

Originals

City of Lake Elmo
City Council Workshop
3800 Laverne Avenue North
Lake Elmo, MN 55042

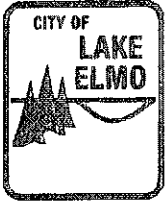
February 8th, 2011

6:30 p.m. – 8:30 p.m. (?)

Agenda

1. Comprehensive Plan Update – Review of Draft Timeline and Citizen and Stakeholder Participation and Organization Special Event Permit
2. Special Event Permit Ordinance – City Council Review
3. Update on Discussions Regarding Location of the ECFC in Lake Elmo
4. Adjourn

A social gathering may or may not be held at the Lake Elmo Inn following the meeting.



MAYOR & COUNCIL WORKSHOP

DATE: 2/08/2011
WORKSHOP
ITEM #: 1
DISCUSSION

AGENDA ITEM: Comprehensive Plan Update – Review of Draft Timeline and Citizen and Stakeholder Participation and Organization

SUBMITTED BY: Kyle Klatt, Planning Director

THROUGH: Bruce Messelt, City Administrator *BM*

REVIEWED BY: Kelli Matzek, City Planner

SUMMARY AND ACTION REQUESTED: The City Council is respectfully requested to review and provide feedback on proposed timelines associated with future updates to the Comprehensive Plan for the Village and I-94 Corridor Planning Areas (the portions of Lake Elmo that are planned for future sewered development).

BACKGROUND & STAFF REPORT: Staff envisions that the City's development of updates to the Comprehensive Plan for each of the proposed sewered development areas will occur as separate planning processes, but with some similarities in order to help staff better manage these complex projects. Included for review by are three separate documents as follows:

- A general project outline/timeline for the I-94 Corridor
- A general project outline/timeline for the Village Area
- A graphical representation of the proposed timeline, with both project areas shown on the same page.

Due to a lack of quorum present at its last meeting, the Planning Commission has yet to formally review and comment on the proposed timelines. Staff would like to continue working on these projects; and therefore is seeking general direction from the Council before proceeding with the initial project tasks. In particular, Staff would like to begin pulling together the citizen participation groups, including a larger "stakeholder" group and smaller work group.

Please note that the latter portions of the Village planning timeline will need to be expanded upon at some point in the future. This timeline will be further revised based on feedback from the Planning Commission and Council and proposed work groups.

RECOMMENDATION: It is recommended that the City Council review the proposed timelines and discuss any comments or suggested revisions at its meeting.

ATTACHMENTS:

1. I-94 Area Draft Timeline/Process
2. Village Area Draft Timeline/Review Process
3. Graphical Timeline

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation Planning Director
- Questions from Council to Staff Mayor Facilitates
- Public Input, if Appropriate Mayor Facilitates
- Council Discussion Mayor & City Council
- Council Direction, if Appropriate Mayor Facilitates

A Draft Timeline/Process

JANUARY

- Identify *Stakeholders Group*
- Identify *Technical Committee*
- Identify *Work Group* (subset of Stakeholders Group; 7-10 people)

FEBRUARY

- First meeting of *Stakeholders Group*
 - Meeting One – Existing Conditions**
Purpose: What is there now? What does the Comp Plan currently say? What are the Met Council requirements? What is happening in adjacent communities? What are the land uses adjacent to the areas in developing Lake Elmo?
- Report back to Planning Commission, City Council

MARCH

- Hold Open House
 - o Invite stakeholder group, commissioners (Planning, Parks, Environmental, etc.), general public
 - o Seek input on Vision – If we can't all agree (at least in part) where we are headed, getting there will never "end."
- First meeting of *Work Group*
 - Meeting One – What is the Vision?**
Purpose: Receive information received from open house. What is the end goal for the Area South of 10th Street? A bustling commercial node? Stable, safe neighborhoods? A regional draw such as _____? How does the city want to be seen from I-94? What is the community identity?

APRIL

- Report back to Planning Commission, City Council
 - o Get consensus on Vision for Area South of 10th Street
- First meeting of *Technical Committee*
 - Purpose:* What services need to be discussed? What do current plans call for? What other plans are out there (school district, Washington County, etc.)? Gather information.
 - Schools
 - Streets
 - Sewer
 - Storm Sewer/Surface Water
 - Water
 - Fire

- Police
- Parks
- Trails

- Second meeting of *Stakeholders Group*

Meeting Two – Report on Work To Date

Purpose: Report on established Vision for South of 10th Street Area. Report on work done by Technical Committee, City Staff. Identify upcoming meetings, work, and options for more public input.

MAY

- Second meeting of *Work Group*

Meeting Two – Figuring out the Details – Commercial Focus

Purpose: Revisiting the existing land use map:

- Does residential housing along I-94 coincide with the agreed upon vision? Does it make sense? If the land continues to be designated for residential along I-94, what does the city want to do with existing businesses?
- Does a corporate campus at the corner of Manning Avenue and I-94 make sense? Is there a market?

- Third meeting of *Work Group*

Meeting Three – Figuring out the Details – Residential Focus

Purpose: Revisiting the existing land use map:

- Does residential housing along I-94 coincide with the agreed upon vision? Does it make sense? If the land continues to be designated for residential along I-94, what does the city want to do with existing businesses?
- Do the property owners at the corner of Lake Elmo Avenue and 10th Street continue to want part of their properties guided for sewer? Is it feasible? Where are their existing homes and septic systems?
- Buffering existing neighborhoods (III-3 of Comp Plan identifies requirements)
- Property guided for PF, but currently zoned R-3. Should that be changed?

- Report back to Planning Commission, City Council
 - o Review work done by Work Group, Technical Committee/City Staff

JUNE

- Third meeting of *Stakeholders Group*

Meeting Three – Report on Work To Date

Purpose: Report on work done by Work Group - where land use types should be located (generically residential and commercial).

- Second meeting of *Technical Committee*

Purpose: Given the established vision and ideas of what land use types should be where, do services need to be reevaluated? Are there any red flags? Additional services needed? Where appropriate?

- Schools
- Streets
- Sewer
- Storm Sewer/Surface Water
- Water
- Fire
- Police
- Parks
- Trails

JULY

- Fourth meeting of *Work Group*

Meeting Four – How to Implement – Creating a Future Land Use Map

Purpose: Given the established vision, the additional services needed (school, fire, police, etc.) and the ideas for appropriate residential and commercial locations – create a Future Land Use Map.

AUGUST

- Fifth meeting of *Work Group*

Meeting Five – A More Detailed Future Land Use Map

Purpose: Revisit the Draft Future Land Use Map and give more detailed review to what type of uses would be appropriate in which commercial areas. What level of density would be more appropriate for residentially guided properties.

SEPTEMBER

- Hold Open House
 - o Invite stakeholder group, commissioners (Planning, Parks, Environmental, etc.), general public
 - o Seek input on Detailed Future Land Use Map
- Report back to Planning Commission, City Council
 - o Review work done by Work Group, Stakeholders Group, Technical Committee/City Staff, Information from Open House

OCTOBER

- Sixth meeting of *Work Group*

Meeting Six – How Do We Get to the Vision? View Draft Ordinance Language and Design Standards

Purpose: Revisit the Draft Future Land Use Map and give more detailed review to what type of uses would be appropriate in which commercial areas. What level of density would be more appropriate for residentially guided properties.

- Park Commission Meeting
 - o Review draft Future Land Use Map and More Detailed Plans

- Planning Commission Meeting
 - o Review draft Future Land Use Map and More Detailed Plans
 - o Hold public hearing to amend the Comprehensive Plan

NOVEMBER

- City Council Workshop
 - o Review draft Future Land Use Map and More Detailed Plans

- City Council Meeting
 - o Approve Comprehensive Plan Amendment

Staff sends Comprehensive Plan Amendment to Metropolitan Council for approval.

DECEMBER

**Village Area Comprehensive Plan Update
Draft Timeline/Review Process
Prepared By: Lake Elmo Planning Department
1/24/11**

2011	Task/Meeting Summary
January	Establish Stakeholder Group <ul style="list-style-type: none"> • All potential stakeholders Create Village Comprehensive Plan Update Work Group <ul style="list-style-type: none"> • Including some members of the stakeholder group Create Technical Review Committee <ul style="list-style-type: none"> • Comprised of same members as recommended in the I-94 review process
February	Stakeholder Meeting <ul style="list-style-type: none"> • Planning Update – History of recent planning efforts • Discuss overall Village housing unit count with update regarding City Council density decision • Review Planning Department density analysis Work Group <ul style="list-style-type: none"> • Meeting 1 • Review current plans and AUAR • Discuss Civic/Institutional Plans and alternative scenarios for public and semi-public uses • Review transportation plans • Discuss public realm (streets, parks, sidewalks, public squares) and design options • Storm Water Update Planning Commission/Council Update <ul style="list-style-type: none"> • Stakeholder feedback and comments • Work group update
March	Open House #1 <ul style="list-style-type: none"> • Present options for civic and institutional “Community Campus” • General update concerning population and density projections for the Village • Sewer Project update • Storm Water Planning discussion
April	Technical Committee <ul style="list-style-type: none"> • Discuss Service needs in community • Review current agency/departmental/governmental

	<p>planning efforts</p> <p>Work Group</p> <ul style="list-style-type: none"> • Consider design standards and integration into the Zoning Ordinance • Review zoning district alternatives • Identity preferred location for community campus concept • Review site design options for community campus • Consider revised residential and open space plan with new density projections. • Establish preferred scale for Village area development <p>Planning Commission/Council Update</p> <ul style="list-style-type: none"> • Open House Review • Review draft Land Use Plan update
May	<p>Work Group</p> <ul style="list-style-type: none"> • Meeting 3
June	<p>Technical Committee Meeting</p> <p>Stakeholder Group</p> <ul style="list-style-type: none"> • Meeting 2 <p>Planning Commission/Council Update</p>
July	<p>Work Group</p> <ul style="list-style-type: none"> • Meeting 4
August	<p>Work Group</p> <ul style="list-style-type: none"> • Meeting 5 <p>Planning Commission/Council Update</p>
September	<p>Open House #2</p>
October	<p>Technical Committee Meeting</p> <ul style="list-style-type: none"> • Review AUAR Update Document for submission to EQB <p>Work Group</p> <ul style="list-style-type: none"> • Meeting 6 <p>Planning Commission/Council Update</p> <ul style="list-style-type: none"> • Review Draft Comprehensive Plan Update - with revised Land Use Plan
November	<p>Work Group</p> <ul style="list-style-type: none"> • Meeting 7
December	<p>Stakeholder Group</p> <ul style="list-style-type: none"> • Meeting 3

	Planning Commission/Council Update Public Hearing – Planning Commission
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Notes:

- Technical Committee meeting schedule will be timed to coincide with I-94 Planning schedule
- Additional Work Group meetings will be called on an as-needed basis



MAYOR & COUNCIL WORKSHOP

DATE: 2/08/2011
WORKSHOP
ITEM #: 2
DISCUSSION

AGENDA ITEM: Special Event Permit Ordinance – City Council Review

SUBMITTED BY: Kyle Klatt, Planning Director

THROUGH: Bruce Messelt, City Administrator

REVIEWED BY: David Snyder, City Attorney
Kelli Matzek, City Planner

BAM

SUMMARY AND ACTION REQUESTED: The City Council is respectfully requested to consider and review a new ordinance to regulate special events within the City of Lake Elmo. This ordinance is very similar to a document that was reviewed by the Planning Commission more than a year ago, but never further refined or adopted by the City. A Special Event Permit is intended to provide some regulation of temporary events on a case-by-case basis and is intended to promote the orderly, compatible, and safe use of property for temporary special events and to assure adequate provision of parking, traffic, sanitary facilities, utilities, public safety services, and peace and tranquility of residential neighborhoods.

The proposed Ordinance 08-034 was presented to the Council last December, but was not acted upon at that time so that the Council could spend more time reviewing the draft with Staff at a workshop meeting.

BACKGROUND INFORMATION: This ordinance was first brought forward by Staff as a follow-up to several requests for events within the City of Lake Elmo that would normally not be allowed under the City's zoning regulations. The most significant of these events was a Rowing Regatta on Lake Elmo that was ultimately permitted in the absence of any formal regulations concerning such events (and also due to the fact that the event took place on a public water body and within the regional park preserve). Staff has over the past several years, also received requests for a "pet carnival" and other such events and promotions by local businesses.

One of the more significant changes to the proposed ordinance since the version previously reviewed by Planning Commission has been the addition of a new category of special events for Agricultural Sales Businesses. Specifically, the Ordinance now includes a provision that would allow an Agricultural Sales Business that is conducted for a period of three months or less to be permitted by a Special Event Permit. The ordinance would allow such a permit to be issued for

two consecutive years; otherwise, any agricultural sales businesses operating for a longer term would need to obtain an Interim Use Permit in accordance with recent amendments to the City Code.

The Agricultural Sales Provision is a direct result of recent discussions and action by the Planning Commission and City Council regarding agricultural businesses. The proposed ordinance would provide an alternate to a full interim use permit in cases where a grower or importer would like to sell agricultural products for a limited time. As an example of how this permit would be applied is a situation in which a grower needs to supplement the sales of their produce grown on-site due to the loss of a crop due to bad weather or other unforeseen circumstances.

The proposed ordinance does include several exemptions for events sponsored by a public entity, events that take place in an athletic field, family gatherings, and other such activities.

STAFF REPORT: The City Attorney has noted that the City could try to define a threshold for small events based on experience, such as by reference to an event that is known to bring in less than 30 people but does not implicate public infrastructure, traffic, etc. In looking back at previous events that were conducted in the City that would be considered a special event under the proposed ordinance, Staff has been unable to identify any specific type of activity that would seem to have met this threshold.

The Attorney has also suggested that the Planning Commission and City Council may want to consider special events that have occurred in the past to determine if they can be used as a guide concerning any problems that arose and how these issues may have been addressed. Some typical problems include traffic back-ups, informal road closures, late night noise, minor trespassing, insufficient restrooms, and other similar occurrences.

Staff has made other minor revisions to the ordinance based on comments from the Planning Commissions, and all changes and revisions recommended by the Planning Commission are included in the attached ordinance.

The Planning Commission unanimously recommended approval of the Special Event Ordinance at its November 22, 2010 meeting.

ADDITIONAL INFORMATION: The model used for the draft ordinance was taken from the City of North St. Paul. This ordinance was chosen as it was fairly broad in terms of its coverage, while some other examples staff researched were very specific to certain types of events. This broad and simple ordinance will be easier to administer as Lake Elmo currently has just a few events to which the permit may pertain.

City History - In 2006 the Council approved an ordinance allowing Commercial Social Outdoor Events as a conditional use in the agricultural zoning district, which it then repealed in April of

2007. A Special Event Permit is different than the Commercial Social Outdoor Events in the following ways:

- 1) A Special Event Permit would be required and reviewed for each event and would not guarantee a future permit would be received by the applicant or property owner. A Commercial Social Outdoor event was established as a Conditional Use Permit (CUP) and would have run with the property in perpetuity.
- 2) The City Council would have the discretion to deny a Special Event Permit. If a CUP was received and the conditions of a Commercial Social Outdoor Event were being met, the City would have a difficult time revoking the permit.
- 3) A Special Event Permit would not necessarily be based on a zoning district. A CUP for a Commercial Social Outdoor Event was allowed only in the Agricultural zoning district.
- 4) Special Event Permit could be intended to regulate temporary, outdoor privately-sponsored events open to the general public, held on public or privately-owned property, and impacting city facilities or services. The draft ordinance provided identifies specific gathering types that would not require a permit, such as a wedding. The only application received by the City to implement the Commercial Social Outdoor Event ordinance was to hold weddings on a property in the city.

Should the City Council adopt the propose ordinance as prepared by the Planning Commission, the Council will need to determine the fees for this type of permit. Because the 2011 Fee Schedule will be considered by the Council at its next meeting, Staff is recommending that the fees for Special Events be addressed with other fees at the Council's subsequent meeting.

Part of the justification for requiring a Special Event Permit for certain events is to help ensure that any potential public costs associated with the event are properly addressed. As noted in the attached ordinance, the City may charge for any required clean-up from the event, and provisions are included that require the applicant to provide adequate police, fire, and sanitary services during the duration of the event.

PLANNING COMMISSION REPORT: The Planning Commission conducted a public hearing regarding the proposed Special Event Permit Ordinance at its November 8, 2010 meeting. No public comments were received at the meeting; however, the Commission tabled taking action on the Ordinance and requested that Staff review the Ordinance with the City Attorney before making its recommendation to the City Council. Staff reviewed the proposed ordinance with the City Attorney and City Administrator in order to provide some clarity concerning the intent of the ordinance, and based on these discussions, suggested that the following modifications be made to the ordinance:

- That special events that last less than three consecutive days be permitted through an administrative review process rather than requiring action by the City Council.
- That a special event permit be required for non-profit organizations in addition to other property owners. The intent of the proposed ordinance is to ensure that larger events do not create any problems that may negatively impact the public or result in costs that must be born by the City. Whether an event is sponsored by a private business or non-profit entity, requiring a special event permit can help the City reduce the potential for any unforeseen costs or impacts. The Attorney has offered an opinion that private clubs should not be regulated differently than a for-profit business.
- That the provisions related to exceptions specifically state that only activities that have been previously authorized by the City are exempt from the ordinance, and that if expanded or enlarged, these events would need to secure a permit.

The Commission considered these changes, and ultimately recommended further modifications to allow the City Administrator to approve all Special Event Permits, with a provision that allows the Administrator to refer permits to the Council as necessary. Staff has further clarified the review requirements in the draft ordinance so that all denials must be made by the City Council.

RECOMMENDATION: Staff is recommending that the City Council review the proposed Special Event Ordinance and direct Staff to make any changes prior to Council consideration of the ordinance at a future meeting.

ATTACHMENTS

1. Ordinance 2008-034 – Special Event Permits

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation..... Planning Director
- Questions from Council to Staff.....Mayor Facilitates
- Public Input, if AppropriateMayor Facilitates
- Discussion..... Mayor & City Council
- Direction, if AppropriateMayor Facilitates

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

ORDINANCE NO. 08-034

**AN ORDINANCE ADDING TO THE LAKE ELMO CITY CODE OF ORDINANCES BY
ADDING TO CHAPTER 110 OF THE BUSINESS REGULATIONS: BUSINESS
REGULATIONS TO PROMOTE THE ORDERLY, COMPATIBLE AND SAFE USE OF
PROPERTY FOR TEMPORARY SPECIAL EVENTS AND TO ASSURE ADEQUATE
PROVISION OF PARKING, TRAFFIC, SANITARY FACILITIES, UTILITIES, PEACE
AND TRANQUILITY OF RESIDENTIAL NEIGHBORHOODS AND SAFETY
SERVICES**

SECTION 1. The City Council of the City of Lake Elmo hereby amends Title XI: Business Regulations; Chapter 110 – General Licensing Provisions, by adding the following language:

§ 110.070 SPECIAL EVENT PERMITS.

(A) *Purpose and intent.* The purpose of this Chapter is to promote the orderly, compatible and safe use of property for temporary special events and to assure adequate provision of parking, traffic, sanitary facilities, utilities, peace and tranquility of residential neighborhoods and safety services.

(B) A Special Event shall include the following:

(1) Any temporary, privately-sponsored event, typically conducted outdoors, open to the general public and held on public or privately owned property, where such event would not otherwise be permitted under the City's zoning regulations.

(2) An Agricultural Sales Business as defined in Section 11.01 that is conducted for less than three (3) months in any calendar year. A Special Event Permit for an Agricultural Sales Business may be issued once per year and for no more than two consecutive years.

(C) Exceptions: "Special Event" shall not apply to the following:

(1) Any permanent place of worship, stadium, athletic field, arena, theatre, auditorium, or fairs conducted pursuant to Minn. Stats. Chapter 38.

(2) Special events or activities permitted or permitted by other State laws or regulations of the City of Lake Elmo, including publicly-sponsored activities in the local park system and any other lawfully established event for which the City Council has expressly

granted approval prior to adoption of this ordinance, unless said event is expanded or enlarged, in which case a Special Event Permit will be required.

(3) Family gatherings, including family reunions, graduation parties, baptisms, confirmations, weddings, etc.

(4) Garage sales

(5) National Night-Out or Night-to-Unite established through the City of Lake Elmo.

(D) Permit Required

(1) No person on or after the effective date of this Chapter shall conduct or allow to be conducted any special event as defined in this ordinance without first obtaining a Special Event Permit.

(E) Requirements for Issuance of a Permit

(1) The following standards shall apply to all special events:

(a) **Maximum Number of People.** The permittee shall not sell tickets to nor permit attendance at the permit location of more than the maximum number of people stated in the special event permit.

(b) **Sound Equipment.** Sound producing equipment, including but not limited to public address systems, radios, amplifiers, musical instruments and other recording and playback devices, shall not be operated on the premises of the special event so as to be unreasonably loud or be a nuisance or disturbance to the peace and tranquility of the citizens of Lake Elmo.

(c) **Sanitary Facilities.** In accordance with Minnesota State Board of Health regulations and standards and local specifications, adequate sanitary facilities must be provided which are sufficient to accommodate the projected number of persons expected to attend the event.

(d) **Security.** The permittee shall employ at his/her own expense such security personnel as are necessary and sufficient to provide for the adequate security and protection of the maximum number of persons in attendance at the special event and for the preservation of order and protection of property in and around the event site. No permit shall be issued unless Washington County Sheriff's Department is satisfied that such necessary and sufficient security personnel will be provided by the permittee for the duration of the event.

(e) **Food Service.** The operator of the special event shall be responsible for securing any permits, if necessary, from the Washington County Health Department for any food services that are made available on the premises.

(f) Fire Protection. The permittee shall, at his/her own expense, take adequate steps to insure fire protection as determined by the City of Lake Elmo Fire Chief.

(g) Duration of Special Event. The permittee shall operate the special event only on those days and during the hours specified on the permit.

(h) Cleanup Plan. The special event applicant is responsible for clean up of the site upon completion of the special event, and shall specify the amount of time anticipated to restore the site to its pre-event condition as part of an application. Any clean up or restoration work required by the City may be charged to the applicant. Any City service that requires overtime will be at the expense of the applicant.

(i) Waiver. The City Council, or City Administrator for those permits that are subject to an administrative review and approval process, may grant a waiver from the requirements of this Chapter in any particular case where the applicant can show that strict compliance with this Chapter would cause exceptional and undue hardship by reason of the nature of the special event or by reason of the fact that the circumstances make the requirement of this Chapter unnecessary. Such waiver must be granted without detriment to the public health, safety or welfare and without impairing the intent and purpose of these regulations.

(j) Insurance. Before the issuance of a permit, the permittee shall obtain public liability insurance and property damage insurance with limits determined by the City Administrator if reasonably determined necessary. Such insurance shall remain in full force and effect in the specified amounts for the duration of the permit. Evidence of insurance shall include an endorsement to the effect that the insurance company will notify the City Clerk in writing at least ten (10) days before the expiration or cancellation of said insurance.

(k) Miscellaneous. Prior to the issuance of a permit, the City Council, or City Administrator for those permits that are subject to an administrative review and approval process, may impose any other conditions reasonably calculated to protect the health, safety and welfare of persons, attendant or of the citizens of the City of Lake Elmo including, but not limited to, restrictions on parking and vehicle access, lighting, litter and noise.

(2) In addition to the requirements listed above, the following shall also apply to a Special Event Permit for an Agricultural Sales Business:

(a) All performance standards as specified in Section 154.110 for Agricultural Sales Businesses. The City Council, or City Administrator for those permits that are subject to an administrative review and approval process, may exempt the applicant from any of these standards that are deemed unnecessary given the nature or duration of the event.

(F) Application Procedures.

(1) A written application for a Special Event Permit shall be filed on forms provided by the City with the City Administrator not less than thirty (30) days before the date proposed for holding the special event. The written application shall be signed by the person, persons, or

parties conducting the event and the property owner, if different, and shall be accompanied by the fee payable hereunder. Upon submission of an application for a Special Event Permit, City staff will review the request and advise the applicant of the need for additional information, if any.

(G) Fees

- (1) The fee for a Special Event Permit shall be as established by the City Council.

(H) Granting a Permit

(1) Administrative Review and Approval. The City Administrator, or his/her designee, shall review and determine whether or not a request for a special event and/or street closing is acceptable. The City Administrator shall have the authority to issue Special Event Permits for those events that meet the criteria of this Ordinance. In the event the City Administrator determines the activity does not meet these criteria, such applications shall be referred to the City Council for consideration.

(2) City Council Review and Approval. The City Administrator shall refer any application for a Special Event Permit that may adversely affect the safety, health and welfare of the citizens of Lake Elmo due to the size, location, or potential impacts of the event to the City Council for final action.

(J) Denial of Permit

(1) The City Council shall have the right to deny the permit if, in the judgment of the City Council, the granting of a permit would adversely affect the safety, health and welfare of the citizens of Lake Elmo or if other criteria herein are not met. The applicant shall be notified of such denial and may appear before the City Council to appeal such denial.

(K) Transferability

(1) No permit granted under this Chapter shall be transferred to any other person or place without consent of the City Council, upon written application made therefore.

(L) Enforcement and Penalties

(1) The City Administrator and other such officers, employees, or agents as the City Council or City Administrator may designate, shall enforce the provisions of this Chapter in accordance with Section 10.99 of the City Code.

(2) The holding of a special event in violation of any provision of this Chapter shall be deemed a public nuisance and may be abated as such.

(3) Any person violating any provision of this Chapter is guilty of a misdemeanor and upon conviction shall be subject to the penalties set forth in Minnesota Statutes.

(M) Revocation of Permit

(1) The permit for a special event may be revoked by the City Council at any time if any of the conditions necessary for the issuing of or contained in the permit are not complied with or if any of the provisions of this Chapter are violated.

SECTION 2. Effective Date

This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 3. Adoption Date

This Ordinance No. 08-034 was adopted on this 7th day of December 2010, by a vote of ___ Ayes and ___ Nays.

Mayor Dean A. Johnston

ATTEST:

Bruce Messelt
City Administrator

This Ordinance No 08-034 was published on the ___ day of _____, 2010.



MAYOR & COUNCIL WORKSHOP

DATE: 2/01/2011
WORKSHOP
ITEM #: 3
DISCUSSION

AGENDA ITEM: Update on Discussions Regarding Location of the ECFC in Lake Elmo

SUBMITTED BY: Mayor & City Council

THROUGH: Bruce A. Messelt, City Administrator *BAM*

REVIEWED BY: Jack Griffin, City Engineer
Dave Snyder, City Attorney
Kyle Klatt, City Planner
Tom Bouthilet, Finance Director

SUMMARY AND ACTION REQUESTED: The City Council is respectfully requested to receive a brief update from Council Members Smith and Pearson, the City Administrator and City Attorney regarding recent discussions relating to potential location of the Stillwater Area School District's Early Childhood & Family Center in Lake Elmo.

BACKGROUND INFORMATION & STAFF REPORT: On February 1st, 2011, the Lake Elmo City Council unanimously directed its staff to undertake the following actions with respect to potential locating of the Stillwater Area Public Schools' Early Childhood Family Center (ECFC) in Lake Elmo:

- Complete, if possible, a draft Joint Powers Agreement (JPA) with the School District for location of the ECFC in Lake Elmo;
- Complete, if possible, a Purchase Option for approximately 16 acres of available land for location of the ECFC via the JPA, as well as future public and civic facilities; and
- Include members of the City Council, as feasible, in the efforts of the City in order to provide an additional layer of transparency, attention and timeliness in addressing the forthcoming issues.

In August 2010 and again on November 3rd, 2010, the City Council directed the City Administrator actively seek to formulate a proposal to potentially locate the Stillwater Area School District's Early Childhood & Family Center in Lake Elmo.

Since that time, active conversation has taken place regarding this potential, leading to recent efforts to craft the specific agreements for City and School District consideration, including a very fruitful Wednesday staff-to-staff exchange. Tonight's presentation will serve as the requested "check-in" with the City Council to ensure the efforts undertaken, to date, are on target and consistent with previous Council direction to develop a viable location proposal.

RECOMMENDATION: It is respectfully recommended that the City Council receive a brief presentation by Council Members Smith and Pearson, the City Administrator and City Attorney regarding recent discussions and efforts relating to potential location of the Stillwater Area School District's Early Childhood & Family Center in Lake Elmo.

ATTACHMENTS: Proposed Project Schedule (other materials will be handed out at Tuesday's Workshop).

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation..... Council/Staff
- Questions from Council.....Mayor Facilitates
- Public Input, if Appropriate.....Mayor Facilitates
- Council Discussion/Direction.....Mayor Facilitates

Proposed Schedule - DRAFT

City/School District Actions Regarding Lake Elmo ECFE Site

Prepared by Lake Elmo Planning Department – 2/3/11

DATE	Planning/Zoning (Lake Elmo)	Lake Elmo City Council	School District
2011			
2/15		Approval of purchase option for Brookman 3 rd Addition sites	
2/15		Approve Joint Powers Agreement	
2/18	Public Hearing Notice -- Comprehensive Plan Amendment, Zoning Map Amendment, Zoning Text Amendment		
2/24			Approve Joint Powers Agreement
2/25			Submit financing plan to State of Minnesota
2/28	Planning Commission Public Hearing – Comprehensive Plan and Zoning Amendments		
3/1		Initiate Phase I Environmental Study for Brookman site	
3/1		City Council Approval of Comprehensive Plan Amendment and related actions	
3/2	Submit Comprehensive Plan Amendment to Met Council		
3/8			Site Plan Submission to City
3/15		Execute purchase option for Brookman 3 rd Addition sites	
3/28	Planning Commission Site Plan Review		
4/5	City Council Site Plan Review		
5/31		Closing on purchase of Brookman 3 rd Addition sites	

