

CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA  
RESOLUTION 2005- 015

A RESOLUTION APPROVING A LAKE ELMO/METROPOLITAN COUNCIL  
MEMORANDUM OF UNDERSTANDING

WHEREAS, the Lake Elmo City Council has reviewed the following document  
(Lake Elmo/Metropolitan Council Memorandum) attached as Exhibit A hereto:

Memorandum of Understanding  
Lake Elmo/Metropolitan Council  
Outline of Criteria to be Considered in City Comprehensive Plan  
Dated: January 27, 2005


and

WHEREAS, the Lake Elmo City Council has exhausted all legal avenues of  
review and has determined that it is in the best interests of the City of Lake Elmo to  
resolve its dispute with the Metropolitan Council by amending the City's  
Comprehensive Plan to incorporate the conditions contained in the Lake Elmo/  
Metropolitan Council Memorandum; and

WHEREAS, Metropolitan Council Resolution Number <sup>2002-030</sup> ~~2003-10~~ <sup>MP</sup> has attached to it  
a List of Required Modifications to Lake Elmo Comprehensive Plan which in some  
respects is in conflict with the provisions of the Lake Elmo Metropolitan Council  
Memorandum.

NOW, THEREFORE, BE IT RESOLVED, that the Lake Elmo City Council hereby  
approves the Lake Elmo/Metropolitan Council Memorandum with the understanding  
that the list of Required Modifications to the Lake Elmo Comprehensive Plan attached  
to Metropolitan Council Resolution Number 2003-10 will be amended accordingly or,  
in the alternative, that a new Metropolitan Council Resolution will be adopted which  
properly incorporates the provisions of the Lake Elmo/Metropolitan Council  
Memorandum.

ADOPTED, by the Lake Elmo City Council on the 1st day of February, 2005.

  
Dean A. Johnston, Mayor

ATTEST:

  
Martin J. Rafferty, City Administrator

**MEMORANDUM OF UNDERSTANDING**  
**Lake Elmo / Metropolitan Council**  
**Outline of criteria to be considered in preparation of City Comprehensive Plan**

The following criteria were developed as the result of discussions among representatives of the City of Lake Elmo ("City") and the Metropolitan Council ("Council"). These criteria are intended to provide guidance to the City and to the Met Council as Lake Elmo modifies its local comprehensive plan to ensure conformity with metropolitan system plans as required by state law.

1. The City of Lake Elmo will commit to 6,500 new Residential Equivalent Units ("RECs") of Regional Sewer service by the year 2030. The City will commit to a city-wide population of 24,000 by the year 2030. Performance measures for this agreement will be total population and total utilized RECs in Lake Elmo.

Note: The term "REC" shall be defined in Lake Elmo as one residential connection and/or the equivalent of 10 employees for new business operations.

2. The City will implement the population, employment, and RECs in the following manner.

<b>Year</b>	<b>2000</b>	<b>2010</b>	<b>2020</b>	<b>2030</b>
<b>Population</b>	6,863	<i>TBD</i>	<i>TBD</i>	24,000
<b>Residential RECs</b>	0	<i>TBD</i>	<i>TBD</i>	5,200
<b>Employment RECs</b>	100	<i>TBD</i>	<i>TBD</i>	1,400
<b>Total RECs</b>	100	<i>TBD</i>	<i>TBD</i>	6,600

3. The City will determine the types of housing and businesses to be developed and will meet or exceed an average residential density of 3 units per acre or a non-residential density of 40 employees per acre in urban (sewered) areas in the area south of 10<sup>th</sup> Street.
4. The City will plan for 1,300 new RECs (20% of 6,500) to be used for sewered employment.
5. The City will plan for Regional Sewer service to be provided in the southwest corner of Lake Elmo via the WONE Interceptor, and at Lake Elmo Avenue via the Cottage Grove Interceptor. Sewer capacity will be provided to meet the needs as specified in paragraph 2. It is anticipated at this time that design flows for the Regional Sewer service provided to the City will be made available as follows:

	<b>RECs</b>	<b>MGD</b>
To WONE Interceptor - Metro Plant (estimated construction completion: Dec. 2006)	1,825	0.50
To Cottage Grove Interceptor - Eagles Point Plant Phase I (estimated construction completion: Dec. 2007)	1,825	0.50
Phase II (estimated construction completion: Dec. 2010)	4,675	1.28
<b>Total</b>	<b>8,325</b>	<b>2.28</b>

6. The City of Lake Elmo will achieve a city-wide population of 24,000 by 2030. All population will be counted. Lake Elmo will use 6,600 RECs by 2030. All RECs used will be counted.
7. Should the City determine to extend Regional Sewer service to the existing Cimarron manufactured housing neighborhood (500 RECs), existing Old Village housing (up to 500 RECs), and/or new Old Village housing (up to 500 RECs), all utilized RECs shall be counted toward the expected community totals. Up to 1,000 RECs may be used in the Old Village area of Lake Elmo. It is understood that the average density of the aforementioned Old Village units shall be at least 3 units per acre.
8. The City will complete its required plan modifications by April 15, 2005 and submit its plan to adjacent communities for review by that time. This will allow time for the City to complete its local planning and review processes and submit its required plan modifications to the Council on or before June 15, 2005 and prior to the expiration of the nine-month plan modification period specified in state law.
9. The City's comprehensive plan shall be flexible enough to allow for possible limited post 2030 development, redevelopment, or environmental mitigation utilizing any Regional Sewer capacity (see paragraph 5) that may remain post 2030.
10. The signatories will present and recommend these guidelines to their respective governing bodies for consideration with the understanding that: (a) the adoption of a modified comprehensive plan ultimately is the responsibility of the full Lake Elmo City Council; and (b) the full governing body of the Metropolitan Council ultimately is responsible for reviewing the plan submitted by the City and determining whether the modified comprehensive plan conforms with metropolitan system plans.

On behalf of the City of Lake Elmo:



Dean A. Johnston, Mayor

Date: 2005-01-27

On behalf of the Metropolitan Council:



Peter Bell, Chair

Date: 1/27/05

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