

<b>Mayor:</b> Dean Johnston <b>Council members:</b> Rita Conlin Steve DeLapp Liz Johnson Anne Smith	<b>Lake Elmo City Council</b> <b>Tuesday</b> <b>May 17, 2005</b>	3800 Laverne Avenue No. Lake Elmo, MN 55042 777-5510 777-9615 (fax)
---	--	---

**Please read:**

Since the City Council does not have time to discuss every point presented, it may appear that decisions are preconceived. However, staff provides background information to the City Council on each agenda item in advance; and decisions are based on this information and experience. In addition, some items may have been discussed at previous council meetings.

If you are aware of information that has not been discussed, please fill out a "Request to Appear Before the City Council" form; or, if you came late, raise your hand to be recognized. Comments that are pertinent are appreciated. Items may be continued to a future meeting if additional time is needed before a decision can be made.

**\*\*\*6:30 p.m. - Interview Planning Commission Applicant\*\*\***

**Agenda**

**City Council Meeting Convenes 7:00 PM**

**Pledge of Allegiance**

<b>1. Agenda</b>		
<b>2. Minutes:</b>	April 16, April 20, April 23, April 30, May 2, May 7, May 10 Council Comp Plan Minutes  April 28, 2005 – Lakewood Evangelical Free Church May 3, 2005	
<b>3. <u>PUBLIC INQUIRIES/INFORMATIONAL:</u></b> A.	<b>Public Inquiries/Informational</b> is an opportunity for citizens to bring the Council's attention any items not currently on the agenda. In addressing the Council, please state your name and address for the record, and a brief summary of the specific item being addressed to the Council. To allow adequate time for each person wishing to address the Council, we ask that individuals limit their comments to three (3) minutes. Written documents may be distributed to the Council prior to the meeting or as bench copies, to allow a more timely presentation.	
<b>4. <u>CONSENT AGENDA</u></b> A. Resolution No. 2005-046: Approving Claims	Those items listed under the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion under a Consent Calendar format. There will be no separate discussion of these items unless a Council member so requests, in which event, the item will be removed from the general order of business and considered separately in its normal sequence on the agenda.	
<b>5. <u>FINANCE</u></b> A. Monthly Operating Report	Tom Bouthilet	
<b>6. <u>NEW BUSINESS</u></b> A. Planning Commission Appointment		

<p><b>7. <u>MAINTENANCE/PARK/FIRE/BUILDING:</u></b></p> <p>A. (1) Update on Building Department Activities: Jim McNamara</p> <p>(2) Building Codes: Fire Protection: Ordinance No. 97-157</p> <p>B. Update on Parks Dept.</p> <p>(1) MnReLeaf Grant from the MN Dept. of Natural Resources: Kathy Widin</p> <p>(2) Arbor Day Celebration: Mike Bouthilet and Kathy Widin - Verbal</p> <p>(3) Seasonal Help</p>		
<p><b>8. <u>CITY ENGINEER'S REPORT:</u></b></p> <p>A. Request by Prairie Ridge Development to Extend Municipal Water Services: Resolution No. 2005-051</p> <p>B. Lateral Charges for Phase I Water Interconnection; Water Project Notification Letter</p>	<p>Tom Prew <i>Remove</i></p> <p><u><i>TABLED</i></u></p>	
<p><b>9. <u>PLANNING, LAND USE &amp; ZONING:</u></b></p> <p>A. Discover Crossing OP Concept Plan: Resolution No. 2005-047 ✓</p> <p>B. CDBG - Amended Contract for Cimarron Gas Service Project: Resolution No. 2005-049 ✓</p> <p>C. Site Plan Amendment: 11051 Stillwater Boulevard.: Resolution No. 2005-048</p> <p>D. Central Water and Sewer Service in OP Developments</p> <p>E. Dupuis/Engstrom Minor Subdivision - Amended - Resolution No. 2005-050</p>	<p>C. Dillerud</p> <p><i>F. HOUSING DESIGN</i></p>	
<p><b>10. <u>CITY ATTORNEY'S REPORT:</u></b></p> <p>A. 55<sup>th</sup> Street Vacation</p>		
<p><b>11. <u>CITY ADMINISTRATOR'S REPORT:</u></b></p> <p><i>Rel. Facility with OARPALE</i></p>		
<p><b>12. <u>CITY COUNCIL REPORTS:</u></b></p> <p>A. Mayor Johnston:</p> <p>B. Council Member Conlin</p> <p>C. Council Member DeLapp</p> <p>D. Council Member Johnson</p> <p>E. Council Member Smith</p>		
	<p>CLEAN UP DAY: <u>May 21<sup>st</sup>, 8-Noon</u></p>	

**City of Lake Elmo  
City Special Council Meeting  
Minutes of April 16, 2005**

Mayor Johnston called to order the Special meeting of the Lake Elmo City Council at 8:02 a.m.  
COUNCILMEMBERS PRESENT: Johnson, DeLapp, Conlin (8:07 a.m.), and Smith (10:14 a.m.).  
STAFF PRESENT: Planner Dillerud, Administrator Rafferty, Finance Director Bouthilet, and Recording Secretary Schaffel.

The Planner distributed updated drafts of the City-wide Planning Policy and Land Use Plan and a Draft Future Land Use Map as recommended by the Planning Commission. The Mayor and Council also distributed handouts regarding their person visions of Plan content/structure.

#### **Agenda**

Mayor Johnston explained guidelines for the Comprehensive Planning process. He said the Planning Commission worked on this plan for two months, the Council will now give their input, and Staff will then be given an opportunity to provide input.

**M/S/P, Johnson/DeLapp, to accept the Agenda as presented. VOTE: 3:0.**

The Planner explained the latest history of the Comprehensive Planning process. He gave an overview of the most recent changes. He reported that Motions and directions by the Planning Commission were incorporated in the drafts before the Council with the exception of a few that were inadvertently omitted from the drafts.

#### **City-wide Planning Policy**

The Planner said there has been very little change in the City-wide Planning Policy since its first incarnation before the Planning Commission and City Council. He noted that previously-listed Land Use Classifications were removed from this version of the document because they are already included in the Land Use Plan text.

The Planner said these Land Use and Policy drafts reflect the relationship to the Regional Development Framework. References in a portion of the Land Use Plan specifically explain the planning origins of the Comprehensive Plan. The Old Village Land Use Plan remains the same without changes.

The Planner explained that the Regional Development Framework forecasts dwelling units and population for every community in the metropolitan area. That document indicates those levels dropping from 2.92 persons per dwelling units in 2000 to 2.53 in 2030. He reported that the Planning Commission recommendation is to substitute a 2.75 persons-per-dwelling unit ratio for Plan calculations based on the types of dwelling units the Land Use Plan now suggests. He also noted that, to attain the 3,700 unit residential development scale south of 10<sup>th</sup> Street and maintain the target 2030 population, the Planning Commission recommends increasing RAD density to 18 units per 40 acres; increasing the Old Village Plan scale from 440 to 590; and adding about 240 acres of RAD2 at 1 unit per acre.

The Planner reported, that the Land Use Map Draft has changed considerably as a result of the Planning Commission recommendation. The areas bounding Stonegate and The Forest are now UT areas. The green corridor has been eliminated from the map however, green space will still be picked up as we develop, at least to be consistent with the Trail System Plan. Only four areas of the Land Use Map now correspond to the RAD2 classification, and existing old platted areas will be covered by NC. Mathematically the change amounts to 3,700 new units south of 10<sup>th</sup> Street; 150 units will be RAD2, 150 new units will be added to the Old Village Plan under specific incentive conditions, and 150 additional units will go into RAD.

The Planner reported that staging was recommended by the Planning Commission as Back Loading. The

Planner explained that major trunk infrastructure investments (primarily water) must be made by the City south of 10<sup>th</sup> Street to support any development, and some type of front loading of development appears necessary to prudently finance that infrastructure. Staff believes that a Front Load version of the staging approach will be the best way to accommodate the new infrastructure costs.

Mayor Johnston offered a framework for Council vision statements and presentations. He stated that each councilmember's outline for their vision presentation would be attached to the minutes of the meeting..

**Councilmember DeLapp** said most existing residents want as little change to the City as possible. He presented his ideas for policies. He said he has always been against doubling densities from one large neighborhood compared to the next door neighborhood. He presented an argument for increasing persons per dwelling unit. He recommended the City create or get involved in some social programs to help seniors remain in their homes. He said he is confident that his suggestions are in compliance with the MOU, and will impact our residents as minimally as possible, and that existing residents will be compensated and protected to the extent they can possibly be.

Councilmember DeLapp said his plan would allow 100 new units growth per year plus the Old Village and Cimarron. Senior Housing would be through input from residents.

The Planner said his first reaction Councilmember DeLapp's Staging Plan is that it is almost the same as that of the Planning Commission recommendation.

Councilmember DeLapp said his plan for development would be for rapid growth to appear post 2020. He supports the work done by the Commission on the land use map because it demonstrates it can be done with as little impact to existing residents as possible in the area south of 10<sup>th</sup> Street. It would make sense to allow some higher density in a couple of areas in the City north of 10<sup>th</sup> Street and close to where the regional sewer is already scheduled.

**Councilmember Johnson** said citizens have clearly expressed the desire to maintain the rural character while protecting all existing residents and neighborhoods. She also said she heard that the area adjacent to I-94 should be an employment area. She stated that there is also a need for senior/life-cycle housing. She said residents have expressed the need to bring parents nearer to us as we care for them; and, that there is also a need for volunteers (such as fire fighters) to have middle income housing. She said there should be no sewer extended to existing homes unless needed or wanted by the existing residents. She said she would like to see a well defined downtown. She said she would like to be sure the Plan is implemented in such a manner as to ensure that the City is being fiscally responsible while meeting infrastructure needs. She broached the possibility of incentives for senior/disability/middle income housing. She raised concerns for the costs for staffing, infrastructure, emergency services, traffic safety, parks, sewer, and water will have a significant impact. She said she would like to identify a Staging Plan that will be fiscally responsible. She said we must also honor the agreement with the Met Council.

Mayor Johnston asked how we would do the financial research.

The Mayor called for a recess from 9:29 to 9:39 a.m.

**Councilmember Conlin** offered her vision. She said she would like to look closer at the Front Load recommendation from staff because she would not want to be in a position of a financial crunch. She would like to know where PF-type uses such as public works and a city hall should be located.

Councilmember Johnson said she agreed we should look at planning for PF-type uses.

Councilmember Conlin said she is extremely satisfied with the excellent work done by the Planning Commission.

**Mayor Johnston** said the Council wants to preserve the rural character of the city in the long term. He said that one risk of concern is that Metropolitan Council members come and go at the pleasure of the sitting governor. A future Metropolitan Council could be better or worse as to relations and expectations for cities. He said there should be no new taxes and no imposed services. Existing residents should not be made to pay assessments or additional taxes for the imposition of this development. He presented five questions that he said he believes will drive the remainder of their process. He asked which of those Staging Plans is least likely to impact on taxes. He would like answer to that question.

The Mayor said he disagreed with how the Planning Commission dealt with housing units and he believes it should be looked at as people instead of housing, and how many people should live below 10<sup>th</sup> Street. He said it is a disservice to those south of 10<sup>th</sup> residents if more than 40% of the population is south of 10<sup>th</sup> Street. He said it is a question of fairness for that area to be at the upper limit of 40% of population or 9,600 units. He said this question drives everything else.

Mayor Johnston asked how much buffering to existing neighborhoods south of 10<sup>th</sup> is appropriate. He said 400 to 500 feet between residents is excessive. He said our OP Ordinance specifies only 200 feet of buffering between subdivisions of different densities.

The Mayor asked what the shape should be of the non-residential area. He said it should be in the best interest of city residents. He said the best use of the commercial area below 10<sup>th</sup> Street is employment that meets requirements of qualifications of residents. The non-residential strip along I-94 results in a lot of small parcels. That could be problematic for a large company that might want to move to Lake Elmo. He said that a high technology employer needs more acreage in a single parcel. If we worked with Woodbury, the state could help us in that effort.

The Mayor's next question was how much senior housing along I-94 is appropriate. He postulated density incentives for senior housing, and he suggested that it helps to balance the population and minimized impacts in the area below 10<sup>th</sup> Street.

Mayor Johnston said rural character needs to be preserved long term. He said that he would like to see the establishment of a senior community and the creation of middle income housing. No excessive population should be in any one area, and the City should implement the Old Village Plan first. We should consider a family center in the Old Village and housing for the disabled; and creating employment for residents. He said he would also favor creation of a municipal park on Lake Elmo Avenue adjacent to the lake. He observed that Torre Pines and other neighborhoods need as much protection as the south of 10<sup>th</sup> Street neighborhoods. He said that data suggest that 25% of the City's population will be senior in 2030, and housing stock could be built to 30% senior, and not be excessive. Staging should be done in a cost-effective manner without imposing fees on existing residents.

Mayor Johnston said that if the Comprehensive Plan vision adopted today can be blocked in the future by the votes of two council members – as would be the case if specific Plan amendments were required as regional sewer becomes available, that would be a disservice. He also said that staging for employment may require 25 years of planning.

Councilmember Conlin asked about the population percentages north and south of 10<sup>th</sup> Street on the Mayor's chart.

The Mayor said it is unfair to have 60% of the population on 15% of the land as would be the case with the Planning Commission recommended Plan. He said that if the City is thinking of protecting rural character in the long term, then we would be creating a potential problem with that kind of imbalance.

Councilmember Smith asked how many total available acres there are north and south of 10<sup>th</sup> Street. The Planner said there are 3,325 north and 1,000 acres south, not including the Old Village Plan area.

Councilmember DeLapp said he thought it was said that the Metropolitan Council can change the MOU. He asked why we would think there will be even greater demands that could be made in the future.

Mayor Johnston said if we have not achieved our development plan by 2030, the Metropolitan Council has the opportunity to ask for new development. If we build out the City at a reasonable pace, the Metropolitan Council will find us less attractive for future land use assignments with development already in place.

Councilmember DeLapp said we could do a new Comprehensive Plan for 2020 and an update in 2010. We will know how many people are living here at those points in time.

Mayor Johnston said we would need a five year plan for senior housing, and a care facility with assisted living will take about five years to develop. That could take up one-half the land south of 10<sup>th</sup> Street, but also requires half the time to get to 2030. We want quality development and the time to implement it. If we begin now and do it in chunks of 25% we will end up with quality. He said he does not disagree about wanting to wait until later years for development but development done in an orderly fashion gives the quality we desire.

The Mayor said he was thinking about a minimum care facility, independent living, and an active senior facility. He said we are a national leader of OP development, and we could be for senior development. We could well use all 1,000 acres on senior housing, but he would more strongly support 500 acres for senior living.

Councilmember Conlin said baby boom people are getting up in years, and want to be closer to their children, but can't afford to live in Lake Elmo. She said she would like to know how we address wanting such a large percentage of senior housing. The Mayor explained that a proportional percentage of the population would be 25% anyway which is more than 500 acres. He said that would just be providing for our fair share of senior population.

Councilmember DeLapp asked what the population percentage is now for seniors in Lake Elmo. He said the county allows a mother-in-law apartment if a lot is 2.5 to 10 acres. He suggested that might be a better idea if we allowed such a thing, because seniors are not going to move to the highway area.

Mayor Johnston said he would like to see half the land for those two facilities meeting needs of people who live here right now. Every day people are leaving Lake Elmo because they cannot find housing to suit their needs.

Councilmember DeLapp said 50 people want senior housing in the Old Village but that is not enough of a reason to build this much senior housing south of 10<sup>th</sup> Street.

Mayor Johnston said that seniors are desirable neighbors. He said they have the lowest impact on traffic and other concerns with their largest impact being in transportation needs and emergency services.

The Planner said that in the 2000 Census, 17% of our residents were over 55.

Councilmember Conlin stated that when the senior 'bubble' dies off there could be a glut of this housing just like when schools get built then are closed. She asked if senior housing is a viable use in the long term, or will it have to be converted in the future.

Councilmember DeLapp said we have to look at the median house value in the City. He said we have to assume proportional population for taxes as well. Would such development drive median taxes, then the tax rate has to go up.

Mayor Johnston said the assumption is housing is less valuable or below median price. Senior housing is

typically above the median price.

**Councilmember Smith** said that she ran numbers and remembered promises made to residents during her campaign. She would like senior housing but she is not sure how much. She is interested in protecting residents south of 10<sup>th</sup> Street and buffering them. She would like to band together with like-minded cities to tone down the authority of the Metropolitan Council. She said she looked at the Open Space Preservation options, the Old Village, and south of 10<sup>th</sup> Street. If we change Old Village Plan to bring that number to 600, it could be viable for downtown. We could make some housing affordable for teachers and firemen. South of 10<sup>th</sup> Street 3,500 units could be added while protecting Stonegate, The Forest, and Midland Meadows buffered with 1.5 or 2 acre lots. Her numbers come up with a population of 24,000. She said that we do not know where we will be at 2030 with persons per dwelling units and other forecasts of the Metropolitan Council. She would honor the commitment to keeping the northern part of the city rural in appearance. She would still like to work with other communities as far as the legislature is concerned. She would like the City Planner to argue 2.91 persons per dwelling unit.

Mayor Johnston asked what Councilmember Smith's population would be below 10<sup>th</sup> Street. Councilmember Smith said even at 12,000 people, she thinks those residents will like the appearance of rural character north of 10<sup>th</sup> Street.

Councilmember Smith said she based it on number of 2.91 we have had for several years.

Councilmember DeLapp said the only issue he has with the Smith plan is we could end up at 32,000 instead of 24,000 in population.

The Planner said if the Council wants to do the plan at 2.91, they have the right and he will do it that way. We are already forecasted at lesser than average.

Councilmember Conlin said if we say 2.91, then what percentage of that is senior housing? What does that do with that ratio?

The Planner said that is a good observation, and he has no exact answer.

Councilmember DeLapp said that once the City does not have any more undeveloped land, it makes little difference. Once fully developed, it does not matter who is on the Metropolitan Council.

Councilmember Smith said that we are going to develop, and if we can, we should go to the legislature to change these numbers. She supports an incremental pace for development.

Councilmember DeLapp said in the plan for 2020, we will have twice as much population.

Mayor Johnston entertained public input.

The Planner said that while there are differences in vision among the Council, the concerns are similar. He asked for specific tasks to help answer their questions.

Administrator Rafferty said staff can be helpful with providing some of the information requested. Staff will provide the financial information for infrastructure. How the City develops in conformance with MOU and Rural Development Framework will be the Council's interpretation and decision. Fine tuning of the ideas like senior or not, green space or not, and how subdivisions will be buffered will be their decision. He said it is critical that we have the financial resources for the necessary infrastructure.

The Mayor recessed for 10 minutes and reconvened at 11:17 a.m.

**Direction**

Administrator Rafferty said there are four documents that are critical pieces where the Planning Commission spent a lot of time. Specific future tasks should be related to those documents to help come to the necessary conclusions. What information does Council need that they currently do not have?

Councilmember Conlin said in addition to the other information, she would also like the Land Use Map designating areas for PF and criteria for it. She said we was not just talking about churches, but also what does the City need to do to accommodate growth such as a maintenance garage, library, schools, churches, etc.

The Planner said the city addressed PF uses, parks, private recreational in terms of standards within the zoning ordinances.

Councilmember Conlin said there remains a question as to how many public use buildings are needed, and where it would be appropriate to locate those sites in the City.

Councilmember Johnson said she would like staff input on staging for financial/infrastructure. She would like to see what the City needs in terms of funds if we were to implement any one of these four staging plans.

Councilmember DeLapp asked what kinds of impact the Council is talking about for this development to grow to 24,000 people in terms of roads, water, services, etc.

Mayor Johnston said that if the City is developed properly, it won't cost existing residents. One way he would not want to see is to put in a water system and build 50 units per year resulting in general tax revenue having to pay the bill for that infrastructure since not enough trunk connection revenue would be generated.

Councilmember DeLapp said that no development until 2020 would tighten up that need below 10<sup>th</sup> Street.

Mayor Johnston said he believes the best way is straight line development.

**M/S/P, DeLapp/Conlin, to pick a number between 2.91 to 3.0 persons per dwelling unit rather than 2.75 for planning purposes.**

The Planner said relative to discussions, 2.53 for 2030 is in the Regional Development Framework, and he was uncomfortable with that number. He spoke with senior staff at Metropolitan Council and they spent last weekend discussing it, and came back with 2.75 but they did not say it officially. He suggested that the City comes back with 2.91 or 3.0 he does not feel it will get approval by Metropolitan Council.

Councilmember Conlin said we could argue 2.91 successfully. If we concentrate heavily on senior, we don't have a prayer. If we come back with middle income housing we could meet it just like Woodbury does.

Councilmember Smith agreed 2.91 is arguable. She said she thinks we can do it and show it.

Mayor Johnston said this is not the right time to make that decision. He would like to look at the downside risk of using 2.91. There is a risk about asking a question that could lead us ultimately to 2.5. He suggested doing otherwise could be a rush to judgment.

The Planner suggested an interim solution, rather than just grabbing a number. See if staff can come up with a way of arguing it successfully.



Administrator Rafferty said he is comfortable with what the Planner suggested. Mayor Johnston and Councilmember Johnson also agreed, and she would like to see the layout of that too.

Councilmember Smith 3.5 might be going for the gold, but that 2.91 does not seem too much. She does not think the Metropolitan Council would punish us for asking for it.

Mayor Johnston asked for a withdrawal of the motion pending staff's report.

Councilmember Johnson said she supports the highest number possible, but wants to be sure it is defensible.

**MOTION AMENDED:** Councilmember DeLapp said he wants to base the city's number of persons per dwelling units to be consistent with housing types. Find out what the population changes were for new housing in the last five years and extend that out.

**M/S/P, DeLapp/Conlin to direct staff to investigate 2.91 persons per dwelling unit and see if there is a basis for planning that way. VOTE: 5:0.**

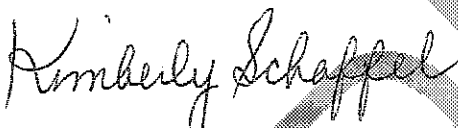
**M/S/P, DeLapp/Conlin, to make the second and third items on upcoming April 20 Agenda the two sets of questions. The first item on the Agenda will be the staff preparation items. VOTE: 5:0.**

Councilmember Conlin said she reviewed the language in the Land Use Plan, and replaced some of it with more concise language. She said she removed some rhetorical language. She distributed her draft to the Council and staff.

The Planner said calendar issues with regard to Comprehensive Plan submission should be known by Tuesday evening.

Adjourn 11:54 a.m.

Respectfully submitted,



Kimberly Schaffel  
Recording Secretary.

**City of Lake Elmo  
City Council Meeting  
Minutes of April 20, 2005**

Mayor Johnston called to order the meeting of the Lake Elmo City Council at 6:00 p.m.  
COUNCILMEMBERS PRESENT: Conlin, Smith, Johnson, and DeLapp. STAFF PRESENT: Administrator Rafferty, Planner Dillerud, Finance Director Bouthilet, City Engineer Prew, and Recording Secretary Schaffel. ALSO PRESENT: Planning Commission Chairman Helwig and Planning Commissioners Roth and Sessing.

**Agenda**

**M/S/P, Conlin/Johnson, to modify the Agenda by removing Liz, Anne, and Rita's proposals and removing Item No. 4. VOTE: 5:0.**

**M/S/P, Johnson/Conlin, To accept the Agenda as modified. VOTE: 5:0.**

**Report on Persons Per Dwelling Unit**

The Planner responded to the query regarding persons per dwelling unit. The Planner analyzed the 2000 census data and construction in Lake Elmo since 2000. The result of that analysis is that persons per dwelling unit are currently about 2.98 city-wide. With review of forecasts with new development scenarios as recommended by the Planning Commission, the persons per dwelling unit comes to about 2.83. He said that when he looked at different Land Uses while forecasting new development such as by using the Mayor's plan, the persons per dwelling unit comes to 2.89.

The Mayor noted that this scenario only represents one-quarter of Senior Housing.

Councilmember DeLapp said the persons per dwelling unit for Senior Housing should average fewer than 2.0.

The Planner said he does not believe the city can logically sustain many more persons per dwelling unit than 2.89.

Councilmember Smith asked if it is safe to assume that the more Senior Housing we develop, the more overall units we will have to generate the population required and the persons per dwelling unit.

The Planner said that is a safe assumption.

**Improvement Costs North and South – Water/Sewer**

Administrator Rafferty responded to the query regarding staging of development and infrastructure costs. Staff worked with the City Engineer to be sure the numbers were current for water north and south and for sewer north and south. The compiled growth numbers have been translated into dollars as costs for infrastructure and anticipated revenues. The Administrator presented estimated infrastructure costs North and South. The information presented estimates potential revenues from unit growth connections.

Water and sewer enterprise fund, tax implication to existing residents. These numbers reflect what developers will have to pay, not what residents will have to pay. Councilmember DeLapp

The Administrator noted there is an assumption in the connection fees for SAC that increases SAC fees from \$1850 to \$4500.

The Mayor pointed out that the increase in SAC Fee is still one-half what we would charge for wetland treatment system hookups.

Administrator Rafferty explained that we are currently in the middle of the northern Water Expansion Project. He explained where 700 new hookups have been projected to come from. The estimated hookups are spread across ten years in the examples presented. The estimated staging of hookup generates capital replacement money. It does not account for people near the pipe who might also wish to hook up.

Mayor Johnston said the whole thing is set up so people who aren't getting water do not have to pay for it.

Administrator Rafferty explained that these are estimates for Water Expansion South based on today's costs. These figures are based on 1,000 REC units.

Finance Director said Water and Sewer are an Enterprise Fund. Enterprise Funds can be established to make money, lose money, or break even. The numbers before us are estimated. Should those costs increase, we would have to raise the money in another way.

Finance Director said that within the Fee Schedule, the city has the right to make adjustments but those numbers must be justifiable.

**MOTION: DeLapp, to accept public input tonight. FAILED FOR A SECOND.**

#### **Review of Dean's Proposal**

##### **Staging Plan**

Councilmember Johnson said based on information received tonight it becomes apparent we need some sort of "initial bump." Then she would like to see a straight line approach after that bump.

Councilmember Conlin said she is inclined to agree.

Mayor Johnston said Council is responsible for juggling conflicting concerns. One thing he heard from residents was development should have a minimum impact on schools, traffic, etc. Another was minimum impact on taxes. Not all of these are compatible. Senior Housing was also a request he heard. Seniors are minimal impact. He suggested that type of development would help to resolve the conflict between development and impact.

Councilmember Smith is in favor of senior housing but would like to see an independent study indicating how much senior housing is needed before she commits to a certain number of senior units. She said she spent an hour at Boutwell's Landing and they did the homework for capacity and need. If we can sustain numbers, she would be in favor of it.

Councilmember DeLapp said there would be zero cost to existing residents if we delay as far out as possible.

Mayor Johnston said if we have to add 5,000 to 6,000 units of housing, it might take five years to plan it. If we meet needs of community and try to get a quality product we cannot wait until the last minute. The result will be better in a straight line fashion.

Councilmember DeLapp said the city's property values continue to grow based on how we have developed over the last 30 years. Nothing in our agreement says we cannot wait for the next governor or next Met Council.

**M/S/F, DeLapp/Johnston, to choose the Met Council Staging Plan as best for protecting our existing residents.**

Mayor Johnston said he would be much more comfortable with a range of plus or minus 10%.

DeLapp said he based his idea upon the REC units in the graph or on the Total Sewered Residents at 2010, 2020 and 2030.

Councilmember Smith asked about the payoff in ten years.

Administrator Rafferty said the ten years was assumed to predict infrastructure, costs and development revenues. He stated that it could be stretched out for 15 years. Administrator Rafferty said if we put in interest, the entire model must be adjusted. If we go five years down the road, construction will be much higher. We need to know when we would begin.

Mayor Johnston said developers don't pay anything when you get down to it. Expenses put on them are passed on as additional cost to the new homeowners. He said he agrees and advocates self-supporting development but objects to not caring about passing costs to new residents.

Councilmember Conlin said she is not prepared to vote on the motion.

Administrator Rafferty said the model suggest that some front load would be helpful.

Councilmember DeLapp saw every plat since 1985. If Old Village develops, we don't have to worry about the front load bump for infrastructure costs. When Carriage Station was developed, 100% of the costs were paid by the residents there. He sees no argument for development before 2020 other than in the Old Village.

Mayor Johnston said staff is in a better position to come up with this proposal.

**VOTE: 1:4 Nay-Johnston, Johnson, Smith, and Conlin. FAILED.**

**M/S/F, Johnson/Johnston, To direct staff to come back with information on Saturday utilizing the table of fee structures and converting it into a cohesive document that will combine variables into another Staging Plan.**

Councilmember DeLapp said he has not discussed his points that are pertinent to this motion. He would prefer not to vote at this time.

Councilmember Smith and Councilmember Conlin both said they were uncomfortable with voting without sufficient information at this time.

Mayor Johnston would like to see the staff come back consistent with the input.

**VOTE: 1:4, Nay-Johnston, Conlin, Smith, DeLapp. FAILED.**

**M/S/P, Conlin/DeLapp, to close the meeting at 9:00 p.m., and limit the length of**

**Comprehensive Planning meetings in the future as well.**

Councilmember Conlin said she would like to take this time to present views and later make up our minds individually and take a vote. She would like to hear concise statements and eliminate redundancy.

**VOTE: 4:1 Johnston.**

**Population south of 10<sup>th</sup> Street**

Councilmember DeLapp pre-2020 the number should be zero. We need to demonstrate ability to accommodate that housing. Without housing units and time frames we have all the information we need. This is the wrong question.

Mayor Johnston said 15% of area is south of 10<sup>th</sup> Street, Met Council says it must be developed at 3 units per acre over 1,000 acres by 2030 and sewer area includes the Old Village. He said that beyond that the MOU is silent. However, we have to come up with a Comp Plan through 2030.

**M/S/P, Smith/DeLapp, to direct staff to bring in graphs and documentation that supports the numbers and move to Item 3 on the Agenda.**

Councilmember Johnson said she would like to see what the Council will need to move the discussion forward on Saturday.

Mayor Johnston thinks we could make progress but we need to discover what is missing from the information before them.

Administrator Rafferty said there might be need for the staging model to be integrated with the financial model.

**Councilmember DeLapp CALLED THE QUESTION.**

**VOTE: 3:1:1 Nay-Johnston, Abstain-Johnson- not fully understanding the Rules of Order.**

**VOTE: 4:1 Johnston.**

**Buffering**

Councilmember Conlin said the Planning Commission dealt with this extensively. She agrees with that because it is well considered. She would choose that option.

Councilmember Smith said she remembered discussions about removing green space and creating larger lots. She also supports that.

Councilmember Johnson asked if it would be the same north of 10<sup>th</sup> Street.

Councilmember Conlin said below 10<sup>th</sup> Street is a unique circumstance.

**MOTION: Smith, to choose the Planning Commission's proposal for buffering existing residential subdivisions below 10<sup>th</sup> Street. WITHDRAWN.**

**Shape of Non-residential Area**

The Mayor explained potential of the planned strip versus a single large site for commercial

development. He reported discussion with Woodbury to develop a single 1000 acres non-residential green field site.

Councilmember Conlin thinks the Planning Commission should have reviewed this. This would be a substantial deviation from their plan. She would be willing to have them look at it on Monday.

Councilmember DeLapp said if a large site on the east is a good, a large site on the west would be good. He said we should wait to vote.

Councilmember Johnson said the one site has some merit especially if we could work with Woodbury. Thinks it would be important to have input from the Planning Commission.

Councilmember Smith said the Draft Future Land Use Map shows commercial development bounded by higher density development. The Planning Commission came up with this Land Use Plan and arranged it that way.

Councilmember DeLapp said that if we have the largest population in the most undesirable location of our city that makes little sense.

Councilmember Conlin asked what if that big corporation pulls out, what is the city left with.

Mayor Johnston said a large company could have satellite businesses supporting it but it might require 1000 acres.

Councilmember Smith said the Planning Commission buffered all residential developments from I-94. It would be loud to live down there.

Councilmember DeLapp said all 3M operations in Twin Cities are on 500 acres. It took 15 years to develop the first few acres of Corporate Woods and it will be twenty years before it is done. It is a wonderful model.

Councilmember Smith pointed out that Corporate Woods is a strip rather than a single site.

**M/S/P, DeLapp/Johnson, to send the issue of the shape of non-residential development below 10<sup>th</sup> Street to the Planning Commission for review. VOTE: 5:0.**

#### **Senior Housing**

The Mayor argued in favor of senior housing.

Councilmember DeLapp said he likes active seniors to go to areas of twin homes or detached townhomes. Lake Elmo is family oriented and would not want to age restrict neighborhoods.

Councilmember Smith said she would disagree with all the housing being senior. That would be unfair to existing residents. She would like the coordinator of Boutwell's Landing to talk to the City Council. She would like to see a study.

Councilmember Conlin said she would like a mix of housing so there is something affordable there. Some senior would be appropriate, and some assisted living but not to the extent of what is being presented.

Councilmember Johnson population below 10<sup>th</sup> around 40% was discussed by the Planning Commission with some senior housing. She believes one-third to one-half based on the need would be a good percentage. It is needed and will be needed for the next 25 years. She said our residents want senior housing in the Old Village. They want to bring their own parents closer to them.

Mayor Johnston believes the existing residents want no impact, 400-500 feet of buffer, and closing of roads. Senior housing would be low impact.

Councilmember Conlin discussed the Agenda for Saturday.

- Steve's presentation and then the other proposals.
- Add Marty's items for that next agenda.
- Number of occupants per dwelling unit.

**M/S/P, Conlin/Johnson, To direct Administrator Rafferty to draft Saturday's Agenda to include the presentations by Councilmember DeLapp and remaining councilmembers, charts, staging (north and south), population, and number of occupants per dwelling unit. VOTE: 5:0.**

**M/S/P, Johnston/Johnson, to direct staff to write to the Metropolitan Council that we are delayed, working diligently, and that the City Council anticipates accomplishing the goals in a few more weeks. VOTE: 5:0.**

**Adjourned at 9:00 p.m.**

Respectfully submitted,



Kimberly Schaffel  
Recording Secretary

**City of Lake Elmo  
City Council Meeting  
Minutes of April 23, 2005**

Mayor Johnston called to order the meeting of the Lake Elmo City Council at 8:03 a.m.  
COUNCILMEMBERS PRESENT: Smith, DeLapp, Johnson, and Conlin. STAFF PRESENT: Planner Dillerud, Administrator Rafferty, Finance Director Bouthilet, and Recording Secretary Schaffel. ALSO PRESENT: Former Councilmember Wyn John and Planning Commissioner Sedro.

**Agenda**

Move Item 4 to Item 2. Add Meeting Process, Decision Making Process, and add 4.1 Direction to Staff and 4.2 Meeting Schedule. **M/S/P, Johnson/DeLapp, to accept the Agenda as amended. VOTE: 5:0.**

This meeting will be replayed on Cable Channel 16 Tuesday at 10 a.m. and 8 p.m.

Mayor Johnston and the Council agreed they would allow Planning Commissioners to have input at these Comprehensive Planning meetings.

**Meeting Process**

The Mayor suggested more closely following Rules of Procedure during meetings. Councilmember Conlin said she would be more in favor of self discipline and limiting comments by being focused.

**Administrator and Planner's Combined Chart for Staging****Option B – Back Load**

The Planning Commission reviewed four scenarios and adopted the Back Loaded Staging. Staff incorporated those into a financial model.

The Planner said that in the scenario recommended by the Planning Commission, the Old Village has an advantage. That scenario just meets the Metropolitan Council requirements. Financial responsibility is critical to this type of development. *Ad Valorem* Taxes pay for city operating costs which are generated by real estate tax bills. He said that using that Staging Plan results in more front loading to meet capital needs. The Old Village is still central to this staging plan.

Administrator Rafferty said that Infrastructure Financing is based on a ten-year scenario. Tax Revenue is used for capital equipment, staffing, operations, and infrastructure. Water Expansion North assumes an increase to WAC and SAC Fees. If the proposed tower is relocated, presented figures will have to change. In addition those figures do not include interest

Councilmember Conlin asked if Lake Elmo's proposed WAC and SAC Fees are similar to other cities. The Planner said ours are on the high side.

The Finance Director said the city has a right to charge what is necessary in WAC Fees with reasonable justification.

Councilmember Conlin pointed out that this revenue is all from new construction.

Administrator Rafferty said OP Units are not included in the North although it is anticipated some will be added to city water. The Water Expansion South does not begin until about 2011. Again, interest rate is included in the calculations, and construction costs do not account for inflation. Sewer North includes about 70 homes in the Old Village hooking up. Based on SAC Charges collected over time, it is anticipated the city will be able to recover its costs.

Mayor Johnston asked what happens if Cimarron chooses not to hook up to sewer and some other units



are not added.

Administrator Rafferty said Cimarron is South Sewer and is not projected at this time.

Councilmember DeLapp said health and safety drives the necessity for the Old Village to hook up to sewer.

Administrator Rafferty said the model developed has not addressed costs for existing homes in the Old Village to hook up to sewer. The model has anticipated new development

Councilmember Smith said it will cost less to hook up to sewer than to create an ISTS.

Councilmember Conlin asked how difficult it would be to factor in some of these variables not addressed such as increased construction costs, what we might do if we were approached with a good commercial project, and increasing WAC and SAC Fees.

Administrator Rafferty said that can be done but staging requirements would change and be increased. The next model does address some of what Councilmember Conlin requested. Administrator Rafferty said the fundamental decision is how many units will be permitted to be built, and over a certain period of time.

#### **Option A – Fiscal Model**

The Planner said when dealing with development below 10<sup>th</sup> Street we have to look at the water infrastructure cost which is unavoidable. This option adopts a different staging approach from the Planning Commission's recommendation. Sewer is increased substantially with both south and north getting sewer concurrently. It is wise to have reserve when planning major infrastructure because we cannot predict the economy. This option has more development on the front end to get those funds in reserve. A good deal of front loading has to do with getting water infrastructure completed south of 10<sup>th</sup> Street.

Councilmember DeLapp asked if commercial and public facilities in the Old Village are included in the figures.

The Planner said they are not. The front loading south of 10<sup>th</sup> Street does not include commercial development. Commercial development south could pay for the water infrastructure needs in that area. He said that persons per dwelling unit are calculated for these models at 2.75.

Administrator Rafferty said this plan has the same assumptions of no interest, flat tax rate, number of units, etc. as the other model. Whenever development occurs south of 10<sup>th</sup> Street, water infrastructure must be completed. This plan insures enough front loading to pay for the necessary infrastructure. This plan does not include development beyond 10 years. This option would bring in about one-third more *Ad Valorem* tax. Development occurs simultaneously north and south and does not include OP development.

#### **Decision Making Process**

Mayor Johnston said the Council is used to making a final decision while the Planning Commission is used to reviewing, re-reviewing, in an iterative process. He suggested that the Council may not want to wait for the perfect decision. Councilmember Conlin said we must be consistent. Mayor Johnston said reconsideration for the good of the city is good process.

The Mayor called a recess for 10 minutes and called to order the assembly at 9:37 a.m.

#### **Councilmember Proposals**

Councilmember DeLapp presented a graph of what the Planning Commission proposes for dealing with Metropolitan Council requirements. The angle of growth for the new expansion in the Old Village bumps

at the front end and gradually increases then tapers off with less growth from 2020 to 2030. He then explained his document entitled, "Key Policies of the Lake Elmo Comp Plan for 2005." His plan would back load development but allow approvals for specific attractive developments. In order to equalize property values, he would suggest a Transfer of Density Program. He would like the residents' choice of staging for future development to prevail.

Mayor Johnston said he is in favor of meeting minimum requirements but not only the minimum because he is concerned about good financial management.

Councilmember Johnson said the Regional Development Framework does not take into account individual city infrastructure needs, and staff has provided that information to us. She is concerned with what our city needs to build based upon what is required of us.

Councilmember Conlin said she agrees with the spirit of meeting minimum requirements.

Councilmember Smith agreed but feels there is another part, the financial concern that is not addressed by this proposal.

**MOTION: DeLapp, to support item No. 1 of his document. MOTION FAILED FOR A SECOND.**

Councilmember Smith said she did not believe it was time for motions and decisions until all the councilmembers have a chance to have their items reviewed.

Administrator Rafferty said the number of TBDs (how much housing and when it will be constructed) are the decisions that must be made in this process.

The Planner said that if the interpretation is that we can develop north of 10<sup>th</sup> Street at any density we wish, it could be an incorrect interpretation. He said he recalled that at 2030 the 1,830 units for infill or environment were not at 3 units per acre. He thought new sewered development was at 3 per acre.

Mayor Johnston said that if any plan shows at least 3,700 units south of 10<sup>th</sup> Street the point is moot.

Councilmember DeLapp said his proposal reserves land north and south to be used as reservoirs for future consideration because we do not know all those numbers and concerns until 2018.

Mayor Johnston said the risk is that the situation could be worse than better when we have attractive options before us now.

The Planner said sewered development must be at three units per acre. The concession we got from the Met Council was that post 2030 units such as failing system of OP units would be allowed to hook up at lower densities.

Administrator Rafferty said there was discussion of that silence with the Metropolitan Council on the MOU but the agreement was moved forward to finalize it.

Councilmember DeLapp said if it is silent you don't have to do it; we have to read between the lines.

Councilmember Conlin asked to move forward to item number 3. Item 3 is an issue that will not be decided today so we should move forward. She said she disagreed with Item 4 that 3.0 persons per dwelling unit can be successfully defended.

Mayor Johnston agreed about the importance of the persons per dwelling unit, and is concerned with the Post 2020 Reserve as not being something the Metropolitan Council will approve.

Councilmember Smith said 3.0 could be argued some time in the future but not at this time. That number

should be monitored as we develop. Councilmember Smith said she is a proponent of converting OP density from .4 to .5 units per acre to relieve pressure below 10<sup>th</sup> Street. She believes the Planning Commission came up with three baskets to accept some of the units.

**Councilmember DeLapp exited the building at 10:26 a.m.**

The Planner said the Planning Commission came up with the three buckets in order to reduce the number of units south of 10<sup>th</sup> Street.

Councilmember Johnson said she is concerned for the needs of the community and the need for the capital for infrastructure.

Mayor Johnston said he would be in favor of some sort of internal study to look at the senior housing market. Councilmember Conlin said she would be in favor of that too but would like it to be a local market study. Councilmember Smith said she would like staff to look at the numbers and does not think it is a long process just a question of demographics. Maxfield Research already has some information available.

Administrator Rafferty recommended committee look at it but did not feel it was fundamental to the decision. Senior housing will be a component, how much will be based on market studies but even more on market forces at play.

Mayor Johnston said he does not feel it should go to committee when they are sitting as a full Council. He said the Council wants some concrete information before spending money on a study.

**Councilmember DeLapp returned and took a seat at the Table at 10:47 p.m.**

Planning Commissioner Sedro said LaneKendig thought those areas around the Old Village did not include enough property to make TDR work successfully. She said she thought that if we included other properties it could become worthwhile.

The meeting recessed at 10:49 p.m. and reconvened at 11:00 a.m.

Councilmember Johnson summarized points in her proposal. Staging will be a vital piece of this Comprehensive Plan, and she said it is important to look at needs for infrastructure, maintaining a flat tax rate, understanding all the documents pertinent to the direction of the Comprehensive Planning while remembering those documents do not go down to the city level. She said the vital decision is to eliminate financial impact to existing residents. She said she would support a true downtown and the Old Village and protecting existing residents. She said the primary issues are staging and senior housing.

Councilmember Conlin when looking at the Land Use Map she would like to know what we are planning with reference to senior housing, where we are planning it, and the densities in which it is built. She asked if it is necessary to indicate in the Comprehensive Plan where and how much senior housing.

Mayor Johnston said if we plan 3.7 units per acre south of 10<sup>th</sup> Street there is no issue, the market will take care of it. Senior housing will take care of itself. It needs no further definition for him.

Councilmember DeLapp said it is an issue if it is in senior housing because then we must displace 2 occupants per house to the north and we have to replace that density elsewhere such as in OP development. Units X Occupants = Units X Occupants. It is a key issue.

Mayor Johnston asked staff if we plan 3.7 per acre and 2.9 per residence is that enough?

The Planner said if we use the Planning Commission plan, which equates to three buckets north. If we do

not specify they are senior and they become senior, we have to make that adjustment down the road. He said if the recommended plan works for the Council, we have made significant progress.

Councilmember DeLapp suggested looking at it as 2.9 across the city, then during analysis and meeting with people, we determine X amount of sewered senior below 10<sup>th</sup> Street. Then we could automatically increase the density of OP north of 10<sup>th</sup> Street.

Mayor Johnston said he agreed with that concept. RAD2 could also be used for that purpose.

The Planner said we may have to adjust the buckets down the road. If it is 1,000 units we might have to make some choices but if it is only 100 units of senior housing, we may not have to worry at all.

Councilmember Johnson said if part of the 3,700 becomes senior, wouldn't that have to be made up south of 10<sup>th</sup> Street.

The Planner said it will not have to be head count north and south, the issue will be how we reach 24,000. If we have a great deal of low occupancy south of 10<sup>th</sup> we will have to make adjustments for it.

Councilmember Smith said with the infrastructure financing options, we should focus on downtown. She said the city has worked on that plan for years, and we have the opportunity to make the OV exactly what we want it to be to make it flow and function and attractive.

Councilmember DeLapp said a simple algebraic formula allows us to come up with 24,000 population.  $1.5Xdu$ ,  $3.2Xdu$  and  $____Xdu=24,000$ .

Councilmember Conlin suggested removing the specifics about senior housing in the city-wide planning policy, and to add a component for disabled housing that is not addressed in there. She said she provided concise edits to the policy statements to simplify and remove opinions and rhetoric, and they did not alter the details.

Councilmember DeLapp said Councilmember Smith's wishes for the Old Village to be placed on the front burner. We need to decide what we are trying to accomplish.

#### **Recommended changes from the Planning Commission**

Mayor Johnston said one of his concerns is the housing for middle income professionals and sees RAD2 as the answer to that. He would like to see exactly where it happens. Perhaps more units could go into that bucket rather than an equal split.

Councilmember DeLapp said at 2.9 that could be a dead issue. We only need to make up 450 units. He does not see putting in that type of housing without substantially subsidizing it.

Councilmember Smith said that houses on one acre in Lake Elmo will not be affordable anymore. Lots in OP begin at \$250,000. She would like some affordable housing in the Old Village core for young people. RAD2 will not solve the city's problem for affordable housing.

Councilmember Johnson said the city-wide planning policy does include a statement for moderate income. Persons with challenges are also in there.

#### **Direction to Staff**

Mayor Johnston suggested to staff to bring back a policy, staging, a Land Use Plan and the maps to go with it.

Councilmember Conlin said in her last direction to staff she asked them to bring back something about Public Facilities to include suitable areas for planning for city facilities along with a statement in the plan

explaining rhyme and reason for those locations and to include churches. It should be addressed because we get requests for churches every so often. We should have a basis for our decisions. She said it may be too specific to be placed on the map. She said if an application requires a comp plan amendment we should plan for it.

Councilmember DeLapp said it is difficult to empathize with applicants when they are applying for PF which means prison, jail, detention, high school, etc. We should make that differentiation. Mayor Johnston said he agrees we should specify places of worship to be specific, and not place it on the map. Councilmember DeLapp suggested saying something like, "Within these zoning categories places of worship are allowed by conditional use, and here are the provisions to be applied to prisons, etc."

Planner said it could be done in the zoning part of it, and PF could be allowed in other districts based on a CUP.

Councilmember DeLapp said he would prefer a three vote CUP instead of a 4 vote Comprehensive Plan Amendment.

Administrator Rafferty said there will be four elements for the Council at the next meeting.

Councilmember DeLapp would like to decide a realistic number for persons per dwelling unit.

The Planner said he did not think he could go to 2.75 when Metropolitan Council already wants to lower to 2.53.

- Staging from PZ or Fiscal
- Policy
- Land Use Plan
- Maps

**Agenda - Land Use Map changes for understanding.**

Councilmember DeLapp said the types of housing we choose will determine the persons per dwelling unit.

Councilmember Conlin said the next meeting is when we should begin to make decisions. Councilmember Smith and Mayor Johnston agreed.

Councilmember Smith said if we are considering RAD2, staff should show any and all areas on a map, and let the Council choose where they should be.

Councilmember Conlin said when we have statistics supporting a higher number of persons per dwelling unit, we can go and request a higher number.

Councilmember Smith said in 2000 and 2005 we were 2.91; Woodbury is 2.79.

The Planner said the difference between 2.91 and 2.75 is very little as in the three buckets. If you look at 3 or higher we have to look again at the Land Use Plan Map. The task will not be very difficult at 2.91.

**M/S/P, DeLapp/Smith, to use 2.91 persons per dwelling unit in our Comprehensive Plan. VOTE: 5:0.**

Councilmember DeLapp said we are not locking ourselves or future councils from downsizing it in the future as more information is received or circumstances change.

**M/S/P, Johnson/Johnston, to set the next special meeting dates as Saturday, April 30 at 8:00 a.m.**

and Monday May 2 at 6:00 p.m. VOTE: 5:0.

Respectfully submitted,

A handwritten signature in cursive script that reads "Kimberly Schaffel".

Kimberly Schaffel  
Recording Secretary

DRAFT

**City of Lake Elmo  
City Council Meeting  
Minutes of April 30, 2005**

Mayor Johnston called to order the meeting of the Lake Elmo City Council at 8:00 a.m.  
COUNCILMEMBERS PRESENT: Conlin, Smith, Johnson, and DeLapp. STAFF PRESENT: Administrator Rafferty, Planner Dillerud, Finance Director Bouthilet, and Recording Secretary Schaffel. ALSO PRESENT: Planning Commissioner Roth.

**AGENDA**

MOU

Met Council Input

Population south of 10<sup>th</sup> Street

Old Village Comments

**M/S/P, Johnson/Conlin, to approve the Agenda as amended. VOTE: 5:0.**

**MEMORANDUM OF UNDERSTANDING**

Discussion ensued with regard to variables that could bring the percentage of the city's population below 10<sup>th</sup> Street to less than 40%.

**M/S/P, Conlin/DeLapp, To limit discussion to a total of seven minutes on this topic. VOTE: 5:0.**

**M/S/P, Johnson/Conlin, To develop a 25 year Comprehensive Plan through 2030 to support the Memorandum of Understanding.**

**AMEND: DeLapp, To adopt the 2020 Plan.** Councilmember Conlin said it could be said that the lack of planning into the future could be the reason we are where we are now.

**AMENDMENT FAILED FOR A SECOND.**

Councilmember Conlin asked for a Point of Order to address the Motion on the Table, and she said time had expired on the discussion.

**VOTE: 4:1, Nay - DeLapp** - Based on intent to change the language of the MOU in order to accelerate growth.

**M/S/F, Johnston/DeLapp, to amend the Memorandum of Understanding to add the REC units in the Regional Development Framework as acknowledgment of minimum numbers.**

Administrator Rafferty said the Memorandum of Understanding cannot be amended but Council could say they support or accept numbers specified in other documents.

The Planner said he believes the Water Resources is the controlling entity with regard to REC units. He said the Regional Development Framework specifies population requirements.

Councilmember Conlin asked if the Motion supports what the Planning Commission proposed.

The Planner said it does, and there is nothing in the MOU that supports dwelling units and there is no 2010 number or 2020 number. Those are "To Be Determined."

Councilmember Johnson said she does not wish to lock in 2010 or 2020 numbers. Those numbers are to be determined by the Staging Plan. She asked to move the Motion forward.

**VOTE: 1:4, Nay-Smith, Conlin, Johnston, Johnson. FAILED.**

#### **MET COUNCIL INPUT**

Administrator Rafferty said comments have been made but nothing firm has come in from the Metropolitan Council.

#### **POPULATION BELOW 10<sup>TH</sup> STREET**

#### **COMPREHENSIVE PLAN MODIFICATIONS**

##### **Liz Draft-April 29, 2005**

The Planner said edits were received from Councilmember Johnson to the Policy document and Land Use Text edits from both Councilmember Johnson and Councilmember Conlin.

**M/S/F, DeLapp/Smith, To take out the word "majority" from Item No. 2, and replace it with "all." VOTE: 2:3, Conlin, Johnston, Johnson. FAILED.**

**M/S/P, Smith/DeLapp, To add that the Old Village Plan will have a separate set of policies for land development and will not be burdened by policies for the rest of the city. VOTE: 5:0.**

**M/S/P, Johnson/DeLapp, To direct staff to create wording for exemption for the Old Village in paragraph 1 under Non-residential Development. VOTE: 5:0.**

The Mayor called a ten minute recess and the meeting reconvened at 9:38 a.m.

**M/S/P, Conlin/DeLapp, To delete the words affordable and manufactured housing from sentence number one under Housing. VOTE: 3:2, Nay – Johnston, Johnson.**

**M/S/P, Johnston/Johnson, To modify paragraph 3 under Housing to add "Pending support of a city-sponsored study." AMEND: Conlin/ Johnston, to add, "Affirmative City actions to address..." VOTE: 5:0.**

**M/S/P, Johnson/Conlin, To add "Affirmative City actions to address...expanded opportunity..." AMEND: Conlin/Johnson, remove housing density and delete last sentence of paragraph 4 under Housing. VOTE: 5:0.**

**M/S/P, DeLapp/Johnston, Under Environmental Protection, to add one more sentence to say, "Where economically feasible, the city will require new development in OP densities to connect to available regional wastewater treatment system."**

The Planner said we may not have that option until post 2030.

**VOTE: 4:1, Nay – Conlin – Thinks it leaves it open for sewer to spread.**



M/S/P, DeLapp/Smith, To add another sentence directed toward Parks, that says, "The City will evaluate available options to increase the long-term viability of its park system in an environmentally sensitive manner." VOTE: 5:0

M/S/P, Conlin/DeLapp, Under Transportation, paragraph 2, to change the wording to say, "Vehicular trips originating primarily within Lake Elmo will be encouraged through planning..." VOTE: 5:0.

M/S/P, DeLapp/Johnston, To add the sentence that, "The city will seek measures to minimize the negative impact by through-traffic within the City of Lake Elmo. VOTE: 5:0.

M/S/P, DeLapp/Conlin, At the end of the sentence, "The city shall investigate..." add, "And implement strategies to improve both pedestrian and vehicular circulation." VOTE: 5:0.

M/S, Johnson/Smith, To delete the last sentence, "This includes planning for one or more transit hubs to serve HOV, bus and commuter rail options at appropriate geographic locations." AMEND: Johnson/DeLapp, to take those last four words from the last sentence, and add them to the first sentence. AMEND: Johnson/DeLapp, To reword the sentence to say, "The City encourages, supports and advocates public transit service to the City at appropriate geographic locations as determined by the City." VOTE: 5:0.

The Mayor called a ten minute recess and reconvened at 11:08 a.m.

*Traffic calming on the Agenda at our next Comprehensive Plan Meeting.*

#### **I-94 Freeway Corridor Planning Policy**

M/S/P, Johnson/Conlin, Change the word "homeowners" to "landowners" in the last sentence of paragraph one.

Councilmember Johnson said she would like to insure that Cimarron residents are treated equally as compared with other existing residents in Lake Elmo. Councilmember DeLapp said there is no reason to assess Cimarron the City's SAC Fees because it only requires a single hook up point.

**VOTE: 4:1, Nay – Johnston – He does not want to treat Cimarron residents differently.**

Councilmember DeLapp said the city worked hard to get the concession from Metropolitan Council to allow us credit for 500 units in Cimarron.

M/S/P, DeLapp/Smith, To change paragraph 6, to require 500 RECs be used by Cimarron in accordance with provisions in the Memorandum of Understanding. AMEND: Conlin/DeLapp, To remove "Manufactured Housing" and add "alternative" housing resource. VOTE: 3:2, Nay - Johnson, Johnston.

#### **Old Village Planning Policy**

M/S/P, Johnson/DeLapp, In the Old Village Planning Policy, to delete "Old" when describing the Village Area in order to standardize the references to that area of the city. VOTE: 4:1, Nay – Conlin – Historical significance may be erased by this action.

**M/S/P, Johnson/Conlin, To delete Paragraph 2 on Page 8 and delete No. 1 of the examples.  
VOTE: 3:2, Nay – Johnston, DeLapp.**

**M/S/P, Johnson/DeLapp, To approve the City-Wide Planning Policy as amended. VOTE:  
5:0.**

**M/S/P, Johnson/DeLapp, To meet on Saturday, May 7, 2005 at 8:00 a.m., VOTE: 4:1, Nay  
– Smith.**

Adjourn at 12:05 p.m.

Respectfully submitted,



Kimberly Schaffel  
Recording Secretary

DRAFT

**City of Lake Elmo  
City Council Meeting  
Minutes of May 2, 2005**

Mayor Johnston called to order the meeting of the Lake Elmo City Council at 6:00 p.m.  
COUNCILMEMBERS PRESENT: Conlin, Smith, Johnson, and DeLapp. STAFF PRESENT: Administrator Rafferty, Planner Dillerud, Finance Director Bouthilet, and Recording Secretary Schaffel.  
ALSO PRESENT: Planning Commissioners Lyzenga, Sessing, Roth, Armstrong, Pelletier, Schneider, Fliflet, Sedro, and Planning Chairman Helwig.

**AGENDA**

**M/S/P, DeLapp/Johnson, To accept the Agenda as amended. VOTE: 5:0.**

**POLICY STATEMENT**

The mayor said he was told by residents of Cimarron that the manufactured home park distinction provides protection to the existing residents of Cimarron. If the use were to change, the residents of the home park expressed concern that they might have no place to live.

**M/S/P, Johnston/DeLapp, To reconsider the language in the Planning Policy relative to the naming of Cimarron neighborhood. VOTE: 5:0.**

**M/S/P, DeLapp/Johnson, To reinstitute the name of Cimarron Manufactured Home Park in the City-wide Planning Policy wherever it says Cimarron. VOTE: 5:0.**

**COMPREHENSIVE PLAN MODIFICATIONS**

The Planner introduced the draft of the Land Use Plan incorporating edits from Councilmembers Johnson and Conlin.

Councilmember Smith said that 9,500 households referred to in the Draft should be reduced due to the persons per dwelling unit being changed to 2.91. The difference could be 500 households from the 8,750 households that the Planning Commission recommended. The Planner said he could remove the reference to households altogether. Councilmember DeLapp said he would like the numbers to be included. The document was changed to read "approximately 8,250."

**M/S/F, Conlin/Johnson, To delete the second through fourth paragraph on Page 1. VOTE: 2:3, Smith, Johnston, DeLapp. FAILED.**

The Planner said the FSD portion would be unacceptable to the Metropolitan Council because the 4/5 vote of the Council means that the Land Use Plan classifications could conceivably be denied by a simple majority of the Council. Some sort of automatic change of land use classification and zoning must be incorporated into the Comprehensive Plan. When the Staging Plan allows development because the sewer will arrive, then the Land Use Classification will change.

Commissioner Roth said the 4/5 City Council vote provisions was put into the Land Use text prior to input from the Metropolitan Council.

Commissioner Sessing asked if a super majority is required does that mean a Comprehensive Plan Amendment is also required, and if it does he would like the 4/5 vote to stay.

Commissioner Armstrong said the 4/5 vote in the text was not intended to evade the MOU. When rezoning occurs, a landowner gains more rights than what he had before. The idea was to know that the City had a good quality application before the automatic rezoning occurred. Properties do not rezone automatically, it always requires a Council direction. Minnesota Statutes indicate a 4/5 vote for rezoning.

He said the Planning Commission did not want the tail to wag the dog. Automatic rezoning would allow some development we might not want to accept.

Councilmember Conlin asked if automatic changes to new zoning means the city must accept a plat application before them.

The Planner said if an application meets the standards of the Code, the city must approve it. However, those standards might be set as high as the City desires, as is already the case with OP standards.

The Mayor said the process does not end with the Comprehensive Plan. Within 9 months we have to rezone to comply with the Comprehensive Plan. Zoning Standards can be changed at any time.

The Planner said Staging is usually done by setting numbers of units per year first and then geographically by gravity sewer districts.

Councilmember DeLapp said we only need 200 sewer units in five years and 1500 by 2020. He would like to only meet minimum requirements and plan for sewer only in the Village Area and Cimarron.

Mayor Johnston said with present staff we have constructed as many as 150 new homes in City in a single year.

**M/S/P, Johnston/DeLapp, To comply with the Metropolitan Council and remove the statement regarding the 4/5 vote under FSD in Land Use Classifications, and craft some words relative to the Staging Plan as a trigger for land use reclassification from FSD.** Amend: DeLapp, Not intended in any way that the city supports the acceleration of new sewer outside of the Village and no intention to force staging south of 10<sup>th</sup> Street. AMENDMENT FAILED FOR A SECOND. **VOTE: 3:2, Nay – DeLapp, Smith - 4/5 vote will not be difficult to get in the future, and we are worrying needlessly about what a future Council will do for future residents.**

The Planner explained the purpose of Urban Transition. Councilmember Johnson asked if UT wasn't needed for protection of Cimarron.

Commissioner Lyzenga said Cimarron is already buffered by the golf course so it was not necessary.

Councilmember DeLapp said no Future Land Use Plan is required of the Council. He suggested labeling Post 2020 Urban Development and leaving it at that.

Mayor Johnston asked why the SRD classifications are limited to the area south of 10<sup>th</sup> Street.

The Planner said there was no reason other than north of 10<sup>th</sup> has been assumed to remain unsewered except for the Village Area to this point.

**M/S/P, DeLapp/Smith, Not to consider, in the Comprehensive Plan, any new sewer in Lake Elmo north of 10<sup>th</sup> Street outside of the Village Area.**

The Mayor said that with persons per dwelling unit of 2.91 there are a lot of residents planned below 10<sup>th</sup> Street. Councilmember Smith said the difference is only 500 units from what the Planning Commission recommended at 2.75 persons per dwelling unit, and we have demonstrated how those units could be accommodated by RAD2, increased RAD density and extra units to the Village Plan..

Commissioner Lyzenga said it is an exercise in futility to try to create affordable housing in Lake Elmo, which enhances the value of keeping Cimarron.

**VOTE: 4:1, Nay – Johnston.**

At 7:22 p.m., The Mayor reconvened the meeting after a five minute recess.

Commissioner Roth asked if there should be minimum lot sizes in the Urban Transition to protect existing residents.

Councilmember DeLapp said lot size control could be done in zoning, and it does not have to be done in the Land Use text.

Commissioner Fliflet said the reason the Urban Transition definition is vague is because the Planning Commission could not decide the specifics.

Councilmember Johnson said "comparable to scale and design" sends a clear message of what we want in the Urban Transition area.

Commissioner Sessing suggested "Rural" Transition rather than "Urban" since it better defines the purpose of protecting the existing density from an area of higher density.

**M/S/P, Smith/DeLapp, to change the name Urban Transition to Rural Transition. VOTE: 5:0.**

Councilmember DeLapp said there should be a statement regarding specific amounts of parks south of 10<sup>th</sup> Street proportionate to what exists in the remainder of the City today.

The Mayor agreed that a specific amount of land should be dedicated to parks, perhaps above and beyond what is normally required of developers.

The Planner said 10% park dedication is required in our Subdivision Code. The laying out of Parks is a component of the Parks System Plan not the Land Use Plan.

The Mayor suggested that PF requires a great deal of work. The county owns land zoned PF that is intended for parks but could conceivably be used for other purposes by the current PF definition.

Councilmember DeLapp agreed that our maps must clearly define what is park land and what is not.

The Mayor suggested subcategories of Public Worship, Public Facilities, and Public Parks.

The Planner said the Zoning Ordinance once had separate zones for PF and P (for Parks), and they were rolled together in the 2000 PF amendments to the ordinance. The 2 zones could again be separate. The Land Use Plan text could specify that future zoning strategy.

**M/S/P, DeLapp/Johnston, To direct staff to draft language within the PF definition of the Land Use Plan to designate that PF land use would include two zones, one for parks and the other for the remaining PF uses.. VOTE: 5:0.**

**M/S/P, DeLapp/Johnston, That the MOU takes precedence over the Regional Development Framework and the Water Resources Management Plan where they conflict. VOTE: 5:0.**

The Planner reported that the "VR" land use classification covers the geographic area of the Village Plan.

**S/P, DeLapp/Johnston, To add a provision f for disabled housing and a provision for a family center to the Village Area Land Use Plan. VOTE: 5:0.**

The Mayor and Councilmember DeLapp said such facilities should come to the city as an integrated portion of development plans.

Councilmember DeLapp and Mayor Johnston suggested that Item 8 should include a variety of housing types and values in the Village Area..

**M/S/P, DeLapp/Johnson, To include a specific reference for an active use central park for the city in any plan for the Village Area. VOTE: 5:0.**

Commissioner Sessing pointed out that Business Park had significant changes in allowable uses that might have been overlooked.

The Planner said it should have said in the text that BP specifically excluded warehousing, distribution facilities, and manufacturing or assembly, and that he will correct the text.

The Planner was asked to draft language indicating that accessory/auxiliary/support businesses would be allowed only after X percent of the commercial land is developed below 10<sup>th</sup> Street

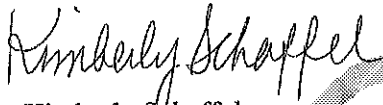
Councilmember DeLapp said to add the word, "permanent" between concentric and Green Belt in Item No. 5 of the Village Area Land Use Plan. The Council agreed. He also suggested adding another line about the critical nature of blending old development with the new development in that area of the City. The Planner thought that was unnecessary, since the Plan already addressed that concern with varied densities to match that which exists adjacent.

**M/S/P, Johnson/DeLapp, To delete the "Additional Land Use Plan Guidance" section of the Land Use Plan. VOTE: 5:0.**

**M/S/P, Johnson/DeLapp, To adjourn for the evening, and pick up the Staging and Land Use Plan on Saturday morning. VOTE: 5:0.**

Adjourned at 8:15 p.m.

Respectfully submitted,



Kimberly Schaffel  
Recording Secretary

**City of Lake Elmo  
City Council Meeting  
Minutes of May 7, 2005**

Mayor Johnston called to order the meeting of the Lake Elmo City Council at 8:00 a.m.  
COUNCILMEMBERS PRESENT: Smith, Johnson, and DeLapp. STAFF PRESENT: Administrator Rafferty, Planner Dillerud, Finance Director Bouthilet, and Recording Secretary Schaffel. ALSO PRESENT: Planning Commissioners Fliflet, Roth, Schneider, and Sedro.

**Agenda**

Attorney's opinion regarding Urban Transition. Add persons per dwelling unit. Review Staging Plan before Land Use Text. Remove Minutes until next meeting. Add Met Council paragraph. M/S/P, Johnson/Johnston, To approve the Agenda as amended. VOTE: 4:0.

**City Attorney's Opinion on Urban Transition**

The Planner explained that a letter was received from a landowner of 660 acres which took exception to the Urban Transition area on one side of his property. The City Attorney said in his opinion, as long as there is a reasonable use of the property, the city can plan that sort of buffering.

**Persons per Dwelling Unit**

The Mayor suggested a manner of treating persons per dwelling unit within the planning documents. The Planner said the Land Use text addresses persons per dwelling unit. He asked for direction

**Minutes**

M/S/P, Johnston/DeLapp, To table Minutes until next meeting. VOTE: 4:0.

**Staging Plan**

Discussion ensued with regard to park dedication percentages. Councilmember Smith said when new development arrives, the city always takes 10% for parks as part of the formula. The mayor explained that 10% is often taken as dollars, and we have to have the land to locate a park below 10<sup>th</sup> Street. Councilmember Johnson said the mayor's plan assures enough land for those parks.

M/S, DeLapp/Johnson, For all development not done as OP, the dedication be taken as land.  
MOTION WITHDRAWN.

MOTION: DeLapp, To take money in lieu of land for park dedication. MOTION FAILED FOR A SECOND. The Planner said parks are supposed to be built based on the Parks System Plan.

M/S/P, DeLapp/Johnston, To make the Village Area the first priority for development. VOTE: 4:0.

The mayor said the city should have a couple of years to develop standards for non-residential development south of 10<sup>th</sup> Street.

The Planner said standards were increased in the Year 2000. He said there will be a large increased cost to the city before any new non-residential development other than Eagle Point may be built below 10<sup>th</sup> Street. The cost of the water infrastructure is approximated today at \$3.7 million.

Councilmember Smith said developers will not bring a large office campus to Lake Elmo if they have to pay the water infrastructure. Councilmember Johnson said in essence, development pays for that infrastructure but it occurs over time.

The Planner said the infrastructure at Eagle Point was paid for with a bond that has been rolled over

multiple times due to the slower pace of development there.

Councilmember Smith said it would be impossible to meet 2020 population requirements by only developing the Village Area and OP north of 10<sup>th</sup> Street. Some development south of 10<sup>th</sup> Street will be necessary to meet population forecasts by 2020.

The mayor recessed the meeting for ten minutes and reconvened at 9:21 a.m.

The Planner said the Metropolitan Council web site corrected the Water Resources Draft Plan. Between the two wastewater treatment sites, they are no longer projecting 2010 and 2020 for dwelling units and population targets. Those numbers are indicated as To Be Determined. The Regional Development Framework targets are in terms of staging. He said that if we begin modifying the city's assumptions, the Metropolitan Council will react.

The mayor said even if we develop all OP units immediately, we will run out of land in seven years. The conclusion is that sewered development must begin south of 10<sup>th</sup> Street in five years in order to meet our financial responsibility.

The Planner said the Planning Commission's recommended Staging Plan was seven years before sewered development must begin south of 10<sup>th</sup> Street.

Councilmember DeLapp said the Planning Commission did not intend that.

Commissioner Fliflet said the Staging Plans were not given to them prior to meetings. The focus was targets. Individual years were not discussed. They were trying to meet minimum mandates of the Metropolitan Council.

Commissioner Schneider said that is exactly how it happened. The maps and charts were not analyzed completely. Their recommendation was not a blessing from the Planning Commission. They were just trying to meet the goals.

Commissioner Roth said the Planning Commission was rushed. The persons per dwelling unit were established at 2.75. He said those numbers changed, and he recommended that the population be looked at closely. He said that any plan brought forth with larger than 15,200 population in 2020 is unconscionable.

The Planner said System Statements are done by the Metropolitan Council every 10 years, and numbers can change.

Councilmember Johnson said twice we have said we support the MOU, and we should look at being fiscally responsible at the same time.

Commissioner Schneider said in his neighborhood it is 3.5 persons per dwelling unit and 4.2 in Carriage Station. Even though we have tried to slow the pace of development, we have still grown by nearly two thousand people since 2,000.

The Planner said that 355 dwelling units have been added, nearly all in OP, since 2000. 1500 people were added since the census.

Councilmember DeLapp suggested trying three scenarios, the staff, Councilmember Smith's, and Councilmember DeLapp's plan and look at them fairly.



The Planner said where new development will go needs to be addressed as well as when. The Planning Commission recommendation regarding commercial development south of 10<sup>th</sup> Street was a concentration at the far southeastern corner of the community. The city has a sizable sewer pipe at Eagle Point, and it would cost nothing to the city to extend it. The cost to just open the door to the water is \$3.7 million, and nobody knows yet how much it will cost to extend that water infrastructure.

Commissioner Fliflet said infrastructure cost should be part of the discussion. We should not commit to building that infrastructure earlier than is necessary.

Administrator Rafferty said there will be a minimum of two years' worth of work and analysis to conceptualize a plan for commercial development in the southeastern corner of the city. That area of the city would work well if we are trying to coordinate with Woodbury. It may be five to ten years before the infrastructure must be placed there.

Councilmember Smith said the Planning Commission buffered new residential housing from the freeway by a strip of commercial development. She preferred that option because otherwise high density housing will be along the freeway.

M/S/F, DeLapp/Smith, To not base discussion on the Planning Commission recommendation to consolidate commercial development into one primary location because the data has changed.

Commissioner Sedro said she voted for the consolidation to be more flexible to take advantage of a good employer if one came to us, as far as residential on the freeway she looked at what the city gained by having such an employer.

Commissioner Fliflet said the Planning Commission voted for a Corporate Woods type of development but she did not believe it all had to be placed in one location. The recommended approval was of the concept.

Commissioner Roth said he voted against that concept because he did not want to alter Lake Elmo's appearance by having housing along the freeway.

VOTE: 1:3, Nay - Smith, Johnson, Johnston.

The mayor said the Woodbury mayor said if Lake Elmo is serious about working with them, we would consolidate our commercial development.

M/S/P, Smith/Johnston, to Table discussion of the shape of commercial area below 10<sup>th</sup> Street.  
VOTE: 4:0.

The mayor said planning for the target population would be a much more attractive option than leaving some numbers absent and trying to scramble to meet targets in the last five years of this planning period.

After a five minute recess, the mayor called the meeting back to order at 10:41 a.m.

M/S/P, Smith/DeLapp, Each councilmember will take five minutes to explain their positions on staging.

Administrator Rafferty said if the council each gave their numbers for non-residential, residential north, and residential south of 10<sup>th</sup> Street, we could move the discussion forward.

VOTE: 4:0.

Councilmember DeLapp suggested the commercial development should be placed at the most southwestern portion of the city in order to move the water efficiently, and residential development would be east of that location, post 2020. He said if we move the infrastructure east, then development will immediately follow.

The mayor said he would like straight line development with a financial bump at the beginning to pay for the water infrastructure costs.

Councilmember Johnson said she would change Option A to add the market driven development for non-residential development. She said there should be two to five years for the planning process and then market driven after that.

The Mayor said Option A would present the lowest financial risk to existing residents. Councilmember DeLapp said it would represent the biggest risk to urbanizing the city.

Commissioner Fliflet asked staff if there were financial holes in the Planning Commission Model of the Staging Plan. She said she was told it was financially sound.

The mayor said the Planning Commission's Staging Plan might have been fiscally sound but it carried more risk.

Administrator Rafferty said connected to numbers for Staging Plans are dollars. So staff took those costs and applied them to both models. Both models are financially sound. One model produces more *Ad Valorem* revenue earlier than the other. Once the financial investment is made in infrastructure, development must occur to pay for it or the burden will fall on the taxpayers.

The Planner said staff accelerated the back load approach in order to financially pay for the water improvements.

Councilmember Smith explained her plan would place 3600 REC units and 10,000 population below 10<sup>th</sup> Street. She would reserve acres just north of 10<sup>th</sup> Street should we not meet the population due to changes in persons per dwelling unit. For seven years, the city would focus on development in the Village Area. That brings the city to 2013 before beginning the development south of 10<sup>th</sup> Street. Her focus on the Village Area would make it exceptional. Later focus below 10<sup>th</sup> Street would make that area exceptional.

Councilmember DeLapp asked if Metropolitan Council would allow more than 500 residential sewer units in the Village Area.

The Planner said we may not have 500 existing in the Village so we might borrow from that number. The mayor said he believes the Metropolitan Council would allow us to do that.

Councilmember Smith said her plan brings water closer to the non-residential development.

Commissioner Roth said a good corporate client might necessitate accelerating residential development.

The Planner said with sewer gravity districts, that stages new development.

The mayor suggested bringing these three positions to staff for a financial impact assessment.

Councilmember DeLapp said the last Comprehensive Plan had water planned to serve 440 acres of corporate development and sewer would be available immediately following design standards being established.

Councilmember DeLapp said the oversizing of the sewer pipe was already done and paid for but the well house would need to be built.

The mayor said the sooner we get started with development, the lower the risk to taxpayers.

Councilmember Johnson said she would only change non-residential sewer in Option A so it would be more balanced. The last column would be changed to put development more up front than what is shown.

Councilmember Smith asked staff to change the initial bump to 125 for the first two years and then drop to 70 per year for five years.

M/S/P, Johnson/Smith, to have a special meeting in place of the Council Committee Meetings beginning at 5:30 p.m. on Tuesday, May 10, 2005. VOTE: 4:0.

Adjourn 11:50 a.m.

Respectfully submitted,

Kimberly Schaffel  
Recording Secretary

**City of Lake Elmo  
City Council Meeting  
Minutes of May 10, 2005**

Mayor Johnston called to order the special meeting of the Lake Elmo City Council at 5:32 p.m. COUNCILMEMBERS PRESENT: Smith, Johnson, (and DeLapp 5:32 p.m.). STAFF PRESENT: Administrator Rafferty, Planner Dillerud, Finance Director Bouthilet, and Recording Secretary Schaffel. ALSO PRESENT: Planning Commissioners Lyzenga and Fliflet.

**Agenda**

Remove the Minutes and bring them to the May 17, 2005 meeting. Move Staging Plan to Number 2 on the Agenda. M/S/P, Johnson/DeLapp, To accept the Agenda as amended. VOTE: 4:0.

Administrator Rafferty said Councilmember Conlin would come back to Lake Elmo for a final decision on the Comprehensive Plan if requested to do so.

**Staging Plan**

The Planner said there are four elements to the Comprehensive Plan: Inventory, Policy, Land Use Plan (text and map), and the Staging Plan. In addition there are several System Plans. There will be a problem for our consultants to have sufficient time to create Systems Plans unless some decisions on the first elements are reached soon.

Staff presented options of staging approaches for the City responsive to the scenarios presented by individual Council Members on May 7.

Administrator Rafferty said that Councilmember Conlin told him she was leaning toward Option A.

The Planner said the Comprehensive Plan was not on last evening's agenda at the Planning Commission. The Planning Commission did say, however, that a very good development application could be cause for the Staging Plan to be amended.

The Planner provided lists, then a chart and graphics comparing his interpretations of the staging options presented on May 7 by staff and individual Council members. The Planner said three Council options (Johnston, Smith and Delapp) are not dissimilar. Each of those options would allow a developer with an excellent project the opportunity to develop earlier than the Staging Plans would otherwise indicate with an affirmative 4/5 vote of the City Council; and all three (Johnston, Smith and Delapp) staged regional sewer to the Old Village first.

The Planner presented a graph comparing the rate of housing unit production per year for each option; another graph comparing regional sewer development by option. A third graph was for new sewer development in the Village Area. The final graph compared sewer residential south of 10<sup>th</sup> Street was in the next graph.

Administrator Rafferty displayed financial forecast tables for each councilmember's model. He said all the models reflect the city's capability of supporting city operations.

Councilmember Smith suggested that a more responsible approach would be steady growth without having to overload staff and projects by trying to develop sewer units both north and south of 10<sup>th</sup> Street.

south of 10<sup>th</sup> Street at the same time. That could be taxing on both staff and Council. She said the Smith and Johnston models appeal most from that perspective.

Councilmember DeLapp said outside contracted sources can help when staffing needs increase.

M/S/P, Johnson/Johnston, To recommend the Council Member Smith Staging Option with "New Sewered DUs South of 10<sup>th</sup>" replaced with Johnston's option for New Sewered DUs South of 10<sup>th</sup> Street. Also, non-residential sewer will be market driven beginning in 2013, and with 4/5 vote of Council to amend if a very attractive non-residential development application was forthcoming.

The Mayor said we should not confuse staging with zoning and standards. He said we should take nine months to get our zoning in place, and standards will need to be created during the years before development begins.

Planning Commissioner Lyzenga said the Planning Commission proposed development be postponed south of 10<sup>th</sup> Street to 2020 in order for the City to create a scenario where we could choose the best of development applications.

The Mayor called a recess for five minutes and reconvened at 7:48 p.m.

VOTE: 2:2. Nay – Smith, important that Councilmember Conlin is here for the decision. Nay - DeLapp.

M/S/P, Smith/DeLapp, To recommend the Smith Option, beginning non-residential sewer in 2013, with a proviso for flexibility for the timing of development in the Village Area, and with 4/5 vote of council a very attractive development application could be approved sooner.

VOTE: 4:0.

### **Land Use Plan Text**

The Planner said he will change the text based on the Staging Plan that was chosen.

M/S/P, Johnson/Johnston, To approve the Land Use Plan text as amended by the Staging Plan.  
VOTE: 4:0.

### **Land Use Plan Map**

Councilmember DeLapp said we have always expected a 440 Plan for non-residential development below 10<sup>th</sup> Street in the Comprehensive Plan. We should continue with that plan.

The Planner said the 440 Plan was to take Eagle Point and essentially extend non-residential development along Hudson Road to just beyond Keats Avenue. That totals about 440 acres of non-residential development. He said an amendment to the Comprehensive Plan was requested to do that. The Metropolitan Council rejected that amendment except for the 120 acres of Eagle Point. He reported that the sewer pipe at Eagle Point has enough capacity to support that 440 acres of non-residential development. He also noted that the new City well is at Eagle Point as well.

M/S/P, DeLapp/Johnston, To show the 440 acres adjacent to Eagle Point to across Keats (or enough land to give us enough employment REC units) as the only non-residential sewer land

outside the Old Village; the remaining lands below 10<sup>th</sup> Street to be residential, and to delete some of the non-residential development along the freeway, leaving the option for cooperation with Woodbury on a State subsidized development as a Comprehensive Plan Amendment based on proven need and desirability for the City.

Mayor Johnston said putting all the non-residential adjacent to Stonegate is a considerable change. The Mayor suggested accepting the Planning Commission recommendation for non-residential development with the option of moving it back toward Eagle Point if we received a wonderful proposal.

Councilmember Smith said she would like to take some time to explore options with Woodbury.

Councilmember DeLapp said moving water a great distance east will cost a great deal of money.

Councilmember Johnson said we should move forward. She asked if the Council wants to spread out or consolidate non-residential development, with or without Woodbury. She said we should protect existing residents.

Councilmember Smith asked if staff could bring in Matt Kramer to give some clarification. She said she has no problem locating the non-residential development between Manning and Lake Elmo Avenue but she feels uninformed.

CALL THE QUESTION: VOTE: 4:0.

VOTE: 1:3, Nay – Smith, Johnston, and Johnson.

M/S/P, Johnson/Johnston, To adopt the April 2005 Draft Land Use Plan Map.

The Mayor said the benefit of consolidating non-residential development in the southeastern part of the city is the potential of similar high tech businesses being substituted for the proposed auto mall across the highway in Woodbury. He said does not like the buffering the Planning Commission provided by the RT land use classification. He said he has heard that open space does not buffer well. He said he believes the City should zone residential 3.7 per acre and insure the 200 feet of buffer, and leave it to future councils and commissioners to impose how it will be done.

Councilmember Smith said she would like all residential development area below 10<sup>th</sup> Street to be classified the same on the Land Use Map.

The Mayor said that, other than for buffering, there is no need for different residential densities south of 10<sup>th</sup> Street. The Planner said different densities could dictate housing styles. If we present only an average number of units per acre, it could give a future commission or council some more flexibility.

Councilmember Smith said she suggested a singular residential classification south of 10<sup>th</sup> Street in order to find some way of finding equity because it provides similar land values to each landowner.

The Planner explained that the Planning Commission provided for higher density along transportation corridors., which is good planning practice.

The Mayor said that the Rural Transition classification takes up too much land. He objects to that inefficient barrier.

Amendment, Johnston/DeLapp, To leave the varying density and buffering issue to future councils for residential sewered development south of 10<sup>th</sup> Street, and to approve an average density across the residential area south of 10<sup>th</sup> Street.

Councilmember DeLapp said there are myriad methods of shaping development to buffer, screen, and design those lands.

AMENDMENT VOTE: 4:0. VOTE ON MOTION: 4:0.

With Council's approval, the Planner said he will make the necessary adjustments, and send the Land Use Plan and Map and the Staging Plan to the Metropolitan Council for comment.

Adjourn at 7:57 p.m.

Respectfully submitted,



Kimberly Schaffel  
Recording Secretary

## LAKE ELMO CITY COUNCIL MINUTES

APRIL 28, 2005

Mayor Johnston called the meeting to order at 6 p.m. in the city council chambers.  
PRESENT: Conlin, Smith, Johnston, Johnson, DeLapp, City Engineer Prew, City Planner Dillerud, City Attorney Filla, and Administrator Rafferty.

### 1. Lakewood Evangelical Free Church

Attorney Filla summarized the 10 resolutions provided for Council consideration and recapped the history of the church application and proposal. Attorney Filla asked the council to take action on the comprehensive plan first. If approved, then the Council should consider rezoning and CUP allowed in the PF zone.

Peter Beck, attorney for the church, submitted maps for the current proposed OP, church site, remaining 40 acres and talked about expanded OP development. He said the open space plan does not have to be approved tonight, but the other resolutions do. The applicant would add 20 acres to the 40 for a total of 60 acres....as to how the lots would lay out they would have to come back to the City, probably in 60 days. Beck said tonight, the applicant's goal is to get a decision on the church, comp plan amendment, rezoning, CUP for the church. The church doesn't want any uses between them and Highway 36.

Council member DeLapp asked if they meant keeping the land in OP. Attorney Beck responded that the NW 1/3 or more would be dedicated OP. The balance is unusable for a structure due to the power line easement.

### Comprehensive Plan Amendment from RAD to PF

M/S/P Johnston/Conlin - to approve Resolution No. 2005-027, A Comprehensive Plan Amendment from RAD to PF requested by Lakewood Evangelical Free Church. (Motion passed 4-1 DeLapp: The comprehensive plan does not call for a string of public facilities.)

Mayor Johnston stated the City is looking at a substantial change in population, and he supports churches which should be located by major transportation corridors. Council member DeLapp said the Planning Commission asked to delay this request until after the comp plan is completed. Council member Conlin asked if there were any residents against this application. The City Planner said not that he recollects and that there are not many houses close by.

Council member Conlin said we as a City have not put together a plan for parcels in the PF Zoning. The code allows for such PF zoning, and the Council has to follow the code.

### Rezoning from RR to PF

M/S/P Johnson/Conlin - to approve Resolution No. 2005-028, A Resolution Approving the Rezoning from a Rural Residential (RR) designation to a Public Facility (PF) designation for Lot 1, Block 1, Deer Glen..(Motion passed 4-1 DeLapp: Thought we were



going to take the three Resolutions together. Attorney Filla said the three resolutions, Resolutions 2005-027, 028, 029, are a package because they all deal with the church.

#### Conditional Use Permit

M/S/P Johnson/Conlin - to approve Resolution No. 2005-029, A Resolution Approving the Request for a Conditional Use Permit by Lakewood Evangelical Free Church for Proposed Lot 1, Block 1, Deer Glen. (Motion passed 4-1:DeLapp said he was not as strongly against this CUP request as the other two resolutions.).

Attorney Filla pointed out Conditions 2 and 3 in Resolution No. 2005-029 were not discussed before by the Council, but added that the conditions should have been considered.

Attorney Filla also pointed out that the preliminary plat that is in front of the Council may change if the area of the OP development is expanded based on what Attorney Beck has stated.

Attorney Filla suggested adding a condition #3. The proposed preliminary plat shows a 48 acre OP project plan rather than a 68 acre OP project described preliminarily by Attorney Beck and generally illustrated on Exhibit 1. Filla recommended adding condition #4. That the additional 20 acres of OP should be added to an amended preliminary plat which should be reviewed by the Planning Commission before presentation of the final plat to the City Council.

#### Preliminary Plat

M/S/ Johnson/DeLapp - to approve Resolution No. 2005-030, A Resolution Approving the Preliminary Plat for Deer Glen with added conditions #3 and #4, as recommended by Attorney Filla.

Council member DeLapp suggested including all the land not currently proposed for development to be included in the Open Space.

M/S/Withdrawn DeLapp/Conlin - to amend condition #3 to include all the land not currently proposed for development to be included in the Open Space.

M/S/P Johnson/DeLapp - to approve Resolution No. 2005-030, A Resolution Approving the Preliminary Plat for Deer Glen with added conditions #3 and #4, as recommended by Attorney Filla. (Motion passed 4-1:DeLapp)

Attorney Filla reminded the Council that it needed to react to what is before them and this 68 acre proposal was not before them.

Council Member DeLapp said he had a meeting with Kirby Spike about saving the land in OP, and Mr. Spike said he would talk to the church council about hiring a landscape architect, but no information has come back to the Council. Chuck Palmer indicated they would work with a landscape architect.

Attorney Filla indicated it should be documented that the applicant is going to add 20 acres to this proposal and asked the applicant if they wanted the City to act on this concept. Attorney Beck responded he would like the Council to act on this proposal to add the 20 acres.

Attorney Filla recommended that if the Council was to approve Resolution No. 2005-031 that in the Now Therefore clause, 4<sup>th</sup> line, eliminate everything after September 24, 2004 and add "subject to the following condition. 1. Submittal of amended concept plan for a 68 acre OP project within 30 days."

Council member Smith stated her concern was that the adjacent property owners, who may be affected by the additional 20 acres, have not been notified of the potential change. Staff explained the revised concept OP plan and revised preliminary plat would have to have a public hearing before the Planning Commission and neighbors would be included in this process.

Council member Johnson left the meeting at 6:50 p.m.

Attorney Beck said the applicant would comply with the OP regulations. They will consult with the City planner and make sure things are being done appropriately.

Open Space Preservation Development Concept Plan

M/S/P DeLapp/Johnston - to approve Resolution No. 2005-031, as amended, approving A Resolution Approving the Open Space Preservation Development Concept Plan of 68 acres described by Lakewood Evangelical Free Church. (Motion passed 4-0).

Adjourned the meeting at 6:55 p.m.

# LAKE ELMO CITY COUNCIL MINUTES

MAY 3, 2005

1. AGENDA
2. MINUTES: April 19, 2005
3. PUBLIC INQUIRIES/INFORMATIONAL:
  - A. Public Inquiries
  - B. Public Informational
4. CONSENT AGENDA:
  - A. Resolution No. 2005-044: Approving Claims
5. FINANCE:
  - A. Audit Report
  - B. SAC & WAC Changes: Ordinance No. 97-156
  - C. Water Project Notification
6. NEW BUSINESS:
  - A. Community Improvement Commission Appointment
  - B. Parks Commission Appointment
  - C. Appointment of Rod Sessing to the Planning Commission
  - D. Records Retention Schedule: Resolution No. 2005-045
7. MAINTENANCE/PARKS/FIRE/BUILDING:
8. CITY ENGINEER'S REPORT:
  - A. Escrow Reduction – Tapestry
  - B. 2005 Street Repairs – Hilltop Avenue
9. PLANNING, LAND USE & ZONING:
  - A. Comprehensive Plan Update – Verbal
10. CITY ATTORNEY'S REPORT:
11. CITY ADMINISTRATOR'S REPORT:

Mayor Johnston called the Council meeting to order at 7:00 p.m. in the Council chambers. PRESENT: Conlin, Smith, Johnston, Johnson, DeLapp, City Engineer Prew, City Planner Dillerud, Building Official Jim McNamara, City Attorney Filla, Fire Chief Malmquist, Finance Director Tom Bouthilet and Administrator Rafferty.

## **1. AGENDA**

ADD: Request that the Special Council meeting minutes be added to May 6<sup>th</sup> agenda for approval

M/S/P Johnson/Conlin - to approve the May 3, 2005 City Council agenda, as amended.  
(Motion passed 5-0).

## **2. MINUTES: April 15, 2005**

M/S/P Johnson/DeLapp - to approve the April 15, 2005 City Council Minutes, as amended. (Motion passed 4-0-1 Abstain: Smith).

### **3. PUBLIC INQUIRIES/INFORMATIONAL:**

#### **A. Public Inquiries**

Susan Dunn asked that the staff continue to look into the option of working with the Minnesota Land Trust to preserve the City parks. She suggested that the Public Facilities Committee members be reactivated to help the staff find viable sites for City facilities. She thanked the City for televising the Council meeting on the comprehensive plan and asked that a meeting be held for the residents along 10<sup>th</sup> Street so they can be appraised on the comprehensive plan modifications.

#### **B. Public Informational - NONE**

### **4. CONSENT AGENDA:**

#### **A. Resolution No. 2005-044: Approving Claims**

M/S/P DeLapp/Johnson - to adopt Resolution o. 2005-044, A Resolution approving claim numbers 255, 256, 257, DD409 through DD418, 27230 through 27241 which were used for Staff Payroll dated April 28, 2005, claims 27242 through 27290 in the total amount of \$143,391.79. (Motion passed 5-0).

### **5. FINANCE:**

#### **A. Audit Report**

The Council received the 2004 Annual Financial Report from Abdo, Eick & Meyers. Steve McDonald, Abdo, Eick & Meyers, reviewed the management letter with the Council.

M/S/P Smith/DeLapp - to accept the 2004 Annual Financial Report presented by Abdo, Eick & Meyers. (Motion passed 5-0).

#### **B. SAC & WAC Changes**

The Finance Director reported the City is currently going through the first phase of a water expansion project. In the near future, the City will also be considering installation of a new sewer main from the Old Village down to I-94 Freeway. Staff has an estimate on costs for these projects. The Finance Director provided Ordinance No. 97-156 adopting the amended 2005 fee schedule. The fee schedule represents an amendment to the WAC and SAC charges reflecting the current estimated cost of the infrastructure projects. Lateral charges will be discussed at the May 10 Council Committee Meeting.

M/S/P DeLapp/Johnson - to adopt Ordinance No. 97-156 amending the WAC and SAC Fees for Calendar Year 2005. (Motion passed 5-0).

#### **C. Water Project Notification - POSTPONED**

**6. NEW BUSINESS:**

**A. Community Improvement Commission Appointment**

Deborah Lyzenga has resigned from the CIC in order to devote her time as Planning Commissioner. The CIC Commission now has one vacancy. Robert Van Zandt has submitted an application for appointment.

M/S/P Johnson/Conlin - to appoint Robert Van Zandt, 8110 Hidden Bay Trail, to the Lake Elmo Community Improvement Commission. (Motion passed 5-0).

Council member Smith suggested alternate positions added on the CIC. This item will be placed on a council committee agenda.

**B. Parks Commission Appointment**

The vacancy of the Second Alternate position on the Parks Commission has been advertised. An application has been received from Judith Blackford.

M/S/P DeLapp/Johnson - to appoint Judith Blackford, 9765 45<sup>th</sup> St. N., to the Lake Elmo Parks Commission as a second alternate. (Motion passed 5-0).

**C. Appointment of Rod Sessing to the Planning Commission**

Rodney Sessing's second full term on the Planning Commission expired on December 31, 2004. The Council reappointed him on January 4, 2005 for sixty days and then reappointed him again on February 15, 2005 for sixty days. With both reappointments considered together, Rod Sessing's commission will expire on May 4, 2005. There would be a vacancy on the Commission if Rod Sessing is not reappointed. The City has three applications on file.

M/S/P Johnson/Smith - to follow the appointment process, advertise for Planning Commission applications with a deadline date of May 12. Candidates who have not previously been interviewed will be scheduled for an interview before the May 17<sup>th</sup> Council meeting.

**D. Records Retention Schedule**

The Council was asked to adopt the MN General Record Retention Schedule for Cities.

M/S/P Johnson/DeLapp - to adopt Resolution No. 2005-045, A Resolution Adopting the Minnesota General Records Retention Schedule for Cities. (Motion passed 5-0).

**7. MAINTENANCE/PARKS/FIRE/BUILDING:**

## **8. CITY ENGINEER'S REPORT:**

### **A. Escrow Reduction – Tapestry**

In his memorandum dated April 29, 2005, the City Engineer reported that a small amount of grading and water main work is complete and requested an escrow reduction. The City Planner noted this is the last small reduction on this large project.

M/S/P Smith/Conlin – to approve the escrow reduction of \$2,411,912.50 for Tapestry as recommended in the City Engineer's memorandum dated April 29, 2005. (Motion passed 5-0.)

### **B. 2005 Street Repairs – Hilltop Avenue**

In accordance with the adopted 2005-2009 CIP, Hilltop Avenue North is scheduled to be overlayed in 2005. The City Engineer asked approval for Authorization for Professional Services for 2005 Street Repairs – Hilltop Avenue North.

M/S/P Johnson/Smith – to approve the City Engineer's request for Authorization for Professional Services for the 2005 Street Repairs -- Hilltop Avenue North not to exceed an estimated amount of \$35,000. (Motion passed 5-0)

The City Engineer will be looking at traffic calming as part of the feasibility report for this project.

## **9. PLANNING, LAND USE & ZONING:**

### **A. Comprehensive Plan Update – Verbal**

The City Planner explained on May 3<sup>rd</sup> he received an e-mail from Blair Tremere, Director of Community Development, Metropolitan Council, stating the Met Co. believes 2.53 ppdu is a very reasonable number for the City in 2030. Mr. Tremere added the City's preference for a significant complement of senior housing would argue for lowering the ppdu number, not raising it. Tremere said arbitrarily raising the ppdu number, which decreases the number of dwelling units, would likely hamstring planned population growth and adversely impact existing and planned metropolitan systems serving the City and surrounding communities.

The Met Council would not support 2.75 ppdu, but would demand the City implement 2.53 ppdu. Mr. Tremere said the Metropolitan Council will adhere to the Framework's forecast of 9,500 dwelling units necessary to accommodate a 2030 population of 24,000.

Council member Conlin called the letter premature because they have not made a determination on senior housing and a final zoning plan map has not been agreed upon.

Council member Smith said she was taken aback by the significant senior housing comment. They're implying something that never occurred. We need studies to determine what senior housing is needed.

Council member Johnson said she would back the Council's previous 2.91 ppdu decision, and the City should prepare itself to defend that number in court should the need arise.

The Council consensus was to use 2.91 ppdu for the completion of the comp plan.

Council member Smith suggested placing an area in a reserve for the difference in housing density.

Council member DeLapp agreed to setting aside a block of land in reserve north of 10<sup>th</sup> Street.

Council member Johnson asked how does the City legally reserve land.

Mayor Johnston indicated he believed the City had a good argument to go along with 2.91 ppdu if the City set a piece of land for future density. Mayor Johnston added he had no contact with any Met Council representative relative to this email.

The Council was in agreement on the concept of a placing an area in reserved for future housing density and this item will be discussed at the May 7<sup>th</sup> Council meeting on the comp plan.

M/S/P Johnston/Smith - to table this item until the Saturday, May 7<sup>th</sup> Council meeting. (Motion passed 3-2 Conlin, DeLapp).

**10. CITY ATTORNEY'S REPORT:**

**11. CITY ADMINISTRATOR'S REPORT:**

**12. CITY COUNCIL REPORTS:**

Council member DeLapp attended the MN Land Trust meeting. The Land Trust has now completed their 250<sup>th</sup> easement of which 215 are in Lake Elmo.

Council member Johnson reported there is a newly formed Rotary Club of Lake Elmo which meets each Wednesday from 7-8 a.m. at the Lake Elmo Inn. On May 11<sup>th</sup> Governor Pawlenty will be the guest speaker.

Council member Johnson said she attended the April 26 meeting on the Private Wells Groundwater Contamination. Residents approached her with concerns on the long term affect and the affordability of having to hook up to City water.

Adjourned the meeting at 8:20 p.m.

-----  
Respectfully submitted by Sharon Lumby, City Clerk

MINUTES APPROVED: MAY 3, 2005  
LAKE ELMO CITY COUNCIL MINUTES  
APRIL 19, 2005

1. AGENDA
2. MINUTES: April 5, 2005
3. PUBLIC INQUIRIES/INFORMATIONAL:
  - A. Public Informational: Citizen Award by Commander Tuthill
  - B. Jim Kelly, Dept. of Health, Tablyn Park Area Water. Update of proposed public meeting.
  - C. Lakewood Evangelical Free Church
4. CONSENT AGENDA:
  - A.(1) Resolution No. 2005-040 – Approving Claims
  - (2) Resolution No. 2005-041 – Approving Claims
  - B. Clean Up Day Rates
  - C. Plow Truck Purchase
5. FINANCE:
  - A. Monthly Operating Report
6. NEW BUSINESS:
7. MAINTENANCE/PARK/FIRE/BUILDING:
  - A. Update on Building Department Activities:Jim McNamara
  - B. Accept Fire Study Report:Chief Malmquist
8. CITY ENGINEER'S REPORT:
  - A. Approved Stop Sign at the Intersection of Highlands Trail and Hilltop Avenue
  - B. Update on Water Tower Sites
  - C. Phase II Watermain: Authorize for bids, Resolution No. 2005-042
9. PLANNING, LAND USE & ZONING:
  - A. Preliminary Plat, Comprehensive Plan Amendment Rezoning, Conditional Use Permit and OP Concept Plan – Deer Glen, Lakewood Evangelical Free Church  
(Continuation)
    - B. Resolution No. 2005-043 Approving Placement of a garage structure in front of the primary structure:Gleason, 8211 Lake Jane Trail
    - C. Zoning Ordinance Test Amendments – Fence Regulation/Standards, Ordinance No. 97-155
    - D. Comprehensive Plan Amendments – Planning Commission Recommendations
    - E. Comprehensive Plan – Consulting Services
10. CITY ATTORNEY'S REPORT:
11. CITY ADMINISTRATOR'S REPORT:
  - A. Parks Commission Update
12. CITY COUNCIL REPORTS:
  - A. Mayor Johnston:
    - (1) Proposal by Jim Briemeyer:Objectives for City Administrator
    - (2) Ground rules for Public Meetings



Attorney Filla noted by the City saying nothing, the City doesn't agree with everything Mr. Spike is stating. Filla said he would be glad to sit down to discuss items with their attorney.

M/S/P DeLapp/Johnson – to approve the city attorney meeting with the applicant's attorney to come up with a mutual agreement. (Motion passed 4-0).

Mr. Palmer said the church location and size is non-negotiable, but would be willing to discuss OP development, the 40 acres undesignated, and how the OP might layout. Council member Conlin stated that the council has directed staff to look at PF zoning in the City and where it is appropriate.

#### **4. CONSENT AGENDA:**

##### **A.(1) Resolution No. 2005-040 – Approving Claims**

M/S/P Conlin/Johnston - to adopt Resolution No. 2005-040, approving claim numbers 253, 254, DD396 through DD408, 27153 through 27184 which were used for staff payroll dated April 14, 2005, claims 27185 through 27229 in the total amount of \$85,828.67. (Motion passed 4-0).

##### **(2) Resolution No. 2005-041 – Approving Claims**

M/S/P Conlin/Johnston - to adopt Resolution No. 2005-041, approving claim number 27230, in the total amount of \$360.00. (Motion passed 3-0-1:Abstain:Johnson).

##### **B. Clean Up Day Rates**

The 2005 Annual Lake Elmo Spring Clean-Up Day is set for Saturday May 21<sup>st</sup>, 8 a.m. to Noon at the Washington County Fairgrounds. The Finance Director provided a proposed rate schedule. He explained that the rates charged to our residents are designed to offset the cost of disposal. The City does not profit from the rate charged. This event is a service provided to the community and will discourage illegal dumping on the roadways.

M/S/P Conlin/Johnston - to approve the 2005 Clean-Up Day Rates as proposed by the Finance Director. (Motion passed 4-0).

##### **C. Plow Truck Purchase**

The Finance Director reported the 2005 Capital Improvement Plan (CIP) has scheduled the 1986 Snow/Dump Truck for replacement. The City's Fixed Asset Management Program (FAMP) guidelines suggest trucks in this category be replaced in the 8-10 year range. The Maintenance Advisory Committee has reviewed the specifications for the new truck and approved this request. Due to the low trade-in cost for the 1986 truck, the MAC recommended the City sell the vehicle on the open market through the bidding process with a \$10,000 minimum. If the minimum bid amount is not received, consideration should be given to keeping the truck as a back-up for light use/sanding.

The City has received a quote through the State Cooperative Purchase Venture Program in the amount of \$120,054 for the truck and plow. Not included in the above quote was vehicle registration, decals and radio installation. The estimate for additional expenses is

**B. Update on Water Tower Sites**

In his memo dated April 14, 2005, the City Engineer reported on the estimated costs and revised water tower locations. Other sites considered for the water tower include two locations near the public works building and one on the 3M property.

Administrator Rafferty indicated he would hear in three weeks whether or not the 3M site could potentially be available to us.

An informational meeting for the residents will be held by the Council on the selected site before a decision is made by the Council.

**C. Phase II Watermain: Authorize for bids, Resolution No. 2005-042**

In his letter dated April 14, 2005, the City Engineer reported plans and specifications are completed on the second phase of the Water Systems Interconnect Project. This phase of the project installs 16-inch water main from the intersection of Tapestry Drive and 45<sup>th</sup> Street to the existing Public Works building. This project will allow the City to disconnect from the City of Oakdale's water system in the Lake Jane area.

The City Engineer recommended approval of the plans and authorizing the advertisement for bids.

M/S/P DeLapp/Johnson - to adopt Resolution No. 2005-042, A Resolution Approving Plans and Specifications and Ordering Advertisement for bids for the Water Systems Interconnect Phase II Project. (Motion passed 4-0).

Tom Prew will be contacting the people and let them know what the connection fee would be.

**9. PLANNING, LAND USE & ZONING:**

**A. Preliminary Plat, Comprehensive Plan Amendment Rezoning, Conditional Use Permit and OP Concept Plan – Deer Glen, Lakewood Evangelical Free Church**  
(Continuation) – See Agenda Item 3C.

The Council tabled these applications on April 5 to enable the City Attorney time to review a 12-page letter that has been presented to the City by the applicant's attorney late afternoon of April 5, (the day of the Council meeting). The applicant went on record agreeing to extend the City's review period to April 19, and the Council tabled the application pending a report from the City Attorney regarding the applicant's letter of April 5.

**B. Resolution No. 2005-043 Approving Placement of a Garage Structure In Front of the Primary Structure: Gleason, 8211 Lake Jane Trail**

Harvey Gleason, 8211 Lake Jane Trail, is requesting Council approval to allow relocation of an existing 24' x 26' accessory structure from one side of the lot to the other. The accessory structure (formerly the only garage on the site) is now located close to the

M/S/P Johnson/DeLapp -- to accept the Comprehensive Plan Amendments now completed and to file the Planning Commission's Recommendations. (Motion passed 4-0).

E. Comprehensive Plan -- Consulting Services

The City Planner reported TKDA had presented a proposal and cost estimate for providing anticipated consulting services related to the Comprehensive Plan modifications required per the Memo of Understanding with the Metropolitan Council. The proposal/estimate is broken down as follows:

- |                               |               |
|-------------------------------|---------------|
| 1. Transportation/Traffic     | \$29,052      |
| 2. Water System Plan          | 9,100         |
| 3. Sanitary Sewer System Plan | 5,000         |
| 4. Graphics/Land Use Plan     | <u>28,000</u> |
|                               | \$71,152      |

M/S/P Johnson/Conlin -- to approve the Authorization for Professional Services with TKDA dated March 18, 2005 for the Comprehensive Plan update in an amount not to exceed \$70,000. Funding shall be: \$10,000 from the 2005 General Fund Budget (Planning & Zoning); and up to \$60,000 from the 2005 General Fund Surplus. (Motion passed 4-0).

**10. CITY ATTORNEY'S REPORT:**

**11. CITY ADMINISTRATOR'S REPORT:**

**A. Parks Commission Update:**

Administrator Rafferty reported the Parks Commission decided what type of amenities and activities the Commission would like for the future. They picked several parks and the Commission will be coming back with a final report sometime in 2005. The City will not be looking at any parks for future public facilities.

Council member DeLapp recommended the Parks Commission be given a copy of the MN Land Trust easement for Ridge Park.

**12. CITY COUNCIL REPORTS:**

**A. Mayor Johnston:**

**(1) Proposal by Jim Briemeyer: Objectives for City Administrator**

At the April 12<sup>th</sup> Council Committee, the members reviewed the Briemeyer proposal at a cost of approximately \$750 plus up to \$200 in expenses. The Council will proceed with this item after the Comprehensive plan has been completed.

M/S/P Johnson/ DeLapp -- to accept the proposal by Jim Briemeyer for consulting at a fee of \$750 and up to \$200 in expenses. (Motion passed 4-0). Council member Conlin asked that Mr. Briemeyer provide all the materials at no additional cost so the City could own them for the future.

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

**RESOLUTION NO. 2005-046  
RESOLUTION APPROVING CLAIMS**

BE IT RESOLVED THAT Claim Numbers 258, 259, DD419 through DD430, 27291 through 27319, were used for Staff Payroll dated May 12<sup>th</sup>, 2005; claims 27320 through 27372, in the total amount of \$83,720.57 are hereby approved.

ADOPTED, by the Lake Elmo City Council on the 17<sup>th</sup> day of May, 2005.

---

Dean A. Johnston  
Mayor

ATTEST:

---

Martin J. Rafferty  
City Administrator

# Accounts Payable Computer Check Proof List

User: administrator

Printed: 05/13/2005 - 8:21 AM

# SPRINGBROOK SOFTWARE

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: ACEHARD 2938	Ace Hardware Chains for Portable - Park Check Total:	19.04 19.04	05/17/2005	Check Sequence: 1 101-450-5200-42230	ACH Enabled: No
Vendor: ARAM 629-5713893	Aramark Linen - City Hall Check Total:	50.84 50.84	05/17/2005	Check Sequence: 2 101-410-1940-44010	ACH Enabled: No
Vendor: ARAMAU 57053203-1	ARAMARK Uniforms - Public Works Check Total:	35.59 35.59	05/17/2005	Check Sequence: 3 101-430-3100-44170	ACH Enabled: No
Vendor: ARCADELE 11912	Arcade Electric VFW Lights - Change Check Total:	5,957.00 5,957.00	05/17/2005	Check Sequence: 4 404-480-8000-45300	ACH Enabled: No
Vendor: CENTPOW 309691	Century Power Equipment Lubricant - Public Works Check Total:	15.82 15.82	05/17/2005	Check Sequence: 5 101-430-3100-42150	ACH Enabled: No
Vendor: COPYIMAG 60127	Copy Images, Inc. Monthly Copier Maint. Check Total:	255.60 255.60	05/17/2005	Check Sequence: 6 101-410-1940-44040	ACH Enabled: No
Vendor: DEEPRCK 428353570	Deep Rock Water Company Water - Public Works Check Total:	84.15 84.15	05/17/2005	Check Sequence: 7 101-430-3100-44300	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor:DTI 105390-March 105390-March 105390-March 105390-March 105930 - April 105930 - April 105930 - April 105930 - April	DTI Phone Service - Fire Dept Phone Service - Public Works Phone Service - Well 1 Phone Service - Lift Stations Phone Service - Fire Dept Phone Service - Public Works Phone Service - Well 1 Phone Service - Lift Stations Check Total:	172.03 103.81 55.31 159.03 129.50 74.34 39.67 114.01 847.70	05/17/2005 05/17/2005 05/17/2005 05/17/2005 05/17/2005 05/17/2005 05/17/2005 05/17/2005	Check Sequence: 8 101-420-2220-43210 101-430-3100-43210 601-494-9400-43210 602-495-9450-43210 101-420-2220-43210 101-430-3100-43210 601-494-9400-43210 602-495-9450-43210	ACH Enabled: No
Vendor:EDERJ Claim Voucher	John Eder Registration Reimbursement Check Total:	55.00 55.00	05/17/2005	Check Sequence: 9 101-420-2220-44370	ACH Enabled: No
Vendor:ELMOLUM 030699-01	Elmo's Lumber & Plywood Box of Fuses - Public Works Check Total:	3.82 3.82	05/17/2005	Check Sequence: 10 101-430-3100-42210	ACH Enabled: No
Vendor:EMERGAPP 21693	Emergency Apparatus Maint. Park Brake, Hoses - 3173 Check Total:	959.06 959.06	05/17/2005	Check Sequence: 11 101-420-2220-44040	ACH Enabled: No
Vendor:FARMERS 141352-1513 141372-1035 141372-1035	Farmers Union Co-Op Oil Fuel - Fire Dept. Car Wash - Bldg Dept Fuel - Bldg Dept Check Total:	25.50 7.44 34.00 66.94	05/17/2005 05/17/2005 05/17/2005	Check Sequence: 12 101-420-2220-42120 101-420-2400-44040 101-420-2400-42120	ACH Enabled: No
Vendor:FREDS 421395 421513 421603	Fred's Tire Oil Change - Bldgs Truck New Tires - Parks Trailer Alignment - Chief's car Check Total:	29.64 498.32 85.32 613.28	05/17/2005 05/17/2005 05/17/2005	Check Sequence: 13 101-420-2400-44040 101-450-5200-44040 101-420-2220-44040	ACH Enabled: No
Vendor:GRUBER 19881	Gruber's Power Equipment Cases for chainsaws Check Total:	73.53 73.53	05/17/2005	Check Sequence: 14 101-430-3100-42400	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor:HAGBERGS Account 10	Hagbergs Country Market City Hall Supplies Check Total:	44.30 44.30	05/17/2005	Check Sequence: 15 101-410-1940-44300	ACH Enabled: No
Vendor:HEJNY 24884	HEJNY RENTALS INC. Rental - Pounder - Streets Cleaning Check Total:	84.31 84.31	05/17/2005	Check Sequence: 16 101-430-3100-43150	ACH Enabled: No
Vendor:HERITAGE 14207	Heritage Printing Forms - Fire Dept. Check Total:	33.65 33.65	05/17/2005	Check Sequence: 17 101-420-2220-42030	ACH Enabled: No
Vendor:HOMBYCHA Permit 2927	Homes By Chase Escrow Deposit Return - Permit 2927 Check Total:	1,000.00 1,000.00	05/17/2005	Check Sequence: 18 803-000-0000-22900	ACH Enabled: No
Vendor:HORNINGK Travel Expense	KarlHorning Tvl Expense - Karl Horning Check Total:	78.66 78.66	05/17/2005	Check Sequence: 19 101-420-2400-43310	ACH Enabled: No
Vendor:JH Larso 1393976-01	J.H. Larson Company Light -Parks Check Total:	35.72 35.72	05/17/2005	Check Sequence: 20 101-450-5200-42230	ACH Enabled: No
Vendor:Laatsch Claim Voucher Claim Voucher	JohnLaatsch Registration Reimbursement Milage Check Total:	55.00 60.00 115.00	05/17/2005 05/17/2005	Check Sequence: 21 101-420-2220-44370 101-420-2220-43310	ACH Enabled: No
Vendor:LARSON 50408016	LARSON DIESEL SERVICE Brake Job - Dump Truck - Public Works Check Total:	270.00 270.00	05/17/2005	Check Sequence: 22 101-430-3100-44040	ACH Enabled: No
Vendor:LEOIL B01203 S01203 S01208	Lake Elmo Oil, Inc. Bulk Fuel - Public Works Fuel - Fire Dept Batteries - Parks	1,047.50 284.43 3.93	05/17/2005 05/17/2005 05/17/2005	Check Sequence: 23 101-430-3100-42120 101-420-2220-42120 101-450-5200-44300	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	1,335.86			
Vendor:MALMQ Claim Voucher	GregMalmquist Bev. - Fire Dept. Check Total:	16.96 16.96	05/17/2005	Check Sequence: 24 101-420-2220-44300	ACH Enabled: No
Vendor:MARONEYS 097548 097548 097548	Maroney's Sanitation, Inc Refuse - City Hall Refuse - Public Works Refuse - Parks Check Total:	95.89 95.89 183.96 375.74	05/17/2005 05/17/2005 05/17/2005	Check Sequence: 25 101-410-1940-43840 101-430-3100-43840 101-450-5200-43840	ACH Enabled: No
Vendor:MENARDSO 99698 99769	Menards - Oakdale Mole Traps, Utility Gloves Instant Color Film Check Total:	32.36 39.37 71.73	05/17/2005 05/17/2005	Check Sequence: 26 101-430-3100-42400 101-420-2220-42000	ACH Enabled: No
Vendor:MILLEREX 10428	Miller Excavating, Inc. Grading, Haul out sweepings Check Total:	2,036.01 2,036.01	05/17/2005	Check Sequence: 27 101-430-3100-43150	ACH Enabled: No
Vendor:MNLABOR 351R0629361 351R0629531	LABOR AND INDUSTRYMN DEPT OF Boiler Registration 3510 Laverne Boiler Registration 4259 Jamaca Check Total:	10.00 10.00 20.00	05/17/2005 05/17/2005	Check Sequence: 28 101-430-3100-44300 101-430-3100-44300	ACH Enabled: No
Vendor:Natl Wat 2302043 2321748	National Waterworks Water Meter Water Meter Supplies Check Total:	162.23 250.53 412.76	05/17/2005 05/17/2005	Check Sequence: 29 601-494-9400-42300 601-494-9400-42300	ACH Enabled: No
Vendor:OAKDALE 1000039700 1000046000	City of Oakdale North Pit South Pit Check Total:	1,052.72 3,020.48 4,073.20	05/17/2005 05/17/2005	Check Sequence: 30 601-494-9400-43820 601-494-9400-43820	ACH Enabled: No
Vendor:PELNAR April 2005	KathiPelnar Impounding	830.36	05/17/2005	Check Sequence: 31 101-420-2700-43150	ACH Enabled: No



Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	830.36			
Vendor:PETTYCI April 2005 April 2005 April 2005	Petty Cash Building Supplies Firefighters Mtg, Luncheon Meeting Special Council Mtg - CP - Donuts, Pizza Check Total:	24.20 54.00 85.60 163.80	05/17/2005 05/17/2005 05/17/2005	Check Sequence: 32 101-430-3100-42230 101-410-1320-44300 101-410-1110-44300	ACH Enabled: No
Vendor:PLANTH 762-05	PLANT HEALTH ASSOCIATES, INC Tree Program Check Total:	1,020.37 1,020.37	05/17/2005	Check Sequence: 33 101-450-5200-44030	ACH Enabled: No
Vendor:PRESS 04/30-05/10 04/30-05/10 04/30-05/10	StevenPress Cable Operator - Council Meetings Cable Operator - Planning Meetings Cable Operator - Comp Plan Meetings Check Total:	54.00 54.00 249.75 357.75	05/17/2005 05/17/2005 05/17/2005	Check Sequence: 34 101-410-1320-43620 101-410-1910-43620 101-410-1910-43020	ACH Enabled: No
Vendor:QUANTUM 35993	Quantum Digital Imaging Flyer Check Total:	20.96 20.96	05/17/2005	Check Sequence: 35 101-410-1910-43020	ACH Enabled: No
Vendor:QUICKSI 6236987	Quicksilver Delivery - Met Council Check Total:	28.93 28.93	05/17/2005	Check Sequence: 36 101-410-1910-44300	ACH Enabled: No
Vendor:REED 2892511	Reed Business Information Legal Ad - Water Sys Interconnect Check Total:	153.52 153.52	05/17/2005	Check Sequence: 37 101-410-1320-43510	ACH Enabled: No
Vendor:Rivertwn 50035963	RiverTown Newspaper Group Legal Publ. - LE Leader Check Total:	99.66 99.66	05/17/2005	Check Sequence: 38 101-410-1320-43510	ACH Enabled: No
Vendor:ROGERS 12581	Rogers Printing Services Newsletter printing Check Total:	983.00 983.00	05/17/2005	Check Sequence: 39 101-410-1320-43090	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: RUD 05/02-05/11 05/03-05/12	Diane Prince-Rud Cleaning - City Hall Cleaning - Fire Hall Check Total:	240.00 240.00 480.00	05/17/2005 05/17/2005	Check Sequence: 40 101-410-1940-44010 101-420-2220-44010	ACH Enabled: No
Vendor: S&T 01JX7687	S&T Office Products, Inc. VHS Tapes, DVD Disks, Markers, Env. Check Total:	307.42 307.42	05/17/2005	Check Sequence: 41 101-410-1320-42000	ACH Enabled: No
Vendor: SATELLIT 24180621	Satellite Shelters, Inc. Rental - Bldg Dept Trailer Check Total:	319.50 319.50	05/17/2005	Check Sequence: 42 101-420-2400-44120	ACH Enabled: No
Vendor: TASCH 35747 35835	T.A. Schifsky & Sons Sand Mix - Streets Sand Mix - Streets Check Total:	235.23 117.81 353.04	05/17/2005 05/17/2005	Check Sequence: 43 101-430-3100-42240 101-430-3100-42240	ACH Enabled: No
Vendor: TRACTOR 603530120268128	Tractor Supply Credit Plan Pins, Links, Chains, Fittings - Public W Check Total:	77.64 77.64	05/17/2005	Check Sequence: 44 101-430-3100-42210	ACH Enabled: No
Vendor: TRISTATE A28242 P46958 S08727 V47585	Tri State Bobcat, Inc. Credit for tires Hose, Guide for Sweeper Bobcat Loader (after Trade-in) Tire replacement Check Total:	-198.80 103.78 5,591.25 72.50 5,568.73	05/17/2005 05/17/2005 05/17/2005 05/17/2005	Check Sequence: 45 101-430-3100-44040 101-430-3100-42210 410-480-8000-45400 101-430-3100-44040	ACH Enabled: No
Vendor: TWINCITY 1356	Twin City Water Clinic, Inc. Bacteria Analysis April 2005 Check Total:	20.00 20.00	05/17/2005	Check Sequence: 46 601-494-9400-43030	ACH Enabled: No
Vendor: USBANK 33404800	US Bank Trust N.A. GO Water Revenue Bond 2002B Check Total:	14,383.75 14,383.75	05/17/2005	Check Sequence: 47 601-494-9400-46110	ACH Enabled: No
Vendor: WAS-LAND 1005527	Washington County Surveyor DTM, Planimetric Data 3602921	1,065.00	05/17/2005	Check Sequence: 48 101-410-1910-43020	ACH Enabled: No



Reference

Amount Payment Date Acct Number

Description

Invoice No

49,514.20  
53

Total for Check Run:  
Total Number of Checks:

## Monthly Operating Report - Revenue

As of May 2005					
Description	Budget	Amount	Variance		Comments
Current Ad Valorem Taxes	1,923,989	47,114	1,876,875		
Fiscal Disparities	12,838	0	12,838		
Liquor License	9,000	0	9,000		
Wastehauler License	420	100	320		
General Contractor License	175	4,681	-4,506		
Heating Contractor License	1,000	250	750		
Building Permits	176,000	31,982	144,018		
Surcharge	10,154	0	10,154		
Heating Permits	9,000	0	9,000		
Plumbing Permits	7,000	4,238	2,762		
Sewer Permits	4,000	0	4,000		
Animal License	1,500	911	589		
Utility Permits	1,500	1,335	165		
Burning Permit	1,200	700	500		
Local Government Aid	1,375	0	1,375		
MSA - Maintenance	0	9,068	-9,068		
State Fire Aid	25,000	0	25,000		
PERA Aid	1,500	0	1,500		
Gravel Tax	4,000	3,063	937		
Recycling Grant	15,000	17,724	-2,724		
Zoning & Subdivision Fees	25,000	9,797	15,203		
Plan Check Fees	62,000	9,661	52,339		
Sale of Copies, Books, Maps	1,200	807	393		
Assessment Searches	500	105	395		
Clean Up Days	5,000	0	5,000		
Cable Operation Reimbursement	1,920	400	1,520		
Fines	65,000	20,293	44,707		
Miscellaneous Revenue	22,000	706	21,294		
Interest Earnings	60,000	3,512	56,488		
Interfund Operating Transfers	64,752	0	64,752		
<b>General Fund Total</b>	<b>2,512,023</b>	<b>166,446</b>	<b>2,345,577</b>		
Water Sales	202,500	78,227	124,273		
Tower Rent	26,500	6,870	19,630		
<b>Total Water Enterprise</b>	<b>229,000</b>	<b>85,097</b>	<b>143,903</b>		
<b>Total Sewer Enterprise Fund</b>	<b>7,020</b>	<b>1,300</b>	<b>5,720</b>		
<b>Total Surface Enterprise Fund</b>	<b>75,000</b>	<b>85</b>	<b>74,915</b>		
<b>Total Report</b>	<b>2,823,043</b>	<b>252,928</b>	<b>2,570,115</b>		

REVENUE IS MSA RESERVE - NOT GENERAL FUND

WATER

SEWER & GAS

SEWER & GAS

SEWER & GAS

SEWER & GAS

SEWER & GAS

# Monthly Operating Report

As of 5/17/2005 (Period 5)	Budget	Amount	Variance	Comments
<b>Mayor &amp; Council</b>				
Part-time Salaries	12,100	0	12,100	
FICA Contributions	875	0	875	
Medicare Contributions	204	0	204	
Travel Expense	4,000	0	4,000	
Miscellaneous	8,500	4,649	3,851	1000 DUES/ME HIGHWAYAL 2000 ST. CROIX VALLEY COMMUNITY
Dues & Subscriptions	8,000	2,689	5,311	1100 APPROPRIATION DUES/EX EXPENSES-VNL
Conferences & Training	5,000	434	4,566	
<b>Sub-Total</b>	<b>38,679</b>	<b>7,772</b>	<b>30,907</b>	
<b>Administration</b>				
Full-time Salaries	128,235	45,509	82,726	
PERA Contributions	7,091	2,118	4,973	
FICA Contributions	7,951	2,840	5,111	
Medicare Contributions	1,859	664	1,195	
Health/Dental Insurance	19,132	5,928	13,204	
Workers Compensation	1,740	1,939	-199	Annual Premium Paid
Office Supplies	7,000	2,639	4,361	
Printed Forms	800	266	534	
Newsletter/Website	15,000	3,056	11,944	
Postage	9,500	3,207	6,293	
Travel Expense	4,200	304	3,896	
Legal Publishing	6,000	1,798	4,202	
Insurance	35,000	30,963	4,037	Annual Premium Paid
Cable Operation Expense	1,200	1,279	-79	Special Council Meetings 1,279
Miscellaneous	7,200	23,020	-15,820	Code Codification \$2470, Appreciation Dinner \$ 4669, 5000 USE
Dues & Subscriptions	2,250	1,480	770	Sales Tax collected in sale of Sweeper & paid to the State. 71
Books	500	0	500	16 BE 2000
Conferences & Training	2,500	84	2,416	
Professional Development	2,000	160	1,840	
Transfer Out	195,032	0	195,032	
<b>Sub-Total</b>	<b>454,190</b>	<b>127,255</b>	<b>326,935</b>	
<b>Elections</b>				
Part-time Salaries	1,100	0	1,100	
FICA Contributions	68	0	68	
Medicare Contributions	16	0	16	
Office Supplies	50	0	50	
Printed Forms	100	0	100	
Travel Expense	100	0	100	
Miscellaneous	250	55	195	
Conferences & Training	500	0	500	
Other Equipment	350	340	10	Accuvote Equipment Annual Maint. Paid
<b>Sub-Total</b>	<b>2,534</b>	<b>395</b>	<b>2,139</b>	

	Budget	Amount	Variance	Comments
<b>Finance</b>				
Full-time Salaries	61,798	18,931	42,867	
PERA Contributions	3,417	1,032	2,385	
FICA Contributions	3,831	1,175	2,656	
Medicare Contributions	896	275	621	
Health/Dental Insurance	7,969	2,218	5,751	
Workers Compensation	839	935	-96	Annual Premium Paid
Office Supplies	700	470	230	
Printed Forms	809	657	152	
Software Support	8,995	10,304	-1,309	Annual Accounting Software Maintenance Paid
Hardware Support	3,701	453	3,248	
Software Programs	1,560	0	1,560	
Travel Expense	2,000	24	1,976	
Miscellaneous	700	524	176	Spec. Assessment Billing By Wash Cty \$450.00
Dues & Subscriptions	100	15	85	
Books	200	0	200	
Conferences & Training	1,000	40	960	
<b>Sub-Total</b>	<b>98,515</b>	<b>37,054</b>	<b>61,461</b>	
<b>Accounting Services</b>	<b>22,000</b>	<b>15,461</b>	<b>6,539</b>	
<b>Assessing Services</b>	<b>38,000</b>	<b>22,566</b>	<b>15,435</b>	
<b>City Attorney - Civil</b>	<b>26,000</b>	<b>13,055</b>	<b>12,945</b>	
<b>City Attorney - Criminal</b>	<b>45,000</b>	<b>14,225</b>	<b>30,775</b>	
<b>Planning &amp; Zoning</b>				
Full-time Salaries	64,631	24,862	39,769	
PERA Contributions	3,574	2,305	1,269	
FICA Contributions	4,007	1,552	2,455	
Medicare Contributions	937	363	574	
Health/Dental Insurance	7,962	4,786	3,176	
Workers Compensation	877	977	-100	Annual Premium Paid
Office Supplies	500	244	256	
Printed Forms	500	437	63	
Zoning Ordinance Dev - CDBG	5,000	0	5,000	
Cimarron Study - CDBG	24,000	0	24,000	
Comprehensive Planning	10,000	1,666	8,334	
Engineering Services	0	41,944	-41,944	Public Works - Sunfish Lake Designs - To be Transferred to Capital
Travel Expense	2,700	168	2,532	
Cable Operation Expense	1,200	547	653	Special Council Meetings - Comp Plan
Miscellaneous	200	333	-133	Courier Services and Software Support
Dues & Subscriptions	500	205	295	
Books	200	467	-267	
Conferences & Training	2,000	0	2,000	
<b>Sub-Total</b>	<b>128,788</b>	<b>80,855</b>	<b>47,933</b>	
<b>Engineering Services</b>	<b>27,861</b>	<b>14,511</b>	<b>13,350</b>	

MISC 8/22

	Budget	Amount	Variance	Comments
Attorney Fees	25,000	1,466	23,534	
Gov't Building				
Cleaning Supplies	300	225	75	
Building Repair Supplies	500	0	500	
Telephone	5,100	1,579	3,521	
Insurance	0	277	-277	
Electric Utility	6,500	3,660	2,840	Budget not seasonally adjusted to Actual
Refuse	2,000	542	1,458	
Repairs/Maint Contractual Bldg	10,000	3,968	6,032	
Repairs/Maint Contractual Eqpt	7,000	2,036	4,964	
Miscellaneous	500	345	155	
Sub-Total	31,900	12,631	19,269	
Law Enforcement Services	327,633	176,911	150,722	
Fire				
Full-time Salaries	12,999	5,622	7,377	
Part-time Salaries	117,200	48,509	68,691	
PERA Contributions	719	1,148	-429	
FICA Contributions	8,034	3,358	4,676	
Medicare Contributions	1,879	785	1,094	
Health/Dental Insurance	1,677	8,977	-7,300	Payroll code needs adjustment- amount should be \$843.30 ←
Workers Compensation	3,580	3,990	-410	Annual Premium Paid
Office Supplies	1,000	310	690	
Printed Forms	500	34	466	
EMS Supplies	1,500	465	1,035	
Fire Prevention	4,000	0	4,000	
Fuel	4,500	1,180	3,320	
Equipment Parts	500	532	-32	
Building Repair Supplies	200	162	38	
Small Tools & Equipment	1,200	444	756	
Physicals	4,000	0	4,000	
Telephone	3,500	2,300	1,200	
Radio	7,500	25	7,475	
Internet	700	0	700	
Travel Expense	3,000	1,588	1,412	
Vehicle Insurance	14,850	13,197	1,653	Annual Premium Paid
Electric Utility	5,700	2,949	2,751	
Repairs/Maint Contractual Bldg	7,000	4,208	2,792	Water List Cleaning Service + 100.00 Losses Covered
Repairs/Maint Contractual Eqpt	25,000	5,980	19,020	
Rentals - Building	1,080	540	540	
Uniforms	9,500	1,931	7,569	
Miscellaneous	1,300	415	885	
Dues & Subscriptions	2,500	560	1,940	
Books	200	0	200	



	Budget	Amount	Variance	Comments
Conferences & Training	15,000	3,328	11,672	
Pension Contribution	2,690	0	2,690	
Fire State Aid	25,000	13,738	11,262	
Equipment	10,000	4,169	5,831	
Transfer Out	40,000	0	40,000	
<b>Sub-Total</b>	<b>338,008</b>	<b>130,441</b>	<b>207,567</b>	
<b>Building Inspection</b>				
Full-time Salaries	125,415	44,926	80,489	
PERA Contributions	6,935	2,189	4,746	
FICA Contributions	7,776	2,792	4,984	
Medicare Contributions	1,819	653	1,166	
Health/Dental Insurance	18,845	6,254	12,591	
Workers Compensation	1,702	1,897	-195	Annual Premium Paid
Office Supplies	1,100	77	1,023	
Printed Forms	1,000	171	829	
Fuel	3,000	118	2,882	
Engineer Serv Utility Permits	2,000	0	2,000	
Plan Review Charges	5,000	0	5,000	
Surcharge Payments	13,500	2,214	11,286	
Telephone	400	163	237	
Travel Expense	1,000	179	821	
Insurance	1,200	964	236	
Repairs/Maint Contractual Eqpt	500	125	375	
Rentals - Building	4,500	1,598	2,903	
Uniforms	600	79	521	
Miscellaneous	400	200	200	
Dues & Subscriptions	800	140	660	
Books	300	2	298	
Conferences & Training	2,500	1,010	1,490	
Transfer Out	5,000	0	5,000	
<b>Sub-Total</b>	<b>205,292</b>	<b>65,750</b>	<b>139,542</b>	
<b>Civil Defense</b>	<b>9,000</b>	<b>0</b>	<b>9,000</b>	
<b>Animal Control</b>				
Printed Forms	250	0	250	
Contract Services	8,800	2,193	6,607	
Impounding	7,000	3,854	3,146	Expenditure was for last Qtr of Prior Year-Accrual adj. due. <i>W. R. R. R.</i>
Miscellaneous	200	76	124	
<b>Sub-Total</b>	<b>16,250</b>	<b>6,123</b>	<b>10,127</b>	

	Budget	Amount	Variance	Comments
<b>Public Works</b>				
Full-time Salaries	115,938	34,876	81,062	
Part-time Salaries	5,160	0	5,160	
PERA Contributions	6,697	1,929	4,768	
FICA Contributions	7,508	2,163	5,345	
Medicare Contributions	1,756	506	1,250	
Health/Dental Insurance	21,187	7,024	14,163	
Workers Compensation	6,740	7,511	-771	Annual Premium Paid
Office Supplies	300	0	300	
Fuel, Oil and Fluids	12,000	8,594	3,406	Inventory Resupplied during month. <i>Warrant List</i>
Shop Materials	2,500	957	1,543	
Equipment Parts	5,000	1,577	3,423	
Building Repair Supplies	1,000	68	932	
Street Maintenance Materials	12,000	701	11,299	
Landscaping Materials	2,500	0	2,500	
Sign Repair Materials	4,000	767	3,233	
Sand/Salt	25,000	9,592	15,408	
Small Tools & Minor Equipment	1,500	379	1,121	
Engineering Services	4,000	0	4,000	
Sealcoating & Crack Sealing	35,000	0	35,000	
Contract Services	45,000	19,901	25,099	
Telephone	2,750	879	1,871	
Travel Expense	750	20	730	
Insurance	16,000	9,018	6,982	Annual Premium Paid
Electric Utility	9,300	4,175	5,125	
Refuse	1,300	479	821	
Repairs/Maint Contractual Bldg	2,000	0	2,000	
Repairs/Maint Imp Not Bldgs	2,500	29	2,471	
Repairs/Maint Contractual Eqpt	8,000	1,248	6,752	
Uniforms	1,200	1,051	149	
Miscellaneous	2,500	518	1,982	
Dues & Subscriptions	500	0	500	
Conferences & Training	500	0	500	
Clean-up Days	12,000	153	11,847	
Other Equipment	7,380	209	7,171	
Transfer Out	199,488	0	199,488	
<b>Sub-Total</b>	<b>580,954</b>	<b>114,326</b>	<b>466,628</b>	
<b>Street Lighting</b>	<b>18,000</b>	<b>8,884</b>	<b>9,116</b>	<i>Warrant List</i>
<b>Sanitation</b>				
Recycling Supplies	6,000	7	5,993	
Newsletter	5,000	0	5,000	
Miscellaneous	7,100	0	7,100	
<b>Sub-Total</b>	<b>18,100</b>	<b>7</b>	<b>18,093</b>	

	Budget	Amount	Variance	Comments
<b>Parks</b>				
Full-time Salaries	52,660	16,560	36,100	
Part-time Salaries	25,658	3,996	21,663	
PERA Contributions	4,331	1,063	3,268	
FICA Contributions	4,856	1,277	3,579	
Medicare Contributions	1,136	299	837	
Health/Dental Insurance	7,241	2,548	4,693	
Workers Compensation	2,585	2,881	-296	Annual Premium Paid
Office Supplies	250	0	250	
Fuel, Oil and Fluids	2,200	142	2,058	
Shop Materials	500	49	451	
Chemicals	1,000	0	1,000	
Equipment Parts	4,000	549	3,451	
Building Repair Supplies	500	85	415	
Landscaping Materials	5,000	0	5,000	
Small Tools & Minor Equipment	1,000	32	968	
Telephone	1,000	383	617	
Travel Expense	0	40	-40	
Insurance	3,500	2,078	1,422	Annual Premium Paid
Electric Utility	7,600	2,938	4,662	<i>is correct</i>
Refuse	2,400	920	1,480	
Repairs/Maint Contractual Bldg	2,000	0	2,000	
Repairs/Maint Imp Not Bldgs	30,000	2,235	27,765	
Repairs/Maint Contractual Eqpt	1,000	498	502	
Rentals - Buildings	3,000	387	2,613	
Uniforms	200	0	200	
Miscellaneous	200	802	-602	\$760.00 Property Taxes for 3585 Laverne
Dues & Subscriptions	100	0	100	
Transfer Out	18,000	0	18,000	
<b>Sub-Total</b>	<b>181,917</b>	<b>39,762</b>	<b>142,155</b>	
<b>Total General Fund</b>	<b>2,633,621</b>	<b>889,447</b>	<b>1,744,174</b>	

	Budget	Amount	Variance	Comments
<b>Water Enterprise Operating</b>				
Full-time Salaries	70,119	34,434	35,685	
PERA Contributions	3,878	1,786	2,092	
FICA Contributions	4,347	2,141	2,206	
Medicare Contributions	1,017	501	516	
Health/Dental Insurance	8,618	3,835	4,783	
Workers Compensation	2,137	2,382	-245	Annual Premium Paid
Office Supplies	200	150	50	
Printed Forms	1,500	77	1,423	
Chemicals	3,000	371	2,629	
Utility System Maintenance	3,000	654	2,346	
Water Meters & Supplies	17,500	938	16,562	
Small Tools & Minor Equipment	500	19	481	
Engineering Services	8,000	67,219	-59,219	Water System Study/Mapping - \$66,919.00 (To be recode into Capital
Software Support	6,500	1,000	5,500	
Telephone	2,000	454	1,546	
Postage	1,120	0	1,120	
Travel Expense	1,400	754	646	
Insurance	3,433	6,449	-3,016	Annual Premium Paid
Electric Utility	15,806	4,439	11,367	
Water Utility	85,000	18,197	66,803	
Repairs/Maint Imp Not Bldgs	8,000	3,739	4,261	
Miscellaneous	10,000	1,334	8,666	
Conferences & Training	1,020	760	260	
Other Equipment	2,000	0	2,000	
<b>Sub-Total</b>	<b>260,095</b>	<b>151,634</b>	<b>108,461</b>	
<b>Sewer Operating Enterprise</b>				
Full-time Salaries	11,993	8,060	3,933	Payroll Coding issue- See Surface Water Utility
PERA Contributions	663	416	247	
FICA Contributions	744	501	243	
Medicare Contributions	174	117	57	
Health/Dental Insurance	1,401	951	450	
Workers Compensation	463	516	-53	Annual Premium Paid
Utility System Maint Supplies	500	51	449	
Small Tools & Minor Equipment	500	0	500	
Engineering Services	6,000	1,987	4,013	
Telephone	2,000	677	1,323	
Travel Expense	0	28	-28	
Electric Utility	2,123	310	1,813	
Sewer Utility - Met Council	0	825	-825	
Repairs/Maint Imp Not Bldgs	4,000	1,531	2,469	
Miscellaneous Expenses	600	0	600	
Conferences & Training	500	0	500	
<b>Sub-Total</b>	<b>31,661</b>	<b>15,971</b>	<b>15,690</b>	

	Budget	Amount	Variance	Comments
<b>Surface Water Utility</b>				
Full-time Salaries	29,523	0	29,523	Payroll Coding issue- See Sewer Operating Enterprise
PERA Contributions	1,633	0	1,633	
FICA Contributions	1,830	0	1,830	
Medicare Contributions	428	0	428	
Health/Dental Insurance	4,346	0	4,346	
Workers' Compensation	900	1,003	-103	Annual Premium Paid
Office Supplies	500	0	500	
Utility System Maint Supplies	2,500	0	2,500	
Small Tools & Minor Equipment	1,000	71	929	
Engineering Services	10,000	6,886	3,114	
Erosion Control	5,000	0	5,000	
Software Support	4,000	0	4,000	
Postage	1,110	0	1,110	
Contract Services	2,500	0	2,500	
Repairs/Maint Not Bldg	2,500	0	2,500	
Miscellaneous Expenses	750	0	750	
Transfer Out	30,315	0	30,315	
<b>Sub-Total</b>	<b>98,835</b>	<b>7,960</b>	<b>90,875</b>	

<b>Lake Elmo City Council May 17, 2005</b>	<b>Agenda Section: NEW BUSINESS:</b>	<b><u>No 6A.</u></b>
<b><u>Agenda Item: Planning Commission Appointment</u></b>		
<p><b><u>Background Information for May 17, 2005:</u></b>          At its May 3, 2005 meeting, the City Council made a motion to follow the newly adopted appointment process and asked that the vacancy on the Planning Commisison be advertized until May 12<sup>th</sup>. Interviews would be scheduled before the May 17<sup>th</sup> Council meeting. The applicants that have already been interviewed would be given the opportunity to reinterview if they are so interested.</p> <p>The City has received a new application from Robert Van Zandt, 8110 Hidden Bay Trail, and Mr. Van Zandt is schedule to be interviewed at 6:30 p.m.. The Council appointed Mr. Van Zandt to the CIC on May 3<sup>rd</sup>.</p> <p>The following applicatons are on file: Rod Sessing, Gloria Knoblauch, Tom Kriemer, Nicole Park.</p>		
<p><b><u>Action Items:</u></b>          Motion/Second - to appoint an applicant as Second Alternate to the Planning Commission</p>	<p><b><u>Person responsible:</u></b>          S. Lumby</p>	

12-7-04

Dear City Council,

I would like to serve another term as a planning commission member for the City of Lake Elmo. We as a City have many challenges ahead of us. I believe that with my experience and back ground I would be able to help the City in it's advancement through these tough times.

Sincerely Rod Sessing

*Temporarily  
Appointed thru  
4-16-05*

## APPLICATION FOR PLANNING-ZONING COMMISSION APPOINTMENTS

RECEIVED

CITY OF LAKE ELMO, MINNESOTA 55042

APR 21 1997

CITY OF LAKE ELMO  
DATE 4-16-97

NAME Rodney Sessing  
ADDRESS 5699 Keats Ave. N. Lake Elmo 55042  
PHONE NO. 729-9057

1. What do you consider to be the major planning and development issues confronting the City of Lake Elmo? *working on the New Comprehensive Plan of Cluster Housing.*  
*There should be several items involved with the Cluster Housing Development which should be clarified and Readjusted slightly.*
2. What do you see as the role and function of the Planning Commission? How does this relate to the role and responsibility of the City Council in planning?  
*They are the first stepping stone to see if the developments are what is intended for the Comprehensive Plan. the City Council is the final step and decision if it is best for the City.*
3. What experience and qualifications do you have which you feel will contribute to the Planning Commission's work and which will enable you to provide a service in this regard?  
*I am a Superintendent of a major Construction Company in the twin cities and feel that I have a very good comprehension of what would work for a development.*
4. How much time do you have or are you willing to devote to Planning Commission activities?  
*I devote whatever time that is necessary for the job or position (once or twice a week)*
5. What property or development interest, either direct or indirect, do you have within Lake Elmo? *I am a Agricultural property owner with my primary Residence here also.*

Please complete and return to the City Office.



City of Lake Elmo  
3800 Laverne Avenue North  
Lake Elmo, Minnesota 55042  
651.777.5510 Fax 777.9615

APPLICATION FOR PLANNING COMMISSION APPOINTMENTS

RECEIVED

JAN 7 2003

CITY OF LAKE ELMO

Date: 1/07/03

Name Gloria Knoblauch  
Address 9181-31 St. N.  
Phone Number W) \_\_\_\_\_ H) 777-6471

1. What do you consider to be the major planning and development issues confronting the City of Lake Elmo? Sewer along Hwy 94 to be used by businesses and zoned accordingly.  
Building affordable housing for our seniors and young families.
2. What do you see as the role and function of the Planning Commission?  
Advise the city council on zoning and variances.
3. What experience and qualifications do you have that you feel will contribute to the Planning Commission's work and which will enable you to provide a service in this regard?  
I was on the Park's commission for 3 terms ending in Feb. 2000. I regularly attend city council meetings. I belong to the Oakdale-Lake Elmo Historical Society.
4. How much time do you have, or are you willing to devote to Planning Commission activities?  
I need to spend 2 hrs. reading the packet. I like to do research on special topics.
5. What property or development interest, either direct or indirect, do you have within Lake Elmo?  
We own an acre of land (with house) in Friedrichsville

City of Lake Elmo  
3800 Laverne Avenue North  
Lake Elmo, Minnesota 55042  
651.777.5510 Fax 777.9615

RECEIVED  
JAN 25 2005

**APPLICATION FOR PLANNING COMMISSION APPOINTMENTS**

Date: 1/24/05

Name: Tom Kreimer

Address: 772 Jewel Avenue North

Phone Number: W) 612-673-6631 H) 651-501-9794 CELL) 651-238-6738

---

**1. What do you consider to be the major planning and development issues confronting the City of Lake Elmo?**

*The Metropolitan Council ruling and how Lake Elmo chooses to implement the required changes are the major planning and development issues in the city. If Lake Elmo is forced to develop, let's do it right and do everything we can to retain the character of the city.*

**2. What do you see as the role and function of the Planning Commission?**

*The Planning Commission should represent various areas of the city and various interests and have the ability to assist in making decisions in the best interest of the city and its residents.*

**3. What experience and qualifications do you have that you feel will contribute to the Planning Commission's work and which will enable you to provide a service in this regard?**

*I grew up in Stillwater and have lived in Lake Elmo for over 6 years. My wife and I chose Lake Elmo because of the character of the city and because we thought this would be a wonderful place to raise our family. While my educational background is accounting and finance, I've always been very interested in land development, housing, and city planning. I haven't missed a "Parade of Homes" since I starting driving all over the Twin Cities to see homes and developments in 1986.*

**4. How much time do you have, or are you willing to devote to Planning Commission activities?**

*I am willing to devote the time necessary to get the job done. I have active children and a demanding wife and job, but I think most people have these or similar issues. My wife supports my decision to apply for the Commission.*

**5. What property or development interest, either direct or indirect, do you have within Lake Elmo?**

*I am a homeowner in Stonegate.*

City of Lake Elmo  
3800 Laverne Avenue North  
Lake Elmo, Minnesota 55042  
651.777.5510 Fax 777.9615

RECEIVED  
FEB 25 2005



APPLICATION FOR PLANNING COMMISSION APPOINTMENTS

Date: 2/25/05

Name Nicole R Park  
Address 404 Lake Elmo Ave North  
Phone Number W) 612 240 2876 (T) 612 240 2876

1. What do you consider to be the major planning and development issues confronting the City of Lake Elmo? Making a new comprehensive plan for the old village area and 10th St. South to 94 East.
2. What do you see as the role and function of the Planning Commission?  
To make decisions about all issues brought to the commission with keeping in mind all of the cities residents and their wishes for the city.
3. What experience and qualifications do you have that you feel will contribute to the Planning Commission's work and which will enable you to provide a service in this regard?  
I enjoy working with people and am a good listener. I believe that everyone's voice matters. I have a lot of experience working with people.
4. How much time do you have, or are you willing to devote to Planning Commission activities?  
I am able to devote whatever time that is needed to be a strong, valuable member.
5. What property or development interest, either direct or indirect, do you have within Lake Elmo?  
I am part owner of Country Air Golf Park located at 404 Lake Elmo Ave N. in Lake Elmo and my family currently resides on the property.

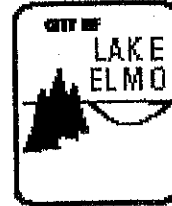
(3. cont)

Please complete and return to the City Office

at both my small business and five years experience in the Real Estate business. I believe we cannot keep change and progress from happening and so in dealing with it →

City of Lake Elmo  
3800 Laverne Avenue North  
Lake Elmo, Minnesota 55042  
651.777.5510 Fax 777.9615

RECEIVED  
MAY 12 2005



### APPLICATION FOR PLANNING COMMISSION APPOINTMENTS

Date: 5/10/05

Name ROBERT VAN ZANDT  
Address 8110 HIDDEN BAY TRAIL N.  
Phone Number W) 612-879-8160 H) 651-224-9741

1. What do you consider to be the major planning and development issues confronting the City of

Lake Elmo? *IF THE CITY DOES NOT PLAN FOR THE CONTROLLED GROWTH THAT IS BEING  
MAINTAINED BY THE CITY COUNCIL, THE QUALITY OF LIFE FOR OUR RESIDENTS WILL BE  
SEVERELY IMPACTED. IF CAREFUL PLANS ARE MADE TO CONSIDER ALL ASPECTS OF THE NEW  
POPULATION, THIS CAN PRESERVE THE UNIQUE QUALITIES THAT CURRENTLY EXIST.*

2. What do you see as the role and function of the Planning Commission? *TO BE CREATIVE IN THEIR THOUGHTS  
AS TO HOW RESIDENTIAL AND BUSINESS GROWTH CAN BE BLENDED INTO THE CURRENT COMMUNITY.  
I BELIEVE THIS COMMISSION MUST LOOK OUTSIDE THE BOX FOR MANY ANSWERS. THIS CAN  
BE SUCCESSFUL IF THE COMMISSION HAS AN OPEN MIND AND IS WILLING TO FIGHT FOR THE  
RIGHTS OF OUR CITIZENS.*

3. What experience and qualifications do you have that you feel will contribute to the Planning

Commission's work and which will enable you to provide a service in this regard? *I HAVE SERVED AS  
THE CHAIRMAN OF MY BUSINESS COMMUNITY FOR THE PAST 3 YEARS. THE PHILLIPS  
NEIGHBORHOODS AND FRANKLIN AVENUE IN MINNEAPOLIS IS ONE OF THE MOST IMPROVED  
NEIGHBORHOODS IN THE USA. WE HAVE BEEN RECOGNIZED BY THE FEDERAL GOVERNMENT  
FOR REDUCED IN CRIME, GROWTH IN BUSINESSES & NEW HOUSING.*

4. How much time do you have, or are you willing to devote to Planning Commission activities?

*I AM EMPLOYED FULL TIME BUT WILL FIND ENOUGH TIME TO CONTRIBUTE TO THIS COMMISSION.  
MY COMMITMENT IS PERSONAL. I MOVED TO LAKE ELMO IN FEBRUARY OF 2004. I PLAN TO  
RETIRE HERE AND WANT TO PROTECT MY INVESTMENT AND THE LIFESTYLE I HAVE FOUND IN OUR  
COMMUNITY. IF THIS REQUIRES SOME TIME, IT WILL BE WELL SPENT.*

5. What property or development interest, either direct or indirect, do you have within Lake Elmo?

*I OWN A HOME ON HIDDEN BAY TRAIL, HAVE TWO OUTDOORS THAT LIVE WITH MY WIFE  
AND I AM PLANNING TO BE HERE FOR A LONG TIME. I AM COMMITTED TO PRESERVING THE UNIQUE  
QUALITIES WE HAVE IN OUR COMMUNITY. I SERVE ON THE TRI LAKES ASSOCIATION BOARD AND HAVE  
LEARNED TO APPRECIATE THE HISTORY OF OUR COMMUNITY.*

Please complete and return to the City Office

<b>Lake Elmo City Council May 17, 2005</b>	<b>Agenda Section:</b> Building/Fire/Maintenance	<b>No. 7A(1)(2)</b>
<b><u>Agenda Item:</u></b> Building Department Monthly Update		
<b><u>Background Information for May 17, 2005:</u></b>  A. Construction Activity Report B. Adoption of the Minnesota State Building Code including optional chapter 1306 – Special Fire protection Systems. Under section 1306.0020 The City of Lake Elmo selects subpart 3 for new buildings - as written. C. Repeal section 500.02 thru and including section 500.07 of the Lake Elmo City Code		
<b><u>Action Items:</u></b> Informational. No action needed on monthly report. Adoption of Minnesota State Building Code by ord. Repeal of sect. 500.02-500.07 of City ord.	<b><u>Person responsible:</u></b> J. McNamara	
<b><u>Attachments:</u></b> Summary Building Report Ordinance for Building Code adoption and appeal.		

### Summary Building Report

April-2005			Year to Date		
	Permits Issued	Valuation		Permits Issued	Valuation
New Residential	3	\$1,761,458.00	New Residential	5	\$2,561,458.00
New Commercial	3	\$1,700,000.00	New Commercial	5	\$2,200,000.00
Other Residential	39	\$549,100.00	Other Residential	91	\$1,382,806.00
Other Commercial	4	\$224,300.00	Other Commercial	10	\$317,478.00
<b>Total</b>	<b>49</b>	<b>\$4,234,858.00</b>	<b>Total</b>	<b>111</b>	<b>\$6,461,742.00</b>
Total Building Fees Collected			Total Building Fees Collected		
\$56,038.65			\$90,763.61		
Summary Plumbing Report			Summary Plumbing Report		
Plumbing	7	\$195,000.00	Plumbing	16	\$328,178.00
Total Plumbing Fees Collected			Total Plumbing Fees Collected		
\$825.00			\$1,629.00		
Summary HVAC Report			Summary HVAC Report		
HVAC	11	\$142,250.00	HVAC	30	\$344,547.00
Total HVAC Fees Collected			Total HVAC Fees Collected		
\$1,175.00			\$3,388.40		
Summary Grand Total Fees		\$58,038.65	Summary Grand Total Fees		\$95,781.01
Surcharge Fee Paid to State		\$2,109.49	Surcharge Fee Paid to State		\$3,198.24
SAC Fees Paid to Met Council		\$1,450.00	SAC Fees Paid to Met Council		\$1,450.00
WAC Fees Paid to Oakdale		\$500.00	WAC Fees Paid to Oakdale		\$500.00
Misc. Expenses			Misc. Expenses		\$0.00
Total Fees Retained		\$53,979.16	Total Fees Retained		\$90,632.77
Credit Fees to Bldg		\$47,829.16	Credit Fees to Bldg		\$81,007.77
Credit Fees to Water		\$5,500.00	Credit Fees to Water		\$8,900.00
Credit Fees to Sewer		\$650.00	Credit Fees to Sewer		\$725.00

CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA

ORDINANCE NO. 97-157

AN ORDINANCE RELATING TO THE MINNESOTA STATE BUILDING CODE

The Lake Elmo City Council hereby ordains that Section 500.01 is hereby added to the Lake Elmo City Code to read as follows:

500.01 State Building Code.

- A. Adoption. The Minnesota State Building Code, as adopted by the Minnesota Commissioner of Administration, pursuant to Minn. Stat. Chapter 16B.59 to 16B.75, including any optional chapter(s) hereinafter specifically adopted; and including all amendments, rules and regulations established, adopted and published from time to time by the Minnesota Commissioner of Administration through its Building Codes and Standards Division is hereby adopted by reference and incorporated as if fully set forth herein, and shall be known as the "Lake Elmo Building Code."
- B. Optional Chapter. The following optional provision, as identified in the most current addition of the Minnesota State Building Code, is hereby adopted and incorporated as part of the Lake Elmo Building Code:

1306. Special Fire Protection System with Subpart 3 for new buildings.

The Lake Elmo City Council hereby repeals Sections 500.02 through and including 500.07 of the Lake Elmo City Code and Ordinance No. 97-121.

**ADOPTION DATE:** Passed by the Lake Elmo City Council on the 17th day of May, 2005.

Dated: \_\_\_\_\_, 2005

CITY OF LAKE ELMO

By: \_\_\_\_\_  
Dean Johnston  
Its: Mayor

ATTEST:

\_\_\_\_\_  
Martin Rafferty  
Its: City Administrator

**EFFECTIVE DATE:** This Ordinance shall be effective the day following its publication.

F:\users\Janice\Jerry\LE\WN Building Code Ordinance.doc



# MINNESOTA RULES, CHAPTER 1306

## SPECIAL FIRE PROTECTION SYSTEMS

### 1306.0010 GENERAL.

This chapter authorizes optional provisions for the installation of on-premises fire suppression systems that may be adopted by a municipality in addition to the State Building Code. If the municipality adopts them, the sprinkler system requirements of this chapter become part of the State Building Code and are applicable throughout the municipality. This chapter, if adopted, must be adopted without amendment.

STAT AUTH: MS s 16B.59; 16B.61; 16B.64  
HIST: 27 SR 1479

### 1306.0020 MUNICIPAL OPTION.

Subpart 1. **Requirement.** The sprinkler system requirements of this chapter, if adopted, must be adopted with the selection of either subpart 2 or 3, without amendment.

Subp. 2. **Existing and new buildings.** Automatic sprinkler systems for new buildings, buildings increased in total floor area (including the existing building), or buildings in which the occupancy classification has changed, must be installed and maintained in operational condition within the structure. The requirements of this subpart apply to structures that fall within the occupancy classifications established in part 1306.0030, items A to E.

#### Exceptions:

1. The floor area of minor additions that do not increase the occupant load does not have to be figured into the square footage for occupancy classifications established in part 1306.0030, items A to E.

2. The existing portion of R-2 apartment occupancies, attached R-3 occupancies, and attached townhomes is not required to be sprinklered under this chapter.

Subp. 3. **New buildings.** Automatic sprinkler systems for new buildings, additions to existing buildings, or buildings in which the occupancy classification has changed must be installed and maintained in operational condition within the structure. The requirements of this subpart apply to structures that fall within the occupancy classifications established in part 1306.0030, items A to E.

**Exception:** The floor area of minor additions that do not increase the occupant load does not have to be figured into the square footage for occupancy classifications established in part 1306.0030, items A to E.

STAT AUTH: MS s 16B.59; 16B.61; 16B.64  
HIST: 27 SR 1479

### 1306.0030 REQUIREMENTS.

For purposes of this chapter, area separation, fire barriers, or fire walls do not establish separate buildings. Gross square footage (gsf) means the floor area as defined in the International Building Code. The floor area requirements established in items A to E are based on the gross square footage of the entire building and establish thresholds for these requirements. The following occupancy groups must comply with sprinkler requirements of this chapter, unless specified otherwise:

A. Group A-1, A-2, A-3, and A-4 occupancies;

B. Group B, F, M, and S occupancies with 2,000 or more gross square feet of floor area or with three or more stories in height;

C. Group E occupancies with 2,000 or more gross square feet of floor area or with two or more stories in height;

D. Group E day care occupancies with an occupant load of 30 or more;

Katharine D. Widin, Ph.D.  
Plant Health Associates, Inc.  
13457 6<sup>th</sup> St. N.  
Stillwater, Minnesota 55082  
651-436-8811  
email: [kdwidin@comcast.net](mailto:kdwidin@comcast.net)

5/12/05

Martin Rafferty, City Administrator  
City Council  
City of Lake Elmo

Attached is an application for a MnReLeaf grant from the Minnesota Department of Natural Resources which I prepared on the behalf of the City of Lake Elmo. This is a 50% cost-share grant, meaning that property owners who elect to have oak wilt management done on their properties will provide a match of at least 50% of the funds for removal of potential spore producing trees (red and pin oaks) and root graft disruption with a vibratory plow to slow the spread of the disease (where recommended). This is a "reimbursement" grant meaning that funds must be paid out by the city (for forestry consulting - inspection, recommendations and outreach) and by property owners (for oak wilt management) and then the city and property owners will be reimbursed by the DNR for up to 50% of the costs. Out of pocket expenses for the city for three year's expenses for oak wilt inspections and two year's expenses for outreach would be approximately \$1,900. (48 hours @ \$40. /hour) for the two-year grant period (three years of inspection expenses can be included in the project costs). Oak wilt management (removal of recently wilted, bark-intact, red and pin oaks and root graft disruption with a vibratory plow) would be paid for by property owners and they would be reimbursed for 50% of their costs up to a maximum of \$500. per property owner. Grant requirements would not allow reimbursement of costs for removal of wilting red oaks and pin oaks for property owners who declined to have root graft disruption done where it was recommended. A grant such as this would be very helpful in leveraging existing budget dollars to provide more inspection and outreach time for survey, detection and management of oak wilt disease. It would also provide a financial incentive for property owners to comply with management recommendations and help minimize the spread of oak wilt. The deadline for submittal of this grant application is Friday, May 27<sup>th</sup>. I ask that the city council approve this grant application and have it signed by someone authorized to enter into contracts on behalf of the city. I will attend the council meeting on Tues. May 17<sup>th</sup> to answer any questions you might have regarding this grant application.

Respectfully submitted,



Kathy Widin  
Forestry Consultant  
City of Lake Elmo



Grant # \_\_\_\_\_  
(for office use only)

## APPLICATION

Please refer to the Guidelines when completing the application. You may reproduce this form on your computer. This form is also available on the DNR and Tree Trust websites: [www.dnr.state.mn.us/fad/forestmgmt/releaf.html](http://www.dnr.state.mn.us/fad/forestmgmt/releaf.html) or [www.treetrust.org](http://www.treetrust.org)

### Applicant Information

Organization/Agency City of Lake Elmo  
Project coordinator Dr. Katharine D. Widin Title Forestry Consultant  
Address 13457 6th St. N. City Stillwater, MN Zip 55082  
County Washington Phone 651-436-8811 Fax \_\_\_\_\_  
Email kdwidin@comcast.net

Make payments payable to:

Name City of Lake Elmo  
Address 3800 Laverne Ave. City Lake Elmo, MN Zip 55082 Acct.# \_\_\_\_\_

Eligibility (check one) ☒ Municipality ☐ Township ☐ County ☐ School District  
☐ Non-profit Organization (with 501(c)(3) status) ☐ Other: \_\_\_\_\_

Has your organization/agency ever received a MN ReLeaf grant? ☐ No ☐ Yes, what years? ? received a grant for oak wilt  
For cities, townships or villages only. Is your community a Tree City USA? ☒ No ☐ Yes cost-share (not sure if MNReLeaf)

Tree City USA (in process)

### Project Information

Project Title Oak Wilt Detection and Management

Summary Statement— Please give a 2-3 sentence summary of your overall project.

Oak wilt is present in Lake Elmo, but detection of active infection centers and management of the disease need to be facilitated and increased. Cost share dollars would help the city to hire the forestry consultant for more hours of inspection and work with property owners. More property owners would choose to manage the disease if cost share dollars were available to assist with costs of removal of spore-producing red and pin oaks and root graft disruption.

Start date July 2005 Completion Date May 2007

### Budget Summary

Type of Funds	\$ Amount	% of Total
Non-state in-kind match		At least 25%
Non-state cash match	\$15,900.	At least 25%
Tree Planting, Assessment & Management Plan grant funds		50%
Forest Health Protection grant funds	\$15,900.	
Federal oak wilt grant funds		
State oak wilt grant funds		100%
TOTAL PROJECT COSTS =	\$31,800.	

### Project Questions

Please answer the questions #1-7 on separate pages (3 page limit, 10 point font). Refer to Appendix D of the Guidelines & Information to see how projects will be evaluated. Be sure to give comprehensive information including all activities.

1. **Organization/agency Description** – Provide a brief description of the applicant's organization/agency including its qualifications to complete this project.
2. **Project Site Description** – Describe the site of the project in detail along with special characteristics such as soil composition, existing vegetation, etc.
3. **Project Purpose** – In what ways will your project meet the needs of your community forest? Explain how the project will benefit and enhance the community and why you feel your project should receive funding over others.
4. **Personnel** – Describe the key staff, contractors, volunteers and/or partners and how they contribute to the project. Attach letters of support showing commitment of key partners.
5. **Project Goals & Objectives** – What are the project's goals and objectives for each grant category applying for? Who will be responsible for these activities and when will they occur? Include any educational outreach efforts, work with volunteers and especially the technical plans and practices.
6. **Maintenance Plan** – Upon completion, what are your plans for maintenance and managing the components of your project in the future? Include how, when and by whom activities will be accomplished for at least **3-years** after project completion.
7. **Long Term Community Forestry Plan** – What is the community/organization doing to build capacity towards long-term management of this project or developing an urban and community forestry program independent of state funding?

## Forest Health Management Plan

ALL Forest Health applicants must submit a 3-year management plan with their application (3 page limit for plan, 1 page limit for 8 1/2 " x 11" map). See page 13 in the Guidelines for requirements. For examples of management plans for established, on-going programs and new programs, see the samples sent with the application packet as separate handouts.

### Tree Planting List

Fill out this table if you are doing tree planting as part of your project.

Plant Hardiness Zone for project site: \_\_\_\_\_ Tree Stock Source(s): \_\_\_\_\_

[illegible]

# Oak Wilt Budget Breakdown

Because federal Forest Service Oak Wilt funds cover different expenses than state LCMR funds, please fill out the following table accordingly.  
For each entry, specify type, source and amount.

ITEM (specify type and source)	In-kind Match	Cash Match	ReLeaf Funding	Total
<b>Federal Oak Wilt Projects - using standard treatments</b>				
Personnel: Forestry Consultant 75 hours @ \$40./hr. Inspections (3 yrs.)	----	\$1,500.	\$1,500.	\$3,000
Contractual Services: 2 years Tree Removal (PST) 20 trees/year @ \$300/ tree Vibratory Plow (\$1,000./site) 8/year		\$6,000. \$8,000.	\$6,000. \$8,000.	\$12,000. \$16,000.
Equipment Usage:				
Education (workshops, publications, etc): 2 years Forestry Consultant 10 hours/year.	----	\$400.	\$400.	\$800.
Other:				
Sub Totals		\$15,900.	\$15,900.	\$31,800.
<b>State Oak Wilt Projects - using experiment cut and stump treatments</b>				
Personnel:				
Contractual Services:				
Equipment Usage:				
Education (workshops, publications, etc):				
Other:				
Sub Totals				
<b>TOTALS ALL PROJECTS (should equal budget summary)</b>	----	\$15,900.	\$15,900.	\$31,800.

## Authorization

I certify this information is valid and factual as described in this application and that all costs are eligible under MN ReLeaf.

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

## Application Check off

Mail the originals and 3 copies of the following:

- ☐ Completed application form
- ☐ Attached pages:
  - project questions (3 page limit)
  - 8 1/2" x 11" map of project (1 page limit)
  - Forest health management plan (3 page limit)
- ☐ Letters of Support (1 page-limit each)

Applications must be received by 4:30 pm,  
Friday, May 27, 2005

## Mail to:

Minnesota ReLeaf  
Minnesota Department of Natural Resources  
500 Lafayette Road, Box 44  
St. Paul, MN 55155

**Lake Elmo  
Minn. ReLeaf Grant Application**

5/10/05

**Project Questions**

1. **Organization/Agency Description** – Lake Elmo is a community, 25 sq. miles in size with a population of approximately 7600, located in central Washington County near the St. Croix River valley. The community is largely rural/residential with some commercial properties and large areas of public open space, including city parks as well as the Lake Elmo Regional Park Reserve and the 3M Tartan Park Golf Club. The historical character of Lake Elmo is largely that of a farming community. Most developments in recent years have been residential with a focus on conservation developments which preserve open space. The City of Lake Elmo had a grant in the past for oak wilt management. Lake Elmo has a commitment to trees and open space within the community. The city recently hired a part-time forestry consultant to handle calls from homeowners and provide consulting services such as tree disease and insect inspection and also management information for trees on both public and private property.
2. **Project Site** – The site for oak wilt management includes all areas with oak located within the city limits (see attached map MnDNR 1988). Soils in many areas of the community are composed of glacial till materials, such as sand, clay, and gravel. Some areas have loam and clay loam soils. Existing vegetation ranges from former oak savanna and prairie areas to oak woodlands with mixed deciduous tree species. Many areas have been cleared of native vegetation and have been farmed for the past 50-100 years. Some former farm fields have been turned into housing developments and the vegetation consists largely of planted turf and landscape trees and shrubs. Most newer developments have areas of native open space, many of which contain bur, pin and, in some cases, red and white oaks. There is a large oak component in wooded areas of Lake Elmo, in both residential and open space areas.
3. **Project Purpose** - Oak wilt is present in Lake Elmo and has been controlled on a limited basis in the past. Lake Elmo has a large oak resource within the community and would like to preserve as much of it as possible. In order to do this, the City needs to first determine the current extent of oak wilt infection centers within the community and then encourage effective management of oak wilt on both public and private lands. Systematic surveys and detection as well as management information and cost-share dollars for land owners would help to encourage management and decrease the incidence of oak wilt within the city.
4. **Personnel** – Prior to 2005, city public works staff have responded to calls from property owners regarding oak wilt; however, there has been no systematic inspection process for the disease. Recently the city hired a part-time forestry consultant and plant pathologist, Dr. Kathy Widin, to provide forestry consulting services, including oak wilt inspection and recommendations for management. Dr. Widin has M.S. and Ph.D. degrees in Plant Pathology from the University of Minnesota. She has worked as a private forestry consultant in the Twin Cities area for 22 years providing consulting services to 10 municipalities as well as private corporations, development companies, non-profit organizations and homeowners. She has been involved for many years in

## MnReLeaf Grant Application – Lake Elmo - 2

oak wilt detection and management and has been the project manager for MnReLeaf grants in the past. Dr. Widin is an ISA Certified Arborist, a Minn. Certified Tree Inspector and Minn. Cert. Pesticide Applicator.

### 5. Project Goals and Objectives:

**Goals** – To survey for and identify active oak wilt infection centers on both public and private property and manage the disease within the community.

#### Objectives -

1. Identify Active Oak Wilt Infection Centers
  - a. check prior records, oak wilt maps and aerial photos
  - b. inspect public and private properties with past history of oak wilt
  - c. drive-by survey of accessible areas with oaks
  - d. field survey of less accessible large acreages with oak
2. Provide Site-Specific Management Information (see management plan)
3. Provide Technical Information to Area Residents
  - a. workshop once per year to provide management information to property owners to efficiently facilitate management efforts
  - b. articles for city newsletter and local newspapers on oak wilt, its symptoms, impact and management

Dr. Widin will provide all of the above services for the community oak wilt management program. These activities will take place each year of the grant program.

6. **Maintenance Plan** – The City of Lake Elmo plans to continue monitoring oak wilt infection centers for at least three years after project completion. The forestry consultant will continue survey and detection of infection centers, work with property owners/managers on determining site-specific management, and monitor treatments and effects of management on disease progression.
7. **Long-Term Community Forestry Plan** – The City of Lake Elmo has long had a commitment to trees within the community. They previously had a grant for oak wilt management and directed a public works staff person to assist property owners with oak wilt detection and management. They have previously been a Tree City, USA and are working towards that award designation again for 2005. The City Council has directed staff to hire a part-time forestry consultant to manage the oak wilt program as well as assist property owners/managers and city staff with tree-related issues. The City Council, Commissions, Staff and residents have been very supportive of this new position and are committed to continuing to promote tree care within the community.

## MnReLeaf Grant Application – Lake Elmo – 3

### Forest Health Management Plan

#### A. Project Summary:

1. **Oak Wilt Detection and Management:** As a former rural farming community which has carefully managed development and encouraged preservation of open space, Lake Elmo has many acres of deciduous forest dominated by a large oak component. Oak wilt is established in Lake Elmo in both residential and natural woodland areas. As more publicity is being made available to residents through newspapers and on television regarding Dutch elm disease, oak wilt and invasive insects and plants, public awareness and demand for assistance with oak wilt and other tree issues has increased. Property owners within Lake Elmo have identified and treated oak wilt in the past but on a limited basis. A 1988 DNR map of Lake Elmo With Oak Wilt Centers (attached) shows the existing natural resources as well as suspected oak wilt centers within the community. Oak wilt is present today in many areas of Lake Elmo, but detection of active infection centers and management of the disease need to be facilitated and increased. Cost share dollars from a MnReLeaf grant would help the city to hire the forestry consultant for more hours of inspection and work with property owners. More property owners would choose to manage the disease if cost share dollars were available to assist with costs of removal of spore-producing red and pin oaks and root graft disruption.
2. **Project Goals:** The city expects to have increased requests for technical assistance as well as financial assistance for management of oak wilt. At least 30 requests for technical assistance specific to oak wilt and 15 requests for financial assistance are expected from property owners each year for 2005 and 2006. The city's goal is to be able to fund additional forester time to provide technical assistance and also provide financial assistance to most of the property owners who comply with management recommendations.

#### B. Methods:

1. **Survey & Detection\*** – The forestry consultant will do inspections for oak wilt disease. Areas with a history of oak wilt and woodlands in parks and residential areas where oak dominates will be inspected in July and August via a drive-by survey and also field inspections of old and new infections centers. Less accessible areas and those less populated with oak will be surveyed in August and September as time allows.
2. **Proposed Control Zone** – The first year control will be focused on areas dominated by oak and where oak wilt has been documented in past or property owners have called in with suspected oak wilt infection centers. The second year will focus on areas where oak wilt has been treated and inspections will also move into areas of the city not previously inspected.
3. **Proposed Action(s)** – In established neighborhoods, root graft disruption utilizing a vibratory plow, potential spore tree removal, and a 3YrI (three-year inspection) program is the preferred method of control. On larger acreages, with more remote infection centers, or in areas where root graft disruption cannot be done due to



# **MnReLeaf Grant Application – Lake Elmo – 4**

slope or presence of underground utilities, we would encourage a TTL (“treat to the line”) approach. Management options will be recorded in the landowner agreement on file. City staff will review the community resource map, identify and proposed treatment sites that overlap “sensitive areas”, and consult with the Minn. Dept. of Natural Resources Heritage and/or Cultural resource managers to develop alternative treatments to protect rare features, as needed.

4. Outreach – Program highlights and application deadlines will be announced through the city newsletter and also through articles in local papers.
5. Prevention Measures – Local tree services and landscape companies will receive a flyer explaining the risks of pruning during April, May and June as well as the need to continue to paint wounds made to oaks anytime during the growing season. The same message will be included in the city newsletter which goes out to residents in late winter. Information on oak wilt symptoms, prevention and management, will also go into packets given to builders and developers.
6. Timeframe for survey, detection, and treatment – The forestry consultant will review files in June and do oak wilt survey and detection work July through September. Treatments will begin in August and continue through November. Potential spore tree removals will take place from October through March 1<sup>st</sup> of year following detection and marking.
7. Future Restoration/Planting Needs\* – Recommendations for re-planting areas where diseased oaks have been removed will be made on a case-by-case basis. Property owners will be encouraged to remove European buckthorn from oak wilt infection sites if the sites are infested with this invasive woody plant. Property owners will also be encouraged to re-plant areas with native tree and shrub species.
8. Post Treatment Monitoring\* – This will be accomplished through follow-up inspections by the forestry consultant for three years following treatment. All sites treated the previous year will be revisited in July or August. Plow lines will be tagged at the time of treatment to help monitor root graft disruption success. Records will be taken on the incidence of any recurring infection(s) and the efficacy of treatments made. Recommendations for further treatments will be made on a case-by-case basis.
9. Data Management – The plowing contractor will provide a map and treatment summary for each landowner who elects to treat an infection center with a vibratory plow. The tree inspector will maintain a file for each landowner containing their treatment agreement, management done, and payment history. All records will be on paper and in a Microsoft Word table maintained by the forestry consultant.
10. Evaluation Process\* – Detection and management of oak wilt infection centers will be reviewed each year and changes in procedure, such as more frequent inspections or additional follow-up with property owners, will be made, if needed. Efficacy of the inspection procedure(s) and type of treatments made will be evaluated each year of the grant and for an additional three years after treatments are made.

\*Proposed actions which will continue beyond the grant period.

## **C. Signatures**

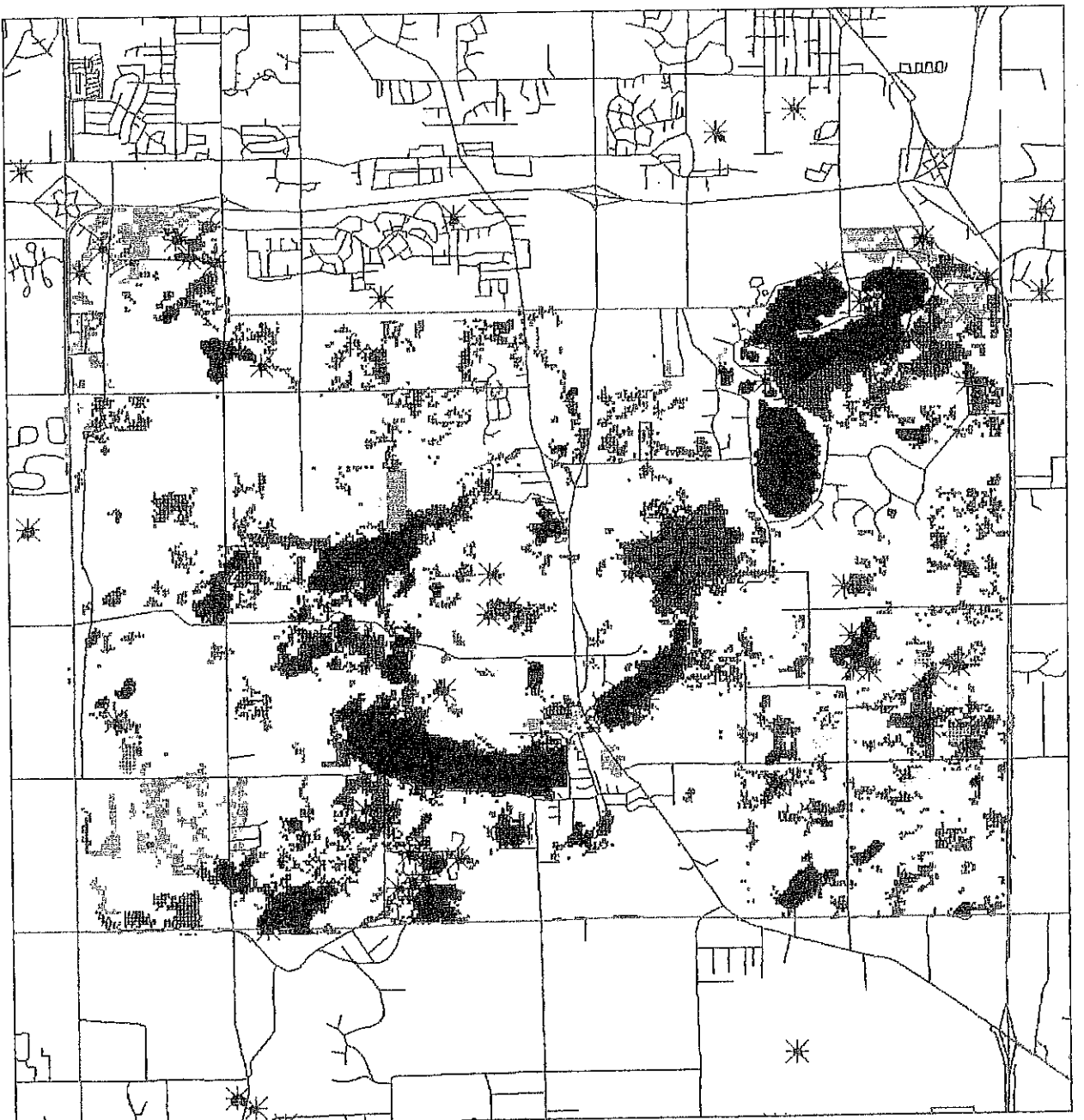
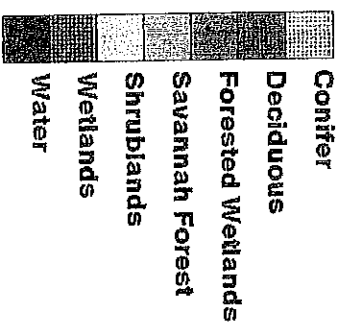
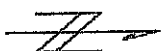
Project Manager \_\_\_\_\_ Date \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

Grant Manager \_\_\_\_\_ Date \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

# Forest Covers In Lake Elmo With Oak Wilt Centers

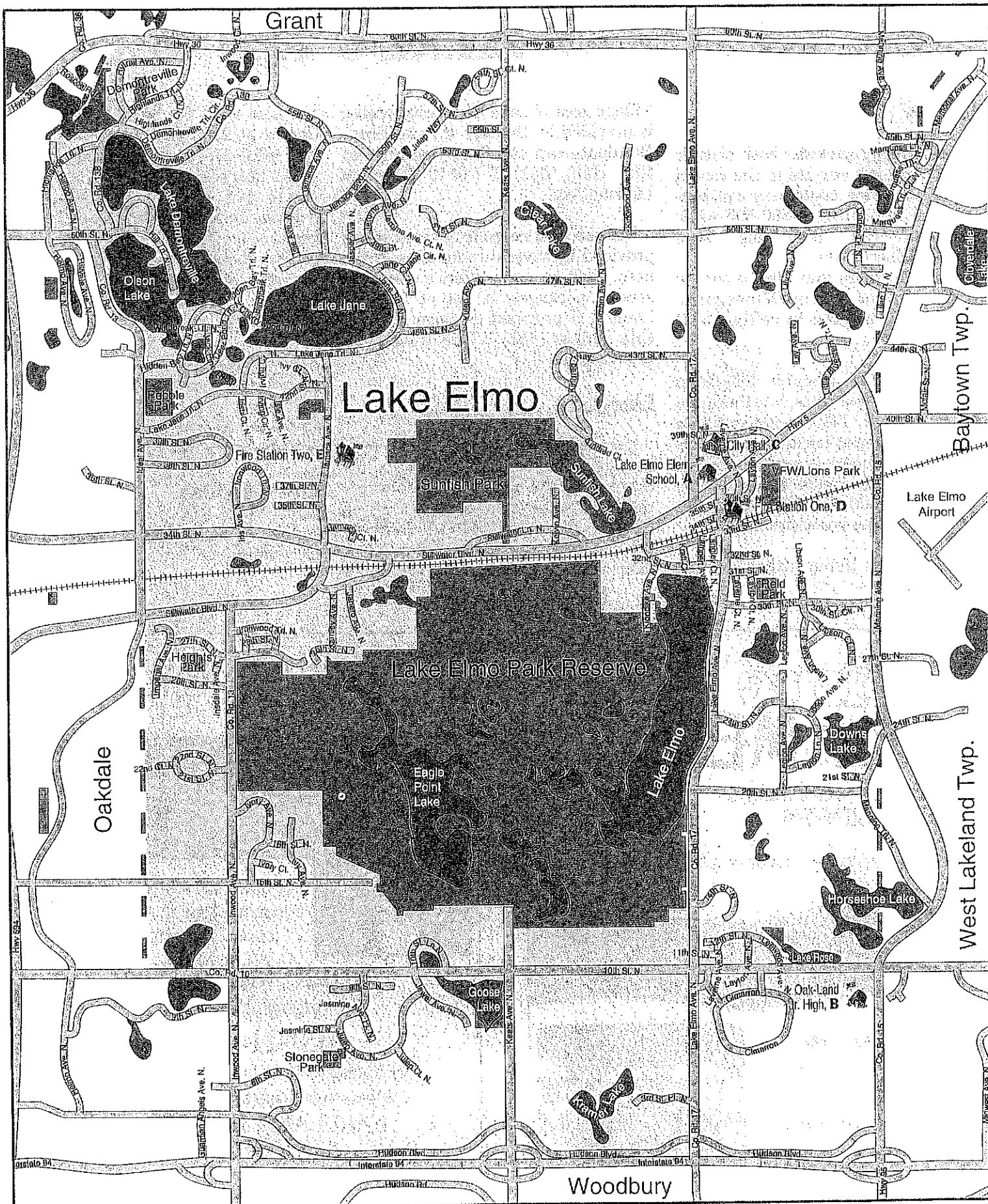


Source: Forest covers from June, 1988, 30 metre resolution, Landsat image.  
Oak Wilt from 1988 DNR Aerial Inventory.

Scale: 0 1 2 mi

Minnesota  
Department of Natural Resources  
Division of Forestry  
Forest Health Unit  
Forest Health Information System

**Oak Wilt Statistics**  
Centers = 41  
Acres = 34  
Trees = 407



<b>Lake Elmo City Council May 17<sup>th</sup>, 2005</b>	<b>Agenda Section: MAINTENANCE/PARK/FIRE/BUILDING</b>		<b>NO. 7 B (3)</b>
<b><u>Agenda Item:</u></b> Seasonal Help			
<b><u>Background Information for May 17<sup>th</sup> 2005</u></b>  Staff recommends the re-hire of two returning part time seasonal employees: John Eder and Michael Wagner, at \$10.75/hour. Both are able to work flexible hours, been dependable, and are familiar with both the Public Works and Park operations.  All summer help is budgeted and monitored to stay within budget.			
<b><u>Action items:</u></b>		<b><u>Person responsible:</u></b> M. Bouthilet	
<b><u>Attachments:</u></b>		<b><u>Time Allocated:</u></b>	

8B.

# TKDA

ENGINEERS • ARCHITECTS • PLANNERS

1500 Piper Jaffray Plaza  
444 Cedar Street  
Saint Paul, MN 55101-2140

(651) 292-4400  
(651) 292-0083 Fax  
www.tkda.com

May 13, 2005

Honorable Mayor and City Council  
City of Lake Elmo, Minnesota

Re: Determination of Lateral Charge  
Water System Interconnect Phase I  
City of Lake Elmo, Minnesota  
TKDA Project No. 13186.000

Dear Mayor and City Council;

It has been determined that each water project should have a separate Lateral Charge assigned to it. This Lateral Charge is the cost to have a 8-inch watermain constructed to service the property.

For Phase I this charge is calculated as follows:

Project Cost	\$ 418,000
Length of Trunk Watermain	6650 LF
Cost per foot (16")	\$ 62.86/LF
Cost difference between 16" and 8"	\$ - 9.00/LF
Cost per foot (8")	\$ 53.86/LF
Lateral Charge (Assume 2-sided frontage)	\$ 26.93/LF

This Lateral Charge would be adjusted for inflation over time based on the interest rate we are charged on the bond for this project.

### *City Council Action Requested*

Pass a resolution approving a Lateral Charge for the Water System Interconnect Project Phase I of \$26.93/Lineal Foot.

*Adm. & Eng.*

Sincerely;

Thomas D. Prew, P. E.  
City Engineer

# TKDA

ENGINEERS • ARCHITECTS • PLANNERS

1500 Piper Jaffray Plaza  
444 Cedar Street  
Saint Paul, MN 55101-2140

(651) 292-4400  
(651) 292-0083 Fax  
www.tkda.com

May 13, 2005

Honorable Mayor and City Council  
City of Lake Elmo, Minnesota

Re: Water System Interconnect  
Request for Water Service - Prairie Ridge Office Park  
City of Lake Elmo, Minnesota  
TKDA Project No. 13186.000

Dear Mayor and City Council:

The developers of the Prairie Ridge Office Park have requested that the City extend water service to their site. A letter from them is attached.

## ***Background***

With the approval of the Office Park last year, it was decided at that time not to extend water service to this site. The City of Oakdale was looking at a rate increase that would have necessitated the amendment of our Agreement, and affected all property owners in that area.

Later last year, the City decided to interconnect the Old Village and Lake Jane area water systems, thus ending our Agreement with the City of Oakdale. That connect should be complete this summer.

In the interim, the office park developer has drilled a few wells, which it turns out are in the area of newly discovered groundwater contamination.

## ***City Council Action Recommended***

Pass a Resolution Declaring Adequacy of the Petition, and Order the Preparation of a Feasibility Report.

Sincerely,

Thomas D. Prew, P. E.  
City Engineer

TDP:jls

MULLIGAN & BJORNES PLLP  
ATTORNEYS AT LAW  
401 GROVELAND AVENUE  
MINNEAPOLIS, MINNESOTA 55403-3219

RECEIVED  
MAY 05 2005

JOHN M. MULLIGAN  
NORMAN P. BJORNES, JR.  
GREGORY J. COLLINS†  
RYAN E. LANGSEV  
HEATHER A. LANG\*  
ERIC D. BULL

TELEPHONE (612) 871-1800  
FACSIMILE (612) 871-7889  
www.mulliganbjornes.com

Writer's Direct Dial: 612-879-1801

OF COUNSEL:  
FRANK ABRAMSON

LEGAL ASSISTANTS

MICHON J. HARTSUIKER  
LAURA CARHILL  
CHERYL A. MARTINSON

ADMINISTRATOR

CATHERINE HACKER

May 4, 2005

† ALSO ADMITTED IN WI  
\* ALSO ADMITTED IN CO

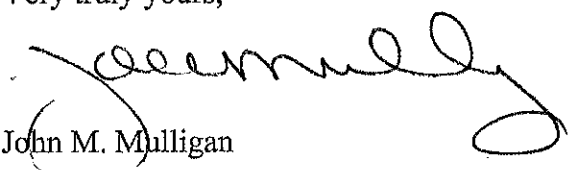
Mr. Martin Rafferty  
City of Lake Elmo  
3800 Laverne Avenue North  
Lake Elmo, MN 55402

RE: Prairie Ridge Development  
Our File No. 4472.07

Dear Mr. Rafferty:

The purpose of this letter is to petition the City of Lake Elmo to extend municipal water services to the perimeter of the Prairie Ridge Office Development as part of the planned extension of city water lines to be constructed in Lake Elmo this summer. This petition is made on behalf of my client, Lake Elmo Land Development, LLC, and is to formalize the request made at the meeting of city staff personnel and the developer on the afternoon of Tuesday, May 3<sup>rd</sup>, 2005. Please present this proposal to the City Council for necessary action as soon as feasible. You may contact my client directly or me to advise us when this petition will be up for consideration, and to participate in the presentation to the Council as city staff deem necessary. Thank you for your consideration. I will ask that you circulate this petition as necessary, or that you supply me with information as to whom should receive a copy.

Very truly yours,

  
John M. Mulligan

JMM/  
cc: Pete Tacheny

CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-051

A RESOLUTION DECLARING ADEQUACY OF PETITION  
AND ORDERING PREPARATION OF REPORT

BE IT RESOLVED BY THE CITY COUNCIL OF Lake Elmo, Minnesota:

1. A certain petition requesting the improvement of a water main between Stillwater Boulevard N. and the north line of Prairie Ridge Office Park, filed with the Council on May 17, 2005, is hereby declared to be signed by the required percentage of owners of property affected thereby. This declaration is made in conformity to Minn. Statute 429.035.
2. The petition is hereby referred to by the City Engineer and that person is instructed to report to the council with all convenient speed advising the council in a preliminary way as to whether it should best be made as proposed or in connection with some other improvement, and the estimated cost of the improvement as recommended.

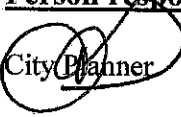
ADOPTED, by the Council this 17<sup>th</sup> day of May, 2005.

\_\_\_\_\_  
Dean Johnston, Mayor

ATTEST:

\_\_\_\_\_  
Martin Rafferty, City Administrator



<b>Lake Elmo City Council May 17, 2005</b>	<b>Agenda Section: Planning, Land Use &amp; Zoning</b>	<b><u>No.</u> 9A</b>
<b><u>Agenda Item:</u></b> OP Concept Plan – Discover Crossing		
<p><b><u>Background Information for May 17, 2005:</u></b></p> <p>At its May 9, 2005 meeting the Planning Commission conducted a Public Hearing and then unanimously (9-0) adopted a recommendation to approve this application to plat an 80+ acre parcel with 24 single family building lots. The recommendation is subject to several conditions, the most significant of which are requirements that water supply be from a single community well; and that wastewater be treated by a single community wastewater system. The applicant proposes individual wells and multiple shared drain fields. City staff is investigating the feasibility of extending City water to this site as an alternative to the community well. Pending OP development in this general area of the City may enable City water to this site – an even better alternative than a community well or individual wells.</p> <p>The attached Resolution for OP Concept Plan approval includes the Findings and conditions recommended by the Planning Commission.</p>		
<p><b><u>Action items:</u></b></p> <p>047 Motion to adopt Resolution #2005 – approving the OP Concept Plan of Discover Crossing per plans staff dated May 4, 2005 and based on the Findings/Conditions recommended by the Planning Commission.</p>	<p><b><u>Person responsible:</u></b></p> <p>City Planner </p>	
<p><b><u>Attachments:</u></b></p> <p>047</p> <ol style="list-style-type: none"> <li>1. Draft Resolution #2005 – Approving OP Concept Plan</li> <li>2. Draft Planning Commission Minutes of May 9, 2005</li> <li>3. Planning Staff Report of May 4, 2005</li> <li>4. City Engineer's Memo of May 6, 2005</li> <li>5. Location Map</li> <li>6. Applicant's Booklet was Distributed to the Council with the May 9 Planning Commission Packet</li> </ol>	<p><b><u>Time Allocated:</u></b></p>	

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

**RESOLUTION NO. 2005-047**

**A RESOLUTION APPROVING THE OPEN SPACE PRESERVATION  
DEVELOPMENT CONCEPT PLAN OF DISCOVER CROSSING.**

**WHEREAS**, on the 21<sup>st</sup> day of April, 2005, MBM Development, LLC ("Applicant") and Elizabeth Lundquist submitted a completed application requesting that the City of Lake Elmo approve an Open Space Preservation Development Concept Plan for 24 residential lots on 71.6 acres; and

**WHEREAS**, on the 9<sup>th</sup> day of May, 2005, at a public hearing, the Lake Elmo Planning Commission reviewed the Development Application, the City Planner's reports and comments, the comments of the Applicant and the Applicant's representatives, and recommended approval of the Development Application based upon the following Findings:

1. Except as noted regarding OP buffer compliance, the OP Concept Plan generally complies with the OP design standards as can be determined at the Concept Plan Stage.
2. The Concept Plan is generally consistent with the purpose of the Open Space Preservation Ordinance.
3. The Concept Plan generally complies with the Comprehensive Plan.

**NOW, THEREFORE, BE IT RESOLVED** that the Lake Elmo City Council hereby:

Approves the Open Space Concept Plan for DISCOVER CROSSING as illustrated on the Concept Plan prepared by Folz, Freeman, Erickson, Inc., staff dated May 4, 2005 with the following conditions:

1. All house pads shall be at least 200 feet from the south property line and 100 feet from the west property line.
2. Applicant shall clearly demonstrate by graphics the year round effectiveness of buffering proposed within the 100 foot west OP buffer.
3. Applicant shall submit preliminary plans to provide water supply from a single community well and lateral service to home sites.
4. Applicant shall submit preliminary plans to treat wastewater with a single Constructed Wetlands Wastewater Treatment System (or technologically equivalent) with sewer laterals to the individual home sites.
5. The Development Stage Plan and Preliminary Plat shall show easement for an east/west service road along the north property line reflecting the MnDOT graphic as presented the Planning Commission.
6. Deletion of the project monument sign.

7. The Development Stage Plan/Preliminary Play shall include no more than 24 building lots unless the Comprehensive Plan/Zoning Ordinance has been officially amended to allow a higher lot count.
8. Compliance with Valley Branch Watershed District recommendations as determined to be applicable by the City Engineer.

**ADOPTED**, by the Lake Elmo City Council on the 17<sup>th</sup> day of May, 2005

\_\_\_\_\_  
Dean Johnston, Mayor

ATTEST:

\_\_\_\_\_  
Martin Rafferty, City Administrator

**PUBLIC HEARING: OP CONCEPT PLAN – DISCOVER CROSSING**

The Planner introduced the concept plan for an Open Space Preservation Development to be named DISCOVER CROSSING. He reported that the concept consists of 24 residential lots responsive to the OP code, with suggested platting of an additional three lots if the OP Ordinance is amended to allow higher density to .45 units per acre. He noted that two house pads appear to be too close to the westerly side of the parcel; and, that the Valley Branch Watershed has indicated several homes may be situated too low in relationship to the wetlands and the 100 year flood elevations. He said that the applicant proposes to treat wastewater with several shared drainfield sites.

The Planner summarized his suggested Findings and approval conditions as follow:

**Findings**

- 1) OP Concept generally complies with standards except for buffer,
- 2) Generally complies with the purpose of the OP Ordinance,
- 3) Generally complies with the Comprehensive Plan.

**Conditions**

- 1) Adjust OP buffer
- 2) Provide buffer details
- 3) Single point water source
- 4) Single point sewer source
- 5) Revised street circulation providing more direct route east to west
- 6) Eliminate monument sign
- 7) 24 lots only
- 8) Compliance with VBWD recommendations
- 9) Compliance with the City Engineer's recommendations

Commissioner Schneider asked who is responsible for the maintenance of the proposed bridge. The Planner said if the roadway easement is to the City, the City is also responsible for the bridge maintenance.

**Mark Putman, Landscape Architect**

Mr. Putman said his company tries to find the opportunities of value within a site to help it to live and feel better. The focus or hub of this road design is the Wizard's Bridge. Vegetation is terraced through the use of retaining wall plantings. The street design carries plenty of volume yet calms traffic and provides connections through the use of the roundabout and the sound one hears as you travel across the Wizard's Bridge. He said the road design meets city standards.

**Tim Freeman, Land Surveyor and Planner**

Mr. Freeman said that the applicant held an Open House last week in order to provide a sneak preview to neighbors.

Mr. Freeman said the application attempts to minimize grading using several techniques, in order to save as many trees as possible. Roadways follow the contours of the land. They will not grade the house pads. Architectural standards and controls will prevent tearing down or clear cutting of trees by property owners. The streets are designed without ditches. Trails are placed along the road. Surface water will be moved overland to allow for infiltration and evaporation until moved into retention ponds. Utilizing the existing entrance saves trees. The view of the developed parcel from Lake Elmo Avenue will be no different than it is today.

**DRAFT**

**DRAFT**

Mr. Freeman said house pads in two areas of the graphics were turned by the CAD operator, and they will be moved back to create the appropriate amount of buffer. He said the buffer on the west is also a thick grove of trees. Part of that buffer is open space. He said the developers have opted for individual wells instead of a community system. That sort of system is not very easy to hook up to city water. The size of water mains do not lend themselves to circulation. Fire suppression is difficult because of the lack of pressure. Instead they have flushing hydrants, not fire hydrants. Smaller cell wastewater treatment was chosen to save more trees. They do not want to clear cut an area in order to build a large drainfield, and the distance to the cleared area would be difficult to get to. He supplied a Mn/DOT map with a proposal for a frontage road at the intersection of Highway 36 and Lake Elmo Avenue. Mr. Freeman said the applicants are willing to dedicate that roadway easement on the north end of the parcel. The existing access provides the best sight distance of any location on the parcel. He said the monument is important to the design. Mr. Freeman said the applicants are working with John Hanson from Valley Branch Watershed District to create the 100 year flood elevations for the basins on the site.

Commissioner Sedro asked why the Open Space is not preserved through the Land Trust; if the trail is the same level as the street; and, if the northernmost lot is a flag lot.

Mr. Putman said the trail system is along the road in order to preserve trees.

Commissioner Sedro would like to see a curb there to protect pedestrians.

Mr. Freeman said flag lots tend to be the most coveted locations within a development because they are more private with more trees and harder to access. He said that five feet of trail is on the street and the streets are created at the narrowest possible width. The material is stamped and colored blacktop.

Mr. Putman said many of these features go beyond the requirements of the code.

Mr. Freeman said the Land Trust is most concerned about shape and monitoring, and they expect to be rejected by the Land Trust due to the shape of their open space.

Commissioner Deziel asked how an Architectural Control Committee is established.

Mr. Putman said covenants are submitted to the city. His company prepared architectural controls for Liberty and they will be drafting these controls.

Chairman Helwig asked the mature tree types.

Mr. Freeman said there is a significant grove of pines, and there are oak, aspen, birch, and maple along with some spruce and pine within the hardwoods.

Commissioner Schneider asked if the two big ponds are connected.

Mr. Freeman said that water will be pumped back after running through the culvert creating healthier water. Mr. Putman said that aerated water helps improve water quality, and water noise mitigates traffic noise.

Commissioner Ptacek asked if the city would consider the roadway frontage easement instead of changing the east-west circulation of the road within the development.

**DRAFT**

**DRAFT**

**DRAFT**

**DRAFT**

The Planner said that would be acceptable.

Commissioner Deziel asked how the city would maintain the bridge.

Mr. Freeman proposed the engineering as a huge culvert, with a paved surface, and retaining walls terracing down the slope to the water. He said the HOA could partner with the city to maintain the plantings and amenities along the right of way.

Commissioner Roth asked what happens when the stamped trail portion of road deteriorates.

Mr. Freeman said the City would maintain it and decide what to assess the homeowners.

Mr. Freeman said the gross vehicle weight on the bridge would be 9 tons or greater.

Chairman Helwig suggested 12 tons for construction equipment.

Mr. Freeman said his OP calculations provide enough open space to cover 27 residential lots.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 8:32 P.M.

**Yvette Oldendorf**

She said it is a beautiful parcel. Ms. Oldendorf would be pleased to see the alternative for the frontage road especially with traffic growth in a neighboring development. She is concerned for the buffer at the south end not just the distance but the content. She asked if trees could be planted or transplanted to that area. Neighborhood to the south would like a visual buffering consideration. There are two ponds in the neighborhood to the south and she is concerned for drainage and contamination from this development. She said they have a problem maintaining their pond there, and want to know if they will experience additional maintenance problems. She said the existing trees were old growth and many were planted by Mr. Lundquist. She would like measurements to determine numbers of trees, and would like to know how to guarantee tree preservation.

**Barry Shaffer**

Mr. Shaffer is a neighbor to the south and he has a view of the orchard especially in winter. He said they lost trees that were part of the buffering due to an easement. Patches of Norway Pine are on the site and he asked if some could be moved into the buffer zone and create a larger stretch of bulk for the three lots to the south of the plat. He expressed concern for contaminants and the sewage area leaching into wells to the south.

**Ron Weber**

Mr. Weber is an adjoining neighbor. He said that autos pass on the right on the shoulder of Lake Elmo Avenue at the crest of the hill. He said he wants to develop a parcel across the street. He asked if the road is regulation size and if there is adequate safety for pedestrians on the trail on the road.

Another neighbor said the hill makes it difficult for him to get out of his driveway. Open space is beautiful and the development is terrific. He said the apple trees will be a big problem.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 9:44 P.M.

Tim Freeman said water drainage is watched closely by several agencies and code does not allow

**DRAFT**

**DRAFT**

**DRAFT**

**DRAFT**

them to drain onto other properties. He said that the city has an arborist who will be consulted at the development stage; and, that the main vehicle for protection of the trees will be the covenants and restrictions. Sewage into wells is monitored by MPCA. They review community systems and city engineer reviews individual systems. The city and state have ordinances against pollution. Right turn and a bypass lane is anticipated for Lake Elmo Avenue. Washington County will probably require it. Road width is 22 feet by ordinance.

The Planner said the City does not have a tree ordinance. He said it is in the developer's best interest to keep as many trees as possible.

Chairman Helwig suggested that a common well is a must.

The Chairman reconvened the meeting at 9:02 p.m. after a ten minute recess.

M/S/F, Deziel/Armstrong, To recommend allowing a multiple wastewater treatment system because the applicant has demonstrated adequate cause to have smaller areas for drainfields.  
VOTE: 1:8.

M/S/P, Ptacek/Armstrong, To approve the application for an Open Space Preservation Concept Plan of DISCOVER CROSSING subject to conditions and based on findings in the staff report but change condition number 5 to require that the development stage plan and preliminary plat include an easement graphic for Mn/DOT alterations for east/west circulation at the frontage road of Highway 36.

Commissioner Ptacek said he has no problem with the curved road and roundabout if that east-west circulation is done. VOTE: 9:0.

**DRAFT**

**DRAFT**

**LAKE ELMO PLANNING COMMISSION  
STAFF REPORT**

**Date:** May 4, 2005 for the Meeting of May 9, 2005

**Applicant:** MBM Development, LLC

**Location:** Southwest Quadrant of Highway 36 and Lake Elmo Avenue

**Requested Action:** Open Space Preservation (OP) Concept Plan

**Land Use Plan Guiding:** RAD

**Existing Zoning:** RR

**Site History and Existing Conditions:**

Review of City address and development files regarding this site (5744 Lake Elmo Avenue) reveals no City actions or permits of consequence in recent years. There have been City permits issued over the past decades for re-roofing and a pole barn, but no land use issues or violations are reflected in the City records.

The 72 acre site with a single home and related outbuildings is approximately 70% forested, with a partially forested apple orchard, some tilled land and water features composing the 30% balance. A majority of the site (excepting the tilled portion) is rolling terrain, with approximately 75 feet of topographic difference from the high point (NE corner of the apple orchard) to the low point (wetland adjacent to the Lake Elmo Avenue). The applicant reports that no slopes exceed 24%. The applicant has identified probable wetland areas on the site – to be confirmed by the Valley Branch Watershed Staff based on a formal Wetlands Delineation Report.

**Discussion and Analysis:**

Staff has reviewed the applicant's graphics and calculations for compliance with the specific design standards of the OP Ordinance – to the extent practical at the Concept Plan Stage. Except with respect to buffer setbacks in some locations it appears that the Concept complies with those applicable OP standards that can be determined at the Concept Stage.

We note that the two conceptual house pads along the south site border appear to be located closer than 200 feet from the south site property line where 200 feet is required. No waiver from the 200 foot buffer standard is proposed for those lots. Any Concept Plan approval action based on the graphics that have presented should not imply that any such waiver is approved.

We also note that the applicant does propose to substitute a 100 foot buffer along the west site border based on the land to the west being eligible for OP development in the future. No specific plan for the alternative method of buffering is shown, but we suspect that tree line within the proposed 100 foot buffer will be suggested by the applicant as sufficient to meet the intent of the ordinance. We do observe the conceptual building pads of Lots 11 and 12 fail to provide the full 100 foot buffer. Any Concept Plan approval action based on the graphics that have presented should not imply waiver of the 100 foot buffer is approved in those cases.



While review comments have not been received from Washington County (as Lake Elmo Avenue is also CSAH 17) as of this writing, Valley Branch has commented (attached). Based on the limited design data required with an OP Concept Plan, Valley Branch notes that there may be an issue with some lots as to building elevation in relation to landlocked ponds. The applicant will be expected to address these potential elevation issues with its Valley Branch permit, and the City Development Stage Plan.

Prior to Concept Plan submission staff met with the applicant's engineer to discuss general design issues for this site. Staff had advised the applicant's engineer regarding some key infrastructure concerns as follows:

1. The assumption that this site would be served by a community (Constructed Wetlands Wastewater Treatment or equivalent). The applicant instead proposes "joint" conventional drainfield wastewater treatment. Staff does not believe this is a proper approach with a site of this scale. Community wastewater treatment has been found feasible on sites of this scale in the past (Whistling Valley 1 and 2, The Hamlet, and Tamarack Farms come to mind), and should be the alternative used here to insure single point wastewater treatment monitoring, as well as in-place sewer laterals should a connection to even more centralized sewer treatment be required in the future.
2. We advised the applicant's engineer that the City would specify a single community water supply and water mains be installed with this project in lieu of 24-27 separate wells – which equal 23-26 additional routes for potential future aquifer contamination. Staff will be immediately recommending to the City Council an amendment to the City Code requiring single point community water supplies in all new developments not yet served by Public water supply.
3. Staff has also advised the applicant's engineer that a "reasonably direct" street should extend from Lake Elmo Avenue to the site west border, since we anticipate that future modifications to State Highway 36 will severely restrict access from Lake Elmo streets. We believe it is imperative for the City to plan for a street routing parallel to and close to State Highway 36 to permit reasonable access by Lake Elmo residents to alternative Highway 36 access points in the future. While the applicant has demonstrated an attempt to comply, we question whether the "roundabout" (with a monument sign, no less) or the significant swing to the south meets the "reasonable" test.
4. The applicant's engineer has discussed the OP density and lot count (24 or 27 lots) with staff prior to submission of the Concept Plan. At that time we could not guess whether the RAD density amendment (0.40 to 0.45) that was recommended for the Comp Plan by the Planning Commission would continue in the Plan at the City Council level. We still can not as of this writing. No Concept approval for this site should be for more than 24 lots based on the current Plan and OP Ordinance.

### **Findings and Recommendations:**

Staff suggested Findings include:

1. Except as noted regarding OP buffer compliance, the OP Concept Plan generally complies with the OP design standards as can be determined at the Concept Plan Stage.
2. The Concept Plan is generally consistent with the purpose of the Open Space Preservation Ordinance.
3. The Concept Plan generally complies with the Comprehensive Plan.

While staff recommends the Concept Plan be recommended for approval by the Planning Commission, we do so subject to the following conditions – all of which should be adhered to with the OP Development Stage OP Plan, Conditional Use Permit, and Preliminary Plat:

1. All house pads shall be at least 200 feet from the south property line and 100 feet from the west property line.
2. Applicant shall clearly demonstrate by graphics the year round effectiveness of buffering proposed within the 100 foot west OP buffer.
3. Applicant shall submit preliminary plans to provide water supply from a single community well and lateral service to home sites.
4. Applicant shall submit preliminary plans to treat wastewater with a single Constructed Wetlands Wastewater Treatment System (or technologically equivalent) with sewer laterals to the individual home sites.
5. The Development Stage Plan and Preliminary Plat shall show the east/west street with a less curvilinear alignment and without the "roundabout".
6. Deletion of the project monument sign.
7. The Development Stage Plan/Preliminary Plat shall include no more than 24 building lots unless the Comprehensive Plan/Zoning Ordinance has been officially amended to allow a higher lot count.
8. Compliance with Valley Branch Watershed District recommendations as determined to be applicable by the City Engineer.

**Planning Commission Actions Requested:**

Motion to recommend approval of the OP Concept Plan for "Discover Crossroads" per plans staff-dated May 4, 2005 based on the Findings of, and subject to the conditions listed in the May 4, 2005 Planning Staff Report.



Charles E. Dillerud, City Planner

**Attachments:**

1. Location Map
2. Valley Branch Letter
3. City Engineer memo – if available.
4. Applicant's Project Graphics/Narrative

## MEMORANDUM

**To:** Planning Commission Members  
**Copies To:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
**From:** Thomas Prew, P. E.  
**Date:** May 6, 2005

**Reference:** Concept Review  
Discover Crossing  
City of Lake Elmo, Minnesota  
**Proj. No.:** 13267.000  
**Routing:** \_\_\_\_\_  
\_\_\_\_\_

I have reviewed the concept plan submittal dated April 20, 2005, and offer the following comments:

### *Streets*

A roundabout is planned near the entrance off of Lake Elmo Avenue. Although it is very close to this intersection, I do not feel it will have an impact on its operation. I feel it may be better used at the intersection further west, as there will be more crossing traffic, and it would be more centrally located to aid in traffic calming.

The design of the roundabout shall meet AASHTO standards and be designed for WB-52 vehicles.

The street is shown with a 22-foot driving surface that includes a 5-foot wide stamped and colored trail. This does not meet the City's standards. By City Code, the street width shall be 22 to 24 feet. We recommend a standard City street be built, with a separate sidewalk or trail adjacent to the road. We generally sign the 22 to 24-foot wide streets at 25 MPH, and have not had significant speeding complaints.

We feel the proposed on road trail will, over time, disappear due to loss of paint, seal coating, and overlays. It will be very expensive for the City to maintain this on-road-trail in the manner it is originally designed. We feel it is better to have a permanent sidewalk/trail along the road that separates the traffic and pedestrians.

The alignment matches very well with the proposed street in Deer Glen. It is very important that the road in this development be considered a through route, and that the future connection to Deer Glen is shown in our comprehensive plan.

An access permit from Washington County will be required. It appears that sight distances at the proposed intersection are adequate.

### *Drainage*

A small amount of ponding is shown in the southeast corner of the plat. Additional ponding will be needed.

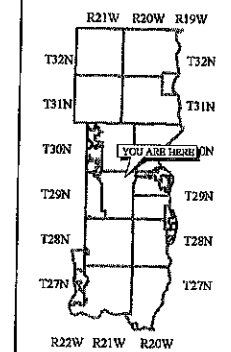
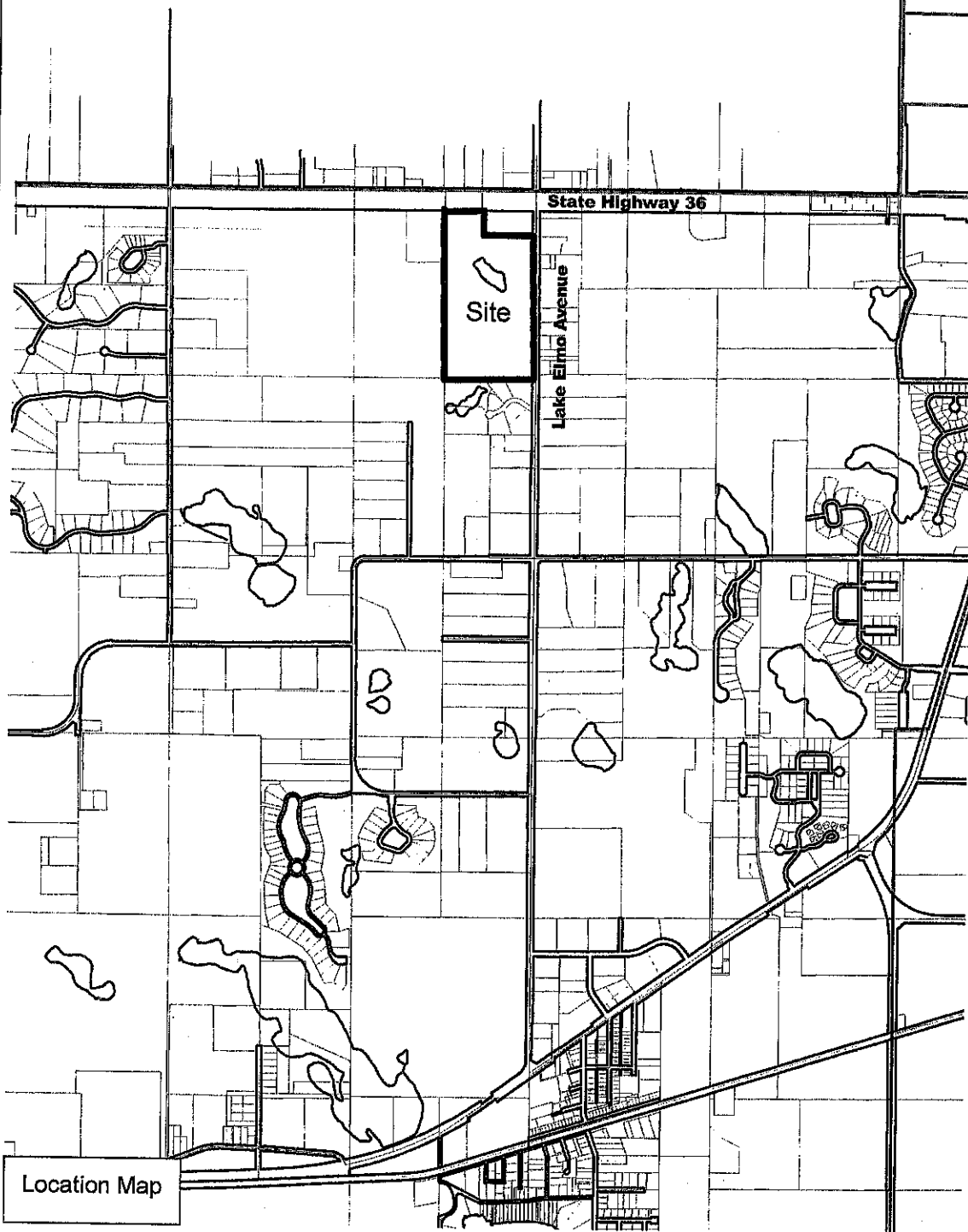
The 100-year flood for the pond is higher than the proposed street elevation. We will need to look at this closely before preliminary plat approval.

***Septic System***

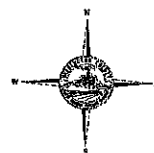
There is no community septic system shown. It is not required to be shown at this stage of the development process. From discussion with the engineer, there will be shared locations for individual on-site septic systems.

***Water***

Individual wells are proposed for drinking water.



Vicinity Map



This drawing is the result of a compilation and reproduction of land records as they appear in various Washington County offices. This drawing should be used for reference purposes only. Washington County is not responsible for any inaccuracies.

Source: Washington County Surveyor's Office. Phone (851) 430-6875

Parcel data based on AS400 information

May 10, 2005

RE: Design Concept for  
"Discovery Landing", the Lundquist Property

SUBJECT: Questions and Concerns for Clarification and Consideration

FROM: Yvette Oldendorf

Rec'd at  
DC meet  
5/19/05  
OO

This may be the finest area of forest and ponded land other than the city's parks, its development therefore, begs some important questions and considerations.

Is it best to design it for so many housing units? Can the number of units be reduced, especially in consideration of the impact upon the forested areas and ponds of the land?

What are the types of homes that will be built here? Will they be like those in developments such as Carriage Station? or The Forest? What will the city do to ensure that the architecture is suited for the area?

Representatives for the development said that as many trees as possible will be saved in the placement of the houses. What are the specifics of that commitment? Is there a written plan to do so? Who sets the standards for saving the trees? How many will be removed? How is this monitored during the development? How would this be enforced?

The concept design does not include specifics regarding septic treatment techniques. How are nearby homeowners assured that they will not suffer adverse affects to their wells under any technique adopted?

There is a run-off pond indicated in the conceptual map. It is close to the homes in the next set of properties. Where will ponding be located? No matter what ponding is implemented, what assurance is there that the run-off from the new lots will not run through to nearby ponds and cause build-up of growth or contamination?

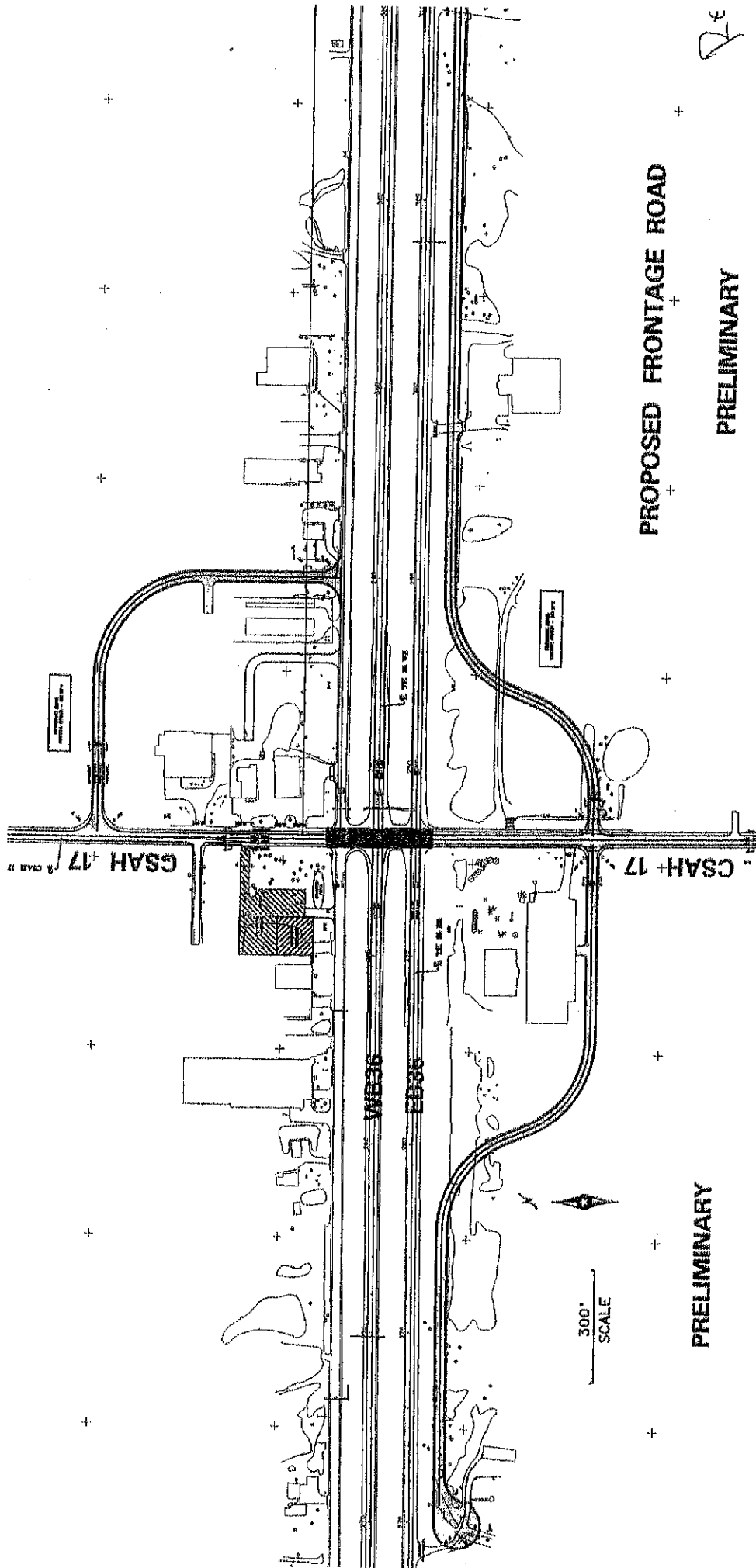
The design concept indicates leaving the "orchard area" open. This is the part of the land most adjacent to existing homes and its use and upkeep would have the greatest effect. What specifically will be done with this area? Will there be a specific commitment to a planned use and maintenance that can be relied upon by the neighbors?

At least two homes will be exposed to this to-be common area; will the city ask the developer to put in a barrier of trees as a shelter for these neighbors? Other developments have moved trees taken from the new house sites and replanted them. This would be a good for trees, good for neighbors, and good will in the community.

The map for the design concept has a road out of the development to the west. Does this indicate that this is not to be self-contained community? If this road leads into the next development (now farmed land) and on into the area being developed for the "mega" church and its housing sites, this is a significant traffic concern. Consider, if this development has 24 houses and the next development (into which the road would lead) would have approximately the same and the church hundreds of parishioners what the number of cars would be using this road. The city needs to view the traffic impact to the land, the safety for the exit onto Co. Rd. 17 close to major intersection, and the traffic flow with scrutiny and concern.

It would be best that only the road for this development be able to enter or exit onto Co. Rd. 17, keeping it a contained community from any other entering or exiting traffic.

The design concept contains plans for a large stone bridge. It is proposed to be large enough for people to walk beneath, has tall stone sides and high reaching lights. It appears monumental. It is not appropriate for the area or the site. A bridge of more modest design and natural character would be more of an asset to this land.




PRELIMINARY

PROPOSED FRONTAGE ROAD

PRELIMINARY

2-6



<b>Lake Elmo City Council May 17, 2005</b>	<b>Agenda Section: Planning, Land Use &amp; Zoning</b>	<b><u>No.</u> 9B</b>
<b><u>Agenda Item:</u></b> CDBG – Amended Contract for Cimarron Gas Service Project		
<b><u>Background Information for May 9, 2005:</u></b>		
<p>Washington County has proposed the brief attached CDBG Contract Amendment that : 1.) Adds \$72,000 of CDBG funding to the Cimarron Project (as we applied for in December); and, 2.) Extends all project Milestone dates into 2005-2006 (from 2004-2005). The City Attorney has reviewed the Amendment and offers not legal objections.</p>		
<p>On May 11 the Community Improvement Commission considered a proposal from Administrator Rafferty to revise the City strategy to address this project – primarily responsive to the very limited bidding interest the City has found from qualified tradesmen. The new strategy will essentially first establish a list of income qualified unit owners. Then the project will be re-bid <u>specifying</u> the units of those qualifying for 100% City/CDBG financial assistance, thereby providing the bidders an opportunity to determine the exact circumstances upon which to bid. Hopefully this will result in a better project pricing since bidders will not need to “cover” for unknown circumstances.</p>		
<p>A second feature of the revised City strategy will be to amend the present Manufactured Housing Ordinance to require the <u>park owners</u> to become responsible for inspection and report to the City as to gas service integrity for all units within the Park.</p>		
<b><u>Action items:</u></b>	<b><u>Person responsible:</u></b>	City Planner
<p>Motion to adopt Resolution #2005-049 approving Amendment #1 to Contract #3001 regarding CDBG funding and schedule for the Cimarron Gas Service CDBG Project.</p>		
<b><u>Attachments:</u></b>	<b><u>Time Allocated:</u></b>	
<p>1. Proposed Amendment #1 to CDBG Contract #3001</p>		

CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-049

**A RESOLUTION AUTHORIZING AN AMENDMENT TO  
THE CDBG CONTRACT**

**WHEREAS**, on May 17, 2005, the Lake Elmo City Council reviewed Amendment #1 to Contract #3001 regarding CDBG funding for the Cimarron Gas Service CDBG Project proposed by Washington County,

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council approves Amendment #1 to Contract #3001 regarding CDBG funding and schedule for the Cimarron Gas Service CDBG Project.

**ADOPTED**, by the Lake Elmo City Council on May 17, 2005.

\_\_\_\_\_  
Dean A. Johnston, Mayor

ATTEST:

\_\_\_\_\_  
Martin J. Rafferty, City Administrator

**Amendment Number One Between  
Washington County and the City of Lake Elmo**

**Community Development Block Grant Subgrantee Agreement**

**Contract # 3001**

Effective May 1, 2005, #1 Term of the contract shall be amended as indicated by bolded letters:

Services of the Subgrantee shall start on the first day of October, 2004 and end on the last day of December, **2006**.

Effective May 1, 2005, #10.a. Annual Budget and Billing Procedures shall be amended as indicated by bolded letters:

It is understood that the Funding Approval/Agreement (HUD 7082) is based upon a program budget reflecting receipt of \$960,000 in CDBG Funds from HUD for Program Year 2004, of which \$48,200 is allocated to the Subgrantee and **\$912,951.00 in CDBG Funds for Program Year 2005 of which \$72,000 is allocated to the Subgrantee, totaling \$120,000 as the maximum amount available under this contract.**

Effective May 1, 2005, #12.1.b Budget shall be amended as indicated by bolded letters:

**Addition of FY 2005 CDBG funding:        \$72,000**

Effective May 1, 2005, #12.1c Schedule shall be amended as indicated by bolded letters:

Schedule.

FY 2004 funds will be committed to project activities after October 1, 2004, and will be expended according to the completion dates listed below.

<u>Milestone</u>	<u>Completion date</u>
Prepare and Adopt City Ordinance	November-December 2004
Prepare and Adopt City Ordinance	November-December 2004
Environmental Review	November-December 2004
Scope of Work	January 2005
Request for Proposals	January 2005
Notification and Education of Residents	February 2005
Construction Period	March 15, 2005 – December 31, 2005

FY 2005 funds will be committed to project activities after October 1, 2005 and will be expended according to the completion dates listed below:

<u>Milestone</u>	<u>Completion date</u>
Prepare and Adopt City Ordinance	November-December 2005
Prepare and Adopt City Ordinance	November-December 2005
Environmental Review	November-December 2005
Scope of Work	January 2006
Request for Proposals	January 2006
Notification and Education of Residents	February 2006
Construction Period	March 15, 2006 – December 31, 2006

IN WITNESS WHEREOF, the Grantee and the Subgrantee have executed this Subgrantee Agreement on the date indicated below.

For the Grantee

For the Subgrantee

\_\_\_\_\_  
Myra Peterson  
Chair, Washington County Board

Date

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

Date

\_\_\_\_\_  
James R. Schug  
County Administrator

Date

\_\_\_\_\_  
By: \_\_\_\_\_  
Its: \_\_\_\_\_

Date

Approved as to form:

\_\_\_\_\_  
Assistant County Attorney

Date

Date

\_\_\_\_\_  
Daniel J. Papin  
Director, Community Services

Date

Lake Elmo  
City Council  
May 17, 2005

**Agenda Section: Planning, Land Use & Zoning**

**No. 9C**

**Agenda Item:** Amended Section 520 Site Plan – 11051 Stillwater Blvd.

**Background Information for May 17, 2005:**

The City Council approved a 520 Site Plan for remodeling and expansion of this existing office building on April 5, 2005. The applicant has subsequently submitted revised plans that modifies the original building design significantly and proposes an additional 550 square feet of new building area – and additional parking to comply with the Code formula. In addition, the new proposal crosses the percentage threshold for exemption from the GB architectural standards, and the entire exterior surfacing (new and existing) has been therefore revised to be brick with cedar accents, and the roof as metal. Finally, the applicant no longer proposes a new pylon sign. The existing sign will be simply re-faced.

The Planning Commission reviewed the revised plans and unanimously adopted a recommendation to approve the amended application at its May 9, 2005 meeting.

**Action items:**

Motion to adopt Resolution #2005 - , approving an amended Site Plan for 11051 Stillwater Blvd. per plans staff dated May 5, 2005, based on the recommendations of and subject to the conditions proposed by the Planning Commission.

**Person responsible:**

City Planner

**Attachments:**

1. Resolution #2005 – Approving Site Plan Amendment
2. Draft Planning Commission Minutes of May 9, 2005
3. Planning Staff Report
4. Amended Applicant's Documentation

**Time Allocated:**

CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-

A RESOLUTION APPROVING THE AMENDED SECTION 520 SITE PLAN  
FOR 11051 STILLWATER BOULEVARD

WHEREAS, Bahr Management, has submitted a Section 520 Site Plan for site modifications that include moving the existing building to another site and construction of a new a 2,600 square foot building at 11051 Stillwater Blvd. along with parking area, and

WHEREAS, at its May 9, 2005 meeting, the Planning Commission reviewed and recommended approval of this site plan per plans staff dated May 5, 2005 as same on file with the City Administrator, subject to the following conditions:

1. Confirmation from the applicant that the installed height of the parking lot lighting fixtures be no more than 20 feet above grade -- regardless of pole height.
2. Wall pack lighting cannot have swivel mounts unless the lighting angle is less than parallel.
3. Landscape Islands must be installed consistent with code requirement because more than 25 parking spaces are being created.
4. Compliance with the requirements of the City Attorney, City Engineer, Valley Branch Watershed District (as found applicable by the City Engineer) and Mn/DOT.

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Lake Elmo does hereby approve the Amended Section 520 Site Plan based upon the recommendation of the Planning Commission.

ADOPTED, by the Lake Elmo City Council on the 17<sup>th</sup> day of May, 2005.

\_\_\_\_\_  
Dean Johnston, Mayor

ATTEST:

\_\_\_\_\_  
Martin Rafferty, City Administrator

**DRAFT**

**DRAFT**

**SITE PLAN REVIEW – 11051 STILLWATER BLV – BAHR CONSTRUCTION**

The Planner explained that this is a new application due to substantial changes to the original. Now the existing building is to be moved and relocated and a new building would be constructed. This building would be 550 square feet larger than one there at present. Additional parking reflects additional floor area. Outdoor dining for a café affects parking formulas and the applicant accounts for that in his plan. The applicant is required to meet architectural design standards of the general business zone. The exterior is all brick with cedar trim and a metal roof. A new sign plan utilizes the existing structure by adding a planter and changing words. There are more trees lost on the south property line as indicated by Xs on the plan but there are no standards for tree counts.

Staff recommends approval with 3 conditions:

- 1) Adjust outdoor lighting so installed height is no more than 20 feet.
- 2) Wall pack lighting cannot have swivel mounts unless the lighting angle is less than parallel.
- 3) Parking has gone over the threshold of 25 spaces for a landscape island or islands to be installed consistent with code requirement.

**Rodney Bahr, Applicant**

Mr. Bahr said the Landscape Plan in the packet shows a planting area along the Mn/DOT right of way. Outdoor parking is based on 24 seats and four staff..

Commissioner Sedro asked if the reason for landscape islands is to soak up rain.

The Planner said that is secondary, it is to break up the mass of asphalt. In the Landscape Plan, the peninsula in the far west could qualify for it, and that requirement might be met.

Mr. Bahr said they assessed the trees to the south, and they are not in good condition. They will fix the drainage and replace them with heartier varieties. Corrugated steel is not exactly a standing seam metal roof.

Mr. Bahr said the galvanized corrugated is a treated product that holds its appearance. He said the Old Village should have buildings of character instead of boxes with awnings. The city should work to keep features and character.

M/S/P, Roth/Schneider, To recommend approval of the 520 Site Plan for 11051 Stillwater Boulevard subject to conditions one through three of staff report dated May 5, 2005. VOTE: 9:0.

**DRAFT**

**DRAFT**

**LAKE ELMO PLANNING COMMISSION  
STAFF REPORT**

**Date:** May 5, 2005 for the Meeting of May 9, 2005

**Applicant:** Bahr Management

**Location:** 11051 Stillwater Blvd.

**Requested Action:** Section 520 Site Plan – Remodel/Addition

**Land Use Plan Guiding:** “C” (Commercial)

**Existing Zoning:** GB (General Business)

**Site History and Existing Conditions:**

The site is 1.1 acres with an existing 2,057 square foot (foot print) structure that was converted from a residence to an office building in 1980 following rezoning by the City from R-1 to GB. City records reveal no other actions of significance on the site except a modification of the sign face message for the occupant insurance agency in 2004.

The City Council approved a Site Plan for a 2,046 square foot addition and remodeling of structure on April 5, 2005 based on the Planning Commission’s recommendation. Modifications to the site/parking/landscaping were included in the approved plan. The applicant has subsequently proposed significant modifications to that approved plan that dictate processing the plan as a new application.

**Discussion and Analysis:**

The applicant’s revised plan for the site proposes demolition of the west portion of the existing building, and subsequent addition of 3,321 square feet to the remaining existing building. The total resulting floor area would be 4,658 – or, 555 square feet more than the previously approved plan. The new plan sets the building addition to the west back from the the original plan, and adds 6 off-street parking spaces in front of the building. Other significant features modified from the previously approved plan include:

1. Exterior surfacing (brick with cedar accents) and roofing (standing seam metal) that comply with the GB Architectural Standards. The project no longer qualifies for the exemption from those standards.
2. A “café” component, with limited seasonal outdoor seating. This modifies the off-street parking requirements from the previous plan – which has been accomplished on the plan.
3. Revision of the free standing sign proposal to utilize the existing sign structure with changed text/face rather than introduce a new sign.
- 4.

Staff review of the new proposed site plan for compliance with GB and other related standards reveals the following regarding the proposed plans:

1. All parking, GB setback standards, and GB site coverage standards (for site of less than 4 acres) are complied with.



2. The Section 520 landscaping value minimum is complied with. With the increase of off-street parking to a total of 27, the plan must now include parking area landscape island(s). None are depicted on the plan.
3. The proposed exterior lighting generally complies with code standards if the overall fixture height does not exceed 20 feet from grade. Any pedestal height added to the specified 20 foot light pole will result in non-compliance. We note that the wall mount lighting will be on a swivel mount. Those fixtures must be set such that the lenses are tilted either downward or not more than parallel to the ground surface.
4. Proposed wall signage is compliant with Sign Ordinance standards.
5. The applicant proposes to upgrade the present holding tank wastewater system.

**Findings and Recommendations:**

Except with respect to the lack of parking landscape island(s) – which are now required by this plan - staff finds the modified Site Plan to generally comply with applicable City Code and Zoning Ordinance standards for a project as described. A recommendation of approval is suggested.

**Planning Commission Actions Requested:**

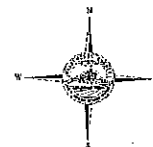
Motion to recommend approval of a Section 520 Site plan at 11051 Stillwater Blvd. per plans staff-dated May 5, 2005, subject to the following conditions:

1. Confirmation from the applicant that the installed height of the parking lot lighting fixtures be no more than 20 feet above grade – regardless of pole height; and that the wall mount units will direct all light downward.
2. Compliance with the requirements of the City Attorney, City Engineer, Valley Branch Watershed District (as found applicable by the City Engineer), and MnDOT.
3. Installation of landscape parking island(s) in accordance with City Code formula.

  
\_\_\_\_\_  
Charles E. Dillerud, City Planner

**Attachments:**

1. Location Map
2. Applicant's Graphics

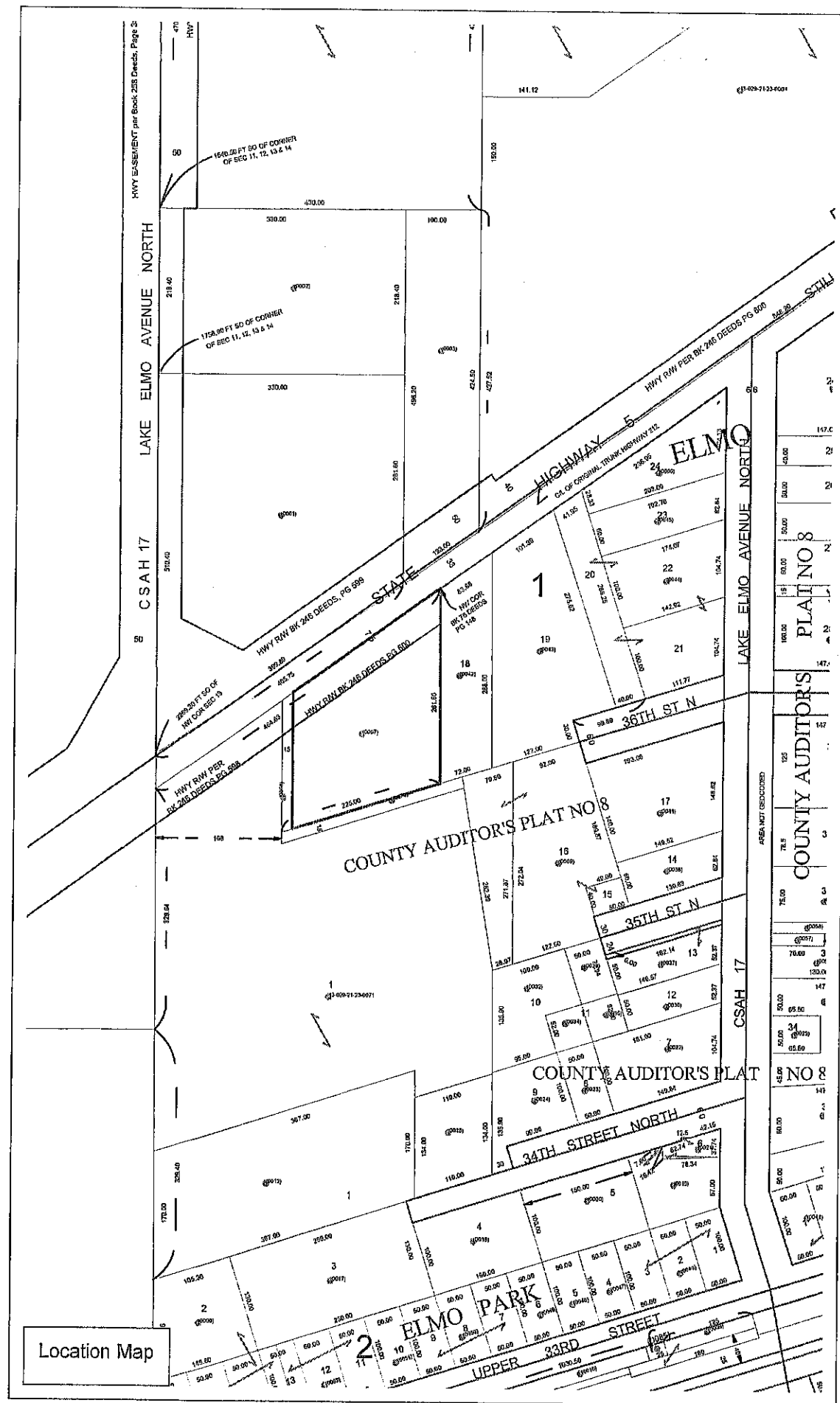


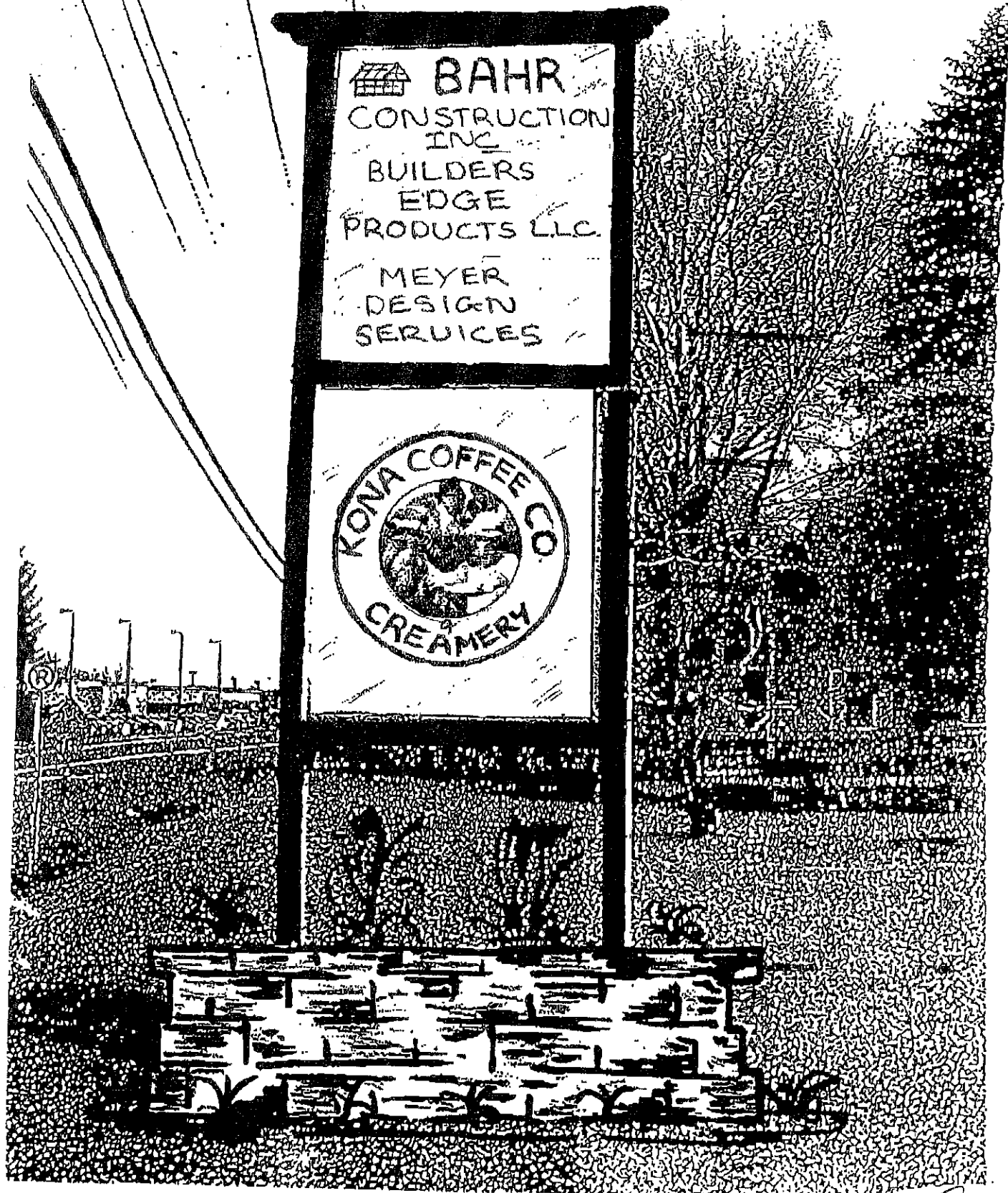
0 190  
Scale in Feet

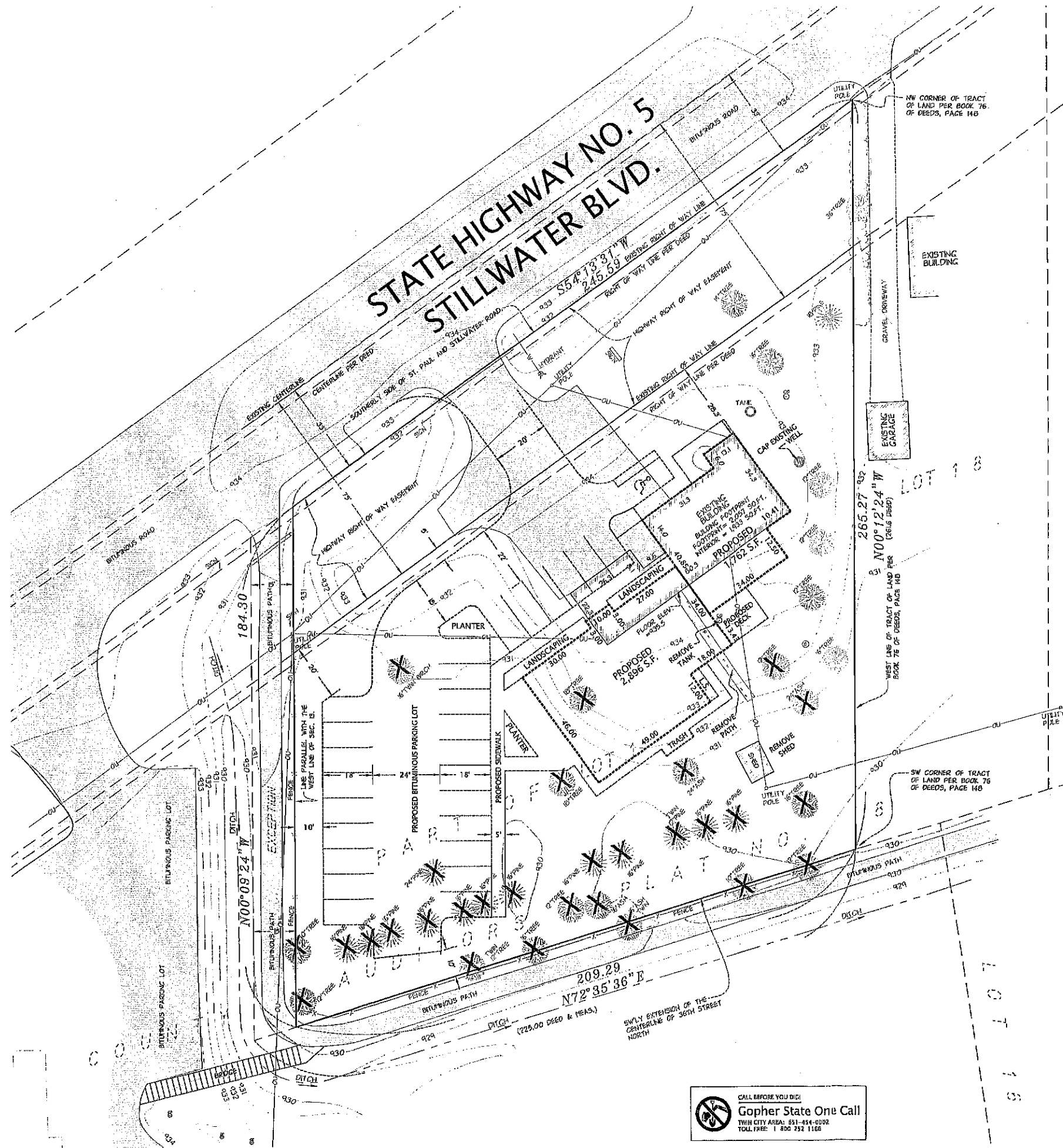
This drawing is the result of a compilation and reproduction of land records as they appear in various Washington County offices. The drawing should be used for reference purposes only. Washington County is not responsible for any inaccuracies.

Source: Washington County Surveyor's Office.  
Phone (651) 430-6875

Parcel data based on AB400 information







# EXISTING LEGAL DESCRIPTION:

(NOTE: LEGAL DESCRIPTION PROVIDED BY Bahr Construction)

All that part of Lot 1, County Auditor's Plat No. 8, Washington County, Minnesota, described as follows: Beginning at the quarter-section corner on the west side of Section 13, Township 29 North, Range 21 West, thence north along the west line of said Section 13, 329.64 feet to a stone monument on the southerly side of the St. Paul and Stillwater Road; thence North 55 degrees 16 minutes 30 seconds East along the said southerly line of said Road 464.63 feet to the northwest corner of a tract of land conveyed by James S. Collopy and wife to William Albrecht by Warranty Deed dated and acknowledged June 11, 1910, and recorded in the office of the County Recorder in and for said Washington County in Book 76 of Deeds, page 148, to the place of beginning; thence south along the west line of said land 261.60 feet to the southwest corner of said land; thence South 72 degrees 48 minutes West 225.00 feet to a point; thence north along a line parallel to the said west line of said Section 13 to a point in the said southerly line of said St. Paul and Stillwater Road; thence North 55 degrees 16 minutes 30 seconds East along the said southerly line of said road to the place of beginning. EXCEPT the easterly 15.00 feet thereof.

# EASEMENT INFO:

NO TITLE WORK WAS PROVIDED BY BAHN CONSTRUCTION, INC OR THE SELLER OF THE PROPERTY. RIGHT OF WAY INFORMATION SHOWN BASED ON WASHINGTON COUNTY HALF SECTION MAPPING. ADJOINING PLATS AND MAPS WERE USED TO ESTABLISH THE CENTERLINE OF STATE HIGHWAY NO. 5.

OTHER EASEMENTS MAY EXIST THAT ARE NOT SHOWN ON THIS SURVEY.

THE CONVEYANCE OF THE WESTERLY 15.00 FEET OF THE PARCEL IN THE RECORDERS OFFICE COULD NOT BE FOUND BY CORNERSTONE. IT IS BELIEVED THAT THIS PROPERTY WAS DEEDED TO THE CITY OF LAKE ELMO FOR THE TRAIL.

THE UNDERLYING DESCRIPTION FOR THE ADJOINING PARCEL TO THE EAST WAS USED TO ESTABLISH THE SOUTHERLY LINE OF THIS PARCEL. THE BEARINGS IN THE DEED CALLS WERE IDENTICAL AND THE CALL OF THE CENTERLINE EXTENDED WESTERLY WAS HELD.

# DEVELOPMENT DATA:

TOTAL AREA = 44,916 SQ. FT. / 1.03 ACRES  
 RIGHT OF WAY = 10,316 SQ. FT. / 0.24 ACRES  
 NET AREA = 34,600 SQ. FT. / 0.79 ACRES

PROPOSED IMPROVEMENTS:  
 BUILDINGS = 2,896 + 1,762 SQ. FT. = 4,658 SQ. FT.  
 BITUMINOUS PARKING LOT = 9,177 SQ. FT.  
 CONC./PATIO = 1,735 SQ. FT.

PROPOSED IMPERVIOUS AREA = 15,570 SQ. FT. 45.0%

12 STALLS FOR GENERAL OFFICE SPACE  
 13 STALLS FOR CAFE SEATING = 26 SEATS  
 2 STALLS FOR CAFE STAFF = 4 STAFF

# SURVEY NOTES:

1. BEARINGS ARE BASED ON WASHINGTON COUNTY SECTION INFORMATION NAD 1983
2. UNDERGROUND UTILITIES NOT LOCATED.
3. ELEVATIONS BASED BENCH MARKS PROVIDED BY MNDOT.
4. UNDERGROUND UTILITIES, GAS, ELECTRIC, ETC. NOT SHOWN OR LOCATED.
5. SEPTIC AREA NOT LOCATED OR SHOWN.

# SYMBOLS:

- MANHOLE
- CULVERT
- GAS METER
- FENCE
- CONCRETE
- DEMOTES FOUND
- 1/2" IRON PIPE
- DEMOTES SET 1/2" IRON PIPE MARKED RLS 25718 TO BE SET
- CATCH BASIN
- HYDRANT
- SIGN
- WATER VALVE
- UTILITY POLE
- LIGHT POLE
- TELE/ELEC BOX
- GAS VALVE
- OVERHEAD WIRES
- WELL



# PROPOSED OFFICE ADDITION

# CONTACT:

CONTACT:  
 RODNEY BAHN  
 BAHN CONSTRUCTION  
 11550 STILLWATER BLVD.  
 LAKE ELMO, MN 55042  
 PHONE: 651-351-1890  
 FAX: 651-439-0484

# COUNTY/CITY:

WASHINGTON  
 COUNTY  
 CITY OF  
 LAKE ELMO

# SEAL:

THE STATE OF MINNESOTA DOES NOT REQUIRE A SEAL.

# CERTIFICATION:

I hereby certify that this plan was prepared by me, or under my direct supervision, and that I am a duly Licensed Land Surveyor under the laws of the state of MINNESOTA.  
 Daniel L. Thurmes Registration No: 25718  
 Date: 2-24-05

# REVISIONS:

DATE	REVISION
2-24-05	SITE PLAN
3-3-05	REVISE SITE PLAN
5-2-05	REVISE SITE PLAN
5-2-05	REVISE SITE PLAN

# PROJECT LOCATION:

**11051**  
 STILLWATER BLVD. N.  
 P.I.D.#1302921230067

Suite #B100  
 200 E. Chestnut Street  
 Stillwater, MN 55082  
 Phone 651.275.8969  
 Fax 651.275.8976  
 dr-csls@cornerstone.net

**CORNERSTONE**  
 LAND SURVEYING, INC

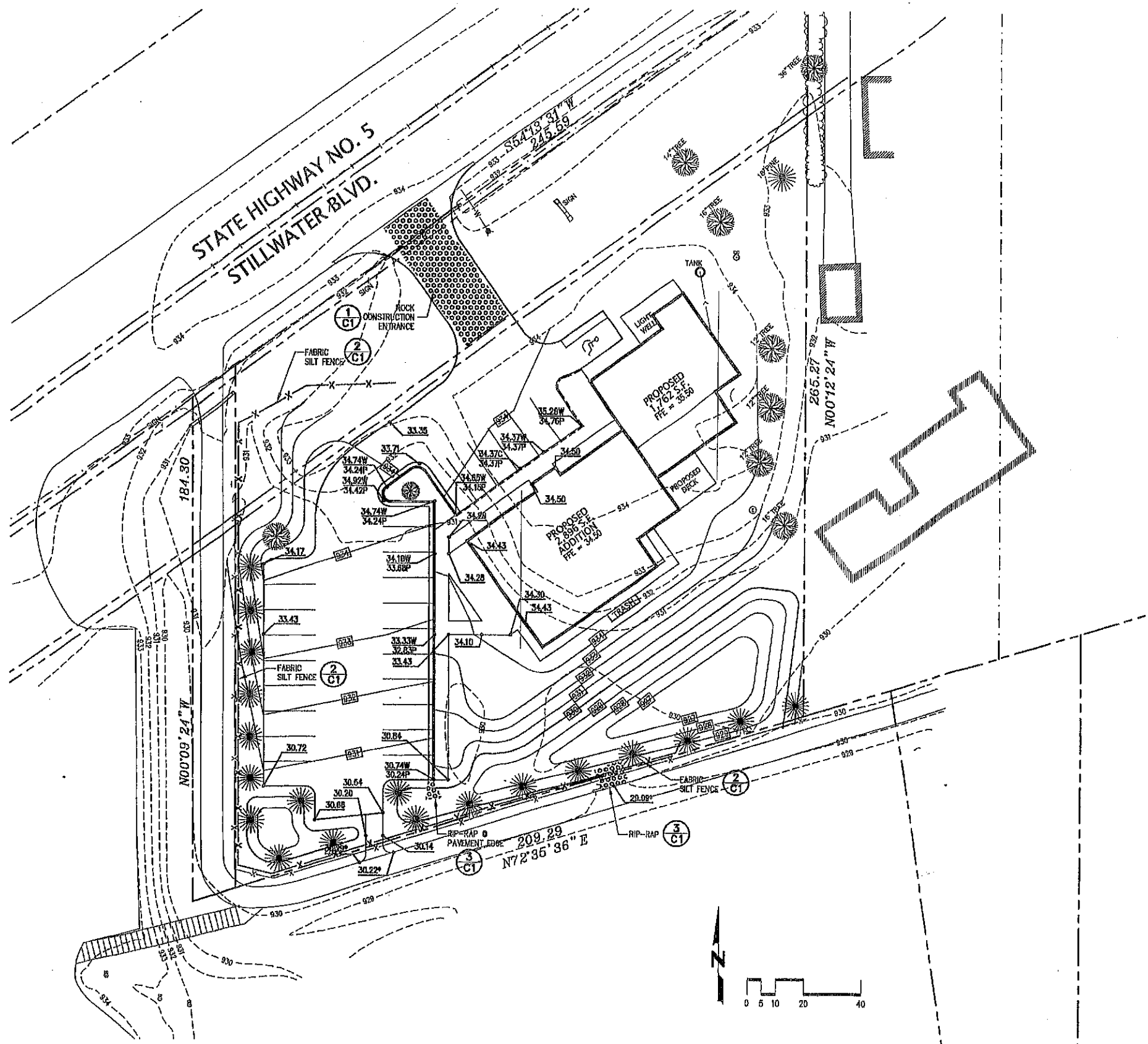
FILE NAME: SURV0018  
 PROJECT NO.: RB05018

SITE/SURVEY  
 DEMOLITION PLAN



5/15/05  
 CAD

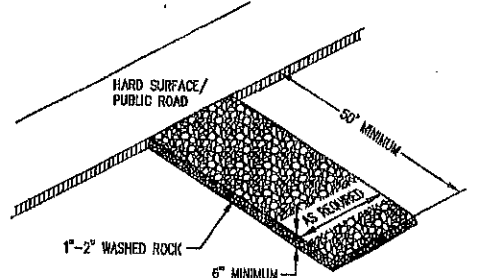
RECEIVED



GRADING & EROSION CONTROL

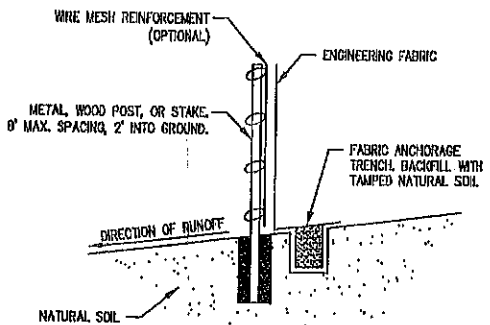
EROSION AND SEDIMENT CONTROL PLAN

- 1.) ALL GRASS AREAS TO BE STABILIZED WITHIN 14 DAYS OF ROUGH GRADING COMPLETION.
- 2.) INSTALL SILT FENCE PRIOR TO ANY OTHER CONSTRUCTION. SILT FENCE MAY BE REMOVED UPON COMPLETION OF ALL SITE RESTORATION.
- 3.) INSTALL ROCK CONSTRUCTION ENTRANCE AT BEGINNING OF INITIAL SITE GRADING. REMOVE WHEN PAVING OF SITE BEGINS.
- 4.) STORMWATER DISCHARGE FROM SITE IS VIA SWALES INTO INFILTRATION DASH.
- 5.) CONTRACTOR SHALL MAINTAIN ALL EROSION AND SEDIMENT CONTROL PRACTICES UNTIL COMPLETION OF ALL SITE RESTORATION.



ROCK CONSTRUCTION ENTRANCE

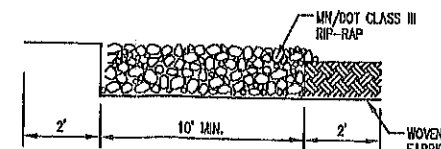
NOT TO SCALE



NOTE: DEPENDING UPON CONFIGURATION, ATTACH FABRIC TO WIRE MESH WITH 110G RINGS, STEEL POSTS WITH WIRES, OR WOOD POSTS WITH STAPLES.

SILTATION FENCE INSTALLATION DETAIL

NOT TO SCALE



SECTION A-A

NOTE: 500X MIRAFI FABRIC OR EQUAL

RIP-RAP AT PAVEMENT EDGE

NOT TO SCALE

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Larson Engineering of Minnesota

GRADING & EROSION CONTROL PLAN & DETAILS

BUILDING ADDITIONS  
11051 STILLWATER BOULEVARD  
LAKE ELMO, MINNESOTA 55042

DRAWN: MAN  
CHECKED: MAN  
DATE: 5.02.05  
SHEET  
C1





SHEET  
E1

5/5/05

RECEIVED

~~ALL EXISTING ITEMS AND CONDITIONS SHOULD BE VERIFIED BY THE CONTRACTOR BEFORE CONSTRUCTION~~



Lake Elmo  
City Council  
May 17, 2005

**Agenda Section: Planning, Land Use & Zoning**

**No. 9D**

**Agenda Item: Central Water and Sewer Service in OP Developments**

**Background Information for May 17, 2005:**

The OP development concept has now seen success with some 14 OP neighborhoods in Lake Elmo over the 9 years that OP has been allowable. Certainly lessons have been learned by both developers and the City over that time period, and protection of the environment is even more of an issue today than it was in the late 1990's. We have as a City witnessed during recent months the consequences of groundwater contamination.

Every new water well that is drilled, and every conventional private wastewater system that is installed adds the risk (however slight) that future ground water contamination issues could arise. The City is now in the process of expanding the municipal water service area – which then opens the opportunity for feasible future additional expansion to areas of the City yet to be developed as OP neighborhoods. In addition, over 8 years of experience with Constructed Wetlands and similar “high tech” wastewater treatment has demonstrated that those technologies for wastewater treatment are feasible as an alternative to ISTS and Regional mechanical treatment. In addition, should there be future problems with wastewater treatment where the system is neighborhood centralized (with laterals installed), connection to new treatment alternative is vastly simplified (and less costly) than retro-fitting multiple homes.

The foregoing observations leads City staff to recommend to the City Council that the City Code be amended to require all new OP developments to be serviced by either municipal water supply or a community (single source) private water supply system – regardless of project scale or location. This strategy will likely result in a preference for larger scale developments (for system efficiency) and likely favor development timing of parcels where City water can be brought to the site at reasonable cost (particularly if the developer is required to pay for long “runs” of water main to reach the site, and the City continues to reject assessing intervening properties).

This strategy will require some additional study and a carefully-crafted ordinance amendment. Before staff expends time on those tasks the City Council is respectfully requested to provide direction regarding the general concept of mandatory single point water supply and wastewater treatment.

**Action items:**

Direction to staff by Council Motion.

**Person responsible:**

  
City Planner

**Attachments:**

None

**Time Allocated:**



<b>Lake Elmo City Council May 17, 2005</b>	<b>Agenda Section: Planning, Land Use &amp; Zoning</b>	<b><u>No.</u> 9E</b>
<b><u>Agenda Item:</u></b> Dupuis/Engstrom Minor Subdivision – Amended Resolution		
<b><u>Background Information for May 17, 2005:</u></b>		
<p>During Title work preparatory to recording the referenced Minor Subdivision it was discovered the survey and legal description inadvertently included a portion of Outlot H, Fields 2 that was not intended. In addition, it was discovered that a portion of the land included was Abstract and a portion Torrens (like oil and water at the Courthouse). These findings have resulted in the preparation of an amended legal description and certified survey for the Minor Subdivision. The physical description and intended outcome of the action as previously approved has not changed, only the legal descriptions/survey.</p>		
<b><u>Action items:</u></b>	<b><u>Person responsible:</u></b>	
Motion to adopt Resolution #2005 <sup>C50</sup> – substituting amended legal survey and legal descriptions for those approved by Council Resolution #2004-109.	City Planner	
<b><u>Attachments:</u></b>	<b><u>Time Allocated:</u></b>	
1. Resolution #2005 - Substitute Resolution		

CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-050  
A CORRECTIVE RESOLUTION GRANTING A MINOR SUBDIVISION AND OP FINAL STAGE PLAN  
AMENDMENT

TO  
MARY JEAN DUPUIS/ROBERT ENGSTROM COMPANIES

WHEREAS, the OP Final Plan/Final Plat for Fields II was approved by the City Council on January 18, 2000 as 54 single family detached lots and several outlots;

WHEREAS, Outlot N of the Fields II plat, owned by Robert Engstrom Companies, was designed to facilitate additional lot(s) at the end of Lily Avenue at such time as the owner of the "Exception" parcel south of Outlot N, owned by Mary Jean Dupuis, was ready to divide her parcels.

WHEREAS, Robert Engstrom Companies and Mary Jean Dupuis have made application to combine and then subdivide Outlot N and the "Exception" parcel into three lots.

WHEREAS, the existing Dupuis property, 11676 Stillwater Boulevard, Lake Elmo, MN, is legally described as follows:

All that part of the Southeast Quarter of Section 12, Township 29 North, Range 21 West, City of Lake Elmo, Washington County, Minnesota, described as follows:

Commencing at the southwest corner of said Southeast Quarter; thence North 01 degrees 04 minutes 04 seconds West, (bearings are based on the Washington County Project Coordinate system), along the west line of said Southeast Quarter, a distance of 1187.55 feet, more or less, to its intersection with the south line of the north 132.00 feet of the West Half of the Southwest Quarter of said Southeast Quarter; thence North 88 degrees 27 minutes 18 seconds East, along said south line of the north 132.00 feet, a distance of 380.00 feet; thence South 01 degrees 32 minutes 42 seconds East, at right angles to the last described line, a distance of 245.00 feet to the point of beginning of the parcel of land to be described; thence North 01 degrees 32 minutes 42 seconds West, a distance of 839.50 feet; thence North 88 degrees 27 minutes 18 seconds East, at right angles to the last described line, a distance of 250.00 feet; thence South 01 degrees 32 minutes 42 seconds East, at right angles to the last described line, a distance of 594.50 feet to its intersection with said south line of the north 132.00 feet; thence North 88 degrees 27 minutes 18 seconds East, at right angles to the last described line, at right angles to the last described line, along said south line of the north 132.00 feet, a distance of 2.02 feet, more or less, to its intersection with a westerly line of Tract B, Registered Land Survey No. 61, on file and of record in the Office of the Registrar of Titles, Washington County, Minnesota; thence South 03 degrees 37 minutes 31 seconds East, along said westerly line of Tract B, a distance of 245.16 feet, more or less, to its intersection with a line that bears North 88 degrees 27 minutes 18 seconds East from the point of beginning; thence South 88 degrees 27 minutes 18 seconds West, a distance of 260.92 feet, more or less, to the point of beginning.

This parcel contains 4.85 acres, more or less, and is together with an easement for ingress and egress over the following described tract of land:

Commencing at the South quarter corner of Section Twelve (12), Township 29N, Range 21W, Washington County, Minnesota; thence North along the North-South quarter section line of said Section 12 for 1188.0 feet to the Southwest corner of the North 132 feet of the West half of the Southwest quarter of the Southeast quarter of said Section 12; thence East along the South line of said North 132 feet of the West half of the Southwest quarter of the Southeast quarter for 630 feet to the point of beginning of this description; thence continuing East along said South line of North 132 feet of the West half of the Southwest quarter of the Southeast quarter (W  $\frac{1}{2}$  of SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$ ) for 30 feet; thence North at right angles for 244.5 feet; thence West at right angles for 30 feet; thence south at right angles for 244.5 feet to the point of beginning;

And also over Tract B of Registered Land Survey Number 61, on file and of record in the Office of the Register of Deeds in and for said County and State, which easements hereby granted lead from the premises hereby conveyed to State Trunk Highway #212 and are for the purpose of ingress and egress only.

WHEREAS, at its October 25, 2004 meeting, the Planning Commission reviewed and recommended approval of the application for a Minor Subdivision and OP Final Stage Plan Amendment by Robert Engstrom Companies/Mary Jean Dupuis based on the following conditions:

1. Amend the Fields homeowner's Association Declaration of Covenants to annex Parcels B and C.
2. Payment of a Public Use Dedication fee of \$1,500 each for Parcels B and C.
3. Install second set of utility connections in Lily Avenue at owner's expense if missing
4. Identify and preserve two prominent white oaks.

NOW, THEREFORE, BE IT RESOLVED THAT a Minor Subdivision and OP Final Stage Plan Amendment is hereby granted by the City Council to Robert Engstrom Companies/Mary Jean Dupuis resulting in the following parcels:

**Parcel A: (New Dupuis Parcel)**

All that part of the West Half of the Northwest Quarter of the Southeast Quarter (W  $\frac{1}{2}$  of NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$ ), and the North One Hundred Thirty-two (132) feet of the West Half of the Southwest Quarter of the Southeast Quarter (W  $\frac{1}{2}$  of SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$ ), of Section Twelve (12), in Township Twenty-nine (29) North, of Range Twenty-one (21) West described as follows:

Commencing at the southwest corner of said Southeast Quarter; thence North 01 degrees 04 minutes 04 seconds West, (bearings are based on the Washington County Project Coordinate System), along the west line of said Southeast Quarter, a distance of 1187.55 feet, more or less, to its intersection with the south line of the north 132.00 feet of the West Half of the Southwest Quarter of said Southeast Quarter; thence North 88 degrees 27 minutes 18 seconds East, along said south line of

the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter, a distance of 380.00 feet to the point of beginning of the parcel of land to be described; thence North 01 degrees 32 minutes 42 seconds West, at right angles to the last described line, a distance of 373.16 feet; thence North 88 degrees 27 minutes 18 seconds East, at right angles to the last described line, a distance of 250.00 feet; thence South 01 degrees 32 minutes 42 seconds East, at right angles to the last described line, a distance of 373.16 feet to its intersection with said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter; thence South 88 degrees 27 minutes 18 seconds West, at right angles to the last described line, along said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter, a distance of 250.00 feet to the point of beginning, together with an easement for ingress and egress over the following described tract of land:

Commencing at the South quarter corner of Section Twelve (12), Township 29 N, Range 21 W, Washington county, Minnesota; thence North along the North-South quarter section line of said Section 12 for 1188.0 feet to the Southwest corner of the North 132 feet of the West half of the Southwest Quarter of the Southeast Quarter of said Section 12; thence East along the south line of said North 132 feet of the West half of the Southwest Quarter of the Southeast Quarter for 630 feet to the point of beginning of this description; thence continuing East along said south line of said North 132 feet of the West half of the Southwest Quarter of the Southeast Quarter ( W  $\frac{1}{2}$  of SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$ ) for 30 feet; thence North at right angles for 244.5 feet; thence West at right angles for 30 feet; thence South at right angles for 244.5 feet to the point of beginning.

Parcel B: (Fields II Parcel)

TORRENS:

All that part of the West Half of the Northwest Quarter of the Southeast Quarter (W  $\frac{1}{2}$  of NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$ ), and the North One Hundred Thirty-two (132) feet of the West Half of the Southwest Quarter of the Southeast Quarter (W  $\frac{1}{2}$  of SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$ ), of Section Twelve (12), in Township Twenty-nine (29) North, of Range Twenty-one (21) West described as follows:

Commencing at the southwest corner of said Southeast Quarter; thence North 01 degrees 04 minutes 04 seconds West, (bearings are based on the Washington County Project Coordinate System), along the west line of said Southeast Quarter, a distance of 1187.55 feet, more or less, to its intersection with the south line of the north 132.00 feet of the West Half of the Southwest Quarter of said Southeast Quarter; thence North 88 degrees 27 minutes 18 seconds East, along said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter, a distance of 380.00 feet to the point of beginning; thence North 01 degrees 32 minutes 42 seconds West, at right angles to the last described line, a distance of 594.50 feet; thence North 88 degrees 27 minutes 18 seconds East, at right angles to the last described line, a distance of 250.00 feet; thence South 01 degrees 32 minutes 42 seconds East, at right angles to the last described line, a distance of 594.50 feet to its intersection with said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter; thence South 88 degrees 27 minutes 18 seconds West,

at right angles to the last described line, along said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter, a distance of 250.00 feet to the point of beginning, the parcel of land described as follows;

All that part of the above described parcel lying North and West of the following described line; Commencing at the southwest corner of said Southeast Quarter; thence North 01 degrees 04 minutes 04 seconds West, (bearings are based on the Washington County Project Coordinate System), along the west line of said Southeast Quarter, a distance of 1187.55 feet, more or less, to its intersection with the south line of the north 132.00 feet of the West Half of the Southwest Quarter of said Southeast Quarter; thence North 88 degrees 27 minutes 18 seconds East, along said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter, a distance of 380.00 feet to the point of beginning of the parcel of land to be described; thence North 01 degrees 32 minutes 42 seconds West, at right angles to the last described line, a distance of 373.16 feet, to a point hereinafter called Point A and the point of beginning of the line to be described; thence North 88 degrees 27 minutes 18 seconds East, at right angles to the last described line, a distance of 164.99 feet to a point hereinafter called Point B; thence North 01 degrees 32 minutes 42 seconds West, at right angles to the last described line, a distance of 100.27 feet; thence North 37 degrees 10 minutes 05 seconds West, a distance of 148.94 feet to the South line of Outlot N, THE FIELDS OF ST. CROIX, 2<sup>ND</sup> ADDITION, according to the plat on file and of record in the Office of the Recorder, Washington County, Minnesota, and said line there terminating, ALSO:

ABSTRACT:

That part of Outlot N, THE FIELDS OF ST. CROIX, 2<sup>ND</sup> ADDITION, according to the plat on file and of record in the Office of the Recorder, Washington County, Minnesota, lying West of the following described line:

Commencing at the Southwest corner of said Outlot N; thence North 88 degrees 27 minutes 18 seconds East along the South line of said Outlot N, 78.25 feet to the point of beginning of the line to be described; thence North 37 degrees 10 minutes 05 seconds West, 22.73 feet to the north line of said Outlot N and said line there terminating.

Parcel C: (Fields II Parcel)

TORRENS:

All that part of the West Half of the Northwest Quarter of the Southeast Quarter (W  $\frac{1}{2}$  of NW  $\frac{1}{4}$  of SE  $\frac{1}{4}$ ), and the North One Hundred Thirty-two (132) feet of the West Half of the Southwest Quarter of the Southeast Quarter (W  $\frac{1}{2}$  of SW  $\frac{1}{4}$  of SE  $\frac{1}{4}$ ), of Section Twelve (12), in Township Twenty-nine (29) North, of Range Twenty-one (21) West described as follows:

Commencing at the southwest corner of said Southeast Quarter; thence North 01 degrees 04 minutes 04 seconds West, (bearings are based on the Washington County Project Coordinate System), along the west line of said Southeast Quarter, a distance of 1187.55 feet, more or less, to its intersection with the south line of the north 132.00 feet of the

West Half of the Southwest Quarter of said Southeast Quarter; thence North 88 degrees 27 minutes 18 seconds East, along said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter, a distance of 380.00 feet to the point of beginning; thence North 01 degrees 32 minutes 42 seconds West, at right angles to the last described line, a distance of 594.50 feet; thence North 88 degrees 27 minutes 18 seconds East, at right angles to the last described line, a distance of 250.00 feet; thence South 01 degrees 32 minutes 42 seconds East, at right angles to the last described line, a distance of 594.50 feet to its intersection with said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter; thence South 88 degrees 27 minutes 18 seconds West, at right angles to the last described line, along said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter, a distance of 250.00 feet to the point of beginning, the parcel of land described as follows;

All that part of the above described parcel lying East of the following described line; Commencing at the southwest corner of said Southeast Quarter; thence North 01 degrees 04 minutes 04 seconds West, (bearings are based on the Washington County Project Coordinate System), along the west line of said Southeast Quarter, a distance of 1187.55 feet, more or less, to its intersection with the south line of the north 132.00 feet of the West Half of the Southwest Quarter of said Southeast Quarter; thence North 88 degrees 27 minutes 18 seconds East, along said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter, a distance of 380.00 feet to the point of beginning of the parcel of land to be described; thence North 01 degrees 32 minutes 42 seconds West, at right angles to the last described line, a distance of 373.16 feet, to a point hereinafter called Point A; thence North 88 degrees 27 minutes 18 seconds East, at right angles to the last described line, a distance of 164.99 feet to a point hereinafter called Point B and the point of beginning of the line to be described; thence North 01 degrees 32 minutes 42 seconds West, at right angles to the last described line, a distance of 100.27 feet; thence North 37 degrees 10 minutes 05 seconds West, a distance of 148.94 feet to the South line of Outlot N, THE FIELDS OF ST. CROIX, 2<sup>ND</sup> ADDITION, according to the plat on file and of record in the Office of the Recorder, Washington County, Minnesota and said line there terminating and all that part of the above described parcel lying North of the following described line; Beginning at aforesaid Point B; thence North 88 degrees 27 minutes 18 seconds East, a distance of 85.01 feet, to the west line Outlot H, THE FIELDS OF ST. CROIX, 2<sup>ND</sup> ADDITION, according to the plat on file and of record in the Office of the Recorder, Washington County, Minnesota; thence continuing North 88 degrees 27 minutes 18 seconds East, a distance of 32.81 feet to the east line of said Outlot H, and said line there terminating, ALSO:

ABSTRACT:

That part of Outlot N, THE FIELDS OF ST. CROIX, 2<sup>ND</sup> ADDITION, according to the plat on file and of record in the Office of the Recorder, Washington County, Minnesota, lying East of the following described line:

Commencing at the Southwest corner of said Outlot N; thence North 88 degrees 27 minutes 18 seconds East along the South line of said Outlot

N, 78.25; thence North 37 degrees 10 minutes 05 seconds West, 22.73 feet to the north line of said Outlot N and said line there terminating, ALSO:

That part of Outlot H, THE FIELDS OF ST. CROIX, 2<sup>ND</sup> ADDITION, according to the plat on file and of record in the Office of the Recorder, Washington County, Minnesota, lying North of the following described line:

Commencing at the southwest corner of said Southeast Quarter; thence North 01 degrees 04 minutes 04 seconds West, (bearings are based on the Washington County Project Coordinate System), along the west line of said Southeast Quarter, a distance of 1187.55 feet, more or less, to its intersection with the south line of the north 132.00 feet of the West Half of the Southwest Quarter of said Southeast Quarter; thence North 88 degrees 27 minutes 18 seconds East, along said south line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast Quarter, a distance of 380.00 feet to a point; thence North 01 degrees 32 minutes 42 seconds West, at right angles to the last described line, a distance of 373.16 feet, to a point; thence North 88 degrees 27 minutes 18 seconds East, at right angles to the last described line, a distance of 250.00 feet to the west line Outlot H and the point of beginning of the line to be described; thence continuing North 88 degrees 27 minutes 18 seconds East, a distance of 32.81 feet to the east line of said Outlot H, and said line there terminating.

ADOPTED by the Lake Elmo City Council on May 17, 2005.

Dean Johnston, Mayor

ATTEST:

Martin J. Rafferty, City Administrator

5620 MEMORIAL AVENUE NORTH  
STILLWATER, MINNESOTA 55082  
Phone (651) 439-8833 Fax (651) 430-9331

### LEGEND

- DENOTES 1/2 INCH X 14 INCH IRON PIPE MONUMENT MARKED WITH A PLASTIC CAP INSCRIBED "FREEMAN LS 16989", UNLESS SHOWN OTHERWISE
- DENOTES FOUND MONUMENT, SIZE AND MARKINGS AS INDICATED

## NOTES

- 1) ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SEC. 12, T 28 N, R 21 W, BEARING NORTH 01 DEGREES 04 MINUTES 04 SECONDS WEST.
- 2) "PLAT = " REFERS TO BEARINGS AS SHOWN ON THE PLAT OF FIELDS OF ST. CROIX 2ND ADDITION.

hundred Thirty-two (132) feet of the West Half of the Southwest Quarter of the Southeast 1/4 described as follows:

are based on the Washington County Project Coordinate System), along the west line of said West Half of the Southwest Quarter of said Southeast Quarter; thence North 88 degrees 27' 27" East, a distance of 390.00 feet to the point of beginning of the parcel of land to be sold; thence North 88 degrees 27' 27" minus 16 seconds East, at right angles to the last described stance of 373.16 feet to its intersection with said south line of the north 132.00 foot of the lot to the last described line, along said south line of the north 132.00 feet of the West Half of the Northwest Quarter of said Southeast Quarter; thence South 88 degrees 27' 27" minus 16 seconds West, a distance of 390.00 feet to the point of beginning of the parcel of land to be sold; thence North 88 degrees 27' 27" minus 16 seconds East, at right angles to the last described stance of 373.16 feet to its intersection with said south line of the north 132.00 feet of the West Half of the Northwest Quarter of said Southeast Quarter; thence South 88 degrees 27' 27" minus 16 seconds West, a distance of 390.00 feet to the point of beginning of the parcel of land to be sold.

thence North along the North-South quarter section line of said Section 12 for 1188.0 feet to  
; thence East along the south line of said North 132 feet of the West half of the Southwest  
1/4 line of said North 132 feet of the West half of the Southwest Quarter of the Southeast  
thence South at right angles for 244.5 feet to the point of beginning, ALSO:

hundred Thirty-two (132) feet of the West Half of the Southwest Quarter of the Southeast  
it described as follows:

are based on the Washington County Project Coordinate System), along the west line of said West Half of the Southwest Quarter of said Southwest Quarter, thence North 88 degrees 27' 32" East, a distance of 380.00 feet to the point of beginning; thence North 01 degrees 32' 18" second East, at right angles to the last described line, a distance of 230.00 feet; thence with said south line of the north 132.00 feet of the West Half of the Southwest Quarter of south line of the north 132.00 feet of the West Half of the Southwest Quarter of the

corner of said Southeast Quarter; thence North 01 degrees 04 minutes 04 seconds West, line of 1187.55 feet, more or less, to the intersection with the south line of the north 132.00 long said south line of the north 132.00 feet of the West Half of the Southwest Quarter of Section 22 minutes 42 seconds West, at right angles to the last described line, a distance of 57.21 meter 18 seconds East, at right angles to the last described line, a distance of 164.99 feet, a distance of 106.27 feet; thence North 37 degrees 10 minutes 05 seconds West, a line and of record in the Office of the Recorder, Washington County, Minnesota, and said line

of the Recorder, Washington County, Minnesota, lying West of the following described line:

of said Outlet N, 78.25 feet to the point of beginning of the line to be described: thence

joined Thirty-two (32) feet of the West Half of the Southwest Quarter of the Southeast

are based on the Washington County Project Coordinate System), along the west line of said West Half of the Southwest Quarter of said Southwest Quarter, thence North 88 degrees 27' 21" Quarter, a distance of 380.00 feet to the point of beginning; thence North 01 degree 32' 18" seconds East, at right angles to the last described line, a distance of 250.00 feet; thence with said south line of the north 132.00 feet of the West Half of the Southwest Quarter of south line of the north 132.00 feet of the West Half of the Southwest Quarter of the

4 Southwest Quarter, thence North 01 degrees 04 minutes 04 seconds West, (bearings are  
S feet, more or less, to its intersection with the south line of the north 132.00 feet of the West  
line of the north 132.00 feet of the West Half of the Southwest Quarter of the Southeast  
1/4 42 seconds West, at right angles to the last described line, a distance of 373.16 feet, to  
a distance of 164.99 feet to a point hereinafter called Point B and the point of beginning of  
of 160.27 feet; thence North 37 degrees 10 minutes 05 seconds West, a distance of 148.94  
feet of the Recorder, Washington County, Minnesota and said line bears (azimuth)  
North 88 degrees 27 minutes 18 seconds East, a distance of 25.01 feet, to the west line  
of Washington County, Minnesota; thence continuing North 88 degrees 27 minutes 18

of the Recorder, Washington County, Minnesota, lying East of the following described line:

of said Outlet N. 78.; thence North 37 degrees 10 minutes 05 seconds West, 22.73 feet to

of the Recorder, Washington County, Minnesota, lying North of the following described line: are based on the Washington County Project Coordinate System), along the west line of said lot Half of the Southwest Quarter of said Southeast Quarter; thence North 88 degrees 27' 18 seconds East, at right angle to the last described line, a distance of 250.00 feet to the east line, a distance of 32.81 feet to the east line of said Outlot H, and said line there

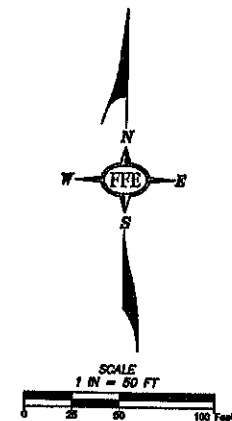
*I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the Laws of the State of Minnesota.*

**Timothy J. Freeman, LS**  
Minnesota License No. 16989

Date \_\_\_\_\_

**Note: Official Copies of this map are crimp sealed**

© 2004 — Polz, Freeman, Erickson, Inc. — All Rights Reserved



# OUTLOOK

