOYEE FLEX SPEND G&A	GENERAL PROFESSIONAL SERVICES	369.55
			<u>369.55</u>
OSDOBA, KATIE	INSTRUCTIONAL SKATING LESSONS	OTHER CONTRACTUAL SERVICES	110.00
			<u>110.00</u>
OUIVERSON SEWER & WATER INC	SEWER UTILITY G&A	OTHER IMPROVEMENT SERVICE	1,850.00
			<u>1,850.00</u>
OVERHEAD DOOR CO	GO BONDS-FIRE STATIONS BAL S	RETAINED PERCENTAGE	3,482.05
	GO BONDS-FIRE STATIONS G&A	BUILDINGS & STRUCTURES	69,641.00
			<u>66,158.95</u>
PAPP, MELISSA	INSTRUCTIONAL SKATING LESSONS	OTHER CONTRACTUAL SERVICES	116.55
			<u>116.55</u>
PARR, MELISSA	INSTRUCTIONAL SKATING LESSONS	OTHER CONTRACTUAL SERVICES	201.87
			<u>201.87</u>
PATTON HEATING & A/C	INSPECTIONS G & A	MECHANICAL	89.09
			<u>89.09</u>
PERKINS INC	PARK AND RECREATION BALANCE SH	INVENTORY	20,180.95
			<u>20,180.95</u>
PERNSTEINER CREATIVE GROUP INC	COMM & MARKETING G & A	PRINTING & PUBLISHING	200.00
			<u>200.00</u>
PETERSEN, CHRISTA	BASKETBALL	OTHER CONTRACTUAL SERVICES	105.00

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 22

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
			105.00
PETTY CASH	POSTAL SERVICES	POSTAGE	17.60
	OPERATIONS	GENERAL SUPPLIES	17.32
	OPERATIONS	TRAINING	17.54
	PUBLIC WORKS G & A	OFFICE SUPPLIES	20.10
	PUBLIC WORKS G & A	MEETING EXPENSE	43.90
	SAFETY SERVICES	SEMINARS/CONFERENCES/PRESENTAT	3.00
	ENGINEERING G & A	GENERAL SUPPLIES	5.36
	ENGINEERING G & A	OPERATIONAL SUPPLIES	8.05
	ENGINEERING G & A	SEMINARS/CONFERENCES/PRESENTAT	26.00
	PUBLIC WORKS OPS G & A	WEIGHT RESTRICTION PERMIT	.44
	PARK AND RECREATION BALANCE SH	PETTY	200.00
	ENVIRONMENTAL G & A	GENERAL SUPPLIES	21.85
	VEHICLE MAINTENANCE G&A	LICENSES	28.50
	PAVEMENT MANAGEMENT G&A	IMPROVEMENTS OTHER THAN BUILDI	19.36
	WATER UTILITY G&A	GENERAL SUPPLIES	38.73
	WATER UTILITY G&A	OTHER CONTRACTUAL SERVICES	2.56
	WATER UTILITY G&A	SUBSCRIPTIONS/MEMBERSHIPS	39.70
	WATER UTILITY G&A	TRAINING	36.70
	WATER UTILITY G&A	LICENSES	13.50
	SOLID WASTE G&A	GENERAL SUPPLIES	23.30
	SOLID WASTE G&A	OPERATIONAL SUPPLIES	14.18
	SOLID WASTE COLLECTIONS	OFFICE SUPPLIES	26.81
	SOLID WASTE RECYCLING GRANT	GENERAL SUPPLIES	20.80
	STORM WATER UTILITY G&A	EQUIPMENT PARTS	16.08
			661.38
PIONEER RIM & WHEEL CO	PARK AND RECREATION BALANCE SH	INVENTORY	65.62
			65.62
PLAISTED COMPANIES INC	PARK GROUNDS MAINTENANCE	LANDSCAPING SERVICE	643.89
			643.89
POLICE PRODUCTS CORP	GENERAL FUND BALANCE SHEET	DUE TO OTHER GOVTS	140.94-
	POLICE G & A	POLICE EQUIPMENT	2,190.94
			2,050.00
POLK, MARLA	INSTRUCTIONAL SKATING LESSONS	GENERAL SUPPLIES	183.09
	INSTRUCTIONAL SKATING LESSONS	OTHER CONTRACTUAL SERVICES	1,056.02
			1,239.11

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 23

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
POMP'S TIRE SERVICE INC	PARK AND RECREATION BALANCE SH GENERAL REPAIR	INVENTORY EQUIPMENT MTCE SERVICE	1,417.85 140.00 <hr/> 1,557.85
POPP TELECOM	PARK MAINTENANCE G & A	TELEPHONE	361.60 <hr/> 361.60
PRAIRIE LAWN & GARDEN	SNOW PLOWING PARK MAINTENANCE G & A	EQUIPMENT PARTS GENERAL SUPPLIES	3.31 17.03 <hr/> 20.34
PRECISION LANDSCAPE & TREE	TREE DISEASE PUBLIC	CLEANING/WASTE REMOVAL SERVICE	4,820.06 <hr/> 4,820.06
PRINTERS SERVICE INC	ICE RESURFACER	EQUIPMENT MTCE SERVICE	90.00 <hr/> 90.00
PRISM EXPRESS MANAGER	DIAL-A-RIDE PROGRAM	OTHER CONTRACTUAL SERVICES	1,446.50 <hr/> 1,446.50
PUMP & METER SERVICE	BLDG/GROUNDS OPS & MAINT	EQUIPMENT MTCE SERVICE	141.71 <hr/> 141.71
QUICKSILVER EXPRESS COURIER	VEHICLE MAINTENANCE G&A	POSTAGE	45.25 <hr/> 45.25
R & R SPECIALTIES	ICE RESURFACER	EQUIPMENT MTCE SERVICE	609.32 <hr/> 609.32
REESE, RANDY	GREEN REMODELING PROGRAM	OTHER CONTRACTUAL SERVICES	75.00 <hr/> 75.00
REGENCY OFFICE PRODUCTS LLC	POLICE G & A NEIGHBORHOOD OUTREACH	OFFICE SUPPLIES OFFICE SUPPLIES	46.29 73.78 <hr/> 120.07
REINDERS INC	PARK GROUNDS MAINTENANCE	LANDSCAPING SERVICE	448.88 <hr/> 448.88
RIGID HITCH INC	PARK AND RECREATION BALANCE SH	INVENTORY	39.51 <hr/> 39.51

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 24

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
RMR SERVICES	WATER UTILITY G&A	OTHER CONTRACTUAL SERVICES	2,952.68
			2,952.68
ROETHLER, ANDRA	WATER UTILITY G&A	GENERAL CUSTOMERS	117.63
			117.63
RUD, JOSEPH	EMPLOYEE FLEX SPEND G&A	TUITION	1,779.46
			1,779.46
SA-AG INC	WATER UTILITY G&A	OTHER IMPROVEMENT SUPPLIES	27,571.44
			27,571.44
SAFE STEP LLC	GENERAL FUND BALANCE SHEET	RETAINED PERCENTAGE	1,250.00-
	ROUTINE MAINTENANCE	OTHER CONTRACTUAL SERVICES	25,000.00
			23,750.00
SAM'S CLUB	HOLIDAY PROGRAMS	GENERAL SUPPLIES	143.45
			143.45
SAURER, MARTI	INSTRUCTIONAL SKATING LESSONS	OTHER CONTRACTUAL SERVICES	164.00
			164.00
SCHAAKE COMPANY, AJ	ADMINISTRATION G & A	MEETING EXPENSE	250.45
			250.45
SCHERER BROS. LUMBER CO.	SKATING RINK MAINTENANCE	GENERAL SUPPLIES	271.06
			271.06
SCHMIDT, KELLIE	INSTRUCTIONAL SKATING LESSONS	OTHER CONTRACTUAL SERVICES	290.70
			290.70
SEH	CE INSPECTION	IMPROVEMENTS OTHER THAN BUILDI	65,942.76
	SEWER UTILITY G&A	GENERAL PROFESSIONAL SERVICES	2,705.18
	STORM WATER UTILITY G&A	OTHER CONTRACTUAL SERVICES	277.20
			68,925.14
SELLS, NANCY	GENERAL INFORMATION	OFFICE SUPPLIES	6.61
			6.61
SHAW/STEWART LUMBER CO	WESTWOOD G & A	OTHER IMPROVEMENT SUPPLIES	1,689.19
			1,689.19

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 25

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
SHRED-IT	GENERAL FUND BALANCE SHEET	CLEARING ACCOUNT	70.00
	ADMINISTRATION G & A	GENERAL PROFESSIONAL SERVICES	20.00
	FINANCE G & A	GENERAL PROFESSIONAL SERVICES	22.00
	POLICE G & A	GENERAL PROFESSIONAL SERVICES	50.00
	INSPECTIONS G & A	GENERAL PROFESSIONAL SERVICES	10.00
			<u>172.00</u>
SILBERFARB, STEPHEN & LAURA	ESCROWS	PMC ESCROW	1,000.00
			<u>1,000.00</u>
SLP ASSOC OF FIREFIGHTERS #993	EMPLOYEE FLEXIBLE SPENDING B/S	UNION DUES	1,319.20
			<u>1,319.20</u>
SODERLIN, HO	INSPECTIONS G & A	MECHANICAL	34.40
			<u>34.40</u>
SPRINT	IT G & A	DATA COMMUNICATIONS	3,959.40
			<u>3,959.40</u>
SPS COMPANIES INC	PLUMBING MTCE	BLDG/STRUCTURE SUPPLIES	42.26
			<u>42.26</u>
SRF CONSULTING GROUP INC	ENGINEERING G & A	OTHER CONTRACTUAL SERVICES	6,803.86
	GO BONDS-FIRE STATIONS G&A	BUILDINGS & STRUCTURES	1,642.77
	PE DESIGN	IMPROVEMENTS OTHER THAN BUILDI	3,383.78
	CE INSPECTION	IMPROVEMENTS OTHER THAN BUILDI	2,585.19
			<u>14,415.60</u>
ST LOUIS PARK HOUSING AUTHORIT	MHFA	OTHER CONTRACTUAL SERVICES	2,485.00
			<u>2,485.00</u>
STEENBERG-WATRUD CONSTRUCTION	GO BONDS-FIRE STATIONS BAL S	RETAINED PERCENTAGE	13,155.75
	GO BONDS-FIRE STATIONS G&A	BUILDINGS & STRUCTURES	263,115.00
			<u>249,959.25</u>
STEINER, CHARLES	HOLIDAY PROGRAMS	OTHER CONTRACTUAL SERVICES	64.00
			<u>64.00</u>
STILLWATER PLUMBING	CAPITAL REPLACEMENT B/S	DUE TO OTHER GOVTS	69.82
	MUNICIPAL BLDG	IMPROVEMENTS OTHER THAN BUILDI	1,806.47
			<u>1,736.65</u>

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 26

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
STONEBROOKE EQUIPMENT INC	PARK AND RECREATION BALANCE SH	INVENTORY	2,397.38
			2,397.38
STREICHER'S	ERU	OPERATIONAL SUPPLIES	1,288.76
			1,288.76
SUBURBAN CHEVROLET	GENERAL REPAIR	EQUIPMENT MTCE SERVICE	117.63
			117.63
SUMMIT FIRE PROTECTION	PARK BUILDING MAINTENANCE	OTHER CONTRACTUAL SERVICES	250.00
			250.00
SUN NEWSPAPERS	ADMINISTRATION G & A	LEGAL NOTICES	65.78
	GREENSBORO HIA	LEGAL NOTICES	105.82
	2010B UTIL REV BONDS	IMPROVEMENTS OTHER THAN BUILDI	105.82
			277.42
TEAM HANDYMAN LLC	WESTWOOD G & A	OTHER CONTRACTUAL SERVICES	2,011.67
			2,011.67
TECTA AMERICAN STOCK ROOFING L	GO BONDS-FIRE STATIONS BAL S	RETAINED PERCENTAGE	17,496.44
	GO BONDS-FIRE STATIONS G&A	BUILDINGS & STRUCTURES	349,928.90
			332,432.46
TEMPLE DISPLAY LTD	PARK AND RECREATION BALANCE SH	DUE TO OTHER GOVTS	171.81
	ORGANIZED REC G & A	OTHER CONTRACTUAL SERVICES	2,499.00
	PARK MAINTENANCE G & A	GENERAL SUPPLIES	2,670.81
			4,998.00
TERMINAL SUPPLY CO	PARK AND RECREATION BALANCE SH	INVENTORY	189.10
	GENERAL REPAIR	GENERAL SUPPLIES	123.60
			312.70
TERMINIX INT	GENERAL BUILDING MAINTENANCE	BUILDING MTCE SERVICE	54.71
	BUILDING MAINTENANCE	BUILDING MTCE SERVICE	97.00
			151.71
TEXA TONKA TAILORING	OPERATIONS	GENERAL SUPPLIES	6.00
			6.00
THE HARTFORD - PRIORITY ACCOUN	ADMINISTRATION G & A	LONG TERM DISABILITY	45.96
	HUMAN RESOURCES	LONG TERM DISABILITY	56.45

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 27

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
	COMM & MARKETING G & A	LONG TERM DISABILITY	16.55
	IT G & A	LONG TERM DISABILITY	42.64
	ASSESSING G & A	LONG TERM DISABILITY	35.66
	FINANCE G & A	LONG TERM DISABILITY	69.58
	COMM DEV G & A	LONG TERM DISABILITY	115.75
	POLICE G & A	LONG TERM DISABILITY	123.78
	OPERATIONS	LONG TERM DISABILITY	78.55
	INSPECTIONS G & A	LONG TERM DISABILITY	59.11
	PUBLIC WORKS G & A	LONG TERM DISABILITY	44.59
	ENGINEERING G & A	LONG TERM DISABILITY	58.53
	PUBLIC WORKS OPS G & A	LONG TERM DISABILITY	20.94
	ORGANIZED REC G & A	LONG TERM DISABILITY	70.58
	PARK MAINTENANCE G & A	LONG TERM DISABILITY	20.94
	ENVIRONMENTAL G & A	LONG TERM DISABILITY	17.46
	WESTWOOD G & A	LONG TERM DISABILITY	17.46
	REC CENTER/AQUATIC PARK SAL	LONG TERM DISABILITY	18.46
	VEHICLE MAINTENANCE G&A	LONG TERM DISABILITY	17.96
	HOUSING REHAB G & A	LONG TERM DISABILITY	16.97
	WATER UTILITY G&A	LONG TERM DISABILITY	20.94
	EMPLOYEE FLEX SPEND G&A	LONG TERM DISABILITY	1,971.77
			<u>2,940.63</u>
THURNBECK STEEL FABRICATION IN	GO BONDS-FIRE STATIONS BAL S	RETAINED PERCENTAGE	3,078.55-
	GO BONDS-FIRE STATIONS G&A	BUILDINGS & STRUCTURES	61,571.00
			<u>58,492.45</u>
TIMESAVER OFF SITE SECRETARIAL	ADMINISTRATION G & A	OTHER CONTRACTUAL SERVICES	997.63
			<u>997.63</u>
TOWMASTER	PARK AND RECREATION BALANCE SH	INVENTORY	3,130.59
			<u>3,130.59</u>
TREE TRUST	WESTWOOD G & A	OTHER CONTRACTUAL SERVICES	1,372.50
			<u>1,372.50</u>
TREHUS	MOVE-UP PROGRAM	OTHER CONTRACTUAL SERVICES	225.00
			<u>225.00</u>
TRUCK UTILITIES MFG CO	PARK AND RECREATION BALANCE SH	INVENTORY	15.87
			<u>15.87</u>
TWIN CITY HARDWARE	WARMING HOUSES	GENERAL SUPPLIES	22.89

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 28

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
	WARMING HOUSES	OTHER CONTRACTUAL SERVICES	269.26
			292.15
UHL CO INC	ELECTRICAL SYSTEM MTCE	BUILDING MTCE SERVICE	1,562.50
			1,562.50
UNIFORMS UNLIMITED (FIRE)	OPERATIONS	GENERAL SUPPLIES	1,052.06
			1,052.06
UNIFORMS UNLIMITED (PD)	SUPERVISORY	OPERATIONAL SUPPLIES	566.08
	PATROL	OPERATIONAL SUPPLIES	2,094.22
			2,660.30
UNITED STATES TREASURY	EMPLOYEE FLEXIBLE SPENDING B/S	WAGE GARNISHMENTS	300.00
			300.00
UNITED WAY OF MINNEAPOLIS AREA	EMPLOYEE FLEXIBLE SPENDING B/S	UNITED WAY	618.00
			618.00
UNIVERSITY OF MINNESOTA REGIST	ENGINEERING G & A	TRAINING	75.00
			75.00
UPPER CUT TREE SERVICE	TREE DISEASE PRIVATE	CLEANING/WASTE REMOVAL SERVICE	3,726.73
			3,726.73
UPS STORE	VEHICLE MAINTENANCE G&A	POSTAGE	23.41
	CABLE TV G & A	MACHINERY & AUTO EQUIPMENT	61.11
			84.52
US HEALTH WORKS MEDICAL GROUP	HUMAN RESOURCES	RECRUITMENT	2,508.00
	TRAINING	GENERAL PROFESSIONAL SERVICES	169.04
	ERU	GENERAL PROFESSIONAL SERVICES	525.78
	ENGINEERING G & A	GENERAL PROFESSIONAL SERVICES	281.56
	TRAINING	GENERAL PROFESSIONAL SERVICES	619.60
	VEHICLE MAINTENANCE G&A	GENERAL PROFESSIONAL SERVICES	239.30
	REILLY G & A	GENERAL PROFESSIONAL SERVICES	492.86
	TRAINING	GENERAL PROFESSIONAL SERVICES	464.86
			5,301.00
VAL, LORI	HUMAN RESOURCES	RECOGNITION	203.95
	HUMAN RESOURCES	CITE	51.00
			254.95

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 29

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
VICKERMAN COMPANY	ORGANIZED REC G & A	GENERAL SUPPLIES	458.00
	PARK MAINTENANCE G & A	GENERAL SUPPLIES	459.20
			<u>917.20</u>
VIGER, JUSTIN & KRISTIN	WATER UTILITY G&A	GENERAL CUSTOMERS	94.74
			<u>94.74</u>
VIKING INDUSTRIAL CTR	PARK MAINTENANCE G & A	GENERAL SUPPLIES	159.77
			<u>159.77</u>
VOELKER, STACY M	EMPLOYEE FLEX SPEND G&A	TUITION	802.12
			<u>802.12</u>
WALKER PARKING CONSULTANTS	ESCROWS	GENERAL	2,984.33
			<u>2,984.33</u>
WASTE MANAGEMENT OF WI-MN	SEWER UTILITY G&A	OTHER CONTRACTUAL SERVICES	1,540.77
	SOLID WASTE COLLECTIONS	MOTOR FUELS	4,995.11
	SOLID WASTE COLLECTIONS	GARBAGE/REFUSE SERVICE	58,751.67
	SOLID WASTE COLLECTIONS	YARD WASTE SERVICE	24,536.07
	SOLID WASTE DISPOSAL	GARBAGE/REFUSE SERVICE	31,686.30
	SOLID WASTE DISPOSAL	YARD WASTE SERVICE	24,482.26
			<u>145,992.18</u>
WASTE TECHNOLOGY INC	PARK GROUNDS MAINTENANCE	BUILDING MTCE SERVICE	1,578.50
			<u>1,578.50</u>
WATER CONSERVATION SERVICE INC	WATER UTILITY G&A	OTHER IMPROVEMENT SERVICE	1,245.90
			<u>1,245.90</u>
WATSON CO INC	CONCESSIONS/HOCKEY ASSOC	CONCESSION SUPPLIES	948.95
			<u>948.95</u>
WAYTEK	PARK AND RECREATION BALANCE SH GENERAL REPAIR	INVENTORY	33.53
		GENERAL SUPPLIES	106.91
			<u>140.44</u>
WEBER ELECTRIC	WATER UTILITY G&A WATER UTILITY G&A	BUILDING MTCE SERVICE	1,197.38
		EQUIPMENT MTCE SERVICE	2,531.00
			<u>3,728.38</u>

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 30

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
WELDON, DAN	BASKETBALL	OTHER CONTRACTUAL SERVICES	825.00
			825.00
WELLS FARGO	POLICE G & A	MISC EXPENSE	90.00
			90.00
WEST PAYMENT CENTER	SUPPORT SERVICES	OTHER CONTRACTUAL SERVICES	120.00
			120.00
WESTWOOD HILLS NEIGHBORHOOD AS	NEIGHBORHOOD ASSOCIATION GRANT	OTHER CONTRACTUAL SERVICES	682.07
			682.07
WOK IN THE PARK	POLICE G & A	MISC EXPENSE	90.00
			90.00
WOLNEY ELECTRIC LLC	ELECTRICAL SYSTEM MTCE	BUILDING MTCE SERVICE	289.88
	SSD #5 G&A	ELECTRIC SERVICE	916.25
			1,206.13
WRAP CITY GRAPHICS	WARMING HOUSES	GENERAL SUPPLIES	69.47
			69.47
XCEL ENERGY	FACILITY OPERATIONS	ELECTRIC SERVICE	10,129.12
	OPERATIONS	ELECTRIC SERVICE	22.41
	PUBLIC WORKS OPS G & A	ELECTRIC SERVICE	27,286.73
	PARK MAINTENANCE G & A	ELECTRIC SERVICE	2,951.96
	BRICK HOUSE (1324)	ELECTRIC SERVICE	24.66
	WW RENTAL HOUSE (1322)	ELECTRIC SERVICE	51.39
	GO BONDS-FIRE STATIONS G&A	BUILDINGS & STRUCTURES	33,388.58
	WATER UTILITY G&A	ELECTRIC SERVICE	19,658.51
	REILLY BUDGET	ELECTRIC SERVICE	1,626.92
	SEWER UTILITY G&A	ELECTRIC SERVICE	3,018.07
	STORM WATER UTILITY G&A	ELECTRIC SERVICE	834.46
			98,992.81
XIOTECH CORP	TECHNOLOGY REPLACEMENT	OFFICE EQUIPMENT	424.83
			424.83
YOCUM OIL CO INC	PARK AND RECREATION BALANCE SH	INVENTORY	25,086.50
			25,086.50
ZACKS INC	PARK MAINTENANCE G & A	SMALL TOOLS	656.88

R55CKSUM LOG23000VO

CITY OF ST LOUIS PARK

12/29/2011 8:56:00

Council Check Summary

Page - 31

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
	VEHICLE MAINTENANCE G&A	SMALL TOOLS	253.71
	WATER UTILITY G&A	SMALL TOOLS	229.72
	SEWER UTILITY G&A	SMALL TOOLS	410.97
	STORM WATER UTILITY G&A	SMALL TOOLS	139.42
			<hr/> 1,690.70
ZEE MEDICAL SERVICE	PUBLIC WORKS OPS G & A	GENERAL SUPPLIES	24.26
	PARK MAINTENANCE G & A	GENERAL SUPPLIES	24.26
	VEHICLE MAINTENANCE G&A	GENERAL SUPPLIES	24.25
	WATER UTILITY G&A	GENERAL SUPPLIES	24.26
			<hr/> 97.03
ZIEGLER INC	PARK AND RECREATION BALANCE SH	INVENTORY	1,139.35
	STORM WATER UTILITY G&A	OTHER	2,648.36
			<hr/> 3,787.71
ZINTL INC	GO BONDS-FIRE STATIONS BAL S	RETAINED PERCENTAGE	3,290.75-
	GO BONDS-FIRE STATIONS G&A	BUILDINGS & STRUCTURES	65,815.00
			<hr/> 62,524.25
ZIP PRINTING	SPECIAL PROGRAMS	PRINTING & PUBLISHING	309.38
	TREE MAINTENANCE	OFFICE SUPPLIES	80.96
			<hr/> 390.34
		Report Totals	<hr/> <hr/> 3,076,566.86



**RESOLUTION NO. 12-\_\_\_\_\_**

**RESOLUTION APPOINTING \_\_\_\_\_  
TO THE OFFICE OF MAYOR PRO TEM  
FOR THE YEAR 2012**

**WHEREAS**, Minnesota State Statute Section 412.121 requires cities to choose each year an acting Mayor from the Council members; and

**WHEREAS**, the acting Mayor shall perform the duties of Mayor during the disability or absence of the Mayor from the City or, in case of vacancy in the office of Mayor until a successor has been appointed and qualifies; and

**WHEREAS**, the Council has carefully reviewed the qualifications of all Council members and has considered the desires of the residents and the welfare of the City as a whole,

**NOW THEREFORE BE IT RESOLVED** by the St. Louis Park City Council that \_\_\_\_\_ is hereby appointed Mayor Pro Tem of the City of St. Louis Park and shall serve in that capacity for the year 2012 until a duly elected successor assumes the office at the first regular City Council meeting in 2013.

Reviewed for Administration:

Adopted by the City Council January 3, 2012

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

**Regular Meeting**    Public Hearing    Action Item    Consent Item    Resolution    Ordinance  
                           Presentation    Other:  
**EDA Meeting**    Action Item    Resolution    Other:  
**Study Session**    Discussion Item    Written Report    Other:

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**TITLE:**

Second Reading of Zoning Ordinance Amendment for Variances.

**RECOMMENDED ACTION:**

Motion to Adopt Second Reading of an Ordinance amending Chapter 36-33 of the St. Louis Park Code of Ordinances relating to variances from the Zoning Ordinance, approve the summary ordinance and authorize for publication.

**POLICY CONSIDERATION:**

Do the proposed modifications to the Zoning Ordinance meet new state standards as well as city standards for variances?

Does the City Council wish to approve the proposed Zoning Ordinance amendment?

**DESCRIPTION OF REQUEST:**

Staff is proposing an amendment to Section 36-33(d) of the zoning ordinance, pertaining to variances. The purpose of the amendment is to make the ordinance consistent with new state law.

**BACKGROUND:**Council Review:

During the first reading of the proposed ordinance, the Council directed staff and City Attorney to review the following proposed language found in section (3)a and consider possible changes:

*The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.*

The City Attorney reviewed the Council request and the language, and determined that the language should remain as proposed because it is taken directly from State Statute, and it is one of the primary statements in the new law resulting from the case cited below. He further states that this language cannot be used to justify a variance to allow a use that is not otherwise allowed in the zoning district because State Law specifically does not permit it, and Section (a)1 of the proposed ordinance specifically states that a variance cannot be used to allow any land use that is not allowed under the zoning ordinance.

State Law:

The State law pertaining to a city's authority to grant variances was amended earlier this year in response to a 2010 Minnesota Supreme Court ruling on a variance case. The law restores municipal variance authority and provides consistent statutory language between Minn. Stat. Ch. 462 for cities and the county variance authority of Minn. Stat. Sec. 394.27, subd. 7.

Proposed Ordinance:

In response to the new law, city staff prepared the attached amendment to city code. The following is a summary of the proposed changes:

When considering variances, the new state law requires the city to consider the reasonableness, uniqueness, the essential character of the property/neighborhood, harmony with the ordinance, and consistency with the comprehensive plan. The proposed amendment modifies the existing criteria to be consistent with these considerations.

The proposed amendment defines “practical difficulties” (as defined in state law):

- (1) The proposed variance is reasonable;
- (2) The plight of the landowner is due to circumstances unique to the property not created by the landowner; and
- (3) The variance, if granted, will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

**Attachments:** Zoning Ordinance Amendment  
Summary Ordinance for Publication

**Prepared by:** Gary Morrison, Assistant Zoning Administrator  
**Reviewed by:** Meg J. McMonigal, Planning and Zoning Supervisor  
**Approved by:** Tom Harmening, City Manager

**ORDINANCE NO. \_\_\_\_ -12**

**AN ORDINANCE AMENDING THE ST. LOUIS PARK  
ORDINANCE CODE RELATING TO ZONING BY  
AMENDING SECTIONS 36-4 DEFINITIONS AND 36-33(d) VARIANCES**

**THE CITY OF ST. LOUIS PARK DOES ORDAIN:**

Findings

Sec. 1. The City Council has considered the advice and recommendation of the Planning Commission (Case No. 11-15-ZA).

Sec. 2. The St. Louis Park Ordinance Code, Sections 36-4 and 36-33(d) are hereby amended by deleting stricken language and adding underscored language. Section breaks are represented by \*\*\*.

**Section 36-4. Definitions.**

\*\*\*

~~Variance means the modification of any chapter requirement.~~

Variance means a modification or variation of the provisions of this zoning code as applied to a specific piece of property.

\*\*\*

Section 36-33. Application and review process for conditional use permits and variances.

\*\*\*

~~(d) **Variances; limitations.** The board of zoning appeals may grant variances from the strict application of the provisions of this chapter and impose conditions and safeguards in the variances granted in cases where by reason of narrowness, shallowness, shape of a lot, exceptional topographical or water conditions, or other extraordinary and exceptional conditions of the lot, the strict application of the terms of this chapter would result in peculiar and practical difficulties or exceptional or undue hardship to the owner of the lot in developing or using the lot in a manner customary and legally permissible in the use district in which such lot is located. Applications for variances shall be filed with the director of planning and shall describe the exceptional conditions of the lot and the peculiar and practical difficulties claimed as a basis for the variance.~~

~~(1) **Applications.** All applications for variances shall be initiated by, or with the consent of, the owners of the property. A complete application shall consist of:~~

~~a. An application form.~~

~~b. The fee payment.~~

~~c. A survey of the property showing all property lines, structures and easements.~~

~~d. A plan showing all existing and proposed structures.~~

~~e. — A map or plat showing the lands proposed for variance and all lands within 350 feet of the boundaries of that property and the names and addresses of the owners of the lands in the area as they appear on the records of the county auditor or other appropriate records.~~

~~f. — Any other materials required by the city.~~

~~Before a variance request is approved, the request for the variance shall be considered by the board of zoning appeals. The board of zoning appeals shall consider the strict application of the provisions of this chapter and the requirements of all applicable state law.~~

~~(2) — *Consideration by the planning commission.* Before the board of zoning appeals issues any variance, the planning commission or a representative authorized by the planning commission shall review the variance request and report its findings and recommendations to the board of zoning appeals. If no report is transmitted to the board of zoning appeals within 45 days after referral of the variance request to the planning commission or its authorized representative, the board of zoning appeals may take action without a planning commission report.~~

~~(3) — *Notice.* After receipt of a complete application, the city shall set a date for a public hearing before the board of zoning appeals for any variance request within 45 days after the application for a variance is received by the city. The public hearing shall be held only after the notice required by subsection (b)(1) of this section has been given. The Zoning Administrator shall submit by mail to the Commissioner of Natural Resources a copy of the application for proposed variance(s) occurring within a floodway, flood fringe or floodplain district sufficiently in advance so that the Commissioner will receive at least ten days notice of the hearing. (Ord. No. 2276-04, 8-14-04)~~

~~(4) — *Hearings.* The board of zoning appeals shall hear arguments at the hearing for and against the proposed variance and it may continue that hearing from time to time if a continued hearing is reasonably required. Final vote on the proposed variance shall be taken within 30 days after the public hearing is closed.~~

~~(5) — *Issuance.* The board of zoning appeals shall consider the effect of the proposed variance upon the health, safety and welfare of the community, the existing and anticipated traffic conditions, light and air, danger of fire, risk to public safety, the effect on the character and development of the neighborhood and the values of property in the surrounding area, and the effect of the proposed variance upon the comprehensive plan.~~

~~a. — The board of zoning appeals may grant a variance from the strict application of the provisions of this chapter provided that:~~

~~1. — Where by reason of narrowness, shallowness, or shape of a lot, or where by reason of exceptional topographical or water conditions or other extraordinary and exceptional conditions of such lot, the strict application or the terms of this chapter would result in peculiar and practical difficulties or exceptional or undue hardship upon the owner of such lot in developing or using such lot in a manner customary and legally permissible within the use district in which such lot is located.~~

- ~~2. — Conditions applying to the structure or land in question are peculiar to the property or immediately adjoining property, and do not apply, generally, to other land or structures in the use district in which the land is located.~~
  - ~~3. — The granting of the proposed variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.~~
  - ~~4. — The granting of the proposed variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion in the public streets, increase the danger of fire, or endanger public safety.~~
  - ~~5. — The granting of the variance will not unreasonably impact on the character and development of the neighborhood, unreasonably diminish or impair established property values in the surrounding area, or in any other way impair the health, safety, and comfort of the area.~~
  - ~~6. — The granting of the proposed variance will not be contrary to the intent of this chapter and the comprehensive plan.~~
  - ~~7. — The granting of a variance will not merely serve as a convenience to the applicant but is necessary to alleviate a demonstrable undue hardship or difficulty.~~
- ~~b. — The board of zoning appeals may grant the variance requested and impose conditions and safeguards as a condition to the variance to ensure compliance with the conditions imposed and to protect adjacent properties.~~
- ~~c. — If the application for a variance involves property within a floodway, flood fringe and floodplain district, then a copy of all decisions granting variances shall be forwarded by mail to the Commissioner of Natural Resources within ten (10) days of such action, and the following additional variance criteria of the Federal Emergency Management Agency must also be satisfied:~~
- ~~1. — Variances shall not be issued by a community within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.~~
  - ~~2. — Variances shall only be issued by a community upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.~~
  - ~~3. — Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.~~
  - ~~4. — No variance shall allow a lower degree of flood protection than the Regulatory Flood Protection Elevation.~~
- ~~d. — Flood Insurance Notice and Record Keeping. — The Zoning Administrator shall notify the applicant for a variance that: 1) The issuance of a variance to construct a~~

~~structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and 2) Such construction below the 100 year or regional flood level increases risks to life and property. Such notification shall be maintained with a record of all variance actions. A community shall maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its annual or biennial report submitted to the Administrator of the National Flood Insurance Program.~~

~~(5) *Appeal to the city council.* Any owner of affected property or any owner of property situated wholly or partly within 350 feet of the affected property may appeal the decision of the board of zoning appeals to the city council. The appeal must be in writing and must be filed with the city clerk within ten calendar days after the date of the board of zoning appeals' decision. The required fee shall be paid to the city treasurer when the appeal request is filed. When an appeal is received by the city, the applicant will be notified of the date and time the city council will hear the appeal. No appeal will be heard until the city has notified all property owners within 350 feet of the subject property of the date scheduled for the appeal hearing. If no appeal is made within the ten day period, the decision of the board of zoning appeals shall be final. If an appeal is taken from the decision of the board of zoning appeals, the city council shall hear the appeal within 30 days of the filing of the appeal unless that period is extended with consent of the appellant. The city council may reverse a decision of the board of zoning appeals by an affirmative vote of the majority of its full membership. The city council shall render a decision within 30 days concluding the appeal hearing. A decision of the board of zoning appeals shall not become effective until the end of the appeal period has expired. If an appeal is filed before the end of the appeal period the decision of the board of zoning appeals shall not become effective until the city council has rendered a decision on the appeal.~~

~~(7) *Fees.* No application for a variance from the provisions of this chapter shall be filed until the applicant has paid to the city treasurer the application fee established by this chapter which was adopted by the city council. No appeal of a decision shall be heard until the appellant has paid to the city treasurer the appeal fee established by this chapter adopted by the city council.~~

~~(8) *Limitations.* No application for a variance shall be accepted, and no variance shall be granted by the city for any of the following:~~

~~a. Land uses not specifically listed within a use district.~~

~~b. Floor elevations lower than the flood protection elevation in the floodplain district.~~

~~(9) *Combined variance and conditional use permit, planned unit development process, or subdivision.* The city council will act as the board of zoning appeals for variance requests made in conjunction with a conditional use permit, PUD application, or subdivision. The planning commission shall hold the public hearing on the variance request, review the variance request along with the conditional use permit, PUD application, or subdivision process, and report its findings and recommendations to the city council.~~

**(d) Variances;** The board of zoning appeals may grant variances from the strict application of the provisions of the zoning ordinance in accordance with state law.

(1) Variances are not permitted for:

(a) Any land use that is not allowed under the zoning ordinance for property in the zone where the affected person's land is located.

- (b) Floor elevations lower than the flood protection elevation in the floodplain district.
- (2) The board of zoning appeals may grant a variance from the strict application of the provisions of this chapter upon consideration of the effect of the proposed variance upon the health, safety and welfare of the community. Variances shall only be permitted:
  - (a) When they are in harmony with the general purposes and intent of the ordinance and,
  - (b) When the variances are consistent with the comprehensive plan.
- (3) Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. "Practical difficulties," as used in connection with the granting of a variance, means that:
  - (a) The property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance.
  - (b) The plight of the landowner is due to circumstances unique to the property not created by the landowner.
  - (c) The variance, if granted, will not alter the essential character of the locality.
  - (d) Economic considerations alone do not constitute practical difficulties. Practical difficulties include inadequate access to direct sunlight for solar energy systems.
- (4) The board shall consider the following criteria when evaluating a variance request:
  - (a) Circumstances unique to the property include the shape, topography, water conditions, or other physical conditions unique to the property.
  - (b) The granting of the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.
  - (c) The granting of the variance will not impair an adequate supply of light and air to the adjacent property, unreasonably increase the congestion in the public streets, increase the danger of fire, or endanger public safety.
  - (d) The granting of the variance will not merely serve as a convenience to the applicant but is necessary to alleviate a practical difficulty.
- (5) The board may impose conditions in the granting of variances. A condition must be directly related to and must bear a rough proportionality to the impact created by the variance.
- (6) Variances shall be granted for earth sheltered construction as defined in section 216C.06, subdivision 14, when in harmony with the ordinance.
- (7) Variances involving a floodway, flood fringe and floodplain. If the application for a variance involves property within a floodway, flood fringe and floodplain district, then a copy of all decisions granting variances shall be forwarded by mail to the Commissioner of Natural Resources within ten (10) days of such action. In determining whether the property owner is proposing to use the property in a reasonable manner, the following additional variance criteria of the Federal Emergency Management Agency must also be satisfied:
  - (a) Variances shall not be issued by a community within any designated regulatory floodway if any increase in flood levels during the base flood discharge would result.
  - (b) Variances shall only be issued by a community upon (i) a showing of good and sufficient cause, (ii) a determination that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) a determination that the granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing local laws or ordinances.

- (c) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (d) No variance shall allow a lower degree of flood protection than the Regulatory Flood Protection Elevation.
- (e) Flood Insurance Notice and Record Keeping. The Zoning Administrator shall notify the applicant for a variance that: (i) The issuance of a variance to construct a structure below the base flood level will result in increased premium rates for flood insurance up to amounts as high as \$25 for \$100 of insurance coverage and (ii) Such construction below the 100-year or regional flood level increases risks to life and property. Such notification shall be maintained with a record of all variance actions. A community shall maintain a record of all variance actions, including justification for their issuance, and report such variances issued in its annual or biennial report submitted to the Administrator of the National Flood Insurance Program.
- (8) Process. A request for a variance shall be considered by the board of zoning appeals. The board of zoning appeals shall consider the strict application of the provisions of this chapter and the requirements of all applicable state law. The city council will act as the board of zoning appeals for variance requests made in conjunction with a conditional use permit, PUD application, or subdivision. The planning commission shall hold the public hearing on the variance request, review the variance request along with the conditional use permit, PUD application, or subdivision process, and report its findings and recommendations to the city council.

  - (a) Applications. All applications for variances shall be initiated by, or with the written consent of, the owners of the property. A complete application shall consist of:

    - a. An application and fee payment.
    - b. A written explanation of the request addressing the variance criteria in sections (b), (c) and (d) above.
    - c. A survey of the property showing all property lines, existing and proposed structures and easements.
    - d. A dimensioned plan showing the floor plan and elevations for all existing and proposed structures.
    - e. A map or plat showing the lands proposed for variance and all lands within 350 feet of the boundaries of that property and the names and addresses of the owners of the lands in the area as they appear on the records of the county auditor or other appropriate records.
    - f. Any other materials required by the city.
  - (b) Notice. After receipt of a complete application, the city shall set a date for a public hearing before the board of zoning appeals for any variance request within 45 days after the application for a variance is received by the city. The Zoning Administrator shall submit by mail to the Commissioner of Natural Resources a copy of the application for proposed variances(s) occurring within a floodway, flood fringe or floodplain district sufficiently in advance so that the Commissioner will receive at least ten days notice of the hearing. (Ord. No. 2276-04, 8-14-04)
  - (c) Hearings. The public hearing shall be held only after the required notice has been given. The board of zoning appeals shall hear arguments at the hearing for and against the proposed variance and it may continue that hearing from time to time if a continued hearing is reasonably required. Final vote on the proposed variance shall be taken within 30 days after the public hearing is closed.

(d) Appeal to the city council. Any owner of affected property or any owner of property situated wholly or partly within 350 feet of the affected property may appeal the decision of the board of zoning appeals to the city council. The appeal must be in writing and must be filed with the city clerk within ten calendar days after the date of the board of zoning appeals' decision. The required fee shall be paid to the city treasurer when the appeal request is filed. When an appeal is received by the city, the applicant will be notified of the date and time the city council will hear the appeal. No appeal will be heard until the city has notified all property owners within 350 feet of the subject property of the date scheduled for the appeal hearing. If no appeal is made within the ten-day period, the decision of the board of zoning appeals shall be final. If an appeal is taken from the decision of the board of zoning appeals, the city council shall hear the appeal within 30 days of the filing of the appeal unless that period is extended with consent of the appellant. The city council may reverse a decision of the board of zoning appeals by an affirmative vote of the majority of its full membership. The city council shall render a decision within 30 days concluding the appeal hearing. A decision of the board of zoning appeals shall not become effective until the end of the appeal period has expired. If an appeal is filed before the end of the appeal period the decision of the board of zoning appeals shall not become effective until the city council has rendered a decision on the appeal.

Sec. 3. The contents of Planning Case File 11-15-ZA are hereby entered into and made part of the public hearing record and the record of decision for this case.

Sec. 4. This Ordinance shall take effect fifteen days after its publication.

Reviewed for Administration

Adopted by the City Council January 3, 2012

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Mayor

Attest:

Approved as to Form and Execution:

Public Hearing	November 16, 2011
First Reading	December 19, 2011
Second Reading	January 3, 2012
Date of Publication	January 12, 2012
Date Ordinance takes effect	January 27, 2012

**SUMMARY PUBLICATION**

**ORDINANCE NO. \_\_\_-12**

This ordinance amends Sections 36-4 Definitions and 36-33(d) Variances to make this section of the ordinance consistent with new state law.

This ordinance shall take effect 15 days after publication.

Adopted by the City Council January 3, 2012

Jeffrey W. Jacobs /s/  
Mayor

A copy of the full text of this ordinance is available for inspection with the City Clerk.

Published in St. Louis Park Sailor: January 12, 2012

**Regular Meeting**    **Public Hearing**    **Action Item**    **Consent Item**    **Resolution**    **Ordinance**

**Presentation**    **Other:**

**EDA Meeting**    **Action Item**    **Resolution**    **Other: Vendor Claims**

**Study Session**    **Discussion Item**    **Written Report**    **Other:**

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**TITLE:**

Vendor Claims.

**RECOMMENDED ACTION:**

Motion to accept for filing Vendor Claims for the period December 10, 2011 through December 30, 2011.

**POLICY CONSIDERATION:**

Not applicable.

**BACKGROUND:**

The Finance Department prepares this report for council's review.

**FINANCIAL OR BUDGET CONSIDERATION:**

None.

**VISION CONSIDERATION:**

Not applicable.

**Attachments:**            Vendor Claims

**Prepared by:**            Connie Neubeck, Account Clerk

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CITY OF ST LOUIS PARK

12/29/2011 8:56:10

Council Check Summary

Page - 1

12/10/2011 - 12/30/2011

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
ANDERBERG INNOVATIVE PRINT SOL	DEVELOPMENT - EDA G&A	OTHER CONTRACTUAL SERVICES	400.00
			400.00
BENILDE-ST MARGARET'S SCHOOL	BASS LAKE/EDI	OTHER CONTRACTUAL SERVICES	65,513.33
			65,513.33
CAMPBELL KNUTSON PROF ASSOC	DEVELOPMENT - EDA G&A	LEGAL SERVICES	8,220.00
			8,220.00
CENTERPOINT ENERGY	7015 WALKER-REYNOLDS WELD PROP	HEATING GAS	36.13
			36.13
EHLERS & ASSOCIATES INC	HARD COAT	OTHER CONTRACTUAL SERVICES	475.00
	WEST END TIF DIST G&A	OTHER CONTRACTUAL SERVICES	1,598.04
	ELLIPSE ON EXC TIF DIST G&A	OTHER CONTRACTUAL SERVICES	742.98
	TRUNK HWY 7 G&A	OTHER CONTRACTUAL SERVICES	743.04
	HSTI G&A	OTHER CONTRACTUAL SERVICES	790.54
	VICTORIA PONDS G&A	OTHER CONTRACTUAL SERVICES	743.04
	PARK CENTER HOUSING G&A	OTHER CONTRACTUAL SERVICES	743.04
	CSM TIF DIST G&A	OTHER CONTRACTUAL SERVICES	743.04
	DEVELOPMENT - EDA G&A	OTHER CONTRACTUAL SERVICES	665.00
	MILL CITY G&A	OTHER CONTRACTUAL SERVICES	743.04
	PARK COMMONS G&A	OTHER CONTRACTUAL SERVICES	743.04
	EDGEWOOD TIF DIST G & A	OTHER CONTRACTUAL SERVICES	743.04
	ELMWOOD VILLAGE G & A	OTHER CONTRACTUAL SERVICES	743.04
	WOLFE LAKE COMMERCIAL TIF G&A	OTHER CONTRACTUAL SERVICES	743.04
	AQUILA COMMONS G & A	OTHER CONTRACTUAL SERVICES	743.04
	HWY 7 BUSINESS CENTER G & A	OTHER CONTRACTUAL SERVICES	743.04
			12,445.00
HENNEPIN COUNTY TREASURER	EDGEWOOD TIF DIST G & A	TAX INCREMENTS	8,763.27
			8,763.27
KENNEDY & GRAVEN	HARD COAT	LEGAL SERVICES	1,755.00
			1,755.00
LOCKRIDGE GRINDAL NAUEN PLLP	HRA LEVY G&A	LEGAL SERVICES	3,000.00
			3,000.00
NAIOP	DEVELOPMENT - EDA G&A	SUBSCRIPTIONS/MEMBERSHIPS	425.00
			425.00

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CITY OF ST LOUIS PARK  
 Council Check Summary  
 12/10/2011 - 12/30/2011

12/29/2011 8:56:10  
 Page - 2

<u>Vendor</u>	<u>Business Unit</u>	<u>Object</u>	<u>Amount</u>
NEXTEL COMMUNICATIONS	DEVELOPMENT - EDA G&A	TELEPHONE	222.53
			<u>222.53</u>
OFFICE DEPOT	DEVELOPMENT - EDA G&A	OFFICE SUPPLIES	8.31
			<u>8.31</u>
PARK NICOLLET HEALTH SERVICES	HSTI G&A	DEVELOPER TAX INCREMNT PYMT	1,045,573.77
			<u>1,045,573.77</u>
ST LOUIS PARK SUNRISE ROTARY	DEVELOPMENT - EDA G&A	SUBSCRIPTIONS/MEMBERSHIPS	206.00
			<u>206.00</u>
		Report Totals	<u><u>1,146,568.34</u></u>

**Regular Meeting**    Public Hearing    Action Item    Consent Item    Resolution    Ordinance  
                            Presentation    Other:

**EDA Meeting**    Action Item    Resolution    Other:

**Study Session**    Discussion Item    Written Report    Other:

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**TITLE:**  
2012 Economic Development Authority Officers.

**RECOMMENDED ACTION:**  
Motion to elect \_\_\_\_\_ as President, \_\_\_\_\_ as Vice-President, and \_\_\_\_\_ as Treasurer to the Economic Development Authority for the 2012 term.

**POLICY CONSIDERATION:**  
Who does the Economic Development Authority (EDA) wish to elect as the 2012 Officers?

**BACKGROUND:**  
EDA by-laws state that the President, Vice President, and Treasurer are to be elected annually. These officers hold offices until the next election or until successors are elected.

The by-laws also state that the City Manager will serve as the Executive Director and that the City Clerk will serve as Secretary. The Executive Director also serves as the Assistant Treasurer to the EDA.

Officers were elected January 3, 2011 to fill terms for 2011. Below is the current officer structure:

President	Phil Finkelstein
Vice President	Paul Omodt
Treasurer	Sue Santa
Executive Director/Assistant Treasurer	Tom Harmening
Secretary	Nancy Stroth

**FINANCIAL OR BUDGET CONSIDERATION:**  
Not Applicable.

**VISION CONSIDERATION:**  
Not Applicable.

**Attachments:**           None

**Prepared by:**           Debbie Fischer, Office Assistant  
**Reviewed by:**         Nancy Stroth, City Clerk  
**Approved by:**         Tom Harmening, Executive Director