



**City Council Special Meeting
3800 Laverne Avenue North
Tuesday, August 11, 2015
6:00 PM**

- I. Call to Order**

- II. Sunfish Lake Park Nature Center**

- III. City Planner/Associate Planner Discussion**

- IV. Adjourn**



*Our Mission is to Provide Quality Public
Services in a Fiscally Responsible Manner
While Preserving the City's Open Space
Character*

NOTICE OF MEETING

**City Council Workshop
3800 Laverne Avenue North
August 11, 2015
6:30 PM**

AGENDA

- | | |
|--|----------------|
| I. Call to Order | 6:30 PM |
| II. Washington County Emergency Management Presentation | 6:30 PM |
| III. Streetscape/Landscape Plan for Lake Elmo Avenue | 7:00 PM |
| IV. Tartan Park | 7:30 PM |
| V. 5th Street Landscape Design | 8:00 PM |
| VI. Adjourn | 8:30 PM |

August 3, 2015

Tony Manzara
5050 Kirkwood Avenue North
Lake Elmo, MN 55042

**Re: LETTER OF INTENT
City of Lake Elmo ("Landlord")
Friends of Lake Elmo's Sunfish Lake Park ("Tenant")**

**Ref: Sally Manzara Interpretive Nature Center located at:
Lake Elmo's Sunfish Lake Park**

Dear Mr. Manzara:

The parties hereto execute this Letter of Intent to lease the above-referenced property. The purpose of this letter is to outline certain discussions on fundamental terms and conditions upon which the parties may agree to establish a nature center. The terms and conditions of this letter of intent are as follows:

Land Lease Agreement for Sally Manzara Interpretive Nature Center

I. INTRODUCTION:

Whereas the Friends of Lake Elmo's Sunfish Lake Park, a Minnesota Non-Profit Corporation "FOSL", is willing and able to construct, operate, and maintain the Sally Manzara Interpretive Nature Center "SMINC" in Lake Elmo's Sunfish Lake Park "Park", and the City of Lake Elmo "City" is initially desirous of having such an asset as a community resource and as an example of its Stewardship of the unique natural features of the Park and to demonstrate its commitment to environmental learning, the two parties agree:

II. HISTORY:

Anthony P. Manzara, founder of FOSL, has worked with City staff and officials to design improvements to Sunfish lake Park to be built by FOSL using privately-raised funds. FOSL and its contractors and agents may be granted a non-exclusive right to enter the Park for the purposes of construction, operation, and maintenance of the SMINC. The rights granted are non-exclusive and are subject to the superior right of the City that may, for an important public purpose, preempt any rights granted to FOSL, subject to further documentation and agreement.

III. INSURANCE, ALL RISK INSURANCE:

As a condition of this Agreement and before work on the ground begins, the parties would provide for reasonable and necessary insurances.

IV. INDEMNITY:

The parties will attempt to agree on mutual indemnity arrangements.

Va. SPECIFIC PROVISIONS, FOSL RESPONSIBILITIES,

The Sally Manzara Interpretive Nature Center, abbreviated as "SMINC" in this Agreement, is to be owned, funded and operated by the Friends of Lake Elmo's Sunfish Lake Park, abbreviated as "FOSL" in this Agreement, with relatively small required contributions from the City of Lake Elmo abbreviated as "City", as defined below.

It will be considered that FOSL leases about 1 acre of land in "Conservation Easement Area 2" of Sunfish Lake Park, adjacent to the parking lot, for \$1 per year in perpetuity from the City. This area will be used for the SMINC building (initially under 2000 sq ft) and its possible future expansion, appropriate exterior grading, a walkway from the existing parking lot, utility runs, septic field installation, geothermal loop installation, and for outdoor programming.

It is considered that FOSL will draw up a preliminary working design for City approval with a target approval date of September 2015, and a construction budget. The City will approve or reject the design within 30 days of submission by FOSL. Time is of the essence in this part of the plan.

Groundbreaking for construction of the SMINC building shall not take place until funding to complete the building is in place and a reasonable means of obtaining maintenance funding has been presented to the City.

It is considered that FOSL raises funds to build the SMINC building according to the approved preliminary design with a planned groundbreaking date of Spring 2016 and planned opening date of August 2016. Major design changes will require formal City approval, but minor changes will be submitted to the City Administrator for sign-off without review.

FOSL raises funds annually to operate the SMINC. The expected annual budget of about \$100,000 includes naturalist/building manager salary or contract, electricity, regular maintenance, fire/property insurance, and programming expenses.

FOSL solicits, trains, manages and recognizes volunteers who handle additional tasks

FOSL collects money from Gift Shop operations, fees for participation in some programs, possibly rental revenue from groups that reserve the space for events that are within the mission of the SMINC, etc.

Vb. SPECIFIC PROVISIONS:

The parties will explore the following options:

Allow FOSL to insert Fresh articles, Source articles, and City Event and Meeting Calendar items, and insert links on the City website www.lakeelmo.org to call attention to FOSL fundraising activities and programming, subject to City review of their content

Assist in the administrative process of obtaining Minnesota Land Trust approval as required for the building and its proposed uses

Waive any city-required charges for building permits, escrow, etc., and provide required building inspections gratis

Supply a reasonable amount of water from the city-owned hydrant adjacent to the SMINC acre

Provide an easement for an electric power line to be run to SMINC acre across City property

Continue to maintain the Sunfish Lake park access road, the existing parking lot, and haul out a reasonable amount of trash.

Assist, when necessary, administrative process of grant applications for available funding from government and private sources

Allow FOSL to set up webcams or other sensors at locations of interest in the non-leased area of Sunfish Lake Park (nesting areas, lakes and ponds, trails and other areas that are likely to be used by wildlife) with video images to be recorded and shown on monitors in SMINC.

Provide policing services - FOSL will set up an alarm system or other security devices for the SMINC, and a "panic button" for staff.

Install signage along Highway 5 to indicate the presence of SMINC, and on the Sunfish Lake Park entry-road sign to mention the SMINC and its hours of operation.

VII. **GENERAL PROVISIONS:**

It is recognized that other contributions by the City would be welcome.

It is expected that good communication be maintained between FOSL and the City of Lake Elmo via the ex-officio Board Members and other connections.

This Agreement is to be reviewed annually by FOSL and the City Administrator as of the date of execution shown below, and it may be re-negotiated as desired with the written agreement of both parties.

The City has the right to require changes in the operation and maintenance of the SMINC if there is a clear and present threat to Public Safety.

VIII. TERMINATION:

The parties will explore terms for termination:

*If FOSL ceases to be able to pay the land lease fee and operate the SMINC (defined as keeping it open an annualized average of at least 20 hours per week as of the fifth year, and maintaining it in reasonable, presentable condition), then the City of Lake Elmo may, at its option, choose to buy or sub-lease the building and operate it or modify its use, or have it demolished and the land restored to its original appearance. The City will set up an escrow earmark within its dedicated parks funding account to ensure that the SMINC would be properly removed in the latter case. The City agrees that, regardless of the ownership and operational responsibility, as long as the building is used for nature education or recreational purposes, it will retain the name "Sally Manzara Interpretive Nature Center" for the building.

This letter of intent shall be non-binding upon the parties until a formal lease has been negotiated and executed, and either party shall have the right to terminate negotiations at any time prior to lease execution, without liability.

BY: _____

BY: _____

TITLE: _____

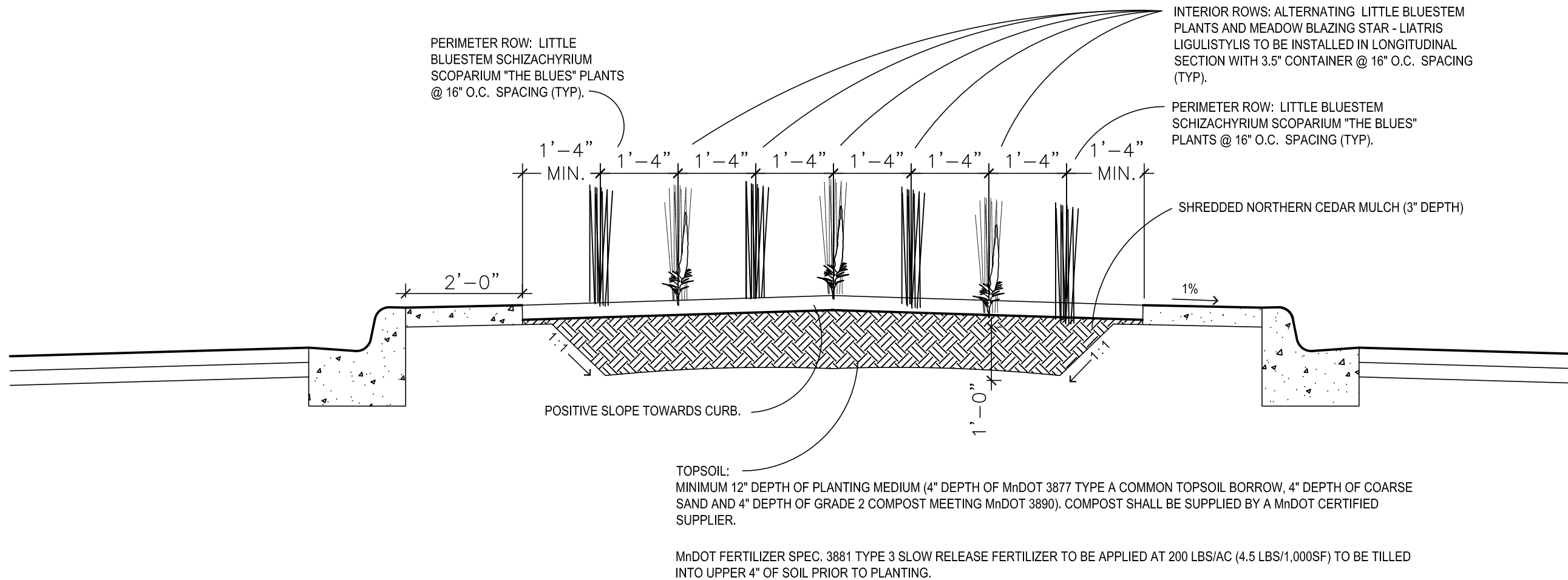
TITLE: _____

DATE: _____

DATE: _____

ADDITIONAL PLANTING NOTES:

1. DOUBLE NOSED DUTCH MASTER DAFFODIL BULBS TO BE INSTALLED IN FALL AT 2 PER SQUARE FOOT IN ALL MEDIAN PLANTING AREAS.
2. ENTIRE MEDIAN PLANTING BED TO HAVE DRIP IRRIGATION INSTALLED. PLAN AND SPECIFICATION MUST BE SUBMITTED FOR CITY REVIEW AND APPROVAL.



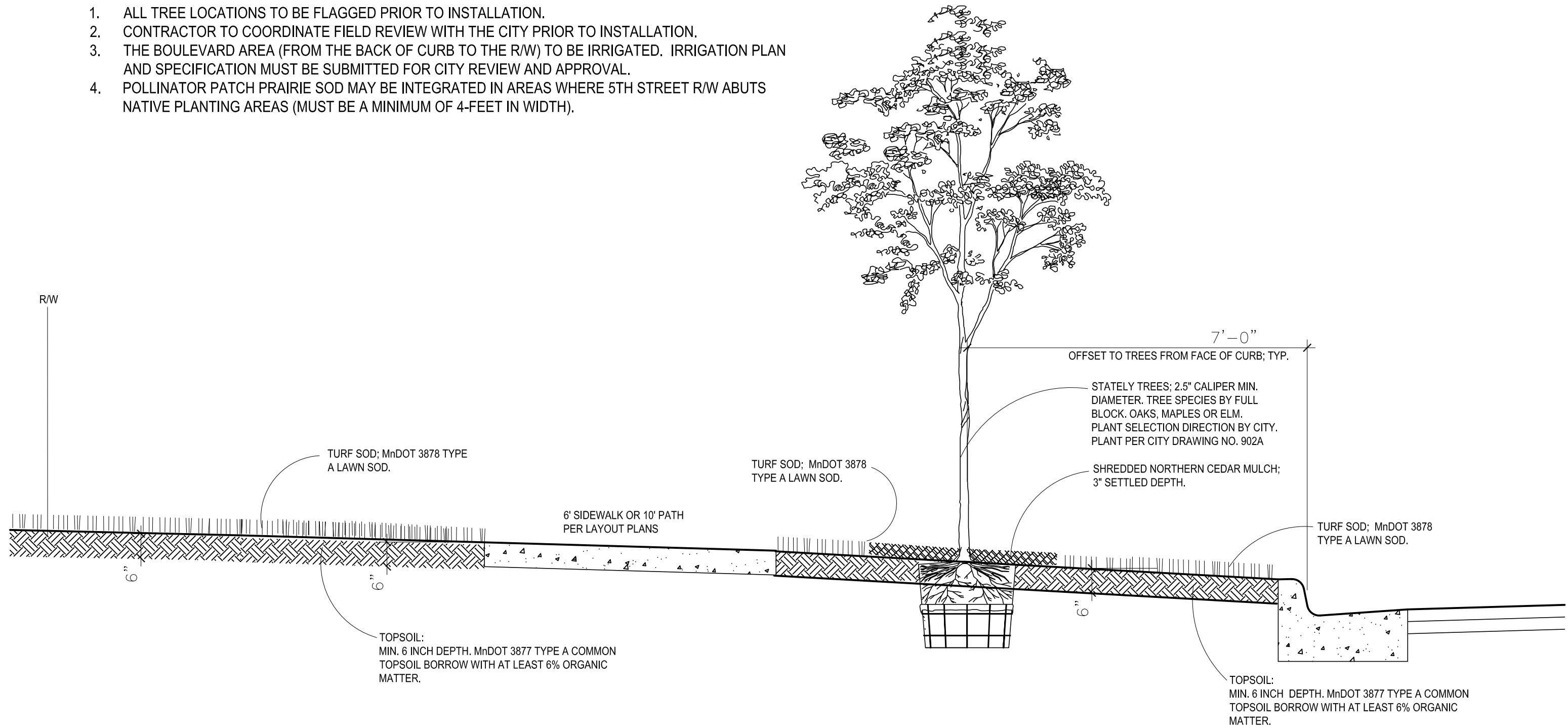
5TH STREET
STANDARD DETAILS

AUGUST 2015

CENTER MEDIAN LANDSCAPE PLAN

ADDITIONAL PLANTING NOTES:

1. ALL TREE LOCATIONS TO BE FLAGGED PRIOR TO INSTALLATION.
2. CONTRACTOR TO COORDINATE FIELD REVIEW WITH THE CITY PRIOR TO INSTALLATION.
3. THE BOULEVARD AREA (FROM THE BACK OF CURB TO THE R/W) TO BE IRRIGATED. IRRIGATION PLAN AND SPECIFICATION MUST BE SUBMITTED FOR CITY REVIEW AND APPROVAL.
4. POLLINATOR PATCH PRAIRIE SOD MAY BE INTEGRATED IN AREAS WHERE 5TH STREET R/W ABUTS NATIVE PLANTING AREAS (MUST BE A MINIMUM OF 4-FEET IN WIDTH).



5TH STREET
STANDARD DETAILS

AUGUST 2015

STREET BOULEVARD LANDSCAPE PLAN



MAYOR & COUNCIL COMMUNICATION

DATE: 8/11/15

ITEM #

AGENDA ITEM: 5th street design

SUBMITTED BY: Clark Schroeder

THROUGH:

REVIEWED BY: City Council / Staff

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation.....City Administrator
- Questions from Council to Staff Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

POLICY RECOMMENDER: City Council

FISCAL IMPACT: If 5th street is not completed by developers completely from East to West, the City will need to build out sections at its own expense. The rationale is that a boulevard needs to have consistent landscape throughout. The city needs to weigh the cost this plan with the possibility that the city will have to foot the bill for the landscape if developers do not develop 100% of the length of 5th street.

SUMMARY AND ACTION REQUESTED: Approve landscape plan as written and recommend by city staff

LEGISLATIVE HISTORY: 5th street, just north of I-94 is a new street spanning from Manning to Inwood ave. This road will service development that is expected to be residential in nature. The road is designed to be a boulevard with paths and medians. The city engineering and planning departments are requesting approval of the plan so developers can plant and install street lighting before frost.

BACKGROUND INFORMATION (SWOT):

Strengths Street lights and plants can be ordered, purchased and installed this fall.

Weaknesses If approval is not granted in timely fashion, street lights will not be able to be ordered and installed. This would affect safety of our citizens during the dark days of winter. In addition, without a plan, no work can be done on the landscape part of the boulevard such as drip irrigation, drainage, planting, ect...

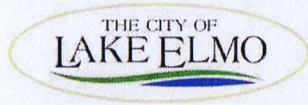
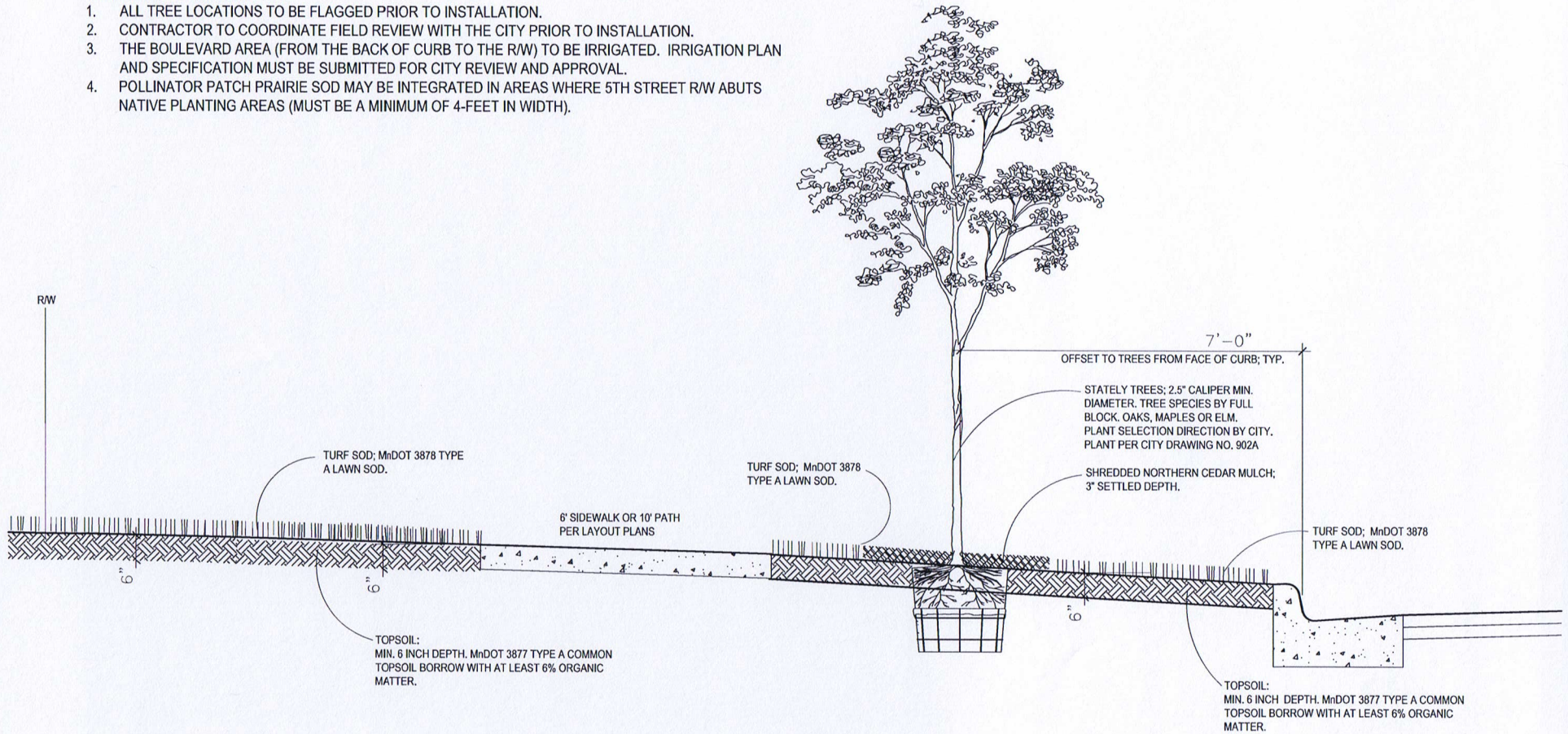
Opportunities Approved plan will allow work to continue on 5th street

Threats

RECOMMENDATION: Based on the aforementioned, the staff recommends approval of this plan.

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5TH STREET
STANDARD DETAILS

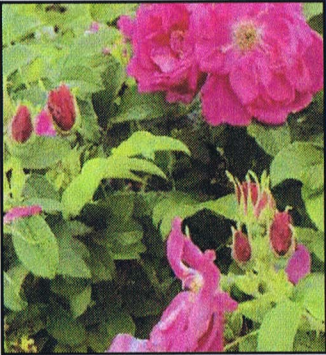
AUGUST 2015

STREET BOULEVARD LANDSCAPE PLAN

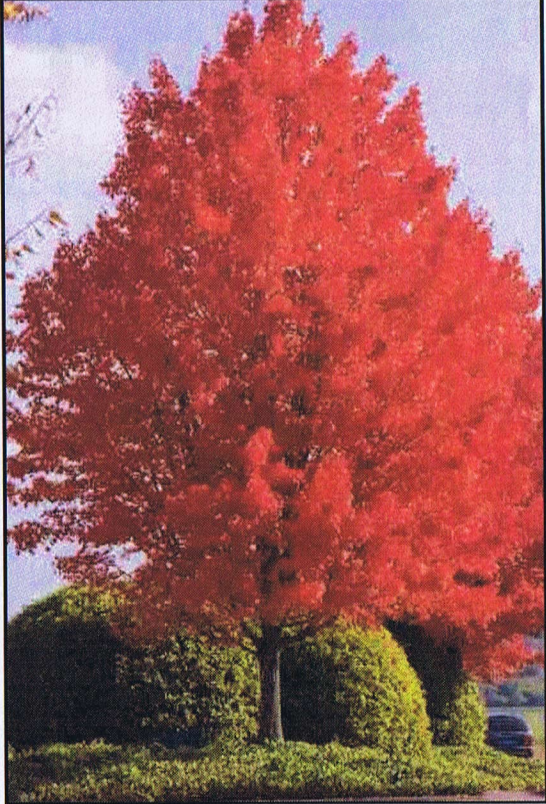
HERITAGE ROSES + STATELY TREES



HERITAGE ROSES



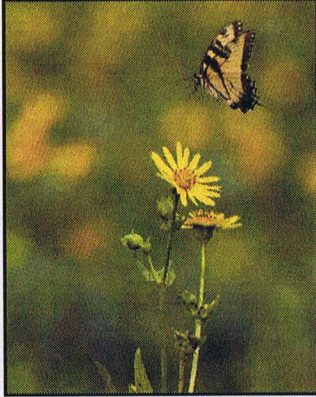
OAK



MAPLE



PRAIRIE



ELM

**Xcel Energy Outdoor Lighting North
Product Offerings**



Evans

Renaissance Grandeur

The Evans intelligent design will revitalize any community roadway with sophisticated style.

COLORS: BRONZE, BLACK, AND GREEN

Available on pole style "D" only



Colonial

Fashionable Standard

The Colonial luminaire presents an old fashion charm in any community setting.

COLORS: BRONZE ONLY

Available on pole styles A, B, & C



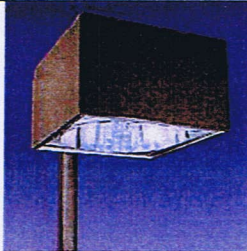
Traditional

Old Favorite

This luminaire stands the test of time with its traditional appeal making it a great match for any neighborhood setting.

COLORS: BRONZE ONLY

Available on pole style "A" only



Shoebox

Functional Elegance

A balanced blend of form and functionality to minimize light trespass and illuminate your roadways with style.

COLORS: BRONZE ONLY

Available on pole style "A" only