

FILE

May, 7: Dean Johnston Council members: Rita Conlin Steve DeLapp Liz Johnson Anne Smith	<b>Lake Elmo City Council</b> <b>TUESDAY,</b> <b>April 18, 2006</b>	3800 Laverne Avenue No. Lake Elmo, MN 55042 777-5510 777-9615 (fax)
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**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**

<b>1. Agenda</b>		
<b>2. Minutes:</b>	March 21 City Council, April 4 City Council, January 10 and February 14 Council Workshop Minutes	
<b>3. <u>PUBLIC INQUIRIES/INFORMATIONAL:</u></b> <b>A. PUBLIC INQUIRIES:</b> <b>B. PUBLIC INFORMATIONAL:</b> <b>(1) Lake Elmo Jaycees -- Charitable Gambling License:Resolution No. 2006-033</b>	<b>Public Inquiries/Informational</b> is an opportunity for citizens to bring the Council's attention any items not currently on the agenda. In addressing the Council, please state your name and address for the record, and a brief summary of the specific item being addressed to the Council. To allow adequate time for each person wishing to address the Council, we ask that individuals limit their comments to three (3) minutes. Written documents may be distributed to the Council prior to the meeting or as bench copies, to allow a more timely presentation.	
<b>4. <u>CONSENT AGENDA</u></b> <b>A. Resolution No. 2006-034:Approving Claims</b> <b>B. Monthly Operating Report</b>	Those items listed under the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion under a Consent Calendar format. There will be no separate discussion of these items unless a Council member so requests, in which event, the item will be removed from the general order of business and considered separately in its normal sequence on the agenda.	
<b>5. <u>FINANCE:</u></b> <b>A. Animal Control Contract</b>	M.Rafferty/Tom Bouthilet	
<b>6. <u>NEW BUSINESS:</u></b>		
<b>7. <u>MAINTENANCE/PARK/FIRE/BUILDING:</u></b> <b>A. Update on Building Dept.:Jim McNamara</b>		

<p><b>8. <u>CITY ENGINEER'S REPORT:</u></b></p> <p><b>A. PUBLIC HEARING:</b> Tablyn Park Neighborhood Street Construction Project, Resolution No. 2006-035</p> <p><b>B. Resolution No. 2006-036 Approve Plans and Authorize ad for bid for Tablyn Park/Lake Elmo Heights Watermain Project</b></p>	<p>Tom Prew</p>	
<p><b>9. <u>PLANNING, LAND USE &amp; ZONING:</u></b></p> <p><b>A. Final Plat &amp; Development Agreement - Discover Crossing, Resolution No. 2006-037</b></p> <p><b>B. OP Development Stage Plan/Preliminary Plat and CUP - Hidden Meadows, Resolution No. 2006-038</b></p> <p><b>C. Zoning Ordinance Text Amendment – Outdoor Social Events:Refer to Planning Commission</b></p>	<p>C. Dillerud</p>	
<p><b>10. <u>CITY ATTORNEY'S REPORT:</u></b></p> <p><b>A. Opinion on Drive-Up Facilities – will be handed out at meeting</b></p>		
<p><b>11. <u>CITY ADMINISTRATOR'S REPORT:</u></b></p> <p><b>A.</b></p>		
<p><b>12. <u>CITY COUNCIL REPORTS:</u></b></p> <p><b>A. Mayor Johnston</b></p> <p><b>B. Council Member Conlin</b></p> <p><b>C. Council Member DeLapp</b></p> <p><b>D. Council Member Johnson</b></p> <p><b>E. Council Member Smith</b></p>		
<p><b>13. Adjourn Council Meeting to a Council Workshop to discuss a workshop with Met Council Reps.</b></p>		
<p><b>14. CLOSED SESSION:Update on Sessing Lawsuit</b></p>	<p>BOARD OF REVIEW:May 3, 4-6- p.m.</p>	
<p><b>Presentation of Village Area Master Plan, April 19, 6:30 p.m., Lake Elmo Elementary School</b></p>	<p>CLEAN UP DAY:June 3, 8 a.m. to Noon, Washington County Fairgrounds</p>	

**CITY OF LAKE ELMO  
CITY COUNCIL MEETING  
MARCH 21, 2006**

1. AGENDA
2. MINUTES: March 6, 2006
3. PUBLIC INQUIRIES/INFORMATIONAL:
  - A. PUBLIC INQUIRIES:
  - B. PUBLIC INFORMATIONAL:
    - (1) Ginny Holder-Ramsey/Washington Cable Commission Representative
4. CONSENT AGENDA:
  - A. Resolution No. 2006-026: Approving Claims
  - B. Minutes and Structure
  - C. Monthly Operating Report
5. FINANCE:
  - A. Annual Audit
6. NEW BUSINESS:
7. MAINTENANCE/PARK/FIRE/BUILDING:
  - A. Update on Building Dept.: Jim McNamara
  - B. New Recruits: Matt Mazzara and Kristine Johnson to be placed on probation. Rick Myran to be moved from probation to firefighter status.
8. CITY ENGINEER'S REPORT:
  - A. Water System Interconnect Phase IV: Award contract to Ellingson Drainage Resolution No. 2006-027
  - B. Receive Feasibility Report for 2006 Overlay - Tablyn Park Neighborhood: Resolution 2006-029
9. PLANNING, LAND USE & ZONING:
  - A. Request for Reconsideration: Haire Variance (8160 Hill Trail)
  - B. Septic Systems Setback Variance and Request of Waiver of Fees: 7949 Hill Trail (Scharrer) Resolution 2006-028 – NOT ADOPTED
  - C. Zoning Ordinance / City Code Amendments: Home Occupations
  - D. Zoning Text Amendment – CUP in AB Zone for Outdoor Social Events: Ordinance No. 97-167 – NOT ADOPTED
  - E. Amend GB Zoning District Text Restaurant Drive-Up Facilities: Ordinance No. 97-168 – NOT ADOPTED
  - F. Village Area Master Plan Recommendation – Next Step
  - G. Zoning Ordinance
10. CITY ATTORNEY'S REPORT:
11. CITY ADMINISTRATOR'S REPORT:
  - A. Update on RFP for Animal Control - verbal
12. CITY COUNCIL REPORTS:

Mayor Johnston called the Council meeting to order at 7:00 p.m. in the Council Chambers. COUNCIL MEMBERS PRESENT: Conlin, DeLapp, Johnson, and Smith, STAFF PRESENT: Administrator Rafferty, City Planner Dillerud, Finance Director Bouthilet, City Engineer Prew, Attorney Miller, Recording Secretary Freeman.

**Pledge of Allegiance**

**1. AGENDA:**

The City Administrator asked to add 8C-Chris Riley Utilities, Inc. performance; change 4B Minutes and Structure to 6A; Fire Chief asked to move Fire Dept. Updates 7B to 3A. M/S/P Johnson/Conlin - to approve the Agenda as amended. (Motion passed 5-0)

**2. MINUTES:**

M/S/P Johnson/Conlin - to approve the Minutes of March 6, 2006, as amended. (Motion passed 4-0-1: Conlin Abstained-did not attend meeting)

**3. PUBLIC INFORMATIONAL:**

**A. Public Inquiries:**

Resident Jim McLeod, 11580 30<sup>th</sup> Street, who is currently building a home in the City, and questioned the copper main pipe requirement vs. high density pipe to run water to his home, and the type of lights allowed by City code.

M/S/P Johnson/Conlin - to direct the Planning Commission to evaluate high-glare motion detector lights. (Motion passed 3-2: DeLapp and Smith would like to wait until the Old Village design study is completed.)

**B. Ginny Holder - Ramsey / Washington Cable Commission Rep.**

Ginny Holder indicated that the Cable Commission gave the City \$29,000 plus to help provide a new cable system. A \$50,000 Grant is available for the new City Hall cabling, with \$35,000 available immediately. The new Public Works building will have Inet capability.

**4. CONSENT AGENDA:**

**A. Resolution No. 2006-026: Approving Claims**

M/S/P Smith/Johnson - to adopt Resolution No. 2006-026 approving Claim Numbers 315, 316, DD664 through DD681, 28819 through 28850, which were used for staff payroll dated March 16, 2006; claims 28851 through 28900, in the total amount of \$272,067.69. (Motion passed 5-0)

**B. Minutes and Structure: (moved to New Business 6A)**

City Clerk Lumby presented research about minute structure for the City Council and Commissions from the LMC and the City Attorney.

M/S/P Johnson/Conlin - to approve the amended Minutes and Structure documentation process as presented to record all City Council and Commission meetings.

(Motion passed 4-1: DeLapp-wants history behind rationale on split decisions from Commissions)



C. Monthly Operating Report:

M/S/P Johnson/Conlin– to accept the February 2006 Monthly Operating Report.  
(Motion passed 5-0)

5. FINANCE:

A. Annual Audit:

Steve McDonald from Abdo, Eick & Meyers presented the audit, which was compliant.

M/S/P Conlin/Johnson– to accept the 2005 Annual Financial Report by Abdo, Eick & Meyers. (Motion 5-0)

6. NEW BUSINESS:

See Consent Agenda 4B

7. MAINTENANCE/PARK/FIRE/BUILDING:

A. Update on Building Dept.: Jim McNamara

The Building Official reported on the operation of the car wash at the Marathon gas station located at Hwy. 5 and Manning Avenue. Reclamation-type recycling system car wash using four – 500 gallons, filtered and back into use. Meyer Sanitation pumps quarterly with filters cleaned/emptied

Building Official McNamara recognized Karl Horning receiving Full Certification as a Building Official. State of MN currently utilizes 2000 ICC and they are updated every 3 years. Revisions of ICC 2003 were never completed by State of MN. ICC 2006 will be the next edition adopted by the State in early 2007.

B. Fire Dept. Updates: Chief Malmquist– Moved to Public Informational Section

Fire Chief Malmquist recommended new recruits Matt Mazzara and Kristine Johnson be placed on probation.

M/S/P – Johnson/Smith, to place Matt Mazzara and Kristine Johnson on probation with the Lake Elmo Fire Dept. (Motion passed 5-0)

Fire Chief Malmquist recommended that Rick Myran be moved from probation to firefighter status.

M/S/P – Johnson/DeLapp, to place Rick Myran to Firefighter status. (Motion passed 5-0)

Update on Firefighter Grant – Fifteen departments in Washington County will participate in the new 800 MHz Program at a shared cost of \$1,500,000, but the Federal Assistance to Firefighter Grant Program will pay a maximum of \$1,000,000. User's fee is \$300/year. The Fire Dept. will be celebrating 50 years in 2007, and a Committee is being formed to plan a 50<sup>th</sup> Year celebration. Help and suggestions are welcome.

## 8. CITY ENGINEER'S REPORT:

### A. Resolution 2006-027: Award Bid for Phase IV of the Water System Interconnect Project

In his letter dated March 10, 2006, the City Engineer reported that seven bids were opened on March 10, 2006, for this project. The City Engineer recommended awarding the contract to Ellingson Drainage for their bid of \$412,758.68.

M/S/P DeLapp/Johnson- to adopt Resolution 2006-027, a Resolution awarding the bid for the Phase IV of the Water Interconnect Project to Ellingson Drainage on the amount of \$412,758.68. (Motion passed 5-0)

### B. Resolution 2006-029: Accept Feasibility Report for 2006 Overlay – Tablyn Park Neighborhood

The City Engineer presented the Council the Feasibility Report for 2006 Overlay – Tablyn Park Neighborhood Project.

M/S/P Johnson/DeLapp - to adopt Resolution 2006-029, a Resolution Receiving the Feasibility Report and calling a Public Hearing on April 18, 2006, on Street Repairs for Tablyn Park Neighborhood. (Motion passed 5-0)

### C. Resolution 2006-030: Chris Riley Utilities, Inc.

City Engineer Prew was notified by letter Chris Riley Utilities, Inc. will not be completing Water System Interconnection Phase I and III Contracts. Recommendation is to terminate the contract "for cause." Travelers Casualty and Surety Company was notified by Riley Utilities, Inc. for non-performance

M/S/P Johnson/DeLapp – to adopt Resolution 2006-030, authorizing and directing City Staff to initiate or continue action with respect to the City's claim on the performance bonds. (Motion passed 5-0)

## 9. PLANNING, LAND USE & ZONING:

### A. Request regarding the application for the Haire Variance – 8160 Hill Trail

The City Planner reported that these variances to the OHW setback and minimum lot were denied by the Council at the March 6, 2006, Council meeting. Due to the change of the meeting night, the applicants were not in attendance. The Council agreed to allow the applicants the opportunity to be reconsidered based on new information and written statements at the next Council meeting.

M/S/P - Johnston/Johnson – to reconsider the Haire Variance, 8160 Hill Trail, at the April 4, 2006, Council meeting. (Motion passed 4-0-1: Conlin Abstained-did not attend the March 6, 2006, meeting)

### B. Variance for Septic System Setback for 7949 Hill Trail (Scharrer).

City Planner Dillerud said the existing septic system at 7949 Hill Trail is no longer functioning. They are requesting a variance to Septic 700 septs / design standards to permit a replacement drain field within 15 feet of the existing house where a 20 foot setback is otherwise required.

M/S/P Johnston/Conlin -- to direct Staff to come back with a Motion for denial of Resolution No. 2006-028, because applicant can construct a mound style drain field without need for set back variance, and waive the variance application fee.  
(Motion passed 5-0)

C. Zoning Ordinance / City Code Amendments -- Home Occupations

The City Planner reported that over the past two years there have been numerous meetings with the City Council and Planning Commission, and numerous drafts prepared addressing the regulation of Home Occupations. He presented a draft set of City Code amendments that had been created and recommended by the Planning Commission, and on which the required Public Hearing had been conducted.

The Council received a handout of the City of Oak Park Heights Home Occupations ordinance. There was discussion about perpetual licenses, storage-related businesses, and not supportive of overly complex set of regulations.

M/S/P DeLapp/Johnson -- to move Home Occupations to the next Council Worksho[meeting on April 11, 2006. (Motion passed 5-0)

D. Ordinance 97-167: Zoning Text Amendment -- CUP in AG Zone for Outdoor Social Events

The City Planner reported that the Planning Commission conducted a Public Hearing regarding a proposal to amend the Zoning ordinance to permit "Outdoor Social Events" on properties within the AG zoning district. The Commission recommends another Conditional Use to the AG District for Outdoor Social Events with nine required conditions.

Concerns were expressed on the noise, parking, lighting and safety.

M/S/P -- Johnson/Conlin -- to table to the next Council Workshop, April 11, 2006.  
(Motion passed 4-0-1: DeLapp-he was unable able to provide comment)

E. Ordinance 97-168: Amend GB Zoning District Text Restaurant Drive-Up Facilities

The City Planner reported that the Planning Commission has conducted a Public Hearing and recommends amendment to the General Business District list of "Permitted Uses" to include drive-up service windows at cafes and restaurants, as otherwise regulated by the City Code. He noted that the Commission's recommendation specifically excludes both menu boards and intercom systems associated with the drive-up window.

Business owner Ed Gorman was in attendance and stated that customers are changing and he would like to see a menu board approved.

M/S/P DeLapp/Johnson -- the City Attorney will redraft ordinance to preclude fast-food for the April 11, 2006, Council Workshop, and reconsideration to the April 18, 2006, City Council meeting when all members will be in attendance. (Motion passed 5-0)

F. Village Area Master Plan Recommendations – Next Step

The City Planner reported that the City Council and Planning Commission were presented the recommendations of the Village Area design team/master planners at a Workshop March 14, 2006.

M/S/P Johnson/DeLapp – to direct City Planner and Village Area Master Planner to proceed to introduce the Village Area Master Plan to the public with a dual presentation-poster board presentation, and a formal presentation. (Motion passed 5-0)

G. Direction to Staff / Planning Commission for New Zoning Ordinance

The City Planner reported that the Planning Commission has previously reviewed “Performance Zoning” as an alternative to “Euclidian” zoning, and made substantial progress with its consultant toward drafting a new Performance Zoning Ordinance for Lake Elmo. He noted that the City must have a completed Zoning Ordinance Map and Text corresponding with the 2030 Comprehensive Plan within 9 months of the Comprehensive Plan being approved by the METC; approximately February, 2007.

A concern about Performance Zoning is that it is very “staff dependent,” and that only a few people understood it because of its complexity, and another presentation for a better understanding of the options available.

M/S/P DeLapp/Johnson – to direct Staff to have a presentation on Performance Zoning by Lane Kendig. The Planning Commission should be invited. (Motion passed 5-0)

10. CITY ATTORNEY’S REPORT: None

11. CITY ADMINISTRATOR’S REPORT:

A. Update on RFP for Animal Control – verbal  
Administrator Rafferty requested City Council to extend the current Animal Control Officer’s Contract through April 30, 2006.

M/S/P – DeLapp/Smith – to extend the Animal Control Officer’s Contract through April 30, 2006. (Motion passed 5-0)

12. CITY COUNCIL REPORTS: None

Council Meeting ended at 10:50 p.m.

Respectfully submitted by Carole Freeman, Recording Secretary

Resolution No. 2006-026: Claims

Resolution No. 2006-027: Water Systems Interconnect Phase IV

Resolution No. 2006-029: 2006 Overlay Feasibility Report -Tablyn Park Neighborhood

Resolution No. 2006-030: Chris Riley Utilities, Inc. Contract Termination

# LAKE ELMO CITY COUNCIL MINUTES

APRIL 4, 2006

1. AGENDA
2. MINUTES: March 21, 2006
3. PUBLIC INQUIRIES/INFORMATIONAL:
  - A. PUBLIC INFORMATIONAL
    - (1) Water Ski Show-Joe Kiesling
    - (2) Arbor Day Proclamation
  - B. Public Inquiries
4. CONSENT AGENDA:
5. FINANCE:
6. NEW BUSINESS:
  - A. Request from West Lakeland for financial support to ensure the protection of ground water.
7. MAINTENANCE/PARK/FIRE/BUILDING:
8. CITY ENGINEER'S REPORT:
  - A. Update on Chris Riley Construction-verbal
9. PLANNING, LAND USE & ZONING:
  - A. Septic Drain Field Setback Variance – 7949 Hill Trail (Scharrer)
  - B. Reconsideration – Variances – Haire (8160 Hill Trail)
  - C. CDBG Project Update – Cimarron Gas Line Replacement
10. CITY ATTORNEY'S REPORT:
11. CITY ADMINISTRATOR'S REPORT:
  - A. Carriage Station Park Improvements – verbal
  - B. April 19<sup>th</sup> Presentation of Village Area Master Plan, Lake Elmo Elementary School-verbal
12. CITY COUNCIL REPORTS:
13. CLOSED SESSION to discuss the performance review for the City Administrator

Mayor Johnston called the meeting to order at 7:00 p.m. in the City Council Chambers.  
PRESENT: Conlin, Smith, Johnston, DeLapp, City Engineer Prew, City Attorney Filla,  
Finance Director Tom Bouthilet and City Administrator Rafferty. ABSENT: Johnson.

## 1. AGENDA

8. Resolution presented, 12E. City Council Reports: Emergency Sirens, Status of Sunfish Park, 9D. Letter to editor from Council member DeLapp.  
M/S/P Smith/ Conlin - to approve the April 4, 2006 City Council agenda, as amended.  
(Motion passed 4-0)

## 2. MINUTES: March 21, 2006

The Council had discussion on minute structure.

M/S/P Smith/DeLapp - to table the March 21, 2006 City Council Minutes. (Motion passed 3-1:Conlin asked Council to send corrections to staff prior to meeting).

**3. PUBLIC INQUIRIES/INFORMATIONAL:**

**A. PUBLIC INFORMATIONAL**

**(1) Water Ski Show-Joe Kiesling**

Joe Kiesling, Tri-Lakes Assoc., is requesting Council approval of a Water Surface Use permit for the Annual Water Ski Show on Lake Jane, August 12, 2006. Mr. Kiesling is request a waiver from surface water rules for the day of this event and a "No Parking" permit to park from Jamaca Avenue to Jane Road North.

M/S/P Conlin/DeLapp - to approve the permit request of Joe Kiesling, on behalf of the Tri-Lakes Association, to hold a Water Ski Show on Lake Jane, August 12, 2005, based on the submittal of the appropriate information and on past favorable requests. (Motion passed 4-0).

**(2) Arbor Day Proclamation**

MAYOR JOHNSTON PROCLAIMED APRIL 28, 2006 TO BE ARBOR DAY AND THE MONTH OF MAY, 2006 TO BE ARBOR MONTH IN THE CITY

M/S/P DeLapp/Conlin - to approve the Arbor Day Proclamation and ask staff to come back with options for what the City can do. (Motion passed 4-0.)

**B. Public Inquiries**

Geoff Laramy, 9404 Lake Jane Trail, submitted a petition for installation of a stop sign on the Lake Jane Trail N. at the intersection of Jane Road North and Lake Jane Trail making that intersection a three-way stop.

M/S/P DeLapp/Smith - to refer this petition to the City Engineer and request placement of the moveable speed sign in the interim to that area. (Motion passed 4-0.)

Geoff Laramy noted a violation of the code by his neighbor in having more than three dogs at his residence. The Animal Control Officer has checked with the owners and was told the dogs are just visiting. He said if that is the case then they are visiting 24/7. The resident will follow up on this complaint with the City Administrator.

**4. CONSENT AGENDA:**

**A. Resolution No. 2006-031:Approving Claims**

M/S/P DeLapp/Smith -to adopt Resolution No. 2006-031 Approving Claim Numbers 317, 318, DD682 through DD694, 28901 through28907, which were used for Staff Payroll dated March 30, 2006; claims 319, 28908 through 28948, in the total amount of \$493,366.20. (Motion passed 4-0).

**5. FINANCE:**

**6. NEW BUSINESS:**

- A. Request from West Lakeland for financial support to ensure the protection of ground water.

The City received a letter from John McPherson, Chair, Board of Supervisors for West Lakeland Township, regarding the XCEL Fly Ash Repository in the St. Croix Valley. Mr. McPherson is asking for the financial support of Lake Elmo in an initial amount of \$1,500 to be added to a "fly ash fund" that can be used in various ways.

M/S/P Johnston/Smith – to direct the staff to send a letter expressing Council support, but before the City makes a financial donation, they would invite Mr. McPherson to a meeting where he would provide an action plan, budget and the desired result. (Motion passed 4-0)

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

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

- A. Update on Chris Riley Construction-verbal

Attorney John Miller provided a Resolution authorizing the City to execute the Takeover Agreement in substantially the same for which it has been presented to the Council subject to non-substantive charges which have been approved in respect to both Phase I and Phase III of the City's Water System Interconnect Project. Riley Brothers Construction is financially able to complete a project in this nature. Penalties assessed for Phase I will cover the attorney fees.

M/S/P DeLapp/Johnston – to adopt Resolution No. 2006-032 regarding the construction of certain items related to the City's Water Interconnect Project Phase I and Phase II. (Motion passed 4-0).

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

- A. Septic Drain Field Setback Variance – 7949 Hill Trail (Scharrer)

At its March 21<sup>st</sup> meeting the City Council directed staff to prepare a Resolution of Denial for this variance application. A draft of a Denial Resolution including Find based on the City Council discussion of the application at the March 21 meeting, was provided for Council review.

M/S/P Johnston/Conlin - to adopt Resolution No. 2006-028, A Resolution Denying the application of Jeff and Robin Scharrer, 7949 Hill Trail North, to locate a septic drain field 15 feet from a structure where Section 700 of the City Code requires a 20 foot drain field setback from structures. (Motion passed 3-1:Smith said there was discussion at the March 6<sup>th</sup> meeting on mound system versus in ground systems and she didn't know much about them, and has concerns on mounds system based on reasons stated by the City Planner that a mound system has more of a propensity to freeze up and there is an esthetic reason particularly if it is in the front yard.).

#### B. Reconsideration – Variances – Haire (8160 Hill Trail)

At its March 21, 2006 meeting the City Council directed that this matter be placed on the April 4, 2006 City Council agenda for reconsideration. On March 6, the Council adopted a resolution denying the variances (lot area and OHW setback). Due to the change of meeting night, a Monday rather than Tuesday, the applicants were not in attendance at the Council meeting. The applicants requested, and the Council approved, to open the matter for reconsideration. The burden is on the applicant to show a hardship.

Kevin and Gena Haire provided the Council a letter, dated March 29, 2006, to correct false information in the City Planner's report from the March 21st Council meeting. A power point presentation was made by Todd Ganz, Merit Custom Homes, of pictures of homes built along Hill Trail North to show the size of the house is not out of scale or character for the neighborhood and noted that other houses have been granted variances without concern for bedrooms.

M/S/P DeLapp/Smith – to uphold the previous Council action in adopting Resolution No. 2006-024, A Resolution Denying Zoning Variances for Kevin and Gena Haire at 8160 Hill Trail North. (Motion passed 3-1: Conlin stated the applicant stated their case well and showed that the house is not out of scale for the neighborhood and place reasonable findings could be placed that the septic system could stay sized for 3 bedrooms.)

#### C. CDBG Project Update – Cimarron Gas Line Replacement

The City Planner reported that the city's consultant notified the City which specific Cimarron units qualified for grant assistance; a new Request for Proposals was prepared and sent to 15 plumbing firms. There were no written proposals submitted.

Staff has been advised that the County CDBG consultant that HUD rules have been modified which and the consultant needs to get a new Davis Bacon Wage determination before we can start over with the vendor solicitation. There has been no indication from the County CDBG staff that there is any issue with timing of grant funds expenditures.

#### D. Letter from Steve DeLapp:

Council member DeLapp provided a copy of a letter he wrote to the Editor to rebut what Peter Bell, Chairman of the Metropolitan Council, had said about an article by Pioneer Press Assistant Editor Mark Yost.

The consensus of the council was they did not want to take official action on this letter because this belongs as a personal response from Steve DeLapp.

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



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

### **A. Carriage Station Park Improvements – verbal**

The City Administrator reported the City is in the final stages of drafting the agreement in terms of the legal description of the property itself. TKDA drew a generalized plan for park improvement pieces which was shared with neighborhood reps and are in process of advising what type of improvements and equipment would fit in the area and a recommendation will be sent to the Parks Commission.

There was some discussion on possible miscommunication on the allocation of monies to upgrade the play structure versus taking money out of this allocation for the trail around the park.

### **B. April 19<sup>th</sup> Presentation of Village Area Master Plan, Lake Elmo Elementary School-verbal**

There will be a meeting on the Village Area Master Plan on Wednesday, April 19<sup>th</sup>, at the Lake Elmo Elementary School. The formal presentation will begin at 6:30 p.m. with informal questions/answers at 7:30 p.m.

## **12. CITY COUNCIL REPORTS:**

Mayor Johnston reported that RCFA is celebrating their fourth anniversary at the Lake Elmo site, Saturday, May 6<sup>th</sup>.

M/S/P Conlin/Smith – to approve the Mayor sending out invitations to the surrounding communities and the Met Council Chair and that the City makes a donation of \$200 for refreshments for this event. (Motion passed 4-0).

John Schultz, Lake Elmo Inn, is the first recipient of the Restaurateur of the Year and is featured in the April issue of Stillwater Living.

Council member DeLapp reported he visited section 42 housing in Oakdale, ages 59 and up, 90 flats, at \$800/month for a one bedroom. This information should be gathered for the Old Village.

Council member Smith asked for an update on emergency sirens. The City Administrator said they are working with two vendors to determine if we have to go out for bid, right size for each location, and how to finance the sirens.

Council member Smith asked for an update on the Land Trust in Sunfish Park. The City Administrator reported the Parks Commission is working on this part of the review of all the parks in order to protect the parks.

Council member Smith asked if the setbacks in Rural Residential Zoning can match the setbacks in the Residential Estates Zoning. The Council sent this item to the April 11<sup>th</sup> workshop.

The Council adjourn the meeting at 9:55 p.m. and convened the CLOSED SESSION to discuss the performance review for the City Administrator.

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Respectfully submitted by Sharon Lumby, City Clerk

Resolution No. 2006-028 Denial of Variance to Jeff and Robin Scharrer, 7949 Hill Trail

Resolution No. 2006-031 Approve Claims

Resolution No. 2006-032 Chris Riley Construction

DRAFT

LAKE ELMO CITY COUNCIL WORKSHOP MINUTES  
JANUARY 10, 2006

PRESENT: Mayor Johnston, Council members: Conlin, Smith, Johnson, Administrator Rafferty, City Planner Dillerud and Finance Director Tom Bouthilet, Mike Bouthilet and Fire Chief Mamlquist and Captain Pepin ABSENT: Council Member DeLapp

1. AGENDA
2. MINUTES: None
3. Interviews for Planning and Park Commission:

6:00 Nicole Park  
6:10 Laurie McGinnis  
6:20 Bob Helwig  
6:30 David Steele (Parks)  
6:50 Kathy Sedro

Appointments for the Planning Commission and Parks Commission will be made at the January 17<sup>th</sup> Council Meeting.

4. Hiring of Fire Chief, Engineer, Assistant Planner and Code Enforcement – reasonableness vs. absolutism

Administrator Rafferty provided a summary of planned positions of the Fire Chief, Assistant City Planner, City Engineer, and Code Enforcement Officer, anticipated hire date and budgeted salary.

Fire Chief:

Administrator Rafferty explained that in order to provide a well managed fire department through a full time addition, five areas were sited for the Chief as needed for 2006 and into the future. In addition, a new job description was developed for the Chief's position, officer positions, and fire fighter. The Finance Director supported this position, pointed out savings to the City and provided a metro salary comparison for the Fire Chief position. Council member Smith indicated this permanent position is premature and fiscally irresponsible at this time.

The Fire Chief said he would be more available for day-time response when asked by Council member Johnson if this full time position would help with the problem of daytime responders. Captain Pepin added that the Chief is also a "trainer" and this would allow the Department to have daytime drills with the Chief as a trainer. This item will be added to the January 17<sup>th</sup> Council agenda.

Administrator Rafferty noted that he would be asking a council member to work with him on future policy changes for the Fire Department employee handbook.

Assistant City Planner:

The City Administrator reported the City should get an assistant planner on board before the development season starts so the City needs to move forward. Also, the existing City Planner has indicated he may retire within 4 years. This item will be added to the January 17<sup>th</sup> Council agenda.

City Engineer:

The City Administrator reported this would be an entry level engineer that will grow into this office. With the anticipated growth, this person would do some inspections and minor design when needed. This position will also be used to set up the engineering office at the Public Works Building, moving all documentation on site and work closely with the Public Works Department. This position will be funded by redirecting fees and workload to the new engineer. Anticipated hiring date is late April or early May. This item will be added to the January 17<sup>th</sup> Council agenda.

Code Enforcement Officer

The City Administrator said a council workshop, possibly in March, is necessary dedicated strictly for code enforcement in order to classify as "quality of life issues" so that a description can be developed. He said the Washington County Sheriff indicated he would train a community service officer. Council member Smith stated in order for the City to enforce their codes, this position will be needed in the future. This item will not move forward to the January 17<sup>th</sup> Council agenda.

5. Oakdale/Lake Elmo Community Playfield

The City Administrator reported he, Chuck Dillerud, Tom Bouthilet, Tom Prew, met with Oakdale representatives to discuss the 3M donation of 28 acres, by Ideal Avenue and Stillwater Boulevard for park development. There will be a joint ownership of land between Oakdale and Lake Elmo and develop a Joint Powers Board. There would be cost sharing arrangements of a 50/50 split (design, construction, and maintenance). They are talking lights for the ball fields and would limit the playfield to only kids.

The City Planner stated the issue arose as why do we need a community playfield on the west side of the community and didn't we think about having a community play field in the Old Village. The Planner said he did an investigation of cities with 24,000 population of needs for playfields. He said Oakdale has one community playfield with a population of 26,000 and that is not enough. He said we would reserve the site in the Old Village, but not build it, and concentrate developing at the 3M site.

The City Administrator said he thought it was well worth contemplating. The City Planner said the opportunity is now, and there would be a 50/50 cost split. Council member Johnson voiced her concern on financing and what would this mean to staffing. The Finance Director responded this park development would be paid through park

dedication fees. The Mayor said he was not sure if it is a good fit for half of the facility at 100 percent of the cost. He said he know the need is going to be there. Council member Conlin noted that the City of Oakdale is already there at 26,000 population, and their need is there now for use of fields. It will take Lake Elmo 25 years to get to 25,000 population.

#### 6. Manning/Highway 36 Intersection Improvement

The City Planner reported staff and the City Engineer are working with the state and county on this intersection improvement. The City Engineer recommended some signal adjustment and now the County wants inbound lanes and more. The Planner asked what sort of equities the City wanted to pay for. He didn't think the City should have to pay the cost, but that the cost should be assessed through a 429 improvement project. The City has not assessed for an intersection improvement before.

#### 7. Austad Drain field Plans

The City Engineer provided a utility plan for inground septic systems for the three individual lots involved – Pierre, 5665 Hytrail Avenue; Austad, 5701 Hytrail Avenue and Hurt, 5751 Hytrail Avenue. Mr. Austad presented a petition from the homeowners involved looking for the City's support in an effort to resolve the issues at their properties. Mr. Austad said he talked to surrounding neighbors informing them as to what is being proposed. The City has allowed them to perk test an area on City property behind their homes.

Mr. Austad said he counted about 15 trees that would have to go. The City Forester will look at the area and at the soils to determine what type of trees could be planted for screening.

The City Engineer said there would be a pumping station which would have a manhole at grade. The City Engineer said he would prefer not to have the manhole in the back and will look at other areas. He said that the construction of the system privately and then turned over to the City has not been discussed. Usual monthly fees contributed and cost of installation will be paid for by the residents. There would be a wide enough path with a firm base and grass for someone three times a week to check on the system.

The City Engineer explained the design has a backup. The portion of the sliding hill does not have enough room to meet our requirements for two drainfields. Mr. Austad said the three house system, drainfield, tree removal would cost about \$75,000.

The Council noted they were behind solving this problem in an unobtrusive manner as much as possible.

A specific proposal will be presented at the January 17<sup>th</sup> Council meeting.

#### 8. Bergmann Easement

The City Engineer said he is working with the Bergmann's on easements.

9. Public Works – Gen Set (generator)

The new Public Works Facility will be used as an emergency center. Our Public Works Supervisor has worked with the City of North St. Paul because they bought several Gen Sets for one of their buildings that were too small. Mike Bouthilet said North St. Paul offered it to us for half the price, \$10,000. There is no warranty for this standby generator. He said the self-contained unit automatically comes on if we lose power at garage. He said they had planned for this and put money in CIP for \$7,000 in two years. The Public Works corrected that amount to \$15,000 after the meeting.

10. Animal Control

11. Minutes and Structure

12. Volunteer/Employee Appreciation Dinner

The Council will check their calendars and call the Clerk with possible dates....March 3<sup>rd</sup> was discussed as a possible date.

Workshop was adjourned at 8:50 p.m.

# LAKE ELMO CITY COUNCIL WORKSHOP MINUTES

FEBRUARY 14, 2006

Mayor Johnston called the workshop to order at 6:00 p.m. in the Council Chambers.  
PRESENT: Conlin (arrived 6:04 p.m.), Smith (arrived 6:03 p.m.), Johnson, DeLapp, City Engineer Prew, City Planner Dillerud, Finance Director Tom Bouthilet and City Administrator Rafferty.

## 1. AGENDA

Postponed Revisions to Fee Schedule and Insurance Premiums; Changed the order of the agenda.

M/S/P DeLapp/Conlin – to approve the February 14, 2006 Council Workshop agenda, as amended. (Motion passed 5-0)

2. MINUTES: January 10, 2006 - Postponed  
Council member Johnson did not receive her mailed agenda/minutes.

## 3. Oakdale/Lake Elmo Community Playfield – Task Force Agreement

The City Administrator reported on the history of the 3M donation of 26 acres located in Lake Elmo, how he read in the newspaper that there would be an Oakdale/Lake Elmo community playfield on land donated by 3M. He said he met with Oakdale representatives and talked about their thoughts for this playfield. He pointed out there would be zoning actions required from Lake Elmo. An agreement was drafted that would bring together City representatives to sit down to discuss items, with no strings attached, to get to the final decision. The Lake Elmo City council asked for more discussion at this workshop. The Planning Commission and Parks Commission both looked at this proposal and asked to go ahead and explore the options.

Council member Conlin asked is this where we want a park. She said we have a needs assessment for planning a park with early public participation and forums to make sure the public wants it. This is a 26 acre parcel and we would only have 10 percent use. There are no public facilities nearby. She said we should consider pedestrian and vehicular traffic. She felt this is doing it backwards. Lake Elmo should decide if we want a park there and then share it with Oakdale.

Todd Bruchu, Park Commissioner, stated with the current population we don't need more fields is inaccurate. He said he is active on Lake Elmo Baseball and loves the ball fields, but we are cramped. Lake Elmo Baseball is branching out of Lake Elmo into surrounding playfields. There were 213 kids signed up, three are not from Lake Elmo, and this will make 18 teams. He said a lit field can support 6 teams and an unlit field would support 4 teams. Youth baseball starts at age 10 thru 15 and then there are 16-18 yr.old teams. He has coached 9 years and has made nice improvements to the city fields. This is an opportunity for new community playfields in the near term with minimal investment. Todd Bruchu said he would volunteer to serve on the task force.

Steven Amasky stated he lives in Parkview Estates and is active in the Oakdale Athletic Association and that there is a dire need for baseball fields. He said most of the developments surrounding Parkview Estates go to #622 schools and are in OAA. There are no borders for OAA. He said T-ball kids can play on grass fields and that the gravel infield in Stonegate was too small. He thought this was a fantastic opportunity for Lake Elmo and thought any concerns could be addressed.

Council member DeLapp stated the City of Oakdale has chosen to have parks in Lake Elmo and not in Oakdale because they want to develop. Park dedication is required and Oakdale has chosen park land in Lake Elmo.

Larry Moody, who lives adjacent to this parcel, understands there are needs for fields, but this is not the right site for playfields because this is a rolling hills parcel. He said the 26 acres may come free from 3M, but the earthmoving needed on the site will cost tremendously. He asked if Tablyn Park could be expanded. He said his own personal desire is not to have light pollution because then he cannot use his telescope at night. He said daily there are deer, a red fox family, and eagles and hawks use the trees to catch rodents and don't want to lose this. He believes 3M thinks this is less than ideal developable land.

Rolf Larson, parks commissioner, stated there would be terracing issues, lighting can be designed and turned off early. This can be done true to the city's ordinance to take advantage of this opportunity. He added that if this parcel becomes a community park, care must be taken to protect the stream and grove of oaks along the south side of the parcel.

Pat O'Malley said the trees are going to have to grow to shield the lights. He asked who is going to govern. He said he has a daughter that played fast pitch and lights were not needed. He said the adult ball situation in Oakdale will be brought to Lake Elmo if we have lights. He added that it is Oakdale's problem there are no parks...they should have not built so many houses.

The City Administrator said there is no design feature to place lights in this field. He added we would always have equal say. Council member Smith said it does say a youth athletic complex in this draft agreement.

Don Gustafson, who lives one block from Tablyn Park, said CSAH13 is like a race track with all the shopping malls. By adding ball fields, it's going to be a mess. He thought the City should talk about the creek with DNR.

Joan Ziertman asked what type of park we are going to have and agreed that the City was putting the cart before the horse. She said the City should decide if we want a park there. She voiced her concern on the amount of money paid for a park for Oakdale residents and maybe we should think about where we would want parks for our residents. These items should be discussed before we enter into an agreement.



Bob Helwig, Planning Commission Chair, stated that this proposal is the tail wagging the dog. The City does need ball fields, but let us get the right land. He suggested looking in the Old Village Area plan to place 4-5 new fields. He noted that the site proposed is sizable, and would support many houses toward the mandated 2030 population of 24,000.

Council member Smith said there would be 12 houses on the 26 acres of the proposed site. She observed that 3M owns the land in Oakdale, and they could give land to Oakdale for the playfield instead of Lake Elmo land. She said that the Oakdale Athletic Association is a powerful force and will dictate what they want in a joint playfield, including lighted fields. She said she views this to be primarily an Oakdale park for its ballfields.

Terry Aronson asked why this Lake Elmo land was being donated when 3M has so much other land in Oakdale. He asked why the City can't update the existing parks we have now.

Mayor Johnston said you better decide what you need, define it and work it down; and that it would be an error to rush to judgment on the proposal without the benefit of a Lake Elmo needs analysis. He said the City should restart the process regarding the playfield proposal.

Council member Johnson said she doesn't quarrel with the high need for fields, but feels the City should do a need assessment, and then decide where we are going to place multi-use fields. She observed that if the City can't meet our playfield needs now, what we are going to do when we are 24,000 population.

The Administrator said that this needs to go back to the parks commission to determine the need for playfields, and where would they be.

Council member Smith pointed out the Parks Dept. talked about a possible skating rink/winter activity in the Sunfish Park area and asked what about the 20 acres in front of Sunfish Park to use as temporary fields.

Planner Dillerud said he has provided the Parks Commission a needs assessment done by Oakdale that could act as a process guide for the Lake Elmo Park Plan update. He noted that you don't do an updated park plan before you do a land use plan. Now that the 2030 land use plan is all but completed, the Parks Commission is on their way with the Park Plan update—including community playfields. In response suggestion that the neighborhood parks be used for playfield type activities he advised the Council that most of the organized and city-wide activities at community play fields cannot be accommodated at most neighborhood parks without negative impacts on the neighborhood. There may be some neighborhood parks of a size and location that might host those activities without negatively impacting the neighborhood, but that strategy is not good park planning.

Council member DeLapp pointed out there are 175 acres of 3M property in Lake Elmo and if developed park dedication would be available from that site.

Margaret Carlson said she was surprised 3M would give land for a specific use and suggested we should go back and look at this. She said she would be surprised that Oakdale would not place lights there. She said if there is a Task Force to review this playfield proposal she suggests having an independent body on the task force.

Bob Helwig said he supported Council members Smith's suggestion to use the open space in front of Sunfish Park as Sunfish is a public park.

Council member Conlin stated there is broad criteria for selecting location for parks in our Comp Plan that have to be looked at and to keep in mind the trails system and how the trails would work for kids to ride bikes or walk to the playfields.

A resident said traffic on Stillwater Blvd. would have to have some traffic control and that Raleigh creek cannot hold anymore runoff. He asked what about the land next to the public works building that 3M owns. It would be cheaper maintenance if playfields were next to the public works building.

Gary Carlson, Tablyn Park resident, stated Oakdale is contentious and no matter what happens there will be lights there if Oakdale wants lights. He said when Marty talked to Oakdale it was just an idea and he agrees with Council member Conlin we need to decide if the City wants a park in that location.

Scott Deutsch, Lake Elmo Heights, said we are looking at it and some trees will be blocking the lights. They call it a park which we think of as picnic, etc, but Oakdale is really talking about a sport complex.

#### **5. Manning/Highway 36 Intersection Improvement**

The City Planner said a matter has come up on how to deal with the intersection of Manning Avenue and TH36. He said that he and the City Engineer were called down to meet with Washington County, MnDOT and was told MnDOT would like us to build a 3 or 4 lane intersection. The City Engineer recommended that a feasibility report would be preformed to determine the intersection configuration and cost and financing.

This item will be brought to the Feb 21<sup>st</sup> Council meeting.

Mayor Johnston left the meeting at 8:10 p.m. to attend the Fire Dept. Relief Assoc. meeting.

#### **4. Animal Control RFP**

The Administrator provided a draft Animal Control RFP and a budget sheet. He said a number of cities the same size of Lake Elmo are looking at vendor services and some have CSO's. He said he has met with three applicants, Kathi Pelnar, Mike Smith, and Animal Control Services out of White Bear Lake.

In regard to the wording in the RFP...shall respond "as soon as practicable", Council member Conlin asked why can't we insert if the situation is threatening, safety issue, we expect response be in such (?) time.

Mayor Johnston had a concern that people weren't calling in because there was no response. It should state our average response is ....so people understand we are responding.

Council member Johnson said if it is an emergency due to safety reasons, the resident should call 911 and not the ACO.

The Administrator stated he was comfortable with the language in the Animal Control RFP.

#### **5. Report on Old Village Plan Presentation**

The City Administrator reported on Friday, February 17<sup>th</sup>, we will try to get these two plans married and then there will be a presentation to the Council. We are looking at the March 6<sup>th</sup> council meeting for Bob Engstrom to give a presentation and council will give direction. The Administrator said this council will then send this plan to the Planning Commission for a Comp Plan amendment or it can go to a workshop. Council member DeLapp said the City needs to have an open house.

Council member Conlin said she is disappointed in getting this plan in a timely manner. It seems we have had to force the deadline with the Met Council. Council member Johnson agreed with the lack of updates and communication. Council member Smith said she stayed in touch with Marty and Chuck and they moved forward as quickly as possible. There has been so much thrown on our plates. Council member Johnson asked about the contract we have with them who has the authority to change the contract...certain dollar amount in a certain timeframe. The Administrator said there is no change in the dollars.

Council member DeLapp said he told everyone we would have a presentation in November and asked if there has been contact with Engstrom and staff. The Administrator said there has been contact and the owners retained their own planner the same time we did. Council member Conlin said we all went into this understanding there were many parties involved and Engstrom thought he could put it all together. She felt the City did not get as advertised and it seemed to her Engstrom sat back and waited when they were supposed to be drivers. The City Administrator responded we were aggressive to get it done by November, and we have received great service from Engstrom.

St. Croix Regional Family Center - Mayor reported the Early Childhood Ed project of the center wants to go ahead and will be approaching the school board. He said Lake Elmo is the perfect location for the family center.

The City Administrator said it is noted on the Old Village plan where the family center is going to be as well as the city hall. Council member DeLapp said there is a conflict of interest because the mayor is on the Board. The Mayor responded he is on the committee that is working on the organizational interest and there is no financial gain for him.

Zoning Variance - A zoning variance request needs 3 votes to pass and the Mayor and City Planner will not be in attendance at the February 21st meeting. The Planner will advise the applicant that his variance request will be on the March 6<sup>th</sup> meeting.

Adjourn 8:35

DRAFT



<b>Lake Elmo City Council April 18, 2006</b>	<b>Agenda Section: PUBLIC INQUIRIES/INFORMATIONAL</b>	<b><u>No 3B.</u></b>
<b><u>Agenda Item:</u> Charitable Gambling License for Lake Elmo Jaycees</b>		
<b><u>Background Information for April 18, 2006:</u></b>  The Lake Elmo Jaycees are in the process of applying for a renewal of its Lawful Gambling License. Before granting a license renewal, the State of Minnesota requires an approval resolution adopted by the City Council. The Jaycees operate its Lawful Gambling at the Twin Point Tavern, located at 11199 Stillwater Blvd N.		
<b><u>Action Items:</u></b> <b>M/S        to adopt Resolution No. 2006-033, A Resolution Granting Permission to the Lake Elmo Jaycees to Conduct Charitable Gambling in the City</b>	<b><u>Person responsible:</u></b> S.Lumby	
<b><u>Attachments:</u></b> Resolution No. 2006-033		

**City of Lake Elmo**  
**Washington County, Minnesota**  
**Resolution 2006-033**

**A Resolution Granting Permission to the**  
**Lake Elmo Jaycees to Conduct**  
**Charitable Gambling in the City Of Lake Elmo**

**Be it resolved that the Lake Elmo City Council hereby grants permission to the Lake Elmo Jaycees to conduct Lawful Gambling within the City of Lake Elmo.**

**Be it further resolved that this permission is for the sales of Pull Tabs only, excludes sales of Pull Tabs from any automated dispensing mechanisms, and various raffles.**

**Be it further resolved this Resolution is contingent upon the Lake Elmo Jaycees being granted a Lawful Gambling License from the Minnesota Gambling Control Board.**

**Adopted by the Lake Elmo City Council on April 18, 2006.**

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**Dean Johnston, Mayor**

**Attest:**

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**Martin Rafferty, City Administrator**



4A

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

**RESOLUTION NO. 2006-034  
RESOLUTION APPROVING CLAIMS**

BE IT RESOLVED THAT Claim Numbers 320, 321, DD695 through DD714, 28949 through 28973, were used for Staff Payroll dated April 13<sup>th</sup>, 2006; claims 28974 through 29022, in the total amount of \$108,482.29 are hereby approved.

ADOPTED, by the Lake Elmo City Council on the 18<sup>th</sup> day of April, 2006.

\_\_\_\_\_  
Dean A. Johnston  
Mayor

ATTEST:

\_\_\_\_\_  
Martin J. Rafferty  
City Administrator

# Accounts Payable Computer Check Proof List

User: administrator

Printed: 04/13/2006 - 12:27 PM

# SPRINGBROOK SOFTWARE

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor:ABDO 222289	Abdo Eick & Meyers 2005 Audit Services Check Total:	22,362.58 22,362.58	04/18/2006	Check Sequence: 1 101-410-1530-43010	ACH Enabled: No
Vendor:AMLEGAL 51792	American Legal Publishing Corp Internet Hosting - Code of Ord. Check Total:	250.00 250.00	04/18/2006	Check Sequence: 2 101-410-1320-44300	ACH Enabled: No
Vendor:ARAM 629-5953578	Aramark Mats, Linen - City Hall Check Total:	65.94 65.94	04/18/2006	Check Sequence: 3 101-410-1940-44010	ACH Enabled: No
Vendor:ASPENMI 66535	Aspen Mills, Inc. Dress Uniforms - Fire Dept. Check Total:	914.57 914.57	04/18/2006	Check Sequence: 4 101-420-2220-44170	ACH Enabled: No
Vendor:BOUTHM Tvl Expense	MichaelBouthilet Mileage, Lodging - St. Cloud Maint. Mtg. Check Total:	210.88 210.88	04/18/2006	Check Sequence: 5 101-430-3100-43310	ACH Enabled: No
Vendor:BRAUN 260382	Braun Intersec Corporation Testing, PM - New PW Check Total:	2,082.75 2,082.75	04/18/2006	Check Sequence: 6 410-480-8000-43030	ACH Enabled: No
Vendor:BUBERL 28639	Bubert Recycling & Compost Snow Plowing - 03/13 - 03/16 Check Total:	2,610.00 2,610.00	04/18/2006	Check Sequence: 7 101-430-3100-43150	ACH Enabled: No



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Vendor: COPYMAG 71325	Copy Images, Inc. Monthly Copier Maint. Check Total:	255.60 255.60	04/18/2006	Check Sequence: 8 101-410-1940-44040	ACH Enabled: No
Vendor: CPTLECO 651-207-1000	CP Telecom Telephone Service - City Hall Check Total:	514.84 514.84	04/18/2006	Check Sequence: 9 101-410-1940-43210	ACH Enabled: No
Vendor: DTI 105930 105930 105930 105930	DTI Telephone Service - Fire Dept Telephone Service - Public Works Telephone Service - Well 1 Telephone Service - Lift Stations Check Total:	121.08 71.34 35.27 105.80 333.49	04/18/2006 04/18/2006 04/18/2006 04/18/2006	Check Sequence: 10 101-420-2220-43210 101-430-3100-43210 601-494-9400-43210 602-495-9450-43210	ACH Enabled: No
Vendor: F.I.R.E. 04774	Fire Instruction & Rescue Education Inc Flash-over Trailer Check Total:	300.00 300.00	04/18/2006	Check Sequence: 11 101-420-2220-44370	ACH Enabled: No
Vendor: FARMERS 141352 141372	River Country Cooperative Fuel - Fire Dept Fuel - Bldg Dept Check Total:	50.00 50.32 100.32	04/18/2006 04/18/2006	Check Sequence: 12 101-420-2220-42120 101-420-2400-42120	ACH Enabled: No
Vendor: GENESIS IVC01077	Next Genesis Productions Monthly Programing Support Check Total:	900.00 900.00	04/18/2006	Check Sequence: 13 101-410-1520-43180	ACH Enabled: No
Vendor: HAGBERGS Account 10	Hagbergs Country Market Supplies - City Hall Check Total:	48.87 48.87	04/18/2006	Check Sequence: 14 101-410-1940-44300	ACH Enabled: No
Vendor: HUMANE 01/01-03/31/06	Humane Society Companion Animal Impounding - 01/01-03/31/2006 Check Total:	1,136.90 1,136.90	04/18/2006	Check Sequence: 15 101-420-2700-43160	ACH Enabled: No
Vendor: JEFFER 128430	Jefferson Fire & Safety SCBA Cyl. Thread Saver	27.25	04/18/2006	Check Sequence: 16 101-420-2220-42400	ACH Enabled: No

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Vendor:JH Larso 1443602-01	J.H. Larson Company Light Bulbs - Water Tower Check Total:	3.32 3.32	04/18/2006	Check Sequence: 18 601-494-9400-42400	ACH Enabled: No
Vendor:LEOIL B01203 S01203 S01208	Lake Elmo Oil, Inc. Bulk Fuel - Public Works Fuel - Fire Dept Fuel - Public Works - Snowplowing Check Total:	2,363.79 321.95 160.69 2,846.43	04/18/2006 04/18/2006 04/18/2006	Check Sequence: 19 101-430-3100-42120 101-420-2220-42120 101-430-3100-42120	ACH Enabled: No
Vendor:MARONEYS 139306 139306 139306	Maroney's Sanitation, Inc Refuse - City Hall Refuse - Public Works Refuse - Parks Check Total:	95.89 95.89 183.96 375.74	04/18/2006 04/18/2006 04/18/2006	Check Sequence: 20 101-410-1940-43840 101-430-3100-43840 101-450-5200-43840	ACH Enabled: No
Vendor:MATCO 175231 175627 176074	Matco Tools Tools - Public Works Tools - Public Works Tools - Public Works Check Total:	147.34 10.12 41.48 198.94	04/18/2006 04/18/2006 04/18/2006	Check Sequence: 21 101-430-3100-42400 101-430-3100-42400 101-430-3100-42400	ACH Enabled: No
Vendor:MCLEOD 5223962	McLeod USA Telephone Service - Well 2 Check Total:	43.32 43.32	04/18/2006	Check Sequence: 22 601-494-9400-43210	ACH Enabled: No
Vendor:MEDTRONI PC831928	MEDTRONIC Lifepak500 - AED Check Total:	6,374.03 6,374.03	04/18/2006	Check Sequence: 23 101-420-2220-45800	ACH Enabled: No
Vendor:MENARDSO 72081	Menards - Oakdale Thermostat - Well House	50.96	04/18/2006	Check Sequence: 24 601-494-9400-42270	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
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Vendor:METCOU 0000821388	Metropolitan Council Wastewater Charge Check Total:	942.77 942.77	04/18/2006	Check Sequence: 26 602-495-9450-43820	ACH Enabled: No
Vendor:MILLEREX 11416	Miller Excavating, Inc. Grading Roads Check Total:	250.50 250.50	04/18/2006	Check Sequence: 27 101-430-3100-43150	ACH Enabled: No
Vendor:MNLABOR Q1 Lake Elmo	DEPT of LABOR & INDUSTRY Surcharge Pmts 1st Q 2006 Check Total:	3,313.80 3,313.80	04/18/2006	Check Sequence: 28 101-420-2400-43060	ACH Enabled: No
Vendor:Myran Tvl. Expense	Myran Rick Lodging, Meals - Rochester Training Check Total:	102.57 102.57	04/18/2006	Check Sequence: 29 101-420-2220-43310	ACH Enabled: No
Vendor:MYRONS FIRE	Myron's Service Center Alignment, Engine Light - Fire Chief Check Total:	100.95 100.95	04/18/2006	Check Sequence: 30 101-420-2220-44040	ACH Enabled: No
Vendor:OAKDALE 1000039700 1000046000	City of Oakdale North Pit South Pit Check Total:	1,023.75 2,646.40 3,670.15	04/18/2006 04/18/2006	Check Sequence: 31 601-494-9400-43820 601-494-9400-43820	ACH Enabled: No
Vendor:OAKTIRE 093611	Oakdale Tire and Auto Tires - Fire Chief's Car Check Total:	190.36 190.36	04/18/2006	Check Sequence: 32 101-420-2220-44040	ACH Enabled: No
Vendor:ONECALL 6030529	Gopher State One-CallOne Call Concepts, Inc Line Locates	63.80	04/18/2006	Check Sequence: 33 101-430-3100-44300	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
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Vendor: PELNAR March 2006	Kathi Pelnar Animal Control - March 2006 Check Total:	233.91 233.91	04/18/2006	Check Sequence: 35 101-420-2700-43150	ACH Enabled: No
Vendor: POSTOFF Account 19	POSTMASTER Newsletter Postage Check Total:	463.03 463.03	04/18/2006	Check Sequence: 36 101-410-1320-43220	ACH Enabled: No
Vendor: PRESS 04/04/06 04/10/06	Steven Press Cablecast - Council Meeting Cablecast - Planning Meeting Check Total:	55.60 55.60 111.20	04/18/2006 04/18/2006	Check Sequence: 37 101-410-1320-43620 101-410-1910-43620	ACH Enabled: No
Vendor: Rivertwn 50035963	RiverTown Newspaper Group Legal Publishing - March 2006 Check Total:	240.09 240.09	04/18/2006	Check Sequence: 38 101-410-1320-43510	ACH Enabled: No
Vendor: ROGERS 13600 13600	Rogers Printing Services April 2006 Newsletter Postcards - Vil. Area Plan Mtg. Check Total:	1,274.81 83.07 1,357.88	04/18/2006 04/18/2006	Check Sequence: 39 101-410-1320-43090 101-410-1910-42030	ACH Enabled: No
Vendor: RUD 04/03-04/12 04/03-04/12	Diane Prince-Rud Cleaning - City Hall Cleaning - Fire Hall Check Total:	240.00 240.00 480.00	04/18/2006 04/18/2006	Check Sequence: 40 101-410-1940-44010 101-420-2220-44010	ACH Enabled: No
Vendor: S&T 01KT1134 01KT2114 01KT17797 01KT17797 01KT17797	S&T Office Products, Inc. Paper, Staplers, Sheet Protectors Name Plate - Planning Envelopes, Labels - Admin Printer Cartridges - Fire Dept Printer Cartridges - Bldg Dept	122.65 22.84 97.91 45.32 199.92	04/18/2006 04/18/2006 04/18/2006 04/18/2006 04/18/2006	Check Sequence: 41 101-410-1320-42000 101-410-1910-42000 101-410-1320-42000 101-420-2220-42000 101-420-2400-42000	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
01KT7797	Printer Cartridges - Finance Dept Check Total:	97.82 586.46	04/18/2006	101-410-1520-42000	
Vendor:SACHSIIM Tvl Expense Tvl Expense	James Sachs Lodging, Mileage - Water School Mileage - Maint Mtg Check Total:	323.87 82.21 406.08	04/18/2006 04/18/2006	Check Sequence: 42 601-494-9400-43310 101-430-3100-43310	ACH Enabled: No
Vendor:SAMSCLUB 0362995508	Sam's Club Beverages, Supplies - Fire Dept Check Total:	64.84 64.84	04/18/2006	Check Sequence: 43 101-420-2220-44300	ACH Enabled: No
Vendor:SATELLIT 24180633	Satellite Shelters, Inc. Bldg Dept Trailer Rental Check Total:	319.50 319.50	04/18/2006	Check Sequence: 44 101-420-2400-44120	ACH Enabled: No
Vendor:Sherm 04/03/06 04/03/06 04/03/06 04/03/06	RobertSherman Keys, Boards - Fire Dept Photo Processing - Fire Dept Halogen - Fire Dept Propane - Fire Dept Check Total:	80.39 13.57 5.31 15.74 115.01	04/18/2006 04/18/2006 04/18/2006 04/18/2006	Check Sequence: 45 101-420-2220-44300 101-420-2220-42000 101-420-2220-42210 101-420-2220-42400	ACH Enabled: No
Vendor:TASCH 38468	T.A. Schifsky & Sons Asphalt Check Total:	150.17 150.17	04/18/2006	Check Sequence: 46 101-430-3100-42240	ACH Enabled: No
Vendor:TWINCIT 2419	Twin City Water Clinic, Inc. Bacteria Analysis - March 2006 Check Total:	20.00 20.00	04/18/2006	Check Sequence: 47 601-494-9400-43030	ACH Enabled: No
Vendor:WORKWELL 057919	Workwell Occupational Health Physicals - Eder, Johnson, Myran - FD Check Total:	600.00 600.00	04/18/2006	Check Sequence: 48 101-420-2220-43050	ACH Enabled: No
Vendor:XCEL 51-4504807-7 51-4504807-7 51-4504807-7	Xcel Energy Softball Field Hudson Blvd Lift Station Traffic at I94/Inwood	39.52 58.59 24.49	04/18/2006 04/18/2006 04/18/2006	Check Sequence: 49 101-450-5200-43810 602-495-9450-43810 101-430-3160-43810	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
51-4576456-3	4259 Jamaica Ave	897.93	04/18/2006	101-430-3100-43810	
51-4580376-5	City Hall	580.30	04/18/2006	101-410-1940-43810	
51-4733556-8	Tennis Courts	7.97	04/18/2006	101-450-5200-43810	
51-5044219-0	11194 Upper 33rd St	216.46	04/18/2006	101-450-5200-43810	
51-5275289-3	Pebble Park	7.97	04/18/2006	101-450-5200-43810	
51-5356323-8	Wells at 3303 Langley/11975 55th	889.63	04/18/2006	601-494-9400-43810	
51-5522332-2	Traffic Light at 998 Inwood	33.69	04/18/2006	101-430-3160-43810	
51-5747685-4	3585 Laverne Ave	166.23	04/18/2006	101-450-5200-43810	
51-6429583-8	2759 Legion Ave	13.15	04/18/2006	101-430-3100-43810	
51-6433976-2	3510 Laverne - Fire Hall 1	522.15	04/18/2006	101-420-2220-43810	
51-6625457-1	3511 Laverne - Fire Hall 2	191.14	04/18/2006	101-420-2220-43810	
51-6736344-2	City Lights	1,744.04	04/18/2006	101-430-3160-43810	
51-6928283-3	Traffic Light at Manning/Stillwater	23.34	04/18/2006	101-430-3160-43810	
51-6956201-4	3675 Layton Ave	7.97	04/18/2006	101-450-5200-43810	
	Check Total:	5,424.57			
Total for Check Run:		61,385.07			
Total Number of Checks:		49			

# Monthly Operating Report - Revenue

As of March 2006	Description	Budget	Amount	Variance
	Current Ad Valorem Taxes	2,149,940	50,819	2,099,121
	Mobile Home Tax	0	0	0
	Fiscal Disparities	12,000	0	12,000
	Liquor License	9,000	0	9,000
	Wastehauler License	420	100	320
	General Contractor License	175	950	-775
	Heating Contractor License	1,000	1,010	-10
	Blacktopping Contractor Licens	100	0	100
	Building Permits	478,387	47,529	430,858
	Surcharge	35,900	0	35,900
	Heating Permits	23,500	2,900	20,600
	Plumbing Permits	23,500	1,100	22,400
	Sewer Permits	18,000	625	17,375
	Animal License	1,500	986	514
	Utility Permits	6,500	250	6,250
	Burning Permit	1,200	490	710
	CDBG Old Village	60,200	10,108	50,093
	Local Government Aid	0	0	0
	MSA - Maintenance	0	0	0
	State Fire Aid	54,000	0	54,000
	PERA Aid	2,749	0	2,749
	Miscellaneous State Grants	0	3,030	-3,030
	Gravel Tax	4,000	3,253	747
	Recycling Grant	15,270	0	15,270
	Cable Franchise Revenue	17,102	0	17,102
	Zoning & Subdivision Fees	20,000	1,900	18,100
	Plan Check Fees	283,181	12,420	270,761
	Sale of Copies, Books, Maps	1,500	177	1,323
	Assessment Searches	500	45	455
	Clean Up Days	5,700	0	5,700
	Cable Operation Reimbursement	2,670	601	2,069
	Fines	65,000	15,225	49,775
	Miscellaneous Revenue	10,000	10,144	-144
	Interest Earnings	50,000	0	50,000
	Interfund Operating Transfers	213,610	0	213,610
	<b>General Fund Total</b>	<b>3,566,604</b>	<b>163,661</b>	<b>3,402,943</b>
	Water Sales	238,747	60,982	177,765
	Tower Rent	26,500	5,153	21,348
	<b>Total Water Enterprise</b>	<b>265,247</b>	<b>66,134</b>	<b>199,113</b>
	<b>Total Sewer Enterprise Fund</b>	<b>39,877</b>	<b>0</b>	<b>39,877</b>
	<b>Total Surface Enterprise Fund</b>	<b>78,000</b>	<b>0</b>	<b>78,000</b>
	<b>Total Report</b>	<b>3,949,728</b>	<b>229,795</b>	<b>3,719,933</b>

Monthly Operating Report

As of 04/18/2006 (Period 4)	Budget	Amount	Variance	Comments
<b>Mayor &amp; Council</b>				
Part-time Salaries	12,100	0	12,100	
FICA Contributions	750	0	750	
Medicare Contributions	175	0	175	
Travel Expense	4,000	140	3,860	
Miscellaneous	10,000	1,000	9,000	
Dues & Subscriptions	9,000	2,809	6,191	
Conferences & Training	4,000	58	3,942	
<b>Sub-Total</b>	<b>40,025</b>	<b>4,007</b>	<b>36,018</b>	
<b>Administration</b>				
Full-time Salaries	133,933	38,601	95,332	
PERA Contributions	8,036	1,921	6,115	
FICA Contributions	8,304	2,429	5,875	
Medicare Contributions	1,942	563	1,379	
Health/Dental Insurance	29,854	4,661	25,193	
Workers Compensation	2,424	2,319	105	
Office Supplies	9,000	2,660	6,340	
Printed Forms	900	119	781	
Newsletter/Website	15,000	2,251	12,749	
Postage	10,500	1,490	9,010	
Travel Expense	5,100	228	4,872	
Legal Publishing	6,500	990	5,510	
Insurance	41,357	39,210	2,147	
Cable Operation Expense	4,500	497	4,003	
Miscellaneous	15,000	6,470	8,530	
Dues & Subscriptions	3,000	975	2,025	
Books	1,000	213	787	
Conferences & Training	3,000	278	2,722	
Professional Development	2,000	18	1,982	
Transfer Out	160,439	0	160,439	
<b>Sub-Total</b>	<b>461,789</b>	<b>105,893</b>	<b>355,896</b>	
<b>Elections</b>				
Part-time Salaries	9,900	0	9,900	
FICA Contributions	614	0	614	
Medicare Contributions	144	0	144	
Office Supplies	400	0	400	
Printed Forms	500	0	500	
Travel Expense	125	0	125	
Miscellaneous	600	0	600	
Conferences & Training	50	0	50	
Other Equipment	1,000	340	660	
<b>Sub-Total</b>	<b>13,333</b>	<b>340</b>	<b>12,993</b>	



	Budget	Amount	Variance	Comments
<b>Finance</b>				
Full-time Salaries	66,829	16,307	50,522	
PERA Contributions	4,010	955	3,055	
FICA Contributions	4,143	1,012	3,131	
Medicare Contributions	969	237	732	
Health/Dental Insurance	11,079	2,923	8,156	
Workers Compensation	1,122	745	377	Annual Premium Paid
Office Supplies	1,500	368	1,132	
Printed Forms	2,250	1,015	1,235	
Software Support	16,000	11,061	4,939	
Hardware Support	2,000	249	1,751	
Software Programs	2,000	0	2,000	
Travel Expense	1,000	18	982	
Miscellaneous	2,000	459	1,541	
Dues & Subscriptions	150	275	-125	
Books	200	94	106	
Conferences & Training	800	40	760	
<b>Sub-Total</b>	<b>116,052</b>	<b>35,758</b>	<b>80,294</b>	
<b>Accounting Services</b>	<b>30,000</b>	<b>23,057</b>	<b>6,943</b>	
<b>Assessing Services</b>	<b>41,000</b>	<b>24,452</b>	<b>16,548</b>	
<b>City Attorney - Civil</b>	<b>60,600</b>	<b>15,655</b>	<b>44,945</b>	
<b>City Attorney - Criminal</b>	<b>49,500</b>	<b>15,705</b>	<b>33,795</b>	
<b>Planning &amp; Zoning</b>				
Full-time Salaries	116,259	21,238	95,021	
PERA Contributions	6,976	2,131	4,845	
FICA Contributions	7,208	1,325	5,884	
Medicare Contributions	1,686	310	1,376	
Health/Dental Insurance	21,911	3,994	17,917	
Workers Compensation	1,268	840	426	
Office Supplies	1,500	159	1,341	
Printed Forms	500	83	417	
Comm Facilities Planning-CDBG	0	0	0	
Old Village Design Study-CDBG	0	0	0	
Zoning Ordinance Dev - CDBG	5,000	0	5,000	
Cimarron Study - CDBG	60,200	276	59,924	
Comprehensive Planning	0	4,785	-4,785	Comp Plan Amendment - Expenditure funded by reserves.
Engineering Services	3,000	0	3,000	
Legal Services	0	0	0	
Infiltration Project	0	0	0	
Old Village Tax Abatement	0	0	0	
Travel Expense	3,700	126	3,574	
Cable Operation Expense	1,450	389	1,061	
Miscellaneous	500	38	462	
Dues & Subscriptions	450	0	450	
Books	650	0	650	
Conferences & Training	2,750	375	2,375	
<b>Sub-Total</b>	<b>235,006</b>	<b>36,069</b>	<b>198,937</b>	

	Budget	Amount	Variance	Comments
<b>Engineering Services</b>	<b>30,000</b>	<b>12,832</b>	<b>17,168</b>	
Attorney Fees	0	0	0	
<b>Gov't Building</b>				
Cleaning Supplies	1,000	37	963	
Building Repair Supplies	1,000	66	934	
Telephone	5,500	2,368	3,132	
Insurance	0	0	0	
Electric Utility	10,000	2,875	7,125	
Refuse	2,500	446	2,054	
Repairs/Maint Contractual Bldg	10,000	4,077	5,923	
Repairs/Maint Contractual Eqpt	10,000	1,023	8,977	
Miscellaneous	1,000	377	623	
<b>Sub-Total</b>	<b>41,000</b>	<b>11,270</b>	<b>29,730</b>	
<b>Law Enforcement Services</b>	<b>365,200</b>	<b>172,415</b>	<b>192,785</b>	
<b>Fire</b>				
Full-time Salaries	66,561	4,854	61,707	
Part-time Salaries	139,713	55,091	84,622	Chief's Salary needs to be adjusted into Full-time Fire Salary
PERA Contributions	3,994	2,328	1,666	
FICA Contributions	12,789	3,718	9,071	
Medicare Contributions	2,991	869	2,122	
Health/Dental Insurance	24,321	7,570	16,751	
Workers Compensation	6,838	4,538	2,300	Annual Premium Paid
Office Supplies	1,000	660	340	
Printed Forms	500	0	500	
EMS Supplies	1,600	660	940	
Fire Prevention	4,000	1,176	2,824	
Fuel	5,400	1,373	4,027	
Equipment Parts	500	242	258	
Building Repair Supplies	400	146	254	
Small Tools & Equipment	1,500	639	861	
Physicals	5,100	645	4,455	
Telephone	6,000	1,555	4,445	
Radio	7,900	3,089	4,811	
Internet	700	0	700	
Travel Expense	3,500	2,341	1,159	
Vehicle Insurance	15,836	14,025	1,811	
Electric Utility	12,200	3,863	8,337	
Repairs/Maint Contractual Bldg	20,000	2,143	17,857	
Repairs/Maint Contractual Eqpt	35,000	1,093	33,907	
Rentals - Building	1,188	270	918	
Uniforms	4,500	2,365	2,135	
Miscellaneous	4,000	453	3,547	
Dues & Subscriptions	2,800	825	1,975	
Books	250	0	250	
Conferences & Training	15,000	6,732	8,268	

	Budget	Amount	Variance	Comments
Pension Contribution	0	0	0	
Fire State Aid	54,000	0	54,000	
Vehicle	0	0	0	
Equipment	10,000	7,241	2,759	
Transfer Out	98,443	0	98,443	
<b>Sub-Total</b>	<b>568,524</b>	<b>130,505</b>	<b>438,019</b>	
<b>Building Inspection</b>				
Full-time Salaries	129,938	38,007	91,932	
PERA Contributions	7,796	1,983	5,813	
FICA Contributions	8,056	2,361	5,695	
Medicare Contributions	1,884	552	1,332	
Health/Dental Insurance	28,030	4,662	23,368	
Workers Compensation	2,276	1,510	766	Annual Premium Paid
Office Supplies	1,400	406	994	
Printed Forms	2,250	163	2,087	
Fuel	6,000	138	5,862	
Engineer Serv Utility Permits	6,500	0	6,500	
Plan Review Charges	10,000	0	10,000	
Surcharge Payments	35,900	7,849	28,051	
Inspector Contract Services	0	225	-225	Outside Inspector for New Public Works
Telephone	1,135	134	1,001	
Travel Expense	2,000	75	1,925	
Insurance	1,200	895	305	
Repairs/Maint Contractual Eqpt	700	689	11	
Rentals - Building	4,500	1,278	3,222	
Uniforms	700	68	632	
Miscellaneous	4,600	100	4,500	
Dues & Subscriptions	500	0	500	
Books	500	0	500	
Conferences & Training	3,000	525	2,475	
Equipment	2,300	0	2,300	
Transfer Out	7,000	0	7,000	
<b>Sub-Total</b>	<b>268,165</b>	<b>61,620</b>	<b>206,545</b>	
<b>Civil Defense</b>	<b>9,000</b>	<b>0</b>	<b>9,000</b>	
<b>Animal Control</b>				
Printed Forms	250	0	250	
Contract Services	9,200	1,590	7,610	
Impounding	10,000	5,160	4,840	
Miscellaneous	200	0	200	
<b>Sub-Total</b>	<b>19,650</b>	<b>6,750</b>	<b>12,900</b>	

	Budget	Amount	Variance	Comments
<b>Public Works</b>				
Full-time Salaries	120,077	29,706	90,371	
Part-time Salaries	5,160	0	5,160	
PERA Contributions	7,205	1,763	5,442	
FICA Contributions	7,445	1,843	5,602	
Medicare Contributions	1,741	431	1,310	
Health/Dental Insurance	31,931	5,980	25,951	
Workers Compensation	9,014	5,982	3,032	Annual Premium Paid
Office Supplies	350	0	350	
Fuel, Oil and Fluids	19,550	6,896	12,654	
Shop Materials	3,000	247	2,753	
Equipment Parts	6,000	1,595	4,405	
Building Repair Supplies	2,000	610	1,390	
Street Maintenance Materials	14,000	617	13,383	
Landscaping Materials	2,500	0	2,500	
Sign Repair Materials	4,240	1,134	3,106	
Sand/Salt	30,000	13,062	16,938	
Small Tools & Minor Equipment	3,000	579	2,421	
Engineering Services	7,000	0	7,000	
Sealcoating & Crack Sealing	105,000	0	105,000	
Contract Services	61,750	7,000	54,750	
Telephone	4,000	482	3,518	
Radio	600	0	600	
Travel Expense	1,250	308	942	
Insurance	14,000	12,030	1,970	
Electric Utility	13,500	4,932	8,568	
Refuse	2,400	431	1,969	
Repairs/Maint Contractual Bldg	5,000	0	5,000	
Repairs/Maint Imp Not Bldgs	7,000	3,510	3,490	Xmas lights set-up, take down
Repairs/Maint Contractual Eqpt	6,000	1,894	4,106	
Rentals - Buildings	500	0	500	
Uniforms	500	421	79	
Miscellaneous	6,000	676	5,324	
Dues & Subscriptions	500	0	500	
Conferences & Training	1,500	115	1,385	
Clean-up Days	12,000	0	12,000	
Buildings	0	0	0	
Vehicles	0	0	0	
Other Equipment	12,250	2,908	9,342	
Transfer Out	200,439	0	200,439	
<b>Sub-Total</b>	<b>728,402</b>	<b>105,150</b>	<b>623,252</b>	
<b>Street Lighting</b>	<b>23,000</b>	<b>7,438</b>	<b>15,562</b>	
<b>Sanitation</b>				
Recycling Supplies	6,000	0	6,000	
Newsletter	5,000	0	5,000	
Miscellaneous	7,100	0	7,100	
<b>Sub-Total</b>	<b>18,100</b>	<b>0</b>	<b>18,100</b>	

	Budget	Amount	Variance	Comments
<b>Parks</b>				
Full-time Salaries	54,569	14,131	40,438	
Part-time Salaries	31,946	2,397	29,549	
PERA Contributions	3,971	913	3,058	
FICA Contributions	5,384	1,027	4,337	
Medicare Contributions	1,254	240	1,014	
Health/Dental Insurance	12,224	2,232	9,992	
Workers Compensation	4,763	3,161	1,602	Annual Premium Paid
Office Supplies	450	0	450	
Fuel, Oil and Fluids	2,840	58	2,582	
Shop Materials	1,000	17	983	
Chemicals	2,500	0	2,500	
Equipment Parts	5,000	78	4,922	
Building Repair Supplies	500	131	369	
Landscaping Materials	7,000	96	6,904	
Small Tools & Minor Equipment	2,000	1,457	543	
Engineering Services	0	0	0	
Telephone	1,000	66	934	
Travel Expense	0	30	-30	
Insurance	3,000	3,904	-904	
Electric Utility	8,800	2,955	5,845	
Refuse	2,640	736	1,904	
Repairs/Maint Contractual Bldg	1,200	0	1,200	
Repairs/Maint Imp Not Bldgs	7,500	4,229	3,271	
Repairs/Maint Contractual Eqpt	1,000	0	1,000	
Rentals - Buildings	4,000	317	3,683	
Uniforms	413	0	413	
Miscellaneous	500	0	500	
Dues & Subscriptions	100	0	100	
Conferences & Training	0	0	0	
Transfer Out	20,000	0	20,000	
<b>Sub-Total</b>	<b>185,334</b>	<b>38,177</b>	<b>147,157</b>	
<b>Total General Fund</b>	<b>3,303,680</b>	<b>807,092</b>	<b>2,496,588</b>	

Water Enterprise Operating	Budget	Amount	Variance	Comments
Full-time Salaries	73,382	29,250	44,132	
PERA Contributions	4,403	1,627	2,776	
FICA Contributions	4,550	1,818	2,732	
Medicare Contributions	1,064	425	639	
Health/Dental Insurance	11,974	4,028	7,946	
Workers Compensation	5,442	3,611	1,831	Annual Premium Paid
Office Supplies	505	0	505	
Printed Forms	2,562	0	2,562	
Chemicals	6,532	189	6,343	
Utility System Maintenance	7,640	151	7,489	
Water Meters & Supplies	100,100	761	99,339	
Small Tools & Minor Equipment	2,000	110	1,890	
Engineering Services	22,737	163,131	-140,394	Revenue Offset from 3M due
Software Support	13,976	0	13,976	
Telephone	4,515	315	4,200	
Postage	2,140	0	2,140	
Travel Expense	3,150	396	2,754	
Insurance	14,797	6,104	8,693	
Electric Utility	39,446	4,898	34,548	
Water Utility	53,045	14,451	38,594	
Repairs/Maint Imp Not Bldgs	10,210	2,758	7,453	
Miscellaneous	15,917	6,357	9,560	
Conferences & Training	2,057	157	1,900	
Building and Structures	1,200,000	201,638	998,363	Water tower related expenditures
Other Equipment	6,655	0	6,655	
<b>Sub-Total</b>	<b>1,608,799</b>	<b>442,173</b>	<b>1,166,627</b>	
<b>Sewer Operating Enterprise</b>				
Full-time Salaries	12,586	6,935	5,651	
PERA Contributions	755	384	371	
FICA Contributions	780	431	349	
Medicare Contributions	182	101	81	
Health/Dental Insurance	2,151	939	1,212	
Workers Compensation	960	637	323	Annual Premium Paid
Utility System Maint Supplies	650	0	650	
Small Tools & Minor Equipment	600	0	600	
Engineering Services	1,500	56	1,444	
Telephone	1,775	423	1,352	
Travel Expense	750	21	729	
Electric Utility	2,300	266	2,034	
Sewer Utility - Met Council	11,400	3,771	7,629	
Repairs/Maint Imp Not Bldgs	500	0	500	
Miscellaneous Expenses	1,000	0	1,000	
Conferences & Training	1,500	0	1,500	
<b>Sub-Total</b>	<b>39,389</b>	<b>13,965</b>	<b>25,424</b>	

	Budget	Amount	Variance	Comments
<b>Surface Water Utility</b>				
Full-time Salaries	31,089	0	31,089	Payroll Coding issue- See Sewer & Water Operating Enterprise
PERA Contributions	1,865	0	1,865	
FICA Contributions	1,928	0	1,928	
Medicare Contributions	451	0	451	
Health/Dental Insurance	5,718	0	5,718	
Workers' Compensation	3,358	2,228	1,130	Annual Premium Paid
Office Supplies	500	0	500	
Utility System Maint Supplies	2,500	0	2,500	
Small Tools & Minor Equipment	1,000	0	1,000	
Engineering Services	7,000	1,163	5,837	
Erosion Control	3,000	0	3,000	
Software Support	4,000	0	4,000	
Postage	1,100	0	1,100	
Contract Services	2,500	0	2,500	
Repairs/Maint Not Bldg	2,500	0	2,500	
Miscellaneous Expenses	500	0	500	
Conferences & Training	0	0	0	
Transfer Out	9,000	0	9,000	
<b>Sub-Total</b>	<b>78,009</b>	<b>3,391</b>	<b>74,618</b>	



<b>Lake Elmo City Council 04-18-2006</b>	<b>Agenda Section: Finance</b>	<b><u>No . 5A</u></b>
<b><u>Agenda Item: Animal Control Services Contract</u></b>		
<p><b><u>Background Information for May 18, 2006:</u></b></p> <p>The City solicited request for proposals (RFP) for Animal Control Services in late February. The RFP solicited quotes for “call-out” and “patrol” service. Attached, please find an Animal Control Services Proposal Comparison schedule summarizing the rates quoted. Please note, Mike Smith did not submit a quote for “call out” services and therefore I calculated his rates based on the 2005 data.</p> <p>Based on the quotes submitted, I have concluded that should Council determine to proceed with “Patrol Services”, the low quote is from Animal Control Services Inc. (ACSI). The low quote for the “call-out or demand service is from Kathi Pelnar. If Council decides to award the Patrol Services based on five hours a week or awards the demand services contract to Kathi Pelnar, it should not exceed the 2006 Budget.</p> <p>Please note, the location for the Animal Shelter provided by ACSI is located at 1283 Hammond Road, White Bear Township. (16 miles from City Hall).</p>		
<p><b><u>Action Items:</u></b></p> <p>1. Motion to Award Animal Control Services to: _____</p>	<p><b><u>Person responsible:</u></b> Tom Bouthilet</p>	
<p><b><u>Attachments:</u></b></p> <ol style="list-style-type: none"> <li>1. Animal Control Services Proposal Comparison</li> <li>2. Comparison Per Animal Sheet</li> <li>3. 2005 Animal Control Services Summary</li> <li>4. All Animal Control Services Proposals received</li> </ol>		



# Animal Control Services Proposal Comparisons

	ACSI	Mike Smith	Kathi Pelnar
<b>On-Demand</b>			
7:00am - 5:00pm (Per Call)	\$63.50	\$130.00	\$61.93
5:00pm - 9:00pm (Per Call)	\$78.00	\$75.00	\$61.93
9:00pm - 7:00am (Per Call)	\$85.00	\$75.00	\$81.93
<b>Annual Cost based on 120 Animal P-U</b>	<b>\$8,142.00</b>	<b>\$15,600.00</b>	<b>\$6,931.53</b>
<b>Patrol Services</b>			
Patrol Rate (Per Hour)	\$28.50	\$30.00	\$48.35
<b>Weekdays:</b>			
7:00am - 5:00pm	\$28.50	N/C	\$45.00
5:00pm - 9:00pm	\$67.50	\$75.00	\$45.00
9:00pm - 7:00am	\$85.00	\$75.00	\$65.00
<b>Weekends &amp; Holidays:</b>			
7:00am - 5:00pm	\$65.00	\$75.00	\$61.93
5:00pm - 9:00pm	\$78.00	\$75.00	\$61.93
9:00pm - 7:00am	\$85.00	\$75.00	\$81.93
<b>Annual Patrol 5 Hrs/wk</b>	<b>\$7,410.00</b>	<b>\$15,600.00</b>	<b>\$12,571.00</b>
<b>Animal Disposal Fee</b>			
Dog	\$23.00	\$35.00	\$35.00
Cat	\$21.00	\$35.00	\$35.00
<b>Boarding</b>			
City Fee (For unclaimed Animals)-6 Days	\$84.00	\$75.00	\$75.00
Owner Fee (For Claimed Animals)-Per Day	\$16.25	\$75.00	\$75.00
Administrative Fees	\$0.00	\$10.00	\$10.00
<b>Kennel Vaccination</b>			
City Fee	\$6.00	\$10.00	\$10.00
Owner Fee	\$6.00	\$10.00	\$10.00
<b>Miscellaneous</b>			
Wildlife Removal & Disposal	\$75.00	N/A	N/A
Emergency Vet Fee	\$100.00		N/A
<b>Emergency Kennel Fee</b>		\$75.00	\$20.00
<b>Total Calls in 2005 = 120</b>			
<b>Annual Patrol 5 Hrs/wk</b>	<b>\$7,410.00</b>	<b>\$15,600.00</b>	<b>\$12,571.00</b>
<b>2006 Budget Animal Control Services</b>	<b>\$9,200.00</b>		
<b>2006 Budget Impound Account</b>	<b>\$10,000.00</b>		

**Comparsion on Per Animal Basis**

<b>Demand</b>	<b>Pelnar</b>	<b>ACSI</b>	<b>ACSI</b>	
	<b>7:30 - 9:00</b>	<b>7:00 - 5:00</b>	<b>5:00 - 9:00</b>	
Animal Control	\$56.14	\$63.50	\$78.00	
Boarding Fee	\$85.00	\$84.00	\$84.00	
Requillsh Charges	\$35.00	\$22.00	\$22.00	
Bordetella	\$10.00	\$6.00	\$6.00	
<b>Total</b>	<b>\$186.14</b>	<b>\$175.50</b>	<b>\$190.00</b>	\$179.85 70/30 Split

<b>Patrol</b>	<b>7:30 - 9:00</b>	<b>7:00 - 5:00</b>	<b>5:00 - 9:00</b>	
Animal Control	\$56.14	\$28.50	\$67.50	
Boarding Fee	\$85.00	\$84.00	\$84.00	
Requillsh Charges	\$35.00	\$22.00	\$22.00	
Bordetella	\$10.00	\$6.00	\$6.00	
<b>Total</b>	<b>\$186.14</b>	<b>\$140.50</b>	<b>\$179.50</b>	\$156.10 70/30 Split

Patrol Rate (Per Hour)	\$48.35	\$28.50
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## 2005 Animal Control Services Summary

	Calls/ Cases	K. Pelnar	Mileage	Kathy Pelnar	Total K. Pelnar	Average * K. Pelnar	Cimaron		Humane Society	Impounds	Total HS	Average HS	TOTAL
							Cases	% of Total					
January	1	\$ 45.00	\$ 9.07	\$ 54.07	\$ 54.07	\$ 54.07	1	100.00%	\$ 255.60	2	\$ 404.70	\$ 127.80	\$ 946.20
\$ 541.50	8	\$ 380.00	\$ 107.43	\$ 487.43	\$ 60.93	\$ 0.00	0	0.00%	\$ 149.10	3	\$ 49.70	\$ 49.70	\$ 946.20
February	1	\$ 45.00	\$ 9.07	\$ 54.07	\$ 54.07	\$ 54.07	1	100.00%	\$ 255.60	2	\$ 255.60	\$ 127.80	\$ 364.63
\$ 109.03	1	\$ 45.00	\$ 9.96	\$ 54.96	\$ 54.96	\$ 54.96	1	100.00%	\$ -	0	\$ -	\$ -	\$ 364.63
**March	1	\$ 67.50	\$ 14.97	\$ 82.47	\$ 82.47	\$ 82.47	0	0.00%	\$ -	0	\$ 180.40	\$ 36.08	\$ 420.22
\$ 239.82	2	\$ 132.50	\$ 24.85	\$ 157.35	\$ 78.68	\$ 157.35	2	100.00%	\$ 180.40	5	\$ 819.40	\$ 108.28	\$ 1,649.76
April	9	\$ 405.00	\$ 70.60	\$ 475.60	\$ 52.84	\$ 317.07	6	66.67%	\$ 649.65	6	\$ 1,447.10	\$ 74.23	\$ 2,036.13
\$ 830.36	6	\$ 270.00	\$ 84.76	\$ 354.76	\$ 59.13	\$ 59.13	1	16.67%	\$ 169.75	4	\$ 670.95	\$ 10.65	\$ 1,176.47
May	9	\$ 425.00	\$ 89.47	\$ 514.47	\$ 57.16	\$ 342.98	6	66.67%	\$ 1,150.20	9	\$ 1,043.05	\$ 127.80	\$ 1,607.77
\$ 589.03	1	\$ 65.00	\$ 9.56	\$ 74.56	\$ 74.56	\$ 74.56	1	100.00%	\$ 296.90	4	\$ 2,629.25	\$ 57.08	\$ 3,840.08
June	5	\$ 225.00	\$ 56.18	\$ 281.18	\$ 56.24	\$ 168.71	3	60.00%	\$ 639.00	5	\$ 424.70	\$ 74.23	\$ 851.19
\$ 505.52	4	\$ 180.00	\$ 44.34	\$ 224.34	\$ 56.09	\$ 112.17	2	50.00%	\$ 31.95	3	\$ 2,351.05	\$ 92.08	\$ 3,345.32
July	3	\$ 135.00	\$ 46.82	\$ 181.82	\$ 60.61	\$ 0.00	0	0.00%	\$ 894.60	7	\$ 1,145.65	\$ 31.84	\$ 1,712.76
\$ 564.72	6	\$ 310.00	\$ 72.90	\$ 382.90	\$ 63.82	\$ 127.63	2	33.33%	\$ 148.45	2	\$ 826.80	\$ 137.80	\$ 1,179.65
August	12	\$ 570.00	\$ 150.62	\$ 720.62	\$ 60.05	\$ 180.16	3	25.00%	\$ 2,172.60	17	\$ 2,629.25	\$ 129.68	\$ 3,345.32
\$ 1,210.83	9	\$ 405.00	\$ 85.21	\$ 490.21	\$ 54.47	\$ 217.87	4	44.44%	\$ 456.65	8	\$ 424.70	\$ 74.23	\$ 851.19
September	2	\$ 90.00	\$ 27.70	\$ 117.70	\$ 58.85	\$ 58.85	1	50.00%	\$ 127.80	1	\$ 2,351.05	\$ 92.08	\$ 3,345.32
\$ 426.49	5	\$ 245.00	\$ 63.79	\$ 308.79	\$ 61.76	\$ 61.76	1	20.00%	\$ 296.90	4	\$ 1,145.65	\$ 31.84	\$ 1,712.76
October	10	\$ 410.00	\$ 74.69	\$ 484.69	\$ 48.47	\$ 193.88	4	40.00%	\$ 2,074.80	16	\$ 826.80	\$ 137.80	\$ 1,179.65
\$ 994.27	9	\$ 405.00	\$ 104.58	\$ 509.58	\$ 56.62	\$ 226.48	4	44.44%	\$ 276.25	3	\$ 2,351.05	\$ 92.08	\$ 3,345.32
November	5	\$ 225.00	\$ 61.00	\$ 286.00	\$ 57.20	\$ 171.60	3	60.00%	\$ 954.60	7	\$ 1,145.65	\$ 31.84	\$ 1,712.76
\$ 567.11	5	\$ 225.00	\$ 56.11	\$ 281.11	\$ 56.22	\$ 56.22	1	20.00%	\$ 191.05	6	\$ 826.80	\$ 137.80	\$ 1,179.65
December	6	\$ 290.00	\$ 62.85	\$ 352.85	\$ 58.81	\$ 294.04	5	83.33%	\$ 826.80	6	\$ 826.80	\$ 137.80	\$ 1,179.65
\$ 352.85	0	\$ -	\$ -	\$ -	\$ -	\$ -	0	0.00%	\$ -	0	\$ -	\$ -	\$ -
Retainer		\$ 500.00	\$ -	\$ -	\$ -	\$ -							\$ -
Less Admin.													\$ -
Fee to the City													\$ -
Total	120	\$ 6,095.00	\$ 1,336.53	\$ -	\$ -	\$ -	52	43.33%	\$ 2,983.55	120	\$ 10,873.65		\$ 19,130.18
Per Invoice(s)				\$ -	\$ -	\$ -				120	\$ 10,873.65		\$ -
Difference				\$ -	\$ -	\$ -				0	\$ -		\$ 19,130.18
Annual	Feline	64	\$ 2,932.50	\$ 673.04	\$ 3,605.54	\$ 58.40	33	50.91%	\$ 1,835.42	78	\$ 10,001.25		\$ 19,130.18
Averages and	Canine	56	\$ 2,662.50	\$ 663.49	\$ 3,325.99	\$ 56.43	19	34.52%	\$ 1,148.13	42	\$ 2,197.40		\$ -
Totals	All	120	\$ 5,595.00	\$ 1,336.53	\$ 6,931.53	\$ 57.42	52		\$ 2,983.55	120	\$ 12,198.65		\$ 19,130.18

Cimaron Cost In % 43.04%

Notes: \*Averages differ due to discount applied by K. Pelnar

\*\*March 05 - \$45.00+\$11.14 mileage billed for

City Council Mtg - split between Fe and Ca

Kathi Pelvar  
10 A.M.

RECEIVED  
MAR 02 2006

Animal Control Proposal  
March 2006

**CITY OF LAKE ELMO  
ANIMAL CONTROL SERVICES**

PART A: CALL OUT AND PATROL SERVICES			
		HOURS	RATE
Regular Hours	Winter	7 <sup>30</sup> AM to 7 <sup>30</sup> PM	
	Spring	7 <sup>30</sup> AM to 9 <sup>00</sup> PM	
	Summer	7 <sup>30</sup> AM to 9 <sup>00</sup> PM	
	Fall	7 <sup>30</sup> AM to 9 <sup>00</sup> PM	
Retainer Fee (Per month)		275 <sup>00</sup> /mo	50 <sup>00</sup> /mo
Fee per Call			
	Animal Picked Up	45 <sup>00</sup> /pu	45 <sup>00</sup> /pu
	Dry Run (Not Found)	45 <sup>00</sup>	45 <sup>00</sup>
After Hours Rate		Additional 20 <sup>00</sup>	65 <sup>00</sup> /pu/hr
Holiday Rate		" 20 <sup>00</sup>	65 <sup>00</sup>
Weekend Rate		Same as weekly	
Patrol Rate (per hr.)		35 <sup>00</sup> /hr	35 <sup>00</sup> /hr + mileage
Emergency Kenneling Fee		20 <sup>00</sup>	20 <sup>00</sup>
	Max. # Hours	12	12
Paperwork Fee			
	Citations	} included in retainer fee	
	Notices		
	Licenses		
	Reports		
	Lost/Found		
Mileage		445/mi	Current govt mileage allotment
Other Fee(s)			
	Court Appearances	45 <sup>00</sup>	regular call out fee + mileage
Discounts for multiple pick ups @ same time			

PART B: ANIMAL SHELTERING SERVICES			
		RATE	
Impound Fee			Shelter Location
No. Days	Daily Impound Fee		
Relinquishing Fee			
Administration Fee			
Bordatella			Location
Emergency Facility Fee			
Other Fee(s)			

References:

Hudson Police Department:	715-386-4771
Chief Dick Trende	
Sergeant Marty Jensen	
Officer Eric Atkinson	
Former Hudson City Council Member:	
Judy Kelly	715-386-2837
Lake St. Croix Beach City Clerk	651-436-7031
Linda O'Donnell	651-436-7001
City of Lakeland City Clerk	651-436-4430
Chris Wahlberg	
City of Afton City Administrator	651-436-5090
Mitch Berg	
Washington County Sheriffs	651-439-9381
162 Angela Hanson	
143 Becky Engel	
Minnesota State Humane Investigator	651-646-6821
Wade Hanson	
Town Of Denmark, MN Council member	651-437-4359
Jim Fitzpatrick	
Town of St. Joseph Town Clerk	715-549-6235
Marie Schmit	
St. Croix County Sheriff/ Humane Investigator	715-386-4701
Mike Bonderinko	715-684-4797
Washington County Dispatch Center	651-439-9381
St. Croix County Dispatch Center	715-386-4701
Humane Society for Companion Animals	651-730-6008
Cats Meow Dogs Bark Animal Welfare Society	715-426-5535

January 2006

ANIMAL CONTROL REPORT for CITY OF LAKE ELMO

Humane Animal Control Service  
Kathi Pelnar CVT, CHI, CACO  
Animal Warden  
715-386-7789

	2002	2003	2004	2005
Total Number of calls recorded/received	187	145	182	240
Total Calls requiring physical response	115	124	125	221
Total Calls handled over the phone or with Only a warning letter	72	21	57	19
Total Viscous dog calls	03	03 (1cat)	05	05
Total Number of Dogs picked up	68	46	44	43
Total Number of Cats picked up	34	57	84	50
Total Number of other animals picked up or Dealt with	08	04	09	04
Total Dogs picked up in Cimarron Park	33	15	11	19
Total Cats picked up in Cimarron Park	22	48	40	25
Total misc. pick-ups in Cimarron Park	01	01	01	01
Total number of pick ups wearing collars (dogs only)	43	16	26	30
Total number of pick ups wearing collars and Tags (dogs only)	19	09	12	07
Total number of dogs picked up wearing Under ground containment system collars	07	04	04	04
Total number of Reports from Washington County Sheriff requiring follow up. ( 2 or More follow up visits)	03	06	09	08

## POLICY:

It is our policy to treat all animals in an humane manner regardless of species, breed, or disposition. If an animal is picked up wearing identification, it is returned to the owner, only if it is the first time we have picked it up. We give the owner a verbal warning and an explanation of the leash and licensing laws. All pick ups of the same animal thereafter, said animal is taken to the cities impound facility regardless of identification. We then try to notify the owner of the animal in a timely manner, of its whereabouts. From that point on the owner is responsible for retrieving his animal and paying ALL fees incurred. The city makes arrangements with the impound facility for any fees accrued that are due to them. We are not equipped to hold or kennel strays for an longer than a few hours and our fees do not reflect this expense. It is, therefore imperative that the city/township/village make arrangements with an impound facility and notify us as to where the stray animals are to be held.

All wildlife calls are treated as a pickup. The disposition of the wild animal will be determined by the person responding to the call. Wildlife will either be relocated, taken to a proper wildlife facility, or euthanized in an humane manner.

We will not set live traps from October 1 to May 15 or during inclement weather. There may be exceptions to this policy if the situation is life threatening and the animal can not be caught by any other means.

Injured animals will be taken to the cities impound facility, or if the injury is, in the opinion of the response person, severe or life threatening, the animal will be taken to a veterinarian. The veterinarian will be instructed to perform only stabilizing treatment not to exceed \$100.00 in cost. If the animal is unclaimed at the end of the impound period, the city will absorb this cost. The city will also still be responsible for the impound fees according to their agreement with their impound facility.

All animals picked up are immediately taken to the impound facility during their open hours unless they fall into previously described areas. Animal may need to be housed briefly at my residence if pickups are made after shelter hours. The period of time for this temporary housing will not exceed 12 hours. All animals will be taken to the impound facility as soon as possible.

## COMPLAINT POLICY:

All complaint type calls are handled between 7:30a.m. and 7:30p.m. Caller may leave a message on the machine, however if it is after hours they will need to wait until the next day for a response.

First Complaint: A warning letter is sent informing the animal owner of the complaint and advising them of the cities ordinances. A request to correct the violation and contact animal control are also stated in the letter.

Second Complaint: A visit is made to the home of the animal owner or to the place the animal is housed. The owner is verbally warned of the violation, informed again of the laws and the consequences if corrections are not made immediately. The animal owner is also provided with suggestions on how to correct the problem.

Third Complaint: A police officer is contacted and citation is issued.

There is an answering machine on at our phone number 715-386-7789 at all times. If no one is currently available instructions are given to leave a message or call our pager. There is seldom more than an hour lag time before a



## Live Trapping Policy

It is the policy of animal control to live trap only animals that are:

1. A physical threat to the welfare of a human being or that human being's companion animal.
2. Injured animals or animals that are stray and can not be captured by other more conventional means.
3. Ferrel or wild animals causing property damage.(ie. raccoons,squirrels, etc. inside attics, garages, or living type structures. This includes the problem of ferrel cats. )

We will not set live traps from Oct.1 thru May 15 or during incimate weather. There may be exceptions to this policy if the situation is life threatening and the animal con not be captured by other means. Strict pre-cautions will be taken to ensure the well being of said animal and traps will be set only inside an enclosure.

## Humane Animal Control Service

### Policy:

It is the policy of Humane Animal Control Services to treat All animals in a humane manner regardless of species, breed, or disposition.

We feel it is our responsibility to:

- 1) Relocate animals that are lost, injured, stray, or displaced to an appropriate situation, holding facility or environment that is more suitable to their immediate needs.
- 2) Exhaust All means, at my disposal, to return stray domestic animals to their rightful owners.
- 3) To educate the public on responsible pet ownership and what is required, per city ordinance, for them to safely and legally own pets in their community.
- 4) To offer assistance to the public to solve problems caused by animals not under restraint or displaced from their normal environment.
- 5) To use my knowledge and training to assist in enforcing the state statutes and local ordinances pertaining to animals, their keeping and humane treatment.
- 6) To see that the public is aware that there are penalties should there laws not be adhered to.

In some or all cities this may include but is not restricted to:

- 1) Transporting stray dogs and cats to an impound facility.
- 2) Relocating displaced wildlife
- 3) Relocating stray or displaced exotics to a proper rescue organization or locating their proper owner.
- 4) Issuing citations for violations of local animal ordinances.
- 5) Investigating complaints of animal abuse or neglect, nuisance complaints, or other situations in which animals are causing a disturbance to the public.
- 6) Keeping accurate records of my activities, telephone log, lost and found animal report log and all complaints reported log to insure accuracy of reporting should a situation become serious enough to require judicial intervention.
- 7) To do, with in legal boundaries, what is asked by the city officials to monitor and control any situation involving animals within the city limits.

### Qualification

- 1) 30 years of experience in animal related fields.
- 2) Associate of Science degree in Veterinary Technology/animal health
- 3) Certification in Minnesota as a Certified Veterinary Technician for 24 years
- 4) Certified in Wisconsin as a Certified Humane Investigator
- 5) Certified nationally through the National Animal Control Association having completed all 3 training courses as a Certified Animal Control Officer.

Qualifications cont.

- 6) I hold Certifications in OCAT/pepper spray use, Bite Stick, Chemical capture, and euthanasia.
- 7) Have worked for Stillwater Veterinary Clinic, Humane Society of Ramsey County, and Animal Emergency Clinic on University Ave. in St. Paul, Mn., Hudson Pet Hospital, Humane Society of Pierce and St. Croix and have been doing animal control work as a private contractor for over 20 years.
- 8) Was a member of the board of directors at the Humane Society of Pierce and St. Croix when they first built their shelter.
- 9) Volunteer work for 6 years at Carpenter Nature Center doing Wildlife rehabilitation. Como Zoo docent working with primates and reptiles, Farm work both while attending school at U.W. River Falls and privately, and various animal related courses through out the years including a dog grooming course.
- 10) 40 plus hours of continuing education in the technical field per year for the past 23 years to maintain my certifications.

I have de-oiled ducks and geese, bottle fed everything from deer to squirrels, bandaged and medicated apes, dogs, raccoons, cats, opossums, song birds, raptors. I've flown and released eagles and hawks, cared for and released beavers and mink, transported owls and other birds to wildlife rehabilitation facilities, and handled all nature of reptile there is. I have also done farm work working with horses, cows, sheep, pigs and fowl. I can honestly say though that I have never had any hands on experience with an elephant or a whale.

Contract  
Animal Control

THIS AGREEMENT made this \_\_\_\_\_ day of January, \_\_\_\_\_ by and between Kathi Pelnar (hereinafter referred to as "Contractor"), and the City of \_\_\_\_\_, a municipal corporation located within the County of Washington and State of Minnesota (hereinafter referred to as "City").

WITNESSETH:

In consideration of the covenants and agreements hereinafter set forth, it is mutually agreed by and between the parties hereto as follows:

1. This agreement shall be effective as of January \_\_\_\_\_, and shall continue in effect until December 31, \_\_\_\_\_, unless otherwise cancelled pursuant to Paragraph 15 hereof.
2. Contractor shall provide services in accordance with the attached schedule (ANIMAL CONTROL PROPOSAL). Contractor agrees to patrol the public streets of the City in a vehicle designated for transportation of small animals. Contractor shall be directly responsible to the City Administrator for the City. Contractor further agrees to ensure service and maintain said equipment in good working order.
3. Any call out after the Contractor's scheduled workday shall be paid at the rate specified within the attached schedule (ANIMAL CONTROL PROPOSAL). The Contractor shall do all patrolling unless other personnel have been approved by the City Administrator for the City, to perform such services at the Contractor's direction and under her supervision.

For regular patrol, in the manner provided within Paragraph 2 above, the Contractor shall be provided payment by the City in the amount prescribed within the attached schedule (ANIMAL CONTROL PROPOSAL). Such payment shall be due and payable after the Contractor has provided the monthly report to the

City in the manner specified within Paragraph 7 hereof.

4. The Contractor shall provide liability insurance on her automobile and shall provide her own automobile for purposes of supplying the services provided under the terms of this contract.
5. The City authorizes the Contractor to apprehend and retain dogs and other animals, and/or issue citation tags for violations of the City Ordinances related thereto. However, the Contractor shall not invade private property contrary to the wishes of an owner of said property nor forcibly take an animal from any person without the approval and assistance of a Peace Officer of the City.
6. The Contractor shall respond as soon as practicable to any call, reported during service response hours, involving a bite case or injured animal reported through the Sheriff's Department or the offices of the City Clerk of the City.
7. The Contractor shall provide a monthly report to the City which indicates the hours patrolled, the number of animals impounded, warning letters and violation notices issued, and any other such information as requested by the City Administrator for the City.
8. All animals impounded shall be kept at a licensed animal shelter facility to be designated by the City for this purpose. While in her custody, Contractor agrees and warrants that all animals impounded shall be kept in a comfortable and humane manner. It is mutually agreed that the Contractor may temporarily board at an emergency facility access and/or treatment that is not immediately available at the contract facility. All captured wildlife is to be delivered to an appropriate wildlife center as determined by the Contractor with report to be provided to the City Administrator for the City.
9. The Contractor shall supply her own automobile and equipment necessary for Animal Control Services as may be determined by the City Administrator for the City. The Contractor shall also supply a copy of her automobile and general liability insurance

policy to the City Clerk for the City annually. The city, through the offices of the City Clerk, shall administer all licensing, impounding and boarding fees and charges as may be provided by the City Ordinances. The Contractor shall furnish monthly reports to the City as may be required to allow the City Clerk to determine appropriate impound fees in connection with each animal so impounded.

10. The City shall furnish to Contractor any special forms or receipt forms specified within the Ordinance and adopted by the City Administrator for the City. Contractor shall keep all records of all animals impounded, together with a description of each animal, in a manner specified by the City Administrator.
11. Attached hereto is a list/schedule of fees, charges and service performance criteria. The same is incorporated by reference herein.
12. The Contractor shall assume all liability for all harmed animals due to her negligence or that of her employees, in not properly caring for same, and agrees to defend all lawsuits arising there from. The Contractor agrees to defend and indemnify and hold the City harmless, including its officers, employees, or agents, from any and all claims, suits, losses, damages, or expenses on account of bodily injury, sickness, disease, or death and of property damage including injury to animals as a result of, or alleged to be as a result of the Contractor's Animal Control Operation.
13. The Contractor agrees that during the period of time of this Contract, she will not, within the State of Wisconsin or elsewhere, discriminate against any employee or applicant for employment, because of race, color, creed, sex, national origin, or ancestry, and will include a similar provision in all subcontracts entered into for the performance hereof. This paragraph is inserted into the Contract to comply with the provisions of Wisconsin State Statutes.

14. Either party hereto may cancel this Contract after thirty (30) days written notice thereof to the other party.
15. It is understood and agreed that the Contractor is not an employee of the City but is an Independent Contractor, solely responsible for her own payment of federal, state and Social Security withholding taxes. Further, the Contractor provides her own equipment excepting for some equipment that may be made available for her use by the City in its discretion. The Contractor at no time shall hold herself out as an employee of the City but will always identify her as an Independent Contractor.
16. The City shall provide to the Contractor the following materials:
  - a. Map of the City,
  - b. Monthly list of animal licenses,
  - c. Copy of City animal control laws,
  - d. Police contact procedures,
  - e. City Hall hours,
  - f. Any required identification signs,
  - g. Description of animal licensing fees and procedures.

CONTRACTOR:

By:

\_\_\_\_\_  
Kathi Pelnar

CITY OF \_\_\_\_\_.

By:

\_\_\_\_\_  
Mayor

By:

\_\_\_\_\_  
City Clerk

## Animal Control Fee Schedule

Humane Animal Control Service  
Kathi Pelnar CVT, CHI  
Animal Warden  
634-6<sup>th</sup> St. N.  
Hudson, WI 54016  
715-386-7789

Service response on calls 7:30a.m. To 7:30 p.m. daily, Will respond to emergency calls after hours.

Mileage will be billed at current government rate (currently \$.445 per mile)

Fee per service response when trip is confined to city limits.....\$25.00  
(Dry run fee, call out/ no animal found)  
+mileage

Fee per service response when trip to impound or out of city limits.....\$45.00

+Mileage

Overnight/ kenneling fee.....\$20.00

After hours call out fee (any calls out before 7:30a.m. and after 7:30 p.m.).....\$20.00  
Additional

Patrolling fee (per 1 hour of  
patrolling).....\$35.00/hour

+Mileage

Service Retainer..... \$275.00/6 months  
Due February and August

Any reasonable emergency veterinary charges if impounded/picked up and animal owner is not located.

Should an unusual situation occur, fees can and will be reasonably adjusted to fit the situation. In situations where many animals are in need of relocation (e.g., 10++cats at once) special arrangements will be made.

Any holiday calls will be charged at the additional after hours call out fee. (\$45.00 plus after hours fee of \$20.00 plus mileage/ or if in town \$25.00 plus \$20.00 plus mileage)  
Holidays observed will be Christmas Eve after 4:00 p.m., Christmas Day, New Years Day, July 4<sup>th</sup> and Thanksgiving.



# ACORD<sup>TM</sup> CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
02/28/2006

**PRODUCER**  
Quality Insurance Service  
1648 Rice Street  
St. Paul, MN 55117

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 ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.

Northfield Ins. Co. in lieu of NAIC #

**INSURED**  
PELNAR, KATHLEEN  
634 6th St N  
Hudson, WI 54016

INSURER A: Erickson-Larsen  
INSURER B: Integrity Ins.  
INSURER C:  
INSURER D:  
INSURER E:

## COVERAGES

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. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INBR ADD'L LTS INSRD	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YYYY)	POLICY EXPIRATION DATE (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY <input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY CLAIMS MADE <input checked="" type="checkbox"/> OCCUR	CP461230	04/17/2005	04/17/2006	EACH OCCURRENCE \$ 500,000
					DAMAGE TO RENTED PREMISES (EA OCCURRENCE) \$ 100,000
					MED EXP (Any one person) \$ 5,000
					PERSONAL & ADV INJURY \$ 500,000
					GENERAL AGGREGATE \$ 500,000
	GEN'L AGGREGATE LIMIT APPLIES PER: POLICY <input type="checkbox"/> PRO- JECT <input type="checkbox"/> LOC <input type="checkbox"/>				PRODUCTS - COMPROP AGG \$ 500,000
B	AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS SCHEDULED AUTOS HIRED AUTOS NON-OWNED AUTOS	CA 1225559	08/24/2005	08/24/2006	COMBINED SINGLE LIMIT (EA accident) \$ 500,000
					BODILY INJURY (Per person) \$
					BODILY INJURY (Per accident) \$
					PROPERTY DAMAGE (Per accident) \$
	BARAGE LIABILITY ANY AUTO				AUTO ONLY - EA ACCIDENT \$
					OTHER THAN AUTO ONLY: EA ACC \$
					AGG \$
	EXCESS/UMBRELLA LIABILITY OCCUR <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/>				EACH OCCURRENCE \$
					AGGREGATE \$
					\$
					\$
					\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If Yes, describe under SPECIAL PROVISIONS below				WC STATU- TORY LIMITS <input type="checkbox"/> OTH- ER <input type="checkbox"/>
					E.L. EACH ACCIDENT \$
					E.L. DISEASE - EA EMPLOYEE \$
					E.L. DISEASE - POLICY LIMIT \$
	OTHER				

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

## CERTIFICATE HOLDER

City of Lake Elmo  
3800 Laverne Ave.  
Lk. Elmo, MN 55042  
715-386-8925

## CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 10 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 REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE

*Andrew T. Parker*

RECEIVED ACSI 1015  
MAR 08 2006

**Animal Control Services, Inc.**  
1283 Hammond Road White Bear Township, MN 55110  
(651) 653-6404  
acsinc1004@qwest.net

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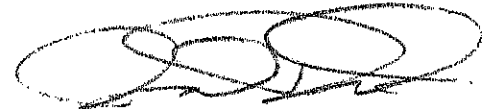
March 6, 2006

City of Lake Elmo  
Martin Rafferty  
3800 Laverne Avenue North  
Lake Elmo, MN 55042

Dear Mr. Rafferty,

Thank you for your interest in Animal Control Services, Inc. As requested I have enclosed our written proposal, along with a draft contract. I look forward to serving your animal control needs in the near future. Thanks.

Sincerely,



Richard Ruzicka  
President  
ACSI

## **Animal Control Services, Inc.**

1283 Hammond Road White Bear Township, MN 55110

(651) 653-6404

acsinc1004@qwest.net

March 6, 2006

Thank you for your interest in Animal Control Services, Inc. We are a full service animal care and control provider to 24 Municipal cities. I work hard to provide the very best service possible to the Cities and their residents. ACSI believes that animals belong at home and not at the pound, we insure this belief by providing what I like to call doorstep education to the pet owners. This will in turn reduce your animal control cost (proactive animal control).

ACSI also believes that animal owners should be the ones paying for the privileges of owning a pet. So my fees relate more to pet owners. ACSI will provide uniformed animal control officers trained in both the handling of animals and dealing with the public. Animal Control Officers will stop into the City Hall to check in and also check to see if there are any complaints they can take care of. ACSI has its own staff to handle complaint calls, a website to assist pet owners with information, and also a lost and found database.

At the present time we offer both Patrol and Call-Out services. We have three trucks that are equipped to handle and transport animals. Our trucks are all well maintained, reliable, cleaned everyday, and not more than three years old.

As part of our services, ACSI will provide to the city monthly reports as it does now for its current contract cities. Reports will show the current stats on impounded animals and complaint activity.

ACSI will also provide monthly schedules that will let you know exactly when we will be patrolling in the city. The program that ACSI will provide will be based upon the cities needs and tailored to those needs.

ACSI will assume all liability and carries general liability insurance in the amount of \$1,000,000.00, eoc insurance of \$250,000.00, and automobile insurance in the amount of 350,000.00. My insurance agent is James Strande with Advance Insurance. If you need to you can reach him by calling (952) 842-1107. ACSI will provide proof at the time it is requested and will send out a current certificate once a year as well.

ACSI at the present time has three Animal Control Officers and provides 24 hour 7 days a week services. We work with the Washington County Sheriff's Department currently in some of our other cities that are in Washington County. Normal Call-Out respond time should only take an hour or less.

The kennel is located at 1283 Hammond Road in White Bear Township. The facility is licensed through the board of animal health. All animals are treated in a very humane manner, and held in accordance to Minnesota State Statute §35.71. The animals which are adoptable will be rescued to many different rescue agencies. All animals are walked at least twice per day by trained staff. The kennel is open from 8am to 6pm during the spring, fall, and winter, and from 8am to 9pm during the summer.

ACSI will provide service for wildlife as part of its contract if the issue becomes a public health problem. Such as animal related biters and rabies. ACSI will not remove wildlife from the inside of residences. There are private vendors who provide this service. If the city wishes, ACSI will provide these services at an agreed upon rate. Other cities at present do not provide wildlife services to their residents. They leave wildlife issues up to the homeowner. Some wildlife requires a permit to be removed unless there is serious property damage.

Injured dogs and cats will be treated with veterinary care only to relieve any pain and suffering. The fees will be charged to animal owners upon reclaiming. If the owner is not known the fee is to be paid by the City. During normal business hours I utilize Hillcrest Animal Hospital, and after hours St. Paul Emergency Vet.

ACSI will not discriminate against any employee or applicant due to race, creed, sex, and national origin.

<b>PATROL PACKAGE FEES:</b>		
Call-Out (weekdays)	7:00am to 5:00pm	\$58.90
	5:00pm to 9:00pm	\$67.50
	9:00pm to 7:00am	\$85.00
Call-Out (weekends/holidays)	7:00am to 5:00pm	\$65.00
	5:00pm to 9:00pm	\$78.00
	9:00pm to 7:00am	\$85.00
Animal Disposal Fees	Dog Fee	\$23.00
	Cat Fee	\$21.00
Patrol Rate	Per Hour	\$28.50
Board Fee to City for unclaimed animals	Per Day	\$14.00
Board Fee to Owner	Per Day	\$16.25
Impound Fee to Owner (no Impound Fee charged to the City for unclaimed animals)		\$42.00
Kennel Vaccination Fee to City		\$6.00
Kennel Vaccination Fee to Owner		\$6.00
Wildlife Removal and Disposal Fee		\$75.00
Emergency Vet Fee		\$100.00

<b>CALL-OUT PACKAGE FEES:</b>		
Call-Out (weekdays/weekends/holidays)	7:00am to 5:00pm	\$63.50
	5:00pm to 9:00pm	\$78.00
	9:00pm to 7:00am	\$85.00
Animal Disposal Fees	Dog Fee	\$23.00
	Cat Fee	\$21.00
Board Fee to City for unclaimed animals	Per Day	\$14.00
Board Fee to Owner	Per Day	\$16.25
Impound Fee to Owner (no Impound Fee charged to the City for unclaimed animals)		\$42.00
Kennel Vaccination Fee to City		\$6.00
Kennel Vaccination Fee to Owner		\$6.00
Wildlife Removal and Disposal Fee		\$75.00
Emergency Vet Fee		\$100.00

## ANIMAL CONTROL CONTRACT

This agreement made this       day of       Month of 2006, by and between Animal Control Services, Inc., a Minnesota Corporation, hereinafter, referred to as "ACSI", and the "City" of LAKE ELMO located in the County of Washington, and the State of Minnesota, hereinafter referred to as "City", witness to:

In consideration of the covenants and agreements, hereinafter set forth, it is mutually agreed by and between the parties, hereto, as follows:

1. This agreement will be effective as of       2006 and will continue in effect until December 31, 2006, unless canceled, pursuant to Paragraph 15.
2. "ACSI" agrees to patrol the public streets of the "City" of LAKE ELMO in a vehicle especially designed for the transportation of small animals, in accordance with City Ordinances and a schedule agreed upon by both parties. If such schedule is not agreed upon, the agreement shall be null or void. The vehicle shall have proper identification displayed on two sides. "ACSI" further agrees to insure, service, and maintain said equipment.
3. "ACSI" agrees that competent personnel, trained in the handling of animals, shall do patrolling. Said employees shall perform their duties only while in proper uniform and shall have with them, at all times while on patrol, proper identification as to indicate employee's name, title, and place of employment.
4. The "City" shall authorize "ACSI" to apprehend and retain dogs, and or issue citation tags for violations of the "City" Ordinances. "ACSI" will only impound cats at the request of the City of LAKE ELMO. "ACSI" will not invade the private property contrary to the wishes of the owner of said property nor forcibly take an animal from any person without the approval and assistance of a Washington County Sheriff Deputy
5. In addition to the regular hours of patrolling referred to, "ACSI" agrees to maintain one (1) vehicle for standby service to attend to cases outside regular patrol hours at the specific request of the CITY OF LAKE ELMO "ACSI" shall respond immediately to any Callout agreed upon by the "City" of LAKE ELMO and confirmed to be a Callout
6. "ACSI" represents and agrees that all animals impounded shall be kept at WHITE BEAR KENNEL, 1283 HAMMOND ROAD, WHITE BEAR TOWNSHIP, MN. "ACSI" agrees and warrants that all animals impounded shall be kept in a comfortable and humane manner for a period required by the "City" Ordinance. It is mutually agreed upon that "ACSI" may temporarily board at an emergency facility if access and or treatment is not immediately available at the contract facility. Any fee differential for boarding an animal between the contracted facility and the facility in White Bear Township will be paid by the animal owner. If an animal is unclaimed, the "City" of LAKE ELMO will pay the boarding cost at the contracted facility. The fee schedule(s) for any other facility to be used by "ACSI" shall be posted prominently at the White Bear Township facility and be given to the "City" for public information purposes.

7. At the time that an animal impounded under this contract is reclaimed, "ACSI" or its agent shall collect the impounding fee and boarding charges as provided by "Contract". All impounding fees and/or any other penalty fees collected by "ACSI" or its agent shall be remitted to "ACSI".
8. In the event an animal impounded and boarded by order of the "City" Health Officer or placed under quarantine by ruling of the State Board of Health, said animal shall be boarded as required by said order or ruling. At the end of such period, the "City" shall release all of its interest, rights and control over said animals that may then be disposed of at the discretion of "ACSI". **AT THE TIME THE ANIMAL IS TO BE DISPOSED OF ACSI WILL INDICATE ON THE IMPOUND SLIP HOW AND WHERE AND WHAT HAPPENED TO THE ANIMAL BEING DISPOSED OF.** In the event that any dogs, cats, or other impounded animals are unclaimed after six (6) days, they shall become the property of "ACSI" and may be disposed of or sold at their discretion. All proceeds from the disposition of such animals may be retained by "ACSI" including any proceeds received from any animals disposed of in accordance to Minnesota Statutes 35.71.
9. The "City" shall furnish to "ACSI" any special forms or receipts specified in the "City" Ordinance and "ACSI" shall keep records of all animals impounded together with a description of the same.
10. "ACSI" shall assume liability for all harm to animals due to is negligence or that of its agents in not properly caring for the same, and agrees to defend the "City" against any lawsuits arising there from. "ACSI" shall defend, indemnify, and hold the "City" harmless including its officers, employees or agents from any and all claims, lawsuits, losses, damages, or expenses on account of bodily injuries, sickness, disease, death, and property damage including injury to animals. "ACSI" shall provide the "City" proof of public liability insurance including comprehensive automobile liability in an amount of at least \$350,000.00 per each claimant and \$1,000,000.00 per occurrence and E.O.C insurance in the amount of \$250.000 per occurrence.
11. The "City" agrees to pay "ACSI" for services in the performance of this contract as follows:
  - A. Price per hour/per vehicle for scheduled patrol based on of patrol per week for actual time in service. Price per call -per vehicle for service during scheduled or regular working hours. \$28.50
  - B. After Hours Call-out unscheduled
 

Callout 1	7.00 am till 6.00 pm	\$58.90
Callout 2	6.00 pm till Midnight	\$67.50
Callout 3	Midnight till 7:00 am	\$85.00
Weekends and Holidays	7.00 am 5:00pm	\$65.00
	5.00 pm midnight	\$78.00
	midnight 7.00am	\$85.00

C. Price per animal – for each DAY or fraction thereof, for boarding any species of animals impounded by direction of “City” officials or local Ordinance. \$14.00

D. Price per animal for each day or fraction thereof for boarding any species of animal impounded and reclaimed by the animal owner fee not to be charged to the City  
\$16.25

E. Animal impoundment fee  
(Paid by the animal owner upon reclaiming) \$42.00

F. Price per animal for disposal of a cat \$22.00

G. Price per animal for disposal of a dog \$23.00

H. Kennel Vaccinations to stop Various Diseases from time to Time \$per shot  
(To be paid by animal owner if claimed, if not the City) \$6.00

I. Boarding fee to keep Dead Domestic animals for reclaiming not to exceed the required (6) days. (To be paid by the animal owner if claimed, if not the City)  
per day \$5.00

12. “ACSI” reserves the right to increase fees for patrol hours if the possibility of future fuel prices increases beyond \$3.00 per gallon. “ACSI” shall give written notice to the “City” showing the reason for the increase.

13. All payments shall be made by the “City” of LAKE ELMO, upon receipt of monthly statements by “ACSI”. Invoices for services rendered will be due net 30 days from the date of invoice and will be subject to a 1.5% service charge on balance due each month.

14. “ACSI” agrees to provide emergency veterinary services to help stop any suffering to impounded animals as needed at cost to the “City” of LAKE ELMO however, veterinary service that was deemed necessary may be charged to the owner upon reclamation of the animal. If owner does not claim the animal fees will be paid by the City. \$100.00

15. “ACSI” agrees that during the period of this contract, it will not within the State of Minnesota, discriminate against any employee or applicant for employment because of race, color, creed, sex, national origin, or ancestry and will include a similar provision in all subcontract(s) entered into for the performance, hereof. This paragraph is inserted in the contract to comply with the provisions of Minnesota Statutes 181.59.

16. “ACSI” agree to comply with the Minnesota Data Practices Act and all other State and Federal laws relating to data privacy or confidentiality. “ACSI” agrees it will immediately report to the “City” of LAKE ELMO any requests from third parties for information relating to the Agreement.

18. “ACSI” agrees to promptly respond to inquiries from the “City” of LAKE ELMO concerning data requests.



19. "ACSI" agrees to hold the "City" of LAKE ELMO , its department heads and employees harmless from and claims resulting from the unlawful disclosure of the use of the data protection under State and Federal laws.

20. "ACSI" agrees to abide by the requirements and regulations of the Americans with Disabilities Act 1990 (ADA) the Human Rights Act (Minnesota Chapters 363 and Title VII of the Civil Rights Act of 1964. These laws deal with discrimination based on race, gender, disability, religion, sexual preference, and sexual harassment. Violation of any of the above laws can lead to termination of this agreement.

21. Either party, hereto, may cancel this contract after Thirty (30) days written notice, thereof, to the other party.

22. Notices pursuant to this contract shall be given by deposit in the United States Mail, postage prepaid, addressed as follows:

a. To "ACSI": Mr. Richard L. Ruzicka, PRESIDENT  
Animal Control Services, Inc.  
6400 Colfax Ave. No.  
Brooklyn Center, Mn 55430

b. To "City"

Alternatively, notices required by this contract may be personally delivered to the person's named above. Notice shall be deemed given as of the date of personal service or as of the date of deposit of the notice in the United States Mail.

IN THE PRESENCE OF:  
INC.

ANIMAL CONTROL SERVICES,

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

IN THE PRESENCE OF:

LAKE ELMO

BY: \_\_\_\_\_

DATE: \_\_\_\_\_

**CITY OF LAKE ELMO  
ANIMAL CONTROL SERVICES**

PART A: CALL OUT AND PATROL SERVICES			
		HOURS	RATE
Regular Hours	Winter	8am 6pm	28.50
	Spring	8am 6pm	28.50
	Summer	8am 9pm	28.50
	Fall	8am 6pm	28.50
Retainer Fee (Per month)			0
Fee per Call		SEE MY BID	
	Animal Picked Up	0	
	Dry Run (Not Found)	0	
After Hours Rate		BID PROPOSAL	
Holiday Rate		BID PROPOSAL	
Weekend Rate		BID PROPOSAL	20.00
Patrol Rate (per hr.)			28.50
Emergency Kenneling Fee			0
	Max. # Hours	UP TO CITY	
Paperwork Fee			
	Citations	INCLUDED	0
	Notices	INCLUDED	0
	Licenses	INCLUDED	0
	Reports	INCLUDED	0
	Lost/Found	INCLUDED	0
Mileage			0
Other Fee(s)			0

PART B: ANIMAL SHELTERING SERVICES			
		RATE	
Impound Fee	TO CITY	14.00	Shelter Location
No. Days	TO CITY	0	
Relinquishing Fee	OWNER		
Administration Fee	OWNER		
Bordatella		6.00	
Emergency Facility Fee		0	Location
Other Fee(s)		0	
Emergency VET		100.00	

1283 HAMMOND RD  
WHITE BARK TOWNSHIP, MN  
55110.

RECEIVED  
MAR 01 2006

Smith MB: 15

## **Proposal for animal control Services for the city of Lake Elmo mn**

**1 patrol services are provided on a per hour per day basis**

**My proposal is for 2 hr per day 5 days per week, for this I charge  
\$ 1000.00 per month with \$300.00 per month charge for use of my  
Truck.**

**Patrol hours are scheduled between the hours of 8 am and 5 pm . I do  
not charge any after hours call out fees if I am called to the city during  
these hours**

**After hours calls, befor 8am after 5 pm or on week ends and holidays  
are \$ 75.00 per call. No additional charges are added**

**2Vehicle provided is marked on both sides and the rear in 6 in letters  
stating animal control. And is equipped to handle large and small  
animals**

**Driver is uniformed and identified via patches badge and name tag.  
And will identify him self during all contacts regarding animals while  
on duty within the city**

**3 vehicle is fully insured as per league of minn cities required  
commercial auto insurance and a \$ 1000000 00 general liability is  
maintained as well.**

**4 scheduled hours of patrol will be determined by the contractor and  
the city based on need such as garbage pickup and time most  
complaints are received. During the summer months some evening  
patrol may also be scheduled after 5 pm at no additional cost to the  
city.**

**5monthly reports of all activity and contacts will be kept by the  
contractor regarding animals impounded.warnings issued, tickets  
issued and hours patrolled, and presented to the city at the time of  
billing each month**

**6 all insurances are provided as described in paragraph 3.**

**7 response time to a call between 8am and 5 pm during week days is  
usually less than 30 minutes. After 5 pm and weekends is between 45  
min and 1 hour.**

**8 impounded animals will be kept at a shelter designated by the city.  
Injured animals will be transported to a emergency vet clinic for  
stabilization and exam when the shelter is not open**

**9 no shelter is owned or operated by myself**

**10 injured wild life and trapped wildlife will be transported to the wild life rehabilitation center in Roseville. Unless it is deemed a nuisance animal by the dur. as such it will be disposed of as humanely as possible.**

**11 the contractor shall assume liability for animals harmed under his care an further agrees to take all measures to assure the safety of the animals under his care**

**12 the contractor agrees not to discriminate against any employee, or other persons because of race color creed religion, place of origin or gender for any reason what so ever.**

**13 either party entered into this contract , may dissolve this contract by first serving a 30 day notice of cancellation upon the other party.**

**14 prior experience**

**I have been in this business for 29 years, I have almost 40 years handling and training animals specializing in dogs and horses I worked 3 years at the university of Mn in their wolf research program in the early 70s**

**Cities I have worked for are**

**Lakeland**

**Lakeland Shores**

**St Croix beach**

**St Mary,s point**

**Lake Elmo 13 yrs**

**Oakdale**

**N St Paul 19 yrs**

**W St Paul 4 yrs**

**White Bear Lake 3 yrs**

**Baytown twp**

**W Lakeland twp**

**I am well versed in the control and management of wild life in urban areas**

**Have been a volunteer with the university of Minnesota raptor center and the wild life rehabilitation center**

**My goals in this business are and always been responsible and knowledgable animal ownership and a safer environment for animals and people.**

*Michael J. Lusk*  
2212 Hwy 65 New Richmond WI

54017

651-810-0895 Pager  
612-867-0445 Cell  
716-248-6819 Home

**CITY OF LAKE ELMO  
ANIMAL CONTROL SERVICES**

PART A: CALL OUT AND PATROL SERVICES			
		HOURS	RATE
Regular Hours	Winter	8 To 5 PM	
<i>2 to 3 hrs Per day</i>	Spring	same	
	Summer	same	
	Fall	same	
Retainer Fee (Per month)			\$1,000.00
Fee per Call			
	Animal Picked Up	<i>No Chg if on Patrol</i>	
	Dry Run (Not Found)		
After Hours Rate		<i>\$75.00 Per Emergency Call</i>	
Holiday Rate	<i>None</i>		
Weekend Rate	<i>None</i>		
Patrol Rate (per hr.)	<i>None</i>		
Emergency Kenneling Fee	<i>None</i>		
	Max. # Hours		
Paperwork Fee			
	Citations		
	Notices		
	Licenses	<i>Included with monthly Fee</i>	
	Reports		
	Lost/Found		
Mileage			
Other Fee(s)			
<i>TRUCK Fee</i>		<i>\$300 Per Month For use of my TRUCK</i>	

PART B: ANIMAL SHELTERING SERVICES		
		RATE
Impound Fee		Shelter Location
No. Days	Daily Impound Fee	
Relinquishing Fee		
Administration Fee	<i>I Do NOT Do Boarding</i>	
Boardatella		
Emergency Facility Fee	<i>in fact you have used</i>	Location
Other Fee(s)		
	<i>St Charles Shelter or</i>	
	<i>Society For Companion Animals</i>	

## 03/02/2006

**E**

JOEL BERGMAN

© 1999 CORPORATION 1999



<b>Lake Elmo City Council April 18, 2006</b>	<b>Agenda Section:</b> Building/Fire/Maintenance		<b><u>No.</u> 7</b>
<p><b><u>Agenda Item:</u></b></p> <p>A. Building Dept. Monthly Update. B. Miscellaneous</p>			
<p><b><u>Background Information</u></b></p>			
<p><b><u>Action Items:</u></b> Informational. No action needed.</p>		<p><b><u>Person responsible:</u></b> J. McNamara</p>	
<p><b><u>Attachments:</u></b> Summary Building Report for March</p>			



### Summary Building Report

March 2006

Year to Date

Permits  
Issued

Valuation

Permits  
Issued

Valuation

New Residential 4 \$1,592,229.00

New Commercial 0 \$0.00

Other Residential 23 \$501,685.00

Other Commercial 1 \$35,000.00

Total 28 \$2,128,914.00

New Residential 5 \$2,181,988

New Commercial 2 \$1,108,080

Other Residential 60 \$1,694,759

Other Commercial 7 \$177,904

Total 74 \$5,162,731

Total Building Fees Collected \$37,915.01

Total Building Fees Collected \$83,597.45

### Summary Plumbing Report

### Summary Plumbing Report

Plumbing 6 \$79,400.00

Total Plumbing Fees Collected \$678.00

Plumbing 12 154,300

Total Plumbing Fees Collected \$1,156.00

### Summary HVAC Report

### Summary HVAC Report

HVAC 11 \$120,100.00

Total HVAC Fees Collected \$930.50

HVAC 25 341,255

Total HVAC Fees Collected \$3,212.05

Summary Grand Total Fees \$39,523.51

Summary Grand Total Fees \$87,965.50

Surcharge Fee Paid to State \$1,069.61

SAC Fees Paid to Met Council \$0.00

WAC Fees Paid to Oakdale \$0.00

Misc. Expenses \$0.00

Surcharge Fee Paid to State 3120.74

SAC Fees Paid to Met Council \$0.00

WAC Fees Paid to Oakdale \$0.00

Misc. Expenses \$0.00

Total Fees Retained \$38,453.90

Total Fees Retained \$84,844.76

Credit Fees to Bldg \$26,528.90

Credit Fees to Water \$11,700.00

Credit Fees to Sewer \$225.00

Credit Fees to Bldg 65,519.76

Credit Fees to Water 19,100.00

Credit Fees to Sewer 225.00



8A.

CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2006-037

A RESOLUTION ORDERING IMPROVEMENT AND PREPARATION OF PLANS

WHEREAS, A resolution of the City Council adopted the 21<sup>st</sup> day of March, 2006, fixed a date for a council hearing on the proposed improvement of the 2006 Street Repairs – Tablyn Park Neighborhood..

AND WHEREAS, ten days' mailed notice and two weeks' published notice of the hearing was given, and the hearing was held thereon on the 18<sup>th</sup> day of April, 2006, at which all persons desiring to be heard were given an opportunity to be heard thereon,

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

1. Such improvement is necessary, cost-effective, and feasible as detailed in the feasibility report.
2. Such improvement is hereby ordered as proposed in the council resolution adopted the 18<sup>th</sup> day of April, 2006.
3. Tom Prew, TKDA, is hereby designated as the engineer for this improvement. The engineer shall prepare plans and specifications for the making of such improvement.
4. The City Council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of the tax exempt bond.

ADOPTED BY THE CITY COUNCIL this 18<sup>th</sup> day of April, 2006.

\_\_\_\_\_  
Dean A. Johnston, Mayor

ATTEST:

\_\_\_\_\_  
Martin J. Rafferty, City Administrator



April 13, 2006

Honorable Mayor and City Council  
City of Lake Elmo, Minnesota

Re: Approve Plans and Authorize Advertisement for Bids  
Tablyn Park / Lake Elmo Heights Watermain Project  
City of Lake Elmo, Minnesota  
TKDA Project No. 13524.000

Dear Mayor and City Council:

Plans and Specifications are complete on the Tablyn Park / Lake Elmo Heights Watermain Project.

This project will provide water for over 200 residences in an area of the City which has many wells contaminated with PFOA and PFOS.

Much of the project will be performed by directional drilling. Services will be extended into each existing home.

Subsequent projects will connect the municipal water to the home's plumbing. However, this will generally not occur until the new water tower is completed in the late fall.

Following water service installation, each residential well will be sealed.

***City Council Action Requested***

Approve the Resolution approving the Plans and authorizing the Advertisement for Bids.

Sincerely,

Thomas D. Prew, P.E.  
City Engineer

TDP:art



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

**RESOLUTION NO. 2006-036  
A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND  
ORDERING ADVERTISMENT FOR BIDS  
FOR TABLYN PARK/LAKE ELMO HEIGHTS WATERMAIN PROJECT**

WHEREAS, the City Engineer has prepared plans and specifications for the TABLYN PARK/LAKE ELMO HEIGHTS Water main Project and has presented such plans and specifications to the Council for approval.

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

1. Such plans and specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.
2. The City Clerk shall prepare and cause to be inserted in the official paper and in the Construction Bulletin an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for two weeks, shall specify the work to be done, shall state that bids will be opened and considered by the Council at the May 16, 2006 Council meeting, in the Council chambers of the City Hall, and that no bids will be considered unless sealed and filed with the clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the clerk for 5% of the amount of such bid.

ADOPTED BY THE COUNCIL this 18<sup>th</sup> day of April, 2006.

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Dean A. Johnston, Mayor

ATTEST:

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Martin J. Rafferty, City Administrator



Lake Elmo  
City Council  
April 18, 2006

**Agenda Section: Planning, Land Use and Zoning**

**No. 9A**

**Agenda Item:** Final Plat & Development Agreement – “Discover Crossing”

**Background Information for April 18, 2006:**

The City Council approved the OP Development Stage Plan, Preliminary Plat and OP Conditional Use Permit for this 28 lot neighborhood on August 16, 2005. The plat specified that no more than 25 lots be platted as buildable lots, but that 3 potential future lots be platted as outlots pending OP density/zoning amendments then contemplated during 2006. While those amendments have not as yet taken place, it continues to appear that they will be undertaken for compliance with the recently approved Comprehensive Plan in 2006.

This is the first OP plat for which we have submitted the Final Landscape Plan to the City Forester for recommendations. A copy of her review memo is attached. It is suggested that Final Plat approval be subject to compliance with those recommendations in addition to the normal conditions for final plats. The Conservation Easements and HOA Declarations continue to be under construction/review by the City Attorney and Minnesota Land Trust – normally not completed until after City Council Final Plat approval.

It appears that the Final Plat (and final construction plans as approved by the City Engineer) comply with the provisions of Section 400 of the City (platting) and Section 301 (Open Space Development) as well as the approved Preliminary Plat, including conditions of approval. Staff has prepared a draft Development Agreement for the plat which has also been reviewed by and concurred in by the City Engineer.

**Action items:**

037

Motion to adopt Resolution #2006 – approving the Final Plat, OP Final Plan and Development Agreement for “Discover Crossing” per plans staff dated April 13, 2006

**Person responsible:**

  
City Planner

**Attachments:**

037

1. Draft Resolution #2006 – Approving Final Plat/Agreement
2. City Engineer's Approval Email
3. City Forester's Review memo
4. Draft Development Agreement
5. Resolution #2005-086
6. Approved Preliminary Plat
7. Final Plat

**Time Allocated:**



CITY OF LAKE ELMO  
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2006-037

A RESOLUTION APPROVING THE OPEN SPACE PRESERVATION  
DEVELOPMENT FINAL PLAT, OP FINAL PLAN, AND DEVELOPMENT  
AGREEMENT FOR DISCOVER CROSSING

WHEREAS, on the 16<sup>th</sup> day of August, 2005, the Lake Elmo City Council approved the OP Development Stage Plan, Preliminary Plat and OP Conditional Use Permit for Discover Crossing. The property is legally described as:

The East one-half of the Northeast Quarter (E ½ of NE ¼) of Section Two (2), Township Twenty-nine (29) North, Range Twenty-one (21) West, according to the plat on file and of record in the office of the Register of Deeds of Washington County, Minnesota.

Excepting:

The East 787.00 feet of the North 657.77 feet of the Northeast ¼ of the Northeast ¼ of Section 2, Township 29 North, Range 21 West, Washington County, Minnesota, as measured at a right angle to the East and North lines of said Northeast ¼ of the Northeast ¼ respectively.

WHEREAS, on the 18<sup>th</sup> day of April, 2006, the Lake Elmo City Council reviewed the Final Plat of Discover Crossing.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lake Elmo does hereby approve and accept the Final Plat, per plans staff dated April 13, 2006 and Development Agreement for Discover Crossing, as the same on file with the City Administrator based on the following conditions:

1. Compliance with the recommendations of the City Forester
2. Compliance with the recommendations of the City Engineer.

ADOPTED by the Lake Elmo City Council on the 18<sup>th</sup> day of April, 2006.

---

Dean A. Johnston

ATTEST:

---

Martin J. Rafferty, City Administrator

## Chuck Dillerud

---

**From:** Thomas D. Prew [prew.td@tkda.com]  
**Sent:** Thursday, April 13, 2006 11:52 AM  
**To:** Chuck Dillerud  
**Subject:** RE: Discover Crossing DA - Latest Version

I have reviewed the construction plans and specification for Discover Crossing and they meet our City standards.

Tom

---

**From:** Chuck Dillerud [mailto:Chuck.Dillerud@lakeelmo.org]  
**Sent:** Thursday, April 13, 2006 11:46 AM  
**To:** Thomas D. Prew  
**Subject:** RE: Discover Crossing DA - Latest Version

OK. With something from you saying the construction plans are OK I will take the plat to the CC Tuesday - which I have to write in the next couple of hours since we don't work here tomorrow.

CED

---

**From:** Thomas D. Prew [mailto:prew.td@tkda.com]  
**Sent:** Thursday, April 13, 2006 10:58 AM  
**To:** Chuck Dillerud  
**Subject:** RE: Discover Crossing DA - Latest Version

Yes this is good!

Tom

---

**From:** Chuck Dillerud [mailto:Chuck.Dillerud@lakeelmo.org]  
**Sent:** Thursday, April 13, 2006 10:56 AM  
**To:** Thomas D. Prew  
**Subject:** Discover Crossing DA - Latest Version

Tom

Does the attached look OK to you?

CED

4/13/2006

**To: Chuck Dillerud, Planner  
Planning Commission  
City Council  
City of Lake Elmo**

**From: Kathy Widin  
Forestry Consultant  
[kdwidin@comcast.net](mailto:kdwidin@comcast.net)  
(651)777-5510 Ext. 5507**

*Emailed To  
Bob Clarke  
4/11/06  
KD*

**Re: Discover Crossing, Planting Plan**

**4/11/06**

I have reviewed the proposed planting plan (dated 3/24/06) which has been submitted for the Discover Crossing development, and have the following comments:

**1. Design Concept**

There seems to be little in the way of design for this planting plan, possibly because the plan represents supplemental planting along the roadways in a development where there are already a number of existing trees. On such a site, informal, naturalistic plantings best complement the existing native woodland and planted evergreens and fruit trees. The plan is a bit confusing in that new trees are being placed in and among existing trees. The identification labeling of existing and proposed trees is often difficult to read. In a number of cases, the plan makes it look as if new trees are being planted in locations where there are already existing trees. Are the existing trees in these cases to be removed? Are existing trees being represented by smaller icons and then the larger circles represent their combined canopies? A plan legend which also contains identification of the icons for the different types of existing trees would be helpful.

**2. Plant Species**

For the most part, species appear to be appropriate for the site. I have specific recommendations regarding some of the species or cultivars, however:

- a. 'Patmore' green ash – the emerald ash borer is a serious insect pest in other Midwestern states. Minn. Dept. Agriculture anticipates its arrival in Minnesota in the next few years. I recommend limiting the number of ash in the plan to limit future damage to plantings. Substitute 1/3 to 1/2 of the proposed ash with a mix of other species such as hackberry, river birch, 'Whitespire' birch, ironwood, disease-resistant elms, or bicolor oak.

- b. sugar maple – this species does best on sites which have a loamy soil with generous amounts of organic matter. Very sandy or heavy clay soils are not suitable for growth of sugar maple. In those types of soils, limit use of sugar maple and plant cultivars of red maple or “Freeman” maples instead.

**Discover Crossing Planting Plan Review – 4/11/06 – 2**

- c. Colorado (green and blue) spruce – Colorado spruce is not native to Minnesota and suffers site stresses which make it susceptible to several serious fungal diseases as it ages. Limit the use of Colorado spruce and substitute some ‘Black Hills’ white spruce, white pine, and site-tolerant non-native species such as Norway spruce, or concolor fir instead.
- d. Amur maple – this large shrub/small tree is becoming more of a problem in regard to invading native woodlands, due to its prolific seed production and its tolerance of a wide range of sites. It is a beautiful plant which establishes well, but should be used sparingly. Substitute serviceberry, pagoda dogwood, viburnums and black chokeberry for some of the Amur maple. Serviceberry and pagoda dogwood do particularly well in semi-shaded locations. Dwarf bushhoneysuckle is a native shrub which is smaller but does well in a wide range of site conditions.
- e. Crabapple cultivars -- ‘Pink Spire’, ‘Radiant’ and ‘Snowdrift’ are susceptible to the fungal disease, apple scab, which can make flowering crabs high maintenance plants. Use more disease-resistant varieties such as ‘Professor Sprenger’, ‘Prairie Fire’, ‘Thunderchild’ and ‘Indian Summer’.

### **3. Tree Protection**

Soil disturbance around roots of trees to be saved should be limited as much as possible to avoid permanently damaging trees which the developer intends to save. I see little protective fencing being used on site. What means are being (will be) used to protect trees from construction impacts? The Planting Plan contains the following note regarding Existing Trees “field verify and flag trees to be protected and saved with Owner and Consultant”. Has this been done for the development phase or it is only being done at the individual lot level? Does “Consultant” refer to a consultant hired by the development company or the Lake Elmo Forestry Consultant? Trees to be retained in any phase of development should be protected and fenced out to their branch spread, if possible. It is much more effective to protect trees during



development than attempt to improve their health after the construction impacts have caused irreversible damage.

**4. Planting Detail** – there is no ‘Planting Detail’ attached to the plan showing the method which will be used for tree and shrub planting. This is usually a standard attachment for any landscape or planting plan.

**5. Required No. of Trees** – Lake Elmo Zoning Code requires that there be at least 10 trees per building lot. The submitted Planting Plan contains the Note that “Lot planting by Owner/Builder will meet City minimum of 10 existing and/or planted trees.”

If you have any questions regarding this review and report, please contact me.

DEVELOPMENT AGREEMENT    March 17, 2006

CITY OF LAKE ELMO

Discover Crossing

- 1.00 Parties. 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 Discover Crossing Investments LLC, a Minnesota limited liability company (herein "Developer").
- 2.00 Property Description. The Developer represents that it is the record fee owner of property described on **Exhibit A**, attached and incorporated herein, which will be platted as Discover Crossing.
- 3.00 Final Plat Approval. On the day of     , 2005, the City Council approved the final plat of Discover Crossing, which is attached and incorporated as **Exhibit B**. The City's approval was conditioned upon the Developer entering into this Development Contract.
- 4.00 Terms and Conditions. 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 Developer Improvements. 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. Site Grading and Turf Restoration. 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 31st day of August, 2006.
      2. Turf restoration improvements shall be completed on or before the 31<sup>st</sup> day of October, 2006.
    - B. Landscaping. Developer shall complete all landscaping improvements on or before the 30<sup>th</sup> day of June, 2007.

- C. Storm Sewer. Storm sewer improvements include all necessary storm sewers, catch basins, culverts, and other apparatus. Storm sewer improvements shall be completed by the 31<sup>st</sup> day of August, 2006 .
- D. Street Improvements. 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 30<sup>th</sup> day of September, 2006. The final wear course of the street shall be completed by the 31<sup>st</sup> day of August, 2007.
- E. Waste Water Treatment System/Drain Field. 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. Street Signs. 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 31<sup>st</sup> day of August, 2006. Developer is over-sizing water mains and the City shall reimburse Developer in the amount of \$182,689 for such over-sizing.

- 4.02 Estimated Cost of Developer Secured Improvements. The estimated costs of Developer constructed improvements are as follows:

<u>Improvement</u>	<u>Estimated Cost</u>
Site Grading/Turf Restoration	(Valley Branch Watershed)
Landscaping/Trails	\$ 308,000
Storm Sewer	\$ 310,000
Street Improvements	\$ 194,000
Waste Water Treatment System/Drain Fields	\$ 485,000
Street Signs	\$ 1,000
Water Mains	\$ 318,000
Subtotal	\$1,616,000

Total Security Required (125% of Improvements) \$2,020,000

- 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 Administrative Fees. 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 \$40,400.
- 4.06 Utility Company Improvements. 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 31<sup>st</sup> day of October, 2006.

4.07 Recording Requirements. Prior to the conveyance of any of the lots in Discover Crossing, 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.

E. A Conservation Easement from the fee owners of the Open Space Outlots to the Minnesota Land Trust and the City, attached and incorporated as herein **Exhibit D**.

F. Valley Branch Watershed District permit.

4.08 Public Use Dedication. The Developer's public use dedication requirement for Discover Crossing shall consist of the following:

A. a payment in the amount of \$173,880;

**4.09 Inspection.** 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 \$35,000 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 Prior Land Occupancy.** 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, and the developer has provided the City a certified "as built" of the mass grading of the site which complies with the approved grading plan. 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 Binding Effect.** 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.

- 4.12 Notices. 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:

Discover Crossing Investments, LLC  
118 South Main Street  
Stillwater, MN 55082

- 4.13 Incorporation by Reference. 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.
- 4.14 Default. 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.
- 4.15 Remedies. 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

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

ATTEST:

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

STATE OF MINNESOTA     )  
  ) ss.  
COUNTY OF \_\_\_\_\_)

On this \_\_\_\_ day of \_\_\_\_\_, 2004, before me, a notary public within and for said county, personally appeared Dean Johnston and Martin Rafferty, to me known to be respectively the Mayor and City Administrator of the City of Lake Elmo, and they executed the foregoing instrument and acknowledged that they executed the same by authority of and on behalf of City of Lake Elmo.

\_\_\_\_\_  
Notary Public

[SIGNATURES CONTINUED ON FOLLOWING PAGE  
REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

By: \_\_\_\_\_

STATE OF MINNESOTA     )  
  ) ss.  
COUNTY OF \_\_\_\_\_)

On this \_\_\_\_ day of \_\_\_\_\_, 2005, before me, a notary public within and for said county, personally appeared \_\_\_\_\_, to me known to be the of \_\_\_\_\_, a Minnesota limited liability company, and he executed the foregoing instrument and acknowledged that he executed the same by authority of and on behalf of the company.

\_\_\_\_\_  
Notary Public

**[SIGNATURES PAGE TO DEVELOPMENT AGREEMENT]**

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

**RESOLUTION NO. 2005-086**

**A RESOLUTION APPROVING THE OPEN SPACE PRESERVATION  
DEVELOPMENT STAGE PLAN, PRELIMINARY PLAT, AND  
CONDITIONAL USE PERMIT OF DISCOVER CROSSING.**

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

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

**WHEREAS**, on the 25<sup>th</sup> day of July, 2005, at a public hearing, the Lake Elmo Planning Commission reviewed the Development Stage Application, the City Planner's reports and comments, the comments of the Applicant and the Applicant's representatives, and recommended approval of the Development Application based upon the following Findings:

1. The application is in compliance with the approved Concept Plan.
2. The application generally complies with the OP Ordinance Design Standards.
3. The OP Development Stage Plan and Preliminary Plat complies with City Code for issuance of a Conditional Use Permit for an OP Project.
4. The Preliminary Plat and Plan, upon compliance with the City Engineer's recommendations, comply with the Development Stage Plan and design standards of the Subdivision Code.

And subject to the following Conditions:

1. Deletion of the project monument sign.
2. The Final Plat shall include no more than 25 building lots unless the Comprehensive Plan/Zoning Ordinance has been officially amended to allow a higher lot count. The final platting of Outlots A, B and/or C will only be on the basis of the Zoning Ordinance density allowed for OP development.
3. Compliance with Valley Branch Watershed District recommendations as determined to be applicable by the City Engineer.
4. Compliance with the recommendations of the City Engineer, specifically as to street widths.

5. Compliance with the recommendations of the City Attorney, specifically as to the City's liability regarding the use of "color-stamped" roadway paving to encourage pedestrian/bike utilization.
6. The Final Plat shall include right-of-way for a future Highway 36 service road in a location and to a width recommended by the City Engineer.
7. The applicant and City Engineer are encourage to maintain private utility placement within 3 feet of the paved road surfaces to preserve existing trees.

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

Approves the Open Space Development Stage Plan, Preliminary Plat, and Conditional Use Permit for DISCOVER CROSSING as illustrated on the Preliminary Plat prepared by Folz, Freeman, Erickson, Inc., dated July 5, 2005.

**ADOPTED**, by the Lake Elmo City Council on the 16<sup>th</sup> day of August, 2005

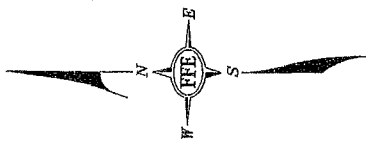
  
Dean Johnston, Mayor

ATTEST:

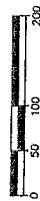
  
Martin Rafferty, City Administrator

**Folz, Freeman, Erickson, Inc.**  
LAND PLANNING • SURVEYING • ENGINEERING  
5620 MEMORIAL AVENUE NORTH  
STILLWATER, MINNESOTA 55082  
Phone (651) 439-8833 Fax (651) 430-9333

S 36, 5 1/2, 7 1/4, 10 1/4, R 27 1/2



ORIGINAL SCALE  
1 IN = 50 FT  
SCALE IN FEET



S 36, 5 1/2, 7 1/4, 10 1/4, R 27 1/2

SOUTH LINE SE 1/4 SEC 35, T 30 N, R 21 W

532.95  
STATE

S00°42'37" E . 657.79

29 N, R 21 W  
 LAKE ELMO AVE.

CSA#11-NO. 177 NOO'42'37"W  
WEST LINE NE 1/4 OF SEC  
EAST LINE NE 1/4 OF NE 1/4 SEC 2

N 00°37'24" W 1435.54 EAST LINE NW

NIE 1/4  
INL 1/4

S 2, T 29 N, R 21 W  
VV

S 1, T 29 N, R 21 W

S 00°42'37" E <sup>2754.23</sup> 1317.50

S 2, T 29 N, R. 21 W  
SW 1/4 NE 1/4

SEMENT PER DOCUMENT  
NO. 384574  
60

[illegible]

S	89°49'58" W		1323.72
(S)	2 Z,	SE 1/4 T 29 N, R 21 E	11/ V V

89°49'58"W  
3957.65.

PARCEL DESCRIBED IN  
BOOK 258 OF DEEDS.  
PAGE 49

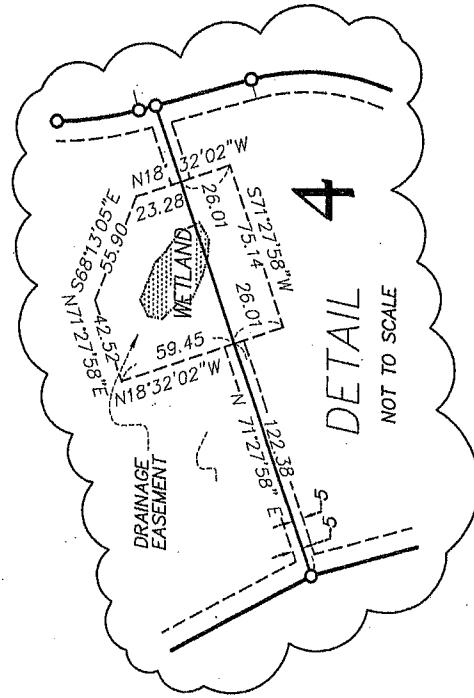
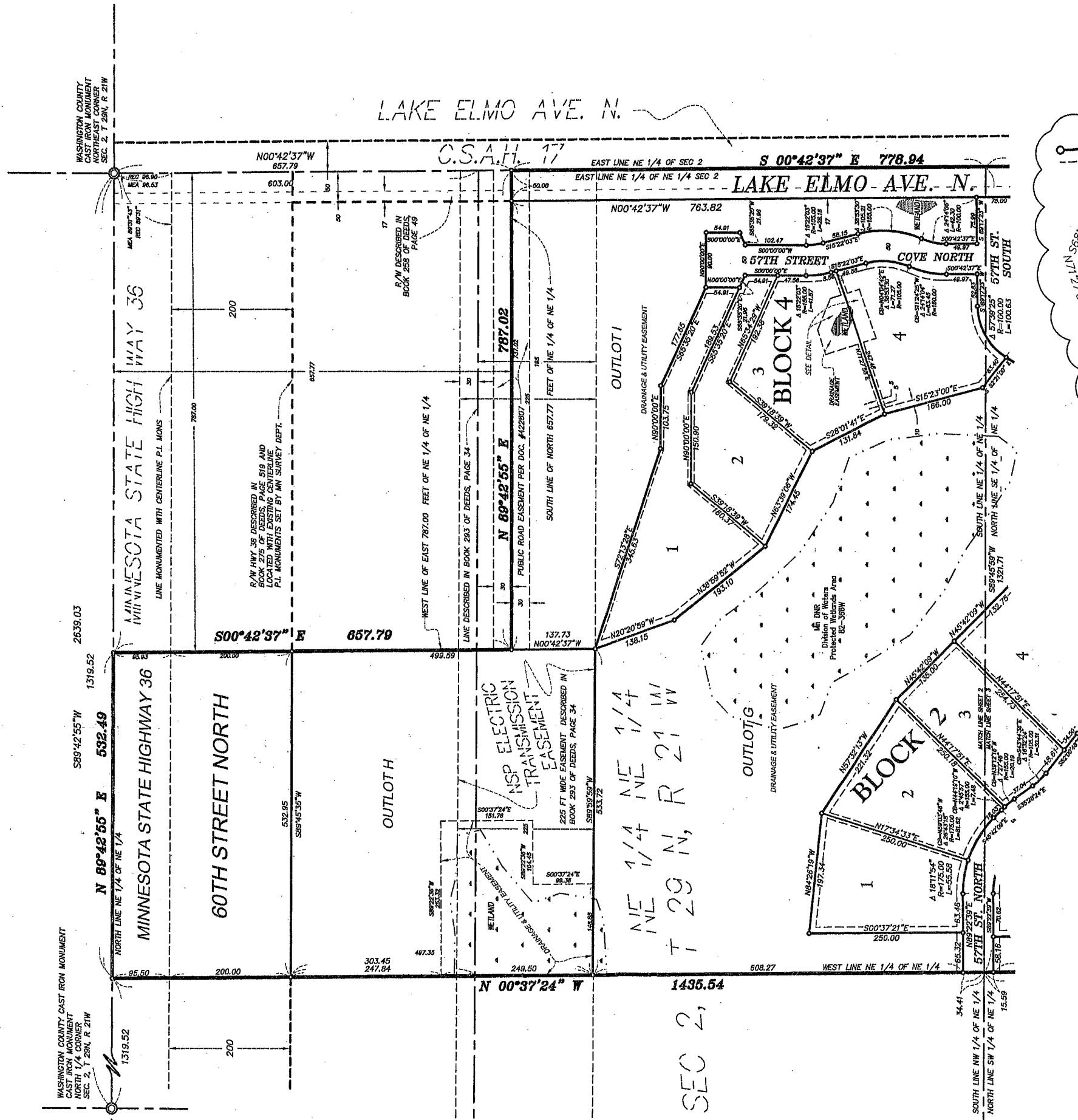
WASHINGTON CAST IRON LIGNMENT  
EAST 1/4 CORNER  
SEC. 2 T. 29. R. 20

FIGURE B

# DISCOVER CROSSING

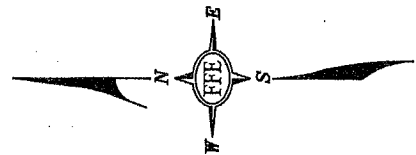
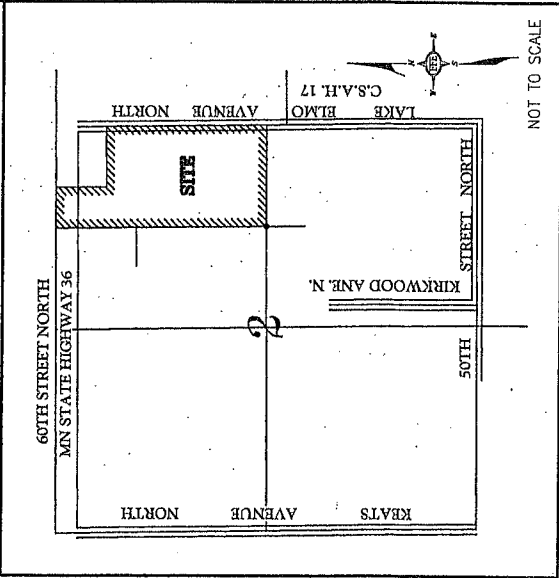
PRELIMINARY PRINT  
SUBJECT TO REVISION

Folz, Freeman, Erickson, Inc.  
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STILLWATER, MINNESOTA 55082  
Phone (651) 439-8833 Fax (651) 430-9331



## VICINITY MAP

SEC. 2, T29N, R21W



ORIGINAL SCALE: 1 INCH = 120 FEET  
SCALE IN FEET  
0 50 100 200

### LEGEND

- DENOTES 1/2 INCH X 1/4 INCH IRON PIPE MONUMENT MARKED WITH A PLUMB LINE INScribed FREEMAN L.S. 1888, UNLESS SHOWN OTHERWISE

### NOTES

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE  
NORTH LINE OF THE SECTION CORNER OF SEC. 2,  
T 29N, R 21W, WHICH BEARS S 00°42'37" E

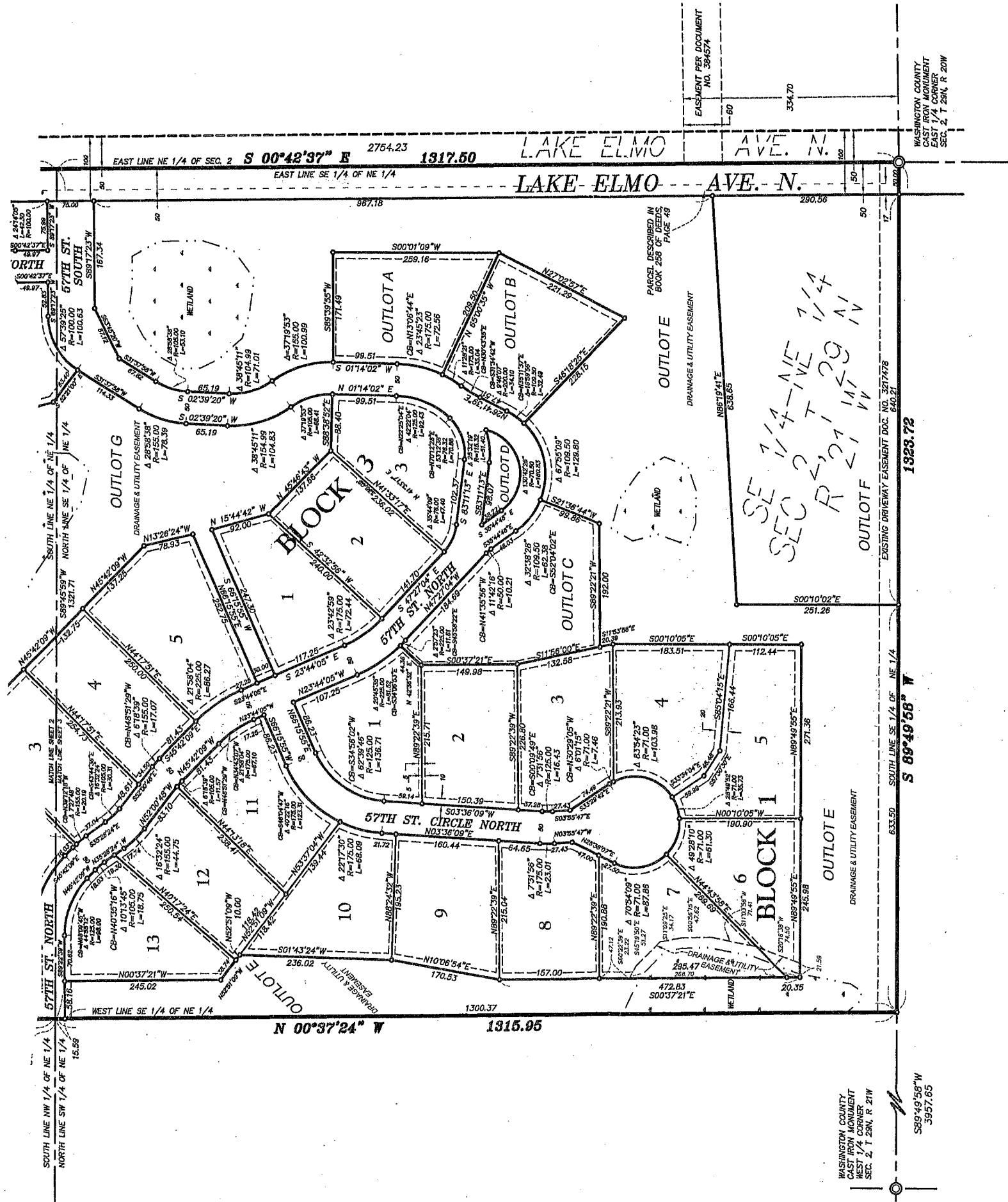
WETLANDS DELINEATED BY GRAHAM ENVIRONMENTAL SERVICES

# DISCOVER CROSSING

Folz, Freeman, Erickson, Inc.  
LAND PLANNING • SURVEYING • ENGINEERING  
5620 MEMORIAL AVENUE NORTH  
STILLWATER, MINNESOTA 55082  
Phone (651) 439-8833 Fax (651) 430-9331

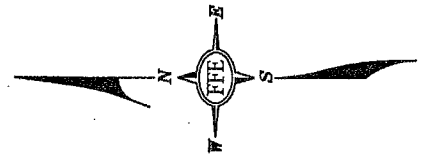
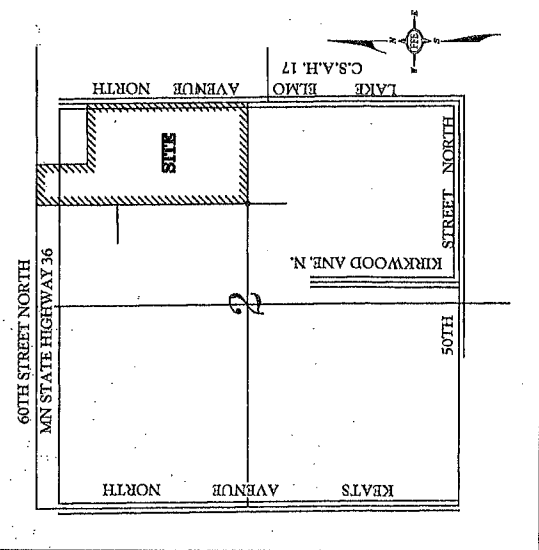


PRELIMINARY PRINT  
SUBJECT TO REVISION



## VICINITY MAP

SEC. 2, T29N, R21W

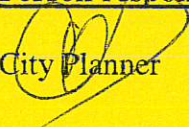


ORIGINAL SCALE: 1 INCH = 100 FEET  
SCALE IN FEET  
0 50 100 200

**LEGEND**  
• DENOTES 1/2 INCH X 1/4 INCH IRON PIPE MONUMENT MARKED WITH A PLASTIC CAP INSCRIBED "FREEMAN LS 1888", UNLESS SHOWN OTHERWISE

**NOTES**  
1) ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE EAST LINE OF THE NORTHEAST QUARTER OF SEC. 2, T. 29N, R. 21W, WHICH BEARS S 00°42'-37" E.



Lake Elmo City Council April 18, 2006	Agenda Section: Planning, Land Use and Zoning	No. 9B
<b>Agenda Item:</b> OP Development Stage Plan/Preliminary Plat and CUP – “Hidden Meadows”		
<p><b><u>Background Information for April 18, 2006:</u></b></p> <p>The Planning Commission considered this OP Plan/Plat/CUP to create 26 single family lots (25 new and 1 existing) at meetings March 27 and April 10, 2006. The Official Public Hearing was conducted on March 27, and the applications were then tabled pending resolution with the City Engineer of several infrastructure design issues, and submission by the applicant of a screening plan along the east site boundary to comply with OP standards where a 100 foot OP buffer is proposed. The majority of the infrastructure design issues were resolved with the City Engineer by April 10, and the applicant presented the screening plan at the April 10 Commission meeting. Following substantial discussion the Commission decided to recommend the applicant’s proposed screening plan to be compliant with the intent of the OP buffer standards.</p> <p>Public Hearing testimony focused on a request by an adjoining (at the extreme southwest corner) property owner for a public street extension to the south plat boundary. That neighboring 20 acre parcel is accessed via an easement to Keats that was created when a 40 acre parcel was divided, with City approval, into 2 “shotgun” 20’s several years ago. The property owner advised the Commission that he desires a direct public street access through this plat to eliminate a long easement driveway and enhance the potential to further divide the 20 acre parcels (perhaps to 10’s) in the future. The Commission does not recommend the street extension be required.</p> <p>A second adjoining property owner requested that the trail along the west perimeter of the plat be moved away from the property line. The applicant has agreed to do so.</p> <p>The Commission has unanimously recommended that the OP Plan/Plat/CUP be approved.</p>		
<p><b><u>Action items:</u></b></p> <p>038 Motion to adopt Resolution #2006 - , approving the OP Development Stage Plan/OP Conditional Use Permit and Preliminary Plat for “Hidden Meadows of Lake Elmo per plans staff dated April 13, 2006 and subject to conditions of approval as recommended by the Planning Commission.</p>	<p><b><u>Person responsible:</u></b></p> <p> City Planner</p>	
<p><b><u>Attachments:</u></b></p> <p>038</p> <ol style="list-style-type: none"> <li>1. Draft Resolution #2006 – Approving Plat/Plan/CUP</li> <li>2. Location Map</li> <li>3. Planning Commission Minutes of March 27 and April 10</li> <li>4. Planning Staff Reports of March 24 and April 6</li> <li>5. Documentation and graphics</li> </ol>	<p><b><u>Time Allocated:</u></b></p>	



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

**RESOLUTION NO. 2006-038**

**A RESOLUTION APPROVING THE OPEN SPACE PRESERVATION  
DEVELOPMENT STAGE PLAN, PRELIMINARY PLAT, AND  
CONDITIONAL USE PERMIT OF HIDDEN MEADOWS OF LAKE ELMO.**

**WHEREAS**, on the 30<sup>th</sup> day of June, 2005, Pat Kinney of Hidden Meadows Development, LLC ("Applicant") submitted a completed application requesting that the City of Lake Elmo approve an Open Space Preservation Development Concept Plan for a residential subdivision on 69.68 acres of a 108.62 acre parcel; AND

**WHEREAS**, on the 25<sup>th</sup> day of July, 2005, at a public hearing, the Lake Elmo Planning Commission reviewed the Concept Plan, the City Planner's reports and comments, the comments of the Applicant and the Applicant's representatives, and recommended approval of the Concept Plan; AND

**WHEREAS**, on the 20<sup>th</sup> day of September, 2005, the Lake Elmo City Council reviewed changes to the Concept Plan, the City Planner's reports and comments dated September 6, 2005, the comments of the Applicant and the Applicant's representatives, and recommended approval of the Concept Plan.

**WHEREAS**, on the 27<sup>th</sup> day of March, 2006, at a public hearing, the Lake Elmo Planning Commission reviewed the Development Stage Application, the City Planner's reports and comments, the comments of the Applicant and the Applicant's representatives, and recommended approval of the OP Development Stage Application, Conditional Use Permit, and Preliminary Plat of HIDDEN MEADOWS OF LAKE ELMO based upon the following Findings:

1. The OP Development Stage Plan and Preliminary Plat are generally compliant with the approved OP Concept Plan, and condition of Concept Plan approval.
2. The Development Stage Plan is compliant with the standards of Section 301 of the City Code (Open Space Development).
3. The Preliminary Plat and preliminary construction plans are compliant with Section 400 of the City Code (platting).
4. The Conditional Use Permit complies with the pertinent findings required by Section 300.06 of the City Code.

And subject to the following Conditions:

1. Compliance with the recommendations/requirements of the City Engineer.
2. Compliance with the recommendations/requirements of the Valley Branch Watershed District as found to be appropriate by the City Engineer.
3. Relocation of the trail along the west property line to a location further to the east.

**NOW, THEREFORE, BE IT RESOLVED** that the Lake Elmo City Council hereby approves the Open Space Development Stage Plan, Preliminary Plat, and Conditional Use Permit for HIDDEN MEADOWS OF LAKE ELMO, as illustrated on the Preliminary Plat prepared by Kimley-Horn and Associates, Inc., dated March 3, 2006.

**ADOPTED**, by the Lake Elmo City Council on the 18<sup>th</sup> day of April, 2006.

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

ATTEST:

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

**Excerpt Draft Planning Commission Meeting Minutes  
April 10, 2006  
Preliminary Plat of HIDDEN MEADOWS OF LAKE ELMO**

**Preliminary Plat Continued: HIDDEN MEADOWS OF LAKE ELMO**

The Planner explained this application was tabled after the Public Hearing was conducted on March 27, 2006. The City Engineer's Memo reflects a few items of concern and there remains the issue of increasing the vegetative screening buffer on the easterly boundary because it is reduced from 200 to 100 feet with the neighboring parcel being eligible for OP development in the future.

An e-mail received from the Engineer this afternoon was distributed.

M/S/P, Deziel/Lyzenga, to remove from the table. Vote: 8:0.

**Paul Danielson, Kimley-Horn Associates**

Mr. Danielson presented a slide show with photographs of the site and the church site. He presented his plans for landscaping within the buffer zones that showed the planting of six foot spruce trees at the edge of the tree line within the new backyards. He said the site is gently rolling and the area of the buffer is at the toe of a slope where it would be impractical to try to build a berm where there are already concerns for drainage due to the topography of the site.

**Mr. Dyer**

Mr. Dyer asked about access for his neighbor who is landlocked. That neighbor has an ingress and egress easement across his property. He said he has approached the applicants several times since 2004, not just three or four months ago. He was hoping that as a good neighbor, the applicants would provide access for the landlocked parcel as well as for him to subdivide. It would increase tax revenue and might help with density issues. The developer would be better served by doing it. He asked if it is incumbent upon the developer to think about the effect on neighboring parcels. He is not a fan of pocket developments. Church members have no other options to get out of the site toward Lake Elmo Avenue. He said our pocket developments are like Minnetonka. He asked if Minnetonka has had issues with that type of development or is it successful.

The Planner said the City can and often has established street stubs. To what extent it is done is relative to policy. Minnetonka had few if any through streets in the 1960's and 1970's. It was successful in some cases and in others it created public safety problems. The City of Minnetonka corrected some of the problems at considerable expense. The Lake Elmo City Council's desires have been, during his tenure, to maintain pocket neighborhood communities with a tight grid of thoroughfares.

The Planner questioned whether the existing tree line would be year round effective, and he has not been to the site to make that determination. Evergreen trees and the planting scheme would be fine under normal circumstances. Those new trees will essentially be in people's backyards and may not be maintained by the property owners. To screen the new houses might be impossible due to topography. Another option would be not to build two-story houses.

The Planner explained that the original preliminary plat had a street stub to the south boundary as recommended by the Planning Commission but the City Council ordered it removed. A new plan for trail relocation was submitted to the City Engineer today.

**Excerpt Draft Planning Commission Meeting Minutes**  
**April 10, 2006**  
**Preliminary Plat of HIDDEN MEADOWS OF LAKE ELMO**

M/S/P, Armstrong/Deziel to recommend approval of the preliminary plat, development stage plan and conditional use permit for HIDDEN MEADOWS OF LAKE ELMO conditional upon implementation of the landscape plan presented tonight and conditional upon compliance with the City Engineer's comments and recommendations and the conditions and recommendations of the Valley Branch Watershed District Permit. Vote: 8:0.

**City of Lake Elmo  
Planning Commission Meeting  
Minutes of March 27, 2006**

Chairman Helwig called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Fliflet, Park, Van Zandt, Deziel, Roth, Schneider, Armstrong, Pelletier. STAFF PRESENT: Planner Dillerud, Administrator Rafferty, and Recording Secretary Anez.

**Agenda**

M/S/P, Pelletier/Van Zandt to accept the agenda as presented. Vote: 9:0.

**Minutes of February 27, 2006**

Commissioner Fliflet page two halfway down the page, it should say Home Office.

Commissioner Pelletier page one nay vote last sentence only Pelletier stated... Page three crazy to try to regulate Avon and those types of home parties-delete it.

M/S/P, Fliflet/Van Zandt to approve as amended. Vote: 7:0:2, Abstain: Roth and Schneider: Absent.

**Minutes of March 13, 2006**

Commissioner Fliflet page three motion to remove number six. Limit the number of hours not lateness of hours.

M/S/P, Roth/Fliflet to approve the Minutes of March 13, 2006 as amended. Vote: 7:0:2, Abstain: Armstrong and Pelletier: Absent.

M/S/P, Fliflet/Schneider to ask Council for clarification about why they would not want to read commentary and discussion points on planning issues.

Administrator Rafferty said staff will bring guidelines for the agenda to the next meeting.

Vote: 9:0.

**Public Hearing: Preliminary Plat, Development Stage Plan and Conditional Use Permit for HIDDEN MEADOWS OF LAKE ELMO (Formerly known as Deer Glen)**

The Planner said the applicant has submitted two related applications on a 108.62 acre site at Keats and Highway 36. The preliminary plat is for a 68 acre portion of the 108 acres. The balance of the site has been previously preliminarily platted including the church site, the homestead site, and the roadway.

Staff observed the preliminary plat essentially responds to the Concept Plan layout as approved. The Landscape Plan for the project is responsive to the OP Ordinance and Section 400 Subdivision requirements. Condition Number 5 for the east property line appears to have an existing tree line substituting for the 200 feet buffer. The City is looking for cross-sections to demonstrate the effectiveness of that buffer. The City Engineer indicates a number of items in an e-mail memo dated March 23, 2006, where there was not enough information provided by the applicant for him to finish a review. Staff recommends waiting for that supplemental information because of their number.

**Paul Danielson, Engineer, Kimley-Horn and Associates**

A change was made for the residential portion of the site and it was his intent to wait for a favorable response from the Planning Commission before submitting all of the engineering plans. He asked for a recommendation of removing some box elders in order to plant evergreens within that tree line. He said the conditions of the City Engineer are not a deal breaker and they could comply with submission requirements in time for the City Council Meeting. The cul-de-sac on the southwest corner was an issue. That was what was proposed at Concept Stage and the purpose is to slow down traffic and provide more green spaces. City standards for cul-de-sacs need to be provided. Cross sections for retaining walls were submitted. Those that require guard rails based on State standards will receive them. He is not sure it is necessary to get VBWD approval in order to get City approval. Storm sewer profiles were included in the submittal but he will provide as necessary. Septic system was provided in package for the church. Watermain sizing is not a huge issue. Trail widths and locations are not part of the City system so they were changed to loop within the neighborhood. Stubbing the trail to the east was discouraged by the Council. Conifers require a certain amount of light and the box elder canopy is too dense for them to survive. Roundabout was to calm traffic and to add nodes of common green space and broke up asphalt.

**THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:35 P.M.**

Jim Dyer, 5435 Keats Avenue

The Keats/Highway 36 intersection is going to fail and something needs to be done. It may not be the developer's fault or fully their responsibility. Pockets of development are all that are being created and you can't drive through neighborhoods anymore like you can in the Tri-lakes Area. Another parcel of land south of Outlot E or Outlot F of 20 acres will be further landlocked to the north by this development. The developers are not interested in providing access to the south property line. That outlot would be a nice driveway for the landlocked parcel to the south. Maybe residents could drive down this street instead of Keats Ave.

Steven Ziertman, 5761 Keats Avenue

Owner to west of the church location. The trail changed from the original design. He would like to be sure the trail maintains the appropriate setback from his property line. The road is already in going into the church in the development. The city is putting the horse before the cart. The road should not have gone in until this application was approved.

**THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:41 P.M.**

**Pat Kinney, Developer**

Mr. Dyer contacted the church asking the question about right of way. At this point we are too far into the plans to change them now. The Council did not want the road going through to the east, why would they put one in to the south. The southeast corner is hilly. They would have to redesign the whole plat two years into it.

M/S/P, Armstrong/Schneider to table the preliminary plat, OP Development Stage Plan, and Conditional Use Permit of HIDDEN MEADOWS OF LAKE ELMO to the April 24, 2006 Meeting. Vote: 9:0.

M/S/P, Armstrong/Schneider to amend the previous motion, and table the preliminary plat until such time as the Planner can return it to the Planning Commission. Vote: 8:01: Abstain:

**MEMO**

(April 6, 2006 for the Meeting of April 10, 2006)

To: Lake Elmo Planning Commission

From: Chuck Dillerud

Subject: OP Development Stage Plan/Preliminary Plat/CUP – “Hidden Meadows of Lake Elmo”

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As of the agenda closing time for the meeting of April 10 the City Engineer had not received plans from the applicant's engineer that reflect the required infrastructure design modifications or previously incomplete plan sheets. The two engineers have been conversing regarding these matters and I understand from both parties that most of the issues raised by the City Engineer regarding the plans (or lack thereof) can and will be resolved by April 10. I have requested (and will receive) a memo from the City Engineer to that effect by Monday's meeting.

I have also conversed with the applicant's engineer regarding the buffer screening plans that are required to demonstrate the year-round effectiveness of screening in lieu of the full 200 foot OP buffer. As of the agenda publication time those plans are not completed, but I am assured they will be by Monday's meeting. Since “effectiveness” is clearly a judgment call, I have advised the applicant's engineer that I will place the applications on the April 10 Planning Commission agenda without staff review of the buffer plans. Those plans may be available prior to the meeting – allowing a brief staff review – but, will for certain be available at the meeting for Commission review.

I have attached all of the agenda materials regarding these applications that the Commission first received for the March 27 Hearing.

## Chuck Dillerud

---

**From:** Thomas D. Prew [prew.td@tkda.com]  
**Sent:** Monday, April 10, 2006 10:55 AM  
**To:** Chuck Dillerud  
**Cc:** paul.danielson@kimley-horn.com  
**Subject:** Hidden Meadows PP review

Chuck

I have reviewed the preliminary plat plans.

The street layout is ok, with the exception of the curve in the southwest corner of the plat. We have not had this kind of roadway treatment before. I would like to discuss it with Mike to see if her is comfortable with it.

Otherwise the plans can go ahead for Preliminary Plat approval.

Other approvals will be needed before final platting and the developer's agreement is approved. They include, approval of VBWD permit, final wetland treatment system approval by MPCA and the City. Final construction plan approval.

The final plans may include a guard rail along with the fence at the retaining walls. I need to look at this closer.

Tom

Thomas D. Prew, P.E.  
Senior Registered Engineer  
Municipal Services Division  
phone: 651/292-4463  
fax: 651/292-0083  
e-mail: prew.td@tkda.com

TKDA  
1500 Piper Jaffray Plaza  
444 Cedar Street  
Saint Paul, Minnesota 55101-2140  
www.tkda.com



**LAKE ELMO PLANNING COMMISSION  
STAFF REPORT**

**Date:** March 24, 2006 for the Meeting of March 27, 2006

**Applicant:** Hidden Meadows Development, LLC (Pat Kinney)/Lakewood Evangelical Church

**Location:** Southeast Quadrant of State Highway 36 and Keats Avenue

**Requested Action:** OP Development Stage Plan/Preliminary Plat and CUP – “Hidden Meadows of Lake Elmo”

**Land Use Plan Guiding:** RAD

**Existing Zoning:** RR

**Site History and Existing Conditions:**

A Preliminary Plat of Deer Glen was approved by the City Council on April 28, 2005 concurrently with several other related applications for 108 acre site. That Preliminary Plat specified a partial street right-of-way extending into the site from Keats Avenue and a 20 acre Lot 1, Block 1 – the site reguidd and rezoned PF to accommodate the (now) Rock Point Church. The balance of the 108 acres was “outlotted” in the Deer Glen plat pending a revised OP Concept Plan for the residential portion of the project. The 2005 approval of the Deer Glen Preliminary Plat did specify that the portion of the lands adjacent to State Highway 36 and north of the public street could be excluded from the OP project, and remain an outlot with no designated use.

On September 20, 2005 the City Council approved an amended OP Concept Plan for the residential portion of the project south of the public street. It is this area (and the original homestead site north of the public street) that is the subject of the OP Development Stage Plan. The Preliminary Plat covers the actual OP development and the remaining Outlots north of the public street.

**Discussion and Analysis:**

City review of OP Development Stage Plans and accompanying Preliminary Plats includes findings of both compliance with the approved OP Concept Plan and compliance of the preliminary infrastructure plans with City engineering standards and OP design standards. The City Engineer’s review of those infrastructure plans is the critical component of this development review stage since the general neighborhood design/lot count/required amenities are established at the Concept Plan Stage.

OP Development Stage Plan/CUP

1. The proposed lot count and lot configuration (including OP buffer areas) are responsive to the approved Concept Plan (September 20, 2005).
2. The Landscape Plan proposes 470 trees to be introduced to the site with deciduous trees partly 2.5 inch and partly 1.5 inch caliper (depending on species), and coniferous trees 6 feet and 8 feet in planted height (dependent on species). This count and quality of trees will

- respond to both OP and Section 400 standards for landscape – particularly considering significant existing tree population on some of the proposed lots that will be retained.
3. We do not find a Landscape Plan response to Condition #5 of the OP Concept Plan approval resolution, “5. *The Development Stage Plan shall demonstrate the year-round effectiveness of screening measures that support the 100 foot OP buffer on the east side of site.*” While the Landscape Plan notes existing tree groupings along the east side of the plat, we find no indication of the species, spacing and sizes of the trees in that grouping that would demonstrate that this would be effective year-round screening of the homes within the plat. Together with a listing of the trees proposed as effective year-round screening, the preferred method to demonstrate that effectiveness is providing cross sections from house through screen to adjacent land.
  4. With the exception of #3 above we find that the applicable conditions of the Concept Plan approval resolution are complied with.

#### Preliminary Plat

The City Engineer has presented a March 23, 2006 Email outlining a number of infrastructure related review comments, including a finding that certain information required to complete his review has not been submitted by the applicant.

#### **Findings and Recommendations:**

Where City Engineer or Watershed review comments address minor plat modifications we usually recommend the plat go forward to the City Council with a condition requiring compliance by the applicant with those comments and recommendations. In this case the City Engineer’s review recommends more substantial modifications than we have seen previously, and the need for additional information to complete his review. This concern coupled with the lack of a plan demonstration screening effectiveness leads staff to recommend that this Preliminary Plat be tabled by the Commission pending applicant’s plan adjustments and submission of the information we do not as yet have.

The Noticed Public Hearing regarding the plat and CUP should be conducted by the Commission on March 27, as scheduled. Based on the above comments the City does not have a “completed application” as of this date. We suggest, however, that the meeting at which the Commission should next consider this matter is April 24, and the meeting at which the City Council should act is May 2, 2006.

#### **Planning Commission Actions Requested:**

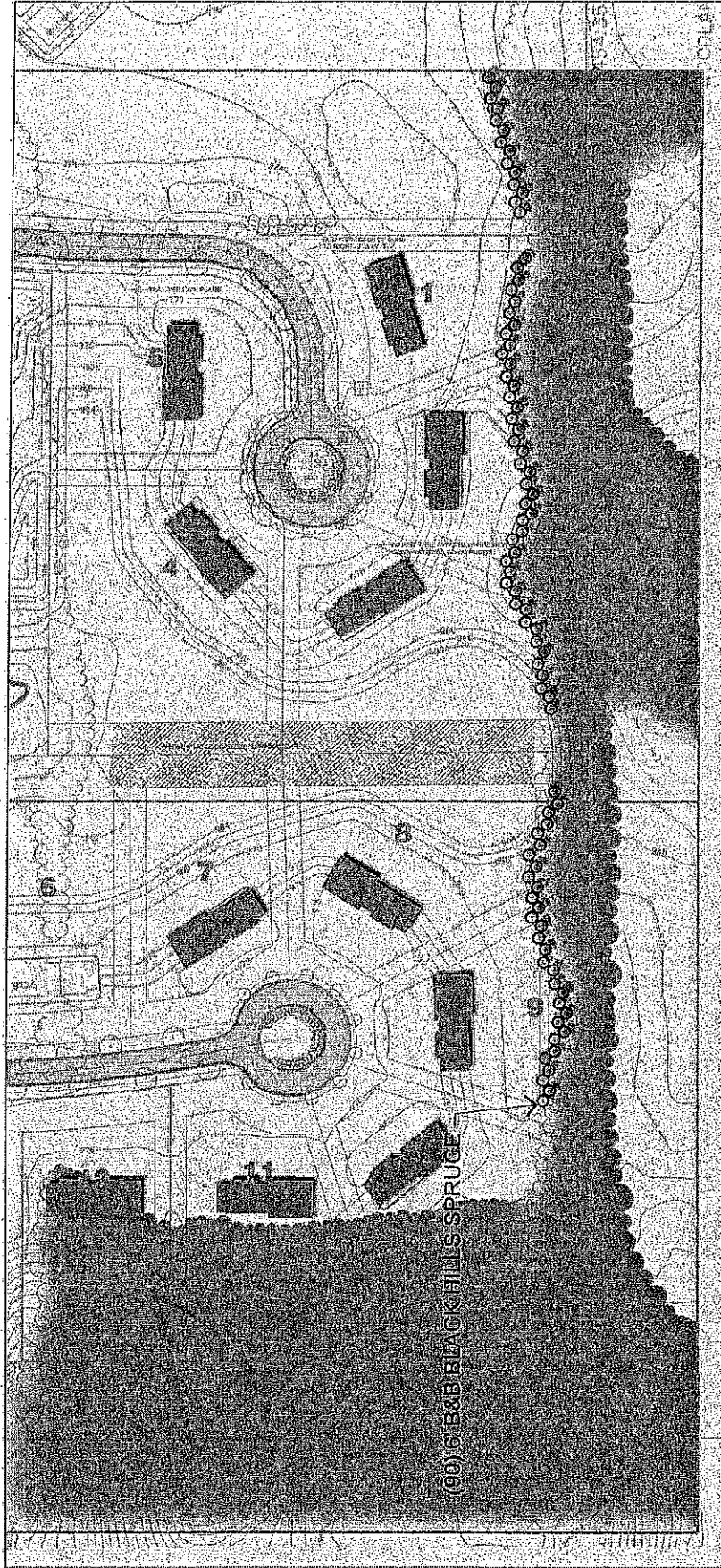
Motion to table the OP Development Stage Plan/Preliminary Plat/CUP of “Hidden Meadows of Lake Elmo” until such time as completed application documentation is submitted and modifications to the infrastructure design recommended by the City Engineer are completed.

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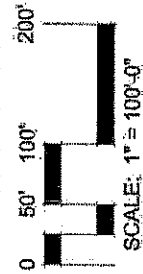
Charles E. Dillerud, City Planner

#### **Attachments:**

1. City Council Resolution #2005-102 Approving the OP Concept Plan
2. Approved OP Concept Plan
3. City Engineer’s Email
4. Applicant’s Documentation



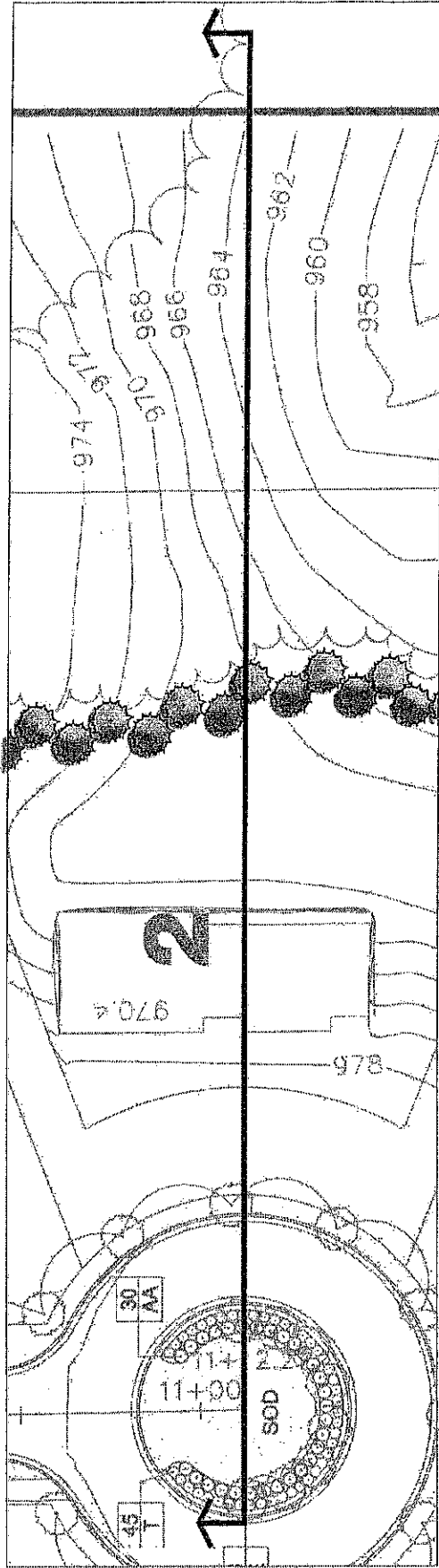
**BUFFER PLAN:**



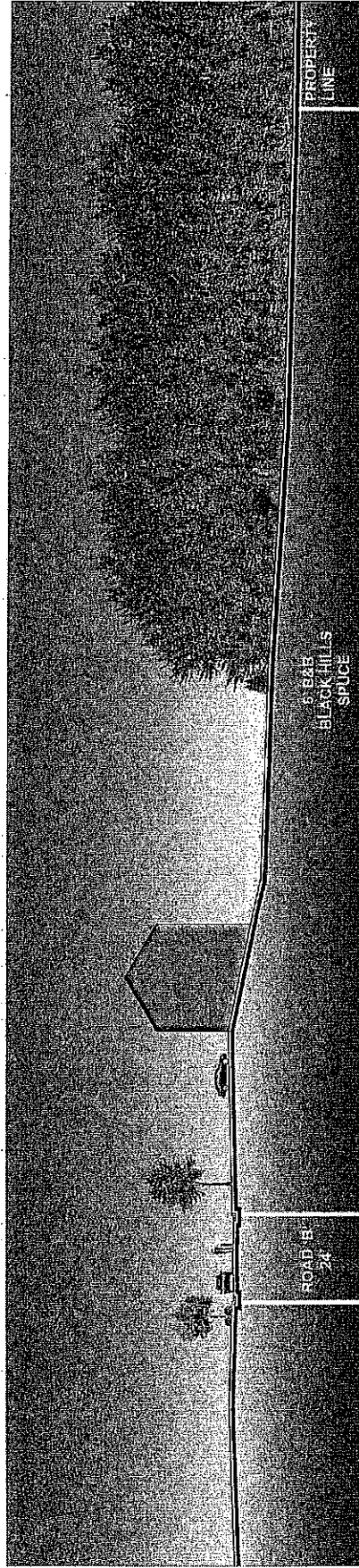
Kimley-Horn and Associates, Inc.  
 523 Riverdale Mall  
 Minneapolis, MN 55402  
 phone 612.332.7522  
 fax 612.332.0936  
 www.kimley-horn.com




**Kimley-Horn  
 and Associates, Inc.**  
 2560 UNIVERSITY AVE. WEST, SUITE 345N  
 ST. PAUL, MINNESOTA 55114  
 TEL. NO. (651) 845-4197  
 FAX. NO. (651) 845-5116




ROAD 'B' PLAN:




ROAD 'B' SECTION:




NORTH



SCALE: 1" = 30'-0"



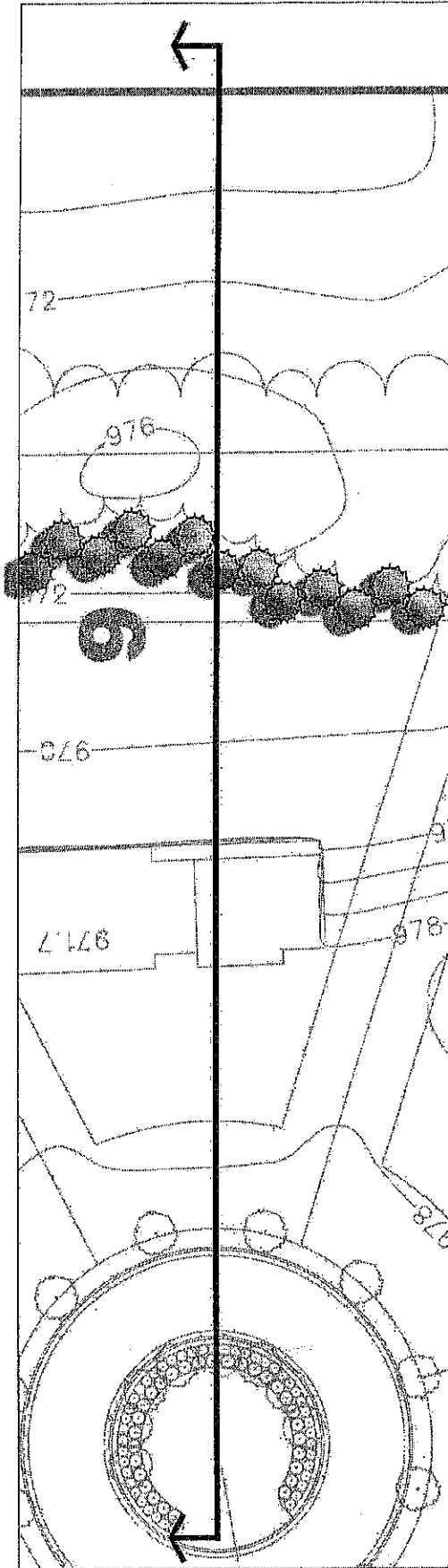
**Dinnert Fisher Associates**  
933 Nicollet Mall  
Minneapolis, MN 55402  
phone 612.332.7512  
fax 612.332.0916  
www.dinnertfisher.com



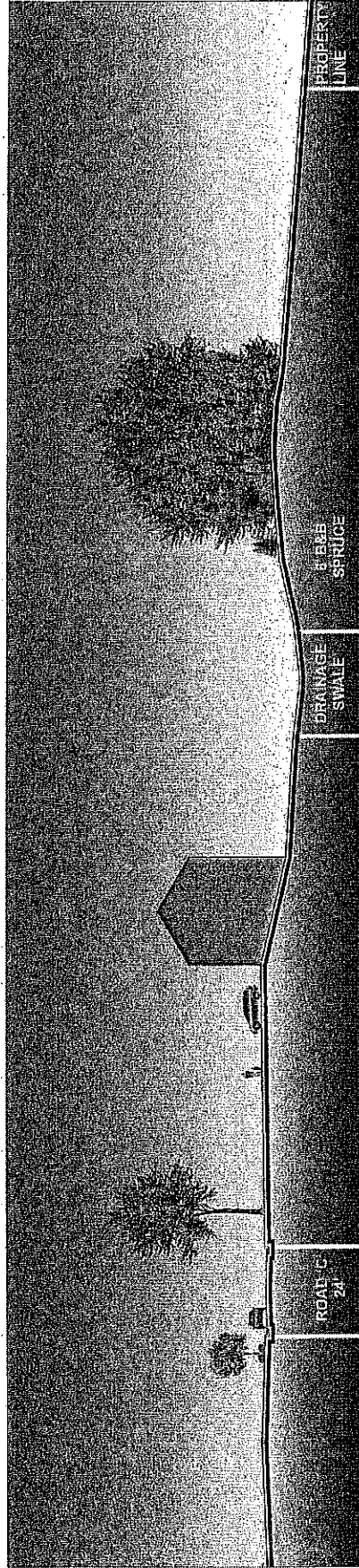
**Kimley-Horn  
and Associates, Inc.**

2850 UNIVERSITY AVE. WEST, SUITE 345N  
ST. PAUL, MINNESOTA 55114

TEL NO. (651) 645-4197  
FAX NO. (651) 545-5116



ROAD 'C' PLAN:



ROAD 'C' SECTION:

SCALE: 1" = 30'-0"

NORTH

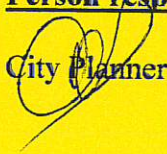
**Kimley-Horn  
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[www.danfarber.com](http://www.danfarber.com)



<b>Lake Elmo City Council April 18, 2006</b>	<b>Agenda Section: Planning, Land Use and Zoning</b>	<b><u>No.</u> 9C</b>
<b><u>Agenda Item:</u></b> Zoning Ordinance Text Amendment – Outdoor Social Events		
<p><b><u>Background Information for April 18, 2006:</u></b></p> <p>At the Council Workshop April 11 it was decided to place this proposal back on the April 18 City Council Agenda for referral back to the Planning Commission for additional work. The Council Members asked the Commission to consider adding additional required CUP conditions to the ordinance, including:</p> <ul style="list-style-type: none"> <li>• Outdoor lighting controls</li> <li>• Site e\security during events</li> <li>• Better definition of screening and parking requirements</li> <li>• Noise control</li> <li>• Issues of sale/consumption of liquor</li> </ul> <p>The Workshop also questioned the maximum allowable event scale (measured in attendees and staff) in the present ordinance. While 20 persons per site acre was not necessarily found to be excessive, the 500 person maximum appeared to be.</p>		
<p><b><u>Action items:</u></b></p> <p>Motion to refer the draft Outdoor Social Events in the AG District back to the Planning Commission with direction to consider and make recommendations regarding the issues raised at the April 11 Council Workshop.</p>	<p><b><u>Person responsible:</u></b></p> <p>City Planner </p>	
<p><b><u>Attachments:</u></b></p>	<p><b><u>Time Allocated:</u></b></p>	



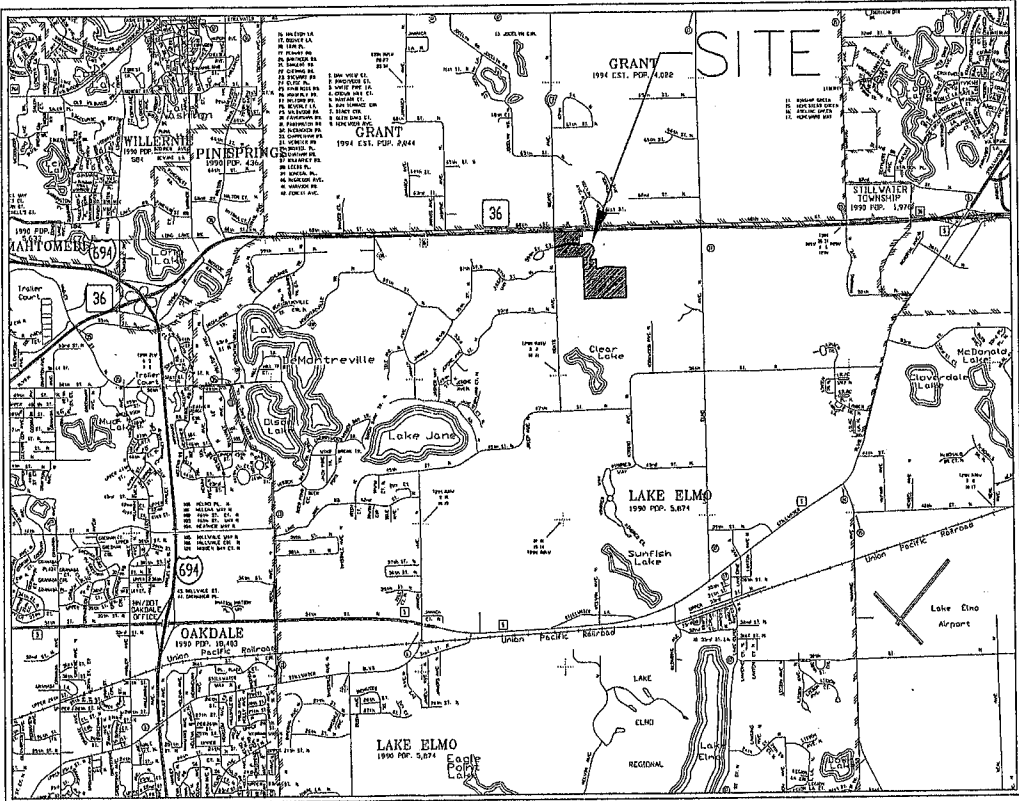
SITE DEVELOPMENT PLAN  
FOR  
PHASE II  
OF  
HIDDEN MEADOWS OF LAKE ELMO  
LOCATED IN  
CITY OF LAKE ELMO  
MINNESOTA

RECEIVED  
MAR 05 2006

KA

LEGEND

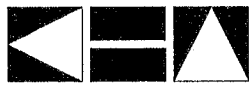
⊗	EXISTING GATE VALVE
•	EXISTING HYDRANT
◊	EXISTING CURB BOX
○	EXISTING WATERMAIN MANHOLE
○	EXISTING SANITARY MANHOLE
○	EXISTING STORM MANHOLE
○	EXISTING CATCH BASIN
○	EXISTING POWER POLE
○	EXISTING LIGHT POLE
⊥	EXISTING STREET SIGN
—	EXISTING SANITARY SEWER
—	EXISTING STORM SEWER
—	EXISTING WATERMAIN
—	EXISTING CURB AND GUTTER
—	EXISTING GAS MAIN
—	EXISTING UNDERGROUND TELEPHONE LINE
—	EXISTING UNDERGROUND POWER
—	EXISTING OVERHEAD POWER
—	EXISTING FENCE
—	EXISTING TREE AND SHRUB
⊗	PROPOSED TEE
⊗	PROPOSED GATE VALVE
•	PROPOSED HYDRANT
◊	PROPOSED MANHOLE (STORM OR SANITARY)
○	PROPOSED CATCH BASIN
—	PROPOSED WATERMAIN
—	PROPOSED SANITARY SEWER
—	PROPOSED STORM SEWER
—	PROPOSED GAS MAIN
—	PROPOSED UNDERGROUND ELECTRIC
—	PROPOSED CURB AND GUTTER



INDEX OF SHEETS

SHEET	DESCRIPTION
1	COVER SHEET
2	LAND AREA ANALYSIS
3	EXISTING CONDITIONS
4	DEVELOPMENT PLAN
5	GRADING AND DRAINAGE
6	ROADWAY PROFILES
7	ROADWAY PROFILES
8	LANDSCAPING PLAN (1 OF 3)
9	LANDSCAPING PLAN (2 OF 3)
10	LANDSCAPING DETAILS (3 OF 3)

PREPARED BY:



Kimley-Horn  
and Associates, Inc.

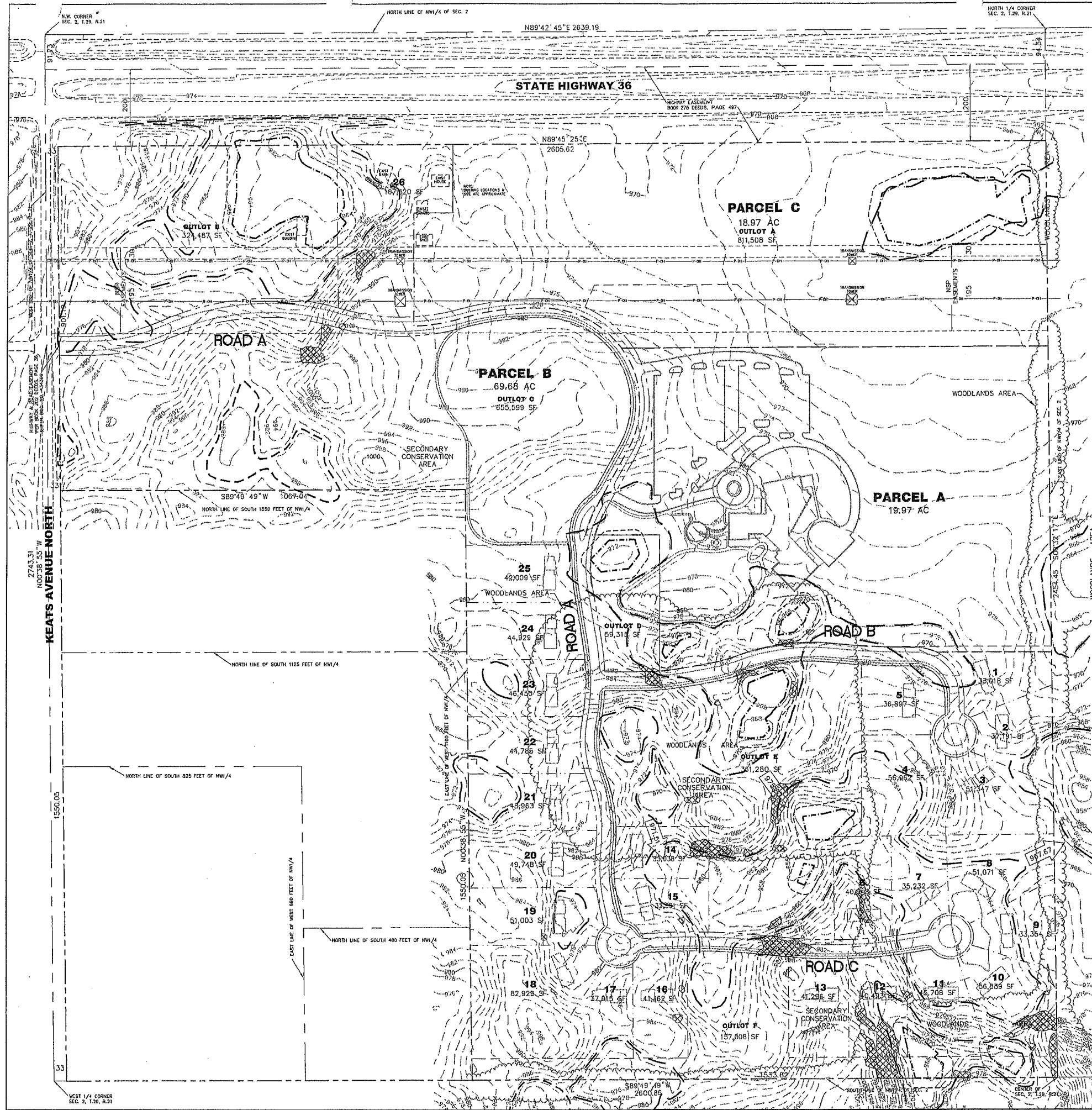
2550 University Ave. West, Suite 345N  
St. Paul, Minnesota 55114

Tel. No. (651) 645-4197  
Fax No. (651) 645-5116

LOCATION MAP  
1" = 2500'



G:\RockPoint\PLAN SHEETS\Developmt-Plan\Rock-DEVELOP-USE01.DWG March 02, 2006 - 3:09pm



**LEGEND**

WETLAND AREAS	---
WETLAND BUFFER	- - - -
WOODLANDS	~~~~~
>25% SLOPES	XXXXX
PARCEL LINE	---
PROPERTY LINE	- - - -
APPROX. FLOOD PLAIN BOUNDARY	---
FIELD VERIFIED RUN-OUT ELEV.	975.80
EXISTING CONTOUR	980

	PARCEL A (PF ZONING)	PARCEL B (OP CUP)	PARCEL C (EXIST RR ZONING)	TOTAL
TOTAL PARCEL AREA	19.97 AC	69.68 AC	18.97 AC	108.62 AC
WETLAND AREA	0.11 AC	2.19 AC	1.32 AC	3.62 AC
>25% SLOPE	0.02 AC	1.11 AC	0 AC	1.12 AC
BUILDABLE AREA	19.84 AC	66.38 AC	17.65 AC	103.87 AC
OPEN SPACE	N/A	33.19 AC	N/A	33.19 AC

**EXISTING SITE DATA**

TOTAL SITE	108.62 AC
WETLAND AREA	3.62 AC
WETLAND BUFFER	3.30 AC
12%-24% SLOPED AREA	16.55 AC
>25% SLOPED AREA	1.12 AC
WOODLAND AREA	24.10 AC

**NOTE:**  
1. WOODED AREAS CALCULATED TO THE PROPERTY LINE AND INCLUSIVE OF THE ENTIRE SITE.

**PARCEL B LAND AREAS**

	TOTAL AREA	>25% SLOPE	WETLAND	BUILDABLE AREA
OUTLOTS B-F	1,557,685 SF	19,476 SF	88,514 SF	1,449,695 SF (33.28 AC.)
LOTS 1-26	1,225,398 SF	21,168 SF	6,755 SF	1,196,475 SF (27.47 AC.)
ROW	252,662 SF	7,593 SF	2 SF	245,067 SF (5.63 AC.)
TOTAL	3,035,081 SF	48,237 SF	95,271 SF	2,891,573 SF (66.38 AC.)

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FAX NO. (612) 845-5116

**HIDDEN MEADOWS OF LAKE ELMO  
SITE DEVELOPMENT PLAN  
LAND AREA ANALYSIS**

SCALE: 1"=100'  
DESIGNED BY: RSP  
DRAWN BY: RSP  
CHECKED BY: PBD  
DATE: 3/3/06  
PROJECT NO. 160502006.2.001

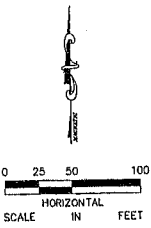
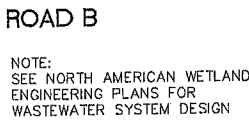
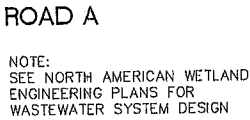
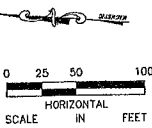
SHEET 2 OF 10  
SHEET NO. 2  
10

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.  
*Paul B. Danielson, P.E.*  
PAUL B. DANIELSON, P.E.  
DATE: 3/3/06 AM LIC NO. 23397

No.	Date	Revisions	App.







I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME, OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

*Paul B. Danielson*

PAUL B. DANIELSON P.E.

DATE: 3/3/06 MIN. LIC. NO. 23197

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and Associates, Inc.**

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