

City Council
Date: 2/19/08
REGULAR
Item: A.10
MOTION

ITEM: Planning Commission 2008 Work Plan
REQUESTED BY: Planning Department
SUBMITTED BY: Kyle Klatt, Director of Planning *[Signature]*
REVIEWED BY: Ben Gonzola, Senior Planner
Kelli Matzek, Assistant City Planner
Susan Hoyt, City Administrator

SUMMARY AND ACTION REQUESTED: The city council is being asked to review and accept the Planning Commission's annual workplan that the Commission has prepared for 2008. The council is asked to review the plan and comment on it so that the planning commission and council are communicating about priorities at the start of the year. The primary intent of the work plan is to help prioritize the projects the Planning Commission will be reviewing in the next several months, and to also help keep the Commission informed about the internal planning related activities and projects that will be undertaken by the staff over the coming year. This is a working document that provides guidance to the Commission yet has the flexibility to respond to priorities as they emerge. It will also help the Commission gauge its progress at achieving some of its goals for the year.

RECOMMENDATION:

The recommendation is to review and adopt the Planning Commission 2008 workplan.

SUGGESTED MOTION FOR CONSIDERATION

Move to accept the 2008 Planning Commission Workplan.

ORDER OF BUSINESS:

Introduction Susan Hoyt, City Administrator
Report Kyle Klatt, Planning Director
Questions to the presenter (3 minute maximum)..... Mayor and Councilmembers
Questions from the public (3 minutes) Mayor facilitates
Call for a motion for discussion..... Mayor and Councilmembers
Discussion Mayor and Councilmembers
Action City Council

ATTACHMENTS (2008 Work Plan)

2008 Planning Commission Work Plan - DRAFT

Prepared by the Lake Elmo Planning Department – 1/24/08; Updated 2/14/08

Status: C – Complete
IP – In Progress

Date: Completion Goals (with Monthly Range)

Admin: Staff Projects/Initiatives

PL: Priority Level (from 1 to 5 with 1 being the highest priority)

Project and Description	Date (Months)	PL	Status
<u>ZONING INITIATIVES</u>			
Revisions to NC Zoning District			
• Consider a new Zoning District to address multiple problems related to non-conforming uses in older residential districts	0-3	4	C
• Study existing front yard setback requirements throughout the City	0-3	4	C
Ordinary High Water Level Revisions			
• Draft revisions to Shoreland Ordinance to address revisions to regulatory OHWL elevations by DNR.	0-3	3	C
Zoning Map Updates			
• Update Zoning Map to improve consistency with the Comprehensive Plan and Future Land Use Map	9-12	3	
• Establish proper zoning designation for recently annexed Buberl property	9-12	4	
Conditional Use Permit Ordinance			
• Update current regulations to establish specific criteria for different conditionally permitted uses	6-9	3	
Sign Ordinance Revisions			
• One year moratorium on billboards ends in February 2008	-	-	-
• Review standards related to off-premise advertising signage	0-3	2	IP
• Study and possibly adopt regulations governing the use of electronic billboards	3-6	2	
• Consider major revision to Sign Ordinance to eliminate outdated provisions	3-6	2	

Zoning Amendments			
• Review Outdoor Lighting Ordinance to establish appropriate levels of lighting for various uses	6-9	3	
• Clarify requirements for accessory buildings and setbacks	6-9	3	
• Revise definition and standards for impervious coverage	3-6	3	
Engineering Standards Manual			
• Create a development manual describing the City's engineering standards for private and public projects	6-9	2	IP
Home Occupation Ordinance			
• Research status and effectiveness of current ordinance	6-9	3	
• Draft updated ordinance to address appropriate home occupation standards for different areas in the community.	9-12	4	
Zoning Ordinance Review			
• Prepare outline of previous work and major areas of agreement	0-3	2	IP
• Incorporate updates where appropriate as part of Village Area and South 10 th Street zoning changes	6-15	3	
• Incorporate formatting, organization, and smaller amendments into future zoning ordinance updates	6-15	3	

PLANNING INITIATIVES

Village Area Planning			
• Participation in Village Area Advisory Panel meetings			
o Draft Village Area Preliminary and Final AUAR, including mitigation plan.	9-12	1	IP
• Prepare amendment to Comprehensive Plan based on selected development scenario from AUAR	12-15	1	
• Adopt amendments to the Zoning Ordinance responsive to the AUAR mitigation plan and Comprehensive Plan	12+	1	
South 10 th Street Area			
• Review Comprehensive Plan and holding zones for South 10 th Street Area for consistency with Village Area updates	9-12+	2	
Comprehensive Plan Updates			
• Monitor individual projects for compliance with the Comprehensive Plan	0-12	3	
• Incorporate major system elements into plan, including water, surface water and transportation	12+	2	
Capital Improvement Plan			
• Planning Commission review of 2009CIP plan for consistency	9-12	2	

with the Comprehensive Plan

Storm Water Management

- Integrate a storm water management plan as part of the Comprehensive Plan 12+ 3
- Develop an ordinance consistent with the plan 12+ 3
- Bring Lake Elmo into compliance with NPDES requirements and MS4 status 12+ 2

Transportation Plan

- Prepare amendment to the Comprehensive Plan specific to transportation 6-15 2

ADMINISTRATIVE INITIATIVES

Building Division (Admin)

- Develop job description for Building Official; seek applicants to fill vacant position. 0-3 1 IP
- Review internal permit approval process, consider alternative tracking and reporting software 3-9 3

Development Review Process (Admin)

- Establish system for review and processing of development applications 3-6 1 IP
- Communicate with developers and property owners about the application and review process 6-9 3

Efficiency/Communication Improvements (Admin)

- Upgrade GIS software, improve access to county data and mapping 3-6 4
- Research alternative software for building inspections and reporting 6-12 3

Code Enforcement (Admin)

- Improve consistency and reporting for code violations and follow-up activities 6-12 3
- Develop system for review and inspection of erosion control measures on a development-wide and individual site basis 3-6 2

Agency Support (Admin)

- Review of Updated Flood Maps, including Flood Insurance Study from FEMA 1-3 2 IP
- Provide comments to U.S. Census Bureau concerning addresses and construction activity in advance of the 2010 Census 0-3 3 IP

City Council
Date: 2.19.08
REGULAR
Item: 11
Motion

ITEM: Review and revise draft comment letter to the Minnesota Pollution Control Agency (PCA) regarding clean up options for the Washington County Landfill

SUBMITTED BY: Susan Hoyt, City Administrator

SUMMARY AND ACTION REQUESTED: The city council is being asked to review and revise a draft comment letter to be submitted on behalf of the city to the MPCA regarding clean up options for the Washington County Landfill. The comment period opened on February 14, 2008 and will close on within 30 days. The council has received information from the PCA and discussed this topic at three prior council workshop/meetings. At a special meeting on 2-12-08 the city council passed a motion supporting the \$15 million dollar bonding allocation in the Governor's bonding bill for clean up of the site. The city's letter of support was *intentionally silent* on the clean up option that the city prefers (Attachment 1). There is a public meeting scheduled by PCA on February 21, 2008, which will provide information and an opportunity for questions to the PCA. The city may wish to share this letter at this meeting. The draft letter is for discussion and revisions.

SPECIFIC POINTS INCLUDED IN THE DRAFT LETTER

- Stress the importance of assuring the safety of our community's water supply
- Thank you to the PCA for the consent agreement with 3M that addresses 3M funding for the PCA managed Washington County Landfill; for the time spent with the city on this topic and for the opportunity to provide comments based upon our knowledge of our community.
- Acknowledge the support for legislative funding
- Acknowledge a history of challenges in managing the landfill (not in an accusatory manner)
- Acknowledge that the city's goal for our community is a permanent solution.
- Acknowledge that of the six options, the dig and truck option best meets the permanent solution even though it is more expensive than the dig and line which provides a shorter term (20 to 40 year) solution.

Add that a shared disposal method of a plasma burner with other landfills at an appropriate site is desirable.

RECOMMENDATION

Review and revise the concepts in the draft letter to meet the city council's communication priorities. Determine if the city council wants to submit this letter at the Feb 21 PCA meeting or prefers to gather more information at the PCA meeting.

Suggested motion for consideration (if prepared for this step)

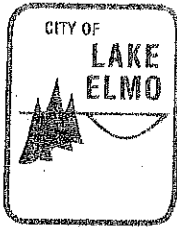
Move to approve the draft comment letter as revised to the PCA on clean up options for the PFC contamination at the Washington County Landfill and to submit the letter to the PCA.

ORDER OF BUSINESS

- Introduction Susan Hoyt, City Administrator
- Report Susan Hoyt, City Administrator
- Questions to presenter
(3 minute max) Mayor and Council members
- Questions from public to council
(3 minute max) Mayor facilitates
- Call for a motion to discuss the draft letter Mayor and Council members
- Revise as desired Mayor and Council members
- Consider motion to adopt concepts in
Letter and submit to PCA Mayor and Council members
- Action, if any City Council

ATTACHMENTS:

- | | | |
|---|----------------------------------|---------|
| 1 | Letter supporting \$15 m bonding | 2-13-08 |
| 2 | Remedy Feasibility Assessment | |
| 3 | DRAFT Comment Letter | |



City of Lake Elmo

651/777-5510

3800 Laverne Avenue North / Lake Elmo, MN 55042

February 15, 2008

Mr. Brad Moore, MPCA Commissioner
Minnesota Pollution Control Agency
520 Lafayette Road
St. Paul, Minnesota 55155-4194

RE: Remediation of PFC contamination at the Washington County Landfill in Lake Elmo

Dear Commissioner Moore:

On behalf of the city of Lake Elmo, I am expressing our thanks for the PCA's work on evaluating solutions and seeking 2008 legislative funding for the PFC contamination in the Washington County Landfill, which is located in our community of Lake Elmo. Your agency's attention to the health and safety of our drinking water is welcomed and appreciated. We also acknowledge your agency's work with 3M through the Consent Agreement, which is allowing for 3M investment in the planned clean up activities of the Washington County Landfill and other area landfills. We are on record supporting these endeavors for financing the clean up of the landfill.

As you are well aware, managing the contamination and clean up issues surrounding the Washington County Landfill has been an ongoing challenge over the past several years. Unfortunately, we are not confident that there will be no new contaminants found in groundwater resulting from the landfill just as PFCs were recently discovered in the area.

From this perspective, along with our commitment to assuring that our residents and property owners have safe drinking water, we have reviewed the proposed six options for cleaning up the Washington County Landfill. The result is that we are asking that the contamination at the Washington County Landfill be addressed immediately and completely.

From our review of the options, the city's preferred option is the 'dig and truck' option, which completely removes the landfill material for the city. Removing this material to a site outside of Lake Elmo where it can be combined with other hazardous wastes to be disposed of through a

19 February 2008

mechanism like a plasma burner appears the best long term solution to the problem at the Washington County Landfill and other contaminated sites in the state.

We understand that the cost of the 'dig and truck' option is significantly higher (\$ 66,800-87,000) than the 'dig and line' option (\$27 million), which is estimated to provide a 20 to 40 years of protection from contamination. We understand that the 'dig and line' option as a solution may be more immediately realizable because of the funding issues than the 'dig and truck' option and that it will manage the contamination on the site today, which is a priority for all of us. However, we encourage you to seriously explore a permanent solution so that so we can avoid revisiting the landfill contamination topic in the decades ahead, not only as a benefit to Lake Elmo and our surrounding communities of Cottage Grove, Woodbury and Oakdale, but as a way to approach managing contamination throughout the state in the future.

Thank you for addressing the health and safety concerns of PFCs in the Washington County Landfill and for this opportunity to comment on the options under consideration.

Please let us know how we can assist you as you explore the options and make a decision on this critical public health and safety issue.

Sincerely,

Mayor Dean Johnston
City of Lake Elmo

19 February 2008

Remedy Feasibility Assessment

*Washington County Landfill
Lake Elmo, Minnesota*

Prepared for MPCA Closed Landfill Program

SEH No. A-MNPCA0802.00

Effective Date: November 15, 2007



Multidisciplined. Single Source.
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Executive Summary

Short Elliott Hendrickson Inc. (SEH[®]) has prepared this Remedy Feasibility Assessment (RFA) Report for the closed Washington County Landfill at the request of the Minnesota Pollution Control Agency (MPCA). The landfill is located within the city limits of Lake Elmo in Washington County, Minnesota. The original permitted area was 110 acres in size with a fill area of approximately 35 acres.

Perfluorochemicals (PFCs) have been identified in groundwater at levels above the Minnesota Department of Health (MDH) groundwater and toxicological limits known as Health Risk Limits (HRLs). In addition to PFCs, several volatile organic compounds (VOCs) have also been identified in the groundwater at concentrations exceeding their respective HRL. An existing spray irrigation system installed at the site has historically been successful in treating VOC impacted water recovered from the site groundwater extraction wells. However, the spray irrigation system is not providing effective treatment of the PFC constituents.

The RFA provides an independent feasibility review of the six potential remedies selected by the MPCA to address contamination presence and migration related primarily to PFC compounds associated with the site. The six potential remedial options that the MPCA requested SEH evaluate are:

- No Additional Action
- Plasma Torch
- Force main (groundwater extraction with off-site disposal)
- Pump and Treat (groundwater extraction with treatment or infiltration on-site)
- Dig and Truck
- Dig and Line

Based on available site information, remedial technology evaluations by others, and SEH's experience at similar municipal landfill sites, SEH has assessed the remedial action options against the following seven evaluation criteria:

- Overall protection of human health and the environment
- Compliance with Applicable or Relevant and Appropriate Requirements
- Long-term effectiveness and performance
- Reduction of toxicity, mobility, or volume (TMV) through treatment
- Short-term effectiveness
- Implementability
- Cost

No Additional Action

The "No Additional Action" alternative is evaluated to provide a baseline for public health and welfare and environmental consequences of taking no further remedial action at the site. This alternative was initially labeled by MPCA as the "do nothing" alternative; however, since some remedial activities will continue at the site with this alternative, SEH changed the name to more accurately reflect the approach. It is understood that the existing remedial and monitoring effort would continue; however, further investigation and/or remediation with regards to PFC's would cease.

Executive Summary (Continued)

Plasma Torch

This alternative involves excavating the waste material from the landfill and converting the waste onsite to gas and inert slag material using plasma torch technology. Prior to excavating waste the groundwater recovery and infiltration system would be shut down and the private well GAC treatment system program would be expanded. It is assumed that the void created by the waste excavation would be graded to minimize excessive slopes and the landfill cover soils would be re-placed and seeded. The preliminary projection of initial capital and long-term annual costs for this option are approximately \$192,300,000 and \$87,000 per year, respectively.

Force Main

This remedial alternative involves pumping groundwater and discharging the untreated water to a force main, which would discharge to a waste water treatment facility (MCES). This option would require the construction of more than three miles of new force main from the landfill to the nearest City of Oakdale sanitary sewer. Assuming continuous operation of the groundwater recovery system, the cumulative discharge to the Oakdale sanitary system and MCES treatment plant would be approximately 60 million gallons per year. The preliminary projection of initial capital and long-term annual costs for this option are approximately \$7,300,000 and \$450,000 per year, respectively.

Pump and Treat On Site

Supplemental treatment is required to remove PFCs to below the applicable HRLs from the recovered groundwater. This option includes treatment of contaminated groundwater by air stripping and iron removal followed by granular activated carbon (GAC) to remove PFC compounds prior to discharge directly to the southeast infiltration basin. The preliminary projection of initial capital and long-term annual costs for this option are approximately \$5,800,000 and \$700,000 per year, respectively.

Dig and Truck

This alternative would involve excavating the waste from the landfill and transporting and disposing of the waste off site at a licensed solid waste facility. Prior to excavating waste it is assumed that the groundwater recovery and infiltration system would be shut down and the private well GAC treatment system program would be expanded. It is assumed that the void created by the waste excavation would be graded to minimize excessive slopes and the landfill cover soils would be re-placed and seeded. The preliminary projection of initial capital and long-term annual costs for this option are approximately \$66,800,000 and \$87,000 per year, respectively.

Dig and Line

The alternative would involve moving waste and constructing a lined landfill at the current site. Waste from the existing landfill would be excavated and placed on site while the excavated area of the landfill is lined. The waste would then be placed back in the lined location. Prior to excavating waste it is assumed that the groundwater recovery and infiltration system would be shut down and the private well GAC treatment system program would be expanded. The preliminary projection of initial capital and long-term annual costs for this option are approximately \$27,600,000 and \$210,000 per year, respectively.

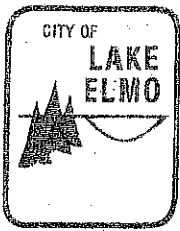
Executive Summary (Continued)

Comparison of Alternatives

SEH developed a ranking method to allow comparison of one alternative against another within each of the seven USEPA comparative criteria described above. The ranking method provided a balanced system to give equal weight to the seven criteria. The scoring was based upon each alternative's relative rating when compared to the other alternatives. The relative ranking of the six remedial options follows (lowest score is considered the best):

Option	Total Score
No Additional Action	27
Plasma Torch	18
Force Main	20
Pump and Treat	16
Dig and Truck	15
Dig and Line	14

Dig and Line appears to be the most feasible remedial action option, followed closely by the Dig and Truck and Pump and Treat options. Additional evaluation of the modifying criteria (agency acceptance and public acceptance) may be required by MPCA prior to selection of a final remedy. Once a final remedy is selected, design studies should be conducted or refined to further define the cost, approach, permit requirements and schedule.



City of Lake Elmo

651/777-5510

3800 Laverne Avenue North / Lake Elmo, MN 55042

13 February 2008

COPY

Representative Julie Bunn
100 Rev. Dr. Martin Luther King Jr. Blvd.
521 State Office Building
St. Paul, MN 55155

RE: PCA Bonding Request for \$15 million for the Washington County Landfill Remediation

Dear Representative Bunn:

I am writing on behalf of the city council to express the city of Lake Elmo's support for the Minnesota Pollution Control Agency's bonding request for \$15 million that is designated in the Governor's 2008 bonding bill to remediate PFC pollutants in the Washington County Landfill. The health and safety of our community's drinking water is critical both for now and in the future. We are pleased that the Governor, the legislature and the PCA are working toward a solution to this public health problem.

Please let us know how we can express our concern, our interest and our support in proceeding with funding the clean up of contaminants at the Washington County Landfill in the immediate future.

Sincerely,

Dean A. Johnston
Mayor
City of Lake Elmo

C: Brad Moore, MPCA Commissioner
Governor Tim Pawlenty
City of Cottage Grove
City of Oakdale
City of Woodbury
Jeff Rageth, 3M

City Council
Date: 2-19-08
REGULAR
Item: 12
Motion

ITEM: Consider a request from the Community Improvement Commission (CIC) to name the city's community celebration the "Lake Elmo Fall Festival" and to provide the Jaycee's funding for this event

SUBMITTED BY: Tom Bouthilet, Finance Director, Staff to the CIC

REVIEWED BY: Susan Hoyt, City Administrator

SUMMARY AND ACTION REQUESTED: The city council is being asked two things by the CIC related to the first annual community celebration that the city council endorsed earlier this year.

- 1) The CIC would like permission to call the event that is scheduled for the weekend after Labor Day (September 5 and 6) the "Lake Elmo Fall Festival".
- 2) The CIC is requesting to use the donation from the Jaycees (\$8,500) that must be used for community activities or projects for this event. In the past, the city has used a portion of the funds for sponsoring a volunteer event. The CIC plans to incorporate the volunteer recognition event into the weekend's activities.

ADDITIONAL INFORMATION

The CIC is discussing the following activities in conjunction with the fire department:

- A spaghetti feed at the fire hall (Friday evening).
- A volunteer recognition event has emerged in discussions with the council related to the Jaycees funds.
- Saturday kids activities combined with fire prevention information
- Saturday parade and gathering for picnic fare

The CIC plans to approach service organizations for volunteer help.

The CIC has not determined whether or not it will seek donations for the event from businesses etc. If the city council has direction to provide on this at this time, that would be helpful to the planning process.

An employee recognition event has emerged in discussions with the council related to the Jaycees funds. However, the administrator cautions the city council on designating these funds for this purpose because cities are cautioned by the state auditor on if, when and how employee events can be funded. Of course, employees may be invited to participate in the events.

RECOMMENDATION

It is the city council's discretion on how to proceed with providing direction for the community event and it is timely to do so. Moving ahead with a name and funding source is a good starting place.

Suggested motion for consideration

Move to authorize the use of "The Lake Elmo Fall Festival" as the name of the community celebration on the second weekend in September, 2008 and to allocate the \$8,500 from the Jaycee's contribution to this event that will include a volunteer recognition element to it.

ORDER OF BUSINESS

- Introduction Susan Hoyt, City Administrator
- Report Tom Bouthilet, Staff to the CIC
- Questions from the council to the presenter
(3 minutes) Mayor and Council members
- Questions from the public to the council
(3 minutes) Mayor facilitates
- Call for a motion to consider action Mayor and Council members
- Discussion Mayor and Council members
- Action City Council