

File

<b>Mayor:</b> Lee Hunt <b>Councilmembers:</b> Steve DeLapp Susan Dunn Wyn John Dean Johnston	<b>Lake Elmo City Council</b> <b>Tuesday</b> <b>September 21, 2004</b>	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.

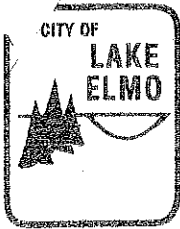
**\*\*\*6:00 p.m. INTERVIEW PROSPECTIVE  
 PLANNING COMMISSION MEMBERS\*\*\***

**Agenda**

**City Council Meeting Convenes 7:00 PM**

<b>Pledge of Allegiance</b>	
<b>1. Agenda</b>	
<b>2. Minutes</b>	September 7, 2004
<b>3. <u>PUBLIC INQUIRIES/INFORMATIONAL:</u></b> <b>A. PUBLIC INFORMATIONAL:</b>	<b>Public Inquiries/Informational</b> 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.
<b>4. <u>CONSENT AGENDA</u></b> <b>A. Resolution No. 2004-080: Approve claims</b>	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.
<b>5. <u>FINANCE</u></b> <b>A. Monthly Operations Report: Informational</b>	Tom Bouthilet
<b>6. <u>NEW BUSINESS</u></b> <b>A. Tom Wagner, VAA (Verbal)</b>	

<p><b>7. <u>MAINTENANCE/PARK/FIRE/BUILDING:</u></b>  <b>A. Update on Building Dept. Activities:</b>  <b>Building Official</b></p>	
<p><b>8. <u>CITY ENGINEER'S REPORT:</u></b>  <b>A.</b></p>	Tom Prew
<p><b>9. <u>PLANNING, LAND USE &amp; ZONING:</u></b>  <b>A. Resolution No. 2004-081:Zoning Variance – Side Yard Setback (Price, 8384 Stillwater Blvd.)</b>  <b>B. Resolution No. 2004-082: Conditional Use Permit – Beauty Salon/Day Spa (Prairie Ridge Office Park)</b>  <b>C. Appointments to Planning Commission</b></p>	C. Dillerud
<p><b>10. <u>CITY ATTORNEY'S REPORT:</u></b></p>	
<p><b>11. <u>CITY ADMINISTRATOR'S REPORT:</u></b>  <b>A. Fire Ordinance</b></p>	
<p><b>12. <u>CITY COUNCIL REPORTS:</u></b>  <b>A. Mayor Hunt</b>  <b>B. Council Member DeLapp</b>  <b>C. Council Member Dunn</b>  <b>D. Council Member John</b>  <b>E. Council Member Johnston</b></p>	



## City of Lake Elmo

651/777-5510

3800 Laverne Avenue North / Lake Elmo, MN 55042

To: Lake Elmo City Council

September 16, 2004

RE: Planning Commission Applicant Interviews

As of today the City has 6 applicants for the two Planning Commission vacancies (one Full Member and one Alternate). Sharon has scheduled interviews at 10 minute intervals beginning at 6:00 PM, Tuesday, September 21. Interviewees are scheduled in alphabetic order, as follows:

6:00 Thomas Armstrong  
6:10 Rita Conlin  
6:20 Julie Fliflet  
6:30 Gloria Knoblach  
6:40 Roy Rossow  
6:50 Ben Roth

By a copy of this memo we are advising all applicants of their assigned interview time slot, and requesting they show fellow applicants courtesy by remaining in the City Hall foyer until they are asked to begin their interview.



City of Lake Elmo  
3800 Laverne Avenue North  
Lake Elmo, Minnesota 55042  
651.777.5510 Fax 777.9615

RECEIVED  
AUG 18 2004



### APPLICATION FOR PLANNING COMMISSION APPOINTMENTS

Date: 8 / 16 / 2004

Name Thomas P. Armstrong  
Address 8280 15th St. N.  
Phone Number W) 651-738-2450 H) 651-739-5047

1. What do you consider to be the major planning and development issues confronting the City of Lake Elmo?

The Met Council and its required modifications to the Comprehensive Plan.

2. What do you see as the role and function of the Planning Commission?

To advise the City Council regarding planning, development, and zoning issues.

3. What experience and qualifications do you have that you feel will contribute to the Planning Commission's work and which will enable you to provide a service in this regard?

I have served on the Planning Commission before, during the drafting of our Comprehensive Plan.

4. How much time do you have, or are you willing to devote to Planning Commission activities?

As much time as necessary.

5. What property or development interest, either direct or indirect, do you have within Lake Elmo?

My wife and I own 40 acres of agricultural land, which is part of my family's 260 acre farm.

Please complete and return to the City Office

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SEP 23 2004

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## APPLICATION FOR PLANNING COMMISSION APPOINTMENTS

Date: 09/19/2004

Name: Rita B. Conlin

Address: 8560 Ironwood Trail North  
Lake Elmo MN 55042

Phone Number W) 612-253-4249 H) 651-770-8112

1. What do you consider to be the major planning and development issues confronting the City of Lake Elmo?

The I-94 Corridor. In view of recent regional planning authority decisions and legal decisions, the city will need to be creative and cutting edge in planning development along I-94. We need regulations and ordinances in place that preserve a rural ambiance while allowing for the housing and business demands of the region.

2. What do you see as the role and function of the Planning Commission?

An advisory body to the city council and city staff which provides research, analysis and public perspective on planning and zoning issues/projects. Facilitate public input, make recommendations to the city council.

3. What experience and qualifications do you have that you feel will contribute to the Planning Commission's work and which will enable you to provide a service in this regard?

- 25 yr resident of Lake Elmo
- Served on the Planning Commission 2 terms
- Served on the City Council 6 yrs
- Served 8 yrs Core Member of Recycle and Preserve Parks

4. How much time do you have, or are you willing to devote to Planning Commission activities?

As needed.

5. What property or development interest, either direct or indirect, do you have within Lake Elmo?

A single family home owner for 25 years, no other financial interest.

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SEP 03 2004

4A.

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APPLICATION FOR PLANNING COMMISSION APPOINTMENTS

Date: 9/1/04

Name Julie Fliflet

Address 4577 Lily Ave N

Phone Number W) 651-265-0727 H) 651-439-2171

1. What do you consider to be the major planning and development issues confronting the City of Lake Elmo?  
Keeping the "rural" feel of Lake Elmo while at the same time growing + keeping up with the times to develop our area in a way that gives residents services + facilities that they want and that will contribute to a better way of life.
2. What do you see as the role and function of the Planning Commission?  
To look in detail at planning issues affecting Lake Elmo + make recommendations to the City Council regarding those issues.
3. What experience and qualifications do you have that you feel will contribute to the Planning Commission's work and which will enable you to provide a service in this regard?  
I am a business woman - and have been for 13 years. I am a CPA, + I am well educated. I am a very analytical person + have the ability to see the big picture on issues. I am not afraid to give my opinion + speak my mind. I try to consider all viewpoints on issues + arrive at the best possible solution for all involved.
4. How much time do you have, or are you willing to devote to Planning Commission activities?  
From my understanding there are 2 meetings per month and that there is also some time involved in studying issues + gathering information that will be discussed at those meetings. My schedule will allow me to devote that time to Planning Commission activities.
5. What property or development interest, either direct or indirect, do you have within Lake Elmo?  
We have a home in Tana Ridge.

Please complete and return to the City Office

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APPLICATION FOR PLANNING COMMISSION APPOINTMENTS

RECEIVED

Date: 1/07/03

JAN 7 2003

Name Gloria Knoblauch  
Address 9181-31 St. N.  
Phone Number W) \_\_\_\_\_ H) 777-6471

CITY OF LAKE ELMO

1. What do you consider to be the major planning and development issues confronting the City of Lake Elmo? Sewer along Hwy 94 to be used by businesses and zoned accordingly.  
Building affordable housing for our seniors and young families.
2. What do you see as the role and function of the Planning Commission?  
Advise the city council on zoning and variances.
3. What experience and qualifications do you have that you feel will contribute to the Planning Commission's work and which will enable you to provide a service in this regard?  
I was on the Park's commission for 3 terms ending in Feb. 2000. I regularly attend city council meetings. I belong to the Oakdale-Lake Elmo Historical Society.
4. How much time do you have, or are you willing to devote to Planning Commission activities?  
I need to spend 2 hrs. reading the packet. I like to do research on special topics.
5. What property or development interest, either direct or indirect, do you have within Lake Elmo?  
We own an acre of land (with house) in Friedrichsville

Please complete and return to the City Office

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**APPLICATION FOR PLANNING COMMISSION APPOINTMENTS**

Date: Dec. 30/02

Name LeRoy J Rossow  
Address 11050 50th St. Lake Elmo, Mn 55042  
Phone Number W) 651 439 6184 H) 651 439 6327

1. What do you consider to be the major planning and development issues confronting the City of Lake Elmo?  
How and when to expand the proper use of the available unuse land. . .

2. What do you see as the role and function of the Planning Commission?

To meet the needs of the public and help decide the various issues as necessary . . .

3. What experience and qualifications do you have that you feel will contribute to the Planning Commission's work and which will enable you to provide a service in this regard?

Old enough to know and understand , No one can serve the needs and requests of everyone .

4. How much time do you have, or are you willing to devote to Planning Commission activities?

WHAT every public volunteer should be able to understand, all the time that is necessary

5. What property or development interest, either direct or indirect, do you have within Lake Elmo?

L E. resident for 18 yrs. Associated in area 35 yrs Owned land in Lake Elmo 33 yrs

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SEP 10 2004

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## APPLICATION FOR PLANNING COMMISSION APPOINTMENTS

Date: 09 / 03 / 2004

Name: Ben Roth

Address: 10819 Third Street Place

Phone Number: W) 665-5461 H) 337-2015

1. What do you consider to be the major planning and development issues confronting the City of Lake Elmo? City leaders are challenged with defining the vision of our community as pressure to urbanize comes on many fronts. We must use creativity and common sense to define the future identity of Lake Elmo.
2. What do you see as the role and function of the Planning Commission? The role of the Planning Commission is two-fold. First, the Planning Commission must be an advisory body to the City Council (e.g., researching and reporting on the best practices and identifying model communities around the nation). Second, the Planning Commission must be an administrative body providing guidance and recommendations (e.g., reviewing development proposals and providing technical assistance to citizens and organizations).
3. What experience and qualifications do you have that you feel will contribute to the Planning Commission's work and which will enable you to provide a service in this regard?

I would bring the following key strengths to the Planning Commission:

- Leadership in the ability to motivate others, be a team player and deliver pertinent & timely results.
- Creative solutions to issues and problems. Outside of the box thinking, when appropriate.
- Positive attitude at all times. I'm at my best when confronted with challenging situations.
- Ability to listen to others, balance diverse opinions and maintain open and honest dialogue.

These strengths have been developed through many years of work experience in the financial services industry including my current role leading Strategic Projects at Minnesota Life Insurance Company, and through my education (MBA from Northwestern University in Evanston, IL; Bachelor of Science in Mathematics & Actuarial Science from Drake University in Des Moines, IA).

I would also bring a very good knowledge of the community and of the government process.

4. How much time do you have, or are you willing to devote to Planning Commission activities? While I work full time and have regular family commitments, I will make whatever time is needed to fulfill the needs of the City and the Planning Commission. I could attend several hours of meetings each week and devote time outside of the meetings to conduct research, review proposals, prepare work plans, and develop ideas & potential solutions.
5. What property or development interest, either direct or indirect, do you have within Lake Elmo? I am a resident of Lake Elmo. My home is located at 10819 Third Street Place.

Please complete and return to the City Office

LAKE ELMO CITY COUNCIL MINUTES

SEPTEMBER 7, 2004

1. AGENDA
2. MINUTES: August 17, 2004
3. PUBLIC INQUIRIES/INFORMATIONAL:
  - A. Public Inquiries
  - B. Kathi Pelnar: Animal Control Officer: Ordinance Relating to Confinement of Dogs
4. CONSENT AGENDA:
  - A. Planning Commission Resignations
  - B. Resolution No. 2004-076: Approve Claims
  - C. Resolution No. 2004-079: Partial Payment No. 4 to Schifsky & Sons for Hill Trail N./50<sup>th</sup> Street
5. FINANCE:
  - A. Resolution No. 2004-077: Adopting Levy Limit
  - B. Resolution No. 2004-078: Set Truth n' Taxation Hearing Dates
6. NEW BUSINESS:
7. MAINTENANCE/PARK/FIRE/BUILDING:
8. CITY ENGINEER'S REPORT:
  - A. Hill Trail Assessment Appeal: Resolution No. 2004-069: Adopting Hill Trail/50<sup>th</sup> Street Assessments
  - B. Highlands Trail Speed Study Results
  - C. 45<sup>th</sup> Street Pond
9. PLANNING, LAND USE & ZONING:
  - A. Zoning Ordinance Amendment – Family Entertainment Center: CUP in GB Zone, Ordinance No. 138 and Ordinance No. 139
  - B. Amendment to Section 150 – Building Height – Ordinance No. 140
10. CITY ATTORNEY'S REPORT:
11. CITY ADMINISTRATOR'S REPORT:
  - A. Set Public Works Council Committee Meeting Date (Verbal)
12. CITY COUNCIL REPORTS:

Mayor Hunt called the City Council meeting to order at 7:00 p.m. in the Council Chambers: PRESENT: John, Dunn, Hunt, Johnston, DeLapp, City Planner Dillerud, Attorney Filla, City Engineer Prew, Finance Director Tom Bouthilet and Administrator Rafferty.

1. **AGENDA:**

ADD: Response to the Stillwater bridge EIS, REMOVE 4A. off consent agenda for discussion.

M/S/P Dunn/Johnston - to approve the September 7, 2004 City Council agenda, as amended. (Motion passed 5-0).

2. **MINUTES:** August 17, 2004  
M/S/P John/Dunn - to approve the August 17, 2004 City Council minutes, as amended.  
(Motion passed 5-0).

3. **PUBLIC INQUIRIES/INFORMATIONAL:**

A. Public Inquiries - None

B. Kathi Pelnar: Animal Control Officer: Ordinance Relating to Confinement of Dogs

The Community Improvement Commission recommended this change because it felt that underground fencing isn't effective on all dogs and the system can fail if things such as batteries are not replaced. In addition, if a dog does escape from underground fencing, they can't get back into the yard or another dog or animal can get into the yard causing the dog to jump through the invisible fence. The Commissioners felt that extra enforcement would be a good idea if the owners were not at home.

Kathi Pelnar, ACO, told the Council that underground fencing wasn't causing a problem in the city, but there are some flaws with the systems. She said in the 10 cities she serves as an ACO, about a third of the dogs she picks up have underground fencing collars on. In Lake Elmo the number of dogs picked up wearing underground fencing collars was four last year and four this year. Pelnar said that enforcing the underground fencing change wouldn't be much different from enforcing the city's current dog at large ordinance. When a dog is at large, owners get a citation, so it's no more or less enforceable.

The Council liked the idea of adding a three-strikes clause to the ordinance. The clause would mean that if a dog escaped from its yard three or more times, then owners wouldn't be able to use underground fencing as the only means of confinement when no one was at home. Another change suggested was to look into whether or not the city can require the owner and dog to attend obedience training if the dog is picked up three or more times.

M/S/P Johnston/John - to refer back to the Community Improvement Commission to review the issues again and recommend a change that would incorporate the City Council's suggestions for a three-strike rule. (Motion passed 5-0.)

4. **CONSENT AGENDA:**

A. Planning Commission Resignations

Planning Commission Jeff Berg resigned his commission on August 20, 2004. Jim Van Pelt resigned his commission on August 30, 2004.

M/S/P John/Dunn - to accept the resignation of Planning Commissioner Jeff Berg and to send a letter of appreciation for his contributions to the residents of the City of Lake Elmo. (Motion passed 5-0).

M/S/P Johnston/John – to accept the resignation of Planning Commissioner Jim Van Pelt and to send a letter of appreciation for his contributions to the residents of the City of Lake Elmo. (Motion passed 5-0).

The Planning Commission now has seven full-voting members and two alternates. First Alternate Planning Commissioner Thomas Meldahl would like to remain as an Alternate Member through the summer. Second Alternate Planning Commissioner Charlie Schneider should be appointed as a full-voting member to finish the term of Jeff Berg that expires on December 31, 2004.

M/S/P DeLapp/John - to appoint Charlie Schneider as a full voting member of the Planning Commission. (Motion passed 5-0.)

The Planning Commission now has two openings (one full voting member and one alternate member) and three applications on file. Those applicants are LeRoy Rossow, Gloria Knoblauch and Thomas Armstrong. An application from Julie Fliflet was presented to the Council at the meeting.

Planner Dillerud noted that Tom Armstrong, as well as Jeff Berg and Jim VanPelt, have indicated their desire to come back to serve on the Commission at a later date.

Council member Johnston noted the City needs a procedure for appointments as the ground rules change with each appointment.

M/S/P Dunn/Johnston – to direct the staff to invite the candidates for an interview and solicit candidates through the website, cable and a press release in the newspaper. (Motion passed 5-0.)

B. Resolution No. 2004-076 Approve Claims

M/S/P John/Dunn - to adopt Resolution No. 2004-076 - approving claim numbers 213, 214, DD230, 26061 through 26074 that were used for staff payroll dated August 19, 2004 Claim numbers 215, 216, DD231 26076 through 26086 which were used for staff dated September 2, 2004, Claim 26075, 2607 through 26152 in the total amount of \$379,805.01. (Motion passed 5-0).

C. Resolution No. 2004-079: Partial Payment No. 4 to Schifsky & Sons for Hill Trail N./50<sup>th</sup> Street

The City Engineer reported T.A. Schifsky has completed the final sodding repair work and the project will be completed the week of September 6, 2004. The City Engineer recommends approval of Partial Payment No. 4 to T.A. Schifsky in the amount of \$77,893.22. This pay request covers the wear course paving and initial turf establishment work done last spring.

M/S/P John/Dunn - to adopt Resolution No. 2004-078, Approving Partial Payment No. 4 in the amount of \$77,893.32 for Hill Trail North and 50<sup>th</sup> Street North Reconstruction to T. A. Schifsky, verified by the City Engineer's memo dated September 1, 2004. (Motion passed 5-0).

**5. FINANCE:**

**A. Resolution No. 2004-077:Adopting Levy Limit**

The Finance Director provided a draft resolution pertaining to the adoption of the proposed 2004 tax levy, collectible in 2005 in the amount of \$1,923,989. He noted that the proposed amount certified to Washington County by September 15, 2004 cannot be increased; however, the City does retain the authority to lower the levy.

Council member DeLapp asked about purchasing a tree spade. This request can be brought up at a Public Works Council committee.

M/S/P John/DeLapp - to adopt Resolution No. 2004-077 for the proposed 2004 tax levy, collectible in 2005. (Motion passed 5-0)

**B. Resolution No. 2004-078:Set Truth n' Taxation Hearing Dates**

The Finance Director explained the City conducts a Truth in Taxation Public Hearing for the 2005 General Fund Budget and the final 2004 Tax Levy, collectible in 2005. He suggested the Council consider Monday, December 6<sup>th</sup>, at 7:00 p.m. and a continuation hearing (if necessary) on Monday, December 13<sup>th</sup> at 5:30 p.m. for the Truth in Taxation Public Hearings.

M/S/P Dunn/Johnston - to adopt Resolution No. 2004-078 setting the Truth in Taxation Public Hearing dates for the 2004 Tax Levy and the 2005 Budget. (Motion passed 5-0.)

**6. NEW BUSINESS:**

**7. MAINTENANCE/PARK/FIRE/BUILDING:**

**8. CITY ENGINEER'S REPORT:**

**A. Hill Trail Assessment Appeal, Resolution No. 2004-069:Adopting Hill Trail/50<sup>th</sup> Street Assessments**

At the August 17<sup>th</sup> meeting, the Council tabled adoption of the assessment for the Reconstruction of Hill Trail/50<sup>th</sup> Street to allow the City Engineer and City Attorney to review the appeal of Roger Johnson and address the concerns stated in Bud Talcott's memo.

The City Engineer provided a response to questions in Bud Talcott's memo of August 17, 2004 and addressed Roger Johnson's Hill Trail Assessment Appeal. Planner Dillerud reported the parcel owned by Roger Johnson is .91 acres and it was not buildable, therefore, this lot will be assessed as a recreational lot.

Council member Dunn explained the purpose of the street reconstruction was to address the drainage concerns. She pointed out that the culverts looked rough and needed to be fixed. She asked the engineer to make sure the stakes are taken out that hold the sod so no one gets hurt.

Bud Talcott, Hill Trail resident, brought in metal stakes found in his driveway, and noted he has seen no one with metal detectors.

M/S/P Johnston/Dunn - to adopt Resolution No. 2004-069 Adopting the assessment roll, as amended (Roger Johnson's combined parcel 05-029-21-33-024 and 05-029-21-33-026 as a recreational lot \$1,250 and parcel 04-029-21-33-0031 with his house at \$2,500) for the Reconstruction of Hill Trail N. and 50<sup>th</sup> Street N., verified by the City Engineer's memo dated September 1, 2004. (Motion passed 5-0).

#### B. Highlands Trail Speed Study Results

Per the request of the Council, a 48-hour speed study was done on Highlands Trail. In his memo dated September 2, 2004, the City Engineer reported the speed study was done west of Highlands Court. The results of the study show that two-thirds of the vehicles travel between 31 and 40 MPH. The posted speed limit is 30 MPH. In order to reduce the traffic speed, he recommends narrowing the street from 59<sup>th</sup> Street to Hytrail Avenue to 26 feet which would eliminate on-street parking.

Council member Johnston explained he has talked to the residents, who said the stop sign has not slowed down the traffic, but it has added safety to the intersection. He didn't feel there was any justification to put in more money into this project. Council member Dunn agreed to leave Highlands Trail with the stop sign. Council member DeLapp indicated the city could do some cosmetic things and that you can't just add a stop sign when you don't know what else to do. We could possibly look at a trail plan for this area. Planner Dillerud was asked to add this section to a trail plan.

Liz Johnson, Planning Commission member, said she lived in that neighborhood and residents did a lot of walking in this neighborhood and have a concern on speed of traffic.

#### C. 45<sup>th</sup> Street Pond

In his memo dated September 2, 2004 the City Engineer reported he received two quotes for repair of an erosion problem on City owned property on 45<sup>th</sup> Street. The quotes received were from Miller Excavating for \$11,665.00 and Larson Contracting for \$17,900.00. The Engineer recommended accepting the quote from Miller Excavating for construction of the 45<sup>th</sup> Street Pond.

M/S/P Dunn/John - to accept the quote from Miller Excavating for \$11,665.00 for construction of the 45<sup>th</sup> Street Pond, per the recommendation of the City Engineer in his memo dated September 2, 2004. (Motion passed 5-0.)

## 9. PLANNING, LAND USE & ZONING:

### A. Zoning Ordinance Amendment-Family Entertainment Center:CUP in GB Zone

The City Planner reported it was suggested by the City Council that the Planning Commission again consider a Zoning Ordinance text amendment regarding the addition of Family Entertainment Center (FEC) as an allowable use. Staff had published a Notice of Public Hearing to consider an amendment to the General Business (GB) zoning district text to allow a Family Entertainment Center (without building area limitation) in the GB zone as a Conditional Use. The Planning Commission recommended an amendment to the GB zone as proposed (as a Conditional Use) and the addition of "Family Entertainment Center" to the Definition Section. The recommendation modifies the Family Entertainment Center definition to remove "indoor paintball" as a specific inclusion.

Council member DeLapp voiced his concern on the definition of adult supervision, and the City should think about conditions before it adopts a conditional use permit.

M/S/P John/Dunn – to adopt Ordinance 97-138 amending the General Business District zoning ordinance text to include Family Entertainment Center as a Conditional Use. (Motion passed 5-0).

M/S/P John/Dunn – to adopt Ordinance 97-139 adding a definition of "Family Entertainment Center" to the City Code. (Motion passed 5-0).

### B. Amendments to Section 150 – Building Height

The City Planner indicated that responsive to Council direction on July 20, staff has prepared a Draft ordinance that would repeal the "old" Building Height definition and amend the new Building Height Definition to allow highest point measurements from the highest ridge of a hip or gable roof.

M/S/P Dunn/Johnston – to adopt Ordinance 97-140 amending Section 150 of the City Code regarding the definition of Building Height. (Motion passed 5-0.)

### C. Stillwater Bridge

Council member DeLapp noted the City has not received a copy of the EIS for the Stillwater bridge.

**10. CITY ATTORNEY'S REPORT:**

**11. CITY ADMINISTRATOR'S REPORT:**

A. Set Public Works Council Committee Meeting Date (Verbal)

The next Council Committee meeting date is scheduled for September 14<sup>th</sup> which is the Primary Election. The Council rescheduled the Council Committee date to Monday, September 13<sup>th</sup> at 5:30 p.m.

**12. CITY COUNCIL REPORTS:**

Council member DeLapp reminded the Council of the Tour de Sprawl making two stops in Lake Elmo. The group will be meeting at the Fields of St. Croix barn and Steve thought this would be an opportune time to discuss what can be done with the Old Village.

The Council closed the Council meeting at 8:45 to enter a closed meeting with our attorneys to discuss Met Council litigation.

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Respectfully submitted by Sharon Lumby, City Clerk

Resolution No. 2004-076 Approve Claims

Resolution No. 2004-077 Approved proposed 2004 Tax Levy, Collectible in 2005

Resolution No. 2004-078 Setting the Truth in Taxation Public Hearing Dates for 2004 Tax Levy

Resolution No. 2004-079 Approve Final Payment No. 4 to T.A. Schifsky for Hill Trail N. and 50<sup>th</sup> Street N.

Ordinance No. 97-138 Amending the GB district to include Family Entertainment Center as a CUP

Ordinance No. 97-139 Adding a definition of Family Entertainment Center

Ordinance No. 97-140 Amending Section 150 definition of Building Height



MINUTES APPROVED: September 7, 2004  
LAKE ELMO CITY COUNCIL MINUTES

AUGUST 17, 2004

1. AGENDA
2. MINUTES: August 4, 2004
3. PUBLIC INQUIRIES/INFORMATIONAL:
4. CONSENT AGENDA:
  - A. Resolution No. 2004-068: Approve Claims
  - B. Reschedule November 2, Council Meeting
  - C. Resolution No. 2004-072 Approve Additional Claim
5. FINANCE:
  - A. INFORMATIONAL: Date Change for Public Hearing on Bond Resolution August 31, 2004
  - B. INFORMATIONAL: Monthly Operating Report
6. NEW BUSINESS:
7. MAINTENANCE/PARK/FIRE/BUILDING:
  - A. Update on Building Dept. Activities: Jim McNamara
  - B. Fire Sprinklers -- Prairie Ridge Office Park
8. CITY ENGINEER'S REPORT:
  - A. PUBLIC HEARING: Assessment for Hill Trail N./50<sup>th</sup> Street:Resolution No. 2004-069
  - B. PUBLIC HEARING: Assessment for 2004 Overlay Project; Resolution No. 2004-070
  - C. Proposed 4-Way Stop Highlands Trail/59<sup>th</sup> Street
  - D. VFW Ball Field Lights
9. PLANNING, LAND USE & ZONING:
  - A. Open Space Concept Plan:Tapestry at Charlotte's Grove:Resolution No. 2004-071
10. CITY ATTORNEY'S REPORT:
11. CITY ADMINISTRATOR'S REPORT:
  - A. Highway 5
  - B. Fire Service Agreement with City of Hudson, WI
  - C. Disposal of Fire Equipment
  - D. Animal Ordinance Amendment
  - E. Purchase offer for 3585 Laverne Avenue
  - F. Vacation of 55<sup>th</sup> Street
  - G. Council Committees
12. CITY COUNCIL REPORTS:
  - A. Mayor Hunt: Board of Directors Vacancies; LMC 2004 Annual Conference
  - B. Council Member John:Discussion of Smoking Ban

**5. FINANCE:**

**A. INFORMATIONAL: Date Change for Public Hearing on Bond Resolution**

The Public Hearing on the Bond Resolution will be held on Tuesday, August 31, 2004, 7 p.m. at City Hall. This meeting will be cabled. The Budget Workshop will be held after the hearing.

M/S/P DeLapp/Johnston – to send the notice to the people, determined by staff, that would be affected by the city center proposal in the Lions Park area and include a sketch. (Motion passed 5-0.)

**B. INFORMATIONAL: Monthly Operating Report**

Finance Director Bouthilet provided a monthly operating report and reported the budget was on-track.

**6. NEW BUSINESS:**

**7. MAINTENANCE/PARK/FIRE/BUILDING:**

**A. Update on Building Dept. Activities: Jim McNamara**

The Building Official reported that in the month of July there were two new residential permits issued and two new commercial permits issued. He reminded residents that contractors should be state licensed to complete a roof project and permits for fences are now required.

**B. Fire Sprinklers – Prairie Ridge Office Park**

The City Planner reported in his memo that as a part of the Council's approval action on the site plan for the Prairie Ridge office condos (Highway 5 at Stillwater Blvd.) it was agreed that the developer would be required to only install "dry" fire sprinkler systems. That concession by the City was based on the inability of the City to extend municipal water service to the site in a financially feasible manner due to Oakdale water supply contract issues.

The City has been contacted by the developer advising that the State Fire Marshall will not permit installation of "dry" sprinkler systems due to the false sense of security such installations will project. The Building Official explained since we are not able to service water, the state was very reluctant to approve other than a full live system. A letter was signed by the Building Official and Fire Chief indicating they wave the requirement of the fire sprinkler systems for the Prairie Ridge development due to the fact that the city does not have the ability to furnish the development with the necessary water supply for a fire sprinkler system. This option is given under Section 1306.0060 of the fire sprinkler code providing other requirements are met.

The Council asked that the Planning Commission be made aware of these items when it looks at the impact on the Limited Business area where there is no water.

B. PUBLIC HEARING: Assessment for 2004 Overlay Project; Resolution No. 2004-070

The City Engineer reported the project is complete and recommends adoption of the assessment rate of \$1,222.00 per unit (21 assessable units) for this project.

Mayor Hunt opened up the Public Hearing at 7:50 p.m. in the Council Chambers  
There was no one to speak for or against the assessments.  
Mayor Hunt closed the Public Hearing at 7:51 p.m.

M/S/P DeLapp/Johnston – to adopt Resolution No. 2004-070, A Resolution Adopting Assessments for the 2004 Overlay Projected as presented by the City Engineer. (Motion passed 5-0).

C. Proposed 4-Way Stop Highlands Trail/59<sup>th</sup> Street

The Public Works Council Committee recommended a 4-way stop condition be placed at the intersection of Highlands Trail and 59<sup>th</sup> Street. In his letter dated August 12<sup>th</sup>, Tom Prew recommended not to install a 4-way stop as it was not warranted. The recommendation for a 4-way stop condition stems from the neighborhood request for traffic calming. In his opinion, a nuisance stop sign at this location would have very little effect on the overall speed of traffic on Highlands Trail. Making physical changes to the street is the best method to reduce vehicle speed. Prew recommended performing a speed study to determine the scope of the speeding problem.

M/S/P DeLapp/John – to direct the City Engineer to come back with a speed study to determine the scope of the speeding problem on Highlands Trail. (Motion passed 5-0).

D. VFW Ball Field Lights

The City Planner reported the installations of the new lights have been recently completed. A verbal agreement several months ago with an adjacent property owner to provide the city with an easement to run the new power supply unraveled once Xcel presented the actual plan as to where the new power lines/poles would be located on that adjacent property owners land. Several alternative concepts were also presented to the property owners, but none of which could be accommodated. It was finally decided to route the power from a different location and within the Layton Avenue right-of-way, with increased costs the result.

The previous Xcel contract price to bring the power to the ball field was \$9,994.57. The new revised route down Layton Avenue results in an Xcel cost of \$12,205.37 and an increase in the project cost of \$2,210.80.

3. And the development of alternate traffic routing and shared funding plans in the future.

MnDot discussed the Mill/Overlay project scheduled for September 2004, and no possibility (funding) for changes at this time. They also identified other maintenance and safety related upgrades scheduled for the future; pending funding. Tom Prew is working on a proposal to do a bypass study. The City Administrator noted that residents raised traffic issues on the west end, and there will be continued vigilance on speeding by the sheriff's dept. Council member Dunn asked to put on website and cable when the mill overlay project will be started.

#### B. Mutual Aid for St. Croix Valley and Hudson Fire Station

The Council was provided an agreement for the Lake Elmo Fire Department to provide Mutual Aid to the St. Croix Valley and Hudson Fire Departments. This agreement is key to the area wide response to emergency situations and has been reviewed and recommended for approval by the City Attorney, the Fire Chief and the City Administrator.

M/S/P DeLapp/Johnston -- to approve the Mayor, City Administrator, and Fire Chief sign the Mutual Aid Agreement with St. Croix Valley and Hudson Fire Service. (Motion passed 5-0).

#### C. Disposal of Fire Equipment

M/S/P Dunn/DeLapp -- to approve the Mayor, City Administrator and Fire Chief sign an agreement to transfer outdated surplus Air Pack equipment to receiving city. (Motion passed 5-0).

#### D. Animal Ordinance Amendment

The Community Improvement Committee has studied the current ordinance regulating restraining of dogs. The CIC has recommended that a minor change to the dog ordinance be adopted. The change proposed requires that a dog owner employ an active restraint system if the dog is left outside and the owners are not home.

Rod Sessing and Council member DeLapp questioned the relevancy of the property owner being home or not and why penalize them for when the owner is not home. Council member Johnston stated that his interpretation of the opinion of animal control is that invisible fencing was not efficiently effective and additional protection was a good policy. Ann Smith, Vice Chair of the CIC, stated if the dogs stay in the invisible fence, the property owner will not get fined. This would protect people in the future when the owner is not home all day long. Joan Ziertman, CIC member, stated she would rather see extra enforcement when a person is gone a long time. Council member Dunn said she wasn't convinced that invisible fences were causing a problem in the city and was not prepared to make a change to the dog ordinance.

member DeLapp added that we need information, such as, MN Design Team information, pictures of developments and the proposed city center, to attract their interest.

Mayor Hunt and Council members Dun, DeLapp and Johnston indicated they would be attending the LMC Conference.

M/S/P Johnston/John – to authorize \$700 to reserve a booth at the LMC conference. (Motion passed 5-0.)

Board of Directors Vacancies:

At the Annual Meeting in Duluth on October 11<sup>th</sup>, the membership will elect four new members to the Board of Directors. Council member Johnston indicated he would be interested in the nomination, but pulled his name out of consideration when Mayor Hunt indicated he would also be interested.

M/S/P DeLapp/Dunn – to submit Lee Hunt's name for nomination to serve on the LMC Board of Directors. (Motion passed 5-0).

Council member Dunn attended the VBWD meeting to listen to the discussion regarding a proposal for a market place and super target on 70 acres along highway 5 bordering Oakdale and Lake Elmo. Dunn said resident, Debbie Dean, asked excellent questions on water quality and runoff and how it relates to more traffic on Highway 5. The proposal was passed by the VBWD.

Council member Johnston said he was the last customer at the pancake breakfast held by the Fire Department. Dean asked about the status of the City's diseased tree program. The Administrator responded this item will be placed on the Public Works Council Committee agenda. Council member John suggested looking into a tree specialist on staff and the cost associated with such an appointment.

#### B. Council Member John: Discussion of Smoking Ban

Council member Wyn John said the Public Health Council Committee reflected positive on a smoking ban and wanted to get the Council's response on this proposal. He said if the City doesn't take a stand one way or another to identify their position, then there would not be any weight at all for the Washington County to legislate for us. Wyn introduced the following motion because he felt quite strongly about a smoking ban.

M/No Second John/No Second – to direct the staff to prepare an ordinance prohibiting smoking in a public place where two or more people could gather.

Council member Dunn stated this is not something we should be wasting another minute on. Council member Johnston said he was in favor of an approach that would do the most good while doing the least amount of harm. He supported the concept of a smoking ban and the idea of a regional smoking ban.

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

**RESOLUTION NO. 2004-080  
RESOLUTION APPROVING CLAIMS**

BE IT RESOLVED THAT Claim Numbers 217, 218, DD232 through DD243, 26153 through 26184, were used for Staff payroll dated September 16, 2004 , Claim 26185 through 26225 in the total amount of \$173,334.41 are hereby approved.

ADOPTED, by the Lake Elmo City Council on the 21<sup>st</sup> day of September, 2004.

\_\_\_\_\_  
Lee Hunt  
Mayor

ATTEST:

\_\_\_\_\_  
Martin J. Rafferty  
City Administrator

# Accounts Payable Computer Check Proof List

User: administrator

Printed: 09/17/2004 - 12:07 PM

# SPRINGBROOK SOFTWARE

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: ACEHARD 02094553	Ace Hardware Library Check Total:	35.52 35.52	09/21/2004	Check Sequence: 1 101-410-1110-44300	ACH Enabled: No
Vendor: ANCOM 39288	ANCOM COMMUNICATIONS, INC. 2 Radios, 2 remote mics, headset for FD Check Total:	2,267.77 2,267.77	09/21/2004	Check Sequence: 2 101-420-2220-43230	ACH Enabled: No
Vendor: ARAM 629-5547267	Aramark Linen - City Hall Check Total:	46.68 46.68	09/21/2004	Check Sequence: 3 101-410-1940-44010	ACH Enabled: No
Vendor: ARCADELE 1670	Arcade Electric VFW Baseball Field Lighting Check Total:	8,000.00 8,000.00	09/21/2004	Check Sequence: 4 404-480-8000-45300	ACH Enabled: No
Vendor: ASPENMI 57035	Aspen Mills, Inc. Name Tags Check Total:	88.45 88.45	09/21/2004	Check Sequence: 5 101-420-2220-44170	ACH Enabled: No
Vendor: BATTYPL 32-89448	Batteries Plus Woodbury Public Works - Batteries for Loader Check Total:	149.08 149.08	09/21/2004	Check Sequence: 6 101-430-3100-42210	ACH Enabled: No
Vendor: BIFFS W232792 W232793 W232794 W232795	Biff's Inc. Restrooms - Sunfish Lake Park Restrooms - Lions Park Restrooms - VFWPark Restrooms - DeMontreville Park	70.26 140.52 70.26 70.26	09/21/2004 09/21/2004 09/21/2004 09/21/2004	Check Sequence: 7 101-450-5200-44120 101-450-5200-44120 101-450-5200-44120 101-450-5200-44120	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
W232796	Restrooms - Reid Park	70.26	09/21/2004	101-450-5200-44120	
W232797	Restrooms - Tablyn Park	70.26	09/21/2004	101-450-5200-44120	
W232798	Restrooms - Pebble Park	70.26	09/21/2004	101-450-5200-44120	
	Check Total:	562.08			
Vendor:BLDGPER BP84EX	Building Permits Law Bulletin Subscription Check Total:	87.99 87.99	09/21/2004	Check Sequence: 8 101-420-2400-44330	ACH Enabled: No
Vendor:BRINES 56023	Brine's Market Bagged Lunches - Election Primary Check Total:	50.06 50.06	09/21/2004	Check Sequence: 9 101-410-1410-44300	ACH Enabled: No
Vendor:CARQUEST D353330	Car Quest Fuel and Oil Filters - Parks Check Total:	71.96 71.96	09/21/2004	Check Sequence: 10 101-430-3100-42210	ACH Enabled: No
Vendor:DELTA 3573140	Delta Dental Of Minnesota Dental Ins. October Prem. Check Total:	603.35 603.35	09/21/2004	Check Sequence: 11 101-000-0000-21706	ACH Enabled: No
Vendor:FARMERS 1751	Farmers Union Co-Op Oil Fuel - Fire Dept. Check Total:	18.50 18.50	09/21/2004	Check Sequence: 12 101-420-2220-42120	ACH Enabled: No
Vendor:FOUR 23-037388	Four Seasons Service Supplies - City Hall Check Total:	64.50 64.50	09/21/2004	Check Sequence: 13 101-410-1940-44300	ACH Enabled: No
Vendor:FREDS 414447	Fred's Tire Tire Repair - Parks Check Total:	18.32 18.32	09/21/2004	Check Sequence: 14 101-450-5200-44040	ACH Enabled: No
Vendor:HAGBERGS 00040819 00060815 00110816 00330814	Hagbergs Country Market Election Judges Training Fire Dept. Election Judges Training Fire Dept.	22.55 16.06 14.98 5.73	09/21/2004 09/21/2004 09/21/2004 09/21/2004	Check Sequence: 15 101-410-1410-44370 101-420-2220-44300 101-410-1410-44370 101-420-2220-44300	ACH Enabled: No



Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	59.32			
Vendor:LEAGMN 1-000018563 ANNUAL DUE	League of MN Cities Event Reg. - Dean Johnson Annual Membership for the City Check Total:	165.00 5,417.00 5,582.00	09/21/2004 09/21/2004	Check Sequence: 16 101-410-1110-44370 101-410-1110-44330	ACH Enabled: No
Vendor:LINDVENN 288838-0840	Lindquist & Vennum Attorney Fees - Comp Plan Check Total:	11,193.00 11,193.00	09/21/2004	Check Sequence: 17 101-410-1940-43020	ACH Enabled: No
Vendor:LINNER 16777	Linner Electric Company, Inc. Repair Light on softball field Check Total:	645.70 645.70	09/21/2004	Check Sequence: 18 101-450-5200-44030	ACH Enabled: No
Vendor:LUMBY 09/15REIMB	SharonLumby Dinner for Election Judges Check Total:	84.00 84.00	09/21/2004	Check Sequence: 19 101-410-1410-44300	ACH Enabled: No
Vendor:mama 955	Metropolitan AreaManager Association 1/2 Membership dues - June-Dec 2004 Check Total:	25.00 25.00	09/21/2004	Check Sequence: 20 101-410-1110-44370	ACH Enabled: No
Vendor:MCLEOD 6453846 6453846 6453846 6453846 6453846 6453846	McLeod USA City Hall Fire Hall 1 and 2 4259 Jamaica - Public Works 11062 N. 34th St and 2759 Legion Ave. 3303 Langley Ct. and 11975 55th St. 11194 Upper 34th Street Check Total:	367.95 165.63 130.22 120.31 108.80 55.08 947.99	09/21/2004 09/21/2004 09/21/2004 09/21/2004 09/21/2004 09/21/2004	Check Sequence: 21 101-410-1940-43210 101-420-2220-43210 101-430-3100-43210 602-495-9450-43210 601-494-9400-43210 101-450-5200-43210	ACH Enabled: No
Vendor:MENARDST 15269	Menards - Stillwater Library Exp. Check Total:	28.45 28.45	09/21/2004	Check Sequence: 22 101-410-1110-44300	ACH Enabled: No
Vendor:MILLEREX 9827	Miller Excavating, Inc. Gravel roads grade	587.13	09/21/2004	Check Sequence: 23 101-430-3100-44030	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	587.13			
Vendor:MPCA MPCA/OAMS/PT REM/WPC	MN Pollution Control Agency Wastewater Cert. Exam - GT Magnuson Wastewater Training - GT Magnuson Check Total:	32.00 270.00 302.00	09/21/2004 09/21/2004	Check Sequence: 24 602-495-9450-44370 602-495-9450-44370	ACH Enabled: No
Vendor:NORTHTOO 0561025746	Retail ServicesNorthern Tool & Equipment Drillbits for Public works Check Total:	66.01 66.01	09/21/2004	Check Sequence: 25 101-430-3100-42150	ACH Enabled: No
Vendor:NORTHTS 24-9429	Northern Traffic Supply Inc. 4 Type III Barricade Check Total:	702.90 702.90	09/21/2004	Check Sequence: 26 101-430-3100-42260	ACH Enabled: No
Vendor:OAKDALE 1000039700 1000046000	City of Oakdale Water - North Water - South Check Total:	3,050.79 9,856.95 12,907.74	09/21/2004 09/21/2004	Check Sequence: 27 601-494-9400-43820 601-494-9400-43820	ACH Enabled: No
Vendor:ONECALL 4080489	Gopher State One-CallOne Call Concepts, Inc Line Locates - August Check Total:	185.15 185.15	09/21/2004	Check Sequence: 28 101-430-3100-44300	ACH Enabled: No
Vendor:PETERSO 11135M 11140M 11145M 11150M	Peterson Fram & Bergman Legal Services - Administration Legal Services - Criminal Pros Legal Services - Hill Trail N.St. Imp. Legal Services - Community Dev. Check Total:	4,501.98 3,633.89 77.00 253.43 8,466.30	09/21/2004 09/21/2004 09/21/2004 09/21/2004	Check Sequence: 29 101-410-1610-43040 101-410-1610-43045 409-480-8000-43040 803-490-9070-43040	ACH Enabled: No
Vendor:PETTYCI 091520004 091520004 091520004	Petty Cash Postage to return Mary K.'s items Batteries Admin. fees for reg. of Bldg. Dept. vehc Check Total:	4.61 4.88 25.00 34.49	09/21/2004 09/21/2004 09/21/2004	Check Sequence: 30 101-410-1320-43220 101-410-1320-44300 101-420-2400-44300	ACH Enabled: No
Vendor:PRESS SEPT20004	StevenPress Cable Op. 8/3, 9/7, 9/13	120.00	09/21/2004	Check Sequence: 31 101-410-1320-43620	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	120.00			
Vendor: Reserve 20213037	Pitney Bowes Reserve Account Postage - Reserve Account Check Total:	750.00 750.00	09/21/2004	Check Sequence: 32 101-410-1320-43220	ACH Enabled: No
Vendor: RUD 9/7-9/15 9/8-9/16	Diane Prince-Rud Cleaning - City Hall Cleaning - Fire Dept. Check Total:	240.00 240.00 480.00	09/21/2004 09/21/2004	Check Sequence: 33 101-410-1940-44010 101-420-2220-44010	ACH Enabled: No
Vendor: S&T 01IT8216 01IY6532 01IH4862	S&T Office Products, Inc. Credit for Inv. 01IR6686 Credit for Inv. 01IX7565 Pens, Tapes, Paper Check Total:	-68.78 -68.97 150.23 12.48	09/21/2004 09/21/2004 09/21/2004	Check Sequence: 34 101-410-1320-42000 101-410-1320-42000 101-410-1320-42000	ACH Enabled: No
Vendor: SELA 4197	Sela Roofing Inc. Return Permit 4197 Fee Check Total:	171.48 171.48	09/21/2004	Check Sequence: 35 101-000-0000-32210	ACH Enabled: No
Vendor: STILLGAZ 00003756 00003766	Stillwater Gazette Ordinance 97-136 Resolution 2004-74 Publ. Check Total:	109.20 69.30 178.50	09/21/2004 09/21/2004	Check Sequence: 36 101-410-1320-43510 101-410-1320-43510	ACH Enabled: No
Vendor: TASCH 12170-02 33960	T.A. Schifsky & Sons Hill Trail N and 50th Str. N. Reconstr. AC Asphalt Check Total:	77,893.32 46.41 77,939.73	09/21/2004 09/21/2004	Check Sequence: 37 409-480-8000-45300 101-430-3100-42240	ACH Enabled: No
Vendor: TWINCIT 653	Twin City Water Clinic, Inc. Bacteria Analysis - August Check Total:	20.00 20.00	09/21/2004	Check Sequence: 38 601-494-9400-43030	ACH Enabled: No
Vendor: WAS-TRAN 42178	Washington County Striping Roads	4,907.45	09/21/2004	Check Sequence: 39 101-430-3100-42240	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	4,907.45			
Vendor: WELTER Welter	Bill Welter Refund due to unnecessary Variance app. Check Total:	620.00 620.00	09/21/2004	Check Sequence: 40 803-490-9070-44300	ACH Enabled: No
Vendor: XCEL 2045-967-139240 2332-806-007245	Xcel Energy 11975 55th Street Street Lighting Check Total:	568.41 1,568.48 2,136.89	09/21/2004 09/21/2004	Check Sequence: 41 601-494-9400-43810 101-430-3160-43810	ACH Enabled: No
	Total for Check Run:	141,217.97			
	Total Number of Checks:	41			

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

PETERSON  
FRAMBERGMAN  
PROFESSIONAL ASSOCIATION

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

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

Page: 1  
08/31/2004  
ACCOUNT NO: 11135M

	FEEES	EXPENSES	ADVANCES	BALANCE
11135-000008 Comp. Plan Update 2000-2020	661.50	0.00	0.00	\$661.50
11135-030005 OLD VILLAGE AREA MORATORIUM	121.00	0.00	0.00	\$121.00
11135-030008 SIMICH FENCE	99.00	0.00	0.00	\$99.00
11135-040002 2004 RECODIFICATION	286.00	0.00	0.00	\$286.00
11135-040009 PURCHASE OF SIEDOW PROPERTY	825.00	9.42	210.45	\$1,044.87
11135-920001 Administration	2,013.00	1.61	0.00	\$2,014.61
11135-920005 Volunteer Fire Dept./Benefit Assoc.	275.00	0.00	0.00	\$275.00
	<u>4,280.50</u>	<u>11.03</u>	<u>210.45</u>	<u>\$4,501.98</u>

THIS STATEMENT IS DUE AND PAYABLE TO THE END OF THE MONTH.  
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Page: 1  
08/31/2004  
ACCOUNT NO: 11140M

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

ACCOUNT NO:

	FEEES	EXPENSES	ADVANCES	BALANCE
11140-030001 Misc Prosecutions	2,405.00	45.58	0.00	\$2,450.58
11140-030170 Kuehn, James	572.00	0.00	8.81	\$580.81
11140-040004 Hyland, Myles Joel revoked plated, small amount of marijuana in motor vehicle	0.00	0.00	0.00	\$0.00
11140-040018 Love, Orbin DAR	57.50	0.00	0.00	\$57.50
11140-040061 Fuentes-Moncada, Luis E. GM-DAC-IPS	57.50	0.00	0.00	\$57.50
11140-040080 Graham, Daniel Joseph revoked plates, open bottle, no insurance	57.50	0.00	0.00	\$57.50
11140-040089 Erickson, Lisa Lorraine trespassing	30.00	0.00	0.00	\$30.00
11140-040090 Stromberg, Alex Gregory DAR	57.50	0.00	0.00	\$57.50

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Page: 2  
08/31/2004  
11140M

CITY OF LAKE ELMO

ACCOUNT NO:

	FEEES	EXPENSES	ADVANCES	BALANCE
11140-040124 Erion, Michael Lee GM-DAC-IPS, possess dangerous weapon	5.00	0.00	0.00	\$5.00
11140-040132 Thorsen, Kyle Theodore 3rd degree DUI	42.50	0.00	0.00	\$42.50
11140-040155 Wiley, Laurel Suzanne DAR	5.00	0.00	0.00	\$5.00
11140-040167 Langevin, Joseph Louis reckless discharge of weapon	22.50	0.00	0.00	\$22.50
11140-040169 Kurimay, Nicholas DAR	5.00	0.00	0.00	\$5.00
11140-040170 Meyer, Jean Linda DAR	5.00	0.00	0.00	\$5.00
11140-040173 Neadeau, Tara Lynn 2nd degree DUI, open bottle	22.50	0.00	0.00	\$22.50
11140-040182 Wilwert, Harold John DAR, no proof of insurance	5.00	0.00	0.00	\$5.00
11140-040183 Oman, Joseph Ray no insurance, fail to register MV	5.00	0.00	0.00	\$5.00

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Page: 3  
08/31/2004  
11140M

CITY OF LAKE ELMO

ACCOUNT NO:

	FEEES	EXPENSES	ADVANCES	BALANCE
11140-040184 Thole, Wayne theft	5.00	0.00	0.00	\$5.00
11140-040185 Kotlarz, Collin underage consumption, assault crim. damage to property	5.00	0.00	0.00	\$5.00
11140-040186 Billups, Eugene Lawrence DAR	5.00	0.00	0.00	\$5.00
11140-040189 Tennant, Joni Lynn 3rd degree DUI	30.00	0.00	0.00	\$30.00
11140-040190 Grillo, Mark Angelo GM-DAC-IPS	15.00	0.00	0.00	\$15.00
11140-040194 Bower, Deborah Jean GM-test refusal, 4th degree DUI	70.00	0.00	0.00	\$70.00
11140-040195 Wright, Donald William 4th degree DUI, open bottle	10.00	0.00	0.00	\$10.00
11140-040196 Mielke, Stephen John GM-credit card fraud	10.00	0.00	0.00	\$10.00
11140-040197 Blass, Jenna Marie underage consumption	22.50	0.00	0.00	\$22.50

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Page: 4  
08/31/2004  
11140M

CITY OF LAKE ELMO

ACCOUNT NO:

	FEEES	EXPENSES	ADVANCES	BALANCE
11140-040199 Stinson, Thomas Michael GM-test refusal, 3rd degree DUI hit and run	10.00	0.00	0.00	\$10.00
11140-040201 Lowen, Edward J. DAS	27.50	0.00	0.00	\$27.50
11140-040202 Khoury, George John parking on grass	15.00	0.00	0.00	\$15.00
	<u>3,579.50</u>	<u>45.58</u>	<u>8.81</u>	<u>\$3,633.89</u>

**THIS STATEMENT IS DUE AND PAYABLE TO THE END OF THE MONTH.  
PAYMENTS RECEIVED AFTER THE LAST DAY OF THE MONTH WILL BE CREDITED TO THE NEXT MONTH'S STATEMENT.  
PLEASE RETURN ONE COPY OF STATEMENT WITH PAYMENT.**

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

PETERSON  
FRAMBERGMAN  
PROFESSIONAL ASSOCIATION

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

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

Page: 1  
08/31/2004  
ACCOUNT NO: 11145M

	FEES	EXPENSES	ADVANCES	BALANCE
11145-000003 Hill Trail North Street Improvement	77.00	0.00	0.00	\$77.00
	<u>77.00</u>	<u>0.00</u>	<u>0.00</u>	<u>\$77.00</u>

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

Page: 1  
08/31/2004  
ACCOUNT NO: 11150M

	FEEES	EXPENSES	ADVANCES	BALANCE
11150-000003 RECO Property Permits	55.00	0.43	0.00	\$55.43
11150-040004 WHISTLING VALLEY SECOND ADDITION	132.00	0.00	0.00	\$132.00
11150-040006 ISAACSON VARIANCE	33.00	0.00	0.00	\$33.00
11150-040007 TAPESTRY O.P. DEVELOPMENT	33.00	0.00	0.00	\$33.00
	<u>253.00</u>	<u>0.43</u>	<u>0.00</u>	<u>\$253.43</u>

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As of 9/17/2004 (Periods 1-9)

Description	Budget	Per Range Amt	Variance	Comments
<b>Mayor &amp; Council</b>				
Part-time Salaries	\$12,100.00	\$5,667.00	\$6,433.00	
FICA Contributions	\$750.00	\$583.85	\$166.15	
Medicare Contributions	\$176.00	\$136.54	\$39.46	
Travel Expense	\$450.00	\$3,750.00	-\$3,300.00	
Miscellaneous	\$4,000.00	\$14,822.72	-\$10,822.72	
Dues & Subscriptions	\$5,500.00	\$7,894.00	-\$2,394.00	
Conferences & Training	\$5,000.00	\$1,147.00	\$3,853.00	
<b>Sub-Total</b>	<b>\$27,976.00</b>	<b>\$34,001.11</b>	<b>-\$6,025.11</b>	
<b>Administration</b>				
Full-time Salaries	\$124,020.00	\$77,084.00	\$46,936.00	
PERA Contributions	\$6,858.00	\$3,286.27	\$3,571.73	
FICA Contributions	\$7,689.00	\$4,804.79	\$2,884.21	
Medicare Contributions	\$1,798.00	\$1,123.65	\$674.35	
Health/Dental Insurance	\$21,834.00	\$12,799.58	\$9,034.42	
Workers Compensation	\$1,688.00	\$0.00	\$1,688.00	
Office Supplies	\$7,000.00	\$4,043.02	\$2,956.98	
Printed Forms	\$800.00	\$188.29	\$611.71	
Newsletter/Website	\$14,000.00	\$4,529.75	\$9,470.25	
Postage	\$9,500.00	\$6,154.15	\$3,345.85	
Travel Expense	\$1,500.00	\$412.00	\$1,088.00	
Legal Publishing	\$6,000.00	\$2,811.08	\$3,188.92	
Insurance	\$27,360.00	\$29,581.00	-\$2,221.00	Annual Premiums Paid
Cable Operation Expense	\$0.00	\$120.00	-\$120.00	
Miscellaneous	\$6,000.00	\$3,506.85	\$2,493.15	
Dues & Subscriptions	\$1,500.00	\$1,834.66	-\$334.66	
Books	\$500.00	\$0.00	\$500.00	
Conferences & Training	\$2,500.00	\$290.00	\$2,210.00	
Transfer Out	\$70,500.00	\$0.00	\$70,500.00	
<b>Sub-Total</b>	<b>\$311,047.00</b>	<b>\$152,569.09</b>	<b>\$158,477.91</b>	
<b>Elections</b>				
Part-time Salaries	\$7,000.00	\$191.67	\$6,808.33	
Office Supplies	\$100.00	\$0.00	\$100.00	
Printed Forms	\$300.00	\$0.00	\$300.00	
Travel Expense	\$50.00	\$0.00	\$50.00	
Miscellaneous	\$800.00	\$474.06	\$325.94	
Conferences & Training	\$0.00	\$37.53	-\$37.53	
<b>Sub-Total</b>	<b>\$8,250.00</b>	<b>\$703.26</b>	<b>\$7,546.74</b>	

Description	Budget	Per Range Amt	Variance	Comments
<b>Finance</b>				
Full-time Salaries	\$41,432.00	\$19,983.67	\$21,448.33	
PERA Contributions	\$2,569.00	\$1,029.55	\$1,539.45	
FICA Contributions	\$2,291.00	\$1,240.75	\$1,050.25	
Medicare Contributions	\$601.00	\$290.24	\$310.76	
Health/Dental Insurance	\$7,318.00	\$2,943.24	\$4,374.76	
Office Supplies	\$800.00	\$0.00	\$800.00	
Printed Forms	\$1,000.00	\$28.12	\$971.88	
Software Support	\$4,000.00	\$2,369.36	\$1,630.64	
Hardware Support	\$2,000.00	\$1,664.00	\$336.00	
Software Programs	\$3,000.00	\$950.00	\$2,050.00	
Travel Expense	\$1,000.00	\$28.00	\$972.00	
Miscellaneous	\$200.00	\$286.20	-\$86.20	
Books	\$200.00	\$0.00	\$200.00	
Conferences & Training	\$1,000.00	\$20.00	\$980.00	
<b>Sub-Total</b>	<b>\$67,411.00</b>	<b>\$30,833.13</b>	<b>\$36,577.87</b>	
<b>Accounting Services</b>	<b>\$24,000.00</b>	<b>\$18,856.29</b>	<b>\$5,143.71</b>	
<b>Assessing Services</b>	<b>\$35,000.00</b>	<b>\$13,600.00</b>	<b>\$21,400.00</b>	
<b>Legal Services</b>	<b>\$15,000.00</b>	<b>\$22,182.82</b>	<b>-\$7,182.82</b>	
<b>Civil Attorney Criminal</b>	<b>\$45,000.00</b>	<b>\$30,083.64</b>	<b>\$14,916.36</b>	
<b>Sub-Total</b>	<b>\$60,000.00</b>	<b>\$52,266.46</b>	<b>\$7,733.54</b>	
<b>Planning &amp; Zoning</b>				
Full-time Salaries	\$75,586.00	\$50,029.89	\$25,556.11	
PERA Contributions	\$4,180.00	\$4,140.99	\$39.01	
FICA Contributions	\$4,686.00	\$3,121.51	\$1,564.49	
Medicare Contributions	\$1,096.00	\$729.97	\$366.03	
Health/Dental Insurance	\$11,686.00	\$8,244.76	\$3,441.24	
Workers Compensation	\$847.00	\$0.00	\$847.00	
Office Supplies	\$500.00	\$243.34	\$256.66	
Printed Forms	\$500.00	\$0.00	\$500.00	
Zoning Ordinance Dev - CDBG	\$0.00	\$8,776.97	-\$8,776.97	Expense offset by Grant received from Washington County \$ 49,666
Cimarron Study - CDBG	\$10,000.00	\$10,035.00	-\$35.00	
Comprehensive Planning	\$10,000.00	\$0.00	\$10,000.00	
Engineering Services	\$2,500.00	\$9,299.23	-\$6,799.23	
Legal Services	\$1,000.00	\$341.00	\$659.00	
Infiltration Project	\$0.00	\$21,505.16	-\$21,505.16	Expense offset by Grant received from METC \$29,501.00
Old Village Tax Abatement	\$73,148.00	\$15,308.88	\$57,839.12	
Travel Expense	\$2,000.00	\$715.75	\$1,284.25	
Miscellaneous	\$200.00	\$114.00	\$86.00	
Dues & Subscriptions	\$500.00	\$710.00	-\$210.00	
Books	\$200.00	\$28.76	\$171.24	
Conferences & Training	\$2,500.00	\$990.36	\$1,509.64	
<b>Sub-Total</b>	<b>\$201,129.00</b>	<b>\$134,335.57</b>	<b>\$66,793.43</b>	

Description	Budget	Per Range Amt	Variance	Comments
Engineering Services	\$26,000.00	\$14,213.51	\$11,786.49	
Attorney Fees	\$100,000.00	\$99,150.91	\$849.09	
Gov't Buildings				
Cleaning Supplies	\$500.00	\$90.53	\$409.47	
Building Repair Supplies	\$500.00	\$134.75	\$365.25	
Telephone	\$6,500.00	\$2,970.28	\$3,529.72	
Electric Utility	\$5,000.00	\$3,423.62	\$1,576.38	
Refuse	\$2,040.00	\$801.02	\$1,238.98	
Repairs/Maint Contractual Bldg	\$8,000.00	\$7,350.20	\$649.80	
Repairs/Maint Contractual Eqpt	\$6,000.00	\$3,798.48	\$2,201.52	
Miscellaneous	\$400.00	\$460.83	-\$60.83	
<b>Sub-Total</b>	<b>\$28,940.00</b>	<b>\$19,029.71</b>	<b>\$9,910.29</b>	
Law Enforcement Contract	\$322,000.00	\$318,717.56	\$3,282.44	
Transfer Out	\$15,000.00	\$0.00	\$15,000.00	
<b>Sub-Total</b>	<b>\$337,000.00</b>	<b>\$318,717.56</b>	<b>\$18,282.44</b>	
Fire				
Full-time Salaries	\$17,434.00	\$8,423.78	\$9,010.22	
Part-time Salaries	\$93,850.00	\$77,749.61	\$16,100.39	
PERA Contributions	\$964.00	\$479.65	\$484.35	
FICA Contributions	\$5,583.00	\$5,343.81	\$239.19	
Medicare Contributions	\$1,306.00	\$1,249.83	\$56.17	
Health/Dental Insurance	\$3,127.00	\$1,172.97	\$1,954.03	
Workers Compensation	\$2,469.00	\$0.00	\$2,469.00	
Office Supplies	\$1,500.00	\$463.77	\$1,036.23	
Printed Forms	\$750.00	\$35.36	\$714.64	
EMS Supplies	\$2,000.00	\$0.00	\$2,000.00	
Fire Prevention	\$4,000.00	\$1,663.26	\$2,336.74	
Fuel	\$4,500.00	\$1,707.93	\$2,792.07	
Equipment Parts	\$0.00	\$348.00	-\$348.00	
Building Repair Supplies	\$1,000.00	\$240.28	\$759.72	
Small Tools & Equipment	\$1,200.00	\$1,028.10	\$171.90	
Physicals	\$2,000.00	\$3,253.00	-\$1,253.00	
Telephone	\$4,600.00	\$2,463.74	\$2,136.26	
Radio	\$7,500.00	\$5,763.44	\$1,736.56	
Travel Expense	\$2,000.00	\$1,766.85	\$233.15	
Vehicle Insurance	\$11,792.00	\$12,908.00	-\$1,116.00	Annual Premiums Paid
Electric Utility	\$4,400.00	\$3,032.18	\$1,367.82	
Repairs/Maint Contractual Bldg	\$7,000.00	\$4,675.00	\$2,325.00	
Repairs/Maint Contractual Eqpt	\$23,000.00	\$9,128.62	\$13,871.38	
Rentals - Building	\$1,080.00	\$810.00	\$270.00	
Uniforms	\$9,500.00	\$3,034.94	\$6,465.06	

Description	Budget	Per Range Amt	Variance	Comments
Miscellaneous	\$1,300.00	\$4,152.81	-\$2,852.81	Laptop Software Implementation-To be reimbursed by County \$2560.00
Dues & Subscriptions	\$2,300.00	\$2,835.45	-\$535.45	
Books	\$200.00	\$0.00	\$200.00	
Conferences & Training	\$15,000.00	\$5,485.00	\$9,515.00	
Pension Contribution	\$41,000.00	\$0.00	\$41,000.00	
Fire State Aid	\$25,000.00	\$0.00	\$25,000.00	
Equipment	\$10,000.00	\$1,863.63	\$8,136.37	
Transfer Out	\$60,000.00	\$0.00	\$60,000.00	
<b>Sub-Total</b>	<b>\$367,355.00</b>	<b>\$161,079.01</b>	<b>\$206,275.99</b>	
<b>Building Inspections</b>				
Full-time Salaries	\$113,365.00	\$80,834.19	\$32,530.81	
PERA Contributions	\$6,292.00	\$3,900.42	\$2,391.58	
FICA Contributions	\$7,029.00	\$5,023.93	\$2,005.07	
Medicare Contributions	\$1,644.00	\$1,174.93	\$469.07	
Health/Dental Insurance	\$23,588.00	\$12,689.79	\$10,898.21	
Workers Compensation	\$616.00	\$0.00	\$616.00	
Office Supplies	\$1,000.00	\$370.62	\$629.38	
Printed Forms	\$1,500.00	\$354.59	\$1,145.41	
Fuel	\$3,000.00	\$151.13	\$2,848.87	
Engineer Serv Utility Permits	\$3,000.00	\$0.00	\$3,000.00	
Plan Review Charges	\$5,000.00	\$0.00	\$5,000.00	
Surcharge Payments	\$13,500.00	\$663.10	\$12,836.90	
Telephone	\$0.00	\$805.76	-\$805.76	Cell Phone Expense
Travel Expense	\$1,000.00	\$180.00	\$820.00	
Insurance	\$877.00	\$872.00	\$5.00	
Repairs/Maint Contractual Eqpt	\$500.00	\$1,601.77	-\$1,101.77	Repairs to Bidg Vehicles - 637.00 Miscode belongs in Fire
Rentals - Building	\$4,000.00	\$2,875.50	\$1,124.50	
Uniforms	\$600.00	\$156.93	\$443.07	
Miscellaneous	\$200.00	\$233.41	-\$33.41	
Dues & Subscriptions	\$300.00	\$829.46	-\$529.46	
Books	\$300.00	\$0.00	\$300.00	
Conferences & Training	\$2,500.00	\$310.00	\$2,190.00	
Transfer Out	\$5,000.00	\$0.00	\$5,000.00	
<b>Sub-Total</b>	<b>\$194,811.00</b>	<b>\$113,027.53</b>	<b>\$81,783.47</b>	
<b>Civil Defense</b>	<b>\$9,000.00</b>	<b>\$0.00</b>	<b>\$9,000.00</b>	
<b>Animal Control</b>				
Printed Forms	\$500.00	\$0.00	\$500.00	
Contract Services	\$5,600.00	\$5,202.53	\$397.47	
Impounding	\$6,000.00	\$4,180.30	\$1,819.70	
Miscellaneous	\$400.00	\$0.00	\$400.00	
<b>Sub-Total</b>	<b>\$12,500.00</b>	<b>\$9,382.83</b>	<b>\$3,117.17</b>	

Description	Budget	Per Range Amt	Variance	Comments
<b>Public Works</b>				
Full-time Salaries	\$106,087.00	\$67,655.38	\$38,431.62	
Part-time Salaries	\$0.00	\$900.00	-\$900.00	Salary Split between Part-Time Parks
PERA Contributions	\$5,867.00	\$3,392.42	\$2,474.58	
FICA Contributions	\$6,577.00	\$4,251.70	\$2,325.30	
Medicare Contributions	\$1,538.00	\$994.36	\$543.64	
Health/Dental Insurance	\$24,607.00	\$11,309.25	\$13,297.75	
Workers Compensation	\$3,773.00	\$0.00	\$3,773.00	
Office Supplies	\$300.00	\$28.11	\$271.89	
Fuel	\$8,500.00	\$8,392.79	\$107.21	
Shop Materials	\$2,500.00	\$1,148.61	\$1,351.39	
Equipment Parts	\$10,000.00	\$5,513.07	\$4,486.93	
Building Repair Supplies	\$1,000.00	\$655.68	\$344.32	
Street Maintenance Materials	\$22,500.00	\$5,737.39	\$16,762.61	
Landscaping Materials	\$2,500.00	\$359.34	\$2,140.66	
Sign Repair Materials	\$4,000.00	\$1,813.43	\$2,186.57	
Sand/Salt	\$20,000.00	\$4,808.16	\$15,191.84	
Small Tools & Minor Equipment	\$1,500.00	\$619.73	\$880.27	
Engineering Services	\$2,000.00	\$0.00	\$2,000.00	
Contract Services	\$22,500.00	\$27,342.84	-\$4,842.84	Street Sweeping \$ 17086 Snow Plowing \$9738.00 Roads Graded 2603.00
Telephone	\$3,750.00	\$1,884.57	\$1,865.43	
Radio	\$200.00	\$0.00	\$200.00	
Travel Expense	\$500.00	\$20.00	\$480.00	
Insurance	\$11,265.00	\$13,603.00	-\$2,338.00	Annual Premiums Paid
Electric Utility	\$6,500.00	\$4,204.99	\$2,295.01	
Refuse	\$250.00	\$827.12	-\$577.12	Budget Error Past Budget classified into Contract Services
Repairs/Maint Contractual Bldg	\$2,000.00	\$1,028.00	\$972.00	
Repairs/Maint Imp Not Bldgs	\$1,500.00	\$3,047.30	-\$1,547.30	
Repairs/Maint Contractual Eqpt	\$4,500.00	\$3,963.49	\$536.51	
Rentals - Buildings	\$1,500.00	\$0.00	\$1,500.00	
Uniforms	\$900.00	\$761.35	\$138.65	
Miscellaneous	\$2,000.00	\$1,840.21	\$159.79	
Dues & Subscriptions	\$500.00	\$150.00	\$350.00	
Conferences & Training	\$500.00	\$100.00	\$400.00	
Clean-up Days	\$9,500.00	\$11,282.74	-\$1,782.74	
Other Equipment	\$12,250.00	\$21.25	\$12,228.75	
Transfer Out	\$78,693.00	\$0.00	\$78,693.00	
<b>Sub-Total</b>	<b>\$382,057.00</b>	<b>\$187,656.28</b>	<b>\$194,400.72</b>	
<b>Street Lighting</b>	<b>\$16,800.00</b>	<b>\$10,008.22</b>	<b>\$6,791.78</b>	



Description	Budget	Per Range Amt	Variance	Comments
<b>Sanitation</b>				
Recycling Supplies	\$6,000.00	\$0.00	\$6,000.00	
Newsletter	\$5,000.00	\$0.00	\$5,000.00	
Miscellaneous	\$7,100.00	\$1,613.42	\$5,486.58	
<b>Sub-Total</b>	<b>\$18,100.00</b>	<b>\$1,613.42</b>	<b>\$16,486.58</b>	
<b>Parks</b>				
Full-time Salaries	\$58,215.00	\$34,461.55	\$23,753.45	
Part-time Salaries	\$23,550.00	\$16,639.44	\$6,910.56	
PERA Contributions	\$3,219.00	\$2,072.10	\$1,146.90	
FICA Contributions	\$5,069.00	\$3,172.09	\$1,896.91	
Medicare Contributions	\$1,186.00	\$741.92	\$444.08	
Health/Dental Insurance	\$9,916.00	\$4,188.91	\$5,727.09	
Workers Compensation	\$2,819.00	\$0.00	\$2,819.00	
Office Supplies	\$250.00	\$0.00	\$250.00	
Fuel	\$2,200.00	\$341.36	\$1,858.64	
Shop Materials	\$1,000.00	\$105.96	\$894.04	
Chemicals	\$500.00	\$338.20	\$161.80	
Equipment Parts	\$4,000.00	\$922.35	\$3,077.65	
Building Repair Supplies	\$1,000.00	\$182.93	\$817.07	
Landscaping Materials	\$10,000.00	\$3,031.98	\$6,968.02	
Small Tools & Minor Equipment	\$1,000.00	\$45.49	\$954.51	
Telephone	\$1,500.00	\$825.46	\$674.54	
Travel Expense	\$0.00	\$60.00	-\$60.00	
Insurance	\$2,900.00	\$3,084.00	-\$184.00	Annual Premiums Paid
Electric Utility	\$6,050.00	\$3,565.45	\$2,484.55	
Refuse	\$2,400.00	\$1,471.68	\$928.32	
Repairs/Maint Contractual Bldg	\$2,000.00	\$1,060.93	\$939.07	
Repairs/Maint Imp Not Bldgs	\$5,000.00	\$994.49	\$4,005.51	
Repairs/Maint Contractual Eqpt	\$1,000.00	\$599.90	\$400.10	
Rentals - Buildings	\$2,500.00	\$3,372.49	-\$872.49	
Uniforms	\$400.00	\$52.37	\$347.63	
Miscellaneous	\$100.00	\$128.00	-\$28.00	
Dues & Subscriptions	\$100.00	\$50.00	\$50.00	
Conferences & Training	\$400.00	\$0.00	\$400.00	
Transfer Out	\$16,500.00	\$0.00	\$16,500.00	
<b>Sub-Total</b>	<b>\$164,774.00</b>	<b>\$81,509.05</b>	<b>\$83,264.95</b>	
<b>General Fund Total</b>	<b>2,292,150</b>	<b>1,353,402</b>	<b>938,748</b>	

Description	Budget	Per Range Amt	Variance	Comments
<b>Water Enterprise Operating</b>				
Full-time Salaries	\$61,939.00	\$52,932.18	\$18,807.11	
PERA Contributions	\$3,425.00	\$2,610.91	\$1,321.45	
FICA Contributions	\$3,840.00	\$3,289.69	\$1,159.44	
Medicare Contributions	\$898.00	\$769.36	\$271.10	
Health\Dental Insurance	\$9,171.00	\$7,035.92	\$4,249.61	
Workers Compensation	\$890.00	\$0.00	\$890.00	
Office Supplies	\$100.00	\$0.00	\$100.00	
Printed Forms	\$1,050.00	\$402.58	\$847.64	
Chemicals	\$2,000.00	\$764.96	\$1,560.69	
Utility System Maintenance	\$1,200.00	\$1,042.97	\$157.03	
Water Meters & Supplies	\$16,000.00	\$1,765.45	\$14,234.55	
Small Tools & Minor Equipment	\$197.00	\$255.43	-\$58.43	
Engineering Services	\$2,500.00	\$2,621.98	\$50.23	
Software Support	\$4,000.00	\$379.00	\$3,621.00	
Telephone	\$2,000.00	\$857.35	\$1,251.45	
Postage	\$650.00	\$0.00	\$650.00	
Travel Expense	\$600.00	\$399.00	\$225.00	
Insurance	\$2,380.00	\$2,985.00	-\$605.00	
Electric Utility	\$12,000.00	\$9,547.08	\$3,701.10	
Water Utility	\$35,000.00	\$62,564.74	-\$969.52	
Repairs\Maint Imp Not Bldgs	\$1,000.00	\$3,861.15	-\$2,861.15	Retapp Three Water Connections-3100; Repair of Water Main Break 1049
Miscellaneous	\$5,000.00	\$1,359.00	\$3,641.00	
Conferences & Training	\$500.00	\$110.00	\$390.00	
Other Equipment	\$1,800.00	\$0.00	\$1,800.00	
<b>Subtotal</b>	<b>\$168,140.00</b>	<b>\$155,553.75</b>	<b>\$54,434.30</b>	
<b>Sewer Enterprise Operating</b>				
Full-time Salaries	\$17,594.00	\$12,673.92	\$4,920.08	
PERA Contributions	\$973.00	\$614.29	\$358.71	
FICA Contributions	\$1,091.00	\$787.98	\$303.02	
Medicare Contributions	\$255.00	\$184.31	\$70.69	
Health\Dental Insurance	\$2,375.00	\$1,549.01	\$825.99	
Workers Compensation	\$328.00	\$0.00	\$328.00	
Utility System Maint Supplies	\$524.00	\$58.56	\$465.44	
Small Tools & Minor Equipment	\$200.00	\$0.00	\$200.00	
Engineering Services	\$1,500.00	\$5,670.69	-\$4,170.69	Services for Lift Station Upgrades
Telephone	\$1,150.00	\$1,070.85	\$79.15	
Travel Expense	\$0.00	\$36.00	-\$36.00	
Electric Utility	\$1,225.00	\$1,016.88	\$208.12	
Repairs\Maint Imp Not Bldgs	\$1,000.00	\$2,511.29	-\$1,511.29	Lift Station Repairs
Miscellaneous Expenses	\$0.00	\$9,358.40	-\$9,358.40	
Conferences & Training	\$0.00	\$491.20	-\$491.20	
<b>Subtotal</b>	<b>\$28,215.00</b>	<b>\$36,023.38</b>	<b>-\$7,808.38</b>	

Description	Budget	Per Range Amt	Variance	Comments
<b>Storm Water Enterprise Operating</b>				
Full-time Salaries	\$24,751.00	\$0.00	\$24,751.00	
PERA Contributions	\$1,369.00	\$0.00	\$1,369.00	
FICA Contributions	\$1,535.00	\$0.00	\$1,535.00	
Medicare Contributions	\$359.00	\$0.00	\$359.00	
Health/Dental Insurance	\$4,771.00	\$0.00	\$4,771.00	
Workers' Compensation	\$340.00	\$0.00	\$340.00	
Office Supplies	\$500.00	\$0.00	\$500.00	
Utility System Maint Supplies	\$2,162.00	\$0.00	\$2,162.00	
Small Tools & Minor Equipment	\$1,000.00	\$0.00	\$1,000.00	
Engineering Services	\$4,500.00	\$13,731.34	-\$6,519.43	Initial Set-up Expense
Erosion Control	\$2,100.00	\$0.00	\$2,100.00	
Software Support	\$1,000.00	\$4,050.00	-\$3,050.00	Initial Set-up Expense
Postage	\$1,576.00	\$515.00	\$1,061.00	
Contract Services	\$2,000.00	\$0.00	\$2,000.00	
Repairs/Maint Not Bldg	\$2,000.00	\$0.00	\$2,000.00	
Miscellaneous Expenses	\$0.00	\$348.26	-\$348.26	
Transfer Out	\$30,315.00	\$0.00	\$30,315.00	
<b>Subtotal</b>	<b>\$80,278.00</b>	<b>\$18,644.60</b>	<b>\$64,345.31</b>	
<b>Total Enterprise Fund</b>	<b>\$276,633.00</b>	<b>\$210,221.73</b>	<b>\$110,971.23</b>	
<b>Grand Total</b>	<b>2,568,783</b>	<b>1,563,624</b>	<b>1,049,719</b>	

**Summary Building Report**

<b>August-2004</b>			<b>Year to Date</b>		
	<b>Permits Issued</b>	<b>Valuation</b>		<b>Permits Issued</b>	<b>Valuation</b>
New Residential	0	\$0.00	New Residential	10	\$5,906,468.00
New Commercial	0	\$0.00	New Commercial	6	\$1,400,000.00
Other Residential	55	\$506,392.00	Other Residential	251	\$2,889,311.00
Other Commercial	2	\$90,700.00	Other Commercial	21	\$955,483.00
<b>Total</b>	<b>57</b>	<b>\$597,092.00</b>	<b>Total</b>	<b>288</b>	<b>\$11,151,262.00</b>
<b>Total Building Fees Collected</b>		<b>\$10,513.40</b>	<b>Total Building Fees Collected</b>		<b>\$145,093.34</b>
<b>Summary Plumbing Report</b>			<b>Summary Plumbing Report</b>		
Plumbing	12	\$56,500.00	Plumbing	78	\$644,154.00
<b>Total Plumbing Fees Collected</b>		<b>\$402.50</b>	<b>Total Plumbing Fees Collected</b>		<b>\$5,336.25</b>
<b>Summary HVAC Report</b>			<b>Summary HVAC Report</b>		
HVAC	10	\$21,930.00	HVAC	79	\$357,688.00
<b>Total HVAC Fees Collected</b>		<b>\$555.00</b>	<b>Total HVAC Fees Collected</b>		<b>\$5,442.75</b>
<b>Summary Grand Total Fees</b>		<b>\$11,470.90</b>	<b>Summary Grand Total Fees</b>		<b>\$155,872.34</b>
Surcharge Fee Paid to State		\$280.60	Surcharge Fee Paid to State		\$5,516.78
SAC Fees Paid to Met Council		\$9,058.40	SAC Fees Paid to Met Council		\$9,058.40
WAC Fees Paid to Oakdale		\$0.00	WAC Fees Paid to Oakdale		\$0.00
Misc. Expenses		\$0.00	Misc. Expenses		\$0.00
<b>Total Fees Retained</b>		<b>\$2,131.90</b>	<b>Total Fees Retained</b>		<b>\$141,297.16</b>
Credit Fees to Bldg		\$2,131.90	Credit Fees to Bldg		\$140,521.66
Credit Fees to Water		\$0.00	Credit Fees to Water		\$400.00
Credit Fees to Sewer		\$0.00	Credit Fees to Sewer		\$375.50

## Building Permit Detail Summary

August 01, 2004 Through August 31, 2004

### Occupancy

**Class Of Work: Add**

Permit #	Description of Work	Date Issued	Use of Building	Valuation
4204	swimming pool	8/3/2004	Single Family Dwelling	20,000
<b>Totals for Class Of Work: Add</b>				<b>Sum of Valuation = 20,000</b>
<b>Totals for Occupancy:</b>				<b>Sum of Valuation = 20,000</b>

### Occupancy

**Class Of Work:**

Permit #	Description of Work	Date Issued	Use of Building	Valuation
4246	heating	8/20/2004	Single Family Dwelling	1,870
<b>Totals for Class Of Work:</b>				<b>Sum of Valuation = 1,870</b>
<b>Totals for Occupancy:</b>				<b>Sum of Valuation = 1,870</b>

### Occupancy U-1

**Class Of Work: Add**

Permit #	Description of Work	Date Issued	Use of Building	Valuation
4221	accessory structure	8/6/2004	Accessory Building	20,000
4211	accessory structure	8/5/2004	Accessory Building	1,000
<b>Totals for Class Of Work: Add</b>				<b>Sum of Valuation = 21,000</b>

**Class Of Work: Remodel**

Permit #	Description of Work	Date Issued	Use of Building	Valuation
4262	Fireplace	8/25/2004	Single Family Dwelling	1,100
<b>Totals for Class Of Work: Remodel</b>				<b>Sum of Valuation = 1,100</b>

**Class Of Work: Demolition**

Permit #	Description of Work	Date Issued	Use of Building	Valuation
4200	demolition	8/3/2004	Mobile Home	1,500
<b>Totals for Class Of Work: Demolition</b>				<b>Sum of Valuation = 1,500</b>

**Totals for Occupancy: U-1**      **Number of Permits = 4**      **Sum of Valuation = 23,600**

**Occupancy R-3**

**Class Of Work:**

Permit #	Description of Work	Date Issued	Use of Building	Valuation
4225	reeroof	8/10/2004	Single Family Dwelling	5,700
<b>Totals for Class Of Work:</b>				<b>Sum of Valuation = 5,700</b>

**Class Of Work: Add**

Permit #	Description of Work	Date Issued	Use of Building	Valuation
4212	addition & remodel	8/5/2004	Single Family Dwelling	1,700
4215	driveway	8/6/2004	Single Family Dwelling	11,125
4235	Deck	8/11/2004	Mobile Home	800
4199	mobile home setup	8/3/2004	Single Family Dwelling	3,500
4240	addition & remodel	8/13/2004	Single Family Dwelling	33,000
4227	addition	8/11/2004	Single Family Dwelling	1,500
4194	swimming pool	8/2/2004	Single Family Dwelling	70,000
4234	mobile home setup	8/11/2004	Single Family Dwelling	2,800
4236	mobile home setup	8/11/2004	Single Family Dwelling	2,800
4237	reroof	8/12/2004	Mobile Home	1,200
4196	addition & remodel	8/3/2004	Single Family Dwelling	30,000
4238	fence	8/12/2004	Single Family Dwelling	10,200
4239	driveway	8/13/2004	Single Family Dwelling	1,500
4216	fence	8/6/2004	Single Family Dwelling	8,942
4257	fence	8/25/2004	Single Family Dwelling	1,500
4242	Swimming pool & Deck	8/18/2004	Single Family Dwelling	15,000
4243	Deck	8/18/2004	Mobile Home	842
4247	deck parch	8/20/2004	Single Family Dwelling	2,156
4264	Remodel (including plimg&Htg)	8/26/2004	Single Family Dwelling	40,000

4263	fence	8/26/2004	Single Family Dwelling	500
4260	fence	8/25/2004	Single Family Dwelling	930
4258	fence	8/25/2004	Single Family Dwelling	2,811
4241	fence	8/13/2004	Single Family Dwelling	9,000
4255	Garage	8/24/2004	Accessory Building	16,000
<b>Totals for Class Of Work: Add</b>				<b>Sum of Valuation = 267,806</b>

**Class Of Work: Remodel**

Permit #	Description of Work	Date Issued	Use of Building	Valuation
4265	Siding	8/30/2004	Single Family Dwelling	19,874
4261	Remodel (including plmg&htg)	8/25/2004	Single Family Dwelling	5,000
4210	Basement finish (includes plmg&htg)	8/5/2004	Single Family Dwelling	30,000
4219	Remodel	8/6/2004	Single Family Dwelling	32,000
4223	Siding	8/9/2004	Single Family Dwelling	3,800
4224	Deck	8/10/2004	Single Family Dwelling	5,000
4266	Siding	8/30/2004	Single Family Dwelling	19,980
<b>Totals for Class Of Work: Remodel</b>				<b>Sum of Valuation = 115,654</b>



**Class Of Work: Repair**

Permit #	Description of Work	Date Issued	Use of Building	Valuation
4207	Roof Replacement (ice & water)	8/3/2004	Single Family Dwelling	1,985
4245	window replacement	8/19/2004	Single Family Dwelling	3,500
4197	Roof Replacement (ice & water)	8/3/2004	Single Family Dwelling	8,455
4256	reroof	8/25/2004	Single Family Dwelling	4,000
4206	Roof Replacement (ice & water)	8/3/2004	Single Family Dwelling	6,600
4251	Gasline	8/23/2004	Single Family Dwelling	500
4229	Roof Replacement & Siding	8/11/2004	Single Family Dwelling	1,250
4252	window replacement	8/23/2004	Single Family Dwelling	2,172
4220	Windows & Siding	8/6/2004	Single Family Dwelling	3,000
4205	Windows & Siding	8/3/2004	Single Family Dwelling	30,000
<b>Totals for Class Of Work: Repair</b>				<b>Sum of Valuation = 61,462</b>

**Class Of Work: Alter**

Permit #	Description of Work	Date Issued	Use of Building	Valuation
4228	driveway	8/11/2004	Single Family Dwelling	5,400
4250	Gasline	8/20/2004	Single Family Dwelling	200
4249	Gasline	8/20/2004	Single Family Dwelling	200
4248	Excavation & Grading	8/20/2004	Excavation & Grading	
<b>Totals for Class Of Work: Alter</b>				<b>Sum of Valuation = 5,800</b>

**Class Of Work: Demolition**

Permit #	Description of Work	Date Issued	Use of Building	Valuation
4203	demolition	8/3/2004	Mobile Home	1,500
4202	demolition	8/3/2004	Mobile Home	1,500
4201	demolition	8/3/2004	Mobile Home	1,500
<b>Totals for Class Of Work: Demolition</b>				<b>Sum of Valuation = 4,500</b>
<b>Totals for Occupancy: R-3</b>				<b>Sum of Valuation = 460,922</b>

**Occupancy S-2**

**Class Of Work:**

Permit #	Description of Work	Date Issued	Use of Building	Valuation
4222	addition	8/9/2004	Commercial	85,700
<b>Totals for Class Of Work:</b>				<b>Sum of Valuation = 85,700</b>
<b>Totals for Occupancy: S-2</b>				<b>Sum of Valuation = 85,700</b>

**Occupancy A-3**

**Class Of Work: Remodel**

Permit #	Description of Work	Date Issued	Use of Building	Valuation
4214	Remodel	8/5/2004	School	5,000
<b>Totals for Class Of Work: Remodel</b>				<b>Sum of Valuation = 5,000</b>
<b>Totals for Occupancy: A-3</b>				<b>Sum of Valuation = 5,000</b>

**Grand Total for All Permits Issued:      Number of Permits 57      Total Valuation = 597,092**

*City of Lake Elmo  
Building Department*

***Plumbing Permit Detail Summary***

August 01, 2004 Through August 31, 2004

<i>Permit #</i>	<i>Description of Work</i>	<i>Date Issued</i>	<i>Valuation</i>
4198	water heater install	8/3/2004	500
4208	Install New Septic	8/4/2004	5,000
4209	Septic Commercial	8/4/2004	5,000
4213	commercial plumbing alter	8/5/2004	2,000
4226	WIRSBO	8/10/2004	4,500
4230	Install New Septic	8/11/2004	7,500
4231	Install New Septic	8/11/2004	7,500
4232	Install New Septic	8/11/2004	7,500
4233	Install New Septic	8/11/2004	5,000
4240	alter resd plmg & Septic	8/13/2004	5,000
4253	alter septic	8/23/2004	5,000
4267	lawn sprinkler	8/31/2004	2,000

***Number of Permits 12***

***Total Valuation = 56,500***

*City of Lake Elmo  
Building Department*

***HVAC Permit Detail Summary***

August 01, 2004 Through August 31, 2004

<i>Permit #</i>	<i>Description of Work</i>	<i>Date Issued</i>	<i>Valuation</i>
4195	Gasline	8/3/2004	6,500
4217	replace furnace	8/6/2004	3,200
4240	alter resd hvac	8/13/2004	4,000
4244	Install Heating Units	8/19/2004	3,590
4246	Install Heating Units	8/20/2004	1,870
4249	Gasline	8/20/2004	200
4250	Gasline	8/20/2004	200
4251	Gasline	8/23/2004	500
4254	alter resd hvac	8/24/2004	1,870
4259	Install Heating Unit in garage	8/25/2004	0

***Number of Permits 10***

***Total Valuation = 21,930***

**City of Lake Elmo**  
**Building Department**  
**Building Permit Fees**

August 01, 2004 Through August 31, 2004

Date	Permit #	Permit Fee	Surcharge	Plan Review	Other	Investigation	AC Fee	Sewer Fee	WAC Fee	Meter	Sales Tax
8/2/2004	4194	\$783.75	\$35.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/3/2004	4196	\$442.25	\$15.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/3/2004	4197	\$167.25	\$4.23	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/3/2004	4199	\$0.00	\$0.00	\$0.00	\$75.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/3/2004	4200	\$0.00	\$0.00	\$0.00	\$50.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/3/2004	4201	\$0.00	\$0.00	\$0.00	\$50.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/3/2004	4202	\$0.00	\$0.00	\$0.00	\$50.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/3/2004	4203	\$0.00	\$0.00	\$0.00	\$50.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/3/2004	4204	\$321.25	\$10.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/3/2004	4205	\$442.25	\$15.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/3/2004	4206	\$139.25	\$3.30	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/3/2004	4207	\$69.25	\$0.99	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/5/2004	4210	\$442.25	\$15.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/5/2004	4211	\$38.75	\$0.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/5/2004	4212	\$60.10	\$0.85	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/5/2004	4214	\$111.25	\$2.50	\$72.31	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/6/2004	4215	\$0.00	\$0.00	\$0.00	\$50.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/6/2004	4216	\$167.25	\$4.47	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/6/2004	4219	\$462.45	\$16.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/6/2004	4220	\$83.25	\$1.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/6/2004	4221	\$321.25	\$10.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/9/2004	4222	\$895.75	\$42.85	\$582.24	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Monday, September 13, 2004

**City of Lake Elmo  
Building Department**

**Building Permit Fees**

August 01, 2004 Through August 31, 2004

Date	Permit #	Permit Fee	Surcharge	Plan Review	Other	Investigation	AC Fee	Sewer Fee	WAC Fee	Meter	Sales Tax
8/9/2004	4223	\$97.25	\$1.90	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/10/2004	4224	\$111.25	\$2.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/10/2004	4225	\$125.25	\$2.85	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/11/2004	4227	\$54.00	\$0.75	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/11/2004	4228	\$0.00	\$0.00	\$0.00	\$50.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/11/2004	4229	\$47.90	\$0.62	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/11/2004	4234	\$0.00	\$0.00	\$0.00	\$75.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/11/2004	4235	\$32.65	\$0.40	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/11/2004	4236	\$0.00	\$0.00	\$0.00	\$75.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/12/2004	4237	\$44.85	\$0.60	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/12/2004	4238	\$195.25	\$5.10	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/13/2004	4239	\$0.00	\$0.00	\$0.00	\$50.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/13/2004	4240	\$472.55	\$16.50	\$0.00	\$50.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/13/2004	4241	\$167.25	\$4.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/18/2004	4242	\$251.25	\$7.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/18/2004	4243	\$35.70	\$0.42	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/19/2004	4245	\$97.25	\$1.75	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/20/2004	4246	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/20/2004	4247	\$83.25	\$1.08	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/20/2004	4248	\$0.00	\$0.00	\$0.00	\$100.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/20/2004	4249	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/20/2004	4250	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

**City of Lake Elmo  
Building Department  
Building Permit Fees**

August 01, 2004 Through August 31, 2004

Date	Permit #	Permit Fee	Surcharge	Plan Review	Other	Investigation	AC Fee	Sewer Fee	WAC Fee	Meter	Sales Tax
8/23/2004	4251	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/23/2004	4252	\$83.25	\$1.09	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/23/2004	4253	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/24/2004	4254	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/24/2004	4255	\$265.25	\$8.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/25/2004	4256	\$97.25	\$2.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/25/2004	4257	\$54.00	\$0.75	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/25/2004	4258	\$83.25	\$1.41	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/25/2004	4260	\$38.75	\$0.46	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/25/2004	4261	\$111.25	\$2.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/25/2004	4262	\$41.80	\$0.55	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/26/2004	4263	\$23.50	\$0.25	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/26/2004	4264	\$543.25	\$20.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/30/2004	4265	\$321.25	\$9.94	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/30/2004	4266	\$321.25	\$9.99	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
8/31/2004	4267	\$0.00	\$0.00	\$0.00	\$100.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
<b>Totals:</b>		<b>\$8,747.25</b>	<b>\$280.60</b>	<b>\$654.55</b>	<b>\$831.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>

**Grand Total of Building Related Fees Collected: \$10,513.40**

*City of Lake Elmo  
Building Department*

***Plumbing Permit Fees***

August 01, 2004 Through August 31, 2004

<i>Date</i>	<i>Permit #</i>	<i>Permit Fee</i>	<i>Surcharge</i>
8/3/2004	4198	\$50.00	\$0.50
8/4/2004	4208	\$0.00	\$0.00
8/4/2004	4209	\$0.00	\$0.00
8/5/2004	4213	\$150.00	\$0.50
8/10/2004	4226	\$100.00	\$0.50
8/11/2004	4230	\$0.00	\$0.00
8/11/2004	4231	\$0.00	\$0.00
8/11/2004	4232	\$0.00	\$0.00
8/11/2004	4233	\$0.00	\$0.00
8/13/2004	4240	\$50.00	\$0.50
8/23/2004	4253	\$50.00	\$0.50
8/31/2004	4267	\$0.00	\$0.00
<b>Totals:</b>		<b>\$400.00</b>	<b>\$2.50</b>

***Grand Total of Plumbing Fees Collected:      \$402.50***



*City of Lake Elmo  
Building Department*

***HVAC Permit Fees***

August 01, 2004 Through August 31, 2004

<i>Date</i>	<i>Permit #</i>	<i>Permit Fee</i>	<i>Surcharge</i>
8/3/2004	4195	\$50.00	\$0.50
8/6/2004	4217	\$50.00	\$0.50
8/13/2004	4240	\$50.00	\$0.50
8/19/2004	4244	\$50.00	\$0.50
8/20/2004	4246	\$50.00	\$0.50
8/20/2004	4249	\$50.00	\$0.50
8/20/2004	4250	\$50.00	\$0.50
8/23/2004	4251	\$50.00	\$0.50
8/24/2004	4254	\$50.00	\$0.50
8/25/2004	4259	\$100.00	\$0.50
<b>Totals:</b>		<b>\$550.00</b>	<b>\$5.00</b>

***Grand Total of HVAC Fees Collected: \$555.00***

<p>Lake Elmo City Council September 21, 2004</p>	<p>Agenda Section: Planning, Land Use &amp; Zoning</p>	<p><u>No.</u> 9A</p>
<p><b>Agenda Item:</b> Zoning Variance – Side Yard Setback (Price – 8384 Stillwater Blvd.)</p>		
<p><b><u>Background Information for , 2004:</u></b></p> <p>At its meeting September 13, 2004 the Planning Commission unanimously recommended approval of a zoning variance to allow <u>reconstruction</u> of a garage 8 feet 5 inches from the side lot line where the R-1 zoning district standards specify 10 feet. The Commission's recommendation primarily results from positive Findings regarding hardship after the applicant volunteered to reduce the requested variance from 3 feet 7 inches to 1 foot 7 inches – reflecting the exact side yard location of the garage structure proposed to be replaced. Staff had advised the Commission that it was likely that the original garage was intended to be located at the 10 foot setback line in 1968, but ended up slightly closer to the lot line.</p>		
<p><b><u>Action items:</u></b></p> <p>Motion to adopt Resolution #2004<sup>081</sup>, approving a Variance to permit reconstruction of a garage 8 feet 5 inches from the west property line where a 10 foot side yard setback is required, based on the Findings and recommendation of the Planning Commission.</p>	<p><b><u>Person responsible:</u></b></p> <p>City Planner</p>	
<p><b><u>Attachments:</u></b> <sup>081</sup></p> <ol style="list-style-type: none"> <li>1. Draft Resolution #2004 - Approving Variance</li> <li>2. Location Map</li> <li>3. Staff Revised Graphic</li> <li>4. Draft Planning Commission Minutes of September 13</li> <li>5. Applicant's Documentation</li> </ol>	<p><b><u>Time Allocated:</u></b></p>	

CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2004-081  
A RESOLUTION APPROVING A ZONING VARIANCE FOR  
ALBERT AND CAROLINE PRICE LOCATED AT  
8384 STILLWATER BOULEVARD

WHEREAS, Albert and Caroline Price, 8384 Stillwater Boulevard, have made application for a zoning variance from the side yard setback to permit reconstruction of a two-stall garage 8 feet 5 inches from the west property line where a 10 foot side yard setback is required.

WHEREAS, at its September 13th meeting, the Planning Commission reviewed and recommended approval of the side yard setback variance at 8384 Stillwater Boulevard, per the graphics staff dated September 13, 2004 based on the following findings:

1. The property cannot be put to reasonable use without granting the variance requested.
2. The variance requested results from physical circumstances unique to the property. The circumstances of the variance relate to a probable 1968 error in locating the garage structure to be replaced in the same location. The amended application proposes a new garage no wider than that proposed to be replaced.
3. Granting of the variance will not change the essential character of the neighborhood.

WHEREAS, at its September 21<sup>st</sup> meeting, the Lake Elmo City Council reviewed the zoning variance from side yard setback to permit reconstruction of a garage 8 feet 5 inches from the west property line requested by Albert and Caroline Price, located at 8384 Stillwater Boulevard, per the graphics staff dated September 13, 2004.

NOW, THEREFORE, BE IT RESOLVED, that the Lake Elmo City Council approves the variance for side yard setback for Albert and Caroline Price at 8384 Stillwater Boulevard, per the graphics staff-dated September 13th, 2004, subject to the following condition:

1. That no driveway or turning area shall be located closer than five feet from any property line where adequate easement width permits.
2. That there be a tax parcel consolidation of Outlot E with Lot 5 of Beau-Haven.

ADOPTED BY THE Lake Elmo City Council the 21st day of September, 2004.

---

Lee Hunt, Mayor

ATTEST:

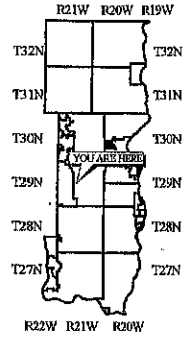
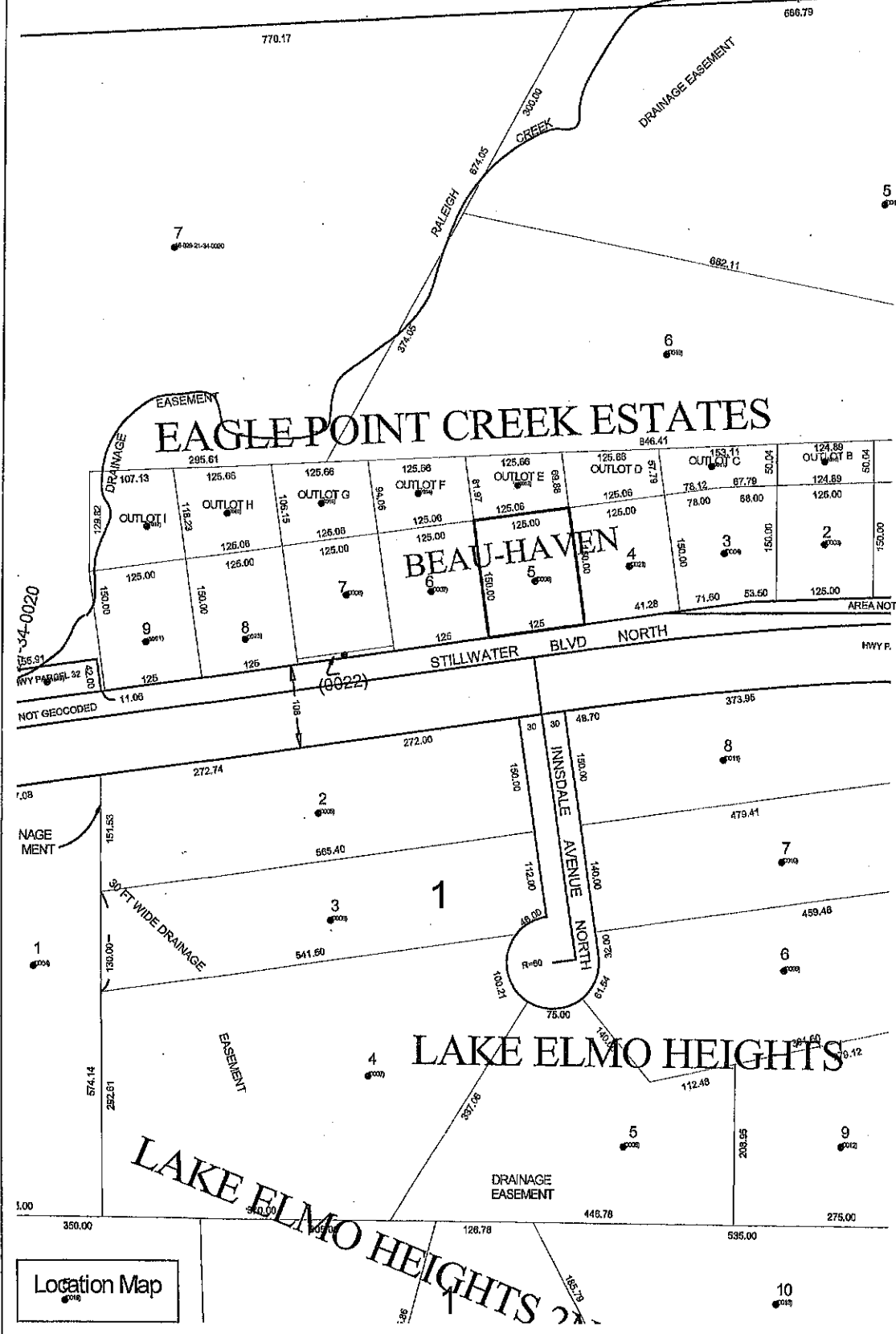
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Martin J. Rafferty, City Administrator

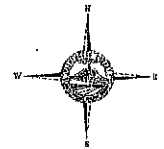
PriceVariance

ON PACIFIC RAILROAD

00-0017



Vicinity Map



This drawing is the result of a compilation and reproduction of land records as they appear in various Washington County offices. The drawing should be used for reference purposes only. Washington County is not responsible for any inaccuracies.

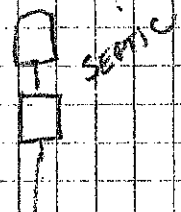
Source: Washington County Surveyor's Office, File No. 0501-035-0016

Field data based on AS-400 information dated through June 30, 2004

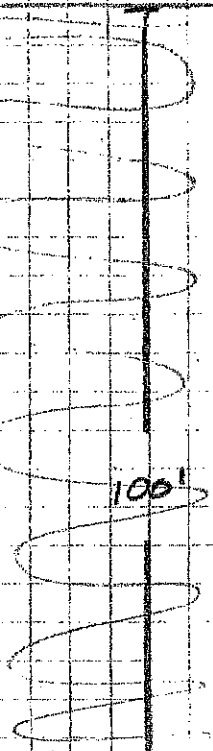
Map printed: August 30, 2004

8384  
STILLWATER BLVD.

ALBERT PRICE  
REQUEST FOR GARAGE  
BUILDING PERMIT



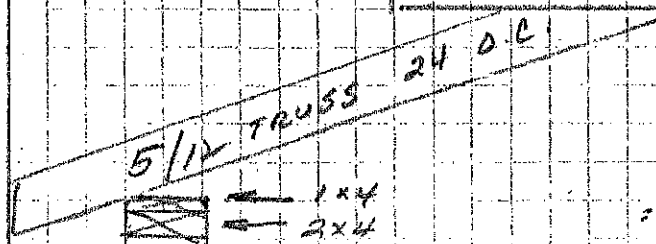
HOME



STEPS  
SIDEWALK

22x24  
EXISTING  
GARAGE

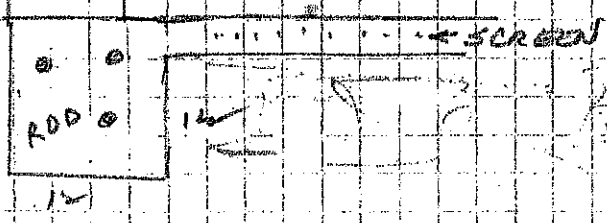
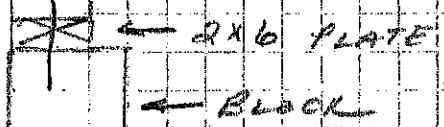
NEW  
GARAGE  
22x40



WALL

SIDEWALK

2x4 16 O.C.



MODIFIED AND SUBMITTED 9-13-04 by Albert Price.

**PUBLIC HEARING:**

**SIDEYARD VARIANCE – 8384 Stillwater Boulevard - Price**

The Planner introduced the application for a garage remodel in the Beau Haven neighborhood. When Eagle Point Creek Estates was created, outlots were added to enlarge the Beau Haven lots.

The Planner said the applicant proposes to construct a new garage on the west side of his house. Today in a phone call, the applicant asked for a modification to his original application by reducing the width of the garage to the existing width of 22 feet. However, that would still require a variance to 1.5 feet of setback encroachment.

The Planner said a Motion recommending approval would result in slightly different Findings than those found in the Staff Report. From a staff perspective, a recommendation for approval would be recommended.

Commissioner Schneider asked would the garage slab have to be torn up and repoured

**Mr. Albert Price**

Mr. Price said he will submit a compromised plan for twenty-two feet. The garage has poor construction and the slab has to be removed.

Commissioner Deziel asked why the garage is not being attached to the house.

Mr. Price said there are sidewalk and stairs in between.

Chairman Helwig said attaching the garage to house raises insurance rates too.

Mr. Price offered a modified plan to staff.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:10 P.M.

Commissioner Sessing read a letter from a neighbor that recommends approval that is *attached to the minutes from John Duford*.

THE CHAIR CLOSED THE PUBLIC HEARING AT 7:12 P.M.

M/S/P, Ptacek/Johnson, To recommend approval of a sideyard setback variance of 8 feet 5 inches for construction of a detached garage in accordance with plans submitted today to staff based upon the following Findings:

1. The property can not be put to reasonable use without the granting of the variance requested.
2. The variance requested results from physical circumstances unique to property. The circumstances of the variance relate to a probable 1968 error in locating the garage structure to be replaced in the same location. The amended application proposes a new garage no wider than that proposed to be replaced.
3. Granting of the variance will not change the essential character of the neighborhood.

And conditional upon tax parcel consolidation of the outlot with Lot 5 of BEAU HAVEN.

Commissioners Ptacek and Deziel would not have voted for the original plan. **VOTE: 7:0.**

**LAKE ELMO PLANNING COMMISSION  
STAFF REPORT**

**Date:** September 9, 2004 for the Meeting of September 13, 2004

**Applicant:** Albert & Caroline Price

**Location:** 8384 Stillwater Blvd.

**Requested Action:** Zoning Side Yard Setback Variance

**Land Use Plan Guiding:** SRD

**Existing Zoning:** R-1

**Site History and Existing Conditions:**

This site was created in the 1960's as an 18,750 square foot lot in the Beau Haven Addition. The existing house and detached garage were constructed in 1968. A later action involving the RE plat to the north of the site resulted in approximately 10,000 square feet being added to the rear of the parcel. The site is now 28, 800 square feet. In 1998 a building permit was issued to construct a 144 square foot storage shed in the extreme northwest corner of the site.

The existing detached garage is 22 feet wide by 24 feet deep and set approximately 5 feet from the house and approximately 8.5 feet from the west property line of the parcel. It appears that the intent in 1968 was to set the garage exactly 10 feet from the west property line (which was probably the minimum setback then – as it is now), but 1.5 feet may have been “lost” during the construction process.

The applicant propose to now raze the existing garage and construct a new garage in the same location. The new garage is proposed to be 24 feet wide and 40 feet deep. Since the east line of the new garage (adjacent to the house) can not reasonably be reduced, the additional 2 feet of garage width would extend into the west side setback, resulting is an actual side yard setback of 6 feet 5 inches, where 10 feet is required in the R-1 zoning district. The proposed depth of the garage (40 feet) does not create a new setback issue.

**Discussion and Analysis:**

The Zoning Ordinance (and State Statute as well) mandates that zoning variances must not be approved without some measure of demonstrated hardship if the prescribed zoning standards are to be varied. Further, that hardship must be related to physical circumstances of the site that would result in precluding the property owner's “reasonable use” of the site if the variance is not approved. In this case, it does not appear that the applicant has provided specific demonstration of hardship related to the physical characteristics of the site in support of the application. It appears that the basis for the variance request is simply the applicants' desire to increase the width of the new garage by 2 feet (from 22 feet to 24 feet).

While the additional length of the new garage (for which no variance is required) will significantly increase the garage capacity over that which exists, the additional 2 feet of width appears to be a convenience rather than a necessity that would provide the applicants reasonable use of the property. We observe that most of the lots of the Beau Haven Addition are of similar width. With



the exception of the most westerly lot (which is severely constrained by topography) it appears that the other neighboring properties east and west have maintained the Code prescribed setbacks. In one case, there has been a garage expansion, but that appears to have been by the addition of garage depth, not width.

A letter of endorsement from the property owner to the west of this site has been submitted and is attached.

**Findings and Recommendations:**

Based on the foregoing discussion Staff suggests that the following Findings be made regarding this application:

1. The property can be put to reasonable use without the granting of the variance requested.
2. The variance requested does not result from physical circumstances unique to property. The circumstances of the variance were solely created by the applicants' desire to construct a new garage 2 feet wider than the existing garage.
3. Granting of the variance may change the essential character of the neighborhood, if said neighborhood is defined by the preponderance of contemporary lake front housing in the City. Several adjacent lots are of the same width where existing structures appear to comply with side yard setback standards. The approval of this variance application will establish precedent for similar requests under similar circumstances.

While Staff would not take issue with the applicant constructing the new garage on the same west setback line as the existing garage (which appears to be somewhat short of the required setback), we suggest that that the above Findings would support a Planning Commission recommendation that the requested variance be denied.

**Planning Commission Actions Requested:**

Motion to recommend denial of the zoning ordinance variance application at 8384 Stillwater Blvd. to construct a new garage at a 6 foot 5 inch side yard setback where the Zoning Ordinance setback minimum is 5 feet based on the Findings of the Planning Staff Report of September 9, 2004.

Should the Commission find basis to recommend approval of the requested variance, or some modification of that request, the above Findings must be also modified. Staff also suggests that any approval recommendation be accompanied by a condition that the applicant combine the two tax parcels that constitute this site.



Charles E. Dillerud, City Planner

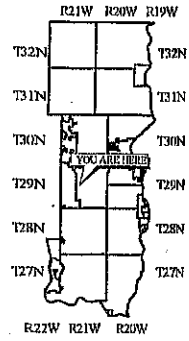
**Attachments:**

1. Location Map
2. Air Photo
3. Adjoining Property Owner Letter of Endorsement
4. Applicant's Graphics

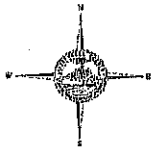
RR RW PER BOOK X DEEDS, PAGE 400 AND BOOK 7 DEEDS, PAGE 152

ON PACIFIC RAILROAD

00-0017



Vicinity Map

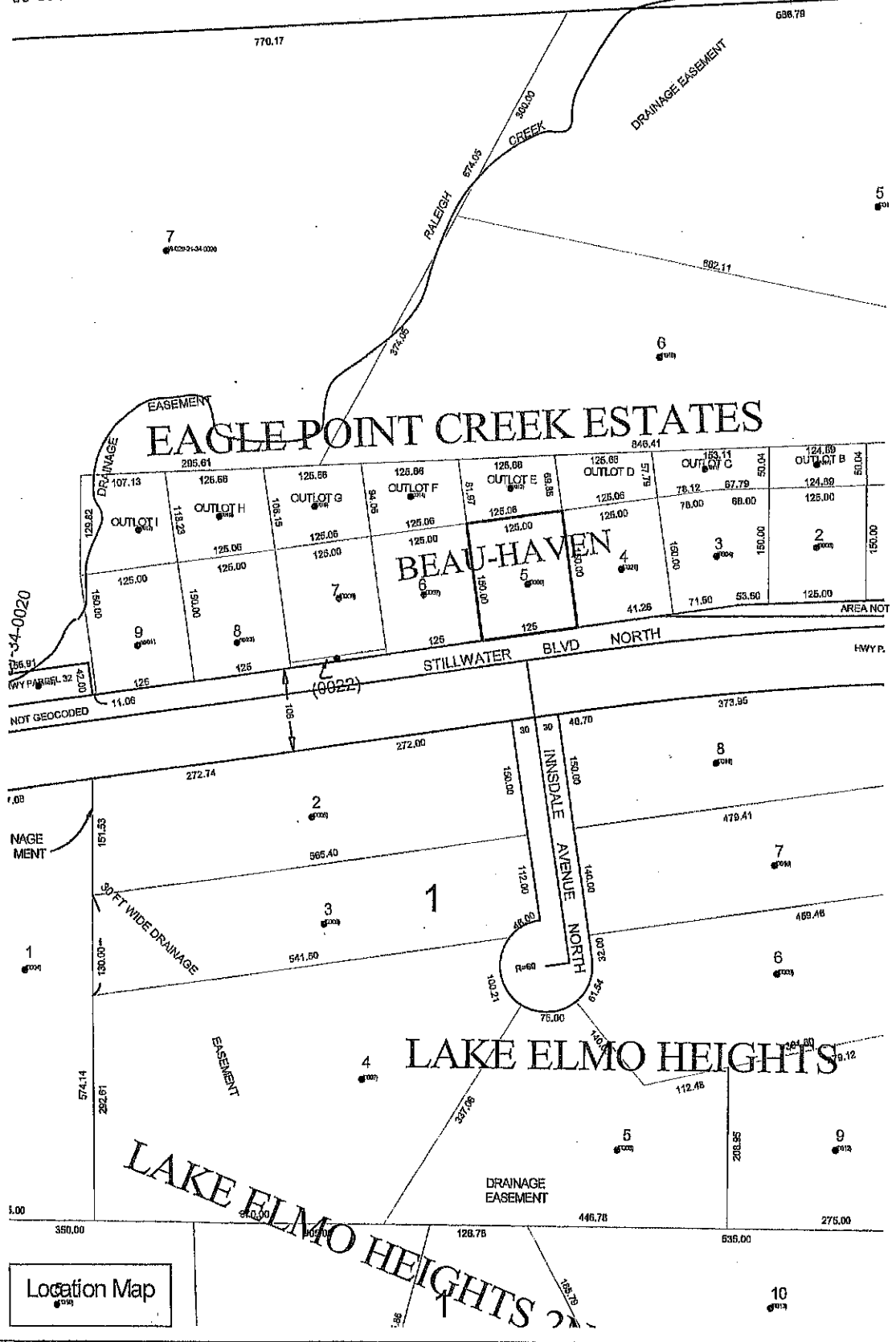


0 200  
Scale in Feet

This drawing is the result of a compilation and approximation of land records as they appear in various Washington County offices. The drawing should be used for reference purposes only. Washington County is not responsible for any inaccuracies.

Sheriff Washington County Surveyor's Office  
Phone (851) 438-0076

Parcel data based on AS400 information current through June 30, 2004  
Map printed August 30, 2004

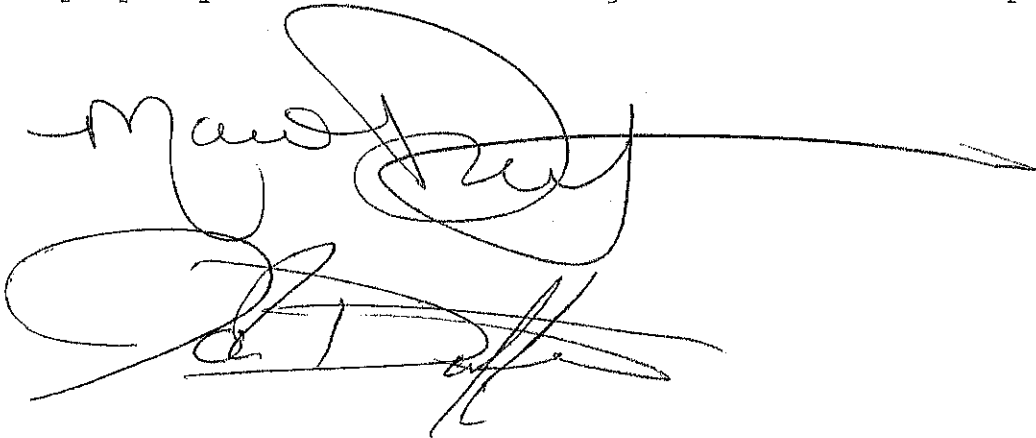


Location Map

September 7, 2004

To Whom It May Concern,

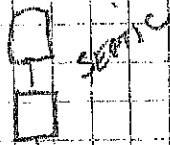
My wife and I are the current owners of 8364 Stillwater Blvd. N. The east side of our property line abuts with the property under construction at 8384 Stillwater Blvd. N. Our home is directly next to the proposed garage building site of Albert and Carolyn Price. We have talked to the Prices with regard to the distance their new garage would be from the property line. We see no negative effect the new structure would have on our property value or quality of living. We have reviewed the site drawing and offer our support to the Prices in their request for a variance. We feel this new construction will enhance not only the property on which it is being built but also our property.

The block contains two handwritten signatures in black ink. The top signature is written in a cursive style and appears to be 'Maud [unclear]'. The bottom signature is also cursive and appears to be 'John [unclear]'. Both signatures are written over a horizontal line.

8384

ILLWATER BLVD.

ALBERT PRICE  
REQUEST FOR GARAGE  
BUILDING PERMIT



HOME



STEPS  
SIDE WALK

22 X 24  
EXISTING  
GARAGE

NEW  
GARAGE  
24 X 40

24

6' 5" O.C.

5/12 TRUSS 24 O.C.

1x4  
2x4

2x4 16 O.C.

2x6 PLATE

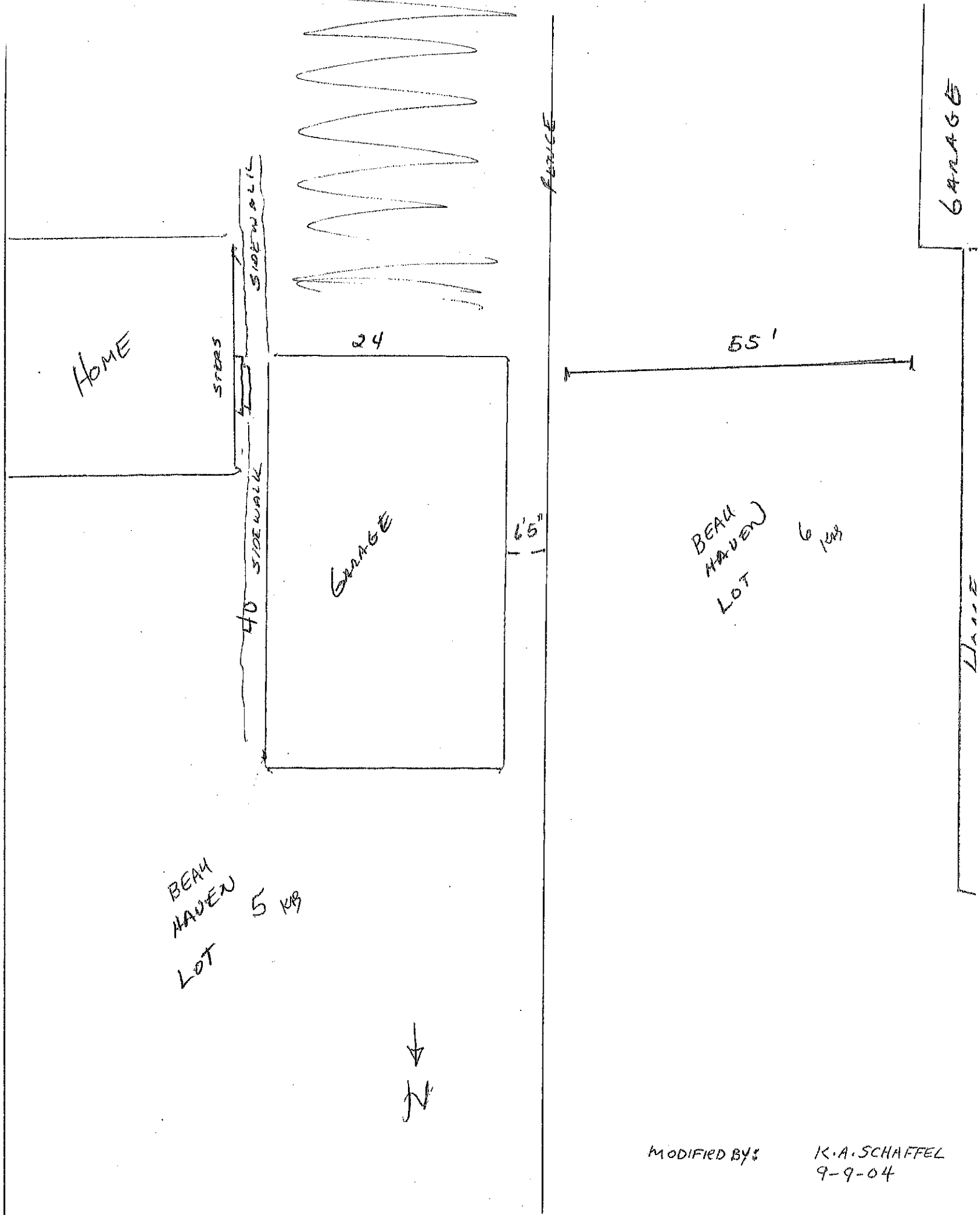
BLOCK

SCREW



12

8384 STILLWATER BLVD.



HOME

STEPS

SIDEWALK

40 SIDEWALK

24

GARAGE

65"

FENCE

55'

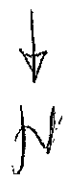
BEAU HAVEN LOT

6 lots

GARAGE

LAWNS

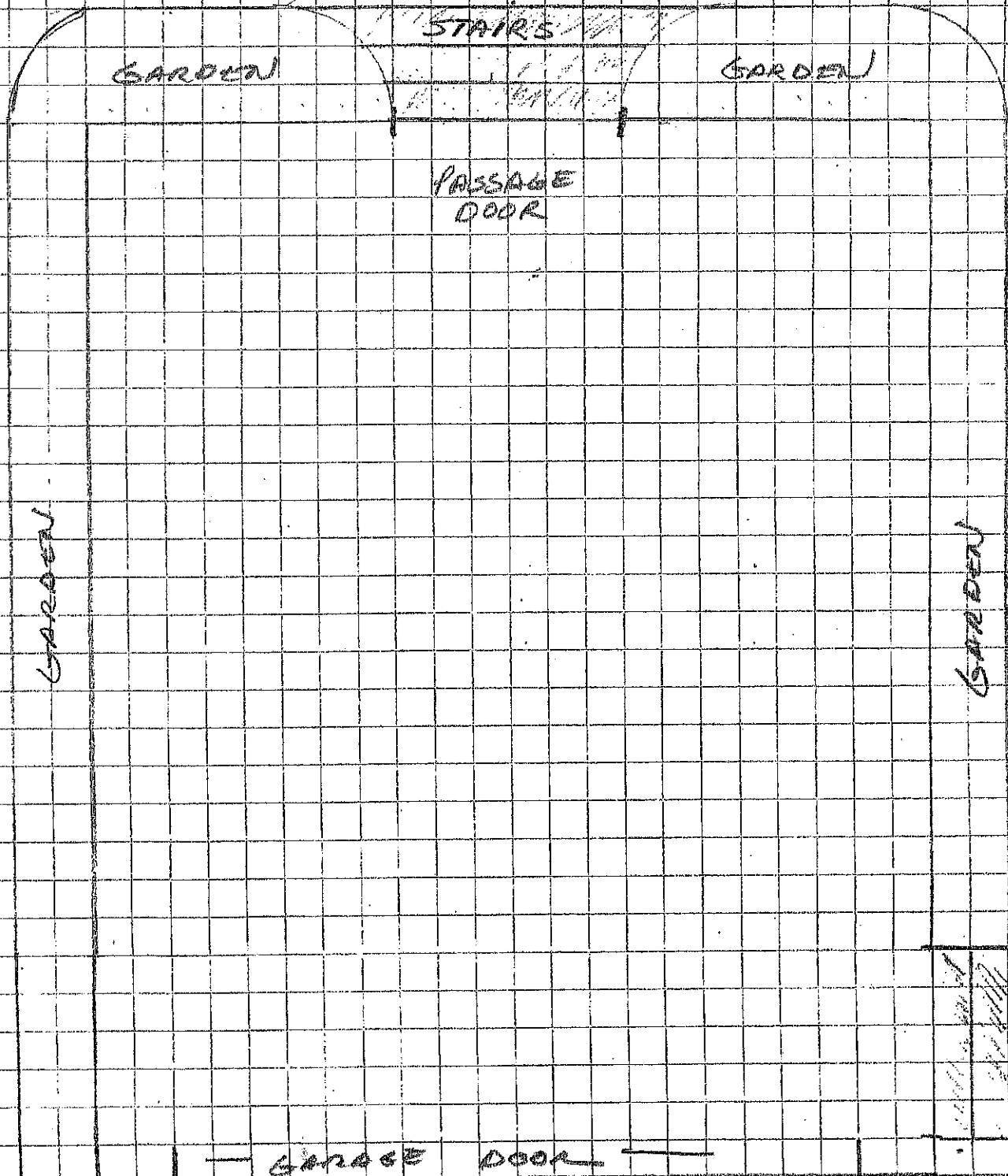
BEAU HAVEN LOT 5 KB



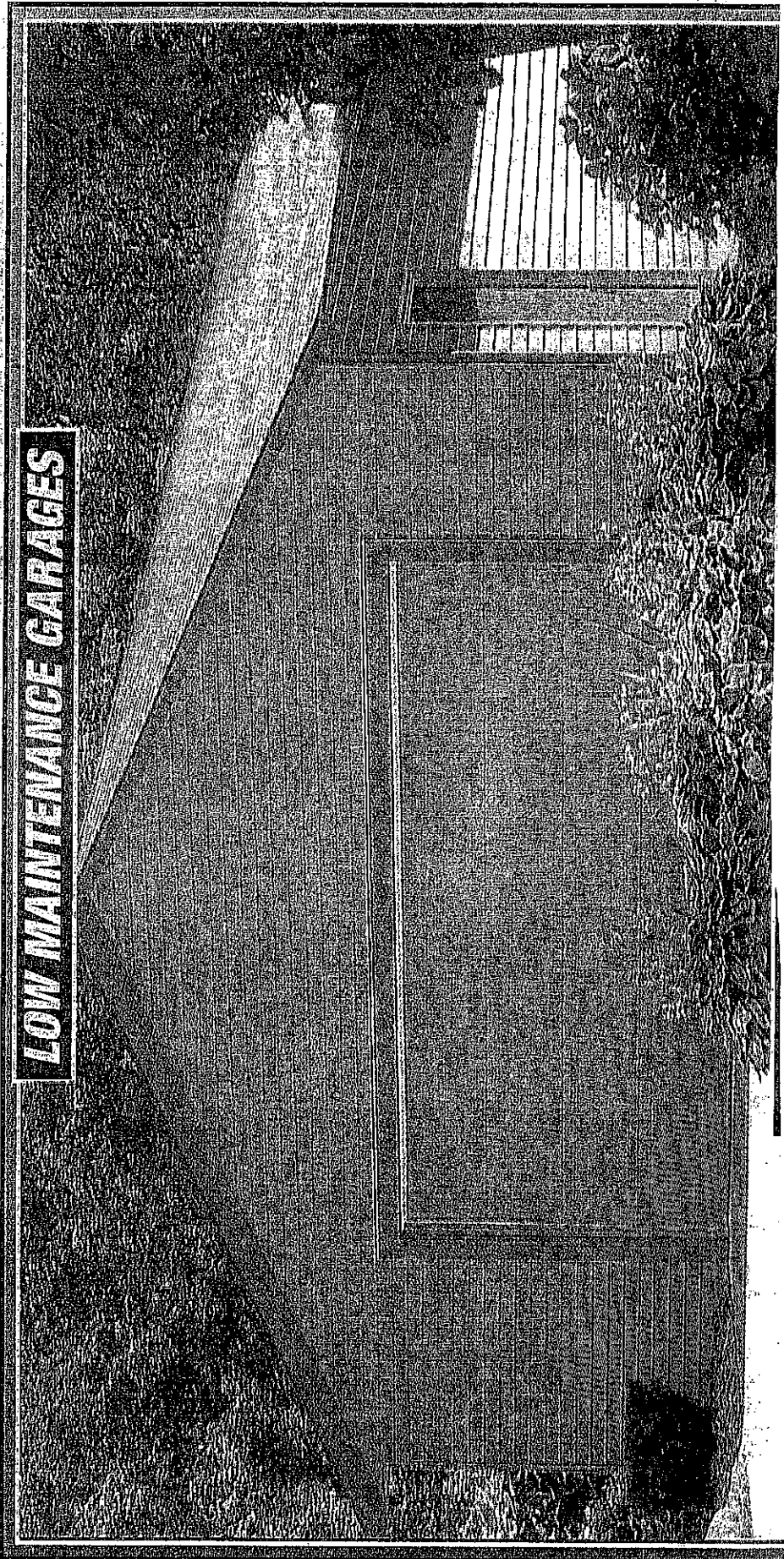
MODIFIED BY:

K.A. SCHAFFEL 9-9-04

8384 STILL WATER BLVD.



**LOW MAINTENANCE GARAGES**



<b>Lake Elmo City Council September 21, 2004</b>	<b>Agenda Section: Planning, Land Use &amp; Zoning</b>	<b><u>No.</u> 9B</b>
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**Agenda Item: Conditional Use Permit – Beauty Salon/Day Spa (Prairie Ridge Office Park)**


**Background Information for September 21, 2004:**

At its meeting September 13, 2004 the Planning Commission unanimously adopted a motion to recommend approval of a Conditional Use Permit to allow a 2,500 square foot Beauty Salon/Day Spa to be located in one of half of Building #6 of the Prairie Ridge Office Park (State Highway 5 at Stillwater Blvd.). The application is responsive to recent amendments to the Limited Business zone text to include Beauty Salons as Conditional Uses and Day Spas as Accessory Uses to Beauty Salons..

The two issues regarding this application addressed by the Planning Staff Report and the Commission were parking and ISTS integrity with beauty salon operations (hair and chemicals). Staff had suggested that the off-street parking demand forecasted by the applicant would exceed the proportional number of spaces that have been created (and those already “proofed”) for the building space the salon and spa would occupy. We further suggested that the applicant and developer look carefully at the area adjacent to Building #6 to determine if additional “proof” spaces could be designated (and ultimately constructed, should future parking issues arise).

Subsequent to the staff report the developer presented an amended site plan that demonstrates 7 additional “proof” spaces within the 3 building area that includes Building #6; and, another 6 “proof” spaces across the private drive (adjacent to Building #4). Given the present uncertainty whether there will actually be a parking issue once Buildings #5, 6 and 7 are actually occupied the Staff and Commission determined that these additional “proof” spaces will be adequate “insurance”.

The ISTS concerns are well-addressed by the applicant’s documentation, but are also addressed by conditions to the CUP approval recommendation.

<p><b><u>Action items:</u></b></p> <p style="text-align: center;">082</p> <p>Motion to adopt Resolution #2004 approving a Conditional Use Permit at Prairie Ridge Office Park, Building #6 for a Beauty Salon and Accessory Day Spa, based on the Findings and recommendations/conditions of the Planning Commission.</p>	<p><b><u>Person responsible:</u></b></p> <p style="text-align: center;"> City Planner</p>
<p><b><u>Attachments:</u></b></p> <p style="text-align: center;">082</p> <ol style="list-style-type: none"> <li>1. Draft Resolution #2004 , Approving CUP</li> <li>2. Draft Planning Commission Minutes of September 13, 2004</li> <li>3. Location Map</li> <li>4. Site Plan and Amendments</li> <li>4. Planning Commission Staff Report of September 9, 2004</li> <li>5. Applicant’s Documentation (With Sept 13 PC Packet)</li> </ol>	<p><b><u>Time Allocated:</u></b></p>



CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2004-082

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT  
AT PRAIRIE RIDGE OFFICE PARK  
FOR A BEAUTY SALON AND ACCESSORY DAY SPA

WHEREAS, Mary Gander has requested a Conditional Use Permit at Prairie Ridge Office Park, Building #6, 8975 Highway 5, for a Beauty Salon and Accessory Day Spa;

WHEREAS, the Lake Elmo Planning Commission held a Public Hearing on September 13, 2004, and reviewed and recommended approval of the Conditional Use Permit for a Beauty Salon and Accessory Day Spa based on the following findings:

1. The proposed use will not result in a negative effect on the health, safety, morals, convenience, and general welfare of occupants of surrounding lands.
2. The proposed use will not negatively impact existing and anticipated conditions on adjacent streets and lands by parking issues based on the amended "proof of parking" plan submitted by the developer on September 13, 2004.
3. The proposed use will have no negative impact on utility and school capacities.
4. The proposed use will have no negative effect on property values of property in the surrounding area.
5. The proposed use is consistent with the Limited Business classification of the site in the Comprehensive Plan.

WHEREAS, at its September 21, 2004 meeting, the Lake Elmo City Council reviewed the application of Mary Gander for a Conditional Use Permit at Prairie Ridge for a Beauty Salon and Accessory Day Spa.

NOW, THEREFORE, BE IT RESOLVED, by the Lake Elmo City Council hereby approves a Conditional Use Permit at Prairie Ridge Office Park, 8975 Highway 5, for a Beauty Salon and Accessory Day Spa, based on the Findings and subject to the following conditions:

1. Appropriate hair traps shall be installed to preclude hair entering the waste processing system (ISTS).
2. No chemicals shall be introduced to the waste processing system that will harm or overload the waste processing capacity of the system.

3. The Site Plan of the Prairie Ridge Office Park be amended to include 13 additional "proof of parking" spaces per plans staff dated September 13, 2004. Said parking spaces to be constructed by the developer or the owner's association upon written Notice by the City.

ADOPTED by the City Council this 21st day of September, 2004

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Lee Hunt, Mayor

ATTEST:

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Martin J. Rafferty, City Administrator

Beauty salon

**PUBLIC HEARING:**

**Conditional Use Permit in Limited Business Zoning District – Salon/Day Spa**

The Planner reported that the City Council amended Conditional Uses in the Limited Business Zone recently to allow Beauty Salons and accessory use of Day Spas. The applicant would utilize one-half of the building for the Salon/Day Spa. He said there is little difficulty with the plan with two exceptions. First, hair and chemicals might be introduced into the private septic system. He suggested that the City might wish to look at the system when it gets pumped every two years, and that the applicant suggests there are adequate traps for hair collection.

The Planner said the other issue of concern is parking. He noted that the Commission had discussed parking at the platting stage of Prairie Ridge. The office parking formulas were used for this development - one space per 200 square feet of office area. Some proof of parking was approved until it was demonstrated that users required more. In the applicant's documentation, she estimated between 16 and 22 spaces would be needed at any point in time while about twelve spaces would be proportionately assigned to the half building proposed for the salon/day spa use.

The Planner said the applicant called today for a possible solution. Staff suggested she get with the developer and discuss additional proof of parking should the parking problems occur in the future. The developer's designer came up with more future parking. That results in about 14 more proof of parking spaces.

Two options are in the staff report, first consider tabling to mitigate the parking problem. Second, approve the application with two conditions for approval to city council.

Commissioner Sedro asked if this application might be too intense a use for this zone.

The Planner said intensity of use would be measured by impacts to neighbors, traffic, and wastewater generation.

Commissioner Deziel asked if this septic fails, isn't it the owner's responsibility.

The Planner said in this case it is shared septic, so the association is responsible.

Commissioner Ptacek said that while there may be some concern, this is a CUP with annual review and the Commission can modify and scale back the use if problems arise.

The Planner agreed that the CUP gives the city a measure of control.

Commissioner Johnson asked about roadway safety and accessibility. She pointed out that employees could park farther away than customers.

The Planner said the Fire Chief reviews access to hydrants, buildings, etc. He said the primary concern is parking in aisles where it could be a public safety hazard.

Commissioner Sedro asked what the city allows for lighting and signage. She said she would like signs turned off at night.

**Applicant, Mary Gander**

Ms. Gander said the natural beauty of the location is something she does not wish to interfere with. She offered the solution of the new design of proof of parking. She said it is very difficult for particular businesses to fit established standards. The hours of operation will be 7 am to 9:30 p.m. and part of the day on Saturday. The state provides regulation, guidelines, and licensing. At a spa, necessarily, you will

never be at capacity. Employees are staggered throughout that period, and normally don't work overtime. The salon capacity would be at 50% most of the time. She said only one-half of the stations are open at any particular time. She said the occupancy is staggered in waves over a longer day. She said if they don't have to make more parking she would rather not create the additional impervious surface and impact the natural beauty of the site.

Ms. Gander said she contacted the State PCA who sent her to others and an expert at the U of MN. There are businesses on a hot list for their impact on septic systems, and salons are not on that list. No studies have been done yet because salons are not even close to those on the hot list. Salon chemicals are regulated heavily by the FDA. There are stringent testing requirements for those products. Water usage will be equivalent to a residential home of five bedrooms. She said salons are not on a hot list for water usage either.

Commissioner Schneider asked for more detail about the 25 employees, and only about one-half working at a given time.

Ms. Gander said that not every employee will have a client; there will be employees for reception, janitorial, clerical, etc.

**Ms. Melissa**

Ms. Melissa said retail products are generally sold during a service. Services such as manicure and massage are generally booked together. Clients and employees overlap.

Commissioner Schneider asked what if another salon were next door.

Ms. Gander said she is buying the building and hoping to rent the other one-half to a dentist, a complimentary business.

Ms. Melissa said those businesses usually have regular business hours.

Ms. Gander said they selected the building with the highest number of parking spaces adjacent to it.

Commissioner Deziel said that most clients make appointments, and that probably accounts for scheduling better. He asked what percentage of traffic is during off hours after 4:30 p.m. and Saturdays.

Ms. Melissa responded that the busiest appointment times are Thursday evenings and Saturday mornings. The majority of people in her profession are women with children who work when they can around school events and soccer games.

Pete Tacheny developer and owner of Prairie Ridge showed the final plat of the development and modifications to the parking lot plan for the new, additional proof of parking.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:52 PM.

Nobody offered testimony.

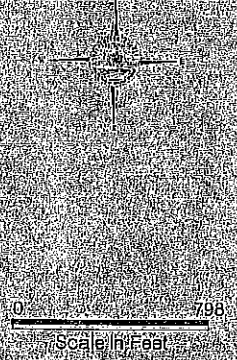
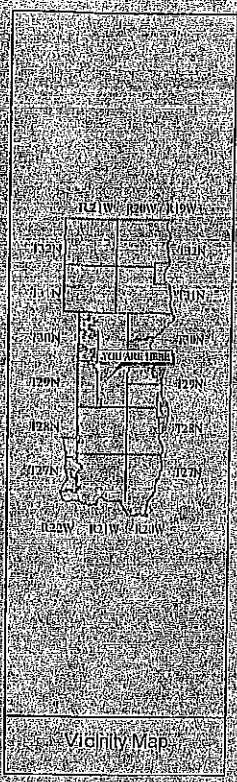
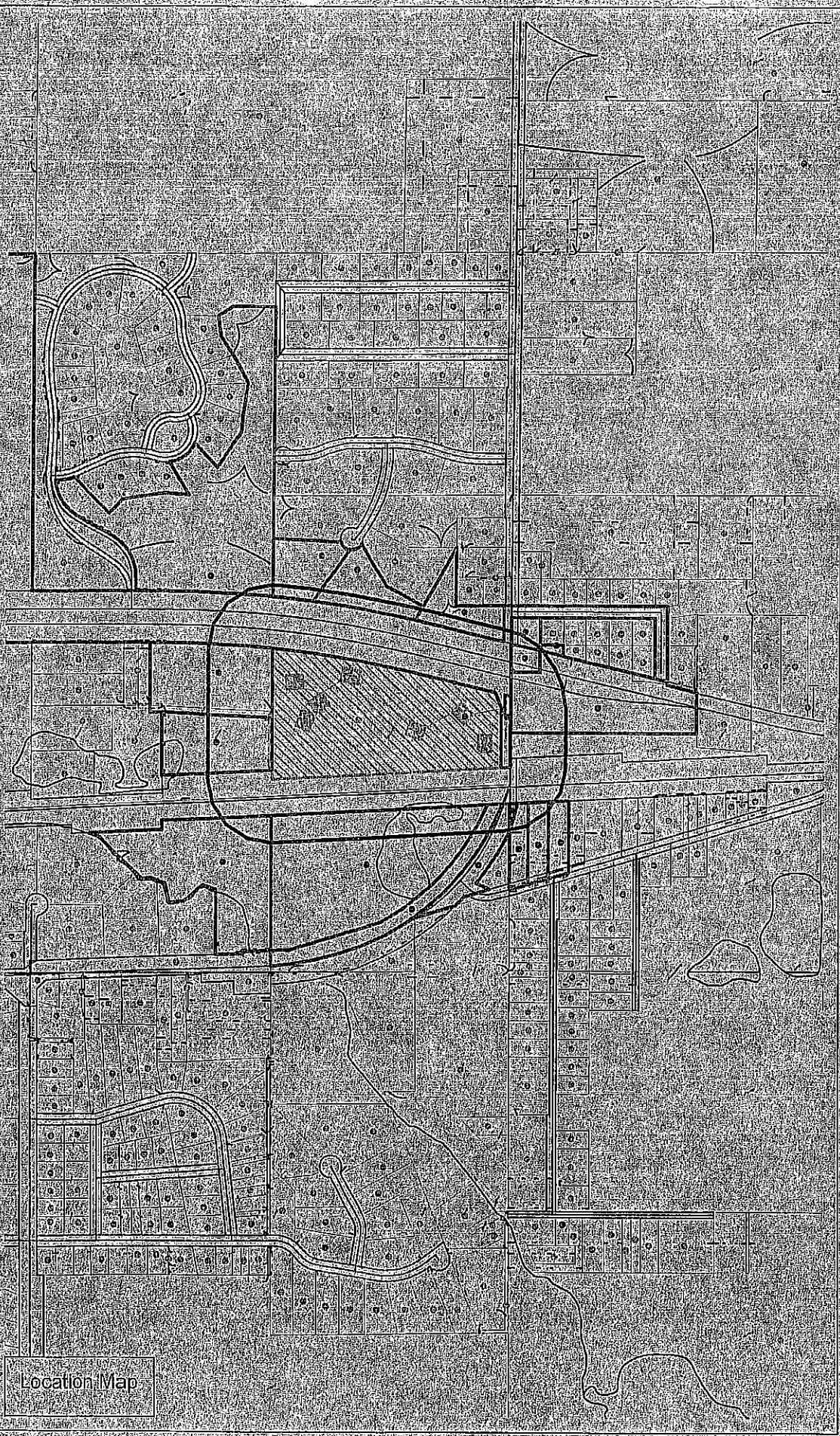
THE CHAIR CLOSED THE PUBLIC HEARING AT 7:53 PM.

M/S/P, Ptacek/Johnson, To recommend approval of the application for a conditional use permit for a beauty salon/day spa, amending Finding number 2 for the proposed proof of parking, and with a condition number 3 to provide proof of parking as submitted in two drawings submitted on 9/13/04.

Commissioner Schneider asked how would additional parking affect impervious surface calculations. Considering the size of the site, the Planner said that much asphalt won't affect anything.

**VOTE: 7:0.**

DRAFT



Location Map

This drawing is the result of a compilation and reproduction of land records of the records of various Washington County officials. The drawing should not be used for reference purposes and Washington County is not responsible for any errors or omissions. Surveyed by: Political, Washington County Surveyors Office, phone (501) 433-5276. Parcel Data Unavailable AS 400 Interfills.



# PRELIMINARY GRADING PLAN OF PRAIRIE RIDGE OFFICE PARK

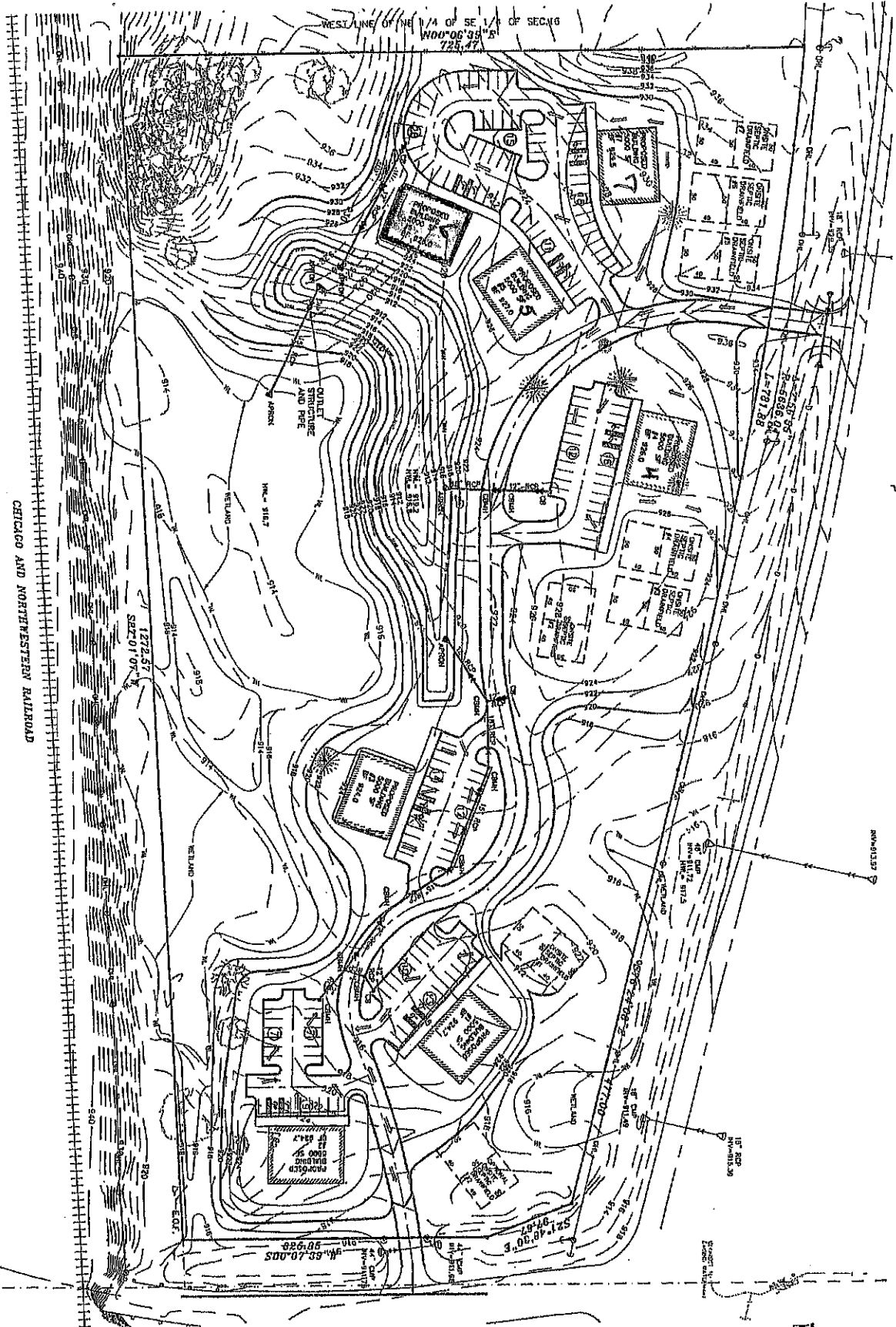
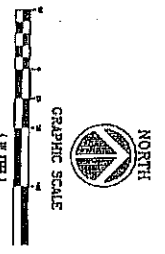


Exhibit # 2 - Site Plan  
(Please note building #6)



DATE	BY	REVISION

DESIGNED BY  
 & DRAWN FROM MEASUREMENTS  
 & CHECKED FROM MEASUREMENTS

PREPARED BY

1000 North Dearborn Street, Chicago, Ill.  
 Telephone BR 1-1111

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly licensed professional engineer in the State of Wisconsin under the laws of Wisconsin, No. 1795.

**LAKE ELMO PLANNING COMMISSION  
STAFF REPORT**

**Date:** September 9, 2004 for the Meeting of September 13, 2004

**Applicant:** Mary Gander

**Location:** Building #6, Prairie Ridge Office Park

**Requested Action:** Conditional Use Permit for Salon/Day Spa

**Land Use Plan Guiding:** Limited Business

**Existing Zoning:** LB, Subject to PUD Plan

**Site History and Existing Conditions:**

Prairie Ridge Office Park was approved by the City in 2003 as a condo-office development of 7 buildings, each of 5,000 square feet on a site of 16 acres. Site improvements and construction of 3 of the approved structures is under way.

On July 6, 2004 the City Council adopted an amendment to the Zoning Ordinance to add definitions of "Beauty Salon" and "Day Spa" to Section 150 of the City Code and adding "Beauty Salon" as a Conditional Use in the LB zoning district together with "Day Spa" as an allowable Accessory Use to a Beauty Salon.

**Discussion and Analysis:**

Responsive to the recent actions by the City outlined above, the applicant proposes a Conditional Use Permit for a 2,500 square foot Beauty Salon and accessory Day Spa to occupy 50% of one of the Prairie Ridge Office Park buildings. The applicant has provided a complete description of the uses proposed in the application booklet that is enclosed.

The Zoning Ordinance mandates that the Planning Commission must examine specific issues and make Findings regarding those circumstances in its recommendation to the City Council regarding a Conditional Use Permit application, as follow (paraphrased from the Code):

1. Effect on the health, safety, morals, convenience, and general welfare of occupants of surrounding lands.
2. Existing and anticipated conditions on adjacent streets and lands.
3. Effect on utility and school capacities.
4. Effect on property values of property in the surrounding area.
5. Effect of the proposed use on the Comprehensive Plan.

The applicant has also provided her testimony as to the responsiveness of this application to those issues as well in the application documentation. Staff generally concurs with most of the applicant's responses, but we do note several issues worthy of highlight:

1. With 58 parking spaces situated in the cul-de-sac serving Prairie Ridge Buildings 5-7, we are not certain which 42 spaces the applicant has referred to as "their spaces". We do note,



however, that the City's parking formulas would result in a need for 25 parking spaces per building if all use were "office" in nature. That equates to 13 spaces for the 2,500 square feet that the proposes Beauty Salon/Day Spa would occupy. On that basis it would appear that:

- a. The cul-de-sac in sum is designed about 23% short of the "office" parking formula with constructed parking, and 20% short with the "proof" parking to the west.
- b. The Beauty Salon Day Spa, at the 16-22 space forecast of the applicant, would exceed its "allocation" (58 divided by 6 building spaces of 2,500 sf) of available spaces by 30% to 90%. The remaining tenants of Buildings 5-7 would need to be users of parking at well below "formula" office forecasts to over come future parking issues.
- c. Off-street parking is essentially an internal issue for a development of this design since no public streets are available to be encumbered by overflow parking. We could visualize (and have in other cities) parking on landscape areas and project owner requests to use setbacks and landscaped areas for additional parking when a single tenant generates parking in excess of that assumed by parking formula. (and hence becoming a City issue)

2. The applicant has addressed the potential issues of waste generation to the ISTS regarding both hair and chemicals. Since waste treatment here is a private versus public infrastructure, that (to the extent it ever actually becomes a problem) is a private property owner issue. A failing ISTS would result in an order from the City to mitigate the problem in some manner. A CUP condition regarding hair screening would be appropriate since that is apparently intended by the applicant.

### **Findings and Recommendations:**

Staff suggests the following Findings with regard to this CUP application:

1. The proposed use will not result in negative effect on the health, safety, morals, convenience, and general welfare of occupants of surrounding lands.
2. The proposed use may negatively impact existing and anticipated conditions on adjacent streets and lands by parking issues that could arise at the use intensity proposed.
3. The proposed use will have no negative impact on utility and school capacities.
4. The proposed use will have no negative effect on property values of property in the surrounding area.
5. The proposed use is consistent with the Limited Business classification of the site in the Comprehensive Plan.

The parking issues that could result on this site (impacting the other half of Building #6 and the owner/occupants of Building #5 and #7 are of concern to Staff. The applicant suggests that her staff alone could be 25 FTE at some point. It also appears that there could be as many as 16, or even more, customers on site concurrent with the 25 FTE employees. This suggests that a very successful salon/day spa operation (which we would all hope for on behalf of the applicant) could result in over 40 vehicles related to it; and, as a result, that the applicant may be proposing a use intensity that transcends the 2,500 square feet proposed and the related parking design/capacity. While the floor area of 2,500 square feet may well support the use intensity proposed, the related parking was designed to accommodate the less intense office use.

If the applicant can (in concert with the developer) address mitigation measures for this possible parking issue by way of space assignment and/or additional parking constructed/proofed, the

negative finding regarding impact on adjacent lands can be overcome. Staff does not consider a Planning Commission recommendation to approve the CUP is in order without either a reduction in use scale; or, an increase in floor area (and the constructed parking allocation that would result); or, a specific plan by the applicant/project developer to in some other manner mitigate the forecasted parking issue that will result from the use as now proposed.

**Planning Commission Actions Requested:**

It is the recommendation of staff that the Commission table this application pending the applicant/project developer addressing the parking issues here raised. The application is dated August 20, 2004. The City Council must either approve or deny the application by October 20, 2004. Unless the applicant specifically waives the 60 day review period, Commission action on this application must be completed by the first Planning Commission meeting of October.

Should the Commission not concur with the Staff concern with parking outlined above, Finding #2 should be amended to "positive", and at least the following conditions should accompany any approval recommendation:

1. Appropriate hair traps shall be installed to preclude hair entering the waste processing system (ISTS).
2. No chemicals shall be introduced to the waste processing system that will harm or overload the waste processing capacity of the system.

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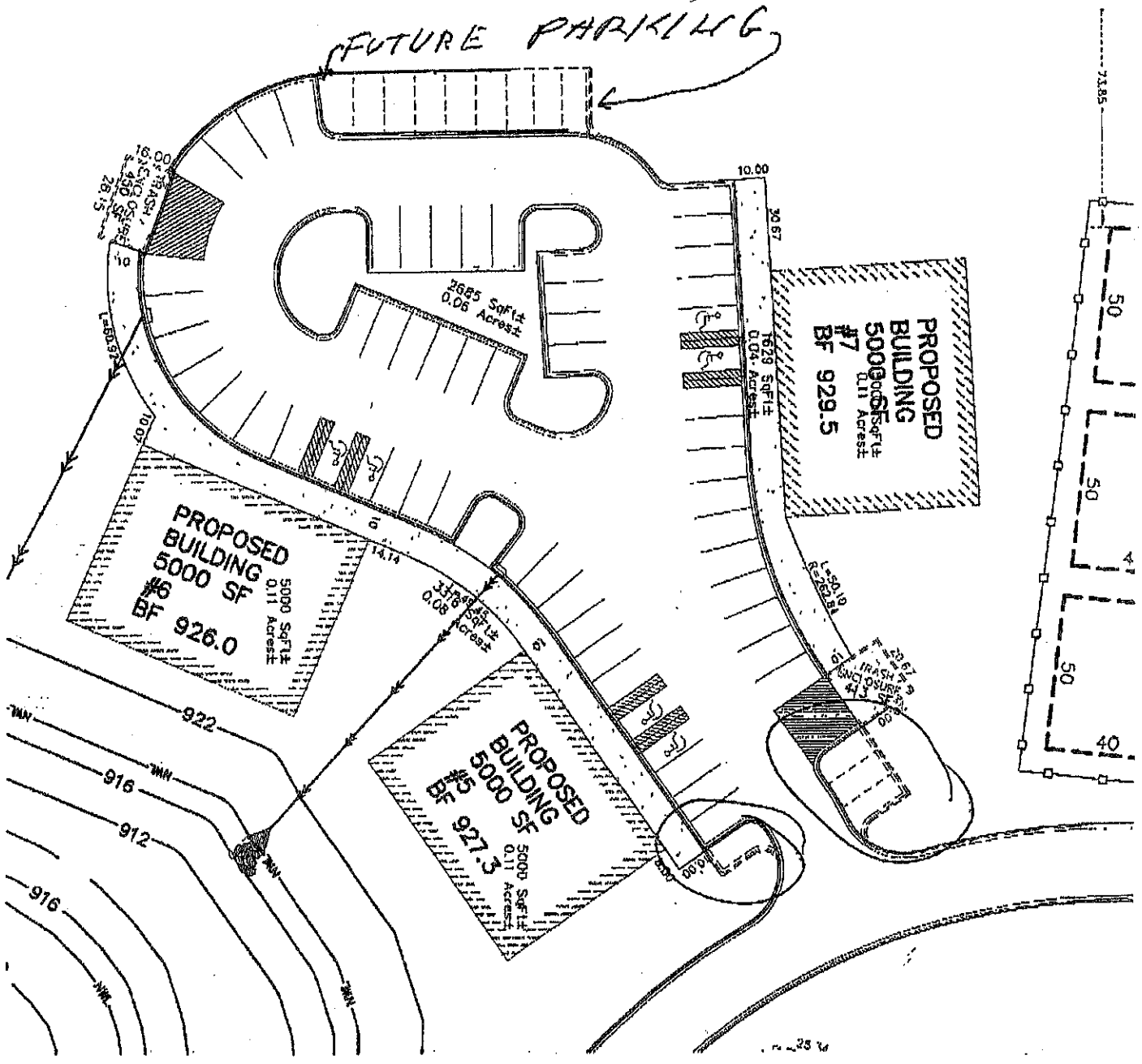
Charles E. Dillerud, City Planner

**Attachments:**

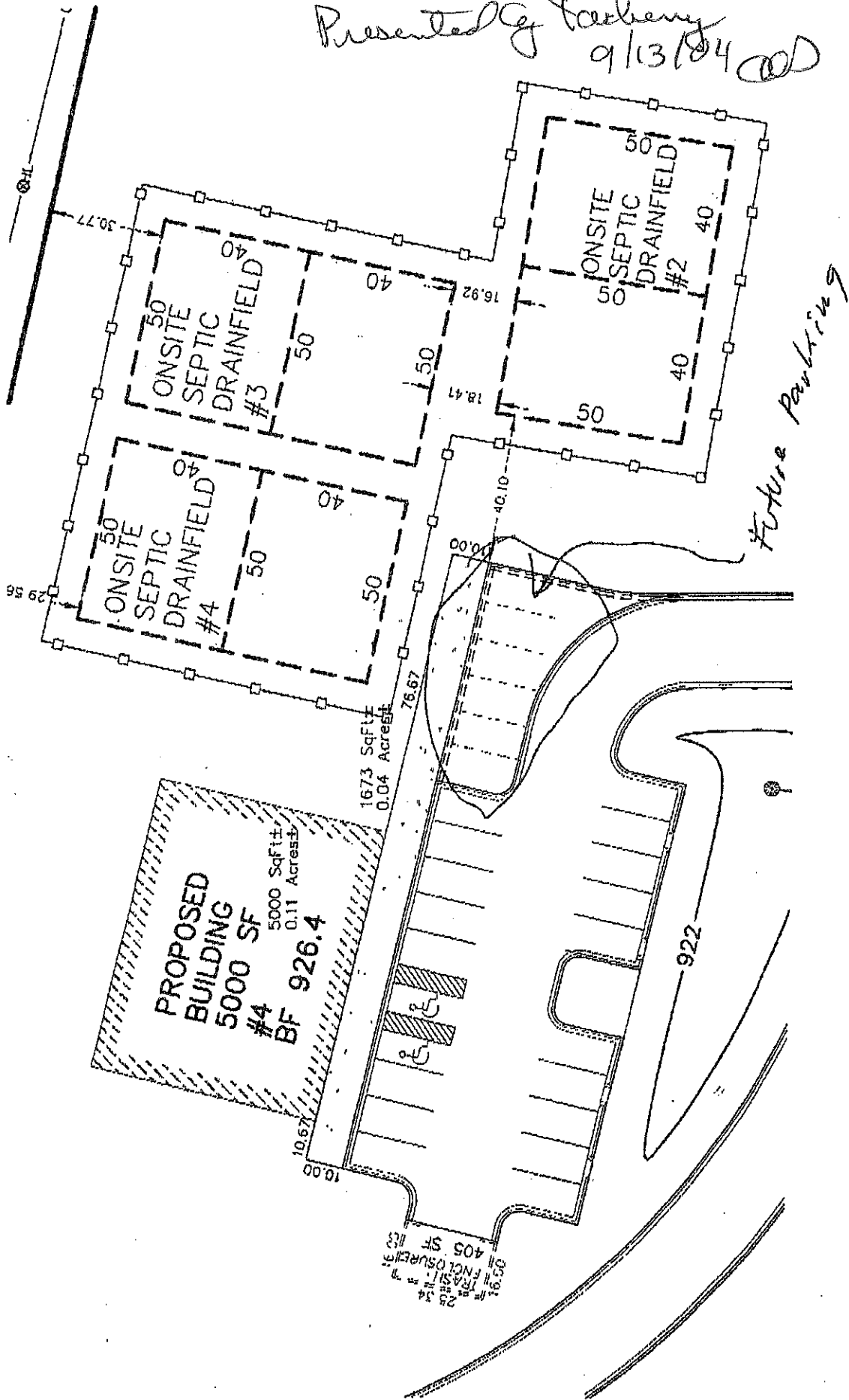
1. Location Map
2. Applicant's Documentation

Presented by Teckerny  
9/13/04  
[Signature]

FUTURE PARKING



Presented by *Garberry*  
9/13/04 *GD*



<b>Lake Elmo City Council</b> September 21, 2004	<b>Agenda Section: CITY ADMINISTRATOR'S REPORT</b>	<u>No. 11. A</u>
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**Agenda Item: Fire Ordinance**

**Background Information for September 21, 2004:**

The City of Lake Elmo has the authority to establish a fire department; appoint fire department officers and members; prescribe duties for fire department members; and provide fire fighting equipment (MS 412.221 Subd. 17). The fire department and its members, for are subject to the same rules and regulations that apply to other city departments and employees.

The Village of Lake Elmo's Ordinance No.19 provided origin guidance in the establishment and operation of the Lake Elmo Fire Department. Although many of the policies and practices described in Ordinance No. 19 continue to guide the operation of the fire department in 2004, the ordinance was repealed in 1974 when the City of Lake Elmo adopted its first city code. At that time, the fire department regulations were placed in Chapter 205 of the City of Lake Elmo Code. As a result of subsequent re-codifications, the fire department regulations are now specified in Chapter 215 of the City Code.

The following proposed revisions to Chapter 215 are intended to be added to Chapter 215 of the City Code and clarify the position of the Lake Elmo Fire Department (LEFD) as part of the City's chart and establishes overall management of LEFD:

1. Composition. The Lake Elmo Fire Department is a volunteer department of the City and shall consist of a fire chief; two district fire chiefs; four fire captains, and up to twenty-eight (28) additional fire fighters. All positions identified are considered fully active firefighters. A total of thirty five (35) firefighter positions are authorized. The Fire Department is also authorized two (2) volunteer support services positions (non fire fighter) with need defined and requested by the Chief and approved by the City Administrator. Payment structure will be defined by the City Administrator.
2. Position Classifications. Firefighter positions have two classifications for compensation purposes. Lake Elmo City Employee/Voluntary Firefighter and Voluntary Firefighter. Non Fire Fighter positions will be defined as Volunteer Support Services.
3. Compensation. Lake Elmo City Employee Voluntary Firefighter positions shall be compensated at an annual stipend rate of \$2500.00 per year. This compensation will be provided to a volunteer firefighter, in good standing, who is a city employee that volunteers for the LE Fire Department. Lake Elmo Volunteer Firefighter positions shall be compensated at a rate of \$10.25 per hour for calls for service. The compensation for voluntary firefighter service will change as proposed by the City Administrator and approved by the City Council. In addition, an annual and equal contribution to the Lake Elmo fireman's retirement/relief association will be provided for each firefighter position regardless of position or employment classification. The rate of contribution will vary as required by Minnesota State Statute.
4. Appointment of Fire Chief. The replacement of the Fire Chief shall be selected by the Mayor and City Administrator from the pool of existing Lake Elmo Firefighters, who have formally expressed interest in the position through an application process and after achieving the established selection criterion. The Fire Chief will report to the City Administrator for overall management and regulation subject to the review by the City Council. The City Administrator and Mayor shall define the selection process. The selected candidate's name shall be forwarded to the City Council for appointment confirmation. The Chief shall remain in that appointed position unless removed by the City Administrator and Mayor after formal concurrence by the City Council. The City Administrator and Mayor shall provide an annual evaluation of the Fire Chief. A volunteer Fire Chief stipend will also be paid in addition to volunteer fire fighter payment for responding to calls for service.
5. Appointment of Assistant Fire Chiefs. The Assistant Fire Chiefs shall be selected in a designed process by the City Administrator and Fire Chief and confirmed by the City Council from a personnel pool of the general membership of the Fire Department. The Assistant Chiefs will continue to serve in the appointed position unless removed by City Administrator and Fire Chief and confirmed in a vote of the City Council. The Assistant Fire Chief's will report to the Fire Chief for overall management and regulation. A volunteer Assistant Fire Chiefs stipend will also be paid in addition to volunteer fire fighter payment for responding to calls for service.

6. Appointment of Fire Captains. The Fire Captains shall be selected in a designed process by the City Fire Chief, Assistant Fire Chief's, recommended to the City Administrator and confirmed by the City Council from a personnel pool of the general membership of the Fire Department. The Captains will continue to serve in the appointed volunteer position unless removed by the Fire Chief recommended to the City Administrator and confirmed in a vote of the City Council. The Captains will report to the Fire Chief and Assistant Chief's for overall management and regulation. A volunteer Fire Captains stipend will also be paid in addition to volunteer fire fighter payment for responding to calls for service.
7. Standard Operating Guidelines (SOG's). Operating guidelines may be developed, modified and implemented by the Fire Chief and concurrence with the Assistant Chiefs for efficient and effective departmental operational practices. All Fire Department SOGs will have a final review and concurrence by the City Administrator. Any portion of an SOG developed or implemented determined in conflict with city operational practice or law will be considered repealed.
8. Equipment. The Fire Chief shall prepare and, from time to time update, an inventory of fire department equipment and shall recommend additions to or replacement of equipment for inclusion in the City's Capital Improvement Program.

<p><b><u>Action Items:</u></b></p> <p>Approve Ordinance and Change to the Fire Code</p>	<p><b><u>Person responsible:</u></b></p> <p>Martin Rafferty</p>
<p><b><u>Attachments:</u></b></p>	