



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

NOTICE OF SPECIAL MEETING

**City Council
3800 Laverne Avenue North
Thursday, February 5, 2015
7:00 PM**

AGENDA

- I. Call to Order - Mayor Pearson**

- II. Municipal Consent on Phase I of the Downtown Street and Utility Project; *Resolution No. 2015-08***

- III. Executive Session to Receive Private Personnel Data**

- IV. Adjourn**

****Note: Every effort will be made to accommodate person or persons that need special considerations to attend this meeting due to a health condition or disability. Please contact the Lake Elmo City Clerk if you are in need of special accommodations.*

****Note: This meeting will be video recorded, but not broadcasted, for record-keeping purposes.*



MAYOR & COUNCIL COMMUNICATION

DATE: February 5, 2015
REGULAR
ITEM II
RESOLUTION

AGENDA ITEM: Phase I Downtown Street and Utility Project – Municipal Consent

SUBMITTED BY: Nick M. Johnson, City Planner

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Washington County Public Works
Jack Griffin, City Engineer
Kyle Klatt, Community Development Director

SUMMARY AND POLICY RECCOMENDATION:

Staff will present the proposed scope of work included in Phase I of the Downtown Street and Utility Project. Phase I of the Downtown Street and Utility Project is proposed to be constructed in 2015 and includes Laverne Ave. (Upper 33rd St. to TH 5), Upper 33rd St. (Lake Elmo Ave. to Laverne Ave.), 36th St. (Lake Elmo Ave. to Laverne Ave.) and additional improvements related to the proposed regional storm water management system. Staff is recommending that the City Council approve Municipal Consent for Phase I of the Downtown Street and Utility to determine that the project is feasible and Final Design may be initiated.

Staff recommends that the City Council approve Municipal Consent for Phase I of the Downtown Street and Utility Project through the following motion:

“Move to recommend approval of Resolution 2015-08, approving Municipal Consent for Phase I of the Downtown Street and Utility Project.”

FISCAL IMPACT:

The Project will be funded through multiple sources including assessments to benefitting properties. The project financial plan including a project specific assessment policy will be developed for the project. In addition, the County has agreed to allow the City to finance the City cost share of the improvements over a 5 year period. The final costs will be determined through a cooperative agreement with Washington County, which is likely to come forward in April.

BACKGROUND INFORMATION:

Over the course of the last 13 months, the City of Lake Elmo, Washington County and Valley Branch Watershed District have participated in a collaborative effort to coordinate street, utility and storm water improvements in the Downtown or Village Area of Lake Elmo. With the assistance of consulting engineer SEH and consulting landscape architect Damon Farber and Associates, the project has undergone a significant preliminary design and community engagement process. Based upon the work completed through the preliminary design process, it has been determined that the project be split up into two phases of construction:

- Phase I (2015): Laverne Avenue North (from Upper 33rd St. to Trunk Highway 5), Upper 33rd Street North (from Lake Elmo Ave. to Laverne Ave.), 36th Street North (from Lake Elmo Ave. to Laverne Ave.) and downstream storm water management improvements.
- Phase II (2016): Lake Elmo Avenue North (from 30th St. to Trunk Highway 5), 30th Street (from the lift station location to Lake Elmo Ave.) and storm water management improvements.

In addition to presenting the recommended phasing of the project, City and County staff have completed a recommended schedule for the Downtown Street and Utility Project. The recommended schedule is found in Attachment #3. Should the City Council proceed with Municipal Consent approval for Phase I, Final Design work for Phase I of the project would occur from February through April, while construction for Phase I would begin in June based on the recommended schedule. It should also be noted that Municipal Consent for Phase II of the Project will be a separate action and will likely occur in late March after additional neighborhood meetings are held on the Phase II work.

In order to provide a detailed overview of the preliminary design and community engagement work completed to date, the City held a City Council Workshop on January 27, 2015. At this meeting, presentations were made regarding the design and engagement process, the staff recommended design and alternatives, the sewer and water improvements, the storm water management improvements, the quality of life issues informing the design, and draft preliminary assessment information. The packet for the workshop, as well as the presentation, is available on the City's website (<http://www.lakeelmo.org/downtownproject>). Due to the size of the Workshop agenda packet, hard copies of these materials have not been included as an attachment. However, staff can make these materials available in hard copy or electronic format per request. The purpose of the City Council workshop was to prepare the City for an action on Municipal Consent. In order for Phase I of the project to proceed as planned in 2015, Washington County will have to execute a final design contract with SEH which will require that the City provide Municipal Consent on the preliminary design.

MUNICIPAL CONSENT:

As the County and City have worked together to craft a successful process for the downtown project, one of the necessary steps identified is municipal consent. As the County is providing the necessary up-front financing and leading the construction project, it is necessary for the City to provide Municipal Consent for the project to move forward into Final Design by executing a final design contract with SEH. As this process has unfolded, there has been discussion surrounding the definition of Municipal Consent. In order to provide greater clarity, staff

believes it is important to define the meaning of Municipal Consent, as well as describe the decision making process moving forward.

At a basic level, Municipal Consent is the point at which the City Council acknowledges that the preliminary design process performed is complete and has determined that the project is feasible and should proceed into final design. Municipal Consent is not approval of the final design nor does Municipal Consent order the improvements. The City will be responsible for the city cost share incurred for the preparation of final design plans and specifications but has not yet authorized the project to proceed into construction.

The preliminary design process outlines the fundamental elements of the design including the installation of sanitary sewer and storm sewer, watermain replacement, street width and cross section (i.e. parking or no parking, sidewalk or no sidewalk). In other words, it is not imperative at Municipal Consent to know whether or not the pedestrian facilities will be concrete or bituminous asphalt. However, it is imperative to know whether or not there will be parking on one or both sides of the street, as it determines street width. Therefore, it is important to know what Municipal Consent is, and what it is not. There are still many design details that will be need to be determined within the Final Design process. These details are often determined in working with the property owners. For example, working with property owners on the design of their driveways (and parking areas in the case of Twin Point Tavern or Christ Lutheran Church) is a final design detail. From a staff perspective, it is helpful if the City Council can discuss and give direction on these final design details. However, these decisions do not need to be determined with finality at this time. In other words, Municipal Consent is the stage in the process where the fundamental design choices or elements are determined or anchored. Once Municipal Consent is in place, the County can execute a contract for Final Design, and the project can stay on schedule.

PHASE I PRELIMINARY DESIGN PROPOSED FOR MUNICIPAL CONSENT:

In order to present the Preliminary Design proposed for Municipal Consent, staff has included only the construction work that is proposed for Phase I in 2015. Attachment #4 includes the exhibits for the preliminary design proposed for Municipal Consent. Within Phase I of the project, there are 4 street segments that are proposed for public improvements (sewer, storm sewer, watermain, street, etc.): Upper 33rd Street (from Lake Elmo Ave. to Laverne Ave.), Laverne Avenue south of 36th St., Laverne Ave. north of 36th St. and 36th Street (from Lake Elmo Ave. to Laverne Ave.).

It should be noted that the exhibits for the Phase I work include only the recommended design for the Upper 33rd Street and Laverne Ave. south of 36th Street segments. The reason that no design alternatives are presented for these segments is that City and County staff are confident that these designs are ready to proceed into Final Design. The preliminary designs for these two segments have changed little since the start of the preliminary design process, and no significant opposition has been raised at this time. The Upper 33rd Street segment includes a 10-foot walk directly behind the curb on the north side of the street, allowing for a more substantial pedestrian facility for a planned connection to the core area of downtown. In addition, some on-street

parking will be provided on the north side of Upper 33rd Street. The Laverne Ave. segment south of 36th Street includes a 12-foot bituminous trail on the east side adjacent to Lions Park and a 7-foot sidewalk on the west side. The pedestrian facilities for this segment are planned in such a way to make connection to 36th Street, which is the planned corridor to newly developing areas to the east and southeast of Downtown. On-street parking on Laverne south of 36th Street is limited to the west side in order to reduce impact to Lions Park.

The other two segments in Phase 1 of the project planned for 2015 construction are Laverne Avenue north of 36th Street and 36th Street (from Lake Elmo Ave. to Laverne Ave.). For these two segments, staff has provided two options for each. One option remain the recommended design, and the alternative or 2nd option is based upon feedback and input gathered through the community engagement process.

For Laverne Avenue north of 36th Street, it should be noted that 4 to 5 options were previously presented to the neighborhood and City Council at the recent public meeting and Council Workshop. Based on feedback from that meeting and staff's general recommendation, the Laverne options have been reduced to 2 alternatives. The reason that only two alternatives are included in the packet is that other alternatives looked at no sidewalks and no parking. Based on the City's goal of creating a walkable and thriving downtown, option that had either no sidewalks or no parking were removed in favor of option that more directly address these goals established in the City's Comprehensive Plan. Option #1 for Laverne Avenue north of 36th Street is the recommended design, with parking and sidewalks provided on both sides of the street. Option #2 for Laverne Avenue has sidewalk and parking on the west side of the street only. It should be noted that at the last neighborhood meeting on January 14th, Christ Lutheran Church indicated that both parking and sidewalk would be preferred by the Church on the west side of the street. In addition to the Church, Twin Point Tavern also exists on the west side of the street. From a planning perspective, staff believes that having parking and pedestrian facilities to serve the Church and Tavern is important. In order to achieve a walkable downtown and provide businesses and facilities (both present and future) with enough parking, staff recommend having pedestrian and parking facilities on at least one side of the street. In the judgment of staff, this alternative design is supported by the majority of property owners on Laverne Avenue. Finally, it should be noted that if the City Council wants to consider the other design alternatives that were presented at other meetings (no parking or no sidewalks), we can make these materials available upon request in any format desired.

Regarding the preliminary design for 36th Street, there are also two options presented. Option #1 is the recommended design with parking and sidewalks on both sides of the street. This design is predicated on 36th Street being the primary pedestrian corridor to downtown from the newly developing areas to the east. Option #2 is similar to Option #1, except sidewalk is removed on the north side of 36th Street based upon feedback generated at the neighborhood meeting on January 14th. It should be noted that the Church has not made its preferred design for 36th Street clear at this time. Given the nature of this type of use, from a planning perspective staff would recommend providing parking and pedestrian facilities for this type of land use.

With significant construction and roadway disturbance activity planned in the Downtown area, the City has the opportunity to install a storm water conveyance system to begin a process of mitigating the annual Downtown flooding. It is recommended by staff to construct a storm sewer conveyance system to capture and convey storm water runoff below ground in a piped system. Storm sewer pipe will be constructed along Lake Elmo Avenue, 36 Street, Laverne Avenue and Upper 33rd Street. A storm water pond and infiltration basin will need to be constructed to allow the storm sewer pipe to daylight southeast of the Village. The improvements should be designed and constructed to coordinate with a Village wide regional storm sewer plan.

CRITICAL PATH DECISIONS:

Based upon the recommended action, staff would like to highlight the following critical path decisions necessary for successful Municipal Consent:

- **Laverne Ave. North of 36th Street.** The City council must determine which design option or alternative (Option #1 or Option #2) should proceed into Final Design.
- **36th Street.** Similar to Laverne north of 36th Street, the City Council must select a design option (Option #1 or Option #2) that will proceed to final design.
- **Installation of Sanitary Sewer.** Since the extension of municipal sanitary sewer to the lift station site east of Reid Park, extension of gravity sewer to serve the Village Area has been under active planning. Sewer for this area will relieve outdated and non-compliant septic systems that are common in the Downtown. This fact is one of the reasons that Washington County agreed to move the project up in their capital improvement plan. The recommended improvements include the sanitary sewer trunk mains that will serve Village Area properties north of the railroad tracks. It should be noted that this is only possible as a result of the private extension of trunk gravity sanitary sewer in the eastern portion of the Village. Through utilizing this eastern trunk sewer main, the City was able to take advantage of reduced sewer costs. With regards to Municipal Consent, the City Council needs to confirm that the project must include the installation of sanitary sewer needed to serve the downtown.
- **Watermain Replacement.** Staff is recommending that old watermain dating back to the 1960s in the Village Area be replaced when the streets are under construction for the installation of sanitary sewer and other improvements. Staff is recommending that the watermain pipe be oversized consistent with recent value engineering studies that will eliminate the need for a water tower to be constructed in the Village area. The City Council must determine whether to proceed with the watermain replacement.
- **Regional Storm Water System.** The City Council must determine if the regional storm water system as proposed should proceed into final design. Improvements that relate to Phase I of the project include storm sewer and a downstream infiltration basin. The City is currently in active negotiations with the landowner for the site of the infiltration basin. This regional basin is needed as an outlet for the significant amount of water that travels through the Village Area. In addition, it is the goal of the project to reduce the volume of water that eventually travels to Downs Lake, an impaired water body.

- **Downtown Municipal Parking Lot.** As of now, the municipal parking lot is not planned to be included in the 2015 or 2016 improvements. It is shown for illustrative purposes, and could be added to either phase of the project. Alternatively, it could not be included as part of the Downtown Street and Utility Project and be addressed at a later date. It should be noted that the municipal parking lot was added as a means to increase the amount of parking available for downtown businesses. Some discussion of the proposed parking lot would be beneficial in terms of providing broader direction.

PROCESS/TIMING

From a process and timing standpoint, staff wanted to discuss the importance of moving forward with a project in 2015. From staff's perspective, there is a number of critical reasons why it is important to proceed with Phase I of the project in 2015.

- 1) First and foremost, Washington County has offered to lead and finance the total project if the project is able to remain on schedule. The County moved the project up to 2015 in their capital improvement plan. They have expended a significant amount of resources on staff and consultants to move the project forward as planned. They have been a dedicated and truly collaborative partner in planning and designing these improvements for Downtown Lake Elmo.
- 2) The City and County have led a robust and lengthy community engagement process for the proposed public improvements. When proceeding through an extensive and lengthy engagement process, it is important to move the project forward to take advantage of the engagement process completed. Delay in the proposed project will likely result in additional resources being expended on planning and engagement efforts on the part of the City.
- 3) The timing the regional storm water improvements are well-synced with private development efforts in the near-by vicinity. The fact that the timing of these two efforts, public and private, has allowed the City to arrive at a regional storm water solution. In addition, if the construction proceeds on a parallel schedule, the needed improvements to create a successful outlet for storm water will be more manageable and well-synced.
- 4) The City has communicated to individual property owners that sanitary sewer will be installed on 2015. The timing of this improvement is critical for some property owners who are currently on non-compliant or failing septic systems. In addition, having certainty in the timing of the improvements is important for property owners to plan their own private connections and service lines.

These time-sensitive factors are offered to the City Council for consideration. It should be noted that detailed planning for this project is entering its 13th month and has included large coordination between the City, Washington County, Valley Branch Watershed District, and many private landowners. Should the City Council approve municipal consent for both Phase I and Phase II of the Downtown Street and Utility Project, a formal cooperative agreement between the City and the County will need to be completed, finalizing the costs related to final design and construction. According to the proposed schedule, this would likely occur in April following approval of municipal consent for Phase II.

RECOMMENDATION:

Staff recommends that the City Council approve Municipal Consent for Phase I of the Downtown Street and Utility Project through the following motion:

“Move to recommend approval of Resolution 2015-08, approving Municipal Consent for Phase I of the Downtown Street and Utility Project.”

ATTACHMENTS:

1. Resolution 2015-08
2. Project Map
3. Project Schedule
4. Phase I (2015) Preliminary Design Exhibits
5. Alternative Design Impacts Matrix

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

RESOLUTION NO. 2015 – 08

**A RESOLUTION APPROVING MUNICIPAL CONSENT FOR PHASE I OF THE DOWNTOWN
STREET AND UTILITY PROJECT**

WHEREAS, a County Recommended CSAH 17 (Lake Elmo Avenue) Phase 1 Project, dated January 29, 2015, showing a proposed typical section for Upper 33rd Street, 36th Street, and Laverne Avenue as well as regional drainage pond improvements within the limits of the City of Lake Elmo as a State Aid Project has been prepared and presented to the City; and

WHEREAS, the City, in coordination with Washington County and Valley Branch Watershed District, has engaged in a preliminary design process that started in January of 2014; and

WHEREAS, the City and County have engaged in a significant community engagement process as part of the preliminary design effort intended to gather and consider public feedback for the proposed project; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo that said County Recommended CSAH 17 (Lake Elmo Avenue) Phase 1 Project be in all things approved; and

NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Lake Elmo that the City of Lake Elmo supports the County continuing with the development of final plans necessary for the construction of the project.

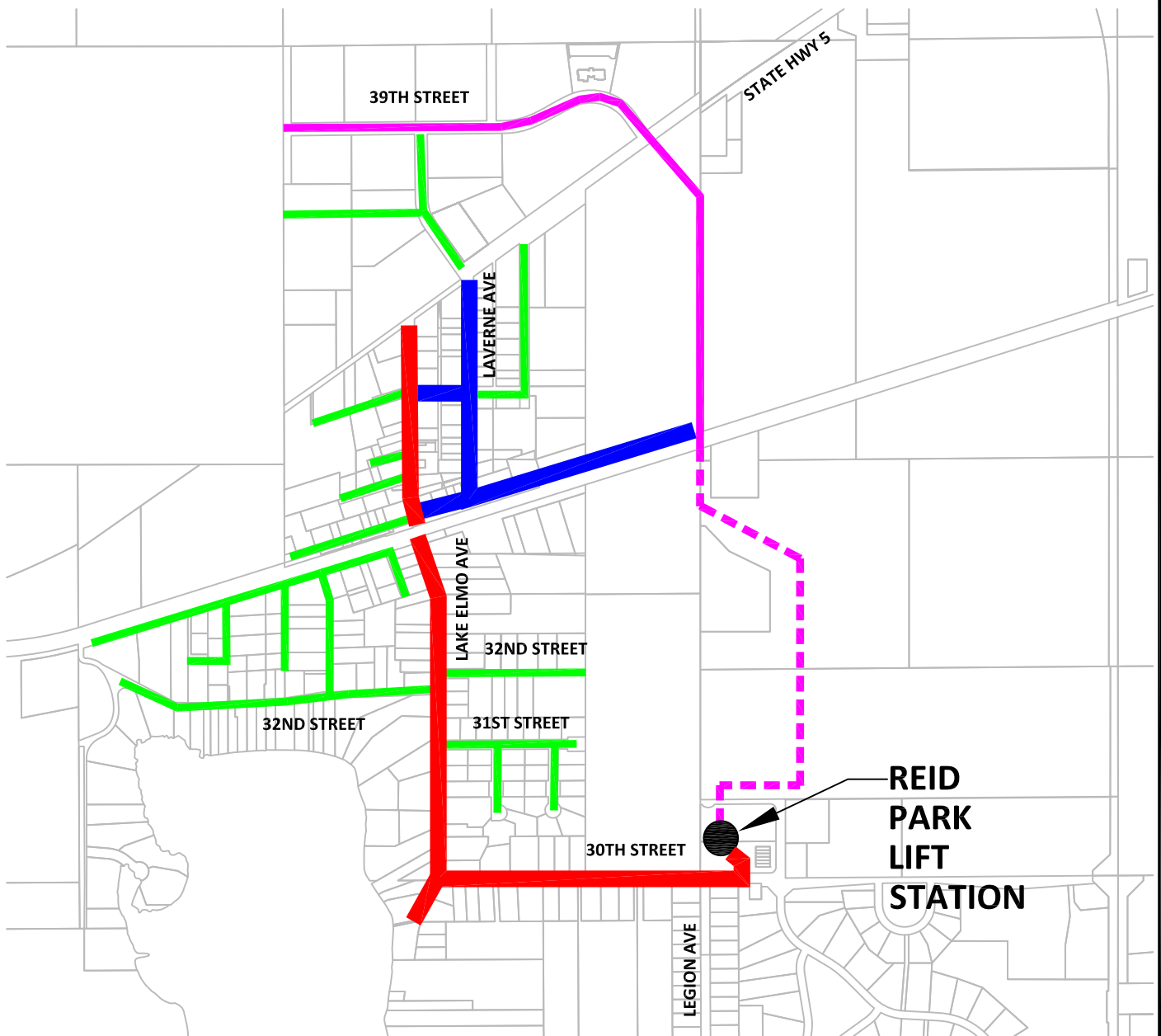
This Resolution shall become effective immediately upon its passage and without publication.

ADOPTED THIS FIFTH DAY OF FEBRUARY, 2015

Mike Pearson, Mayor

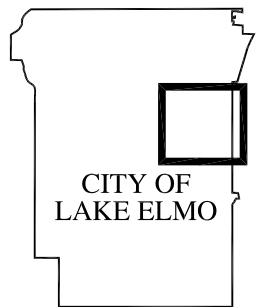
Attest:

Adam Bell, City Clerk



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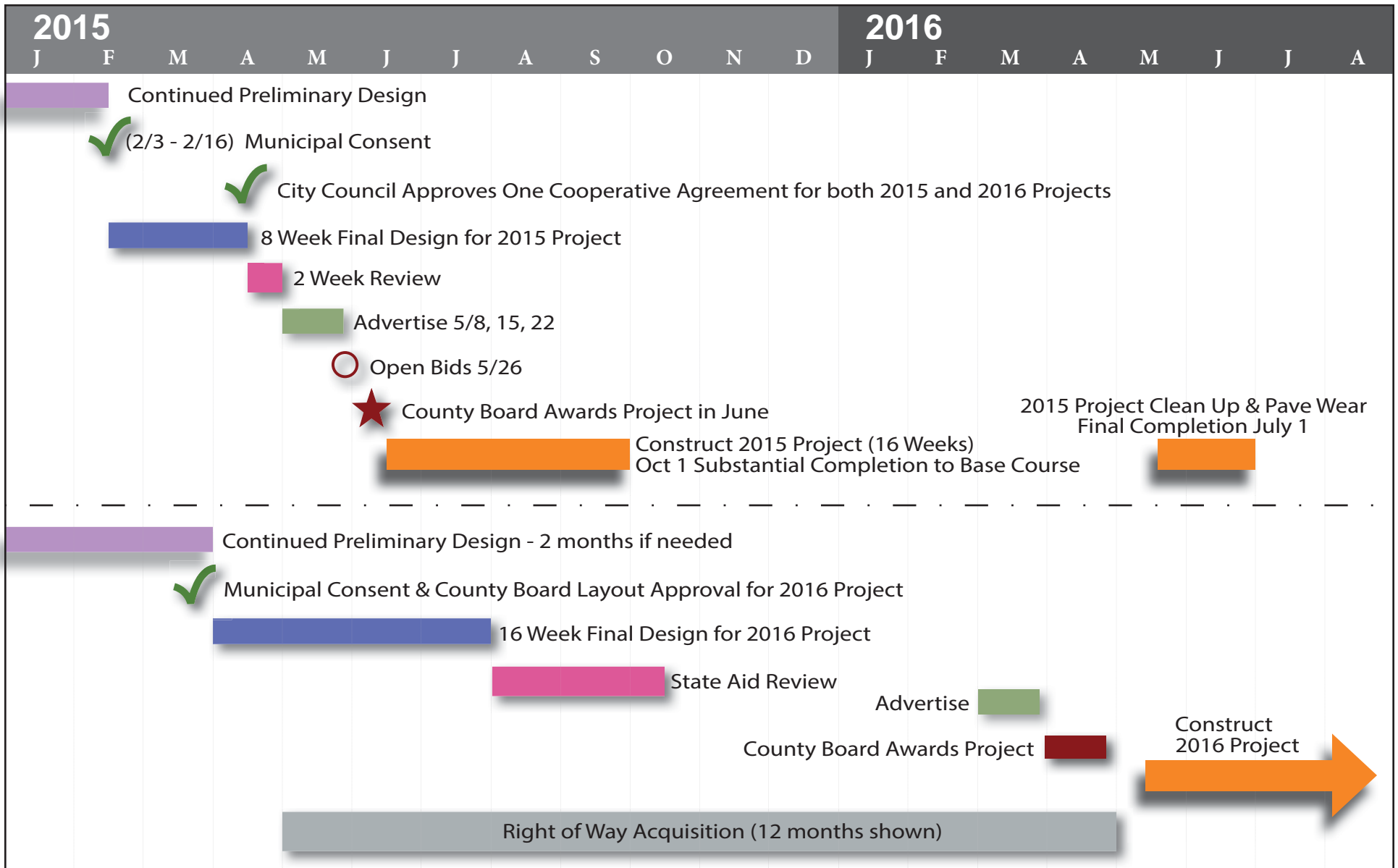
- 2014 CONSTRUCTION: 39TH STREET IMPROVEMENTS (CITY PROJECT)
- - - - 2015 CONSTRUCTION: VILLAGE EAST SEWER IMPROVEMENTS (PRIVATE PROJECT)
- 2015 CONSTRUCTION: VILLAGE STREET, SANITARY SEWER, AND WATERMAIN IMPROVEMENTS
- 2016 CONSTRUCTION: VILLAGE STREET, SANITARY SEWER, AND WATERMAIN IMPROVEMENTS
- FUTURE: TENTATIVE 2017-2019 CONSTRUCTION: VILLAGE STREET AND UTILITY IMPROVEMENTS (CITY PROJECTS)



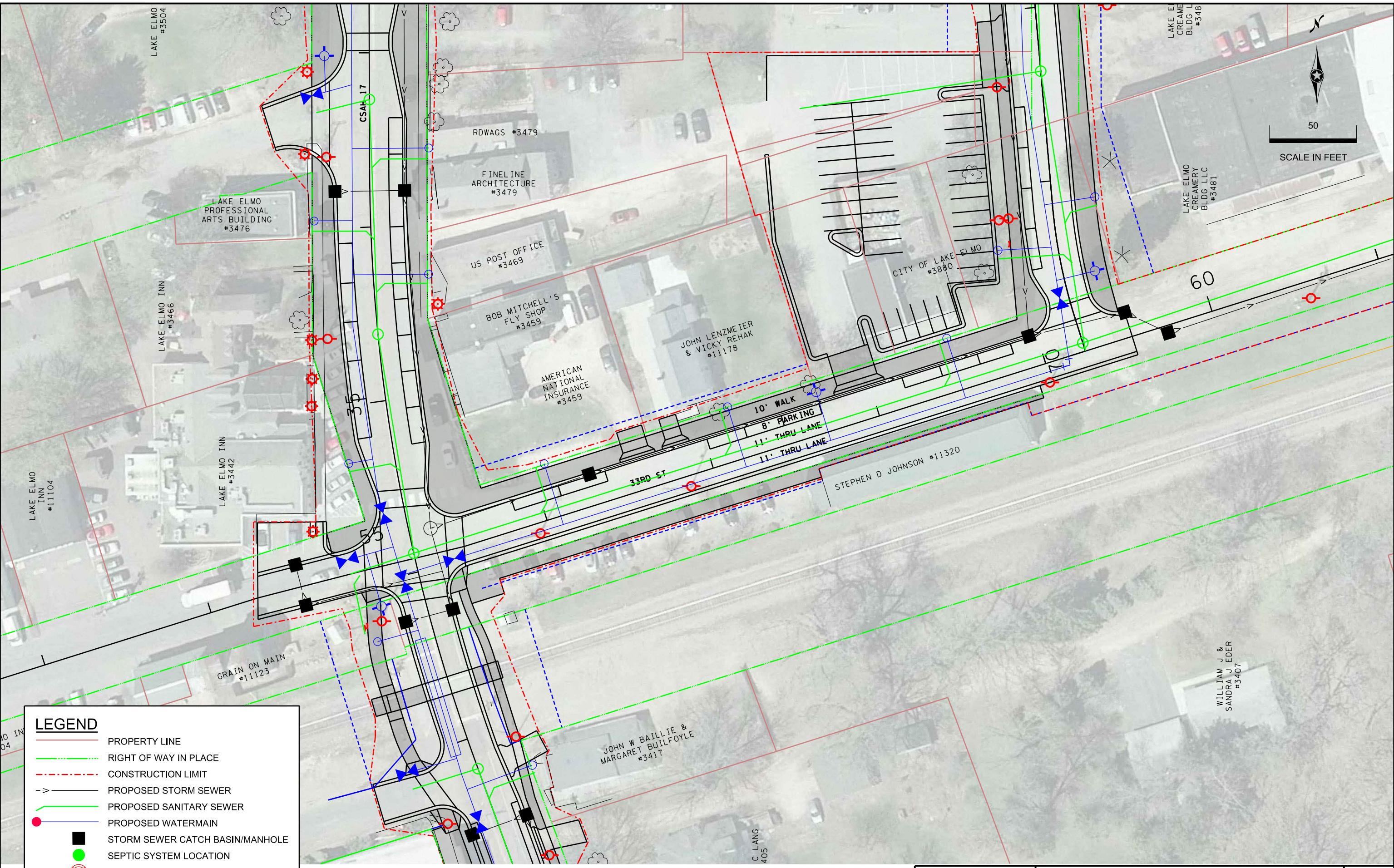
LAKE ELMO AVENUE (CSAH 17)

Corridor Management and Safety Improvement Project

Project Schedule & Key Milestones



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- STORM SEWER CATCH BASIN/MANHOLE
- SEPTIC SYSTEM LOCATION
- ⊗ TREE REMOVAL

SEH
 PHONE: (651)490-2000
 3535 VAONAIS CENTER DR.
 ST. PAUL, MN 55110

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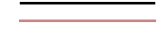








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-  SEPTIC SYSTEM LOCATION
-  TREE REMOVAL



PHONE: (651)490-2000
3535 VADNAIS CENTER DR.
ST. PAUL, MN 55110

LAKE ELMO, OLD VILLAGE 2015
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
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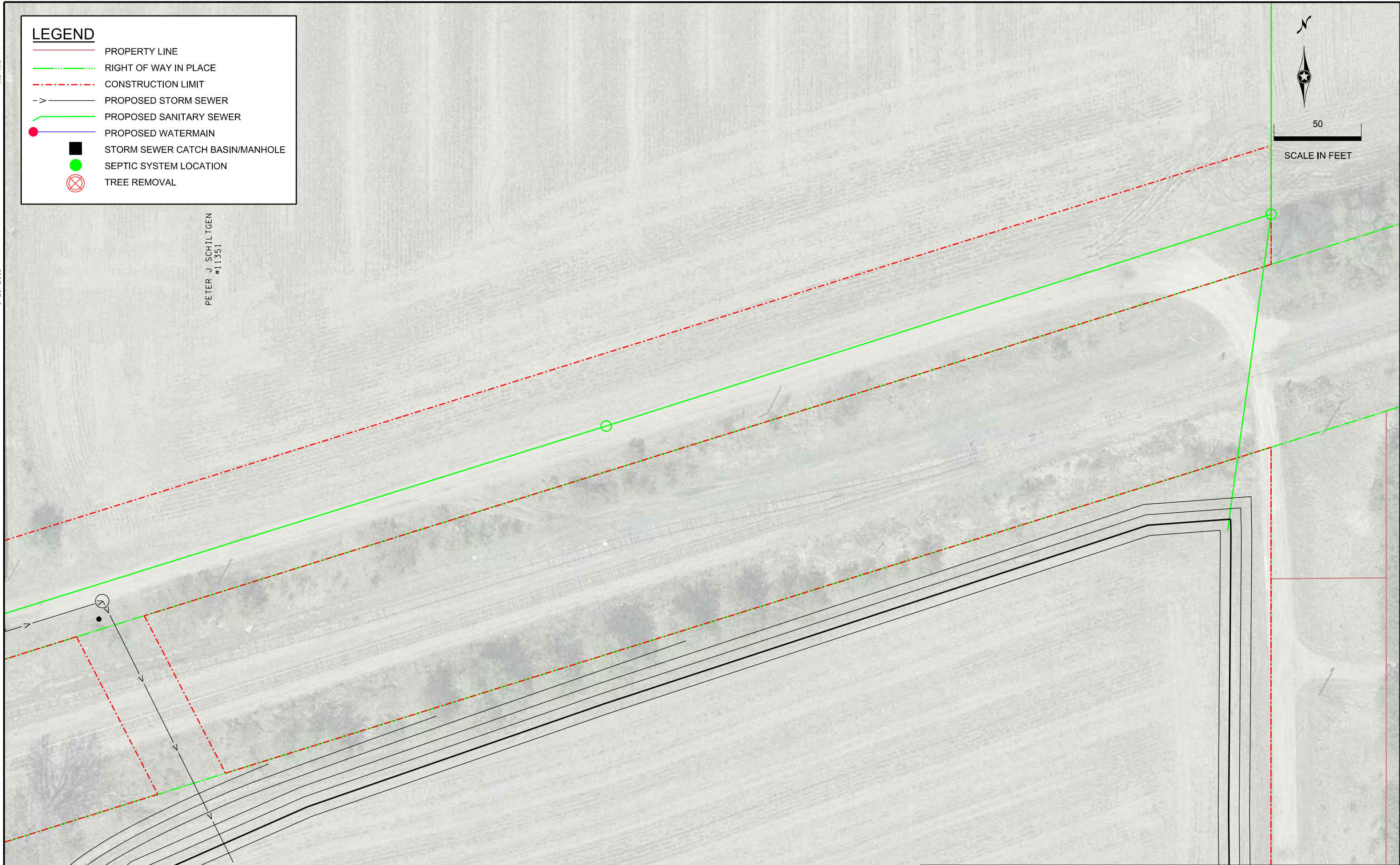
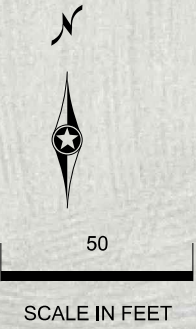
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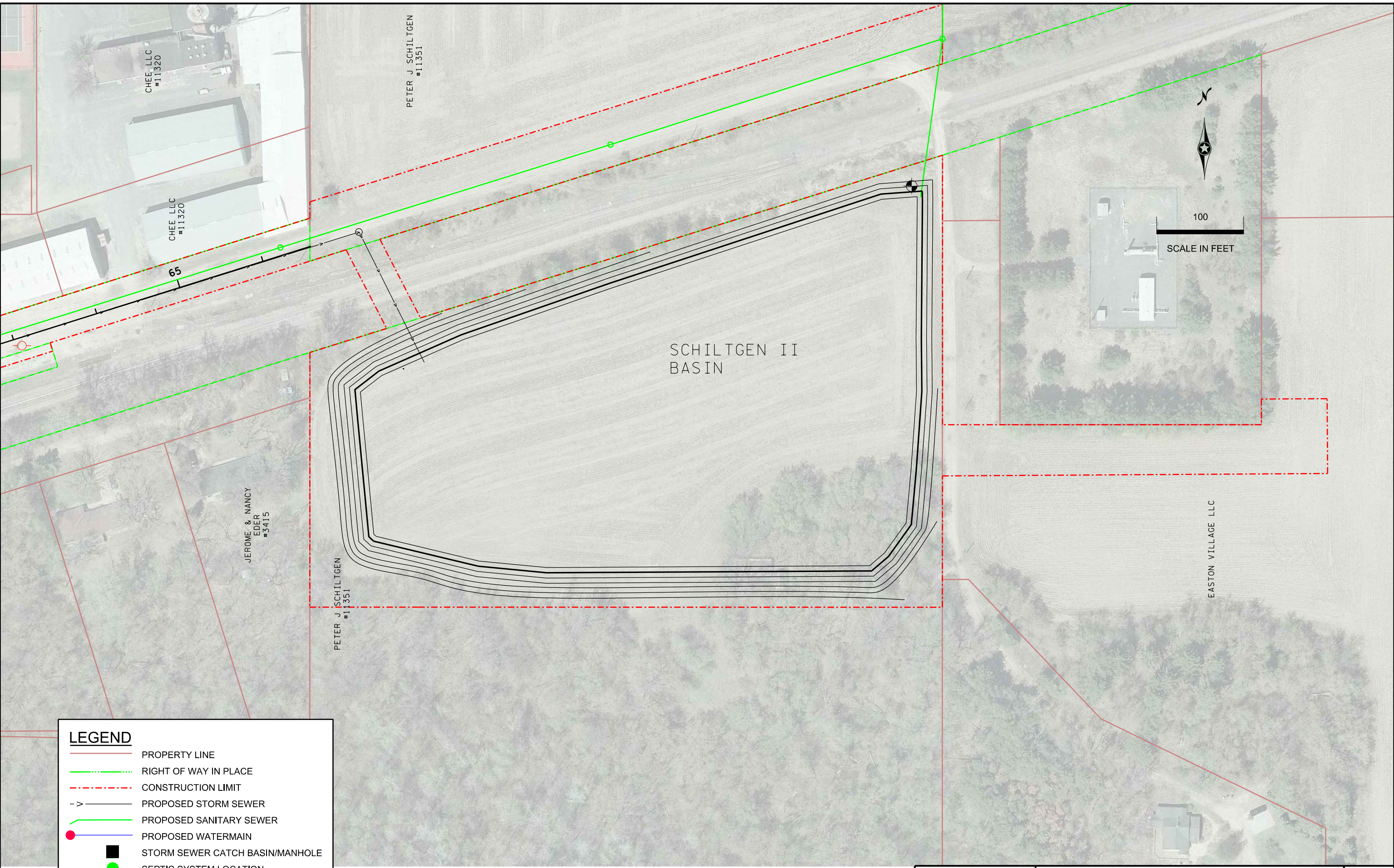
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PETER J SCHILTGEN
#11351





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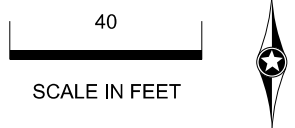
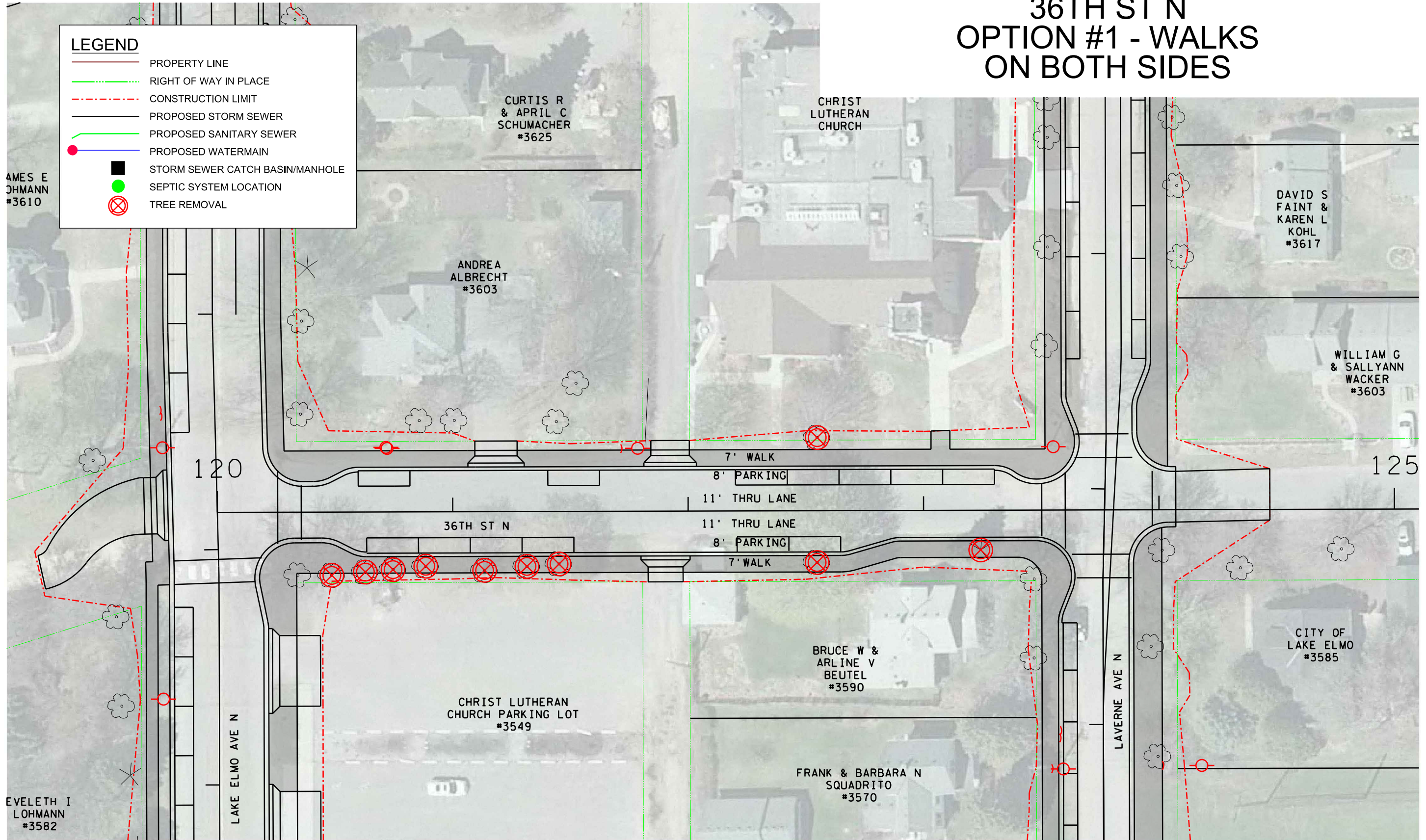
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36TH ST N OPTION #1 - WALKS ON BOTH SIDES

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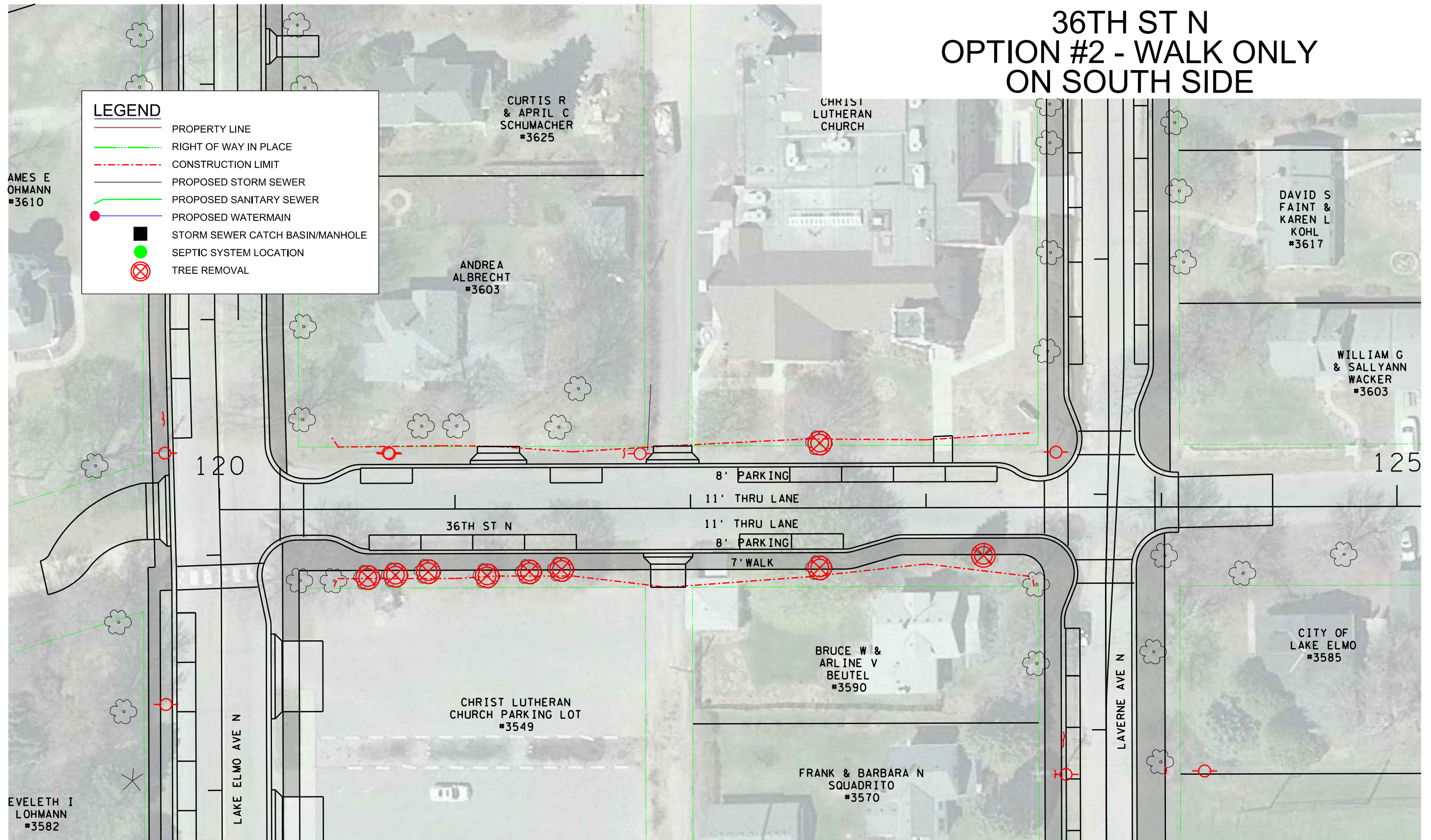
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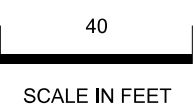
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36TH ST N OPTION #2 - WALK ONLY ON SOUTH SIDE



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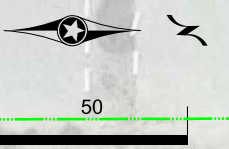
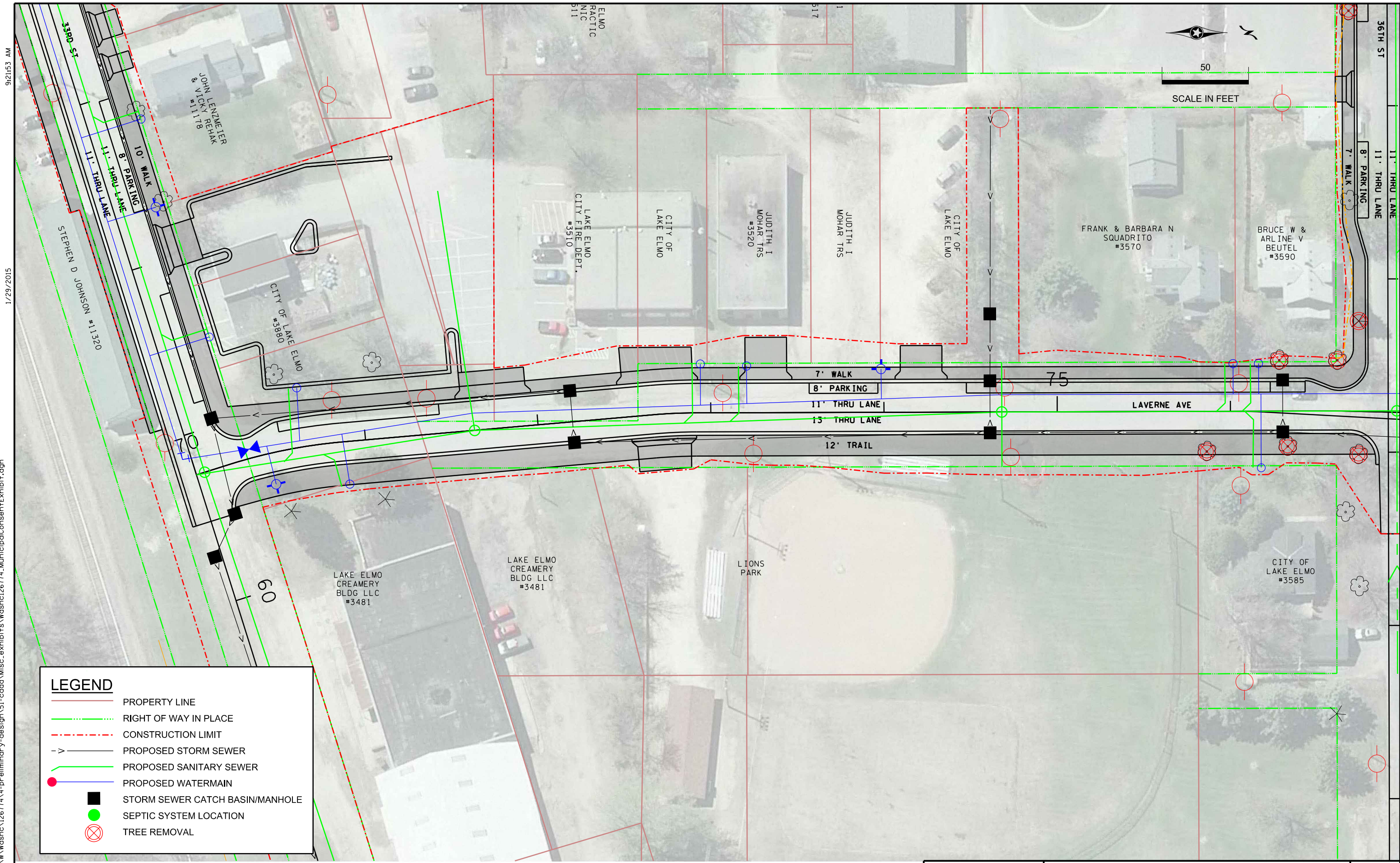
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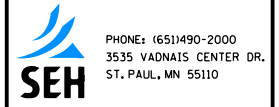
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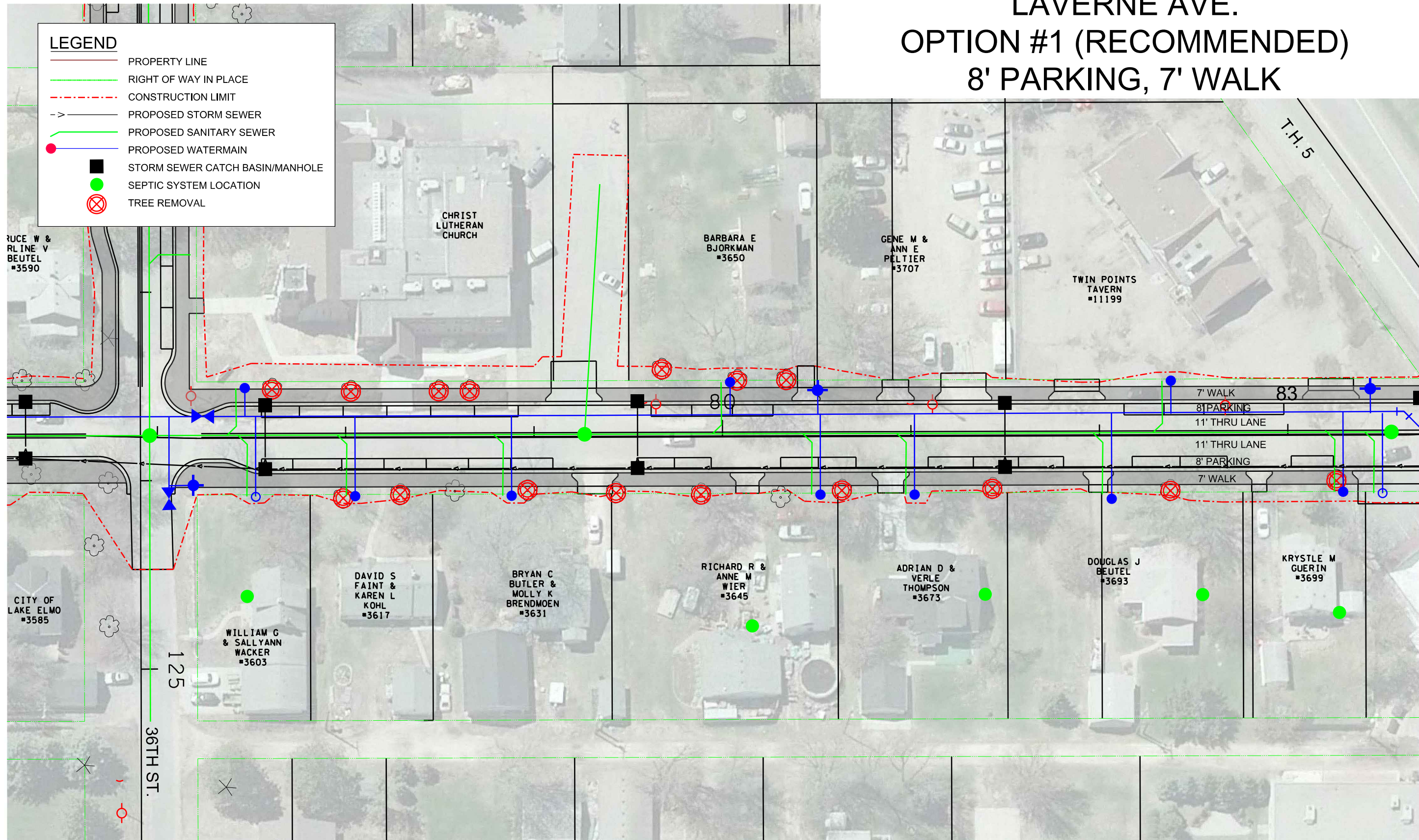
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LAVERNE AVE. OPTION #1 (RECOMMENDED) 8' PARKING, 7' WALK

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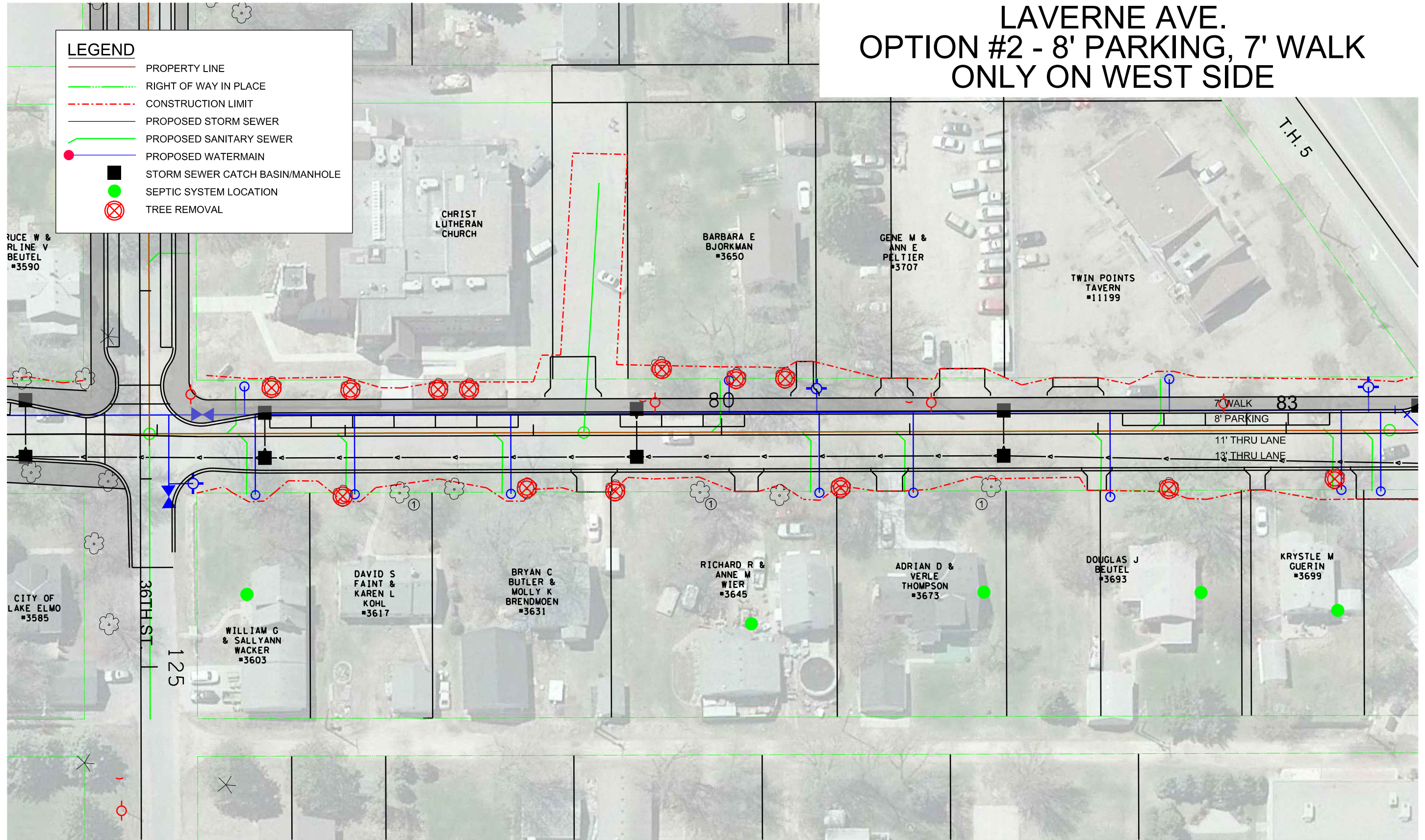
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LAVERNE AVE N
OPTION #1 - 8' PARKING, 7' WALK

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LAVERNE AVE. OPTION #2 - 8' PARKING, 7' WALK ONLY ON WEST SIDE

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- TREE REMOVAL



① TREE SAVED FROM OPTION 1



LAKE ELMO, OLD VILLAGE 2015 CONSTRUCTION
LAVERNE AVE N OPTION #2 - 8' PARKING, 7'
WALK ONLY ON WEST SIDE



LAKE ELMO OLD VILLAGE RECONSTRUCTION
 DESIGN MATRIX
 LAVERNE AVENUE
 36TH St. to TH 5
 2/2/2015

OPTION	TREE REMOVALS				PROPOSED
	ROADWAY	PARKING	UTILITY	TOTAL	PARKING SPACES
8' PARKING, 7' WALK (RECOMMENDED)	8	4	4	16	32
PARKING/WALK ON WEST SIDE	8	1	4	13	14

OPTION	NOTES
8' PARKING, 7' WALK (RECOMMENDED)	7' WALK, 8' PARK, 11' THRU, 11' THRU, 8' PARK, 7' WALK
PARKING/WALK ON WEST SIDE	7' WALK, 8' PARK, 11' THRU, 11' THRU



LAKE ELMO OLD VILLAGE RECONSTRUCTION
 DESIGN MATRIX
 36TH St. N
 LAKE ELMO AVE TO LAVERNE AVE.
 1/22/2015

OPTION	TREE REMOVALS				PROPOSED
	ROADWAY	PARKING	UTILITY	TOTAL	PARKING SPACES
OPTION #1 - 2 SIDEWALKS	10			10	13
OPTION #2 - SOUTH SIDEWALK ONLY	9			9	13

OPTION	NOTES
OPTION #1 - 2 SIDEWALKS	7' WALK, 8' PARK, 11' THRU, 11' THRU, 8' PARK, 7' WALK
OPTION #2 - SOUTH SIDEWALK ONLY	8' PARK, 11' THRU, 11' THRU, 8' PARK, 7' WALK