

Mayor: Lee Hunt Councilmembers: Steve DeLapp Susan Dunn Dean Johnston Chuck Siedow	<h1>Lake Elmo City Council</h1> <h2>MONDAY</h2> <h3>March 1, 2004</h3> <p>(NOTE: The date of the regularly scheduled Council meeting has been changed because of Precinct Caucus)</p>	3800 Laverne Avenue No. Lake Elmo, MN 55042 777-5510 777-9615 (fax)
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Please read: Since the City Council does not have time to discuss every point presented, it may appear that decisions are preconceived. However, staff provides background information to the City Council on each agenda item in advance; and decisions are based on this information and experience. In addition, some items may have been discussed at previous council meetings.

If you are aware of information that has not been discussed, please fill out a "Request to Appear Before the City Council form; or, if you came late, raise your hand to be recognized. Comments that are pertinent are appreciated. Items may be continued to a future meeting if additional time is needed before a decision can be made.

Agenda

City Council Meeting Convenes 7:00 PM

Pledge of Allegiance	
1. Agenda	
2. Minutes	February 17, 2004
3. PUBLIC INQUIRIES/INFORMATIONAL: A. Public Inquiries B. Lake Elmo Jaycees Charitable Gambling License Renewal: Resolution No. 2004-018	Public Inquiries/Informational is an opportunity for citizens to bring the Council's attention any items not currently on the agenda. In addressing the Council, please state your name and address for the record, and a brief summary of the specific item being addressed to the Council. To allow adequate time for each person wishing to address the Council, we ask that individuals limit their comments to three (3) minutes. Written documents may be distributed to the Council prior to the meeting or as bench copies, to allow a more timely presentation.
4. CONSENT AGENDA: A. Resolution No. 2004-019 Approving Claims	Those items listed under the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion under a Consent Calendar format. There will be no separate discussion of these items unless a Council member so requests, in which event, the item will be removed from the general order of business and considered separately in its normal sequence on the agenda.
5. FINANCE: A. Software/Server Upgrades B. Storm Water Utility First Billing	

6. <u>NEW BUSINESS</u>	
7. <u>MAINTENANCE/PARK/FIRE/BUILDING:</u> A. B. Update On Fire Dept.:Chief Malmquist	
8. CITY ENGINEER'S REPORT: A. Public Hearing: 2004 Overlay Project: Resolution 2004-020 Authorize Preparation of Plans and Specifications B. Proposed Annexation of Manning Trail	Tom Prew
9. PLANNING, LAND USE & ZONING: A. Prairie Ridge Office Park Building Permit: Resolution No. 2004-021	T.Prew/J.McNamara
10. CITY ATTORNEY'S REPORT: A. Hazardous Structure on 37 th Street	
11. CITY ADMINISTRATOR'S REPORT: A. B.	
12. CITY COUNCIL REPORTS: A. Mayor Hunt Thank You Letter to Oakdale Gun Club B. Council Member DeLapp C. Council Member Dunn D. Council Member Johnston E. Council Member Siedow	
<u>Environmental Commission Meeting,</u> <u>March 9, 2004, 7 p.m.,</u> Presentation on Degradation of TCE by William Arnold & Tsutomu Shimotori, Research Assistant, Dept. of Civil Engineering, University of Minnesota	

LAKE ELMO CITY COUNCIL MINUTES

FEBRUARY 17, 2004

1. AGENDA
2. MINUTES: February 3, 2004
3. PUBLIC INQUIRIES/INFORMATIONAL:
 - A. Study Presentation – Old Village Constructed Wetlands Wastewater Feasibility
 - B. Donation from Oakdale Gun Club
4. CONSENT AGENDA:
 - A. Community Improvement Commission Application: Jill Anderson
 - B. Resolution No. 2004-014: Approving Claims
5. FINANCE:
6. NEW BUSINESS:
 - A. MLCCS Mapping Grant – Washington County Conservation District
7. MAINTENANCE/PARK/FIRE/BUILDING:
 - A. Parks Dept. Score Board Donation
 - B. Building Dept. Update: Jim McNamara
8. CITY ENGINEER'S REPORT:
 - A. Resolution No 2004-015: Overlay Feasibility Report and Call a Public Hearing
9. PLANNING, LAND USE & ZONING:
 - A. Resolution No. 2004-016: Cluster and Minor Subdivision: Merle and Fonda Olson
 - B. Fence Regulation – Permitting Process
 - C. Old Village Planning Area Development Moratorium
10. CITY ATTORNEY'S REPORT:
11. CITY ADMINISTRATOR'S REPORT:
 - A. Fire Department Officer Selection Process
Fire Department Study
 - B. Resolution No. 2004-017 Endorsing Legislation Regarding CRT Recycling
 - C. Park and Ride Lot on I-94 and Keats Avenue
12. OLD BUSINESS:
 - A. Follow-Up Workshop
 - B. Strategic Planning Workshop
13. CITY COUNCIL REPORTS:

Mayor Hunt called the Council meeting to order at 7:00 p.m. in the Council chambers.
PRESENT: Siedow, Dunn, Hunt, Johnston, DeLapp, City Engineer Prew, City Attorney Filla, Building Official McNamara, Acting Finance Director Tom Bouthilet and Acting City Administrator/Planner Dillerud

1. **AGENDA**

ADD: Park and Ride Lot on Keats Avenue, Donation from Oakdale Gun Club
M/S/P Siedow/Johnston - to approve the February 17, 2004 City Council agenda, as amended. (Motion passed 5-0).

2. **MINUTES: February 4, 2004**

M/S/P Johnston/Siedow - to approve the February 4, 2004 City Council minutes, as presented. (Motion passed 5-0).

3. **PUBLIC INQUIRIES/INFORMATIONAL:**

A. **Study Presentation – Old Village Constructed Wetland Wastewater Feasibility**

Scott Wallace, North American Wetland Engineering, gave a presentation on the Old Village Wastewater Treatment Feasibility Study. Wallace said he based his work on the Thorbeck study, but also did soil investigations on the parcels in the Old Village Plan. The soils are the limiting factor.

The Planner suggested that because the study was lengthy and detailed, it will require review before specific project recommendations and staging can be addressed. He reported that he had provided the City Engineer with a copy of the study so he could investigate if his plan for stormwater would not conflict with the integrated wastewater plan.

Mayor Hunt stated this will overlay our planning and the next step would address how the City stages something like this. He also said the City would investigate what money is out there and look into using wastewater treatment areas as amenities. He concluded that he did not believe that anybody on this Council will force someone with a functioning private septic system to hook up to any new City system.

M/S/P DeLapp/Johnston – to receive the Feasibility Study for Old Village Wastewater Treatment and to direct the Staff and City Engineer to review the Study, and bring forth specific recommendations to the Council regarding implementation and staging of the Study elements. (Motion passed 5-0.)

B. **Donation from Oakdale Gun Club**

The Council received a donation of a \$1,000 from the Oakdale Gun Club to offset the legal costs incurred in our legal fight against the Met Council. Mayor Hunt will write a thank you letter for the Council to sign at the March 1st meeting.

M/S/P Dunn/Johnston – to accept the generous donation of \$1,000 from the Oakdale Gun Club, 10386 10th St. N., to offset the legal costs incurred in the City's litigation with the Met Council. (Motion passed 5-0.)

4. CONSENT AGENDA

A. Community Improvement Commission Application: Jill Anderson

The Council received an application from Jill Anderson, Lake Elmo Jaycees Secretary, to serve on the Community Improvement Commission. Anderson indicated she would like to see more programs for the children and for the elderly.

M/S/P Johnston/Dunn - to appoint Jill Anderson to the Community Improvement Commission. (Motion passed 5-0).

B. Resolution No. 2004-014: Approving Claims

M/S/P Dunn/Siedow - to adopt Resolution No. 2004-014, Approving Claim Numbers 187, 188, DD104 through DD112, 25132 through 25164, that were used for Fire/Staff payroll dated February 5, 2004, and Claim Numbers 25165 through 25208 dated February 17, 2004 in the total amount of \$279,861.13. (Motion passed 5-0.)

The Acting City Administrator reported that there was no budget report presented because data will not be accurate until the City closes last years books. He noted that the auditors completed the field audit on Wednesday, and should close books in a week or two.

5. FINANCE

6. NEW BUSINESS:

A. MLCCS Mapping Grant Washington County Conservation District

Jeff Berg, Washington County Conservation District, informed the Council that the District (and other metro SWCDs) is applying for a LCMR grant to conduct land cover mapping within incomplete areas of Washington County. Berg presented a fact sheet on the advantages and noted that the rule of thumb is \$1/acre to do this mapping. Using a 50-50 LCMR-Local match, the dollar amount of Lake Elmo would be approximately \$7,500.

The Planner reported that the 2004 City Operating Budget does provide \$10,000 for undesignated "Comprehensive Planning". The Planner indicated that with many of the current planning projects completed, or nearing completion, the City could fund the local share of this LCMR grant from that budget line item, particularly, if the local share could be stretched over two budget years.

M/S/P Dunn/Siedow - to direct the Acting Administrator to draft a letter of endorsement for the application by the Washington County Conservation District to the LCMR for MLCCS Mapping of the City. (Motion passed 5-0).

M/S/P Dunn/DeLapp - to show the Councils sincerity, direct staff to check budget for \$15,000- \$22,000 for total City payment of the MLCCS Mapping. (Motion passed 5-0).

7. MAINTENANCE/PARK/FIRE/BUILDING:

A. Parks Dept. Score Board Donation

At its January 17, 2004 Parks Commission meeting, Commissioner Bruchu presented a proposal for an anonymous donation of two electronic scoreboards that would be installed at both the Lions and VFW ball fields. A motion was passed to recommend acceptance of the donations with the understanding that the City would be responsible for the maintenance and installation, if the costs were under \$1,000 each.

Mike Bouthilet reported that the Parks Department checked on pricing for installation, which includes trenching, materials and an electrical contractor. Not including City labor, both scoreboards can be installed at a total cost of \$278.00.

M/S/P Dunn/Siedow – to accept the scoreboard donation and send a thank you letter to the anonymous donor of scoreboards for VFW and Lions Parks; and, authorizing City Staff to purchase such materials and services as are necessary for installation of the scoreboards. (Motion passed 5-0).

Mayor Hunt congratulated the Acting Public Works Supervisor and his crew on how well the snowplowing went this winter season.

B. Building Dept. Update : Jim McNamara

The Building Official reported there were no new residential permits, nor new commercial permits issued for January 2004.

8. CITY ENGINEER'S REPORT:

A. Resolution No. 2004-015 2004 Overlay Feasibility Report and call a public hearing

The City Engineer provided the Feasibility Report for the 2004 Overlay Project: 49th Street N., Jane Circle N., Jasper Avenue N., and Jerome Avenue N. Council member DeLapp asked if the City could find the cost implications of cutting 8' out of one side of the street to make the streets narrower, because these are 32' wide streets. He also asked that the City Engineer look into curb placement, tree planting with possible bump outs to control speed. Mayor Hunt suggested that the Council could ask the residents what they think of this idea at the public hearing.

M/S/P Johnston/Siedow – to adopt Resolution No. 2004-015, A Resolution Receiving the Feasibility Report and Calling a Hearing on the 2004 Overlay Project. (Motion passed 5-0).

9. **PLANNING, LAND USE & ZONING:**

A. **Resolution No. 2004-016 Cluster and Minor Subdivision: Merle & Fonda Olson**

The City Planner reported the Planning Commission recommended approval of multiple applications to divide a Nominal 40 acre parcel into parcels of 5.46 acres, and 33.6 acres (both net of ROW). He reported that because the smaller resultant parcel would be less than the RR district 10 acre minimum, the applicant has proposed the division responsive to the RR Clustering provisions of the Zoning Ordinance. Since less than 4-parcels would be created, and public roadway frontage is available to both resulting parcels, the actual land division is being processed as a Minor Subdivision in accordance with Chapter 400 of the City Code. He reported that the Commission approval recommendation is subject to the applicant's payment of a \$1,500 park dedication fee for the single new parcel being created.

The City Planner noted that the 30 acre parcel will be available for a building, but could not become an OP parcel. The parcel would have to be combined with another parcel probably to the east. The total number of lots created would be four lots.

Council member DeLapp asked that restrictions be added on non-developed acreage so that the overall number of accessory buildings on the entire Nominal 40 would not add up more what each parcel would be eligible for under RR zoning.

M/S/P Dunn/Siedow – to adopt Resolution No. 2004-016, A Resolution Granting a Rural Residential (RR) Cluster Development and Minor Subdivision to Merle G. and Fonda R. Olson. (Motion passed 5-0).

B. **Fence Regulation – Permitting Process**

The Planner reported that, as directed by the City Council, the Planning Commission has been addressing present City fence regulations, and considering several modifications to the fencing standards found in those regulations. He noted that one aspect of these issues that the Commission has agreed on is the need for the City to begin requiring fence plans be submitted and reviewed by the City for compliance with whatever standards are finally adopted; and, that fence installations be inspected upon completion to be certain that the fences are constructed in accordance with approved plans. The Commission recommended an amendment to Chapter 1360 that provides for a fence permitting process and is continuing its work on the fence standards. This ordinance exempts all legitimate farm fences.

M/S/P Johnston/Siedow – to adopt Ordinance 97-125, An Ordinance Relating to Fences. (Motion passed 5-0.)

C. Old Village Planning Area Development Moratorium

The Planner reported that the Moratorium adopted by the City for the areas within the Old Village planning area is due to expire on February 24, 2004. He said that the moratorium was extended to February 24 to allow completion of contracted consultant work addressing waste water treatment, public water supply, surface water drainage, and traffic that would result from the Plan that has been recommended by the Planning Commission.

The Planner reported that the consulting work for water supply, traffic and surface water reports from TKDA has not been completed.

M/S/P Dunn/Johnston – to adopt Ordinance 97-126, extending the Old Village Planning Area Development Moratorium for 60 days from the date of publication .(Motion passed 4-1:Siedow:A lot of the information from the consultants will not be passed. Three of the land owners are impacted by the moratorium. He does not care for moratoriums.)

10. CITY ATTORNEY'S REPORT:

Attorney Filla reported that he will ask the Council to decide what action to take at the March 1 Council meeting on the 37th Street property.

11. CITY ADMINISTRATOR'S REPORT

A. Fire Department Officer Selection Process

The Acting Administrator reported that, as directed by the Council, the City Attorney prepared drafts of amendment to both the City Code and the Fire Department By-laws that would change the process of Department officer selection. The Acting Administrator indicated that Chief Malmquist raised concerns with significant terms provided by resolution.

The Council indicated the three actions recommended by the City Attorney would be a good basis for a workshop with fire department personnel.

Council member Dunn noted she likes officer appointment for "x" number of years, because some people would like to go up to another level and have the opportunity to change.

M/S/P Johnston/Siedow – to table consideration of all three actions drafted by the City Attorney until after a workshop with Fire Department Personnel with date set by staff. (Motion passed 5-0).

Attorney Filla said that he will make the changes suggested by the Fire Chief and copies of the Resolution and Ordinances will be sent in an advance mailing packet.

Fire Dept Study

The Acting City Administrator reported the Fire Department Study is in the CIP so there are funds to pay for the study. He had decided not to go further because of the number of

studies now under way. The Acting Administrator agreed to bring this item back to the Council in two months.

Park and Ride on I-94 and Keats Avenue

The Acting Administrator reported that Metro Transit is planning to construct a new \$4 million park and ride lot for 500 vehicles at the intersection of Washington County Road 19 (Keats Avenue) and Interstate 94. In October the Council directed Dillerud to send a letter of objection from the City to Metro Transit. He reported that he did so, and did not hear anything else. He stated that the letter did not reach the committee reviewing reading the applications.

M/S/P Johnston/DeLapp – to direct the Acting City Administrator to attend the next Transportation Advisory Board meeting to voice the City's objections to the proposed park-and ride lot at the intersection of CSAH19 and I94; and to request Council member Dunn to call Washington County Commissioner Myra Peterson, who is a TAB member. (Motion passed 5-0).

B. Resolution No. 2004-17 Endorsing Legislation Regarding CRT Recycling

The Acting Administrator reported that the City received a request from the Washington County Board Chairman Stafford regarding legislation the County is asking the City to support that involves enhanced regulations on the recycling of CRT's—TV's and computer monitors. The Council indicated this was good legislation from an environmental perspective, and worthy of the City's support.

M/S/P DeLapp/Johnston – to adopt Resolution No. 2004-017, Supporting Legislation for the Recycling of CRT's. (Motion passed 5-0.)

12. OLD BUSINESS:

A. Follow-up Workshop

B. Strategic Planning Workshop

Mayor Hunt reported the City has been billed \$3,200 out of the proposed \$6,000 for workshops with Marilyn Condon. The City has the ability to have two more workshops within that total fee. The entire now-proposed workshop meeting would be 4 hours for \$1,000, and is within the agreed \$6,000. The resulting total Condon fee would be \$4,200 rather than \$6,000. He suggested that the first half hour of the workshop would be discussing how well the Council has been working with each other; and, the last 3.5 hours would be a strategic planning workshop with the intention of letting the Council get their issues out on the table, and come to grips as to what is important for the City.

M/S/P Johnston/Siedow – to approve a 4-hour workshop with Marilyn Condon as described by Mayor Hunt with a \$1,000 cap. (Motion passed 5 -0).

13. CITY COUNCIL REPORTS:

Council member DeLapp reported he had attended the Gateway Conference in River Falls, WI, for a presentation by the Vice President of the Conservation Fund,

Washington, D.C. It was noted that at a 5:1 ratio, people preferred Open Space with closeness to pleasant walking trails versus Open Space close to golf courses.

Council member Dunn reported there will be a Town Meeting with Representative Eric Lipman and Minnesota House Speaker Sviggum on Monday, February 23rd, 7:30 to 8:45 a.m. at Gorman's Restaurant. Last Thursday, Bob Engstrom, Engstrom Companies, was honored by receiving Champions of Open Space Award from the McKnight Foundation and 13 partner organizations. The ceremony was held at the historic red barn at Engstrom's Fields of St. Croix development which was very well attended, even with Met Council attendance. She has not heard from MnDot on future Highway 5 meetings.

Council member Johnston reported he attended, along with Mayor Hunt and Councilmember DeLapp, the AMM briefing on the American Experiment study of the Metro Council. Johnston said he volunteered to serve on the AMM Executive Committee next year.

Council Adjourn the meeting at 9:25 p.m.

Respectfully submitted by Sharon Lumby, Deputy Clerk

Resolution No. 2004-014 Approving Claims

Resolution No. 2004-015 Receiving the Feasibility Report and calling a Hearing on the 2004 Overlay Project

Resolution No. 2004-016 Cluster and Minor Subdivision Merle & Fonda Olson

Resolution No. 2004-017 Endorsing Legislation Regarding CRT Recycling

Ordinance No. 97-125 Relating to Fences – Permitting Process

Ordinance No. 97-126 Extending the Old Village Planning Area Development Moratorium for 60 days.

MINUTES APPROVED: February 17, 2004
LAKE ELMO CITY COUNCIL MINUTES

FEBRUARY 3, 2004

1. AGENDA
2. MINUTES: January 20, 2004
3. PUBLIC/INQUIRIES/INFORMATIONAL:
 - A. Public Inquiries: Community Improvement Commission
 - B. State of the Region Meeting
 - C. Washington County Library
4. CONSENT AGENDA:
 - A. Resolution No.2004-011 Approving Claims
5. FINANCE:
6. NEW BUSINESS:
7. MAINTENANCE/PARK/FIRE/BUILDING:
 - A. Request for Proposals – Trail System Plan
 - B. Street Sweeping
 - C. Update on Fire Dept. Activities: Chief Malmquist
8. CITY ENGINEER'S REPORT:
9. PLANNING, LAND USE & ZONING:
 - A. OP Concept Plan – Whistling Valley Second Addition
 - B. 2004 CDBG Project – Community Improvement Commission
10. CITY ATTORNEY'S REPORT:
11. CITY ADMINISTRATOR'S REPORT:
 - A. Fire Dept. Officer Selection
12. CITY COUNCIL REPORTS:

Mayor Hunt called the meeting to order at 7:00 p.m. in the Council chambers.

PRESENT: Siedow, Dunn, Hunt, Johnston, DeLapp, City Engineer Tom Prew, City Attorney Filla, Acting Finance Director Tom Bouthilet and Acting Administrator/Planner Dillerud.

1. AGENDA

3B Community Improvement Commission membership, 3C. Met Co, 11A. Information on Freedom Information action, Mayor Hunt will give an Update on the Marilyn Condon workshop and agenda. Attorney Filla asked for a Closed Executive Session for 10 minutes to discuss the Hidden Bay Trail and 37th Street North property litigations.

M/S/P Dunn/Johnston - to approve the February 3, 2004 City Council agenda, as amended. (Motion passed 5-0).

2. MINUTES: January 20, 2004

M/S/P DeLapp/Dunn - to approve the January 20, 2004 City Council Minutes, as amended. (Motion passed 4-0-1Dunn, Abstain).

and Park Commission concurred with the City Planner's recommendation that the project be contracted to a competent planning consultant for completion. The Trails Subcommittee composed a Request for Proposal to solicit that work and a Trail Study is in the approved CIP as a \$20,000 capital project in 2003.

Even though the Trail Plan RFP was prepared by the Commission earlier 2003, the Commission was advised that it would not be presented until the CIP was adopted by the Council, which was in December, 2003. The draft RFP was presented to the City Council for its approval to proceed.

M/S/P DeLapp/Siedow - to approve distribution of a Request for Proposals for consultant services to prepare a Trail System Plan, as recommended by the Park Commission and Acting City Administrator, with the inclusion of existing trails and background work completed by a Trail Committee several years ago. (Motion passed 5-0).

B. Street Sweeping

The Acting Administrator reported that the former Maintenance Supervisor and the present Acting Supervisor has recommended that the City suspend sweeping with City crews, and contract that work with a private firm. This strategy was concurred in following review by the Maintenance Advisory Commission on October 29, 2003. The primary motivation for this recommendation include difficulties with disposing of sweepings; and, the expense of owning, storing and maintaining a street sweeper used only during short periods of the year.

Council member DeLapp noted that back 4 years ago the decision to purchase a street sweeper was because we needed to use it 12 months of the year which made no sense then. Mayor Hunt added that the primary rationale was to have the ability to clean up developments. Council member Siedow stated that it appears that a mistake was made on street sweeping strategy, and it would not be the last mistake.

M/S/P DeLapp/Dunn - to direct the City Administrator to accept the proposals of Allied Blacktop Company (per rates quoted) for street sweeping and Miller Excavating (per rates quoted) for sweeping, trucking and disposal as the lowest responsible quotations for 2004 street sweeping. Further that the City retain the Elgin street sweeper pending a review of the 2004 contract street sweeping program. (Motion passed 5-0).

C. Update on Fire Dept. Activities: Chief Malmquist

Fire Chief Malmquist reported that out of the four new recruits there are two remaining and introduced Amanda Collyard and Lauren Potter, who will be probationary members on the department.

M/S/P DeLapp/Dunn - to approve Amanda Collyard and Loren Potter as probationary members on the Lake Elmo Fire Department. (Motion passed 5-0.)

10. CITY ATTORNEY'S REPORT:

Attorney Filla asked for a ten minute Closed Executive Session after the adjournment of the regular council meeting to discuss a proposed settlement on property complaints.

11. CITY ADMINISTRATOR'S REPORT:

A. Fire Dept. Officer Selection

The Acting Administrator reported that on December 2, 2003 the Council tabled a proposal by Fire Chief Malmquist, endorsed in concept by the Acting City Administrator, to modify the historic and current process of selecting Fire Department offices. The department internal election of officers (Chief, District Chiefs and Captains), and confirming appointments by the Council would be replaced by a process similar to that of the City regarding any other employee or supervisor—a recommendation to the Council by the City Administrator, and appointment by the Council in keeping with Section 200 of the City Code. Rather than serving for specified terms, all department officers would serve until discharged by the Council, again at the recommendation of the City Administrator, and in keeping with Section 200 of the City Code.

The Council had tabled a motion to adopt the new selection process to allow time for the Fire Department staff to respond to the proposed selection procedure by an internal vote to amend the Department By-laws to that effect.

Fire Chief Malmquist advised that the By-law amendment vote by Fire Department staff took place on January 20, 2004. With 18 staff voting (of over 25 total Officers and Firefighters active in the department), the outcome was 8-10 to not modify the By-laws in keeping with the proposed modification to the office selection procedure—departmental election of officers remains in the department By-laws.

The Council again endorsed the new selection process to be consistent with the process similar to that of the city regarding any other employee or supervisor. Mayor Hunt stated he would be in favor of an interactive workshop with the department as long as it didn't turn into a gripe session.

Attorney Filla noted the City would have to do some massaging of the City code. The by-laws deal with many things besides the selection of Fire Chief. The by-laws are still a working document and by abandoning these laws, he had a concern as to what kind of impact this would be on a paid-on-call Fire Department.

M/S/P Johnston/DeLapp – direct the staff to come back to the February 17th Council meeting with recommendation on how the Council would adopt the new selection process proposed by the Fire Chief while maintaining the general framework of the existing by-laws. (Motion passed 5-0).

Council member Dunn asked that Chief Malmquist find the SOG's the Fire Department Study Committee had worked on to be placed in a book form.

Lake Elmo
City Council
March 1, 2004

Agenda Section: PUBLIC INQUIRIES/INFORMATIONAL

No 3B.

Agenda Item: Charitable Gambling License for Lake Elmo Jaycees

Background Information for March 1, 2004:

The Lake Elmo Jaycees are in the process of applying for a renewal of its Lawful Gambling License. Before granting a license renewal, the State of Minnesota requires an approval resolution adopted by the City Council. The Jaycees operate its Lawful Gambling at the Twin Point Tavern, located at 11199 Stillwater Blvd N.

Action Items:

M/S to adopt Resolution No. 2004-018, A Resolution Granting Permission to the Lake Elmo Jaycees to Conduct Charitable Gambling in the City

Person responsible:

S.Lumby

Attachments:

Resolution No. 2004-018

**City of Lake Elmo
Washington County, Minnesota
Resolution 2004-018**

**A Resolution Granting Permission to the
Lake Elmo Jaycees to Conduct
Charitable Gambling in the City Of Lake Elmo**

Be it resolved that the Lake Elmo City Council hereby grants permission to the Lake Elmo Jaycees to conduct Lawful Gambling within the City of Lake Elmo.

Be it further resolved that this permission is for the sales of Pull Tabs only, excludes sales of Pull Tabs from any automated dispensing mechanisms, and various raffles.

Be in further resolved this Resolution is contingent upon the Lake Elmo Jaycees being granted a Lawful Gambling License from the Minnesota Gambling Control Board.

Adopted by the Lake Elmo City Council this 1st day of March, 2004.

Lee Hunt, Mayor

Attest:

Charles E. Dillerud, Acting City Administrator

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

**RESOLUTION NO. 2004-019
RESOLUTION APPROVING CLAIMS**

BE IT RESOLVED THAT Claim Numbers 189, 190, DD113 through DD117 25209 through 25223, were used for Staff, payroll dated February 19, 2004, Claim Numbers 25224 through 25263 dated March 01, 2004 in the total amount of \$84,081.48 are hereby approved.

ADOPTED, by the Lake Elmo City Council on the First day of March, 2004.

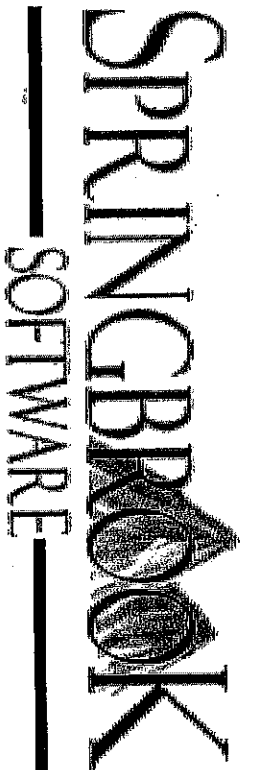
Lee Hunt
Mayor

ATTEST:

Charles E. Dillerud
Acting City Administrator

Accounts Payable Computer Check Proof List

User: administrator
Printed: 02/26/2004 - 1:11 PM



Invoice No	Description	Amount	Payment Date	Check Number	Reference
Vendor: ARAM 629-5409628	Aramark Linen City Hall Check Total:	42.78 42.78	03/02/2004	101-410-1940-44010	ACH Enabled: No Check Sequence: 1
Vendor: ATTWI 023-2750230	AT&T Wireless Floater Phone Fire Dept. Check Total:	20.43 20.43	03/02/2004	101-420-2220-43210	ACH Enabled: No Check Sequence: 2
Vendor: AUTOMATI 15134S	Automatic Systems Co. Batteries-Lift Stations Check Total:	214.28 214.28	03/02/2004	602-495-9450-44030	ACH Enabled: No Check Sequence: 3
Vendor: BIFFS W214384	Bill's Inc. Portable Restrooms-Sunfish Lake Park Check Total:	70.26 70.26	03/02/2004	101-450-5200-44120	ACH Enabled: No Check Sequence: 4
Vendor: BOYER 509006	Boyer Ford Trucks Springs Replaced-Dump Truck Check Total:	1,935.31 1,935.31	03/02/2004	101-430-3100-44040	ACH Enabled: No Check Sequence: 5
Vendor: ELMOLUM 0123910 0123910 0124228 0124447	Elmo's Lumber & Plywood Salt & Floor Dry-Fire Wax-Fire Drill Bits-Parks Wax-Fire Check Total:	13.61 8.08 6.16 8.08 35.93	03/02/2004 03/02/2004 03/02/2004 03/02/2004	101-420-2220-42230 101-420-2220-44040 101-450-5200-42400 101-420-2220-44040	ACH Enabled: No Check Sequence: 6
Vendor: FOLZFERE 4-122	Folz Freeman Erickson Inc. Kraft Circle Property	170.00	03/02/2004	101-410-1930-43030	ACH Enabled: No Check Sequence: 7

Invoice No	Description	Amount	Payment Date	Check Number	Reference
	Check Total:	170.00			
Vendor:FXL	FXL, Inc. Assessing Services-March Check Total:	1,700.00 1,700.00	03/02/2004	101-410-1550-43100	ACH Enabled: No
Vendor:JCRAFT 33923	J-Craft Inc Equipment Parts-Strobe Assembly Check Total:	119.12 119.12	03/02/2004	101-430-3100-42210	ACH Enabled: No
Vendor:Johnson	Johnson Construction Storage Rental-Fire Dept. Check Total:	90.00 90.00	03/02/2004	101-420-2220-44120	ACH Enabled: No
Vendor:LANG	Lang Builders, Inc RD Escrow Refund 3356 Hrs Permit 2956 Permit 3141 Permit 3208 Permit 3251 Permit 3295 Check Total:	1,000.00 1,000.00 1,000.00 1,000.00 1,000.00 1,000.00 5,000.00	03/02/2004 03/02/2004 03/02/2004 03/02/2004 03/02/2004 03/02/2004	Check Sequence: 11 803-000-0000-22900 803-000-0000-22900 803-000-0000-22900 803-000-0000-22900 803-000-0000-22900 803-000-0000-22900	ACH Enabled: No To replace Chec To replace Chec To replace Chec To replace Chec To replace Chec
Vendor:LINDVENN 276020-0840	Lindquist & Vennum Comp. Plan Appeal Check Total:	11,918.70 11,918.70	03/02/2004	101-410-1940-43020	ACH Enabled: No
Vendor:LMCIT	Leauge of MinnesotaCities Insurance Trust Legal Services Check Total:	500.00 500.00	03/02/2004	101-410-1610-43040	ACH Enabled: No
Vendor:MALMQ	GregMalmqvist Beverages-Fire Calls Burning Permit Insp. 9 @ 10.00 Check Total:	39.08 90.00 129.08	03/02/2004 03/02/2004	Check Sequence: 14 101-420-2220-44300 101-000-0000-32260	ACH Enabled: No
Vendor:McCarthy 19560	McCarthy Well Company Annual Well Pump Inspections	210.00	03/02/2004	Check Sequence: 15 601-494-9400-44030	ACH Enabled: No

Invoice No Description Amount Payment Date Acct Number Reference

Check Total: 210.00

Vendor: MENARDST Menards - Stillwater
 68329 Mail Box Repair 55.19 03/02/2004 Check Sequence: 16 ACH Enabled: No
 70022 Mail Box Repair 55.19 03/02/2004 101-430-3100-44030
 Check Total: 110.38

Vendor: MNDOH MN Department of Health
 Qrly Water Permit Fee 789.32 03/02/2004 Check Sequence: 17 ACH Enabled: No
 Check Total: 789.32

Vendor: MNSTATEC Minnesota State Community & Technical College
 Training-Fire Dept. 90.00 03/02/2004 Check Sequence: 18 ACH Enabled: No
 Check Total: 90.00

Vendor: Natl Wat National Waterworks
 1066372 Water Main Clamps 312.81 03/02/2004 Check Sequence: 19 ACH Enabled: No
 Check Total: 312.81

Vendor: NOSTPAUL City of North St Paul
 2004021386 Sand/Salt 2,278.08 03/02/2004 Check Sequence: 20 ACH Enabled: No
 Check Total: 2,278.08

Vendor: ONECALL Gopher State One-Call/One Call Concepts, Inc
 4010483 Line Locates-January 04 26.45 03/02/2004 Check Sequence: 21 ACH Enabled: No
 Check Total: 26.45

Vendor: PETERSON Peterson Fram & Bergman
 11135M 1,144.75 03/02/2004 Check Sequence: 22 ACH Enabled: No
 11135M 132.00 03/02/2004 410-480-8000-43040
 11135M 44.00 03/02/2004 101-410-1940-43020
 11140M 2,548.83 03/02/2004 101-410-1610-43045
 11145M 66.00 03/02/2004 406-480-8000-43040
 11150M 330.21 03/02/2004 803-490-9070-43040
 1155M 2,196.75 03/02/2004 101-410-1610-43040
 Check Total: 6,462.54

Vendor: PITNEYBSU Pitney Bowes Supplies
 494080 Power Pack-Postage Machine 30.67 03/02/2004 Check Sequence: 23 ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Check Number	Reference
	Check Total:	30.67			
Vendor: PRESS	Steven Press Cable Operator	80.00	03/02/2004	101-410-1320-44300	ACH Enabled: No
	Check Total:	80.00			
Vendor: QWEST	Qwest Hudson Lift Station Alarm	38.11	03/02/2004	602-495-9450-43210	ACH Enabled: No
	Check Total:	38.11			
Vendor: ROGERS	Rogers Printing Services Forms-Water Dept	133.13	03/02/2004	601-494-9400-42030	ACH Enabled: No
11211	Check Total:	133.13			
Vendor: RUD	Diane Prince-Rud Cleaning-City Hall Cleaning-Fire Hall Cleaning Supplies	240.00 240.00 16.27	03/02/2004 03/02/2004 03/02/2004	101-410-1940-44010 101-420-2220-44010 101-410-1940-42110	ACH Enabled: No
	Check Total:	496.27			
Vendor: S&T	S&T Office Products, Inc. Office Supplies-Admin.	330.60	03/02/2004	101-410-1320-42000	ACH Enabled: No
01T8425	Check Total:	330.60			
Vendor: SCHAFKIN	Schaffel, Kimberly Colored Photo Copies	36.75	03/02/2004	101-410-1910-42000	ACH Enabled: No
	Check Total:	36.75			
Vendor: STILLGAZ	Stillwater Gazette Legal Notice Legal Notice	12.60 79.80	03/02/2004 03/02/2004	101-410-1320-43510 101-410-1320-43510	ACH Enabled: No
	Check Total:	92.40			
Vendor: STJOSEPH	St Joseph Equipment, Inc. Parts/Labor-replace Alternator-Loader Coolant & Hydraulic Oil Equipment Parts	1,006.91 60.26 193.05	03/02/2004 03/02/2004 03/02/2004	101-430-3100-44040 101-430-3100-42150 101-430-3100-42210	ACH Enabled: No
SI2948 SI2948 SI2948					

Invoice No	Description	Amount	Payment Date	Check Number	Reference
	Check Total:	1,260.22			
Vendor:TKDA 066022	TKDA, Inc. Water Main Leak Detection Check Total:	210.95 210.95	03/02/2004	601-494-9400-43030	ACH Enabled: No
Vendor:TRKUTI 0123628	Truck Utilities Equipment Parts-Public Works Check Total:	28.05 28.05	03/02/2004	101-430-3100-42210	ACH Enabled: No
Vendor:TWINCIT 10672	Twin City Water Clinic, Inc. Water Analysis-January 04 Check Total:	20.00 20.00	03/02/2004	601-494-9400-43030	ACH Enabled: No
Vendor:USPOST	United States Postal Service Postage for Newsletter Check Total:	500.00 500.00	03/02/2004	101-410-1320-43220	ACH Enabled: No
Vendor:WAS-PH 4799	Washington County Hazardous Waste Generator Fee Check Total:	45.00 45.00	03/02/2004	101-430-3100-44300	ACH Enabled: No
Vendor:WEARGUA 53082613-2	Wear Guard Uniforms-Public Works Check Total:	113.98 113.98	03/02/2004	101-430-3100-44170	ACH Enabled: No
Vendor:WILDWOOD 100331	WILDWOOD LODGE Employee & Volunteer Recon. Pass Thur Check Total:	4,240.58 4,240.58	03/02/2004	404-000-0000-36230	ACH Enabled: No
Vendor:WORKWELL 057919	Workwell Occupational Health 6 Fire Personnel Physicals Check Total:	1,661.00 1,661.00	03/02/2004	101-420-2220-43050	ACH Enabled: No
Vendor:XCEL 0073736544049	Xcel Energy	22.24	03/02/2004	101-430-3160-43810	ACH Enabled: No

Invoice No

Description

Amount Payment Date/ct Number

Reference

Check Total:

22.24

Total for Check Run:
Total Number of Checks:

41,565.42
40

Suite 300
50 East Fifth Street
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PETERSON
FRAMBERGMAN
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Federal Tax ID #41-0991098

Page: 1
01/31/2004

CITY OF LAKE ELMO
3800 Laverne Avenue North
Lake Elmo MN 55042

ACCOUNT NO:

11135M

	FEEES	EXPENSES	ADVANCES	BALANCE
11135-000008 Comp. Plan Update 2000-2020	44.00	0.00	0.00	\$44.00
11135-040001 PURCHASE OF BROOKFIELD BUILDING	132.00	0.00	0.00	\$132.00
11135-920001 Administration	1,144.00	0.75	0.00	\$1,144.75
	<u>1,320.00</u>	<u>0.75</u>	<u>0.00</u>	<u>\$1,320.75</u>

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CITY OF LAKE ELMO
3800 Laverne Avenue North
Lake Elmo MN 55042

Page: 1
01/31/2004
ACCOUNT NO: 11135-000008M
STATEMENT NO: 18

Comp. Plan Update 2000-2020

	HOURS	
01/16/04 JPF Review pet for review; tele Persell.	0.40	44.00
Jerome P. Filla	0.40	44.00
FOR CURRENT SERVICES RENDERED	0.40	44.00
TOTAL CURRENT WORK		44.00
BALANCE DUE		<u>\$44.00</u>

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Page: 1

01/31/2004

CITY OF LAKE ELMO
3800 LAVERNE AVENUE NORTH
LAKE ELMO MN 55042

ACCOUNT NO: 11135-040001M
STATEMENT NO: 1

PURCHASE OF BROOKFIELD BUILDING

	HOURS	
01/26/04 JPF Draft purch agreement Brookfield Bldg; corr to adm.	1.20	132.00
Jerome P. Filla	1.20	132.00
FOR CURRENT SERVICES RENDERED	1.20	132.00
TOTAL CURRENT WORK		132.00
BALANCE DUE		<u>\$132.00</u>

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Page: 1

01/31/2004

CITY OF LAKE ELMO
3800 Laverne Avenue North
Lake Elmo MN 55042

ACCOUNT NO: 11135-920001M
STATEMENT NO: 145

Administration

	HOURS	
01/05/04 JPF Review Abdo Eck agreement.	0.40	44.00
JPF Review agenda; prep for meeting.	0.30	33.00
01/06/04 JPF Prepare for and attend council meeting.	1.10	121.00
JPF Telephone conference with adm re: newspaper selection and state regs; rev regs; tele adm.	0.40	44.00
01/09/04 JPF Telephone conference with Bothilet re: audit; rev PC agenda.	0.20	22.00
01/12/04 JPF Review Sandcreek contract; tele adm.	0.40	44.00
01/13/04 JPF Legal research re: legality of financing options purch of land/bldg for public purposes; tele A.G. and adm.	1.30	143.00
01/14/04 JPF Telephone conference with Prew re: JT Powers agreement.	0.20	22.00
01/16/04 JPF Review council agenda; tele adm.	0.50	55.00
01/20/04 JPF Prepare for and attend council meeting.	2.30	253.00
JPF Telephone conference with adm re: agenda.	0.20	22.00
01/22/04 JPF Telephone conference with Adm re: process for recommending fire dept officers and changes to city code.	0.40	44.00
01/23/04 JPF Review PC agenda.	0.30	33.00
01/25/04 JPF Review PC agenda.	0.40	44.00
01/28/04 JPF Prepare for and attend meeting with Adm, Bldg Inspec re: Hylar, Botziak, Montgomery, Duvolus. Downs, purch of Brookfield II.	1.60	176.00

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CITY OF LAKE ELMO

Page: 2

01/31/2004

ACCOUNT NO: 11135-920001M
STATEMENT NO: 145

Administration

	HOURS	
01/30/04 JPF Telephone conference with adm re: fire dept bylaws - city personnel regs - relationship; rev docs.	0.40	44.00
Jerome P. Filla	10.40	1,144.00
FOR CURRENT SERVICES RENDERED	10.40	1,144.00
Photocopies		0.70
TOTAL EXPENSES THRU 01/31/04		0.70
SALES TAX ON EXPENSES		0.05
TOTAL CURRENT WORK		1,144.75
BALANCE DUE		<u>\$1,144.75</u>

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Page: 1
01/31/2004
ACCOUNT NO: 11140M

CITY OF LAKE ELMO
3800 Laverne Avenue North
Lake Elmo MN 55042

	FEEES	EXPENSES	ADVANCES	BALANCE
11140-030001 Misc Prosecutions	1,665.00	23.22	0.00	\$1,688.22
11140-030046 Jarosch, Katherine L. 2nd degree DUI	37.50	0.00	0.00	\$37.50
11140-030076 Leslie, Mary Speed 69/55	0.00	0.00	0.00	\$0.00
11140-030128 Kargacin, Katherine fail to stop	0.00	0.00	0.00	\$0.00
11140-030151 Post, Daniel DAS, careless driving	0.00	0.00	0.00	\$0.00
11140-030161 Rockett, Lester DAR, no proof of insurance	15.00	0.00	0.00	\$15.00
11140-030166 Lheureux, Richard Louis GM false information to police	0.00	0.00	0.00	\$0.00
11140-030176 Armstrong, Crist No proof of insurance	37.50	0.00	0.00	\$37.50

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Page: 2
01/31/2004
11140M

CITY OF LAKE ELMO

ACCOUNT NO:

	FEEES	EXPENSES	ADVANCES	BALANCE
11140-030181 Jimenez, Jorge 2nd degree DUI	0.00	0.00	0.00	\$0.00
11140-030189 Mesic, Damir 5th degree assault	0.00	0.00	0.00	\$0.00
11140-030191 Olson, Douglas Emmanuel domestic assault	15.00	1.61	0.00	\$16.61
11140-030193 Langevin, Kimberly speed 79/65	0.00	0.00	0.00	\$0.00
11140-030199 Reimer, Patrick M. violate OFP	0.00	0.00	0.00	\$0.00
11140-030209 Junker, Chad driving after suspension	0.00	0.00	0.00	\$0.00
11140-030210 Wylie, Cheryl Ann driving after suspension	0.00	0.00	0.00	\$0.00
11140-030213 Bomberry, Billye DAS	5.00	0.00	0.00	\$5.00
11140-030214 Her, Peng violate instruction permit, poss marijuana in motor vehicle	0.00	0.00	0.00	\$0.00

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CITY OF LAKE ELMO

ACCOUNT NO:

	FEEES	EXPENSES	ADVANCES	BALANCE
11140-030225 Wetterstrom, William serious/fatal crash report	57.50	0.00	0.00	\$57.50
11140-030227 Weldegebriel, Ayele improper passing	0.00	0.00	0.00	\$0.00
11140-030230 Clark, Jatonna careless driving	5.00	0.00	0.00	\$5.00
11140-030231 Myvold, Curits speed 86/65	0.00	0.00	0.00	\$0.00
11140-030238 Warthen, Rodger Edward GM-DAC-IPS, open bottle	10.00	0.00	0.00	\$10.00
11140-030239 Lheureux, Richard Louis GM-false info to police, no ins.	22.50	0.00	0.00	\$22.50
11140-030241 Soderquist, Ryan John speed	0.00	0.00	0.00	\$0.00
11140-030242 Bjerke, Lute Allen DAS	5.00	0.00	0.00	\$5.00
11140-030243 Burch, Kenneth Milton test refusal, 3rd degree DUI	261.50	0.00	0.00	\$261.50
11140-030244 Jubera, Steven Michael GM-DAC-IPS, speed	10.00	0.00	0.00	\$10.00

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CITY OF LAKE ELMO

ACCOUNT NO:

	FEES	EXPENSES	ADVANCES	BALANCE
11140-040001 Huseby, Ryan Allen no mn dl, no proof of ins.	5.00	0.00	0.00	\$5.00
11140-040002 Fenton, Lance Robert fail to display current registration fail to transfer title	10.00	0.00	0.00	\$10.00
11140-040003 Wheeler, Dave James no proof of insurance	5.00	0.00	0.00	\$5.00
11140-040004 Hyland, Myles Joel revoked plated, small amount of marijuana in motor vehicle	10.00	0.00	0.00	\$10.00
11140-040005 Longtin, Dale Andrew no insurance	10.00	0.00	0.00	\$10.00
11140-040006 Warnock, Gregory Scott 5th degree domestic assault	10.00	0.00	0.00	\$10.00
11140-040007 King, Jessica Ann criminal damage to property	67.50	0.00	0.00	\$67.50
11140-040008 Tamasese, Joseph violate OFF	5.00	0.00	0.00	\$5.00
11140-040009 Armstrong, Casey Robert GM-false info to police, no ins.	25.00	0.00	0.00	\$25.00

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Page: 5
01/31/2004
11140M

CITY OF LAKE ELMO

ACCOUNT NO:

	FEEES	EXPENSES	ADVANCES	BALANCE
11140-040010 Brown, Deborah DAS	10.00	0.00	0.00	\$10.00
11140-040011 Miller, Mitchell Hit and run-property damage careless driving	10.00	0.00	0.00	\$10.00
11140-040012 Reimer, Patrick Michael Violate OFP	27.50	0.00	0.00	\$27.50
11140-040013 Nesseth, Walter Jerome GM false info, GM obstruct legal process, GM-escape custody	67.50	0.00	0.00	\$67.50
11140-040014 Ramsey, Clayton DAR, no proof of insurance	5.00	0.00	0.00	\$5.00
11140-040015 Garibay, Marcella DAR	10.00	0.00	0.00	\$10.00
11140-040016 Petersen, Kerry Alan DAC-IPS	60.00	0.00	0.00	\$60.00
11140-040017 Voss, Roy DAS, no insurance	5.00	0.00	0.00	\$5.00
11140-040018 Love, Orbin DAR	10.00	0.00	0.00	\$10.00

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CITY OF LAKE ELMO

Page: 6
01/31/2004
ACCOUNT NO: 11140M

	FEES	EXPENSES	ADVANCES	BALANCE
11140-040019 Grinsteinner, Leslie James DAR	10.00	0.00	0.00	\$10.00
11140-040020 Foster, Daniel Stephen no proof of insurance, no dl in possession	5.00	0.00	0.00	\$5.00
11140-040021 Eiffler, Nina Maureen hit and run, inattentive driving	5.00	0.00	0.00	\$5.00
11140-040022 Hogan, Michael John 3rd degree DUI, test refusal, under age consumption	5.00	0.00	0.00	\$5.00
	<u>2,524.00</u>	<u>24.83</u>	<u>0.00</u>	<u>\$2,548.83</u>

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CITY OF LAKE ELMO
3800 Laverne Avenue North
Lake Elmo MN 55042

Page: 1
01/31/2004
ACCOUNT NO: 11145M

	FEEES	EXPENSES	ADVANCES	BALANCE
11145-010001 Kraft Circle Sanitary Sewer	66.00	0.00	0.00	\$66.00
	<u>66.00</u>	<u>0.00</u>	<u>0.00</u>	<u>\$66.00</u>

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Page: 1

01/31/2004

CITY OF LAKE ELMO
3800 Laverne Avenue North
Lake Elmo MN 55042

ACCOUNT NO: 11145-010001M
STATEMENT NO: 16

Kraft Circle Sanitary Sewer

	HOURS	
01/06/04 JPF Telephone conference with Ex of Titles; Reg of Titles re; directive and recording of deeds; tele adm.	0.40	44.00
01/09/04 JPF Telephone conference with Simonett re: revised directive.	0.20	22.00
Jerome P. Filla	0.60	66.00
FOR CURRENT SERVICES RENDERED	0.60	66.00
TOTAL CURRENT WORK		66.00
BALANCE DUE		<u>\$66.00</u>

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Page: 1
01/31/2004
11150M

CITY OF LAKE ELMO
3800 Laverne Avenue North
Lake Elmo MN 55042

ACCOUNT NO:

	FEEES	EXPENSES	ADVANCES	BALANCE
11150-030005 PRAIRIE RIDGE OFFICE PARK PUD	110.00	0.00	0.00	\$110.00
11150-040004 WHISTLING VALLEY SECOND ADDITION	55.00	0.00	0.00	\$55.00
11150-960006 Krieger-Buxell O.S. Dev.	33.00	0.00	0.00	\$33.00
11150-960009 Downs Variance	132.00	0.21	0.00	\$132.21
	<u>330.00</u>	<u>0.21</u>	<u>0.00</u>	<u>\$330.21</u>

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3800 Laverne Avenue North
Lake Elmo MN 55042

Page: 1
01/31/2004
ACCOUNT NO: 11150-030005M
STATEMENT NO: 8

PRAIRIE RIDGE OFFICE PARK PUD

	HOURS	
01/20/04 JPF Draft water extension section to dev agreement; tele adm.	0.60	66.00
01/30/04 JPF Revise DK; corr adm.	0.40	44.00
Jerome P. Filla	1.00	110.00
FOR CURRENT SERVICES RENDERED	1.00	110.00
TOTAL CURRENT WORK		110.00
BALANCE DUE		<u>\$110.00</u>

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PLEASE RETURN ONE COPY OF STATEMENT WITH PAYMENT.**

Suite 300
50 East Fifth Street
St. Paul, MN 55101-1197

PETERSON
FRAM & BERGMAN
PROFESSIONAL ASSOCIATION

(651) 291-8955
(651) 228-1753 facsimile
Federal Tax ID #41-0991098

Page: 1

01/31/2004

CITY OF LAKE ELMO
3800 LAVERNE AVENUE NORTH
LAKE ELMO MN 55042

ACCOUNT NO: 11150-040004M
STATEMENT NO: 1

WHISTLING VALLEY SECOND ADDITION

	HOURS	
01/09/04 JPF Review dev appl.	0.50	55.00
Jerome P. Filla	0.50	55.00
FOR CURRENT SERVICES RENDERED	0.50	55.00
TOTAL CURRENT WORK		55.00
BALANCE DUE		<u>55.00</u>

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CITY OF LAKE ELMO
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Page: 1
01/31/2004
ACCOUNT NO: 11150-960006M
STATEMENT NO: 14

Krieger-Buxell O.S. Dev.

	HOURS	
01/14/04 JPF Prepare for conf staff re: code enforcement.	0.30	33.00
Jerome P. Filla	0.30	33.00
FOR CURRENT SERVICES RENDERED	0.30	33.00
TOTAL CURRENT WORK		33.00
BALANCE DUE		<u>\$33.00</u>

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CITY OF LAKE ELMO
3800 Laverne Avenue North
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Page: 1
01/31/2004
ACCOUNT NO: 11150-960009M
STATEMENT NO: 6

Downs Variance

	HOURS	
01/09/04 JPF Letter to Adm re: affid and history of events for council.	0.40	44.00
01/15/04 JPF Telephone conference with clerk re: council minutes; corr to Downs.	0.80	88.00
Jerome P. Filla	1.20	132.00
FOR CURRENT SERVICES RENDERED	1.20	132.00
Photocopies		0.20
TOTAL EXPENSES THRU 01/31/04		0.20
SALES TAX ON EXPENSES		0.01
TOTAL CURRENT WORK		132.21
BALANCE DUE		<u>\$132.21</u>

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CITY OF LAKE ELMO
3800 LAVERNE AVENUE NORTH
LAKE ELMO MN 55042

Page: 1
01/31/2004
ACCOUNT NO: 11155M

	FEES	EXPENSES	ADVANCES	BALANCE
11155-020002 Buckles, Michael v. City of Lake Elmo	1,170.00	0.00	0.00	\$1,170.00
11155-030003 LAKE ELMO VS. BODZIAK	341.00	3.75	0.00	\$344.75
11155-030004 LAKE ELMO VS. HILYAR	198.00	0.00	0.00	\$198.00
11155-030005 DUVOLUS PROPERTY: SIGN VIOLATIONS	187.00	0.00	0.00	\$187.00
11155-030006 MONTGOMERY BARREL: CODE VIOLATIONS	187.00	0.00	0.00	\$187.00
11155-040001 RICHARD SACHS V. CITY OF LAKE ELMO	110.00	0.00	0.00	\$110.00
	<u>2,193.00</u>	<u>3.75</u>	<u>0.00</u>	<u>\$2,196.75</u>

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Page: 1

01/31/2004

CITY OF LAKE ELMO
3800 Laverne Avenue North
Lake Elmo MN 55042

ACCOUNT NO: 11155-020002M
STATEMENT NO: 15

Buckles, Michael v. City of Lake Elmo

	HOURS	
01/05/04 JPF Review city file, pleadings, discovery; tele adm, Atty Beatty; prep for mediation; rev LMCIT case memo.	1.80	198.00
01/07/04 JPF Prepare for and attend Buckles mediation; tele adm.	7.20	972.00
Jerome P. Filla	9.00	1,170.00
FOR CURRENT SERVICES RENDERED	9.00	1,170.00
TOTAL CURRENT WORK		1,170.00
BALANCE DUE		<u>\$1,170.00</u>

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Page: 1

01/31/2004

CITY OF LAKE ELMO
3800 LAVERNE AVENUE NORTH
LAKE ELMO MN 55042

ACCOUNT NO: 11155-030003M
STATEMENT NO: 7

LAKE ELMO VS. BODZIAK

	HOURS	
01/09/04 JPF Review Olson stip; corr Adm; tele Atty Olson.	0.40	44.00
01/14/04 JPF Prepare for conf staff re: proposed settlement.	0.40	44.00
01/15/04 JPF Telephone conference with Atty Olson re: settlement terms.	0.20	22.00
01/19/04 JPF Review files; prep stip of settlement; tele Atty Olson.	1.30	143.00
01/20/04 JPF Revise stip; tele Atty Olson.	0.40	44.00
01/23/04 JPF Telephone conference with Atty Olson re: revisions to stipulation; tele adm.	0.40	44.00
Jerome P. Filla	3.10	341.00
FOR CURRENT SERVICES RENDERED	3.10	341.00
Photocopies		0.50
Fax Charge - Local		3.00
TOTAL EXPENSES THRU 01/31/04		3.50
SALES TAX ON EXPENSES		0.25
TOTAL CURRENT WORK		344.75
BALANCE DUE		<u>\$344.75</u>

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Page: 1

01/31/2004

CITY OF LAKE ELMO
3800 LAVERNE AVENUE NORTH
LAKE ELMO MN 55042

ACCOUNT NO: 11155-030004M
STATEMENT NO: 2

LAKE ELMO VS. HILYAR

	HOURS	
01/19/04 JPF Review inspection repts; city code; prep affid;corr to adm.	1.40	154.00
01/20/04 JPF Revise affid.	0.40	44.00
Jerome P. Filla	1.80	198.00
FOR CURRENT SERVICES RENDERED	1.80	198.00
TOTAL CURRENT WORK		198.00
BALANCE DUE		<u>\$198.00</u>

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CITY OF LAKE ELMO
3800 LAVERNE AVENUE NORTH
LAKE ELMO MN 55042

Page: 1
01/31/2004
ACCOUNT NO: 1.1155-030005M
STATEMENT NO: 1

DUVOLJS PROPERTY: SIGN VIOLATIONS

	HOURS	
01/14/04 JPF Prepare for conf staff re: code enforcement.	0.30	33.00
01/16/04 JPF Review city records; prep summons and complt.	1.40	154.00
Jerome P. Filla	1.70	187.00
FOR CURRENT SERVICES RENDERED	1.70	187.00
TOTAL CURRENT WORK		187.00
BALANCE DUE		<u>\$187.00</u>

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CITY OF LAKE ELMO
3800 LAVERNE AVENUE NORTH
LAKE ELMO MN 55042

Page: 1
01/31/2004
ACCOUNT NO: 11155-030006M
STATEMENT NO: 4

MONTGOMERY BARREL: CODE VIOLATIONS

	HOURS	
01/14/04 JPF Prepare for conf staff re: code enforcement.	0.30	33.00
01/16/04 JPF Review city records; prep summons and complt.	1.40	154.00
Jerome P. Filla	1.70	187.00
FOR CURRENT SERVICES RENDERED	1.70	187.00
TOTAL CURRENT WORK		187.00
BALANCE DUE		<u>\$187.00</u>

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CITY OF LAKE ELMO
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LAKE ELMO MN 55042

Page: 1
01/31/2004
ACCOUNT NO: 11155-040001M
STATEMENT NO: 1

RICHARD SACHS V. CITY OF LAKE ELMO

	HOURS	
01/08/04 JPF Telephone conference with LMCIT re: factual background Sachs EEOC claim; rev city file.	0.60	66.00
01/16/04 JPF Review city file re: Sachs physical corr to LMCIT atty.	0.40	44.00
Jerome P. Filla	1.00	110.00
FOR CURRENT SERVICES RENDERED	1.00	110.00
TOTAL CURRENT WORK		110.00
BALANCE DUE		<u>\$110.00</u>

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Lake Elmo City Council March 1, 2004	Agenda Section: Finance	No. 5A
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Agenda Item: Software/Server Upgrades

Background Information for March 1, 2004:


Following a series of outside "hacking" incidences and virus issues (none fatal) with the City's circa 2000 computer server and fire wall software during 2003, staff has requested a proposal from our computer service firm to upgrade our server, operating software and fire wall software – all of which is now nearly 5 years old (and not even "state of the art" when purchased, we are told).

From what I understand of the attached proposal, our vendor proposes the following upgrades:

1. Server hardware, to nearly double our server capacity (which we are using up rapidly).
2. Operating system – to the current version of Windows.
3. Fire wall software to a version that is designed to deal with today's more creative hacking.
4. Server access – to convert our entire system to Citrix, which will not only improve our system security, but overcome problems we are having with our remote locations at Public Works, Parks, and Fire.

Since this IT "tech speak" is out of the league of City staff to fully comprehend – and this would be a single source vendor purchase – we have had the proposal reviewed by an independent third party IT professional as to City need for the upgrades, proposed specifications, and proposed cost. Our third party review resource advises us that these are valid and reasonable upgrades, and that the proposed pricing is market.

The City's experiences with outside system hacking and viruses have not created major problems to date, but surely could present large problems if they continue. We recommend that the server/software upgrades proposed be acquired. While the total purchase price (\$17,459) is less than the threshold for City Council purchase approval, the use of a single source vendor for this purchase should be approved by the City Council. After capitalizing all office equipment lease payments to full term, the current balance in the office equipment/IT capital account is \$65,425.

<p><u>Action items:</u> Motion to approve purchase and installation of updated computer software and computer server from Next Genesis Productions per their proposal of January 2, 2002 for a total purchase price of \$17,459.</p>	<p><u>Person responsible:</u> Acting Finance Director </p>
---	--

<p><u>Attachments:</u> 1. Next Genesis proposal</p>	<p><u>Time Allocated:</u></p>
--	--------------------------------------



Friday, January 02, 2004

Upgrade Quote

Windows 2003 Server:

Base Software Cost (2):	\$1450.00
Client Access Licenses (40):	\$1310.00
Labor (15 Hours):	\$750.00
Sub Total:	\$3510.00

Exchange 2003 Option:

Base Software Cost:	\$729.00
Client Access Licenses (40):	\$2880.00
Labor (5 Hours):	\$250.00
Sub Total:	\$3859.00

Watchguard VPN Option:

Watchguard Firebox 700:	\$2215.00
Watchguard SOHO tc 6 (2):	\$1200.00
Network Print Servers (5):	\$810.00
Labor (10 Hours):	\$250.00
Sub Total:	\$3665.00

New Citrix Server Option:

Base Server System:	\$3300.00
- Xeon 3.0 GHz (Dual Capable)	
- 1 Gig Ram	
- 72 Gig SCSI RAID 1	
- Rack Mountable	
Labor (5 Hours):	\$250.00
Sub Total:	\$3550.00

Miscellaneous:

Server Application Installation	\$500.00
- Citrix, Springbrook, Firehouse	
Symantec Enterprise Virus (2 years)	\$1625.00
Workstation Setup Labor (5 Hours)	\$250.00
Misc Labor (10 Hours)	\$500.00
Sub Total:	\$2875.00

Total: \$17,459.00

This is an estimate for the whole upgrade. The concept of this upgrade is uniformity. Currently we have some users on Citrix, some on desktops, others either or offsite and at home. My vision is to have every setup identical, everyone should be using Citrix. After my last visit the problems of a mixed environment were mounting, printing issues, connectivity issues, and setting up new users taking longer than it should. Luckily the city has kept their Citrix Subscription current. This gives us access to some very key upgrades for free, but that is one piece of the puzzle. To achieve uniformity and a 99% uptime several items must be in place.

Starting from the top, Windows Server 2003. This is the latest server upgrade from Microsoft and is filled with new features. The most important is *much* improved security. The software has been out for just over 6 months and has had a fraction of the issues that previous releases had in this time period. Another major feature of this new version is Shadow Copies/Previous Versions. Every file on the server will automatically back it self up at a set interval (i.e. every 2 hours). Should a user delete a file, or overwrite one by accident you can simply right click the folder and view its contents from an hour, a day, or a month ago.

The next option is Exchange. Exchange 2003 was released shortly after Windows 2003. It is the only exchange server that runs on Windows 2003. The new Exchange has many under-the-hood improvements, but the most visual to end users is Outlook 2003. The new client for Exchange is the most improved office product ever, and is included with your Exchange Cal purchase. It has the most effective spam filter on the market; it makes sharing and using other people's calendars a snap, and now offers a Cached mode of operation.

The Watchguard portion of the quote is one that to me is very important. Currently the city has 3 totally separate networks and 3 cable modems (provided for free by Comcast). It is important that we join all of these remote networks into one. This is done by VPN or Virtual Private Networks. One of the main reasons for doing this is printing. Instead of doing a Citrix printer pass-through to the client printer, the server has direct access to the printer. Printing is faster, and far more reliable. Print

Servers will be placed on printers that do not have one built in. They connect directly to the network and the server. Future uses of a connected network could be phone systems or scanning. Since everyone would be connected to one large network, you could use a single phone system to connect everyone simply. The best way to setup a VPN network is with dedicated hardware - the Watchguards. You currently have 3 Watchguard SOHOs, however they are not able to do a branch office setup without an upgrade. The upgrade is almost as expensive as the brand new, much improved SOHO 6 series. Because of this I am recommending buying the new SOHO 6 line and then selling the existing SOHOs. This would leave you with the most current product and should be a wash as far as cost goes vs upgrading. We will need one of the Watchguard Fireboxes to act as the host. The SOHOs cannot connect to themselves; they can only connect to a Firebox. The Firebox 700 would be placed at the City Hall, 2 SOHO 6s will be placed at each of the remote locations and connect back to the Firebox to create one cohesive network. This is how the network **should** have been setup 3 years ago. VPN is an industry standard and is a perfect fit for you network topology.

The final expensive option is a new Citrix Server. I recommend this for 2 reasons. First, the servers you have are quite simply getting up in age. They were not even close to the "latest & greatest" when they were purchased at the time, and now they are simply getting slow. Second, we will be able to do the upgrade to your systems while you work on your old Citrix Server which will mean very limited downtime for you. If something should go wrong, your old server will still be running until the new one is perfectly stable. The server I am recommending is based on the latest Intel technology for a Windows based 32Bit Server. You may be wondering why a server that is supposed to be state-of-the-art is so inexpensive compared to your previous servers. Quite simply, my hardware markup is usually less than 5%.

I have included what I consider to be the best AntiVirus package for a Citrix based network. Symantec's Enterprise AV runs as a system service and does not interrupt a user's session with splash images, nor does it load itself more than once. Your McAfee subscription is ending within a month anyway and the renew cost for that is just over \$500.

The final portion of the upgrade is the workstation setup. This is primarily for those not yet on Citrix. I need to move the user's data and settings into Citrix. Also, connecting and configuring any network printers.

The upgrade process as a whole would be best to do over a weekend if possible. The Microsoft products in this quote do not contain Software Assurance. This is Microsoft's new upgrade plan. The plan works by paying extra at your first purchase which is usually about 30% of the total cost. You are guaranteed any upgrade that comes out within a year of purchase free of charge. At the end of the year to continue your subscription, you have to pay another 30% for another year, and so on. My take on this is that Microsoft only releases major updates every 3 to 4 years - you basically will pay full price for upgrades anyway so it is rather pointless.

If you have any questions please ask!
Ryan Masanz
651-773-3068

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2004-
A RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF PLANS

WHEREAS, a resolution of the City Council adopted the 17th of February, 2004, fixed a date for a council hearing on the proposed improvements of the 2004 Overlay Project: 49th Street N., Jane Circle N., Jasper Avenue N., Jerome Avenue N.

AND WHEREAS, ten days' mailed notice and two weeks' published notice of the hearing was given, and the hearing was held thereon on the 1st day of March, 2004, at which all persons desiring to be heard were given an opportunity to be heard thereon,

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

1. Such improvement is necessary, cost-effective, and feasible as detailed in the feasibility report
2. Such improvement is hereby ordered as proposed in the council resolution adopted the 1st day of March, 2004.
3. TKDA is hereby designated as the engineer for this improvement. The engineer shall prepare plans and specifications for the making of such improvement.
4. The City Council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of the tax exempt bond.

ADOPTED by the Council this 1st day of March, 2004.

Lee Hunt, Mayor

ATTEST:

Charles E. Dillerud
Acting City Administrator

Eric & Sarah Larson
9191 49th Street N.
Lake Elmo, MN 55042
10-029-21-22-0022

Edwin & Jacqueline Raney
4989 Jasper Avenue N.
Lake Elmo, MN 55042
03-029-21-33-0018

Michael & Elizabeth Zeno
4860 Jerome Avenue N.
Lake Elmo, MN 55042
10-029-21-21-0019

Michael & Perpetu McDonald
6870 35th Street N.
Oakdale, MN 55128
10-029-21-21-0012

David & Mary Johnson
4980 Jasper Avenue N.
Lake Elmo, MN 55042
10-029-21-22-0021

Brook & Barbara -Duerr
4870 Jerome Avenue N.
Lake Elmo, MN 55042
10-029-21-21-0018

Steven & Paula Wood
9389 Jane Circle N.
Lake Elmo, MN 550042
10-029-21-21-0014

Helmut & Joan Porcher
4990 Jasper Avenue N.
Lake Elmo, MN 55042
03-029-21-33-0017

Christopher & Monique Kolb
9387 Jane Circle N.
Lake Elmo, MN 55042
10-029-21-21-0013

Richard Carmon & Ann Hawkins
4850 Jasper Avenue N.
Lake Elmo, MN 55042
10-029-21-22-0018

Joseph & Sylvia Baumann
9383 Jane Circle N.
Lake Elmo, MN 55042
10-029-21-21-0011

Thomas & Nancy Johnson Jr.
4960 Jaspe Avenue N.
Lake Elmo, MN 55042
10-029-21-22-0020

James Merit & Rudeen Darst
9393 Jane Circle N.
Lake Elmo, MN 55042
10-029-21-21-0015

Chester & Mary Pat Moutrie
4855 Jerome Avenue N.
Lake Elmo, MN 55042
10-029-21-21-0021

Bruce & Sandy Callen
9379 Jane Circle N.
Lake Elmo, MN 55042
10-029-21-21-0009

Dennis & Barbara E. Markie
4865 Jerome Avenue N.
Lake Elmo, MN 55042
10-029-21-21-0022

Dennis & Carol Larson
9381 Jane Circle N.
Lake Elmo, MN 55042
10-029-21-21-0010

Friedrich & Iwona T. Srienc
4955 Jerome Avenue N.
Lake Elmo, MN 55042
10-029-21-21-0023

Tin & Jennifer Tran
9395 Jane Circle N.
Lake Elmo, MN 55042
10-029-21-21-0016

James & Christine M. Trevis
4850 Jerome Avenue N.
Lake Elmo, MN 55042
10-029-21-21-0020

Greg & Karen Schulz
9160 Jane Road N.
Lake Elmo, MN 55042
10-029-21-22-0013

Joseph Hart Dardis
4880 Jerome Avenue N.
Lake Elmo, MN 55042
10-029-21-22-0023

<p>Lake Elmo City Council March 1, 2004</p>	<p>Agenda Section: CITY ENGINEER'S REPORT</p>	<p><u>No 8B.</u></p>
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Agenda Item: Proposed Annexation of Manning Trail

Background Information for March 1, 2004:

In his memo dated February 24, the City Engineer is requesting adoption of the petition for annexation of the northern portion of Manning Trail from West Lakeland Township to the City. Mn/DOT has requested that the City place this section of Manning Trail on our Municipal State Aid street system. The City cannot do this until the entire route is within the City. The City will receive funding from Mn/DOT for maintenance and future repair work once this entire route is on our MSA system.

Action Items:

M/S to adopt the Petition for Annexation of Unincorporated property (northern portion of Manning Trail) to the City of Lake Elmo by Director Order

Person responsible:

T.Prew

Attachments:

Tom Prew memo dated 2/24/04
Petition

RECEIVED
FEB 25 2004

1500 Piper Jaffray Plaza
444 Cedar Street
Saint Paul, MN 55101-2140

(651) 292-4400
(651) 292-0083 Fax
www.tkda.com

February 24, 2004

Honorable Mayor and City Council
City of Lake Elmo, Minnesota

Re: Proposed Annexation of Manning Trail
City of Lake Elmo, Minnesota
TKDA Commission No. 11979-041

Dear Mayor and City Council:

I have attached a diagram and an air photo of the proposed annexation area.

The proposed annexation is to officially transfer the right-of-way for the northern part of Manning Trail from the Township to the City. Since Manning Avenue was rerouted in 1986, the City of Lake Elmo has plowed, seal coated, and striped the entire section between Manning Avenue and 20th Street, even though the northern third of this section is within the Township.

Mn/DOT has requested that the City place this section of Manning Trail on our Municipal State Aid street system. However, we cannot do this until the entire route is within the City. With this entire route on our system, the City will receive funding from Mn/DOT for maintenance and future repair work. In the long run, this annexation will save money for both the City and the Township.

The areas involved are public rights-of-way. No private property would change jurisdictions.

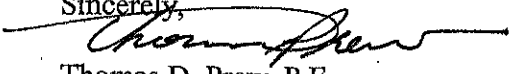
The annexation requires a resolution from each municipality and submittal to the Department of Administration Municipal Boundary Adjustments for approval.

A copy of the required resolution is attached.

City Council Action Requested

Adopt the attached Resolution for annexation of the northern portion of Manning Trail.

Sincerely,


Thomas D. Prew, P.E.
City Engineer

TDP/bas
Enclosures

**PETITION FOR ANNEXATION OF UNINCORPORATED
PROPERTY TO A MUNICIPALITY BY DIRECTOR ORDER**

IN THE MATTER OF THE PETITION OF THE
CITY OF LAKE ELMO
AND THE TOWN BOARD OF WEST LAKELAND
FOR ANNEXATION OF UNINCORPORATED
ADJOINING PROPERTY TO THE
CITY OF LAKE ELMO, MINNESOTA
PURSUANT TO MINNESOTA STATUTES 414.031

TO: Department of Administration
Municipal Boundary Adjustments
300 Centennial Office Building
658 Cedar Street
St. Paul, MN 55155
(651) 284-3383

The Department of Administration is hereby requested to hold a public hearing on the question of annexing certain property to the City of Lake Elmo, Minnesota pursuant to Minnesota Statutes 414.031. The petitioner for annexation is:

The City of Lake Elmo; and
The Township of West Lakeland

The area proposed for annexation is described as follows:

That portion of Manning Trail bounded by the west section line of Section 19, Township 29, Range 20, the west line of Downs Lake Estates 2nd Addition, and the north line of the south half of the south half of said Section 19; and

an area of the CSAH 15 right-of-way bounded by the west section line of Section 19, Township 29, Range 20, the north line of the south half of the south half of said Section 19, the centerline of CSAH 15, and a line 400 feet north of the north line of the south half of the south half of said Section 19.

1. The area proposed for annexation abuts the city on the city's east boundary thereof, and none of it is presently a part of any incorporated city or in an area designated for orderly annexation.
2. The total acreage of the area proposed for annexation is: 3.70 acres.
3. The petitioners believe that all of this property is suburban in character.

4. The reason for requesting the annexation is: To provide for street maintenance and repair for Manning Trail by the City of Lake Elmo.

5. Parties entitled to notice under Minnesota Statutes 414.09 are:

Washington County

West Lakeland Township

City of Lake Elmo

Metropolitan Council

Dated: _____

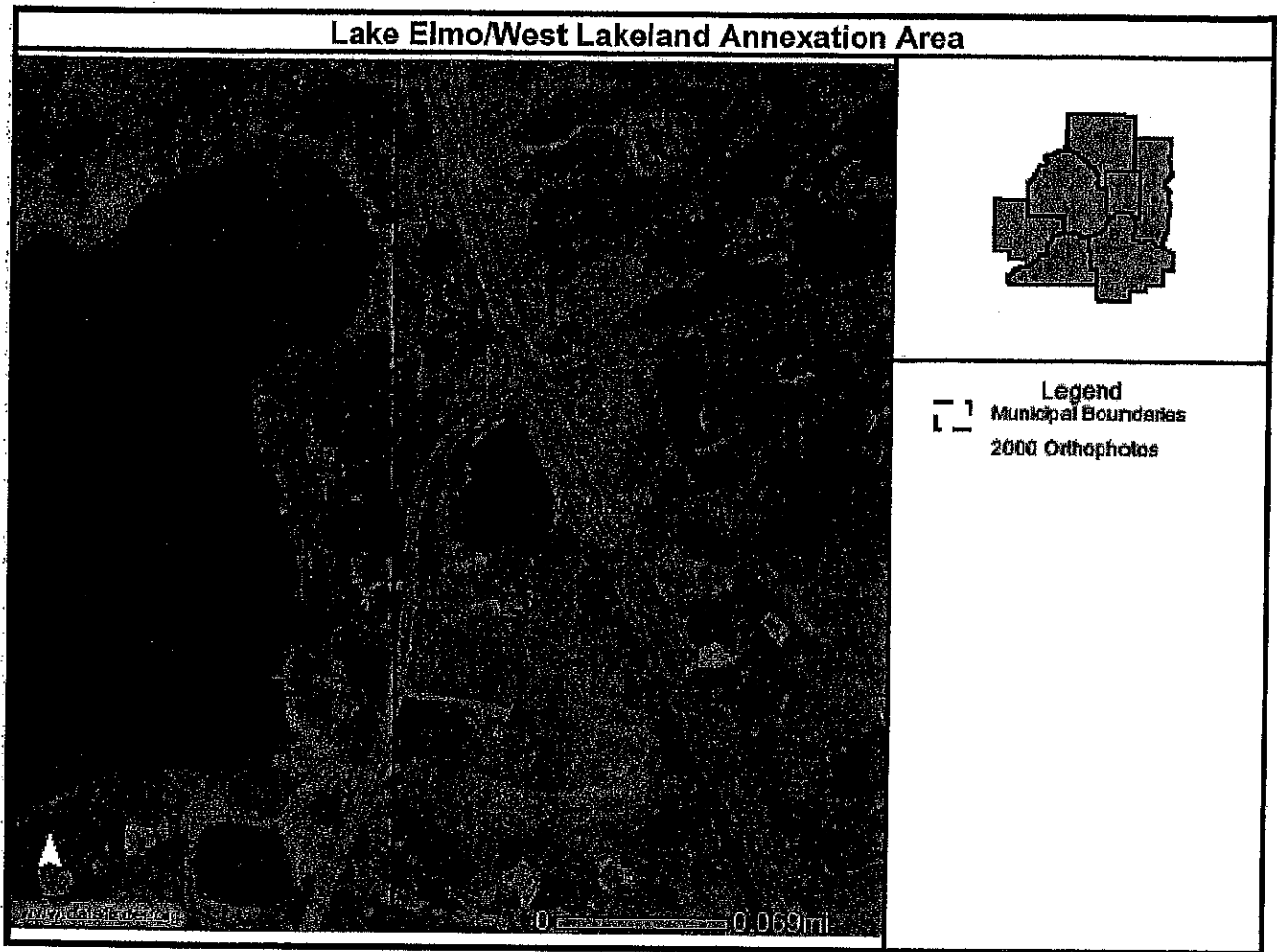
Dated: _____

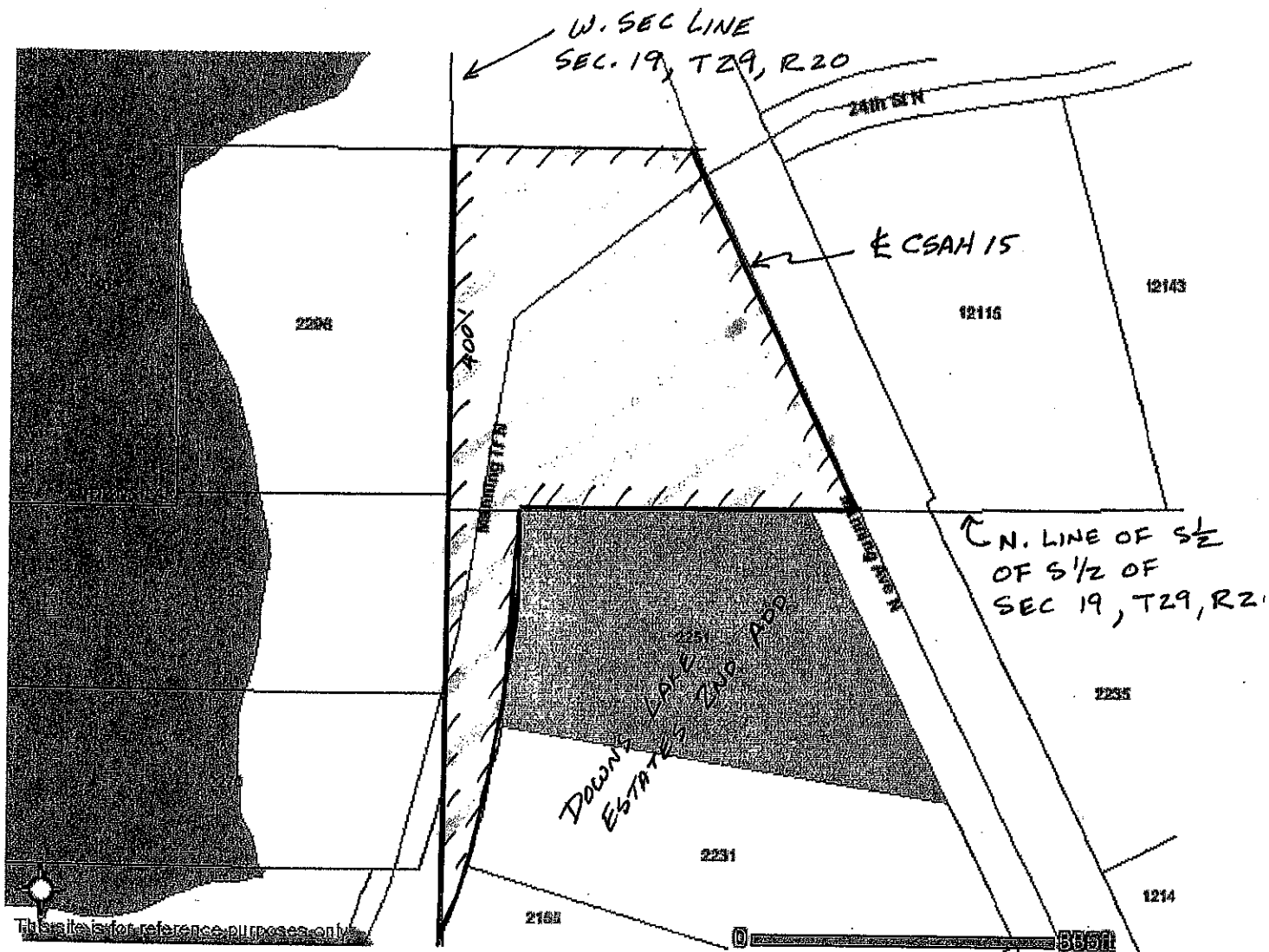
Mayor

Town Board Chair

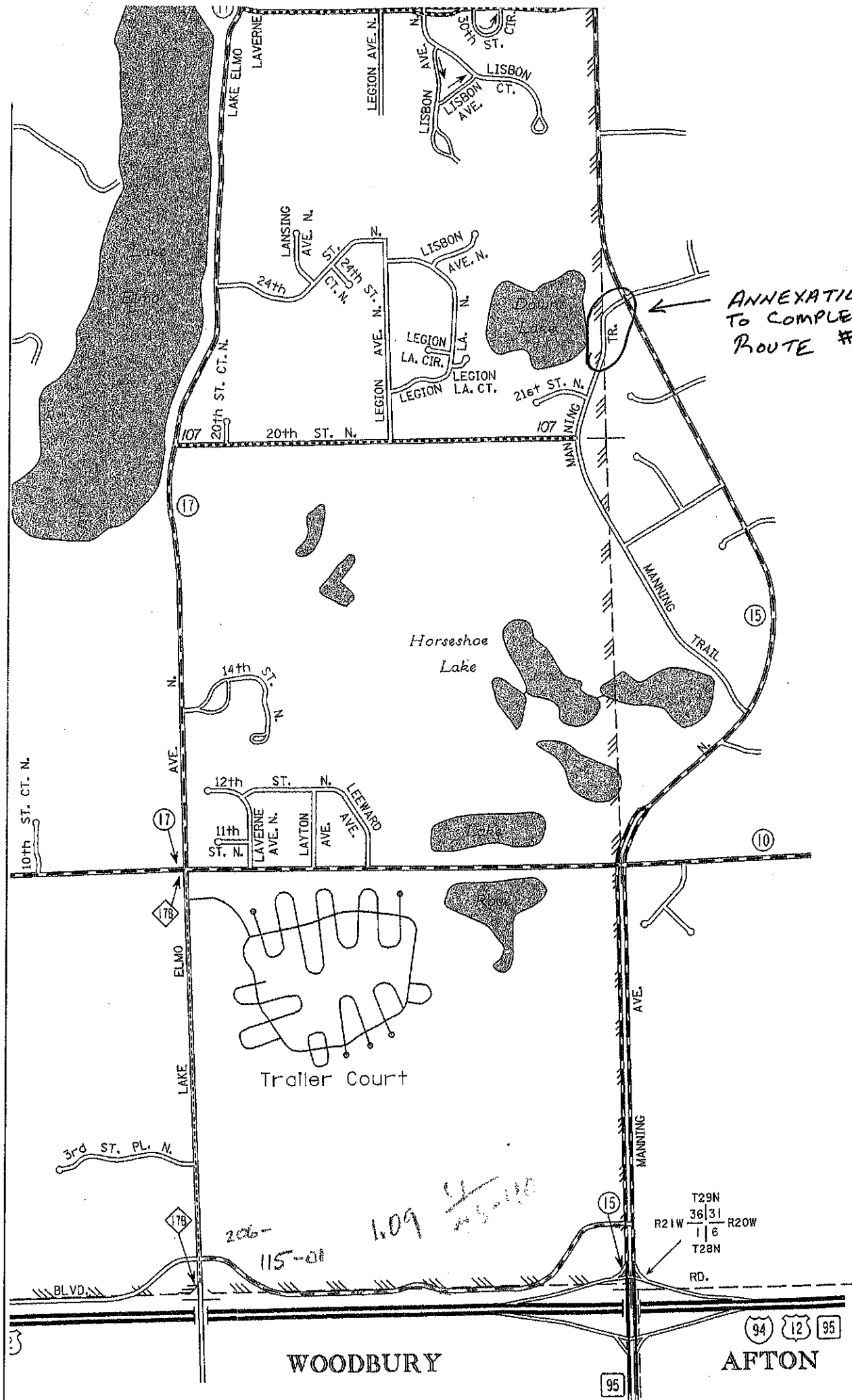
City Clerk

Clerk





ANNEXATION AREA LAKE ELMO / WEST LAKE LAND



ANNEXATION REQUIRED
TO COMPLETE MSA
ROUTE #107.

Horseshoe
Lake

Trailer Court

206-
115-01

1.09 $\frac{1}{2}$
25-110

T29N	36	31	R20W
R21W	1	6	
T28N			

WOODBURY

AFTON

94 12 95

95

Lake Elmo
City Council
March 1, 2004

Agenda Section: Planning, Land Use & Zoning

No. 9A

Agenda Item: Prairie Ridge Office Park – Building Permit

Background Information for March 1, 2004:

The approved development plan for this 7 building 35,000 square foot office condo project included City water service via an extension of the Lake Jane system under State Highway 5. To extend City water to the site it is necessary to amend the service area specified by the Lake Elmo/Oakdale water service agreement. The City Engineer started working with the City of Oakdale over 2 months ago to secure the agreement amendment. Although no amended agreement has yet to be presented by Oakdale, we are told by Oakdale staff that any amendment will include a revised rate structure for water supply from Oakdale to both the Lake Jane and Eagle Point systems. You can bet the rates will increase – or, the rate structure will be altered in some manner to increase revenues to Oakdale from the same volume of water supplied. If this ends up being the case when the agreement finally is sent by Oakdale, we may not wish to pursue the amendment after all.

In anticipation of an early approval of an amended Lake Elmo/Oakdale water agreement the approval Resolution for Prairie Ridge specifies that this agreement be in place prior to issuance of any building permits for the project. The developer has been patiently awaiting completion of that step – first for a period prior to submission of the Development Agreement to the Council, and now for a month following the Council action. He has now requested issuance of a single permit (for the first 5,000 square foot building) with the understanding that should the City decide to not amend the water agreement, Prairie Ridge will be served by private water supplies – at least the first building.

Given the delay the City has already experienced regarding the amended water agreement with Oakdale, and the likelihood that the amended agreement will contain rate modifications that could negatively impact all Lake Jane and Eagle Point customers (and may result in rejection of the amended agreement by the City), staff offers no technical objection to proceeding as the developer has suggested. We have attached an amendatory Resolution that removes the “water agreement prior to building permits” clause.

Action items:

021
Motion to adopt Resolution #2004 – amending Resolution #2004-010 by removing Condition #5.

Person responsible:

Building Official/City Engineer

Attachments:

- 021
1. Draft Resolution #2004 - Removing Condition #5
2. Resolution #2004 – 010 Approving Prairie Ridge

Time Allocated:

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

RESOLUTION NO. 2004-010

**A RESOLUTION APPROVING THE FINAL PLAT AND FINAL PUD PLAN OF
PRAIRIE RIDGE OFFICE PARK**

WHEREAS, at its October 7, 2003 meeting, the Lake Elmo City Council approved the PUD Development Stage Plan and Preliminary Plat of Prairie Ride Office Park,


WHEREAS, at its December 8, 2003 meeting, the Lake Elmo Planning Commission recommended approval of the Final Plat/PUD Plan/Site Plan for the construction of office buildings on a site of 17 acres at Stillwater Boulevard and State Highway 5, known as the Prairie Ridge Office Park.

WHEREAS, at its January 20, 2004 meeting, the Lake Elmo City Council reviewed the Final Plat and Final PUD Plan/Section 520 Site Plan of Prairie Ridge Office Park per plans staff-dated November 24, 2003 (Site and Grading), and December 12, 2003 (Architectural Elevations),

NOW, THEREFORE, BE IT RESOLVED, that the Lake Elmo City Council does hereby approve and accept the FINAL PLAT AND FINAL PUD PLAN AND SITE PLAN OF PRAIRIE RIDGE OFFICE PARK, per plans staff dated November 24, 2003 (Site and Grading), and December 12, 2003 (Architectural Elevations), based upon the following findings:

1. Reduction of off street parking to the 140 spaces required as a minimum by the Zoning Ordinance, with the balance depicted by the Plan (12 spaces) to be shown on the Site Plan as "Proof of Parking" only.
2. Signage be incorporated along Stillwater Boulevard (in concert with Washington County) to advise motorists of the new access point to Stillwater Boulevard north of the viaduct.
3. Compliance with the recommendations of the City Engineer and City Attorney.
4. Subject to payment of fees/provision of development security.
- * 5. No release of building permits until the amended Water Service Agreement with Oakdale has been executed by both cities.

ADOPTED, by the Lake Elmo City Council this 20th day of January, 2004.



Lee Hunt, Mayor

ATTEST:



Charles E. Dillerud, City Administrator

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2004-021

A RESOLUTION AMENDING RESOLUTION NO. 2004-010 APPROVING THE
FINAL PLAT AND FINAL PUD PLAN OF PRAIRIE RIDGE OFFICE PARK

WHEREAS, at its January 20th meeting, the City Council approved the Final Plat and Final PUD Plan of Prairie Ridge Office Park.

WHEREAS, the Final Plat of Prairie Ridge Office Park was approved subject to five conditions.

WHEREAS, the developer has requested the issuance of a single building permit (for the first 5,000 square foot building) with the understanding that the Lake Elmo/Oakdale water agreement would be amended or that the first building would be served by private water supplies.

NOW, THEREFORE, BE IT RESOLVED, that the Lake Elmo City Council does hereby amend Resolution No. 2004-010 by removing Condition No. 5: No release of building permits until the amended Water Service Agreement with Oakdale has been executed by Lake Elmo and Oakdale.

ADOPTED, by the Lake Elmo City Council this 1st day of March, 2004.

Lee Hunt, Mayor

ATTEST:

Charles E. Dillerud
Acting City Administrator

Resol Amend FP Prairie Ridge Ofc Park