Dean Johnston
Council members:
Rita Conlin
Steve DeLapp
Liz Johnson
Anne Smith

Lake Elmo City Council Tuesday December 6, 2005

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.

Agenda

City Council Meeting Convenes

7:00 PM

	· · · · · · · · · · · · · · · · · · ·	
Pledge of Allegiance		
1. Agenda		
2. Minutes:	November 15, 2005	
3. PUBLIC INQUIRIES/INFORMATIONAL: A. PUBLIC INQUIRIES: B. PUBLIC INFORMATIONAL: (1) Donation To Lake Elmo; Betsy Lundquist (2) John Elholm - Lake Elmo Park Reserve Master Plan	Public Inquiries/Informational 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.	
4. CONSENT AGENDA A. Resolution No. 2005-128: Approving claims B. Resolution No. 2005-130: Statutory Tort Limits on Liability Insurance C. 2006 Liquor Licenses	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.	
D. Resolution No. 2005-129:Partial Payment to Tower Asphalt for Hilltop Avenue E. Workers' Compensation for Elected		
Officials; Resolution No. 2005-140	. •	
5. <u>FINANCE</u> A. Tax Levy Adoption:Resol. No. 2005-131 B. General Fund Budget:Resolution No. 2005-132	-	

	· · · · · · · · · · · · · · · · · · ·	Page 2
6. NEW BUSINESS		
A. Out-of-State Travel Policy for City Council: Resolution No. 2005-133		
7. MAINTENANCE/PARK/FIRE/BUILDING:		
A. Fire Department:Promote Mutual Aid Agreement; Resolution No. 2005-134		
B. (1) Building Department: Update on Building Activities		
(2) Council Discussion of Side Yard Retaining Wall - Verbal		
(3) Relationship of Garage to Home Size - Verbal		
8. CITY ENGINEER'S REPORT:	Tom Prew	
A. Resolution No. 2005-135:Accept Feasibility Report for Phase IV Water System Interconnect Project and Order Public Hearing		
B. Agreement for Overhead Street Lighting on 10 th Street and Keats Avenue	·	
C. Revised Authorization for Professional Services: Civil Defense Sirens - Verbal		
9. PLANNING, LAND USE & ZONING:	C. Dillerud	
A. Final Plat, Final PUD Plan and Site Plan – United Properties:Resolution No. 2005-136		
B. 2006-2010 Capital Improvements Program (CIP) :Resolution No. 2005-137		
C. Final Plat and Development Agreement: Sanctuary of Lake Elmo; Resolution No. 2005- 138		
D. CDBG Application; Resolution No. 2005-139		
10. CITY ATTORNEY'S REPORT:		
A. Council Discussion Public Communication Personnel Issues – Council Member Johnson - Verbal		
11. CITY ADMINISTRATOR'S REPORT:		
A. Snowmobile Ordinance; Ordinance No. 97-164		ļ
B. 3M Park Donation - Verbal		
12. CITY COUNCIL REPORTS:		
A. Mayor Johnston B. Council Member Conlin		
C. Council Member Comm		· 1
D. Council Member Johnson	·	
E. Council Member Smith		

LAKE ELMO CITY COUNCIL MINUTES

NOVEMBER 15, 2005

- 1. AGENDA
- 2. MINUTES: October 18 2005, November 1, 2005
- 3. PUBLIC INQUIRIES/INFORMATIONAL:
 - A. Public Informational
- 4. CONSENT AGENDA:
 - A. Resolution No. 2005-121: Approving Claims
 - B. Resolution No. 2005-122:Approving Maplewood Oakdale Lions Charitable Gambling License
 - C. Resolution No. 2005-124:Railroad Crossing Agreement for Water Systems Interconnect Phase III
 - D. (1) Resolution No. 2005-125:Change Order for Chris Riley Water Project Phase I
 - (2) Resolution No. 2005-126:Change Order for Chris Riley Water Project Phase III
 - E. Ad Hoc Community Improvement Committee Attendance
- 5. FINANCE:
 - A. Public Hearing: Assessment for Proposed Unpaid Municipal Utilities; Resolution No. 2005-123
 - B. Monthly Operating Report
 - C. Truth N'Taxation, Proposed Budget verbal
- 6. NEW BUSINESS:
- 7. MAINENANCE/PARK/FIRE/BUILDING:
 - A. Fire Department:
 - (1) Resolution No. 2005-127 Adopting the National Incident Management System
 - (2) Resolution No 2005-128, Adopting and Promoting the Use of Intrastate Mutual Aid Agreements NOT ADOPTED
 - B. Update on Building Department: Activities: Jim McNamara
- 8. CITY ENGINEER'S REPORT:
- 9. PLANNING, LAND USE & ZONING:
 - A. Alternative Septic Treatment Austad, Pierre, Hurt
 - B. Comprehensive Plan Update verbal
- 10. CITY ADMINISTRATOR'S REPORT:
- 11. CITY COUNCIL REPORTS:

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

1. AGENDA:

M/S/P Johnson/Smith - to approve the November 15, 2005 City Council agenda, as amended. (Motion passed 4-0).

2. MINUTES: October 18 2005

M/S/P Johnson/Conlin - to approve the October 18, 2005 City Council Minutes, as amended. (Motion passed 4-0).

MINUTES: November 1, 2005

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

3. PUBLIC INQUIRIES/INFORMATIONAL:

A. Public Informational

A resident at 8740 Stillwater Blvd., asked if he could split his 9.5 acres in Residential Estates zoning. The City Planner noted this has been an unprecedented action as this has never been asked before. Such a request would require a Comprehensive Plan amendment, rezoning and a variance. The Council suggested that the resident get together with the planner and initiate the process.

4. CONSENT AGENDA:

A. Resolution No. 2005-121: Approving Claims

M/S/P Johnson/Conlin - to adopt Resolution No. 2005-121, Resolution Approving Claim Numbers 290, 291, DD561 through DD572, 28187 through 28218 which were used for Staff Payroll dated November 10, 2005 and claims 28219 through 28268 in the total amount of \$101,958.87. (Motion passed 4-0).

B. Resolution No. 2005-122: Approving Maplewood Oakdale Lions Charitable Gambling License

The Maplewood-Oakdale Lions is requesting its annual One-Day (February 6, 2006), Off-Site Gambling License to sell raffles and hold bingo at the Lake Elmo Inn.

M/S/P Johnson/Conlin - to adopt Resolution No. 2005-122, A Resolution Approving the Issuance of a Charitable Gambling License by the State of Minnesota to the Maplewood/Oakdale Lions. (Motion passed 4-0).

C. Railroad Crossing Agreement for Water Systems Interconnect Phase III In his memo dated November 10, 2005, the City Engineer reported the portion of water main that crosses under the railroad bridge on Stillwater Boulevard requires a Pipeline crossing agreement. The Railroad requires \$1,500 License Fee with this agreement.

M/S/P Johnson/Conlin - to adopt Resolution No. 2005-124, A Resolution Approving The Agreement Covering A Pipeline Crossing at Lake Elmo. (Motion passed 4-0).

D. (1) Resolution No. 2005-125:Change Order for Chris Riley Water Project Phase I

In his memo dated November 10, 2005, the City Engineer reported due to the late completion of the Phase I Project by the contractor, they entered into discussions with them regarding liquidated damages for that project. As a result of those talks, the City agreed to deduct \$10,000 from monies due them and to have them install Phase V water main at an agreed upon price of \$20,000.

M/S/P Johnson/Conlin - to adopt Resolution No. 2005-125, Resolution Approving Change Order No. 1 for Chris Riley Water Systems Interconnect Project Phase I. (Motion passed 4-0).

(2) <u>Resolution No. 2005-126:Change Order for Chris Riley Water Project</u> Phase III

In his memo dated November 10, 2005, the City Engineer reported due to the hurricanes in the Gulf area, the availability of polyethylene pipe is in very short supply. The contractor has had his order for pipe delayed and the price substantially increased as a result of these conditions. The City has agreed to extend the completion date for a portion of this project. Staff is recommending that the point of the project necessary to give water service to the Farms of Lake Elmo be completed his fall and complete the remainder of the project next spring.

M/S/P Johnson/Conlin - to adopt Resolution No. 2005-126, A Resolution Approving Change Order No. 1 for Chris Riley Water Systems Interconnect Project Phase III. (Motion passed 4-0).

E. Ad Hoc Community Improvement Committee Attendance

At the direction of the Council, the CIC was directed to review the absence of Jill Anderson and their meeting schedule. At their November 9th meeting, the CIC recommended that Commissioner Jill Anderson be removed from the CIC for cause and hoped Ms. Anderson will reapply when her time permits. The CIC has established a quarterly meeting schedule for 2006.

M/S/P Johnson/Conlin – to remove Jill Anderson from the Community Improvement Commission for non-response and to thank her for her service to the City. (Motion passed 4-0).

Mayor Johnston indicated the Community Improvement Commission was never intended to be an Ad Hoc Committee and asked that this item be added to the next Council Committee agenda.

5. FINANCE:

A. <u>Public Hearing: Assessment for Proposed Unpaid Municipal Utilities;</u> Resolution No. 2005-123

The Finance Director reported the City by State Statute and City Code has the authority to assess property owners for unpaid utilities and services. All property owners were sent letters regarding past due Municipal utilities balances. Notification of the Public Hearing was published in the Lake Elmo Leader on November 4, 2005. Property owners will have until November 30, 2005 to pay the balance due without interest or a fee of \$25, whichever is greater.

Mayor Johnston opened up the public hearing at 7:17 p.m. in the Council chambers. There was no one to speak for or against the unpaid municipal utilities. Mayor Johnston closed the public hearing at 7:18 p.m.

M/S/P Johnson/Johnston - to adopt Resolution No. 2005-123, A Resolution Authorizing Certification to Washington County Auditor for Unpaid Utility Bills. (Motion passed 4-0).

B. Truth N'Taxation, Proposed Budget verbal

The Truth and Taxation Hearing is schedule for December 5th, 7 p.m. with the adoption scheduled for the December 6th Council meeting. If the Hearing needs to be continued, December 12th is the date scheduled.

6. <u>NEW BUSINESS:</u>

7. MAINENANCE/PARK/FIRE/BUILDING:

- A. Fire Department:
 - (1) Resolution No. 2005-127 Adopting the National Incident Management System

Fire Chief Malmquist reported that as Minnesota continues to implement Homeland Security Presidential Directives (HSPD) 5 and 8, the National Incident Management System (NIMS) is a key element to compliance and effective implementation. The NIMS system makes the nation and Minnesota safer by establishing the uniform response processes, protocols, and procedures for all emergency responders.

M/S/P Johnson/Smith – to adopt Resolution No. 2005-127, Designation of the National Incident Management System as the Basis for All Incident Management in the City of Lake Elmo. (Motion 4-0).

(2) Resolution No 2005-128, Adopting and Promoting the Use of Intrastate Mutual Aid Agreements

In the letter dated May 18, 2005, it indicates there are nine steps needed for initial implementation of HSPD 5 and 8 and for initial NIMS ICS compliance are identified in a memo dated March 10, 2005, entitled National Incident Management System: Incident Command System Elements Implementation to Minnesota. The Council did not receive a copy of the memo dated March 10, 2005.

M/S/P Johnson/Johnston – to delay action on this agenda item in order to obtain the March 10, 2005 Memo. (Motion passed 4-0.)

B. <u>Update on Building Department: Activities: Jim McNamara</u>
The Building Official reported there were five new residential permits and one new commercial permit issued for October, 2005.

8. CITY ENGINEER'S REPORT:

9. PLANNING, LAND USE, AND ZONING:

A. Alternative Septic Treatment - Austad, Pierre, Hurt

The City Planner reported the City received a letter from Attorney Rooney on behalf of the property owners located at the northwest corner of Highlands Trail and Hytrail. The letter requests the City's assistance to either hook these homes to the Metropolitan Sewer line at 54th Street in Oakdale or locate a site on City owned property with the DeMontreville Nature area on which to construct conventional drain field. The petitioners have indicated that they will pay the costs of whichever alternate is pursued.

The Planner noted that the City staff suggested to locate a conventional drain field site or sites on some of the high ground within the DeMontreville Natural area to which wastewater could be pumped and infiltrated...much like the several existing 201 systems in the City. If the pipe and drain fields become City infrastructure (as are the 201's) the appropriate connection fee and quarterly service fee would be charged the property owners, and the City would maintain that infrastructure—still to be constructed at the property owners expense.

Mr. Austad said they have a septic designer if the City wants to proceed with siting a three home system in the wilderness park area. The Council thought this was a workable solution for a health and safety issue. The City Administrator added the project would be under the City Engineer's control and any costs would be reimbursed. The City would bare no costs for the solution.

M/S/P Johnston/Johnson – to direct the staff to work with the three homeowners (Austad/Pierre/Hurt) on Hytrail Avenue in the direction of a community treatment on Lake Demontreville wilderness area and meet the designer requirements of the city engineer and any costs would be reimbursed by the property owners. (Motion passed 4-0)

Attorney Filla noted there was no public hearing required. Council member Johnson suggested informing all the residents in the area and to allow them to comment.

Mr. Austad said he would get the septic designer and send a report to TKDA.

B. Comprehensive Plan Update – verbal

The City Planner provided a letter he drafted to Phyllis Hanson, Local Planning Assistance Manager of the Metropolitan Council, in response to her letter of September 26 initiating "a preliminary review dialogue" regarding the City's 2005-2030 Comp Plan submission to the Metropolitan Council.

The Council changed the sentence on the second page, 1st paragraph, to read as follows "The City Council unanimously adopted a Motion directing me to advise the Metropolitan Council that the City Council finds Conditions 3(i), (i),(ii) and (iii) not to be in compliance with State Statute providing that the Metropolitan Council may attach only "reasonable" conditions to time extension for plan submission."

10. CITY ADMINISTRATOR'S REPORT:

The City Administrator reported that the City of Oakdale approached him to consider allowing them to share our salt facility at the new public works facility. In continuation with our cooperative relationship with Oakdale, he said we would evaluate what facility costs would be and take preliminary steps which would be borne by the City of Oakdale. The questions raised by Council were the number of years for the agreement, cost of road deterioration and increase in traffic.

The Council consensus was to approve the direction for the City Administrator to work with the City of Oakdale on the joint salt project with Oakdale.

The Washington County Administrators elected Martin Rafferty as their Chairman.

11. CITY COUNCIL REPORTS:

Mayor Johnston announced the Lake Elmo Library will be opening in December. Council member Johnson alerted the public that December 1st the Minnesota State Demographer will have a demographics presentation at 6:30 p.m. at the Grand in Stillwater.

The Council Adjourn the meeting 8 p.m.

Respectfully submitted by Sharon Lumby, City Clerk

Resolution No. 2005-121 Claims

Resolution No. 2005-122 Maplewood Oakdale Lions Charitable Gambling License

Resolution No. 2005-123 Assessment for Unpaid Municipal Utilities

Resolution No. 2005-124 Railroad Crossing Agreement for Water Systems Interconnect Phase III

Resolution No. 2005-125 Change Order for Chris Riley Water Project Phase I Resolution No. 2005-126 Change Order for Chris Riley Water Project Phase III

Resolution No. 2005-127 National Incident Management System



MINUTES APPROVED: November 15, 2005 LAKE ELMO CITY COUNCIL MINUTES

NOVEMBER 1, 2005

6:00 P.M. CLOSED SESSION - Adjustment Performance Review/Salary Adjustment

- 1. AGENDA
- 2. MINUTES: October 18, 2005 POSTPONED
- 3. PUBLIC INQUIRIES/INFORMATIONAL:
 - A. Public Inquiries None
 - B. Public Informational:
 - (1) Senior Housing Survey: Brenda Anderson, CIC
 - (2) Ground Breaking Date of November 3rd for Public Works Facility
- 4. CONSENT AGENDA:
 - A. Resolution No. 2005-115:Approving claims
 - B. Partial Payment No. 2 to G.M. Contracting: Resolution No. 2005-116
 - C. Escrow Reduction for Cardinal View
- 5. FINANCE
- 6. NEW BUSINESS:
 - A. Request for Extended Work Hours:Hoffman, DeMontreville Trail
 - B. Community Improvement Commission Appointments
 - C. Administrator Review/Salary Adjustment
- 7. MAINTENANCE/PARK/FIRE/BUILDING:
 - A. Fire Department Handbook
- 8. CITY ENGINEER'S REPORT:
 - A. Accept Feasibility Report on Water Project for Tablyn Park/Lake Elmo Heights and Conduct Informational Hearing:Resolution No. 2005-117
- 9. PLANNING, LAND USE & ZONING:
 - A. Moving Building into City: Hardy; Resolution No. 2005-118
 - B. Zoning Ordinance: Text Amendment Repeal OP Conditional Use AG/RR Zones: Ordinance No. 97-163
 - C. Final Plat and Development Agreement Park Meadows:Resolution No. 2005-120
 - D. Comprehensive Plan System Statement Resolution No. 2005-119
- 10. CITY ATTORNEY'S REPORT
- 11. CITY ADMINISTRATOR'S REPORT:
 - A. Snowmobile Ordinance: Ordinance No. 97-164 POSTPONED
- 12. CITY COUNCIL REPORTS

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, Building Official McNamara, Attorney Filla, City Planner Dillerud, Finance Director Tom Bouthilet and Administrator Rafferty.

1. AGENDA:

Delete: 11A. Snowmobile Ord, Add: 9D. Comprehensive Plan System Statement; Move 8A. Informational Meeting on Water Project at top of agenda.

M/S/P Johnson/DeLapp – to approve the November 1, 2005 City Council agenda, as amended. (Motion passed 5-0).

2. MINUTES: October 18, 2005

The Council received the October 18, 2005 City Council minutes at the meeting. M/S/P Johnson/DeLapp - to postpone the October 18, 2005 City Council minutes until the November 15, 2005 City Council meeting. (Motion passed 5-0).

3. PUBLIC INQUIRIES/INFORMATIONAL:

A. Public Inquiries - NONE

B. Public Informational:

(1) Senior Housing Survey:Brenda Anderson, CIC

Brenda Anderson, Community Improvement Member, reported the 100 Senior Housing Surveys, out of 300 surveys passed out, indicated that 86% of the respondents believe that the City has a need for senior housing and 73% of the respondents would consider or move into senior housing in Lake Elmo, but they did not want senior housing along Interstate 94. She said many seniors in the City would like to stay in Lake Elmo and have affordable housing. She said the City needs to identify appropriate senior housing that would be suitable in the City. The City could hire a professional consulting organization that would research, identify and plan for senior housing in the City.

Council member Conlin suggested sharing this information with Bob Engstrom, Master Planner.

The Council will discuss this item at the December Council Committee meeting.

(2) Ground Breaking Date of November 3rd for Public Works Facility

The City of Lake Elmo will break ground for the new Public Works Facility and Water Tower on November 3, 2005 at 4:00 p.m. Both facilities will be constructed on the northeast corner of Highway 5 and Ideal Avenue.

4. CONSENT AGENDA:

A. Resolution No. 2005-115: Approving claims

M/S/P DeLapp/Johnson - to adopt Resolution No. 2005-115, A Resolution Approving Claim Numbers 287, 288, DD551 through DD560, 28129 through 28143 which were used for Staff Payroll dated October 27, 2005: Claims 289, 28144 through 28185, in the total amount of \$361,232.59. (Motion passed 5-0).

B. <u>Partial Payment No. 2 to G.M. Contracting:Resolution No. 2005-116</u> In his memo dated October 28, 2005, the City Engineer reported the work is nearly complete on the Water System Interconnect – Phase II Project and recommended approval of Partial Payment No.2 in the amount of \$24,900.36.

M/S/P DeLapp/Johnson - to adopt Resolution No. 2005-116, A Resolution Approving Partial Payment No. 2 to G.M. Contracting for Water System Interconnect – Phase II Project in the amount of \$24,900.36, verified by the City Engineer in his memo dated October 28, 2005. (Motion passed 5-0).

C. Escrow Reduction for Cardinal View

In his memo dated October 20, 2005, the City Engineer reported improvements on Cardinal View are generally complete except for the final lift of blacktop. The final inspection of the storm sewer has not been scheduled. The City Engineer has certified by his October 20, 2005 memo that the required development security can be reduced from \$57,968.75 to \$23,250.00.

M/S/P DeLapp/Johnson - to approve the reduction of the Development Security requirement for Cardinal View from \$57,968.75 to \$23,250.00 based on the recommendation of the City Engineer in his memo dated October 20, 2005. (Motion passed 5-0).

5. FINANCE:

6. <u>NEW BUSINESS:</u>

A. Request for Extended Work Hours:Hoffman, DeMontreville Trail
Joe Hoffman requested a special permit from the City for extended working hours for his contractors pursuant to City Code, Section 1370.03B, for the construction of a new home under construction at 7850 DeMontreville Trail. Mr. Hoffman is requesting only the weekend extension, limited by Code to the hours of 1:00 p.m. to 5 p.m. on Saturdays, Sundays and Holidays through December 18. Hoffman said his main reason for the request is due to possible inclement weather that could delay completion and the availability of time and amount of time needed by himself and the crew to complete the construction of his future residence.

M/S/P Smith/Johnson - to approve a special permit to Joe Hoffman to extend working hours for the construction of a home at 7850 DeMontreville Trail. This permit will allow work during the hours of 1:00 p.m. to 5:00 p.m. on Saturdays, Sundays and holidays though December 18, 2005. (Motion passed 5-0).

Council Member Conlin indicated since the Council has had to address several of these variance requests, the Council should discuss the noise ordinance in regard to limiting construction working hours.

M/S/P Conlin/DeLapp - that construction working hours be brought to the Council Committee in December. (Motion passed 5-0.)

B. Community Improvement Commission Appointments

The City received a resignation letter from Stacy Howieson in August. The CIC currently has one vacancy and an attendance issue for another commissioner who has not responded to attempts to contact and is on leave of absence from work. The CIC has had difficulty forming a quorum and cancelled two meetings. There are currently no applications on file. Staff continues to advertise for applicants.

M/S/P Smith/Johnson - to accept the resignation of Stacy Howieson as a member of the Community Improvement Commission, and to thank her for service to the City. (Motion passed 5-0.)

Staff requested Council direction with regard to Commissioner Jill Anderson's continued absence.

Council member Conlin pointed out that according to the resolution adopting the CIC which states the Commission shall meet quarterly, or as often as required to respond to specific requests from the Council for advice or recommendations. The CIC has been meeting monthly so should attendance be calculated on monthly or quarterly meetings.

M/S/P Johnson/Conlin - to direct the CIC to review absence of Jill Anderson and review attendance per quarterly meetings and not monthly meetings. (Motion passed 5-0).

M/S/P Smith/Johnson - to reappoint Joan Ziertman to a two-year term on the Community Improvement Commission. (Motion passed 5-0).

M/S/P Smith/Johnson - to reappoint Gary Rieder to a two-year term on the Community Improvement Commission. (Motion passed 5-0).

C. Administrator Review/Salary Adjustment

Mayor Johnston explained the Council met in a closed session to discuss the Administrator's review and Salary adjustment. The Council recommended three percent increase effective May 1, 2005.

M/S/P Johnston/Johnson – to approve the City Administrator's salary adjustment, based on the current compensation plan which is in place. (Motion passed 5-0.)

The Finance Director added that the Council voiced concerns on the compensation system and will be looking into revising the system.

7. MAINTENANCE/PARK/FIRE/BUILDING:

A. Fire Department Handbook

The City Administrator reported this document is moving forward so the Fire Department employees can have a reference. Every member of the Council will have a copy and asked to make comments.

8. <u>CITY ENGINEER'S REPORT:</u>

A. Accept Feasibility Report on Water Project for Tablyn Park/Lake Elmo Heights and Conduct Informational Hearing: Resolution No. 2005-117

The City Engineer provided and summarized the Feasibility Report on the Water Project for Tablyn Park/Lake Elmo Heights neighborhoods.

Larry Moody, 8268 Stillwater Blvd., asked what the costs to residents once connected to water.

The Finance Director responded that the average water bill would be \$200-240 a year, approx. \$20 per month, depending on members in household and lawn sprinkling. The Finance Director said the water prices are pretty comparable to the operation and maintenance of a private well. The City Engineer said this cost will be offset by reduced homeowner's insurance costs due to fire hydrants being available, the elimination of repair/replacement cost to their well and pump, the costs of well testing in the future and an increase in their property value that will result from converting the homes to a public water supply.

Marsha Zafft, 2773 Inwood Avenue N., asked how long has the City worked on this. The Administrator responded since March, 2005. She said that her well was tested, nothing was found, but both daughters had been tested and have some of the highest carcinogens. She asked what happens to their gardens or raspberry bushes that are contaminated. The City Engineer explained that the water drawn from municipal wells, which there are two wells, are far away from the contaminated area and the wells are tested every month.

Terry Needham, 2970 Jamley Avenue N., asked when did the elected officials meet with 3M. The Administrator answered that he was made aware of the water problem in late February of 2005 and the Council did not know about this before then. The City asked Public Health and MPCA to have a meeting and have met monthly. He said 3M reps have been invited to meetings and during the eight months have looked at short term and long term action plans. Needham said that we all knew 3M screwed up two aquifers and why should we have to pay. Why doesn't the City say 3M you pay the water bills. He said it is not right...they knew they were dumping drums.

Mayor Johnston said he understood the residents' concern and the Council could approach 3M with a proposition to have the company pay water bills. Attorney Filla said the residents may want to approach 3M en masse because they would have more rights in this than the City. Filla said the City has broad authority to require the affected residents to hookup to water under a safety, health and welfare mandate.

Bill Hughes, 9038 31st St. N., stated the person responsible for contaminating wells should be responsible to pay our water bills. He asked why not lay sewer pipes now when the street is torn up. He also asked if there is a backup plan for the community drain field system for the Farms of Lake Elmo in case of freeze-up due to the cold weather and lack of snow. The City Engineer explained there is not a great deal of disturbance to lay water pipes and there is no sewer planned for the next 25 years.

Terry Arends, 8815 27th Street, stated our street was to be repaired, but you can't do the street until next year. Therefore, he asked, won't you have some money left over since you already started the project. The Administrator responded there is no money left over. Arends asked what happens if our current well is bad. He was told the Public Health Dept. would provide water if you exceeded health limit similar to the 19 homes. Carbon filtration will be added. He asked if the City could provide a place to obtain water.

Dave Moore, 8680 Stillwater Blvd., said he has a polluted well in one of the highest polluted areas. He asked why the City can't serve the highest polluted area n the first phase of the water project.

Bob Helwig, 8247 27th Street, stated he has ground elevations that are higher and his concern is the head pressure on those higher elevations. The City Engineer said a temporary booster pumping station would be built to service the southern portion of Lake Elmo Heights 3rd Addition, as it is in a higher pressure zone than the rest of the project area. In the future, a permanent booster pump station is planned.

Steve Chlebech, 9018 31st Street, stated he just put in a new private well a year ago because he needed it and the water has tested clean. He asked what the chances are of being reimbursed because he believes 3M should pay for the new well.

Tom Regan, 8875 27th Street, stated with the spraying into our aquifers, is it possible sink back lower than Oakdale. Is it possible these wells would clear up? The Administrator responded this is a new area of science, doesn't believe that would change it, and try to find alternative ways to clean it.

The City Administrator reported an appraiser established property value, taking into account home built a certain size, at a certain time and any impact due to the circumstance, the extension of municipal water would have a positive impact of \$42,000.

Barbara Peterson, 3010 Janero Avenue, asked in regard to soil contamination, would the agencies do soil tests on our property. She said 3M contaminated this area and they should pay for our water until we sell the house. The Administrator responded they have not discussed soil tests.

The Mayor asked the Council to approach the resolution within the money available and then pursue with another motion to address residents' concerns.

Terry Needham asked if a motion would preclude the City from talking to 3M. Staff told him the property owners have more rights than the City to talk to 3M.

M/S/P Johnston/Conlin – to adopt Resolution No. 2005-117, as amended (Change #4 to read:The City Council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of the 3M Community Improvement Grant.), which will extend the municipal water supply to the 214 existing homes of Lake Elmo Heights and Tablyn Park neighborhoods as well as the sealing of existing private wells except for a few wells that will be test wells. (Motion passed 5-0.)

M/S/P Conlin/DeLapp - to direct staff to talk with 3M concerning how to address concerns in terms of compensation of water charges up until the date they sell their home and also circumstance where pumps and wells recently replaced can be reimbursed; and to direct staff to work with Minnesota Department of Health on soil testing and request the City Engineer to look at running the pipe for the most polluted areas first. (Motion passed 5-0.)

A class action lawyer spoke up and said she represented the plaintiffs in the case against 3M and her firm was conducting private testing on residents' blood and they have been finding the chemicals in very high levels. She said that she and her associates have been working on the case against 3M for about a year.

Dawn Brady, Lake Elmo Heights resident, asked the Council to consider the potential water costs for 3 acre lot.

9. PLANNING, LAND USE & ZONING:

A. Moving Building into City: Hardy; Resolution No. 2005-118

The City Planner reported the Planning Commission recommended approval of this application to move a house and detached garage structure a few hundred feet across 31st Street North adjacent to 9255 31st Street N. The Council had previously approved a zoning variance to allow a dwelling unit on the 17,000 sq.ft. parcel to which the house and garage are proposed to be moved. The Council's condition to the variance requiring proof of septic system feasibility on the site was addressed by a certified Septic Designer's report that a primary drain field of sufficient size could be constructed on the site, but any backup drainfield would have to be of a mound design.

The City Planner pointed out variance was granted to allow a nonconforming lot for a single family dwelling and there was always the intent to move the garage.

Council member DeLapp stated it's an ugly looking garage and there's nothing historical about it. There is no characteristic restoration. He said this is a three-car garage and not suitable on a .4 of acre lot.

Council member Smith stated she believes the City will have problems with the approval of the request to move an historic structure on a sub-standard lot.

The City Planner said he didn't agree with the Council arguing the original variance based on the historic character of the house, but that was the Council's finding for voting in favor of that variance.

Linda Hardy said she did indicate they were planning on moving the farmhouse and garage. She said she would paint the garage in matching colors and will make the garage compatible to the house. She said she will be storing building materials in the garage.

M/S/P Johnston/Johnson - to adopt Resolution No. 2005-118 approving a permit to Linda Hardy to move a house and garage to a vacant parcel on 31st Street North pre plans staff dated October 20, 2005 subject to the applicant posting the appropriate financial security with the City to complete the move and improvements proposed within 12 months. (Motion passed 4-1DeLapp)

B. Zoning Ordinance: Text Amendment – Repeal OP Conditional Use – AG/RR Zones: Ordinance No. 97-163

The City Planner reported the Planning Commission conducted a Public Hearing and adopted a recommendation to amend the Zoning Ordinance text by repealing the Conditional Use Permit provision of the RR and AG zones. This action will render the OP Ordinance (which remains in the Code) inoperative The Commission was advised by staff that it is probable staff will recommend that these provisions be added back to the zoning ordinance at such time as the 2030 Comprehensive Plan, and any redrafted zoning ordinance/map response to that Plan, becomes effective.

M/S/P Johnston/Conlin – to adopt Ordinance 97-163, An Ordinance repealing the Open Space Development Conditional Use Permit from the AG and RR zoning districts. (Motion passed 5-0.)

Attorney Filla said no project that has received preliminary plat approval will be affected by this. The Planner said OP part of Lakewood church project does not have concept plan approval yet.

C. Final Plat and Development Agreement – Park Meadows: Resolution No. 2005-120

The City Planner reported that Barbara Berquist and J. P. Bush Homes have submitted an 8 lot Residential Estates submission and submitted Final Plat drawings and construction plans. The Planner handed out a copy of the Development Agreement.

Council member DeLapp said he didn't see anything on landscaping and will not retain the rural character that has been provided.

The Planner responded there is a final landscape plan in the file and there are covenants.

Attorney Filla said the declaration of covenants doesn't specifically require the landscaping on individual lots. He said if there is a concern on the entrance, the Council can implement a landscape plan restriction on the developer.

M/S/P Johnson/Conlin – to adopt Resolution No. 2005-120, A Resolution Approving the Final Plat and Development Agreement of Park Meadows. (Motion passed 5-0.)

The Planner reported the City has received a letter from the applicant appealing the fee calculated for park dedications.

Joe Bush confirmed the applicant's appeal of the park dedication fee calculations by the City and requested the City reduce the amount of the escrow the applicant must provide the City while the appeal is considered by the court.

The City Planner recommended that no escrow reduction be approved by the City Council since there is no certainty that a court will approve the park dedication fee reduction. He noted that the amount of escrow will be the exact amount of the calculated park dedication fee, which will be payable in full by the applicant should the court decide that a reduction is not warranted.

Joe Bush responded there is no longer any action requested of the Council.

D. Comprehensive Plan Systems Statement

The City Planner explained he has reviewed the September 12, 2005 Systems Statement issued by the Metropolitan Council and found that certain elements of the Systems Statement are inconsistent with the intent and purpose of the Memorandum of Understanding between the Metropolitan Council and the City, and inconsistent with the Comp Plan prepared by the City responsive to the Memorandum of Understanding as follows:

- 1. Designation of the residential areas of the City not planned for service by Region Sewer as "Diversified Rural" by the 2030 Development Framework and the Systems Statement.
- 2. The geographic extent and location of "Developing Area: and the designation of "Diversified Rural" on Map W-7 of the Systems Statement.

The Council found the requirement of Page T-3 of the Systems Statement for the City's Comp Plan to identify a park-and-ride facility at I-94 and Keats as depicted by the Park and Ride Facility Plan to be inconsistent with the City's previously stated opposition to a park-and-ride facility at that location.

M/S/P Johnston/DeLapp - to approve the staff recommendations and adopt Resolution No. 2005-119 Requesting a Hearing to resolve the stated disagreements over the content of the Lake Elmo Systems Statement as provided for by State Statute and to invite District 12 Metropolitan Council Member Chris Georgacas to come and meet with the Council. (Motion passed 5-0).

10. CITY ATTORNEY'S REPORT

11. CITY ADMINISTRATOR'S REPORT:

B. Snowmobile Ordinance: Ordinance No. 97-163 – POSTPONED

12. CITY COUNCIL REPORTS

Mayor Johnston reported the Lake Elmo Library is within a day to be turned over to Washington County and opening date is December 15, 205. He also reported that the Ramsey Center for the Arts have volunteer staff members, which is running remarkably well.

Council Member Smith congratulated Senn and Youngdahl, who were awarded the fourth annual People's Choice Award for their model home at 9986 Tapestry Road.

The Council Adjourn the meeting at 9:54 p.m.

Respectfully submitted by Sharon Lumby, City Clerk

Resolution No. 2005-115 Claims

Resolution No. 2005-116 Partial Payment No. 2, G.M. Contracting

Resolution No. 2005-117 Accept Feasibility Report on Water Project for Tablyn

Park/Lake Elmo Heights

Resolution No. 2005-118 Move Building into City:Hardy

Resolution No. 2005-119 Comprehensive Plan System Statement

Resolution No. 2005-120 Final Plat for Park Meadows

Ordinance No. 97-163 Repeal OP CUP – AG/RR Zones

MINUTES APPROVED: November 15, 2005 LAKE ELMO CITY COUNCIL MINUTES

OCTOBER 18, 2005

6:30 p.m. CLOSE D SESSION: Administrator Performance Review

- 1. AGENDA
- 2. MINUTES: July 5, 2005, September 6, 2005
- 3. PUBLIC INQUIRIES/INFORMATIONAL:
 - A. PUBLIC INQUIRIES
 - B. PUBLIC INFORMATIONAL:
 - (1) Set Date for Ground Breaking for Public Works Facility
- 4. CONSENT AGENDA:
 - A. Resolution No. 2005-108: Approving Claims
 - B. Resolution No. 2005-109: Approving Stonegate Street Vacation
- 5. FINANCE:
 - A. Monthly Operating Report
- 6. NEW BUSINESS:
 - A. Administrator Performance/Salary Adjustment Postponed
- 7. MAINTENANCE/PARK/FIRE/BUILDING:
 - A. Fire Department:
 - (1) Appoint Captains
 - (2) Pumper/Tanker: Resolution No. 2005-113
 - B. Update on Building Dept. Activities: Jim McNamara
- 8. CITY ENGINEER'S REPORT:
 - A. North Water System Extension Presentation
 - B. Award Bid for Elevated Water Tower Resolution No. 2005-114
- 9. PLANNING, LAND USE & ZONING:
- A. Shoreland Overlay Variance; 8148 Hill Trail, Fazzone Resolution No. 2005-110
 - B. Oakdale Gun Club CUP Amendment; Resolution No. 2005-111
 - C. Final Plat and Development Agreement Farms of Lake Elmo,

Resolution No. 2005-112

- D. Highway 5 By-pass Study
- E. Environmental Resources Mapping Washington County Conservation District
 - 10. CITY ATTORNEY'S REPORT:
 - 11. CITY ADMINISTRATOR'S REPORT:
 - A. Snowmobile Ordinance, Ordinance No. 97-163 Postponed
 - B. Site for the South Fire Station
 - 12. CITY COUNCIL REPORTS:

Mayor Johnston called the Council meting to order at 7:00 p.m. in the Council chambers. PRESENT: Conlin, Smith, Johnston, Johnson, DeLapp, City Engineer Prew, City

Planner Dillreud, Building Official Jim McNamara, Finance Director Tom Bouthilet and Administrator Rafferty.

1. AGENDA

ADD: P.I. Joe Chavez, Request to address the Council M/S/P DeLapp/Johnson – to approve the October 18, 2005 City Council agenda, as amended. (Motion passed 5-0).

2. **MINUTES:** July 5, 2005

M/S/P DeLapp/Smith – to approve the July 5, 2005 City Council Minutes, as amended. (Motion passed 5-0).

MINUTES: September 20, 2005

M/S/P Smith/Johnson – to approve the September 20, 2005 City Council Minutes, as amended. (Motion passed 5-0).

3. PUBLIC INQUIRIES/INFORMATIONAL:

A. Public Inquiries

Joe Chavez presented a request for an easement on land locked Sunfish Lake property that he owns. The property in question lies immediately south for the Hamlet on Sunfish Lake subdivision. Mr. Chavez's attorney has been discussing this issue with our City Attorney. Attorney Filla said he wasn't sure it was the City's fault to landlock this parcel. The Council asked Mr. Chavez to come back with a proposal.

Ed Nielsen provided a procedure for meeting minutes required for the Mayor, Council, and staff when meeting with individuals relative to Lake Elmo interests. Nielsen pointed out that he considered the March 24th minutes by the City Administrator incomplete because he left out discussion on land exchange for Sunfish Park.

The City Administrator reported that he and the Mayor had a discussion with the County Administrator and Commissioner Pulkrabek pertaining to acquiring 15 or more acres of regional park land, presently not being used, for the purpose of a fire station, public park and potential city hall site directly on Lake Elmo. The concept was well received and referred to the Regional Park Comprehensive Planning Committee for consideration. The committee suggested the City Administrator continue to pursue the possibility. The Administrator reported that the land would not be able to be purchased but traded for City land of equal value. (See Page 8 - Site for Fire Station)

Administrator Rafferty thanked Mr. Nielsen for providing possible sites for the tower/public works facility and the 3M site is one that the City pursued.

B. Set Date for Ground Breaking for Public Works Facility

The Administrator reported the Contractor will be notifying him of dates, probably the first week of November, for ground breaking.

4. CONSENT AGENDA:

A. Resolution No. 2005-108: Approving Claims

M/S/P Johnson/DeLapp – to adopt Resolution No. 2005-108 approving claim numbers 285, 286, DD539 through DD550, 28045 through 28075 which were used for Staff Payroll dated October 13, 2005 and claims 28076 through 28128 in the total amount of \$180,967.45. (Motion passed 5-0).

B. Resolution No. 2005-109: Approving Stonegate Street Vacation

At its August 16, 2005 meeting, the City Council directed staff to draft a resolution to result in a vacation of the three access points as described by the City Engineer. The City Attorney has drafted the resolution vacating those portions of streets located within Stonegate Addition and the Stonegate 2nd Addition.

M/S/P Johnson/DeLapp - to adopt Resolution No. 2005-109, A Resolution Vacating Portions of Streets Located Within Stonegate Addition and Stonegate Second Addition. (Motion passed 5-0).

5. FINANCE:

A. Monthly Operating Report

The Finance Director provided the Council with an October Monthly Operating Report-Revenue. He noted that the Excel bills have gone up, but the warm October weather has helped.

6. **NEW BUSINESS:**

A. Administrator Performance/Salary Adjustment - DELETED

7. MAINTENANCE/PARK/FIRE/BUILDING:

A. Fire Department:

(1) Appoint Captains

Fire Chief Malmquist reported it was a tough decision to make when you have five very-qualified candidates and only four captain positions. The Fire Chief presented the four candidates promoted to Captain.

M/S/P Johnson/Conlin – to approve the appointment of Captain to Bruce Cohen, Chad Sonmer, Mike Tremain, and Raymond Yarusso. (Motion passed 5-0).

(2) Pumper/Tanker:Resolution No. 2005-113

The Finance Director reported the City received sealed bids from three vendors for a new fire pumper/tank truck on August 22, 2005. The Fire Department reviewed the bid proposals and concluded that General Safety is the apparent low bidder. The submitted price quotes are valid until October 22, 2005. Due to the length of time it took during the bid analysis, the Finance Department has not received the financing options, but staff will have finance package options by November 1, 2005.

Listed below is the complete cost of the new pumper/tanker less finance related expenditures:

Chassis & Body	\$426,690.00
Equipment	\$ 18,000.00
Radio	\$ 4,420.00
Graphics	\$ 2,150.00
Misc. (est.)	\$ 500.00 (Registration, Plate & Issuance)
	\$451,760,00

M/S/P Smith/Johnson - to adopt Resolution No. 2005-113, A Resolution Awarding the Contract for the Purchase of a new Pumper/Tanker to General Safety, for their base bid of \$424,810, Alternate 1 of \$780 and Alternate 2 of \$1100 for a total bid of \$426,690 and financing will be discussed separately. (Motion passed 5-0).

B. Update on Building Dept. Activities: Jim McNamara

The Building Official reported there were two new residential building permits and no new commercial buildings permits for the month of September. He explained that signs in illegal areas and right-of-ways are being removed and owners have been contacted as to where these signs can be picked up.

8. CITY ENGINEER'S REPORT:

A. North Water System Extension Presentation:

The City Engineer gave a presentation on the North Water System Extension. He reported the new neighborhoods of The Sanctuary, Discover Crossing, Deer Glen and Lakewood Church and area around them between Highway 36 and Keats and the eastern City border would mean as many as 312 new holes to the aquifer if the neighborhoods utilize private wells rather than City water. Prew explained that the north water extension would consist of a link from the 55th Street well to the Sanctuary development, then to Discover Crossing, then to Deer Glen and finally a link to the neighbors around Keats Avenue. The total cost for improvements would be \$485,000 without the easements. There are no assessments proposed for water main laid in these easements.

The City would collect \$405,000 in water connection fees from new residents of the three neighborhoods. In addition he estimated the amount of revenue the City would eventually receive from property not yet developed that would be utilizing the new water main would be \$675,000. After subtracting the cost of construction from the total future connection fees, the City would make \$595,000 in net revenue.

M/S/P Johnson/Conlin – to authorize the City Engineer to prepare plans and specifications for the two sections of water mains for the North Water System Extension and authorize staff to begin the property acquisition of process from private property owners. (Motion passed 5-0).

Susan Dunn stated it is said in the comprehensive plan that 4 or 5 wells are needed in the future and she asked Council to please be conservative and only plan what is real.

The Administrator responded the 2005-2006 water projects are phased and will be supported by Well No. 2.

Council member DeLapp noted there is no intention of changing zoning from what we are dealing with in the Comp Plan for super markets, etc. DeLapp added that the draft plan states that non-residential development would be split between retail space and office space.

The City Planner explained that what Council member DeLapp was referring to was not under the land use section, but the traffic modeling table.

B. Award Bid for Elevated Water Tower

The City Engineer reported bids were received for the Elevated Tank No. 2 and recommended that the City accept the bid for a 750,000 gallon tank, composite (concrete based) style. He indicated the rationale for this recommendation is that the cost difference between the 50,000 gallon tank and the 750,000 gallon tank is actually very reasonable. Prew explained the extra gallons provide a safety buffer for when water use peaks in the summer and will accommodate future residents. Prew also recommended the concrete base because the cost difference between it and the steel base is \$70,000. The cost to paint the exterior of the base is about \$75,000. Considering the base would need to be repainted every 15 years, the cost savings over the life of the tank in painting would be enormous.

The City Engineer recommended that three of the alternate bids be accepted. The first one is for the mezzanine which would house the telecommunication equipment. The second alternate is for additional paint colors, but the design of which is yet to be determined. The Final Alternate is to delete the below grade valve vault. An above grade heated room would be built inside the column to house the valves.

M/S/P DeLapp/Johnson - to adopt Resolution No. 2005-114, A Resolution awarding the contract for Elevated Tank No. 2 to Chicago Bridge and Iron Constructors in the amount of \$1,169,000.00 and accept Alternate Bid Items A4.1, A4.3, and A4.4. (Motion passed 5-0).

9. PLANNING, LAND USE AND ZONING:

A. Shoreland Overlay Variance - 8148 Hill Trail, Fazzone

The City Planner reported the Planning Commission recommended approval of this application for a variance from the OHW setback standard of the zoning ordinance. The applicant proposed to remodel and construct living area and garage (there is no garage at the present time) additions to this structure that was originally constructed decades ago, prior to the City adopting Shoreland standards. The existing structure is entirely located

within the 100 foot OHW setback, extending to within 37 feet of the OHW at the closest point. Most of the house and garage addition will be located within the OHW setback as well, but no additional encroachment, beyond the present 37 feet, will result from the proposal. The applicant said he would paint the house to be more subdued and blend it.

M/S/P Johnson/Johnston - to adopt Resolution No. 2005-110, A Resolution Approving a variance from the Ordinary High Water setback standards of the zoning ordinance for James and Melissa Fazzone located at 8148 Hill Trail North per plans staff-dated October 6, 2005, as recommended by the Planning Commission. (Motion passed 5-0).

B. Conditional Use Permit Amendment – Oakdale Gun Club

The City Planner reported the Planning Commission unanimously recommended to approve the application to permit an addition to an existing equipment storage structure located near the center of the west 40 acres of the Gun Club property adjacent to 10th Street. The addition would increase the storage structure area from 290 square feet to 720 square feet. No modifications to the Gun Club operations would result from this amendment.

M/S/P Smith/Johnson - to adopt Resolution No. 2005-111, A Resolution Approving an Amendment to the Conditional Use Permit of the Oakdale Gun Club to permit an addition to an existing storage structure, as recommenced by the Planning Commission and per plans staff-dated October 7, 2005. (Motion passed 5-0).

C. Final Plat and Development Agreement – Farms of Lake Elmo:

The City Planner reported that the OP Preliminary Plat and Development Agreement for this 33 lot neighborhood were approved by the Council at the July 5, 2005 meeting. Subsequent to that action and upon the approval of the City Engineer of final infrastructure construction and grading plans (an issuance of the grading permit by the City and Valley Branch), the developer has proceeded with grading and pipe installation (at the developer's sole risk). A Development Agreement was prepared and the developer has submitted the Final Plat for approval.

Attorney Filla indicated he just received the Declarations this evening and asked that in the Now Therefore paragraph in the Resolution, the following wording be added: subject to the review and approval of the development contract terms and declarations of easements and restrictions by the City Attorney prior to recording of documents.

M/S/P DeLapp/Johnston – to include the requirement that the Minnesota Land Trust be offered easements for the Open Space. (Motion passed 5-0).

Council member DeLapp pointed out the Council had received pictures of house types and he didn't want the developer to switch from what they received.

M/S/P Smith/Johnson – to adopt Resolution No. 2005-112, A Resolution Approving the Final Plat and Development Agreement of Farms of Lake Elmo, as amended to include in the Now Therefore paragraph the following: "subject to the review and approval of the development contract terms and declarations of easements and restrictions by the City Attorney prior to recording of documents". (Motion passed 5-0).

D. Highway 5 By-Pass Study

The City Planner reported staff was contacted by the Deputy County Engineer to report that Washington County had been in touch with MnDOT and were advised that the MnDOT portion of the estimated study costs will not be available during 2006, nor in the foresable future. He said the County is requesting concurrence from the City for the County to re-appropriate the County's study cost share to County project purposes. The on-going Village Area Planning exercise by the City is still several weeks from conclusion and, at this point of the work it does not appear that the Highway by-pass concept is consistent with the consultant's direction on the Plan.

City Staff recommended that the Administrator be authorized to advise the County that the City does not object to re-appropriation of the County's share of the by-pass study estimated costs in 2006, but such re-apportion be without prejudice to again addressing such a study at some later date.

Mayor Johnston said he didn't like the way the study was presented because of the options provided and there was not support from the business community for the bypass. Council member DeLapp and Conlin indicated they wanted to proceed with the Old Village Plan.

M/S/P DeLapp/Johnston – to terminate Lake Elmo's participation in the allocation of the re-appropriate Highway 5 by-pass study funds at this time. (Motion passed 5-0).

E. Environmental Resources Mapping – Washington County Conservation District

The City Planner reported on February 27, 2004 the Council approved a Letter of Endorsement for and clearly intended the City to contribute at least \$7,500 toward a Conservation District project for land cover mapping of the City – finite identification of environmental features existing such as tree cover and wetlands. The balance of the mapping project costs (approx \$7,500) were to come from a State LCMR grant. Unfortunately, the cuts to projects in the LCMR budget eliminated the match and the project did not materialize.

The Planner explained the Conservation District has recently contacted City staff regarding re-starting the project, and whether the City continues to both support the project and continues to be willing to fund in a similar manner as in 2004. The matching funds would come from another source, perhaps not LCMR this time. The Planner advised the District that the Planning Department 2005 Comprehensive Planning budget

line item is fully committed to the Plan amendment activities, and there is no similar line item appropriation in the 2006 budget. The Council Public Works Committee has reviewed this matter and acted to move forward with this project and provide the local match funding it will be necessary to either designate a portion of General Funds Surplus (for 2005) or add this expenditure to the Planning Department line item budget.

M/S/P DeLapp/Smith – to provide support of \$7,500 for funding of the Land Cover Mapping project proposed by the Washington County Conservation District. (Motion passed 5-0).

11. CITY ADMINISTRATOR'S REPORT:

A. Ordinance 97-163 Snowmobile Ordinance Modification

The City Administrator explained the representative from the Snowmobile Club asked to postpone discussion until the November Council meeting. They have found other areas in the City which would be affected by the change that would protect residential properties and prohibit snowmobile/all-terrain operators from encroaching no closer than 50 feet from the residential structure on a 24/7/365 basis and wanted to talk to these property owners.

B. Site for the South Fire Station:

The City Administrator reported that he met with Lake Elmo Park Reserve officials seeking an agreement so the City could get access to two parcels of unused reserve land. The City was seeking alternative locations for a City Hall and new Fire Station. Rafferty said he wanted to get a feel for what the Council official thought about an idea to give to the City a triangular portion on the south side of Lake Elmo as well as a rectangle slice on non-connected reserve land across 10th Street. Rafferty said Jim Lugar and Commissioner Pulkrabek were not interested in that idea, but they did say it would consider a land swap if the City would turn over Sunfish Lake Park to the reserve's control in exchange for the property. Rafferty said he would take the idea to the Council on two conditions. First the residents of the City would have to have free access to Sunfish Lake Park in perpetuity and second, the City would have to receive a larger, more equal portion of land for the reserve. Rafferty said he approached the Council on the idea, but they were not in favor. He said as far as Sunfish Lake Park is concerned now; it is sacred ground to the City. Since there was no option to swap land with the reserve; he said he asked the Council if he could pursue an option of starting a joint powers agreement with the reserve which the Council approved.

M/S/P Johnson/Johnston – to authorize the Administrator to write a letter stating the City is interested in a joint powers agreement with Washington County for the possibility of building a fire station on a three acre parcel of land near the intersection of 10th Street and Lake Elmo Avenue in exchange for fire and rescue support in the Lake Elmo Regional Park, based on this would not jeopardize the reserve status of the park. (Motion passed 5-0).

The Council adjourns the meeting at 9:43 p.m.

Respectfully submitted by Sharon Lumby, City Clerk

Resolution No. 2005-108 Approve Claims

Resolution No. 2005-109 Approve Stonegate Street Vacation

Resolution No. 2005-110 Variance OHW, Fazzone, 8148 Hill Trail

Resolution No. 2005-111 Amendment to CUP of Oakdale Gun Club for addition to

storage structure

Resolution No. 2005-112 Final Plat and Development Agreement of Farms of Lake Elmo

Resolution No. 2005-113 Award Contract for purchase of Pumper/Tanker, General

Safety

Resolution No. 2005-114 Award Contract for Elevated Tank No. 2, Chicago Bridge &

Iron Contractors

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-128 RESOLUTION APPROVING CLAIMS

BE IT RESOLVED THAT Claim Numbers 292 through 295, DD573 through DD582, 28269 through 28308, were used for Staff Payroll dated November 23rd, 2005; claims 28309 through 28350, in the total amount of \$448,493.39 are hereby approved.

ADOPTED, by the Lake Elmo City Council on the 6th day of December, 2005.

Dean A. Johnston
Mayor

ATTEST:

Martin J. Rafferty City Administrator

Accounts Payable Computer Check Proof List

User: administrator Printed: 11/30/2005 - 3:49 PM

Invoice No	Description	Amount	Amount Payment Date Acct Number	Acct Number	Reference
Vendor:MNREVEN Sales Tax 11/05 Use Tax 11/05	MN Department of Revenue Sales Tax Nov 2005 Use Tax Nov 2005 Check Total:	124.00 5.00 129.00	12/06/2005 12/06/2005	Check Sequence: 1 101-410-1320-44300 601-494-9400-44300	ACH Enabled: No
	Total for Check Run: Total Number of Checks:	129.00 1			

Page 1

Accounts Payable Computer Check Proof List

User: administrator Printed: 11/30/2005 - 3:53 PM

ACH Enabled: No Reference Check Sequence: 1 101-410-1940-44040 Check Sequence: 2 101-410-1320-43510 Check Sequence: 3 101-410-1940-44010 Check Sequence: 4 101-430-3100-44170 Check Sequence: 6 410-480-8000-43030 101-450-5200-44120 Check Sequence: 7 101-420-2220-44350 Check Sequence: 5 Amount Payment Date Acet Number 12/06/2005 12/06/2005 12/06/2005 12/06/2005 12/06/2005 12/06/2005 12/06/2005 108.42 208.80 208.80 200.00 200.00 59.93 59.93 1,626.50 149.78 149.78 74.26 74.26 Rental, portable - Sunfish Lake Park Concrete Testing, Proj. Mgmt - PW American Legal Publishing Corp Braun Intertec Corporation Century College Bookstore Books - Fire Dept American Flagpole & Flag 2005 Adopted Ordinances ARAMARK Winter Vest - Rick G. Check Total: Flags - City Hall Check Total: Linen - City Hall Description Check Total: Check Total: Check Total: Check Total: Check Total: Biffs Inc. Aramark Vendor: CENTURYB 02-003856 Vendor: AMLEGAL 49425 Vendor: ARAMAU 58994848-1 Vendor: AMFLAG Vendor: ARAM 629-5850995 Vendor: BRAUN Vendor:BIFFS W276655 Invoice No 255134 71796

C	ч
	13
į	ň
7	₹

Invoice No	Description	Amount	Payment Date	Acet Number	Reference
Vendor:DIVCON 10-0266	Diversified Contracting Sol. New Public Works - Project 10-0266 Check Total:	267,311.00	12/06/2005	Check Sequence: 8 410-480-8000-45200	ACH Enabled: No
Vendor: EMERGAPP 23710 23711	Emergency Apparatus Maint. Dry Service, Doors - 3173 Dry Service - 3183 Check Total:	424.42 249.75 674.17	12/06/2005 12/06/2005	Check Sequence: 9 101-420-2220-44040 101-420-2220-44040	ACH Enabled: No
Vendor:EYECARE Malmquist	Eyecare Center Eyeglass lenses - Malmquist Check Total:	141.78	12/06/2005	Check Sequence: 10 101-420-2220-43050	ACH Enabled: No
Vendor:FXL December 2005	FXL, Inc. Assessing Services - 12/2005 Check Total:	1,700.00	12/06/2005	Check Sequence: 11 101-410-1550-43100	ACH Enabled: No
Vendor:GENESIS IVC00854 IVC00854	Next Genesis Productions Monthy Maint. Agreement - 11/2005 Water Billing Computer Check Total:	900.00 781.00 1,681.00	12/06/2005 12/06/2005	Check Sequence: 12 101-410-1520-43180 601-494-9400-43180	ACH Enabled: No
Vendor:GMCONTR 13186.000.003	G.M. Contracting, Inc. Water Sys Phase II - Proj. 13186.000.003 Check Total:	24,900.63	12/06/2005	Check Sequence: 13 601-494-9400-46400	ACH Enabled: No
Vendor:HACH 4498918	HACH Company Fluoride - Water Treatment Check Total:	94.79	12/06/2005	Check Sequence: 14 601-494-9400-42160	ACH Bnabled: No
Vendor:HARDY 4861-4862	Linda Hardy Return Escrow for 4861, 4862 Check Total:	2,000.00	12/06/2005	Check Sequence: 15 803-000-0000-22900	ACH Enabled: No
Vendor:HOLIDAY Lake Elmo Lake Elmo	Holiday Inn Lodging - MR - LMC Annual Lodging - CD - LMC Annual Lodging - Council - LMC Annual	275.19 275.19 733.89	12/06/2005 12/06/2005 12/06/2005	Check Sequence: 16 101-410-1320-43310 101-410-1910-43310 101-410-1110-43310	ACH Enabled: No

۲,
0.
5
ď

Invoice No	Description	Amount	Payment Date	Acct Number	Reference	
	Check Total:	1,284.27				1
Vendor:LIFESTYL Permit 4161	Lifestyle Homes Permit 4161 Return for 4177 Kirkwood Ln Check Total:	1,000.00	12/06/2005	Check Sequence: 17 803-000-0000-22900	ACH Enabled: No	
Vendor:MCLEOD 2799503	McLeod USA Telephone Service - Well 2 Check Total:	43.74	12/06/2005	Check Sequence: 18 601-494-9400-43210	ACH Enabled: No	
Vendor:MENARDST 9292	Menards - Stillwater Push Brooms - Fire Dept. Check Total:	21.92	12/06/2005	Check Sequence: 19 101-420-2220-42400	ACH Enabled: No	
Vendor:METCOU 5086	Metropolitan Council Wastewater Charges - Sept-Nov Check Total:	1,750.10	12/06/2005	Check Sequence: 20 602-495-9450-43820	ACH Enabled: No	
Vendor:METROCA A0318076K	Metrocall Pagers - Fire Dept. Check Total:	80.94 80.94	12/06/2005	Check Sequence: 21 101-420-2220-43210	ACH Enabled: No	
Vendor:MNDOH 10/01-12/31/05	MN Department of Health Water Supply Svce Conn. Fee Check Total:	872.00 872.00	12/06/2005	Check Sequence: 22 601-494-9400-43820	ACH Enabled: No	
Vendor:MNLABOR Horning	STATE TREASURER State Exam - Karl Horning Check Total:	70.00	12/06/2005	Check Sequence: 23 101-420-2400-44370	ACH Enabled: No	
Vendor:Natl Wat 2950730	National Waterworks Manhole Cover Check Total:	340.80	12/06/2005	Check Sequence: 24 601-494-9400-42270	ACH Enabled: No	
Vendor:NEXTEL 761950227-032 761950227-032 761950227-032	Nextel Communications Cellular Service - Admin Cellular Service - Fire Dept. Cellular Service - Bldg Dept.	80.31 75.06 33.10	12/06/2005 12/06/2005 12/06/2005	Check Sequence: 25 101-410-1940-43210 101-420-2220-43210 101-420-2400-43210	ACH Bnabled: No	
AP - Computer Check 1	AP - Computer Check Proof List (11/30/2005 - 3:53 PM)					Pag

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
761950227-032 761950227-032	Cellular Service - Public Works Cellular Service - Parks Check Total:	51.20 16.55 256.22	12/06/2005 12/06/2005	101-430-3100-43210 101-450-5200-43210	
Vendor:NOSTPAUL 200511220410	City of North St Paul Sand/Salt Mix Check Total:	1,610.28	12/06/2005	Check Sequence: 26 101-430-3100-42290	ACH Enabled: No
Vendor: OFFICEMX 839919 873942	OfficeMax Printer Cartridges - Public Works Envelopes Check Total:	108.58 30.65 139.23	12/06/2005 12/06/2005	Check Sequence: 27 101-430-3100-42000 101-410-1320-42000	ACH Bnabled: No
Vendor:ONECALL 5100521	Gopher State One-CallOne Call Concepts, Inc Line Locates - October 2005 Check Total:	116.85	12/06/2005	Check Sequence: 28 101-430-3100-44300	ACH Enabled: No
Vendor:PETERSO 11135M 11140M 11145M 11150M 11155M	Peterson Fram & Bergman Admin Criminal Pros Public Imp. Proj Water Sys Community Dev Civil Litigation Auto Forfeiture Check Total:	2,193.21 3,433.08 154.00 665.03 203.78 94.50 6,743.60	12/06/2005 12/06/2005 12/06/2005 12/06/2005 12/06/2005 12/06/2005	Check Sequence: 29 101-410-1610-43040 101-410-1610-43045 410-480-8000-43040 803-490-9070-43040 101-410-1610-43045	ACH Enabled: No
Vendor:PioneerA 219071	Pioneer Press Subscription Check Total:	104.00	12/06/2005	Check Sequence: 30 101-410-1320-44330	ACH Enabled: No
Vendor:PRESS 11/14-11/28	StevenPress Cablecasts - Planning Check Total:	202.50	12/06/2005	Check Sequence: 31 101-410-1910-43620	ACH Enabled: No
Vendor:ROGERS 13176 13176	Rogers Printing Services Bavelopes - Utility Billing Bavelopes - Utility Billing Check Total:	342.93 342.93 685.86	12/06/2005 12/06/2005	Check Sequence: 32 601-494-9400-42000 603-496-9500-42000	ACH Bnabled: No

•	,
đ	٥
Ć	ú
Ğ	3

AP - Computer Check Proof List (11/30/2005 - 3:53 PM)

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor:RUD 11/14-11/30 11/14-11/30	DianePrince-Rud Cleaning City Hall Cleaning Fire Hall Check Total:	360.00 360.00 720.00	12/06/2005 12/06/2005	Check Sequence: 33 101.410-1940-44010 101.420-2220-44010	ACH Enabled: No
Vendor:S&T 01KJ6019 01KJ6019 01KJ6084 01KK0551 01KK9356 01KK9356	S&T Office Products, Inc. Laminate DVDisks, Tapes Pens Laminate Schredder - Fire Dept Batteries/Charger Folders Check Total:	16.24 75.70 5.34 42.06 73.80 28.00 14.36 255.50	12/06/2005 12/06/2005 12/06/2005 12/06/2005 12/06/2005 12/06/2005	Check Sequence: 34 101-430-3100-42000 101-410-1320-42000 101-410-1320-42000 101-420-2220-42000 101-410-1320-42000 101-410-1520-42000	ACH Enabled: No
Vendor:SATELLIT 24180628	Satellite Shelters, Inc. Bldg Dept Trailer Rental - November 05 Check Total:	319.50	12/06/2005	Check Sequence: 35 101-420-2400-44120	ACH Enabled: No
Vendor:SCS 80659	Safety and Construction Supply Signs, overlay kits - Fire Dept. Check Total:	1,216.88	12/06/2005	Check Sequence: 36 101-420-2220-45800	ACH Enabled: No
Vendor:Sherm Claim 11/17	RobertSherman Reimb. for Fog Machines - Fire Dept Check Total:	149.06	12/06/2005	Check Sequence: 37 101-420-2220-45800	ACH Enabled: No
Vendor: SPRINT 0526076025-3	Sprint Data Card - Fire Dept. Check Total:	51.18	12/06/2005	Check Sequence: 38 101-420-2220-43210	ACH Enabled: No
Vendor:STJOSEPH SI42666 SR14160	St Joseph Bquipment, Inc. Fuel Filter Bakhoe Rental - Nov 2005 Check Total:	24.06 213.00 237.06	12/06/2005	Check Sequence: 39 101-420-2400-44040 101-430-3100-43150	ACH Enabled: No
Vendor: TKDA 000200504419 000200504420	TKDA, Inc. Water Sys Phase I - V Water Tank Design	13,191.16	12/06/2005 12/06/2005	Check Sequence: 40 601494-9400-43030 601494-9400-43030	ACH Enabled: No
				A THE PARTY OF THE	

Invoice No	Description	Amount	Amount Payment Date	Acet Number	Reference
000200504421 000200504421 000200504421 000200504421 000200504421 000200504422 000200504447 000200504450	MSA Reporting and Meetings Park CIP Review Updates Grading Rev., Staff Mtgs., St. Vacations Water System Card. View, Tpstry, Farms, Sanc., DG, Xing Council Meetings Attendance PW Design 2005 Hilltop Ave Repairs Tablyn Pk Water Sys Connection Check Total:	333.35 230.32 77.36 8,300.74 3,403.34 19,668.37 200.00 992.75 11,428.66 23,041.05 93,534.74	12/06/2005 12/06/2005 12/06/2005 12/06/2005 12/06/2005 12/06/2005 12/06/2005 12/06/2005 12/06/2005	402-480-8000-43030 404-480-8000-43030 101-410-1910-43020 101-410-1930-43030 601-494-9400-43030 101-410-1930-43030 410-480-8000-43030 409-480-8000-43030	
Vendor: UMCONTED CCB Reg.#177757 CCE Reg.#177757	U of M Continuing Education CCE Registration Fee - Jim McNamara CCE Registration Fee - Karl Horning Check Total:	85.00 140.00 225.00	12/06/2005 12/06/2005	Check Sequence: 41 101-420-2400-44370 101-420-2400-44370	ACH Enabled: No
Vendor: XCEL 49336544 49539836	Xcel Bnergy 3014 Jamley Ave 2759 Legion Ave Check Total:	25.00 12.08 37.08	12/06/2005	Check Sequence: 42 101-430-3100-43810 101-430-3100-43810	ACH Enabled: No
	Total for Check Run: Total Number of Checks:	412,999.37			

CITY OF LAKE ELMO

2005 BILLING SUMMARY

МОМТН	11135	11140	11145	11150	11155	11161	TOTAL
	Administration	Criminal Pros	Public Imp. Proj	Community Dev	Civil Litigation	Auto Forfeiture	
Jan	\$4,443.11	\$3,456.17	\$66.00	\$673.71	\$210.00	\$464.00	\$9,312.99
Feb	\$2,439.99	\$2,868.68	\$544.36	\$198.00		\$94.50	\$6,145.53
March	\$3,375.41	\$3,562.62	·	\$1,956.61	\$99.00	\$318.50	\$9,312.14
April	\$1,979.81	\$3,328.76	\$77.00	\$2,753.61	\$954.77	\$307.00	\$9,400.95
May	\$3,779.92	\$3,329.95	\$297.00	\$390.50	\$354.32	\$518.00	\$8,669.69
June	\$3,795.88	\$3,777.44	\$165.86	\$363.00	\$1,261.00	\$40.50	\$9,403.68
July	\$3,690.32	\$3,349.44		\$333.50	\$132.54	\$40.50	\$7,546.30
Aug	\$2,602.10	\$4,550.31		\$352.00	\$865.07	\$590.61	\$8,960.09
Sept	\$1,178.61	\$3,745.10	\$121.00	\$929.61	\$723.46	\$1,508.50	\$8,206.28
Oct	\$2,193.21	\$3,433.08	\$154.00	\$665.03	\$203.78	\$94.50	\$6,743.60
Nov							\$0.00
Dec							\$0.00
Totals	\$29,478.36	\$35,401.55	\$1,425.22	\$8,615.57	\$4,803.94	\$3,976.61	\$83,701.25

ate 300 50 Fifth Street East St. Paul, MN 55101-1197



(651) 291-8955 (651) 228-1753 facsimile Federal Tax ID #41-0991098

CITY OF LAKE ELMO 3800 Laverne Avenue North Lake Elmo MN 55042 Page: 1 10/31/2005

ACCOUNT NO. 11135M

		FEES	EXPENSES	ADVANCES	BALANCE
11135-050003	3M - TOWER/PUBL	IC WORKS BUILI 33.00	DING SITE DONA 0.00	rion 0.00	\$33.00
11135-050006	STONEGATE STREE	T VACATIONS 198.00	0.00	0.00	\$198.00
11135-050008	BEARTH EASEMENT	ENCROACHMENT 121.00	0.00	0.00	\$121.00
11135-920001	Administration	1,841.00	0.21	0.00	\$1,841.21
		2,193.00	0.21	0.00	\$2,193.21



(651) 291-8955 (651) 228-1753 facsimile Federal Tax ID #41-0991098

CITY OF LAKE ELMO 3800 Laverne Avenue North Lake Elmo MN 55042 Page: 1 10/31/2005 ACCOUNT NO. 11140M

		FEES	EXPENSES	ADVANCES	BALANCE
11140-030001	Misc Prosecutions 3,0	045.00	22.58	0.00	\$3,067.58
11140-030030	Garavalia, Timothy Si Driving after suspens		0.00	0.00	\$5.00
11140-040281	Wukawitz, Timothy Joh violate harassment or		0.00	44.00	\$54.00
11140-050060	Classen, Michael Jame 3rd degree DUI, 3rd d		0.00	0.00	\$5.00
11140-050066	Gallmeier, Ryan Lee 3rd degree DUI, 3rd d	legree .10 30.00	0.00	0.00	\$30.00
11140-050068	Kleinvachter, Robert 2nd degree DUI, test		0.00	0.00	\$75.00
11140-050105	Batchelor, Robyn Lynn DAR	5.00	0.00	0.00	\$5.00
11140-050138	Guplen, Julia Kyeong liable for crimes of	another	0.00	0.00	
		45.JU	0.00	0.00	\$22.50



(651) 291-8955 (651) 228-1753 facsimile Federal Tax ID #41-0991098

CITY OF LAKI	E ELMO			ACCOUNT NO.	Page: 2 10/31/2005 11140M
		FEES	EXPENSES	ADVANCES	BALANCE
11140-050141	Lee, Dasvis terroristic threats	0.00	0.00	72.00	\$72.00
11140-050174	Staffoed, David Levo	חמ			4,2100
	solicit without a pe		0.00	0.00	\$10.00
11140-050217	Skogland, Jon Michae 2nd degree DUI, 2nd		00		
•	zna degree bor, zna	37.00	0.00	0.00	\$37.00
11140-050219	Dworak. Krista Noell Speed, no proof of i		e 0.00	0.00	\$5.00
11140-050220	Cameron, Michael Eug		0.00	0.00	, \$5.00
	GM-DAC-IPS, 4th degr		speed 0.00	0.00	\$10.00
11140-050222	Mancheski, Kevin J.			•	
	2nd degree DUI, DAR,	10.00	0.00	0.00	\$10.00
11140-050223	Driscoll, Corrine K. GM-obstruction				
		10.00	0.00	0.00	\$10.00
11140-050231	Kershaw, Geraldine 4th degree DUI	•			
		5.00	0.00	0.00	\$5.00
11140-050232	Peltier, Mark Alan GM-DAC-IPS				
		10.00	0.00	0.00	\$10.00
		201 - 50			

3,294.50

116.00

\$3,433.08

are 300 50 Fifth Street East St. Paul, MN 55101-1197



(651) 291-8955 (651) 228-1753 facsimile Federal Tax ID #41-0991098

Page: 1 10/31/2005

CITY OF LAKE ELMO 3800 LAVERNE AVENUE NORTH LAKE ELMO MN 55042

ACCOUNT NO.

11145M

	FEES	EXPENSES	ADVANCES	BALANCE
11145-040003	WATER SYSTEMS CONNECTION 55.00	0.00	0.00	\$55.00
11145-050001	PUBLIC WORKS BUILDING 99.00	0.00	0.00	\$99.00
	154.00	0.00	0.00	\$154.00

aré 300 50 Fifth Street East St. Paul, MN 55101-1197



(651) 291-8955 (651) 228-1753 facsimile Federal Tax ID #41-0991098

CITY OF LAKE ELMO 3800 Laverne Avenue North Lake Elmo MN 55042 Page: 1 10/31/2005 ACCOUNT NO. 11150M

	FEES	EXPENSES	ADVANCES	BALANCE
11150-030005 PRAIRIE RIDGE	OFFICE PARK PUD 44.00	0.00	0.00	\$44.00
11150-040005 LAKEWOOD EVANO	GELICAL FREE CHU 44.00	RCH - REZONING 0.00	G - SUP 0.00	\$44.00
11150-040019 CARDINAL VIEW	- COMPREHENSIVE 77.00	PLAN, REZONII 0.00	NG · 0.00	\$77.00
11150-050004 FARMS OF LAKE	ELMO O.P. DEVEL 363.00	OPMENT 3.21	0.00	\$3 [°] 66.21
11150-990006 Carriage Homes	Development 132.00	1.82	0.00	\$133.82
	660.00	5.03	0.00	\$665.03

are 300 50 Fifth Street East St. Paul, MN 55101-1197



(651) 291-8955 (651) 228-1753 facsimile Federal Tax ID #41-0991098

Page: 1

10/31/2005

ACCOUNT NO.

11155M

CITY OF LAKE ELMO
3800 LAVERNE AVENUE NORTH
LAKE ELMO MN 55042

FEES EXPENSES ADVANCES BALANCE:

11155-040002 ZIERTMAN/SESSING PROPERTY
202.50 1.28 0.00 \$203.78

Life 300 50 Fifth Street East St. Paul, MN 55101-1197



(651) 291-8955 (651) 228-1753 facsimile Federal Tax ID #41-0991098

Page: 1

11161M

10/31/2005

ACCOUNT NO.

CITY OF LAKE ELMO 3800 LAVERNE AVENUE NORTH LAKE ELMO MN 55042

		FEES	EXPENSES	ADVANCES	BALANCE
11161-050001	Brama, Angela vehicle forfeiture-2	005 Escala 54.00	de 0.00	0.00	\$54.00
11161-050007	Skoglund, Jon Michae vehicle forfeiture	1 40.50	0.00	0.00	\$40.50
·		94.50	0.00	0.00	\$94.50

Lake Elmo City Council	Agenda Section: Consent	<u>No. 4B</u>
December 06, 2005		

Agenda Item: League of Minnesota Cities - Waiver of Monetary Limits on Tort Liability

The City of Lake Elmo obtains liability coverage through the League of Minnesota Cities Insurance trust for buildings and vehicles. The coverage also covers tort liability. Because of this coverage, the City must decide whether or not to waive the monetary limits on municipal tort liability as established by Minnesota Statutes §466.04.

If the city **does not waive the statutory tort limits**, an individual claimant would be able to recover <u>no more</u> than \$300,000 on any claim to which the statutory tort limits apply. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,000,000. These statutory tort limits would apply regardless of whether or not the city purchases the optional excess liability coverage.

If the city waives the statutory tort limits, and does not purchase excess liability coverage, a single claimant could potentially recover up to \$1,000,000 on a single occurrence. The total which all claimants would be able to recover for a single occurrence to which the statutory limits apply would also be limited to \$1,000,000, regardless of the number of claimants.

Historically, the City has elected not to waive the tort limit and staff recommends the City to adopt a resolution stating that the City does not waive the monetary limits on municipal tort liability as established under Minnesota Statutes §466.04.

Action Items:	Person responsible:
Adopt Resolution # 2005-130 City of Lake Elmo does not waive the monetary limits on municipal tort liability.	T. Bouthilet
Attachments:	Time Allocated:
Resolution # 2005-130 League of MN Cities Waiver Form	None

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-130 RESOLUTION REGARDING TORT LIABILITY NON-WAIVER OF MONETARY LIMITS

WHEREAS, the City of Lake Elmo obtains its liability coverage from the League of Minnesota Cities;

WHEREAS, as part of the renewal process, the City must decide whether or not to waive the monetary limits on municipal tort liability as established under Minnesota Statutes §466.04;

WHEREAS, the City Council has reviewed the options to waive the coverage, purchase excess liability coverage and decide not to waive the monetary limits;

NOW, THEREFORE, The City Council shall not waive the monetary limits on municipal tort liability under Minnesota Statutes §466.04.

ADOPTED, by the Lake Elmo City Council on December 06, 2005.

	Dean Johnston, Mayor
ATTEST:	
Martin J. Rafferty, City Administrator	

LEAGUE OF MINNESOTA CITIES INSURANCE TRUST

LIABILITY COVERAGE - WAIVER FORM

Cities obtaining liability coverage from the League of Minnesota Cities Insurance Trust must decide whether or not to waive the statutory tort liability limits to the extent of the coverage purchased. The decision to waive or not to waive the statutory limits has the following effects:

- If the city does not waive the statutory tort limits, an individual claimant would be able to recover no more than \$300,000.on any claim to which the statutory tort limits apply. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,000,000. These statutory tort limits would apply regardless of whether or not the city purchases the optional excess liability coverage.
- If the city waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could potentially recover up to \$1,000,000. on a single occurrence. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to \$1,000,000., regardless of the number of claimants.
- If the city waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total which all claimants would be able to recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

Minnesota Cities Insur	accepts liability coverage limits of \$ rance Trust (LMCIT).		_from the Leagu	e of
	S NOT WAIVE the monetary limits on muatures 466.04.	ınicipal tort liability	established by	
	/ES the monetary limits on tort liability es	tablished by Minn	esota Statutes 46	6.04
	of the limits of the liability coverage obtain			

Return this completed form to LMCIT, 145 University Ave. W., St. Paul, MN. 55103-2044

Lake Elmo City Council December 6, 2005	Agenda Section: CONSENT AGENDA		NO. 4C.		
Agenda Item: 2006 LIQUOR LICENSES					
Background Information for December 6, 2005: Twin Point Tavern, Lake Elmo Inn, Tartan Park, Machine Shed Restaurant have submitted the renewal liquor applications, required fees and insurance certificates. As of this date, the City not received approval from the Washington County Sheriff's Dept. Therefore, the following motions are offered for your approval. Joe Bush has informed the City he purchased the Lake Elmo Banquet Hall and will be applying for a liquor license.					
Action items: Motion intoxicating liquor Club of St. Paul (O Shed Restaurant by	_, Second to grant a 2006 On-Sale and On-Sale Sunday intoxicating license to 3M perators of Tartan Park) and to the Machine Heart of America Restaurants and Inn; roval by the Washington County Sheriff's	Person responsib S. Lumby	le:		
Sunday intoxicating	Off-Sale intoxicating liquor, and On-Sale gliquor license to the Twin Point Tavern and additioned on approval by the Washington				
Attachments: Liquor License Rer	newal Applications	Time Allocated:			



Minnesota Department of Public Safety





RENEWAL OF LIQUOR, WINE, CLUB OR 3.2% LICENSES

No license will be approved or released until the \$20 Retailer ID Card fee as received by MN Liquor Control (3.2% Licenses exempt)

<u>Licensee</u> : Please verify ye Clerk/County Auditor should period. City Clerk/County Acancellation.	submit this signed	renewal with comple	ted license and licensee	e liquor liabili					
License Code CMBS	,	I icense Deriod Endir	e 12/31/200	Ŧ.,,	2760				
City/County where license ap	proved. Lake	License Period Endir Elmo	· · · · · · · · · · · · · · · · · · ·	шж	- 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1				
Licensee Name Lake	Elmo Inn	Inc.							
Trade Name	Elmo Inn				•				
Licensed Location address	٠.	·			,				
City, State, Zip Code	3444 Lake	Elmo Av N/	PU BOX 182						
•	Lake Elmo	, MN 55048	:						
Business Phone 651/	777-8495	·							
LICENSE FEES: Off Sale \$		On Sale \$	1500 00	Sunday \$	ولاستر مایستر ۱۰۰۰ در مایستر مایشتر و استند				
200.00 200.00 By signing this renewal application, applicant certifies that there has been no change in ownership on the above named licensee. For changes in ownership, the licensee named above, or for new licensees, full applications should be used. See back of this application for further information needed to complete this renewal.									
Applicant's signature on this	s renewal confirm	s the following: Fail	ure to report any of th	e following v	vill result in fines.				
 Licensee confirms the (state or local). If a result of the confirms the confirmation of the	we details on back of the past it has never had be jected, please given at for the past five revocation has occupated during the past it. If violations have not during the past 14 340A.802. If yes	of this application, a liquor license rejected details on the back of years it has not had arred, please give details on the back of years it or its empty of the years as unmarks, attach a copy of the series of the year, a summer, attach a copy of the series of the year, as unmarks, attach a copy of the series of the year, as unmarks, attach a copy of the series of the year, as attach a copy of the series of the year, as unmarks, attach a copy of the series of the year.	cted by any city/township of this renewal, then signal a liquor license revoked ails on the back of this a ployees have not been of e details on back of this ons has not been issued	ip/county in the property in t	ne state of r law violation sign below. ivil or criminal n sign below.				
Licensee has attached a lique where license is issued. \$100, ity. (3.2% liquor licenses are	,000 in cash or sec exempt if sales ar	urities or \$100,000 : e less than \$25,000	surety bond may be su at on sale, or \$50,000 a	bmitted in lie	in city/county eu of liquor liabil-				
Licensee Signature	Touries.	Schilt	5-10-56		-21-05				
(Signature certifies all above in		rrect and liéénse has	been approved by city/	county.)					
City Clerk/County Auditor Sig	-	or alvi lianna i - i	75 - 17 t	Date					
(Signature certifies that renew	ar or a inquor, withe	of club ficense has b	een approved by the cit	_	ated above.)				
County Attorney Signature County Board issued licenses	only (Signature cer	tifies licensee is eligi	ble for license).	Date					
Police/Sheriff Signature				Date					
(Signature certifies licensee or (criminal/civil). Report violati	associates have no ons on back, then s	t been cited during flign here.	ne past five years for any		quor law violations PS 9093-98				

Commercial Certificate of Insurance

FARMERS

Frank Andreotti Agency

Name

· 1971 Geneva Ave N

& Address

St. 13

Oakdale, Mn 55128

Dist. _02

Agent 347

Issue Date

(MM/DD/YY)

11/18/2005

This certificate is issued as a matter of information only and confers no rights upon the certificate holder. This certificate does not amend, extend or after the coverage afforded by the policies shown below.

Companies Providing Coverage:

Insured

. Lake Elmo Inn Inc

Name 81

· 3442 Lake Elmo Ave N Lake Elmo Mn 55042

Address

Company A Truck Insurance Exchange

Company B Farmers Insurance Exchange

Company C Mid-Century Insurance Company

Coverages

This is to certify that the policies of insurance listed below have been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies. Limits shown may have been reduced by paid claims.

Co. Ltr.			Policy Number	Policy Effective Date (MM/DD/1Y)	Folicy Expiration Date (MM/DD/YY)	Policy	Limits
C	×	General Liability Commercial General Liability - Occurrence Version Contractual - Incidental Only Owners & Contractors Prot.	60122-53-46	01/01/2006	12/31/2006	General Aggregate Products-Comp/OPS Aggregate Personal & Advertising Injury Each Occurrence Fire Damage (Any one fire) Medical Expense (Any one person)	\$ 2,000,000 \$ 2,000,000 \$ 2,000,000 \$ 1,000,000 \$ 75,000 \$ 5,000
¢	×××	Automobile Liability All Owned Commercial Autos Scheduled Autos Hired Autos Non-Owned Autos Garage Liability	60122-53-46	01/01/2006	12/31/2006	Combined Single Limit Bodily Injury (Per person) Bodily Injury (Fer accident) Property Damage Garage Aggregate	\$ 1,000,000 \$ \$ \$
a	×	Umbrella Liability	60215-55-35	01/01/2006	12/31/2006	Limit	\$1,000,000
c	×	Workers' Compensation and Employers' Liability	N2220-85-37	01/01/2006	12/31/2006	Statutory Each Accident Disease - Each Employee Disease - Policy Limit	\$ 500,000 \$ 500,000 \$ 500,000

Description of Operations/Vehicles/Restrictions/Special items:

General liability policy includes liquor liability coverage of \$1000,000 plus \$1000,000 coverage under liability umbrella

Certificate Holder

Name

City Of Lake Elmo

Address

 3800 Laverne Ave N Lake Elmo, Mn 55042 Cancellation

Should any of the above described policies be cancelled before the expiration date thereof, the issuing company will endeavor to mail 30 days written notice to the certificate holder named to the left, but failure to mail such notice shall impose no obligation or liability of any kind upon the company, its agents or representatives.

Authorized Representative

56-2492

Copy Distribution: Service Center Copy and Agent's Copy



Minnesota Department of Public Safety

Alcohol and Gambling Enforcement

444 Cedar Street, Suite 133 St. Paul, MN 55101-5133



651-296-6979 • TTY 651-282-6555 • Fax 651-297-5259

RENEWAL OF LIQUOR, WINE, CLUB OR 3.2% LICENSES No licenses will be approved or released until the \$20 Retailer ID Card received by MNU liquor Control's (\$12% Licenses exempt)

Clerk/County Audito	or should s	submit this signed:	tion contained below. renewal with complet quired by M.S. 340A	ed license and licens	ee liquor liab	l sign. City ility for the new license			
License Code	CMBS	I	License Period Ending	12/31/20	25 _{D#}	2752			
City/County where I	icense app	roved.	EIMO						
Licensee Name	D.T.	LaCroix E	Interprises 1	ne.		^			
Trade Name	Twin	Point Tav	יפרה						
Licensed Location ac	idress	*11199 St	illwater Bl	d N					
City, State, Zip Code	:	Lake Elmo	, MN 55042						
Business Phone	651/	777-0239				-			
LICENSE FEES: O	ff Sale \$	200.00	On Sale \$	1500.00	Sunday \$	200 aa			
By signing this renewal application, applicant certifies that there has been no change in ownership on the above named licensee. For changes in ownership, the licensee named above, or for new licensees, full applications should be used. See back of this application for further information needed to complete this renewal.									
Applicant's signatur	re on this	renewal confirms	s the following: Failu	re to report any of	the following	will result in fines.			
Minnesota. 2. Licensee co Minnesota. 3. Licensee co (state or loc 4. Licensee co liquor law 5. Licensee co Law (Dram	If so, given on firms the life ever reconfirms the call. If a reconfirms the confirms the violations on firms the life is the life in Shop) M	e details on back of at it has never had jected, please give at for the past five evocation has occur at during the past fivillations have at during the past 1 S 340A.802. If yes	atsoever, directly or in of this application, a liquor license reject a details on the back of years it has not had a urred, please give details or its emple occurred, please give license year, a summors, attach a copy of the ensation insurance is in	ed by any city/towns this renewal, then si liquor license revoke ils on the back of this loyees have not been details on back of this has not been issue summons, then sign	chip/county in ign below. Ign below. Ign for any liques renewal, the cited for any light renewal, the dunder the Lelow.	the state of for law violation on sign below. civil or criminal an sign below.			
where license is issue	ed. \$100,6 enses are	100 in cash or sect exempt if sales ap	urities or \$100,000 sure less than \$25,000 ar	rety bond may be s	ubmitted in	d in city/county lieu of liquor liabil-			
Licensee Signature	1 min	<u> </u>	/	<u> </u>	Date	11-22-05			
City Clerk/County Ar			orrect and license has b	een approved by city					
•			or club license has been	en annroved by the c	Date itv/county as	stated above)			
County Attorney Sign				FF . F-1,	Date				
County Board issued	licenses o	nly (Signature cert	tifies licensee is eligib	le for license).					
Police/Sheriff Signature					Date	. =			
(Signature certifies lic (criminal/civil), Repo	censee or a ort violation	associates have not ns on back, then si	t been cited during the ign here.	past five years for a	ny state/local	liquor law violations PS 9093-98			

		∠ CFRTIFIC	CATE OF LIABI	LITY INS	SURANC	E	DATE (MM/DD/YYYY) 10/31/2005		
			FAX (651)641-8981	THIS CER	TIFICATE IS ISSU	JED AS A MATTER OF RIGHTS UPON THE CE	INFORMATION		
		t/Slater, Inc. University Ave., #200		HOLDER.	THIS CERTIFICA	TE DOES NOT AMEND FFORDED BY THE PO	, EXTEND OR		
		aul, MN 55114			INSURERS AFFORDING COVERAGE				
INSI	JRED	Twin Point Tavern			verest Nation				
		D T Lacroix Enterprises	: Inc Dba	INSURER B:	<u> </u>				
		P.O. Box 902		INSURER C:					
		Lake Elmo, MN 55042-950	a 7	INSURER D:					
		Lake Ellio, PN 33042-930	, .	INSURER E:			<u> </u>		
				INSUNEIVE.					
		AGES				NOVERDIAN INDIANTED	NOTANTHOTANDING		
A M	NY RE IAY PE	DLICIES OF INSURANCE LISTED BEI EQUIREMENT, TERM OR CONDITION ERTAIN, THE INSURANCE AFFORDE ES. AGGREGATE LIMITS SHOWN M.	N OF ANY CONTRACT OR OTHER I ED BY THE POLICIES DESCRIBED H	DOCUMENT WITH I HEREIN IS SUBJEC	RESPECT TO WHIC	H THIS CERTIFICATE MAY	' BE ISSUED OR		
VSR	ADD'L	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE	POLICY EXPIRATION DATE (MM/DD/YY)	LIMIT	rs .		
-115	INSKL	GENERAL LIABILITY				EACH OCCURRENCE	\$		
		COMMERCIAL GENERAL LIABILITY				DAMAGE TO RENTED PREMISES (Ea occurence)	\$		
		CLAIMS MADE OCCUR				MED EXP (Any one person)	s		
		CLAIMS WADE COCOR			ļ	PERSONAL & ADV INJURY	\$		
						GENERAL AGGREGATE	\$		
		GEN'L AGGREGATE LIMIT APPLIES PER:	•			PRODUCTS - COMP/OP AGG	\$		
		POLICY JECT LOC			<u>-</u>				
		AUTOMOBILE LIABILITY ANY AUTO				COMBINED SINGLE LIMIT (Ea accident)	5		
		ALL OWNED AUTOS				BODILY INJURY			
		SCHEDULED AUTOS				(Per person)	 \$		
		HIRED AUTOS				BODILY INJURY (Per accident)	\$		
		NON-OWNED AUTOS				PROPERTY DAMAGE (Per accident)	\$		
						AUTO ONLY - EA ACCIDENT	<u> </u>		
		GARAGE LIABILITY				EA ACC	s		
		ANY AUTO				OTHER THAN AUTO ONLY: AGG	\$		
		EXCESS/UMBRELLA LIABILITY				EACH OCCURRENCE	\$		
		OCCUR CLAIMS MADE				AGGREGATE	\$		
							s		
		DEDUCTIBLE					\$		
		RETENTION \$					s		
		KERS COMPENSATION AND				WC STATU- OTH- TORY LIMITS ER			
		LOYERS' LIABILITY PROPRIETOR/PARTNER/EXECUTIVE				E.L. EACH ACCIDENT	\$		
	OFF	CER/MEMBER EXCLUDED?				E.L. DISEASE - EA EMPLOYEE	\$		
		, describe under CIAL PROVISIONS below				E.L. DISEASE - POLICY LIMIT	\$		
A	отне L i q i	er uor Liability	RENEWAL OF UM0003519	01/01/2006	01/01/2007	*See B	elow		
	ļ								
)ES	CRIPTIO	ON OF OPERATIONS / LOCATIONS / VEHICLE BI Ea Person, \$100,000	ES / EXCLUSIONS ADDED BY ENDORSEN	MENT/SPECIAL PROVI	ISIONS 'a Common Calli	SA \$50 000 Loss	of Means of		
		Ea Person, \$100,000 Lo	·						
щÞ	por t	. La l'el 3011, \$100,000 L	oss of Healts of Suppor	c La Connon	cause, 4300;	ooo Aimaar Aggreg	ace		
~E	DTIE	ICATE UOI DEP		CANCELLAT	TION				
<u> </u>	NUE	CATE HOLDER				RIBED POLICIES BE CANCELLE	IN REFORE THE		
						SSUING INSURER WILL ENDEA			
				•		THE CERTIFICATE HOLDER NA			
		City of Lake Elmo		BUT FAILURE TO MAIL SUCH NOTICE SHALL IMPOSE NO OBLIGATION OR LIABILITY					
		3880 Laverne Ave N				ITS AGENTS OR REPRESENTAT	rives.		
Lake Elmo, MN 55042			AUTHORIZED RE	AUTHORIZED REPRESENTATIVE					

AUTHORIZED REPRESENTATIVE Jeffrey Stanley/AML



Minnesota Department of Public Safety

Alcohol and Gambling Enforcement

444 Cedar Street, Suite 133 St. Paul, MN 55101-5133 651-296-6979 • TTY 651-282-6555 • Fax 651-297-5259



PS 9093-98

RENEWAL OF LIQUOR, WINE, CLUB OR 3.2% LICENSES Noticense will be approved or released until the \$20 Regaller ID Card received by MN Liquor Control \$ (3.2% Licenses, exempt).

Licensee: Please verify your license information contained below. Make corrections if necessary and sign. City Clerk/County Auditor should submit this signed renewal with completed license and licensee liquor liability for the new license period. City Clerk/County Auditor are also required by M.S. 340A.404 S. 3 to report any license cancellation. 12/31/2005 ONSS 2761 License Period Ending License Code City/County where license approved. 3M Club/St. Paul Inc. Licensee Name Trade Name Tartan Park Restaurant Licensed Location address 11455 20th N City, State, Zip Code Lake Elmo, MN 55042 Business Phone 651/733-0773 LICENSE FEES: Off Sale \$ On Sale \$ Sunday \$ 0.00 1500.00 By signing this renewal application, applicant certifies that there has been no change in ownership on the above named licensee. For changes in ownership, the licensee named above, or for new licensees, full applications should be used. See back of this application for further information needed to complete this renewal. Applicant's signature on this renewal confirms the following: Failure to report any of the following will result in fines. 1. Licensee confirms it has no interest whatsoever, directly or indirectly in any other liquor establishments in Minnesota. If so, give details on back of this application. 2. Licensee confirms that it has never had a liquor license rejected by any city/township/county in the state of Minnesota. If ever rejected, please give details on the back of this renewal, then sign below. 3. Licensee confirms that for the past five years it has not had a liquor license revoked for any liquor law violation (state or local). If a revocation has occurred, please give details on the back of this renewal, then sign below. 4. Licensee confirms that during the past five years it or its employees have not been cited for any civil or criminal liquor law violations. If violations have occurred, please give details on back of this renewal, then sign below. 5. Licensee confirms that during the past license year, a summons has not been issued under the Liquor Liability Law (Dram Shop) MS 340A.802. If yes, attach a copy of the summons, then sign below. 6. Licensee confirms that Workers Compensation insurance is in effect for the full license period. Licensee has attached a liquor liability insurance certificate that corresponds with the license period in city/county where license is issued. \$100,000 in cash or securities or \$100,000 surety bond may be submitted in lieu of liquor liabil-

where acense is issued. \$100,000 in cash or securifies or \$100,000 surety bond may be submitted in lieu of liquor liability. (3.2% liquor licenses are exempt if sales are less than \$25,000 at on sale, or \$50,000 at off sale).

Licensee Signature

Licensee Signature

Licensee Signature

City Clerk/County Auditor Signature

City Clerk/County Auditor Signature

County Attorney Signature

County Attorney Signature

Date

County Board issued licenses only (Signature certifies licensee is eligible for license).

Police/Sheriff Signature

City Clerk/County Signature

County Board issued licensee or associates have not been cited during the past five years for any state/local liquor law violations (criminal/civil). Report violations on back, then sign here.

3M Club of St. Paul, Inc. Directors, Officers

Class "A" Directors		
Connie Bannie	185 Richmond, St. Paul, 55102	222-4919
Don Hoffman	IT Applications – 224-3S-25	736-2028
Nora Ivory	2123 East Geranium Ave., St. Paul, 55119	651-735-4985
Joan Johnson	Drug Delivery Systems – 260-3A-05	575-8165
Dianne Olson	Credit/Finance – 224-5N-41	575-1655
Glenn Ritzer	Medical – 275-5E-01	737-2365
Jan Schlueter	TDD – 260-3A-06	575-3454
Mary Shafer	It Administrative Services – 224-4S-19	736-8644
Darlene Smith	Automotive/Transportation – 001-1-1 Stillwater	733-0298
Deb Wright	Pharmaceuticals – 260-4A-04	737-3420
Officers		
Kristin Hagberg	Reg. Affairs – Pharm – 270-3S-08 – President	736-0527
Tom Bulen	Pharm. Division – 275-6W-13 – Vice President	736-5700
Jacquie Register	AMO-223-2W-15 - Secretary	733-5989
James Olson	IT Acquisitions – 224-5W-19 - Treasurer	733-1310

ر <u>د</u>	4C	ORD, CERTIFIC	CATE OF LIAB	ILITY II	NS!	URANCE	Page 1 of 2	10/	DATE /31/2005
	DUCE		763-302-7100	THIS ONLY HOLE	CERT ANDER.	TIFICATE IS ISS D CONFERS N THIS CERTIFIC	UED AS A MATTER ID RIGHTS UPON TATE DOES NOT AME	OF INF	ORMATION EXTIFICATE XTEND OR
		Suite 300 Minneapolis, MN 55422	-			AFFORDING COV	•		NAIC#
INS	JRED	3M Company 3M Insurance Departmen	a+	INSURER	4: Old	l Republic Inst	urance Company		24147-001
		Bldg 224-58-29	••	INSURERI			·		
		St. Paul, MN 55144			INSURER C:				
				INSURER I					
CC	VER	AGES		INSORER	-				<u> </u>
A N P	NY RI IAY PI OLICI	DLICIES OF INSURANCE LISTED BE EQUIREMENT, TERM OR CONDITION ERTAIN, THE INSURANCE AFFORDI ES. AGGREGATE LIMITS SHOWN M.	ON OF ANY CONTRACT OR OTH ED BY THE POLICIES DESCRIBED	IER DOCUMENT D HEREIN IS SU D CLAIMS.	WITH BJECT	I RESPECT TO WHIT TO ALL THE TERM	HICH THIS CERTIFICATE MS, EXCLUSIONS AND CO	MAY BE	ISSUED OR
LTR	ADD'L INSRE	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFE DATE (MM/D	D/YY)	POLICY EXPIRATION DATE (MM/DD/YY)		ŢS	
A		GENERAL LIABILITY X COMMERCIAL GENERAL LIABILITY	MWZY 55636	3/1/200	5	12/31/2006	EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurence)	\$	
		CLAIMS MADE X OCCUR					MED EXP (Any one person)	\$	
		X Liquor Liability					PERSONAL & ADV INJURY	\$	
		X (see below)					GENERAL AGGREGATE	\$	
	1	GEN'LAGGREGATE LIMIT APPLIES PER:					PRODUCTS - COMP/OP AGG	\$	
		POLICY PRO-						<u> </u>	
		AUTOMOBILE LIABILITY ANY AUTO					COMBINED SINGLE LIMIT (Ea accident)	5	
		ALL OWNED AUTOS SCHEDULED AUTOS					BODILY INJURY (Per person)	s	
		HIRED AUTOS NON-OWNED AUTOS					BODILY INJURY (Per accident)	s	
-							PROPERTY DAMAGE (Per accident)	s	
		GARAGE LIABILITY					AUTO ONLY - EA ACCIDENT	\$	
		ANY AUTO					OTHER THAN EA ACC	\$	
							AUTO ONLY: AGG	s	
	-	EXCESS LIABILITY		ŀ		1	EACH OCCURRENCE	\$	_
		OCCUR CLAIMS MADE					AGGREGATE	\$	
		DEDUCTIBLE			İ		<u> </u>	\$	· · · · · · · · · · · · · · · · · · ·
	İ	RETENTION \$					· · · <u> · · · · </u>	S	
		KERS COMPENSATION AND			- 1		WC STATU- OTH- TORY LIMITS ER	\$	
		LOYERS' LIABILITY PROPRIETOR/PARTNER/EXECUTIVE					E.L. EACH ACCIDENT	\$	
	OFFI	CERMEMBER EXCLUDED?		ž.	1	1	E.L. DISEASE - EA EMPLOYEE		
	If yes, SPEC	, describe under CIAL PROVISIONS below			l	- Γ	E.L. DISEASE - POLICY LIMIT		
	OTHE	R :					****		
DES	RIPTIC	ON OF OPERATIONS/LOCATIONS/VEHICLES	S/EXCLUSIONS ADDED BY ENDORSEME	ENT/SPECIAL PROV	ISIONS				
ίI	its	Liability coverage un \$50,000 bodily injur 0/50,000/100,000 Loss	v \$100,000 property	damage.	eff	ective 1-1-	2006 to 12-31-2	006	
CEF	(TIFIC	CATE HOLDER		CANCEL	LATI	ON .			
				SHOULD A DATE THE	NY OF T REOF, '	THE ABOVE DESCRIBE THE ISSUING INSUREI SERTIFICATE HOLDER	D POLICIES BE CANCELLED B R WILL ENDEAVOR TO MAIL NAMED TO THE LEFT, BUT FA OF ANY KIND UPON THE INS	30 D	AYS WRITTEN DO SO SHALL
	C-4	ity of Lake Elmo		REPRESEN			S. SHI MIND OF OR THE INC	JONER, III	S AGENIS UK
	X	=				RESENTATIVE			
	La	ake Elmo, MN 55042			- 1/ -	1			



Minnesota Department of Public Safety

Alcohol and Gambling Enforcement

444 Cedar Street, Suite 133 St. Paul, MN 55101-5133 651-296-6979 • TTY 651-282-6555 • Fax 651-297-5259



RENEWAL OF LIQUOR, WINE, CLUB OR 3.2% LICENSES

No license will be approved of released until the \$20 Retailer ID Card tesus received by MN Liquor Control (3:2% Licenses exempt)

<u>Licensee</u> : Please Clerk/County Audito period. City Clerk/C cancellation.	e verify your license or should submit this County Auditor are	signed renewal	with completed	license and licenses	e liquor liabi	sign. City lity for the new	license		
License Code	ONSS	. License	Period Ending_	12/31/200		9094			
City/County where li	icense approved.	Lake Elm	0		. <u></u>				
Licensee Name	Moline Plo	w L.L.C.				•	and constitution of the co		
Trade Name	Minnesota	Machine	Shed			## - ## - #### !	·		
Licensed Location ac		Hudson	Blvd						
City, State, Zip Code		Elmo, MN	55042			<u> </u>	12 To 10		
Business Phone	651/735-74	•	<u> </u>						
LICENSE FEES: Of By signing this rene licensee, For change back of this applicate	ff Sale \$ Ø, ØØ wal application, ap es in ownership, the	plicant certifies licensee namec	l above, or for :	new licensees, full a	Sunday \$ ownership or applications	200. on the above na should be used	amed		
Applicant's signatur	re on this renewal c	onfirms the foll	lowing: Failure	to report any of th	e following	will result in fi	ines.		
Minnesota. 2. Licensee co Minnesota. 3. Licensee co (state or loc 4. Licensee co liquor law v 5. Licensee co Law (Dram	 Applicant's signature on this renewal confirms the following: Failure to report any of the following will result in fines. Licensee confirms it has no interest whatsoever, directly or indirectly in any other liquor establishments in Minnesota. If so, give details on back of this application. Licensee confirms that it has never had a liquor license rejected by any city/township/county in the state of Minnesota. If ever rejected, please give details on the back of this renewal, then sign below. Licensee confirms that for the past five years it has not had a liquor license revoked for any liquor law violation (state or local). If a revocation has occurred, please give details on the back of this renewal, then sign below. Licensee confirms that during the past five years it or its employees have not been cited for any civil or criminal liquor law violations. If violations have occurred, please give details on back of this renewal, then sign below. Licensee confirms that during the past license year, a summons has not been issued under the Liquor Liability Law (Dram Shop) MS 340A.802. If yes, attach a copy of the summons, then sign below. Licensee confirms that Workers Compensation insurance is in effect for the full license period. 								
Licensee has attache where license is issue ity. (3.2% liquor lice	eg. \$100,000 in cash	or securities o	r \$100,000 sure an \$25,000 at o	ty bond may be su	bmitted in l it off sale).	l in city/county ieu of liquor lie	abil-		
Licensee Signature / (Signature certifies all			7 /400-4	17-17-57	Date 1	11/3-0			
City Clerk/County Au	,				Date				
(Signature certifies that	at renewal of a liquo	r, wine or club l	icense has been	approved by the city	y/county as s	stated above.)			
County Attorney Sign	lature				Date				
County Board issued	licenses only (Signat	ure certifies lice	ensee is eligible	for license).					
Police/Sheriff Signatu					Date	<u>.</u>			
(Signature certifies lic (criminal/civil). Repor	ensee or associates l rt violations on back	nave not been ci , then sign here.	ted during the pa	ast five years for any	y state/local l	liquor law viola PS 90			

<u> </u>	ACORD, CERTI	FICATE OF LIA	BILITY INS	SURANC	E	DATE (MM/DD/YY) 11/15/05			
Ho]	DUCER mes Murphy & Assoc - WDM D. Box 9207	1-800-247-7756	ONLY AN HOLDER.	ND CONFERS N THIS CERTIFIC	UED AS A MATTER O RIGHTS UPON T ATE DOES NOT AME AFFORDED BY THE F	HE CERTIFICATE ND, EXTEND OR			
Des	Moines, IA 50306-9207			INSURERS AFFORDING COVERAGE					
	RED ine Plow L.L.C.		INSURER A: Ma:	rkel American :	Insurance Company				
	Minnesota Machine Shed		INSURER B:						
194	4 Brannan Road Ext.		INSURER C:						
	•		INSURER D:						
	ine, IL 61265 VERAGES		INSURER E:						
T A M	HE POLICIES OF INSURANCE LISTEI NY REQUIREMENT, TERM OR CON NY PERTAIN, THE INSURANCE AFFO OLICIES. AGGREGATE LIMITS SHOW	DITION OF ANY CONTRACT OR O' ORDED BY THE POLICIES DESCRIE	THER DOCUMENT WIT SED HEREIN IS SUBJEC	H RESPECT TO WE	HICH THIS CERTIFICATE	MAY BE ISSUED OR			
INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	Limi	TS			
	GENERAL LIABILITY				EACH OCCURRENCE	\$			
	COMMERCIAL GENERAL LIABILITY				FIRE DAMAGE (Any one fire)	\$			
	CLAIMS MADE OCCUR				MED EXP (Any one person)	\$ -			
					PERSONAL & ADV INJURY	\$			
	OF NEW ACCRECATE LINET APPLIES PER				GENERAL AGGREGATE	\$			
	GEN'L AGGREGATE LIMIT APPLIES PER: POLICY PRO- LOC				PRODUCTS - COMP/OP AGG	15			
	AUTOMOBILE LIABILITY ANY AUTO				COMBINED SINGLE LIMIT (Ea accident)	\$			
	ALL OWNED AUTOS SCHEDULED AUTOS				BODILY INJURY (Per person)	\$			
	HIRED AUTOS - NON-OWNED AUTOS				BODILY INJURY (Per accident)	\$			
					PROPERTY DAMAGE (Per accident)	s			
	GARAGE LIABILITY				AUTO ONLY - EA ACCIDENT	\$			
	ANY AUTO				OTHER THAN AUTO ONLY: AGG				
	EXCESS LIABILITY	•			EACH OCCURRENCE	s			
	OCCUR CLAIMS MADE				AGGREGATE	\$			
					 	\$			
	DEDUCTIBLE				· 	\$			
	RETENTION \$				WC STATU- OTH-	\$			
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY		į		TORY LIMITS I I ER				
					E.L. DISEASE - EA EMPLOYEE	\$			
				-	E.L. DISEASE - POLICY LIMIT				
A	OTHER Liquor Liability	8521RS002382-4	01/01/06	12/31/06	Limit	1,000,000			
Re:	RIPTION OF OPERATIONS/LOCATIONS/VER 8515 Hudson Boulevard Li ve mentioned Liquor Policy	ake Elmo, MN 55042							
CE	RTIFICATE HOLDER ADD	Provide province	OANOELL -	TON					
<u>vet</u>	MILICATE HULDER ADD	ITIONAL INSURED; INSURER LETTER:	CANCELLAT		AD DOLLOWS TO A THE STATE OF TH				
State of Minnesota- Alcohol & Gambling Enforcement Division 444 Cadar Street Ste. 133			DATE THEREOF NOTICE TO THE	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR					
	Paul, MN 55101-5133		REPRESENTATIV						
ه ښا پ	500T' NW 33101-3122	USA	AUTHORIZED REF	RESENTATIVE ()+	- 1 h 1/4	1			

Lake Elmo City Council December 6,	Agenda Section: CONSENT AGENDA		No 4D.
2005			
	rtial Payment for Hilltop Avenue rmation for December 6, 2005:		
The City Engineer The only work ren	reported that Tower Asphalt has completed the 2 naining is to make sure the grass seed comes up in eval of Partial Payment No. 1 in the amount of \$1	n the spring. The C	-
129, A Resolution in the amount of \$	ond , to adopt Resolution No. 2005-Approving Partial Payment to Tower Asphalt 115,822.71 for work completed on 2005-Street Avenue, as verified by the City Engineer in his nber 1, 2005.	Person responsib T.Prew	le:

Attachments: Letter from Tom Prew dated December 1, 2005 Resolution 2005-129



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

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

December 1, 2005

Honorable Mayor and City Council City of Lake Elmo, Minnesota

Re:

Partial Payment No. 1

Hilltop Trail

City of Lake Elmo, Minnesota TKDA Project No. 13403.000

Dear Mayor and City Council:

Work is complete for 2005 on this project. The only work remaining is to make sure the grass seed comes up in the spring.

City Council Action Requested

Approve Partial Payment No. 1

Sincerely,

Thomas D. Prew, P.E. City Engineer

TDP:art



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

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

Proj.	No. 13	3403.000	Cert. No	1	St. Paul, N	∕IN, <u>Nove</u>	mber 28	, 20	05
То	City of	Lake Elmo, Minn	esota						Owner
This	Certifies th	nat Tower A	sphalt, Inc.					,(Contractor
For _	2005 St	reet Repairs							
Is ent	titled to O	ne Hundred Fifte	en Thousand Ei	ight Hur	ndred Twe	nty Two Dol	llars and 96/100	<u></u> (\$ <u>115</u> ,	822.71)
being	5 <u>1st</u>	estimate for	r partial payme	nt on co	ntract with	you dated _	September 20	<u>-</u> -	,2005
Recei	ived payme	ent in full of abov	e Certificate.		Т	TKDA			
		Tow	rer Asphalt, In , 2		– _	homas D. F	Prew, P.E.		

RECAPITULATION OF ACCOUNT

		CONTRACT			
	I	PLUS EXTRAS		PAYMENTS	CREDITS
Contract price plus extras	\$	117,249.40			
All previous payments			\$	_	
All previous credits					
Extra No.					
tt II					
н н					
п н				· = ·	
11 11			-		
Credit No.		, , , , , , , , , , , , , , , , , , , ,			\$ -
R II		-, -			
n n					
н н					
н н					
AMOUNT OF THIS CERTIFICATE			\$	115,822.71	
Totals	\$	117,249.40	\$	115,822.71	\$ -
Credit Balance	<u> </u>		\$	_	
There will remain unpaid on contract after payment of this Certificate			\$	1,426.69	
	\$	117,249.40	\$	117,249.40	\$ -

TKDA

Engineers-Architects-Planners

Saint Paul, Minnesota 55101

PERIODICAL ESTIMATE FOR PARTIAL PAYMENTS

Estimate No	_	November 23				
Contractor			 Original	Contract Amo	unt	\$117,249.40
Project		linnesota	 			
Location	Hilltop Avenue					
Total Contract	Work Completed				\$	121,918.64
Total Approved	d Credits				\$	0.00
Total Approved	d Extra Work Completed		\$		0.00	
Approved Extra	a Orders Amount Comple	ted			\$	0.00
Total Amount	Earned This Estimate				\$	121,918.64
			,			
Less Approved	Credits		\$		0.00	
Less	5 % Retained		\$	6,	095.93	
Less Previous I	Payments		\$		0.00	
Total Deduction	ns				<u> </u>	6,095.93
Amount Due T	his Estimate				\$	115,822.71
					_	
Contractor	Tower Asphalt			Dat	e	
Engineer	•			Date	e <u>Novem</u> l	ner 29-2005
	Thomas D. Prew, P	.E.				50, 27, 2005

PERIOD ENDING: November 23, 2005

2005 STREET REPAIRS HILLTOP AVENUE CITY OF LAKE ELMO, MINNESOTA TKDA PROJECT NO. 13403.000

ITEM	1		CONTRACT	QUANTITY	UNIT	AMOUNT
NO.	DESCRIPTION	UNIT	QUANTITY	TO DATE	PRICE	TO DATE
	HILLTOP AVENUE					
1	MOBILIZATION	LS	1.0	1.0	\$ 16,400.00	\$ 16,400.00
2	RECLAIM BITUMINOUS SURFACE	SY	10,600.0	9,943.0	\$ 0.67	\$ 6,661.81
3	REPAIR CATCH BASIN	EΑ	6.0	4.0	\$ 290.00	\$ 1,160.00
4	SUBGRADE EXCAVATION	CY	1,000.0	1,248.0	\$ 1.00	\$ 1,248.00
5	GRADE GRAVEL BASE	RS	28.0	28.0	\$ 255.00	\$ 7,140.00
6	BITUMINOUS BASE COURSE	TN	960.0	1,160.0	\$ 33.84	\$ 39,254.40
7	BITUMINOUS WEAR COURSE	TN	900.0	955.76	\$ 34.84	\$ 33,298.68
8	TACK COAT	GAL	500.0	375.0	\$ 1.00	\$ 375.00
9	BITUMINOUS DRIVEWAY PATCHING	SY	50.0	-	\$ 30.00	\$ -
10	SAW AND SEAL PAVEMENT	LF	2,400.0	2,089.0	\$ 1.75	\$ 3,655.75
11	LAWN RESTORATION	LS	1.0	1.0	\$ 7,225.00	\$ 7,225.00
	SUBTOTAL BASE BID			_		\$ 116,418.64
	PART II					
1	REPLACE CATCH BASIN ON 32ND STREET	LS	1.0	1.0	\$ 5,500.00	\$ 5,500.00
2	REMOVE AND REPLACE CONCRETE CURB AND GUTTER ON					
	IRONWOOD TRAIL NORTH	LF	20.0		\$ 55.00	\$
	SUBTOTAL PART II					\$ 5,500.00
	TOTAL ESTIMATE NO. 1					\$ 121,918.64

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-129

A RESOLUTION APPROVING PARTIAL PAYMENT NO. 1 TO TOWER ASPHALT FOR THE 2005 STREET REPAIRS – HILLTOP AVENUE PROJECT

BE IT RESOLVED, that the Lake Elmo City Council hereby approves Partial Payment No. 1 to Tower Asphalt in the amount of \$115,822.71 for work completed on the 2005 Street Repairs – Hilltop Avenue Project, verified by the City Engineer in his memo dated December 1, 2005.

ADOPTED, by the Lake Elmo City Council the 6th day of December, 2005.

Dean Johnston, Mayor	

Lake Elmo City Council 12-06-2005	Agenda Section: CONSENT AGENDA		<u>No</u> . 4E			
Agenda Item: Workers' Compensation for Elected Officials						
Background Information for December 06, 2005:						
Minnesota Statue 176.001 subd.9, (5) provides that "municipal officers elected or appointed for a regular term of office" are considered to be "employees" for workers' compensation purposes only if the city has passed as ordinance or resolution to that effect. This would provide coverage for elected officials injured while performing his or her duties.						
Attached, please find Resolution 2005-140 Workers' Compensation for Elected Officials for your consideration. Please note this resolution must be adopted in order to provide the Mayor & Council Worker's Compensation Coverage.						
	Adopt Resolution 2005-140 Workers' erage for Elected Officials	Person responsib Tom Bouthilet	le:			
Attachments: 1.1	Resolution 2005-140	·				

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-140 RESOLUTION REGARDING WORKERS' COMPENSATION COVERAGE FOR ELECTED OFFICIALS

WHEREAS, the City of Lake Elmo obtains its Worker's Compensation coverage from the League of Minnesota Cities;

WHEREAS, M.S. 176.011, subd. 9, (5) provides "that municipals officers elected or appointed for a regular term of office" are considered to be "employees" for workers compensation purposes only if the city has passed an ordinance or resolution to that effect;

WHEREAS, as part of the renewal process, the City must decide whether or not the Mayor & Council intent is that they will be included as employees for workers compensation purposes only;

NOW, THEREFORE BE IT RESOLVED, The Mayor & Council Members of the CITY OF LAKE ELMO be covered by the Minnesota Workers' Compensation.

ADOPTED, by the Lake Elmo City Council on December 06, 2005.

	Dean Johnston, Mayor
ATTEST:	
Martin J. Rafferty, City Administrator	

Lake Elmo City Council 12-06-2005	Agenda Section: FINANCE		<u>No</u> . 5A & B			
Agenda Item: Adoption of Final 2006 Budget and Levy						
Background Information for December 06, 2005: Attached, Please find two Resolutions for Adoption of the Final 2006 Budget and Levy. The City conducted several workshops and a Truth n'Taxation Public Hearing to receive input in the preparation and completion of the 2006 Budget. The 2006 proposed tax rate remains the same as 2005 and reflects an 11.74% increase in the Levy which is attributed to an increase in property valuations. Future development related fees accounts for 88% of the total increase in revenue. The Revenue increase will fund additional staff positions, capital Expenditures, development related activities as well as notable increases in Legal, Law Enforcement, Fire, Public Works, Utilities and Fuel accounts. Staff continues to address shortfalls in Fire and Infrastructure Reserves Capital Accounts while maintaining a fiscally conservative approach to the Budget process.						
Action Items:	Motion to adopt Resolutions 2005-132 approving the General Fund Budget and 2005-131 approving the final Levy in the amount of \$2,149,940	Person responsib Tom Bouthilet	<u>le:</u>			

Resolution 2005-131 Resolution 2005-132

Attachments:

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-131 RESOLUTION ADOPTIONING FINAL TAX LEVY

BE IT RESOLVED by the City Council of the City of Lake Elmo, County of Washington, Minnesota, that the following sums of money be levied for the current year, collectible in 2006, upon the taxable property in the City of Lake Elmo for the following purposes:

Total Levy \$2,149,940

ADOPTED, by the Lake Elmo City Council on the 6th day of December, 2005.

		Dean Johnston, Mayor	
ATTEST:			
Martin Rafferty	· <u></u>		

City Administrator

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-132 RESOLUTION ADOPTING THE 2006 GENERAL FUND BUDGET

WHEREAS, the City of Lake Elmo is required to adopt a formal budget for the general fund revenues;

WHEREAS, the City of Lake Elmo held its Truth in Taxation Hearing on December 5, 2005;

WHEREAS, the Lake City Council closed the public hearing on the 2006 general fund budget at the close of the meeting on December 6, 2004 without need for continuation;

BE IT RESOLVED the Lake Elmo City Council adopts the 2006 general fund budget in the amount of \$3,566,804

ADOPTED, by the Lake Elmo City Council on the 6th day of December, 2005.

	Dean Johnston	
	Mayor	
ATTEST:	2.20) 01	
EST:		

Martin Rafferty City Administrator

Lake Elmo City Council	Agenda Section: NEW BUSINESS	, ,	No. 6A.
December 6, 2005			
Agenda Item: O	ut-of-State Travel Policy		
controls travel out	661 states that by January 1, 2006, the governing side the State of Minnesota for the applicable else find a policy that was drafted from the Leagues.	ected officials of the	relevant unit of
Action items:		Person responsi	ble:
MotionNo. 2005-133, Elec	Second to approve Resolution cted Official Out-of-State Travel Policy.	S. Lumby	
·			
Attachments: Resolution No. 200 State Statute 471.6		Time Allocated:	
Date Statute 4/1.0	01		

CITY OF LAKE ELMO RESOLUTION NO. 2005-133 CITY OF LAKE ELMO ELECTED OFFICIALS (MAYOR AND CITY COUNCIL MEMBERS) OUT-OF-STATE TRAVEL POLICY

<u>Purpose</u>: The City of Lake Elmo recognizes that its Elected Officials (Mayor and City Council Members) may at times receive value from traveling out of the state for workshops, conferences, events and other assignments. This policy sets forth the conditions under which out-of-state travel will be reimbursed by the City.

General Guidelines:

- 1. The event, workshop, conference or assignment must be approved in advance by the City Council at an open meeting and must include an estimate of the cost of the travel. In evaluating the out-of-state travel request, the Council will consider the following:
 - Whether the Elected Official will be receiving training on issues relevant to the City or to his or her role as the Mayor or as a Council Member;
 - Whether the Elected Official will be meeting and networking with other Elected Officials from around the country to exchange ideas on topics of relevance to the City or on the official roles of local Elected Officials.
 - Whether the Elected Official will be viewing a City facility or function that
 is similar in nature to one that is currently operating at, or under
 consideration by the City where the purpose for the trip is to study the
 facility or function to bring back ideas for the consideration of the full
 Council.
 - Whether the Elected Official has been specifically assigned by the Council to visit another City for the purpose of establishing a goodwill relationship such as a "sister-City" relationship.
 - Whether the Elected Official has been specifically assigned by the Council to testify on behalf of the City at the United States Congress or to otherwise meet with federal officials on behalf of the City.
 - Whether the City has sufficient funding available in the budget to pay the cost of the trip.
- 2. No reimbursements will be made for attendance at events sponsored by or affiliated with political parties.

- 3. The City may make payments in advance for airfare, lodging and registration if specifically approved by the Council. Otherwise all payments will be made as reimbursements to the Elected Official.
- 4. The City will reimburse for transportation, lodging, meals, registration, and incidental costs using the same procedures, limitations and guidelines outlined in the City's Personnel Policy for City employees.
- 5. Mileage will be reimbursed at the IRS rate. If two or more Council Members travel together by car, only the driver will receive reimbursement. The City will reimburse for the cost of renting an automobile if necessary to conduct City business.
- 6. Lodging and meal costs are limited to those, which are reasonable and necessary. The Elected Official must use the most cost-efficient mode of travel available taking into consideration reasonable time constraints. Airfare will be reimbursed at the coach rate.
- 7. Receipts are required for lodging, airfare, parking, meals, and seminar upgrades and should accompany an expense report form. It is not necessary to have receipts for cabs and tips. The expense report form shall be submitted to the Finance Department for payment.
- 8. The City will not reimburse for alcoholic beverages, personal telephone calls, costs associated with the attendance of a family member, rental of luxury vehicles, meal expenses included in the cost of registration, or recreational expenses such as golf or tennis.
- 9. Limitations may be imposed on paying for expenses for a Council Member who has announced his/her intention to resign, not to seek reelection, or who has been defeated in an election.
- 10. The Council may request an oral or written report from the Elected Official on the results of the trip.
- 11. The Elected Official must turn over materials received to the City.
- 12. The City Council may make exceptions to the policy depending upon circumstances unique to the trip and/or Elected Official.

ADOPTED by the Lake	Elmo City Council	on the 6 th da	y of December, 2	2005.
---------------------	-------------------	---------------------------	------------------	-------

Dean	Johnston,	Mayor

ATTEST:

Martin J. Rafferty City Administrator

Minnesota Statutes 2005, Table of Chapters

Table of contents for Chapter 471

471.661 Out-of-state travel.

By January 1, 2006, the governing body of each statutory or home rule charter city, county, school district, regional agency, or other political subdivision, except a town, must develop a policy that controls travel outside the state of Minnesota for the applicable elected officials of the relevant unit of government. The policy must be approved by a recorded vote and specify:

- (1) when travel outside the state is appropriate;
- (2) applicable expense limits; and
- (3) procedures for approval of the travel.

The policy must be made available for public inspection upon request and reviewed annually. Subsequent changes to the policy must be approved by a recorded vote.

HIST: 2005 c 156 art 2 s 38

Copyright 2005 by the Office of Revisor of Statutes, State of Minnesota.

LMC MODEL: ELECTED OFFICIAL OUT-OF-STATE TRAVEL POLICY

<u>Purpose</u>: The City of _____ recognizes that its elected official may at times receive value from traveling out of the state for workshops, conferences, events and other assignments. This policy sets forth the conditions under which out-of-state travel will be reimbursed by the City.

General Guidelines:

- 1. The event, workshop, conference or assignment must be approved in advance by the City Council at an open meeting and must include an estimate of the cost of the travel. (Note: the League recommends use of a resolution or a detailed motion outlining what exactly is being approved.) In evaluating the out-of-state travel request, the Council will consider the following:
 - Whether the elected official will be receiving training on issues relevant to the city or to his or her role as the Mayor or as a council member;
 - Whether the elected official will be meeting and networking with other elected officials from around the country to exchange ideas on topics of relevance to the City or on the official roles of local elected officials.
 - Whether the elected official will be viewing a city facility or function that is similar in nature to one that is currently operating at, or under consideration by the City where the purpose for the trip is to study the facility or function to bring back ideas for the consideration of the full council.
 - Whether the elected official has been specifically assigned by the Council to visit another city for the purpose of establishing a goodwill relationship such as a "sister-city" relationship (see Note below).
 - Whether the elected official has been specifically assigned by the Council to testify on behalf of the city at the United States Congress or to otherwise meet with federal officials on behalf of the city.
 - Whether the city has sufficient funding available in the budget to pay the cost of the trip.
- 2. No reimbursements will be made for attendance at events sponsored by or affiliated with political parties.
- 3. The city may make payments in advance for airfare, lodging and registration if specifically approved by the council. Otherwise all payments will be made as reimbursements to the elected official.
- 4. The City will reimburse for transportation, lodging, meals, registration, and incidental costs using the same procedures, limitations and guidelines outlined in the city's policy for out-of-state travel by city employees. (If the city does not currently have a policy for city employees, consider adding the following:
- 5. Airfare will be reimbursed at the coach rate.

- 6. Mileage will be reimbursed at the IRS rate. If two or more council members travel together by car, only the driver will receive reimbursement. The city will reimburse for the cost of renting an automobile if necessary to conduct city business.
- 7. Lodging costs are limited to \$_____per night and meal costs are limited to \$____ per day. (If the city sets such limits, it may want to keep in mind the differences in these costs throughout the country especially coastal cities. Alternative language could be "Lodging and meal costs are limited to those which are reasonable and necessary.")
- 8. Receipts are required for lodging, airfare, and meals and should accompany an expense report form. It is not necessary to have receipts for cabs and tips. The expense report form shall be submitted to the City Clerk (or Finance Department) for payment.
- 9. The city will not reimburse for alcoholic beverages, personal telephone calls, costs associated with the attendance of a family member, rental of luxury vehicles, meal expenses included in the cost of registration, or recreational expenses such as golf or tennis.

OTHER PROVISIONS THE CITY MAY WANT TO CONSIDER:

- Limitations on the number of council members who can attend the same event;
- Limitations on paying for council members who have announced their intention to resign, not to seek reelection, or who have been defeated in an election (however, there may be some benefit to the city in having newly elected officials who have not yet taken office attend training beforehand);
- Requirements for council members to give oral or written reports on the results of the trip at the next Council meeting;
- Requirements for the council members to turn over materials received to the city;
- The ability for the city to make exceptions to the policy;
- The requirement for all frequent flyer miles to accrue to the city;
- Requirements to use the most cost-efficient mode of travel available taking into consideration reasonable time constraints; or
- The requirement to use a city car when available;

Note: The State Auditor's Office has taken the position in at least one city that there was no direct authority to expend public funds for the Sister City Program.

Lake Elmo City Council December 6, 2005	Agenda Section: MAINTENANCE/PARK/F	TRE/BUILDING	No. 7A.
Agenda Item:	Promote the Use of Intrastate Mutual Aid Agreeme	ents	-
provide the Marc	15 th meeting, the City Council delayed action on the hook 10, 2005 which lists the nine steps needed for index for your reference.		·
	Second to adopt Resolution No. olution Promoting the Use of Intrastate Mutual —	Person responsil Chief Malmquist	
Attachments: March 10, 2005 I Resolution No. 2		Time Allocated:	:

•

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Homeland Security and Emergency Management

444 Cedar Street • Suite 223 • Saint Paul, Minnesota 55101-6223 Phone: 651.296.2233 • Fax: 651.296.0459 • TTY: 651.282.6555 www.dps.state.mn.us

May 18, 2005

Alcohol and Gambling Enforcement

ARMER/911 Program

Bureau of Criminal Apprehension

Driver and Vehicle Services

Homeland Security and Emergency Management

Minnesota State Patrol

Office of Communications

Office of Justice Programs

> Office of Treffic Safety

State Fire Marshal and Pipeline Safety State and Local Partners,

As Minnesota continues aggressively to implement Homeland Security Presidential Directives (HSPD) 5 and 8, the National Incident Management System (NIMS) is a key element to compliance and effective implementation.

The NIMS, the nation's first standardized approach to incident management and response, unifies federal, state, territorial, tribal and local lines of government into one coordinated effort. This integrated system makes the nation and Minnesota safer by establishing uniform response processes, protocols and procedures for all emergency responders. It ensures that those involved in emergency response operations understand their roles and have the tools they need to be effective.

Minnesota has used a formal Incident Command/Management system for many years. In 1991, the state Legislature established MN Statute 115E, known as the Spills Bill. This bill required the commissioner of public safety to establish and implement an Incident Command System (ICS), now known as the Minnesota Incident Management System (MIMS). MIMS has been embedded in training throughout the state since 1996.

As the state administrative agency and based on Minnesota's longstanding incident management training program, HSEM designates nine steps that state, local and tribal jurisdictions must take for initial implementation of the presidential directives and for initial NIMS ICS compliance in 2005. It is especially important to note that follow—up on these designated steps is necessary in order to remain eligible for future planning and preparedness federal grant programs.

The nine steps needed for initial implementation of HSPD 5 and 8 and for initial NIMS ICS compliance are identified in a memo dated March 10, 2005, and entitled National Incident Management System: Incident Command System Elements Implementation in Minnesota. A copy of this memo is included for your reference.

(more)



Pages that follow will serve as a guide for state and local jurisdictions as they implement two of the nine steps. Please note that jurisdictions currently receiving homeland security grant funding and any county, city or township that intends to apply directly for federal preparedness, prevention or planning grants must adopt and implement NIMS at the local government level. The following guide will help state and local jurisdictions to:

- ☐ Formally recognize NIMS and adopt NIMS principles and policies

 States, territories, tribes and local entities shall establish a resolution formally adopting NIMS.
- ☐ Promote intrastate mutual aid agreements

 State, tribe and local entities should establish resolutions promoting mutual—
 aid agreements (in accordance with MN Statutes, Chapter 12, Section 12.27
 and Section 12.331).

Ben Kosel, HSEM state agency coordinator, will lead our division's efforts to track progress on the items listed above. Please contact him with questions, comments or concerns at 651-215-6937, or e-mail him at benjamin.kosel@state.mn.us.

Thank you,

Al Bataglia, Director

Division of Homeland Security and Emergency Management

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



Homeland Security and Emergency Management

444 Cedar Street • Suite 223 • Saint Paul, Minnesota 55101-6223 Phone: 651.296.2233 • Fax: 651.296.0459 • TTY: 651.282.6555 www.dps.state.mn.us

National Incident Management System
Incident Command System Elements Implementation in Minnesota

March 10, 2005

The President of the United States has issued Homeland Security Presidential Directives (HSPD) 5 and 8 that directly impact states and local jurisdictions. In Minnesota, the Division of Homeland Security and Emergency Management (HSEM) is the State Administrative Agency (SAA) responsible for implementing these two directives through administration of the Homeland Security Grant Programs. One of the key elements of both HSPD 5 and 8 is the implementation of the National Incident Management System (NIMS).

Minnesota has used a formalized Incident Command/Management system for many years. In 1991 the State Legislature established MN Statute 115E, known as the Spills Bill. This bill required the commissioner of public safety to establish and implement an Incident Command System (ICS) within the state, which we now know as the Minnesota Incident Management System (MIMS). MIMS was institutionalized in state training institutions in 1996 and has been embedded in training throughout the state ever since.

HSEM recognizes that Minnesota has had a longstanding and well developed Incident Command training program, and we are now well ahead of many states when it comes to implementing the NIMS ICS requirements. Because we have had Incident Command/Management System training embedded in our training curriculum for almost 10 years and our MIMS training program is consistent with NIMS, we have met many of the baseline ICS requirements. The current MIMS curriculum is already ICS 100, 200 and 300 compliant and is currently being updated to include the ICS 400 requirements. The basic ICS training requirement in NIMS is already included in our MIMS curriculum. If your responders have already taken MIMS, you are in good shape for initial compliance with the basic ICS requirements in NIMS.

Based upon Minnesota's longstanding incident management training program institutionalized throughout the state, HSEM (as the SAA) now recommends the following steps be taken for initial implementation of Homeland Presidential Directive 5 and 8 for initial NIMS ICS compliance in 2005.

- Formally recognizing the NIMS by adopting the NIMS principles and policies by resolution or ordinance.
- Incorporating NIMS into existing training and exercise programs.
- Incorporating NIMS principles, policies and terminology into Emergency Operations Plans.
- Institutionalizing the use of the ICS across all disciplines and agencies within your jurisdiction by updating plans and procedures with the NIMS concepts and terminology.

(Continued on the back)

Alcohol and Gambling Enforcement

ARMER/911 Program

Bureau of Criminal Apprehension

Driver and Vehicle Services

Homeland Security and Emergency Management

Minnesota State Patrol

Office of Communications

Office of Justice Programs

> Office of Traffic Safety

State Fire Marshal and Pipeline Safety



- Promoting intrastate mutual aid agreements by passing resolutions required in MN Statutes 12.27
 Subd. 3 enabling local and statewide mutual aid. More information on our mutual aid Statute 12.27
 and 12.331 will be coming soon from HSEM.
- IS 700 must be taken by all Emergency Managers. We strongly recommend that emergency response department leaders also take the IS-700 class and determine who else within their jurisdiction would benefit from this class. More information about this class is available at http://training.fema.gov/EMIWeb/IS/is700.asp.
- All Emergency Managers should take The National Response Plan (NRP), an Introduction IS-800. More information about this class is available at http://www.training.fema.gov/emiweb/IS/is800.asp.
- Institutionalizing the use of the ICS training by continuing to provide basic ICS training through the use of MIMS and other authorized curriculum. Jurisdictions that have not been using ICS should start by having their responders complete the NIMS Awareness Course: "National Incident Management System (NIMS), An Introduction" IS-700. This independent study course developed by the Emergency Management Institute (EMI) explains the purpose, principles, key components and benefits of NIMS. The course is available online and will take between 45 minutes to three hours to complete. The course is available on the EMI web page at: http://training.fema.gov/EMIWeb/IS/is700.asp.
- Establish a NIMS baseline by determining which NIMS requirements your jurisdiction already meets and then developing a strategy and timeline for full NIMS implementation. We recognize that most local entities have already implemented many of the concepts and protocols identified within NIMS. In order to assist you in determining your level of compliance with NIMS, the National Incident Management System Integration Center (NIC) has developed the NIMS Capability Assessment Support Tool (NIMCAST). The NIMCAST is a Web-based self-assessment system that states, territories, tribes and local governments can use to evaluate their incident response and management capabilities. This useful tool identifies the requirements established within the NIMS and can assist you in determining the extent to which you are already compliant as well as identify the NIMS requirements that you are not currently meeting. Additional information on NIMCAST is available at http://www.fema.gov/nimcast/index.jsp. HSEM will be administering passwords and accessibility to the site by the end of March 2005.

Minnesota is fortunate that we have had an ICS requirement since 1991 and statewide institutionalized ICS training program, such as MIMS, since 1996. As NIMS continues to evolve, more detailed information will be available. The main thing now is to formally adopt and use the NIMS, update plans so they are consistent with NIMS and conduct a compliance assessment to determine where your jurisdiction falls within the NIMS compliance guidelines. Full compliance with all of the NIMS requirements will take a long-term strategy that we will work toward together. HSEM recommends taking this one step at a time. The first step is to complete your NIMCAST compliance assessment and then to develop the long-term strategy and timeline for full and complete NIMS implementation.

Please remember that the NIMS encompasses much more than just the ICS, although ICS is a critical component of the NIMS. It also provides a common foundation for training and other preparedness efforts, communicating and sharing information with other responders and with the public, ordering resources to assist with a response effort and for integrating new technologies and standards to support incident management. For the first time, all of the nation's emergency responders will use a common language and a common set of procedures, whether working individually or together to keep America safe. The NIMS ensures that jurisdictions will have the same preparation, the same goals, the same expectations, and most importantly, they will be speaking the same language.

This document is intended to address only the basic ICS issues contained within NIMS. More detailed information is expected in late April, and the state of Minnesota Department of Public Safety Division of Homeland Security and Emergency Management will be forwarding the information as it is released.

EXECUTIVE ORDER 05-02

DESIGNATION OF THE NATIONAL INCIDENT MANAGEMENT SYSTEM (NIMS) AS THE BASIS FOR ALL INCIDENT MANAGEMENT IN THE STATE OF MINNESOTA

I, TIM PAWLENTY, GOVERNOR OF THE STATE OF MINNESOTA, by virtue of the authority vested in me by the Constitution and applicable laws, including Minnesota Statutes 2004, Section 221.0269, do hereby issue this executive order:

WHEREAS, the President, in Homeland Security Directive HSPD-5, directed the secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for federal, state, local, and tribal governments to work together more effectively and efficiently to prevent, prepare for, respond to, and recover from domestic incidents, regardless of cause, size, or complexity;

WHEREAS, the collective input and guidance from all federal, state, local, and tribal homeland security partners has been, and will continue to be, vital to the development, effective implementation, and utilization of a comprehensive NIMS;

WHEREAS, it is necessary and desirable that all federal, state, local, and tribal emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management;

WHEREAS, to facilitate the most efficient and effective incident management, it is critical that federal, state, local, and tribal organizations utilize standardized terminology and standardized organizational structures; interoperable communications; consolidated action plans; unified command structures; uniform personnel qualification standards; uniform planning, training, and exercising standards; comprehensive resource management, and designated incident facilities during emergencies or disasters;

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities, and resources will improve the state's ability to utilize federal funding to enhance local and state agency readiness, maintain first responder safety, and streamline incident management processes;

WHEREAS, the Incident Command System components of NIMS are already an integral part of various incident management activities throughout the state, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommends adoption of a standardized Incident Command System;

NOW, THEREFORE, I do hereby establish the National Interagency Incident Management System (NIMS) as the state standard for incident management.

Minnesota State Statute 2004, Chapter 12, Section 12.27

12.27 Mutual aid, arrangements.

Subdivision 1. Authority; organizations in Minnesota.

The director of each local organization for emergency management may, in collaboration with other public and private agencies within this state, develop or cause to be developed mutual—aid arrangements for reciprocal emergency management aid and assistance in an emergency or disaster too great to be dealt with unassisted. These arrangements must be consistent with the local emergency operations plan and, in time of emergency, each local organization for emergency management and its members shall render assistance in accordance with the provisions of the mutual—aid arrangements.

Subd. 2. Authority; organizations in other states.

The state director or the director of each local organization for emergency management may, subject to the approval of the governor, enter into mutual aid arrangements with emergency management agencies or organizations in other states for reciprocal emergency management aid and assistance in case of disaster too great to be dealt with unassisted.

Subd. 2a. Authority; organizations in Canadian provinces. Subject to the approval of the governor, the state director may enter into mutual aid agreements with emergency management agencies or organizations in Canadian provinces for reciprocal emergency management aid and assistance in case of disaster too great to be dealt with unassisted.

Subd. 3. Local delegation of authority.

- (a) No later than 90 days after August 1, 1996, the governing body of a political subdivision shall designate a city administrator or manager, public safety director, police chief, fire chief, public works director, or other officer who, exercising discretion and considering the needs of the political subdivision and its inhabitants, may dispatch equipment and personnel as considered necessary if a danger of fire, hazard, casualty, or another similar occurrence exists outside the political subdivision and by its suddenness it would be impractical for the governing body itself to authorize the dispatch of equipment and personnel to combat that emergency or disaster.
- (b) Action under this subdivision is an act of the political subdivision. All provisions for compensation of personnel, rental of equipment, liability insurance coverage, workers' compensation insurance, and other matters pertaining to the political subdivision, its equipment, and personnel, apply in each case as if specifically authorized and directed.
- (c) The officer shall end the use of equipment and personnel when the need no longer exists or earlier at the officer's discretion if it appears to be in the best interest of the political subdivision ...

Minnesota State Statute 2004, Chapter 12, Section 12.331

12.331 Local assistance between political subdivisions.

Subdivision 1. Authority between political subdivisions.

When the public interest requires it because of an emergency, a political subdivision may request the assistance of another political subdivision. Upon receiving such a request, a political subdivision, called the "sending political subdivision," may go to the assistance of the requesting political subdivision, called the "receiving political subdivision." The receiving political subdivision may accept and use the personnel, equipment, and supplies of the sending political subdivision as agreed upon by both political subdivisions.

Subd. 2. Effect.

- (a) Unless there is a written agreement between the political subdivisions establishing the rules for conducting these activities, the provisions of paragraphs (b) to (e) shall apply while the political subdivisions are engaged in the activities described in subdivision 1.
- (b) For the purposes of worker's compensation insurance, the employees, officers, and members of the sending political subdivision have the same powers, duties, rights, privileges, and immunities as if they were performing similar services in the sending political subdivision and are considered to be acting within the scope of and in the course of their regular employment, as employees of the sending political subdivision.
- (c) For the purposes of chapter 466, the employees and officers of the sending political subdivision are deemed to be employees, as defined in section 466.01, subdivision 6, of the receiving political subdivision.
- (d) The sending political subdivision shall be responsible for any damages to its equipment.
- (e) The receiving political subdivision shall reimburse the sending political subdivision for the supplies used and the compensation paid to the officers and members of the forces furnished, during the time when the rendition of aid prevents them from performing their duties in the sending political subdivision, and for the actual travel and maintenance expenses of the officers and members while so engaged. A claim for loss, damage, or expense in using equipment or supplies or for additional expenses incurred in operating or maintaining them must not be allowed unless within 90 days after the loss, damage, or expense is sustained or incurred, an itemized notice of it, verified by an officer or employee of the municipality having knowledge of the facts, is filed with the clerk of the receiving political subdivision.

Subd. 3. Retroactive effect.

Notwithstanding other laws this section is effective retroactive to March 29, 1998.

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

RESOLUTION 2005 – 134 ADOPTING AND PROMOTING THE USE OF INTRASTATE MUTUAL—AID AGREEMENTS

WHEREAS, Chapter 12, Section 12.331 allows for Intrastate Mutual Aid, and direct, timely assistance between jurisdictions is critical; and

WHEREAS, the possibility of the occurrence of natural and other disasters of major size and destructiveness exists and is increasing; and

WHEREAS, there is a need to ensure that preparations of **City of Lake Elmo** will be adequate to deal with disasters; generally protect the public peace, health, and safety; and preserve the lives and property of the people of the state; and

WHEREAS, it is necessary to provide for the rendering of mutual aid among the political subdivisions of the state and to cooperate with the federal government with respect to carrying out emergency management functions; and

WHEREAS, it is the policy of Minnesota that all emergency response functions of this state be coordinated to the maximum extent with the comparable functions of the state government, including its various departments and agencies, of other states and localities, and of private agencies of every type, to the end that the most effective preparations and uses may be made of the state's labor supply, resources, and facilities for dealing with any disaster that may occur; and

WHEREAS, the director of each local organization for emergency management may, in collaboration with other public and private agencies within this state, develop or cause to be developed mutual—aid arrangements for reciprocal emergency management aid and assistance in an emergency or disaster too great to be dealt with unassisted. These arrangements must be consistent with the local emergency operations plan and, in time of emergency, each local organization for emergency management and its members shall render assistance in accordance with the provisions of the mutual—aid arrangements; and

NOW, THEREFORE, be it resolved that **City of Lake Elmo** promotes the efficiency and effectiveness of intrastate mutual aid by designating the City Administrator of Lake Elmo, Washington County, who, exercising discretion and considering the needs of the political subdivision and its inhabitants, to dispatch equipment and personnel as considered necessary if a danger of fire, hazard, casualty, or another similar occurrence exists outside the political subdivision and by its suddenness it would be impractical for the governing body of **City of Lake Elmo** itself to authorize the dispatch of equipment and personnel to combat that emergency or disaster.

	Dean A. Johnston, Mayor
ATTEST:	
Martin J. Rafferty, City Administrator	<u> </u>

ADOPTED, by the Lake Elmo City Council on the 6th day of December, 2005.

Lake Elmo City Council December 6, 2005	Agenda Section: MAINTENANCE/PA	RK/FIRE/BUILDING	<u>No.</u> 7B.
Agenda Item:			
(1) Building D	ept. Monthly Update.		,
(2) Council Di	scussion on Side Yard Retaining Wall. (V	Verbal)	
(3) Relationsh	ip of Garage to Home Size. (Verbal)		
Background Infor	nation:		
(A) November	r Construction Activities Report.		
		!	
Action Items: Informational. No	action needed.	Person responsib	le:
Attachments: Summary Building	g Report for November		

LAKE ELMO PARK RESERVE MASTER PLAN AMENDMENT

PRELIMINARY DRAFT

(December 1, 2005)

This draft will provide the reader with a good understanding of most of the key components of the Master Plan Amendment. It does not include Chapter 7 – Park Operations and Management and several sections of other chapters listed in the Table of Contents. In addition to preparing the missing chapter and sections, some of the narrative will be expanded and more photos, charts and plans will be added to complete the final draft.

Prepared by:

Sanders
Wacker
Bergly, Inc.
Landscape Architects
and Planners
365 East Kellogg Boulevard
Saint Paul, MN 55101

with

Washington County Parks Division

2005



		·	
.			
ah.			
•			
			:
≫			
			:
₹			:
-€			

\mathbf{C}	apter Page	e
1.	Introduction a. Overview of Lake Elmo Park Reserve	2
2. Recreation Demand Forecast		
	a. Introduction	1
3.	Cultural Resources Stewardship a. Introduction b. Legal and Regulatory Framework c. Cultural & Natural History d. Known & Potential Cultural Resources a. Archaeological Sensitivity Models c. Recommendations 3.28	1 2 2 8
4.	Natural Resources Stewardship a. Introduction	1 2 3 3 4 5
5.	Development Plan Introduction	

	d.	Use and Development Conflicts
	e.	Buffer Zones
	f.	Public Services
	g.	Education and Interpretation
	ĥ.	Facilities Discussed and Omitted
	i.	Undeveloped Facilities Included in the 1978 Master Plan
5.		rk Boundaries and Acquisition
	a.	Introduction
	b.	Site Context and Adjacent Land Uses
	c.	Potential Land Acquisition
7.	Par	rk Operations and Management
	a,	Introduction
	b.	Ordinances
	c.	Energy Conservation
	d.	Cost Estimates for Development, Operations and Maintenance
	e.	Revenue Sources
	f.	Marketing

Chapter 1: Introduction

Overview of Lake Elmo Park Reserve

Lake Elmo Park Reserve is a natural resource-based regional park that is 2165 acres in size and is located in central Washington County. The site is within the limits of the City of Lake Elmo and is less than 2 miles from the east boundary of the City of Oakdale and the north boundary of Woodbury. As a "Reserve" the focus of the park is to provide the public with nature-oriented recreation opportunities such as viewing and studying wildlife and wildlife habitat, learning about conservation, swimming, picnicking, hiking, orienteering, boating, camping and trail uses. The original Master Plan for the park was completed in 1978 (See Figure 1.1) and the site was opened for public use and enjoyment in 1985. The early Master Plan directed development of a variety of facilities that have provided high quality recreation opportunities for residents of Washington County and the region. The facilities include the following (see Figure ?):

- Paved trails(hiking, biking, inline skating)
- Unpaved multi-use trails(mountain biking, equestrian, hiking, skiing, snowshoeing)
- Modern campground
- Primitive campsites
- Group campground
- Equestrian campground
- Picnic areas
- Swimming pond
- Open field play areas
- Playgrounds
- Fishing pier
- Boat launch
- Contact station
- Paved roads, parking lots, maintenance garage and other support facilities
- Archery range
- Orienteering course
- Drainage control structures

In addition to the development of recreation facilities, the Parks Division has directed several projects focused on restoration and preservation of the park's natural resources. The work included successful prairie restoration projects, tree planting and construction of storm water management systems that helped to prevent erosion and improve water quality in lakes and wetlands. Other projects that were completed for enrichment of wildlife habitat include such efforts as the installation of duck nesting platforms, bluebird houses and osprey nesting poles.

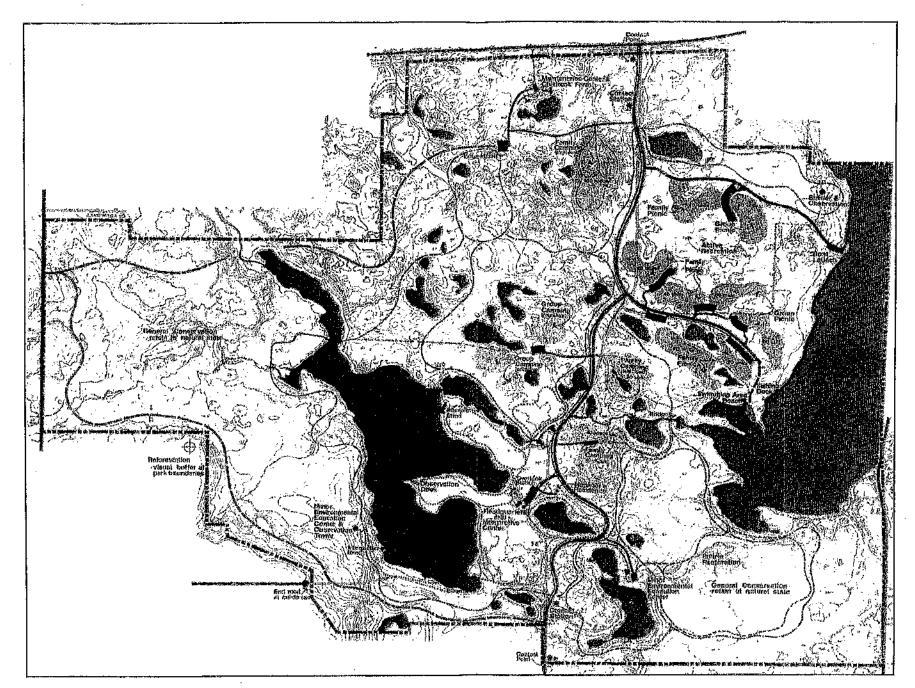
The park is an oasis of expansive green open space in the midst of urban development. Diverse habitats include a deep water lake, a variety of wetlands, prairie, remnants of oak savanna and woodlands. The park also contains farm land still under cultivation and other fields where farming has been discontinued for various lengths of time.

The County determined that the 1978 Master Plan has served its purpose and that it is time to prepare an amendment to the plan that addresses the effects of population growth, new trends in recreational needs and protection and restoration of natural resources. The plan also considers preservation and interpretation of cultural resources such as Native American Archeological features and the more recent European farmsteads.

Consulting firm Sanders Wacker Bergly, Inc. (SWB), in association with Savanna Designs and ALO Environmental Associates, was commissioned by the Parks Division of the Washington County Department of Transportation & Physical Development in April 2005 to assist in the preparation of an amendment to the Lake Elmo Park Reserve Master Plan. The content of the amendment is consistent with the guidelines established by the Metropolitan Council in its Regional Recreation Open Space and Policy Plan. The Master Plan Amendment will be used to guide operations and management of the park for the next 15 to 20 years.

Planning Process

The planning process began with an inventory and analysis of existing site conditions including built facilities, vegetation, soils, topography, drainage, vehicular and pedestrian circulation, etc. The information was assembled on plans and drawings for presentation at meetings with stakeholders and for inclusion in the master plan report. It is critical to understand existing site conditions, opportunities and constraints and apply this information to the preparation of plans for development, operations and management in the park. It is also important to review the data with interested stakeholders so everyone that contributes to the planning process forms their opinions and recommendations from a common information base.



1978 MASTER PLAN

The program for park development evolved as a result of input received from county staff, other agencies and the public at large. Public meetings included large and small group discussions and attendees were encouraged to fill out comment cards to document their recommendations. The cards also gave those that are reluctant to speak in group settings an opportunity to provide input. Public participation efforts included meetings, work sessions and other communication with the following stakeholder groups:

- Meetings with Parks Division Staff to gather background information on Lake Elmo Park
 Reserve and the county park system and to gain input on county goals and objectives and
 subsequent design concepts.
- Five meetings with the Technical Advisory Committee to receive input on site analysis information, goals and objectives and design concepts. The committee is comprised of representatives from the Cities of Lake Elmo, Oakdale and Woodbury, the Washington Conservation District and the Washington County Park and Open Space Commission.
- Three public open houses were held early in the process to receive input from area residents on goals and objectives and design concepts. One meeting was held in Lake Elmo, one in Oakdale and one in Woodbury. Additional input was received from each community at open meetings with the city councils.
- Public input was received from visitors to the Parks Division booth at the County Fair through discussion and comment cards.
- Information about the planning effort was posted on the County Web site and comments were received via email.

Input received from stakeholders during the planning process was used to help establish goals and objectives for preparation and refinement of the development and management plans for the park.

Purpose/Outcome

The primary purpose of the Master Plan Amendment is to provide guidance and information on the following topics to the Washington County Parks Division, County Park and Open Space Commission, County Board of Commissioners, Metropolitan Council and others responsible for operation and maintenance of the park. The content is based on the eleven requirements for master plan content listed in the Metropolitan Council's Regional Recreation Open Space Policy Plan that follow:

Boundaries and Acquisition

- Stewardship Plan
- Demand Forecast
- Development Concept
- Conflicts
- Public Services
- Operations
- Citizen Participation
- Public Awareness
- Special Needs
- Natural Resources

In addition, the planning process played the important role of bringing together county residents, staff and officials, agencies and other stakeholders to assess the park's current condition and to plan its future in an open format that encouraged public participation. The amendment was recommended for approval by the County Park and Open Space Commission on ? and presented to the County Board of Commissioners at a public hearing on ?.

Chapter 2: Recreation Demand Forecast

Introduction

Lake Elmo Park Reserve provides a variety of outdoor recreation opportunities that are popular with residents of Washington County and the region. The demand for specific facilities and programs is determined chiefly by trends in recreation interests and demographics. Participation in traditional activities such as hiking, swimming and nature observation continues to grow and the number of participants in newer activities such as mountain biking and orienteering is also expanding. Population growth and the fact that people are devoting more time to leisure activities establish a growing need and greater demand for the type of facilities that may be offered by the county at Lake Elmo Park Reserve. The planning process considered the following information sources to aid in identifying trends affecting user patterns and recreation needs relating to the park:

- 1. Input received from residents, county staff, county officials and other stakeholders
- 2. Washington County 2004 Visitor Study
- 3. Washington County Parks Division 2004 Annual Report
- 4. MNDNR 2004 Outdoor Recreation Participation survey of Minnesotans
- 5. Annual Use Estimate of the Metropolitan Regional Parks System for 2004
- 6. U.S. Census Data

Demographics

The population in Washington County and the seven county Metropolitan Area has grown steadily since 1990 with the county's growth rate being three times that of the overall state. The U.S. Census Bureau projects continued growth in the county and Metro Area through 2030. Figure ? shows growth statistics for this period.

Figure?

1990	2000	2010	2120	2030
49,246	71,462	93,949	116,834	138,117

Metropolitan Council Population Forecasts for Washington County

4	_			•
1990	2000	2010	2120	2030
145,880	201,130	244,732	296,693	342,620

Metropolitan Council Household Forecasts for the Metropolitan Area

1990	2000	2010	2120	2030
875,504	1,021,256	1,202,539	1,369,984	1,496,607

Metropolitan Council Population Forecasts for the Metropolitan Area

1990	2000	2010	2120	2030
2,288729	2,642,062	3,028,102	3,376,723	3,639,750

The age profile of Washington County residents (see Figure?) is similar to the state averages for those under 5 and under 18, however, only 7.6% of county residents are over 65 compared to 12.1% of state residents. The male to female ratio is the same as the state average.

Washington County residents are somewhat more affluent than the average Minnesotan which is evidenced by a higher median household income (\$66,305.00 vs. \$47,111.00), fewer individuals with incomes below the poverty level (2.9% vs. 7.9%) and fewer multi-unit housing structures (12.5% vs. 22.3%). Income affects the ability of people to pay for equipment and fees required to participate in leisure activities and to pay transportation expenses required to gain access to the activities.

The Minnesota Department of Natural Resource's (MNDNR) <u>'2004 Outdoor Recreation Participation Survey of Minnesotans'</u> (ORPSM) states: "Most of Minnesotan's outdoor recreation occurs near home and within the state. Just under 70 percent (67%) of all recreation use (hours) is within a half-hour drive of home, and nearly 90 percent (89%) occurs in Minnesota."

LEPR is a 15 minute drive from the heart of St. Paul and approximately 30 minutes from Minneapolis. Development is spreading rapidly from the Metro core in all directions to Anoka, Carver, Scott, Dakota and Washington Counties. As development devours rural open space, urbanites must travel farther to experience fewer havens of green open space.

Many people have an inherent need to escape, occasionally, from city environs to a rural or "natural setting". LEPR joins Afton and William O'Brien State Parks and the St. Croix Valley as a major, regional, recreation open space destination in Washington County. LEPR is the nearest of these facilities as recreators travel west from the Twin Cities area into the county. The park's proximity to I-94, I-694

and Hwy. 36 provides clear, convenient access. The 2004 Washington County Visitor Study indicates that, during the years 2001 - 2004, 40% of the park visitors were out-of-county residents.

The number of visitors to LEPR in 2004 was 476,859. In view of the fact that statistics indicate a growth trend in leisure time among the general populace, it would be reasonable to expect that the number of visitors will increase at a rate greater than population growth. If, at some future time, the number of visitors exceeds the carrying capacity of the park and its facilities, Washington County may elect to impose limitations on park access.

It is expected that the useful life of the Master Plan Amendment will be at least 15 years. Projections in Figure? suggest that the number of visitors will increase by approximately 158,725 or 30% during that period. Some of the existing park facilities such as the modern campground, picnic shelters and archery range are currently operating at full capacity during heavy use periods. The projected visitor increase highlights the need to revisit the Master Plan and prepare recommendations that will provide guidance to the county for effectively managing future development and maintenance of the park.

Recreation Demand

Outdoor recreation is an important part of most people's lives. The MNDNR '2004 Outdoor Recreation Participation Survey of Minnesotans' (ORPSM) mentions that 57% of Minnesotans "indicate that outdoor recreation is 'very important' to their life, while another 25 percent indicate it is 'moderately important'. The remainder-comprising one in five Minnesota adults (18%) - believe outdoor recreation is of little importance." The survey also mentions that outdoor recreators have the following reasons for going outdoors (listed in order of survey rank):

- 1. Enjoy nature
- 2. Exercising and feeling healthier
- 3. Build bonds with family and friends
- 4. Escape pressures of modern life
- 5. Experience piece and quiet
- 6. Learning and Exploring

The ORPSM further indicates that the following activities are popular among Minnesota adults (listed in order of survey rank based on numbers that participate):

1. Walking/hiking outdoors for exercise or pleasure

- 2. Boating of all types
- 3. Swimming
- 4. Driving for pleasure
- 5. Picnicking
- 6. Fishing of all types
- 7. Biking
- 8. Visiting outdoor zoos
- 9. Camping of all types
- 10. Visiting nature centers
- 11. Nature observation of all types

The 'Washington County Visitor Study - A Summary of Results Among All Respondents from 2001 - 2004' indicates that responses recorded during four years of surveying park visitors resulted in the following ranking of recreational activities (based on activities in which respondents participated):

- 1. Biking on pavement
- 2. Camping
- 3. Walking
- 4. Swimming
- 5. Fishing
- 6. Boating
- 7. Play areas
- 8. Gardening
- 9. Nature walks/trails
- 10. Running

The findings of the MNDNR and Washington County surveys are generally consistent with recreation trends that have been apparent in the use of facilities at Lake Elmo Park Reserve and with input received from stakeholders during the planning process. The facilities that are existing or considered for development in the Master Plan Amendment include the following:

- Trails including hiking, biking, skiing, snowshoeing and horseback riding
- Family, group, primitive and equestrian camping
- Picnicking
- Fishing pier
- Boat landing improvements (no expansion)

- Nature center
- Natural and cultural resource protection, restoration and interpretation
- Interpretive center
- Outdoor program area
- Field and traditional archery ranges

The 'Development Plan' section of the plan contains detailed information about the addition and expansion of facilities.

Chapter 3: Cultural Resources Stewardship

Legal & Regulatory Framework

The County will need to consider the legal and regulatory framework within which any future development is proposed at the Park Reserve. A proposed development or redevelopment project involving federal funds or permits will require compliance with various federal laws and regulations. Laws such as the "National Environmental Policy Act of 1969" (PL 91-190) and the "National Historic Preservation Act (NHPA) of 1966 as amended" (PL 89-665) provide protection for the nation's cultural resources. The NEPA requires that archaeological and other historic resources be considered during the environmental assessment process and in environmental impact studies. The NHPA established a national historic preservation policy; created the National Register of Historic Places (NRHP) and the cabinet-level Advisory Council on Historic Preservation (ACHP); and established the Section 106 process, which requires consideration of cultural resources for undertakings that are federally funded, licensed, or permitted. It is not uncommon for park & recreation projects to involve impacts to wetlands thereby necessitating a permit from the U.S. Army Corps of Engineers (USACE). A USACE permit, in turn, will federalize the entire proposed project so that compliance with Section 106 of the NHPA will also become necessary.

Since the Park Reserve is owned & operated by Washington County, political subdivisions of the State of Minnesota, state statutes also apply to lands within the Park Reserve. For instance, the "Minnesota Historic Sites Act" (MS 138.51), the "Field Archaeology Act of 1963" (MS 138.31-.42), the "Private Cemeteries Act" (MS 307.08), the "Outdoor Recreation Act of 1975" (MS 86A), and the "Minnesota Environmental Rights Act" (MS 116B) all apply to lands within the Park Reserve.

The Minnesota Historic Sites Act recognizes that "[i]t is in the public interest to provide for the preservation of historic sites, buildings, structures, and antiquities of state and national significance for the inspiration, use, and benefit of the people of the state." This law directs state agencies and departments to cooperate with each other and the Minnesota Historical Society (MHS) in protecting properties listed in the NRHP or State Register of Historic Places and that may be affected by state or local undertakings.

The Field Archaeology Act ensures that "[t]he state of Minnesota reserves to itself the exclusive right and privilege of field archaeology on state sites, in order to protect and preserve archaeological and scientific

information, matter, and objects." This law established the Office of the State Archaeologist (OSA), and directs state agencies to cooperate with the OSA and the MHS in protecting known or suspected archaeological sites on non-federal, publicly owned or leased land or waters, or on land or waters affected by publicly funded (state and local) projects.

The Private Cemeteries Act states that "... all human burials and human skeletal remains shall be accorded equal treatment and respect for human dignity ... (t)he state archaeologist shall authenticate all burial sites for purposes of this section ..."

The Outdoor Recreation Act covers the "... the unique natural, cultural and historical resources of Minnesota [that] provide abundant opportunities for outdoor recreation and education..." The act encourages these resources to "...be made available to all the citizens of Minnesota now and in the future."

The Minnesota Environmental Rights Act asserts that "... each person is entitled by right to the protection of air, water, land and other natural resources within the state..." The state's definition of natural resources in this context includes historical resources.

This legal & regulatory framework means that the County should be prepared at a minimum to coordinate with the State Historic Preservation Office (SHPO) and/or the OSA for plans involving new construction and reconstruction within the Park Reserve's exterior boundaries. In many cases, the County also should be prepared to conduct archaeological & historical investigations prior to many future projects. The biggest functional difference between federal- & state-level compliance is that federal compliance requires consideration of adverse impacts that would result from proposed development within the viewshed of NRHP-eligible or listed cultural resources. If the County contemplates the addition of any new standing structures sometime in the future (e.g., interpretive or education centers, telecommunications towers, etc.) or modifications to existing historic standing structures, then Section 106 of the NHPA will need to be addressed.

Cultural & Natural History

Statewide Contexts

According to the most recent *Preservation Plan*, approximately 50,000 historic structures and 15,000 archaeological sites have been identified in Minnesota. Only 6,500 of these individual properties are

¹ Working Together: A Preservation Plan for Minnesota's Historic Properties, 2000-2005. Accessed online at http://www.mnhs.org/preserve/shpo/MSPPv1.pdf

listed on the National Register of Historic Places (NRHP), although they are distributed among all of the State's counties.

To evaluate the significance of the historic resources across the State, the State Historic Preservation Office (SHPO) created a three-tiered framework of historic contexts. These contexts are defined by time period, theme, and geographical area:

- Broad statewide patterns encompassing three periods: Pre-Contact (9500 B.C. A.D. 1650), Contact (A.D. 1650 1837) and Post-Contact (A.D. 1837 1945).
- Specific themes, identified as needed, to evaluate properties best understood in a framework smaller than statewide patterns.
- Contexts developed by a particular city or other local area for use in local planning.

Within the *Pre-Contact Period* (9,500 B.C. - A.D. 1650) archaeologists recognize specific historic contexts (e.g., Paleoindian Tradition, Archaic Tradition, Woodland Tradition, Late Prehistoric Period, Mississippian Tradition, and Oneota Tradition). The *Contact Period* (A.D. 1650 - 1837) is associated with various American Indian contexts (e.g., Eastern Dakota and Ojibwe) and Euro-American contexts (e.g., French, British, and Initial United States Presence) since this is the timeframe in which first Europeans then later Euro-Americans interacted with local American Indians. Examples of *Post-Contact Period* contexts that are relevant to the MWW campuses: (1) Reservations & the Indian Community (1830s-1930s), (2) St. Croix Triangle Lumbering (1830s-1900s), (3) Early Agriculture & River Settlement (1840-1870), (4) Railroads & Agricultural Development (1870-1940), and (5) Urban Centers (1870-1940).

Statewide historic contexts have been further subdivided into a variety of *thematic contexts*. For example, some thematic contexts that may be relevant to the MWW campuses include (1) lithic scatters, (2) earthworks, (3) Red River trails (1835-1871), (4) military roads (1850-1875), (5) quarries and mines, and (6) geographic features of cultural significance. The following section examines detailed information about the development of the natural and cultural landscapes through the Contact Period. Expected archaeological site types are also mentioned in this discussion.

American Indian Cultural & Natural History

The cultural sequence in Minnesota begins with the *Paleoindian* and *Early Archaic* periods (ca. 10,000 – 3,000 B.C.). As glaciers receded from the Upper Midwest, migratory groups of people settled throughout the areas of open woodlands and succeeding grasslands, hunting native herding animals, such as bison and mastodon, and likely exploiting available small game, fish and plant resources as well (Shane 1989). Throughout much of this early timeframe, the climate was becoming successively warmer and drier than during the glacial period. In addition to distinctive projectile points, the tool kits included large, bifacially flaked knives, simple choppers, and large scrapers (Harrison *et al.* 1995; Florin 1996; Higginbottom 1996). The settlement pattern is poorly understood for these groups of people, but it is largely accepted that they followed a mobile nomadic lifestyle. Expected site types include isolated and communal animal kill sites, short-term habitations, base camps, burials, quarries, lithic workshops, rockshelters, petroglyph (rock art) sites, and specialized processing sites (Clouse 1985). No Paleoindian or Early Archaic sites are known in the Lake Elmo Park Reserve.

Characteristic of the *Middle-Late Archaic* periods (ca. 3,000 - 800 B.C.) was a continued reliance on large game (i.e., bison to the west, and deer, elk, and moose to the east) and increasingly diversified technologies associated with hunting, trapping, fishing, foraging, woodworking, and plant processing. This diversification reflects more highly regionalized adaptations to local environmental conditions as climatic trends shifted to cooler and wetter conditions, a pattern that continues today. Chipped-stone tools, such as stemmed and notched projectile points, dominated the tool kits, but the use of pecked- and ground-stone tools also became widespread. The use of copper implements is apparent late in this span of time (Bleed 1969; Gibbon 1998). Evidence for the exploitation of diverse floral and faunal resources suggests a seasonal round type of subsistence-settlement system, with habitation areas often located along the margins of lakes and major rivers. Expected site types are lithic workshops, quarries, plant-gathering sites, fishing sites, petroglyphs, specialized processing sites, permanent villages, hunting campsites, rockshelters, communal hunting sites, and burials (Clouse 1985). No Middle-Late Archaic sites have been recorded in the Lake Elmo Park Reserve.

The Woodland Period (ca. 800 B.C. - A.D. 1630) in the region may have been associated with incipient plant domestication, but hunting with intensive wild rice gathering provided for the bulk of subsistence needs. Settlement patterns resembled those appearing previously, with particularly intense occupation of stream and lake junctions late in the period. The production of ceramic items is an especially significant technological innovation of the Woodland Period. Ceramic types commonly found in the region include Malmo, Howard Lake, Brainerd, St. Croix, Onamia, Black Duck, Clam River, and Sandy Lake (Anfinson 1979). Mound construction associated with mortuary activity also developed during this period, and this region possesses the highest concentration of mound sites in the State (Winchell 1911; Wilford et al. 1969). Expected site types include quarries, lithic workshops, clay-extraction sites, ceramic manufacturing sites, hunting camps, permanent villages, specialized processing sites, plant-gathering

sites, fishing sites, rockshelters, petroglyph sites, burials, and possibly even horticultural fields (Clouse 1985). No Woodland sites have been recorded at the Lake Elmo Park Reserve, although sites 21WA0057 & 21WA0058 at Eagle Point Lake are thought to be late prehistoric or early protohistoric in age (see descriptions below).

Evidence of what Clouse (1985) calls "Southern Minnesota Upper Mississippian (Oneota)" and what Dobbs & Anfinson (1989) simply refer to as *Oneota* (ca. A.D. 1000-1300) has been reported for the region, with the largest reported sites along the margins of major river valleys or other water bodies (Gibbon 1973, 1982). In this region these cultures appear to have been characterized by a blended subsistence strategy based on simple agriculture, gathering, and bison hunting. Possible site types include semi-permanent villages, permanent and possibly fortified villages and outlying farmsteads, horticultural fields, quarries, lithic workshops, clay-extraction sites, ceramic manufacturing sites, hunting camps, specialized processing sites, plant-gathering sites, fishing sites, rockshelters, petroglyph sites, and burials (Clouse 1985; Dobbs & Anfinson 1989). No Oneota sites are known in the Lake Elmo Park Reserve.

Early in the Historic Period (ca. A.D. 1630) the western portions of this region were occupied by Yankton Dakota, while Eastern Dakota occupied the east (Wedel 1974). One Eastern Dakota property type for the Contact Period is the large, semi-permanent village (Dobbs 1989). Additional property types for the Eastern Dakota in the Contact Period may be recognized through extrapolation backward in time from those recorded in the mid-1800s (*Post-Contact Period*, see below). They include summer residential and logistical base camps, winter camps, wild ricing camps, maple sugaring camps, muskrat procurement sites, cranberry camps, deer-hunting base camps, deer cache sites and deer kill sites, and scaffold burial sites (Dobbs 1989). No Contact Period Dakota sites have been recorded in the Lake Elmo Park Reserve, although sites 21WA0057 & 21WA0058 at Eagle Point Lake are thought to be late prehistoric or early protohistoric in age (see descriptions below).

Written descriptions of the Ojibwe as Upper Great Lakes inhabitants date as far back as A.D. 1640. During the 18th century there was a major geographical expansion of Ojibwe populations, possibly as a result of sociopolitical pressures exerted on them by the westward expansion of Europeans from the East Coast. Anfinson (2003:57) says "the impact of French trade on intertribal relations and tribal migrations exceeded the French presence and would increase the Dakota's use of the MNRRA corridor." Wars between the Ojibwe and Dakota lasted from the 1730s until 1854, and Ojibwe peoples finally displaced the Dakota southward and westward by the early 1900s. Based on ethnohistoric records several property types have been suggested: seasonal villages, small wintering camps, maple sugaring camps, wild ricing camps, fishing stations, cemeteries and other religious and sacred places, and battle sites (Dobbs 1989). No Ojibwe sites of the Contact Period have been recorded in the Lake Elmo Park Reserve, although sites

21WA0057 & 21WA0058 at Eagle Point Lake are thought to be late prehistoric or early protohistoric in age (see descriptions below).

Natural History

The Lake Elmo Park Reserve falls within the archaeological zone that Anfinson (1990) calls "Region 4: Central Deciduous Lakes" on the basis of its topography and primary natural vegetation. The topography of this region is a patchwork of glacial deposits - moraines, till plains, and outwash plains. Numerous lakes, some over 100 feet deep, are located in Region 4.

These lakes are remnants of melted ice blocks left behind as the Laurentide icesheet and its associated lobes and sublobes retreated northward at the end of the last Ice Age (Wisconsinan). The larger precursors of today's lakes are called "glacial lakes" (e.g., Glacial Lake Agassiz and Glacial Lake Duluth). Likewise the broader precursors of today's rivers are called "glacial rivers" (e.g., Glacial River Warren). The Mississippi River now flows through the eastern and central parts Anfinson's Region 4; the St. Croix River is the region's eastern boundary. In early historic times, the vegetation in the southern and western parts of Region 4 was dominated by Big Woods with numerous, large patches of prairie and oak woodlands.

The U.S. General Land Office (GLO) first surveyed Oakdale Township in 1847. At this time the only cultural resource depicted on Trygg's (1969) map in the St. Paul-to-Stillwater Road, which is just north of the northernmost Park Reserve boundary (**Figure 1**). Vegetation encountered by the GLO surveyors was classified by Marschner (1930) as "Oak Openings & Barrens," "Prairie," and "Wet Prairies, Marshes & Sloughs."

Euro-American History

According to Dobbs (1989:62), the first century of European presence in Minnesota is often referred to as the "French Regime." The French presence began in the early 1600s with explorers, clergymen, and fur traders (Birk 1991); the "regime" ended in 1763 when the British took control of Canada. Property types associated with the French include permanent fortifications, temporary yet fortified outposts, accommodations for Frenchmen in Indian villages, special activity areas (e.g., transient encampments, seasonal fishing or hunting camps, kill sites, portages, battlegrounds, mines, burials, etc.), and canoe accident sites or other places where lost or discarded items might have been deposited. The French explorer LeSeuer was in the general area in 1695 but civilian settlement was sparse until the 1840s. No French sites of the Contact Period have been recorded in the Lake Elmo Park Reserve.

From 1762 until the Louisiana Purchase by the United States in 1803, the Mississippi River was the focal point of territorial flip-flops among France, Spain, and Britain. This time period not only marked shifting

and often violent relationships among American Indian groups (see Dakota and Ojibwe, above) but it also involved shifting allegiances between American Indian groups and the various European nations staking claims throughout North America. Dobbs (1989) suggests that wintering posts and small posts are likely property types to have been inhabited by British traders. No British sites of the Contact Period have been recorded in the Lake Elmo Park Reserve.

Shortly after the Louisiana Purchase the Initial United States Presence began in Minnesota with Zebulon Pike's visit to Minnesota (1804-05). Major Stephen Long first arrived in 1817; Camp Coldwater was founded in 1819 near the confluence of the Mississippi and Minnesota rivers and construction of Fort Snelling began in the early 1820s. A variety of property types related to domestic, military, economic (trading), agricultural, and religious functions - is possible for this historic context. However, no Initial U.S. sites have been recorded in the Lake Elmo Park Reserve.

Euro-American settlement in the region began with the establishment of Ft. Snelling at the confluence of the Minnesota River and Mississippi River. Commercial centers formed first around the water-powered mills of St. Anthony Falls and the northernmost navigable reaches of the Mississippi River (Anfinson 1989). The region saw the development of agricultural communities in the west and lumbering centers in the east during the mid- to late-1800s. Steamboat traffic grew quickly after 1823 (Anfinson 2003).

In 1825 a treaty was signed at Prairie du Chien, Wisconsin. Among other things, this treaty effectively separated Minnesota's two major American Indian groups into Ojibwe territory in the north and Dakota territory in the south. Through a subsequent series of treaties between 1837 and 1889, American Indians ceded most of their lands to the U.S. Government. These actions led to the period of *Reservations and the Indian Community (1830s-1930s)*. Ojibwe reservations in Minnesota include Fond du Lac, Grand Portage, Leech Lake, Mille Lacs, Nett Lake (Bois Forte), Red Lake, and White Earth. Following the U.S.-Dakota War of 1862, the Dakota were driven from Minnesota. However, many Dakota returned to Minnesota in the late 19th century, settling in the communities of Lower Sioux, Upper Sioux, Prairie Island, and Shakopee Mdewakanton. Examples of property types associated with this historic context are ceremonial and religious sites, reservations, U.S.-Dakota battle sites, missions, churches, missionary residences, mission schools, Government schools, Indian community centers (particularly in urban areas), representative housing types, commercial establishments, sites associated with Federal Indian policy, sites associated with continued traditional land uses (State Historic Preservation Office 1985). None of these property types have been recorded previously for in Lake Elmo Park Reserve.

Concurrent with the move to reservations and associated battles and other activities, the new American settlers of the region began to significantly alter the natural landscape to support a variety of growing

socioeconomic demands. The white pine forests, many on lands ceded by the Dakota and Ojibwe in 1837, were key to the development of the region (State Historic Preservation Office 1985). Entrepreneurs from New England who had already over-forested that region developed a lumbering economy based on cutting wood in the winter and transporting the timber logs down the St. Croix, Rum, and Mississippi rivers in the spring to boom sites (State Historic Preservation Office 1985). The logs were milled at sawmills along the rivers – several of these sites served as the centers of townsite development (e.g., Stillwater and Anoka). Milled lumber was shipped down the Mississippi River to Iowa, Illinois, Missouri, and other destinations. These activities are subsumed within the historic context entitled, St. Croix Triangle Lumbering (1830s-1900s). Some primary property types associated with this historic context include lumber mill sites, housing for loggers, logging dam sites, boom sites, farm camps, townsites and associated structures (e.g., residences, commercial buildings, churches, public buildings). None of these property types have been recorded in Lake Elmo Park Reserve.

The opening of Minnesota lands by the Federal and Territorial governments created additional opportunities for immigrants. Settlement initially occurred largely along waterways, including the Mississippi River and its tributaries. The earliest settlements began in Washington County in the 1840s and then "spread, fan-like, westward" (State Historic Preservation Office 1985). Lake Elmo and other towns like it were established during this period of Early Agriculture and River Settlement (1840s-1870s). Many of the towns became centers for processing crops, such as flour and sorghum mills and breweries. These were typically small operations that catered to a local market. Examples of property types associated with this historic context include farmstead structures (residences and outbuildings), non-farmstead rural structures (churches), river townsite structures (residences, churches, commercial buildings, public buildings, industrial buildings), agricultural processing and storage facilities (mills, breweries, warehouses), and structures associated with river transport.

It is logical, therefore, that the next statewide historic context that applies to the development within the present boundaries of Lake Elmo Park Reserve is Agricultural Development and Railroad Construction (1870s-1920s). Minnesota's first train traveled from St. Paul to St. Anthony in June 1862, and the St. Paul & Pacific Railroad reached Fridley in December 1863. "Railroads quickly undermined the [Mississippi] river's importance for transportation..." (Anfinson 2003:157). In less than a decade, railroad construction criss-crossed the State in earnest.

According to the State Historic Preservation Office (1985), primary features were the network of railroads and the large-scale production, first of wheat and later of a variety of farm products from diversified farming operations. The typical production unit began as the family farm, developed both by European immigrants and American-born settlers.

Towns were platted by railroad companies or individual entrepreneurs (or a combination) along rail lines to serve as shipping points for agricultural products and as supply-and-service centers. Industries related to the processing of agricultural products developed regionally. Two of the State's most important industrial centers were the flour milling district at St. Anthony Falls in Minneapolis (just downstream from the Fridley Campus) and the meat-packing operations in South St. Paul (State Historic Preservation Office 1985). First railroads, then later trucks, connected local markets with grain elevators and exchanges, processing facilities and warehouses, etc. in the Twin Cities and other large regional centers. Examples of property types associated with this historic context include farmsteads (subsistence level, diversified family farm, and bonanza), non-farmstead rural structures (churches, schools, town halls, etc.), railroad structures (freight and passenger depots, shops and section houses), townsite buildings (residences, commercial buildings, churches, schools, other public buildings), and agricultural facilities for processing, supply, and storage (creameries, breweries, warehouses, grain elevators, terminal elevators, packing and canning facilities, linseed oil and cheese factories, implement and supply dealers and factories, grain exchanges, flour mills). The St. Paul, Minneapolis & Omaha Railway is depicted on a plat map from Andreas (1874) along the north boundary of Lake Elmo Park Reserve (Figure 2).

The period defined by the statewide historic context of *Urban Centers* (1870-1940 saw a mixed pattern of residential development away from the downtown centers of St. Paul and Minneapolis (Nunnally in Anfinson 2003:173). As urbanization expanded throughout the 20th century, freight railways were dedicated to moving products great distances while streetcars moved people throughout the Twin Cities metropolitan area. Finally, automobiles increasingly defined the urban and suburban landscape after World War II (Nunnally in Anfinson 2003). Expected property types for this historic context include resources related to domestic, commercial, industrial, religious, education, government, and transportation functions (e.g., houses, apartment buildings, shops, processing and manufacturing sites, churches, schools, libraries, city and town halls, other public buildings, freight and passenger depots, shops and section houses, gasoline stations, airports, and other infrastructure). Many of these property types are evident as standing structures in Lake Elmo today, although archaeological features related to former structures are also possible in the Park Reserve.

Figure 2. Andreas (1874) Map

Washington County & Lake Elmo Park Reserve

One early settler near Lake Elmo Park Reserve was Bernard B. "Bun" Cyphers, a Virginian who arrived in the area in 1848. He & his wife, Maria, built a hotel, tavern, and stage stop, known as the "Lake House," near Sunfish Lake. Earlier travelers had reached St. Paul from the St. Croix River Valley via a

road from Afton and later by one from Stillwater that first crossed Little Canada. The Cyphers moved away, and John Morgan became the first permanent settler near the Park Reserve when, in 1849, he purchased a farm on Stillwater Road, west of Lake Elmo. By 1850 a new road, suitable for stagecoaches – had been constructed from St. Paul to Stillwater.² Morgan built a spacious hotel known as the "Halfway House," where stagecoaches enroute from St. Paul to Stillwater changed horses and ate meals.

Washington County was established on October 27, 1849. Its namesake is George Washington, the first President of the United States. Comprising 423 square miles and including part of the scenic St. Croix River Valley, Washington County was one of the nine original counties created in the Territory of Minnesota.³

Since its establishment, the County has played a diverse role in the region, serving the Twin Cities metropolitan area with its commercial, industrial, natural, and agricultural resources. Washington County experienced modest population growth in the early part of the 20th century. In 1900, the county's population was reported at 27,808 and increased only slightly to 34,544 in 1950. However, Washington County experienced dramatic and rapid population growth during the last half of the 20th century. In 1990, the population had skyrocketed to 145,896 and continued increasing throughout the 1990s at a rate of nearly 38%. The 2002 population estimate for Washington County was 210,724, ranking the County as fifth in population out of the 87 Minnesota counties. While much of Washington County has retained its rural atmosphere, today it is considered a "suburban" county.

The two-mile-long water body now known as Lake Elmo⁴ has played an important part in the development of the Town of Lake Elmo and Washington County. Since the late-1800s, visitors have been drawn to the lake for recreation, relaxation and scenery (Plate 1).

Developers for the St. Paul, Stillwater & Taylors Falls Railroad first recognized the recreational potential of Lake Elmo in the early 1870s. By 1880, the railroad company had built a small resort community along the lake's north end, and steamships provided access to distant shores (Plate 2). Large upscale cottages, a hotel, bathhouses, and sailboats attracted wealthy cosmopolitans to Lake Elmo's summer beauty and supply of fish. The most ambitious was the Elmo Residence Park, intended as a year-round community, which was platted in 1884 around the eastern side of the lake by a group of St. Paul

² This road corresponds roughly to modern Highway 5 & Stillwater Road.

³ Minnesota became a state on May 11, 1858.

⁴ Early settlers first called it "Bass Lake;" it was renamed in honor of a novel entitled, "Lake Elmo," in 1879 by railroad promoter, Alpheus B. Stickney.

businessmen (Goodman 2004). The development was publicized as "a beautiful park & lakeside home suburb near St. Paul" (Plate 3).

A community named, "Lake Elmo Village," sprang up around the resort and railroad station. A "Doctor Stevens" established a practice in the village, and years later he founded a private hospital in the village. In 1889, a power house was erected, giving Lake Elmo the first electric lights west of Chicago. By the early 1890s, streetcars were well established and streetcar companies were extending their lines to lakes close to the Twin Cities. During this time, the village included a store, saloon, grain-house, blacksmith, and wagon repair shop. By 1900, a cooperative creamery and grain elevator had been added to the village. In 1911 a bank was established, and a consolidated school was built there by 1914. By the 1920s, Stillwater Road had been paved, and the village incorporated in 1925 as a substantial shipping point and dairy center.

In subsequent decades, the area retained a bucolic, old-fashioned appeal that drew lake visitors through the 1950s. As residential growth and suburban development proceeded eastward from St. Paul, however, Lake Elmo lost its prominence as an agricultural center.

Americans became more reliant on automobile transportation nationwide in the years after World War II, and passenger rail service to Lake Elmo ended in 1963. An ambitious development project of the 1960s known as, "Cimarron," was a planned community of manufactured homes next to a golf course in Lake Elmo. The village was finally converted to a city in 1969, but Lake Elmo has retained some of its peaceful, small town character. Today, Lake Elmo's farmland continues to yield to residential & other developments in all directions.

Known & Potential Cultural Resources

American Indian

Only two archaeological sites have been recorded within the park reserve's boundaries. Site 21WA0057 was discovered in 1989 during a Phase I archaeological survey for a proposed landfill site on the shores of Eagle Point Lake (Stanley & Hoppin 1989). This small lithic scatter is situated on a landform that archaeologists interpreted as a large dune. The site is only shallowly buried by the dune (i.e., cultural materials in the top 30 cm below the ground surface). Site 21WA0057 yielded a triangular Hixton silicified sandstone projectile point, a jasper flake tool, and cracked rock fragments, and the site's function was identified as a campsite. At the time the investigators completed an official state site form.

⁵ Apparently this was an early type of grain elevator at which farmers unloaded their wagons directly onto the trains.

Lake Elmo Park Reserve Master Plan Amendment – Washington County

the site's eligibility for the NRHP had not yet been formally determined, although the archaeologists recommended 21WA0057 as ineligible for the NRHP.

Site 21WA0058 also was discovered in 1989 during the same Phase I archaeological survey at Eagle Point Lake (Stanley & Hoppin 1989). This is an even smaller lithic scatter than 21WA0057. According to the archaeologists, 21WA0058 is located on an interfluve that was carved into a glacial outwash plain. The depth of cultural materials was not recorded on the site form, but note was made that the cracked rock fragments came from only two of the 15 excavated shovel tests. At the time the investigators completed an official state site form, the site's eligibility for the NRHP had not yet been formally determined, although the archaeologists recommended 21WA0058 as ineligible for the NRHP.

It appears that no systematic, professional archaeological surveys have been conducted for the management of Lake Elmo Park Reserve. There is high archaeological potential for American Indian archaeological sites throughout the Park Reserve. Particularly the shorelines of Lake Elmo and Eagle Point Lake should be considered high priorities for archaeological surveys. There also is high archaeological potential for American Indian sites around the shores of ponds, present and former, as well as the waterways connecting bodies of surface water. The shorelines of surface water bodies may lack stratigraphic integrity, particularly around Lake Elmo and Eagle Point Lake, because of Euro-American development subsequent to any past American Indian land uses.

Euro-American

Several historic standing structures (HSS) or HSS complexes are known, but uninventoried, within the Park Reserve. Additionally, there is high archaeological potential for Euro-American archaeological sites within the park's boundaries. Figures 3-8 are plat maps from the 1901, 1916, 1926, 1938, ca. 1948, and ca. 1954, respectively, with the park boundaries superimposed.

For 1901, buildings or farmsteads are depicted on lands belonging to H. Hueffmeyer in the center of Section 21; Malting Company in the northwest quarter of Section 22, Frank Morris in the southwest quarter of Section 22; Leonard Labisch and Michael Malone in the northwest quarter of Section 23, and Luther Wier in the northeast quarter of Section 23; School Number 2 and The Iowa Land Company in the southwest quarter of Section 23; C. Malone in the northeast quarter of Section 26; William Frederich in the northeast quarter of Section 27, Robert Shea in the northwest quarter of Section 27, M.P. & D.W. Gray in the southwest quarter of Section 27, and J.Kannar in the southeast quarter of Section 27 (Figure 3). Additionally, a road and the St. Paul, Minneapolis & Omaha Railway passed through sections 14 & 15, now the north boundary of Lake Elmo Park Reserve.

Other roads passed roughly north-south, some around the perimeter of what is now the Park Reserve, in several sections:

- A road through the center of Section 21.
- Another road through the center of the southwest quarter of Section 14, center of the northwest quarter of Section 23, west half of the southwest quarter of Section 23, northwest quarter of the northwest quarter of Section 26, east half of the northeast quarter of Section 27, and northeast quarter of the southeast quarter of Section 27. School No. 2 was located along this road in the southwest quarter of Section 23.
- A road between sections 25 & 26.

Other roads passed roughly east-west in several sections, including around the perimeter of the Park Reserve:

- A road through the center of Section 27, including along the south tip of Eagle Point Lake.
- A road through the southwest quarter of Section 14.
- A road in the southwest quarter of the southeast quarter of Section 14.
- A road between sections 26 & 35.

Land ownership changed through the intervening decades, but the layout of roads, as described above, remained in place until the Park Reserve was established. Plat maps after 1901 show new structures/complexes in some places, whereas some of the older structures/complexes are not illustrated on others. Descriptions are summarized section-by-section in Tables 1-6 and in the following paragraphs.

Section 14

If the railroad easement in Section 14 is on Park Reserve property, then the rails and associated structures (e.g., overpass) should be formally evaluated by a federally qualified architectural historian for their eligibility for nomination to the NRHP. If the railroad easement is not the County's responsibility, then no further investigations here would be necessary.

Except for the north-south and east-west roads in the southwest quarter of Section 14 (Figures 2-8), no other structures/complexes are shown here on any of the maps (Figures 3-8). Therefore, there is a low probability of historic archaeological deposits.

Table 1. Summary of Landowners with Buildings &/or Farmsteads from 1901 Plat Map.

Landowner Name	Location	# of Structures Shown
St. Paul, Minneapolis & Omaha Railway	center of southwest 1/4 Section 14	1
W.H. Starke	west ½ of southwest ¼ Section 14	0
A. Schneider	east ½ of southwest ¼ Section 14	0
St. Paul, Minneapolis & Omaha Railway	center of southeast 1/4 Section 15	1
Joseph Bisch	southeast ¼ of southeast ¼ Section 15 and	0
~	east ½ of southeast ¼ Section 15	0
H. Hueffmeyer	south ½ of northeast ¼ Section 21 and	1
Frank Morris	west ½ of southeast ¼ Section 21	0
	east ½ of southeast quarter Section 21	0
Malting Company	southwest 1/4 of northwest 1/4 Section 22	1
Chris Frederich	southeast ¼ of northwest ¼ Section 22 and	0
	south ½ of northeast ¼ of northwest ¼ Section 22	0
Joseph Bisch	northeast ¼ Section 22	0
Frank Morris	northwest ¼ of southwest ¼ Section 22	1
The Iowa Land Company	northeast ¼ of southwest ¼ Section 22	0
The Iowa Land Company	southeast 1/4 Section 22	0
Leonard Labisch	west ½ of northwest ¼ Section 23	1
Michael Malone	east ½ of northwest ¼ Section 23	1
F.A. Stevens	north 12 acres in northeast 1/4 Section 23	0
Lakeview Farm	20 acres? in north ½ of northeast ¼ Section 23	0.5
Luther Wier	north ½ of south ½ of northeast ¼ Section 23	0.5
T. & F. Weir	south ½ of south ½ of northeast ¼ Section 23	0
The Iowa Land Company	southeast 1/4 Section 23 and	0
	southwest ¹ / ₄ Section 23, except for	1
School No. 2	southwest corner of southwest 1/4 Section 23	1
	belonging to school district	
C. Malone	northeast 1/4 Section 26	2
John Malone Est.	58 acres in north ½ of northwest ¼ Section 26, except 7.5	0
	acres in southwest 1/4 of north 1/2 of northwest 1/4 Section 26	0
John Rawleigh Est.	south ½ of northwest ¼ Section 26	0
P. Muench	northwest 1/4 of southwest 1/4 Section 26	0
Mary Drinane	northeast ¼ of southwest ¼ Section 26 and	0
-	west ½ of northwest ¼ of southeast ¼ Section 26	0

C. Malone	east ½ of northwest ¼ of southeast ¼ Section 26 and	0
	northeast ¼ of southeast ¼ Section 26	0
William Harbrant	southeast ¼ of southwest ¼ Section 26	1
William Frederich	northeast ¼ Section 27	1
Robert Shea	northwest 1/4 Section 27, except	1
P.S.	2.5 acres in northeast ¼ of southeast ¼ of northwest ¼ Section	0
M.P. & D.W. Gray	25	1
-	northeast 1/4 of southwest 1/4 Section 27 and northwest 1/4 of	
J.Kannar	southeast 1/4 Section 27	1
E.B.	northeast ¼ of southeast ¼ Section 27, except	0
	4 acres in northeast ¼ of northeast ¼ of southeast ¼ Section	
	27	
John Sliney	east ½ of northeast ¼ Section 28	0
TOTAL NUMBER OF STRUC	TURES DEPICTED ON 1901 PLAT MAP	17

Table 2. Summary of Landowners with Buildings &/or Farmsteads from 1916 Plat Map.

Landowner Nan	ne	ever a large en en en en en en en en en en en en en	Location	# of Structures Shown
St. Paul, Mi	nneapolis	& Omaha	center of southwest 1/4 Section 14	1
Railway	4.		west ½ of southwest ¼ Section 14	0
F. Kuehner			east ½ of southwest ¼ Section 14	0
C. Sonder				
St. Paul, Mi	inneapolis	& Omaha	center of southeast ¼ Section 15	1
Railway	_		southeast ¼ of southeast ¼ Section 15	0
J.H. Larson			east ½ of southwest ¼ of southeast ¼ Section 15	0
J. Bosch			north ½ of southeast ¼ Section 15	0
C. Sonder				
H. Hueffmeyer			south ½ of northeast ¼ Section 21 and	0
			west ½ of southeast ¼ Section 21	0
Frank Morris			east ½ of southeast quarter Section 21	0

R.A. Wilkinson	southwest ¼ of northwest ¼ Section 22	0
C. Frederick	west ½ of southeast ¼ of northwest ¼ Section 22	0
Emilie Neitge(?)	east ½ of southeast ¼ of northwest ¼ Section 22	0
Joseph Bosch	west ½ of northeast ¼ Section 22	0
J.H. Larson	east ½ of northeast ¼ Section 22	0
A.D.S. Johnston	southeast 1/4 Section 22 and	0
	northeast 1/4 of southwest 1/4 Section 22	0
E. Riebe	west ½ of northwest ¼ Section 23	0
M. Malone	east ½ of northwest ¼ Section 23	0
Theo. Wier et al.	north ½ of northeast ¼ Section 23, except	0
F.A.S. [F.A. Stevens?]	north 10 acres in northwest ¼ of northeast ¼ Section 23 and	0
T.W. [Theo. Wier?]	10 acres in northwest ¼ of northeast ¼ Section 23	0
_	south ½ of northeast ¼ Section 23, except	
Theo. Wier et al.	10 acres? in south ½ of south ½ of northeast ¼ Section 23	0
F.W.?	south ½ Section 23	0
A.D.S. Johnston		0
C. Malone, Jr.	northeast ¼ Section 26 and northeast ¼ of southeast ¼ Section	0
·	26	0
J. Malone	and east ½ of northeast ¼ of northwest ¼ Section 26	0
W. Frederick	59 acres in north ½ of northwest ¼ Section 26, except for	0
F. Wendt	7.5 acres in southwest 1/4 of north 1/2 of northwest 1/4 Section 26	0
F. Dominski	south ½ of northwest ¼ Section 26	0
Mary Drinane	northwest 1/4 of southwest 1/4 Section 26	0
•	northeast 1/4 of southwest 1/4 Section 26 and	0
Jos. Streiff	west ½ of northwest ¼ of southeast ¼ Section 26	0
	southeast 1/4 of southwest 1/4 Section 26	
W. Frederick	northeast ¼ Section 27	0
Robert Shea	northwest ¼ Section 27, except	0
P.S.?	2.5 acres in northeast ¼ of southeast ¼ of northwest ¼ Section	
M.P. & D.W. Gray	25	0
ř	northeast ¼ of southwest ¼ Section 27 and northwest ¼ of	
E. Wendt	southeast 1/4 Section 27	0
	northeast ¼ of southeast ¼ Section 27	
E. & C. Sliney	east ½ of northeast ¼ Section 28	0
M. Sliney	west ½ of northeast ¼ Section 28	0
TOTAL NUMBER OF STRUCTURES	DEPICTED ON 1916 PLAT MAP	2

Table 3. Summary of Landowners with Buildings &/or Farmsteads from 1926 Plat Map.

Landowner Name	Location	# of Structures Shown
St. Paul, Minneapolis & Omaha	center of southwest ¼ Section 14	1
Railway	west ½ of southwest ¼ Section 14, except for	$\begin{bmatrix} \hat{0} \end{bmatrix}$
F. Kuehner	20 acres in south ½ of southwest ¼ of southwest ¼ Section 14	0
A. Larson	southeast ¼ of southwest ¼ Section 14	0
Cord Sander		
St. Paul, Minneapolis & Omaha	center of southeast ¼ Section 15	1
Railway	southeast ¼ of southeast ¼ Section 15	0
Jno. H. Larson	east ½ of southwest ¼ of southeast ¼ Section 15	0
Frank Bosch, Jr.	north ½ of southeast ¼ Section 15	0
Cord Sander		
Michael Raleigh	south ½ of northeast ¼ Section 21 and	0
_	west ½ of southeast ¼ Section 21	0
Jno. Morris	east ½ of southeast quarter Section 21	0
R.A. Wilkinson	southwest ¼ of northwest ¼ Section 22	0
Emil Nialge	east ½ of northwest ¼ Section 22	0
Frank Bosch, Jr.	west ½ of northeast ¼ Section 22	0
Jno.H. Larson	east ½ of northeast ¼ Section 22	0
Hauser & Son Malting Co.	southeast ¼ Section 22	3
Jno. Morris	south ½ of southwest ¼ Section 22 and	1
	northwest ¼ of southwest ¼ Section 22	0
?Jno. Morris?	northeast ¼ of southwest ¼ Section 22	2
Ernest Reibe	west ½ of northwest ¼ Section 23	0
Michael Malone	east ½ of northwest ¼ Section 23	0
D.T. Wier et al.	northeast ¼ Section 23, except for	5
S. Shepard	north 22? acres in northwest ¼ of northeast ¼ Section 23	0
Hauser & Son Malting Co.	south 1/2 Section 23, except for	9
School	southwest corner of Section 23	1

C. Malone, Jr.	northeast 1/4 Section 26 and east 1/2 of northeast 1/4 of northwest	6
	1/4 Section 26 and east 1/2 of northwest 1/4 of southeast 1/4 Section	
	26 and northeast ¼ of southeast ¼ Section 26	
Jno. Malone	59 acres in north ½ of northwest ¼ Section 26, except for	0
W. Frederick	east ½ of northeast ¼ of northwest ¼ Section 26 (C. Malone,	0
	Jr.) and 7.5 acres in southwest ¼ of north ½ of northwest ¼	0
F. Wendt	Section 26	0
R.S. Brickley	south ½ of northwest ¼ Section 26	0
Mary Drinane	northwest ¼ of southwest ¼ Section 26	0
•	northeast 1/4 of southwest 1/4 Section 26 and	0
Jos. Streiff	west ½ of northwest ¼ of southeast ¼ Section 26	0
	southeast ¼ of southwest ¼ Section 26	
Wm. Frederich	northeast 1/4 Section 27	11
Mary Shea	northwest 1/4 Section 27	5
W.L. & Roy Dalton	north ½ of southwest ¼ Section 27 and	0
	north ½ of southeast ¼ Section 27	4
Eliz. & Cath. Sliney	east ½ of northeast ¼ Section 28	0
TOTAL NUMBER OF STRUCTURES I	DEPICTED ON 1926 PLAT MAP	49

Table 4. Summary of Landowners with Buildings &/or Farmsteads from 1938 Plat Map.

Landowner Name	Location	# of Structures Shown
St. Paul, Minneapolis & Omaha	center of southwest 1/4 Section 14	1
Railway	west ½ of southwest ¼ Section 14, except for	0
Fred Kuehner	20 acres in south ½ of southwest ¼ of southwest ¼ Section 14	0
A. Larson	southeast ¼ of southwest ¼ Section 14	0
Wm. Sander		
St. Paul, Minneapolis & Omaha	center of southeast ¼ Section 15	1
Railway	southeast ¼ of southeast ¼ Section 15	0
Jno. H. Larson	southwest ¼ of southeast ¼ Section 15	0
Frank Bosch, Jr.	north ½ of southeast ¼ Section 15	0
Cord Sander		
Michael Raleigh	south 1/2 of northeast 1/4 Section 21 and	0
_	west ½ of southeast ¼ Section 21	0
Jno. Morris	east ½ of southeast quarter Section 21	0
E.R. Beutel	southwest ¼ of northwest ¼ Section 22	0

TOTAL NUMBER OF STRUCTURES	DEPICTED ON 1938 PLAT MAP	50
Eliz. & Cath. Sliney	east ½ of northeast ¼ Section 28	0
John Dalton	north ½ of southwest ¼ Section 27	0
	of northeast ¼ of southeast ¼ Section 27	
Roy Dalton	north ½ of southeast ¼ Section 27, except for northeast corner	4
Mary Shea	northwest ¼ Section 27	3
Amanda Frederich	northeast ¼ Section 27	14
	southeast 1/4 of southwest 1/4 Section 26	
Jos. Streiff	west ½ of northwest ¼ of southeast ¼ Section 26	0
	northeast 1/4 of southwest 1/4 Section 26 and	0
Jennie Drinane	northwest ¼ of southwest ¼ Section 26	Õ
C. Ritter	south ½ of northwest ¼ Section 26	0
Otto Naatz	Section 26	ŏ
	Jr.) and 7.5 acres in southwest ¼ of north ½ of northwest ¼	0
?A.F.?	east ½ of northeast ¼ of northwest ¼ Section 26 (C. Malone,	0
Jno. Malone	59 acres in north ½ of northwest ¼ Section 26, except for	0
	26 and northeast ¼ of southeast ¼ Section 26	
	1/4 Section 26 and east 1/2 of northwest 1/4 of southeast 1/4 Section	
C. Malone, Jr.	northeast ¼ Section 26 and east ½ of northeast ¼ of northwest	6
School	southwest corner of Section 23	1
Hauser & Son Malting Co.	south ½ Section 23, except for	9
S. Shepard	north 22? acres in northwest ¼ of northeast ¼ Section 23	0
Theo. Wier et al.	northeast ¼ Section 23, except for	5
Thos. J. Malone et al.	east ½ of northwest ¼ Section 23	0
Ernest Reibe	west ½ of northwest ¼ Section 23	0
?Hauser & Son Malting Co.?	northeast ¼ of southwest ¼ Section 22	
3110. 19101113	northwest ¼ of southwest ¼ Section 22	$\begin{bmatrix} 1 \\ 0 \end{bmatrix}$
Jno. Morris	south ½ of southwest ¼ Section 22 and	3
Hauser & Son Malting Co.	southeast 1/4 Section 22	0 3
Jno.H. Larson	east ½ of northeast ¼ Section 22	0
Emil Nialge Freda Bosch et al.	east ½ of northwest ¼ Section 22 west ½ of northeast ¼ Section 22	0

Table 5. Summary of Landowners with Buildings &/or Farmsteads from ca. 1948 Plat Map.

Landowner Name	Location	# of Structures. Shown
St. Paul, Minneapolis & Omaha	center of southwest ¼ Section 14	1
Railway	east ½ of southwest ¼ Section 14	0
W. & F. Sanders	southwest ¼ of southwest ¼ Section 14	•
A. & W. Larson	·	0
St. Paul, Minneapolis & Omaha	center of southeast ¼ Section 15	1
Railway	southeast ¼ of southeast ¼ Section 15	1
A. & W. Larson	southwest ¼ of southeast ¼ Section 15	0
?F. Sch.?	north ½ of southeast ¼ Section 15	0
J. Sander		
V. & L. Raleigh	south ½ of northeast ¼ Section 21 and	0
C	west ½ of southeast ¼ Section 21	0
J. Morris	east ½ of southeast quarter Section 21	0
?City of Oakdale?	northwest 1/4 Section 22, except for	1
I. & F, Friedrich	40 acres in east ½ of northwest ¼ Section 22	0
?F. Sch.?	west ½ of northeast ¼ Section 22	0
A. & W. Larson	east ½ of northeast ¼ Section 22	0
Hauser & Sons Eagle Point Lake	southeast ¼ Section 22 and northeast ¼ of southwest ¼ Section	0
Malting Co.	22	
J. Morris		0
	southwest 1/4 Section 22, except for northeast 1/4 of southwest 1/4	
	Section 22 (Hauser & Sons)	_
A. Riebe et al.	west ½ of northwest ¼ Section 23	1
M. Malone et al.	east ½ of northwest ¼ Section 23	1
W. Riebe	northeast ¼ Section 23	1
Hauser & Sons Eagle Point Lake	south ½ Section 23	1
Malting Co.		
W. Schwartz	northeast 1/4 Section 26 and east 1/2 of northeast 1/4 of northwest	0
	1/4 Section 26 and east 1/2 of northwest 1/4 of southeast 1/4 Section	
	26 and northeast ¼ of southeast ¼ Section 26	
W. Carmody	60 acres in north ½ of northwest ¼ Section 26	2
Otto Naatz	south ½ of northwest ¼ Section 26	1
H. & K. Brown	northwest 1/4 of southwest 1/4 Section 26	0
J. Drinane	northeast ¼ of southwest ¼ Section 26 and	0

	west ½ of northwest ¼ of southeast ¼ Section 26	0
G. & D. Warner	southeast 1/4 of southwest 1/4 Section 26	1
E.J. Schiltgen	north 1/2 Section 27, except for	1
?M. & E. Falteisek?	east ½ of northeast ¼ Section 27	0
Roy Dalton	north 1/2 of southeast 1/4 Section 27	0
J. Dalton	north 1/2 of southwest 1/4 Section 27	0
K. Sliney et al.	east ½ of northeast ¼ Section 28	0
TOTAL NUMBER OF STRUC	TURES DEPICTED ON ca., 1948 PLAT MAP	13

Table 6. Summary of Landowners with Buildings &/or Farmsteads from ca. 1954 Plat Map.

Landowner Name	Location	# of Structures Shown
St. Paul, Minneapolis & Omaha		1
Railway	southeast ¼ of southwest ¼ Section 14	0
W.J. Sander	southwest ¼ of southwest ¼ Section 14	0
Arthur C. & Walter A. Larson		Ì
St. Paul, Minneapolis & Omaha	center of southeast ¼ Section 15	1
Railway	almost entire south ½ of southeast ¼ Section 15	2
Arthur C. & Walter A. Larson	north ½ of southeast ¼ Section 15	0
John H. Sanders		
Leo & Veronica A. Raleigh	south ½ of northeast ¼ Section 21 and	2
	west ½ of southeast ¼ Section 21	0
Wm. F. Poppengberger	east ½ of southeast quarter Section 21	0
City of Oakdale and others	northwest ¼ Section 22, except for	several
Friedrich	42 acres in east ½ of northwest ¼ Section 22	0
Arthur C. & Walter A. Larson	northeast ¼ Section 22	0
Wm. F. Poppengberger	south ½ Section 22	1
William Riebe et al.	west ½ of northwest ¼ Section 23	3
Mary R. Malone et al.	east ½ of northwest ¼ Section 23	4
William H. Riebe	northeast ¼ Section 23	1+?
Wm. F. Poppengberger	south ½ Section 23	0

W. Schwartz	northeast 1/4 Section 26 and east 1/2 of northeast 1/4 of northwest	0
	1/4 Section 26 and east 1/2 of northwest 1/4 of southeast 1/4 Section	
	26 and northeast ¼ of southeast ¼ Section 26	
Wm. F. Carmody	most of northwest ¼ of northwest ¼ Section 26, except for	10
Harold & Frances Toensing and others	small tracts with various owners	8
Keyran O'Brien	south ½ of northwest ¼ Section 26	7
H.J. & K.P. Brown	north 1/2 of southwest 1/4 Section 26 and	10
	west ½ of northwest ¼ of southeast ¼ Section 26	0
G.A. & D.M. Warner	southeast ¼ of southwest ¼ Section 26	4
William H. Schwartz	north ½ of southeast ¼ Section 26	0
E.J. Schiltgen	northwest ¼ Section 27	6
various owners	northeast ¼ Section 27	12+?
Roy Dalton	north 1/2 of southeast 1/4 Section 27	0
James Dalton	north 1/2 of southwest 1/4 Section 27	0
Catherine A. Sliney et al.	east ½ of northeast ¼ Section 28	0
TOTAL NÚMBEŘ OF STRÚCTURES	DEPICTED ON ca. 1954 PLAT MAP	72+

Section 15

If the railroad easement in Sections 15 is on Park Reserve property, then the rails and associated structures (e.g., overpass) should be formally evaluated by a federally qualified architectural historian for their eligibility for nomination to the NRHP. If the railroad easement is not the County's responsibility, then no further investigations here would be necessary.

No other structures/complexes are shown the maps in the south half of the southeast quarter of Section 15 until ca. 1948 when a structure/complex is indicated on land owned by A. & W. Larson (Figures 3-7). Two structures are indicated in this same location on the 1954 plat map when the land was owned by John H. Sanders (Figure 8). This is the location of the "North Farmstead" (Plate 4). There is a high probability of historic archaeological deposits here, but stratigraphic integrity may have been compromised by agricultural activities. Therefore, any historic archaeological site(s) here may be ineligible for nomination to the NRHP.

Section 21

The structure/complex in the southwest corner of the northwest quarter of Section 21 is first shown on the 1901 plat map (Figure 3), but it was not depicted on other plat maps until two structures are indicated on the ca. 1954 plat map (Figure 8). This complex has been razed and no structural remnants were readily apparent during the Master Plan team's site visit in May 2005. According to Lake Elmo Park Reserve staff, a well associated with one of the former structures, presumably a farmhouse, was removed in 2004.

Some archaeological potential still remains at this location, although stratigraphic integrity has likely been compromised to such degree that any historic archaeological site in this location would likely be ineligible for nomination to the NRHP.

Section 22

The structure/complex illustrated on the 1901 plat map (Figure 3) in the southwest quarter of the northwest quarter of Section 22 is also shown in that location on the ca. 1948 and ca. 1954 maps (Figures 7 & 8). This location may correspond to the approximate location of the razed triplex dwelling north of Eagle Point Lake (Plate 5). Some potential may exist here for historic archaeological materials.

Lake Elmo Park Reserve staff did not describe any former structures/complex on the parcel in the southwest quarter of Section 22, close to the north tip of Eagle Point Lake (Figure 3). It should be noted that a structure/complex is depicted on the ca. 1948 and ca. 1954 plat maps (Figures 7 & 8), but no other historic maps. According to the ca. 1948 map, a road or long driveway may have provided access to this structure/complex (Figure 7). However, the structure/complex apparently has been razed and no structural remnants were readily apparent during the Master Plan team's site visit in May 2005. However, this location may have the potential to yield significant historic archaeological materials, and any future archaeological survey in the Park Reserve should address this possibility by attempting to find structural remnants and subsurface artifacts in the north half of the southwest quarter of Section 22.

Section 23

In addition to the early road through the west half of this section (Figure 2), structures/complexes in the northwest quarter of Section 23 are shown on the 1901 plat map (Figure 3) as well as the ca. 1948 and ca. 1954 maps (Figures 7 & 8). These structures or farm complexes would have been in the vicinity of what is now "Family Picnic" on the Park Reserve's base map. Despite the fact that the structures appear to have been razed after ca. 1954, future archaeological surveys in the Park Reserve should address the possibility of structural remnants and historic archaeological deposits in this part of Section 23.

In 1901 Luther Wier may have owned the structure/complex called "Lake View Farm" in the northeast quarter of Section 23 (Figure 3). This structure/complex may already have been quite old by 1901 since a structure/complex is shown in approximately the same location on the 1874 map (Figure 2). By 1926 the land had been transferred to D.T. Wier et al. with an additional complex also standing nearby (Figure 5). According to Lake Elmo Park Reserve staff, a barn from the northeast quarter of this section was moved from this vicinity to the "North Farmstead," (see Section 15 discussion above). Therefore, any future archaeological survey in the Park Reserve should address the possibility of historic archaeological deposits left behind in the northeast quarter of Section 23.

Another structure/complex is depicted on property owned by The Iowa Land Company in 1901 in the southwest quarter of Section 23 (Figure 3). It appears to have remained in that location through ca. 1948 and ca. 1954 (Figures 7 & 8). This structure or complex is located in the near vicinity of "Modern Camping (30 spaces)" as depicted on the Park Reserve's base map. A modern bridge/overflow structure is present near the former location of the structure/complex in the southwest quarter of Section 23 (Plate 6).

School No. 2 is shown in the far southwest corner of Section 23 in the 1901 (Figure 3). It also is depicted on the 1926 and 1938 plat maps (Figures 5 & 6). However, this structure is not identified on subsequent plat maps. This former school may have been located immediately south of the present-day "Group Camping" sites. It is not known whether the school was demolished on-site or moved to another location. Any future archaeological survey in the Park Reserve should address the possibility of structural remnants & historic archaeological deposits left in these portions of the southwest quarter of Section 23. It should be noted, however, that the integrity of any archaeological deposits here, if present, may have been sacrificed during subsequent development here. For instance, another modern bridge is present near the former location of the school.

Structures/complexes were first illustrated in the southeast quarter of section 23 on the 1926 plat map (Figure 5). These structures/complexes apparently remained in this quarter-section through at least 1938 (Figure 6), but no structures/complexes are depicted in those locations on subsequent maps (Figures 7 & 8). Any future archaeological survey in the Park Reserve should address the possibility of structural remnants & historic archaeological deposits left in these portions of the southeast quarter of Section 23.

Section 26

The northeast quarter of Section 26 once included at least two structures or complexes when the property was owned by C. Malone in 1901 (Figure 3). These structures/complexes remained here at least through 1938 (Figures 5 & 6), and at least the easternmost structure/complex may have survived through ca. 1954 (Figure 8), if not longer. According to Park Reserve staff, at least one of these structures/complexes, if not both, was razed sometime in the past. The Sanders Wacker Bergly team was not able to visit the northeast quarter of Section 26 during the site visit with Park Reserve staff in May 2005. However, some potential may exist here for structural remnants & historic archaeological materials.

Three structures/complexes are illustrated on the ca. 1948 map for the northwest quarter of Section 26 (Figure 7), and may are shown on the ca. 1954 plat map (Figure 8). These structures/complexes were distributed throughout the area labeled "Prairie Restoration" between the south tip of Lake Elmo and

Brown's Pond. One of the sites includes the "Red Barn." Today one barn & silo are still extant - other structures were razed, but a wellhead was seen during the Sanders Wacker Bergly team visit with Park Reserve staff in May (Plate 7). There is high potential here for structural remnants & historic archaeological materials.

One structure/complex is shown on the 1901 plat map in the southeast quarter of the southwest quarter of Section 26 (Figure 3). A complex of standing structures is shown in this location on the ca. 1948 and ca. 1954 maps (Figures 7 & 8). The Sanders Wacker Bergly team did not visit this location in May 2005 nor did Park Reserve staff provide any details about the land-use history here. Some potential may exist here for structural remnants & historic archaeological materials, so any future archaeological survey should address this possibility.

Section 27

One structure/complex is illustrated on the 1901 map on the west side of an early road on the section line between sections 26 & 27 (Figure 3). This road was in place at least as early as 1874 (Figure 2). By 1926, many additional structures had been added at this location and throughout the northeast quarter of the northeast quarter of Section 27 (Figures 5, 6 & 8). This likely is where former lake-cottage complexes stood overlooking the south half of Eagle Point Lake. Only a former garage from one of them is still standing (on the east shore). Plate 8 shows the adaptive reuse of this garage – the Park Reserve now uses it as Ski Shelter #1. Some potential may exist at the site of this former lake-cottage complex, as well as at other locations in the northeast quarter of Section 27. Historic archaeological materials may be present, although the likelihood of stratigraphic integrity is slim, and the age of the archaeological materials, if present, may be historically insignificant (i.e., less than 50 years old).

The south tip of Eagle Point Lake is also the location of at least one former structure/complex. A structure/complex is shown on the 1901, 1926, and 1938 plat maps in the northeast quarter of the southeast quarter of Section 27 (Figures 3, 5 & 6). However, by the time R. Dalton took possession of the land by ca. 1948, that structure/complex appears to have been removed (Figure 7). Park Reserve staff did acknowledge this as the site of "former houses," but no structural remnants were evident during the team's site visit in May 2005. Some potential also may exist here for historic archaeological materials, although the likelihood of stratigraphic integrity is slim.

In 1901 M.P. & D.W. Gray owned a structure/complex on land in the northeast corner of the southwest quarter of Section 27 (Figure 3). However, no structures/complexes are shown at this location on subsequent plat maps (Figures 4-8). Some potential also may exist here for historic archaeological materials, although the likelihood of stratigraphic integrity is very slim.

In addition to the structures/complexes described above, an east-west road is shown through the center of Section 27 as early as 1874 (Figure 2). It should be noted that any Park Reserve roads that now overlie this early road, as well as the north-south road through sections 14, 23 & 26 (Figure 3), may cap and thus preserve remnants of these historic roads. Park Reserve staff should be cautious in these areas if future regrading of subsurfaces is planned for roads in any of these locations. Coordination with the SHPO may be warranted in advance of such earth-moving activities.

A structure/complex is illustrated when Robert Shea owned land in 1901 in the northwest quarter of Section 27 on the west side of Eagle Point Lake (Figure 3). By 1926 the land had been transferred to Mary Shea with two structures listed on the plat map (Figure 5). It appears this complex was transferred to E.J. Schiltgen by 1948 (Figure 7), and by ca. 1954 six structures are shown at this location on the map (Figure 8). Park Reserve staff presently refer to this location as the "Schiltgen Farm." However, all that remains at this location today is a silo and pole barn (Plate 9). A ski shelter built on-site is Ski Shelter #2 for the purposes of this report. Possible cellar depressions and soil berms were observed during the Sanders Wacker Bergly team's visit in May 2005. Therefore, some potential may exist here for historic archaeological materials. Like the other former cultural resources in Section 27, there is a slim likelihood that historic archaeological deposits, if present here, retain any stratigraphic integrity.

Section 28

No structures/complexes are illustrated in the project area portion of the northeast quarter of Section 28 on any of the historic maps examined for this project. Consequently, this part of the project area is recommended as having low potential for significant historic archaeological materials.

Infrastructure Throughout the Park Reserve

In addition to landscape modifications caused by Euro-American settlement & farming in what is now Lake Elmo Park Reserve, it should be noted that construction of infrastructure by the County may have inadvertently damaged Pre-Contact archaeological deposits, Contact Period and Post-Contact archaeological sites, including archaeological deposits associated with HSS. For instance, the bridge/overflow on the east side of Eagle Point Lake (Plate 6) is situated in a location that is highly sensitive for American Indian cultural materials. However, construction of the bridge/overflow may have disturbed archaeological deposits, if present.

Figure 9 shows the locations of HSS at the time of the Master Plan for the Park Reserve (Brauer & Associates 1978). Many of the HSS standing in 1978 are also visible on the 1947 aerial photograph available for the area within the Park Reserve's exterior boundaries. Most of the HSS were razed long ago, although there is still some archaeological potential in many of the locations (see section-by-section

discussions above). Figure 10 is an overlay of the HSS information (from the 1947 aerial photo and the 1978 map) on a map presented by the Sanders Wacker Bergly team for initial design ideas for the Master Plan Update.⁶

In addition to the previous and extant HSS and roads, there are numerous earthen erosion-control structures throughout the Park Reserve (Plate 10). According to Park Reserve staff, the structure shown in Plate 10 impounds water from the City of Oakdale then releases it into Eagle Point Lake. Park Reserve staff estimated this structure is approximately 20 years old, and they told the Sanders Wacker Bergly team there are approximately seven such structures throughout the Park Reserve. No construction dates were readily available, but these structures may date to the late 1970s. Because of their assumed young age, the erosion-control structures are likely ineligible for nomination to the NRHP as historically significant. It should be noted, however, that construction of these monumental features may have disturbed archaeological deposits, if present.

Archaeological Sensitivity Models

Some of the earliest professional efforts at recording archaeological sites in Minnesota were undertaken by Jacob V. Brower, Alfred J. Hill, and Theodore H. Lewis in the late 1800s and by Newton H. Winchell in the early 1900s. Their reports provide the earliest records of American Indian mound sites prior to extensive disturbance by Euro-American settlers, farmers, and industrialists. Although much of their work entailed exhaustive field verification of sites, a great deal of data was derived from informant interviews rather than actual field surveys.

In subsequent years, only two archaeological sites have been recorded from within the Park Reserve. No systematic, professional surveys have been conducted. This lack of information underscores the importance of predictive modeling with respect to locations of low sensitivity (lowest likelihood), medium sensitivity (more likely), and high sensitivity (highest likelihood) for archaeological resources. Sensitivity models, in short, are used as aid in the planning process for new development or redevelopment on a particular land parcel. Yet it is important to keep in mind that the dependability of a predictive model for a particular location can only be evaluated through comparison to archaeological field results there (ground-truthing).

⁶ Note that the 1938 plat map (**Figure 6**) shows many more structures/complexes around Eagle Point Lake and Lake Elmo than are depicted on **Figures 9 & 10**. The County and Park Reserve staff may also want to consider the locations of previous lake cottages/complexes when planning future development and possible impacts to archaeological resources.

Mn/Model is a suite of GIS-based statistical models that map the potential for pre-1837 surface archaeological sites in Minnesota. The first phases of Mn/Model development occurred over a number of years.⁷ The following information is quoted directly from Mn/DOT's website:

Mn/Model development began in 1995. The goal of the project was to use Geographic Information Systems (GIS) and statistical analysis to produce archaeological predictive models that could be replicated by anyone using the same data and following the same procedures. The aim was that these models be accurate enough to predict 85% of known archaeological sites without designating more than 33% of the state's area as high and medium site probability. The Phase 2 models, completed in 1997, achieved this goal. The Phase 3 models exceeded it.⁸

Information about Mn/Model's phased development is paraphrased here from Mn/DOT's website. *Phase 1* was defined as "Basic Data Accumulation and Prototype Model Development." The data were collected through a combination of background research, archaeological field work, geomorphological methods, and archaeological database development. Digitized archaeological site information was used for the database development. The end-products of this phase of the project were prototype GIS models for five <u>archaeological resource regions</u> (i.e., environmental regions based on the State's surface hydrology).

Phase 2 involved "Formal Model Development." Goals of this phase were to add additional archaeological and environmental data to the GIS database, to refine modeling techniques, to extend modeling to the entire state, and to develop information on major river valley sediments and the paleoclimate of Minnesota. Introducing the fourth dimension (time) into the model also was attempted through radiocarbon dating of samples.

The final phase of development was "Model Refinement and Implementation" (*Phase 3*). Major tasks for this phase were the development of a model of suitable pre-Woodland habitats for predicting locations of very old or buried sites, testing the geomorphic models with archaeological data, and enhancing the statewide predictive model with additional data and refinements. At this stage, the preliminary Phase 2

⁷ The Mn/Model process and the resulting data models are copyrighted by the Minnesota Department of Transportation (Mn/DOT). This state agency received significant funding from the Federal Highway Administration (FHWA) for the Mn/Model process.

⁸ Information available at http://www.mnmodel.dot.state.mn.us/index.html.

models also were applied to specific archaeological projects to begin planning for the implementation of Mn/Model.

As described in a previous section of this report, nine archaeological regions have been proposed for the State of Minnesota (Anfinson 1990). In this classification system, the Park Reserve lies within the "Region 4: Central Deciduous Lakes Region." Region 4 has more documented burial mounds than any of the other eight regions (Anfinson 1990). Furthermore, Anfinson (1990:156) predicts that [m]ost base camps should be on major lakes, especially where stream inlets or outlets foster seasonal increased fish populations or wild rice beds. Temporary camps should be near any surface water source. Subsistence resource procurement sites can also be anywhere depending on the resource sought. Mound sites should be near base camps on elevated terraces or hills. Mn/Model information was not considered during the creation of the following sensitivity models for the Park Reserve, but Washington County might consider requesting Mn/Model output for the Park Reserve. It should be noted, however, that sensitivity models should be treated as dynamic tools. That is, as more is learned by engineers and planners about the subsurface in the Park Reserve, then the models should be updated accordingly. For instance, observational data collected prior to and during construction of new park features should be scrutinized for information that could be useful for updating the models for the Park Reserve.

Pre-Contact & Contact Period Archaeological Sensitivity Models for the Park Reserve

Archaeological research and cultural resources management studies in the general region have resulted in the identification of archaeological sites affiliated with the pre-contact and contact periods. Sites already recorded in Washington County include habitation and mound/mortuary sites, lithic and artifact scatters, lithic and artifact findspots, trading post(s), mill(s), and ghost towns. These inventories are updated frequently as new sites are discovered and previously recorded sites are revisited. Figure 11 summarizes the archaeological sensitivity for pre-contact and contact period sites in the Park Reserve.

Post-Contact Archaeological Sensitivity Models for the Park Reserve

Archaeological research and cultural resources management studies in the general region have resulted in the identification of archaeological sites affiliated with the post-contact period. These sites include cemetery/mortuary sites, artifact scatters and findspots, trading post(s), mill(s), and ghost towns. Like the inventories for the pre-contact and contact period sites, the inventory for post-contact archaeological sites is updated frequently as new sites are discovered and previously recorded sites are revisited. Figure 12 summarizes the archaeological sensitivity for post-contact period sites in the Park Reserve.

Recommendations

It should be emphasized that Lake Elmo Park Reserve possesses numerous areas with medium to high potential for American Indian and Euro-American archaeological sites and structural remnants. In addition, several HSS and complexes remain within the Park Reserve's boundaries. For these reasons, the following management recommendations can be made:

- (1) Complete archaeological surveys in association with proposed development projects or complete a comprehensive survey(s) throughout the Park Reserve. Such surveys will be coordinated with the State Historic Preservation Office (SHPO) in compliance with the Minnesota Historic Sites Act. Surveys for American Indian and Euro-American sites and structural remnants should be completed by qualified archaeologists.
- (2) Document newly identified archaeological sites & keep updating archaeological site forms. Each newly identified archaeological site will be documented on an official Minnesota Archaeological Site Form and submitted to the Office of the State Archaeologist (OSA). If additional information is received or if additional work is completed at 21WA0057 & 21WA0058, their archaeological site forms be updated (see #3 below). Under the Minnesota Private Cemeteries Act, the Park Reserve will inform the OSA, if human burials are identified during the archaeological survey(s) or inadvertently encountered during future construction projects.
- (3) Complete formal evaluation of archaeological sites that are potentially eligible for nomination to the NRHP. Any newly identified archaeological resources should be subjected to formal evaluation for their eligibility for nomination to the NRHP. Following this same rationale, the County should make a formal request to the SHPO in regard to the eligibility determination for sites 21WA0057 & 21WA0058.
- (4) Revise & update the Park Reserve's archaeological sensitivity models. As more is learned about the Park Reserve's archaeological resources, the archaeological sensitivity models submitted with this updated Master Plan shall be revised periodically by a qualified archaeologist.
- (5) Complete a comprehensive survey of historic standing structures(HSS) throughout the Park Reserve. Survey should be completed by qualified architectural historians. Inventory forms should be submitted to the SHPO for entry into the State's HSS database.

- (6) Evaluate any HSS that are potentially eligible for the NRHP. Any HSS potentially eligible for the NRHP should be subjected to formal evaluation for their eligibility for nomination to the NRHP.
- (7) Future developments within the Park Reserve should be coordinated through the SHPO in compliance with the Minnesota Historic Sites Act. If Federal funding is obtained for any future developments (e.g., ISTEA from the U.S. Department of Transportation) or if the Park Reserve receives any Federal permits (e.g., 404 Permit from the U.S. Army Corps of Engineers), then the Park Reserve will coordinate with the SHPO in compliance with the National Historic Preservation Act (NHPA).
- (8) Mitigate adverse effects to historic properties within Lake Elmo Park Reserve. If any historic properties are identified within the Park Reserve (i.e., archaeological sites or HSS that are determined to be eligible for the NRHP), then appropriate mitigative measures will be coordinated with the SHPO prior to any adverse impacts that would result from future development.

References Cited

Andreas, Alfred Theodore

1874 An Illustrated Historical Atlas of the State of Minnesota. A.T. Andreas, Chicago.

Anfinson, John O.

River of History: A Historic Resources Study of the Mississippi National River and Recreation Area. With contributions by Thomas Madigan, Drew M. Forsberg, and Patrick Nunnally. Published jointly by National Park Service and U.S. Army Corps of Engineers, St. Paul District.

Anfinson, Scott A.

1979 A Handbook of Minnesota Prehistoric Ceramics. Occasional Publications in Minnesota Anthropology 5. Minnesota Archaeological Society, St. Paul.

Archaeological Regions in Minnesota and the Woodland Period. In *The Woodland Tradition in the Western Great Lakes: Papers Presented to Elden Johnson*, edited by Guy E. Gibbon, pp. 135-166. Department of Anthropology Publications in Anthropology 4. University of Minnesota, Minneapolis.

Birk, Douglas A.

French Presence in Minnesota: The View from Site Mo20 near Little Falls. In French Colonial Archaeology: The Illinois Country and the Western Great Lakes, edited by John A. Walthall, pp. 237-266. University of Illinois Press, Urbana.

Bleed, Peter

1969 The Archaeology of Petaga Point: The Preceramic Component. Minnesota Prehistoric Archaeology Series 2. Minnesota Historical Society, St. Paul.

Brauer & Associates Ltd. Inc.

1978 Lake Elmo Park Master Plan, Washington County, Minnesota. Brauer & Associates Ltd. Inc., Minneapolis.

Clouse, Robert

1985 Historic Context Outlines: The Prehistoric Contexts. *Minnesota History in Sites & Structures: A Comprehensive Preservation Planning Process.* On file at the Minnesota State Historic Preservation Office.

Dobbs, Clark A.

Historic Context Outlines: The Contact Period Contexts (ca. 1630 A.D. – 1820 A.D.).

Minnesota History in Sites & Structures: A Comprehensive Preservation Planning Process and Institute for Minnesota Archaeology Reports of Investigations 39. On file at the Minnesota State Historic Preservation Office.

Dobbs, Clark A. and Scott Anfinson

Outline of Historic Contexts for the Prehistoric Period (ca. 12,000 B.P. – A.D. 1700).

Minnesota History in Sites & Structures: A Comprehensive Preservation Planning Process and Institute for Minnesota Archaeology Reports of Investigations 37. On file at the Minnesota State Historic Preservation Office.

Florin, F.

1996 Late Paleoindians of Minnesota and Vegetation Changes from 10,500 – 8,000 B.P. Unpublished M.A. Thesis, University of Minnesota, Minneapolis.

Gibbon, Guy E.

1973 The Sheffield Site: An Oneota Site on the St. Croix River. Minnesota Prehistoric Archaeology Series 10. Minnesota Historical Society, St. Paul.

1998 Old Copper in Minnesota: A Review. *Plains Anthropologist* 43:27-50.

Gibbon, Guy E., editor

1982 Oneota Studies. Department of Anthropology, Publications in Anthropology 1. University of Minnesota, Minneapolis.

Goodman, Robert & Nancy Goodman

Focus on Community History – Lake Elmo. Staying in Touch, p. 6. Accessed at http://www.lakeelmo.com

Harrison, C., E. Redepenning, C.L. Hill, G. Rapp, Jr., S.E. Aschenbrenner, J.K. Huber, and S.C. Mulholland

1995 The Paleoindians of Southern St. Louis County, Minnesota: The Reservoir Lakes Complex. Kendall/Hunt, Dubuque, Iowa.

Higginbottom, D.K.

An Inventory of Fluted Projectile Points from Minnesota. Paper presented at the 54th Annual Plains Conference, Iowa City, Iowa.

Hixson, W.W. & Company

1916 Atlas of Minnesota. W.W. Hixson & Company, Rockford, Illinois.

Hudson Map Company

1938 Plat Book of Washington County, Minnesota. Hudson Map Company, Minneapolis.

Marschner, F.J.

1930 Map of the Original Vegetation of Minnesota. Reprinted in 1978 by the Minnesota Department of Natural Resources, St. Paul.

Nelson, Thomas O. Company

1954? Atlas of Washington County, Minnesota. Thomas O. Nelson Company, Fergus Falls, Minnesota.

Northwest Publishing Company

1901 Plat Book of Washington County, Minnesota. Northwest Publishing Company, Des Moines, Iowa.

Shane, O.C. III

1989 Ice Age Hunters in Minnesota. The Institute for Minnesota Archaeology Quarterly Newsletter 4(3).

Stanley, David G. & Art Hoppin (with contributions by Jeff Anderson & Robert Vogel)

1989 Phase I Cultural Resource Survey of Landfill Inventory Site G in Washington County, Minnesota. Bear Creek Archaeology Report #8. Bear Creek Archaeology, Iowa.

State Historic Preservation Office

1985 Historic Context Outlines: The Post-Contact Period Contexts. Minnesota History in Sites & Structures: A Comprehensive Preservation Planning Process. On file at the Minnesota State Historic Preservation Office.

Swain, C.N.

1926 Plat Book and Township Directory of Washington County, Minnesota. C.N. Swain, Minneapolis.

The Atlas Company?

1948? Plat Book of Washington County, Minnesota. The Atlas Company, St. Paul.

Trygg, J.W.

1969 Composite Map of U.S. Land Surveyors Original Plats & Field Notes. Minnesota Series, Sheet 7. Ely, Minnesota.

Wedel, Mildred M.

1974 Le Sueur and the Dakota Sioux. In Aspects of Upper Great Lakes Anthropology: Papers in Honor of Lloyd A. Wilford, edited by Elden Johnson, pp. 157-171. Minnesota Prehistoric Archaeology Series 11. Minnesota Historical Society, St. Paul.

Wilford, Lloyd A., Elden Johnson, and Joan Vicinus

1969 Burial Mounds of Central Minnesota: Excavation Reports. Minnesota Prehistoric Archaeology Series 1. Minnesota Historical Society, St. Paul.

Winchell, N.H.

1911 The Aborigines of Minnesota. Minnesota Historical Society, St. Paul.

Websites Consulted

Washington County GenWeb Project, http://www.rootsweb.com/~mnwashin/

Washington County Government's Website

http://www.co.washington.mn.us/your county government/about washington county/

Scenic St. Croix Valley (Lake Elmo)

http://www.saintcroixriver.com/html docs/towns scyrta/lakeelmo.html

Working Together: A Preservation Plan for Minnesota's Historic Properties, 2000-2005. http://www.mnhs.org/preserve/shpo/MSPPv1.pdf

Chapter 4: Natural Resources Stewardship

Introduction

The gently rolling topography of this large park provides a tremendous opportunity for establishment of a truly natural recreational and educational amenity for east Metro residents. In addition to the diverse water features of the park, there are significant native woodland and savanna remnants. Several large old fields have also been restored into prairie during the past few years. It has been stated that the goal for the park's landscape is to restore it to "pre-settlement conditions". It is appropriate to also consider peoples preferences, such as forest verses prairie (both of which are native) as we layout a plan for the parks landscape and management plan. In addition to the typical ecological information (soils, topography, hydrology, etc.), this plan will incorporate user preferences for landscape type and management/maintenance parameters so as to develop a restorative landscape plan that is practical, sustainable and valued by it users.

Vegetative Cover

The existing vegetation of the Lake Elmo Park Reserve (see Figure 4.1) is categorized as four significant types: Old Field, Cropland, Prairie Restoration, and "Significant Oak Forest". One additional category, represented by light green is existing mesic forest or woodland. The Woodland areas cover the inner area of the Reserve and appropriately buffer the two main Lakes: Lake Elmo and Eagle Point Lake as well as the multiple smaller water bodies and wetlands. The Mesic forest includes indicator species such as Red Oak, White Oak, Aspen, Birch, and Ironwood.

Agricultural vegetation is also predominant in the Park Reserve. Areas to the Northwest and Southeast are currently used for crops, predominantly corn and soybeans. The Yellow indicates "Old Field" areas where the fields have been maintained as fallow fields. These fields have been seeded with a non-native pasture mix and are managed primarily by mowing.

In other areas of the Park, prairie restoration projects are underway and have converted Farm fields into significant areas for the restoration of tall-grass prairie. This includes the predominant grass species such as Big Bluestem, Indian Grass, Canada Wild Rye, Switch Grass and Cord Grass as well as the following prairie forbs: Asters, Indigo, Wild Bergamot, Black-eyed Susan, and Golden Rod. The native prairie plants not only stabilize the soil and are adapted to the local climate, the seeds of these prairie plants provide an abundant source of food for insects, birds, and other wildlife throughout the year.

The "Significant Oak Forest" is a remnant of an Oak Forest in the Northern part of the Park Reserve. Within this remnant, there are also a couple of kettle ponds set within the rolling topography. This remnant of majestic oak trees is also infested with the invasive species of Buckthorn and presents a problem of crowing the forest which inhibits species movement and shades the groundcover so the forest is unable to regenerate itself.

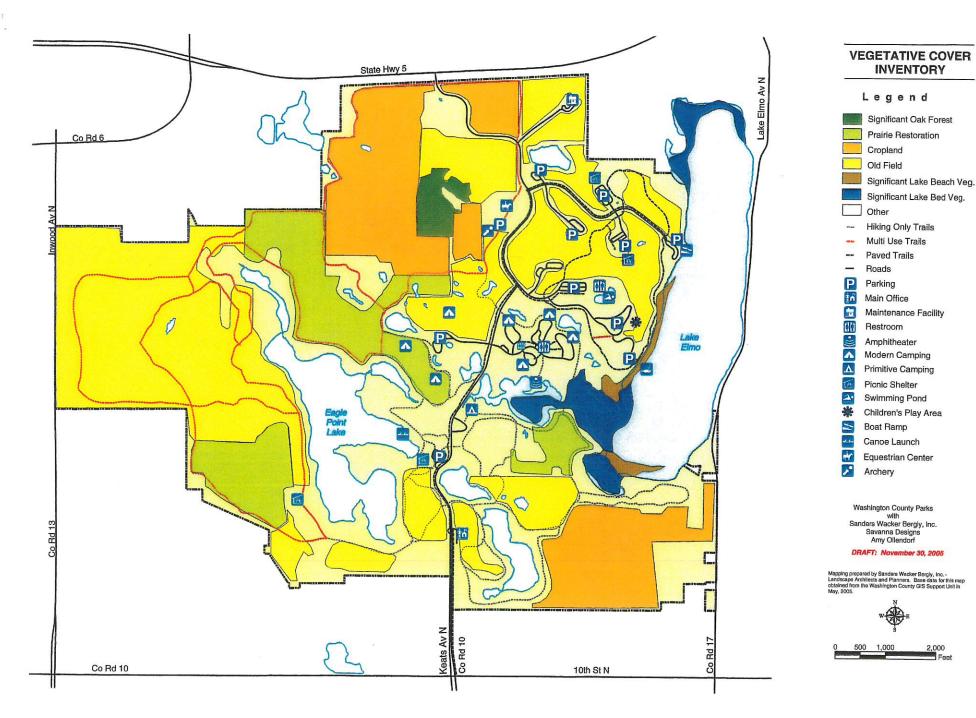
The existing vegetation, in its current state, is predominantly grassland. The current vegetation is disconnected, which means there is a lack of vegetated corridors and edges for species movement across and throughout the park. Vegetated corridors of native shade trees and shrubs are important for wildlife for food as well as for migratory patterns. Increasing the number of shade trees and restoring the landscape to an Oak Savanna, would provide more enclosure and create interesting sightlines and views across the park.

Invasive Plant Species; Management and Control

Controlling invasive exotic plants, particularly buckthorn and Reed canary grass, will be one of the big challenges in restoring this land. It is recommended to clear the site of these problem plants, as they are so destructive to our native plant communities. These plants prevent regeneration of native species and consequentially degrade or eliminate habitat for many insect, animal and bird species.

It is also important, from an educational perspective that people have the opportunity to see what nature is. Parks that are infested with honeysuckle, amur maple and buckthorn confuse people as to what really constitutes a natural landscape. People assume that if a plant is green and in a park- it must be natural and good! It is important to deliver a natural, pre-settlement landscape if that is our stated goal.

Eliminating invasive exotics and the on-going maintenance of the desired ecosystems in the park will require significant, long term funding. At this stage, it is more important to address the removal and management of exotic invasives than to plant new trees and shrubs. There is a bank of native seeds in the soil. Removing the exotics allows for sunlight to reach the soil and for the indigenous plants to regenerate themselves.



Soils

The soils of the Lake Elmo Park Reserve are predominantly considered to be sandy loam, a moderate to well drained soils which offers fair potential for crops and pasture. The majority of the soils are considered to be suitable for woodland. There is a moderately high content of gravelly sand which results in moderate to rapid permeability and potential erosion in the areas where the landscape is undulating. The potential for erosion requires great sensitivity when planning trails and uses in the park as these soils are less stable. The majority of the soil types are considered to have a moderate natural fertility and moderate to low organic matter content.

In the western and northern section of the Lake Elmo Park Reserve (indicated in blue on the soils map), the soils are identified as Silt Loam, are poorly drained soils and have a high water table. These soils tend to be collections points for surface water as either drainage ways or depressions.

Topography

The topography of the Lake Elmo Park Reserve consists primarily of a gently undulating landscape with lower elevations in the South-Central area of the park in conjunction with the two large lakes and multiple water bodies. There are relatively few steep slopes over 18% and the highest points in the park occur in the corners to the west, southwest, and northwest. This gently undulating landscape is conducive to an Oak Savanna restoration.

Landscape Ecology and Sustainability

It is desirable to have a landscape that is sustainable and has a high level of ecological quality and integrity. In the most simple of terms, landscape ecology represents the study of relationships between people, ecosystems, species, energy, pollutants, disturbance, conservation and many more influences on the landscape. The landscape is in a state of constant change inflicted by the actions and forces of all living organisms as well as natural forces such as weather, fire, water; landscape ecology seeks to understand how to balance all of these aspects.

Sustainability is a term that represents a practice that limits or moderates the input of energy and chemicals into the landscape in order to promote long-term plant health, water quality, wildlife habitat, and human health. Both of these terms promote a balance of human and natural forces for the greatest good of wildlife and humans alike. Though they are ideological terms, they represent key values related

to the promoting long-term health of the environment, humans, plants, and wildlife.

The Lake Elmo Park Reserve is an example of a landscape which has both human factors and natural factors influencing the ecology and sustainability of the landscape. The following goals can be set to attain a more sustainable landscape. First, turf and lawn can be minimized in order to reduce mowing and the use of fertilizer. Secondly, minimizing the use of herbicides and fertilizers will reduce the amount of nutrients and chemicals that will eventually reach water bodies as runoff. Thirdly, in minimizing the use of electric gasoline and gasoline powered engines, air quality will be improved. Lastly, by working with dominant native ecosystems and existing soils, plant diversity will increase, plant communities will be regenerative, wildlife populations will be sustained, and the park will provide educational and experiential opportunities for users.

As planning takes place for future uses, sustainability and the understanding of landscape ecology are important values to consider in order to plan for a landscape which will promote wildlife habitat and movement, provide a location for humans to enjoy and experience the natural environment, and to make choices in landscape management that conserves financial, environmental, and intangible resources.

Natural Resource Education and Interpretation

Currently, there are several areas of the park with high levels of ecological integrity and beauty. They are all located in the eastern part of the park, where not surprisingly, most of the parks use and development has taken place. Locating interpretive signs and educational opportunities along the existing paths and by the shelters and play structure would give visitors the information to better understand the oak forest and rolling terrain.

The western half of the park needs more restoration and growth before it is valuable from an interpretive perspective. However, Eagle Point Lake and the migrant bird populations it attracts could be made much more accessible and could host a variety of bird and wetland observation facilities. This plan also calls for a new nature center building to be located on the knoll at the eastern shore of Eagle Point Lake. This building will open up vistas out over the Lake and also provide trailhead connections as well as indoor space for displays and education.

Restorative Landscape Plan

The long-term management plan for the Park (Brauer, 1978) is for plant communities to resemble a mosaic that mimics land area prior to the arrival of the settlers in the Mid-1800's.

The concept for this plan (see Figure 4.2) would be to use landscape restoration planting methods and natural regeneration to reestablish the prairie, savanna, forests, and wetlands in the areas where the soils and aspect is appropriate for that ecosystem. The idea is to also work with time and ecological succession and allow the forest to spread over more of the park. Ecological succession is a natural process where plant species replace each other over time. Each stage of a plant community gives way to the next, setting the stage for the next dominant plant community. Temporary, successional plant communities are replaced by more stable plant communities until a sort of equilibrium in the landscape is reached. The rate of succession is influenced by disturbance, such as a windstorm, disease, or fire and can be accelerated and directed by proper management

Management techniques may control the dominant plant community. For example, if a prairie plant community, dominated by grasses and forbs (prairie flowers) is left alone, more aggressive shrub species will move in and over time, shade out the prairie plants. Eventually, sapling trees will move in and outcompete most of the shrub species, giving way to a mature shade tree plant community. A prairie plant community, however, can be maintained with management techniques of fire and mowing. While prairie, savanna, forests and wetlands are native to this local area, disturbance regimes, such as fire are important to maintain them and regenerate the plant life cycles.

During the information gathering process, participants and the local community have expressed a preference for a variety of ecosystems that were once native to the park. This would provide for greater educational opportunities, allow for more wildlife diversity and make the system more sustainable as a whole. The Restorative landscape plan identifies five major plant communities or ecosystem types. Upland Forest is dominated by native Maples, Ash, and Oaks. The Oak Savanna plant community consists of a maximum of a 30% canopy cover by Bur Oak trees; short prairie grasses such as little bluestem and prairie dropseed and prairie forbs would dominate the ground layer. This community is most often found in an area of gentle topography in dry, sandy soils. Prairie is recognized as the third ecotype, consisting of tall grasses mixed with prairie forbs. The Aspen Glade ecotype is found primarily in the low-lying areas of the Lake Elmo Park Reserve. The plant community consists of thick clones of Aspens with other species tolerant of semi-wet conditions. Lastly, wetland is identified as the final ecotype where grasses, sedges, forbs and emergent plants are present in fluctuating water levels and

provides significant habitat for water fowl.

Consideration of a range of factors determined where each ecotype was most suitable. Factors such as slopes, soils, previous conditions, wetland buffers, and low lying areas, were studied in order to develop the restorative landscape plan. Oak savanna is the predominant landscape type shown on the plan for a variety of reasons, which corresponds to the ecological history of Washington County. In addition, from an aesthetic standpoint, this landscape type is also appropriate for the Lake Elmo Park Reserve due to the open quality which allow for open views and provides habitat for many species of birds and wildlife.

Oak Savanna is also a very desirable landscape for people to inhabit. There is an open quality yet some canopy and shade so that people do not feel too open or exposed. Oak trees spaced across an undulating landscape are conducive to park activities such as picnicking, playing and camping.

The five native ecosystem types proposed in the Restorative Landscape Plan provide for a high level of habitat diversity, which will attract and provide a home for an array of animals, birds, and butterflies as well as provide and an interesting landscape for park visitors to use.

Landscape Types and Plant lists

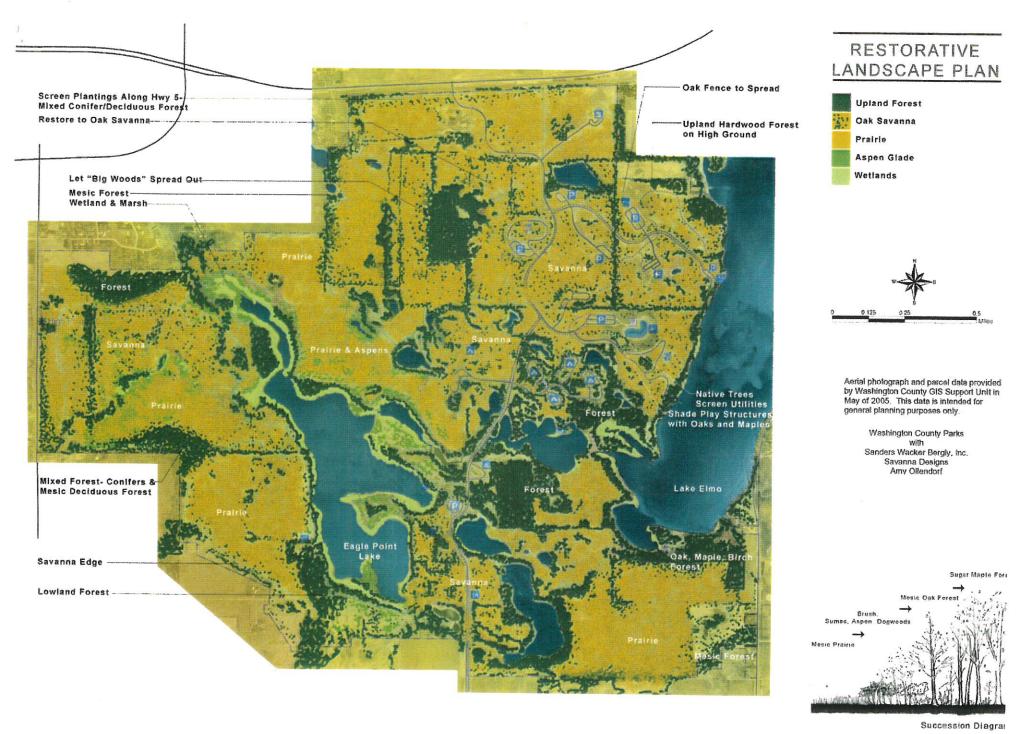
Oak Savanna

Shade Trees

Bur Oak Quercus macrocarpa

White Oak Quercus alba

Northern Pin Oak
Hawthorn
Crataegus crusgalli
Black Cherry
Prunus serotina



<u>Shrubs</u>

American Hazelnut Chokecherry

Gray Dogwood

Juneberries, Serviceberry

Nannyberry

Corylus americana Prunus virginiana Cornus racemosa

Amelanchier canandensis Viburnum lentago

Groundcover

Little bluestem Big Bluestem Prairie dropseed

Haiiry grama
Porcupine grass
Gray goldenrod

Purple prairie clover

Rough blazingstar Rigid sunflower Tall cinquefoil Sky-blue aster Silky aster

Dotted blazingstar
Wild lupine
Butterfly weed

Schizachyrium scoparium

Andropogon gerardii Sporobulus heterolepis Bouteloua hirsuta

Stipa spartea

Solidago nemoralis Petalostemon purpureum

Liatris aspera Helianthus rigidus Potentilla arguta Aster oolentangiensis

Aster sericeus Liatris punctat Lupinus perennis Asclepias tuberosa

-

Upland Forest- Mesic

Shade & Evergreen Trees

Sugar Maple Canada Hemlock Basswood

American Elm Ironwood, Hophornbeam

White Ash Red Oak Acer saccharrum

Tsuga canadensis Tilia americana Ulmus americana

Ostrya virginiana Fraxinus americana

Quercus rubrum

White Oak

Ouercus alba

Northern Pin Oak

Quercus ellipsoidalis

Balsam Fir White Pine Abies balsamea Pinus strobus

White Pine Paper Birch

Betula papyrifera

Black Cherry

Prunus serotina

Shrubs

American Hazelnut

Corylus americana Prunus virginiana

Chokecherry Gray Dogwood

Cornus racemosa

Juneberries, Serviceberry

Amelanchier canandensis

Nannyberry

Viburnum lentago

Groundcover

Baneberry Actaea alba

Anemone Anemone quincefolia
Wild Sarsparilla Aralia nudicalus
Big-leaved aster Aster macrophyllus
Bluebead Lily Clintonia borealis

Wood Fern Dry.
Northern Bedstraw (scented) Gala

Dryopteris austriaca
Galium triflorum

False Lily of the Valley

Maianthemum canadense

Northern Bishops Cap

Mitella nuda

Hairy Solomon's Seal Large flowered Trillium Polygonatum pubescens Trilium granifloum

Smooth Violet

Viola pubescens

Aspen Thicket

Trees

Aspen Black Alder Populous tremuloides

Black Alder

Prunus serotina

Alder

Alnus incana

Shrubs

American Hazelnut Corylus americana Chokecherry Prunus virginiana Gray Dogwood Cornus racemosa Sumac Rhus typhinia

Juneberries, Serviceberry Amelanchier canandensis Arrowwood Viburnum Viburnum dentatum Nannyberry Viburnum lentago Diervilla lonicera Bush Honeysuckle

Grasses

Little bluestem Schizachyrium scoparium Big Bluestem Andropogon gerardii **Indian Grass** Sorghastrum nutans Canada blue-joint grass Calamagrostis canadensis Sedge Carex

Prairie:

Groundcover

Sky-blue aster

Little bluestem Schizachyrium scoparium Big Bluestem Andropogon gerardii Prairie dropseed Sporobulus heterolepis Haiiry grama Bouteloua hirsuta Porcupine grass Stipa spartea Gray goldenrod Solidago nemoralis Purple prairie clover Petalostemon purpureum Rough blazingstar Liatris aspera Rigid sunflower Helianthus rigidus Tall cinquefoil Potentilla arguta

Aster oolentangiensis Silky aster Aster sericeus Dotted blazingstar Liatris punctat Wild lupine Lupinus perennis

Chapter Four - Natural Resources Stewardship

Butterfly weed Asclepias tuberosa Chokecherry Prunus virginiana Redtwig Dogwood Cornus sericea Gray Dogwood Cornus racemosa

Juneberries, Serviceberry Amelanchier canandensis

Winterberry Illex verticillata

Wetland/Pond Plants

Trees

Quaking Aspen Populus tremuloides Cottonwood

Populus deltoides

Shrubs

Gray Dogwood Cornus racemosa Redtwig Dogwood

Cornus sericea

Grasses, Sedges, Forbs and Emergent plants)

Eupatorium perfoliatum Boneset Broadleaved arrowhead Sagittaria latifolia

Bluejoint grass Calamagrostis canadensis

Scirpus validus Softstem bullrush Sedge Carex scoparia Fox sedge Carex vulpinoidea Scirpus cyperinus Woolgrass Typha latifolia Cattail Cicuta bulbifera Bulb-bearing water-hemlock Northern marsh fern Thelypteris palustris Asclepias incarnata Swamp milkweed Campanula aparinoides Marsh bellflower Potentilla palustris Marsh cinquefoil Eupatorium maculatum Joe Pye weed

Chelone glabra Turtlehead Sweetflag Acorus calamus Water Plantain Marsh marigold Pickerelweed

Alisma trivale Caltha palustris Pontedira cordata

Chapter 5: Development Plan

Introduction

The discussions with stakeholder groups included review of the expansion or addition of park facilities and activities that relate to the following categories:

- Natural and cultural resource protection and restoration
- Natural and cultural resource interpretation
- Camping
- Picnicking
- Water-based facilities
- Trails
- Miscellaneous facilities

The input received during the process has shaped planning and design concepts that relate to each of the categories. Recommendations are included in the following paragraphs and on the Development Plan found on Figure 5.1. Refer also to Chapter 3-Cultural Resource Stewardship and Chapter 4-Natural Resource Stewardship.

Development Concepts

Natural and Cultural Resource Protection and Restoration

The majority of the land in Lake Elmo Park Reserve has been disturbed by farming or other activity as indicated on Figure? Approximately 279 acres are currently under cultivation, however, all tilled fields are expected to become fallow during the next 10 years. The design concept for the field acreages includes methodical restoration of woodland, prairie and wetland plant communities. The planting and landscape management practices, discussed in Chapter 4 – Natural Resources Stewardship, will essentially speed-up the process of natural succession. The efforts will help to expand woodlands, create rich plant diversity at woodland edges, encourage oak savanna, native prairie, and wetland vegetation to thrive and provide improved habitat for birds, mammals and other wildlife.

Many areas of the park where vegetation has been allowed to progress naturally have been invaded by

non-native plants such as buckthorn, knapweed, purple loosestrife and reed canary grass. Landscape management practices have included control of invasive species and will continue to focus on removal of the nuisance plants and replacement using native plant varieties. Refer to Chapter 4 for additional information about invasive plant control.

Cultural resources in the park include farmsteads with buildings and remnants of buildings remaining. There are four existing barns in the park that have been maintained by the Parks Division. The barns are in good condition and three of the structures are excellent examples of Midwest barn architecture from the early 20^{th} century. Two of the barns are currently used for storage and two are empty. The structures will remain and are identified for specific uses as described in other paragraphs in this chapter. Refer to Chapter 3-Cultural Resources Stewardship for additional information about European settlement in the area and suggestions for management of related cultural resources.

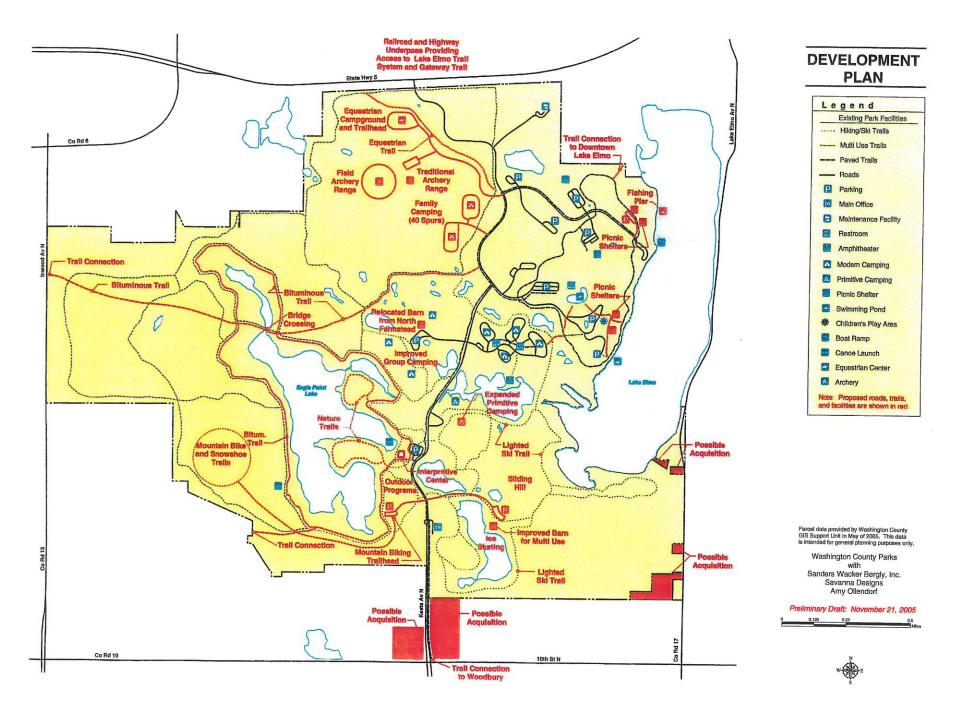
Evidence of Native American activity was found in two locations in the park by an archeological survey completed in the 1980's. Because of the numerous water bodies and historically diverse wildlife habitat, there is a high probability that additional American Indian archaeological sites are present. The shores of Lake Elmo and Eagle Point Lake should be considered high priority for additional archeological surveys. Information generated by survey work would be used to prepare interpretive displays describing the presettlement history of Lake Elmo Park Reserve. Survey data would also be considered in the preparation of designs for new park facilities. Refer to Chapter 3-Cultural Resources Stewardship for additional information about Native American activity in the area and suggestions for management of related cultural resources.

Natural and Cultural Resource Interpretation

There is growing public interest in learning about nature and cultural history. There are several nature/interpretive centers in the regional park system that include educational displays and programs relating wildlife, plant communities, ecology and archeological discovery.

An interpretive center for study and instruction about Lake Elmo Park Reserve's natural and cultural resources is planned for construction on the east shore of Eagle Point Lake. In addition to its interpretive function, the structure will serve as a trailhead and as an information center describing park programs and facilities. The facility will function well as a major focal point in the park with appeal to a broad spectrum of visitors.

A small amphitheater with a seating capacity of 200 to 250 is planned in proximity to the interpretive



center. The facility will serve as an outdoor venue for educational programs related to nature study and cultural history. It will be easy to access for all park visitors and will provide somewhat more seating capacity than the existing program areas located at the modern and group campgrounds in the park.

Interpretive signs and displays will be placed at selected locations in the park to describe natural and cultural features. The intent of the displays will be to assist visitors in understanding the ecology, geology and cultural history of the park site.

Wildlife blinds and nature trails will be constructed to provide access to high quality habitat areas in the park. The facilities will supplement similar existing facilities in providing opportunities for nature-oriented activities such as birding, photography, orienteering and nature study. Care will be taken to minimize adverse impact on the habitat areas.

Camping

The existing modern campground is extremely popular and is consistently filled on weekends during the fair-weather camping season. The equestrian campground is frequently used as an overflow facility to help meet the demand for family camping opportunities and is little used for equestrian camping. The plan proposes converting the equestrian campground into a modern campground; adding approximately 40 additional family camping spurs in that general location. The new camping loops would be located closer to the edge of the woods west of the existing campground to create a more appealing setting campers. The spurs will be equipped with water hook-ups and electrical service designed to accommodate the high amperage required to effectively serve large trailers and motor homes.

The 'camping spur' design of the existing equestrian campground does not function well for the truck and trailer rigs used by equestrians. Riders have also expressed a concern about the safety of sharing a campground and trailhead with other campers. The plan proposes to redesign the equestrian campground and trailhead and move the facilities to a different location. The proposed location is the north farmstead area, which offers a barn that could be used as part of this development. The layout of the campground will be similar to a traditional group campground design that provides more flexibility for general circulation and use of the facility.

The existing group campground is popular and improvements are proposed for the facilities. Campsite #1 will be relocated to improve the setting and parking will be placed near the site to provide for groups requiring more convenient access to their campsite (existing parking is remote from the sites). One of the barns will be moved from the north farmstead to the group campground to provide space for restrooms

and gatherings. Trees and canopies will be added throughout the camping areas as required to offer shade in the relatively open setting of the campground.

Walk-in campsites will be added to the existing, high quality primitive campground. The plan proposes improvements to the parking area installation of potable water service for campers.

Picnicking

The large, existing picnic shelters are extremely popular and are consistently rented on weekends during the picnicking season. Large groups are served well in the park, but additional facilities for smaller groups are proposed. Small shelters with a capacity of 4 to 10 tables will be placed in locations that will work well in serving visitors that are using other facilities in the park. One or two shelters are planned near the destination playground and existing fishing pier where existing parking lots will serve the parking need. One or two shelters are also planned near the existing boat launch and proposed fishing pier where a small parking lot will be provided to serve the new picnic area. Some tables will be placed in the open park areas near the new shelters to provide additional picnicking opportunities.

There are existing, small picnic areas in the park that are located in settings that have few mature trees and consist of open tables with no shelters. The areas are underutilized and would be more appealing if shelters were added to provide shade and strengthen the sense of place at these locations. The plan recommends adding small shelters (first come first serve) with a capacity of 4 to 10 tables to enhance the picnic areas and provide more choices for park visitors seeking a pleasant gathering place.

Water-based Facilities

The existing fishing pier on Lake Elmo is used heavily by families and other park visitors. A second pier is planned for a location north of the existing boat launch. The lake bottom drops-off fairly quickly at this location and fish habitat is deemed to be good.

Circulation patterns at the existing boat ramp, access drive and parking are not efficient. The layout of the facilities will be modified to shorten the time it takes to launch boats and park vehicles and to help avoid conflicts between boating visitors. The capacity of the parking lot will remain the same.

<u>Trails</u>

The Cross country ski trails in the park are high quality and varied in the challenges that they offer.

Lighted ski trails have proven to be popular in Three River's Park District, Ramsey County and Stearns County. Some of the trails are lit with light poles that are 15' to 20' high and others are lit with low level lights approximately 3' to 4' high. The low level lights are proposed for use in Lake Elmo Park Reserve to minimize glare and visibility of the lights from other locations in the park and from the surrounding area. The lighted trails offer extended use for skiers that are working during most of the winter daylight hours and for ski teams that spend a great deal of time practicing their sport. A lighted trail is proposed for existing trail loop C at Lake Elmo Park Reserve. The use of snow-making machines is proposed to compensate for reduced snowfall; an apparent trend for Minnesota winters.

Additional snowshoeing and winter hiking trails will be provided in response to a high demand for outdoor winter exercise opportunities. More trails designated for these activities will help to reduce conflicts between skiers and walkers.

Mountain biking is currently allowed on multi-use trails in the park. The contemporary designs for mountain bike trails, constructed recently in several Metro Area parks, are highly technical and offer challenges that have proven to be extremely popular with bikers. Trails should be constructed in conformance with design standards established by the International Mountain Bicycling Association to avoid problems with soil erosion and to minimize impacts on vegetation and other natural resources. A trail designed specifically for mountain biking (it would also accommodate snowshoeing in the winter) and a trailhead parking lot are proposed in the vicinity of the south end of Eagle Point Lake. The trail length will be 3 to 5 miles.

Equestrian trails will be modified by eliminating equestrian use of the trail segments on the south and southwest sides of Eagle Point Lake. The change is made to protect soft erodible soils existing in this area of the park. In addition, a trail segment, similar in length to the segment to be deleted, will be added at the north end of the park to provide connections between the trail system and the proposed location for the new equestrian campground and trailhead.

Bituminous-surfaced trails provide barrier free access to users of all ages and all levels of physical ability. They provide a save and comfortable walking surface in most weather conditions and have proven to attract more trail users (hikers, bikers, in-line skaters) than 'soft' trail surfaces in all types of park settings. Bituminous surfacing is proposed for park trails connecting to access points serving the Cities of Lake Elmo, Oakdale and Woodbury. A paved trail is also proposed to encircle Eagle Point Lake; joining the existing multi-use trail and providing all trail users the opportunity to experience the lake environs. Finally, bituminous trail connections will be added between park facilities as required. For example, improved connections are needed between the swimming pond and nearby camping, picnic and play

areas.

Trail access into the park will be designed to provide convenient connections to the cities of Lake Elmo, Oakdale and Woodbury. A number of alternative park entrance locations were considered and the following were chosen as preferred options:

- Connections convenient to Oakdale will likely occur at the location of the existing snowmobile trail on Inwood Ave. and at North 15th Street.
- A connection to Downtown Lake Elmo will likely occur near Klondike Street (the exact location will be coordinated with the City).
- The existing trail access on Keats Ave. is convenient to Woodbury.

Where new trails are proposed for connection to city-owned trail segments, the construction will occur after the city segments are complete. This will help to ensure that placement of the park trails is consistent with city trail design objectives.

Construction of underpasses beneath Hwy. 5 and the railroad tracks on the north side of the park is proposed to provide access to the City of Lake Elmo trail system and the Gateway Trail. The precise locations for the underpasses have not yet been determined.

The Washington County Star Trail Association is permitted to maintain snowmobile trails that pass within the park along the southwest and northwest boundaries. Trail access points are located on Inwood Ave. and on Highway 5. The trail use will be allowed to continue in the park as long as adjacent communities permit such use and there is no conflict with park operations or negative impact on wildlife.

Miscellaneous Facilities/Activities

The existing traditional archery target range is heavily used. The range will be relocated to a site south of the north farmstead and the number of targets will be increased. A field archery range will be constructed near the same location. The field range will include targets and shooting stations designed to simulate hunting conditions. The archery ranges will be designed in conformance with standards established by the National Archery Association and the National Field Archery Association.

The Brown's Pond area will be developed to include winter skating, sledding facilities and cross-country skiing and show shoeing trails. Summer use of the area will include hiking and nature appreciation. The existing barn at the site will serve as a trail head and multi-use activity center. A parking lot will be

constructed to serve the facilities in the area.

Dog field-trial events are currently conducted twice per year in open, short-grass, field areas of the park. The events may continue until native plant communities have been restored in the park to the extent that suitable space for the trials is no longer available.

Acquisition of inholdings and other property is being considered on the southeast shore of Lake Elmo, at the southeast corner of the park and along Keats Avenue at the main entrance to the park. Refer to Chapter 6-Park Boundaries and Acquisition for additional information related to the properties.

Facilities Discussed & Omitted

Off-leash Dog Area

It was determined that an off-leash dog area is not consistent with the county's mission in providing recreation opportunities for park visitors. The off-leash activity is known to have adverse impacts on natural features and wildlife habitat and is considered to be a better fit within a local park setting that supports intense recreational activities such as a 'community park' or 'community playfield' as classified in the Metropolitan Council's Regional Open Space Policy Plan. In addition, it was observed that the needs of off-leash dog area users are best served by facilities provided in parks that are sited in several locations throughout a city. This provides convenient access for frequent users. Off-leash areas are not recommended for development in Lake Elmo Park Reserve.

Winter Vehicle Access to Lake Elmo

It was determined that vehicle travel on Lake Elmo during winter months does not relate to other facilities or programs existing or planned for Lake Elmo Park Reserve, and winter activities on the Lake are beyond the ability of the Parks Division to monitor or control. An access drive onto Lake Elmo is not recommended for development in the park.

Disc Golf

It was determined that disc golf is not consistent with the county's mission in providing recreation opportunities for park visitors. The activity is known to have adverse impacts on natural features and is a better fit within a local park setting that supports intense recreational activities such as a 'community park' or 'community playfield' as classified in the Metropolitan Council's Regional Open Space Policy

Plan. A disc golf course is not recommended for development in Lake Elmo Park Reserve.

Undeveloped Facilities Included in the 1978 Master Plan

The original Master Plan for Lake Elmo Park Reserve includes recommendations for two major facilities that have not been implemented to date. The first is a children's farm planned for development at the north farmstead and the second is a swimming beach planned for the southwest shore of Lake Elmo.

Recommendations from the current planning process include the omission of the children's farm concept. Interpretation of farm structures and artifacts is proposed in lieu of development of a working farm. It was observed that the high cost of implementing and maintaining a children's farm at Lake Elmo Park Reserve may diminish the development and maintenance of other important facilities in the park. Additionally, there are similar facilities operating in the Metro Area that offer high quality educational experiences related to the "small farm" lifestyle once common in this region. Finally, the concept ranked extremely low in a recent county-wide recreation survey.

It is recommended that the swimming beach proposed on Lake Elmo be omitted from the park improvement program. The existing swimming pond is heavily used and provides high quality swim facilities for park visitors. At the time that the existing pond was planned, it was determined that the lake bottom and shoreline conditions within the park were not suitable for beach development. The current planning process supports that finding.

Chapter 6: Park Boundaries and Acquisition

The Metropolitan Council's Regional Recreation Open Space Policy Plan indicates that the agency's two priorities for acquiring park and park reserve lands include:

- Lands essential to protect the natural resources that define a park or park reserve and make it usable to the public as planned.
- Lands that are essential for the park or park reserve to reach its full regional natural resource based outdoor recreation service potential as defined in the Council's regional park system plan and the park unit's master plan.

Lake Elmo Park Reserve is located entirely within the City of Lake Elmo and is surrounded, primarily, by residential properties, most of which have been developed or are in the process of being developed. There are significant frontages along Inwood Ave. on the west side of the park, along a railroad corridor paralleling Hwy. 5 on the north and along County Rd. 17 on the east side of the park. The Park Reserve's 2165 acres is contiguous with the exception of a few relatively small inholdings located at the southeast corner of the park. The plan recommends that the county acquire the inholdings to complete the park acreage and prevent any possibility of future conflicts between park users and private property owners. The inholding parcels are shown on Figure? and are described as follows:

- Parcel A (0.75 acres): The property is an inholding with 65 feet of lakeshore frontage on Lake
 Elmo. The east boundary is within 55 feet of the west boundary of parcel B. The site contains a
 residence and related improvements. The residence should be removed and the shoreland and
 upland areas of the property should be restored to blend with aquatic and woodland vegetation on
 surrounding park property.
- Parcel B (1.0 acres): The property is an inholding with 140 feet of frontage on County Rd. 17.
 The south boundary is within 1,460 feet of parcel C. The site contains a residence and related improvements. The residence should be removed and vegetation restored to blend with the woodland on adjacent park property.
- Parcel C (1.0 acres): The property is an inholding with 200 feet of frontage on County Rd. 17. The south boundary is 400 feet from the north boundary of parcel D. The site contains a residence and related improvements. The residence should be removed and the vegetation

restored to be consistent with the Restorative Landscape Plan included in the master plan amendment.

• Parcel D (7.6 acres): The property is an inholding with 140 of frontage on County Rd. 17. The site contains a residence and related improvements. The property separates a 2½ acre parcel of park land, also having frontage on County Rd. 17, from the main body of the park. The residence should be removed and the vegetation restored to be consistent with the Restorative Landscape Plan included in the master plan amendment.

The plan further recommends that the county acquire two parcels, E and F, flanking the east and west sides of Keats Ave. N. Ownership of the parcels would allow the Parks Division to manage the lands in a manner consistent with the park reserve and bring an expression of the park character and image to the main entrance at the intersection of Keats Ave. and 10th Street N. If native vegetation is established on the sites, motorists approaching on 10th Street or on Keats Ave. will view a sample of the park environs as opposed to the residential developments to the east and west on 10th Street. The native landscape would also be consistent with prairie plantings maintained by the Parks Division in the Keats Ave. median south of 10th Street. The properties are shown on Figure ? and are described as follows:

- Parcel E (16 ½ acres): The site contains a residence and related improvements. It has 550 feet of frontage on 10th Street North and 1,340 feet on Keats Avenue North. The residence should be removed and the vegetation restored to be consistent with the Restorative Landscape Plan.
- Parcel F (10 acres): The site contains a residence and is largely disturbed with no significant natural resources. It has 660 feet of frontage on 10th Street North and 660 feet on Keats Avenue North. The residence should be removed and the vegetation restored to be consistent with the Restorative Landscape Plan.

There are several methods for land conveyance to county ownership. The following might be considered for acquisition of the identified properties:

- Fee simple: The outright purchase of full title and all rights by the county from the land owner. The transaction is generally handled with a negotiated purchase agreement that is based on an appraisal of the full market value of the land.
- First right of refusal: A contract between a landowner and the county which provides that, if the landowner chooses to sell, it must offer the land first to the county.

- Life estate: The land may be sold to the county and the owner may continue to occupy the residence and all or a portion of the property for the duration of the owner's lifetime.
- Donation: A private land owner may convey all or a portion of a property at no cost to the county
 and the owner can take advantage of tax benefits associated with the donation.
- Eminent domain: This, generally least desirable method of land acquisition, allows the county to purchase, at fair market value, the property of an unwilling seller.

The rapid escalation of land prices and development pressures in the area suggest that the county should proceed as quickly as funding will allow to act on the purchase of properties identified for acquisition.

In addition to the land acquisition described above, easements or use agreements will be required to construct the trail underpasses proposed beneath the railroad tracks and highway on the north side of the park. The State of Minnesota may require the county to secure an easement to construct a trail and underpass beneath Highway 5 and the Union Pacific Railroad will require the county to execute an agreement, in some form, to construct a trail and underpass beneath its tracks.

Chapter 7: Park Operations and Management

Summary Building Report

Nove	mber-20)05	Y	ear to Date	
	ermits sued	Valuation		Permits Issued	Valuation
New Residential	2	\$2,423,000.00	New Residential	19	\$10,552,741.00
New Commercial	0	\$0.00	New Commercial	8	\$4,522,600.00
Other Best January		A-A-A-A-			
Other Residential Other Commercial	<u>22</u> 6	\$73,925.00 \$331,600.00	Other Residential Other Commercial	317 44	\$4,469,921.00
Other Commercial			Ottlei Commercial	44	\$1,142,657.00
Total	30	\$2,828,525.00	= Total	388	\$20,687,919.00
Total Building Fees Colle	cted	\$33,671.83	Total Building Fees C	ollected	\$286,558.03
Summary Pl	umbing	Report	Summar	ry Plumbing	Report
Plumbing	11	\$130,900.00	Plumbing	75	\$1,099,678.00
Total Plumbing Fees Colle	ected	\$904.50	Total Plumbing Fees (Collected	\$5,826.00
Summary	HVAC R	leport	Summary HVAC Report		
HVAC	10	\$73,245.00	HVAC	92	\$733,900.00
Total HVAC Fees Collecte	ed	\$655.00	Total HVAC Fees Coll	lected	\$7,794.40
Summary Grand Total Fee	s	\$35,231.33	Summary Grand Total	Fees	\$300,178.43
Surcharge Fee Paid to Sta SAC Fees Paid to Met Cou WAC Fees Paid to Oakdale Misc. Expenses	ıncil	\$1,419.74	Surcharge Fee Paid to SAC Fees Paid to Met WAC Fees Paid to Oal Misc. Expenses	Council	\$10,228.08 \$1,450.00 \$500.00 \$0.00
Total Fees Retained		\$33,811.59	Total Fees Retained		\$288,000.35
Credit Fees to Bldg Credit Fees to Water Credit Fees to Sewer		\$29,836.59 \$3,900.00 \$75.00	Credit Fees to Bldg Credit Fees to Water Credit Fees to Sewer		\$260,330.35 \$26,600.00 \$1,025.00

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-135

A RESOLUTION RECEIVING THE FEASIBILITY REPORT AND CALLING A HEARING ON THE WATER SYSTEMS INTERCONNECTION – PHASE IV PROJECT

WHEREAS, a feasibility report has been prepared by TKDA with reference to the Water Systems Interconnection Phase IV Project, and this report was received by the City Council on December 6, 2005.

WHEREAS, the report provides information regarding whether the proposed project is necessary, cost-effective, and feasible.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LAKE ELMO, MINNESOTA:

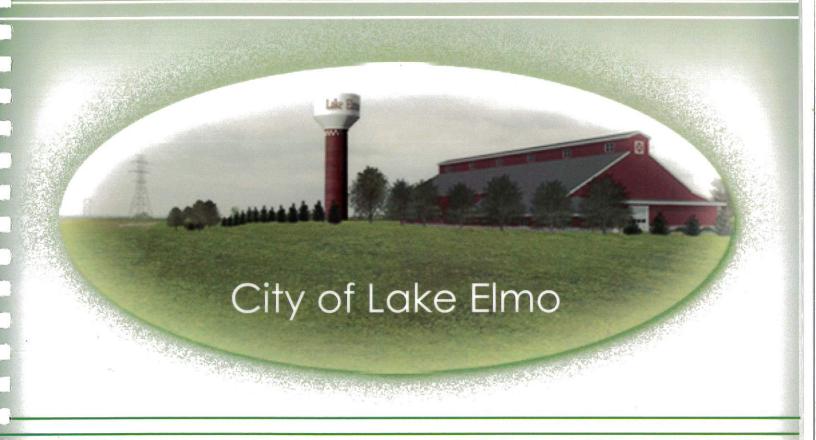
- 1. The Lake Elmo City Council will consider the Water Systems Interconnection Phase IV Project in accordance with the report and the assessment of abutting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes Chapter 429 at an estimated cost of the improvement of \$494,310.00.
- 2. A Public Hearing has been ordered on said Water Systems Interconnection Phase IV Project on the 17th day of January, 2006 at Lake Elmo City Hall, 7:00 p.m. add the clerk shall give mailed and published notice of such hearing and improvement as required by law.

ADOPTED by the Lake Elmo City Council this 6th day of December, 2006.

	Dean Johnston, Mayor	
ATTEST:		

Resol Water Systems Interconnection Phase IV Project

Feasibility Report



Water Systems Interconnection Phase IV

December 6, 2005 Project No. 13186.008

TKDA

ENGINEERS - ARCHITECTS - PLANNERS

1500 Piper Jaffely Pical 444 Center Street East Pical MR 551011-014

(550) 792-4400 (851) 792-0083 Fee WWW. 1164-0081





FEASIBILITY REPORT WATER SYSTEMS INTERCONNECTION PHASE IV CITY OF LAKE ELMO, MINNESOTA TKDA PROJECT NO. 13186.008

I hereby certify that this Feasibility 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.

Thomas D. Prew, P.E.

License No. 19621

WATER SYSTEMS INTERCONNECTION PHASE IV CITY OF LAKE ELMO, MINNESOTA PROJECT NO. 13186.008

TABLE OF CONTENTS

		PAGE NO.
SECTION I.	INTRODUCTION AND PROPOSED IMPROVEMENTS	
SECTION II.	RIGHTS-OF-WAY AND EASEMENTS	
SECTION III.	PERMITS	
SECTION IV.	ESTIMATED PROJECT COSTS	2
SECTION V.	FINANCING OF IMPROVEMENTS	2
SECTION VI.	PROJECT ASSESSMENTS	
SECTION VII.	PROPOSED PROJECT SCHEDULE	3
SECTION VIII.	STATEMENT OF FEASIBILITY	3
	APPENDIX	
		PAGES
	P	
	PROBABLE COST	
PRELIMINARY	PLANS	7
	SUMMARY	

WATER SYSTEMS INTERCONNECTION PHASE IV CITY OF LAKE ELMO, MINNESOTA

I. INTRODUCTION AND PROPOSED IMPROVEMENTS

The City of Lake Elmo has undertaken a Project to build an elevated water storage tank at the new Public Works site near the intersection of Ideal Avenue and TH 5. A trunk watermain is necessary to connect the water tower to the remainder of the water system.

To accomplish this, a 16-inch watermain is required from the water tower to the intersection of CSAH 6 and TH 5. This watermain would lie in the south boulevard of TH 5. A jacked crossing of TH 5 would be needed near the water tower.

There are a few commercial properties along TH 5 that will receive a benefit and will have the ability to connect to this watermain.

This Report was initiated by the City Council.

Preliminary Plans are located in the Appendix.

II. RIGHTS-OF-WAY AND EASEMENTS

All other work will be done by permit in County and State rights-of-ways.

III. PERMITS

A Utility Permit from the Minnesota Department of Transportation (Mn/DOT) for work in the TH 5 right-of way will be necessary.

A Utility Permit from Washington County for work in the CSAH 6 right-of-way is required.

A permit from the Minnesota Department of Health is needed for a watermain extension and elevated tank construction.

A permit is required from the Valley Branch Watershed District for erosion control.

IV. ESTIMATED PROJECT COSTS

A detailed cost estimate is located in the Appendix.

Estimated Construction Cost	\$ 449,310.00	
Engineering	\$ 45,000.00	
Total Project Cost	\$ 494,310.00	

V. FINANCING OF IMPROVEMENTS

The improvements are planned to be financed entirely by a Water Availability Charge (WAC) and assessments. A bond for this Project was sold in 2005.

VI. PROJECT ASSESSMENTS

Property appraisals were performed by Scott Renne to determine the increase in market value for the properties that abut the trunk watermain along the south side of TH 5. It is proposed to assess these benefiting properties the full amount of that increase in property value. Although this method is rarely used, this is an allowed method of assessment under the City Assessment Policy.

The appraisal resulted in a recommended rate of \$2,340.00 per acre for the unplatted property, and \$2,755 per unit for the 14 office condos already platted.

Preliminary Assessment Roll

PID	Gross Area (Acres)	Net Area (Acres)	Assessment (\$2,340/AC)	
16-029-21-24-0001	54.9	53.0	\$	124,020.00
16-029-21-42-0002	2.0	2.0	\$	4,680.00
16-029-21-42-0005	1.2	1.2	\$	2,808.00
16-029-21-42-0003	6.0	6.0	\$	14,040.00
16-029-21-42-0004	2.1	2.1	\$	4,914.00
16-029-21-42-0001	2.6	2.1	\$	4,914.00
16-029-21-43-0001	3.6	1.8	\$	4,212.00
16-029-21-43-0006	4.4	4.0	_ \$	9,360.00

PID	Address	Owner	Asse	ssment
16-029-21-41-0026	8921 Hwy 5	Lake Elmo Land Dev.	\$	2,755.00
16-029-21-41-0025	8925 Hwy 5	Lake Elmo Land Dev.	\$	2,755.00
16-029-21-41-0024	8931 Hwy 5	Settevig Heaney Enterp.	\$	2,755.00
16-029-21-41-0023	8935 Hwy 5	8935 Prairie Ridge LLC	\$	2,755.00
16-029-21-41-0022	8941 Hwy 5	Lake Elmo Land Dev.	\$	2,755.00
16-029-21-41-0021	8945 Hwy 5	Lake Elmo Land Dev.	\$	2,755.00
16-029-21-41-0017	8971 Hwy 5	Lake Elmo Land Dev.	\$	2,755.00
16-029-21-41-0018	8975 Hwy 5	Lake Elmo Land Dev.	\$	2,755.00
16-029-21-41-0015	8981 Hwy 5	Dennis & Sandra Grabowski	\$	2,755.00
16-029-21-41-0016	8985 Hwy 5	Lake Elmo Land Dev.	\$	2,755.00
16-029-21-41-	8955 Hwy 5	Lake Elmo Land Dev.	\$	2,755.00
16-029-21-41-	8951 Hwy 5	Lake Elmo Land Dev.	\$	2,755.00
16-029-21-41-	8995 Hwy 5	Lake Elmo Land Dev.	\$	2,755.00
16-029-21-41-	8991 Hwy 5	Lake Elmo Land Dev.	\$	2,755.00

\$ 207,518.00

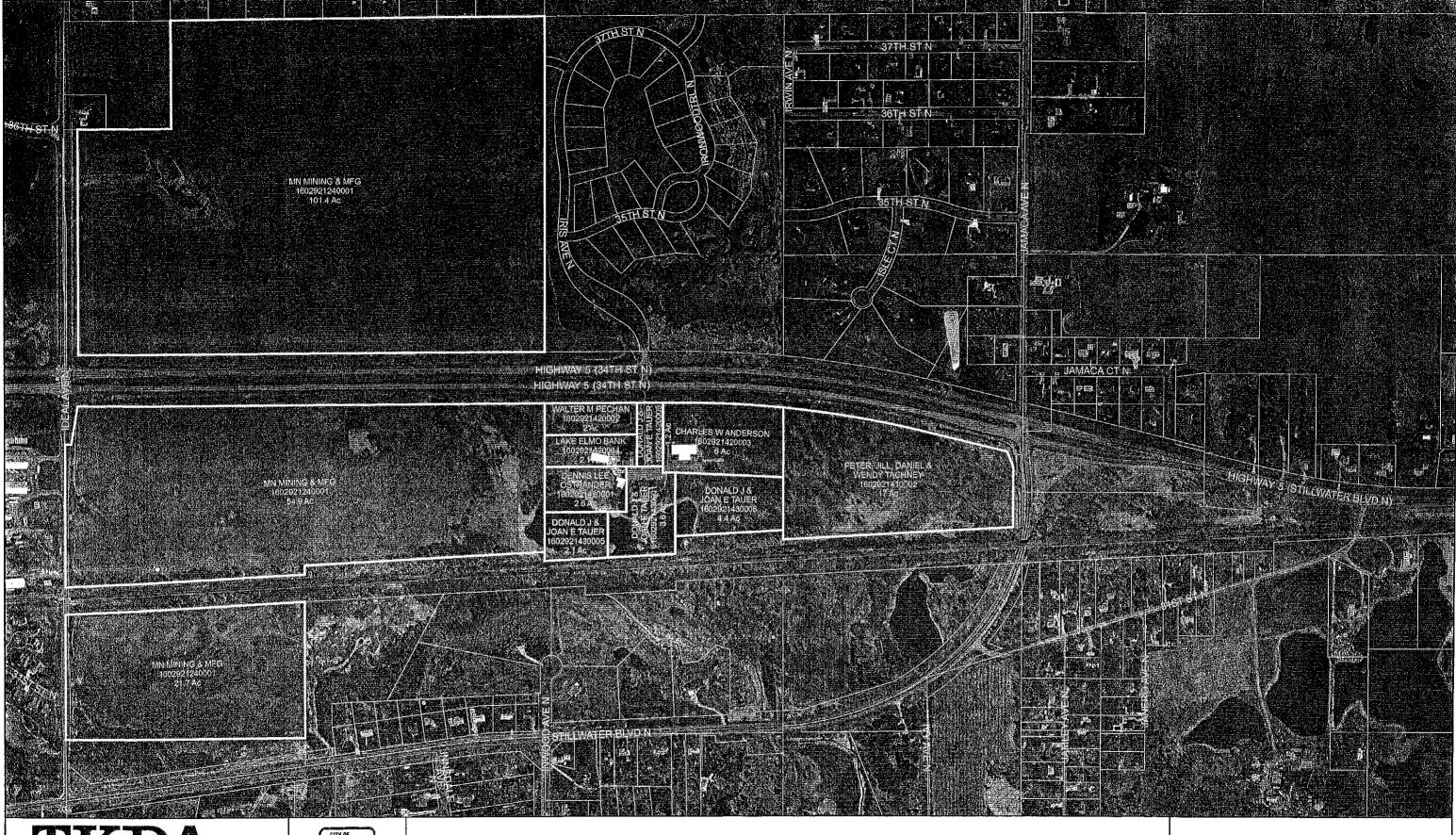
VII. PROPOSED PROJECT SCHEDULE

City Council Receives Feasibility Report	December 6, 2005
City Council Conducts Public Hearing, Approves Project, and Authorizes Plan Preparation for Phase IV	January 17, 2006
Phase IV Work begins	Spring 2006
Phase IV Work Complete	Spring 2006

VIII. STATEMENT OF FEASIBILITY

This Project is feasible and necessary and should be completed as described in this Report.

APPENDIX



TKDA

ENGINEERS - ARCHITECTS - PLANNERS



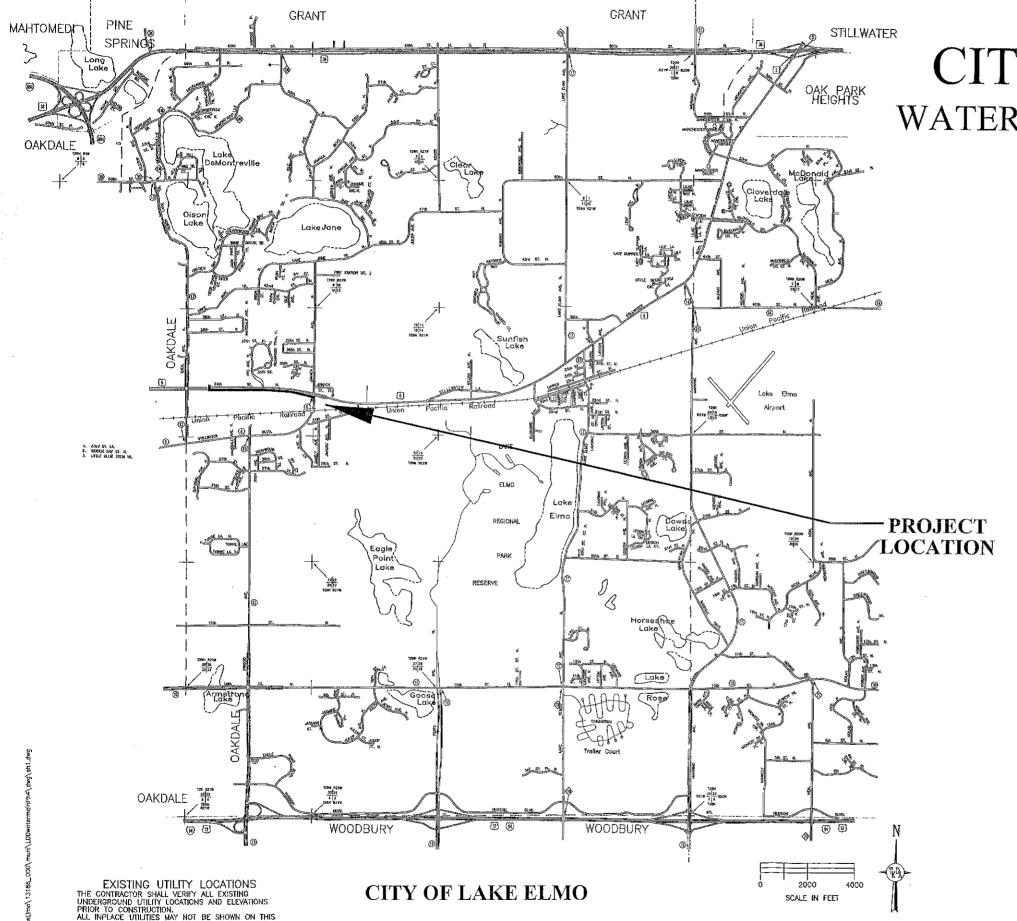
WATER SYSTEM INTERCONNECT PHASE IV

FIGURE NO. 1 LOCATION MAP PROJECT NO. 13186.008

ENGINEER'S ESTIMATE

Project:	WATER SYSTEM INTERCONNECTION	Comm. No:	13186
Location:	PHASE IV	Date:	11/29/2005
Street:		By:	RDJ
For:	CITY OF LAKE ELMO	Sheet:	

ITEM NO	DESCRIPTION	LINUT	QUANTITY	С	COST	
ITEM NO.	DESCRIPTION	וואוט	QUANTITY	UNIT	EXTENSION	
	MOBILIZATION	LS	11	\$20,000.00		
	SALVAGE & REINSTALL CULVERT PIPE	LF	40	\$25.00		
	REMOVE CURB & GUTTER	LF	32	\$5.00	\$160.00	
	SAWCUT BITUMINOUS PAVEMENT	LF	210	\$4.00	\$840.00	
	REMOVE BITUMINOUS PAVEMENT	SY	186	\$3.00	\$558.00	
	SUPPORT PETROLEUM PIPELINE CROSSING	LS	1	\$1,000.00	\$1,000.00	
	SUPPORT TELEPHONE DUCT/CABLE CROSSING	EA	3	\$300.00	\$900.00	
	CONNECT TO EXIST. 16" WATERMAIN	EA	1	\$2,000.00	\$2,000.00	
	JACK/AUGER 30" STEEL CASING	L.F	173	\$200.00		
	16" DIP, CL.52 WATERMAIN	LF	4860	\$50.00		
	16" MJDIP, CL.52 WATERMAIN IN CASING PIPE	LF	200	\$48.00	\$9,600.00	
	6" DIP, CL.52 WATERMAIN	LF	82	\$35.00	\$2,870.00	
	16" BUTTERFLY VALVE & BOX	EA	4	\$2,000.00	\$8,000.00	
	6" GATE VALVE & BOX	EΑ	3	\$700.00	\$2,100.00	
	HYDRANT	EA	3.	\$2,200.00	\$6,600.00	
	DIP WATERMAIN FITTINGS	L.B	1513	\$5.00	\$7,565.00	
	SILT FENCE	LF	658	\$2.50	\$1,645.00	
	B612 CONCRETE CURB & GUTTER	LF	32	\$8.50	\$272.00	
	CLASS 5 AGGREGATE BASE	TN	130	\$15.00	\$1,950.00	
	2350 TYPE LV 3 NON-WEARING COURSE	TN	25	\$65.00	\$1,625.00	
	2350 TYPE LV 4 WEARING COURSE	TN	25	\$65.00	\$1,625.00	
	TOPSOIL	CY	1640	\$25.00	\$41,000.00	
	SEED & WOOD FIBER BLANKET	SY	20000	\$3.00	\$60,000.00	
	FLAG PERSON	HR	20	\$20.00	\$400.00	
	SUB TOTAL			77	\$449,310.00	
-	11.00.00.000000000000000000000000000000					
	,					



CITY OF LAKE ELMO WATER SYSTEM INTERCONNECTION PHASE IV

PROJECT NO. 13186.000

DRAWING INDEX

SHEET DESCRIPTION

TITLE SHEET

ESTIMATED QUANTITIES & LEGEND

DETAILS

2

34th ST. N. (HWY 5) - Jamaca Ave. N. To 780' E Of Ideal Ave. N.

WATERMAIN PLAN & PROFILES

THIS PLAN SET CONTAINS 7 SHEETS

x/xx/2005 LIC, NO. 19621

ENGINEERS • ARCHITECTS • PLANNERS

EXISTING UTILITY LOCATIONS
THE CONTRACTOR SHALL VERIFY ALL EXISTING
UNDERGROUND UTILITY LOCATIONS AND ELEVATIONS
PRIOR TO CONSTRUCTION.
ALL INPLACE UTILITIES MAY NOT BE SHOWN ON THIS
PLAN & THOSE THAT ARE SHOWN, MAY NOT BE SHOWN
IN THE EXACT LOCATIONS.

THE SUBSURFACE UTILITY INFORMATION IN THIS PLANSET IS UTILITY QUALITY LEVELS "C" & "0" AS DEFINED IN ASCE "STANDARD GUIDELINE FOR THE DEPICTION OF EXISTING SUBSURFACE UTILITY DATA".

GOPHER STATE ONE CALL: 1-800-252-1166

SPECIFICATION REFERENCE SPECIFICATION REFERENCE.

THE 2000 EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR HIGHWAY CONSTRUCTION", AND ALL AMENDMENTS THERETO, SUPPLEMENTAL SPECIFICATIONS, AND THE "STANDARD UTILITIES SPECIFICATIONS FOR SANITARY SEWER, STORM DRAIN AND WATERMAIN INSTALLATIONS" AS PROPOSED BY THE CITY ENGINEERS ASSOCIATION OF MINNESOTA, 1999 EDITION.

LEGEND

EXISTING CONDITIONS AND REMOVALS

	EXIST. RIGHT-OF-WAY
	EXIST. PROPERTY LINE
=== <u>B618</u> _C&G ===	EXIST. CONC. CURB AND GUTTER
CONC_CURB	EXIST. CURB (TYPE AS NOTED)
	EXIST. EDGE OF BIT. SURFACE
	EXIST. EDGE OF GRAVEL
CONC, WALK	EXIST. SIDEWALK (TYPE AS NOTED)
p (EXIST. SIDEWALK (TYPE AS NOTED) EXIST. POWER POLE, GUY
** -	EXIST, LIGHT POLE, HAND HOLE
* 12"	EXIST. TREE
- X X	EXIST. CHAIN LINK FENCE
p D	EXIST. WOOD FENCE
	EXIST. RETAINING WALL
(mmin)	EXIST. BUILDING
—4—————4—	EXIST. SANITARY SEWER
	EXIST STORM SEWER (12"-36")
=\====\=	FXIST STORM SEWER (> 42")
0	EXIST, STORM SEWER (12"-36") EXIST, STORM SEWER (> 42") EXIST, MANHOLE
12 0	EXIST. CATCHBASIN
	EXIST. WATERMAIN
-\$∞¢	EXIST. HYDRANT, GATE VALVE
G	EXIST, GAS MAIN
EE	EXIST, BURIED ELECTRIC
.ET	EXIST, ELECTRIC BOX
_ TT	EXIST, BURIED TELEPHONE
62	EXIST. TELEPHONE PEDESTAL
TVTV	EXIST. BURIED CABLE TELEVISION
	REMOVE\REPLACE CURB & GUTTER
	REMOVE\ REPLACE_CURB
533333333333333333333333333333333333333	REMOVE\REPLACE CONC, SIDEWALK
	REMOVE\REPLACE CONC. DRIVEWAY
	REMOVE\REPLACE BIT. PAVEMENT
	COLD MILL BIT, PAVEMENT
k7s	REMOVE TREE
1	REMOVE SANITARY SEWER PIPE
	REMOVE SANITARY SEWER MANHOLE
	REMOVE STORM SEWER PIPE
	REMOVE CATCH BASIN, MANHOLE
	MEMORE CATOR DASIN, MANITULE

PROPOSED CONSTRUCTION

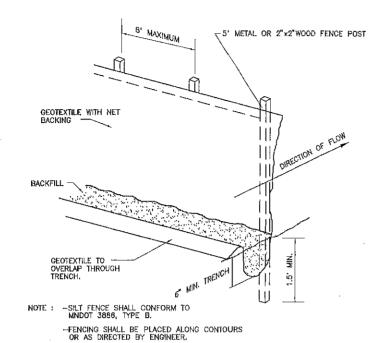
PROPOSED CO	NSTRUCTION
	RIGHT-OF-WAY
	PROPERTY LINE
	CURB & GUTTER
	CURB (TYPE AS NOTED)
	CONC. DRIVEWAY (THICKNESS AS NOTED)
	CONC. SIDEWALK(PED, RAMP AS NOTED)
	SANITARY SEWER
	SANITARY SEWER SERVICE
	WATERMAIN
	WATER SERVICE
$\overline{}$	STORM SEWER
o`	MANHOLE
(Z) Ø	CATCHBASIN
O	ADJUST MANHOLE
XXXX	CHAIN LINK FENCE
D	WOOD FENCE
C	RETAINING WALL
	BITUMINOUS DRIVE
	BITUMINOUS SURFACING
	SILT FENCE

ITEM SPEC.		SPEC. ITEM		QUANTITY	
		MOBILIZATION			
2		SALVAGE & REINSTALL CULVERT PIPE	LS LF	1	
3		REMOVE CURB & GUTTER	LF LF	40	
4	• • • • • • • • • • • • • • • • • • • •	SAWCUT BITUMINOUS PAVEMENT	LF LF	32	
5		REMOVE BITUMINOUS PAVEMENT	SY	210	
6		SUPPORT PETROLEUM PIPELINE CROSSING	LS	186	
7		SUPPORT HIGH PRESSURE GAS PIPELINE CROSSING	EA EA	1 1	
8		SUPPORT TELEPHONE DUCT/CABLE CROSSING	EA	1	
9		CONNECT TO EXIST. 16" WATERMAIN	EA	3	
10		JACK/AUGER 30" STEEL CASING	LF	1 1	
11		16" DIP, CL.52 WATERMAIN	LF LF	173	
12		16" MJDIP, CL.52 WATERMAIN IN CASING PIPE	LF LF	4860	
13		6" DIP, CL.52 WATERMAIN	LF	200	
14		16" BUTTERFLY VALVE & BOX		82	
15		6" GATE VALVE & BOX	EA EA	4	
16		HYDRANT	EA	3	
17		DIP WATERMAIN FITTINGS		3	
18		SILT FENCE	LB LF	1513	
19		CLASS 5 AGGREGATE BASE		658	
20		2350 TYPE LV 3 NON-WEARING COURSE	TN	130	
21		2350 TYPE LV 4 WEARING COURSE	TN	25	
22		TOPSOIL	TN	25	
23		SEED & WOOD FIBER BLANKET	SY	1640	
24		FLAG PERSON		20000	
25		72101210011	HR	20	
26					
27					
28					
29					
30	_				
31					
32					
33	-				
34			_		
35					
36					
37					
38					
39					
40					
41					
42					
43					
44					

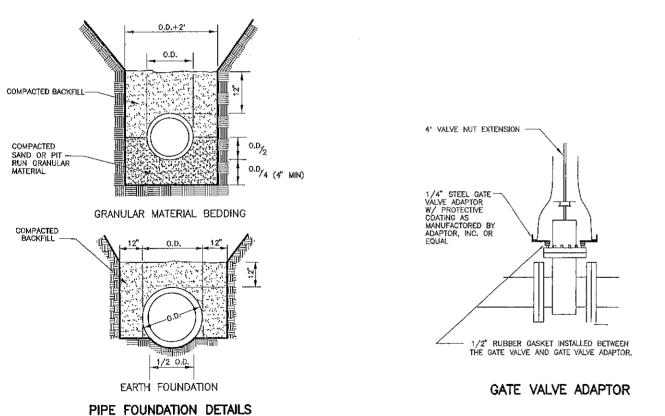
				DESIGNED TDP	DRAWN PUW	I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY DIRECT SUPERMISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA
	DATE	BY.	DESCRIPTION OF REVISIONS	CHECKED TDP		THOMAS O. PREW DATE /2005 LIC. NO. 19621

WATER SYSTEM INTERCONNECTION PHASE IV

LEGEND & ESTIMATED QUANTITIES PROJECT NO. 13186.000 SHFFT NO 2 OF 7 CHEETS



SILT FENCE

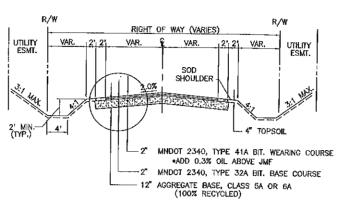


TDP

DESCRIPTION OF REVISIONS

CHECKED

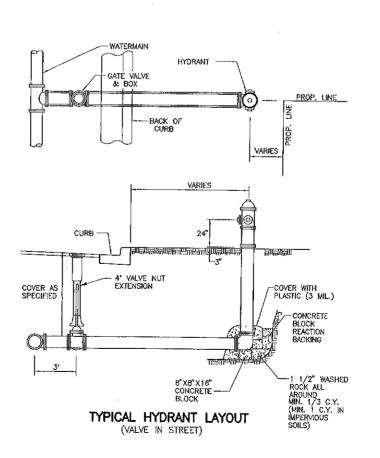
₽J₩

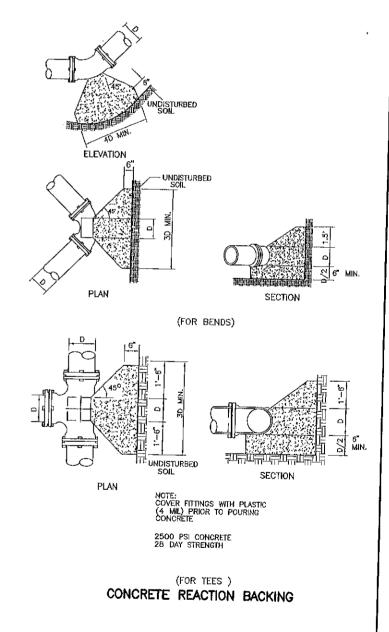


- TEST ROLL OF SUBGRADE AND AGGREGATE BASE SHALL BE WITNESSED AND APPROVED BY CITY ENGINEER.

TYPICAL STREET SECTION

PATCHING

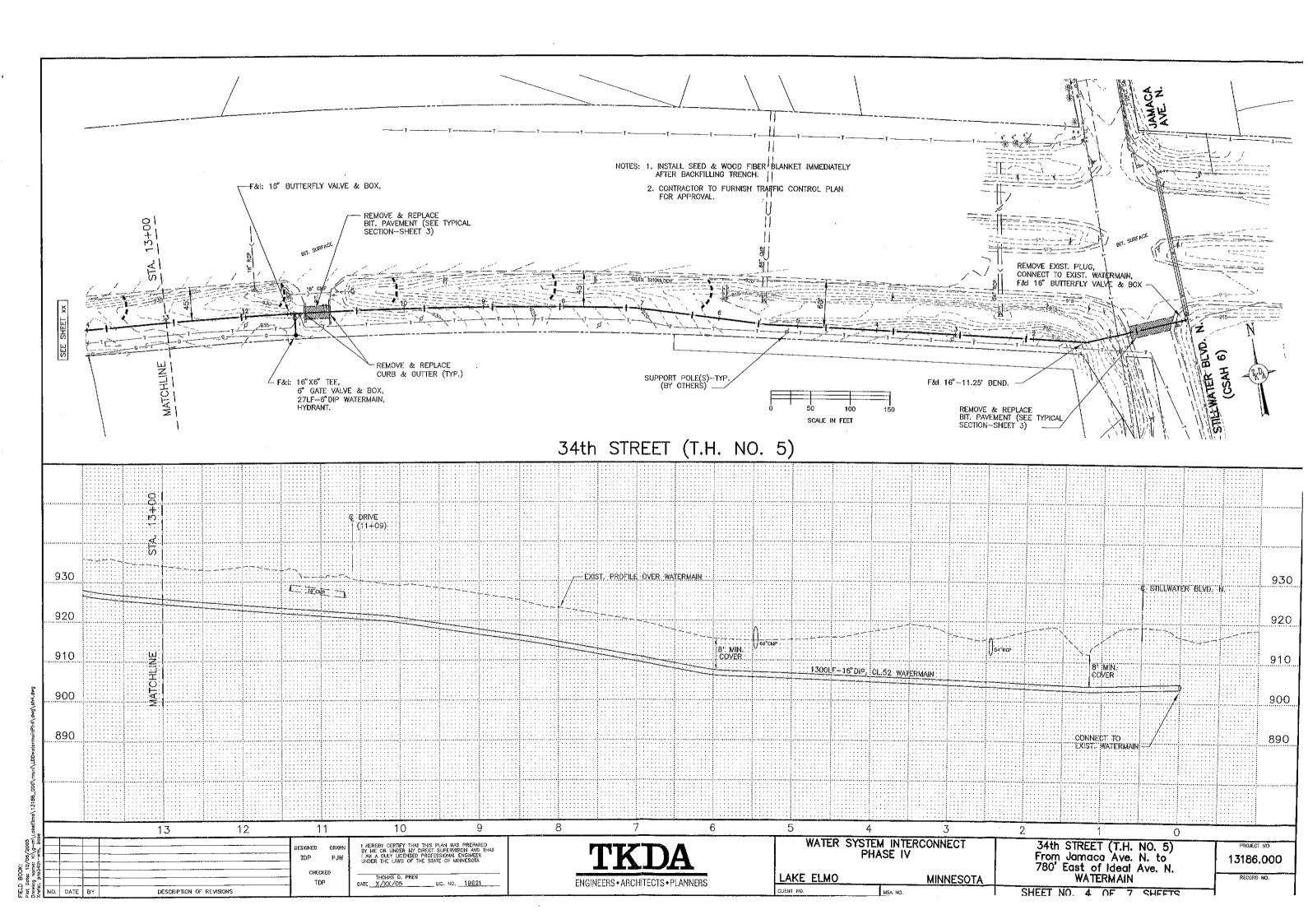


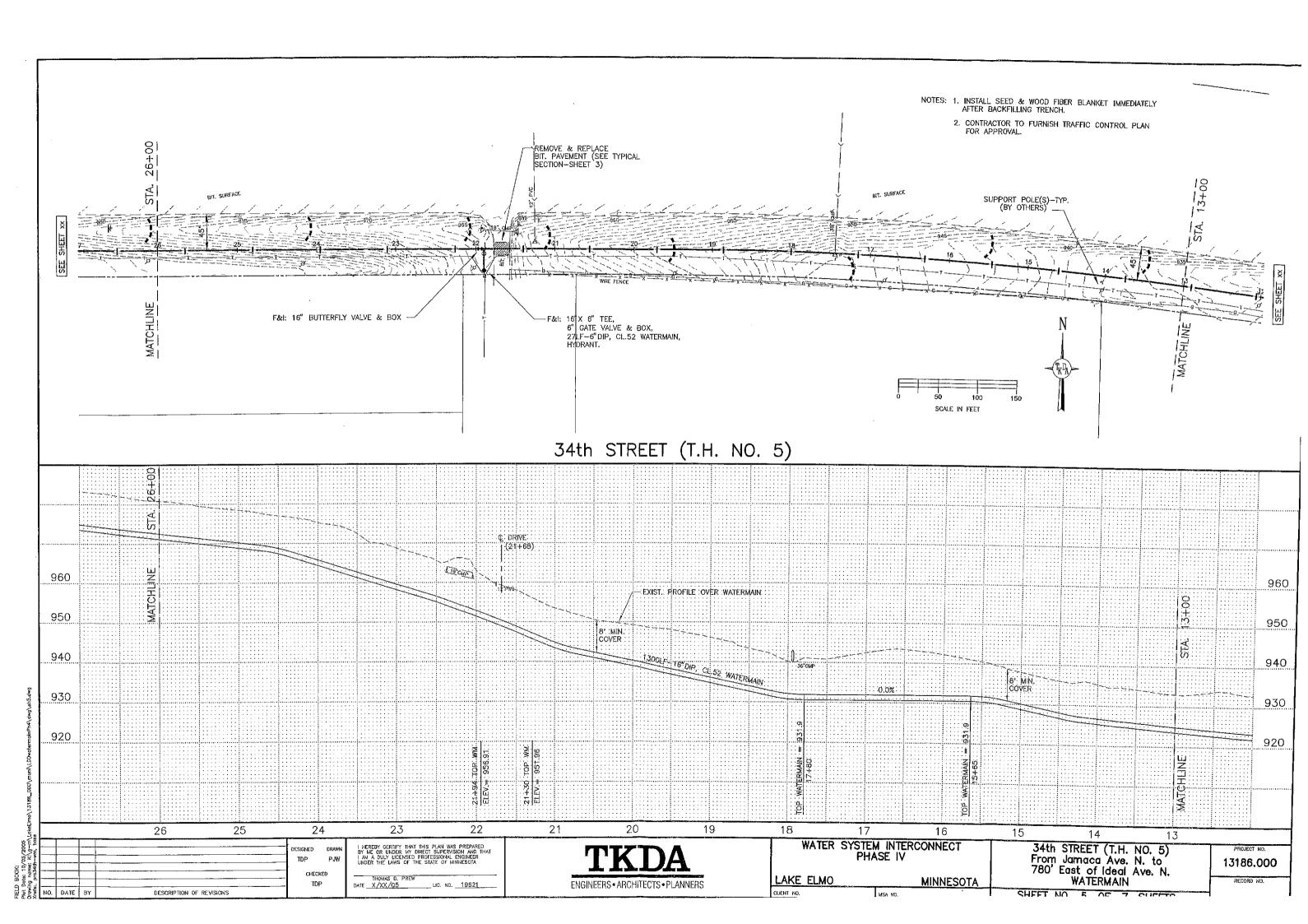


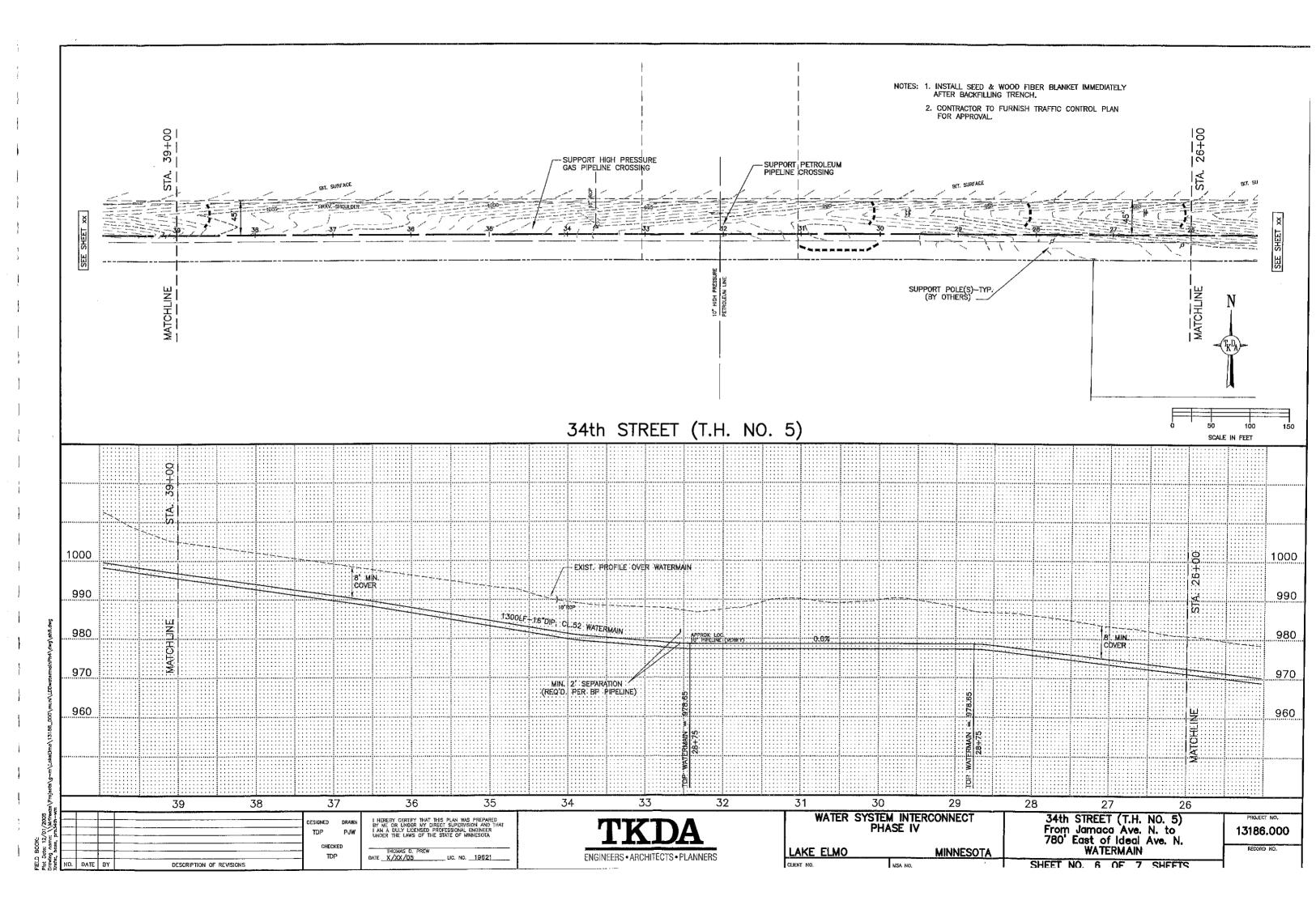
THOMAS D. PREW

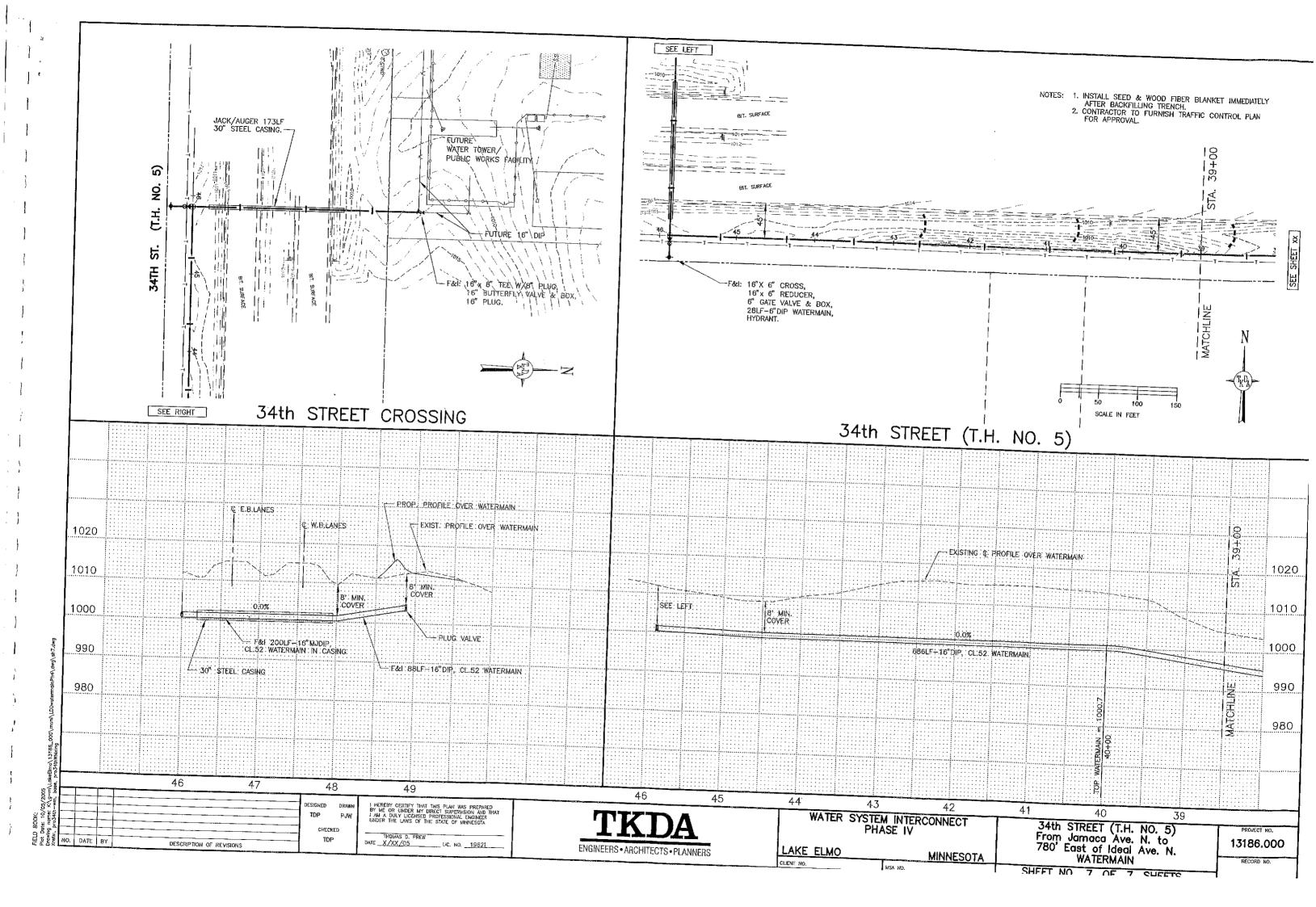
ENGINEERS • ARCHITECTS • PLANNERS

WATER SYSTEM INTERCONNECTION PHASE IV **DETAILS** 13186,000 LAKE ELMO MINNESOTA MSA NO. SHEET NO









SUMMARY OF IMPORTANT FACTS AND CONCLUSIONS

Area of consulting study: A mixed use neighborhood in the western portion of Lake Elmo, Minnesota. The properties are a large vacant land parcel, 14 office condominium units, two small commercial parcels and a small vacant land parcel. All properties front upon State Highway #5 aka 34th Street North between Ideal Avenue North and Stillwater Boulevard North in the western portion of Lake Elmo.

Function: The function of this consulting assignment is to estimate the affect on market value, if any, for the subject parcels in the study area from the "before status" which is being located in a neighborhood without city water service with the "after status" being an area that is served by a city water system.

Effective date of value estimates: October 2, 2005

Zoning: Zoning districts in the study area include RR - Rural Residential and HB, Highway Business

Pstimated Bo	melit for Proporties in the Study Area
PID	Area in acres
Calculation for Total Project	\$470,000 ÷ 200.89 acres = \$2,340 per acre
Extension on a per Parcel Ba	sis; note there are some differences in totals due to rounding
16-029-21-24-0001	175.80 x \$2,340 = \$411,372
16-029-21-42-0002	2.05 x \$2,340 = \$4,797
16-029-21-42-0005	0.63 x \$2,340 = \$1,474
16-029-21-42-0003	5.93 x \$2,340 = \$13,876
16-029-21-41-0027 (parent) 14 office condos; Common area parcel is excluded from the per parcel calculation	15.50 + .07 x 14 = 16.48 x \$38,563 (\$2,755 per unit)



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

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

MEMORANDUM

To:	Lake Elmo City Council	Reference:	Street Light Installation
Copies To:	-		CSAH 10 and CSAH 19
•			City of Lake Elmo, Minnesota
		Proj. No.:	13267.000
From:	Thomas Prew, P. E.	Routing:	
Date:	December 1, 2005		

Washington County is requesting that we enter an agreement to place a street light at the intersection of CSAH 10 and CSAH 19, near the entrance to the Park Reserve. Because of the size of the intersection, two lights may be necessary to adequately light it.

This standard agreement calls for the County to prepare the plans and the City to pay for the electricity and maintenance.

I recommend approval of this agreement with the stipulation that the light is a shoe box style or cut-off cobra head that meets City Code.

WASHINGTON COUNTY
CONTRACT NO. 3270
DEPT. Transportation & Physical Development
DIVISION Transportation
TERM September 1, 2005-perpetual

WASHINGTON COUNTY AGREEMENT WITH THE CITY OF LAKE ELMO FOR INSTALLATION AND MAINTENANCE OF STREET LIGHTING AT THE INTERSECTION OF CSAH 10 (10th Street North)

CSAH 19 (Keats Avenue North)

THIS AGREEMENT, made and entered into by and between the County of Washington, a political subdivision of the State of Minnesota, hereinafter referred to as the "County", and the City of Lake Elmo, Minnesota, a municipal corporation, hereinafter referred to as the "City";

WITNESSETH:

WHEREAS, it is considered mutually desirable to install street lighting at the intersection of: Washington County State Aid Highway 10 (10th Street North) and Washington County State Aid Highway 19 (Keats avenue North).

WHEREAS, the County and City will share in the cost, maintenance, and operation of the street lighting as hereinafter set forth.

NOW THEREFORE, IT IS AGREED AS FOLLOWS:

- 1. The County shall prepare any necessary plans, specifications, and proposals and shall perform the engineering and inspection for the installation of this street lighting subject to the City's concurrence. In addition, if the construction of the project is contracted, the County shall bear the cost of constructing the street lighting. If the work is not contracted, the County shall bear the cost of all labor, materials, and equipment rental required to complete the work, and the City shall be responsible for the cost of bringing the power supply to the service pole.
- 2. The County shall install or cause the installation of street lighting at the following intersection: Washington County State Aid Highway 10 (10th Street North) and Washington County State Aid Highway 19 (Keats Avenue North).
- 3. Lights shall be installed on existing utility poles, if possible.
- 4. The City shall provide necessary electrical power for the operation at the cost and expense of the City.
- 5. Upon completion of the work contemplated herein, the City shall maintain and keep in repair the street lighting.
- 6. The County shall indemnify, defend, and hold harmless the City and all of its agents and employees of and from any and all claims, demands, actions or causes of action arising out of, or by reason of, the negligent performance by the County of this agreement. The City shall indemnify, defend, and hold harmless the County, its officers, agents and employees, against any and all claims, actions or causes of action arising out of the negligent performance by the City of this agreement.

7. Any and all persons engaged in the aforesaid work to be performed by the County shall not be considered employees of the City, and any and all claims that may or might arise under the Workman's Compensation Act of this State on behalf of said employees while so engaged, and any and all claims made by any third party as a consequence of any act or omission on the part of said employees while so engaged on any of the work contemplated herein shall not be the obligation and responsibility of the City. The County shall not be responsible under the Workman's Compensation Act for any employees of the City.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals.

WASHINGTON COUNTY		CITY OF LAKE ELMO	
Myra Peterson Chair, Board of Commissioners	Date	Mayor	Date
James R. Schug County Administrator	Date	City Administrator	Date
Recommended for approval:			
Donald J. Thelsen, P.E. Director/County Engineer	Date		
Approved as to form:			
Asst. County Attorney	Date		
N:\Word\Accesments\Liske Elino Street Light 10-18.000			

Page 2 of 2

8

CITY OF LAKE ELMO, MINNESOTA

REVISED AUTHORIZATION FOR PROFESSIONAL SERVICES

TO: Toltz, King, Duvall, Anderson and Associates, Incorporated 1500 Piper Jaffray Plaza 444 Cedar Street St. Paul, Minnesota 55101

Pursuant to our Agreement dated February 2, 1988, you are hereby authorized to proceed with the professional services described as follows:

CIVIL DEFENSE SIRENS

I. PROJECT DESCRIPTION

The City of Lake Elmo will provide Civil Defense coverage to that portion of the City not presently covered, in accordance with the Fire Protection Needs Study done by DSU Research dated March 2005.

II. SERVICES TO BE PROVIDED BY TKDA

TKDA is requested to provide plans and specifications suitable for bidding, permits and construction administration for six civil defense/fire sirens.

III. ADDITIONAL SERVICES

If the need for Additional Services is determined, and the fee for the additional work is agreeable and the City authorizes such services in writing, TKDA shall furnish same. These Additional Services shall be compensated for on an Hourly Rate basis as defined in Agreement Article 3, a part hereof, and such compensation shall be over and above any maximums or lump sum amounts set forth in this Authorization.

- A. These Additional Services could include:
 - 1. Topographic Surveys and Mapping.
 - 2. Easement Descriptions.

IV. PERIOD OF SERVICE

TKDA will start services promptly upon receipt of this executed Authorization and complete within six months.

V. <u>COMPENSATION</u>

Compensation to TKDA for services provided under SECTION II of this Authorization shall be on an Hourly Rate basis as defined in Agreement Article 3, in the estimated amount of \$14,626. During the course of the Project, if this estimated amount is found to be insufficient, TKDA agrees not perform services or incur costs which result in billing in excess of such amount until advised by the OWNER that additional funds are available and services can continue.

Approved at a	_ meeting of the		on	, 2005.
Ву		Attest		
Consultant Acceptance by _				, 2005.
-	Authorized TKDA	Representative		

Lake Elmo **City Council** December 6, 2005

Agenda Section: Planning, Land Use and Zoning

No. 9A

Agenda Item: Final Plat, Final PUD Plan and Site Plan - United Properties

Background Information for December 6, 2005:

At its meeting November 28, 2005 the Planning Commission unanimously adopted a motion to recommend approval of these concurrent applications to create a 3.7 acre lot as Eagle Point Business Park 5th Addition and construct a 30,000 square foot office building at the northwest corner of Hudson Blvd. and Eagle Point Blvd. The site will be next door and to the east of the recently completed Credit Union.

Staff review of the applicant's graphics and documentation found the proposal compliant with applicable City Code and PUD Plan requirements assuming the applicant will adjust the location of the building a few feet easterly (to overcome a setback variance) and submit a photometric plan for the exterior lighting of the site. The applicant has agreed to adjust the building location; and, (even though the photometric plan will be required prior to building permit issuance) the applicant's fixture and pole plans for the exterior lighting appear to be of a design that will meet the maximum foot candle requirements of the Code.

The Commission's recommendation is subject to the 7 conditions reflected in the attached draft resolution for approval.

Action items:

Motion to adopt Resolution #2005 – approving the Final Plat of Eagle Point Business Park 5th Addition, and a Final PUD Plan and Site Plan for a 30,000 square foot office building on Lot 1, Block 1, Eagle Point Business Park 5th Addition.

Person responsible:

Attachments:

- achments: 1.36

 1. Draft Resolution #2005 , Approving Final Plat, Final PUD Plan and Site Plan
- 2. Draft Planning Commission Minutes of November 28
- 3. Planning Staff Report
- 4. Applicant's Documentation and Graphics

Time Allocated:

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-136

A RESOLUTION APPROVING THE FINAL PLAT AND DEVELOPMENT AGREEMENT FOR EAGLE POINT BUSINESS PARK 5th ADDITION

WHEREAS, at its September 4, 2001 meeting, the City Council reviewed and approved the Final Plat of Eagle Point Business Park 2nd Addition, creating Outlot A.

WHEREAS, Outlot A was further divided with the plat for Eagle Point Business Park 4th Addition,

WHEREAS, at its November 28, 2005 meeting, the Planning Commission recommended approval of the Final Plat, Final PUD Plan and Site Plan to create a 3.7 acre portion of Outlot A, Eagle Point Business Park 2nd Addition.

WEREAS, at its December 6, 2005 meeting, the City Council reviewed the Final Plat of Eagle Point Business Park 5th Addition and a Final PUD Plan and Site Plan for a 30,000 square foot office building on Lot 1, Block 1, Eagle Point Business Park 5th Addition.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lake Elmo does hereby approve and accept the Final Plat and Development Agreement for Eagle Point Business Park 5th Addition, as the same on file with the City Administrator, based on the following conditions.

- 1. Compliance with the recommendations of the City Engineer.
- 2. Compliance with the recommendation of the South Washington Watershed District, as found to be reasonable and practical by the City Engineer.
- 3. Only parking depicted by the Site Plan located specifically on Lot 1, Block 1, Eagle Point Business Park 5th Addition is hereby approved.
- 4. Submission of a complete exterior lighting photometric plan demonstrating compliance with the City exterior lighting standards prior to issuance of a building permit.
- 5. Submission of a Letter of Credit equal to 100% of the site landscape improvements guaranteeing a survival of those improvements for two growing seasons, as prescribed by Section 520 of the City Code.

- 6. Payment of Park Dedication Fees-in-Lieu \$8,794.59 (3.669X\$2,397) prior to City release of the Final Plat for recording.
- 7. Modification of the site plan to eliminate the setback encroachment at the southwest corner of the structure.

ADOPTED by the Lake Elmo City Council on the 6th day of December, 2005.

	Dean Johnston, Mayor	
ATTEST:		
Martin J. Rafferty, Ci	ty Administrator	

Eagle Point Business Park 5th Addn

situated within the right of way assoment of 32nd Street. Staff suggests the applicant may wish tree of the garage issue at the same time. A City Council resolution allowing a garage forward of a primary structure will be required and setbacks from the street will have to be met.

The applicant is not present but phoned and requested tabling.

Commissioner Dezid asked if anyone has looked at suitability for the existing foundation. The Planner said a formal building application has not been made, and it would be reviewed at that time. The Building Official could look at the footings if the Commission so desires.

Commissioner Pelletier said she is against a house this size in this neighborhood.

Commissioner Armstrong said he has no problem with rebuilding a home in this condition, and he is concerned about the 60 day rule. His recommendation would be to deny and allow the Council to table in light of the 60 day rule.

Commissioner Lyzenga said with regional sewer coming there will be changes that will affect the lots around the lakes. For a period of time, the cushion should be maintained for backup septic for the neighbors. She would recommend denying the application.

The Chairman opened the public hearing at 7:30 p.m. and at 7:31 he losed the Public Hearing after nobody came forward to speak.

Commissioner Deziel said we should allow the applicant the opportunity for redesign. We can always take it from the table and deny it before the 60 days expire.

M/S/P, Deziel/Sedro, to table per the applicant's request. VOTE: 6:3 (NAY: Armstrong, Lyzenga, Ptacek.)

Commissioners Armstrong and Deziel directed staff to notify the applicant to show up to the next meeting because there is only one meeting remaining this year, and someone will make a motion to deny if the applicant is not present.

Section 520 Site Plan and Final Plan PUD for Eagle Point 5th Addition

The Planner explained that with this application, a parcel will be cut out from Outlot A of Eagle Point 4th Addition. An office building will be constructed there. There is a shared driveway with the credit union. Exterior surface for the buildings meets Code requirements. Landscaping meets Code except for one point where the right of way of Hudson Boulevard jogs, and as a consequence the structure does not meet the setback. The applicant has agreed to slide the building over 5 feet so no variance will be required. Parking space quantity is adequate.

The Planner said he recommends approval based upon compliance with the City Engineer, SWWD as found to be reasonable and practical by the City Engineer, submission of a photometric lighting plan and compliance with the Code lighting standards, landscaping to survive two growing seasons, payment of park dedication fees, and modification of the building plan to correct the setback issue.

M/S/P, Sedro/Roth, To recommend approval subject to conditions listed in staff report. VOTE: 9:0.

LAKE ELMO PLANNING COMMISSION STAFF REPORT

Date: November 22, 2005 for the Meeting of November 28, 2005

Applicant: United Properties Investment, LLC

Location: Northwest Corner of Hudson Blvd. and Eagle Point Blvd.

Requested Action: Site Plan, Final PUD Plan and Plan Amendment and Final Plat

Land Use Plan Guiding: Business Park

Existing Zoning: BP (Business Park) Subject to an Approved PUD Plan

Site History and Existing Conditions:

The Final Plat of Eagle Point Business Park 2nd Addition, creating Outlot A was approved by the City Council on September 4, 2001. Outlot A was further divided with the plat for Eagle Point Business Park 4th Addition (City and County Credit Union).

The site of this application is the southeasterly 3.70 acres of Outlot A. The City had previously approved a PUD Plan encompassing the entire 120 acres of the Eagle Point Business Park, including this site. Exhibits to the PUD Plan documentation provide for allowable uses, lot specifications, master signage and related development standards. Where the PUD does not address a particular development standard, the Business Park and other related City Code standards are applicable. A proposed departure from those standards not already addressed by the PUD Plan should be processed as a PUD Plan Amendment

The site is vacant today but is subject to an cross easement for driveway access to the Credit Union site. City water and sewer services are both available to the site.

Discussion and Analysis:

The applicant proposes to create a 3.70 acre parcel from Eagle Point 2nd Outlot A with a replat, and receive approval of a Final PUD Plan and Section 520 Site Plan to construct a 30,000 square foot office building on the resulting site. The building will be a single story flat roof design, faced primarily with brick and glass. The accent materials (comprising less than 30% of the total surfacing) will be architectural metal (largest by percentage), stone veneer, and EFIS.

In the narrative submission by the applicant it is noted that the southwest corner of the proposed structure encroaches on the required 50 foot structure setback for a very short distance due to the increased Hudson Blvd. ROW width approaching the Inwood intersection. The applicant suggests that a zoning variance will be required to overcome this encroachment issue. Staff has subsequently conversed with the applicant on this matter and has secured the applicant's commitment to adjust the location of the building on the site by no more than 10 feet (moving to the east) to overcome the setback encroachment rather than proceed with a zoning variance.

The proposed general office use of the structure and the proposed site/structure/parking specifications comply with the provisions of the approved Eagle Point Business Park PUD Plan and applicable Site Plan and Platting requirements of the City Code, including setbacks, parking, parking area landscape. No exterior lighting plan has been submitted, but the developer has indicated in the cover letter that the exterior lighting will be shoebox (90 degree cutoff) style on 25 foot standards, which should comply with the City's lighting standards. A complete illumination graphic will be required to ensure at-grade foot candle compliance prior to building permit issuance.

The applicant's graphics depicts off-street parking in addition to the 120 spaces required by Code off of the 3.7 acre proposed site to the north. We can find no explanation for these additional parking spaces, and those spaces should not be considered a component of this application or subsequent site plan approval. Those spaces may be depicted only to demonstrate the property owner's proposed relationship between the subject site and a future development to the north (back-to-back parking). The PUD Plan-required 10 foot side yard parking setback is maintained on the subject site so no such demonstration is necessary.

Findings and Recommendations:

Based on the foregoing, staff suggests the Commission find the proposed Site Plan and Final PUD Plan complies with the standards and requirements of the City Code and the approved Eagle Point Business Park PUD Plan except as noted by recommended conditions of approval; and, that the proposed Final Plat of Eagle Point Business Park 5th Addition complies with City Code platting requirements and the approved Preliminary/Final Plat of the Eagle Point Business Park.

Planning Commission Actions Requested:

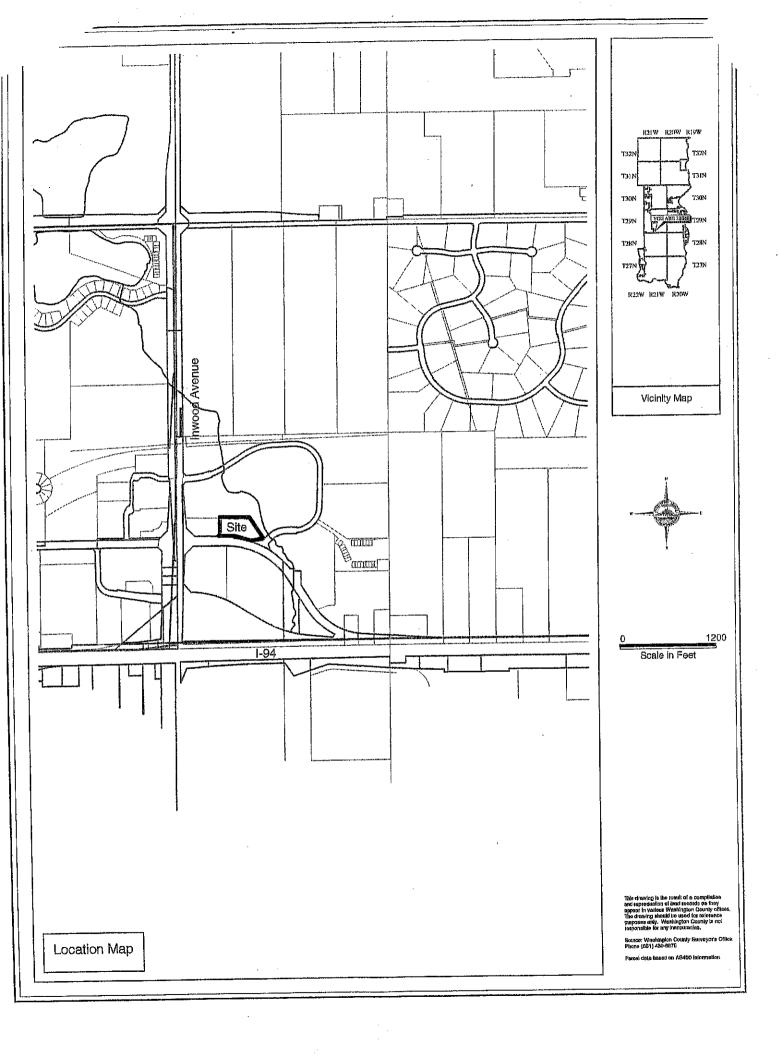
Motion to recommend to the City Council that the Final Plat of Eagle Point Business Park 5th Addition and the Final PUD Plan and Section 520 Site Plan for a 30,000 square foot office building on Lot 1, Block 1 of Eagle Point Business Park 5th Addition be approved subject to the following:

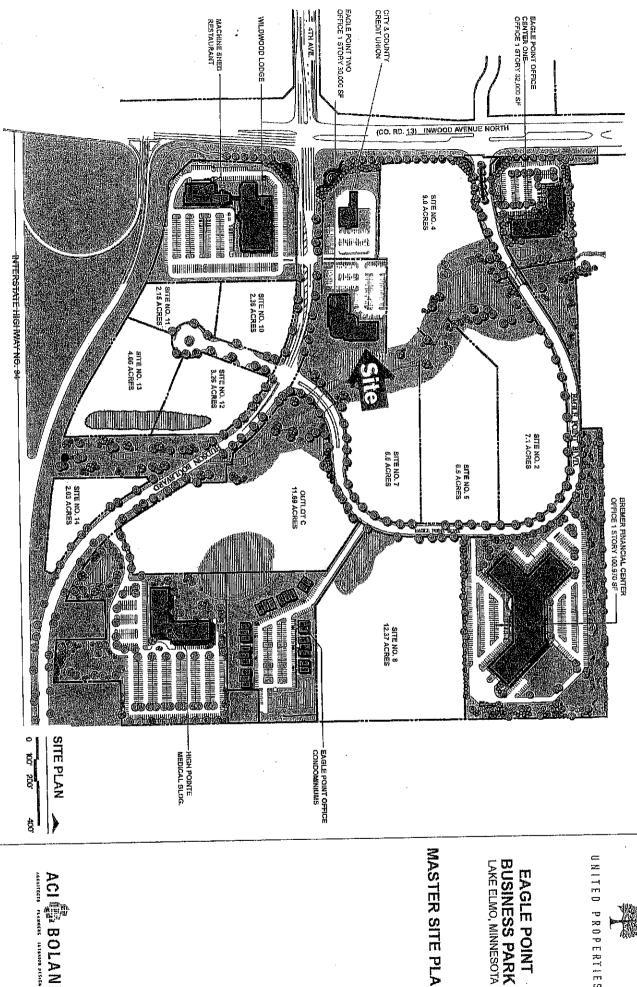
- 1. Compliance with the recommendations of the City Engineer.
- 2. Compliance with the recommendations of the South Washington Watershed District, as found to be reasonable and practical by the City Engineer.
- 3. Only parking depicted by the Site Plan located specifically on Lot 1, Block 1 Eagle Point Business Park 5th Addition is hereby approved.
- 4. Submission of a complete exterior lighting photometric plan demonstrating compliance with the City exterior lighting standards prior to issuance of a building permit.
- 5. Submission of a Letter of Credit equal to 100% of the site landscape improvements guaranteeing survival of those improvements for 2 growing seasons, as prescribed by Section 520 of the City Code.
- 6. Payment of Park Dedication Fees-in-Lieu \$8,794.59 (3.669X\$2,397) prior to City release of the Final Plat for recording.
- 7. Modification of the Site Plan to eliminate the setback encroachment at the southwest corner of the structure.

Charles E. Dillerud, City Planner

Attachments:

- 1. Location Map
- 2. City Engineer's Memo (If Available)
- 3. Applicant's Documentation





UNITED PROPERTIES

MASTER SITE PLAN

ACI BOLAND



November 18, 2005

Mr. Charles E. Dillerud City Planner City of Lake Elmo 3800 Laverne Avenue North Lake Elmo, MN 55042

Subject:

Eagle Point Office Center Phase II

Eagle Point Business Park

Dear Mr. Dillerud:

I am pleased to forward to you our development application for the proposed above-referenced project. As you directed, I am forwarding to you five full size prints and one 11" x 17" set of the City Submittal Package, which includes site plan/grading plan, concept landscape plan, building elevations, signage plans, and the final plat. Also included is a copy of the Shared Driveway Easement and Maintenance Agreement which will serve the subject building as it relates to the cluster of developments on the west side of the creek and the Application Fee of \$925.00. We respectfully request approval of this Site Plan and Final Plat for this development. A minor variance is required for the setback of the southwest corner of the building to the property line due to a jog in the property line along the Hudson Road frontage. The following summarizes the proposed development:

SITE

The subject site contains approximately 3.5 acres of land located immediately east of the recently completed City and County Credit Union Building. The Phase I of Eagle Point Office Center was previously constructed to the north of Eagle Point Boulevard in 2002. United Properties anticipates additional office buildings to be located on the adjacent property to the north of the subject site.

The Phase II development will share a common driveway for access off of Hudson Road. A shared Driveway Easement and Maintenance Agreement is included for your review. United Properties intends to construct the driveway in a temporary manner to the north to provide customers and tenants with an alternative access to the building. We are constructing it in a temporary condition so that it could be moved in the future subject to final building plans of later phases.

As previously stated, a setback variance is required at the southwest corner of the proposed building due to a jog in the property line that is the southern boundary. The building setback requirement is 50'. However, at the southwest corner we are at 28' due to the property line jog. The green area to Hudson Boulevard does not change.

IMPROVEMENTS

Eagle Point Office Center Phase II is a one-story office building containing approximately 30,000 square feet. The plan includes 120 surface parking spaces. Site lighting will be 25 foot pole shoebox-style parking lot lights consistent with those in the other developments at Eagle Point Business Park. The grounds will be extensively landscaped and irrigated, and the building will have a monument sign that is consistent with the standards for the business park. Exterior materials include brick and glass with an accent of architectural metal panels and EIFS. Construction is due to commence in December and will be completed July 2006.

We have met with the Watershed District and the Department of Natural Resources relative to the construction of additional ponds along the east property line. Said ponds will serve the ponding requirements as we have done elsewhere in Eagle Point Business Park.

TENANCY

We have no tenants committed for this space at this time, but United Properties is committed to going forward on a speculative basis. The project has been designed for multi-tenant office users.

DEVELOPMENT TEAM

United Properties Investment LLC will develop and own the subject building. The General Contractor is United Properties – Construction. The Architect is ACI/Boland, St. Louis, Missouri.

We are available to answer any questions. Thank you for your favorable consideration.

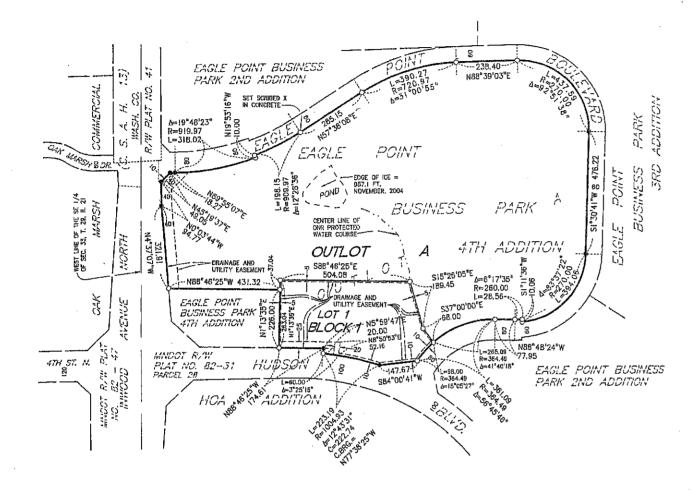
Very truly yours,

Dalè J. Glowa Senior Vice President

Development

Enclosures DJG/bls

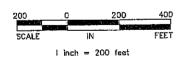
EAGLE POINT BUSINESS PARK 5TH ADDITION



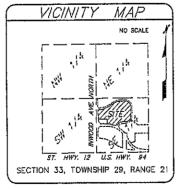


- Denotes set, 1/2 inch by 16 inch iron pips with plastic cap inscribed RLS 16456, unless otherwise noted.
- Denotes found, 1/2 inch by 16 inch iron pipe with plastic cop inscribed RLS 15480.
 BENCH MARK:

Railroad spike in south face of 3rd set of double power poles east of inwood Avenue North. Elevation = 1012.68 feet (N.C.V.D. 1929)

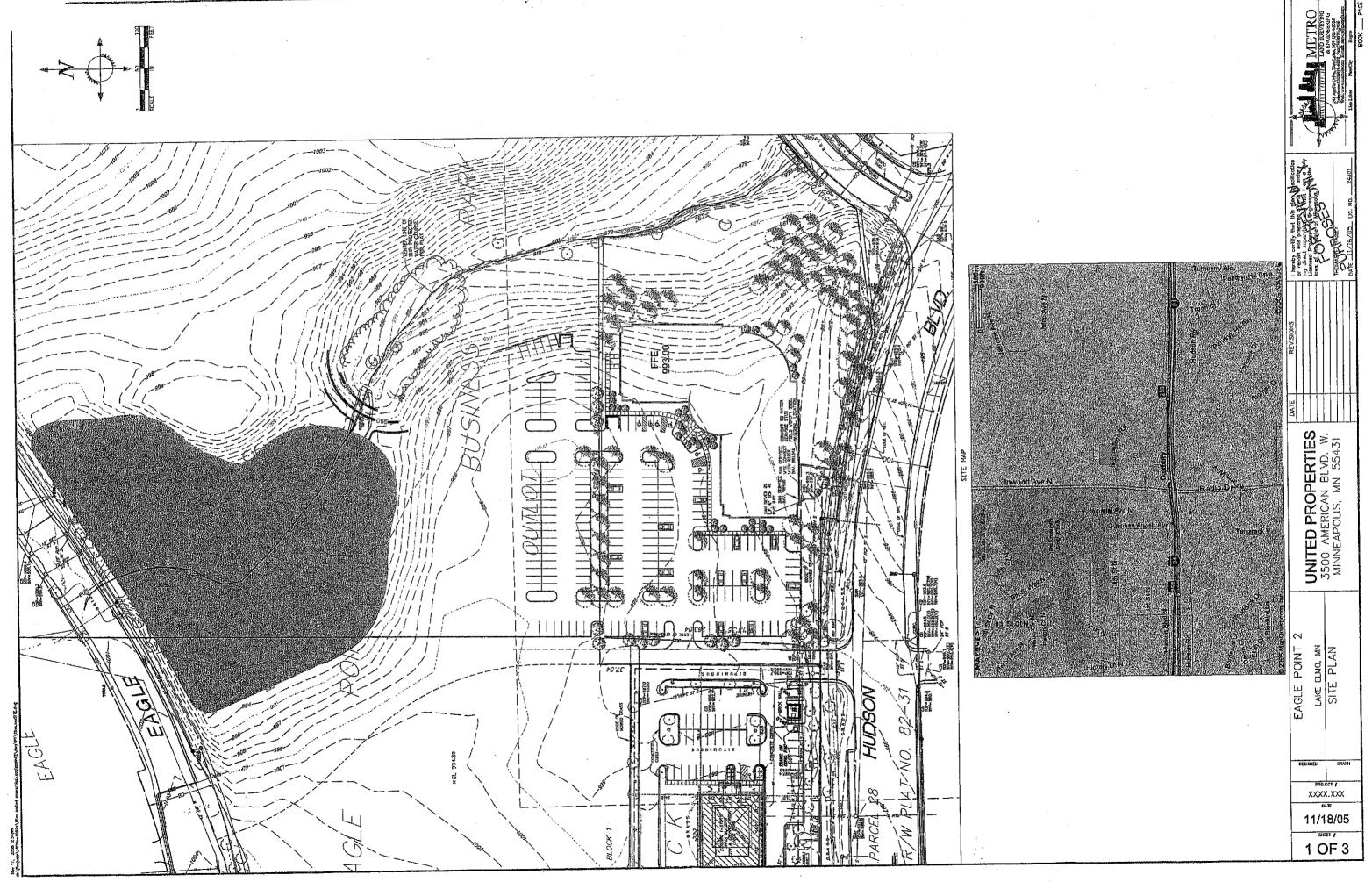


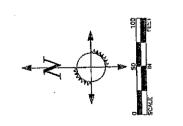
Orientation of this bearing system is based on the Washington County



Sunde Land Surveying, LLC.

following described pro	perty, situated in the	County of Washington, State o	f Minnesoto to wit:	
OUTLOT A, EAGLE PO Registror of Titles In	OINT BUSINESS PARK 4 n and for Washington C	TH ADDITION, according to the county, Minnesota.	e plat thereof filed of record in l	the office of the
	tificate of Title No			
Has caused the same t and dedicate to the pul	to be surveyed and pla bild the easements are	tted as EAGLE POINT BUSINESS ated by this plat for drainage	S PARK 51H ADDITION, and does and utility purposes only.	hereby donate
in witness whereof said its proper officers this	UNITED LAND LLC, a M	Vinnesota limited liability comp	any, has caused these presents	to be signed by
UNITED LAND LLC				
BY:	1ls	ond	lts	
STATE OF				
		efore me this day of	, 200_ by	
	its of sold UNITED I	AND LLC, a Minnesota limited	, 200_ by its	sald company.
		•		
		Notary Public.	County,	
		My Commission E	xpires	
BUSINESS PARK 5TH AD on the plat in feet and the outside boundary lin	ODITION; that this plat	is a correct representation of that all monuments have bee nated on the plat; and that th	erty described on this plat as EA the survey, that oil distances of an correctly placed in the ground nere are no wet lands as defined	re correctly shown as shown: that
	-	John K. Barnes, Minnesoto License		441-mm 49-,
STATE OF MINNESOTA				
The foregoing Surveyor's	s Certificate by John K	. Barnes, Minnesota License No	o. 16455, was acknowledged befo	re me this
		Notory Public, My Commission E	County, Minnesoto	1
This plot of EAGLE POIN Minnesota, this do Minnesota Statutes, Sec	NT BUSINESS PARK 5TH ny of	I ADDITION was approved by the 200, and hereby certifies com	ne City Council of the City of La appliance with all requirements as	ke Elmo, set forth in
		SIGNED:		
		SIGNED:	Moyor	
		SIGNED:Ci	ty Administrator	
Pursuant to Chapter 82	20, Laws of Minnesota,	1971, this plat has been appro	oved this day of	, 200
		BY:	on County Surveyor	
		BY:	on dodney durveyor	
		Assistant	County Surveyor	
	t taxes, the current tax		ear 200_ have been paid, and tr	ansfer has been
		ay:		
			County Auditor/Treosurer	
		BY: Deputy		
Document Number	<u></u>			
I hereby certify that thi	is instrument was filed 0_ at o'clock	in the Office of the Registrar	of Titles for record on this In Washington County Records.	day of
		BY:Washington (County Registrar of Titles	
		BY:		_





LEGEND

997.30 X

ROCK CONSTRUCTION ENTRANCE

PROPOSED GUTTER ELEVATION EXISTING CONTOURS 7.86 066-

PROPOSED CONTOURS

11.86 088

SILT FENCE

STORM DRAIN NOTES

THE CANSON SHALL BE PLAZED ALL STORM DRAWS AND CULTERT PROVES CASES IN MERCAN WITH PRIEST FARMER FOR ALL POST COLLECT PRESSENCE WITH DRAWERS WITH PARTIES ALL WAS AND WE CANNOT WE PRESSENCE WITH DARKED WITH PARTIES WITH DRAWERS WAS CONCRETE FIPE OF 42-PICH DIAMETER.

INFILIRATION BASIN NOTES

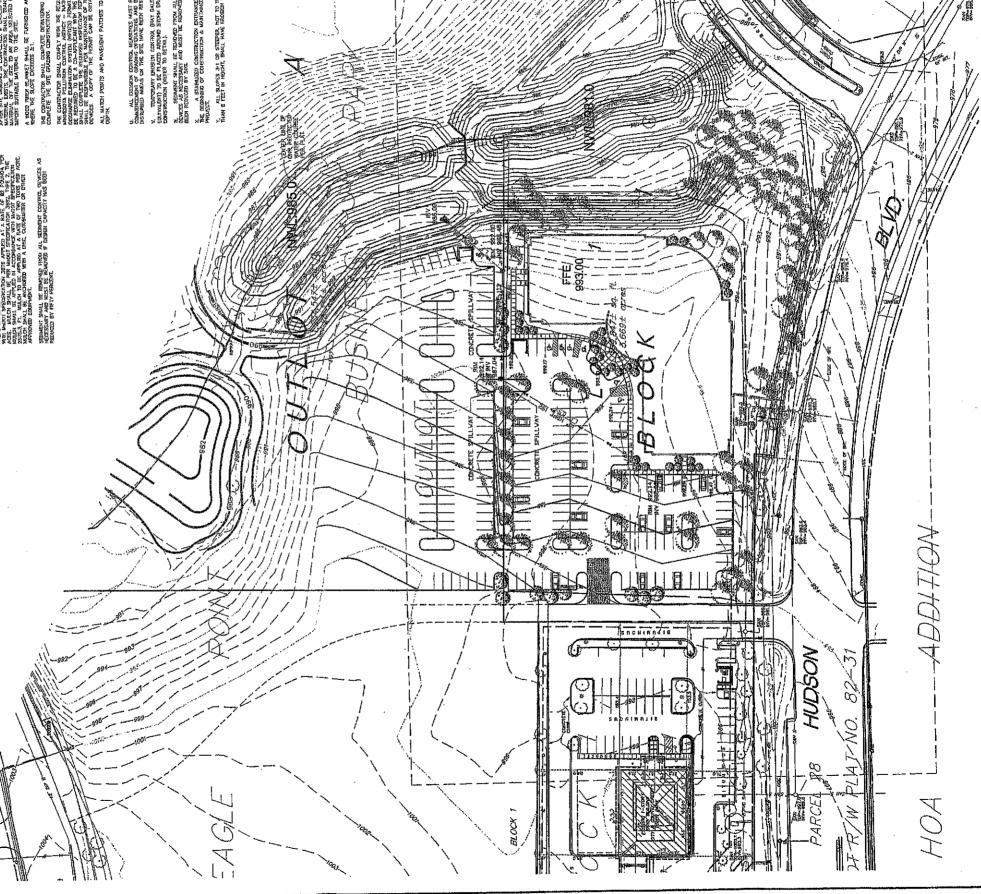
MERCATION IN PRESS 44D INPLITATION AREAS SHALL BE RESTROBED WITH
DEED—GROUPS INVIEW VERSTRANDING MANAZONE AND STRONG AND STANDING VERSTANDING SEAD REMOVED OF STANDING AND STANDING SEAD REMOVED OF STANDING STANDING STANDING STANDING VERSTRANDING STANDING S erdsion control — place sit fence arong basin area unaediality appr rough grading is parshed. Manifan unto, paush gradhu aro daniac stagushardhi ndric s doké and vedetation is estabushed and arong and stagushardhi ndric s doké and vedetation is estabushed and IUDF ESTABLISHAENT — SEED WITH CITY AFFI ACCORDANCE YATH CITY RECURESIENTS.

ALL DEGROON CONTROL ACCEPTED WATER TO ALL DEGROON TO CONTROL OF ALL DEGROON TO PROMISE CONTROL ACCEPTANCE AND THE LANGUISHED NEALS ON THE STEE HAVE THEN RESTURED. NEALS ON THE STEE HAVE THEN RESTURED. TO THE STEEL THEN THE STEEL THEN THE STEEL THEN THE STEEL THEN THE STEEL TH edinidot shall be fisaongo from all szonebyt control devices Necessary and alust be remondo if design capacity als bed Figured by pety percept, AL SLOPES & OR STEEPER, NOT TO BE SCIDDED AND GREATER BOAT PERTY, SHALL HAVE EROSION CONTROL FABRIC INS EROSION CONTROL NOTES

CONTRACTOR SYREI, STRIP, STOCKPILL AND RE-SPIELUD SUFFICIBIT TO SECUL DISTURBED AREAS TO BE SOURCE OR SEERED. COMPACTOR TO CALL COPKER STATE ONE CALL (1-805-2 HOURS PRICE TO EXCAVATION FOR LOCATIONS OF UTUTES

NOTE PROPERTY OF THE THE TRANSPORT OF TH FIGURE STIT, GRADBIC IS COUPLETED. F. EXCESS OR SHORTAGE OF SCA NATERIAL EXISTS, THE CONTRACTOR SHALL TRANSPORT ALL EXCESS LAPATE SUTABLE MATERIAL TO ALL ALEX. LAPATE SUTABLE MATERIAL TO THE STE.

all brisky cantrol respect must be installed prior to bedreve of grading of southous and be kapitared until al bed meas on the stie have been restoria. n sedimont saml be remoned from all segment control deaces as necessary and must de righoadd if design capacit een reduced by som



CRADING PLAN EAGLE POINT 2

PROJECT (

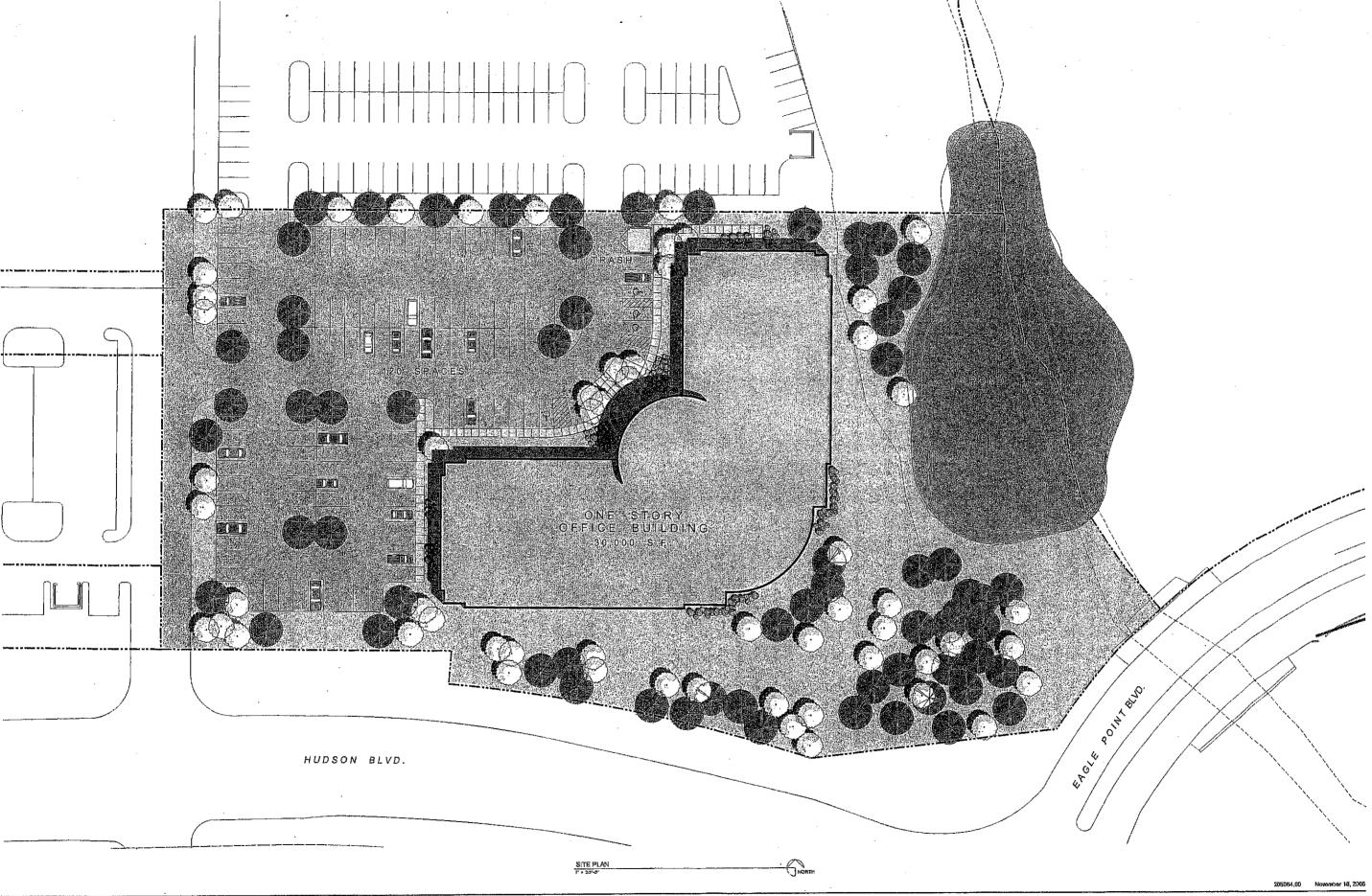
11/18/05

2 OF 3

UNITED PROPERTIES 3500 AMERICAN BLVD. W. MINNEAPOLIS, MN 55431

thereby certify that the gan described on or other most under or described the superscript and their superscri







EAGLE POINT OFFICE CENTER - PHASE TWO

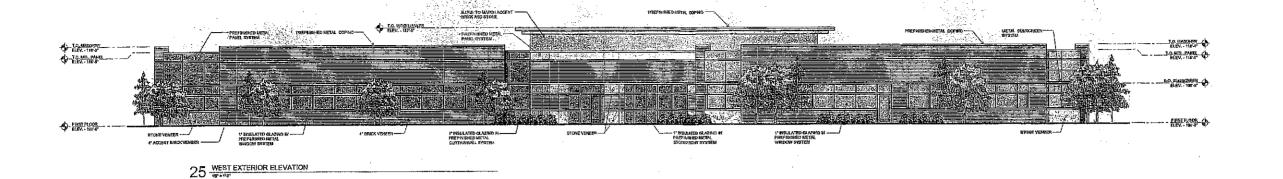
EAGLE POINT BUSINESS PARK

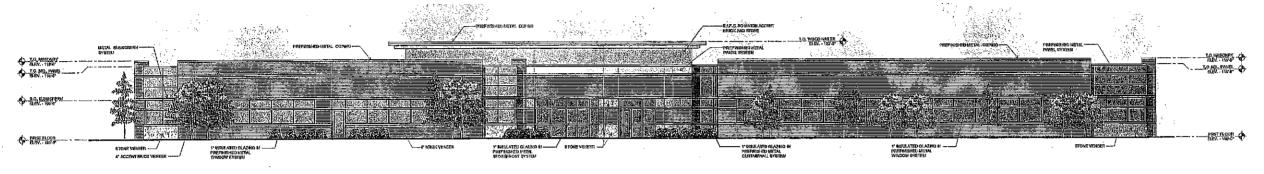
LAKE ELMO, MINNESOTA



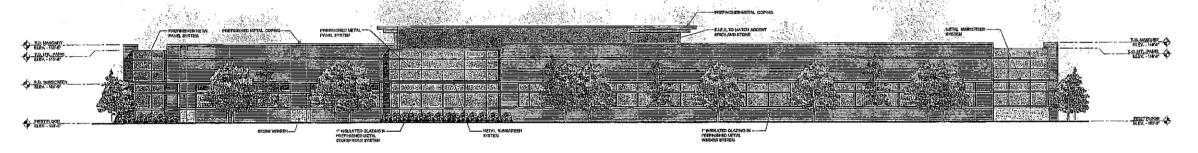
fig Cathin Rd 11228 Mail, Swile 146-MO 83141 Lawrood, KS 66211 1683 913,338 2360 1878 fax 913,338 2300

4395 Dactor Greaves Ro Grandview, MO 64030 616.763 9960 610.763.9767 fax

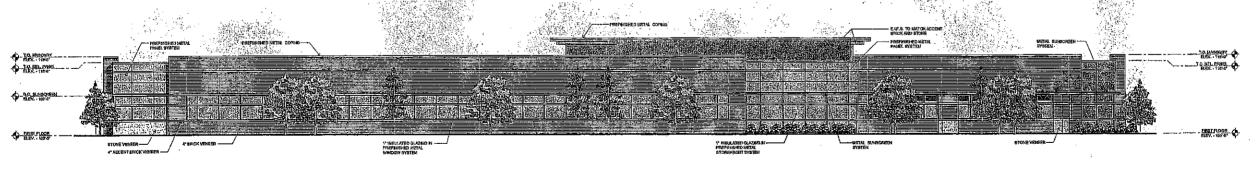




24 NORTH EXTERIOR ELEVATION



22 EAST EXTERIOR ELEVATION



21 SOUTH EXTERIOR ELEVATION



EAGLE POINT OFFICE CENTER - PHASE TWO

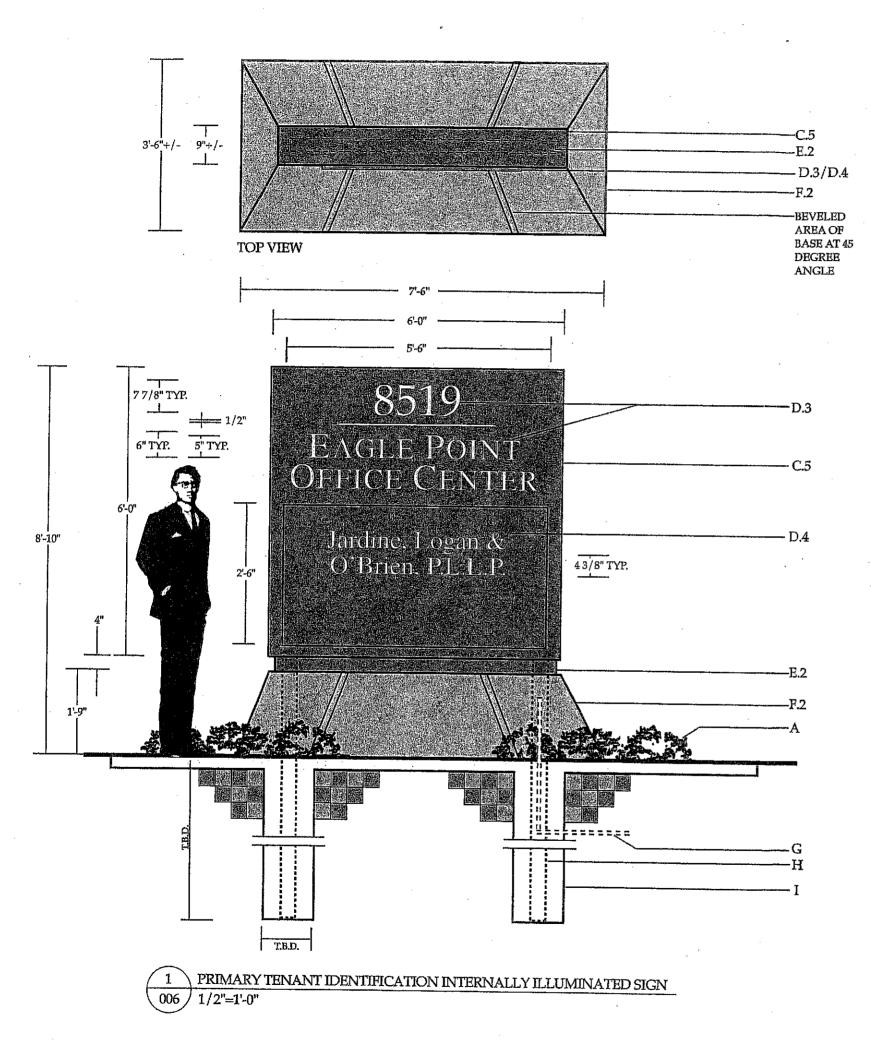
LAKE ELMO, MINNESOTA



205064.00 November 18, 2006

11477 Okie Cabin Rd. 11229 Nail. 8L Louis, MO 83141 Legwood, K

Nall, Suite 140 4306 Doctor Gran od, KS 66211 Grandview, MO 6 8 2300 816,743 0600 9.2003 fax 010.743 9767 fax



A LANDSCAPING BY OTHERS

C.5 .125 ALUMINUM SKIN OVER 1" X 1" ALUMINUM ANGLE
FRAME, AS STRUCTURALLY REQUIRED. PRIME & FINISH
'MAP' MATTHEWS ACRYLIC POLYURETHANE
DARK GREEN (#61A-1A Nocturnal Sea)
ILLUMINATION: F72 T12CW HO FLUORESCEN'T LAMPS
FOR EQUAL BRIGHTINESS, 'GE' 800 MA BALLASTS, OR EQUAL.

D.3 ROUTED LETTERS OUT OF ALUMINUM SIGN FACE BACK-ED W/ TRANSLUSCENT WHITE PLEXIGLAS

D.4 ROUTED PANEL (2'6" high X 5'6" wide) BACKED IN
TRANSLUSCENT WHITE PLEXIGLAS (REMOVEABLE) WITH
COPY MASKED OFF AND PANEL PAINTED TO MATCH
'MAP' DARK GREEN (#61A-1A Nocturnal Sea)

E.2 .125 ALUMINUM SKIN OVER 1" X 1" ALUMINUM ANGLE FRAME, AS STRUCTURALLY REQUIRED, PRIME & FINISH 'MAP' MATTHEWS ACRYLIC POLYURETHANE DARK GREEN (#61A-1A Nocturnal Sea)

F.2 CONCRETE BASE WITH VERTICAL, ANGLED DETAIL SCORE
(as shown) PAINTED WITH TEXTURED PAINT TO COMPLEMENT
THE STUCCO FINISH ON THE LANDSCAPING WALL AT THE
CAMPUS ENTRANCE (Sonowall Stucco Systems Riverbend #116-T)

UNDERGROUND ELECTRICAL CONDUIT SWEEP (NO EXPOSED CONDUIT). OWNER TO PROVIDE ADEQUATE ELECTRICAL POWER TO WITHIN 15' OF SIGN PRIOR TO CONCRETE INSTALLATION. INSTALLING SIGN COMPANY TO ALERT OWNER OR OWNERS CONSULTANT OF CONCRETE 7 DAYS IN ADVANCE. SIGN COMPANY TO STUB OUT ELECTRICAL CONDUIT SWEEP AT FOUNDATION INSTALLATION TIME FOR ELECTRICAL CONNECTION.

120 VOLT OR 277 VOLT SERVICE TO BE DETERMINED, SIGN COMPANY TO COORDINATE ELECTRICAL REQUIREMENTS W/ OWNER. SIGN FABRICATOR TO SPECIFY AMPS REQUIRED ON SHOP DRAWINGS

H STEEL POLE FINISH PRIMED & PAINTED EXTERIOR WHITE

I CONCRETE BASE ADEQUATE TO WITHSTAND 30LB. WIND LOAD. ALL FOOTINGS & POLE DIMENSIONS ARE SUBJECT TO FIELD SURVEY & SOIL CONTENT RESULTS TO BE PROVIDED BY THE INSTALLING SIGN COMPANY. ALL FINAL POLE & FOOTING SPECIFICATIONS ARE THE RESPONSIBILITY OF THE INSTALLING SIGN COMPANY

AREA OF COPY NOT TO EXCEED 30 SQ. FT. OF SIGN AREA EXCLUDING THE ADDRESS NUMBER ALL COPY TO BE DETERMINED



3500 West 80th Street Minneapolis, MN

Eagle Point Business Park

Lake Elmo, MN

Exterior Sign Design



VISUAL Communications

475 Cleveland

Avenue North
Suite 223

Ivy League Place

Saint Paul

Minnesota

5 5 1 0 4

651-644-4494 Fax 644-4289

Project: 81007

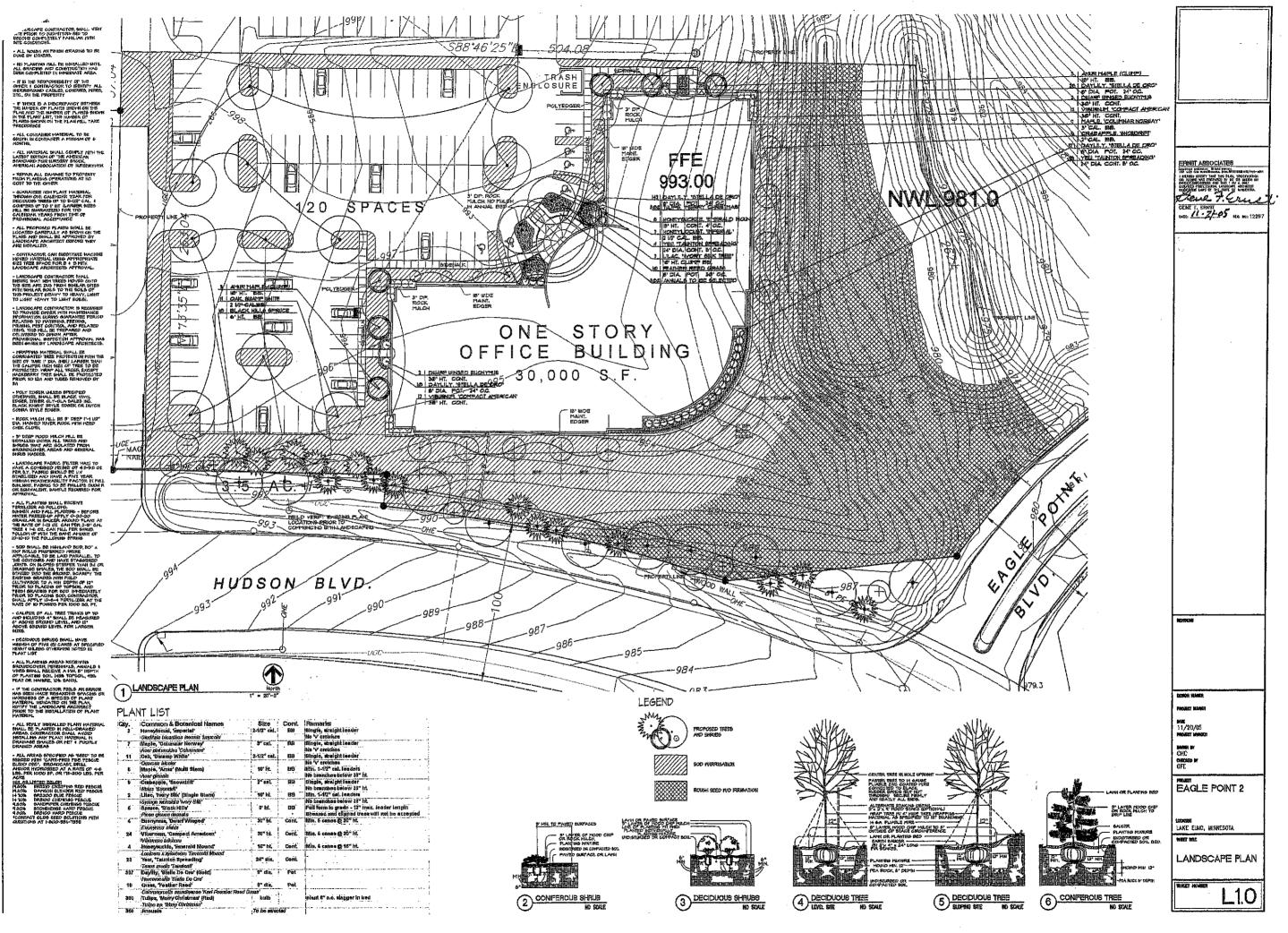
Date: 9/9/99

Rev: 2/14/02

UP/EP/SPBC 6 (rev)

Page:

6.1



City Council December 6, 2005	Agenda Section: Planning, Land Use and Z	oning	<u>No.</u> 9B
Agenda Item: 2	2006-2010 Capital Improvements Program (CIP)		
At its meeting No unanimously ado	ovember 28, 2005 the Planning Commission conducted a recommendation for approval of the 2006-	2010 Capital Improv	ements Program as
presented by City CIP at its Novem	y staff. The Park Commission had completed its reber 21 meeting, and those recommendations were commission (and attached here). There was no Pub	eview and recommend in the	dations regarding the draft CIP presented
Action items: Motion to adopt I Capital Improven	Resolution #2005- , approving the 2006-2010 nents Program	Person responsib	le:
 Draft Plan Staff Men 	137 Colution #2005 – Approving the 2006-2010 CIP uning Commission Minutes of November 28 to the Planning Commission O CIP Booklet	Time Allocated:	

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

RESOLUTION 2005-137

A RESOLUTION ADOPTING THE 2006-2010 CAPITAL IMPROVEMENTS PROGRAM

WHEREAS, at its November 21, 2005 meeting, the Lake Elmo Planning Commission held a public hearing on the draft 2006-2010 Capital Improvements Program.

WHEREAS, the Planning Commission recommends adoption of the 2006-2010 Capital Improvements Program.

WHEREAS, the Lake Elmo City Council reviewed the draft 2006-2010 Capital Improvements Program recommended by the Planning Commission.

NOW, THEREFORE, BE IT RESOLVED, the Lake Elmo City Council approves the 2006-2010 Capital Improvement Program as the planning guide to capital expenditures.

ADOPTED, by the Lake Elmo City Council on the 6th of December, 2005.

	Dean Johnston, Mayor	
ATTEST:		
Martin Rafferty, City Administrator	· · ·	

PUBLIC HEARING: Capital Improvement Program 2006-2010

The Planner explained that this Public Hearing is an annual update required by State Statute. The CIP is a team effort of department heads. The Planning Commission will review the Parks portion of the CIP. State Statute requires the Planning Commission involvement as a planning function and less as a financial consideration.

The Finance Director explained the changes to the CIP such as requesting a Code Enforcement Officer and a printer plotter. Civil Defense Sirens are requested based upon the Fire Study completed this year with a recommendation for six new sirens. Vehicles and fire equipment were reviewed. The Finance Director said the amount of money doubled under Heavy Rescue because the city has not kept up with the depreciating equipment. Negative balances in that area of the CIP will have to be addressed. There could be a lease program or capital equipment bonding over a ten year period.

The Administrator said Heavy Rescue is a new vehicle in place of a fire truck going out for a call. When everything is reorganized the city will be down a couple of emergency vehicles. All the necessary equipment for first response is available in this new vehicle. The Chief generally is first on the scene, and second on the scene would be this equipped Command Vehicle that would be a step down from Heavy Rescue.

Commissioner Armstrong asked if the new Fire Station is in the CIP. The Finance Director said it will not be in the CIP until a strategy has been determined and because we had been awaiting Fire Study results.

The Administrator said the Fire Study recommended two different locations for the fire stations. The city has to determine whether to move the existing two stations, add new stations, or some other option.

Commissioner Deziel asked if the fire plan coordinates with neighboring city stations and fire support, and whether these vehicles coordinate with the Fire Study. The Administrator said they do coordinate with the Fire Study. The Fire Study recommended a station at 10th Street and near Tapestry.

Commissioner Fliflet asked if some of this cost is based upon relocation of the fire stations. The Administrator said no because the city is looking at it as two replacement stations. He said the city proposed a Joint Powers Agreement with the County Regional Park for siting one of the stations on county land near the Regional Park, and it is under discussion.

Public Works will purchase a new Backhoe as a trade for the small motor purchased this year. The city requests a dump truck at 2010 and a generator at 2007 for the new public works/water tower backup. Revenue from collocation helps offset radio fees. A 1 ton heavy duty pickup truck will be needed in 2008.

The Finance Director said the Parks Commission recommended improvements to parks in Carriage Station for \$40,000 next year and Heights Park \$50,000 over two years for a play field and play structure. Chairman Helwig said he had some calls from residents on 27th Street asking why a play structure is being considered for Heights for only three families with kids. The Administrator explained that the city received a lawful petition from residents requesting upgrades to Heights Park. A letter summarizing the petition was submitted for the commission's review.

Commissioner Fliflet asked how City Hall is financed. The Administrator said the capital was raised for the Public Works and City Hall, and it is in reserve. The Finance Director said it is an operational expense for repayment of that bond. Staff recommends replacement of computer networks and equipment in two years. The server is five years old. We don't have luxury of waiting for a new city hall to be built. He said staff has been careful of what we buy because we do not want to support the old facility without consideration for the new facility. Within two years we hope to have built a new city hall.

The Finance Director said Infrastructure Reserves are exclusively for street maintenance and repairs.

Commissioner Deziel asked if we are putting sewer into the streets in the Old Village, how is that coordinated with street maintenance. The Finance Director said that Sewer and water are accounted for in another section of the CIP. Now there is a more elaborate Water CIP compared to previous years. The Planner said we don't know the exact schedule for sewer yet so there is nothing in reconstruction yet due to sewer. He said Laverne needs to be replaced but we wanted to wait until the sewer arrives. Sewer will arrive but it is the plan not to force existing Old Village residents to hook up to it. The Administrator said the CIP is the best vision for the next five years. We will have a better idea of how that will be timed when the Old Village Plan comes in and other plans are achieved.

Commissioner Roth asked how long a street lasts. 10 years said the Planner. They will last longer in the future because we were building to a 5 ton standard and a few years back we began building to a 9 ton standard. Seal coats last longer, mills and overlays last longer. The Planner said annual inspections are performed by the Public Works Superintendent and the City Engineer has a schedule for repairs, coats, and replacements. Commissioner Armstrong asked about the state contribution for MSA. The Planner said the city designates streets for the State Aid System. For every mile of new street we construct, that number for State Aid goes up. State Aid revenues can help offset bonding for streets.

The Chairman opened the Public Hearing at 8:48 p.m., and nobody was in the audience. He closed the Public Hearing at 8:49 p.m.

M/S/P, Ptacek/Deziel, to recommend approval of the CIP 2006-10. VOTE: 9:0.

City Council Update

The Planner said that senior city staff had a clarification meeting with appointed staff at Met Council. The technical items required for our Comprehensive Plan will be submitted next week. Two items were not simple. The Old Village Plan is not in the Comp Plan and the conditions in the Resolution that extended our deadline for submission are another issue. We may need another Public Hearing for the Comprehensive Plan.

3M Company Donation

Chairman Helwig said the 3M Company donation of land to Oakdale for a sports facility leaves him concerned about new home numbers for the Comprehensive Plan and the affect on the ball park plan for the Old Village Area. The Administrator said that staff found out about the proposed donation when it hit the newspapers. He said there was some indication a few months ago that Oakdale was interested in this type of park. The parcel is below the railroad tracks. This request was made by Oakdale two years ago for another site. 3M's plan is to deed the

CIP 2006-2010

Superintendent Bouthilet met with Commissioner Schumacher today. His recommendations were presented for each park.

Jennifer McCormick representing Carriage Station reiterated there are 300 children in Carriage Station, and park usage would also come from Fields and Tana Ridge without crossing Highway 5. It is also a highly visible park and needs improvements. They were hoping for an athletic component and sitting area with shade as well as the additional play structure.

Tom McCormick said he was president of neighborhood association when the development first was started. He was involved in the original park plan for Carriage Station. TKDA did an elaborate park plan valued at \$175,000. Homeowners had an expectation of that type of park.

Commissioners Schumacher and Bouthilet recommended \$20,000 for a playset in Carriage Station. \$17,000 was spent there last year. Commissioners Bruchu and Watters recommended some more trees. Soccer and basketball were also recommended. Commissioner Steele recommended fencing around the pond and more trees. He said if we are investing heavily in the park, there should be parking. Administrator Rafferty said people in the neighborhood will walk to a neighborhood park. Superintendent Bouthilet said it is legal to park on the street there.

Superintendent Bouthilet said Commissioner Schumacher recommended \$25,000 for Heights Park improvements and \$25,000 in 2007 for play structure.

Superintendent Bouthilet asked to swap years for Lions and Pebble Parks and to move Reid improvements to 2007.

Tana Ridge and Fields residents have asked for more improvements. There are 134 homes between Fields I and II, Bluestem, and Tana Ridge. The commissioners discussed landscaping and amenities, basically the same as Carriage Station.

VFW Park backstop would cost about \$4,000 and \$3,000 for nets. The Superintendent Bouthilet said the curbed area would not function well without extensive work so he and the City Engineer recommended that egg berming might work better. That column of cost should be \$10,000.

Commissioner Ames recommended the following Trails Improvements sooner than some others. Carriage to Sanctuary, 50th to 53rd Street, Fields to Old Village, extending 50 further west, loop along Lake Elmo Avenue. There are three neighborhoods south of 36 developing right now, and connecting the Old Village to the Regional Park.

Jennifer McCormick requested more money for a play structure at Carriage because the same money is budgeted for Heights Park even though that neighborhood is one quarter the size of Carriage Station.

The Commissioners discussed the fact that \$17,000 was already spent this year. They suggested spending the \$40,000 there next year and get it done immediately. Pavilion should be moved to 2009. Heights Park should be \$25,000 the next two years for a ball field and for a play structure. A dog park in 2010 for Lake Jane Hills Park budget \$5,000. Sanctuary Master Plan and Sunfish Master Preservation Plan both \$5,000 for next year. Tana should have some more landscaping and benches next year. VFW ball field improvements in 2006 will be \$10,000. Trails Plan \$150,000. Insert a row for updating the Comprehensive Park Plan and budget \$5,000. The Finance Director said the 2006 balance will be \$126,619 after these expenses.

The Finance Director said the CIP is a Planning function rather than an accounting function. He recommended using the CIP as a wish list, then dealing with the financing as you want to complete the projects.

DRAFT

M/S/P, T. Bouthilet/Ames, to recommend the Capital Improvement Program for 2006-2010 as presented. VOTE: 8:0. (Attached)

req weeting Schedule for 2006

M/S/P, Ames/watters, to accept the 2006 Meeting Schedule as proposed. VOTE: 8:0. (Attached)

Meeting Adjourned at 9.01 p.m.

Respectfully submitted,

Kimberly Schaffel Recording Secretary City of Lake Elmo

E DOLG FUR WEIGHT ELIGE 2006-2010

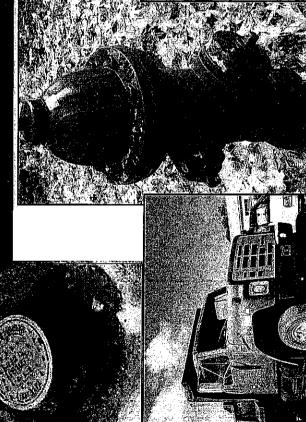




Table of Contents

I. Capital Acquisition	Page
Capital Acquisition Summary Report	1
Capital Acquisition-Administration	2
Capital Acquisition - Civil Defense	3
Capital Acquisition - Building Dept	4
Capital Acquisition - Fire Dept (Equipment)	5
Capital Acquisition - Public Works Equipment	6
Capital Acquisition - Parks (Equipment)	7
Capital Acquisition - Parks (Improvements)	8
III. Infrastructure Reserve	
Infrastructure Reserve - Non MSA	9
IV. MSA Construction	
Capital Acquisition - Public Access	10
V. Enterprise Funds	
Water Enterprise Fund - Capital Projects	11
Sewer Enterprise Fund - Capital Projects	12
Storm Water Fund - Capital Projects	13

					Cap	pital Aqusisi	ital Aqusisition Summary Report	ary Report							
					******CAP	ĪĀ	EQUIPMENT (410)	0) *****							
		2006		22.34.000	2007			2008			2009			2010	
Department	Additions	Expense	Balance	Additions	Expense	Balance	Additions	到	Balance	Additions Expense	Expense	Balance	Additions	Expense	Balance
Administration	20,000	39,500	49,749	22,000	53,000	18,749	24,000	13,000	29,749	26,000	3,000	52,749	28,000	0	80,749
Civil Defense	000'6	20,000	58,547	9,000	20,000	47,547	9,000	20,000	36,547	9,000	20,000	25,547	14,453	20,000	20.000
Building Dept	7,000	18,000	5,735	000'6	0	14,735	9,000	21,000	2,735	10,000	0	12,735	10,000	24,000	-1,265
Fire-Equipment	0	399,000	406,159	40,000	650,000	-1,016,159	40,000	0	-976,159	40,000	0	-936,159	40,000	0	-896,159
Public Works - Equip.	000'09	12,700	356,311	70,000	25,000	401,311	70,000	70,000	401,311	75,000	13,000	463,311	75,000	150,000	388,311
Parks - Equipment	20,000	28,000	11,453	30,000	0	41,453	35,000	40,000	36,453	35,000	0	71,453	40,000	0	111,453
Total	116,000	517,200	75,636	180,000	748,000	492,364	187,000	164,000	-469,364	195,000	36,000	-310,364	207,453	194,000	-296,911
				arks Acqu	Parks Acquisition Sum	Imary Report	rt (404)								
Parks-Acquisitions (404)	70,000	287,000	126,619	70,000	125,000	71,619	70,000	51,000	90,619	70,000	81,000	79,619	70,000	56,000	93.619
				Infra	Infrastructure Reserve	eserve (409)									
infrastructure Reserve	243,764	276,613	9,871	208,750	475,578	-256,957	232,529	299,313	-323,741	247,495	162,225	-238,472	255,606	100,000	-82,866
				MSA	MSA Street Const	truction (402)	[2]								
MSA Street Construction	200,000	478,849	32,277	200,000	110,819	121,457	200,000	61,252	260,205	200,000	693,533	-233,328	200,000	1,499,725	-1,533,053
				Water Er	Water Enterprise Car	oital Fund	(601)								
Water Enterprise Capital	4,051,500	7,056,159	1,680,205	551,500	541,384	1,690,321	432,000	408,000	1,714,321	432,000	354,764	1,791,557	432,000	3,995,764	-1,772,208
				Sewer Er	nterprise Ca	Sewer Enterprise Capital Fund (602)	(602)	-							•
Sewer Enferprise Capital	379,109	43,889	459,756	379,109	1,523,196	-684,331	180,000	225,410	-729,741	180,000	24,539	-574,279	180,000	23,641	417,920
				Irface Wate	Surface Water Enterprise	e Capital Fund (603)	nd (603)		-						
Surface Water Enterprise	78,000	65,000	39,372	81,000	230,000		82,500	50,000	-77,128	84,300	0	7,172	86,100	50,000	43,272

Administration 410

CITY OF LAKE ELMO CAPITAL ACQUISITION

CAPITAL ACQUISITION -ADMINISTRATION

ITEM	Amount	REPLACE YEAR	2006	2007	2008	2009	2010
FUND BALANCE ADDITIONS			69,249 20,000	49,749 22,000	18,749	29,749 26,000	52,749 28,000
Total Additions			20,000	22,000	24,000	26,000	28,000
Code Enf. Vehicle Fax Laser Printer	11,000 500 5,000	2006 2006 2006	11,000 500 5 000				
Computers Electronic Records Equip. Computers/Network	3,000 15,000	2006 2006	3,000 15,000	3,000	3,000	3,000	
Copy Machine Computers/Network	40,000 10,000	2007 2007 2007	5,000	40,000 10,000			
	10,000	2002			10.000		

3,000	80,749
3,000	52,749
13,000	29,749
53,000	18,749
39,500 53,000	49,749

CAPITAL ACQUISITION-CIVIL DEFENSE

CAPITAL ACQUISITION -Civil Defense

ITEM	Amount	REPLACE YEAR	2006	2007	2008	2009	2010
FUND BALANCE ADDITIONS			69,547 9,000	58,547 9,000	47,547 9,000	36,547 9,000	25,547 14,453
Total Additions			9,000	9,000	9,000	9,000	14,453
Civil Defense Sirens Civil Defense Sirens	20,000	2006	20,000	20,000			
Civil Defense Sirens Civil Defense Sirens Civil Defense Sirens	20,000 20,000 20,000	2008 2009 2010			20,000	20,000	20,000

20,000 20,000 20,000 20,000 20,000	36,547 25,547 20,000
20,000	47,547
20,000	58,547
enses	ANCE
Total Exp	FUND BA

CITY OF LAKE ELMO CAPITAL ACQUISITION-Building Dept.

CAPITAL ACQUISITION -Building Dept.

ITEM	Amount	REPLACE YEAR	2006	2007	2008	2009	2010
FUND BALANCE ADDITIONS			16,735 7,000	5,735 9,000	14,735 9,000	2,735 10,000	12,735 10,000
Total Additions			7,000	9,000	9,000	10,000	10,000
Vehicle Vehicle Vehicle	18,000 21,000 24,000	2006 2008 2010	18,000		21,000	:	24,000

18,000 0 21,000 0 24,000	12,735 -1,265
21,000	2,735
0	14,735
18,000	5,735
Total Expenses	FUND BALANCE

CAPITAL ACQUISITION-Fire Equipment

CAPITAL ACQUISITION -Fire Equipment

ITEM	Amount	REPLACE YEAR	2005	2006	2007	2008	2009	2010
FUND BALANCE ADDITIONS			29,898 40,000	-7,159 0	-406,159 40,000	-1,016,159 40,000	-976,159 40,000	-936,159 40,000
Total Additions			40,000	0	40,000	40,000	40,000	40,000
I. Vehicles								
Heavy Rescue Command Vehicle Ladder/Pumper Rescue Boat	300,000 50,000 650,000 15,000	2006 2006 2007 2006		300,000 50,000 15,000	020,000			
II. Equipment Tum Out Gear	16,000	2006		16,000				
Thermal Imaging Camera Laptops	12,000 6,000	2006		12,000	·			·
Total Expenses FUND BALANCE			0 69,898 (See Note)	399,000 -406,159	650,000 -1,016,159	0 -976,159	0 -936,159	0 -896,159

Note: Additional Financing Resources will be required for 2006-2010. Potential Sources being considered includes State/Federal Grant and Equipment leasing options. In addition the recommendation of the fire study suggests that the timming and nature of long term Capital Equipment acquistions needs further review. -5-

CITY OF LAKE ELMO Public Works Equipment

ITEM	Amount	REPLACE YEAR	2006	2007	2008	2009	2010
FUND BALANCE ADDITIONS			273,275 60,000	320,575 70,000	365,575 70,000	365,575 75,000	427,575 75,000
Total Additions			60,000	70,000	70,000	75,000	75,000
Bob Cat Trade-in	4,659	2006	5,700	TBD	TBD	TBD	TBD
Black Top Roller	10,000	2006	000,7	10,000			
Pick-Up	30,000 40,000	2008		-	30,000 40,000		
Air Compressor	13,000	2009				13.000	
Dump Truck	150,000	2010	=				150.000
Generator	15,000	2007		15,000			

ı	ı
150,000	352,575
13,000	427,575
70,000	365,575
25,000	365,575
12,700 25,000 70,000 13,000 150,000	320,575
Total Expenses	FUND BALANCE

TBD= To Be Determined

CITY OF LAKE ELMO CAPITAL ACQUISITION-Parks Equipment

CAPITAL ACQUISITION -Parks Equipment

TEM	Amount	REPLACE YEAR	2006	2007	2008	2009	2010
FUND BALANCE ADDITIONS			19,453 20,000	11,453 30,000	41,453 35,000	36,453 35,000	71,453
Fotal Additions			20,000	30,000	35,000	35,000	40,000
Pick-Up	25,000	2006	25,000				
(Mower)	3,000	2006	3,000				
Pick-Up	40,000	2008			40,000		

Total Expenses	28,000 0 40,000 0 0	0	40,000	0	0
FUND BALANCE	11,453	41,453	36,453	71,453	111,453

CITY OF LAKE ELMO

ITEM	Amount		provement P	rogram 2007	2008	2009	2010
FUND BALANCE			343,619	126,619	71,619	90,619	79,619
ADDITIONS			0.10,0.10	1201010	7 1,010	00,010	10,010
Parks Dedication			70,000	70,000	70,000	70,000	70,000
		<u> </u>					
otal Additions		ļ	70,000	70,000	70,000	70,000	70,000
A	40.000	T 6056					
Carriage Station	40,000	2006	40,000				1
DaMandua IIIa Baul							
DeMontreville Park Pavillion	30,000	2006				30,000	
	-						
DeMontreville Wildlife							
Heights Park Ball Field	25,000	2007		25.000			
Play Structure	25,000	2006	25,000	20,000			
Hertlage Park							,
Homestead Park							
Klels Park							
Note 7 at N							
Lake Jane Hills Park							
et Park	5,000	2010					5,000
Lions Park							
Fennis Courts Resurface	12,000	2006	12,000				
Pebble Park Tennis Court Resurface	20,000	2007		20,000			
Reid Park	_						
Parking Lot	12,000	2007		12,000			
Playground Equipment	2,000	2007		2,000			
Ridge Park							
Sanctuary Master Plan	5,000	2008	E 000				
uture Amenities	4,000	2006	5,000	1,000	1,000	1,000	1,000
Stonegate Park							
Sunfish Lake Park	F 000	0000					
Master Preservation Plan	5,000	2006	5,000				
Tabiyn Park Replace Equipment	5.000	007-					
ennis Court Overlay	5,000 25,000	2006 2006	5,000 25,000				
/lill & Overlay Park Lot & Driveway	15,000	2007	=0,000	15,000			
Tana Ridge Park andscaping, Benches	5,000	2006	5,000				
	0,000	2000	5,000				
VFW Park salifield improvements	10,000	2006	10,000				
	10,000	2000	10,000				
Misc.			450,000	50.000			
ark Comp. Plan Update			150,000 22 5 000	50,000	50,000	50,000	50,000
otal Expenses			287,000	125,000	51,000	81,000	56,000

CITY OF LAKE ELMO INFRASTRUCTURE RESERVE / Non MSA

ITEM FUND BALANCE ADDITIONS Trsf From General Fund Assessments	Amount	YEAR	2006 42,719 165,000 78,764	2007 9,871 100,000 108,750	2008 -256,957 100,000	2009 -323,741 100,000 147,495	2010 -238,472 100,000 155,606
Total Additions Sealcoat/Crackfill			243,764 100,000	208,750 100,000	232,529 100,000	247,495 100,000	255,606 100,000
Irish Avenue (Reclaim & Overlay) Ironwood Trail Reclaim & Overlay) 27th Street (Reclaim & Overlay) 28th Street (Reclaim & Overlay) 27th Court (Reclaim & Overlay) Lisbon (Reclaim & Overlay) Legion Lane (Reclaim & Overlay) Legion Circle (Reclaim & Overlay) Legion Circle (Reclaim & Overlay) 21st Street (Reclaim & Overlay) Ivy Coury (Reclaim & Overlay) Isle Ave (42nd-Cul de sac) Irvine Circle (Reclaim & Overlay) Irvine Circle (Reclaim & Overlay) Laverne (Reclaim & Overlay) Layton (Reclaim & Overlay) Layton (Reclaim & Overlay) Lath Street (Reclaim & Overlay) 12th Street 53rd Street Highlands Trail 59th & Hytrail	20,625 51,950 72,575 10,838 20,625 35,550 11,113 103,338 18,338 26,663 22,350 37,775 43,338 74,450 25,975 17,75	2006 2006 2006 2006 2007 2007 2007 2007	20,625 51,950 72,575 10,838 20,625	35,550 115,550 13,338 11,113 103,338 29,338 26,663 22,350	37,775 43,338 74,450 25,975 17,775	62,225	
Total Expenses FUND BALANCE		!	276,613 9,87 1	475,578 -25 6,957	299,313 -323,741	162,225 -238,472	100,000 -82,866

Note: Additional Financing Resources will be Required to complete 2006-2009 projects.

MSA Construction 402

CITY OF LAKE ELMO MSA CONSTRUCTION

MSA CONTRUCTION-402

ITEM	Amount	Replace Year	2006	2007	2008	2009	2010
FUND BALANCE State Contribution Assessments			311,126 200,000	32,277 200,000	121,457	260,205 200,000	-233,328 200,000
Total Additions	v		200,000	200,000	200,000	200,000	200,000
45th & Julep Overlay Keats Ave Kimbro/50th Street Reconstruction Laverne Avenue & 33rd 20th/Manning & Trails	145,000 220,000 630,000 335,500 1,102,500	2006 2006 2009 2010 2010	145,000 220,000			630,000	335,500 1,102,500

478,849 110,819 61,252 32,277 121,457 260,205	1,499,725	-1,533,053
478,849 110,819 32,277 121,457	693,533	-233,328 -1,
Expenses 478,849 110,819 BALANCE 32,277 121,457	61,252	260,205
Expenses 478,849 BALANCE 32,277	110,819	
Expenses BALANCE	478,849	32,277
Fotal -UND	Total Expenses	FUND BALANCE

CITY OF LAKE ELMO WATER ENTERPISE CAPITAL FUNDS

ITEM	Amount	Replace Year	2006	2007	2008	2009	2010	
FUND BALANCE ADDITIONS (WAC)			4,684,863 525,000	1,680,205 525,000	1,690,321 396,000	1,714,321 396,000	1,791,557 396,000	
Total Additions Projects			4,051,500	551,500	432,000	432,000	432,000	
Watermain Replacement (Jamaca) Elevated Storage Tank Water Main Ext. Jamaca to Tower Well #2 Modifications	450,000 1,200,000 600,000 50,000	2006 2006 2006 2006	450,000 1,200,000 600,000 50,000					
Tablyn Park Connect Well #2 - Sanctuary-Discovery-Deer Glen Pressure Reduction Valves Water Main Extensions OV-31st Hwy 5 Remove Old Water Storage	3,500,000 555,000 90,000 800,000 41,000	2006 2006 2006 2010 2010	3,500,000 555,000 90,000				800,000	
South Well # 3 Pump & Pump House Elevated Storage Tank Water Main Oversizing	550,000 1,750,000 500,000	2010 2010 2010					550,000 1,750,000 500,000	

50,000 50,000 50,000	1,384 408,000 354,764 3,995,764	1,690,321 1,714,321 1,791,557 -1,772,208
50,000 50,000	7,056,159 541,	1,680,205 1,690
ains		FUND BALANCE

CITY OF LAKE ELMO SEWER ENTERPISE CAPITAL FUNDS

Sewer Enterprise

ПЕМ	Amount	Year	2006	2007	2008	2009	2010
FUND BALANCE ADDITIONS			124,536	459,756	-684,331	-729,741	-574,279
Sewer Access Charge Assessments (Eagle Point)			360,000 19,109	360,000 19,109	180,000	180,000	180,000

Total Additions	379,109	379,109 379,109 180,000 180,000 180,000	180,000	180,000	180,000
Study 2006 Main OV-94 2007 Relocate-Sewer Main I-94 2008	6 20,000 7 8	1,500,000	200,000		

43,889 1,523,196 225,410 24,539 23,641	684,331 -729,741 -574,279 -417,920
43,889 1,5	459,756 -6
Total Expenses	FUND BALANCE

CITY OF LAKE ELMO
Storm Water Capital Enterprise

	Storm	Nater Ca _l	Storm Water Capital Enterprise	prise			
Storm Water Enterprise							
ITEM	Amount	Year	2006	2007	2008	2009	2010
FUND BALANCE ADDITIONS			26,372 78,000	39,372 81,000	-109,628 82,500	-77,128 84,300	7,172 86,100
Total Additions			78,000	81,000	82,500	84,300	86,100
PROJECT							
Storm Sewer Mapping		2006	20,000				
Vac. Trailer Old Village Regional Property Aq. Old Village Regional Pond Cons. Old Village Storm Sewer Improvements Emergency Equipment	20,000 150,000 50,000 5,000	2006 2007 2007 2007 2007	45,000	25,000 150,000 50,000 5,000			
Old Village Storm Sewer Improvements	50,000	2008			50,000		
Mini Excavator		2010					50,000
Total Expenses		,	65,000	230,000	50,000	0	50,000
FUND BALANCE			39,372	-109,628	-77,128	7,172	43,272

Lake Elmo City Council December 6, 2005

Agenda Section: Planning, Land Use and Zoning

No. 9C

Agenda Item: Final Plat and Development Agreement - "Sanctuary of Lake Elmo"

Background Information for December 6, 2005:

The developer has presented the Final Plat and Final Landscape Plan for this 55/62 lot OP development on 175 acres for which the City Council approved a Preliminary Plat and OP Development Stage Plan/CUP on October 4, 2005. Staff has reviewed the Final Plat and Construction Plans and finds that the developer has complied with and/or incorporated the specific project design conditions of the Preliminary Plat approval resolution. Note that Outlots G through M will not be legally "buildable" until such time as the Zoning Ordinance is amended to allow 18 units per 40 acres in OP projects as prescribed by the adopted Comprehensive Plan. Once the Code amendment is adopted by the City the owner of the 7 outlots will need to have a new Final Plat approved converting those outlots to buildable lots.

City Staff (including the City Engineer and City Attorney) has prepared a Development Agreement for the project. Somewhat unique features of this Agreement include:

1. Nearly two miles of water main oversizing credit (from 8 inches* to 16 inches).

2. Credit toward the Public Use Dedication Fee for fee title to 6.3 acres (neighborhood park site — Outlot D) and site grading/seeding, and over ½ mile of asphalt trail that will be "public" by easement to the City.

All other content of the Agreement in standard City requirements, terms, and conditions. The attached Resolution approves the Final Plat, Final OP Plan and Development Agreement.

Action items:

Motion to adopt Resolution #2005 - 138, approving the Final Plat, Final OP Plan and Development Agreement of "Sanctuary of Lake Elmo".

Person responsible:

City Planner

Attachments:

- 1. Draft Resolution #2005 , Approving Final Plat, OP Plan and Development Agreement
- 2. Draft Development Agreement
- 3. Final Plat
- 4. Approved Preliminary Plat
- 5. Resolution #2005-106 Preliminary Plat Approval

Time Allocated:

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-138

A RESOLUTION APPROVING THE OPEN SPACE PRESERVATION DEVELOPMENT FINAL PLAT, FINAL PLAN, AND DEVELOPMENT AGREEMENT OF SANCTUARY OF LAKE ELMO

WHEREAS, on the 30th day of November, 2005, the Lake Elmo Development Company, ("Applicant") submitted a completed application requesting that the City of Lake Elmo approve an Open Space Preservation Development Final Plat and Development Agreement to be known as SANCTUARY OF LAKE ELMO. The parcel is located southerly of Highway 36 and westerly of Manning Avenue and is legally described as follows.

Parcel Legal Descriptions

RICHARD AND EILEEN BERGMANN PROPERTY COMMITMENT FOR TITLE INSURANCE SCHEDULE A, EXHIBIT A, Case No. 259369

PARCEL 1

The East Half of the Northwest Quarter of the Northeast Quarter of Section 1, Township 29 North, Range 21 West, Washington County, Minnesota.

PARCEL 2

Lot 15, Schaefer's Corner, according to the plat on file and of record, Washington County, Minnesota.

PARCEL 3

The north 13.9 feet of Lot 16, Schaefer's Corner, according to the plat thereof on file and of record, Washington County, Minnesota.

PARCEL 4

All that part of the Northeast Quarter of the Northeast Quarter of Section 1, Township 29, Range 21, excepting therefrom the South 57 rods thereof and

excepting therefrom that part of the Northeast Quarter of the Northeast Quarter platted as Schaefer's Corner, Washington County, Minnesota.

PARCEL 5

Lot 16, except the north 13.9 feet thereof Schaefer's Corner, according to the plat thereof on file and of record, Washington County, Minnesota.

PARCEL 6

That part of the Northeast Quarter of the Northwest Quarter and that part of the West Half of the Northwest Quarter of the Northeast Quarter, all in Section 1,

Township 29, Range 21, Washington County, Minnesota, described together as follows:

Beginning at the northeast corner of said West Half of the Northwest Quarter of the Northeast Quarter; thence on a bearing of South 89 degrees 47 minutes 30 seconds

West, (bearings based upon the Washington County Coordinate System), along the north line of said West Half of the Northwest Quarter of the Northeast Quarter a distance of 353.59 feet; thence South 0 degrees 19 minutes 54 seconds East, 294.59 feet to the intersection of the southerly right of way line of State Highway No. 36; thence

continue South 0 degrees 19 minutes 54 seconds East, 292.32 feet; thence South 61 degrees 31 minutes 55 seconds West, 226.42 feet; thence South 83 degrees 20 minutes

18 seconds West, 323.13 feet; thence South 89 degrees 45 minutes 35 seconds West 257.62 feet; thence South 0 degrees 00 minutes 32 seconds East, 675.77 feet to the south

line of said Northeast Quarter of the Northwest Quarter; thence North 88 degrees 59 minutes 11 seconds East, along said south line, 474.94 feet to the southeast corner of

said Northeast Quarter of the Northwest Quarter; thence North 88 degrees 58 minutes 56 seconds East along the south line of said West Half of the Northwest Quarter of the

Northeast Quarter; thence North 0 degrees 19 minutes 54 seconds West along the east line of said West Half of the Northwest Quarter of the Northeast Quarter 1095.94 feet

of the intersection of the southerly right of way line of said State Highway No. 36; thence continue North 0 degrees 19 minutes 54 seconds West 294.39 feet to the

point

of beginning. Subject to easements of record.

RICHARD AND EILEEN BERGMANN PROPERTY COMMITMENT FOR TITLE INSURANCE SCHEDULE A, Case No. 255529

The South 27 Rods of the Northeast Quarter of Section 1, Township 29, Range 21 and also that part of the Southwest Quarter of Section 1, Township 29, Range 21,

and also that part of the Southwest Quarter of the Northwest Quarter of Section 6, Township 29, Range 20, Washington County, Minnesota, that is described as follows:

Beginning at the southwest corner of the Northwest Quarter of said Section 6; thence North 88 degrees 45 minutes 42 seconds East, along the south line of said

Northwest Quarter for 4.78 feet; thence North 19 degrees 28 minutes 18 seconds West for 15.27 feet to the West line of said Northwest Quarter; thence South 1 degree

14 minutes 50 seconds East along said west line for 14.50 feet to the point of beginning.

HELEN S. AND ALVIN O. BERGMANN TRUST COMMITMENT FOR TITLE INSURANCE SCHEDULE A, EXHIBIT A, Case No. 250534

All that part of the Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4) of section One (1), in Township Twenty-nine (29) North, of Range Twenty-one (21) West,

described as follows:

Commencing at the Southeast corner of said Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4), thence running North along the East line of the said

Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4) a distance of Fifty-seven (57) rods; thence West parallel with the North and South boundary lines of the said

Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4) a distance of Eighty (80) rods, more or less, to the West boundary line; thence South along the West

boundary line of said Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4) a distance of Fifty-seven (57) rods, more or less, to the Southwest corner of

said

Northeast Quarter of the Northeast Quarter (NE 1/4 of NE 1/4; thence East along the south boundary line a distance of Eighty (80) rods, more or less, to the point

of beginning.

AND

All that part of the South One-half of the Northeast Quarter (S 1/2 of NE 1/4) of Section One (1), in Township Twenty-nine (29) North, of Range Twenty-one (21)

West, described as follows:

Commencing from a point Twenty (27) rods North of the southeast corner of the Southeast Quarter of Northeast Quarter (SE 1/4 of NE 1/4) of said Section, Township

and Range; running thence north along the section line a distance of fifty-three (53) rods to the Northeast corner of the Southeast Quarter of the Northeast Quarter

(SE 1/4 of NE 1/4); running thence due West parallel with the north and south boundary lines of the said Northeast Quarter (NE 1/4) a distance of One Hundred Sixty (160)

rods, more or less, to the West boundary line of said Northeast Quarter (NE 1/4); thence south along said west boundary line a distance of fifty-three (53) rods to a point

on said west boundary line twenty-seven (27) rods north of the southwest corner of the Southwest Quarter of the Northeast Quarter (SW 1/4 of NE 1/4); thence due East

parallel with the south line of the said Northeast Quarter (NE 1/4) a distance of One Hundred Sixty (160) rods, more or less, to the east boundary line of said Northeast

Quarter (NE 1/4) to the point of beginning.

TOTAL AREA = 82.00 ACRES

AND

Also all that portion of the Southwest Quarter of the Northwest Quarter (SW 1/4

of NW 1/4) of section Six (6), in Township Twenty-nine (29) North, of Range Twenty (20)

West, lying west of the Town Road as it now traverses said Section Six (6). Subject to easements of record.

TOTAL AREA = 1.69 ACRES

WHEREAS, at its October 4, 2005 meeting, the City Council reviewed and unanimously recommended approval of the Preliminary Plat, Development Stage Plan, and Conditional Use Permit of SANCTUARY OF LAKE ELMO for the division of those parcels into 62 residential lots.

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

Approves the Open Space Final Plat and Development Agreement for SANCTUARY OF LAKE ELMO as illustrated on a Lake Elmo Development Company plat prepared by Folz, Freeman, Erickson, Inc., staff dated November 30, 2005 with the following conditions:

1. Compliance with recommendations of City Engineer.

2. Compliance with recommendations of Valley Branch Watershed District that the City Engineer finds to practical and reasonable.

ADOPTED, by the Lake Elmo City Council on the 6th day of December, 2005.

ATTEST:	Dean Johnston, Mayor
Martin Rafferty, City Administrator	

DEVELOPMENT AGREEMENT

CITY OF LAKE ELMO

Sanctuary of Lake Elmo

1.00	<u>Parties</u> . This Agreement is dated the day of, 2005, and is entered into by and between City of Lake Elmo, a Minnesota municipal corporation (herein "City"); and The Sanctuary, LLC, a Minnesota limited liability company (herein "Developer").
2.00	<u>Property Description</u> . The Developer represents that it is the record fee owner of property described on <i>Exhibit A</i> , attached and incorporated herein, which will be platted as Sanctuary of Lake Elmo.
3.00	<u>Final Plat Approval.</u> On the day of, 2005, the City Council approved the final plat of Sanctuary of Lake Elmo, which is attached and incorporated as <i>Exhibit B</i> . The City's approval was conditioned upon the Developer entering into this Development Contract.

- 4.00 <u>Terms and Conditions</u>. NOW, THEREFORE, in reliance upon the representations contained herein; in compliance with the City's Zoning and Subdivision Regulations; and in consideration of the mutual undertakings herein expressed, the parties agree as follows:
 - 4.01 <u>Developer Improvements.</u> The Developer shall construct the following improvements in compliance with plans and specifications which have been reviewed and approved by the City's Consulting Engineer, which are attached and incorporated herein as *Exhibit C*:
 - A. <u>Site Grading and Turf Restoration</u>. Site grading improvements shall include common excavation, subgrade correction, embankment and pond excavation. Turf restoration shall include seeding, mulching and erosion control.
 - 1. Site Grading Improvements shall be completed on or before the 30th day of June, 2006.
 - 2. Turf restoration improvements shall be completed on or before the 30th day of September, 2006.
 - B. <u>Landscaping</u>. Developer shall complete all landscaping improvements on or before the 31st day of October, 2006.

- C. <u>Storm Sewer</u>. Storm sewer improvements include all necessary storm sewers, catch basins, culverts, and other apparatus. Storm sewer improvements shall be completed by the day of 31st day of July, 2006.
- D. <u>Street Improvements</u>. Street improvements include subgrade preparation, gravel base, bituminous surfacing, bituminous curb and concrete curbs, where required.
 - 1. Unusable material within the roadway shall be removed by the Developer.
 - 2. All subgrade excavation and filling shall be completed by the Developer in accordance with MNDOT's specifications. The City reserves the right to test as necessary, at the Developer's expense, all grading work. A test roll of the street subgrade shall be passed prior to acceptance of the subgrade by the City.
 - 3. Subgrade and the initial course of street improvements shall be completed by the day of August 31st, 2006. The final wear course of the street shall be completed by the 30th day of September, 2007.
- E. <u>Waste Water Treatment System/Drain Field</u>. The waste water treatment system/drain field shall be comprised of a series of pipes, septic tanks, treatment ponds, drain fields and appurtenances, and shall be completed prior to the issuance of any certificates of occupancy.
- F. <u>Street Signs</u>. The City will order and install street signs. The Developer shall pay for all costs incurred by the City.
- G. Water Main. Water main improvements include pipes, hydrants and appurtenances and shall be completed on or before the 31st day of July, 2006. Developer is over-sizing water mains and installing additional mains not required for the project and the City shall reimburse Developer in the amount of \$ 226,465 for such over-sizing and additional mains.
- H. <u>Historic Barn Preservation</u>.

 The developer shall restore the barn structure on Outlot A in accordance with plans approved by the City Building Official. Said restoration improvements shall be in an amount of not less than \$25,000 as determined by the City Building Official. The

developer has been allowed one additional building lot within the development as compensation for the historic barn restoration.

4.02 <u>Estimated Cost of Developer Secured Improvements</u>. The estimated costs of Developer constructed improvements are as follows:

Improvement	Estimated Cost
Site Grading/Turf Restoration Landscaping Storm Sewer Street Improvements Waste Water Treatment System/Drain Fields Street Signs	Browns Creek Watershed \$ 110,000 \$ 270,600 \$ 488,950 \$ 775,000
	\$ 1,000
Water Mains	\$ 391,450
Subtotal	\$ 1,937,400

Total Security Required (125% of Improvements) = \$ 2,421,250

- 4.03 Improvement Security. Prior to the City's endorsement of approval on the final plat, the Developer shall deposit security with the City Administrator in an amount equal to 125% of the City Engineer's estimate of the cost of constructing the Developer secured improvements which have not been completed and accepted by the City prior to final plat approval. The security may be in the form of a cash escrow fund, a performance bond, or a letter of credit. The form of security shall be approved by the City Attorney.
- 4.04 Reduction of Security. Upon completion of required improvements for the Property and acceptance by the City, the City Council shall reduce the amount of security for the completed improvements provided that in no case shall the total remaining security be equal to less than 125% of the estimated costs of the incomplete improvements.
- 4.05 <u>Administrative Fees</u>. Developer agrees to pay an administrative fee to the City in an amount equal to 2.5% of the Developer's secured improvements. The administrative fee for this project equals \$60,531.
- 4.06 <u>Utility Company Improvements</u>. The utility improvements include underground gas, electric, and telephone service as installed by the appropriate utility company at the direction of the Developer. The Developer shall arrange for the installation of underground gas, electric, telephone and cable television before the final lift is started. Utility improvements shall be completed by the 30th day of September, 2006.

- 4.07 <u>Recording Requirements</u>. Prior to the conveyance of any of the lots in Sanctuary, and except as hereinafter provided, prior to the issuance of any development permits, the Developer shall provide the City with evidence that the following documents have been recorded.
 - A. Plat.
 - B. A Declaration of Covenants in a form approved by the City's Attorney. The Declaration of Covenants shall include the following provisions:
 - 1. Require the Homeowner Association to be responsible for the Owner's obligations as contained in the appropriate Conservation or Open Space Easements.
 - 2. Require the Homeowner Association to maintain and operate the waste water treatment system/drain field.
 - 3. Provide that, in the event of a failure by the Homeowner Association to satisfy the obligations defined in Section 4.07B and its subdivisions of this Development Agreement, as determined by the City's Consulting Engineer, the City may undertake such obligations and assess all costs incurred to the Homeowner Association; and in such event, the Developer for itself and for the Homeowner Association hereby waives the requirements otherwise imposed by MS 429.
 - 4. Provide that any provisions in the Covenants relating to the obligations defined in Section 4.07B and its subdivisions of this Development Agreement may not be repealed or amended without consent of the City.
 - C. Homeowner Association Articles of Incorporation.
 - D. An Open Space or a Conservation Easement from the land owner to the City and the Minnesota Land Trust as the City in its sole discretion deems appropriate, attached and incorporated as herein *Exhibit D* and *Exhibit E* and covering Outlots A, B, C, D, E, F and G, Sanctuary.
 - E. The public trailway easement attached and incorporated herein as *Exhibit F*.
 - F. Browns Creek Watershed Permit.

- 4.08 <u>Public Use Dedication</u>. The Developer's public use dedication requirement for Sanctuary of Lake Elmo is \$392,000 and shall consist of the following:
 - A. a payment in the amount of \$224,018;
 - B. the dedication or conveyance of the public trail easement;
 - C. the construction of the public trailway per plans approved by the City Engineer at a cost to the Developer of \$ 22,792. Total project trail is 11,270 less 8,680 required, resulting in 2,590 l.f. of trail at \$8.80 per lineal foot.
 - D. conveyance of fee title to the City for Outlot D (credit \$128,000); and
 - E. grading and seeding of Outlot D per plans approved by the City Superintendent of Public Works and the City Engineer (credit \$17,690.
 - 4.09 <u>Inspection</u>. The City shall provide the services of a Resident Project Representative (and assistants as agreed) at the site to provide more continuous observation of the Contractor(s) work. The Resident Project Representative's dealings in matters pertaining to the on-site work shall in general, be only with The City and the Developer, and dealings with contractors shall only be through or with full knowledge of the Developer. Through the observations of the work in progress and field checks of materials and equipment by the Resident Project Representative shall endeavor to provide further protection for the City against defects and deficiencies in the work of the Contractor; but the furnishing of such resident Project representation will not make City responsible for construction means, methods, techniques, sequences or procedures or for safety precautions or programs, or for the Contractor's failure to perform his work in accordance with the Contract Documents. The developer shall pay the City the sum of \$70,000 for the City inspection services.

The City shall be provided a minimum of 24 hours notice prior to the commencement of underground pipe laying; and prior to subgrade, gravel base, and bituminous surface construction. Developer's failure to comply with the terms of this section shall permit the City Engineer to issue a stop work order which may result in rejection of the work and which shall obligate the Developer to take all reasonable steps, as directed by the City's Engineer, to insure that the improvements are constructed and inspected pursuant to the terms of this Agreement; and shall further result in the assessment of a penalty in an amount equal to 1%, per occurrence, of the amount of security required in Section 4.03 of this Agreement.

- 4.10 <u>Prior Land Occupancy</u>. No Certificate of Occupancy shall be issued for any homes until the first course of a public street is completed and approved by the City Engineer. If homes are occupied prior to completion of street improvements and acceptance by the City, Developer shall provide all maintenance necessary for such streets including snowplowing, until final acceptance by the City.
- 4.11 <u>Future Lots</u>. Outlots G, H, I, J, K, L and M, Sanctuary may be utilized as future single family residential home sites upon approval of appropriate changes to the City's Comprehensive Plan and zoning ordinance. In the interim, the Developer shall be responsible for maintenance of such Outlots.
- 4.12 <u>Binding Effect</u>. The terms and provisions of this agreement shall be binding upon and inure to the benefit of the heirs, representatives, successors and assigns of the parties hereto and shall be binding upon all future owners of all or any part of the Property. This Agreement, at the option of the City, shall be placed of record so as to give notice thereto to any subsequent purchasers and encumbrancers of all or any part of the Property and all recording fees, if any, shall be paid by the Developer.
- 4.13 <u>Notices</u>. Whenever in this Agreement notice is required to be given by one party to the other, such notice shall be delivered personally or shall be sent by certified mail, return receipt requested to the following addressees. Such notice shall be deemed timely given when delivered personally or when deposited in the mail in accordance with this section.

If to the City:

Mr. Martin Rafferty City Administrator City of Lake Elmo 3800 Laverne Avenue North Lake Elmo, MN 55042

If to the Developer:

The Sanctuary, LLC 12415 55th Street North Lake Elmo, MN 55042

4.14 <u>Incorporation by Reference</u>. All plans, special provisions, proposals, specifications and contracts for the improvements furnished and let

- pursuant to this Agreement shall be and hereby are made a part of this Agreement by reference as if fully set out herein.
- 4.15 <u>Default</u>. The occurrence of any of the following shall be considered an "event of default" in the terms and conditions contained in this Agreement:
 - A. Failure of the Developer to comply with any of the terms and conditions contained in this Agreement.
 - B. The failure of the Developer to comply with any applicable ordinance or statute with respect to the development of the Property.
- 4.16 <u>Remedies</u>. Upon the occurrence of any event of default, the City, in addition to any other remedy which may be available to it, shall be permitted to do any of the following:
 - A. City may make advances or take other steps to cure the default, and, where necessary, enter the Property for that purpose. The Developer shall pay all sums so advanced or expenses incurred by the City, upon demand, with interest from the dates of such advances or expenses at the rate of 10% per annum. No action taken by the City pursuant to this section shall be deemed to relieve the Developer from curing any such default to the extent that it is not cured by the City or from any other default hereunder. The City shall not be obligated, by virtue of the existence or exercise of this right, to perform any such act or cure any such default. The Developer shall save, indemnify, and hold harmless, including reasonable attorney fees, the City from any liability or other damages which may be incurred as a result of the exercise of the City's rights pursuant to this section.
 - B. Obtain an Order from a Court of competent jurisdiction requiring the Developer to specifically perform its obligations pursuant to the terms and provisions of this Agreement.
 - C. Exercise any other remedies which may be available to it including an action for damages.
 - D. Withhold the issuance of any or all building permits and/or prohibit the occupancy of all building(s) for which permits have been issued.
 - E. In addition to the remedies and amounts payable as set forth herein, upon the occurrence of an event of default, the Developer

shall pay to the City all fees and expenses, including reasonable attorney, engineering and consulting fees, incurred by the City as a result of the event of default, whether or not a lawsuit or other action is formally taken.

IN WITNESS WHEREOF, the City and Developer have caused this Agreement to be executed as of the date and year first above written.

CITY OF LAKE ELMO,

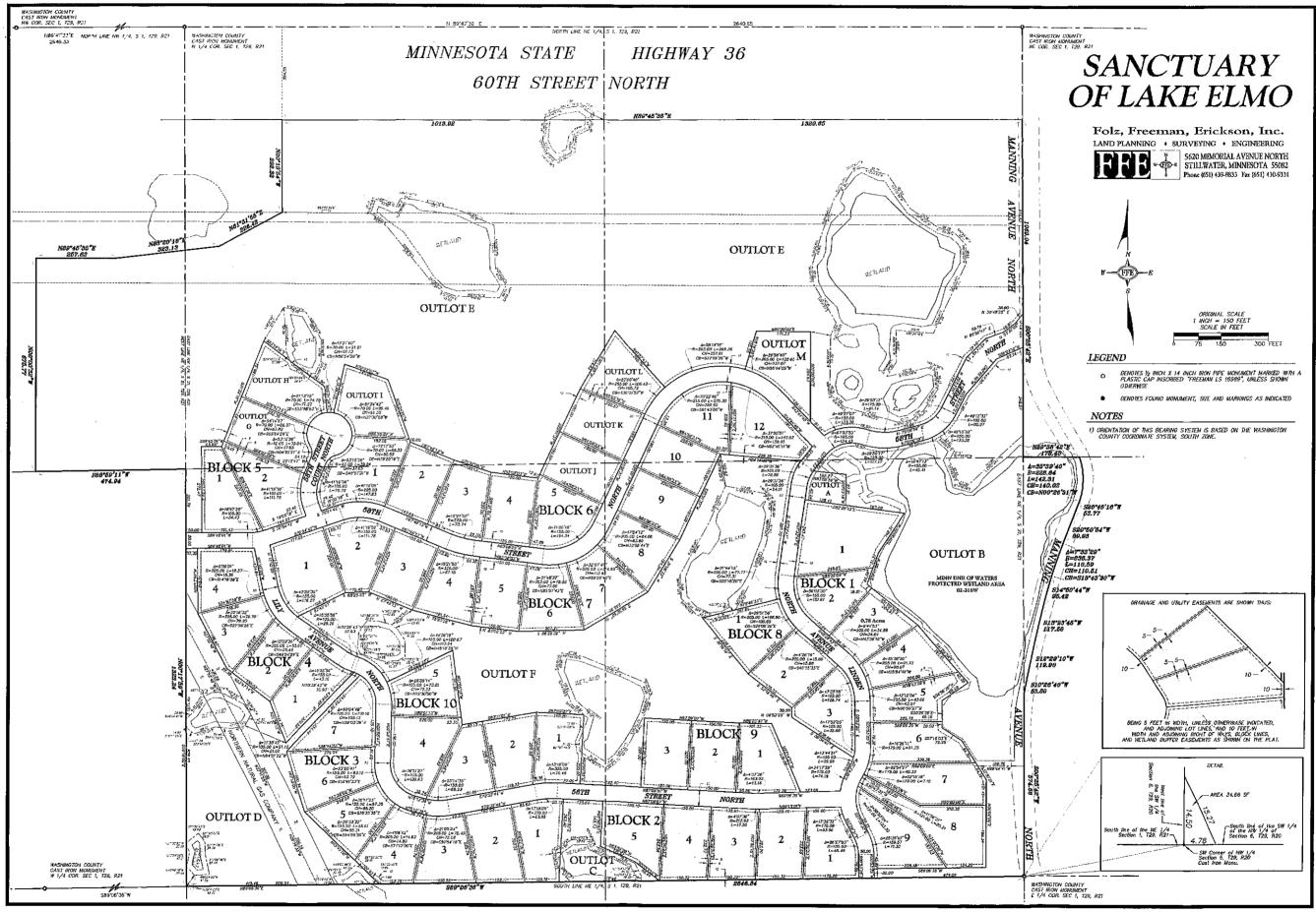
a Minnesota statutory city

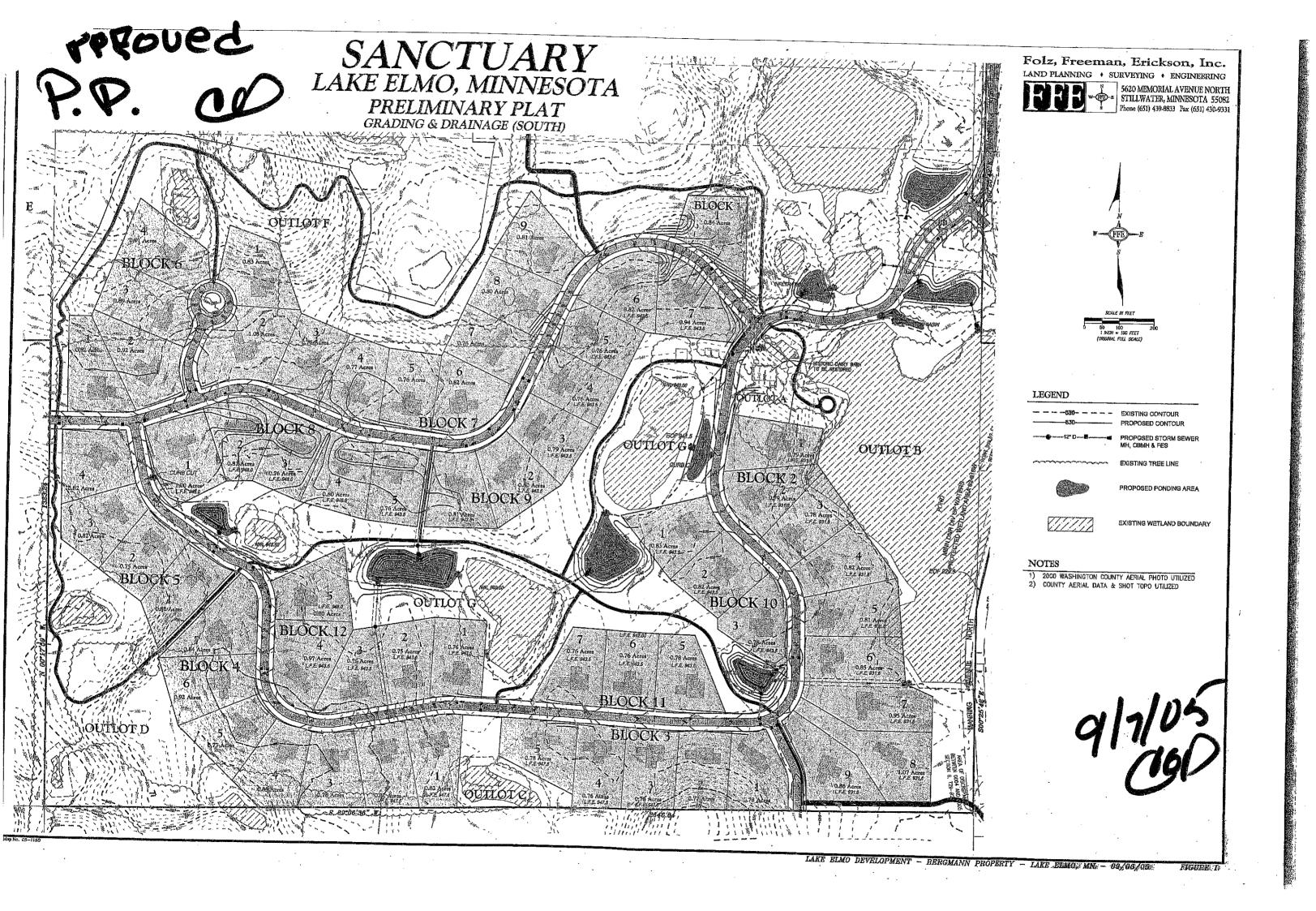
ATTEST:	Dean Johnston, Mayor
Martin Rafferty, City Administra	ator
STATE OF MINNESOTA)	
STATE OF MINNESOTA) ss. COUNTY OF)	
and for said county, personally known to be respectively the M	, 2005, before me, a notary public withir appeared Dean Johnston and Martin Rafferty, to me ayor and City Administrator of the City of Lake Elmo, ig instrument and acknowledged that they executed a behalf of City of Lake Elmo.
	Notary Public

[SIGNATURES CONTINUED ON FOLLOWING PAGE REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

	The Sanctuary, LLC
[[]	By:Printed Name:
STATE OF MINNESOTA)) ss. COUNTY OF)	
and for said county, personally appeared of	, 2005, before me, a notary public within d, to me known to be the, a Minnesota limited liability company, and acknowledged that he executed the same apany.
	Notary Public

[SIGNATURES PAGE TO DEVELOPMENT AGREEMENT]





CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-106

A RESOLUTION APPROVING THE OP DEVELOPMENT STAGE PLAN, CONDITIONAL USE PERMIT, AND PRELIMINARY PLAT OF THE SANCTUARY

WHEREAS, at its July 19, 2005 meeting, the City Council approved the Concept Plan for THE SANCTUARY,

WHEREAS, Lake Elmo Development Company, Richard and Eileen Bergmann, and Trustees for the Alvin and Helen Bergmann Trust, made application for an OP Development Stage Plan, Conditional Use Permit, and Preliminary Plat, THE SANCTUARY, to create 62 residential building lots and seven outlots on a parcel of 152.9 acres legally described as follows:

The property is generally located south of Highway 36 and westerly of Manning Avenue. The subject properties lie easterly and southerly of Country Sun Farm. The parcels included are legally described as follows:

Parcel I.D. Numbers

01.029.21.11.0001 01.029.21.11.0002 01.029.21.11.0003 01.029.21.11.0005 01.029.21.11.0007 01.029.21.12.0001 01.029.21.13.0001 01.029.21.13.0002 01.029.21.21.0006 (the easterly 23 +/- acres) 06.029.20.23.0001

WHEREAS, at its September 26, 2005 meeting, the Planning Commission reviewed and recommended approval of this Development Stage Plan/CUP/Preliminary Plat with conditions.

WHEREAS, the OP Development Stage Plan, the Conditional Use Permit and Preliminary Plat of THE SANCTUARY was presented to the City Council at its October 4, 2005 City Council Meeting:

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Lake Elmo does hereby approve and accept the OP Development Stage Plan, Conditional Use Permit, and Preliminary Plat of THE SANCTUARY, per plans staff dated September 7, 2005, as the same on file with the City Administrator, based on the following Conditions:

1. Compliance with recommendations of the City Attorney and the City Engineer's recommendations, excluding the roundabouts.

- 2. To incorporate a T intersection on the east/west road at the south end of the plat into the future MSA road.
- 3. Roads are to be constructed at 22 feet in width except where MSA standards will require 26 feet in width.
- 4. Compliance with the recommendation of Browns Creek Watershed District as found to be practical and/or applicable by the City Engineer.
- 5. Compliance with the recommendations of the Park Superintendent and Parks Commission regarding park and trail development by the developer and park dedication fees in lieu of land.
- 6. The OP Final Plan submission shall include construction details and cost estimates for the restoration of the historic barn on site. Plans and costs shall be concurred in by the Building Official as to structural integrity and compliance with the \$25,000 minimum restoration expenditure.
- 7. Lots 1-7, Block 2 (as numbered on the Preliminary Plat) shall be reduced in lot depth, and Outlot B increased in area to preclude private property ownership of any portion of MN DNR Protected Wetland #82-316W or the 15 foot vegetative buffer to the wetland required by Valley Branch Watershed District.
- 8. Lots designated in red on the copy of the preliminary plat that has been signed by the City Planner, dated October 4, 2005, shall not be developed unless the City changes its regulations to permit a greater density, and if the City does not permit a greater density, those lots will become land trust conservation easements or open space easements.

ADOPTED, by the Lake Elmo City Council on the 4th day of October, 2005.

Dean Johnston, Mayor

ATTEST:

Martin J. Rafferty/City Administrator

Resol Sanctuary OP

Elmo
y Council
Jecember 6,
2005

Agenda Section: Planning, Land Use and Zoning

No. 91

Agenda Item: CDBG -2006

Background Information for December 6, 2005:

Washington County is soliciting 2006 CDBG applications from communities, with official applications due December 16. All funding will again be on a competitive basis, with a certainty that applications will be submitted well in excess of funds available. To date the City has received CDBG contract obligations totaling \$120,000 for the Cimarron Gas Service Replacement Program. That program is under way, with eligibility interviews completed for the initial block of 200+ homes. It appears that of that initial group, 62 homeowners have been interviewed and as many as 54 will be eligible for grant assistance. Work will commence on those homes in early 2006.

Depending on the outcome of the re-solicitation of bids for the work, it appears that the \$120,000 now under contract will be sufficient to complete the work on well under 100 homes. It has been assumed all along that additional CDBG funding would be needed to complete work for all eligible grantees with work needed in the 505 unit neighborhood. Staff suggests the Council consider again applying for CDBG funding to both inspect the balanced of the CDBG units and to provide further grant funds for additional eligible home owners from the Phase 1 group and the group that results from the additional inspections. We suggest an additional \$80,000 be applied for from the 2006 CDBG program. The attached Resolution would accompany the application to the County.

Action items: Motion to adopt Resolution #2005-139, approving the City's 2006 CDBG aplication.	Person responsible: City Planner
Attachments: 1. Draft Resolution #2005–139Approving CDBG Application	Time Allocated:

CITY OF LAKE ELMO WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-139

A RESOLUTION AUTHORIZING THE 2006 CDBG APPLICATION

WHEREAS, the Lake Elmo City Council has authorized and directed the City's Community Improvement Commission to review priorities for the application of Lake Elmo's 2004 Community Development Block Grant allocation, and make its recommendations to the City Council regarding the content of the 2005-2006 CDBG Grant Application; and,

WHEREAS, the Community Improvement Commission has reviewed the priorities for application of CDBG allocation funds, and provided its unanimous recommendation to the City Council to apply 100% of the 2006 CDBG allocation (estimated to be \$80,000) to a continuation of the Cimarron Neighborhood Gas Service Rehabilitation Project.

WHEREAS, Phase I of the Cimarron Neighborhood Gas Service Rehabilitation Project has been well received by the Cimarron homeowners; these additional funds will provide remediation for a larger percentage of qualifying homeowners.

NOW, THEREFORE, BE IT RESOLVED, that the City Council concurs in the recommendation of the Community Improvement Commission regarding the 2006 CDBG allocation application; and, authorizes and directs the Acting City Administrator to prepare and submit the 2006 CDBG Application to Washington County responsive to this Resolution of the City Council.

ADOPTED, by the Lake Elmo City Council on December 6, 2005.

	Dean A. Johnston, Mayor
ATTEST:	
Martin J. Rafferty, City Administrator	<u> </u>

£lmo
Council
tober 18, 2005
Wovember 1,

Agenda Section: CITY ADMINISTRATOR'S REPORT

No. 11. A

December 6, 2005

Agenda Item: Ordinance 97-164 Snowmobile Ordinance Modification

Background: for November 1, 2005: The Council postponed discussion per the request of the Snowmobile Club.

At the last City Council Committee meeting, the snowmobile ordinance was reviewed for a possible change. It appears, the issue goes back a couple of years and was considered resolved until WA. CO. Deputies, this past winter, found a conflict in the code vs. an ordinance believed passed that would limit a snowmobile operation near a residential structure. City records show that no ordinance modifying the code was ever passed and finalized. Records also show that an ordinance was prepared to be passed but never finalized addressing area of concern.

Utilizing the ordinance that was prepared, the Council Committee modified the proposed ordinance document prohibiting snowmobile operation within 50 feet of a residential structure unless the snowmobile is owned and operated by the property owner.

Representatives from the snowmobile club were present and stated that they could live with the change. The City Administrator represented the position of the property owner where the conflict arose earlier this year. The change as proposed would now protect residential properties and prohibit snowmobile/all-terrain operators from encroaching no closer than 50 feet from the residential structure on a 24/7/365 basis.

Action Items: to adopt Ordinance 97-16	Person responsible:
	Martin Rafferty, Administrator
Attachments: Ordinance 97-164	

CITY OF LAKE ELMO ORDINANCE NO. <u>97-164</u>

AN ORDINANCE INCORPORATING MINNESOTA STATUTES CHAPTER 84; AND SPECIFICALLY RELATING TO THE SNOWMOBILES AND ALL-TERRAIN VEHICLES WITHIN THE CITY OF LAKE ELMO

THE LAKE ELMO CITY COUNCIL ORDAINS THAT CHAPTER 1011 IS HEREBY ADDED TO THE MUNICIPAL CODE TO READ AS FOLLOWS:

1011 Snowmobiles and All-Terrain Vehicles

Incorporation by Reference. Provisions of Minnesota Statutes Chapter 84, as amended from time to time, shall be applicable to the City of Lake Elmo. In those cases where there is a conflict between the provisions of Minnesota Statutes Chapter 84 and this Chapter 1011, the more restrictive regulation shall apply.

1011.12 **Definitions.**

- A. <u>All-Terrain Vehicle</u>. "All-Terrain Vehicle" means a motorized flotation tired vehicle of not less than three (3) low pressure tires, but not more than six (6) tires, that is limited in engine displacement of less than 800 cubic centimeters and total dry wet less than 900 pounds.
- B. <u>Snowmobile</u>. "Snowmobile" means a self-propelled vehicle designed for travel on snow or ice, steered by skis or runners.

1011.3 Regulations.

- A. No person shall operate a snowmobile or all-terrain vehicle on a public sidewalk or within the unimproved portion of a city street.
- B. No person shall operate a snowmobile or all-terrain vehicle on city owned property.
- C. No person shall operate a snowmobile or all-terrain vehicle between the hours of 11:00 p.m. and 7:00 a.m.
- D. No person shall operate a snowmobile or all-terrain vehicle within fifty feet (50') of a residential dwelling, which is not owned by the operator of the snowmobile or the all-terrain vehicle.

THE LAKE ELMO CITY COUNCIL HEREBY REPEALS CHAPTER 1010 AND ITS SUBDIVISONS.

The Lake Elmo City Council hereby repeals the following definitions which are not included in Chapter 1050 of the Municipal Code:

All-Terrain Vehicle ("ATV")

Owner (Snowmobile and Recreational Vehicles)

Snowmobile

ADOPTED by the Lake Elmo City Council this 6th day of December, 2005.

CITY OF LAKE ELMO

	By:	
	Dean Johnston Mayor	
ATTEST:		

Martin J. Rafferty City Administrator