



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

NOTICE OF MEETING
City Council Meeting
Tuesday, June 20, 2017 7:00 P.M.
City of Lake Elmo | 3800 Laverne Avenue North

Agenda

A. Call to Order/Pledge of Allegiance

B. Approval of Agenda

C. Approval of Minutes

1. June 6, 2017

D. Public Comments/Inquiries

E. Presentations

F. Consent Agenda

2. Approve Payment of Disbursements
3. Accept May 2017 Assessor's Report
4. Accept May 2017 Building Department Report
5. Accept May 2017 Fire Department Report
6. Accept May 2017 Public Works Department Report
7. Approve Public Works Hires
8. Approve 2017 Staff Wage Increases
9. Approve Integrated Pest Management Plan
10. Inwood Water Tower (No. 4) – Approve Pay Request No. 10.
11. I-94 Lift Station and Sanitary Sewer Improvements – Approve Change Order No. 1.
12. Approve Hazardous Building Resolution
13. Approve Ordinance 08-177 Amending the City's Provisions Related to the Keeping of Chickens

G. Regular Agenda

14. Planning Commission Appointment
15. Summer Sewer Rates –*Resolution 2017-064*
16. 9359 Jane Rd. N. Shoreland Variance – *Resolution 2017-062*
17. Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans – *Resolution 2017-063*
18. Fence Ordinance
19. Inwood 5th Addition Development Agreement Amendment
20. Janero Avenue North Street Improvement – Receive and Consider Petition.
21. Assistant City Administrator
22. Remaining Parks 2017 CIP Items-50th St Trail and Pebble Park
23. Paperless Council Packet Policy – *Resolution 2017-065*

H. Council Reports

I. Staff Reports and Announcements

J. Adjourn

**CITY OF LAKE ELMO
CITY COUNCIL MINUTES
JUNE 6, 2017**

CALL TO ORDER/PLEDGE OF ALLEGIANCE

Mayor Pearson called the meeting to order at 7:00 pm.

PRESENT: Mayor Mike Pearson and Councilmembers Julie Fliflet, Jill Lundgren and Christine Nelson. **ABSENT:** Councilmember Justin Bloyer.

Staff present: Administrator Handt, City Attorney Sonsalla, City Engineer Griffin, Planning Director Wensman, and City Clerk Johnson.

APPROVAL OF AGENDA

Item 4, “Approve Inwood 5th Development Agreement” was moved to the Regular Agenda.

Councilmember Lundgren, seconded by Councilmember Nelson, moved TO APPROVE THE AGENDA AS AMENDED. Motion passed 4 – 0.

ACCEPT MINUTES

Minutes of the May 16, 2016 Special Meeting were accepted as presented.

PUBLIC COMMENTS/INQUIRIES

A moment of silence was observed in memory of Public Works employee Mark Duddeck.

PRESENTATIONS

None

CONSENT AGENDA

2. Approve Payment of Disbursements
3. Approve Resolution Congratulating the Lake Elmo Inn
5. Downtown Phase 2 Improvements – Approve Cooperative Agreement Payment No. 2
6. Approve Inwood Booster Station Change Order No. 4
7. Downtown Phase 3 Improvements – Approve Declaration of Easement on City Hall Property
8. MnDOT Master 2018-2022 Contract – Approve Agreement
9. Approve LDO Lake Improvement Matching Grant
10. Accept Resignation of Public Works Operator
11. Approve City Representative on Friends of Sunfish Lake Park Board
12. Approve Easton Village 2nd Addition Development Agreement

Councilmember Nelson, seconded by Mayor Pearson, moved TO APPROVE THE CONSENT AGENDA AS PRESENTED. Motion passed 4 - 0.

ITEM 4: Approve Inwood 5th Development Agreement

Discussion was held regarding the trail along 10th Street that was included in previous plans. Developer John Rask explained that east to west connection will be provided through the development on streets and sidewalks.

Mayor Pearson, seconded by Councilmember Nelson, moved TO ADOPT RESOLUTION 2017-059 APPROVING THE DEVELOPER AGREEMENT FOR INWOOD 5TH ADDITION PLANNED UNIT DEVELOPMENT.

Councilmember Fliflet stated she would not support the motion without a trail along 10th Street. Councilmember Lundgren agree.

Mayor Pearson, seconded by Councilmember Nelson, moved TO AMEND THE PRIMARY MOTION TO TABLE THE ITEM TO A FUTURE MEETING. Motion withdrawn.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO AMEND THE PRIMARY MOTION TO ADD REMOVAL OF LANGUAGE IN PARAGRAPH 7 REFERRING TO THE TRAIL REQUIREMENT AND REMOVING PARAGRAPH 29.G. Motion passed 4 – 0.

Primary motion passed 4 – 0.

ITEM 14: Hammes 1st Addition Drainage and Utility Easement Vacation – Public Hearing

Planning Director Wensman explained that an outlot in the Hammes 1st Addition has been replatted and the easement is no longer needed as it has been replaced with a new easement.

Councilmember Lundgren, seconded by Mayor Pearson, moved TO OPEN THE PUBLIC HEARING. Motion passed 4 – 0.

There was no public comment.

Councilmember Lundgren, seconded by Councilmember Nelson, moved TO CLOSE THE PUBLIC HEARING. Motion passed 4 – 0.

Councilmember Lundgren, seconded by Councilmember Nelson, moved TO APPROVE RESOLUTION 2017-050 VACATING THE DRAINAGE AND UTILITY EASEMENT OVER OUTLOT E, HAMMES ESTATES 1ST ADDITION. Motion passed 4 – 0.

ITEM 15: MS4 Program – Public Meeting and Approve Annual Report

City Engineer Griffin presented the Annual Report for the MS4 program.

Councilmember Lundgren, seconded by Mayor Pearson, moved TO ACCEPT THE ANNUAL REPORT FOR 2016 AND AUTHORIZE STAFF TO SUBMIT THE REPORT TO THE MPCA. Motion passed 4 – 0.

ITEM 16: Wildflower PUD Amendment

Planning Director Wensman stated that he has met with the developer, Bob Engstrom, to negotiate the issues discussed at a previous Council meeting. Wensman presented amended requests from Mr. Engstrom regarding setbacks and noted that the HOA would take over plowing snow in the alleys.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO ADOPT RESOLUTION 2017-048 APPROVING WILDFLOWER AT LAKE ELMO PUD AMENDMENTS. Motion passed 4 – 0.

ITEM 17: Royal Golf Preliminary Plat and PUD

Planning Director Wensman presented an overview of the main site elements and the PUD overlay. Discussion held concerning tree replacement, signs, park dedication and lift stations.

Ann Bucheck, 2301 Legion Avenue N, read a letter she prepared into the public record that offered comments on the proposed development.

Tim Mandel, 2479 Lisbon Avenue N., spoke against the PUD development and encouraged the city to require the golf course to be open to the public.

Susan Dunn, 11018 Upper 33rd St. N, spoke against dense development and asked for the review of the letter from the DNR.

Rick Packer, Royal Golf Club, clarified that all pedestrian related improvements in the development will be open to the public, including trails and sidewalks. Packer also discussed tree preservation and clubhouse lighting.

Councilmember Fliflet, seconded by Councilmember Nelson, moved TO ADOPT RESOLUTION 2017-047 APPROVING THE ROYAL GOLF CLUB AT LAKE ELMO PRELIMINARY PLAT AND PUD WITH THE CONDITIONS OF APPROVAL BASED ON FINDINGS AND WITH A CHANGE TO CONDITION #30 THAT REMOVES “AND THAT A PHOTOMETRIC ANALYSIS BE DONE” AND ADD THE ADDITION OF LANGUAGE REFERRING TO A \$1,000,000 DONATION TO THE CITY FOR BALL FIELDS WILL BE DUE WITH THE PHASE OF DEVELOPMENT THAT CAUSES THE CURRENT BALLFIELDS TO NO LONGER BE USED. Motion passed 4 – 0.

ITEM 18: Parcel A – Schiltgen Property Concept PUD

Planning Director Wensman presented concept plan details and analysis of the plan. Wensman also reviewed PUD objectives and density bonus points.

Joe Chavez, 3505 Kelvin Avenue N., asked to be included in the planning process, as the proposed development would impact a landlocked parcel he owns adjacent to the site.

Susan Dunn, 11018 Upper 33rd Street N., encouraged the Council to drive through the area to see if the proposed density makes sense.

Ann Bucheck, 2301 Legion Avenue N., commented on housing types, density, buffers and other issues.

Craig Allen spoke on behalf of the developer, addressing questions regarding setbacks. Allen also spoke about market demands and affordability.

Mark Skeie, 4156 Kindred Way, stated that residents of Hamlet on Sunfish Lake would like a buffer on the west side of the proposed development and noted that they are working with the developer regarding the sewer connection.

Councilmember Nelson, seconded by Mayor Pearson, moved TO ADOPT RESOLUTION 2017-061 APPROVING THE PUD CONCEPT PLAN FOR PARCEL A – SCHILTGEN PROPERTY SUBJECT TO CONDITIONS AND BASED ON FINDINGS. Motion passed 3 – 1. (Lundgren – nay)

Councilmember Lundgren expressed concerns regarding density of the proposed development.

ITEM 19: Planning Commission Appointments

Administrator Handt reported that due to Commissioner Fields' resignation, Commissioner Hartley would move to a voting member position and Commissioner Emerson would move to 1st Alternate, creating a vacancy in the second alternate position.

Councilmember Fliflet, seconded by Councilmember Lundgren, moved TO APPOINT TUCKER PEARCE TO THE PLANNING COMMISSION AS SECOND ALTERNATE. Motion failed 2 – 2. (Pearson, Nelson – nay)

Councilmember Nelson stated that she didn't support the motion as Mr. Pearce is currently a valuable member of the Parks Commission.

Mayor Pearson, seconded by Councilmember Nelson, moved TO APPOINT STUART JOHNSON TO THE PLANNING COMMISSION AS SECOND ALTERNATE. Motion failed 2 – 2. (Fliflet, Lundgren – nay)

COUNCIL REPORTS

Mayor Pearson: Attended Hamlet on Sunfish Lake HOA meeting, Parks Commission meeting and EDA meeting. Met with Parks Commissioner, met with Washington County regarding the 30th Street intersection, met with Hunters Crossing residents. Addressed resident concerns regarding construction projects.

Councilmember Nelson: No report.

LAKE ELMO CITY COUNCIL MINUTES
JUNE 6, 2017

Councilmember Lundgren: Lake Elmo Farmer's Market starts on Saturday, June 24th at Lake Elmo Elementary School.

Councilmember Bloyer: Absent.

Councilmember Fliflet: Announced Lake Elmo Library summer reading program and disagreed with the decision to lock the Valley Friendship Club out of the Arts Center.

STAFF REPORTS AND ANNOUNCEMENTS

Administrator Handt: Working on the space needs study, interviewing public works operator candidates, preparing for Finance Committee meeting on June 8th, attended a number of meetings with Washington County regarding roads, attended the Environmental Committee meeting.

City Clerk Johnson: Thanked resident Virginia Pleban for her donation of pots and flowers for the City Hall front entrance.

City Attorney Sonsalla: Working on a hazardous building issue and Easton Village 2nd Addition.

Planning Director Wensman: Working on various plan reviews.

City Engineer Griffin: Working on plan reviews, pre-construction meetings. 2017 Street Improvements project will be starting up soon.

Meeting adjourned at 10:48 pm.

LAKE ELMO CITY COUNCIL

ATTEST:

Mike Pearson, Mayor

Julie Johnson, City Clerk



& COUNCIL COMMUNICATION

DATE: June 20, 2017
CONSENT
ITEM #: 2
MOTION

AGENDA ITEM: Approve Disbursements in the amount of \$412,962.97

SUBMITTED BY: Brian Swanson, Finance Director

THROUGH: Kristina Handt, City Administrator

REVIEWED BY: Kristina Handt, City Administrator

FISCAL IMPACT: \$412,962.97

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to approve disbursements in the amount of \$412,962.97. No specific motion is needed as this is recommended to be part of the *Consent Agenda*.

BACKGROUND INFORMATION/STAFF REPORT: The City of Lake Elmo has the fiduciary responsibility to conduct normal business operations. Below is a summary of current claims to be disbursed and paid in accordance with State law and City policies and procedures.

Claim #	Amount	Description
ACH	\$ 18,885.92	Payroll Taxes to IRS & MN Dept. of Revenue 06/06/17
ACH	\$ 8,335.75	Payroll Retirement to PERA 06/06/17
ACH	\$ 1,000.00	Payroll Retirement to MDCP 06/06/17
n/a	\$ 0.00	Payroll Checks (none)
Direct Deposits	\$ 45,085.00	Payroll Deposits 06/06/17
46050-46095	\$ 339,596.30	Accounts Payable 06/20/17
2835	\$ 60.00	Accounts Payable 06/20/17 (Library Checks)
TOTAL	\$ 412,962.97	

RECOMMENDATION: Based on the aforementioned, the staff recommends the City Council approve as part of the Consent Agenda the aforementioned disbursements in the amount of \$412,962.97.

ATTACHMENTS:

1. Accounts Payable – check register

Accounts Payable To Be Paid Proof List

CC 6.20.17

User: Amy
Printed: 06/14/2017 - 3:50 PM
Batch: 009-06-2017

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Biff's Inc. BIFFS W636194-W636203 101-450-5200-44120 Rentals - Buildings W636194-W636203 Total: BIFFS Total:	05/24/2017	846.00 846.00 846.00	0.00	06/20/2017	Portable Restrooms	042617-052317	-	No		0000
Biff's Inc. Total:		846.00								
Boarman Kroos Vogel Grp Inc BOARMANK 43534 411-480-8000-43030 Engineering Services 43534 Total: BOARMANK Total:	05/25/2017	2,420.39 2,420.39 2,420.39	0.00	06/20/2017	2162.01 LE Municipal Space Needs Assmt		-	No		0000
Boarman Kroos Vogel Grp Inc Total:		2,420.39								
Bolton & Menk, Inc BOLTONME 0203121 602-495-9450-43030 Engineering Services 0203121 Total: 0203122 803-490-9070-43030 Engineering Services 0203122 Total: BOLTONME Total:	06/14/2017	2,205.00 2,205.00 2,817.00 2,817.00 5,022.00	0.00 0.00	06/20/2017 06/20/2017	1-94 Lift Station #1 2016.134 Design Royal Golf Club Lift Station Design		- -	No No		0000 0000

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	Bolton & Menk, Inc Total:	5,022.00								
Bryan Rock Products, Inc.										
BRYAN										
21754	05/31/2017	642.50	0.00	06/20/2017	Ballfied Lime		-	No		0000
101-450-5200-44030	Repairs/Maint Imp Not Bldgs									
	21754 Total:	642.50								
	BRYAN Total:	642.50								
Bryan Rock Products, Inc. Total:		642.50								
CB & I Constructors, Inc.										
CB & I										
20170601	06/01/2017	135,185.00	0.00	06/20/2017	Inwood Water Tower 2015.130		-	No		0000
601-494-9400-43030	Engineering Services									
	20170601 Total:	135,185.00								
	CB & I Total:	135,185.00								
CB & I Constructors, Inc. Total:		135,185.00								
Central Wood Products										
CENWOOD										
368431	05/23/2017	1,700.00	0.00	06/20/2017	Playground mulch		-	No		0000
101-450-5200-44030	Repairs/Maint Imp Not Bldgs									
	368431 Total:	1,700.00								
	CENWOOD Total:	1,700.00								
Central Wood Products Total:		1,700.00								
Century Power Equipment										
CENTPOW										
715108	04/27/2017	322.00	0.00	06/20/2017	Mower Tires		-	No		0000
101-450-5200-42210	Equipment Parts									
	715108 Total:	322.00								
	CENTPOW Total:	322.00								
Century Power Equipment Total:		322.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Chris Amdahl Locksmith, Inc										
AMDAHL	05/27/2017	704.00	0.00	06/20/2017	Replace door lock at Station # 1		-		No	0000
13301	101-420-2220-44010									
	Repairs/Maint Bldg									
	13301 Total:	704.00								
	AMDAHL Total:	704.00								
Chris Amdahl Locksmith, Inc Total:										
		704.00								
Cintas Corporation #754										
CINTAS	05/31/2017	130.16	0.00	06/20/2017	Uniforms		-		No	0000
754733793	101-430-3100-44170									
	Uniforms									
	754733793 Total:	130.16								
754735939	101-410-1940-44010	105.64	0.00	06/20/2017	Cleaning & Maint Supplies		-		No	0000
	Repairs/Maint Contractual Bldg									
	754735939 Total:	105.64								
754736326	101-430-3100-44170	130.16	0.00	06/20/2017	Uniforms		-		No	0000
	Uniforms									
	754736326 Total:	130.16								
	CINTAS Total:	365.96								
Cintas Corporation #754 Total:										
		365.96								
City of Bloomington										
CTYBLOOM	06/05/2017	42.00	0.00	06/20/2017	Lab Bacteria Testing - May 2017		-		No	0000
1700022	601-494-9400-42270									
	Utility System Maintenance									
	1700022 Total:	42.00								
	CTYBLOOM Total:	42.00								
City of Bloomington Total:										
		42.00								
City of Oakdale										
CTYOAKDA	05/31/2017	15,103.57	0.00	06/20/2017	Water meter - South Pit 050117-		-		No	0000
20170531	601-494-9400-43820				060117					
	Water Utility									
	20170531 Total:	15,103.57								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
CTYOAKDA Total:		15,103.57								
City of Oakdale Total:		15,103.57								
City of Roseville										
CTYROSEV										
223073	06/07/2017	112.47	0.00	06/20/2017	Telephone - Admin June 2017		-		No	0000
101-410-1320-43210	Telephone									
223073	06/07/2017	23.66	0.00	06/20/2017	Telephone - Bldg June 2017		-		No	0000
101-420-2400-43210	Telephone									
223073	06/07/2017	234.87	0.00	06/20/2017	Telephone - PW June 2017		-		No	0000
101-430-3100-43210	Telephone									
223073	06/07/2017	17.77	0.00	06/20/2017	Telephone - Engineering June 2017		-		No	0000
101-410-1930-43210	Telephone									
223073	06/07/2017	35.55	0.00	06/20/2017	Telephone - Finance June 2017		-		No	0000
101-410-1520-43210	Telephone									
223073	06/07/2017	49.30	0.00	06/20/2017	Telephone - Planning June 2017		-		No	0000
101-410-1910-43210	Telephone									
223073 Total:		473.62								
223110	06/08/2017	410.00	0.00	06/20/2017	Netmotion VPN Access		-		No	0000
101-410-1520-43210	Telephone									
223110 Total:		410.00								
CTYROSEV Total:		883.62								
City of Roseville Total:		883.62								
Comcast										
COMCAST										
20170527	05/27/2017	7.93	0.00	06/20/2017	Cable Fee 060917-070817		-		No	0000
101-420-2220-44300	Miscellaneous									
20170527 Total:		7.93								
COMCAST Total:		7.93								
Comcast Total:		7.93								
Earl F. Andersen, Inc.										
EARLANDE										
0114513	06/07/2017	754.70	0.00	06/20/2017	Street ID Signs		-		No	0000
101-430-3120-42260	Sign Repair Materials									
0114513 Total:		754.70								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
0114537	06/07/2017	153.30	0.00	06/20/2017	No Parking in Alley Signs		-			0000
101-430-3120-42260	Sign Repair Materials									
	0114537 Total:	153.30							No	0000
	EARLANDE Total:	908.00								
<hr/>										
	Earl F. Andersen, Inc. Total:	908.00								
<hr/>										
Emergency Apparatus Maint. Inc										
EMERGAPP										
93314-2	05/09/2017	200.00	0.00	06/20/2017	Repair T2 dump chute		-		No	0000
101-420-2220-44040	Repairs/Maint Eqpt									
	93314-2 Total:	200.00								
	EMERGAPP Total:	200.00								
<hr/>										
	Emergency Apparatus Maint. Inc Total:	200.00								
<hr/>										
First State Tire Recycling										
FIRSTTIR										
104243	06/07/2017	582.80	0.00	06/20/2017	Clean-Up Day - Tire Recycling		-		No	0000
101-430-3100-44380	Clean-up Days									
	104243 Total:	582.80								
	FIRSTTIR Total:	582.80								
<hr/>										
	First State Tire Recycling Total:	582.80								
<hr/>										
Gopher State One Call										
ONECALL										
7050492	05/31/2017	313.88	0.00	06/20/2017	Locate Tickets - May 2017		-		No	0000
601-494-9400-43150	Contract Services									
7050492	05/31/2017	313.87	0.00	06/20/2017	Locate Tickets - May 2017		-		No	0000
602-495-9450-43150	Contract Services									
	7050492 Total:	627.75								
	ONECALL Total:	627.75								
<hr/>										
	Gopher State One Call Total:	627.75								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Innovative Office Solutions										
INNOVAT										
IN1611359	05/12/2017	163.14	0.00	06/20/2017	Office Supplies		-		No	0000
101-410-1320-42000	Office Supplies									
IN1611359	05/30/2017	159.61	0.00	06/20/2017	Toner & Ink		-		No	0000
101-420-2400-42000	Office Supplies									
Total:		322.75								
IN1638133	06/07/2017	55.75	0.00	06/20/2017	Office Supplies		-		No	0000
101-410-1320-42000	Office Supplies									
Total:		55.75								
IN1641291	06/09/2017	136.28	0.00	06/20/2017	Toner		-		No	0000
101-410-1320-42000	Office Supplies									
Total:		136.28								
INNOVAT Total:		514.78								
Innovative Office Solutions Total:		514.78								
Jani-King of Minnesota, Inc										
JANIKING										
MIN06170339	06/01/2017	329.26	0.00	06/20/2017	Cleaning Services - City Hall June 2017		-		No	0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
Total:		329.26								
MIN06170339	06/01/2017	204.00	0.00	06/20/2017	Cleaning Svs - Public Works		-		No	0000
101-430-3100-43150	Contract Services									
Total:		204.00								
JANIKING Total:		533.26								
Jani-King of Minnesota, Inc Total:		533.26								
Kath Fuel Oil Service Co										
kathfuel										
591338	05/30/2017	804.86	0.00	06/20/2017	Fuel		-		No	0000
101-430-3100-42120	Fuel, Oil and Fluids									
Total:		804.86								
591339	05/30/2017	241.69	0.00	06/20/2017	Fuel		-		No	0000
101-430-3100-42120	Fuel, Oil and Fluids									
Total:		241.69								
591340	05/30/2017	213.19	0.00	06/20/2017	Fuel		-		No	0000
101-430-3100-42120	Fuel, Oil and Fluids									
Total:		213.19								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
kathfuel Total:		1,259.74								
Kath Fuel Oil Service Co Total:		1,259.74								
King Cassidy KINGK										
20170511	05/11/2017	55.00	0.00	06/20/2017	Cable Oper - 051517 Parks Comm		-		No	0000
101-410-1450-43620	Cable Operations									
20170511	05/11/2017	55.00	0.00	06/20/2017	Cable Oper - 051117 EDA		-		No	0000
101-410-1450-43620	Cable Operations									
20170511	05/11/2017	55.00	0.00	06/20/2017	Cable Oper - 051117 Finance Comm		-		No	0000
101-410-1450-43620	Cable Operations									
20170612	06/12/2017	165.00								
101-410-1450-43620	Cable Operations									
20170612	06/12/2017	25.00	0.00	06/20/2017	Cable Oper - After 10 hrs bonus		-		No	0000
101-410-1450-43620	Cable Operations									
20170612 Total:		80.00								
KINGK Total:		245.00								
King Cassidy Total:		245.00								
Kwik Trip Inc KWIK										
20170602	06/02/2017	69.64	0.00	06/20/2017	Fuel		-		No	0000
101-420-2220-42120	Fuel, Oil and Fluids									
20170602 Total:		69.64								
KWIK Total:		69.64								
Kwik Trip Inc Total:		69.64								
Lake Elmo Oil, Inc. LEOIL										
S01203-20170531	05/31/2017	145.66	0.00	06/20/2017	Fuel		-		No	0000
101-420-2220-42120	Fuel, Oil and Fluids									
S01203-20170531 Total:		145.66								
LEOIL Total:		145.66								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Lake Elmo Oil, Inc. Total:		145.66								
Lavey Link										
LINKLAVE										
20170606	06/06/2017	4,577.50	0.00	06/20/2017	2017 Eurasian W'tr Milfoil Mid-Lake Trtmt	-	-	No		0000
101-450-5200-44302	Lakes									
20170606 Total:		4,577.50								
LINKLAVE Total:		4,577.50								
Lavey Link Total:		4,577.50								
Loffler Companies, Inc.										
LOFF										
2539231	06/05/2017	496.25	0.00	06/20/2017	Copy Machine Overage & Base June 2017	-	-	No		0000
101-410-1940-44040	Repairs/Maint Contractual Eqpt									
2539231 Total:		496.25								
LOFF Total:		496.25								
Loffler Companies, Inc. Total:		496.25								
Maroney's Sanitation, Inc										
MARONEYS										
681587	06/07/2017	121.72	0.00	06/20/2017	Trash Service-City Hall 0501-0531	-	-	No		0000
101-410-1940-43840	Refuse									
681587	06/07/2017	50.77	0.00	06/20/2017	Trash Service-Fire Station 2 0501-0531	-	-	No		0000
101-420-2220-43840	Refuse									
681587	06/07/2017	221.17	0.00	06/20/2017	Trash Svs-Parks Bldg (storage) 0501-0531	-	-	No		0000
101-450-5200-43840	Refuse									
681587	06/07/2017	231.04	0.00	06/20/2017	Trash Service-Public Works 0501-0531	-	-	No		0000
101-420-2220-43840	Refuse									
681587	06/07/2017	50.88	0.00	06/20/2017	Trash Service-Library 0501-0531	-	-	No		0000
206-450-5300-43840	Refuse									
681587	06/07/2017	13,673.66	0.00	06/20/2017	2017 'Clean Up Days' Trash Services	-	-	No		0000
101-430-3100-44380	Clean-up Days									
681587 Total:		14,349.24								
MARONEYS Total:		14,349.24								
Maroney's Sanitation, Inc Total:		14,349.24								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Menards - Oakdale MENARDSO										
30576	05/23/2017	149.95	0.00	06/20/2017	Rain Gear		-	No		0000
101-430-3100-44375	Personal Protection Equipment									
	30576 Total:	149.95								
30890	05/23/2017	69.61	0.00	06/20/2017	Shop supplies		-	No		0000
101-430-3100-42150	Shop Materials									
	30890 Total:	69.61								
31072	05/23/2017	44.48	0.00	06/20/2017	Catch basin repair materials		-	No		0000
603-496-9500-42270	Utility System Maint Supplies									
	31072 Total:	44.48								
31500	05/31/2017	54.17	0.00	06/20/2017	Boots - Jamie Colener		-	No		0000
101-430-3100-44170	Uniforms									
	31500 Total:	54.17								
	MENARDSO Total:	318.21								
	Menards - Oakdale Total:	318.21								
Metropolitan Council METCOU										
1066269	03/15/2017	3,724.99	0.00	06/20/2017	Waste Water Services July 2017		-	No		0000
602-495-9450-43820	Sewer Utility - Met Council									
	1066269 Total:	3,724.99								
20170531	06/13/2017	72,065.00	0.00	06/20/2017	SAC Charges - May 2017		-	No		0000
602-000-0000-20802	SAC due Met Council									
20170531	06/13/2017	-720.65	0.00	06/20/2017	SAC Charges - May 2017 prompt pay disc		-	No		0000
602-000-0000-37220	SAC Early Pay discount/revenue									
	20170531 Total:	71,344.35								
	METCOU Total:	75,069.34								
	Metropolitan Council Total:	75,069.34								
Michaels Geraldine L-MICHAE										
20170614	06/14/2017	60.00	0.00	06/20/2017	Library Card Reimbursement		-	No		0000
206-450-5300-44300	Miscellaneous									
	20170614 Total:	60.00								
	L-MICHAE Total:	60.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Michael's Geraldine Total:		60.00								
Newspapers Inc. Lillie Suburban										
Lillie										
007148-20170531	05/31/2017	57.00	0.00	06/20/2017	Publishing - MS4 Public Hearing Notice		-		No	0000
603-496-9500-44300	Miscellaneous Expenses									
007148-20170531	05/31/2017	210.00	0.00	06/20/2017	Publishing - 2016 CCR		-		No	0000
601-494-9400-44300	Miscellaneous									
007148-20170531	05/31/2017	24.00	0.00	06/20/2017	Notice - Hammes Easement Vacation		-		No	0000
101-410-1910-43510	Legal Publishing									
007148-20170531	05/31/2017	27.00	0.00	06/20/2017	Notice - GWSA Land Development		-		No	0000
101-410-1910-43510	Legal Publishing									
007148-20170531	05/31/2017	21.00	0.00	06/20/2017	Notice - Ordinance 08-174		-		No	0000
101-410-1910-43510	Legal Publishing									
007148-20170531	05/31/2017	24.00	0.00	06/20/2017	Notice - Rachel Development		-		No	0000
101-410-1910-43510	Legal Publishing									
007148-20170531	05/31/2017	15.00	0.00	06/20/2017	Notice - Ordinance 08-175		-		No	0000
101-410-1910-43510	Legal Publishing									
007148-20170531	05/31/2017	39.00	0.00	06/20/2017	Notice - CM Properties		-		No	0000
101-410-1910-43510	Legal Publishing									
007148-20170531 Total:		417.00								
Lillie Total:		417.00								
Newspapers Inc. Lillie Suburban Total:		417.00								
River Country Cooperative										
RIVRCOOP										
20170531	05/31/2017	237.04	0.00	06/20/2017	Fuel		-		No	0000
101-420-2220-42120	Fuel, Oil and Fluids									
20170531 Total:		237.04								
RIVRCOOP Total:		237.04								
River Country Cooperative Total:		237.04								
Safe-Fast, Inc.										
SAFEFAST										
184721	06/07/2017	60.35	0.00	06/20/2017	Safety Vests		-		No	0000
101-430-3100-44375	Personal Protection Equipment									
184721	06/07/2017	60.35	0.00	06/20/2017	Safety Vests		-		No	0000
101-450-5200-44375	Personal Protection Equipment									
184721 Total:		120.70								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
184774	06/08/2017	129.00	0.00	06/20/2017	Hi-Vis T-Shirts		-			0000
101-430-3100-44375	Personal Protection Equipment									No
184774	06/08/2017	129.00	0.00	06/20/2017	Hi-Vis T-Shirts		-			0000
101-450-5200-44375	Personal Protection Equipment									No
	184774 Total:	258.00								
	SAFEFAST Total:	378.70								
	Safe-Fast, Inc. Total:	378.70								
SHI International Corp										
SHI										
B06575204	05/24/2017	23.36	0.00	06/20/2017	Acrobat Pro x 2		-			0000
101-410-1520-43190	Software Programs									No
	B06575204 Total:	23.36								
	SHI Total:	23.36								
	SHI International Corp Total:	23.36								
Short Elliot Henderickson, Inc										
SHORTELL										
333128	06/08/2017	17,066.48	0.00	06/20/2017	OV PH 3 2016.133		-			0000
409-480-8000-45300	Improvements Other Than Bldgs				Design/Easements/Observ					No
333128	06/08/2017	7,660.39	0.00	06/20/2017	OV PH 3 2016.133		-			0000
602-495-9450-45300	Improvements Other Than Bldgs				Design/Easements/Observ					No
	333128 Total:	24,726.87								
	SHORTELL Total:	24,726.87								
	Short Elliot Henderickson, Inc Total:	24,726.87								
Shred-It USA										
SHRED-IT										
8122052360	05/31/2017	312.48	0.00	06/20/2017	Document Shredding June 2017		-			0000
101-410-1320-43150	Contract Services									No
	8122052360 Total:	312.48								
	SHRED-IT Total:	312.48								
	Shred-It USA Total:	312.48								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
Smith Schafer & Associates,LTD										
SMITHSCH										
49616	05/30/2017	9,450.00	0.00	06/20/2017	Interim Billing Year ended 12/31/16		-		No	0000
101-410-1520-43010	Audit Services									
	49616 Total:	9,450.00								
	SMITHSCH Total:	9,450.00								
Smith Schafer & Associates,LTD Total:										
		9,450.00								
SW/WC Service Cooperatives										
SW/WC										
170602186298	06/02/2017	29,188.00	0.00	06/20/2017	July 2017 BCBS Premium		-		No	0000
101-000-0000-21706	Medical Insurance									
	170602186298 Total:	29,188.00								
	SW/WC Total:	29,188.00								
SW/WC Service Cooperatives Total:										
		29,188.00								
TDS Metrocom - LLC										
TDS										
651-714-2209	06/13/2017	103.33	0.00	06/20/2017	Analog Lines - Fire 0613-0712		-		No	0000
101-420-2220-43210	Telephone									
651-714-2209	06/13/2017	193.57	0.00	06/20/2017	Analog Lines - Public Works 0613-0712		-		No	0000
101-430-3100-43210	Telephone									
651-714-2209	06/13/2017	96.04	0.00	06/20/2017	Analog Lines - Lift Stn Alarms 0613-0712		-		No	0000
602-495-9450-43210	Telephone									
651-714-2209	06/13/2017	50.03	0.00	06/20/2017	Analog Lines - Alarm Well Hs 2 0613-0712		-		No	0000
601-494-9400-43210	Telephone									
	651-714-2209 Total:	442.97								
	TDS Total:	442.97								
TDS Metrocom - LLC Total:										
		442.97								
TKDA, Inc.										
TKDA										
002017001861	06/07/2017	1,254.81	0.00	06/20/2017	2017 Street Improvements		-		No	0000
409-480-8000-43030	Engineering Services									
	002017001861 Total:	1,254.81								
002017001862	06/07/2017	1,170.53	0.00	06/20/2017	2017 Street Improvements		-		No	0000
409-480-8000-43030	Engineering Services									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
	002017001862 Total:	1,170.53								
	TKDA Total:	2,425.34								
	TKDA, Inc. Total:	2,425.34								
Verizon Wireless										
VERIZON										
9786214413	05/21/2017	65.80	0.00	06/20/2017	Wireless Charges 0510-0521		-		No	0000
101-430-3100-43210	Telephone									
	9786214413 Total:	65.80								
	VERIZON Total:	65.80								
	Verizon Wireless Total:	65.80								
Washington County										
WASH-REC										
20170601	06/01/2017	276.00	0.00	06/20/2017	Recordings		-		No	0000
101-410-1320-43150	Contract Services									
	20170601 Total:	276.00								
	WASH-REC Total:	276.00								
	Washington County Total:	276.00								
Water Conservation Svs Inc.										
WATERCON										
7233	12/21/2016	260.80	0.00	06/20/2017	Leak Detection-main break 10891 32nd St		-		No	0000
601-494-9400-44030	Repairs\Maint Imp Not Bldgs									
	7233 Total:	260.80								
9291	01/10/2017	282.40	0.00	06/20/2017	Leak Detection-main break 11306 32nd St		-		No	0000
601-494-9400-44030	Repairs\Maint Imp Not Bldgs									
	9291 Total:	282.40								
	WATERCON Total:	543.20								
	Water Conservation Svs Inc. Total:	543.20								
Wensman Stephen										
WENSMAN										
20170531	05/31/2017	28.94	0.00	06/20/2017	Mileage - Wensman		-		No	0000
803-490-9070-44300	Miscellaneous Expenses									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
20170531 Total:		28.94								
WENSMAN Total:		28.94								
Wensman Stephen Total:		28.94								
White Anita										
Whiteani										
20170516	05/16/2017	55.00	0.00	06/20/2017	Cable Oper - 051617 CC		-		No	0000
101-410-1450-43620	Cable Operations									
20170516	05/16/2017	25.00	0.00	06/20/2017	Cable Oper - After 10 hours bonus		-		No	0000
101-410-1450-43620	Cable Operations									
20170516 Total:		80.00								
20170613	06/13/2017	55.00	0.00	06/20/2017	Cable Oper - 060617 CC		-		No	0000
101-410-1450-43620	Cable Operations									
20170613	06/13/2017	25.00	0.00	06/20/2017	Cable Oper - After 10 hours bonus		-		No	0000
101-410-1450-43620	Cable Operations									
20170613	06/13/2017	55.00	0.00	06/20/2017	Cable Oper - 060817 Finance Comm		-		No	0000
101-410-1450-43620	Cable Operations									
20170613	06/13/2017	55.00	0.00	06/20/2017	Cable Oper - 061217 HR Comm		-		No	0000
101-410-1450-43620	Cable Operations									
20170613	06/13/2017	55.00	0.00	06/20/2017	Cable Oper - 061317 CC Workshop		-		No	0000
101-410-1450-43620	Cable Operations									
20170613 Total:		245.00								
Whiteani Total:		325.00								
White Anita Total:		325.00								
Xcel Energy										
XCEL										
548229334	05/30/2017	285.61	0.00	06/20/2017	VFW Ballfields Lts		-		No	0000
101-450-5200-43810	Electric Utility									
548229334 Total:		285.61								
548232538	05/30/2017	919.08	0.00	06/20/2017	Public Works		-		No	0000
101-430-3100-43810	Electric Utility									
548232538 Total:		919.08								
548373809	05/31/2017	351.00	0.00	06/20/2017	City Hall		-		No	0000
101-410-1940-43810	Electric Utility									
548373809 Total:		351.00								
548454646	05/31/2017	430.22	0.00	06/20/2017	Booster Station		-		No	0000
601-494-9400-43810	Electric Utility									
548454646 Total:		430.22								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
548900040	06/05/2017	20.81	0.00	06/20/2017	Legion Park Lights		-		No	0000
101-450-5200-43810	Electric Utility									
548900040	06/05/2017	250.53	0.00	06/20/2017	Lift Station		-		No	0000
602-495-9450-43810	Electric Utility									
548900040	06/05/2017	35.17	0.00	06/20/2017	Traffic Lights		-		No	0000
101-430-3160-43810	Street Lighting									
	Total:	306.51								
548943018	06/05/2017	2,350.12	0.00	06/20/2017	Street Lights		-		No	0000
101-430-3160-43810	Street Lighting									
	Total:	2,350.12								
549125188	06/06/2017	838.50	0.00	06/20/2017	Wells # 1 & 2		-		No	0000
601-494-9400-43810	Electric Utility									
	Total:	838.50								
	XCEL Total:	5,481.04								
	Xcel Energy Total:	5,481.04								
ZOLL Medical Corp.										
ZOLLMEDI										
2504084-1	03/08/2017	2,132.42	0.00	06/20/2017	CPR Rescue Pump		-		No	0000
101-420-2220-42080	EMS Supplies									
	Total:	2,132.42								
	ZOLLMEDI Total:	2,132.42								
ZOLL Medical Corp. Total:		2,132.42								
Report Total:		339,656.30								



STAFF REPORT

DATE: June 20, 2017

CONSENT

ITEM: 3

TO: Lake Elmo City Council

FROM: Dan Raboin, City Assessor

AGENDA ITEM: Monthly Assessor Report

REVIEWED BY: Kristina Handt, City Administrator

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to accept the monthly assessor report for May 2017 outlining work performed on behalf of the City of Lake Elmo. No specific motion is needed as this is recommended as part of the *Consent Agenda*.

MONTHLY ACTIVITY:

Property splits/plats – 0
Sales collected and viewed – 21
Taxpayer inquiries – 6
Miscellaneous inquiries - 3
Inspections – Residential – 62
Inspections – Commercial - 1
Building permit reviews – 3
Pictures taken – 65

Other work performed included:

- Monthly meeting with County residential and commercial supervisors.
When not working in the field/inspections:
- Computer work includes but not limited to; data entry for all properties inspected, permit information, sales verification using MLS and other resources, and telephone inquiries.

RECOMMENDATION: Based on the aforementioned, the staff recommends the City Council accept the May 2017 monthly assessor report.



STAFF REPORT

DATE: June 20, 2017

CONSENT

ITEM #: 4

TO: Lake Elmo City Council

FROM: Mike Bent, Building Official

AGENDA ITEM: Monthly Building Department Report – May 2017

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to accept the monthly building department report. No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

MONTHLY REPORT: Below is a snapshot of the monthly statistics for May 2017. Comparison data is also include from prior years for May for new home single family construction and total permitting activity for the month. Attached are the system summary reports breaking out this information further, including the statistics related to the inspection activity.

	<u>2017</u>	<u>2016</u>	<u>2015</u>
New homes	19/4*	22	13/6*
Total valuation	\$6,896,000/\$810,000	\$8,057,000	\$4,655,511/\$1,176,000
Average home value	\$362,947/\$202,500	\$424,052	\$358,116/\$196,000
Total Permit Valuation YTD	\$50,802,333**	\$43,478,797	\$16,987,858

*Single Family Home/Townhouse

** (Includes) Lake Elmo Elementary School Remodel Permit Issued: Valuation \$2,582,079

RECOMMENDATION: Based on the aforementioned, staff recommends the City Council accept the May 2017 monthly building permit report.

ATTACHMENTS:

1. Valuation Report
2. Permits Issued & Fees Report
3. Inspection statistic report for May 2017

CITY OF LAKE ELMO
Valuation Report - Summary

Issued Date From: 5/1/2017 To: 5/31/2017
 Permit Type: All Property Type: All Construction Type: All
 Include YTD: Yes

Permit Kind	Permit Count	Valuation	Dwell Units
Permit Type: BUILDING			
COMMERCIAL REMODEL	1	\$2,582,079.00	0
MANUFACTURED HOME REMODEL	1	\$1,000.00	0
SINGLE FAMILY ATTACHED BASEMENT FINISH	2	\$20,000.00	0
SINGLE FAMILY ATTACHED DECK	4	\$20,000.00	0
SINGLE FAMILY ATTACHED NEW CONSTRUCTION	4	\$810,000.00	0
SINGLE FAMILY BASEMENT FINISH	1	\$25,000.00	0
SINGLE FAMILY DECK	9	\$97,619.00	0
SINGLE FAMILY NEW CONSTRUCTION	19	\$6,896,000.00	0
SINGLE FAMILY POOL	1	\$21,600.00	0
SINGLE FAMILY PORCH	1	\$5,500.00	0
SINGLE FAMILY REMODEL	8	\$418,667.00	0
SINGLE FAMILY ROOFING	6	\$66,125.87	0
SINGLE FAMILY SIDING	2	\$45,700.00	0
SINGLE FAMILY SOLAR PANEL INSTALL	1	\$17,779.00	0
SINGLE FAMILY WINDOWS	7	\$86,924.09	0
Permit Type: BUILDING - Total			
	Period 67	\$11,113,993.96	0
	YTD 234	\$50,802,333.96	0
Report Total:			
	Period 67	\$11,113,993.96	0
	YTD 234	\$50,802,333.96	0

CITY OF LAKE ELMO
Permits Issued & Fees Report - Detail by Address

Issued Date From: 5/1/2017 To: 5/31/2017
 Permit Type: All Property Type: All Construction Type: All
 Include YTD: Yes Status: Not Voided

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
Permit Type: BUILDING													
Permit Kind: COMMERCIAL ADDITION													
Permit Kind: COMMERCIAL ALTERATION													
2017-00309	05/08/2017	9220 HUDSON BLVD N	0			300.00		1.00	0.00				301.00
Permit Kind: COMMERCIAL FIRE ALARM													
2017-00311	05/02/2017	8568 EAGLE POINT BLVD N	0			100.00		1.00					101.00
Permit Kind: COMMERCIAL REMODEL													
2017-00274	05/05/2017	11030 STILL WATER BLVD N	0		2,582,079.00	43,628.09	8,797.85	1,059.62					53,585.56
Permit Kind: COMMERCIAL ROOFING													
Permit Kind: COMMERCIAL SEWER & WATER CONNECTION													
2016-01337	05/01/2017	9242 HUDSON BLVD N	0			1,125.00		37.50					1,162.50
Permit Kind: COMMERCIAL SIDING													

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
Permit Type: BUILDING													
Permit Kind: MANUFACTURED HOME REMODEL													
2017-00325	05/04/2017	28 CIMARRON	0		1,000.00	46.50		1.00					47.50
Permit Kind: MANUFACTURED HOME REPLACE/REPAIR													
Permit Kind: MANUFACTURED HOME ROOFING													
Permit Kind: SINGLE FAMILY ALTERATION													
Permit Kind: SINGLE FAMILY ATTACHED BASEMENT FINISH													
2017-00301	05/15/2017	9823 5TH ST LANE N	0		10,000.00	335.90	140.34	5.00					481.24
2017-00302	05/15/2017	9825 5TH ST LANE N	0		10,000.00	215.90	140.34	5.00					361.24
Permit Kind: SINGLE FAMILY ATTACHED DECK													
2017-00296	05/10/2017	9819 5TH ST LANE N	0		5,000.00	133.15	86.55	2.50					222.20
2017-00297	05/10/2017	9821 5TH ST LANE N	0		5,000.00	133.15	86.55	2.50					222.20
2017-00298	05/10/2017	9823 5TH ST LANE N	0		5,000.00	133.15	86.55	2.50					222.20
2017-00299	05/10/2017	9825 5TH ST LANE N	0		5,000.00	133.15	86.55	2.50					222.20
Permit Kind: SINGLE FAMILY ATTACHED NEW CONSTRUCTION													
2017-00214	05/05/2017	9843 5TH ST LANE N	0		209,000.00	2,597.40	1,249.56	104.50	1,000.00	1	3,485.00	1,000.00	8,886.46
2017-00213	05/05/2017	9845 5TH ST LANE N	0		196,000.00	2,509.65	1,192.52	98.00	1,000.00	1	3,485.00	1,000.00	8,735.17
2017-00212	05/05/2017	9847 5TH ST LANE N	0		196,000.00	2,509.65	1,192.52	98.00	1,000.00	1	3,485.00	1,000.00	8,735.17
2017-00215	05/05/2017	9849 5TH ST LANE N	0		209,000.00	2,597.40	1,249.56	104.50	1,000.00	1	3,485.00	1,000.00	8,886.46
Permit Kind: SINGLE FAMILY BASEMENT FINISH													
2017-00358	05/24/2017	9542 JUNCO RD N	0		25,000.00	644.15	301.70	12.50					958.35

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
Permit Type: BUILDING													
Permit Kind: SINGLE FAMILY DECK													
2017-00381	05/19/2017	10891 32ND ST N	0	0	22,600.00	431.05	280.18	11.30					722.53
2017-00290	05/03/2017	11776 32ND ST N	0	0	11,000.00	232.45	151.09	5.50					389.04
2017-00399	05/25/2017	11274 40TH ST N	0	0	7,500.00	182.80	118.82	3.75					305.37
2017-00337	05/15/2017	11159 4TH ST N	0	0	9,000.00	199.35	129.58	4.50					333.43
2017-00377	05/23/2017	11188 4TH ST N	0	0	15,000.00	298.65	194.12	7.50					500.27
2017-00278	05/02/2017	2528 IMPERIAL AVE N	0	0	6,500.00	166.25	108.06	3.25					277.56
2017-00374	05/19/2017	4032 LADY SLIPPER RD N	0	0	19,500.00	381.40	247.91	9.75					639.06
2017-00303	05/03/2017	333 LAVERNE AVE N	0	0	3,250.00	116.60	75.79	1.62					194.01
2016-01285	05/04/2017	5760 LILY AVE N	0	0	3,269.00	116.60	75.79	1.63					194.02
Permit Kind: SINGLE FAMILY DEMOLITION													
2017-00366	05/15/2017	1446 LAKE ELMO AVE N	0	0		200.00		1.00	0.00				201.00
2017-00365	05/15/2017	1756 LAKE ELMO AVE N	0	0		200.00		1.00	0.00				201.00
Permit Kind: SINGLE FAMILY DOOR													
Permit Kind: SINGLE FAMILY MANUFACTURED HOME													
Permit Kind: SINGLE FAMILY NEW CONSTRUCTION													
2017-00242	05/31/2017	11779 32ND ST N	0	0	333,000.00	3,434.40	1,793.61	166.50	2,000.00	1	3,485.00	1,000.00	10,329.51
2017-00390	05/26/2017	11834 32ND ST N	0	0	337,000.00	3,461.40	1,811.16	168.50	2,000.00	1	3,485.00	1,000.00	10,376.06
2017-00260	05/02/2017	11131 41ST STREET CIR N	0	0	387,000.00	3,798.90	2,030.54	193.50	2,000.00	1	3,485.00	1,000.00	10,957.94
2017-00251	05/05/2017	545 6TH STREET LANE N	0	0	409,000.00	3,947.40	2,127.06	204.50	2,000.00	1	3,485.00	1,000.00	11,213.96
2017-00340	05/22/2017	9586 7TH ST N	0	0	303,000.00	3,231.90	1,661.99	151.50	2,000.00	1	3,485.00	1,000.00	9,980.39
2017-00252	05/05/2017	9750 7TH ST N	0	0	425,000.00	4,055.40	2,197.26	212.50	2,000.00	1	3,485.00	1,000.00	11,400.16
2017-00246	05/03/2017	8662 IRVING CIR N	0	0	301,000.00	3,218.40	1,653.21	150.50	2,000.00	1	3,485.00	1,000.00	9,957.11
2017-00382	05/30/2017	9059 JADE CT N	0	0	269,000.00	3,002.40	1,512.81	134.50	2,000.00	1	3,485.00	1,000.00	9,584.71
2017-00300	05/05/2017	505 JADE TRL N	0	0	217,000.00	2,651.40	1,284.66	108.50	2,000.00	1	3,485.00	1,000.00	8,979.56

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
Permit Type: BUILDING													
Permit Kind: SINGLE FAMILY NEW CONSTRUCTION													
2017-00388	05/26/2017	4008 LADY SLIPPER RD N	0	0	500,000.00	4,561.65	2,526.32	250.00	2,000.00	1	3,485.00	1,000.00	12,272.97
2017-00339	05/16/2017	4044 LAVENDER AVE N	0	0	260,000.00	2,941.65	1,473.32	130.00	2,000.00	1	3,485.00	1,000.00	9,479.97
2017-00338	05/16/2017	4073 LAVENDER AVE N	0	0	339,000.00	3,474.90	1,819.94	169.50	2,000.00	1	3,485.00	1,000.00	10,399.34
2017-00329	05/10/2017	4089 LAVENDER AVE N	0	0	338,000.00	3,468.15	1,815.55	169.00	2,000.00	1	3,485.00	1,000.00	10,387.70
2017-00357	05/25/2017	4116 LAVENDER AVE N	0	0	319,000.00	3,339.90	1,732.19	159.50	2,000.00	1	3,485.00	1,000.00	10,166.59
2017-00289	05/02/2017	4119 LAVENDER AVE N	0	0	402,000.00	3,900.15	2,096.35	201.00	2,000.00	1	3,485.00	1,000.00	11,132.50
2017-00295	05/02/2017	3264 LINDEN LN N	0	0	324,000.00	3,373.65	1,754.12	162.00	2,000.00	1	3,485.00	1,000.00	10,224.77
2017-00285	05/19/2017	4117 MONARCH CT N	0	0	485,000.00	4,460.40	2,460.51	242.50	2,000.00	1	3,485.00	1,000.00	12,098.41
2017-00389	05/31/2017	4170 MONARCH CT N	0	0	348,000.00	3,535.65	1,859.42	174.00	2,000.00	1	3,485.00	1,000.00	10,504.07
2017-00279	05/04/2017	9811 WHISTLING VALLEY RD	0	0	600,000.00	5,111.65	2,883.82	300.00	2,000.00	0	0.00	0.00	8,395.47
Permit Kind: SINGLE FAMILY POOL													
2017-00344	05/12/2017	4132 LADY SLIPPER RD N	0	0	21,600.00	474.50	269.43	10.80					754.73
Permit Kind: SINGLE FAMILY PORCH													
2017-00323	05/22/2017	11185 4TH ST N	0	0	5,500.00	149.70	97.31	2.75					249.76
Permit Kind: SINGLE FAMILY REMODEL													
2017-00310	05/05/2017	9805 53RD ST N	0	0	265,000.00	2,660.40	1,495.26	132.50					4,288.16
2017-00393	05/25/2017	8790 DEMONTREVILLE TRL N	0	0	2,400.00	100.05	65.03	1.20					166.28
2017-00336	05/22/2017	3918 IRONWOOD TRL N	0	0	5,000.00	133.15	86.55	2.50					222.20
2017-00355	05/11/2017	8628 IRONWOOD TRL N	0	0	10,500.00	232.45		5.25					237.70
2017-00334	05/17/2017	5545 KEATS AVE N	0	0	25,500.00	536.00	309.40	12.75					858.15
2017-00270	05/03/2017	2916 LEGION AVE N	0	0	2,267.00	100.05		1.13					101.18
2017-00255	05/01/2017	2380 LEGION LN N	0	0	83,000.00	1,103.00	677.95	41.50					1,822.45
2017-00398	05/25/2017	4370 LILY AVE N	0	0	25,000.00	584.15	301.70	12.50					898.35
Permit Kind: SINGLE FAMILY ROOFING													
2017-00421	05/31/2017	11110 11TH ST N	0	0	15,000.00	298.65		7.50					306.15
2017-00401	05/23/2017	11197 14TH ST N	0	0	19,000.00	364.85		9.50					374.35
2017-00335	05/08/2017	8050 39TH ST N	0	0	5,687.50	149.70		2.84					152.54

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
Permit Type: BUILDING													
Permit Kind: SINGLE FAMILY ROOFING													
2017-00406	05/24/2017	293 CIMARRON	0	0	2,639.37	100.05		1.32					101.37
2017-00367	05/15/2017	8455 DEER POND TRL N	0	0	11,000.00	232.45		5.50					237.95
2017-00306	05/01/2017	4966 LINDEN TRL N	0	0	12,799.00	265.55		6.40					271.95
Permit Kind: SINGLE FAMILY SIDING													
2017-00320	05/03/2017	11761 44TH STREET LN N	0	0	30,000.00	524.00		15.00					539.00
2017-00383	05/17/2017	5545 KEATS AVE N	0	0	15,700.00	315.20		66.95					382.15
Permit Kind: SINGLE FAMILY SOLAR PANEL INSTALL													
2017-00353	05/26/2017	2748 LISBON AVENUE CT N	0	0	17,779.00	348.30		8.89					357.19
Permit Kind: SINGLE FAMILY THREE SEASON PORCH													
Permit Kind: SINGLE FAMILY WINDOWS													
2017-00424	05/31/2017	8845 27TH ST N	0	0	7,946.09	182.80		3.97					186.77
2017-00330	05/05/2017	8850 27TH STREET CT N	0	0	3,962.00	116.60		1.98					118.58
2017-00347	05/09/2017	11657 44TH ST N	0	0	5,250.00	149.70		2.62					152.32
2017-00423	05/31/2017	7610 50TH ST N	0	0	36,429.00	608.00		18.21					626.21
2017-00345	05/09/2017	5419 HIGHLANDS TRL N	0	0	13,525.00	282.10		6.76					288.86
2017-00343	05/09/2017	8702 IRONWOOD TRL N	0	0	8,364.00	199.35		4.18					203.53
2017-00346	05/09/2017	2189 LEGION LN CT N	0	0	11,448.00	249.00		5.72					254.72
Permit Type: BUILDING - Totals													
			Period	72	0	11,113,993.96	139,096.49	55,788.40	42,000.00	22	76,670.00	22,000.00	1,470,374.30
			YTD	243	0	50,802,333.96	536,085.36	23,776.35	225,000.00	122	455,170.00	156,000.00	1,695,374.30
Permit Type: MECHANICAL													

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
Permit Type: MECHANICAL													
Permit Kind: COMMERCIAL HVAC													
Permit Kind: MANUFACTURED HOME HVAC													
2017-00349	05/09/2017	383 CIMARRON	0	0		60.00		1.00					61.00
2017-00350	05/09/2017	94 CIMARRON	0	0		60.00		1.00					61.00
Permit Kind: SINGLE FAMILY FIREPLACE													
2017-00342	05/09/2017	10114 TAPESTRY BEND N	0	0		60.00		1.00					61.00
Permit Kind: SINGLE FAMILY FIXTURE INSTALLATION / APPLIANCE													
2017-00375	05/16/2017	5751 HYTRAIL AVE N	0	0		60.00		1.00					61.00
2017-00392	05/22/2017	3740 JAMACA AVE N	0	0		180.00		1.00					181.00
Permit Kind: SINGLE FAMILY HVAC													
2017-00371	05/15/2017	8225 39TH ST N	0	0		60.00		1.00					61.00
2017-00331	05/05/2017	9323 9TH ST N	0	0		60.00		1.00					61.00
2017-00348	05/09/2017	128 CIMARRON	0	0		60.00		1.00					61.00
2017-00319	05/02/2017	2927 JONQUIL TRL N	0	0		60.00		1.00					61.00
2017-00414	05/26/2017	12337 MARQUESS WAY N	0	0		60.00		1.00					61.00
2017-00322	05/04/2017	10079 TAPESTRY HILL N	0	0		124.00		1.00					125.00
Permit Type: MECHANICAL - Totals													
			Period	11	0	844.00		11.00					17,719.25
			YTD	51	0	17,219.95		499.30					17,719.25
Permit Type: PLUMBING													
Permit Kind: COMMERCIAL FIXTURE INSTALLATION / APPLIANCE													
2017-00380	05/17/2017	9075 15TH ST N	0	0		180.00		1.00					181.00

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
Permit Type: PLUMBING													
Permit Kind: COMMERCIAL FIXTURE INSTALLATION / APPLIANCE													
2017-00352	05/10/2017	9667.5 5TH ST LANE N	0			60.00		1.00					1,061.00
Permit Kind: COMMERCIAL SEWER CONNECTION													
2017-00351	05/09/2017	3459 LAKE ELMO AVE N	0			2,060.00		1.00		2	10,970.00		13,031.00
Permit Kind: COMMERCIAL WATER SOFTNER													
Permit Kind: MANUFACTURED HOME FIXTURE INSTALLATION / APPLIANCE													
Permit Kind: SINGLE FAMILY FIXTURE INSTALLATION / APPLIANCE													
Permit Kind: SINGLE FAMILY REMODEL													
2017-00387	05/19/2017	8628 IRONWOOD TRL N	0			180.00		1.00					181.00
Permit Kind: SINGLE FAMILY SEWER CONNECTION													
2017-00314	05/03/2017	11316 30TH ST N	0			560.00		1.00		1	3,985.00		4,546.00
2017-00313	05/03/2017	2986 LAKE ELMO AVE N	0			560.00		1.00		1	3,985.00		4,546.00
2017-00422	05/31/2017	2989 LAKE ELMO AVE N	0			560.00		1.00		1	3,985.00		4,546.00
2017-00417	05/30/2017	3217 LAKE ELMO AVE N	0			60.00		1.00		1	497.00		558.00
2017-00356	05/11/2017	3348 LAKE ELMO AVE N	0			560.00		1.00		1	3,985.00		4,546.00
2017-00360	05/12/2017	3360 LAKE ELMO AVE N	0			560.00		1.00		1	3,985.00		4,546.00
2017-00359	05/12/2017	3380 LAKE ELMO AVE N	0			60.00		1.00		1	497.00		558.00
2017-00318	05/03/2017	3693 LAVERNE AVE N	0			60.00		1.00		1	497.00		558.00
Permit Kind: SINGLE FAMILY WATER CONNECTION													
2017-00384	05/24/2017	2041 LAKE ELMO AVE N	0			1,000.00						3,000.00	7,250.00

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
Permit Type: PLUMBING													
Permit Kind: SINGLE FAMILY WATER CONNECTION													
2017-00385	05/30/2017	2069 LAKE ELMO AVE N	0	0		1,060.00		1.00				3,000.00	7,311.00
2017-00386	05/30/2017	2315 LAKE ELMO AVE N	0	0		60.00		1.00					3,311.00
Permit Kind: SINGLE FAMILY WATER HEATER													
2017-00363	05/12/2017	4385 JACKPINE TRL N	0	0		60.00		1.00					61.00
2017-00416	05/30/2017	871 JASMINE AVE PLACE N	0	0		60.00		1.00					61.00
2017-00379	05/17/2017	2832 LEGION AVE N	0	0		60.00		1.00					61.00
2017-00370	05/15/2017	4884 LILY AVE N	0	0		60.00		1.00					61.00
2017-00332	05/05/2017	4849 OLSON LAKE TRL N	0	0		62.00		1.00					63.00
Permit Kind: SINGLE FAMILY WATER SOFTNER													
2017-00333	05/05/2017	9751 5TH ST LANE N	0	0		62.00		1.00					63.00
2017-00369	05/15/2017	9799 5TH ST LANE N	0	0		60.00		1.00					61.00
2017-00395	05/22/2017	521 6TH STREET LANE N	0	0		60.00		1.00					61.00
2017-00397	05/22/2017	569 6TH STREET LANE N	0	0		60.00		1.00					61.00
2017-00391	05/22/2017	8780 9TH PLACE N	0	0		60.00		1.00					61.00
2017-00326	05/05/2017	8911 9TH PLACE N	0	0		60.00		1.00					61.00
2017-00327	05/05/2017	8647 IRVING CIR N	0	0		60.00		1.00					61.00
2017-00361	05/12/2017	8653 IRVING CIR N	0	0		60.00		1.00					61.00
2017-00307	05/01/2017	612 JAMES AVE N	0	0		60.00		1.00					61.00
2017-00394	05/22/2017	674 JAMES AVE N	0	0		60.00		1.00					61.00
2017-00409	05/25/2017	712 JUNIPER AVE N	0	0		60.00		1.00					61.00
2017-00396	05/22/2017	4168 UPPER 42ND ST N	0	0		60.00		1.00					61.00
2017-00308	05/01/2017	9605 WHISTLING VALLEY RD	0	0		60.00		1.00					61.00
Permit Type: PLUMBING - Totals													
			Period	33	0	8,664.00		32.00		10	32,386.00	6,000.00	61,670.90
			YTD	91	0	12,324.90		90.00		12	32,506.00	6,000.00	61,670.90
Permit Type: SPRINKLER AND ALARM													

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check Fees	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
Permit Type: SPRINKLER AND ALARM													
Permit Kind: COMMERCIAL FIRE ALARM													
Permit Kind: COMMERCIAL FIRE SUPPRESSION													
Permit Type: SPRINKLER AND ALARM - Totals													
			Period	0									5,361.22
			YTD	2	0	5,237.87		123.35					5,361.22
Permit Type: ZONING													
Permit Kind: COMMERCIAL FENCE													
Permit Kind: COMMERCIAL PARKING LOT													
2017-00354	05/11/2017	8555 EAGLE POINT BLVD N		0									
Permit Kind: COMMERCIAL SIGN													
Permit Kind: SINGLE FAMILY ACCESSORY BUILDING													
2017-00154	05/17/2017	602 JUNIPER CT N		0		75.00							75.00
2017-00413	05/26/2017	8788 LOWER 8TH PLACE N		0									
Permit Kind: SINGLE FAMILY DRIVEWAY													
2017-00372	05/15/2017	8737 DEMONTREVILLE TRL N		0		70.00							70.00
Permit Kind: SINGLE FAMILY FENCE													
2017-00400	05/23/2017	871 JASMINE AVE PLACE N		0		75.00							75.00

Permit#	Date Issued	Site Address	Permit Count	Dwell Units	Valuation	Revenue	Plan Check	State Surcharge	Escrow Fees	SAC Units	SAC Fees	WAC Fees	Total Fees
Permit Type: ZONING													
Permit Kind: SINGLE FAMILY FENCE													
2017-00321	05/04/2017	3331 KRAFT CIR N	0	0		75.00							75.00
2017-00376	05/16/2017	8950 LAKE JANE TRL N	0	0		75.00							75.00
2017-00405	05/24/2017	2329 LEGION AVE N	0	0		75.00							75.00
2017-00368	05/15/2017	11178 UPPER 33RD ST N	0	0		75.00							75.00
Permit Kind: SINGLE FAMILY PATIO													
2017-00404	05/25/2017	11075 3RD ST N	0	0		150.00							150.00
2017-00324	05/04/2017	11114 3RD ST N	0	0		75.00							75.00
2017-00420	05/31/2017	11103 4TH ST N	0	0									
Permit Kind: SINGLE FAMILY POOL													
2017-00403	05/23/2017	8352 27TH ST N	0	0		75.00							75.00
Permit Type: ZONING - Totals													
			Period	13	0	820.00							2,080.00
			YTD	23	0	2,080.00							2,080.00
Report Total													
			Period	129	0	149,424.49	55,788.40	5,469.64	42,000.00	32	109,056.00	28,000.00	1,557,205.67
			YTD	410	0	572,948.08	249,792.59	24,489.00	225,000.00	134	487,676.00	162,000.00	1,782,205.67

CITY OF LAKE ELMO
Inspection Statistics Report - Detail
Actual Date From: 5/1/2017 To: 5/31/2017
Permit Type: All Property Type: All Construction Type: All

Inspection Type	Pass	Fail	No Status	Reinsp	Period Total	YTD Total
AS BUILT	4	0	0	0	4	10
AIRTEST	0	0	0	0	0	3
BALANCE REPORT	0	0	0	0	0	1
BUILDING FINAL	24	4	0	3	28	151
DECK FINAL	4	0	0	0	4	12
DECK FOOTING	0	0	0	0	0	1
DEMOLITION FINAL	1	0	0	0	1	1
DRAINTILE	1	0	0	0	1	1
ELECTRICAL FINAL	12	0	0	0	12	89
ELECTRICAL ROUGH IN	4	0	0	0	4	60
EMERGENCY LIGHTING	0	0	0	0	0	1
ESCROW FINAL	3	0	0	0	3	15
EXIT SIGNS	0	0	0	0	0	1
FIRE ALARM ROUGH	0	0	0	0	0	3
FIRE CAULK/STOP	0	0	0	0	0	1
FENCE FINAL	8	0	0	0	8	10
FINAL	14	1	0	1	15	24
FIREPLACE ROUGH IN	17	1	0	1	18	110
FOOTINGS/SLAB	38	1	0	1	39	113
FINAL/ORSAT	1	0	0	0	1	1
FIREPLACE FINAL	5	0	0	0	5	11
FOUNDATION PRIOR TO BACKFILL	0	0	0	0	0	1
FRAMING 2	0	0	0	0	0	4
FRAMING	28	3	0	5	31	207
FRAMING ROUGH IN	0	0	0	0	0	1
FIRE RATED WALL ASSEMBLY	0	0	0	0	0	6
FIRE SEPERATION WALL	4	2	0	1	6	65
FIRE SUPPRESSION FINAL	3	0	0	0	3	32
FIRE SUPPRESSION ROUGH IN	0	0	0	0	0	6
GASLINE / PRESSURE TEST	26	6	0	6	32	170
TYPE 1 HOOD ROUGH IN	0	0	0	0	0	1
HEATING ROUGH 2	0	0	0	0	0	3
HTG RI ABOVE CEILING	0	0	0	0	0	5
HOUSE WRAP	1	0	0	0	1	10
HYDRONIC PIPE AIR TEST	0	0	0	0	0	1
IN FLOOR HEAT AIR TEST	0	0	0	0	0	3
INSULATION	30	2	0	3	32	158
LATH	28	2	0	2	30	104
HEATING FINAL	29	3	0	2	32	157
HEATING ROUGH IN	24	1	0	1	25	155
FIRE SPRINKLER ROUGH	0	0	0	0	0	31
OTHER	1	1	0	0	2	10
PIER FOOTINGS	1	0	0	0	1	1
PLUMBING FINAL	29	1	0	1	30	151
POOL FINAL	2	1	0	1	3	3
PLUMBING ROUGH IN	27	0	0	0	27	156
PLUMBING ROUGH 2	0	0	0	0	0	4
PLUMBING UNDERGROUND	17	0	0	0	17	110
POLY/UNDER SLAB	17	1	0	0	18	104
PUMPING REPORT	1	0	0	0	1	1
POURED WALL	20	0	0	0	20	81

Inspection Type	Pass	Fail	No Status	Reinsp	Period Total	YTD Total
RADON UNDERGROUND	6	0	0	0	6	37
RESTORATION	1	0	0	0	1	1
ROOFING FINAL	4	0	0	0	4	17
ICE & WATER	2	0	0	0	2	15
SEPTIC	0	0	0	0	0	2
SEWER & WATER	19	0	0	0	19	70
SEWER	7	0	0	0	7	18
SHEATHING	0	0	0	0	0	6
SIDING FINAL	0	0	0	0	0	5
FOOTINGS SIGN	0	0	0	0	0	1
SILT FENCE	8	0	0	0	8	46
SITE MEETING	1	0	0	0	1	2
SPRINKLER FINAL	0	0	0	0	0	1
STRUCTURAL STEEL	0	0	0	0	0	1
SEWER WATER DISCONNECT	1	0	0	0	1	1
TANK REMOVAL	1	0	0	0	1	1
VISUAL	0	0	0	0	0	1
WELL ABANDONEMENT	1	0	0	0	1	1
WINDOW REPLACEMENT	0	0	0	0	0	12
WATERPROOF / DRAINTILE	15	3	0	1	18	66
WEATHER RESISTIVE BARRIER	15	1	0	0	16	59
Report Totals	505	34	0	29	539	2,723



STAFF REPORT

DATE: June 20, 2017

CONSENT

ITEM #: 5

TO: City Council

FROM: Greg Malmquist, Fire Chief

AGENDA ITEM: Month End Fire Department Update for May 2017

REVIEWED BY: Kristina Handt, City Administrator

ISSUE BEFORE COUNCIL: Review month end activity update from fire department. Advise on any additional information requested.

PROPOSAL DETAILS/ANALYSIS:

We had a total of 44 Calls for May.

- | | |
|----|------------------------------------|
| 1 | Cooking Fire (Grill) |
| 1 | Structure fire |
| 5 | Dispatched and cancelled en route |
| 27 | Medicals |
| 1 | Gasoline or flammable liquid spill |
| 2 | Grass fire |
| 7 | Car accidents with injuries |
| 44 | Total |

A Command vehicle did not respond on 6 of the calls for the month for a response rate of 88%. Average response time for the month was just over 7 minutes. 18 calls had 3 or less responders minus the Duty Officer.

Department drills for the month:

- #1 – CEU (Ladders)
- #2 – Hydrant pumping
- #3 – Quarterly EMS

Points of interest:

- Staffing level continues to be a great concern and to that point:
 - 1 FF continues to be on a long term Leave of Absence.
 - 1 prospective new recruit dropped out due to other obligations.
 - Station 2 is struggling to fill night time Duty Crews and will not be able to as of next month. (personnel are unable to continue covering extra days)
 - 2 call responses this month had only 1 personnel respond and it took 31 minutes to arrive from the time of alarm for one of those.
 - 1 grass fire had 1 personnel on the initial engine requiring mutual aid assistance that normally would not have been necessary.
 - 1 daytime responder is changing jobs ending their availability during the daytime hours effective 6/2/17.
 - One good staffing item was that our personnel on medical leave has returned to full duty.
- 4 personnel completed FAO training and took the state certification test - Results pending.



MAYOR AND COUNCIL COMMUNICATION

DATE: June 20, 2017

CONSENT

ITEM #: 6

AGENDA ITEM: Public Works Director Report

SUBMITTED BY: Rob Weldon, Public Works Director

REVIEWED BY: Kristina Handt, City Administrator

ISSUE BEFORE COUNCIL:

City Council is asked to review and accept, as part of Consent Agenda, a brief description of activities that have taken place in the Public Works Department in the month of May 2017.

PROPOSAL DETAILS/ANALYSIS:

- Space Needs Meetings
- Old Village Phase 3 Bid opening
- 2017 Street Improvements Bid Opening
- APWA Spring Conference
- Submit WINS Sewer Survey
- Inwood Water Tower progress meeting
- Spring Clean-up Day
- Prep for Nature Day
- Village Preserve Pre-wear walk through
- Washington Cty. Public Works Comp. Plan Mtg.
- Pre-Con Mtgs for 2017 Street Improvements and Old Village Phase 3
- Meet with Ziegler for Generator Maint. proposal
- Meet with contractors for Discovery Crossing retaining wall repairs
- Bids for water meter replacement
- Bids for hydrant flushing
- Interviews for Public Works Maint. position
- Crack filling completed
- 5 Staff attended MN DNR Tree Inspector class
- Well #2 re-installed
- Submit 2016 Consumer Confidence Report
- 25.5 tons of asphalt for pothole patching
- Park mowing

RECOMMENDATION:

Base on the activities listed above, City Council is respectfully asked to accept the May 2017 Public Works Report.



STAFF REPORT

DATE: June 20, 2017

CONSENT

ITEM #: 7

AGENDA ITEM: Approve Public Works Hiring

SUBMITTED BY: Kristina Handt, City Administrator
Julie Johnson, City Clerk

BACKGROUND:

In April the City Council authorized staff to advertise for a Public Works Operator to add one FTE to the Public Works staff as budgeted for in 2017. In May the City lost a Public Works Operator who passed away and in June the City accepted the resignation of another Public Works Operator. Interviews and equipment testing were conducted on May 31st and June 1st and as a result, staff has extended offers to three individuals for full time Public Works Operator positions.

ISSUE BEFORE COUNCIL:

Who should the Council hire as Public Works Operators?

PROPOSAL:

Staff recommends hiring Mike Coleman, Matt Paulson and Tim Strong as Public Works Operators.

FISCAL IMPACT:

In the 2017 budget, Council planned to add a public works employee beginning in April. The pay rate offered to the three prospective hires is within the range approved by the City Council at the April 18, 2017 Council meeting.

RECOMMENDATION:

If removed from the consent agenda:

“Move to hire Mike Coleman, Matt Paulson and Tim Strong as Public Works Operators at an hourly wage of \$20.60 contingent upon passing a background check.”



STAFF REPORT

DATE: June 20, 2017

CONSENT

ITEM #: 8

AGENDA ITEM: 2017 Staff Wage Adjustments

TO: Mayor and City Council

SUBMITTED BY: Kristina Handt, City Administrator

BACKGROUND:

Last year, the City began the practice of adjusting staff wages annually in July of each year. All staff expected to complete their orientation (probationary) period in July, received a performance review from their supervisor.

The HR Committee heard the presentation from Tessia Melvin of David Drown and Associates, similar to Council, and will be continuing to work on defining a pay philosophy and compensation plan. For the time being, they are agreeable to moving forward with a step and range plan that gets everyone at least above the market minimum and moves employees to the next step in their range. This approach will provide most employees with an increase of 2-5%. Two public works employees are also receiving a step increase per the wage plan adopted in 2014. Historically, Lake Elmo has provided annual increases in the range of 2-5.5%.

ISSUE BEFORE COUNCIL:

Should the proposed wages be effective July 3, 2017?

PROPOSAL:

The following wage adjustments are recommended effective with the July 3, 2017 pay period.

Employee	Current	Proposed	Frequency
Emily Becker	\$27.10	\$28.22	hourly
Mike Bent	\$3,346.40	\$3,365.60	bi-weekly
Joe Effinger	\$20.00	\$22.00	hourly
Julie Johnson	\$2,400.00	\$2,469.60	bi-weekly
Miles Johnson	\$32.00	\$32.63	hourly
Toni Liljedahl	\$31.20	\$31.75	hourly
Greg Malmquist	\$3,145.60	\$3,208.00	bi-weekly
Matt Nicklay	\$20.00	\$22.00	hourly
Tanya Nuss	\$20.00	\$21.06	hourly
Nick Witter	\$19.79	\$21.75	hourly
Rob Weldon	\$3,268.80	\$3,398.40	bi-weekly
Stephen Wensman	\$2,967.20	\$3,022.40	bi-weekly
Joan Ziertman	\$21.63	\$22.41	hourly

In addition to our regular full and part time staff, the City has also considered adjustments to the paid on call pay structure for the fire department. Attached is a list of the different pay types and proposed rates effective in July. The proposal represents a 2% increase.

FISCAL IMPACT:

The estimated fiscal impact for the remainder of 2017 is \$17,337. This includes wages, taxes and benefits.

OPTIONS:

- 1) Approve the wage adjustments as presented
- 2) Approve the wage adjustments with a different effective date
- 3) Approve different wage adjustments
- 4) Do not approve any wage adjustments

RECOMMENDATION:

If removed from the consent agenda:

Motion to approve the 2017 staff wage adjustments as presented.

ATTACHMENTS:

- Paid on Call Firefighter Pay Plan

RATES OF PAY

- **CALL PAY = \$13.07/hr**
 - Certified EMT's shall receive an additional \$1.13 per hour.
 - ⊖ Certified ENGINEERS shall receive an additional \$1.13 per hour.
 - ⊖ Officers shall receive an additional \$1.13 per hour.

- **TRAINING and MEETING PAY = \$11.93/hr.**
 - Probationary Incentive Pay = \$562.53

- **OFFICERS PAY =**
 - ASSISTANT CHIEF (1) - \$2396.83/year
 - CAPTAINS (4) - \$1599.35/year
 - LIEUTENANTS (2) - \$799.68/year

- **DUTY CREW/STANDBY PAY - \$2.24 per hour.**

	<u>BASED ON YEAREND PERCENTAGE TOTALS</u>	
YEAR END INCENTIVE PAY	26% - Less than 31% = \$451.02	51% - Less than 61% = \$647.47
	31% - Less than 41% = \$506.29	61% - Less than 71% = \$731.30
	41% - Less than 51% = \$591.21	71% & ABOVE = \$843.81

PAY RATES EFFECTIVE JULY 1, 2017



STAFF REPORT

DATE: June 20, 2017

CONSENT

ITEM #: 9

AGENDA ITEM: Integrated Pest Management Plan
TO: Mayor and City Council
SUBMITTED BY: Kristina Handt, City Administrator

BACKGROUND:

In 2015, the City Council adopted a Bee Safe City Resolution that listed the following actions:

1. The City shall undertake its best efforts to become a Bee-Safe City by undertaking the best management practices in the use of plantings and pesticides in all public places within the City.
2. The City shall refrain from the use of systemic pesticides and systemic insecticides on City owned property including pesticides from the neonicotinoid family.
3. The City shall undertake its best efforts to plant flowers favorable to bees and other pollinators in the City's public spaces.
4. The City shall designate Bee-Safe areas in which future City plantings are free from systemic pesticides including neonicotinoids.
5. The City shall undertake its best efforts to communicate to Lake Elmo residents the importance of creating and maintaining a pollinator-friendly habitat.
6. The City shall publish a Bee-Safe City Progress Report on an annual basis.

Last year the Environmental Committee began discussing things they could do to meet those actions listed in the resolution. At their April and May meetings, the Environmental Committee heard about pollinator friendly practices and began work on developing an Integrated Pest Management Plan (IPM). They reviewed IPMs from the Pollinator Friendly Alliance and Washington County. They also did additional research on their own and in consultation with University of Minnesota staff.

ISSUE BEFORE COMMITTEE:

Should the Council adopt an Integrated Pest Management Plan?

PROPOSAL DETAILS/ANALYSIS:

The IPM as recommended by the Environmental Committee is included in your packet. The objective of the IPM plan is to:

- Identify cultural, mechanical, physical, biological and chemical control methods to manage noxious plants and pests.
- Identify cultural, mechanical, physical, biological and chemical control methods for maintenance practices including: parking lot and pavement preservation, trail maintenance, ROW maintenance and ecological restoration practices.

The IPM coordinators are the Planning Director (for new developments) and the Public Works Director (for existing city facilities).

The decision-making strategy involves seven steps:

1. Identify noxious plant/pest species
2. Monitor and assess the action levels of pests
3. Select the appropriate management methods based on current on-site information
4. Record keeping
5. Assess effectiveness of pest management
6. Tactics for future prevention
7. Further evaluation

Control methods are described and listed in the most desirable order:

1. Cultural Control
2. Mechanical Control
3. Physical Control
4. Biological Control
5. Chemical Control

Plant specific strategies are listed as well. The list of eradicate, controlled, restricted, and specifically regulated plants were updated from the MN Dept. of Agriculture's website. Strategies for specific Site types are also included in the IPM plan.

Lastly, the committee through its research developed a list of alternative pesticides and insecticides according to their toxicity to bees.

The Environmental Committee will review the IPM plan annually in conjunction with staff and help prepare the annual Bee-Safe City Progress report. Staff from the U of M Extension have also offered to work with the City on the review of the plan.

FISCAL IMPACT:

NA

OPTIONS:

- 1) Approve the IPM Plan
- 2) Amend and then Approve the IPM Plan
- 3) Do not approve the IPM Plan

RECOMMENDATION:

If removed from the consent agenda:

Motion to approve the City of Lake Elmo IPM Plan

ATTACHMENTS:

- Lake Elmo IPM



Integrated Pest Management Plan

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Introduction

As of March 3, 2015 the City of Lake Elmo has been declared a Bee-Safe City. The use of any pesticide that adversely affects pollinators is prohibited in any of the city's land including parks, roadways, and facility grounds.

Integrated Pest Management (IPM) is a system that establishes a sustainable approach to managing pests by combining cultural, mechanical, physical, biological and chemical tools to eliminate or mitigate economic, environmental and health damage caused by pests. IPM minimizes the use of pesticides and the risk to human health and the environment associated with pesticide applications. This system uses integrated methods, site or pest inspections, pest population monitoring, evaluations of the need for pest control, plus one or more pest control methods such as sanitation, structural repairs, both mechanical and living biological controls, and many other non-chemical methods. If nontoxic options are deemed unreasonable and have been exhausted, then resort to the least toxic pesticides.

The objective of this IPM plan is to:

- Identify cultural, mechanical, physical, biological and chemical control methods to manage noxious plants and pests.
- Identify cultural, mechanical, physical, biological and chemical control methods for maintenance practices including: parking lot and pavement preservation, trail maintenance, ROW maintenance and ecological restoration practices.

IPM Coordinator

The IPM Coordinators are the Planning Director for new developments and the Public Works Director for existing city facilities. The IPM Coordinators are responsible to implement the IPM plan and to coordinate pest management-related communications. The IPM Coordinators will review annually and update the IPM program.

Pest Definition

The primary focus of the IPM is an integrated approach for managing pests. For our purposes, a pest is an organism considered injurious or unwanted by humans. This can include, but not limited to groups, including animals, plants, fungi, and viruses.

IPM Decision Making Strategy

An Integrated Pest Management decision shall consist of the following steps:

1. Identify noxious plant/pest species
2. Monitor and assess the action levels of pests
3. Select the appropriate management methods based on current on-site information

4. Record keeping
5. Assess effectiveness of pest management
6. Tactics for future prevention
7. Further evaluation

1. Identify noxious plant/pest species

Proper and accurate ID of pests is essential for choosing the appropriate control method.

2. Monitor and assess action levels of pests

Some pests and plants can be tolerated at low levels. Monitoring on a regular basis ensures staff is taking action when an action threshold has been reached.

3. Select the appropriate management methods based on current on-site information

Decisions concerning whether or not pesticides should be applied in a given situation will be based on a review of all available options. Efforts will be made to avoid the use of pesticides by adequate pest proofing of facilities, beneficial sanitation practices, selection of pest-resistant plant materials, and appropriate horticultural practices.

When it is determined that a pesticide must be used in order to meet pest management objectives, the least-hazardous material will be chosen. The types of control methods are listed in the next section.

No person shall apply, store, or dispose of any pesticide on without being trained with the Public Works Department's Pesticide/Herbicide Safety training.

4. Record keeping

A record keeping system is essential to establish trends, patterns, and thresholds in pest outbreaks. Information recorded at every inspection or treatment should include pest identification, population size, distribution, recommendations for future prevention, and complete information on the treatment action. Records will be maintained for two years.

5. Assess effectiveness of pest management

Using the records kept by Park staff, and recent monitoring feedback, the IPM coordinator will review the management method used and decide if the method is producing the wanted outcome. If not, the IPM coordinator and staff will develop a new strategy to combat the pest at hand. Only after all IPM methods are expelled will the use of pesticide be necessary.

6. Tactics for future prevention

Prevention is the primary means of this, and any IPM program. Weed and pest problems can be largely avoided by careful design, soil preparation, proper planting/irrigation, and mulching practices. Park staff will use preventative actions to reduce conditions that attract pests to both the facility grounds and buildings. Finalized preventative measures will be incorporated into future and existing structures and designs.

7. Further evaluation

The Environmental Committee will review the IPM program annually to gauge the effectiveness and efficiency of the program. Updates and renovations will be added to the preceding year's IPM.

Control Methods

Once the decision making strategies have been considered and a pest has reached an action threshold, below are types of control methods to consider. These control methods are listed in order of most desirable #1 cultural control, to least desirable #5 chemical control.

1. Cultural control:

- Selecting resistant species
- Proper planting and watering techniques
- Ensure healthy soil by using organic soil amendments such as compost
- Habitat modification

2. Mechanical control:

- Mowing, cutting and pruning
- Mulching
- Hand pulling
- Hand torches/Flamers
- Sanitation practices

3. Physical control:

- Over-seeding
- Thinning plant canopy
- Tree tubes for young trees

4. Biological control:

- Enhancement of favorable environment for natural enemies of pests
- Introduction of native predators
- Use of natural grazers such as goats, sheep, cattle and bison

5. Chemical control:

- Only after exhausting non-chemical control methods
- IPM coordinator must approve and decide on the least toxic chemical to be used

Pesticide Application and Training

The Public Works Director shall be responsible for distributing a pesticide application training document and record keeping documents for staff using pesticides on public

property. Applicators must have the appropriate Minnesota Department of Agriculture pesticide license.

Plant-specific strategies for Minnesota noxious weeds

Minnesota State Statute 18.75 provides a list of plant species that required to be controlled due to their aggressive nature, and potential to cause economic damage to landowners. The City of Lake Elmo uses this list to prioritize control efforts throughout the parks. A description of each species and control methods are described below.

1. Eradicate List

Prohibited noxious weeds that are listed to be eradicated are plants that are not currently known to be present in Minnesota or are not widely established. These species must be eradicated, meaning all of the above and below ground parts of the plant must be destroyed, as required by Minnesota Statutes, Section 18.78. Additionally, no transportation, propagation, or sale of these plants is allowed. Measures must also be taken to prevent and exclude these species from being introduced into Minnesota.

- a. Common teasel (*Dipsacus fullonum*)
- b. Cut-leaved teasel (*Dipsacus laciniatus*)
- c. Dalmatian toadflax (*Linaria dalmatica*)
- d. Giant hogweed (*Heracleum Mantegazzianum* Sommier and Levier)
- e. Grecian foxglove (*Digitalis lanata*)
- f. Japanese hops (*Humulus japonicas* Siebold and Zucc.)
- g. Oriental bittersweet (*Celastrus orbiculatus*)

Mechanical Control:

Small infestations can be hand-pulled, but the entire plant and roots should be removed.

Biological Control:

Goats can be used to suppress re-growth of plants which have been cut.

Chemical Control:

Foliar treatment of Bittersweet can be done with a 2% solution of triclopyr amine (Garlon 3a) mixed in water with a non-ionic surfactant (.5%) to the leaves. (8 oz per 3 gal. mix).

Cut –stem treatment can be done with a 25% mix of triclopyr amine (Garlon 3a) and applied to the stem.

- h. Yellow starthistle (*Centurea solstitialis*)

2. Controlled List:

Prohibited noxious weeds listed to be controlled are plants established throughout Minnesota or regions of the state. Species on this list must be controlled, meaning efforts must be made to prevent the spread, maturation and dispersal of any propagating parts, thereby reducing established populations and preventing reproduction and spread as required by Minnesota Statutes, Section 18.78. Additionally, transportation, propagation, or sale of these plants is prohibited.

- a. Common Barberry, *Berberis vulgaris* L.
- b. Narrowleaf Bittercress, *Cardamine impatiens* L.
- c. Plumeless Thistle, *Carduus acanthoides* (L.)
- d. Spotted Knapweed, *Centaurea stoebe* spp. *micranthos*
- e. Canada Thistle, *Cirsium arvense* (L.) Scop.
- f. Leafy Spurge, *Euphorbia esula* (L.)
- g. Purple Loosestrife, *Lythrum salicaria*, *virgatum* (L.)
- h. Wild Parsnip, *Pastinaca sativa* L. (Except for non-wild cultivated varieties)
- i. Common Tansy, *Tanacetum vulgare* (L.)

3. Restricted List:

Restricted noxious weeds are plants that are widely distributed in Minnesota and are detrimental to human or animal health, the environment, public roads, crops, livestock or other property, but whose only feasible means of control is to prevent their spread by prohibiting the importation, sale, and transportation of their propagating parts in the state except as allowed by Minnesota Statutes, Section 18.82. Plants designated as Restricted Noxious Weeds may be reclassified if effective means of control are developed.

- a. Tree of Heaven, *Ailanthus altissima* (Mill.) Swingle
- b. Garlic Mustard, *Alliaria petiolata* (Bieb.)
- c. Porcelain Berry, *Ampelopsis brevipedunculata* (Maxim.) Trautv.
- d. Crown Vetch, *Securigera varia* (L.) Lassen - formerly *Coronilla varia* L.
- e. Wild Carrot / Queen Anne's Lace, *Daucus carota* L.
- f. Glossy Buckthorn (and all cultivars), *Frangula alnus* Mill. (*columnaris*, *tallcole*, *asplenifolia* and all other cultivars)
- g. Amur Honeysuckle, *Lonicera maackii* (Rupr.) Herder
- h. Morrow's Honeysuckle, *Lonicera morrowii* A. Gray
- i. Bell's Honeysuckle, *Lonicera x bella* Zabel
- j. Common Reed - non-native subspecies, *Phragmites australis* subspecies *australis* (Cav.) Trin. ex Steud.
- k. Common or European Buckthorn, *Rhamnus cathartica* (L.)
- l. Black Locust, *Robinia pseudoacacia* L.
- m. Multiflora Rose, *Rosa multiflora* Thunb.
- n. Tatarian Honeysuckle, *Lonicera tatarica* L.

* For photos of noxious weeds visit:

<https://www.mda.state.mn.us/plants/pestmanagement/weedcontrol/noxiouslist.aspx>

4. Specially Regulated Plant List:

Specially regulated plants are plants that may be native species or have demonstrated economic value, but also have the potential to cause harm in non-controlled environments. Plants designated as specially regulated have been determined to pose ecological, economical, or human or animal health concerns. Plant specific management plans and or rules that define the use and management requirements for these plants will be developed by the Minnesota Department of Agriculture for each plant designated as specially regulated. Measures must also be taken to minimize the potential for harm caused by these plants.

- a. Poison Ivy, *Toxicodendron radicans* (L.) Kuntze & *T. radicans* (Small) Green
Must be eradicated or controlled for public safety along rights-of-ways, trails, public accesses, business properties open to the public or on parts of lands where public access for business or commerce is granted. Must also be eradicated or controlled along property borders when requested by adjoining landowners.
- b. Japanese Knotweed, *Polygonum cuspidatum* Seib. & Zucc. *Synonym as Fallopia japonica* (Houttuyn) Ronse-Decraene
- c. Giant Knotweed, *Polygonum sachalinense* F. Schmidt ex Maxim. *Synonym: Fallopia sachalinensis* (F. Schmidt) Ronse-Decraene
Any person, corporation, business or other retail entity distributing Japanese and/or giant knotweeds for sale within the state, must have information directly affixed to the plant or container packaging that it is being sold with, indicating that it is inadvisable to plant this species within 100 feet of a water body or its designated flood plain as defined by Minnesota Statute 103F.111, Subdivision 4.
- d. Japanese Barberry, *Berberis thunbergii* DC. Phase-out of seediest varieties listed below:
These cultivars average greater than 600 seeds per plant and will begin a three-year phase-out period in Minnesota beginning January 1, 2015.
'Anderson' (Lustre Green™); 'Angel Wings'; 'Antares'; 'Bailgreen' (Jade Carousel®); 'Bailone' (Ruby Carousel®); 'Bailsel' (Golden Carousel® - *B. koreana* × *B. thunbergii* hybrid); 'Bailtwo' (Burgundy Carousel®); *B. thunbergii* var. *atropurpurea*; 'Crimson Velvet'; 'Erecta'; 'Gold Ring'; 'Inermis'; 'JN Redleaf' (Ruby Jewel™); 'JN Variegated' (Stardust™); 'Kelleris'; 'Kobold'; 'Marshall Upright'; 'Monomb' (Cherry Bomb™); 'Painter's Palette'; 'Pow Wow'; 'Red Rocket'; 'Rose Glow'; 'Silver Mile'; 'Sparkle'; 'Tara' (Emerald Carousel® - *B. koreana* × *B. thunbergii* hybrid); Wild Type (parent species – green barberry)
At the end of the phase-out period (December 31, 2017), these species will become Restricted Noxious Weeds in Minnesota and will be illegal to sell and propagate.
- e. Amur Maple, *Acer ginnala* Maxim
Sellers shall affix a label that advises buyers to only plant Amur maple and its cultivars in landscapes where the seedlings will be controlled by mowing or other means. Amur maple should be planted at least 100 yards from natural areas.

Pest-Specific Strategies for Site Types

Sites types differ throughout the city and therefore require various control methods to suit their specific needs. Listed below are the site types.

1. Trails and Pathways
2. Waterways
3. Right-of-Ways
4. Landscape Beds
5. Turf Areas
6. Hard Surface Areas
7. Playgrounds
8. Natural Areas
9. No pesticide Zones

Parking lot and pavement preservation

Flame technology

Flame technology for home gardens have been around since the 1940s, and can be used on parking lot and pavement preservations to suppress vegetation growth within the cracks. Portable gas torches that produce heat above 2,000°F and can harm the vegetation structure within seconds. As the flame comes into contact with the vegetation, the heat boils the water within the plants' cells, causing the cells to burst and destroying the cell and foliage. Portable torches should be used in early spring and summer as the annual and perennial weed emerges. Controlling the vegetation at an early stage will save on time and fuel.

Proper personal protective equipment should always be worn and the manufacturer's instructions should be well understood. Torches should never be used during extreme dry periods and the area should be clear of any unwanted debris. Torches should only be used with wind speeds below 5-miles-per-hour and outside of vehicles including Kubota™, Gator™, etc. Torch control works best when the vegetation is one to two inches tall.

Warning signs should be placed at least 100 feet away from the beginning and end of the area of flame work. Flame tanks can range from 14-16oz tanks to five gallon tanks; using a larger tank does increase the time and area that can be burned. While pavement and parking lot protocols are being conducted a fire extinguisher should be within the vicinity in case the fire gets out of control. The operator should be wearing fire resistant gloves, long sleeve cotton shirt, long pants, and closed-toes boots. The tank hoses will vary by model. If the tank hose has a "torch bell" a hand lighter with a long neck should be used to light the torch. Do not use matches or a small lighter. Hands should not go near the end of the hose during the ignition process. Review all safety data sheets and company product protocols before going out into the field.

Safety and Protocols

Propane tanks can range from 14-16oz to five gallons using a larger tank increases the time and area that can be burned. While pavement and parking lot protocols are being conducted, a fire extinguisher should be within the vicinity in case the fire gets out of control. The operator should be wearing fire resistant gloves, long sleeve cotton shirt, long pants, and closed-toes boots. The tank hoses will vary by model. If the tank hose has a “torch bell” a hand lighter with a long neck should be used to light the torch. Hands should not go near the end of the hose during the ignition process.

Organic herbicide

SummerSet Alldown Concentrate is a non-selective broadcast leaf and grass herbicide with the primary active ingredients of acetic acid and citric acid. Mixing should be done away from human and vehicle traffic. Alldown should be mixed two part of chemical to one part water (2:1 ratio). Rubber gloves, protective glasses, and long sleeves should be worn while the chemical is being handled.

Pour the designated amount of chemical into the backpack sprayer, use water from the nearest hose to fill the tanks to the desired amount. The hose should NOT be placed in the tank to fill. The hose mouth should be held six to twelve inches away from the sprayer. Spraying should only occur when the temperature is between 65°F - 90°F for effective vegetation degradation. Spraying should be conducted with a wind speed of less than 10 miles-per-hour. Material safety data sheets should be reviewed before using the chemical.

Proper safety equipment should be worn while cleaning; i.e. safety glasses, gloves, long sleeves, and long pants. Rinsing the spraying containers, wands and nozzles should be done away from vehicle traffic, human traffic, and natural water sources. Fill the container ¼ full with water and replace cap to prime pressure. Spray diluted chemical into ground for ten seconds. All containers should be properly labelled.

Chemical Herbicide

Rodeo herbicide can be used to eradicate a broad range of invasive and native vegetation. Rodeo can be mixed in variety sizes of herbicide backpack sprayers and tank sprayers with the correct ration of Rodeo to water. It is necessary to record the; date, applicator, chemical used, location; and if there was an excess amount remaining in the backpack, if a label was created for the backpack, or the backpack was rinsed three times at the end of the use in the Pesticide Application Records three ringed-binder located in the chemical room of its designated park. Spraying should be conducted with a wind speed of less than 10 miles-per-hour and should be conducted between 65°F - 90°F. Material safety data sheets should be reviewed before using the chemical

The chemical and water should be mixed away from human and vehicle traffic. Rubber gloves, protective glasses, and long sleeves should be worn while the chemical is being handled. Pour the designated amount of chemical into the backpack sprayer, use water

from the nearest hose to fill the tanks to the desired amount. The hose should NOT be placed in the tank to fill. The hose mouth should be held six to twelve inches away from the sprayer.

Rinsing the spraying containers, wands and nozzles should be done away from vehicle traffic, human traffic, and natural water sources. Fill the container ¼ full with water and replace cap to prime pressure. Spray diluted chemical into ground for ten seconds. Dispose of excess chemical and refill and repeat actions two more times creating a, “triple rinse”. All containers should be properly labelled as “clean”. If the chemical was not used or cleaned and is still in the container, a label should be placed on top of the container that has the date, chemical, and percent of chemicals (i.e. mmdd rodeo @5%).

Trail maintenance

Management of trails in regards to IPM primarily involves the removal of invasive species, unwanted native species, pesky insects, problematic small mammals, and to ensure the structural integrity of the trail itself. Park staff identify the plant in question and then assess the population at hand. Once an IPM method has been decided on and implicated, further monitoring must be done to ensure the pest is under control or eradicated.

Removal of either invasive or unwanted native species can be done by hand pulling or by using machinery. To prevent vegetative pests on trails, the depth of the trail material is monitored. Thinning trails receive new surface material to combat weed penetration. Insects and small mammal pests are deterred by introducing natural predators or the pest’s natural enemies; this can be done by shaping the infected area to the wanted animal’s preferred habitat. Eroding trails receive new surface material and may need plant species with extensive root systems planted along them to prevent future deterioration.

ROW maintenance

Lake Elmo’s Ordinance for the Management of Right of Ways states: “To provide for the health, safety, and well-being of its citizens, and to ensure the structural integrity of its streets and the appropriate use of the rights-of-way, the city strives to keep its rights-of-way in a state of good repair and free from unnecessary encumbrances.”

Right of ways (ROW) include medians, curbsides, ditches, and landscape beds within the right of way. Since the City of Lake Elmo is a Bee-Safe City, the goal of the ROW maintenance is to provide suitable habitat for pollinators, with special emphasis on bees and monarch butterflies. This includes planting native plants in diverse and dense amounts, reducing mowing, and limiting herbicide use.

Alternative Pesticide List – 2017	
PESTICIDE OR BEST PRACTICE	USED FOR
Phydura – Organic (Soil Tech Corp) citric acid, malic acid, clove oil	HERBICIDE: non-selective herbicide for herbaceous broadleaf and grass weeds including garlic mustard and leafy spurge.
Scythe – Organic (DOW AgroSciences) Perlargonic acid	HERBICIDE: removes or burns waxy cuticle of green vegetation. Will not translocate. Non-selective, post-emergence for grasses and broadleaf weeds, perennial herbaceous plants. Alternative to glyphosate.
White Vinegar or acetic acid (Final Stop by Dr. Earth)	HERBICIDE: Broad spectrum for weeds and grasses including poison ivy. Apply during hot sunny months.
AllDown – Organic (Summerset)	HERBICIDE: Non-selective annual broadleaf, perennial weeds and grass herbicide including Canada Thistle. Acetic acid, citric acid. Will not translocate. Alternative to glyphosate.
Burn-out / Bonide – Organic (Bayer CropScience) clove oils, citric acid	HERBICIDE: post defoliant on annual, perennial and grassy weeds. Non selective. Will kill most roots, will not translocate. Alternative to glyphosate.
Corn gluten – Organic	HERBICIDE: pre-emergent herbicide for germinating weed seeds for broadleaf and grassy weeds. Often used for landscapes and gardens.
Integrated Pest Management Practices	Monitoring, identification and long term planning for insects and plants. Ground covers, biological controls, hedgerows, beetle banks, wind blocks, and hand pulling weeds. Improving soil health. Carefully planned mowing, brush hogging and management.
Fire: Flameweeding, blow torch, controlled burns	Used for weeds in crevices, along roadsides, trails. Annual controlled burns to encourage diversity and soil health.
Plant Identification charts and education: for example: Thistle (Natives: Hills, Tall, Field, Flodmans, Swamp) (Non-native: Canada, Bull, Plumeless, Musk)	Field staff may mistake native thistle for non-native. Visual field charts plus education can cut down on maintenance (State of Ohio uses this practice)
Shade cloth smother	Leave shade cloth in place for 1-2 years, remove and reseed in nutrient rich soil (State of Oregon uses for knapweed control)

Goats or sheep	For large areas that are hard to manage, wooded areas with bushes and invasives like buckthorn. Fencing can be a challenge for goats. (Washington County used for buckthorn)
Soil testing	Make soil inhospitable for undesirable plants by augmenting soil with nutrients contrary to what non native plant requires (such as magnesium)
Surround WP (Novasource) Kaolin clay	INSECTICIDE: for fruit trees, bushes and plants. Sprayed on plants, leaves a protective powdery film on surface of leaves, stems and fruit. Controls long list of insect pests on fruit trees and ornamentals. Avoid spraying on blooming flowers and pollinators. (Used extensively in South America and Africa)
Bacillus Thuringiensis (BT bacteria)	INSECTICIDE: Naturally occurring soil bacterium kills specific insect larvae like cabbage worm larvae. Can be used to target mosquito and black fly larvae.
Beneficial Insects (like hover flies, braconid wasps, tachinid flies, lacewings, lady beetles)	When scouting plants for pests, check for both pest and beneficial insects such as lady beetles and bees. If beneficial insects are present, wait to treat and see if the beneficial insects can control the pest insects.
Roadside mowing practices	Reduce mowing of roadside beyond clear zone to benefit pollinators and reduce maintenance costs. Reduce frequency of mowing (one side per year), or timing (October or later). Restore remnant habitat and existing native vegetation.
Protect pollinators. Use pesticides only when absolutely necessary. Least toxic insecticides include: boric acid, diatomaceous earth, neem oil, horticulture soap, and kaolin clay.	If pesticides are necessary, use spot treatments. Do not use systemic insecticides which are highly toxic to pollinators and stay in the plant, soil or tree. Never spray flowers or buds. Do not apply while plants are in full bloom. Spray in the evening when bees are not foraging.
Swarm Catchers: 651-436-7915	Statewide swarm rescue. Identify the insect species first if possible. Catchers will rescue and relocate honeybees, bumblebees and some native bees.
<i>Resources:</i> <i>Compiled by</i> <i>Pollinatorfriendly.org</i> <i>1/2017</i>	www.omri.org (Organic Materials Review Institute) www.beyondpesticides.org (Pesticide Gateway found under Resources) www.pesticideinfo.org (PAN Pesticide Database) www.cdms.net/label-database (Data Logic Database)

Insecticide Toxicity to Bees: By Active Ingredient

Chemical class	Examples of common names	Examples of trade names	Toxicity			
			Non	Low	Mod	High
Carbamates	carbaryl	Sevin				x
Neonicotinoids	Imidacloprid (I) thiamethoxam (T) clothianidin (C) dinotefuran (D) imid+bifenthrin (I,B)	Nursery/landscape Merit, Marathon, Flagship, Meridian, Arena, Aloft, Safari, Allectus, Field crops: Gaucho (I), Poncho (C), Cruiser(T) (seed treatments), Admire/Provado (I), Venom (C), Platinum (T)				x
	Acetamiprid (A), thiacloprid (T)	Tristar (A), Assail (A), Calypso (T)		x		
Organophosphates	acephate, chlorpyrifos, dimethoate, malathion, phosmet	Orthene, Dursban/Lorsban, Dimethoate, Malathion, Imidan				x
Pyrethroids	bifenthrin, cyfluthrin, fenpropathrin, lambda- cyhalothrin, permethrin	Attain/Talstar, Tempo, Decathalon, Tame, Scimitar, Astro				x
Botanical	pyrethrum/pyrethrins azadirachtin, neem oil	Pyganic, Azatin, Ornazin, Triact				x
Insect growth regulators	diflubenzuron tebufenozide	Adept, Dimilin, Confirm			x	
	azadirachtin buprofezin pyriproxyfen	Aza-Direct, Azatin, Ornazin, Talus Distance		x		
	novaluron	Pedestal				x
	s-kinoprene	Enstar II		x		
Diamides	chlorantraniliprole	Acelepryn	x			
Macrocyclic lactones	abamectin/avermectin, emamectin benzoate	Avid, Tree-Age				x
Miticides	acequinocyl, extoxazole, fenpyroximate, fenbutatin-oxide	Shuttle, TetraSan, Akari, Vendex	x			
	clofentezine, hexythiazox	Ovation, Hexagon		x		
	bifenazate	Floramite			x	
	pyridaben	Sanmite				x
Spinosyns	spinosad	Conserve/Entrust, less toxic dried		x		
Tetronic acids	spiromesifen	Judo			x	
Tetramic acid derv	spirotetramat	Kontos				x
GABA-gated chloride channel	fipronil	Fipronil, Termidor,				x
Pyridine carboxamide	flonicamid	Aria	x			
Pyridine azomethines	pymetrozine	Endeavor	x			
Other insecticides	<i>Bacillus thuringiensis</i> , <i>Cydia pomonella</i> granulovirus	Bt/Dipel, Carpovirusine/Cyd-X	x			
	Kaolin clay, soaps	Surround, M-Pede		x		
	horticultural mineral oils	Monterey Oil			x	
	indoxacarb	Provaunt				x

- For a list of bee safe herbicides visit:
http://www.medinabeekeepers.com/index.php?title=Pesticide_toxicity
- Plants and Grasses: <http://cues.cfans.umn.edu/old/gervais/keytable.htm>
- Additional resources: https://www.pesticideresearch.com/site/?page_id=9990
http://pollinatorstewardship.org/?page_id=1994



STAFF REPORT

DATE: June 20, 2017
CONSENT
ITEM #: 10

AGENDA ITEM: Inwood Water Tower (No. 4) – Pay Request No. 10

SUBMITTED BY: Chad Isakson, Project Engineer

REVIEWED BY: Krintina Handt, City Administrator
Jack Griffin, City Engineer

ISSUE BEFORE COUNCIL: Should the City Council approve Pay Request No. 10?

BACKGROUND: CB&I, Inc. was awarded a construction contract on March 15, 2016 to complete the Inwood Water Tower (No. 4) project.

PROPOSAL DETAILS/ANALYSIS: CB&I, Inc., has submitted Partial Pay Request No. 10 in the amount of \$135,185.00. The request has been reviewed and payment is recommended in the amount requested. In accordance with the contract documents, the City has retained 5% of the total work completed. The amount retained is \$102,240.43.

FISCAL IMPACT: None. Partial payment is proposed in accordance with the Contract for the project. Payment remains within the authorized scope and budget.


RECOMMENDATION: Staff is recommending that the City Council approve, *as part of the Consent Agenda*, Pay Request No. 10 for the Inwood Water Tower (No. 4) project. If removed from the consent agenda, the recommended motion for the action is as follows:

“Move to approve Pay Request No. 10 to CB&I, Inc. in the amount of \$135,185.00 for the Inwood Water Tower (No. 4)”.

ATTACHMENTS:

1. Partial Pay Estimate No. 10.

PROJECT PAY FORM

PARTIAL PAY ESTIMATE NO. <u>10</u>				<div style="font-size: 24px; font-weight: bold; margin: 0;">FOCUS</div> <div style="font-weight: bold; margin: 0;">ENGINEERING, inc.</div>	
INWOOD WATER TOWER NO. 4 PROJECT NO. 2015.130				PERIOD OF ESTIMATE FROM <u>2/1/2017</u> TO <u>5/26/2017</u>	
PROJECT OWNER: CITY OF LAKE ELMO 3800 LAVERNE AVENUE NORTH LAKE ELMO, MN 55042 ATTN: JACK GRIFFIN, CITY ENGINEER				CONTRACTOR: CB&I Inc. 14109 S. ROUTE 59 PLAINFIELD, IL 60544 ATTN: MICHAEL ALLISON	
CONTRACT CHANGE ORDER SUMMARY				PAY ESTIMATE SUMMARY	
No.	Approval Date	Amount			
		Additions	Deductions		
1	5/3/2016	\$0.00	\$0.00	1. Original Contract Amount	\$2,395,000.00
2	9/20/2016	\$8,744.00	\$0.00	2. Net Change Order Sum	\$8,744.00
				3. Revised Contract (1+2)	\$2,403,744.00
				4. *Work Completed	\$2,044,808.50
				5. *Stored Materials	\$0.00
				6. Subtotal (4+5)	\$2,044,808.50
				7. Retainage* 5.0%	\$102,240.43
				8. Previous Payments	\$1,807,383.08
TOTALS				9. Amount Due (6-7-8)	\$135,185.00
NET CHANGE		\$8,744.00		*Detailed Breakdown Attached	
CONTRACT TIME					
START DATE: <u>4/7/2016</u>			ORIGINAL DAYS <u>574</u>		ON SCHEDULE YES <input checked="" type="checkbox"/> X NO <input type="checkbox"/>
SUBSTANTIAL COMPLETION: <u>9/28/2017</u>			REVISED DAYS <u>0</u>		
FINAL COMPLETION: <u>11/2/2017</u>			REMAINING <u>160</u>		
ENGINEER'S CERTIFICATION: The undersigned certifies that the work has been reviewed and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents.				SEH, Inc.  ENGINEER <u>6/7/2017</u> DATE	
CONTRACTOR'S CERTIFICATION: The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, that all amounts have been paid by the contractor for work for which previous payment estimates was issued and payments received from the owner, and that current payment shown herein is now due.				CONTRACTOR BY _____ DATE _____	
APPROVED BY OWNER: CITY OF LAKE ELMO, MINNESOTA					
BY _____			BY _____		
DATE _____			DATE _____		

INWOOD WATER TOWER NO. 4
CITY OF LAKE ELMO, MINNESOTA
PROJECT NO. 2015.130

ITEM	DESCRIPTION OF PAY ITEM	UNIT	CONTRACT			THIS PERIOD		TOTAL TO DATE	
			QUANTITY	UNIT PRICE	AMOUNT	QUANTITY	AMOUNT	QUANTITY	AMOUNT
DIVISION 1 - SITE & UTILITY WORK									
1	MOBILIZATION	LS	1	\$16,000.00	\$16,000.00		\$0.00	1.00	\$16,000.00
2	ROCK CONSTRUCTION ENTRANCE	EA	1	\$3,822.00	\$3,822.00		\$0.00	1.00	\$3,822.00
3	TRAFFIC CONTROL	LS	1	\$2,068.00	\$2,068.00		\$0.00	0.50	\$1,034.00
4	SUBGRADE EXCAVATION	CY	120	\$10.00	\$1,200.00		\$0.00	60.00	\$600.00
5	GEOTEXTILE FABRIC TYPE V	SY	200	\$6.00	\$1,200.00		\$0.00	150.00	\$900.00
6	ORGANIC TOPSOIL BORROW	CY	100	\$30.00	\$3,000.00		\$0.00	0.00	\$0.00
7	SELECT GRANULAR BORROW	CY	150	\$16.00	\$2,400.00		\$0.00	0.00	\$0.00
8	AGGREGATE BASE, CLASS 6	TON	1,250	\$22.00	\$27,500.00		\$0.00	625.00	\$13,750.00
9	BIT WEARING COURSE MIX (WEA240B)	TON	65	\$99.00	\$6,435.00		\$0.00	0.00	\$0.00
10	BIT NON-WEARING COURSE MIX (WEB240B)	TON	65	\$99.00	\$6,435.00		\$0.00	0.00	\$0.00
11	TACK COAT	GAL	35	\$10.00	\$350.00		\$0.00	0.00	\$0.00
12	8" CONCRETE APRON	SF	350	\$25.00	\$8,750.00		\$0.00	0.00	\$0.00
13	4" CONCRETE WALK	SF	100	\$20.00	\$2,000.00		\$0.00	0.00	\$0.00
14	CONNECT TO EXISTING WATERMAIN	EA	1	\$2,300.00	\$2,300.00		\$0.00	0.00	\$0.00
15	6" DIP WATER MAIN PIPE, CL. 52	LF	10	\$110.00	\$1,100.00		\$0.00	0.00	\$0.00
16	16" DIP WATER MAIN PIPE, CL. 52	LF	120	\$140.00	\$16,800.00		\$0.00	0.00	\$0.00
17	6" GATE VALVE & BOX	EA	1	\$1,980.00	\$1,980.00		\$0.00	0.00	\$0.00
18	HYDRANT	EA	1	\$4,864.00	\$4,864.00		\$0.00	0.00	\$0.00
19	DIP FITTINGS	LB	700	\$2.50	\$1,750.00		\$0.00	0.00	\$0.00
20	POLYETHYLENE ENCASEMENT	LF	140	\$2.00	\$280.00		\$0.00	0.00	\$0.00
21	4' X 4' CATCH BASIN WITH GRATING	EA	1	\$2,618.00	\$2,618.00		\$0.00	0.00	\$0.00
22	1.5" CLEAR TOCK	CY	16	\$76.00	\$1,216.00		\$0.00	0.00	\$0.00
23	GEOTEXTILE FABRIC TYPE I	SY	30	\$6.00	\$180.00		\$0.00	0.00	\$0.00
24	18" RCP STORM SEWER PIPE, CL. V	LF	90	\$68.00	\$6,120.00		\$0.00	0.00	\$0.00
25	18" APRON W/TRASH GUARD	EA	1	\$1,700.00	\$1,700.00		\$0.00	0.00	\$0.00
26	HAND PLACED RIP RAP, CL. III	CY	10	\$92.00	\$920.00		\$0.00	0.00	\$0.00
27	GEOTEXTILE FABRIC TYPE IV	SY	37	\$3.00	\$111.00		\$0.00	0.00	\$0.00
28	PREASSEMBLED SILT FENCE	LF	500	\$2.25	\$1,125.00		\$0.00	250.00	\$562.50
29	STRAW BIOROLL	LF	1,000	\$2.00	\$2,000.00		\$0.00	0.00	\$0.00
30	TEMPORARY SEEDING (MIX 22-111 WITH TYPE I MULCH)	AC	1.5	\$4,000.00	\$6,000.00		\$0.00	0.00	\$0.00
31	SEEDING (MIX 25-131 WITH FERTILIZER & HYDROMULCH)	AC	1.5	\$3,500.00	\$5,250.00		\$0.00	0.00	\$0.00
SUBTOTAL - DIVISION 1			\$137,474.00			\$0.00		\$36,668.50	
DIVISION 2 - ELEVATED STORAGE TANK									
1	INSURANCE AND BONDS	LS	1	\$47,900.00	\$47,900.00		\$0.00	1.00	\$47,900.00
2	ENGINEERING & APPROVAL	LS	1	\$239,500.00	\$239,500.00		\$0.00	0.98	\$234,710.00
3	TANK MATERIALS	LS	1	\$316,100.00	\$316,100.00		\$0.00	1.00	\$316,100.00
4	TANK FABRICATION & SHIP	LS	1	\$287,700.00	\$287,700.00		\$0.00	1.00	\$287,700.00
5	FOUNDATION CONSTRUCTION	LS	1	\$413,400.00	\$413,400.00		\$0.00	0.95	\$392,730.00
6	CONCRETE SHAFT CONSTRUCTION	LS	1	\$372,100.00	\$372,100.00		\$0.00	1.00	\$372,100.00
7	TANK ERECTION (ON GROUND)	LS	1	\$214,600.00	\$214,600.00		\$0.00	1.00	\$214,600.00
8	TANK PAINT (ON GROUND)	LS	1	\$142,300.00	\$142,300.00	1.00	\$142,300.00	1.00	\$142,300.00
9	HOIST TANK	LS	1	\$43,450.00	\$43,450.00			0.00	\$0.00
10	TANK PAINT (IN AIR)	LS	1	\$74,200.00	\$74,200.00			0.00	\$0.00
11	STERILIZE AND TEST	LS	1	\$976.00	\$976.00			0.00	\$0.00
12	ELECTRICAL	LS	1	\$89,800.00	\$89,800.00			0.00	\$0.00
13	WATER TOWER CONTROL PANEL AND RTU	LS	1	\$15,500.00	\$15,500.00			0.00	\$0.00
SUBTOTAL - DIVISION 2			\$2,257,526.00					\$142,300.00	
TOTALS - BASE CONTRACT					\$2,395,000.00	\$142,300.00		\$2,044,808.50	
TOTAL CHANGE ORDER NO.1		0	1	\$0.00	\$0.00		\$0.00	0.00	\$0.00
TOTAL CHANGE ORDER NO.2		0	1	\$8,744.00	\$8,744.00		\$0.00	0.00	\$0.00
TOTALS - REVISED CONTRACT					\$2,403,744.00	\$142,300.00		\$2,044,808.50	



STAFF REPORT

DATE: June 20, 2017

CONSENT

ITEM #: 11

AGENDA ITEM: I-94 Lift Station (No. 1) and Sanitary Sewer Improvements - Change Order No. 1

SUBMITTED BY: Jack Griffin, City Engineer

REVIEWED BY: Kristina Handt, City Administrator
Rob Weldon, Public Works Director
Chad Isakson, Project Engineer

ISSUE BEFORE COUNCIL: Should the City Council approve Change Order No. 1 for the I-94 Lift Station (No. 1) and Sanitary Sewer Improvements?

BACKGROUND: RL Larson Excavating, Inc. was awarded a construction contract to complete the I-94 Lift Station (No. 1) and Sanitary Sewer Improvements on May 2, 2017.

PROPOSAL DETAILS/ANALYSIS: RL Larson Excavating, Inc. has submitted a change order to furnish and install lift station pumps (3) that were redesigned in response to revised pumping conditions required by Met Council. All City sanitary sewer permit applications are subject to Met Council review prior to MPCA review and approval. To approve the permit, Met Council required revised pumping conditions to meet long term discharge rates and location for the Lake Elmo sewage that is generated in the southwest sewer area.

FISCAL IMPACT: This change order will increase the contract in the amount of \$17,853.72 bringing the revised construction contract to \$826,983.42. With this change order the project remains within the authorized project budget and contingencies.

RECOMMENDATION: Staff is recommending that the City Council approve, *as part of the Consent Agenda*, Change Order No. 1 for the I-94 Lift Station (No. 1) and Sanitary Sewer Improvements. If removed from the consent agenda, the recommended motion for the action is as follows:

“Move to approve Change Order No. 1 for the I-94 Lift Station (No. 1) and Sanitary Sewer Improvements, thereby increasing the contract amount by \$17,853.72”.

ATTACHMENTS:

1. Change Order No. 1.

CONTRACT CHANGE ORDER FORM**CITY OF LAKE ELMO, MINNESOTA****I-94 LIFT STATION (NO. 1) AND SANITARY SEWER IMPROVEMENTS
PROJECT NO. 2016.134****FOCUS** ENGINEERING, inc.**CHANGE ORDER NO.** 1**DATE:** June 13, 2017**TO:** RL Larson Excavating, Inc., 2255 12th Street SE, St. Cloud, MN 56304

This Document will become a supplement to the Contract and all provisions will apply hereto. The Contract Documents are modified as follows upon execution of this Change Order.

CHANGE ORDER DESCRIPTION / JUSTIFICATION:

The lift station pumps (3 pumps) were redesigned in response to revised pumping conditions required by Met Council after receiving contractor bids. Met Council reviews all City sanitary sewer permit applications prior to MPCA review and approval. To approve the permit, Met Council required revised pumping conditions to meet long term discharge rates and location for the Lake Elmo sewage that is generated in the southwest sewer service area.

Attachments (list documents supporting change): None

ITEM	DESCRIPTION OF PAY ITEM	UNIT	QTY	UNIT PRICE	INCREASE/(DECREASE)
CO1-1	Revise Pump Design	EA	3	\$5,951.24	\$17,853.72
NET CONTRACT CHANGE					\$17,853.72

Amount of Original Contract	\$	809,129.70
Sum of Additions/Deductions approved to date (CO Nos.)	\$	0.00
Contract Amount to date	\$	809,129.70
Amount of this Change Order (ADD) (DEDUCT) (NO-CHANGE)	\$	17,853.72
Revised Contract Amount	\$	826,983.42

The Contract Period for Completion will be (UNCHANGED) (~~INCREASED~~) (~~DECREASED~~) 0 days

APPROVED BY ENGINEER: FOCUS ENGINEERING

APPROVED BY CONTRACTOR



ENGINEER

BY

6/13/2017

DATE

DATE

APPROVED BY OWNER: CITY OF LAKE ELMO, MINNESOTA

BY

BY

DATE

DATE



STAFF REPORT

DATE: June 20, 2107

REGULAR

ITEM #: 12

MOTION

TO: City Council
FROM: Mike Bent, Building Official

AGENDA ITEM: Hazardous Building Abatement Order, 9224 and 9240 31st St N – Adopt Resolution

REVIEWED BY: Sarah Sonsalla, City Attorney/Kristina Handt, City Administrator

BACKGROUND: The property located at 9224 and 9240 31st St. N. has received multiple complaints from nearby neighbors. The property has been found to be in disrepair and hazardous to the occupant and surrounding properties. Multiple attempts have been made to work with the property owner to make the necessary repairs and clean up the property, but conditions have continued to deteriorate. The property has been found to be a public nuisance per city ordinance and state statute. The Abatement Order and the resolution have been prepared by the city attorney based on the information gathered during the investigation of this case.

ISSUE BEFORE COUNCIL: As part of its Consent Agenda, the City Council is asked to approve Resolution No. 2017-66 and the Hazardous Building Abatement Order for the property at 9224 and 9240 31st St N. No specific motion is needed, as this is recommended to be part of the *Consent Agenda*.

PROPOSAL DETAILS/ANALYSIS: Approve Resolution No. 2017-66 and the Hazardous Building Abatement Order for the property at 9224 and 9240 31st St N. based on the attached supporting documents and lengthy investigation outlining the attempts to gain voluntary compliance. The property clearly falls within the definition of a public nuisance as defined by city ordinance and state statute. All attempts to gain voluntary compliance have failed.

FISCAL IMPACT: All necessary costs incurred by the City in taking the corrective action will be assessed against the property pursuant to Minnesota Statutes Section 463.21.

RECOMMENDATION:

Motion to: Approve Resolution No. 2017-66 ordering the abatement of the properties listed.

ATTACHMENTS:

1. Exhibit A Resolution 2017-66
2. Exhibit B Hardy Notice
3. Exhibit C Photos

**CITY OF LAKE ELMO
WASHINGTON COUNTY
MINNESOTA**

RESOLUTION NO. 2017- 066

*A RESOLUTION REGARDING THE ABATEMENT OF CONDITIONS CREATING A
HAZARDOUS BUILDING, HAZARDOUS PROPERTY, AND NUISANCE EXISTING AT 9224
AND 9240 31st STREET NORTH, LAKE ELMO, MINNESOTA 55042*

WHEREAS, the property located at 9224 and 9240 31st Street North, legally described on Exhibit A, attached hereto, which contains single-family dwelling, detached garage, and approximately 0.74 acres of land (the “Subject Property”); and

WHEREAS, the City has received multiple complaints regarding property maintenance violations at the Subject Property; and

WHEREAS, Linda L. Hardy is the owner (“Owner”) of the Subject Property; and

WHEREAS, on April 25, 2016, the Lake Elmo Building Official sent the Owner a Notice to Vacate the dwelling on the Subject Property due to lack of a required utility (water), accumulation of rubbish or garbage including unlicensed inoperable motor vehicles, missing or decayed wood siding and trim on the dwelling, improperly flashed siding and roofing, and piles of dried brush, tree trimmings, parts of dead trees and timber susceptible to fire; and

WHEREAS, on August 12, 2016, the Lake Elmo Building Official sent the Owner a Notice to Vacate the dwelling for identical reasons to the April 25, 2016 Notice via certified mail; and

WHEREAS, the August 12 Notice was returned because the Owner failed to pick it up from the post office; and

WHEREAS, the Lake Elmo Building Official posted a copy of the August 12 Notice on the door of the dwelling at the Subject Property on September 19, 2016; and

WHEREAS, the Owner was convicted of a misdemeanor for storing inoperable, junk, and unlicensed vehicles on the Subject Property on November 21, 2016; and

WHEREAS, as part of the Disposition Agreement from the misdemeanor case the Owner is required to remove junk vehicles and garbage from the Subject Property by June 15, 2017; and

WHEREAS, the Lake Elmo Building Official inspected the Subject Property from the right of way on March 30, 2017 and observed accumulation of rubbish or garbage, multiple motor vehicles which appeared inoperable and in disrepair, decayed wood siding and trim on

structures which was falling off in places, peeling and flaking paint on structures, rotten windows which were not properly flashed, foundation of one of the structures was caving in, siding was missing from parts of the structures, piles of dried brush, tree trimmings, fallen leaves, parts of dead trees and timber causing a fire hazard; and

WHEREAS, the Lake Elmo Building Official made numerous attempt to obtain the Owner's consent to further investigate the Subject Property by calling the Owner on four different days in April 2017 (April 10, 14,17, and 19) and sending the Owner a letter on April 19, 2017; and

WHEREAS, the Owner did not respond to the Lake Elmo Building Official; and

WHEREAS, on May 9, 2017, a Washington County Circuit Court judge approved an application by the Lake Elmo Building Official for an administrative search warrant for the Subject Property; and

WHEREAS, on May 11, 2017, the Lake Elmo Building Official along with deputies from the Washington County Sherriff's Office served the Owner with the administrative search warrant and inspected the dwelling and detached garage on the Subject Property; and

WHEREAS, during the May 11, 2017 inspection of the Subject Property, the Lake Elmo Building Official observed multiple violations of the property maintenance and building codes including foundation caving in, missing exterior trim, missing exterior flashing, a rotten window that is falling into the dwelling, a missing window where the opening is covered by plywood, rotten siding and trim boards on the exterior of the dwelling, debris and garbage strewn throughout interior of dwelling such that there are no discernable walking areas or paths, walls in dwelling lack insulation and interior finish such as sheetrock, exposed high voltage electrical wiring throughout the dwelling, no bathroom facility or plumbing fixtures in the dwelling, lack of a required water service, lack of required sewage service, lack of a required heating system, main floor beam that supports the second floor framing is bowed and shows signs of structural failure, the floor joists to the second floor are bowed or cracked due to excessive load, and the detached garage is dilapidated and structurally unsafe to enter, as described in further detail in the May 16, 2017 inspection report addressed to the Owner attached as Exhibit B; and

WHEREAS, the Lake Elmo Building Official took photographs of the Subject Property during the May 11, 2017 inspection, as shown in Exhibit C; and

WHEREAS, as a result of the May 11, 2017 inspection, the Lake Elmo Building Official determined the Subject Property constituted a hazardous property under Minn. Stat. § 463.15 due to the multiple life-safety and health issues and deemed the dwelling unfit for human habitation; and

WHEREAS, the Lake Elmo Buidling Official attempted to hand-deliver the May 16, 2017 inspection report to the Owner on two different days, however, the Owner did not answer the door so the Lake Elmo Building Official posted the report on the Owner's front door; and

WHEREAS, the Lake Elmo Building Official drove by the Subject Property the day after posting the report and observed it was no longer posted on the front door; and

WHEREAS, the Lake Elmo Building Official viewed the Subject Property from the right of way on June 16, 2017 and observed no changes or improvements to the amount of debris in the yard of the Subject Property including the numerous inoperable vehicles; and

WHEREAS, the Owner of the Subject Property has taken no steps to abate the hazardous conditions of the structures on the Subject Property or the surrounding land which was subject to the Disposition Agreement; and

WHEREAS, Lake Elmo City Code Section 96.03 provides that a public nuisance affecting peace and safety includes the failure to maintain improvements and any fire hazard caused by a building in poor condition and the accumulation of brush or fallen leaves; and

WHEREAS, Lake Elmo City Code Section 96.04 provides that a public nuisance affecting health, comfort, or repose includes the accumulation of refuse, rubbish, or garbage; and

WHEREAS, Minnesota Statutes, Section 463.161 authorizes the governing body of any city or town to order the owners of any hazardous building or property within the municipality to correct or remove the hazardous condition; and

WHEREAS, Minnesota Statutes, Section 463.15, subdivision 3 defines a “hazardous building or hazardous property” as “any building or property, which because of inadequate maintenance, dilapidation, physical damage, unsanitary condition or abandonment, constitutes a fire hazard or a hazard to public safety or health;” and

WHEREAS, Minnesota Statutes, Section 463.161 *et seq.* authorizes a city to correct or remove a hazardous condition of any hazardous building or hazardous property if the owner of record fails to do so after a reasonable time and the district court enters a judgment sustaining the city’s order; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Lake Elmo as follows:

1. The dwelling and detached garage located on the Subject Property are hazardous as defined by Minnesota Statutes, Section 463.15.
2. The Subject Property is hazardous as defined by Minnesota Statutes, Section 463.15.
3. The Subject Property also constitutes a public nuisance within the meaning of Minnesota Statutes Section 609.74 and Lake Elmo City Code Sections 96.03 and 96.04.

4. An Abatement Order substantially similar to that attached hereto as Exhibit D shall be served upon all parties with an interest or a purported interest in the Subject Property to effectuate this Resolution.
5. The City Attorney and City staff are authorized to take all necessary legal steps to secure compliance with the Order and to obtain authority to remove and abate the hazardous conditions on the Subject Property by court order or consent and assess the costs thereof against the Subject Property.

Passed and duly adopted this 20th day of June, 2017, by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

EXHIBIT A

Legal Description

That part of the Southwest Quarter (SW1/4) of Section Fifteen (15), Township Twenty-nine (29) North, Range Twenty-One (21) West, described as follows:

Commencing at the Southwest corner of said Section Fifteen (15), thence North Four Hundred Forty-Five and Two-Tenths (445.2) feet to intersection of the West line of the Southwest Quarter (SW1/4) of said Section and the center line of road (Old Stillwater and St. Paul road); thence Easterly along said center line of road Twelve Hundred Twenty-eight and Nine-Tenths (1228.9) feet to the point of beginning of this description; thence North and parallel by Eleven Hundred Seventy-Five (1175) feet with the said West line of Section Fifteen (15) for a distance of One Hundred Eighty-Seven and Four-Tenths (187.4) feet to the South right-of-way line of C. St. Paul, Minneapolis and Omaha Ry. Company; thence Westerly along said right-of-way line One Hundred Five and Four-Tenths (105.4) feet; thence South and parallel by One Thousand Seventy (1070) feet with the said West line of Section Fifteen (15) to the center line of said road, thence Easterly along said center line of road to the point of beginning.

and

The West Sixty-Three (63) feet of that part of the Southwest Quarter (SW 1/4) of Section Fifteen (15), Township Twenty-Nine (29) North, Range Twenty-One (21) West, described as follows: Commencing at the Southwest corner of said Section Fifteen (15), thence North 445.2 feet to the intersection in the West line of the Southwest Quarter (SW 1/4) of said Section, and the center line of road (Old Stillwater and St. Paul road); thence Easterly along said center line of road, 1228.09 feet to the point of beginning of this description; thence North and parallel by 1175 feet with the said West line of Section Fifteen (15), for a distance of 187.4 feet to the South right-of-way line of C. St. P.M.C.R.R. Company; thence Easterly along said right-of-way line 225.7 feet; thence South and parallel by 1400 feet with the said West line of Section Fifteen (15) to the center line of said road, 130.5 feet; thence Westerly along said center line of road, 235.5 feet to the point of beginning, Washington County, Minnesota.

EXHIBIT D

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF WASHINGTON

TENTH JUDICIAL DISTRICT

Case Type: Other Civil

In the Matter of the Hazardous
Building and Property Located at 9224 and 9240
31st Street North, Lake Elmo, Minnesota

**ORDER FOR ABATEMENT OF
HAZARDOUS BUILDINGS AND
HAZARDOUS PROPERTY AND
NUISANCE**

TO: All owners, occupants, and all lienholders of record.

The City Council of the City of Lake Elmo orders that within 20 days of service of this Order that you abate the hazardous conditions which exist on the property located at: 9224 and 9240 31st Street North, in the City of Lake Elmo, which property is legally described on Exhibit A attached hereto.

The City of Lake Elmo, pursuant to Minnesota Statutes Sections 463.15 to 463.261, finds the buildings, a dwelling and a detached garage, located at the above-referenced address constitute hazardous buildings within the meaning of Minnesota Statutes Section 463.15 subdivision 3, specifically due to the structural deficiencies and defects, lack of required utilities including water, sewer, and heat, lack of any plumbing fixtures, significant amount of garbage and debris throughout, hazardous electrical issues including exposed high voltage wiring, and overall condition of the structures.

The City of Lake Elmo, pursuant to Minnesota Statutes Sections 463.15 to 463.261, finds the property located at the above-referenced address constitutes a hazardous property within the meaning of Minnesota Statutes Section 463.15 subdivision 3, specifically due to the numerous

inoperable motor vehicles, significant amount of garbage and debris throughout the property, and piles of leaves and timber.

The City of Lake Elmo finds the property located at the above-referenced address constitutes a public nuisance within the meaning of Minnesota Statutes Section 609.74 and City Code Sections 96.03 and 96.04.

Pursuant to the above-referenced statutes, it is hereby ORDERED that you abate the hazardous property conditions within 20 days of the date of service of this Order by either removing the structures and the hazardous conditions on the property or completing the following:

1. Install water service, sewage disposal facilities, and heating facilities, including a working bathroom, kitchen sink, and heating source;
2. Remove all excess junk, garbage, and unnecessary articles from inside and outside the dwelling and the detached garage;
3. Ensure proper ingress and egress exists throughout the dwelling;
4. Clean and sanitize the dwelling and the detached garage;
5. Obtain an assessment from a licensed structural engineer to determine what needs to be done to remedy the numerous structural deficiencies throughout the dwelling and the detached garage;
6. Obtain permits and begin work on needed structural repairs according to structural engineer's assessment;
7. Interior walls of the dwelling need to be finished including but not limited to adding proper insulation and interior finish;

8. Stairs to the second floor must be repaired including adding stair treads where missing and adding handrail or guards and make the stairs structurally sound;
9. Repair rotten windows and install window in opening where window is currently missing and ensure all windows are operable;
10. Install a door where the current opening has plywood nailed over it;
11. Test for mold and remediate any mold present in the dwelling;
12. Ensure safe access to all rooms in the dwelling including the basement which is presently inaccessible due to garbage accumulation;
13. Install doors to interior rooms;
14. Repair and cover high voltage wiring and electrical boxes currently exposed in the dwelling and detached garage in accordance with the Minnesota Electrical Code;
15. Install working smoke alarms and carbon monoxide detectors throughout the dwelling; and
16. Properly dispose of all junk, garbage, debris, and yard waste from the property, including but not limited to the inoperable vehicles, piles of junk and garbage, and piles of leaves and tree debris.

You must apply for and obtain any appropriate permit(s), if applicable, for the work you intend to perform from the appropriate City offices before abating the hazardous conditions. This Order is not a permit. Further, all work completed is subject to inspection by the City's building inspector, Fire inspector, and other staff as required to ensure compliance with applicable rules and law.

You are further advised that unless such corrective action is taken or an Answer is served on the City and filed with the Washington County District Court Administrator within 20 days of

the date of service of this Order upon you, a motion for summary enforcement of this Order will be made to the Washington County District Court.

You are further advised that if you do not comply with this Order and the City is compelled to take any corrective action, all necessary costs incurred by the City in taking the corrective action will be assessed against the property pursuant to Minnesota Statutes Section 463.21. In connection thereto, the City intends to recover all its expenses incurred in carrying out this Order, including specifically but not exclusively, filing fees, service fees, publication fees, attorneys' fees, appraisers' fees, witness fees, including expert witness fees and traveling expenses incurred by the City from the time this Order was originally made pursuant to Minnesota Statutes Section 463.22.

Dated June __, 2017.

KENNEDY & GRAVEN, CHARTERED

By:

Sarah J. Sonsalla (#0313464)
Elizabeth Brodeen-Kuo (#0391949)
470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis, MN 55402
(612) 337-9300

**ATTORNEYS FOR THE
CITY OF LAKE ELMO**

EXHIBIT A

Legal Description

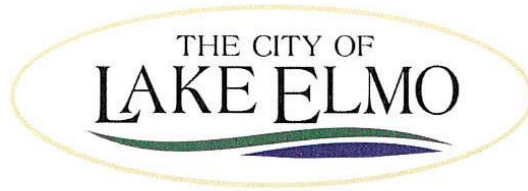
That part of the Southwest Quarter (SW1/4) of Section Fifteen (15), Township Twenty-nine (29) North, Range Twenty-One (21) West, described as follows:

Commencing at the Southwest corner of said Section Fifteen (15), thence North Four Hundred Forty-Five and Two-Tenths (445.2) feet to intersection of the West line of the Southwest Quarter (SW1/4) of said Section and the center line of road (Old Stillwater and St. Paul road); thence Easterly along said center line of road Twelve Hundred Twenty-eight and Nine-Tenths (1228.9) feet to the point of beginning of this description; thence North and parallel by Eleven Hundred Seventy-Five (1175) feet with the said West line of Section Fifteen (15) for a distance of One Hundred Eighty-Seven and Four-Tenths (187.4) feet to the South right-of-way line of C. St. Paul, Minneapolis and Omaha Ry. Company; thence Westerly along said right-of-way line One Hundred Five and Four-Tenths (105.4) feet; thence South and parallel by One Thousand Seventy (1070) feet with the said West line of Section Fifteen (15) to the center line of said road, thence Easterly along said center line of road to the point of beginning.

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May 16, 2017

Linda Hardy
9224 31st St N
Lake Elmo, MN 55042

Re: Property Maintenance –IMMEDIATE ACTION REQUIRED

Dear Ms. Hardy,

My office has received multiple complaints regarding property maintenance violations that exist at your property located at 9224 31st St N and 8240 31st N in the City of Lake Elmo.

On April 19th, 2017, I sent you a request via the United States Postal Service to inspect your property. The notice requested you contact my office to schedule an inspection by April 30th, 2017. I received no response from you regarding the request to inspect.

On May 9th, 2017, I submitted an application for an administrative search warrant to the court of Tenth Judicial District in Washington County and was granted an Administrative Search Warrant for your property by Judge Ellen L. Maas.

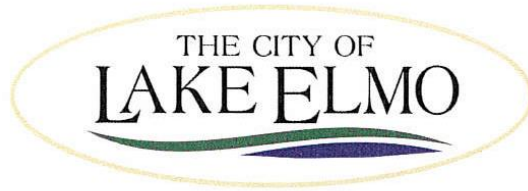
On May 11th, 2017, along with deputies from the Washington County Sheriffs office, I served you with the administrative search warrant and executed the search of your home and other structures on your property to inspect interior and exterior condition as it relates to property maintenance, building code compliance, and compliance with the Lake Elmo Property Maintenance Code.

The following violations were cited during my inspection of your property:

Main House

East Side Exterior:

1. East entry door is rotted and not secured in opening to home, exterior trim and flashing is missing, sill is rotted and the opening is not weather tight. (Exhibit 1, Exhibit 7)



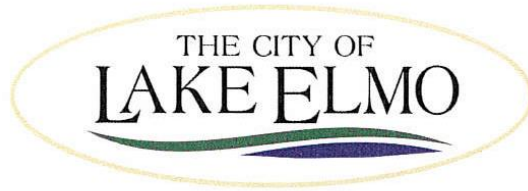
2. Foundation is caving in east side of home below grade. Block foundation grout is missing at the concrete block foundation, block is cracked and is caving in along the east wall. (Exhibit 2, Exhibit 3, Exhibit 4 & Exhibit 5)
3. The sill and floor joist area of the main floor east wall is exposed to the weather, no siding or protective weather barrier nor is flashing present in any area along the east wall. The main floor system rim and joists are rotted and structural integrity is compromised on the east exterior wall. (See Exhibit 3 & Exhibit 5)
4. The double hung window to the north of the electric meter on the east wall is rotted and falling into the house. There is no flashing present, the wood is rotted and not weather tight. (See Exhibit 6, Exhibit 8 & Exhibit 9)
5. The siding and trim boards on the east wall of the house is rotted and does not extend to the top of the wall. (See Exhibit 10 & Exhibit 11)

North Side Exterior

1. Foundation grout is missing at the concrete block foundation, block is cracked and is separating along the length of the north wall. (See Exhibit 12)
2. Structural framing of the wood frame floor system and walls above foundation is not flashed or weather tight. (See Exhibit 12)
3. Door opening on the north wall is missing the door, plywood pieces nailed over opening from the interior. Opening is not weather tight. Structural framing at the floor framing is rotted at the door opening. (See Exhibit 12)
4. Window opening on the north wall is missing the window, plywood has been nailed over the opening from the interior. Opening is not weather tight. (See Exhibit 12)
5. Exterior sheathing is missing along the north wall near the window opening. (See Exhibit 12)
6. Siding and trim missing from the north wall, sheathing is exposed to the weather and approx. top half of the exterior wall is not flashed or protected from the weather or weather tight. (See Exhibit 12)
7. Window at the top of the wall is not flashed or weather tight. (See Exhibit 12)

West Side Exterior

1. West patio door is not weather tight in opening, exterior siding, trim and flashing is missing, the opening is not weather tight. (See Exhibit 13 & Exhibit 14)
2. Foundation grout is missing at the concrete block foundation, block is cracked and is separating along the length of the north wall. Multiple location block is



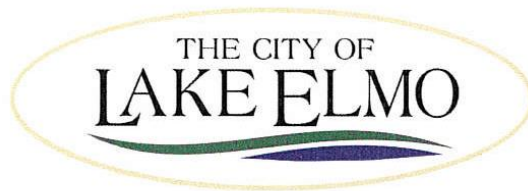
- broken and missing at the foundation. (See Exhibit 15, Exhibit 16, Exhibit 17 & Exhibit 18)
3. The siding and trim boards on the west wall of the house is rotted and does not extend to the top of the wall. (See Exhibit 13)

South Side Exterior

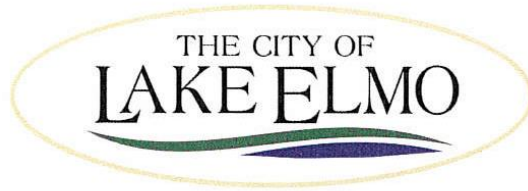
1. Foundation grout is missing at the concrete block foundation, block is cracked and is separating along the length of the south wall. Multiple location block is broken and missing at the foundation. (See Exhibit 18)
2. The siding and trim boards on the west wall of the house is rotted and does not extend to the top of the wall. (See Exhibit 11)
3. South entry door is rotted and not secured in opening to home, exterior trim and flashing is missing, sill is rotted and the opening is not weather tight. (See Exhibit 19)
4. Window opening on the south wall is rotted and not secure in opening. Opening is not weather tight.(See Exhibit 20)

Interior

1. Debris and garbage is stacked throughout the main floor at all floor/walking areas. There is no discernable walking area or paths on the main floor. The arear where the floor was found and visible, there is no finish flooring and multiple areas had sub flooring missing and plywood sitting over floor opening. (See Exhibit 23, 24, 25, 26, 27, 28, 29, 34, 38, 45,48, 49)
2. House has a definitive odor from feces, urine and garbage throughout. Household garbage is strewn throughout.
3. Homeowner has a dog present, Sherriff Deputy required owner put dog away inside kennel in bedroom area. (See Exhibit 29)
4. Exterior walls throughout do not have interior finish. Approximately half of the exterior walls have kraft faced fiberglass insulation installed. Approximately half of the exterior walls including the areas where plywood has been nailed over door and window openings have no insulation. (See Exhibits 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 43)
5. Room on the south side of the main floor has polyethylene sheet plastic draped over the door opening. The interior of the room has some kraft faced fiberglass insulation in the exterior walls and the windows have cloth draped over the openings. Polyethylene sheet plastic has been installed over all of the interior surfaces, walls and ceiling of this room creating a double vapor barrier over all of



- the wall and ceiling surface areas. High voltage electrical wiring is exposed in multiple areas throughout the room. This room has a bed and as confirmed by the property owner, this is the bedroom. There is no smoke alarm or carbon monoxide detector present. (See Exhibits 25, 26, 27, 28 29)
6. There is no identifiable bathroom facility or plumbing fixtures present in the home. There is no kitchen sink nor any food preparation area in the home. Homeowner stated she does not have running water nor is there a sewage system connection present. The natural gas meter is shut off, homeowner stated she heats with a portable electric heater.
 7. The main floor beam that runs north and south in the center of the home and supports the second floor framing is bowing in the center from excessive load. Beam is showing signs of structural failure and requires verification of sizing, additional support needed and verification of support through to the footings in the basement. (See Exhibits 22, 23, 36)
 8. The floor joists to the second floor are bowing uniformly from the front to back due to excessive load. Multiple joist have split and broken and have had sister 2 x 4 framing added incorrectly along the side but have not been added full length and add little additional support. The second floor system is unsafe and should be evaluated by a structural engineer for the required additional structural support needed. The same floor joists are rotted on the ends in multiple areas along the east wall at the plate due to the lack of a weather tight exterior. (See Exhibits 21, 22, 23, 32, 33, 46, 47, 50)
 9. Stair to the second floor area is loose and not secure. No handrails or guards are present and top stair treads are broken off. (See Exhibits 34, 36, 40, 41)
 10. Second floor is unfinished. Kraft faced fiberglass insulation has been partially installed in the rafters and polyethylene sheet plastic has been installed over the top creating a double vapor barrier. There are multiple signs of areas where trapped moisture is present between the paper face of the insulation and the polyethylene sheeting and blackened areas that appear to be mold is present throughout. Verification should be made to determine mold presence throughout the second floor area. (See Exhibits 38, 39, 43)
 11. Guard is missing along the stair opening. (See Exhibits 40, 41)
 12. High voltage electrical wiring is present and exposed throughout the second floor. There are open and exposed wires and electrical boxes throughout. (See Exhibits 37, 42, 43)
 13. The basement was inaccessible. Debris and garbage was blocking the path to the basement stairs, upon crawling over the garbage to get to the basement stairs, garbage and debris is blocking the stairway to the basement (It appears that garbage has been thrown down the basement stairway, filled the stairway and



beyond and is stacked shoulder high on the main floor preventing access to the basement. Further inspection and evaluation was not possible. (See Exhibit 34)

Detached Garage

The detached garage located to the north of the house is dilapidated and structurally unsafe to enter. The following observations were completed from the exterior and from looking inside the service door located on the east side of the structure:

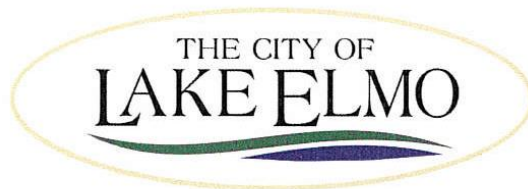
1. The bottom chord of the roof trusses are bowing and near breaking in several locations, likely due to the large amount of storage placed in the roof system. Trusses are spaced 4' on center and are not designed for storage. Sills and framing near the bottom plates are rotted and structurally unsound.
2. High Voltage Electrical wiring and open electrical boxes throughout the building.
3. Siding is rotted and decayed.
4. Door and window openings are not flashed and rotted allowing weather inside the structure further creating damage and rot to the framing structure.
5. (See Exhibits 56, 57, 58, 59, 60, 61, 62, 63, 81, 82)

The above detailed and cited items are in violation of the following sections of the City of Lake Elmo Property Maintenance Code (Also known as the 2006 International Property Maintenance Code, which the City of Lake Elmo adopted per City Code § 150.325):

1. **LEPMC 108.1.3** Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is unsanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the occupants of the structure or the public.

The property does not have water service, sewage disposal, heating facilities, a working bathroom or kitchen sink and is structurally unsafe, is in disrepair, lacks maintenance, is unsanitary and constitutes a hazard to the occupants.

2. **LEPMC 305 Interior Structure 305.1 General.** The interior of a structure and equipment therein shall be maintained in good repair, structurally sound and in a sanitary condition. Occupants shall keep that part of the structure which they occupy or control in a clean and sanitary condition, every owner of a structure



containing a rooming house, housekeeping units, a hotel, a dormitory, two or more dwelling units or two or more nonresidential occupancies, shall maintain, in a clean and sanitary condition, the shared or public areas of the structure and exterior property.

The interior of the property is not maintained in good repair, it is not structurally sound and is unsanitary.

3. **305.2 Structural members.** All structural members shall be maintained structurally sound; and be capable of supporting the imposed loads.

The property is not being maintained structurally sound or capable of supporting imposed loads.

4. **305.3 Interior Surfaces.** All interior surfaces, including windows and doors, shall be maintained in good, clean and sanitary condition. Peeling, chipping, flaking or abraded paint shall be repaired, removed or covered. Cracked or loose plaster, decayed wood and other defective surface conditions shall be corrected.

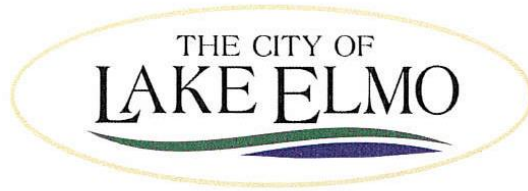
Interior surfaces, windows, doors, interior walls and finishes are not being maintained in clean and sanitary condition.

5. **305.4 Stairs and walking surfaces.** Every stair, ramp; landing, balcony, porch, deck or other walking surface shall be maintained in sound condition and good repair.

Stairs to the second floor are not maintained in sound condition and good repair. The stairs to the basement level are inaccessible, the stairway is filled with debris making the area inaccessible.

6. **305.5 Handrails and guards.** Every handrail and guard shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition. **306.1 General.** Every exterior and interior flight of stairs having more than four risers shall have a handrail on one side of the stair and every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches (762 mm) above the floor or grade below shall have guards. Handrails shall not be less than 30 inches (762 mm) high or more than 42 inches (1067 mm) high measured vertically above the nosing of the tread or above the finished floor of the landing or walking surfaces. Guards shall not be less than 30 inches (762 mm) high above the floor of the landing, balcony, porch, deck, or ramp or other walking surface.

Handrails and guardrails are missing where required.



7. **305.6 Interior doors.** Every interior door shall fit reasonably well within its frame and shall be capable of being opened and closed by being properly and securely attached to jambs, headers or tracks as intended by the manufacturer of the attachment hardware.

There are no doors to any rooms, the bedroom has polyethylene sheeting hung between the rooms.

8. **307.1 Accumulation of rubbish or garbage.** All exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

Garbage is strewn about the interior of the structure and piled in multiple locations throughout the house.

9. **402.1 Habitable spaces.** Every habitable space shall have at least one window of approved size facing directly to the outdoors or to a court. The minimum total glazed area for every habitable space shall be 8 percent of the floor area of such room. Wherever walls or other portions of a structure face a window of any room and such obstructions are located less than 3 feet (914 mm) from the window and extend to a level above that of the ceiling of the room, such window shall not be deemed to face directly to the outdoors nor to a court and shall not be included as contributing to the required minimum total window area for the room.

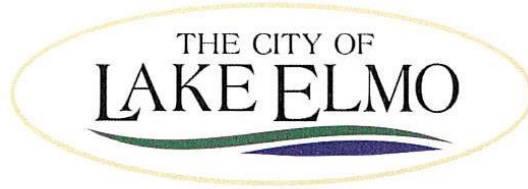
All of the windows in the home are boarded over or covered with fabric or polyethylene plastic sheeting and do not open or ventilate.

10. **502.1 Dwelling units.** Every dwelling unit shall contain its own bathtub or shower, lavatory, water closet and kitchen sink which shall be maintained in a sanitary, safe working condition. The lavatory shall be placed in the same room as the water closet or located in close proximity to the door leading directly into the room in which such water closet is located. A kitchen sink shall not be used as a substitute for the required lavatory.

The home does not have a bathroom or kitchen sink.

11. **505.1 General.** Every sink, lavatory, bathtub or shower, drinking fountain; water closet or other plumbing fixture shall be properly connected to either a public water system or to an approved private water system. All kitchen sinks, lavatories, laundry facilities, bathtubs and showers shall be supplied with hot or tempered and cold running water in accordance with the International Plumbing Code.

505.3 Supply. The water supply system shall be installed and maintained to provide a supply of water to plumbing fixtures, devices and appurtenances in sufficient volume and at pressures adequate to enable the fixtures to function properly, safely, and free from defects and leaks.



505.4 Water heating facilities. Water heating facilities shall be properly installed, maintained and capable of providing an adequate amount of water to be drawn at every required sink, lavatory, bathtub, shower and laundry facility at a temperature of not less than 110°F (43°C). A gas-burning water heater shall not be located in any bathroom, toilet room, bedroom or other occupied room normally kept closed, unless adequate combustion air is provided. An approved combination temperature and pressure-relief valve and relief valve discharge pipe shall be properly installed and maintained on water heaters.

The home does not have running water, plumbing, heated water or fixtures.

12. **506.1 General.** All plumbing fixtures shall be properly connected to either a public sewer system or to an approved private sewage disposal system.

The home is not connected to a sewage system.

13. **602.2 Residential occupancies.** Dwellings shall be provided with heating facilities capable of maintaining a room temperature of 68°F (20°C) in all habitable rooms, bathrooms and toilet rooms based on the winter outdoor design temperature for the locality indicated in Appendix D of the International Plumbing Code. Cooking appliances shall not be used to provide space heating to meet the requirements of this section.

602.5 Room temperature measurement. The required room temperatures shall be measured 3 feet (914 mm) above the floor near the center of the room and 2 feet (610 mm) inward from the center of each exterior wall.

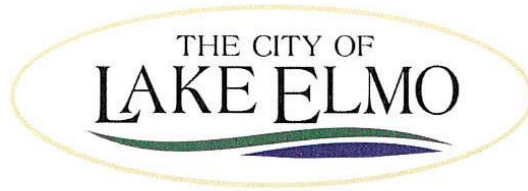
The home does not have heating facilities capable of maintaining the required temperature as required.

14. **604.1 Facilities required.** Every occupied building shall be provided with an electrical system in compliance with the requirements of this section and Section 605.

604.3 Electrical system' hazards. Where it is found that the electrical system in a structure constitutes a hazard to the occupants or the structure by reason of inadequate service, improper fusing, insufficient receptacle and lighting outlets, improper wiring or installation, deterioration or damage, or for similar reasons, the code official shall require the defects to be corrected to eliminate the hazard.

605.1 Installation. All electrical equipment, wiring and appliances shall be properly installed and maintained in a safe and approved manner.

605.2 Receptacles. Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Every laundry area shall contain at least one grounded-type receptacle or a receptacle with a ground fault circuit interrupter. Every bathroom shall contain at least one receptacle. Any new bathroom receptacle outlet shall have ground fault circuit interrupter protection.



The property has high voltage wiring and electrical boxes exposed in multiple locations throughout the property.

15. **702.1 General.** A safe, continuous and unobstructed path of travel shall be provided from any point in a building or structure to the public way. Means of egress shall comply with the International Fire Code.

702.4 Emergency escape openings. Required emergency escape openings shall be maintained in accordance with the code in effect at the time of construction, and the following. Required emergency escape and rescue openings shall be operational from the inside of the room without the use of keys or tools, Bars, grilles, grates or similar devices are permitted to be placed over emergency escape and rescue openings provided the minimum net clear opening size complies with the code that was in effect at the time of construction and such devices shall be releasable or removable from the inside without the use of a key, tool or force greater than that which is required for normal operation of the escape and rescue opening.

704.2 Smoke alarms. Single or multiple-station smoke alarms shall be installed and maintained in Groups R-Z, R-3, R-4 and in dwellings not regulated in Group R occupancies, regardless of occupant load at all of the following locations:

1. On the ceiling or wall outside of each separate sleeping area in the immediate vicinity of bedrooms.
2. In each room used for sleeping purposes.
3. In each story within a dwelling unit, including basements and cellars but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between the adjacent levels, a smoke alarm installed on the upper level shall suffice for the adjacent lower level provided that the lower level is less than one full story below the upper level.

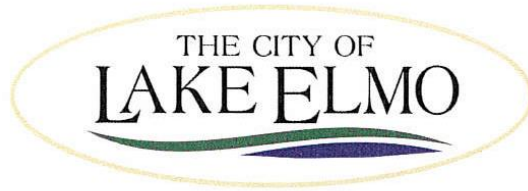
Single or multiple-station smoke alarms shall be installed in other groups in accordance with the International Fire Code.

The property does not have any openable/egress windows/emergency escape windows, the home does not have working smoke alarms or carbon monoxide detectors.

In addition to the above referenced Lake Elmo Property Maintenance Code Sections, your property is in violation of the following city ordinances:

§ 96.04 PUBLIC NUISANCES AFFECTING HEALTH, COMFORT, OR REPOSE.

(11) An accumulation of refuse, rubbish, or garbage (as defined in § 96.05) or debris of any nature or description.



§ 96.03 PUBLIC NUISANCES AFFECTING PEACE AND SAFETY. *Failure to maintain improvements.* In all zoning districts it is hereby declared necessary that all structures, landscaping, and fences be reasonably maintained so as to avoid health or safety hazards and prevent a degradation in the value of adjacent property. Failure to so maintain the improvements is declared to be a nuisance;

§ 150.325 The Property Maintenance Code of Lake Elmo Section 307.1 requires all exterior property and premises, and the interior of every structure, shall be free from any accumulation of rubbish or garbage.

§ 96.03 PUBLIC NUISANCES AFFECTING PEACE AND SAFETY. *Fire hazards.* Any building or structure which, by reason of age, dilapidated condition, defective chimneys or stove pipes, defective electric wiring, defective gas connections, defective heating apparatus, or other defect, is susceptible to fire, and which thus endangers life or limb or other buildings or property within the city; and any accumulations of brush, tree trimming, fallen leaves, parts of dead trees, timber, or other materials or substances on either vacant or improved property, which accumulations are susceptible to fire or capable of spreading fire to adjacent property;

Based on my inspection, I have determined this property constitutes a hazardous property under Minn. Stat. § 463.15. This property has multiple life-safety and health concerns. Most importantly, the primary structure is not fit for human habitation. **If the conditions outlined above are not corrected by June 15th 2017 the city will proceed with corrective actions including but not limited to a hazardous property abatement order to have the structures on the property demolished.**

If you dispute any of the violations listed in this notice, please contact me as soon as possible. Also, if you correct the conditions above, please contact me with evidence demonstrating the corrections.

Per the Property Maintenance Code of Lake Elmo Section 106.3, any action taken by the authority having jurisdiction on such premises shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Please contact me with any questions regarding this correspondence. I can be reached at (651) 747-3910.

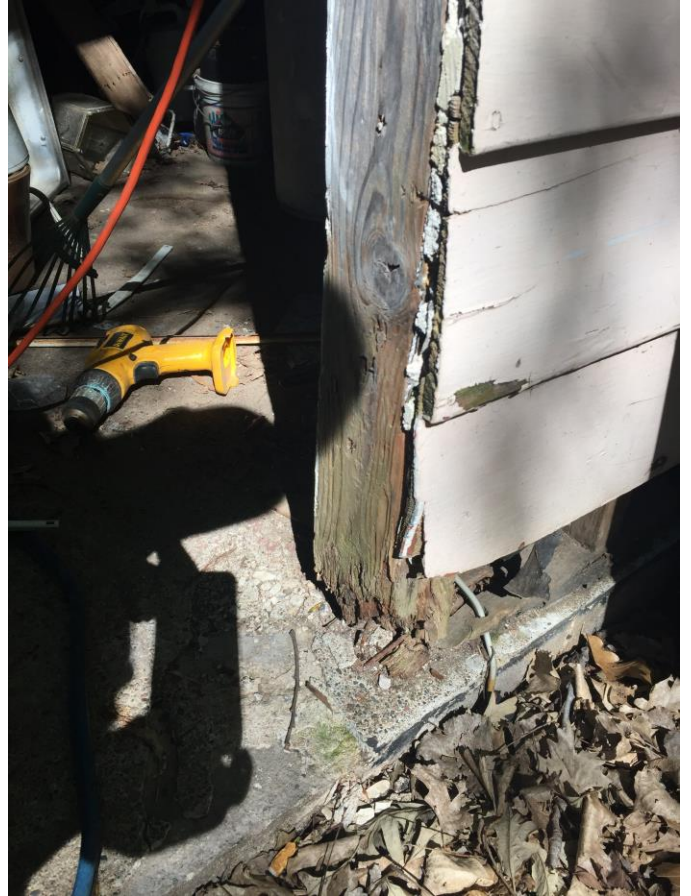
Respectfully,

Michael Bent
Building Official
City of Lake Elmo

EXHIBIT C









STAFF REPORT

DATE: June 20, 2017

CONSENT

ITEM #: 13

AGENDA ITEM: Approval of Ordinance No. 08-177 amending the city's provisions related to the keeping of chickens.

SUBMITTED BY: Julie Johnson, City Clerk
Adam Huesman, Administration Intern

ISSUE BEFORE COUNCIL: Should the City Council approve Ordinance No. 08-177.

BACKGROUND: The city clerk has been informed by residents on multiple occasions that the minimum height requirement for chicken coops as currently outlined in parts I and J of Section 95.111 of the City Code limits residents' ability to utilize prefabricated chicken coop kits. The current minimum height requirement is six feet, but the prefabricated coops generally range between four to six feet in height.

PROPOSAL DETAILS/ANALYSIS: In contrast to The City of Lake Elmo's minimum height requirement of six feet, the cities of Golden Valley and Shakopee code state that coops may not *exceed* six feet in height. Rather than dictating a minimum height, they set a height limit. Additionally, the City of Stillwater's chicken keeping code does not mention height requirements.

The minimum height of six feet was established by The City of Lake Elmo to allow for ease of cleaning and maintenance.

Staff believes that a minimum height of 4 feet would allow adequate room for cleaning, maintenance, and free movement of the chickens, while greatly expanding residents' options for purchasing prefabricated chicken coop kits. We find that prefabricated chicken coop kits are an esthetically pleasing, and sound alternative to resident designed and built coops.

FISCAL IMPACT: None

RECOMMENDATION: Staff is recommending that the City Council approve Ordinance No. 08-177 as part of the consent agenda. The recommended motion for the action is as follows:

“Move to approve Ordinance No. 08-177 amending Section 95.111 related to the keeping of chickens.”

ATTACHMENTS:

1. Ordinance No. 08-177
2. Prefabricated Chicken Coop Examples

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

ORDINANCE NO. 08-177

**AN ORDINANCE AMENDING THE LAKE ELMO CITY CODE OF ORDINANCES BY
AMENDING THE CITY'S PROVISIONS RELATED TO THE KEEPING OF
CHICKENS**

SECTION 1. The City Council of the City of Lake Elmo hereby amends Section 95.111 of the City Code by adding the underlined language and deleting the ~~stricken~~ language as follows:

§ 95.111 PERMIT CONDITIONS.

Each person keeping chickens within the City of Lake Elmo shall comply with the following:

- (A) No person may keep a rooster or crowing hen.
- (B) No person may allow chickens to range freely without fencing or without a mobile pen.
- (C) No person may keep chickens inside the house or attached garage.
- (D) Chickens must be provided a secure and well ventilated roofed structure ("chicken coop").
- (E) The roofed structure and required fencing for the chickens may only be located in a rear yard and must meet setback and building separations as established in city zoning and building codes, except that the roofed structure and fencing must maintain a 20 foot separation from dwellings on adjacent properties.
- (F) The roofed structure shall be fully enclosed, wind proof, and have sufficient windows for natural light.
- (G) Chickens, coops, and/or runs shall not be kept in such a manner as to constitute a nuisance.
- (H) The chicken coop and run shall be kept in good repair as to be in compliance with the property maintenance regulations elsewhere in the code.
- (I) All chicken coops must have a minimum size of 4 square feet per bird and must be at least ~~6 feet in height to allow access for cleaning and maintenance.~~ 4 feet in height.
- (J) Fenced in chicken runs must have a minimum of 10 square feet per bird and must be at least ~~6 feet in height to allow access for cleaning and maintenance.~~ 4 feet in height.
- (K) All butchering waste shall be disposed of in a sanitary manner.
- (L) Dead chickens must be disposed of according to the Minnesota Board of Animal Health rules which require chicken carcasses to be disposed of as soon as possible after death, usually

within 48 to 72 hours. Legal forms of chicken carcass disposal include burial, off-site incineration or rendering, or composting.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION 3. Adoption Date. This Ordinance No. 08-177 was adopted on this 20th day of June 2017.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance _____ was published on the _____ day of _____, 2017.

BUY ONLINE**PICK UP IN STORE**
NOW AVAILABLE! [LEARN MORE >](#)

- To make sure it delivers fresh air & space for your birds every day
- time as well as an extra-large clean-out pan
- Dual air flow vents to allow plenty of fresh air to flow into the hen house
- This beautiful coop will look great in any space! Ideal for 6-10 birds

Note: This product may require up to 2 additional days for order processing prior to shipping



\$649.99

SKU #118179999

3.1 (7) [Write a review](#)

\$49 flat rate truck shipping on all chicken coops!

(Online purchases only.)

+see more promotions

Specification	Description
Product Type:	Chicken Coops
Brand:	Rugged Ranch
Pen Height:	68 in.
Pen Included:	Yes
Pen Width:	64 in.
Pen Length:	78 in.
Product Height:	21 in.
Product Length:	56 in.
Product Weight:	167 lb.
Product Width:	33 in.
Recommended Number of Chickens:	6-10 Chickens
Roof Material:	Composition
Wall Material:	Fir Wood/Wire
Warranty:	30 Days Limited
Wheels Included:	No
Manufacturer Part Number	PSLOGRNDCCOP

[Skip to Main Content](#)

BUY ONLINE**PICK UP IN STORE**

NOW AVAILABLE! LEARN MORE >



- Leaky roof, no rain and strong wind protection and ventilation
- Nesting box, roosting bar and ramp included
- Easy to assemble in less than 60 minutes
- Outside assembled dimensions are 84 in. x 42 in. x 57 in.
- Dimensions for the door at the top of the ramp are in. x 11 in.

\$249.99

SKU #122354499

3.9 (333)

[Write a review](#)

\$49 flat rate truck shipping on all chicken coops!

(Online purchase only)

+see more promotions

Brand:

Product Type:

Pen Height:

Pen Included:

Pen Length:

Pen Width:

Product Height:

Product Length:

Product Weight:

Product Width:

Recommended Number of Chickens:

Roof Material:

Wall Material:

Warranty:

Wheels Included:

Manufacturer Part Number

Description

Innovation Pet

Chicken Coops

57 in.

Yes

84 in.

42 in.

57 in.

84 in.

144 lb.

42 in.

8 Chickens

Asphalt

Wood/Metal

90-Day Limited

No

222-08



COOPS & FEATHERS SUPERIOR HEN HOUSE

Coops & Feathers

Product #: 0000000241252 | SKU: 100640910

\$219.99

Quantity

-	1	+
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☒ Ship To Home

☐ Pick Up In Store

ADD TO CART

Specifications

- Assembled - 48 in. x 74 in. x 57 in.
- Space saver chicken coop
- Provides a safe and secure habitat for your chickens
- Free range door
- Peaked asphalt roof
- Expanded pen area
- Easy access nesting box
- Vented interior
- Easy to assemble
- Weight: Approximately 101 pounds
- Shipping Dimensions: Approximately 62.9 x 44 x 5.9 inches. (oversized)



COOPS & FEATHERS WALK-IN HEN COOP

Coops & Feathers

Product #: 0000000259292 | SKU: 100793100

\$399.99

Quantity

-	1	+
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☒ Ship To Home

☐ Pick Up In Store

[ADD TO CART](#)

Specifications

- Assembled - 77 in. L x 45 in. W x 71 in. H
- Coops & Feathers chicken coops are made with high quality materials
- Houses up to 6 chickens
- Features a large backyard area on the bottom level
- High peaked roof gives your chickens plenty of room to feel comfortable while inside the coop
- Shaded area on the bottom level allows for your chicken to cool off on hot days
- Free range door to allow your chickens to roam free
- The second floor offers the perfect nesting and roosting box
- Easy access to the roosting & nesting area from outside the coop
- Cleaning tray pulls out from underneath the roosting area on the second level from outside the coop, which makes for easy cleaning
- Assembly required
- Weight: Approximately: 171 pounds
- Shipping Dimensions: Approximately 56.69 x 48.03 x 13.77 inches. (LTL truck)



STAFF REPORT

DATE: June 20, 2017

REGULAR

ITEM #: 14

AGENDA ITEM: Planning Commission Appointment

TO: Mayor and City Council

SUBMITTED BY: Kristina Handt, City Administrator

BACKGROUND:

On May 17, 2017, Commissioner Gary Fields submitted his resignation effective immediately from the Planning Commission. As a result, Jesse Hartley is moved to a voting member and will serve out the remainder of Fields' term (expiring 12/31/19) and Terry Emerson moves from 2nd Alternate to 1st Alternate. This leaves the position of 2nd Alternate open.

The Council failed to fill the position at the June 6, 2017 meeting so it is being brought back before Council again for consideration.

ISSUE BEFORE COUNCIL:

Who should Council appoint as 2nd alternate to the Planning Commission?

PROPOSAL:

Tucker Pearce and Stuart Johnson have submitted applications. Applications were emailed to Council for their review prior to the meeting. Pearce currently serves as the 2nd alternate on the Parks Commission. He is more interested in serving on the Planning Commission and would resign his Parks Commission seat if appointed to Planning.

OPTIONS:

- 1) Appoint Tucker Pearce as 2nd alternate to the Planning Commission
- 2) Appoint Stuart Johnson as 2nd alternate to the Planning Commission
- 3) Appoint someone else as 2nd alternate to the Planning Commission

RECOMMENDATION:

Motion to appoint _____ as 2nd alternate to the Planning Commission.

ATTACHMENTS:

None



STAFF REPORT

DATE: June 20, 2017

REGULAR

ITEM # 15

MOTION

TO: City Council
FROM: Brian A. Swanson – Finance Director
AGENDA ITEM: Summer Sewer Rate Discussion
REVIEWED BY: Kristina Handt – City Administrator

BACKGROUND:

Staff was directed to analyze the sewer rate structure as it pertains to charging properties for watering in the summer months. Information was presented to Finance Committee on June 8, 2017 resulting in the information being presented for the City Council to consider this evening. Further, illustrative information from four other cities and the City of Lake Elmo data are included as attachments to this report.

ISSUE BEFORE THE CITY COUNCIL:

Based upon the recommendation of the Finance Committee and staff, the City Council is being asked to consider the following:

- 1) Approve Ordinance 08-179, amending the 2017 City of Lake Elmo Fee Schedule to establish a base sewer charge for residential customers who are not on the 201 system.
- 2) Adopt Resolution 2017-064 Authorizing Publication of Ordinance 08-179 By Title and Summary.

PROPOSAL/ANALYSIS:

The Finance Committee and Staff are proposing establishing a base sewer charge of \$52.50 per quarter with an allowance of 10,000 gallons (10 units), with a variable charge of \$4.50 per partial or full additional unit thereafter on residential properties. Summer sewer charge would be calculated on the winter quarter consumption, as well as for the other two quarters. If no winter quarter is available such as with new properties, then the \$52.50 fixed fee per quarter would apply, until a winter quarter water consumption reading is available. Further, for those properties not on City water service, but on City sewer service, such as the 201 systems, the existing \$75.00 fixed fee per quarter would still apply. This proposed residential base sewer charge would not apply to properties that have a separate meter for an irrigation system, as those meters are charged for water consumption only.

Staff analyzed several different aspects when recommending the sewer rate structure. First, how sewer rates were determined, meaning based on winter quarter water consumption, current quarter, or lowest quarter of the last four. Of the four cities included in the chart, three used the winter quarter and Oakdale uses the minimum quarter. With the City of Oakdale, staff stated that the lowest quarter is essentially the winter quarter in most cases. Next, staff reviewed if there are a base charge and if so, is a consumption allowance included in this base charge. The allowance amount is noted for each city on the tables. Mahtomedi was the only one that did not include an allowance in their base charge. Further staff analyzed if no allowance was provided, are a minimum number of units billed. Staff also reviewed existing consumption with the existing customer base in proposing an allowance and base charge. In addition, information was compiled on the rate per unit that cities were using. Finally, sample sewer bills were calculated to show comparisons, based on existing structure for the City of Lake Elmo, a recommended quarterly fixed fee with the same sample consumption, and a higher volume consumption sample.

FISCAL IMPACT:

This would be contingent upon the number of users connecting to the system and consumption during the warmer months when sewer was determined by the current quarter water usage. With sewer charges starting in the third quarter of 2015 and adding more users each quarter, which currently is at 359 customers, there is not significant historical data to compile information from that would be meaningful.

RECOMMENDATION:

Staff recommends the City Council approve the following:

Motion to approve:

- 1) Approve Ordinance 08-179, amending the 2017 City of Lake Elmo Fee Schedule to establish a base sewer charge for residential customers who are not on the 201 system of \$52.50 per quarter, which includes an allowance of 10,000 gallons (10 units) per quarter, then a variable charge of \$4.50 per partial or full additional unit thereafter, based on the winter quarter water consumption.

And

- 2) Adopt Resolution 2017-064 Authorizing Publication of Ordinance 08-179 By Title and Summary.

ATTACHMENTS:

- 1) Comparisons of sample cities with existing, recommended and higher volume sewer bills. 4 - worksheets
- 2) Ordinance 08-179
- 3) Resolution 2017-064
- 4) 2017 Amended City of Lake Elmo Fee Schedule

CITY OF LAKE ELMO
Sewer Rate Comparisons to Assist Summer Rate Discussion
EXISTING STRUCTURE

SEWER BILL - NEW RESIDENTIAL WATER/SEWER CUSTOMER AND 10 UNITS OF WATER

CITY	<u>LAKE ELMO*</u>	<u>HUGO#</u>	<u>MAHTOMEDIA^</u>	<u>OAKDALE~</u>	<u>WOODBURY+</u>
BILLING FREQUENCY	Quarterly	Quarterly	Quarterly	Quarterly	Quarterly
WATER USAGE QTR. TO DETERMINE SEWER	Current	Current	Current	Minimum	Average
BASE CHARGE	\$ -	\$ 47.00	\$ 14.37	\$ 18.00	\$ 44.29
RATE PER 1000 GALLONS (UNIT)	\$ 4.50	\$ 1.85	\$ 7.25	\$ 3.50	\$ 3.00
UNITS	10.00	1.00	10.00	12.00	6.00
CHARGE FOR UNITS	\$ 45.00	\$ 1.85	\$ 72.46	\$ 42.00	\$ 18.00
BILL	\$ 45.00	\$ 48.85	\$ 86.83	\$ 60.00	\$ 62.29

* Correlates directly to water units used in current quarter.

Includes first 9 units in minimum bill. Therefore need to bill 1 additional unit in example.

^ Measures in cubic feet instead of gallons, so converted to gallons for comparison. Uses current quarter.

~ Requires billing for 12 units per quarter minimum.

+ Base rate includes 8 units per quarter and then bills on city average of 14 units for new residential customer.

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

ORDINANCE NO. 08-179

AN ORDINANCE ADOPTING A FEE SCHEDULE FOR THE CITY OF LAKE ELMO

The City Council of the City of Lake Elmo ordains:

SECTION I. Schedule Adopted. The attached fee schedule is hereby adopted.

SECTION II. Not Codified. This ordinance is transitory in nature and shall not be codified in the City Code. This ordinance and the fee schedule established hereby shall be placed on file and available for public inspection at City Hall.

SECTION III. Effect. The fees set out in the attached fee schedule apply notwithstanding any other fees the City has established which may be inconsistent. Any other fees imposed by the City which do not appear on the attached fee schedule remain in full force and effect.

SECTION IV. Effective Date. This ordinance shall become effective for all billings rendered after June 30, 2017, and upon adoption and publication in the official newspaper of the City of Lake Elmo.

SECTION V. Adoption Date. This Ordinance No. 08-179 was adopted on this 20th day of June, 2017, by a vote of ___Ayes and ___Nays.

LAKE ELMO CITY COUNCIL

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

This Ordinance _____ was published on the _____ day of _____, 2017.

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

RESOLUTION NO. 2017-064

**RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE 08-179 BY TITLE
AND SUMMARY**

WHEREAS, the City Council of the City of Lake Elmo has adopted Ordinance No. 08-179, an ordinance amending the City Code of Ordinances by amending the City's provisions related to the City Council; and

WHEREAS, the Ordinance includes a chart 8 pages in length; and

WHEREAS, Minnesota Statutes Section 412.191, subdivision 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the City Council believes that the following summary would clearly inform the public of the intent and effect of the Ordinance; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo, that the City Clerk shall cause the following summary of Ordinance No. 08-179 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

The City Council of the City of Lake Elmo has adopted Ordinance No. 08-179, which amends the City's 2017 Fee Schedule to clarify the City Sewer Base charge and when payments are due.

The full text of Ordinance No. 08-179 is available for inspection at Lake Elmo city hall during regular business hours.

BE IT FURTHER RESOLVED by the City Council of the City of Lake Elmo that the City Administrator keep a copy of the Ordinance at City Hall for public inspection and that a copy be placed for public inspection at the Lake Elmo Public Library.

Dated: June 20, 2017.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

(SEAL)

The motion for the adoption of the foregoing resolution was duly seconded by member _____ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against same:

Whereupon said resolution was declared duly passed and adopted.



City of Lake Elmo Fee Schedule 2017

APPLICATION/FEE/PERMIT TYPE	2017 FEE	ESCROW OR ADDITIONAL CHARGE	DEPARTMENT
Amateur Radio Antenna	\$875.00		Planning
Appeal (to Board of Adjustment and Appeals)	\$250.00		Administration
Bee Keeping Permit	\$25.00	Valid for 2 years from issuance	Administration
Building Demolition			Administration
Residential	\$200.00	Plus Surcharge (State Mandated)	Building
Commercial	\$300.00		Building
Burning Permit			Fire
Residential	\$45.00		Fire
Commercial	\$80.00		Fire
Illegal Burn	see notes →	Additional fees may be incurred based on Wash. Cty. Chief's fee schedule and # of responding units	Fire
Chicken Keeping Permit	\$25.00	Initial permit expires on 12/31 of 2nd year.	Administration
Comprehensive Plan Amendment	\$1,300.00	Land Use Escrow \$2500	Planning
Conditional Use Permit (CUP)		Wireless Communication Facilities Fee Escrow \$6,000.00. Flood Plain Ordinance Fee Escrow \$500.00 Land Use Escrow \$2500	Planning
New	\$1,050.00		Planning
Amended	\$500.00		Planning
Contractor License Fees			Licensing
Demolition	\$50.00		Licensing
Driveway	\$50.00		Licensing
Excavator	\$50.00		Licensing
HVAC	\$50.00		Licensing
Irrigation	\$50.00		Licensing
Sewer/Water Line Installer	\$50.00		Licensing
Sign Installer	\$50.00		Licensing
Solid Waste Hauler	\$120.00		Licensing
Copy Services (Paper/Electronic)			Administration
Copies (B&W)	\$0.25 per page	100 pages or more are charged at actual cost of production	Administration
Copies (Color)	\$0.50 per page	100 pages or more are charged at actual cost of production	Administration
Copies (B&W) 11x17	\$1.00 per page	100 pages or more are charged at actual cost of production	Administration
Copies (Color) 11x17	\$2.00 per page	100 pages or more are charged at actual cost of production	Administration
Data DVD Fee	\$15.00		Administration
GIS Scaled Aerial	\$25.00		Administration
Existing Maps	\$5.00		Administration
Custom (Per Hour Rate)	\$70.00		Administration
Plan Size Maps (Larger than 11x17)	\$15.00		Administration



City of Lake Elmo Fee Schedule 2017

APPLICATION/FEE/PERMIT TYPE	2017 FEE	ESCROW OR ADDITIONAL CHARGE	DEPARTMENT
Development Standards Specs/Details	\$55.00		Administration
Video reproduction	\$10.00		Administration
Culverts in Developments with Rural Section	\$160.00		Administration
Daycare Inspection Fee	\$50.00		Building
Dog License- altered	\$20.00		Licensing
Dog License- unaltered	\$25.00		Licensing
Dog License- late fee	\$2.50 per month	Maximum \$10	Licensing
Service Dog License	No Charge		Licensing
Duplicate License or Tag	\$1.00		Licensing
First Impound- Unlicensed Dog	\$60.00	All Impound Fees plus \$20/day Boarding Fee	Licensing
First Impound- Licensed Dog	\$42.00		Licensing
First Impound- Cat	\$42.00		Licensing
Subsequent dog/ cat impound	\$85.00		Licensing
Driveway			Planning
Residential	\$70.00		Planning
Commercial	\$160.00		Planning
Easement Encroachment	\$100.00	Staff & Recording Fee	Planning
Electronic Fund Withdrawal/Bill Payment	Fee + Trans. Charge		Administration
Environmental Review (EAW/EIS)	\$1,500.00		
Village Area AUAR Fee	\$230.00	Per REC Unit. To be charged to development applications that increase the number of REC units above existing conditions within the Village AUAR Area. The fee will be based on the difference between the proposed and existing REC units. Fee to be paid as part of a developer's agreement for larger projects or at the time a building permit is issued for smaller projects. Once paid, the same land will not be charged again.	Planning
Erosion Control			Building
Re-inspection Fee (portal to portal from City Hall: 1 Hr. min)	\$50.00 per hour	\$5,000.00 Security	Building
Excavating & Grading ≥ 50 cubic yards, up to 400 cubic yds	\$125.00	Security \$500.00	Building
Excavating & Grading ≥ 400 cubic yards/acre of site area	\$500.00	\$500.00 fee escrow plus security \$1,500.00 per acre with \$1,500 minimum.	Engineering
False Alarms (12 Month Period)* (*1-3 no charge)			Fire
Residential			Fire



City of Lake Elmo Fee Schedule 2017

APPLICATION/FEE/PERMIT TYPE	2017 FEE	ESCROW OR ADDITIONAL CHARGE	DEPARTMENT
4-6 False Alarms	\$110.00		Fire
In Excess of 6 False Alarms	\$185.00		Fire
Commercial			Fire
4-6 False Alarms	\$315.00		Fire
In Excess of 6 False Alarms	\$520.00		Fire
Fire Alarm Permit	2% of value	plus surcharge; Minimum \$100	Building
Fire Suppression Permit	2% of value	plus surcharge; Minimum \$100	Building
Flood Plain District Delineation	\$500.00		Planning
Fuel Tank Removal (Underground)	\$250.00	Plus Surcharge (State Mandated)	Administration
Fuel Tank Install	2% of value of work	Minimum \$100.00	Administration
HVAC			Building
Residential	\$60.00/unit	Up to 3 units, max fee \$180.00 plus Surcharge (State Mandated)	Building
Commercial	\$60.00/unit	Up to 3 units or 1% of total valuation, whichever is greater. Plus Surcharge (State Mandated)	Building
Fireplace Permit	\$60.00/unit	Plus State surcharge (State Mandated)	Building
Interim Use Permit (IUP)			Planning
Fee	\$1,050.00	\$2,500.00 Escrow	Planning
Renewal	\$300.00		Planning
Liquor License			Licensing
Club On-Sale Intoxicating	\$100.00		Licensing
On-Sale Intoxicating	\$1,500.00		Licensing
Off-Sale Intoxicating	\$200.00		Licensing
Off-Sale Non-Intoxicating	\$150.00		Licensing
On-Sale Intoxicating- 2nd Building	\$750.00		Licensing
On-Sale Non-Intoxicating	\$100.00		Licensing
Investigation	\$350.00		Licensing
On-Sale Sunday Intoxicating	\$200.00		Licensing
Temporary Intoxicating	\$25.00		Licensing
Wine	\$300.00		Licensing
Lot Line Adjustment	\$325.00	None	Planning
Manufactured Home Parks			Planning
Move home out of the city	\$200.00	Plus Surcharge (State Mandated)	Building
Move home into the city	\$200.00	Plus Surcharge (State Mandated)	Building



City of Lake Elmo Fee Schedule 2017

APPLICATION/FEE/PERMIT TYPE	2017 FEE	ESCROW OR ADDITIONAL CHARGE	DEPARTMENT
Annual License for retail sales of consumer fireworks	\$100.00		
Massage Therapy Premises License			Licensing
Application Fee	\$100.00	Fee includes one Therapist	Licensing
Investigation Fee	\$100.00		Licensing
Massage Therapy Practitioner License			Licensing
Application Fee	\$50.00		Licensing
Investigation Fee	\$25.00		Licensing
Massage Therapy Premises License Renewal	\$50.00	Fee includes one Therapist	Licensing
Massage Therapy Practitioner License Renewal	\$25.00		Licensing
Massage Therapy License Amendment	\$25.00		Licensing
Minor Subdivision	\$525.00	\$1,000.00 escrow	Planning
Moving House or Primary Structure into City	\$520.00	Plus security w/amount to be determined by the City w/recommendation from building official	Administration
Moving Accessory Structure into City	\$305.00	Plus security to be determined by the City w/recommendation from building official	Administration
Other Inspections and Fees			Building
Inspection outside of business hours	\$100.00 (2 Hr. Min.)		Building
Re-inspection Fees Assessed	\$50.00 per hour		Building
Inspections with no fee assigned	\$50.00 per hour		Building
Construction Escrow	\$2,000.00	Or determined by Building Official	Building
Construction Escrow Administrative Fee	\$100.00		Building
Cancelled or Refunded Permits	\$25.00		Building
Work without Permit	see notes	Investigative fee to equal permit fee	Building
Duplicate Inspection Card	\$25.00		Building
Park Dedication			Planning
Residential - Up to three lots	\$3,600.00 per lot	Four or more lots per \$153.14	Planning
Commercial	\$4,500.00 per acre		Planning
Parking Lots			Planning
New Commercial	\$175.00	\$500 Fee Escrow. Security \$1,500.00 per acre with \$1,500.00 minimum.	Planning
Existing Commercial	\$200.00		Planning
Platting			
Sketch Plan Review (Subdivision)	\$500.00	\$3,500.00 Fee Escrow	Planning
Preliminary Plat (Subdivision)	\$1,850.00	\$10,000.00 Fee Escrow	Planning
Final Plat (Subdivision)	\$1,250.00	\$8,000.00 Fee Escrow	Planning
		\$5,000.00 (<100 units) Fee Escrow	



City of Lake Elmo Fee Schedule 2017

APPLICATION/FEE/PERMIT TYPE	2017 FEE	ESCROW OR ADDITIONAL CHARGE	DEPARTMENT
		\$7,500.00 (>100 units) Fee Escrow	
Preliminary Plat Review (OP Development)	\$1,850.00	\$5,000.00 (<100 units) Fee Escrow \$7,500.00 (>100 units) Fee Escrow	Planning
Final Plat (OP Development)	\$1,250.00	\$5,000.00 (<100 units) Fee Escrow \$7,500.00 (>100 units) Fee Escrow	Planning
		(City will retain escrows to reimburse review costs for each stage of development review)	Planning
Planned Unit Development			Planning
General Concept Plan	\$1,250.00	\$7,500.00 Fee Escrow (Waive Subdivision Escrow)	Planning
Development Stage Plan	\$1,850.00	\$10,000.00 Fee Escrow (Waive Subdivision Escrow)	Planning
Final Plan	\$1,250.00	\$8,000.00 Fee Escrow (Waive Subdivision Escrow)	Planning
		(City will retain escrows to reimburse review costs for each stage of development review)	Planning
Plumbing			Administration
Residential	\$60.00/unit	Up to 3 units, max fee \$180.00 plus Surcharge (State Mandated)	Building
Commercial	\$60.00/unit	Up to 3 units or 1.5% of total valuation, whichever is greater. Plus Surcharge (State Mandated)	Building
Private Roads (Permitted only in AG zone)	\$150.00		Planning
Restrictive Soils and Wetland Restoration Protection and Preservation Permit	\$800.00	\$1,500.00 Fee Escrow	Planning
Retaining Walls over 4'	\$150.00	Plus State Surcharge	Building
Returned Check (NSF)	\$25.00		Administration
Right-of-Way Permit			Engineering
Annual Registration	\$200.00	\$5,000.00 Security	Engineering
Excavation Permit	\$275.00 + \$.60/foot		Engineering
Joint Trench Permit (per lot per utility)	\$275.00 + \$.60/foot		Engineering
Obstruction Permit	\$275.00		Engineering
Permit Extension	\$100.00		Engineering
Delay Penalty (per calendar day)	\$25.00		Engineering
Roofing			Building
Residential	see notes	Based on valuation + state surcharge	Building
Commercial	see notes	Based on valuation + state surcharge	Building
SAC Charge (City) (Sewer Availability Charge)	\$3,000.00	Per REC Unit: collected at time of plat for new lot. This fee may be deferred through special assessment for parcels with existing structures.	Engineering



City of Lake Elmo Fee Schedule 2017

APPLICATION/FEE/PERMIT TYPE	2017 FEE	ESCROW OR ADDITIONAL CHARGE	DEPARTMENT
SAC Charge (Met Council) (Sewer Availability Charge)	\$2,485.00	Per REC Unit: \$2,485.00 to Met Council at time of connection.	Engineering
Sewer Connection Charge	\$1,000.00	Per REC Unit collected at time of plat for new lot. This fee may be deferred through special assessment for parcels with existing structures.	Engineering
Sewer Lateral Benefit Charge	\$11,000.00	Per REC Unit connecting to a Trunk Sewer Main and that has never been assessed	Engineering
Sewer Base Charge – Residential – Non 201 Off Site	\$52.50 per quarter	Allowance of 10,000 gallons (10 Units) per quarter	Administration
Sewer Rate	\$4.50/1,000 Gal		Administration
201 Off-Site Maintenance Fee	\$75.00/unit/quarter		Administration
Real Estate Searches	\$15.00/Search	For special assessment or utility search	Administration
Siding			Building
Residential	see notes	Based on valuation + state surcharge	Building
Commercial	see notes	Based on valuation + state surcharge	Building
Signs - Permanent	\$180.00		Planning
Signs - Temporary	\$75.00		Planning
Temporary Renewal	\$25.00		Planning
Re-inspection Fee	\$25.00		Planning
Special Event Permit	\$75.00	City must be listed as additional insured	Planning
Fire Suppression Permit	2% of value	plus state surcharge; Minimum \$100	Building
Sprinkler System (Re-Inspection Fee)	\$50.00		Building
Surface Water			Administration
Residential	\$50.00		Administration
Non-Residential (Commercial etc.)	\$50.00	Utility rate factor per code	Administration
Review Fee	\$125.00	\$75 Review/\$50 Storm Water Fund	Administration
Vacations (Streets or Easements)			Planning
Easements	\$515.00	\$500.00 Fee Escrow	Planning
Streets	\$515.00	\$500.00 Fee Escrow	Planning
Variance	\$750.00	\$500.00 Fee Escrow	Planning
Shoreland Variance	\$1,500.00	\$500.00 Fee Escrow	Planning
Water Availability Charge (WAC)	\$3,000.00	Per REC Unit; collected at time of plat for new lot. This fee may be deferred through special assessment for parcels with existing structures.	Engineering
Water Connection Charge	\$1,000.00	Per REC Unit, collected at time of plat for new lot. This fee may be deferred through special assessment for parcels with existing structures.	Administration



City of Lake Elmo Fee Schedule 2017

APPLICATION/FEE/PERMIT TYPE	2017 FEE	ESCROW OR ADDITIONAL CHARGE	DEPARTMENT
Water Equipment/Set up			Administration
Meter (3/4" or less)	\$350.00	Additional fees apply to larger sized meters	Administration
Driveway Curb Stop Lid	\$100.00		Administration
Disconnect Service	\$80.00		Administration
Reconnect Service	\$80.00		Administration
Water Lateral Benefit Charge	\$5,800.00	Per REC Unit connecting to a Trunk Water Main and that has never been assessed	Engineering
Water Usage			Administration
Residential - Quarterly Rate	\$20.00 Base		Administration
Residential - Plus Rate per 1,000 Gallons			Administration
Plus Rate for 0-15,000 Gallons	\$2.00		Administration
Plus Rate for 15,001-30,000 Gallons	\$2.40		Administration
Plus Rate for 30,001-50,000 Gallons	\$2.88		Administration
Plus Rate for 50,001-80,000 Gallons	\$3.46		Administration
Plus Rate for 80,001 + Gallons	\$4.15		Administration
Water Usage			Administration
Commercial - Quarterly Rate	\$25.00 Base		Administration
Commercial - Plus Rate Per 1,000 Gallons			Administration
Plus Rate for 0 - 15,000 Gallons	\$3.11		Administration
Plus Rate for 15,001 - 30,000 Gallons	\$3.26		Administration
Plus Rate for 30,001 - 50,000 Gallon	\$3.77		Administration
Plus Rate for 50,001 - 80,000 Gallons	\$5.00		Administration
Plus Rate for 80,001 + Gallons	\$6.63		Administration
Water Usage		For metered non-irrigation (domestic) consumption	Administration
Hotel / Motel - Quarterly Rate	\$25.00 Base		Administration
Hotel / Motel - Plus Rate Per 1,000 Gallons			Administration
Plus Rate for 0 -30,000 Gallons	\$3.11		Administration
Plus Rate for 30,001 - 50,000 Gallons	\$3.26		Administration
Plus Rate for 50,001 + Gallons	\$4.00		Administration
Water Usage Delinquent Accounts			Administration
Regular	6% per quarter	Plus \$25.00 or 8%, whichever is greater, if certified to County for collection with taxes	Administration



City of Lake Elmo Fee Schedule 2017

APPLICATION/FEE/PERMIT TYPE	2017 FEE	ESCROW OR ADDITIONAL CHARGE	DEPARTMENT
Storm Water	10% per year	Plus \$25.00 or 8%, whichever is greater, if certified to County for collection with taxes	Administration
Bulk Water Purchase			Administration
Water from Hydrant	\$100.00 minimum	Plus \$3.26/additional 1,000 gallons	Administration
Sod Installation (New Construction)	\$100.00 minimum	Plus \$3.26 per 1,000 gallons. Good for up to 45 days from sod install. Residents must contact the City in advance.	Administration
Swimming Pool Fill	\$100.00 minimum	Plus \$3.26 per 1,000 gallons. Good for up to 45 days from sod ins	Administration
Wind Generator	\$850.00	\$2,000.00 Fee Escrow	Planning
Wireless Communication Permit	\$500.00	\$6,000.00 Fee Escrow	Planning
Zoning Amendment (Text or Map)	\$1,245.00	\$2,500.00 Escrow	Planning
Zoning Certification Letter	\$25.00		Planning
Zoning Permit - Certificate of Zoning Compliance			Planning
Accessory Structures < 200 SF	\$75.00		Planning
Fence (less than 6')	\$75.00		Planning
Swimming Pool	\$75.00		Planning
Other	\$75.00		
Definition of Terms			
<i>* Fee Escrow: City will maintain a fee escrow to cover all City review costs. Application fees include all professional fees and expenses incurred by the City.</i>			
<i>** Security: City will retain a security escrow to ensure completion of work as directed by the approved permit/application and compliance with the State Building Code and the City of Lake Elmo Municipal Code.</i>			
Approved by CC 6.20.17; effective 7.1.17			



STAFF REPORT

DATE: June 20, 2017

REGULAR

ITEM #: 16

MOTION

TO: City Council

FROM: Emily Becker, City Planner

AGENDA ITEM: Shoreland Variance Request to Allow Expansion of an Existing Non-Conforming Structure Which Does Not Meet Minimum Structure Setback from Ordinary High Water Level and Maximum Impervious Surface Standards - 9359 Jane Road North

REVIEWED BY: Stephen Wensman, Planning Director

BACKGROUND:

The City has received application from Scott and Julie Drommerhausen of 9359 Jane Road North for variances to allow expansion of a non-conforming structure which does not meet the required minimum structure setback from the Ordinary High Water Level (OHWL) and maximum impervious surface standards of the City's shoreland district.

ISSUE BEFORE THE COMMISSION:

The Planning Commission is being asked to hold a public hearing and make recommendation on the above-mentioned variance requests.

PROPOSAL DETAILS/ANALYSIS:

Applicant: Scott and Julie Drommerhausen
Property Owners: Scott and Julie Drommerhausen
Location: 9359 Jane Road North, PID# 10.029.21.24.0006, Lots 9 & 10, Berschen's Shores, Washington County, Minnesota
Request: Variance from Shoreland Standards – Expansion of a Non-Conforming Structure and Maximum Impervious Surface
Existing Land Use: Single-Family Detached Residential Dwelling
Surrounding Land Use: Surrounded by other single-family detached residential dwellings and abuts Lake Jane on the westerly side of the property
Existing Zoning: Rural Single Family/Shoreland Overlay District
Comprehensive Plan: Rural Single Family
History: A number of variance requests have been made for this property in the past:
1987: Permit for restoration and remodeling of home and install riprap to control shoreline erosion and floodproof home by raising home above 100 year issued by Minnesota Department of Natural Resources. Permit included a letter clarifying that a deck cannot be constructed so that it encroaches toward Ordinary High Water Level (OHWL).
1988: Permit transferred to new owner. New garage and lateral expansions not part of review for variance to raise home.

1988: Application for variance to build double garage, denied by City Council.

1989: Numerous MNDNR permit violations documented regarding unpermitted deck.

1990: Application for variance to build a deck not meeting OHWL setbacks. First approved by City Council, then appealed, then denied.

1991: Application for variance for emergency exit to lake.

1991: Agreement reached with MNDNR for four foot deck on side of the house, provided no more variances are allowed for any additional construction or development of any type.

2001: Valley Branch Watershed District permit for fill and grading to restore lot and raise above flood plain.

Variance Appeal: June 5, 2001 (denied June 19, 2001)

Deadline for Action: Application Complete – 5/9/2017

60 Day Deadline – 7/8/2017

Extension Letter Mailed – N/A

120 Day Deadline – N/A

Applicable Article V – Zoning Administration and Enforcement

Regulations: Article XIX – Shoreland Management Overlay District

Request Details. The applicant is proposing to construct an addition to his home which will allow all bedrooms to be on one level. There currently exists an 18' X 32' (576 square feet) deck on the southeast side of the house that will be removed, along with a tree as indicated in the attached survey. This will be replaced by an approximate 24' X 26' (685 square feet) addition. The deck was allowed to be built through the variance process, explained in further detail later in this report. Staff cannot find the Resolution granting this variance; the meeting minutes do not indicate that a Resolution was passed. These minutes are attached to this report. The proposed addition is setback 45.4 feet from the OHWL, and the required setback within the City's shoreland district for an unsewered property on Lake Jane, a Recreational Development lake, is 100 feet. The proposed addition is also within the Shore Impact Zone, which is defined as the land located between the OHWL of a public water and a line parallel to it at a setback of 50% of the structure setback (50 foot setback from the OHWL of a Recreational Development lake).

Additionally, the lot currently has an impervious surface percentage of 26.9%. The proposed addition increases the lot's impervious surface to 29.7%. The maximum impervious surface allowed within the City's shoreland district per the Zoning Code is 15% for unsewered properties within a Recreational Development shoreland.



Lot Details. The property meets all setbacks for the Rural Single Family Zoning district but does not meet the minimum lot size requirement of 1.5 acres.

- *Area:* 23,025 square feet (0.52 acres)
- *Front yard setback:* 41.5 feet
- *Proposed front yard setback:* 39.8 feet (30 feet required)
- *Side yard setback (west):* 13.7 feet (10 feet required)
- *Existing side yard setback (east):* Approximately 96 feet (10 feet required)

- *Proposed side yard setback (east):* Approximately 72 feet (10 feet required)
- *Proposed septic setbacks:* 17.2 from septic equipment and 20.6 feet from drainfield (10 and 20 feet required, respectively)
- *Septic Permit Needs.* The proposed addition will allow for all bedrooms to be on one level, but current downstairs bedrooms will be converted to living space and therefore no septic permit or inspection is required.

Nonconformities within a Shoreland. The City's Shoreland Ordinance states that all additions or expansions to the outside dimensions of an existing nonconforming structure must meet the setback, height, and other requirements of the Shoreland Ordinance. Any deviation from these requirements must be authorized by a variance. There is an additional provision that states that where structures exist on the adjoining lots on both sides of a proposed building site, structure setbacks may be altered without a variance to conform to the adjoining setbacks from the OHWL, provided the proposed structure is not located in a shore impact zone or bluff impact zone. It should be noted that this provision in the ordinance was not drastically changed in the 2017 amendment to the Shoreland Section of the Zoning Code, as previously an improvement to a riparian substandard structure was allowed to extend laterally by a conditional use permit (as opposed to a variance), provided it was in compliance with all other dimensional standard. The proposed addition is within a shore impact zone, and so this provision may not be applied towards this expansion. As stated later on in this report, two properties adjacent to the subject property were granted variances to allow structures to be located nearer to the OHWL than is permitted by the Shoreland Ordinance. Both of these structures are setback around 40 feet from the OHWL.

Previous Variance Requests. In 1989, the Council denied a variance request by a previous property owner of the subject property. The variance request was for a deck that would further extend in to the OHWL than the home currently was. The Minnesota Department of Natural Resources (MNDNR) recommended denying this request based on lack of hardship. The Council had originally approved the variance, and then received an appeal from the MNDNR and denied the requested variance for a deck based on the following findings of fact:

1. The applicant had no hardship.
2. The applicant had a reasonable use of the property without a deck.
3. There were alternative locations for the deck which would not increase the substandard setback of the house.
4. The MNDNR stated in a permit issued to allow shoreland fill that no deck would be allowed.

Later, the property owner at the time had negotiated an agreement with the MNDNR that a portion of the deck could be constructed if this property owner at that time would never again seek an OHWL setback variance for this parcel. Based on this agreement, the City Council approved the variance, and a deck was constructed. This is the deck that now exists on the lake/southeast side of the home.

In 2001, that same property owner requested another variance to enlarge his home and again requested 550 more square feet of decking that further extended in to the OHWL (22 feet from the OHWL). The Planning Commission had approved the variance request originally, but then the Board of Adjustment and Appeals received a notice of appeal to the Planning Commission's decision from then City Administrator Kueffner. The basis for that appeal was insufficient findings by the Planning Commission to support the variance approval decision. The request was denied based on the following findings (in summary):

1. The literal interpretation of the zoning ordinance would not deprive the applicant of reasonable rights.
2. The degree of OHWL departure was more than what was previously granted.
3. No hardship had been demonstrated.
4. Since no hardship was demonstrated, granting the variance would not alleviate the hardship.
5. The area of OHWL was artificially created from lakebed in years past.

It should be noted that this (2017) variance request differs from the previously-denied variance requests in that the applicant is requesting an addition to the home that does not further encroach on the required setback from the OHWL than the existing home already does.

Adjacent Property Variances. The City granted similar variances to adjacent properties. This should not be a basis for granting an additional variance for the subject property, but it does show that the granting of the variance may not change the character of the surrounding area.

- In 2000, 9369 Jane Road North was granted a variance to place a structure 44.2 feet to 52.7 feet from the OHWL and to allow a lot width of 103.34 feet.
- 9287 Jane Road North was granted a variance, also in the year 2000, to permit two additions to the primary structure consisting of a 16' X 26' garage addition to the north side; and a 14' X 24' addition to the south side; both additions less than the required 100 foot setback from the OHWL.

Engineering Review. The City Engineer has reviewed the proposed variance and has indicated that he does not readily see any engineering matters to comment on regarding this application. It is not one of the original properties connected to the City 201 system, but it is adjacent to a property that is connected to a city system.

MNDNR Review. The Applicant's variance requests were sent to the MNDNR for review. The City received the MNDNR's comments on June 9, 2017. The MNDNR recommended denial of the variance request based on its proposed increase in impervious surface. The applicant is proposing an impervious surface coverage of almost twice that allowed within this shoreland district for an unsewered property, and the MNDNR stated that there is a strong correlation between increased impervious surface coverage and water quality degradation.

PLANNING COMMISSION/PUBLIC HEARING:

The Planning Commission held a public hearing and made recommendation on the proposed variance requests at its June 12, 2017 meeting. Prior to the public hearing, a resident of 9417 Jane Court North inquired about the variance request, raising no concern. As previously noted, the MNDNR was sent the public hearing notice and recommended denial or, at the very least, conditioning approval on mitigation of the increase in impervious surface. No one from the public spoke at the public hearing. The Planning Commission recommended the following amendments (in red, underlined text) be made to the Staff-recommended conditions of approval:

- 1) The Applicant shall secure any required permits and plan approvals from the City and other applicable jurisdictions.
- 2) The Applicant shall direct appropriate rain gutter discharges into a rain garden (infiltration basin designed to capture and infiltrate runoff) designed by a professional engineer or landscape architect and installed under their direction. The rain garden should mitigate the increased impervious surface of the entire addition to the home (685 square feet).
- 3) The Applicant shall identify an area for a secondary (backup) drainfield, in the event the existing drainfield fails. If it is identified that a mound system constructed on top of the existing drainfield is an option, this would be an acceptable alternative. The rain garden installed to mitigate the increased impervious surface shall not encroach the secondary (backup) drainfield area.

The Commission made a motion to recommend approval of the proposed variance requests to allow construction of the proposed addition to the home, with amended conditions of approval, with an affirmative vote of 5-0.

RECOMMENDED FINDINGS:

Recommended findings are outlined in the attached Resolution 2017-062.

FISCAL IMPACT:

None.

OPTIONS:

The Council may:

- Approve Resolution 2017-062, approving the variance requests, subject to conditions of approval as recommended by Staff and the Planning Commission.
- Amend conditions of approval as recommended by Staff and the Planning Commission and approve Resolution 2017-062, approving the variance requests, subject to amended conditions of approval.
- Deny the variance requests.

RECOMMENDATION:

Staff and the Planning Commission recommend that Council adopt Resolution 2017-062, approving shoreland requests by Scott and Julie Drommerhausen of 9359 Jane Road North for expansion of a non-conforming structure not meeting the minimum structure setback from the Ordinary High Water Level and maximum impervious surface standards for the property located at 9359 Jane Road North, subject to recommended conditions of approval. The suggestion motion for the recommended action is as follows:

“Move to adopt Resolution 2017-062, approving requests for shoreland variances from the minimum structure setback from the Ordinary High Water Level and maximum impervious surface standards, subject to conditions of approval as recommended by Staff and the Planning Commission.”

ATTACHMENTS:

- Application with narrative and survey
- Minutes approving the 1991 variance
- Past agreement with MNDNR
- 2001 Resolution denying variance request
- MNDNR review letter

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

RESOLUTION 2017-062

*A RESOLUTION APPROVING A VARIANCE FROM MINIMUM STRUCTURE SETBACK
FROM ORDINARY HIGH WATER LEVEL AND MAXIMUM IMPERVIOUS SURFACE
STANDARDS OF THE CITY'S SHORELAND DISTRICT*

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Scott and Julie Drommerhausen, 9359 Jane Road North, Lake Elmo, MN 55042 ("Applicant"), has submitted an application to the City of Lake Elmo (the "City") for variances to allow construction of an approximately 685 square-foot addition, which will replace an existing deck, to the east of an existing home currently setback 45.4 feet from the Ordinary High Water Level (OHWL) and maximum impervious surface standards to increase the current impervious surface percentage from 26.9% to 29.7%.

WHEREAS, notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.109; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on said matter on June 12, 2017; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation to the City Council as part of a Staff Memorandum dated June 12, 2017; and

WHEREAS, the City Council considered said matter at its June 20, 2017 meeting.

NOW, THEREFORE, based on the testimony elicited and information received, the City Council makes the following:

FINDINGS

- 1) That the procedures for obtaining said Variance are found in the Lake Elmo Zoning Ordinance, Section 154.109.
- 2) That all the submission requirements of said Section 154.109 have been met by the Applicant.
- 3) That the proposed variance includes the following components:

- a) A variance to allow for an addition to an existing single-family detached home that does not meet the minimum setback from the OHWL or maximum impervious surface requirements.
- 4) That the Variance will be located on property legally described as follows: Lots 9 & 10, Berschen's Shores, Washington County, Minnesota. PID# 10.029.21.24.0006.
- 5) That the strict enforcement of Zoning Ordinance would cause practical difficulties and that the property owner proposes to use the property in a reasonable manner not permitted by an official control. *Specific findings: The subject property was platted prior to adjustment of the Ordinary High Water of Lake Jane and the adoption of Shoreland standards by the City, and therefore the lot is much wider than it is long. Because of the shape of the lot, the Applicant is proposing to expand the home laterally rather than further encroaching on the current setback of the Ordinary High Water Level. Additionally, the addition will not expand much more of the footprint of the principal structure, as a slightly smaller deck that will be torn down exists where the addition is being proposed. Additionally, although the City's ordinance does not treat decks as impervious, many do. If decks were considered impervious, the addition would only add 109 square feet of impervious surface, or an increase of about 0.46%.*
- 6) That the plight of the landowner is due to circumstances unique to the property not created by the landowner. *Specific findings: The property is unique in that it is much wider than it is long, and the Applicant was not involved in the platting process of this property nor the adoption of the City's shoreland standards. The Applicant also was not involved in any previous variance requests for the subject property.*
- 7) That the proposed variance will not alter the essential character of the locality in which the property in question is located. *Specific findings: The proposed addition is in place of an existing deck and only slightly increases the footprint of the existing principal structure, including the existing deck, by 109 square feet. Additionally, the proposed addition does not further encroach on the existing setback of the principal structure from the OHWL of the property and has a setback from the OHWL similar to those of adjacent principal structures.*
- 8) That the proposed variance will not impair an adequate supply of light and air to properties adjacent to the property in question or substantially increase the congestion of the public streets or substantially diminish or impair property values within the neighborhood. *Specific findings: The proposed addition will not further encroach on the setback of the existing structure from the OHWL and therefore will not further impair lake views of neighboring properties and will not impair an adequate supply of light and air. It also will not increase congestion of public streets or substantially diminish or impair property values within the neighborhood. Adjacent properties, including the subject property, have been granted similar variances and are setback a similar distance from the OHWL.*

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicant's application for a Variance is granted, subject to the following conditions.

- 1) The Applicant shall secure any required permits and plan approvals from the City and other applicable jurisdictions.
- 2) The Applicant shall direct appropriate rain gutter discharges into a rain garden (infiltration basin designed to capture and infiltrate runoff) designed by a professional engineer or landscape architect and installed under their direction. The rain garden should mitigate the increased impervious surface of the entire addition to the home (685 square feet).
- 3) The Applicant shall identify an area for a secondary (backup) drainfield. If it is identified that a mound system constructed on top of the existing drainfield is an option, this would be an acceptable alternative. The rain garden installed to mitigate the increased impervious surface shall not encroach the secondary (backup) drainfield area.

Passed and duly adopted this 20th day of June 2017 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

Date Received: _____
Received By: _____
Permit #: _____



651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

LAND USE APPLICATION

MAY ¹⁵ 2017

- ☐ Comprehensive Plan ☐ Zoning District Amend ☐ Zoning Text Amend ☐ Variance*(see below) ☐ Zoning Appeal
- ☐ Conditional Use Permit (C.U.P.) ☐ Flood Plain C.U.P. ☐ Interim Use Permit (I.U.P.) ☐ Excavating/Grading
- ☐ Lot Line Adjustment ☐ Minor Subdivision ☐ Residential Subdivision Sketch/Concept Plan
- ☐ PUD Concept Plan ☐ PUD Preliminary Plan ☐ PUD Final Plan ☐ Wireless Communications

Applicant: Scott Drommerhausen
Address: 9359 Jane Rd N Lake Elmo, MN 55042
Phone #: 612-325-2197
Email Address: scottdrommerhausen@gmail.com

Fee Owner: Scott Drommerhausen
Address: 9359 Jane Rd N Lake Elmo, MN 55042
Phone #: 612-325-2197
Email Address: scottdrommerhausen@gmail.com

Property Location (Address): 9359 Jane Rd N Lake Elmo, MN 55042
(Complete (long) Legal Description: _____

PID#: _____

Detailed Reason for Request: Please let us remove our deck
on the side of our house and extend our
house to that side.

Please let us do this even though the impervious surface is
above guidelines.

*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

we would like to add more bedrooms so we can
all be on one level.

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 4/26/17

Signature of fee owner: [Signature] Date: 4/26/17

Scott & Julie Drommerhausen - 9359 Jane Rd N Lake Elmo, MN 55042

2 A. Owners: Scott & Julie Drommerhausen

2 B. Site: 9359 Jane Rd N, Lake Elmo, MN 55042. 1.03 Acres. Parcel # 1002921240006. Primary residence for Scott/Julie and family.

2 C.

2 D. We are looking to do an addition to the South side of our house. We are not going any closer to water. The addition is around 1000 square feet additional split between two levels. This varies from the Lake Elmo Code because the addition is closer to the water than allowed by current Lake Elmo codes but isn't closer to the water than our existing home. The other code it varies from is the impervious surface for un-sewered lots code. This code only takes into account from the original high water mark. Our lot is 1.03 acres total. The addition will increase the impervious surface by only 2.8%. The water level is lower than the original high water mark. With the built in over-flow system now put into place and eventually flowing into the St. Croix River, chances of the Lake Jane ever hitting the original high water mark is extremely, extremely, low.

2 E. I have had numerous conversations with people at the city and Stephen Wensman came out to my house from the city to assess the situation. We have an email from Stephen Wensman stating that a variance is not needed after meeting in person at City Hall and at our home with him. This has been quite a long and frustrating process as I was told before no variance was required. Now I am ready to start and I am told the process changed and it will cost me time and money. Due to the history with this process I have had, I am asking for a full or partial refund of our \$750. I am happy to discuss further if any questions.

2 F. Our family has grown since we moved in to our house in 2010, therefore we need additional room for our family. Currently

2 G. Our lot is large but narrow from road to waterfront. Therefore the only option we have to add on is to the south of our house. We know we can't go any closer to the lake and the proposed addition will show this.

2 H. We are trying to make a nicer home inside and outside for our family and our community. With the addition, we are going to re-do all of the siding/roof on our house to enhance curb appeal. Since we are adding to the side of the home, we are changing the height of the home blocking anyone neighbors view of the lake. From the lake side, the addition will not be any closer to the lake than our existing structure. Therefore, it will not impact the feel of the lake for people passing by.

LEGAL DESCRIPTION:
Lots 9 and 10, BERSCHEN'S SHORES, Washington County, Minnesota.

SCOPE OF WORK & LIMITATIONS:

- Showing the length and direction of boundary lines of the legal description listed above. The scope of our services does not include determining what you own, which is a legal matter. Please check the legal description with your records or consult with competent legal counsel, if necessary, to make sure that it is correct and that any matters of record, such as easements, that you wish to be included on the survey have been shown.
- Showing the location of observed existing improvements we deem necessary for the survey.
- Setting survey markers or verifying existing survey markers to establish the corners of the property.
- Showing and tabulating impervious surface coverage of the lot for your review and for the review of such governmental agencies that may have jurisdiction over these requirements to verify they are correctly shown before proceeding with construction.
- Showing elevations on the site at selected locations to give some indication of the topography of the site. We have also provided a benchmark for your use in determining elevations for construction on this site. The elevations shown relate only to the benchmark provided on this survey. Use that benchmark and check at least one other feature shown on the survey when determining other elevations for use on this site or before beginning construction.
- Note that all building dimensions and building tie dimensions to the property lines, are taken from the siding and or stucco of the building.
- While we show a proposed location for this home or addition, we are not as familiar with your proposed plans as you, your architect, or the builder are. Review our proposed location of the improvements and proposed yard grades carefully to verify that they match your plans before construction begins. Also, we are not as familiar with local codes and minimum requirements as the local building and zoning officials in this community are. Be sure to show this survey to said officials, or any other officials that may have jurisdiction over the proposed improvements and obtain their approvals before beginning construction or planning improvements to the property.
- While we show the building setback lines per the City of Lake Elmo web site, we suggest you show this survey to the appropriate city officials to be sure that the setback lines are shown correctly. Do this BEFORE you use this survey to design anything for this site.

STANDARD SYMBOLS & CONVENTIONS:

"●" Denotes iron survey marker, set, unless otherwise noted.

GRADING & EROSION CONTROL NOTES:

BEFORE DEMOLITION AND GRADING BEGIN

- Install silt fence/bio roll around the perimeter of the construction area.

- Sediment control measures must remain in place until final stabilization has been established and then shall be removed. Sediment controls may be removed to accommodate short term construction activity but must be replaced before the next rain.

- A temporary rock construction entrance shall be established at each access point to the site and a 6 inch layer of 1 to 2 inch rock extending at least 50 feet from the street into the site and shall be underlain with permeable geotextile fabric. The entrance shall be maintained during construction by top dressing or washing to prevent tracking or flow of sediments onto public streets, walks or alleys. Potential entrances that are not so protected shall be closed by fencing to prevent unprotected exit from the site.

DURING CONSTRUCTION:

- When dirt stockpiles have been created, a double row of silt fence shall be placed to prevent escape of sediment laden runoff and if the piles or other disturbed areas are to remain in place for more than 14 days, they shall be seeded with Minnesota Department of Transportation Seed Mixture 22-111 at 100 lb/acre followed by covering with spray mulch.

- A dumpster shall be placed on the site for prompt disposal of construction debris. These dumpsters shall be serviced regularly to prevent overflowing and blowing onto adjacent properties. Disposal of solid wastes from the site shall in accordance with Minnesota Pollution Control Agency requirements.

- A separate container shall be placed for disposal of hazardous waste. Hazardous wastes shall be disposed of in accordance with MPCA requirements.

- Concrete truck washout shall be in the plastic lined ditch and dispose of washings as solid waste.

- Sediment control devices shall be regularly inspected and after major rainfall events and shall be cleaned and repaired as necessary to provide downstream protection.

- Streets and other public ways shall be inspected daily and if litter or soils has been deposited it shall promptly be removed.

- If necessary, vehicles, that have mud on their wheels, shall be cleaned before exiting the site in the rock entrance areas.

- Moisture shall be applied to disturbed areas to control dust as needed.

- Portable toilet facilities shall be placed on site for use by workers and shall be properly maintained.

- If it becomes necessary to pump the excavation during construction, pump discharge shall be into the stockpile areas so that the double silt fence around these areas can filter the water before it leaves the site.

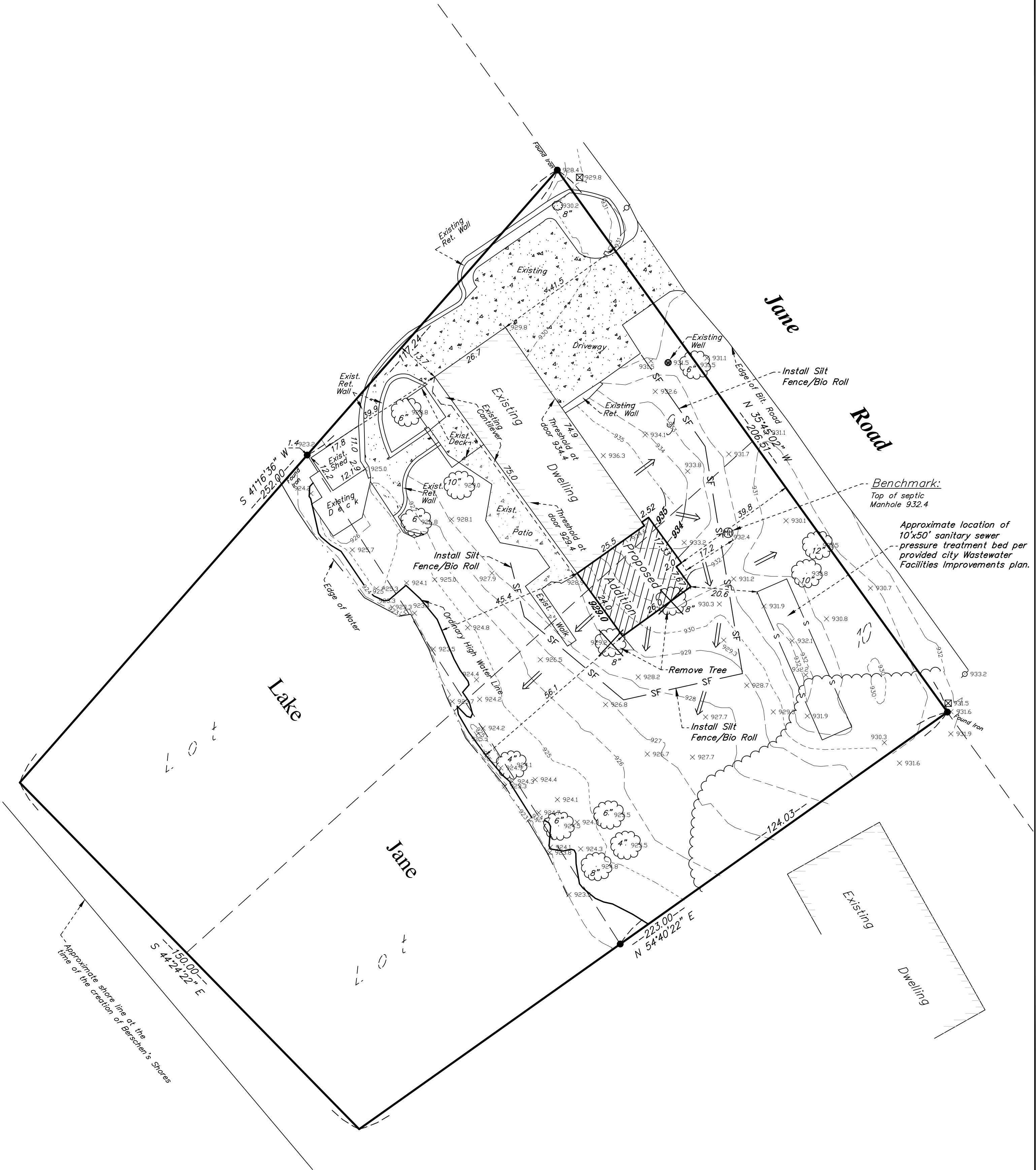
- Temporary erosion control shall be installed no later than 14 days after the site is first disturbed and shall consist of broadcast seeding with Minnesota Department of Transportation Seed Mixture 22-111 at 100 lb/acre followed by covering with spray mulch.

SITE WORK COMPLETION:

- When final grading has been completed but before placement of seed or sod an "as built" survey shall be done per City of Lake Elmo requirements to insure that grading was properly done.

- When any remedial grading has been completed, sod or seeding shall be completed including any erosion control blankets for steep areas.

- When turf is established, silt fence and inlet protection and other erosion control devices shall be disposed of and adjacent streets, alleys and walks shall be cleaned as needed to deliver a site that is erosion resistant and clean.



LEGEND

EXISTING CONTOUR	----- 925 -----
EXISTING SPOT ELEVATION	X 925.5
PROPOSED CONTOUR	————— 925 —————
DRAINAGE ARROW – FLOW	⇒
SILT FENCE/STRAW LOGS	————— SF —————
TREE REMOVAL	✕

EXISTING HARDCOVER		PROPOSED HARDCOVER	
House	1,953 Sq. Ft.	House	2,609 Sq. Ft.
Existing Decks	628 Sq. Ft.	Existing Decks	628 Sq. Ft.
Shed	176 Sq. Ft.	Shed	176 Sq. Ft.
Concrete Surfaces	3,197 Sq. Ft.	Concrete Surfaces	3,197 Sq. Ft.
Ret. Walls	237 Sq. Ft.	Ret. Walls	237 Sq. Ft.
TOTAL EXISTING HARDCOVER	6,191 Sq. Ft.	TOTAL PROPOSED HARDCOVER	6,847 Sq. Ft.
AREA OF LOT TO OHW	23,025 Sq. Ft.	AREA OF LOT TO OHW	23,025 Sq. Ft.
PERCENTAGE OF HARDCOVER TO LOT	26.9%	PERCENTAGE OF HARDCOVER TO LOT	29.7%

DATE	REVISION DESCRIPTION
5-8-17	ADDED DIMENSION FROM MH TO ADDITION
5-15-17	ADDED APPROXIMATE LOCATION FOR SEWER PRESSURE BED

DRAWING ORIENTATION & SCALE

CLIENT NAME / JOB ADDRESS
SCOTT DROMMERHAUSEN
9359 JANE ROAD NORTH LAKE ELMO, MN

Advance Surveying & Engineering, Co.

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

DATE DRAFTED:

SHEET TITLE
PROPOSED SURVEY
DRAWING NUMBER
170379 JR

SHEET SIZE 22 X 34
SHEET NO.

M/S Hunt/Mottaz - to approve the variance to setback from Ordinary High Water Mark for Joe Kiesling, 9359 Jane Road, of the plan as presented to the Council with the stated hardship of providing emergency exit from two corners of the house.

M/ Williams/ - to amend the motion to approve variance in the spirit of minimizing the variance to change the locations of the stairway at the north end of the house onto the existing concrete and change the location of the stairway at the south end of the house either on the north end of the small deck off the double door, extending northerly, or at the southwest corner of the large deck so that the stairway would not extend beyond the existing concrete line, or the stairway at the northend of the house could be moved to the south end of that deck and extend southerly along the side of the house.

M/S/P Hunt/Mottaz - to amend the original motion that the DNR has no problems with this addition and has accepted the plans as presented to the City, and the DNR has stated that no further variances shall be granted on this piece of property for future lakeside construction of any type, and further that Mr. Kiesling be asked to sign an acknowledgement of this when his building permit is issued. (Motion carried 3-1, against: Williams - the variance was not the minimum reasonable variance which would allow relief for the hardship).

~~P. PUBLIC HEARING: Variance to setback from Ordinary High Water Mark: Stephen Bachman, 3141 Klondike.~~

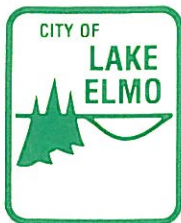
Mayor Johnson opened the public hearing at 8:25 p.m. in the City Council Chambers. The public hearing notice was published in the March 6, 1991 St. Croix Valley Press and adjoining property owners were notified.

The Bachman's are requesting a variance from structure setback to the Ordinary High Water Mark and are proposing an addition to the existing house. The number of bedrooms will remain the same; therefore, the septic system does not have to be increased. All setbacks from the property lines are met. The Bachmans also intend to do extensive landscaping as part of the entire improvement project. A grading and filling permit will be required. The DNR will not object to the project so long as hardship can be demonstrated.

Mrs. Bachman stated the addition will contain a different living room and dining room, and they're not adding any bedrooms, just changing the configuration.

Mayor Johnson closed the public hearing at 8:37 p.m.

Councilman Williams asked Mrs. Bachman what the hardship is. Mrs. Bachman stated the hardship is right now they have two bedrooms and they really need three bedrooms. When asked to clarify this, she stated there are two bedrooms upstairs and one downstairs. The addition would allow them to move the one from the main floor to the upstairs, then the main floor bedroom would become a den.



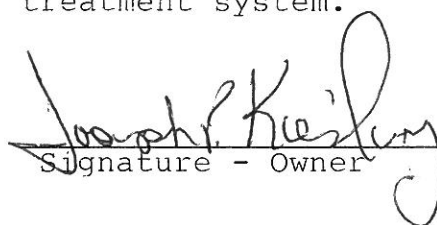
City of Lake Elmo

777-5510

3800 Laverne Avenue North / Lake Elmo, Minnesota 55042

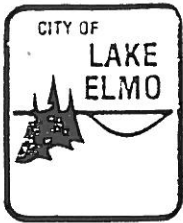
I, the undersigned, do hereby understand and agree that the property legally known as lots 9 and 10 Berschens Shores in Lake Elmo, Minnesota will be granted no further variances from the Minnesota Department of Natural Resources (DNR) or from the City of Lake Elmo for any additional construction or development of any type from this day forward.

Excluded from this agreement is the safety and legal operation of the existing septic system. If in the future the present septic system fails the parties involved (owner, DNR, City of Lake Elmo) must agree upon the corrective steps and variances (if any) necessary to provide the above property with a properly functioning sewage treatment system.


Signature - Owner


Signature - City of Lake Elmo

3-22-91
Date of Agreement



City of Lake Elmo

777-5510

3800 Laverne Avenue North / Lake Elmo, Minnesota 55042

April 4, 1991

Mr. Joe Kiesling
9359 Jane Road N.
Lake Elmo, MN 55042 ~

Dear Mr. Kiesling:

This letter is to officially advise you that at its March 19, 1991 meeting, the City Council granted the variance from the ordinary high water mark (OHWM) for the addition of a deck and stairway, as shown on the plan submitted to the City Council.

The DNR stated it would grant such a variance, but stated that no further variances shall be granted on this piece of property for future lakeside construction of any type. The Council concurred with this recommendation of the DNR, and made this provision a part of its motion to grant the variance.

An excerpt of the minutes from that meeting is attached for your records. Jim McNamara has advised me that you have signed a statement acknowledging this condition, and that you have obtained the necessary permit for this construction.

Please feel free to call me if you have any questions or concerns.

Sincerely,

Mary Kueffner
City Administrator

cc: Jim McNamara

enc.

b

Contour interval = 2 feet.

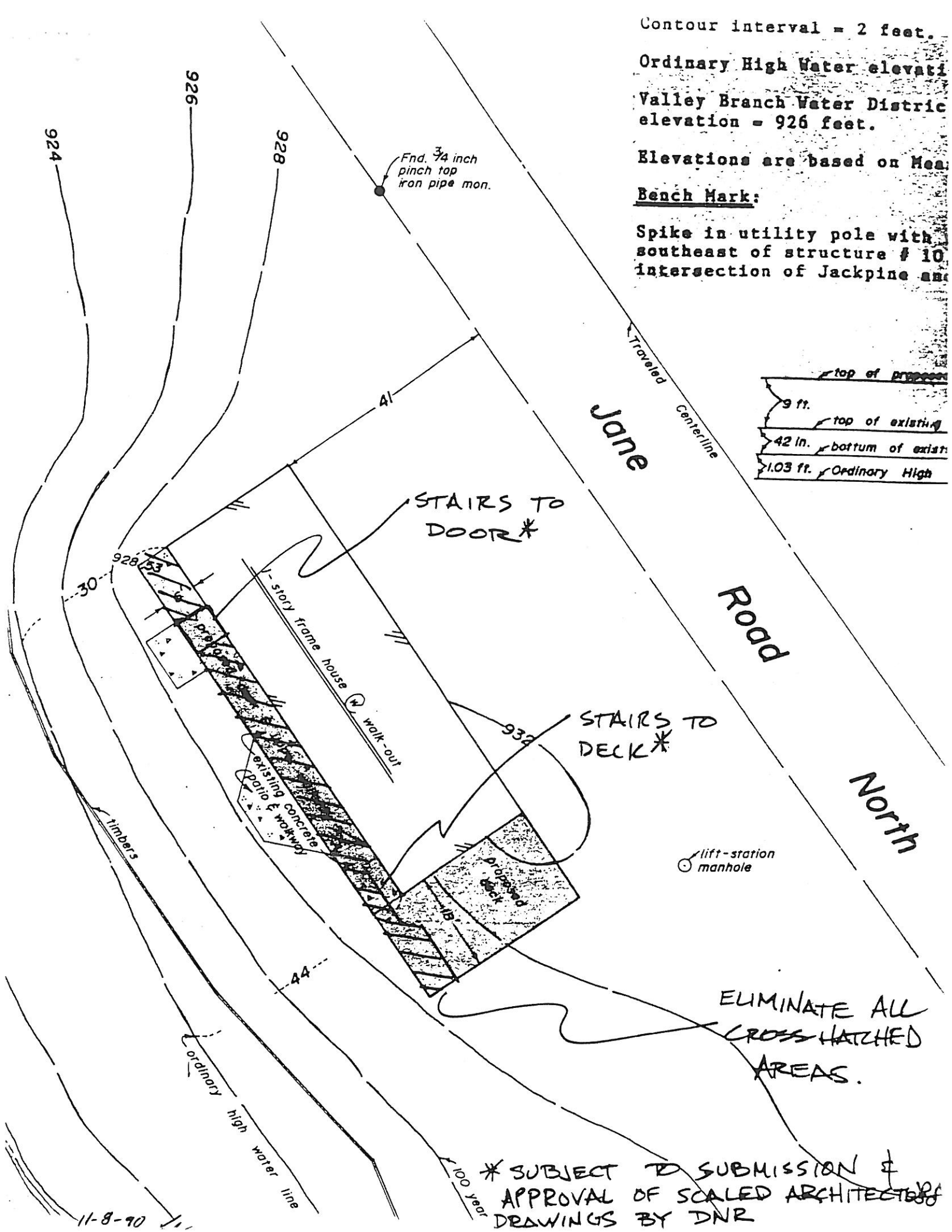
Ordinary High Water elevation

Valley Branch Water District
elevation = 926 feet.

Elevations are based on Mean

Bench Mark:

Spike in utility pole with
southeast of structure # 10
intersection of Jackpine and



top of proposed
9 ft.
top of existing
42 in.
bottom of existing
1.03 ft.
Ordinary High

Road

North

ELIMINATE ALL
CROSS HATCHED
AREAS.

* SUBJECT TO SUBMISSION &
APPROVAL OF SCALED ARCHITECTURAL
DRAWINGS BY DNR

11-8-90

CITY OF LAKE ELMO

WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2001- 043

AN ORDER ISSUED BY THE BOARD OF ADJUSTMENTS AND APPEALS

WHEREAS, Joseph Kiesling, 9359 Jane Road North, applied for variances to Section 325.06 ad Section 300.05 Subd 2 C. to enlarge his existing home at 9359 Jane Road N.

WHEREAS, the variances requested by the applicant are to enlarge the existing structure 22 feet from the Ordinary High Water Level, where 100 feet is required; and a variance to alter a non-conforming structure,

WHEREAS, at its May 14, 2001 meeting, the Planning Commission held the Public Hearing required by Code and adopted Resolution No. 2001-30 approving the variance application of Joseph Kiesling to enlarge the existing structure 22 feet from the Ordinary High Water level and a variance to alter a non-conforming structure based on Findings stated in the Resolution.

WHEREAS, on May 15, 2001, the Board of Adjustment and Appeals received from City Administrator Kueffner, a notice of appeal to the Planning Commission's decision for approval within the 5 day appeal period.

WHEREAS, the Zoning Administrator notified the applicant, the Chairperson of the Planning Commission, and the abutting property owners of the time and date of the hearing.


WHEREAS, at the June 5, 2001 meeting, the Board of Adjustment of Appeals held the hearing and considered the applicant's appeal to the decision of the Planning Commission,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Adjustment and Appeals deny the requested variances on the Appeal by City Administrator Kueffner based on the following findings:


1. The literal interpretation of the zoning ordinance will not deprive the applicant of reasonable rights, similar to those enjoyed by other property owners with property in similar physical circumstances. The existing home is of substantial size, with lake side decks and a two-car garage.

2. The degree of Ordinary High Water setback departure requested by the applicant, as a zoning variance, would be a special privilege that has not been accorded to other property owners in the Shoreland Overlay District. Lesser degrees of encroachment have been denied as variances.
3. No hardship, has opposed to the applicant's personal desire, has been demonstrated.
4. The requested variance is not the minimum that would alleviate the hardship, since no hardship as been demonstrated.
5. The area of this lot now above the Ordinary High Water level was, in part, was artificially created from lakebed in years past. By that action, encroachment in excess of most other lake front lots in the neighborhood has already taken place. Additional encroachment by approval of this variance would bestow a privilege to this property owner not enjoyed by other property owners in similar circumstances.

ADOPTED, by the Lake Elmo City Council this 19th day of June, 2001.


Lee Hunt, Mayor

ATTEST:


Mary Kueffner, City Administrator

6/9/2017

Emily Becker
Lake Elmo City Planner
3800 Laverne Avenue North
Lake Elmo, MN 55042

RE: Shoreland Variance Request at 9359 Jane Road North, Lake Elmo (Lake Jane - 82010400)

Emily –

The primary goal of limiting impervious surfaces within shoreland districts is to reduce the amount of runoff directed into Minnesota waters. Runoff from impervious surfaces travels over the land and carries pollutants such as nutrients, sediment, bacteria, pesticides, heavy metals, and organic wastes. Studies have consistently shown a strong, direct connection between the percentage of impervious surface in a watershed and water quality degradation. As impervious surface area expands, so does the volume of runoff, phosphorus, and sediment entering waters, causing nuisance algae blooms, reducing public enjoyment, and harming aquatic plants and animals.

Please use the attached MNDNR guidance on variances to maximum impervious surface in shoreland districts when evaluating this variance request against statutory criteria and developing a findings of fact. If findings support granting the variance, impacts to Lake Jane should be considered in developing appropriate conditions to mitigate those impacts.

This project would increase impervious surface from 26.9% to 29.7%, where the maximum impervious surface allowed is 15% for unsewered properties within the shoreland district of a recreational development lake. MNDNR recommends denial of this variance request because this additional increase in impervious surface would result in a percent impervious that would be nearly double the City's standard and because the proposed addition is within the shore impact zone (SIZ). If a variance is granted for this project, MNDNR recommends that the City of Lake Elmo include conditions on the variance that mitigate for this increase in percent impervious surface. Examples of appropriate mitigation conditions include:

- Modify construction design (to minimize impact).
- Direct rain gutter discharges into a rain garden (infiltration basin designed to capture and infiltrate runoff).
- Restore shoreline vegetation to natural state (to intercept and filter runoff coming from the structure).

Thank you for the opportunity to comment on this variance request.

Sincerely,



Jenifer Sorensen
MNDNR, East Metro Area Hydrologist
1200 Warner Road
St. Paul, MN 55106
651-259-5754 | jenifer.sorensen@state.mn.us

Shoreland & Floodplain Variance Guidance Series

Impervious Surfaces

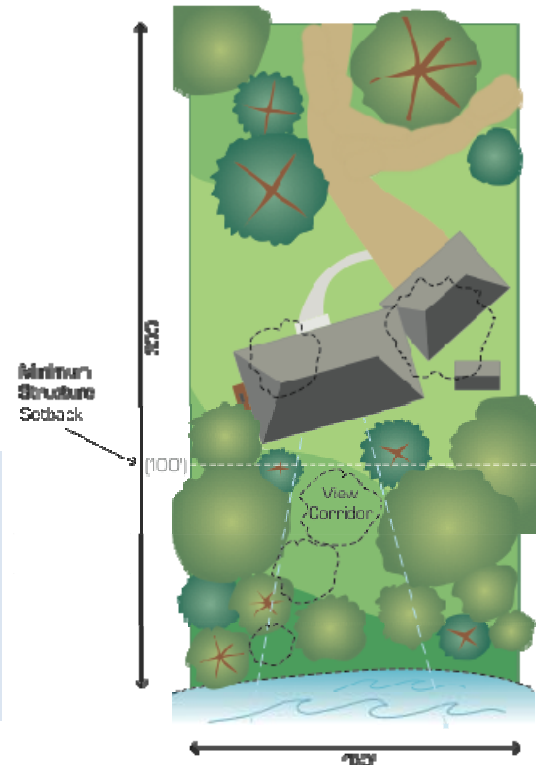
This is one of a series of examples developed as guidance for considering variance requests along lakes and rivers. Consult your local shoreland and floodplain ordinances.

Why are impervious surface coverage limits important?

In the protection of water quality, the management of rainwater on individual lots is one of our most important tasks. Rainwater that does not infiltrate into the ground or evaporate runs downhill to lakes, wetlands, or rivers. As impervious surface coverage increases, the rate and amount of runoff and pollutants entering public waters increases. When runoff from impervious surface coverage is not addressed, pollution increases and the diversity of aquatic life is reduced. Local governments have limited discretion to deviate from - or grant a variance to - impervious surface limits. They may do so only if *all* of the variance criteria established in state statutes and their local ordinances are met. In evaluating such requests, local governments must examine the facts, determine whether all statutory and local criteria are satisfied, and develop findings to support the decision. If granted, local governments may impose conditions to protect resources. An example impervious surface variance request, with considerations, is provided below.

Example Impervious Surface Variance Request

A property owner wishes to build a large lakehome on a conforming lot. The lake lot includes a private driveway with a spur to the neighbor's lot, which was placed to avoid an adjacent wetland. The building plans for the new construction plus the existing private road spur to the neighbor's property would exceed the impervious surface limit provision in the local ordinance.



Considerations for Findings

A good record and findings help keep communities out of lawsuits and help them prevail if they find themselves in one. In evaluating the facts and developing findings for this variance request, *all* of the following statutory criteria must be satisfied, in addition to any local criteria:

- Is the variance in harmony with the purposes and intent of the ordinance?**

Considering a variance request is a balancing test that requires weighing the need of an individual property owner against the purposes of the shoreland regulations for protecting the public interest. These purposes are derived from Minnesota Shoreland Rules, which established impervious surface caps to prevent excessive runoff from constructed surfaces. Such excessive runoff causes erosion, transport of pollutants to public waters thereby degrading water quality. **Considerations:** *Will deviating from the required limit on this property undermine the purposes and intent of the ordinance? Why or why not? Is it possible to mitigate the consequences of additional impervious surface on-site such that additional runoff will not be produced? Would this mitigation be in harmony with the purposes and intent of the ordinance? Why or why not?*
- Is the variance consistent with the comprehensive plan?**

The local comprehensive plan establishes a framework for achieving a community's vision for the future. Most plans contain goals and policies for protecting natural resources and shorelands, as well as maps that identify areas of high risk or with high ecological value where development should be avoided. The variance request must be considered with these goals and policies in mind. Maps should be consulted to determine if the property is within any areas identified for protection. **Considerations:** *Which goals and policies apply? Is allowing additional impervious surface and runoff consistent with these goals and policies? Why or why not?*

- **Are there *unique circumstances* to the property not created by the landowner?**

Unique circumstances relate to physical characteristics of the land - such as lot dimensions, steep slopes, poor soils, wetlands, and trees. These *do not* include physical limitations or personal circumstances created by the property owner that prevent compliance with the impervious surface provision, such as size of home or design preferences. Consider what distinguishes this property from other shoreland properties to justify why the applicant should be able to deviate from the provision when others must comply. **Considerations:** *What physical characteristics are unique to this property that prevent compliance with the requirement? Were any difficulties in meeting the impervious surface limit created by some action of the applicant? Has the applicant demonstrated no other feasible alternatives exist that would not require a variance, such as increasing the setback to reduce driveway length or reducing the lakehome's footprint?*

- **Will the variance, if granted, alter the essential character of the locality?**

Consider the size of the proposed structure, the extent of encroachment, and how it relates to the shoreline and hydrology of the riparian area. A large addition located close to the shoreline can detract from the natural appearance and character of the lake and its riparian areas and degrade water quality by altering topography, drainage, and vegetation in the riparian area, negatively affecting recreational, natural, and economic values. **Considerations:** *Does the variance provide minimal relief or a substantial deviation from the required setback? Does it affect the natural appearance of the shore from the lake? Does it affect the hydrology of the riparian area?*

- **Does the proposal put property to use in a reasonable manner?**

Examine the reasons that the variance is requested and evaluate them in light of the purposes of the local shoreland ordinance and the public water resource at stake. Since the impervious surface cap is generally intended to reduce runoff to public waters, it may not be appropriate to allow large areas of constructed surfaces so close to the water. **Considerations:** *Has the applicant demonstrated that the proposed construction is reasonable in this location given the sensitive nature of the area and the purposes of the regulations? Why or why not?*

Note: *The last three criteria address practical difficulties. Economic considerations alone cannot create practical difficulties*

Range of Outcomes

Based on the findings, several outcomes can occur:

- If the applicant fails to prove that *all* criteria above are met, then the variance must be denied. For example, the local government could find that the building plans itself created the circumstances necessary for a variance rather than the any unique physical characteristics of the property.
- If the applicant demonstrates that *all* criteria are met, then the variance may be granted. For example, the local government could find that the construction footprint is reasonable, the circumstances are unique given the adjacent wetland, and the minor deviation in the impervious surface coverage does not alter the hydrology of the area (as determined through runoff calculations).
- If the variance is granted and the impervious surface in any way alters the hydrology of the area, then conditions may be imposed, such as to increase the structure setback from the lake by 15 feet to reduce the extent of the driveway and minimize the amount of impervious surface coverage over the limit.

Conditions on Variances

If findings support granting the variance, consideration must be given to the impacts on the public water and the riparian area and appropriate conditions to mitigate them. Conditions must be directly related and roughly proportional to the impacts created by the variance. Several examples are provided below:

- Modify construction designs (to minimize impact);
- Use permeable pavement systems for walkways, driveways, or parking areas (to reduce effective impervious surface area and infiltrate runoff);
- Direct rain gutter discharges away from the public waters and into infiltration basins (to reduce connected impervious coverage to allow additional areas for infiltration);
- Preserve and restore shoreline vegetation in a natural state (to intercept and filter runoff coming from structures and driveways); and/or
- Increase setbacks from the ordinary high water level (to provide infiltration near public waters).

More information at: www.dnr.state.mn.us/waters/watermgmt_section/shoreland/variances.html



STAFF REPORT

DATE: June 20, 2017
REGULAR
ITEM #: 17
MOTION

TO: City Council
FROM: Emily Becker, City Planner
AGENDA ITEM: Lakewood Crossing 2nd Addition Preliminary and Final Plat and Planned Unit Development (PUD) Plans
REVIEWED BY: Stephen Wensman, Planning Director

BACKGROUND:

CM Properties 94, LP has submitted application to the City for a Preliminary and Final Plat and Planned Unit Development (PUD) Plans for Outlot A of Lakewood Crossing 1st Addition. The proposal will subdivide the existing 3.82 acre parcel in to three separate parcels. These parcels will include a full service restaurant with outdoor patio; quick service restaurants with drive-throughs; and other retail activities.

Applicant and Property Owner: CM Properties 94, LP c/o MFL Properties Corp., 3460 Washington Dr., Ste 100 Eagan, MN 55122
Location: Southwest of Kwik Trip Gas Station (9955 Hudson Blvd N), PID# 3402921440015
Existing Land Use and Zoning: Vacant land, Commercial (C)
Comprehensive Plan: Commercial
History: The property has been under the ownership of CM Properties 94, LP for over 45 years, and it is the intent that this company will continue to own the property for years to come.
Lakewood Crossing Preliminary Plat, Final Plat and Conditional Use Permit for a gasoline station (Kwik Trip) Approval: 7/22/2014
Lakewood Crossing 2nd Addition PUD Concept Plan Approval: 3/21/2017
Deadline for Action: Application Complete: 5/30/2017
60 Day Deadline: 7/28/2017
Extension Letter Mailed: N/A
120 Day Deadline: N/A
Applicable Regulations: Article XVI – Planned Unit Developments
Article XII – Commercial Districts
Chapter 153: Subdivision Regulations

ISSUE BEFORE COUNCIL:

The Council is respectfully being requested to review the proposed Preliminary and Final Plat and PUD Plans and either approve or deny the request.

PROPOSAL DETAILS/ANALYSIS:

PUD and Plat Process. The applicant has submitted application for both Preliminary and Final Plat and PUD Plans concurrently. The applicant received PUD Concept Plan approval by Council on March 21, 2017. Approval of the PUD Concept Plan alone did not afford the developer/applicant any rights but did provide feedback to the applicant regarding the proposed development.

Identified PUD Objectives. The PUD process is appropriate for the proposed development to allow flexibility in the location, design, and mix of commercial uses on a single large site. The City should consider whether one or more of the objectives listed in Section 154.751 are met when reviewing requests for approval of planned unit developments. It is of Staff opinion that the following objectives are met with this request:

- A. Innovation in land development techniques that may be more suitable for a given parcel than conventional approaches.

Note: The parcel is an irregularly-shaped parcel and so meeting all of the lot dimension requirements of the Commercial zoning district would be a hardship.

- F. Coordination of architectural styles and building forms to achieve greater compatibility within the development and surrounding land uses.

Note: The development will include additional retail and service businesses which will supplement the gas station.

PUD Flexibility. The following outlines PUD flexibility the applicant seeks. In summary, the applicant is requesting flexibility from the following zoning standards:

- Medical facilities, drive-throughs, and outdoor dining as a permitted, rather than conditional, use.
- Minimum lot width
- Impervious surface allowance
- Parking lot setback
- Certain Lake Elmo Design Guidelines and Standards Manual
- Certain landscape requirements
- Waive off-street loading requirements
- Required 20% protected open space within a PUD
- Signage

Permitted and Conditional Uses. The proposed development will include a full service restaurant with outdoor patio; quick service restaurants with drive-throughs; chiropractic care, and other retail activities. General retail sales and restaurants are permitted uses within the Commercial zoning district, while medical facilities (chiropractic care), drive-through facilities, and outdoor dining are conditional uses.

- *Conditional Use to Permitted Use.* Because the applicant is proposing a Planned Unit Development, the applicant is requesting that uses that would normally be conditional become permitted uses within this development. This is to prevent new tenants from having to go the Conditional Use Permit process. It should be noted that if plans are significantly amended (i.e. an additional drive through is requested after the PUD is approved), the PUD would also need to be amended. If the Commission wishes to recommend that these uses be allowed as permitted, rather than conditional, uses within this PUD, the Commission should thoroughly review the proposal, requesting more information if needed, in order to properly ensure that standards are being met and that the proposed uses will not be detrimental to the development or surrounding area

Medical Facilities. The Code mandates that medical facilities have access to an arterial or collector street of sufficient capacity to accommodate generated traffic and that two access points are granted. Currently, the site plan only indicates one access. Therefore, this standard is not met. However, it should be noted that the proposed medical facility would be a chiropractic office, which is a less intense use than other medical facilities such as urgent care or an emergency room is, and the two access points would likely not be needed.

Drive-Throughs. The applicant had previously proposed four drive-throughs in the Concept PUD Plan. The applicant hired Spack Consulting to perform a Drive-Through Analysis to review information of these different drive-through types to determine whether sufficient stacking was provided. Due to feedback from this report and subsequent discussions regarding potential circulation conflicts, the previously-proposed high volume drive-through located on the east end of the Lot 2 building was eliminated, reducing the number of proposed drive-throughs to three.

- *Recommendations from Report.* Summarily, the drive-through report recommends the following to improve drive-through operations. It is a recommended condition of approval that the Applicant adhere to all recommendations made in this report:
 - Locate drive-through windows in buildings to maximum vehicle stacking.
 - Offset median islands and parking lot driving lanes from the drive-throughs between Lots 1 and 2 to avoid driver confusion.
 - *Note: The Applicant has offset the landscape medians to address this comment.*
 - Provide one-way eastbound circulation around the west, south, and east sides of Lots 1 and 2 to avoid unnecessary conflicts with drive-through vehicles at the windows.
 - *Note: The updated Site Plan does not indicate one-way traffic along the south of Lots 1 and 2 nor the east side of Lot 1. It should be noted that these aisles are wide enough by City standards for a 2-way aisle driveway in a parking lot. Lines clearly delineating the two aisles should be provided on the site plan if the City is to allow two-way traffic along these aisles.*
 - Provide appropriate signage and pavement markings for all drive-through lanes to inform drivers of expected operations. A convex mirror may be necessary in select areas to improve sight distance and see other approaching vehicles.
- *Explanation of Low-Volume and High-Volume Drive-Throughs.* Spack included reports that looked at drive-through lane usage of five different land uses in Minnesota: banks, car washes, coffee shops, fast food restaurants, dry cleaners and pharmacies.
 - Proposed Low-Volume Drive Throughs provide enough storage space for approximately four vehicles before they begin to spill out into the drive-through and block drive aisles. Based on the maximum number of cars observed in queue at any one time in Spack's report, land uses with low-volume drive-throughs include: car wash, pharmacy, dry cleaner, and sit-down takeaway restaurant.
 - Proposed High-Volume Drive Throughs provide enough storage space for approximately twelve stacked vehicles. Based on the maximum number of cars observed in queue at any one time in Spack's report, land uses with high-volume drive-throughs include: fast food restaurant, coffee shop, donut/bakery shop, and bank.
 - It is a recommended condition of approval that uses utilizing these drive-throughs be limited to those which the drive-through can support.
- *Adherence to Standards.* The Applicant has still not provided enough detail for Staff to analyze if adherence to all standards for restaurants with drive-throughs have been met. It is a recommended condition of approval that the Applicant provide this information.

Standard	Required	Proposed
Sec. 154.304: Standards for Food Services		
<i>Restaurant with Drive-Through</i>	1. Drive-through elements shall not be located between the front façade of the principal building and the street. No service shall be rendered, deliveries made or sales conducted within the required front yard, although tables may be provided for customer use. 2. Site design shall accommodate a	1. The drive-through elements are not outlined. One of the elements appears to be in front yard of Lot 3. 2. This is hard to determine without knowing exact locations of speakers and service windows, however the applicant has provided a report prepared by a traffic consultant which analyzes the site design and has made necessary changes. 3. Canopy detail and other structure detail

	<p>logical and safe vehicle and pedestrian circulation pattern. Adequate queuing lane space shall be provided, without interfering with on-site parking/circulation.</p> <p>3. Drive-through canopies and other structures, where present, shall be constructed from the same materials as the primary building, and with a similar level of architectural quality and detailing.</p> <p>4. Sound from any speakers used on the premises shall not be audible above a level of normal conversation at the boundary of any surrounding residential district or on any residential property.</p> <p>5. Each food or beverage drive-through business shall place refuse receptacles at all exits.</p>	<p>not provided.</p> <p>4. Unable to determine.</p> <p>5. Information not provided.</p>
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Outdoor Dining. The standard set forth in Section 154.554 of the Zoning Code for outdoor dining is that tables cannot block a public sidewalk or other walkway needed for pedestrian circulation. Minimum of 5 ft. of sidewalk must remain open. There is only one small sidewalk in front of the building located on Lot 3 which provides access from the parking lot to the building. Because the exact placement of the tables will likely be up to the occupant of the building, which may change from time to time, this standard has been added as a recommended condition of approval.

Lot Dimensions and Bulk Requirements. Generally, the proposed development meets lot dimension and bulk requirement standards. Flexibility is being requested on:

- *Lot width minimum.* The parcel that is being developed is a uniquely-shaped parcel, and so the manner in which the parcel is being subdivided is unique.
- *Impervious surface for Lot 2.* The overall impervious surface of the three parcels averages 75%, which meets the Commercial zoning district's maximum impervious surface requirement. Lot 2 individually, however, exceeds this maximum requirement at 80%.
- *Parking setback on Lot 1.* The parking lot will cover all three lots, so there is a 0 ft. setback between the three newly-created parcels. Also, the parking lot is connected to a through lane on the east side of the property with an 8.7 ft. setback. Setbacks from the south and west of the parcel are met.

Driveway Standards. Flexibility is being requested for the following on driveway standards:

- *Distance from driveway to side lot line (5 feet required).* Lot 3 will share a driveway access with Kwik Trip, to the east of the property, and so will not meet this standard with a 0 ft. setback.

Commercial District Design Standards. The following details significant design standards set forth by the City of Lake Elmo Design Guidelines and Standards that have not been met in the proposal. The Commission should consider whether or not flexibility should be allowed for the following standards:

- *Orientation of buildings.* The unique shape of the parcel that is being developed resulted in a unique shape of Lot 3. As a result, the building is oriented according to the shape of the parcel and to accommodate better traffic circulation and proximity to the parking lot.

- *Landscaped open or gathering spaces.* Being that this a small commercial development located in close proximity to the highway that will likely serve quick visits, Staff does not feel it necessary to provide this open space. An outdoor dining area is being proposed, and the restaurants will likely provide adequate seating for guests.
- *Sidewalks.* No sidewalk is provided along Hudson Blvd. However, there are no other sidewalks along Hudson Blvd. to which it could connect. There is an on-road bike lane on Hudson Blvd that will accommodate bikers.
- *Streetscape Lighting.* No lighting is provided along Hudson Blvd. Lighting is provided within the interior of the parking lot.
- *Fencing of Outdoor Dining Areas.* The applicant has not indicated on the site plan where the outdoor dining will be located.
- *Site furnishings.* The manual details that furnishings such as decorative fencing, trash receptacles, planters, bicycle racks, and benches are recommended – design elements from Branding & Theming Study encouraged. The Applicant has indicated that the site will include decorative fencing, lighting, trash enclosures, and benches.
- *Parking.* There is minimal exterior parking lot landscaping and screening provided. Also, the parking lot is located in the front of 2 buildings and exceeds 60% of street frontage.

Landscape Requirements. The applicant has amended the landscape plans to comply with some of the deviations from City standards that were outlined during the Concept PUD Plan review. However, there are still standards to which the proposed plans do not adhere. The proposed Landscape Plan does not meet the following standards of the Zoning Code. The Commission should consider whether flexibility should be provided via the PUD process or if these standards should be met.

- There are only five trees proposed along Hudson Blvd, and six are required.
- Thornless Hawthorn (deciduous ornamental) are required to be 2” caliper, not 1.5” as proposed.
- There is no screening consisting of masonry wall, fence, berm, or hedge provided along Hudson Blvd that is 3.5-4’ in height and less than 50% opaque as required, but the drive-through lane is screened with a spire hedge.

Tree Preservation Requirements. There are no trees currently on the site, and so a tree preservation plan is not required.

Off-Street Parking. The applicant meets general parking space size and aisle width standards. The applicant has provided a narrative that explains that adequate parking has been provided.

- *Specific Minimum Off-Street Parking Requirements.* The applicant is unsure exactly what the final tenant mix will be, but has shown that assuming 19,000 square feet of the buildings are retail and 8,700 square feet are restaurants, that a total of 164 parking spaces would be required. The applicant is providing 165 parking stalls, or 5.92 stalls per 1,000 square feet, so the proposed parking is more than adequate.
- *Shared Parking.* The applicant has indicated in a narrative that a Reciprocal Easement and Operating Agreement has been drafted and will be recorded to account for shared parking and access. This is a recommended condition of approval.

Off-Street Loading Areas. Section 154.211 of the Zoning Code requires that off-street loading areas be provided in all districts for any nonresidential use which involves the receipt or distribution of materials or merchandise by trucks or similar vehicles and has a gross floor area of 5,000 square feet or more. The proposed site plan does not provide an off-street loading area. The applicant has provided a narrative that indicates that deliveries to Lake Elmo Shoppes will occur behind the buildings and will utilize the service door in the back of each tenant space and that no dock doors or drive-in doors are needed for the types of tenants that occupy Lake Elmo Shoppes. Staff is supportive of waiving the off-street loading requirement.

Sign Regulations.

- *Comprehensive Sign Plan.* A Comprehensive Sign Plan is required of any applicant for all planned developments and commercial or industrial multi-tenant developments where different occupancies will compete for permitted square footage on a single lot. The Applicant has submitted a Comprehensive Sign Plan, attached to this report, detailing proposed wall signage and two ground signs. The Applicant states in the narrative that an increased amount of signage is being requested in order to be seen by the vast number of commuters and the local traffic patterns. Their signs will provide consistency in size and construction materials, while allowing each tenant the flexibility and square footage to showcase building storefronts, brand names, and individual site locations as best as possible.
- *Wall signs.* The current standard for wall signs is 1 square footage per 1 lineal foot of storefront. The Applicant has submitted an exhibit which shows what signs of this size would look like on the proposed building, stating that this ratio looks quite small on the façade. The applicant has submitted the request for 2.5 square feet of signage for every one lineal foot of building on the front and rear façades and 1.5 square feet of signage for every one lineal foot of building on the east and west elevations.
- *Ground Signs.* One ground sign per street frontage is allowed per lot, and ground signs on lots that front streets with the number of traffic lanes and speed limit of these lots are allowed to be a maximum height of 12 feet and 80 square feet. The applicant has proposed two ground signs: one 12 feet, 4 inches in height and 80 square feet, and one 30 feet in height and 273 square feet. The proposed signs meet the setback requirement of 15 feet of a crosswalk, or within 15 feet of the intersection of any circulation lane, driveway, or alley. Because the property abuts the Keats Ave N to WB I-94 ramp and Hudson Blvd, the Applicant is looking for visibility from both frontages.

Open Space. The City's PUD ordinance sets forth the requirement that at least 20% of the project area within a PUD be preserved as protected open space. This requirement appears to be more appropriate or applicable to residential development. However, other public and site amenities may be approved as an alternative to this requirement. The proposed PUD does not meet the open space requirement. The applicant has provided a narrative that proposes that this development enhances the site and retail shopping and dining experience with enhanced architectural materials and site furnishings through natural colors, textures, and shapes; flanking that offers a three-dimensional quality and skyline interest; mixture of materials; unique cornices; variety of awnings; ornamental light fixtures; and four-sided architecture.

Lighting. The applicant has stated that a photometric plan has been ordered and will be forwarded to the City once received. It is a recommended condition of approval that a lighting plan be submitted meeting Sections 150.035-150.038 of the City Code.

Engineering Comments. Attached is a memorandum from the City Engineer dated May 31, 2017, which details a number of comments that will need to be addressed. A condition of approval has been added that requires that the Applicant address all of the comments outlined in this memo. Outlined comments include the following:

- No construction for Lakewood Crossing 2nd Addition may begin until the applicant has received Engineer approval for Final Construction Plans; all applicable permit approvals; easements and permissions for the project; and a preconstruction meeting has been held.
- Preliminary plans must be updated and the final construction plans must include a right turn lane along eastbound Hudson Boulevard and any additional fire hydrants as required by the Fire Chief/Building Official.
- Preliminary and final construction plans and plat must be updated to include all necessary drainage and utility easements as required for the public sanitary sewer and watermain/hydrants.

Traffic. The applications have been sent to Minnesota Department of Transportation (MNDOT), as the development abuts the Keats Ave N to WB I-94 ramp, and Washington County, as the County has indicated a study will be done on the Keats Ave N and Hudson Blvd N intersection, to which this project is near. MNDOT had made comments that the grading should stay within the limits of the development;

the Hudson Blvd right-of-way should be shown as City of Lake Elmo rather than MNDOT; and MNDOT drainage permit will be required.

Access Management. Hudson Blvd is planned as a major collector road. The Comprehensive Plan's access management guidelines limit full commercial driveway access to 660 ft spacing. The PUD Concept Plan had shown a second access on the site approximately 240 ft away from the access to Kwik Trip. It was a recommended condition of approval of the PUD Concept Plan that the Applicant work to include PID# 34.292.1440004 (Ebertz Property – the small property to the west) as part of the Preliminary Plat and PUD Plans or work with the owner of this property to provide shared access. The Applicant details in the narrative that because CM Properties 94, LP does not own or control this property, access was not able to be shifted. The Applicant eliminated the second access on the Preliminary and Final Plat and PUD Plans application as a result, and Staff recommends the developer continue to work with the Ebertz's to gain access to a secondary access to Hudson Blvd on the Ebertz property in the future. A future access driveway connection to the adjacent westerly property has been shown on this site plan. There are currently no plans for a raised center median along Hudson Boulevard, and so right-in/right-out access locations cannot be allowed along Hudson Boulevard.

A right turn lane should be required on Hudson Boulevard. There is an existing westbound turn lane on Hudson Boulevard at the existing access location to this development. However, an eastbound right turn should be required as part of this project to handle increased traffic volumes. Hudson Boulevard is expected to receive significant growth in traffic volume as the I-94 corridor develops. It is the goal of the City to maintain Hudson Boulevard as a two-lane road. Therefore, left and right turn lanes will need to be implemented throughout the corridor to facilitate the turning movements for the developing areas while maintaining mobility of the through traffic.

Fire Chief and Building Official Comments. The Fire Chief and Building Official have reviewed the proposed site plan and have the following comments as they relate to the Utility Plan:

- The drive-through aisle and lane to the west of the drive-through are 12 and 16 feet in width. The drive-through aisle on Lot 3 also indicates a width of 12 feet. These should be at least 20 feet in width to allow for required apparatus access around the perimeter of the buildings.
- Additional fire hydrants will be needed on the northwest end of the building on Lot 2, the northeast end of the building on Lot 1, and the southwest end of the building on Lot 3.
- Additional watermain and fire hydrant easements will be required over the additional fire hydrant locations and watermain.

Circulation. In addition to issues raised in the drive-through section of this report, there is a bit of concern about circulation on the site. The shared access with Kwik Trip could prove to be confusing to site visitors, as the existing median is essentially where the right turn lane for the Kwik Trip portion of the access is. Additionally, drivers accessing Kwik Trip from the proposed development may or may not know to stop for oncoming traffic from those exiting back portion of Kwik Trip. Additional striping may improve this situation. A recommended condition of approval is that the Applicant provide additional striping and/or a stop sign in this area to facilitate proper traffic circulation.

Municipal Sanitary Sewer and Water Supply. The proposed site is located within the Stage 1 Regional Sewer area. The property is currently served with municipal sewer and water, and no phasing is required for infrastructure improvements. The Applicant has indicated in the submitted narrative that sanitary sewer and water service be extended to the property to the west, provided the owner is willing to pay the cost to extend. The owner at this time appears willing, but no agreement has been reached. The Applicant has suggested as an alternative that the property access utilities under Hudson Blvd from the North. This, however, is a business decision that should ultimately be made by Council. The City should only accept one boring under Hudson Blvd. A boring was made for Kwik Trip, so Staff recommends that no additional borings be allowed. As such, the Applicant should be made to extend sanitary sewer and water

service to the westerly parcel regardless of whether or not the owner of the aforementioned parcel agrees to help pay for it.

Stormwater. An infiltration basin is provided on the east side of the property. Stormwater runoff will be routed through two underground parking lot storm chamber systems that will provide infiltration and retention in addition to one above ground infiltration basin. The above ground infiltration basin will be obtained by converting an existing storm water pond to an infiltration basin. Pretreatment for the infiltration basins will be provided by oversized sump manholes equipped with scour prevention devices. Due to proximity to the Kwik Trip site, the MPCA should be consulted to verify infiltration practices will be allowed. Written landowner permission may be required for any off-site storm water discharges to adjacent properties to avoid negative impacts to downstream properties.

Phasing. The Applicant has requested to plat all three lots at this time, but construction will occur in three phases: Three phases: 1st: 14,700 sf building on Lot 1 2nd: 10,120 sf building on Lot 2 3rd: 3,192 sf building on Lot 3. The Applicant should submit construction plans for approval by the City which will detail phasing of utilities and grading and site improvements.

Existing Easements. The Applicant has indicated the need to vacate existing easements over the property. The Applicant will need to submit a separate application for this, and the public hearing may be held at the City Council meeting concurrently with Preliminary and Final Plat and PUD Plan approval.

Comprehensive Plan. The property is guided for and zoned Commercial. The proposed development is commercial in nature. Commercial development is guided for 4.5-7 residential equivalency units (REU) per acre.

Residential Equivalency Units (REU). Because the development is within the beginning stages, the Met Council has not yet made a determination for WAC/SAC Charges. However, the following outlines REU information for the proposed uses within the development:

Restaurant

Fixed Seating (actual number of seats)	10 seats	1
Non-Fixed Seating (the greater of the square feet of dining area @ 15 square feet/seat or number of seats shown on the plan)	10 seats	1

Outdoor patios and sidewalk seating are counted same as inside seating.
(See Section 5.2.1.7.1 for discount)

Drive-in (See Section 5.2.1.7 for discount)	9 parking	1
Take-out (no seating)	3,000 square feet	1
Outpatient clinic	*17 fixture units	1
Sterilizer (4 hours x gallons per minute x 60 minutes)	274 gallons	1
X-ray film processor (4 hours x gallons per minute x 60 minutes)	274 gallons	1
Retail Store (deduct mechanical rooms, elevator shafts, stairwells, escalators, restrooms and unfinished storage areas) (for remainder use other criteria) (i.e. Gas Pumping)	3,000 square feet	1
Shower (if lockers are included use Locker Room criteria)	*17 fixture units	1

Park Dedication/Parks and Trails. The parkland dedication requirement for the proposed commercial development is presently \$4,500 per acre in lieu of dedicated land. The proposed development area is 3.82 acres in size, and so the required parkland dedication based on the present fee schedule would total \$17,190. The Parks Commission was informed of the proposed development at the March 20, 2017 meeting.

PUD Agreement. A PUD agreement that clearly articulates permitted and conditional uses, placement of structures, development intensity, density, setbacks, building requirements, lot requirements, signage, or other elements of the plan that deviate from the Commercial Zoning District standards will be incorporated into the Findings of the Resolution if the PUD is approved. The PUD Agreement will provide the development regulations that prevail for the site. Those items not addressed by the PUD Agreement will default to the underlying Commercial Zoning standards.

PLANNING COMMISSION/PUBLIC HEARING:

The Planning Commission held a public hearing and considered this request at its June 12, 2017 meeting. No public inquiries or comments were received prior to the public hearing, and no one from the public spoke at the public hearing.

Amended Findings of Fact. The Planning Commission recommended adding the following finding of fact to the Staff-recommended findings of fact:

12. The Applicant will be extending municipal sewer and water to the westerly property (PID# 34.029.21.44.0004), providing benefit to the City.

Amended Conditions of Approval. The Planning Commission also recommended the following amendments to the Staff-recommended conditions of approval (in red, underlined text):

9. The Applicant shall amend the proposed Landscape Plan to comply with City standards and obtain approval by the City. The Landscape Plan shall include additional landscaping along the Keats Ave N to WB I-94 ramp.

- *Staff Comment:* This motion was made with an affirmative vote of 3-2. The reasoning for this is to keep headlights of cars in the parking lot and drive-throughs from shining towards cars on the ramp. Because the ramp does not constitute as street frontage, landscaping standards that apply to street frontage do not apply.

21. Permitted medical facilities shall be limited to non-urgent facilities, including but not limited to clinics, eye doctors, and dental facilities.

22. The Applicant shall add site amenities such as benches, trash receptacles, decorative lighting, and signage compliant with the Lake Elmo Design Guidelines and Standards Manual to the site plan.

23. Fencing shall be provided enclosing all outdoor dining areas.

The Planning Commission also discussed concern about the traffic flow near the shared entrance to Kwik Trip, specifically that which may be caused by the median that blocks the approach to the right-hand turn lane exit. Additionally, the Planning Commission wanted to see the two-lane drive through lanes on the southern portion of the site both be one-way.

The Planning Commission recommended approval with the amended findings of fact and conditions of approval with an affirmative vote of 5-0.

RECOMMENDED FINDINGS OF FACT AND CONDITIONS OF APPROVAL:

Findings of fact and conditions of approval as recommended by Staff and the Planning Commission are outlined in the attached Resolution 2017-063.

FISCAL IMPACT:

The development of this currently vacant site will create three taxable parcels. Additionally, it will contribute SAC/WAC fees and park dedication fees of \$17,190.

RECOMMENDATION:

Staff and the Planning Commission recommend the Council adopt Resolution 2017-063 approving the Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans with the 23 conditions of approval as recommended by Staff and the Planning Commission. Suggested motion:

“Move to adopt Resolution 2017-063 approving Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans with the 23 conditions of approval as drafted by Staff and the Planning Commission based on the findings of fact listed in the Staff Report.”

ATTACHMENTS:

1. Preliminary and Final Plat and PUD Plans application.
2. Engineering Review Memo dated May 31, 2017.
3. Comprehensive Sign Plan
4. Fire Chief and Building Official Comments
5. MNDOT Review Comments
6. Resolution 2017-063 granting Preliminary and Final Preliminary Plat and PUD Plans Approval

Date Received: _____
Received By: _____
LU File #: _____

THE CITY OF
LAKE ELMO

651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

PRELIMINARY PLAT APPLICATION

Applicant: C/M PROPERTIES 94 LP, C/O MFC PROPERTIES CORP.
Address: 3460 WASHINGTON DRIVE, SUITE 100, EAGAN, MN 55122
Phone #: 651-452-3303
Email Address: BMILLER@MFCPROPERTIES.COM

Fee Owner: SAME AS ABOVE
Address: _____
Phone #: _____
Email Address: _____

Property Location (Address and Complete (long) Legal Description: _____
OUTLOT A, LANCEWOOD CROSSING, ACCORDING TO THE RECORDED
PLAT THEREOF, WASHINGTON COUNTY, MN

General information of proposed subdivision: 3 COMMERCIAL LOT SUBDIVISION
TO ACCOMMODATE 3 BUILDINGS TOTALING APPROXIMATELY 28,000
SQUARE FEET.

Conducted pre-application meeting with Staff?

☒ Yes

☐ No

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning Ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 4-28-17

Signature of Fee Owner: _____ Date: _____

APR 28 2017

Date Received: _____
Received By: _____
Permit #: _____



651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

LAND USE APPLICATION

- ☐ Comprehensive Plan ☐ Zoning District Amend ☐ Zoning Text Amend ☐ Variance*(see below) ☐ Zoning Appeal
- ☐ Conditional Use Permit (C.U.P.) ☐ Flood Plain C.U.P. ☐ Interim Use Permit (I.U.P.) ☐ Excavating/Grading
- ☐ Lot Line Adjustment ☐ Minor Subdivision ☐ Residential Subdivision Sketch/Concept Plan
- ☐ PUD Concept Plan ☒ PUD Preliminary Plan ☐ PUD Final Plan ☐ Wireless Communications

Applicant: CM PROPERTIES 94, LP c/o MFC PROPERTIES CORP.
Address: 3460 WASHINGTON DRIVE, SUITE 100, EAGAN, MN 55122
Phone #: 651-452-3303
Email Address: BMILLER@MFCPROPERTIES.COM

Fee Owner: SAME AS ABOVE
Address: _____
Phone #: _____
Email Address: _____

Property Location (Address): _____
(Complete (long) Legal Description: OUTLOT A, LAKEWOOD CROSSING, ACCORDING TO
RECORDED PLAT THEREOF, WASHINGTON COUNTY, MN
PID#: 34.029.21.44.0015

Detailed Reason for Request: PUD APPROVAL TO ALLOW A 3 BUILDING RETAIL COMPLEX
WITH ZERO LOT LINES, 3 DRIVE THRU'S, A COMPREHENSIVE SIGN PLAN.

*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 4-28-17

Signature of fee owner: _____ Date: _____

APR - 8 2017

CITY OF LAKE ELMO

Date Received: _____
Received By: _____
LU File #: _____



651-747-3900
3800 Lavene Avenue North
Lake Elmo, MN 55042

FINAL PLAT APPLICATION

Applicant: CM PROPERTIES 94, LP
Address: 3460 WASHINGTON DRIVE, SUITE 100, Eagan, MN 55122
Phone #: 612-452-3303
Email Address: B.MILLER@CMC PROPERTIES.COM

Fee Owner: SAME AS ABOVE
Address: _____
Phone #: _____
Email Address: _____

Property Location (Address): _____
Complete (long) Legal Description: OUTLOT A, LAKENAW CROSSING, ACCORDING TO
THE RECORDED PLAT THEREOF, WASHINGTON COUNTY, MN
PID#: 34.029.21.44.0015

General information of proposed subdivision: 3 LOT COMMERCIAL SUBDIVISION

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning Ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 5-5-17

Fee Owner Signature: _____ Date: _____

Date Received: _____
Received By: _____
Permit #: _____



651-747-3900
3800 Laverne Avenue North
Lake Elmo, MN 55042

LAND USE APPLICATION

- ☐ Comprehensive Plan ☐ Zoning District Amend ☐ Zoning Text Amend ☐ Variance*(see below) ☐ Zoning Appeal
- ☐ Conditional Use Permit (C.U.P.) ☐ Flood Plain C.U.P. ☐ Interim Use Permit (I.U.P.) ☐ Excavating/Grading
- ☐ Lot Line Adjustment ☐ Minor Subdivision ☐ Residential Subdivision Sketch/Concept Plan
- ☐ PUD Concept Plan ☐ PUD Preliminary Plan ☒ PUD Final Plan ☐ Wireless Communications

Applicant: CM PROPERTIES 94, LP
Address: 3460 WASHINGTON DRIVE, SUITE 100, EAGAN, MN 55122
Phone # 651-452-3303
Email Address: BRIAN@CMCPROPERTIES.COM

Fee Owner: STATE AS ABOVE
Address: _____
Phone # _____
Email Address: _____

Property Location (Address): As Above
(Complete (long) Legal Description: OUTLOT A, LEEWARD CROSSING, ACCORDING TO THE
RECORDED PLAT THEREOF, WASHINGTON COUNTY, MN
PID#: 34.029.21.44.0015

Detailed Reason for Request: FINAL PUD APPROVAL TO ALLOW A 3 BUILDING
RETAIL COMPLEX WITH ZERO LOT LINES, 3 DRIVE THROUS, AND
A COMPREHENSIVE SIGN PLAN

*Variance Requests: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the applicant must demonstrate practical difficulties before a variance can be granted. The practical difficulties related to this application are as follows:

In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning ordinance and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of applicant: [Signature] Date: 5-15-17

Signature of fee owner: _____ Date: _____

Written Statements:

The following are answers to Questions 2a thru 2m on the Preliminary Plat Application form:

- | | |
|---|---|
| <p>a. <u>Record Owner</u>
CM Properties 94, L.P.
3460 Washington Drive, Suite 100
Eagan, MN 55122
Attn: Bruce Miller
(651) 452-3303</p> <p><u>Architect</u>
Architectural Consortium, LLC
901 No. Third Street, Suite 220
Minneapolis, MN 55401
Attn: Kathy Anderson
(612) 436-4030</p> | <p><u>Engineer / Surveyor</u>
Carlson McCain, Inc.
3890 Pheasant Ridge Drive NE, Suite 100
Blaine, MN 55449
Attn: Joe Radach, PE
(763) 489-7912</p> |
|---|---|
- b. The property has an unassigned address but is currently legally described as Outlot A, Lakewood Crossing, according to the recorded plat thereof, Washington County, MN.
PID #34.029.21.44.0015
Zoning – Commercial
Parcel Size – 3.82 Acres / 166,449 Sq.Ft.
- c. Subdivision Name: Lakewood Crossing
Number of Lots: Three (3)
- d. N/A
- e. The intent of this 3 lot, 3 building project is to create a successful retail project providing a warm and inviting place for residents in the area to shop and dine. Our goal is to have a quality, sit down, full service restaurant on the east side of the project including a large outdoor patio to accommodate outside seating for restaurant patrons. In addition to a sit down restaurant, we are targeting fast casual restaurants with drive thru, coffee with drive thru, a hair salon, dry cleaner, chiropractor, bank or credit union with drive thru and other similar services and retail businesses. Our intention is to build the project in three (3) phases with the initial plan to construct at 14,700 square foot retail building and follow up with a 10,120 square foot and 3,440 square foot building as the market dictates. Our firm has owned this property for over 45 years and we intend to continue to own it for years to come. Our intention is to build something both we and the City can be proud of and that meets what the market is looking for and stands the test of time architecturally.
- f. N/A

- g. The property is currently served with municipal sewer and water. No phasing is required for infrastructure improvements.
- h. There are only 3 non-related, non-public property owners within 350' and they are also excited about the prospect of additional development occurring on this corner. This development will have positive impact on property values in this area by providing much needed retail and service businesses.
- i. This development should not conflict with nearby land uses. As a matter of fact, it is our intent to get tenants who enhance our neighbors property values and provide goods and services to the residential areas in and around this intersection.
- j. In the grand scheme of development occurring in Lake Elmo, this project is relatively minor in terms of city services required and will not create a burden on the City. As a matter of fact, commercial tax rates are significantly higher than residential and therefore this project will only help the budgets of the City, County and School District.
- k. N/A
- l. As this is a small commercial development, we are intending on providing a park dedication fee in lieu of dedication which the City will be able to utilize to enhance its overall parks / open space plan.
- m. Our intention is to commence construction in July or August with the first phase 14,300 square foot building to be complete by year end. The Phase II and Phase III building will be constructed as the market dictates.

Narrative Answering Questions / Concerns Raised for Concept Approval and Outlined in Resolution 2017-026:
--

1. Regarding the City Engineer comments from that March 8th Memorandum, the plans have been revised to address most of the comments. To address the second access to the west, as we do not own or control the property to the west, we are not able to shift the access. However, we are willing to provide an access easement to the property owner to the west to provide them access so they won't need to request a third access. In addition, when the City determines the traffic counts warrant it, we will install a median on Hudson Boulevard to restrict access to right in and right out only. Regarding the turn lanes, our intention is not to build the secondary (westerly) access with Phase I and therefore will only utilize the existing shared access with Kwik Trip. When we build Phase II we will construct the turn lanes as needed. Regarding the extension of water and sanitary sewer to the property to the west, we will accommodate provided that owner is willing to pay the cost to extend. We have had discussions with them and they appear willing however no agreement has been reached. If we are not able to reach an agreement, the property still can be served with utilities by jacking them under Hudson Blvd. from the North. As a reminder, this is what we had to do with the water when we developed Kwik Trip.
2. It is acknowledged and we shall obtain all other necessary permits. Attached find VBWD Permit #2017-08 Permit dated March 27, 2017.
3. As mentioned above, we will extend sanitary sewer and water to the westerly property provided we can come to an agreement with the property owner. In the alternative, they can extend the utilities from the property they own to the north.
4. It is acknowledged a storm water maintenance agreement will be required. Please provide City standard form or if you don't have one, we can prepare.
5. The Landscape Plan has been revised to provide four (4) more parking islands, landscaping on north side of driveway as well as other modifications to comply with City standards.
6. Acknowledge a Letter of Credit / Financial Guaranty is required for landscape materials.
7. Attached is a Comprehensive Sign Plan along with a narrative detailing the flexibility being requested.
8. The three (3) buildings will be a mix of retail, service and restaurant uses. Section 154.2 of the Code for General Retail is 1 space per 250 square feet or 4 spaces per 1,000 square feet. Lake Elmo Shoppes will have a total of 27,860 square feet. Based on general retail of 4 spaces per 1,000 sq.ft., this results in 111 required stalls. We are providing 165 stalls or 5.92 per 1,000 sq.ft. which is significantly over what is required by code. Some uses, such as restaurants require more parking (1 stall per 100 sq.ft. = 10 stalls per 1,000 sq.ft.) and others require less than general retail such as personal services at 3.33 per 1,000 sq.ft. Although we are not sure what the final tenant mix will be, if 19,000 sq.ft. were retail that would require 77 stalls and 8,700 sq.ft. of restaurants which would require 87 stalls for a total of 164 parking stalls. Based on our experience in owning and developing retail centers, we are confident we have more than adequate parking.

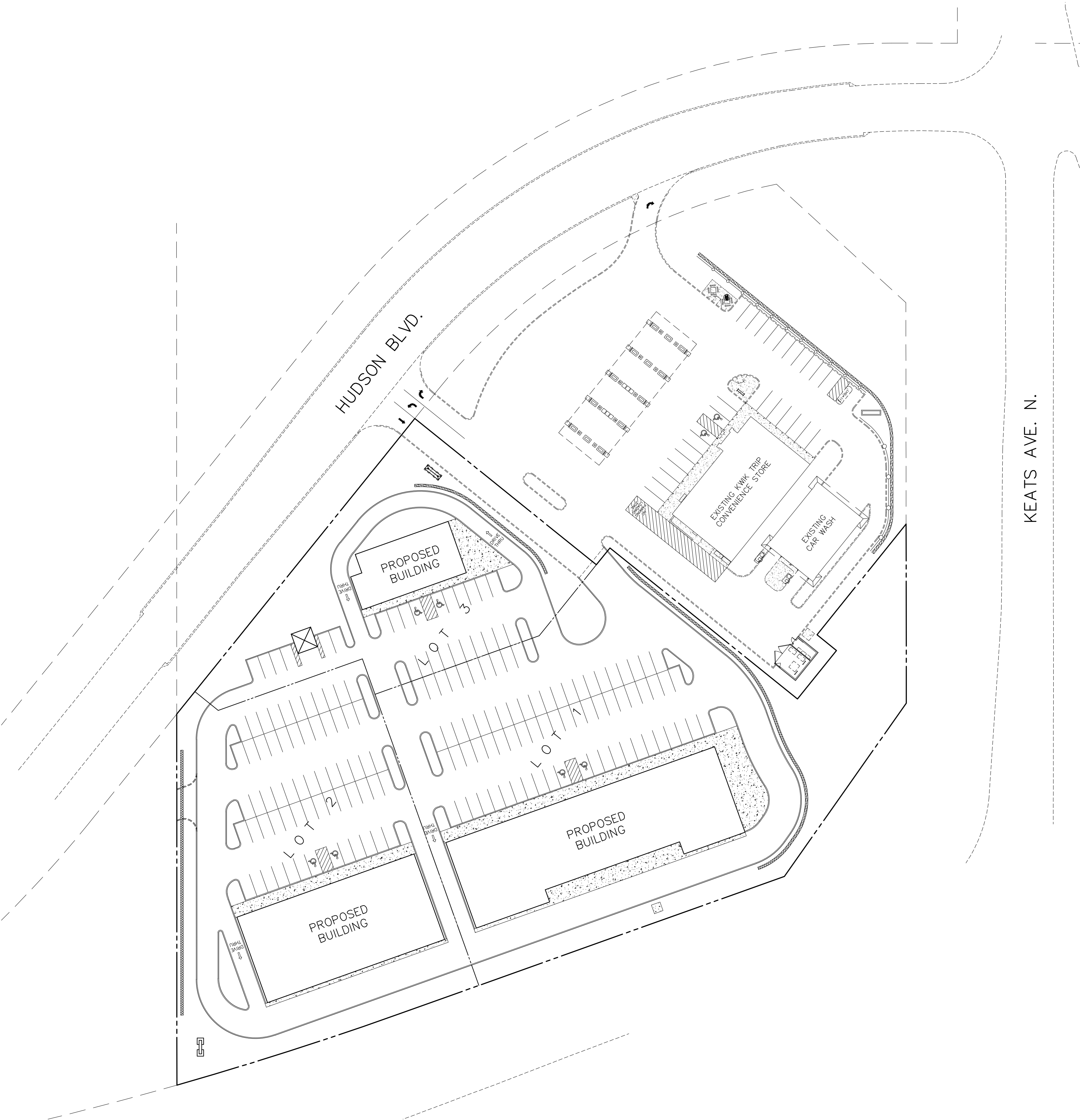
9. To address the site amenity as alternate to 20% open space, we are offering to enhance the site and retail shopping and dining experience with enhanced architectural materials and site furnishings. The Lake Elmo Shoppes architecture is upgraded and features a variety of warm, natural colors, textures and shapes. The corner towers flanking each end features standing seam metal roofs and offer a 3-dimensional quality as well as skyline interest. A mixture of stone, brick and glass combine to help provide individuality to the various tenants. Unique cornices project above the signage band for added interest. A variety of both canvas and metal awnings create pedestrian scale interest. Ornamental light fixtures repeat intermittently for nighttime attraction. The architecture is four-sided being that is visible from both the highway and internal. Signage is limited to designated areas within each tenant lease lines and design controls of individually lit channel letters will ensure quality.

The overall development sets an up-scale environment with the attention to details within the streetscape. Coordinated benches, trash receptacles and bike racks, outdoor dining patios with wrought iron fencing, pedestrian scale ornamental light fixtures and landscaping all combine to enhance the shopping experience.

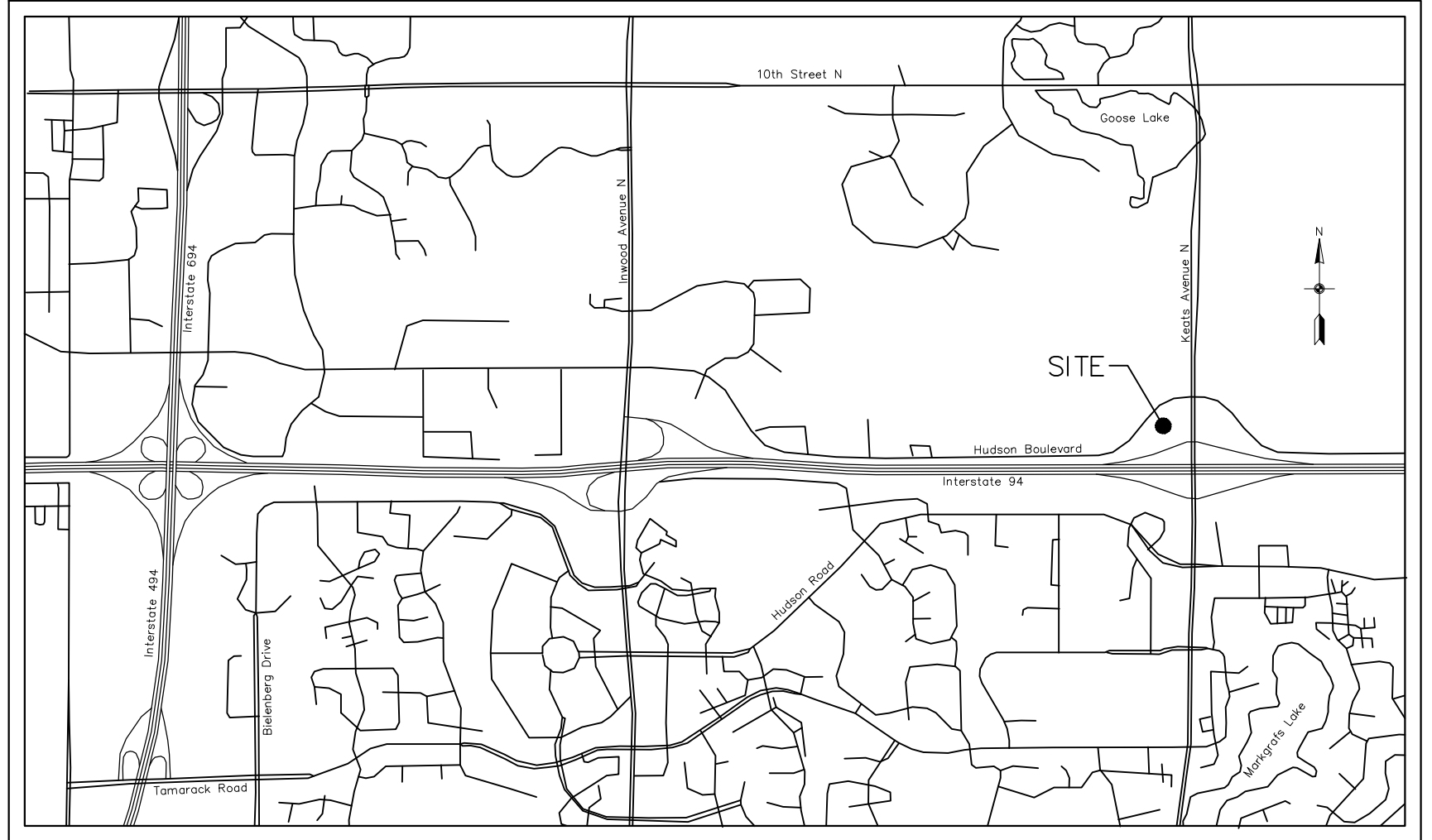
10. The plans detail the location of the drive-thru elements. Based on questions at the Planning Commission and City Council, we commissioned a drive thru analysis which will be addressed in further detail in 19 below.
11. A photometric plan has been ordered and will be forwarded to the City once received. It is acknowledged, an acceptable photometric plan is a condition of final approval.
12. It is understood the final plan showing location of fire hydrants, no parking and fire lanes need approval from the building official and fire chief.
13. The adjacent property owner to the west will not be a party of the Preliminary Plat or PUD however, we will work with them to provide shared access in the location noted on the site plan.
14. Although we are not proposing to construct any new access points with the first phase of the development, it is acknowledged turn lanes will need to be constructed with the new access.
15. It is our position, current traffic doesn't warrant widening Hudson Blvd., but depending on future development to the north and west, future road improvements may be necessary.
16. Lake Elmo Shoppes deliveries will occur behind the buildings and will utilize the service door in the back of each tenant space. No dock doors or drive-in doors are needed for the types of tenants we will be pursuing.
17. A Reciprocal Easement and Operating Agreement drafted and will be recorded to account for shared parking and access.

18. All mechanical rooftop equipment will be screened by the high parapet walls provided in the design of Lake Elmo Shoppes.
19. Attached is the drive-thru analysis prepared by Spark Consulting Engineers. As you will see the report, Spark states the two high volume and two low volume drive-thru locations have sufficient stacking and circulation. However, based on some of the comments in the report and subsequent discussions regarding potential circulation conflicts, we did decide to eliminate the “high volume” drive-thru located on the east end of the Lot 2 building. Therefore, the request for drive-thru’s has been revised to three (3).

LAKE ELMO SHOPPES
~ SITE IMPROVEMENT PLANS ~
LAKE ELMO, MINNESOTA

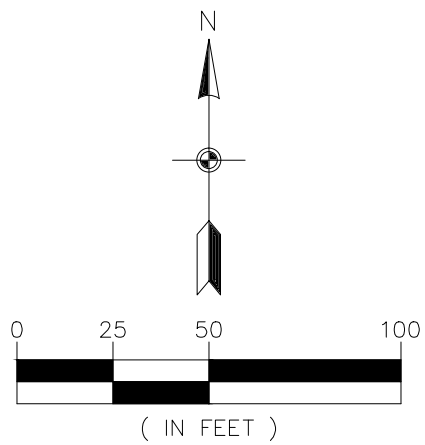


VICINITY MAP



SHEET INDEX

- C1. TITLE SHEET
- C2. EXISTING CONDITIONS & REMOVALS PLAN
- C3. SITE & SIGN PLAN
- C4. GRADING, DRAINAGE & EROSION CONTROL PLAN
- C5. STORMWATER POLLUTION PREVENTION PLAN
- C6. UTILITY PLAN
- C7. DETAILS
- C8. DETAILS
- C9. DETAILS
- C10. DETAILS (CMP SYSTEM)
- C11. DETAILS (CMP SYSTEM)
- L1. LANDSCAPE PLAN
- L2. LANDSCAPE PLAN



BENCHMARKS	
1.	MN/DOT GSID STATION NO. 33428 TOP OF BENCHMARK DISK ELEVATION = 974.47 (NAVD 88)
2.	MN/DOT GSID STATION NO. 33429 TOP OF BENCHMARK DISK ELEVATION = 943.86 (NAVD 88)



Carlson McCain
ENVIRONMENTAL · ENGINEERING · SURVEYING
3890 Pheasant Ridge Dr. NE #100, Blaine, MN
Phone: 763-489-7900 Fax: 763-489-7959

TITLE SHEET

LAKE ELMO SHOPPES
Lake Elmo, Minnesota

MFC PROPERTIES CORP.
3460 Washington Drive, Suite 100
Eagan, MN 55122

REVISIONS	
1.	04/26/17 Per City comments.
2.	05/24/17 Per City comments.
3.	
4.	
5.	
6.	
DRAWN BY:	JTR
DESIGNED BY:	JTR
ISSUE DATE:	02/03/17

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

Name: Joseph T. Radach, P.E.
Signature: *Joseph T. Radach*
Date: 02/03/17 License #: 45889



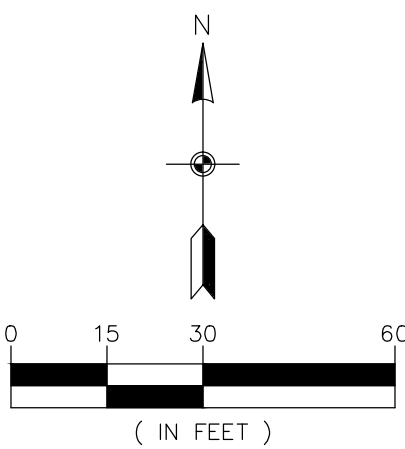
LEGEND

	EXISTING	REMOVAL
PROPERTY LINE	---	-----
EASEMENT LINE	---	-----
CURB LINE	---	-----
BITUMINOUS PAVEMENT	---	-----
CONCRETE WALK	---	-----
SANITARY SEWER	---	-----
STORM SEWER	---	-----
WATER MAIN	---	-----
UNDERGROUND GAS	---	-----
UNDERGROUND ELECTRIC	---	-----
UNDERGROUND TELEPHONE	---	-----
MANHOLE	---	-----
HYDRANT	---	-----
LIGHT POLE	---	-----
FENCE LINE	---	-----
5' CONTOUR	---	-----
1' CONTOUR	---	-----

AS NOTED

REMOVAL PLAN NOTES

1. ALL EXISTING UTILITY LOCATIONS SHOWN ARE APPROXIMATE. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE LOCATION, DEPTH AND TYPES OF EXISTING UTILITIES AND TO NOTIFY THE OWNER AND ENGINEER IMMEDIATELY OF ANY DISCREPANCIES OR VARIATIONS FROM THE PLANS.
2. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO PROTECT ALL EXISTING UTILITIES, APPURTENANCES AND STRUCTURES NOT INDICATED FOR REMOVAL. DAMAGE CAUSED BY DEMOLITION OPERATIONS SHALL BE REPAIRED AT NO ADDITIONAL COST TO THE OWNER.
3. CONTRACTOR TO REMOVE/RELOCATE EXISTING PRIVATE UTILITIES AS NECESSARY. THE CONTRACTOR SHALL COORDINATE THESE ACTIVITIES WITH THE UTILITY COMPANIES.
4. THE CONTRACTOR IS RESPONSIBLE FOR ALL THE REMOVALS SHOWN ON THE PLANS AND SHALL CONFORM/ADHERE TO ALL GOVERNING STATE AND LOCAL REGULATIONS. ALL PERMITS, APPLICATIONS AND FEES ARE THE RESPONSIBILITY OF THE CONTRACTOR.
5. ALL SAWCUTS SHALL BE FULL-DEPTH CUTS.



BENCHMARKS	
1.	MN/DOT GSD STATION NO. 33428 TOP OF BENCHMARK DISK ELEVATION = 974.47 (NAVD 88)
2.	MN/DOT GSD STATION NO. 33429 TOP OF BENCHMARK DISK ELEVATION = 943.86 (NAVD 88)



**EXISTING CONDITIONS
& REMOVALS PLAN**

LAKE ELMO SHOPPES
Lake Elmo, Minnesota

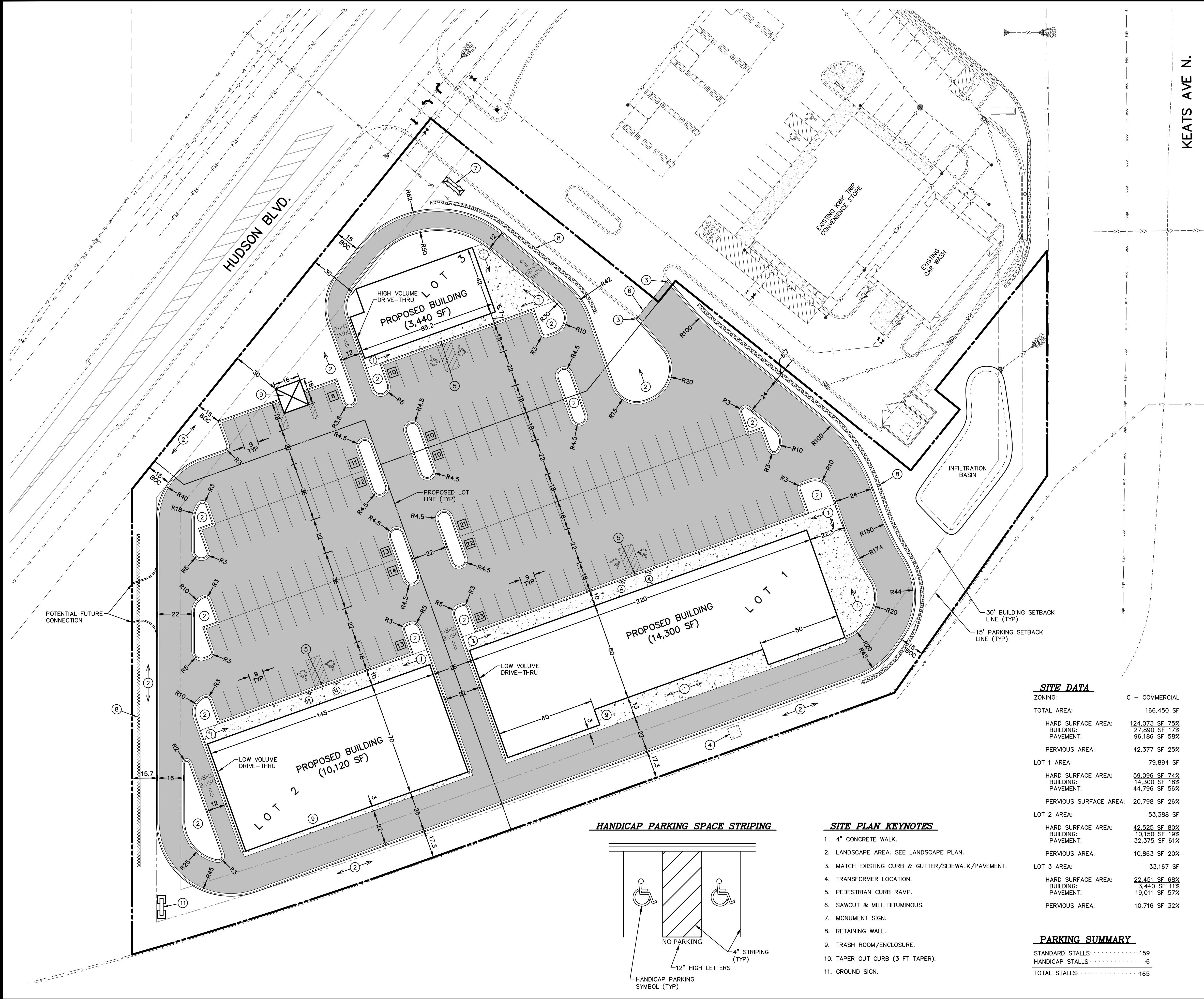
MFC PROPERTIES CORP.
3460 Washington Drive, Suite 100
Eagan, MN 55122

REVISIONS

1.	04/26/17	Per City comments.
2.	05/24/17	Per City comments.
3.		
4.		
5.		
6.		
DRAWN BY:	JTR	
DESIGNED BY:	JTR	
ISSUE DATE:	02/03/17	

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

Name: Joseph T. Radach, P.E.
Signature: *Joseph T. Radach*
Date: 02/03/17 License #: 45889



KEATS AVE N.

LEGEND

	EXISTING	PROPOSED
PROPERTY LINE	---	---
EASEMENT LINE	---	---
CURB LINE	---	---
BITUMINOUS PAVEMENT	---	---
CONCRETE WALK	---	---
SANITARY SEWER	---	---
STORM SEWER	---	---
WATER MAIN	---	---
UNDERGROUND GAS	---	---
UNDERGROUND ELECTRIC	---	---
UNDERGROUND TELEPHONE	---	---
MANHOLE	---	---
HYDRANT	---	---
LIGHT POLE	---	---
FENCE LINE	---	---

SITE PLAN NOTES

- ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
- ALL BUILDING DIMENSIONS ARE TO THE OUTSIDE FACE OF THE BUILDING UNLESS OTHERWISE NOTED.
- ALL CURB AND GUTTER SHALL BE B612 UNLESS OTHERWISE NOTED.
- TYPICAL PARKING STALLS ARE 9' X 18'.
- ALL PEDESTRIAN RAMPS SHALL MEET CURRENT ADA STANDARDS AND BE INSTALLED WITH CAST IRON TRUNCATED DOMES.
- IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO FIELD VERIFY THE LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES PRIOR TO THE START OF SITE WORK. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY OF DISCREPANCIES AND/OR VARIATIONS FROM THE PLAN.
- UNLESS OTHERWISE SHOWN ON THIS DRAWING, CONTRACTOR SHALL PROVIDE CONTROL JOINTS, CONSTRUCTION JOINTS AND EXPANSION JOINTS IN SLAB ON GRADE, SIDEWALKS AND DRIVES PER THE FOLLOWING REQUIREMENTS:
CONTROL JOINT MAX. SPACING: WALKS-8' O.C.
ALL OTHERS-10' O.C.
SAW CUT CONTROL JOINTS MINIMUM 1/4 CONCRETE THICKNESS.
EXPANSION JOINTS MAX. SPACING: WALKS-24' O.C.
ALL OTHERS-40' O.C.
*AT ALL POINTS WHERE A CHANGE IN PAVEMENT THICKNESS OCCURS AND/OR WHERE NEW PAVEMENT WILL MATCH EXISTING PAVEMENT, AN EXPANSION JOINT SHALL BE PROVIDED.
DOWEL ALL EXPANSION JOINTS: 24" O.C. MAX.

SIGNING AND STRIPING NOTES

- ALL SIGNS SHALL BE PLACED 18" MINIMUM BEHIND CURB UNLESS OTHERWISE NOTED.
- SIGNAGE SHALL INCLUDE SIGN, POST, HARDWARE, CONCRETE FOOTING AND STEEL CASING (IF REQUIRED).
- PARKING LOT STRIPING SHALL BE 4" SOLID WHITE PAINT.
- ALL HANDICAP STRIPING, MARKINGS AND CROSS-HATCH SHALL BE 4" SOLID BLUE PAINT.
- ALL SIGNS SHALL MEET THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD) FOR RETRO REFLECTIVITY AND INSTALLATION.

SIGN SCHEDULE (PER MMUTCD)

- A HANDICAP PARKING SIGN: R7-8m W/R7-8b (12"x 18")

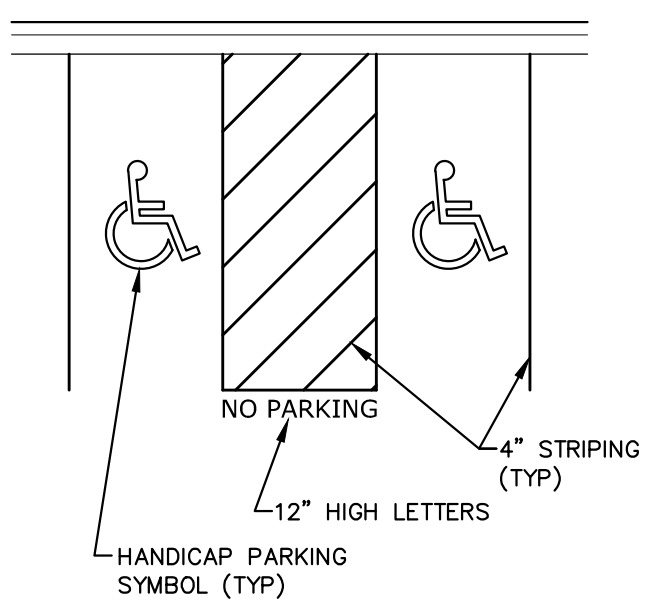
SITE DATA

ZONING:	C - COMMERCIAL
TOTAL AREA:	166,450 SF
HARD SURFACE AREA:	124,073 SF 75%
BUILDING:	27,800 SF 17%
PAVEMENT:	96,186 SF 58%
PERVIOUS AREA:	42,377 SF 25%
LOT 1 AREA:	79,894 SF
HARD SURFACE AREA:	59,096 SF 74%
BUILDING:	14,300 SF 18%
PAVEMENT:	44,796 SF 56%
PERVIOUS SURFACE AREA:	20,798 SF 26%
LOT 2 AREA:	53,388 SF
HARD SURFACE AREA:	42,525 SF 80%
BUILDING:	10,150 SF 19%
PAVEMENT:	32,375 SF 61%
PERVIOUS AREA:	10,863 SF 20%
LOT 3 AREA:	33,167 SF
HARD SURFACE AREA:	22,451 SF 68%
BUILDING:	3,440 SF 11%
PAVEMENT:	19,011 SF 57%
PERVIOUS AREA:	10,716 SF 32%

PARKING SUMMARY

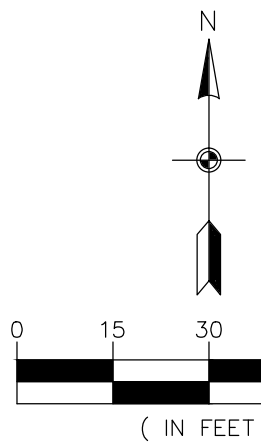
STANDARD STALLS	159
HANDICAP STALLS	6
TOTAL STALLS	165

HANDICAP PARKING SPACE STRIPING



SITE PLAN KEYNOTES

- 4" CONCRETE WALK.
- LANDSCAPE AREA. SEE LANDSCAPE PLAN.
- MATCH EXISTING CURB & GUTTER/SIDEWALK/PAVEMENT.
- TRANSFORMER LOCATION.
- PEDESTRIAN CURB RAMP.
- SAWCUT & MILL BITUMINOUS.
- MONUMENT SIGN.
- RETAINING WALL.
- TRASH ROOM/ENCLOSURE.
- TAPER OUT CURB (3 FT TAPER).
- GROUND SIGN.



BENCHMARKS

- MN/DOT GSID STATION NO. 33428
TOP OF BENCHMARK DISK
ELEVATION = 974.47 (NAVD 88)
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SITE & SIGN PLAN

LAKE ELMO SHoppes
Lake Elmo, Minnesota

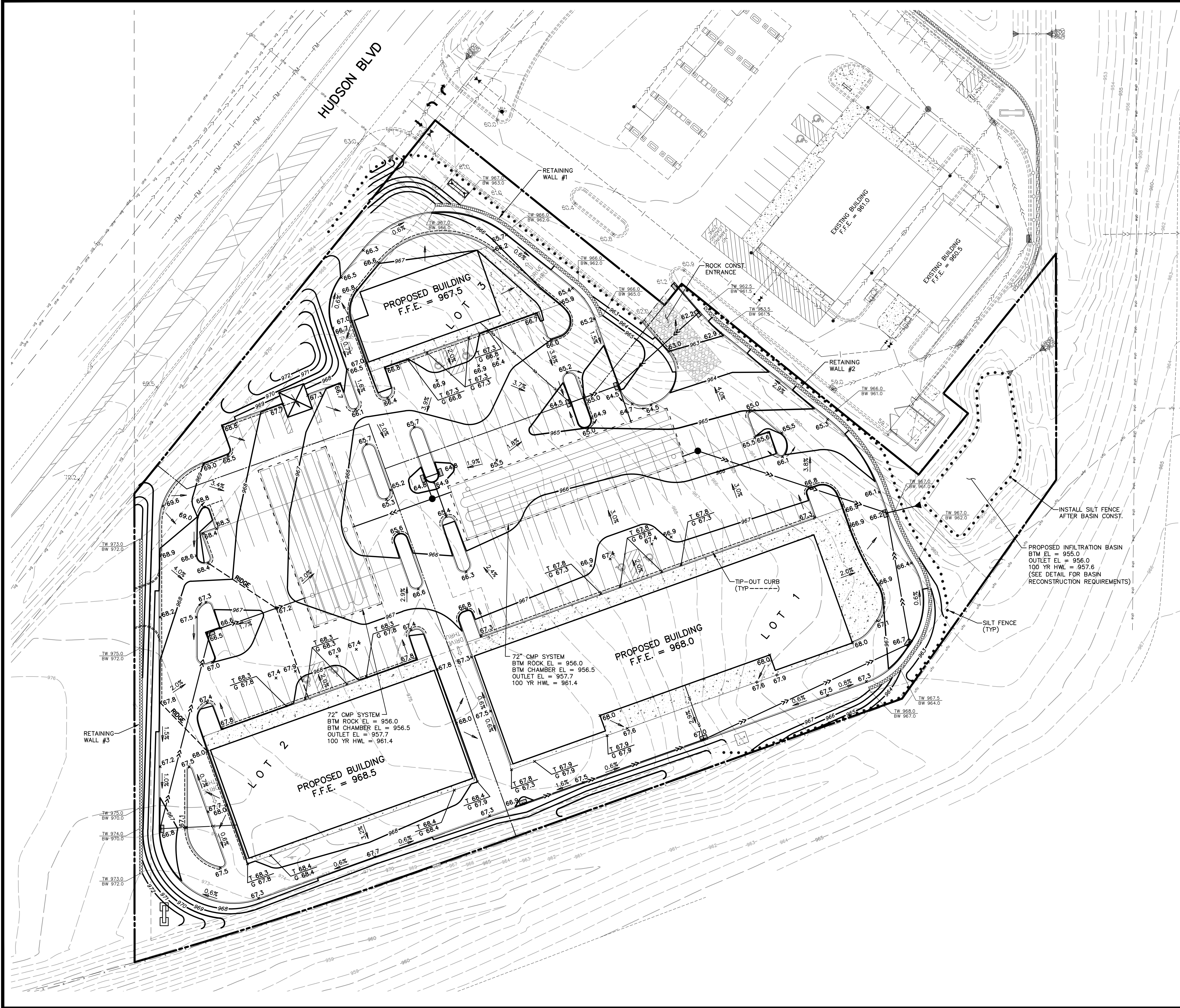
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REVISIONS

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DRAWN BY:	JTR	
DESIGNED BY:	JTR	
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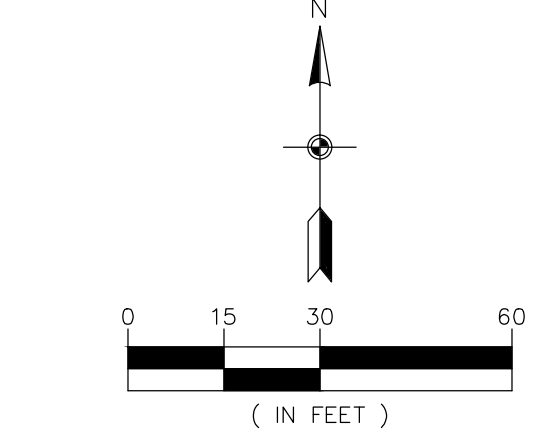
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LEGEND

	EXISTING	PROPOSED
PROPERTY LINE	---	---
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CURB LINE	---	---
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WATER MAIN	---	---
UNDERGROUND GAS	---	---
UNDERGROUND ELECTRIC	---	---
UNDERGROUND TELEPHONE	---	---
MANHOLE	---	---
HYDRANT	---	---
LIGHT POLE	---	---
FENCE LINE	---	---
5' CONTOUR	---	---
1' CONTOUR	---	---
SPOT ELEVATION (CURB ELEVATIONS ARE TO GUTTER LINE)	---	---
TOP OF CURB ELEV. GUTTER LINE ELEV.	---	---
EMERGENCY OVERFLOW	---	---
SILT FENCE	---	---

- GOVERNING SPECIFICATIONS**
- ALL WORK SHALL CONFORM TO THE CITY OF LAKE ELMO STANDARD SPECIFICATIONS. WHERE SAID SPECIFICATIONS DOES NOT COVER THE PROPOSED WORK, THE LATEST EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION'S "STANDARD SPECIFICATIONS FOR CONSTRUCTION" AND THE CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM) STANDARD SPECIFICATION SHALL APPLY.
 - THE LATEST EDITION OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD).
- GRADING NOTES**
- CONTRACTOR SHALL FIELD VERIFY THE LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES AND PAVEMENTS PRIOR TO THE START OF GRADING CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ENGINEER IMMEDIATELY OF DISCREPANCIES OR VARIATIONS FROM THE PLAN.
 - CONTRACTOR SHALL STRIP, STOCKPILE AND RESPADE SUFFICIENT TOPSOIL TO PROVIDE A MINIMUM OF 6" OF TOPSOIL OVER ALL DISTURBED AREAS THAT WILL BE SODDED, SEEDED OR LANDSCAPED.
 - SEE SHEET C7 FOR CITY OF LAKE ELMO STANDARD GRADING NOTES.



BENCHMARKS	
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811

Know what's below.
Call before you dig.

**Carlson
McCain**
ENVIRONMENTAL · ENGINEERING · SURVEYING
3890 Pheasant Ridge Dr. NE #100, Blaine, MN
Phone: 763-489-7900 Fax: 763-489-7959

**GRADING, DRAINAGE &
EROSION CONTROL PLAN**

LAKE ELMO SHoppes
Lake Elmo, Minnesota

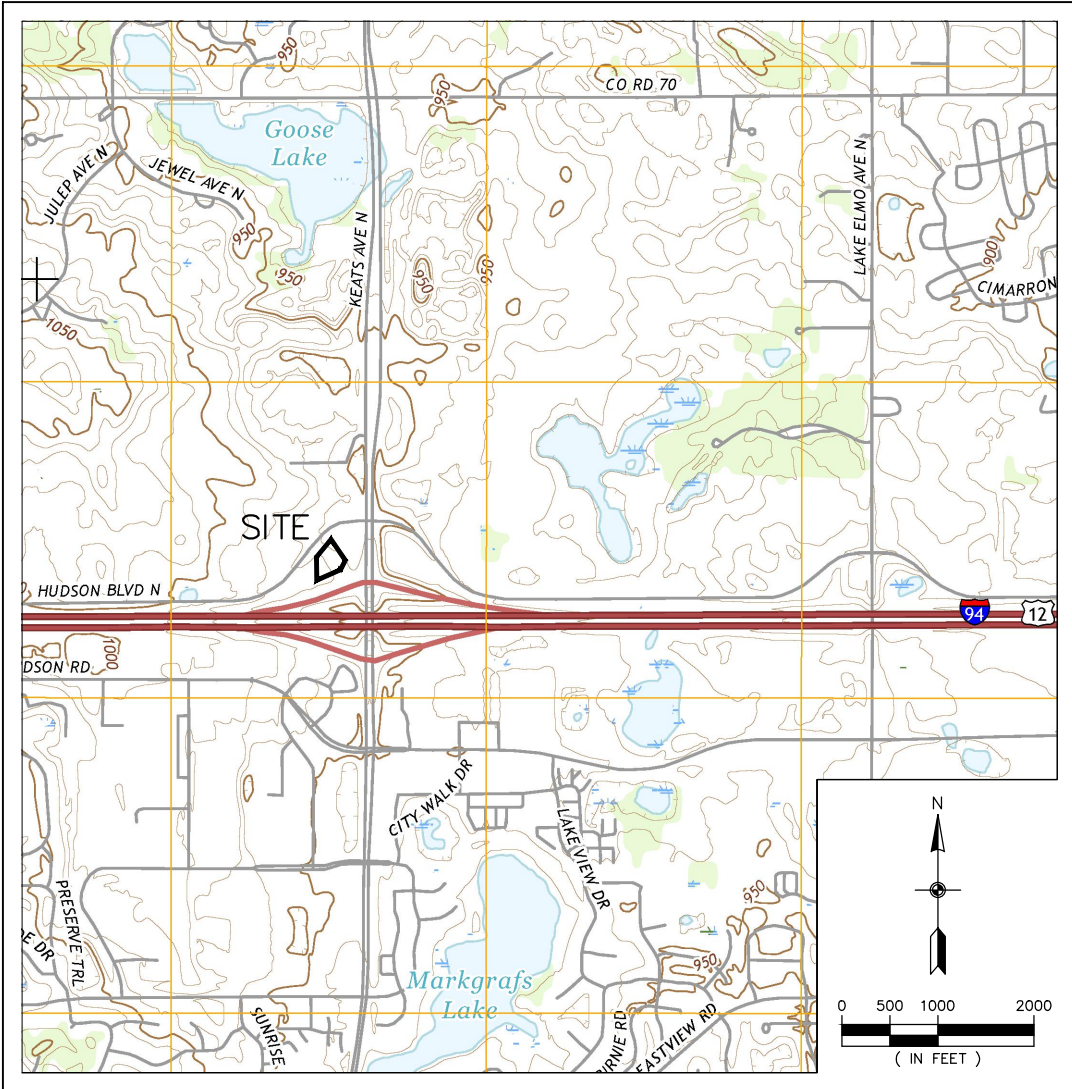
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DESIGNED BY:	JTR
ISSUE DATE:	02/03/17

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

Name: Joseph T. Radach, P.E.
Signature:
Date: 02/03/17 License #: 45889

SITE LOCATION MAP



INSTALL INLET PROTECTION PRIOR TO CONSTRUCTION (TYP)

AREA OF POTENTIAL TRACKED SEDIMENT (SWEEP AS NEEDED)

PROTECT BASIN FROM SEDIMENTATION W/SILT FENCE OR OTHER EFFECTIVE MEANS. PREVENT COMPACTION DURING RECONSTRUCTION.

MAINTAIN ROCK CONST. ENTRANCE

MAINTAIN PERIMETER CONTROL THROUGHOUT CONSTRUCTION (TYP)

INSTALL INLET PROTECTION AFTER CONSTRUCTION (TYP)

CONCRETE WASHOUT & MATERIALS STORAGE AREA

PROTECT UNDERGROUND INFILTRATION SYSTEM FROM SEDIMENTATION AND COMPACTION DURING CONSTRUCTION. DO NOT PUT ONLINE UNTIL SITE IS PAVED. SUMP AND PUMP PARKING AREA AS NEEDED DURING CONSTRUCTION UNTIL PARKING LOT IS PAVED. (TYP)

GENERAL INFORMATION

MINNESOTA'S CONSTRUCTION STORMWATER PERMIT IS AN EXTENSION OF THE NATIONAL POLLUTION DISCHARGE ELIMINATION SYSTEM STORMWATER PROGRAM, WHICH IS PART OF THE FEDERAL CLEAN WATER ACT. REGULATED PARTIES MUST DEVELOP A STORMWATER POLLUTION PREVENTION PLAN (SWPPP). THE SWPPP PROVIDES INFORMATION ON THE EXISTING SITE CONDITIONS, CONTROL MEASURES FOR STORMWATER POLLUTION PREVENTION BEFORE, DURING AND AFTER CONSTRUCTION, INSPECTION, MAINTENANCE AND INFORMATION RELATED TO THE PERMANENT STORMWATER MANAGEMENT SYSTEM. THE SWPPP SHALL BE KEPT ON SITE AT ALL TIMES DURING ACTIVE CONSTRUCTION.

PROJECT INFORMATION

PROJECT NAME: LAKE ELMO SHoppes
PROJECT LOCATION: LAKE ELMO, WASHINGTON COUNTY, MINNESOTA
PROJECT OWNER: MFC PROPERTIES CORP.

RESPONSIBLE PARTIES

THE OWNER MUST IDENTIFY A PERSON KNOWLEDGEABLE AND EXPERIENCED IN THE APPLICATION OF EROSION PREVENTION AND SEDIMENT CONTROL BMP'S WHO WILL OVERSEE THE IMPLEMENTATION OF THE SWPPP AND THE INSTALLATION, INSPECTION AND MAINTENANCE OF THE EROSION PREVENTION AND SEDIMENT CONTROL BMP'S.

SITE MANAGER: _____

TRAINING DOCUMENTATION: _____

EXISTING SITE CONDITIONS

THE SITE IS LOCATED IN THE NORTHWEST QUADRANT OF THE INTERSECTION OF KEATS AVENUE NORTH (COUNTY ROAD 19) AND THE WEST BOUND ON RAMP TO INTERSTATE HIGHWAY 94 IN LAKE ELMO, MINNESOTA. THE SITE IS BOUNDED ON THE SOUTH BY THE WEST BOUND ON RAMP TO INTERSTATE HIGHWAY 94, ON THE EAST BY AN EXISTING KWIK TRIP CONVENIENCE STORE, ON THE NORTH BY HUDSON BOULEVARD, AND ON THE WEST BY UNDEVELOPED AGRICULTURAL LAND. THE PROPOSED SITE BOUNDARY CONSISTS OF 3.82 ACRES. THERE ARE APPROXIMATELY 0.07 ACRES OF EXISTING IMPERVIOUS SURFACE ONSITE, WHICH IS THE SHARED DRIVE BETWEEN THE SUBJECT PROPERTY AND KWIK TRIP.

THE SITE IS CURRENTLY USED FOR AGRICULTURAL PURPOSES, TYPICALLY PLANTED WITH ROW CROPS. THE SITE HAS A SLOPING TOPOGRAPHY WITH ELEVATIONS RANGING FROM 975 IN THE SOUTHWEST, DOWN TO 955 IN THE EAST AT THE EXISTING STORMWATER BASIN LOCATED IN THE EASTERN CORNER OF THE SITE. THE MAJORITY OF THE STORMWATER FROM THE SITE DRAINS OVERLAND TO THE NORTHEAST WHERE IT IS COLLECTED IN A DITCH THAT DRAINS TO THE EXISTING STORMWATER BASIN IN THE EAST. THIS BASIN OUTLETS TO THE KEATS AVENUE DITCH PRIOR TO DISCHARGING VIA A 42" CMP CULVERT UNDER KEATS AVENUE TO A MNDOT POND LOCATED ON THE EAST SIDE OF KEATS AVENUE. A SMALL PORTION OF THE SITE DRAINS SOUTH TO THE WEST BOUND ON RAMP DITCH WHERE IT DISCHARGES VIA A 30" CMP CULVERT TO THE SOUTH. TO THE NORTHWEST OF THE SITE, ON THE NORTH SIDE OF HUDSON BOULEVARD, THERE IS APPROXIMATELY 60 ACRES OF AGRICULTURAL LAND THAT DRAINS SOUTHEAST TO A DITCH ON THE NORTH SIDE OF HUDSON BOULEVARD. THIS DITCH OUTLETS TO THE SOUTH UNDER HUDSON BOULEVARD TO THE SITE WHERE IT IS COLLECTED IN THE ONSITE DITCH AND DISCHARGES VIA THE 42" CMP CULVERT UNDER KEATS AVENUE. THERE ARE TWO LOCATIONS WHERE THE NORTH SIDE DITCH OF HUDSON BOULEVARD OUTLETS TO THE SOUTH. THE WESTERLY LOCATION OUTLETS VIA THREE 18" RCP CULVERTS. THE EASTERLY LOCATION OUTLETS VIA A SINGLE 18" RCP CULVERT.

PROPOSED SITE CONDITIONS

MFC PROPERTIES CORPORATION PLANS ON DEVELOPING THE SITE INTO THREE COMMERCIAL BUILDINGS, WITH ASSOCIATED PARKING AND DRIVE AREAS. DURING CONSTRUCTION, APPROXIMATELY 3.6 ACRES WILL BE DISTURBED. THE PROPOSED CONSTRUCTION WILL CREATE APPROXIMATELY 2.81 ACRES OF NEW IMPERVIOUS SURFACE.

THE MAJORITY OF THE RUNOFF FROM THE IMPERVIOUS AREAS ONSITE WILL BE ROUTED TO TWO UNDERGROUND INFILTRATION SYSTEMS OR AN ABOVE GROUND INFILTRATION BASIN. THE TWO UNDERGROUND INFILTRATION SYSTEMS WILL BE LOCATED IN THE CENTRAL PORTION OF THE SITE UNDER THE PROPOSED PARKING LOT AND WILL CONSIST OF 72-INCH PERFORATED CMP. THE INFILTRATION BASIN WILL BE LOCATED IN THE EASTERN CORNER OF THE SITE, WHERE THE EXISTING STORMWATER BASIN IS LOCATED. HERE, THE STORMWATER BASIN WILL BE RECONSTRUCTED INTO AN INFILTRATION BASIN. PRETREATMENT FOR THE INFILTRATION SYSTEMS WILL BE PROVIDED BY OVERSIZED SUMP STRUCTURES EQUIPPED WITH PRESERVER SCOUR PREVENTION DEVICES.

SOIL INFORMATION

IN MARCH 2014, INDEPENDENT TESTING TECHNOLOGIES DRILLED FOUR SOIL BORINGS TO APPROXIMATE NEAR SURFACE SOILS. THESE BORINGS INDICATED ONSITE SOILS CONSIST PRIMARILY OF SILTY SAND. THESE SOILS FALL WITHIN THE HYDROLOGIC SOIL GROUP (HSG) 'B'. ADDITIONALLY, IN FEBRUARY 2014, BRAUN INTERTEC DRILLED FOUR SOIL BORINGS ON THE KWIK TRIP SITE. THESE BORINGS INDICATED SOILS CONSISTING PRIMARILY OF SANDY CLAY. THESE SOILS FALL WITHIN THE HSG 'C'. FOR THE PURPOSES OF THIS ANALYSIS, THE HSG 'C' WILL BE USED TO STAY CONSISTENT WITH THE ORIGINAL KWIK TRIP STORMWATER STUDY.

WETLAND CONSIDERATIONS

THERE ARE NO KNOWN WETLANDS ONSITE.

STORMWATER RECEIVING WATERS

ALL STORMWATER FROM THE SITE WILL ULTIMATELY DISCHARGE ACROSS KEATS AVENUE TO MNDOT'S STORMWATER POND.

SPECIAL/IMPAIRED WATER CONSIDERATIONS

THERE ARE THREE IMPAIRED LAKES LOCATED WITHIN ONE MILE OF THE SITE. MARKGRAFS LAKE IS LOCATED APPROXIMATELY 3,200 FEET SOUTHEAST OF THE SITE. GOOSE LAKE IS LOCATED APPROXIMATELY 2,700 FEET NORTH OF THE SITE. KRAMER LAKE IS LOCATED APPROXIMATELY 2,000 FEET EAST OF THE SITE.

ADDITIONAL BMP'S REQUIRED INCLUDE: SOIL STABILIZATION WITHIN 7 DAYS AFTER CONSTRUCTION ACTIVITY HAS CEASED, TEMPORARY SEDIMENT BASIN FOR COMMON DRAINAGE AREAS OF 5 ACRES OR MORE, AND A REQUIRED WATER QUALITY VOLUME OF 1" OF RUNOFF FROM NEW IMPERVIOUS SURFACES.

STORMWATER MANAGEMENT PLAN

PER VALLEY BRANCH WATERSHED DISTRICT, 1.1 INCHES OF RUNOFF OVER THE NEW IMPERVIOUS SURFACES SHALL BE RETAINED ONSITE. BASED ON 2.81 ACRES OF NEW IMPERVIOUS SURFACE, THE REQUIRED INFILTRATION VOLUME IS 0.258 ACRE FEET.

THE THREE INFILTRATION SYSTEMS PROPOSED FOR THE SITE WILL PROVIDE 0.275 ACRE FEET OF INFILTRATION VOLUME. THE SYSTEMS ALSO PROVIDE FOR RATE CONTROL FOR THE SITE. SEE STORMWATER MANAGEMENT PLAN FOR DETAILS.

PRIOR TO START OF CONSTRUCTION

THE FOLLOWING STORMWATER POLLUTION PREVENTION MEASURES SHALL BE IMPLEMENTED PRIOR TO CONSTRUCTION. REFER TO GRADING AND EROSION CONTROL PLANS FOR LOCATIONS.

- SILT FENCE**
SILT FENCE SHALL BE INSTALLED AT THE LIMIT OF GRADING ON ANY FILL SLOPE. ADDITIONAL SILT FENCE MAY BE REQUIRED IN CUT SLOPE AREAS. SILT FENCE SHALL ALSO BE INSTALLED AROUND ANY INFILTRATION/FILTRATION PRACTICE.
- ROCK CONSTRUCTION ENTRANCE**
ROCK CONSTRUCTION ENTRANCES SHALL BE INSTALLED AT THE FIELD ENTRANCES TO THE SITE.
- CATCH BASINS**
ALL CATCH BASINS SHALL BE PROTECTED WITH INLET PROTECTION DEVICES APPROVED BY THE LOCAL GOVERNING UNIT. THESE SHALL INCLUDE, BUT ARE NOT LIMITED TO, WIMCO PROTECTION DEVICES, INFRASAFE PROTECTION DEVICES, FILTER FABRIC, BIO ROLLS AND STRAW BALES.

DURING CONSTRUCTION

THE FOLLOWING STORMWATER POLLUTION PREVENTION MEASURES SHALL BE IMPLEMENTED DURING CONSTRUCTION. REFER TO GRADING AND EROSION CONTROL PLANS FOR LOCATIONS.

- PHASED GRADING**
TO THE EXTENT POSSIBLE, GRADING SHALL BE PHASED TO MINIMIZE THE AMOUNT OF DISTURBED AREAS DURING SITE CONSTRUCTION.
- TRACKED SEDIMENT**
ANY SEDIMENT TRACKED FROM THE SITE ONTO THE STREET SHALL BE REMOVED IMMEDIATELY UPON DETECTION. THE ROCK CONSTRUCTION ENTRANCE SHALL BE INSPECTED AND REPAIRED IF INUNDATED WITH SEDIMENT.
- STOCKPILES**
STOCKPILES SHALL BE PLACED IN AN AREA THAT WILL MINIMIZE THE NEED FOR RELOCATION. IF A STOCKPILE WILL REMAIN IN PLACE FOR AN EXTENDED PERIOD OF TIME, STABILIZATION MEASURES SHALL BE IMPLEMENTED, INCLUDING BUT NOT LIMITED TO, SEEDING AND SILT FENCING. TEMPORARY STOCKPILES MUST HAVE SILT FENCE OR OTHER EFFECTIVE SEDIMENT CONTROLS AND CANNOT BE PLACED IN SURFACE WATERS, INCLUDING STORMWATER CONVEYANCES SUCH AS CURB AND GUTTER SYSTEMS, CONDUITS OR DITCHES.
- TOPSOIL**
UPON GRADING COMPLETION, A MINIMUM OF 4 INCHES OF TOPSOIL SHALL BE PLACED OVER ALL DISTURBED AREAS, EXCLUDING PROPOSED STREETS AND PARKING AREAS.
- RESTORATION**
ALL DISTURBED AREAS NOT ACTIVELY WORKED SHALL BE RESTORED WITH SEED AND MULCH, EROSION CONTROL BLANKET AND/OR SOD WITHIN 7 DAYS.
- SLOPES**
IN ORDER TO MAINTAIN SHEET FLOW AND MINIMIZE RILLS AND/OR GULLIES, THERE SHALL BE NO UNBROKEN SLOPE LENGTH OF GREATER THAN 75 FEET FOR SLOPES WITH A GRADE OF 3:1 OR STEEPER.
- DRAINAGE DITCHES**
THE NORMAL WETTED PERIMETER OF ANY TEMPORARY OR PERMANENT DRAINAGE DITCH THAT DRAINS WATER FROM THE SITE, OR DIVERTS WATER AROUND THE SITE, MUST BE STABILIZED WITHIN 200 LINEAL FEET FROM THE PROPERTY EDGE, OR FROM THE POINT OF DISCHARGE TO ANY SURFACE WATER. STABILIZATION MUST BE COMPLETED WITHIN 24 HOURS OF CONNECTING TO A SURFACE WATER.
- PIPE OUTLETS**
PIPE OUTLETS MUST BE PROVIDED WITH TEMPORARY OR PERMANENT ENERGY DISSIPATION WITHIN 24 HOURS OF CONNECTION TO A SURFACE WATER.
- CATCH BASINS**
ALL CATCH BASINS SHALL BE PROTECTED WITH INLET PROTECTION DEVICES APPROVED BY THE LOCAL GOVERNING UNIT. THESE SHALL INCLUDE, BUT ARE NOT LIMITED TO, WIMCO PROTECTION DEVICES, INFRASAFE PROTECTION DEVICES, FILTER FABRIC, BIO ROLLS AND STRAW BALES.
- DUST**
CONSTRUCTION DUST SHALL BE CONTAINED TO THE EXTENT POSSIBLE. IF THE SITE BECOMES EXCESSIVELY DUSTY, APPROPRIATE MEASURES SHALL BE TAKEN TO REDUCE DUST BEING TRANSPORTED FROM THE SITE. DUST CONTROL MEASURES INCLUDE, BUT ARE NOT LIMITED TO, WATERING AND CALCIUM CHLORIDE APPLICATION.
- DEWATERING**
DEWATERING ACTIVITIES SHALL BE CONDUCTED WITH AND APPROVED BY THE LOCAL GOVERNING UNIT. IF THERE WILL BE ANY DEWATERING OR BASIN DRAINING THAT MAY HAVE TURBID OR SEDIMENT LADEN DISCHARGE, THE WATER MUST BE DISCHARGED TO A TEMPORARY OR PERMANENT SEDIMENTATION BASIN ON THE PROJECT SITE WHENEVER POSSIBLE. APPROPRIATE BMP'S SHALL BE USED FOR EROSION AND SEDIMENT CONTROL AND ENERGY DISSIPATION.
- CONSTRUCTION MATERIALS AND DEBRIS**
CONSTRUCTION MATERIALS SHALL BE STORED IN AN ORDERLY MANNER AND IN AN AREA THAT WILL MINIMIZE CONFLICTS WITH OTHER CONSTRUCTION ACTIVITIES. CONSTRUCTION DEBRIS SHALL BE CONTAINED IN DUMPSTERS AND REMOVED FROM THE SITE AS NECESSARY.
- CHEMICALS**
CHEMICALS SHALL BE STORED IN A SAFE AREA IN SEALED CONTAINERS WITH THE ORIGINAL

LABELING AND MATERIAL SAFETY DATA SHEETS AVAILABLE.

- SPILLS AND CONTAMINATION**
IF FUEL, OIL OR A HAZARDOUS CHEMICAL IS SPILLED OR DETECTED DURING CONSTRUCTION ACTIVITIES, ALL APPROPRIATE AGENCIES SHALL BE IMMEDIATELY NOTIFIED, INCLUDING, BUT NOT LIMITED TO, THE MINNESOTA DUTY OFFICER AT 800-422-0798.
- CONCRETE WASHOUT AREA**
ALL LIQUID AND SOLID WASTES GENERATED BY CONCRETE WASHOUT OPERATIONS MUST BE CONTAINED IN A LEAK-PROOF CONTAINMENT FACILITY OR IMPERMEABLE LINER. AN IMPERMEABLE COMPACTED CLAY LAYER IS SUFFICIENT. CONCRETE WASHOUT IN THE AGGREGATE ROAD BASE IS ALLOWED. A SIGN MUST BE INSTALLED AT EACH WASHOUT FACILITY TO DIRECT EQUIPMENT OPERATORS TO THE APPROPRIATE LOCATION.

POST CONSTRUCTION

WHEN THE SITE HAS BEEN COMPLETELY CONSTRUCTED, THE SITE MUST UNDERGO FINAL STABILIZATION. FINAL STABILIZATION OCCURS WHEN ALL OF THE GRADING, INFRASTRUCTURE AND BUILDING ACTIVITIES HAVE BEEN COMPLETED. TO ACHIEVE FINAL STABILIZATION, THE FOLLOWING MEASURES SHALL BE COMPLETED.

- ALL DISTURBED AREAS WITHOUT PERMANENT IMPERVIOUS SURFACES SHALL BE STABILIZED BY A UNIFORM PERENNIAL VEGETATIVE COVER. AREAS NOT REQUIRING SOD OR EROSION CONTROL BLANKET SHALL BE SEEDED AND MULCHED.
- SEDIMENT FROM CONVEYANCES AND TEMPORARY SEDIMENTATION BASINS THAT ARE TO BE USED AS PERMANENT WATER QUALITY MANAGEMENT BASINS SHALL BE CLEANED OUT. SEDIMENTATION BASINS SHALL BE SUFFICIENTLY CLEANED OUT TO RETURN THE BASIN TO DESIGN CAPACITY. SEDIMENT MUST BE STABILIZED TO PREVENT IT FROM BEING WASHED BACK INTO THE BASIN OR CONVEYANCES DISCHARGING OFF-SITE OR TO SURFACE WATERS.
- WHEN STABILIZED VEGETATION HAS BEEN ESTABLISHED OVER 70 PERCENT OF THE PERVIOUS SURFACE AREA, ALL SYNTHETIC TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE REMOVED. THIS INCLUDES, BUT IS NOT LIMITED TO, SILT FENCE, TREE FENCE AND CATCH BASIN INLET PROTECTION DEVICES.

NOTICE OF TERMINATION

THE PERMITEE(S) MUST SUBMIT A NOTICE OF TERMINATION (NOT) TO THE MPCA WITHIN 30 DAYS AFTER FINAL STABILIZATION IS COMPLETE, OR ANOTHER OWNER/OPERATOR (PERMITEE) HAS ASSUMED CONTROL OVER ALL AREAS OF THE SITE THAT HAVE NOT UNDERGONE FINAL STABILIZATION.

INSPECTIONS & RECORD KEEPING

STORMWATER POLLUTION PREVENTION INSPECTIONS SHALL OCCUR ONCE EVERY SEVEN (7) DAYS DURING ACTIVE CONSTRUCTION AND WITHIN 24 HOURS AFTER A RAINFALL EVENT GREATER THAN 0.5 INCHES IN 24 HOURS. INSPECTIONS MAY BE CEASED DURING FROZEN GROUND CONDITIONS. WHERE WORK HAS BEEN SUSPENDED DUE TO FROZEN GROUND CONDITIONS, THE REQUIRED INSPECTIONS AND MAINTENANCE MUST TAKE PLACE WITHIN 24 HOURS AFTER RUNOFF OCCURS AT THE SITE OR PRIOR TO RESUMING CONSTRUCTION WHICHEVER COMES FIRST. DURING THE COURSE OF CONSTRUCTION, IT MAY BE DETERMINED THAT ADDITIONAL STORMWATER POLLUTION PREVENTION MEASURES MAY BE NEEDED. CERTAIN MEASURES ARE NOT PRACTICAL TO INSTALL. IN THESE CASES, AN AMENDMENT TO THE SWPPP SHALL BE MADE, AND SUPPORTING REASONS SHALL BE DOCUMENTED IN THE SWPPP.

- RECORD NAME OF INSPECTOR AND DATE AND TIME OF INSPECTION.
- RECORD RAINFALL AMOUNT SINCE MOST RECENT INSPECTION.
- INSPECT GRAVEL CONSTRUCTION ENTRANCES FOR SEDIMENTATION. INSPECT ADJACENT STREETS FOR SEDIMENT TRACKING.
- INSPECT SITE FOR EXCESSIVE EROSION AND SEDIMENT ACCUMULATION.
 - INSPECT SILT FENCE AND OTHER TEMPORARY EROSION AND SEDIMENT CONTROL DEVICES FOR EROSION, SEDIMENTATION AND MALFUNCTIONING.
 - INSPECT FLARED END SECTIONS FOR EROSION AND SEDIMENTATION.
 - INSPECT POND, INFILTRATION BASINS, TEMPORARY SEDIMENTATION BASINS AND ALL OTHER BMP'S FOR EROSION AND SEDIMENTATION.
 - INSPECT SURFACE WATERS, INCLUDING DRAINAGE DITCHES AND CONVEYANCE SYSTEMS FOR EVIDENCE OF SEDIMENT BEING DEPOSITED BY EROSION.
- INSPECT SITE AND ADJACENT PROPERTIES FOR CONSTRUCTION DEBRIS, TRASH AND SPILLS.
- INSPECT STABILIZED AREAS FOR EROSION.
- RECORD RECOMMENDED REPAIRS, MAINTENANCE AND/OR REPLACEMENTS REQUIRED TO ENSURE EROSION AND SEDIMENTATION CONTROL MEASURES ARE SUFFICIENT.
- RECORD RECOMMENDED AMENDMENTS TO THE SWPPP.
- RECORD REPAIRS, MAINTENANCE AND/OR REPLACEMENTS THAT WERE COMPLETED SINCE THE LAST INSPECTION.

FOR AREAS THAT HAVE UNDERGONE FINAL STABILIZATION, INSPECTIONS CAN BE REDUCED TO ONCE PER MONTH

MAINTENANCE

THE OWNER/CONTRACTOR IS RESPONSIBLE FOR THE OPERATION, INSPECTION AND MAINTENANCE OF ALL STORMWATER POLLUTION PREVENTION MEASURES FOR THE DURATION OF THE PROJECT. THE FOLLOWING GUIDELINES SHALL BE USED TO DETERMINE NECESSARY REPAIRS, MAINTENANCE AND/OR REPLACEMENT OF THE EROSION AND SEDIMENTATION CONTROL MEASURES.

- ROCK CONSTRUCTION ENTRANCES SHALL BE REPAIRED OR REPLACED IF THE ROCK BECOMES INUNDATED WITH SEDIMENT AND/OR EXCESSIVE SEDIMENT IS BEING TRACKED FROM THE SITE. SEDIMENT TRACKED ONTO ADJACENT STREETS SHALL BE REMOVED. MEASURES SHALL BE TAKEN IMMEDIATELY UPON DISCOVERY.
- SILT FENCE SHALL BE REPAIRED OR REPLACED WHEN SEDIMENT REACHES 1/3 THE HEIGHT OF THE SILT FENCE, THE SILT FENCE IS DAMAGED AND/OR THE SILT FENCE BECOMES NONFUNCTIONAL. MEASURES SHALL BE TAKEN WITHIN 24 HOURS OF DISCOVERY.
- CATCH BASIN INLET PROTECTION DEVICES SHALL BE CLEANED WHEN SEDIMENT REACHES 1/2 THE HEIGHT OF THE SEDIMENT TRAP AND/OR REPAIRED IF THE DEVICE BECOMES NONFUNCTIONAL. MEASURES SHALL BE TAKEN WITHIN 72 HOURS OF DISCOVERY.
- FLARED END SECTIONS SHALL BE CLEANED IF DEBRIS IS RESTRICTING FLOW OR IF SEDIMENT HAS ACCUMULATED AT THE OUTLET. IF A FLARED END SECTION BECOMES NONFUNCTIONAL OR DAMAGED, IT SHALL BE REPAIRED OR REPLACED. MEASURES SHALL BE TAKEN WITHIN 72 HOURS OF DISCOVERY.
- IF SEDIMENT IS OBSERVED OFF-SITE OR NEAR SURFACE WATERS, THE SOURCE OF SEDIMENT SHALL BE DETECTED AND ADDITIONAL MEASURES SHALL BE IMPLEMENTED. THE PERMITEE(S) SHALL COORDINATE SEDIMENT RETRIEVAL FROM SURFACE WATERS WITH ALL APPROPRIATE AGENCIES. MEASURES SHALL BE TAKEN WITHIN 7 DAYS OF DISCOVERY.
- PONDS, INFILTRATION BASINS, TEMPORARY SEDIMENTATION BASINS AND ALL OTHER BMP'S SHALL BE CLEANED IF DEBRIS IS PRESENT AND/OR EXCESSIVE SEDIMENTATION HAS OCCURRED. TEMPORARY AND PERMANENT SEDIMENTATION BASINS MUST BE DRAINED AND THE SEDIMENT REMOVED WHEN SEDIMENT HAS FILLED THE BASIN TO 1/2 THE STORAGE VOLUME. NO SEDIMENT SHALL BE ALLOWED TO ACCUMULATE IN INFILTRATION BASINS. MEASURES SHALL BE TAKEN WITHIN 72 HOURS OF DISCOVERY.

QUANTITIES

THE FOLLOWING TABLE PROVIDES ESTIMATED QUANTITIES FOR STORMWATER POLLUTION PREVENTION THROUGHOUT THE PROJECT.

ITEM	UNIT	ESTIMATED QUANTITY
ROCK ENTRANCE	EA.	1
SILT FENCE	L.F.	1,000
INLET PROTECTION	EA.	16
EROSION CONTROL BLANKET	S.Y.	350
TURF ESTABLISHMENT	AC.	0.5

BENCHMARKS

- MN/DOT GSD STATION NO. 33428
TOP OF BENCHMARK DISK
ELEVATION = 974.47 (NAVD 88)
- MN/DOT GSD STATION NO. 33429
TOP OF BENCHMARK DISK
ELEVATION = 943.86 (NAVD 88)

STORMWATER POLLUTION PREVENTION PLAN

LAKE ELMO SHoppes

Lake Elmo, Minnesota

MFC PROPERTIES CORP.

3460 Washington Drive, Suite 100
Eagan, MN 55122

REVISIONS

- 04/26/17 Per City comments.
 - 05/24/17 Per City comments.
 -
 -
 -
 -
- DRAWN BY: JTR
DESIGNED BY: JTR
ISSUE DATE: 02/03/17

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

Name: Joseph T. Radach, P.E.

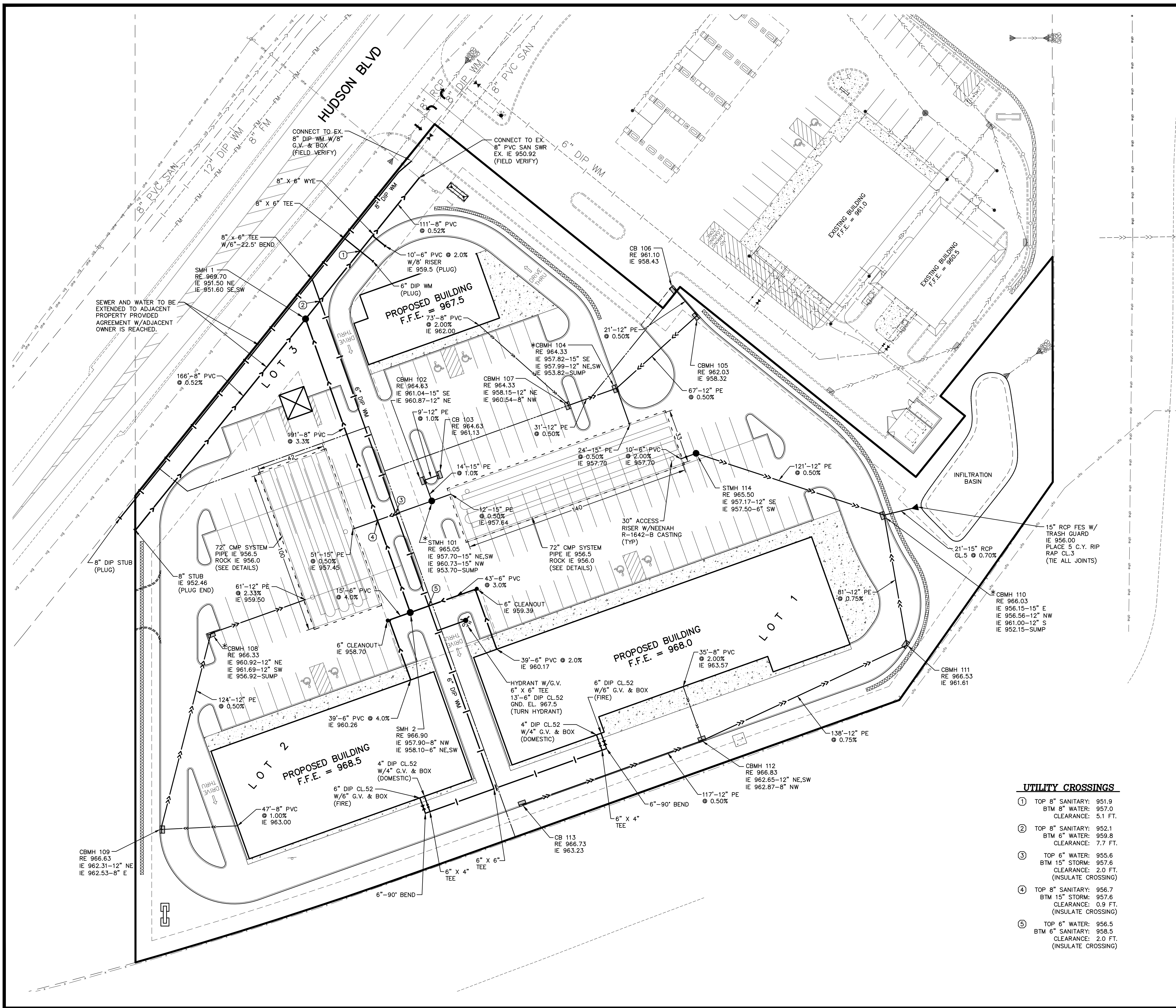
Signature: *Joseph T. Radach*

Date: 02/03/17 License #: 45899

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LEGEND	
EXISTING	PROPOSED
PROPERTY LINE	-----
EASEMENT LINE	-----
CURB LINE	-----
BITUMINOUS PAVEMENT	-----
CONCRETE WALK	-----
SANITARY SEWER	-----
STORM SEWER	-----
WATER MAIN	-----
UNDERGROUND GAS	-----
UNDERGROUND ELECTRIC	-----
UNDERGROUND TELEPHONE	-----
MANHOLE	-----
HYDRANT	-----
LIGHT POLE	-----
FENCE LINE	-----

- GOVERNING SPECIFICATIONS**
- ALL WORK SHALL CONFORM TO THE CITY OF LAKE ELMO STANDARD SPECIFICATIONS. WHERE SAID SPECIFICATION DOES NOT COVER THE PROPOSED WORK, THE LATEST EDITION OF THE MINNESOTA DEPARTMENT OF TRANSPORTATION'S "STANDARD SPECIFICATIONS FOR CONSTRUCTION", THE CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM) STANDARD SPECIFICATION AND THE MINNESOTA PLUMBING CODE SHALL APPLY.
 - THE LATEST EDITION OF THE MINNESOTA MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MMUTCD).

- UTILITY PLAN NOTES**
- SEE SHEET C7 FOR UTILITY NOTES.
 - VERIFY LOCATIONS OF SEWER AND WATER SERVICES TO THE PROPOSED BUILDINGS WITH MEP PLANS.
 - IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO FIELD VERIFY THE LOCATIONS AND ELEVATIONS OF EXISTING UTILITIES ON SITE AND TO NOTIFY THE OWNER AND ENGINEER IMMEDIATELY OF ANY DISCREPANCIES FROM THE PLAN.

STORM SEWER SCHEDULE		
STRUCTURE		NEENAH CASTING or EQUAL
TYPE & No.	SIZE	
STMH-114	48" DIA.	R-1642-B
CB-113	48" DIA.	R-3067-VB
CBMH-112	27" DIA.	R-3067-VB
CBMH-111	48" DIA.	R-3067-V
*CBMH-110	48" DIA.	R-3067-V
CBMH-109	48" DIA.	R-3067-VB
*CBMH-108	48" DIA.	R-3067-VB
CB-107	24" X 36"	R-3067-VB
CB-106	24" X 36"	R-3067-V
CBMH-105	48" DIA.	R-3067-V
*CBMH-104	48" DIA.	R-3067-VB
CB-103	27" DIA.	R-3067-VB
CBMH-102	48" DIA.	R-3067-VB
*STMH-101	48" DIA.	R-1642-B

* INSTALL PRESERVER ENERGY DISSIPATOR ON INLET PIPE AS MANUFACTURED BY MOMENTUM ENVIRONMENTAL, LLC. INSTALL PER MANUFACTURER'S RECOMMENDATIONS.

UTILITY CROSSINGS

- TOP 8" SANITARY: 951.9
BTM 8" WATER: 957.0
CLEARANCE: 5.1 FT.
- TOP 8" SANITARY: 952.1
BTM 6" WATER: 959.8
CLEARANCE: 7.7 FT.
- TOP 6" WATER: 955.6
BTM 15" STORM: 957.6
CLEARANCE: 2.0 FT.
(INSULATE CROSSING)
- TOP 8" SANITARY: 956.7
BTM 15" STORM: 957.6
CLEARANCE: 0.9 FT.
(INSULATE CROSSING)
- TOP 6" WATER: 956.5
BTM 6" SANITARY: 958.5
CLEARANCE: 2.0 FT.
(INSULATE CROSSING)

BENCHMARKS	
1.	MN/DOT GSID STATION NO. 33428 TOP OF BENCHMARK DISK ELEVATION = 974.47 (NAVD 88)
2.	MN/DOT GSID STATION NO. 33429 TOP OF BENCHMARK DISK ELEVATION = 943.86 (NAVD 88)

CALL BEFORE YOU DIG

811

Know what's below.
Call before you dig.

Carlson McCain
ENVIRONMENTAL ENGINEERING SURVEYING
3890 Pheasant Ridge Dr. NE #100, Blaine, MN
Phone: 763-489-7900 Fax: 763-489-7959

UTILITY PLAN

LAKE ELMO SHoppes
Lake Elmo, Minnesota

MFC PROPERTIES CORP.
3460 Washington Drive, Suite 100
Eagan, MN 55122

REVISIONS

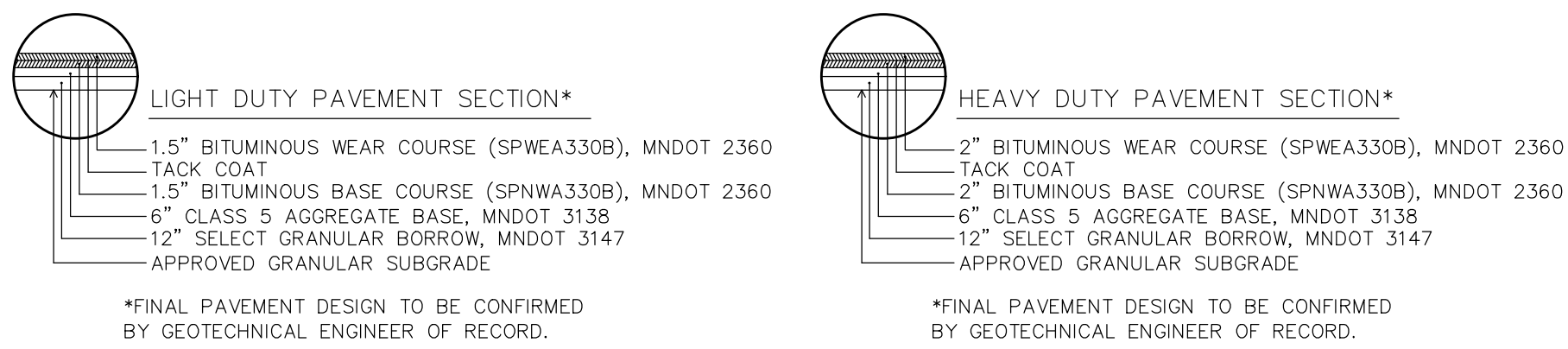
1.	04/26/17	Per City comments.
2.	05/24/17	Per City comments.
3.		
4.		
5.		
6.		

DRAWN BY: JTR
DESIGNED BY: JTR
ISSUE DATE: 02/03/17

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

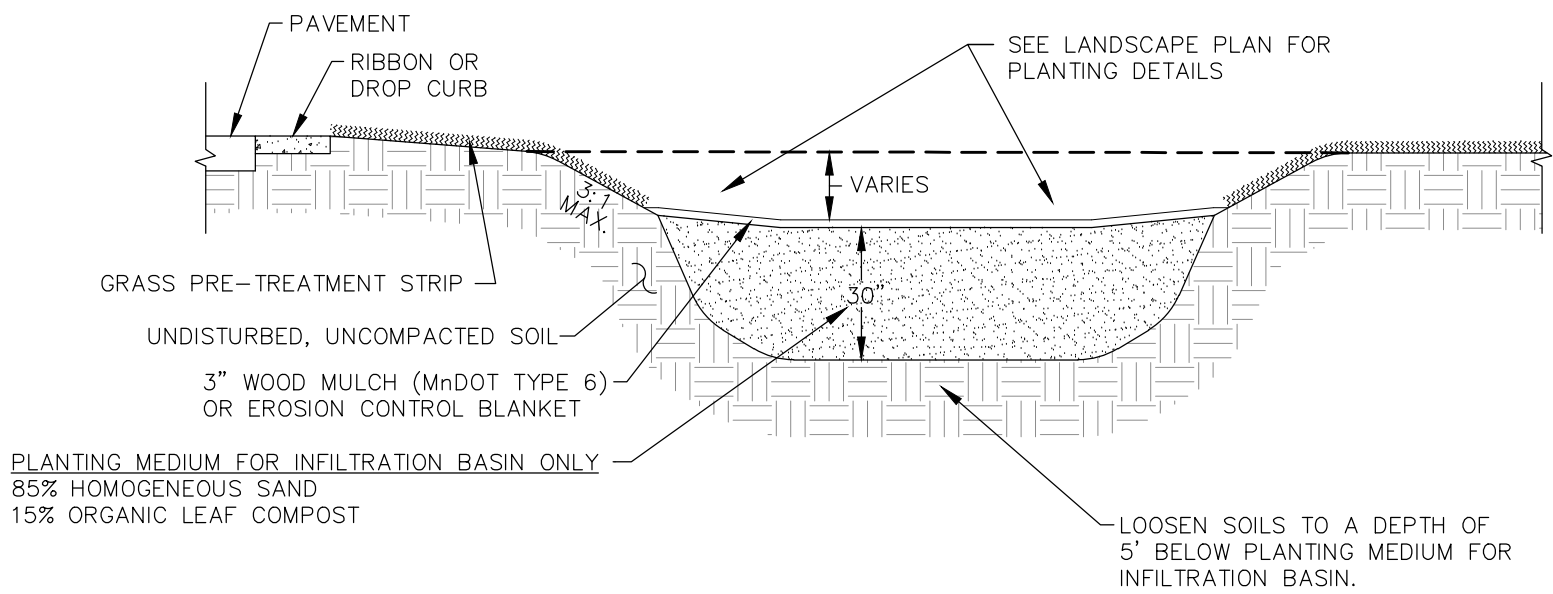
Name: Joseph T. Radach, P.E.
Signature:
Date: 02/03/17 License #: 45889

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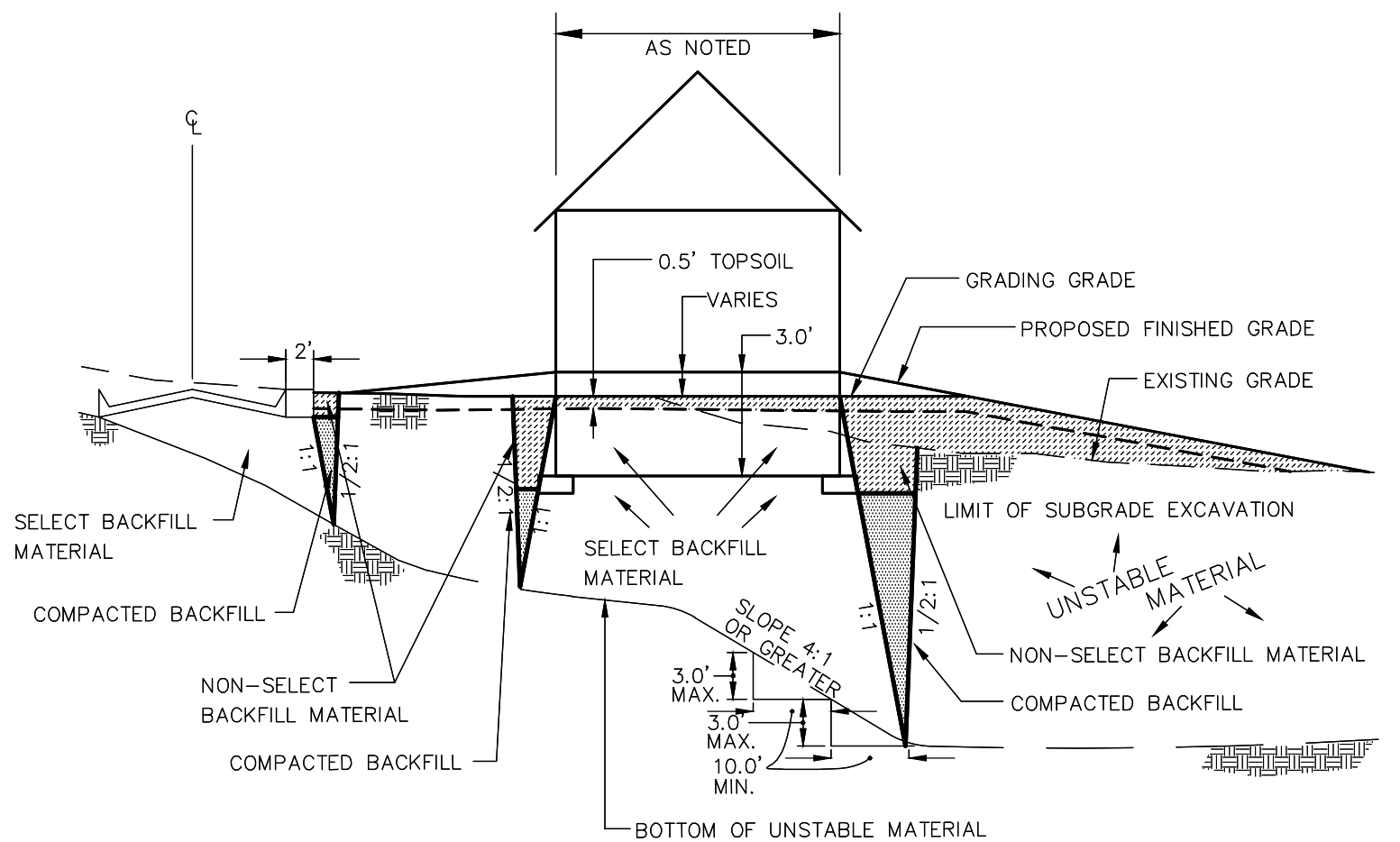
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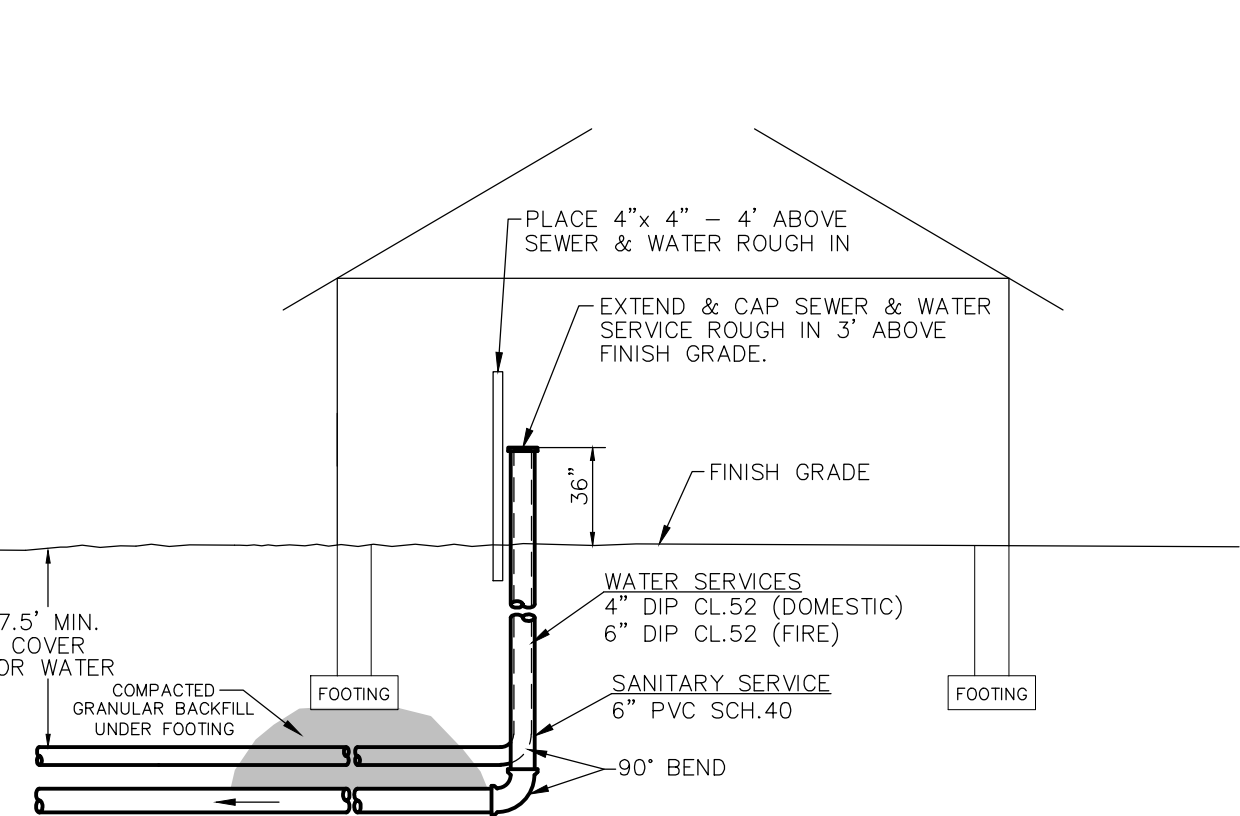
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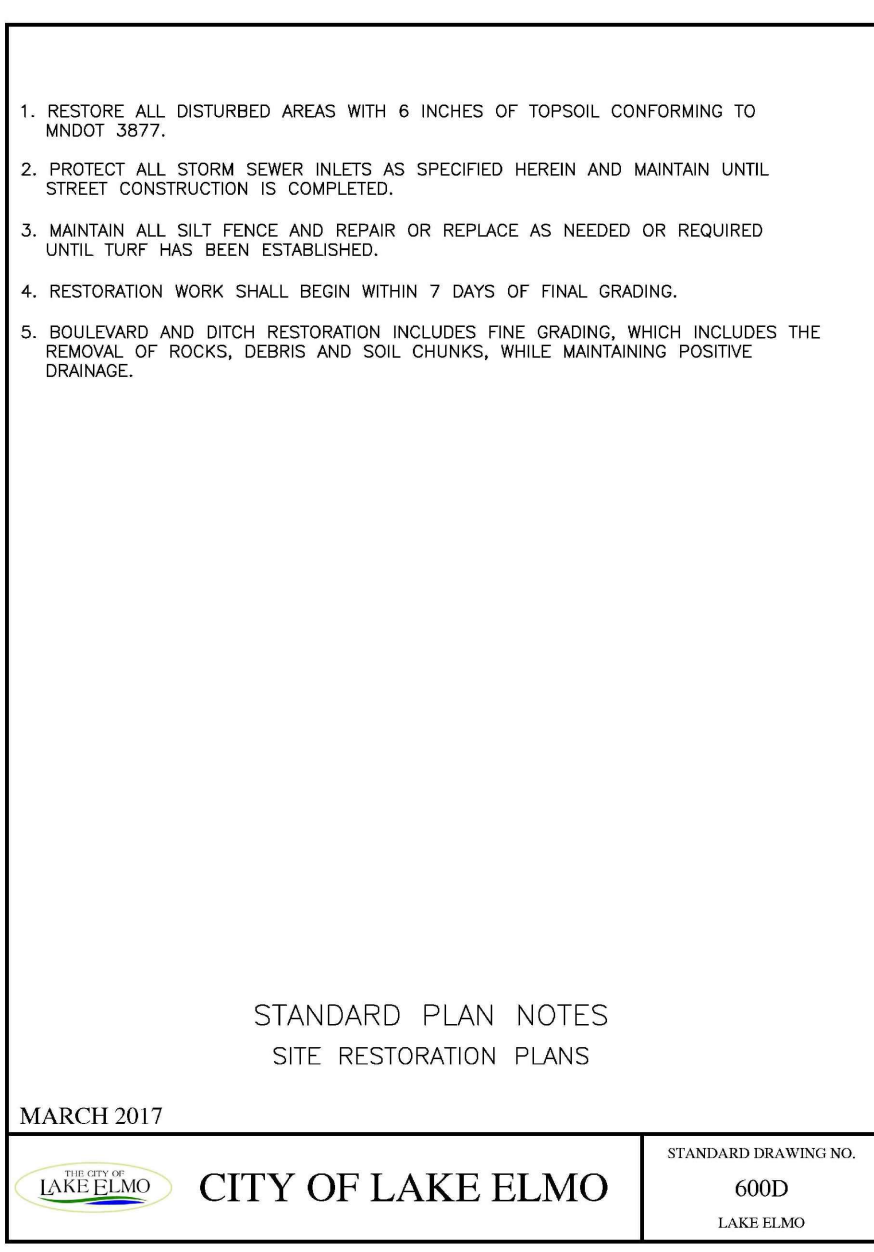
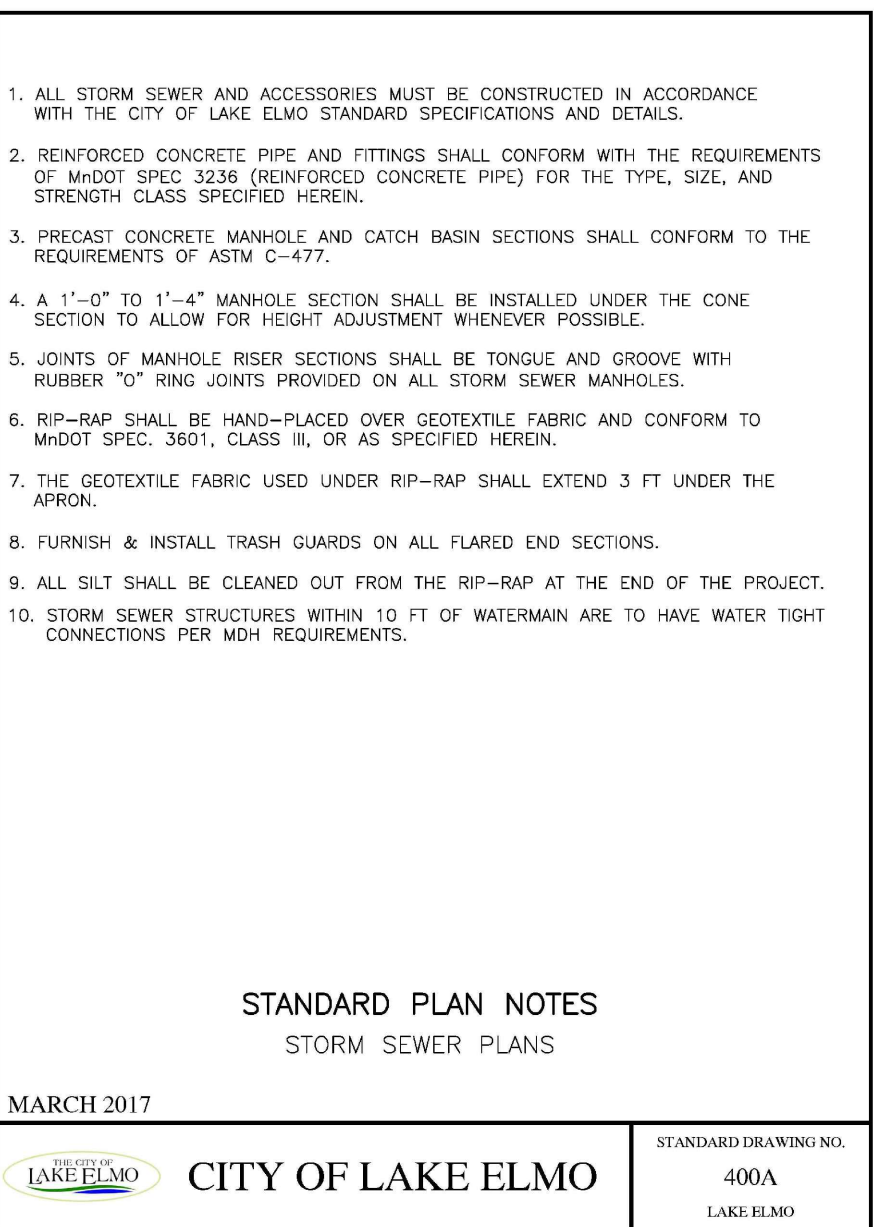
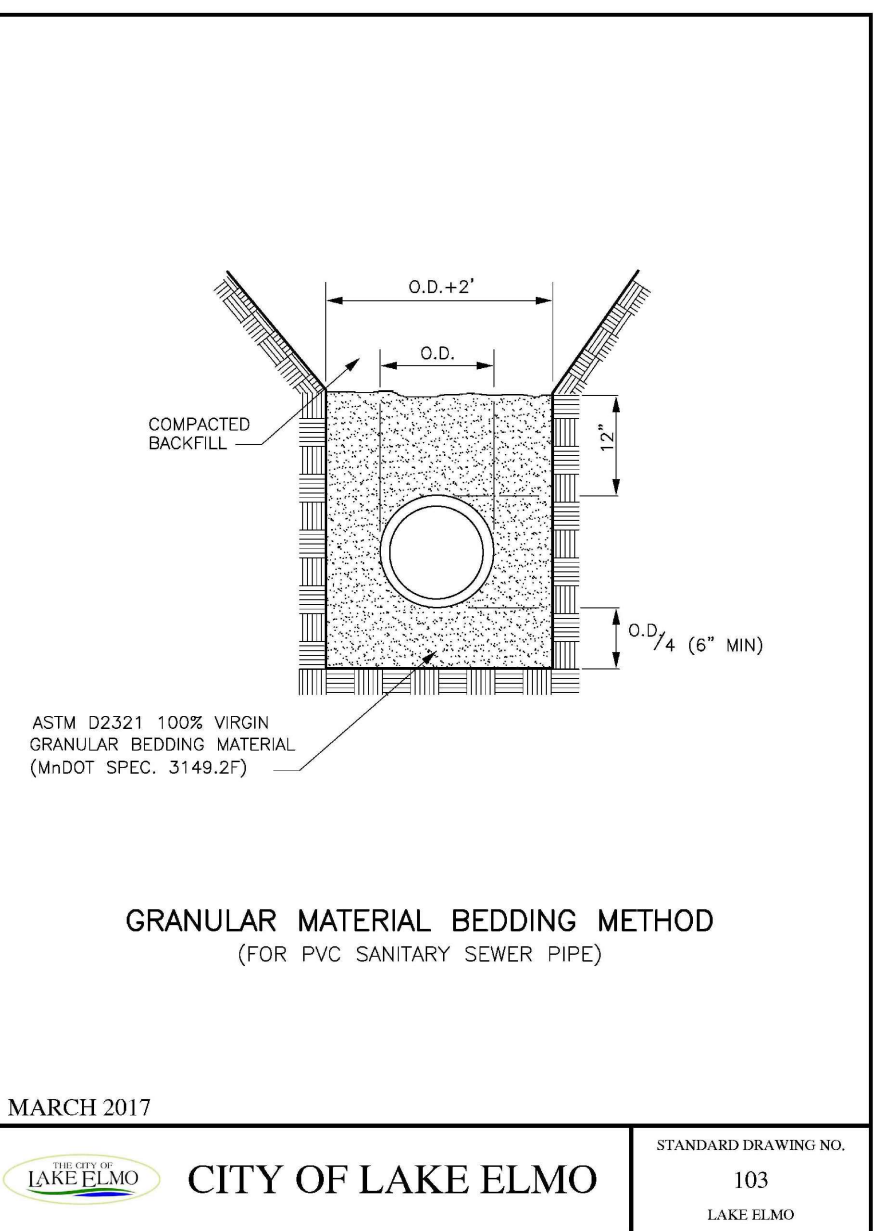
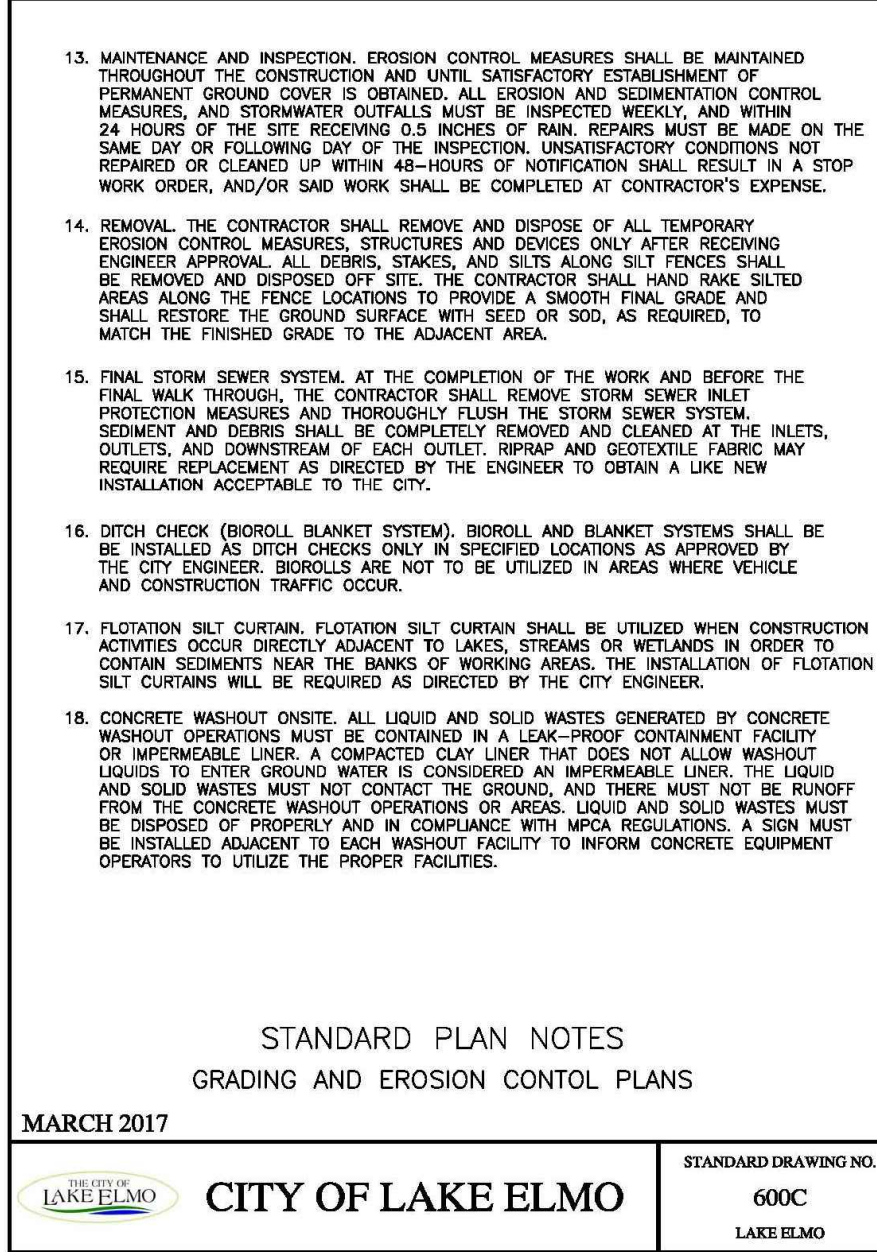
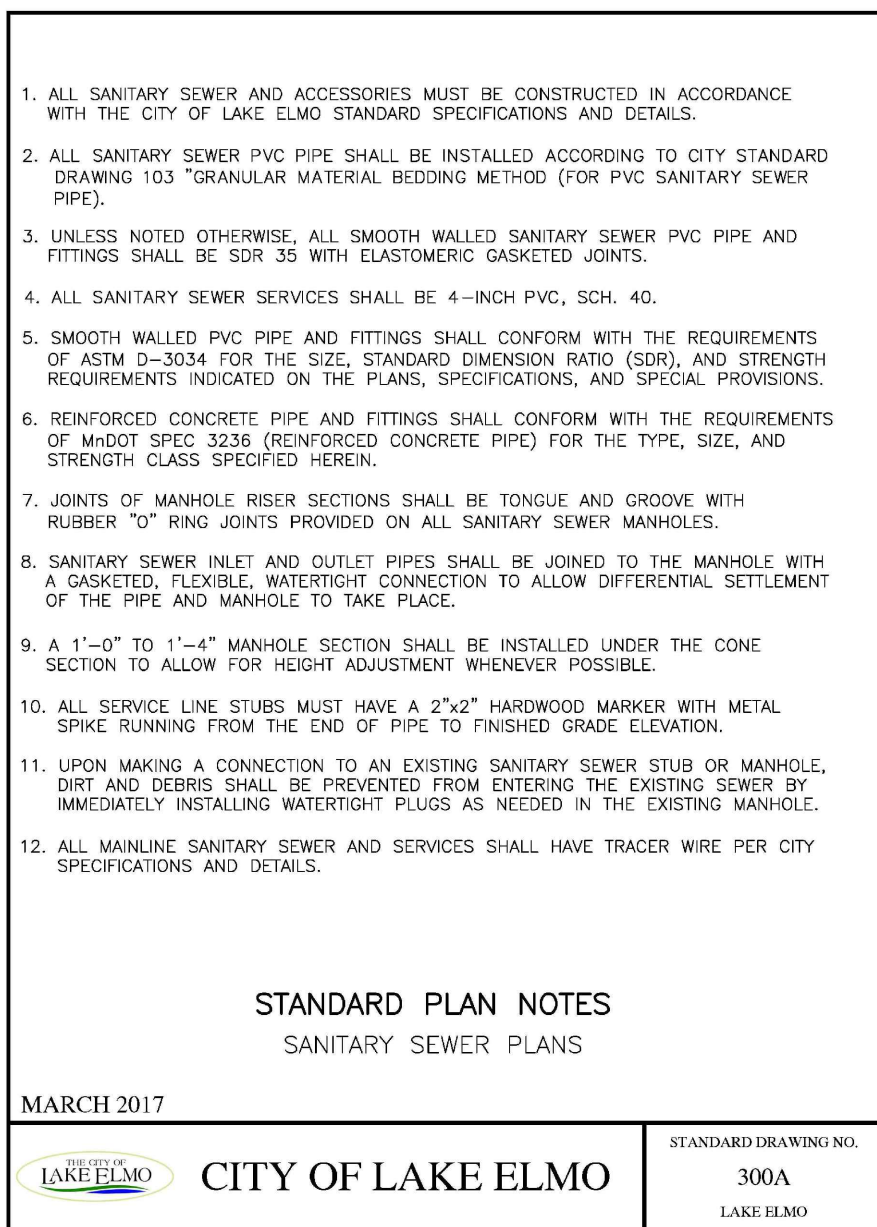
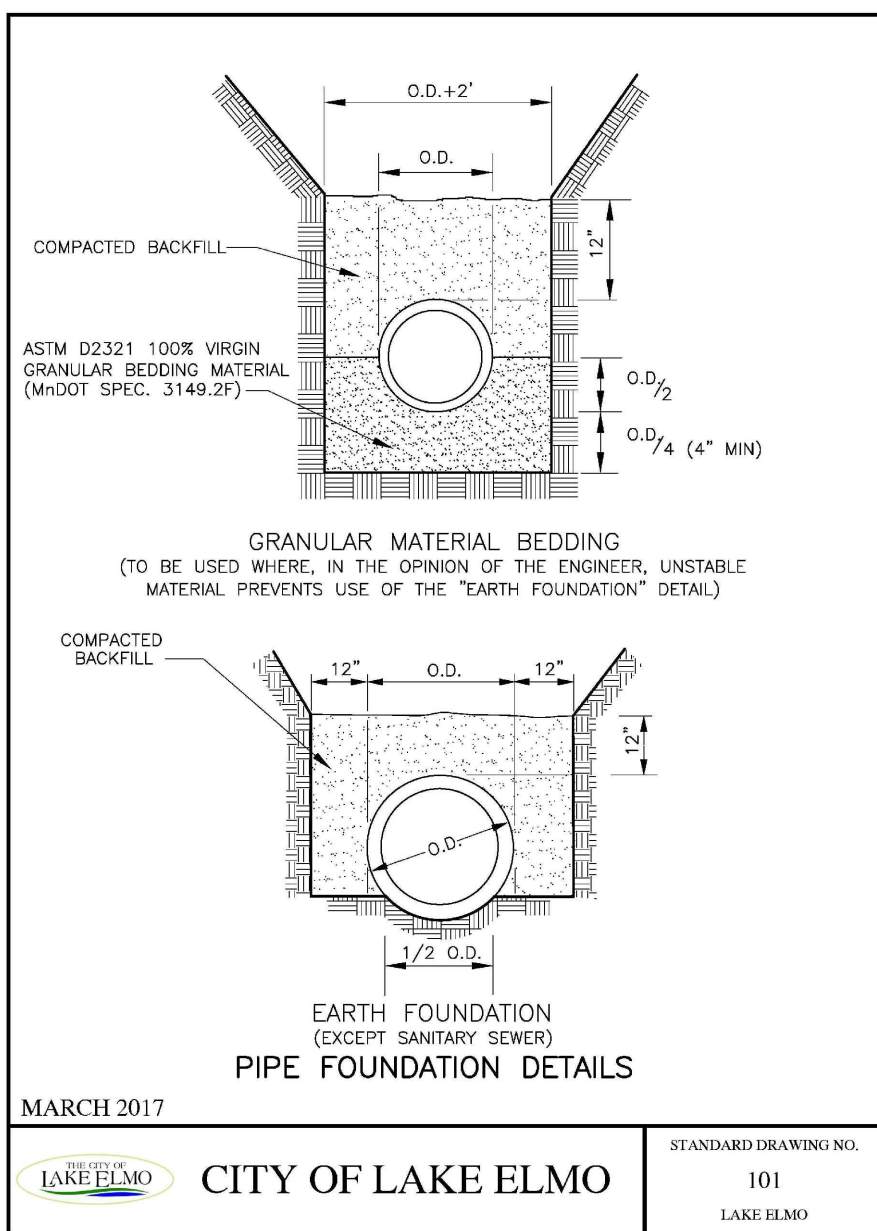
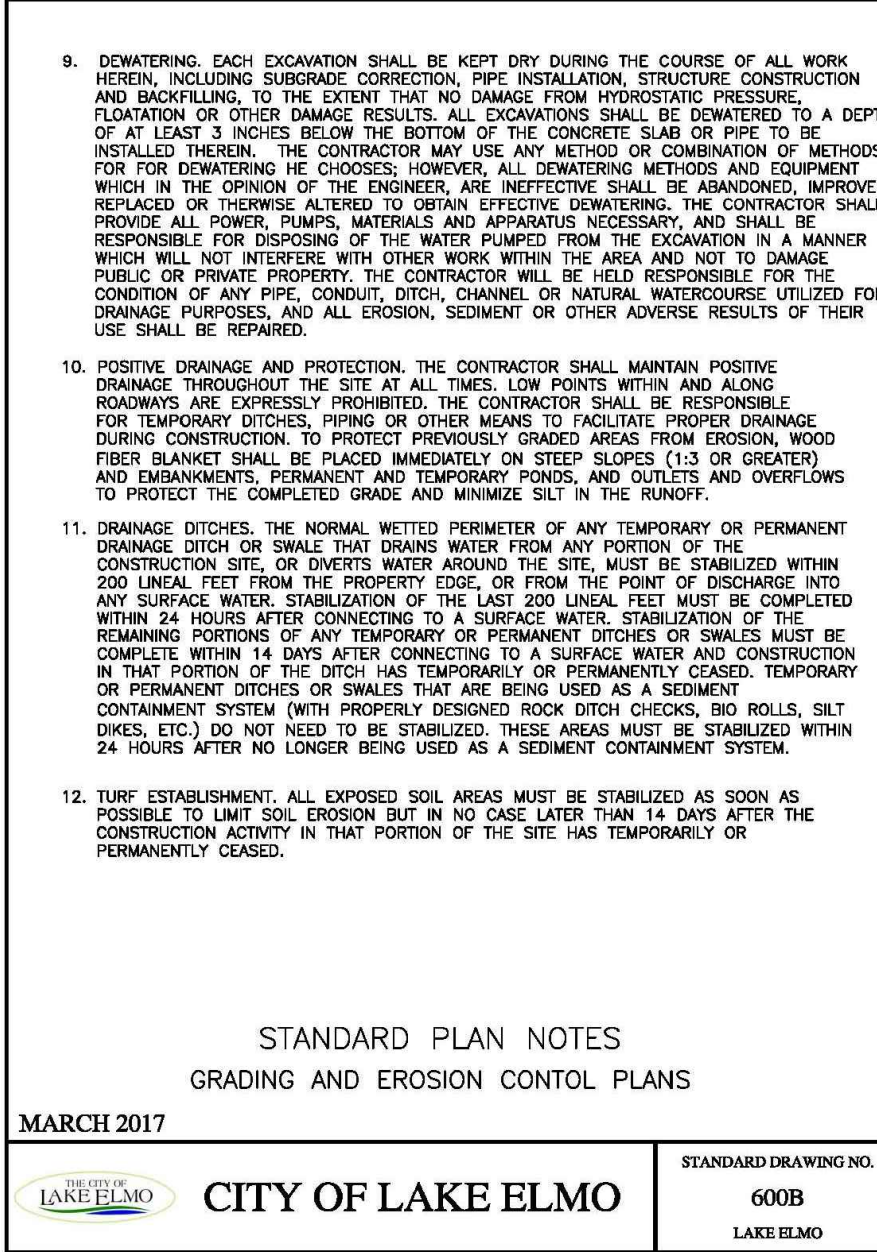
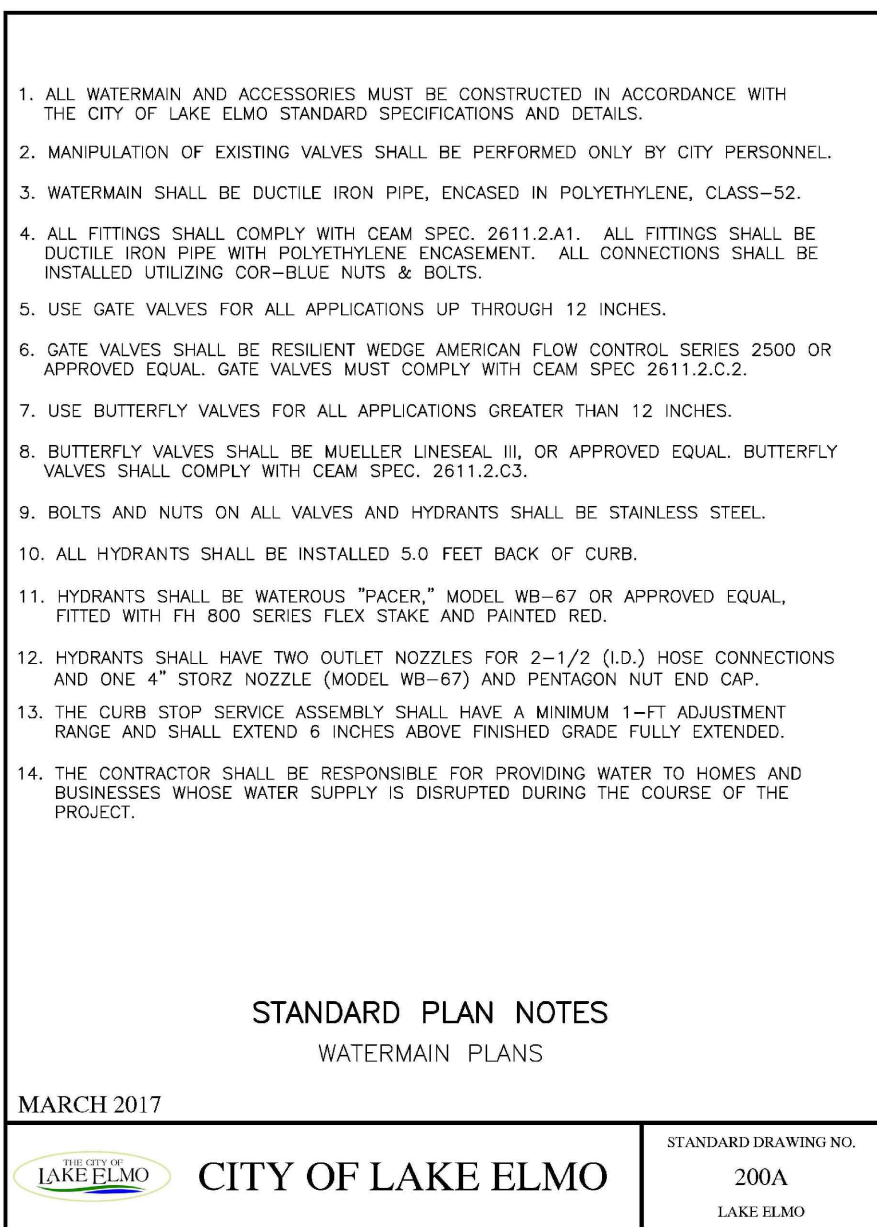
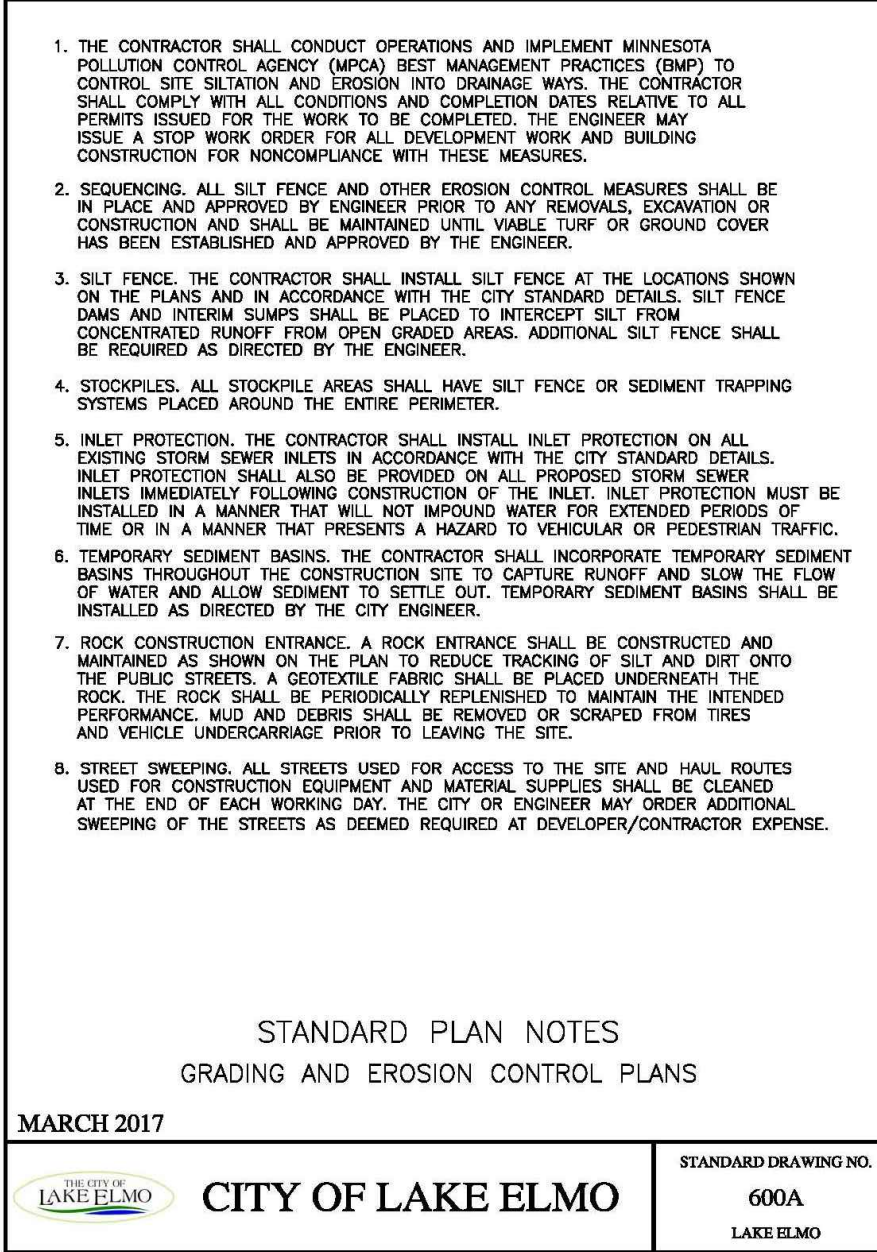
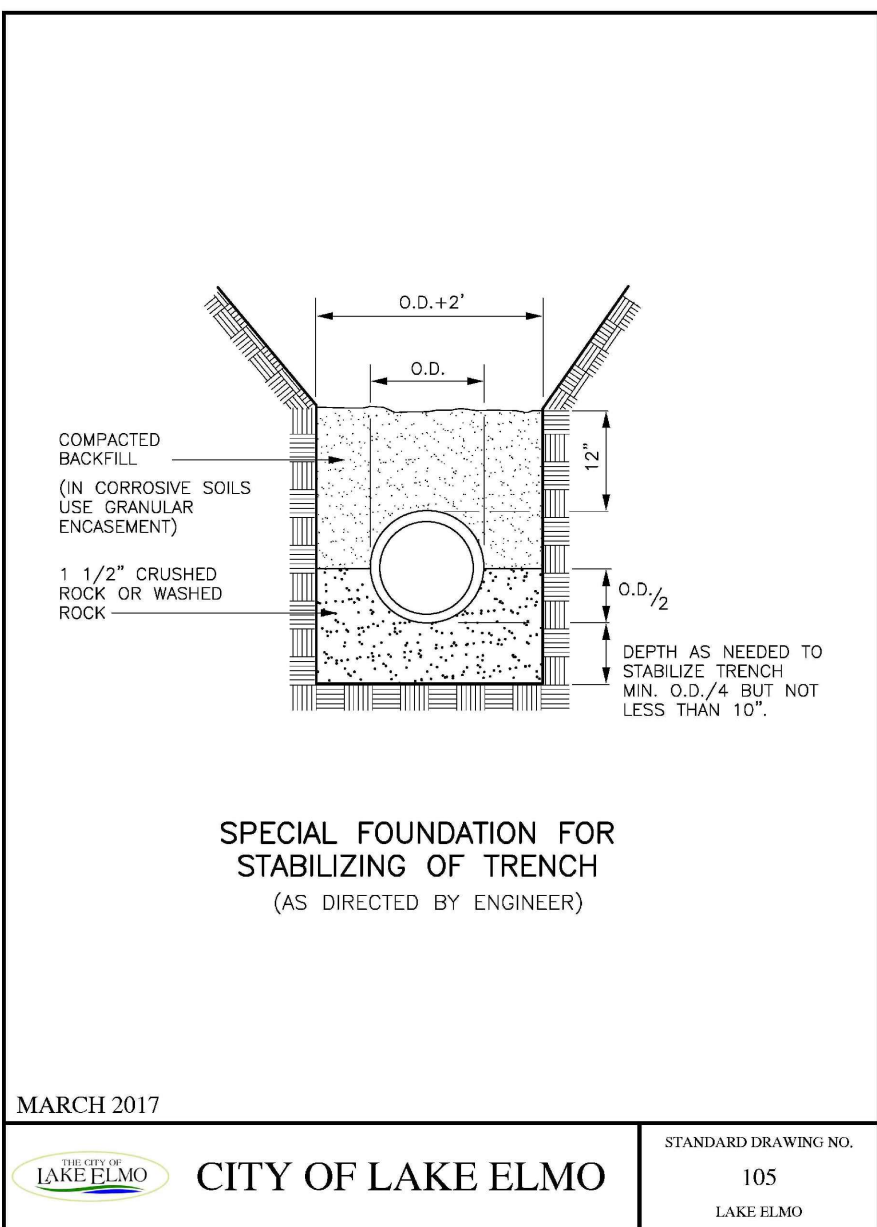
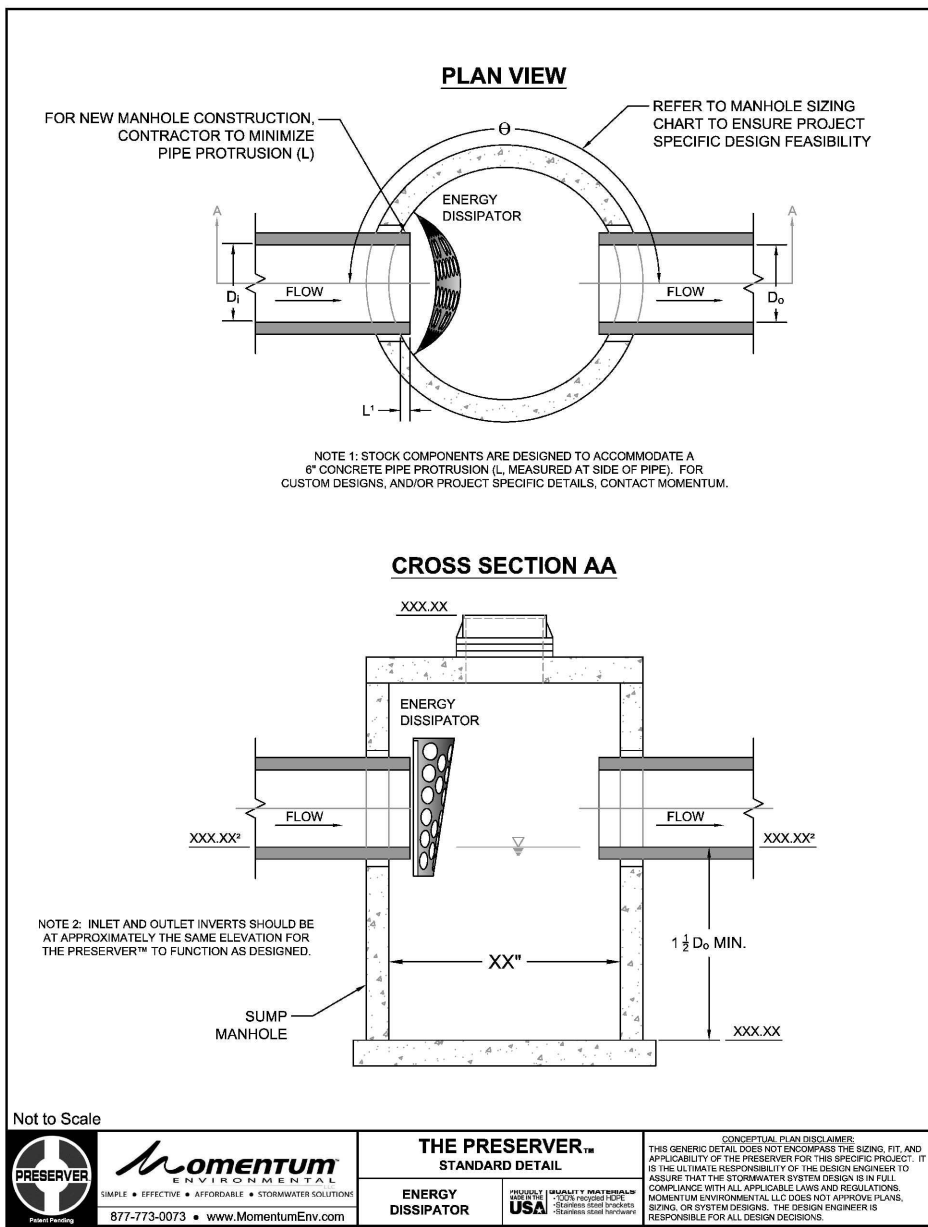
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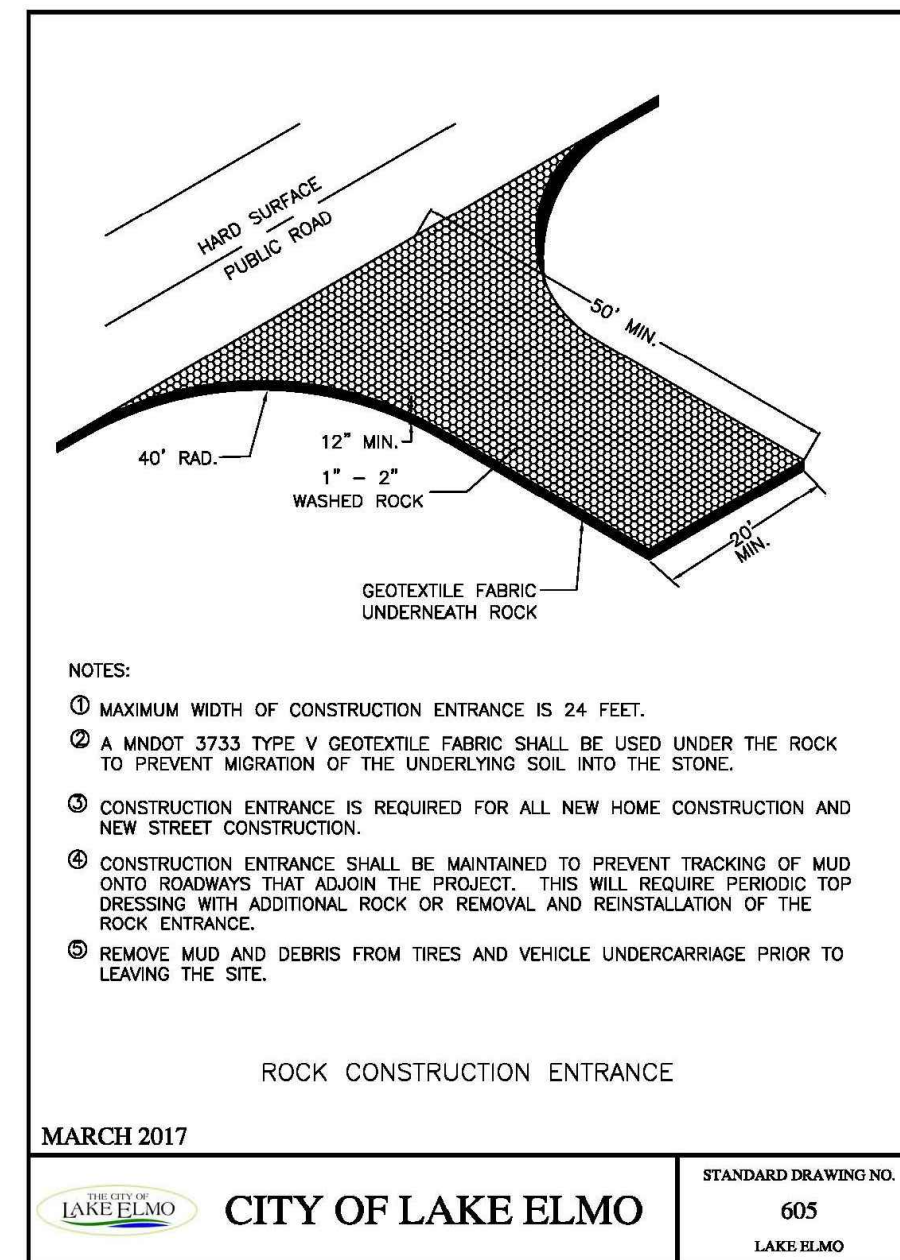
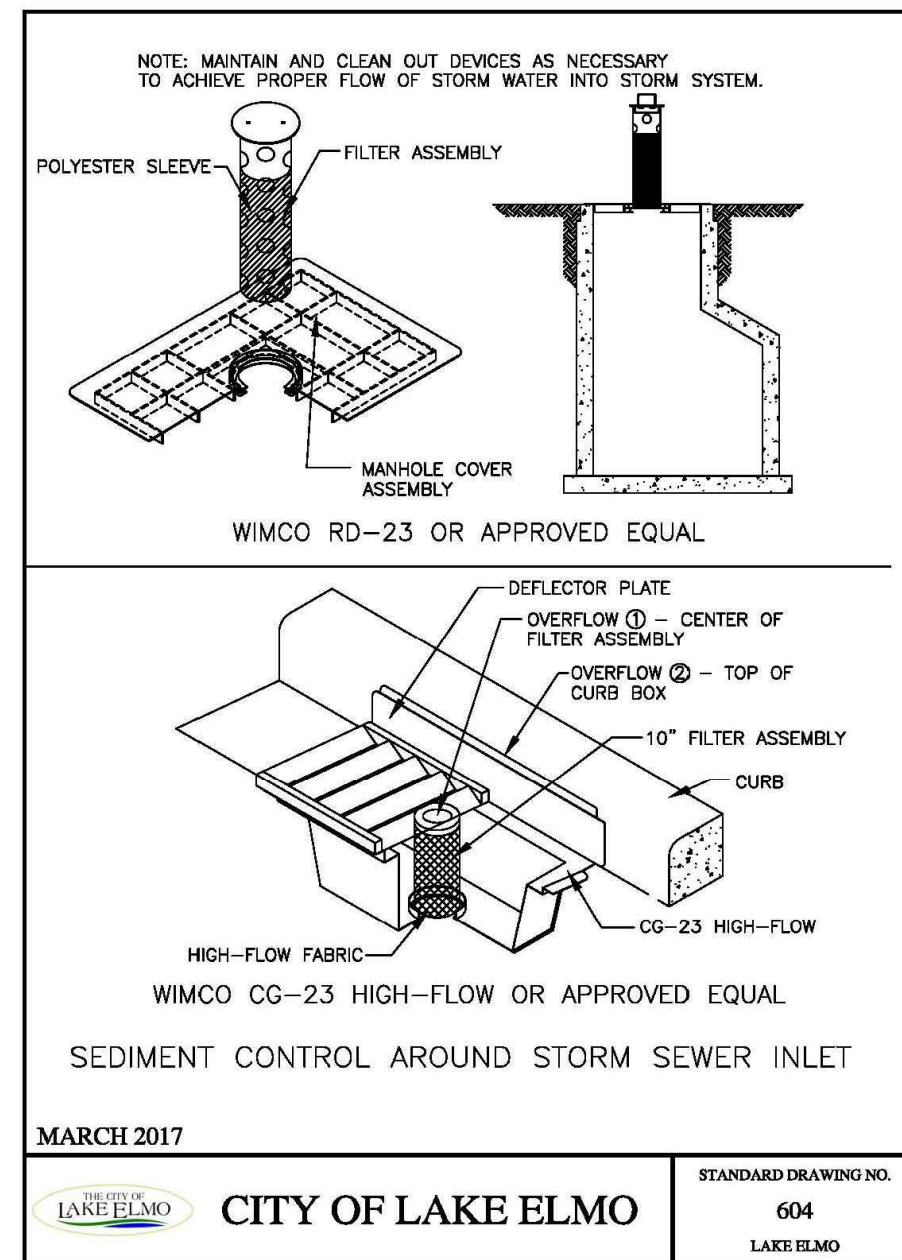
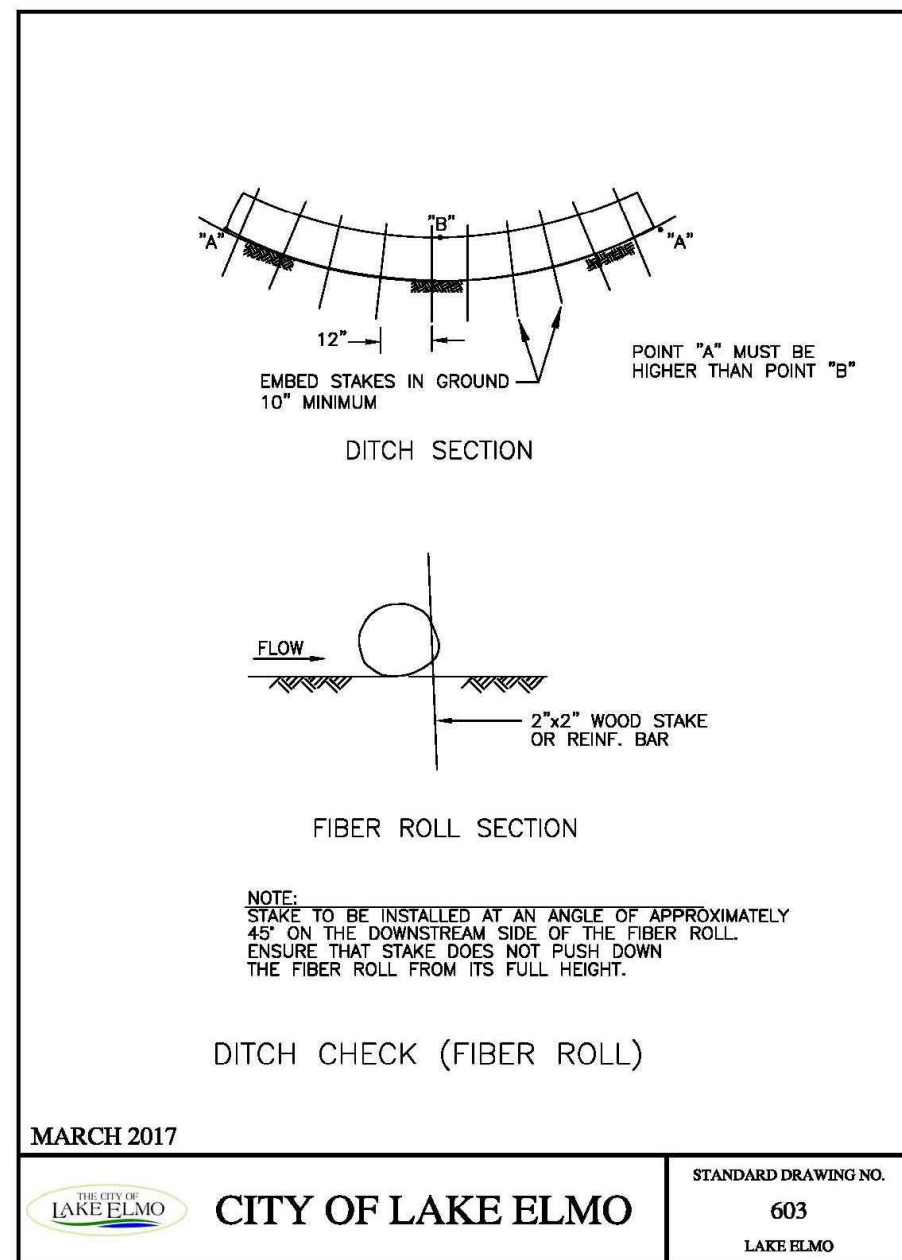
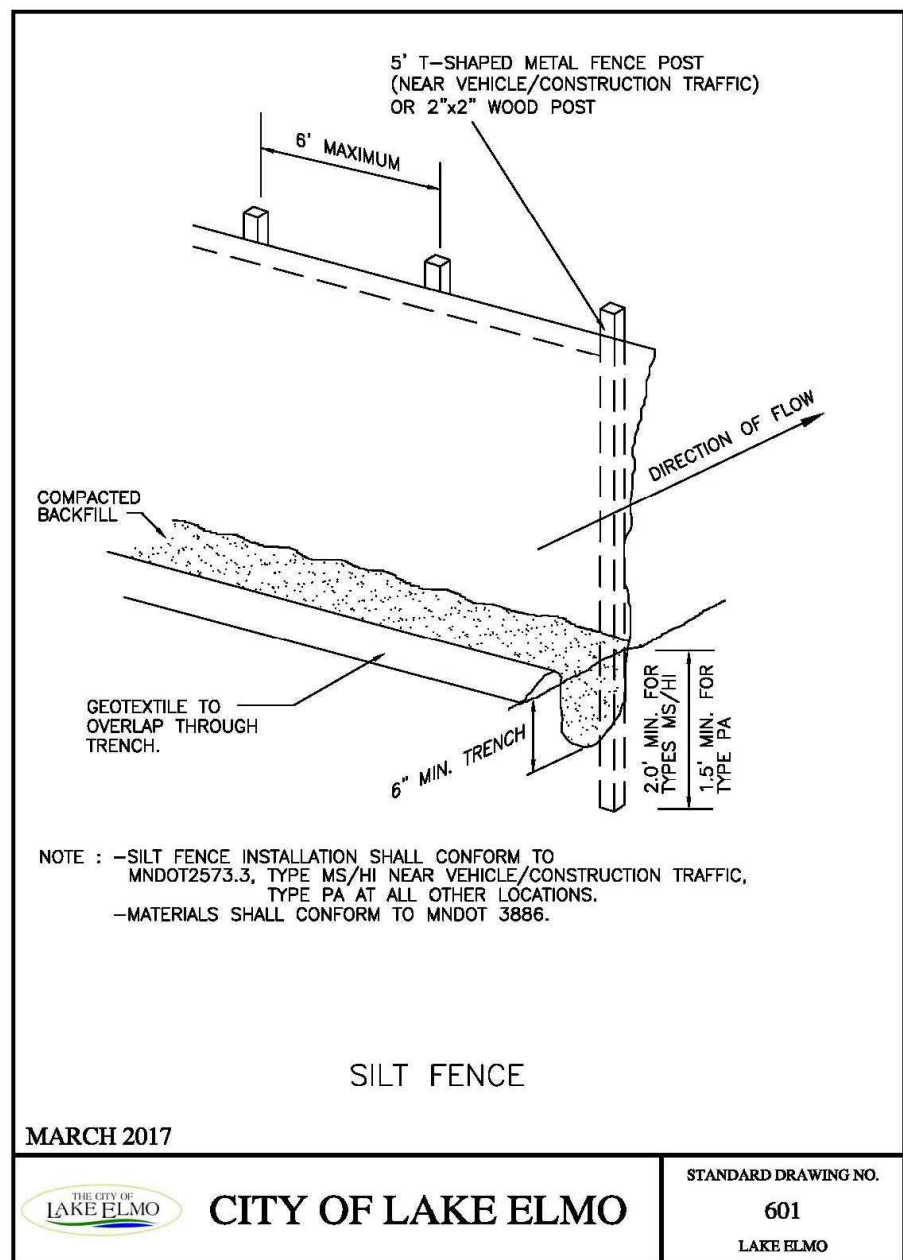
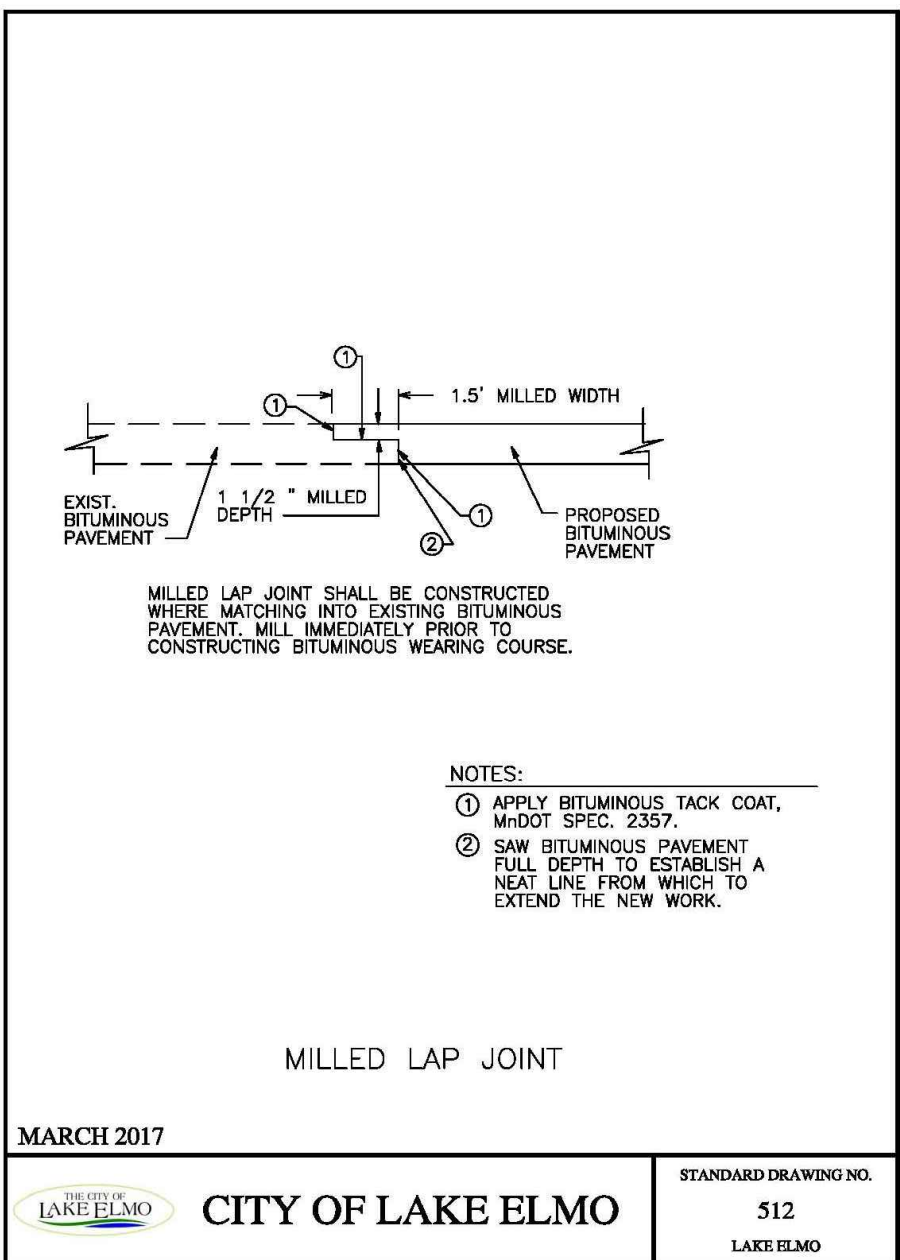
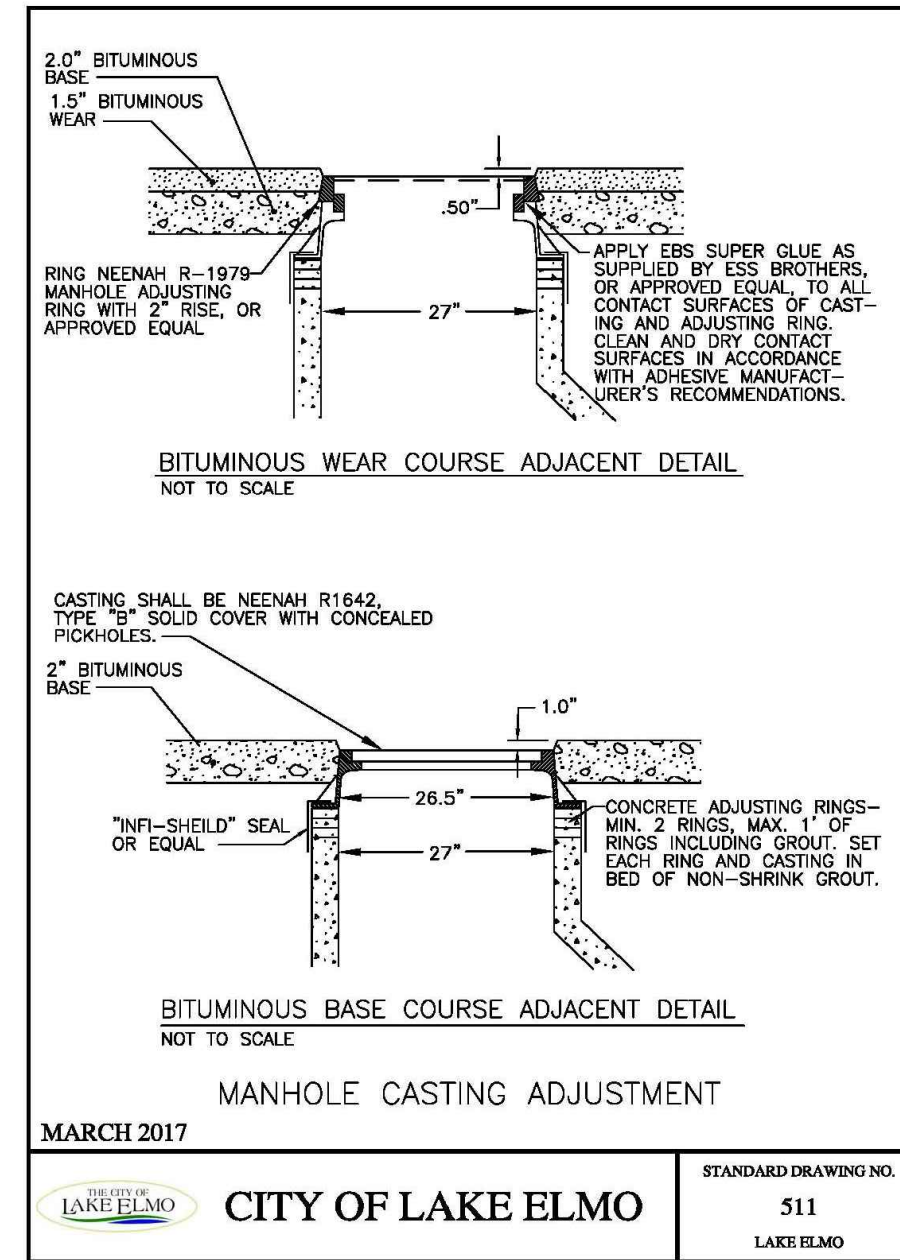
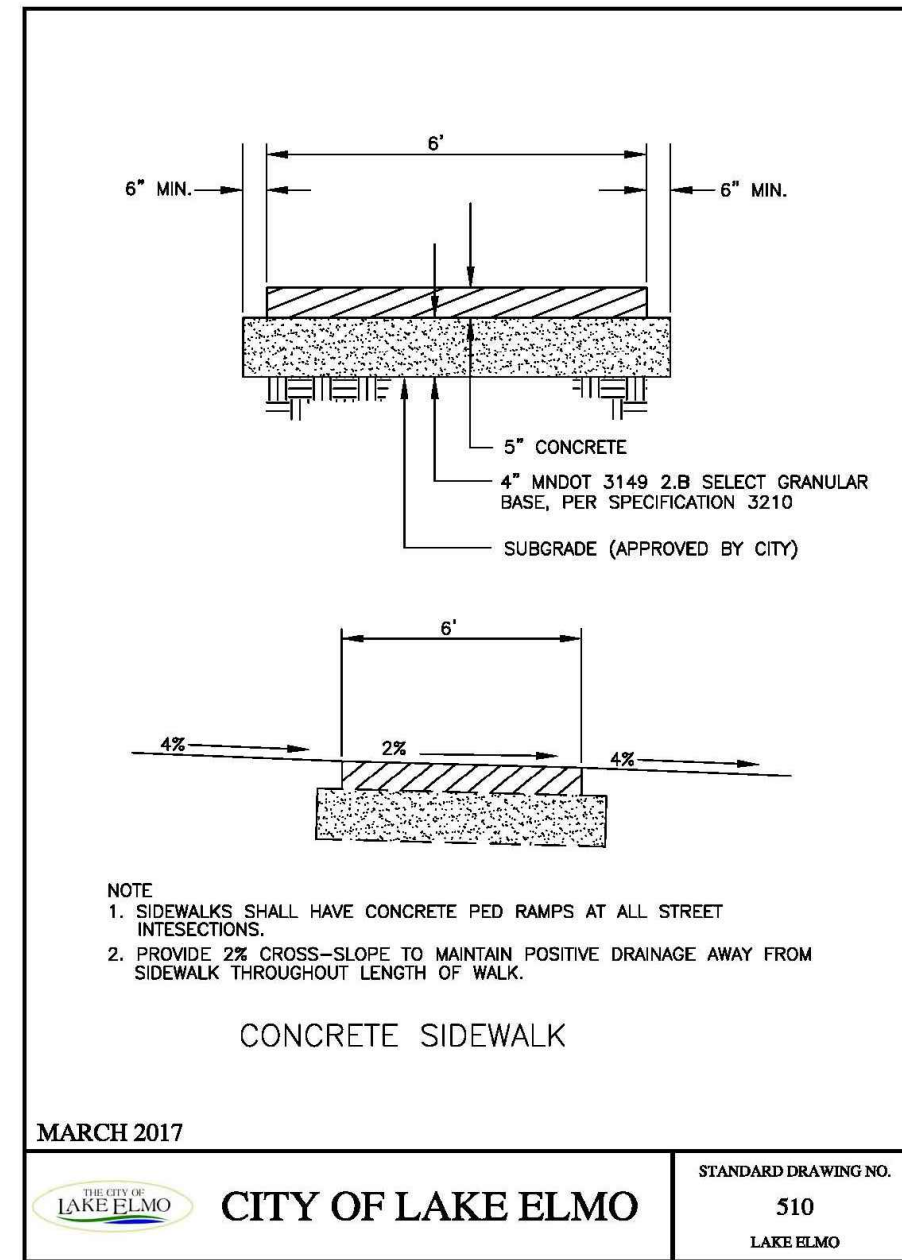
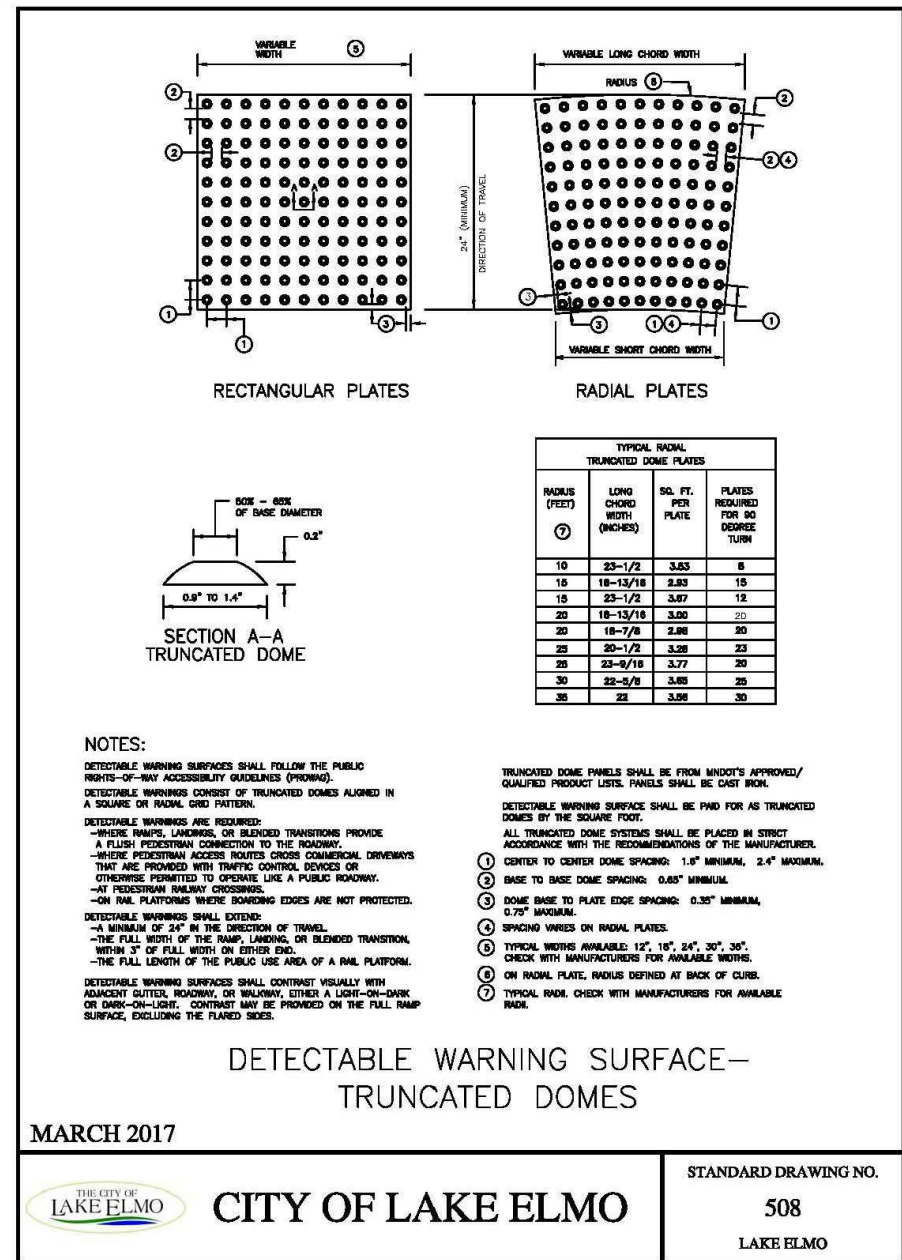
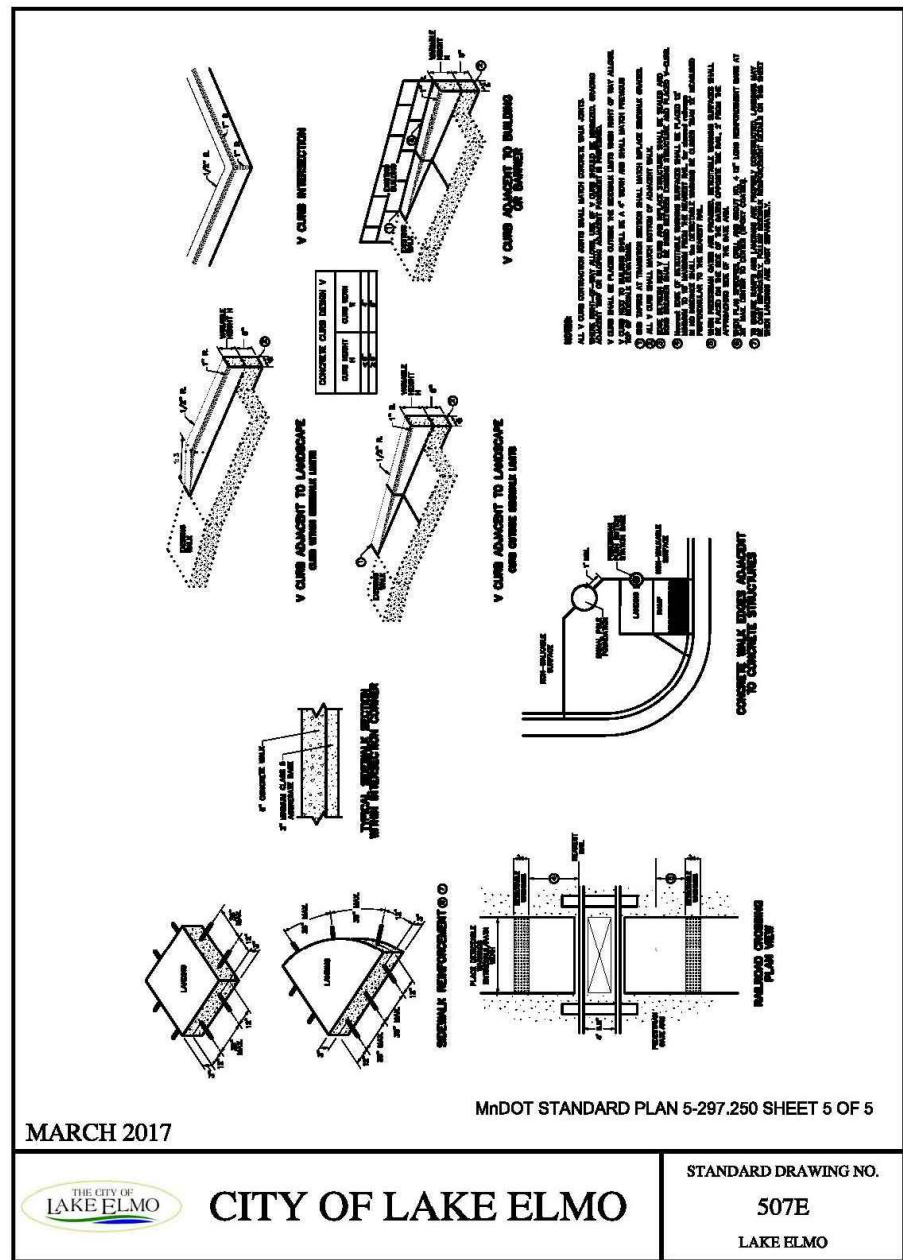
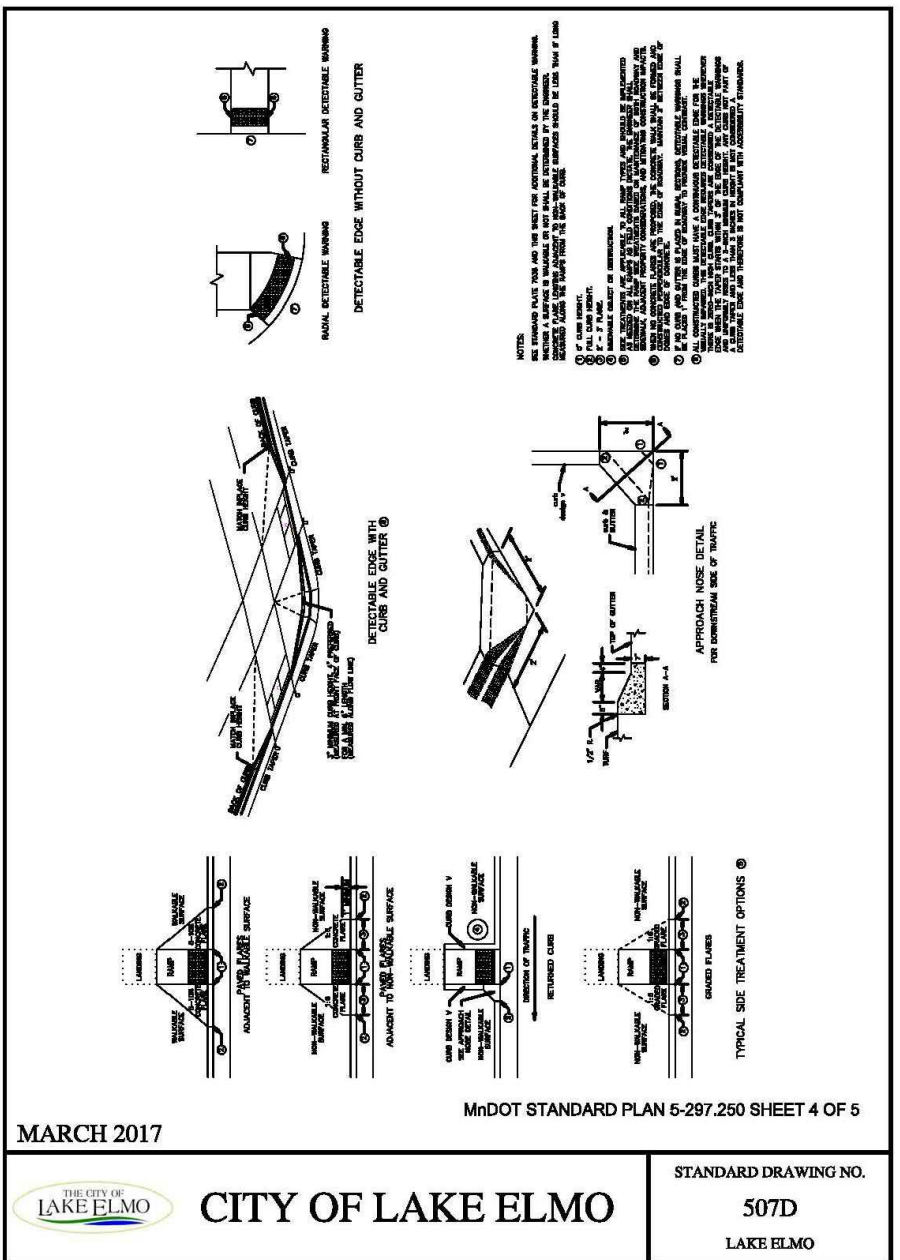
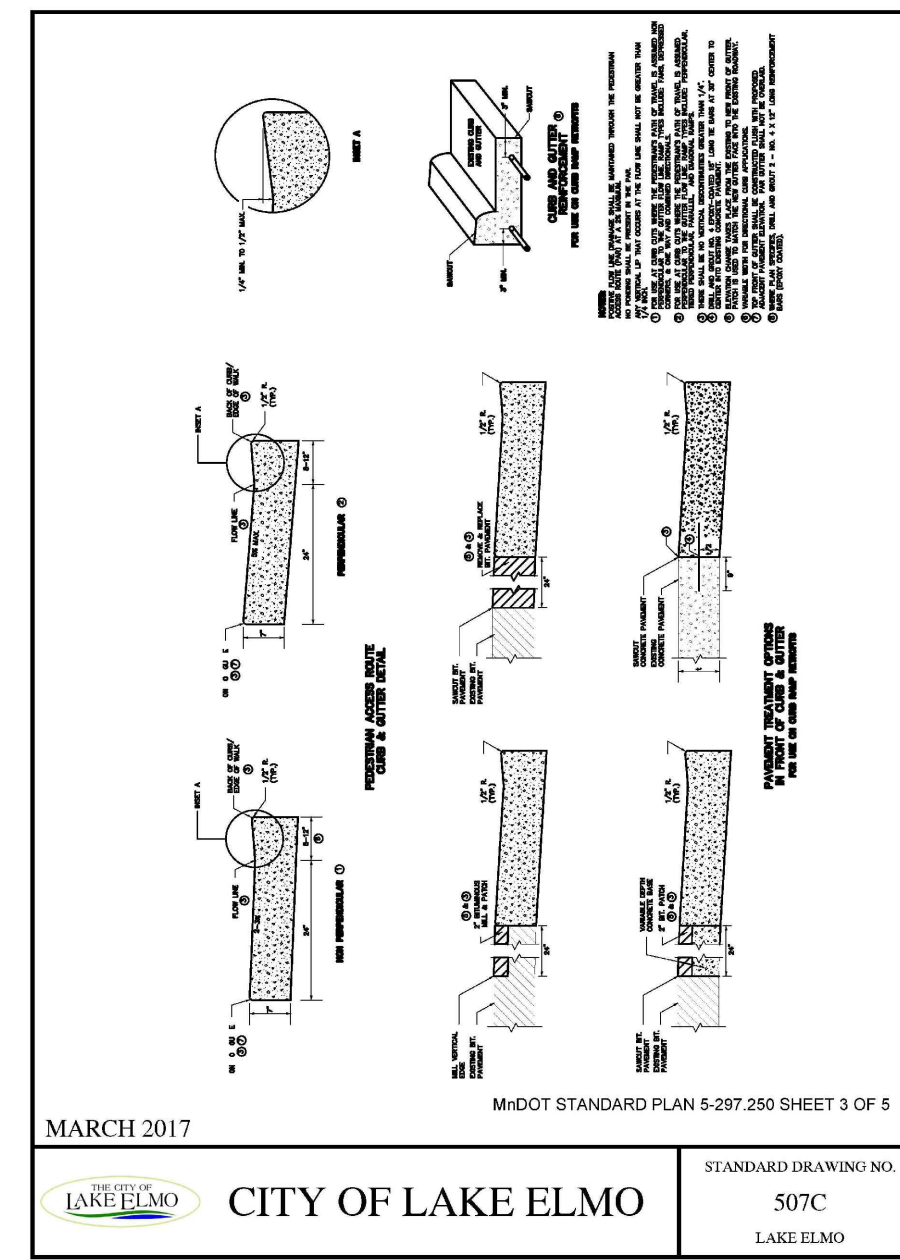
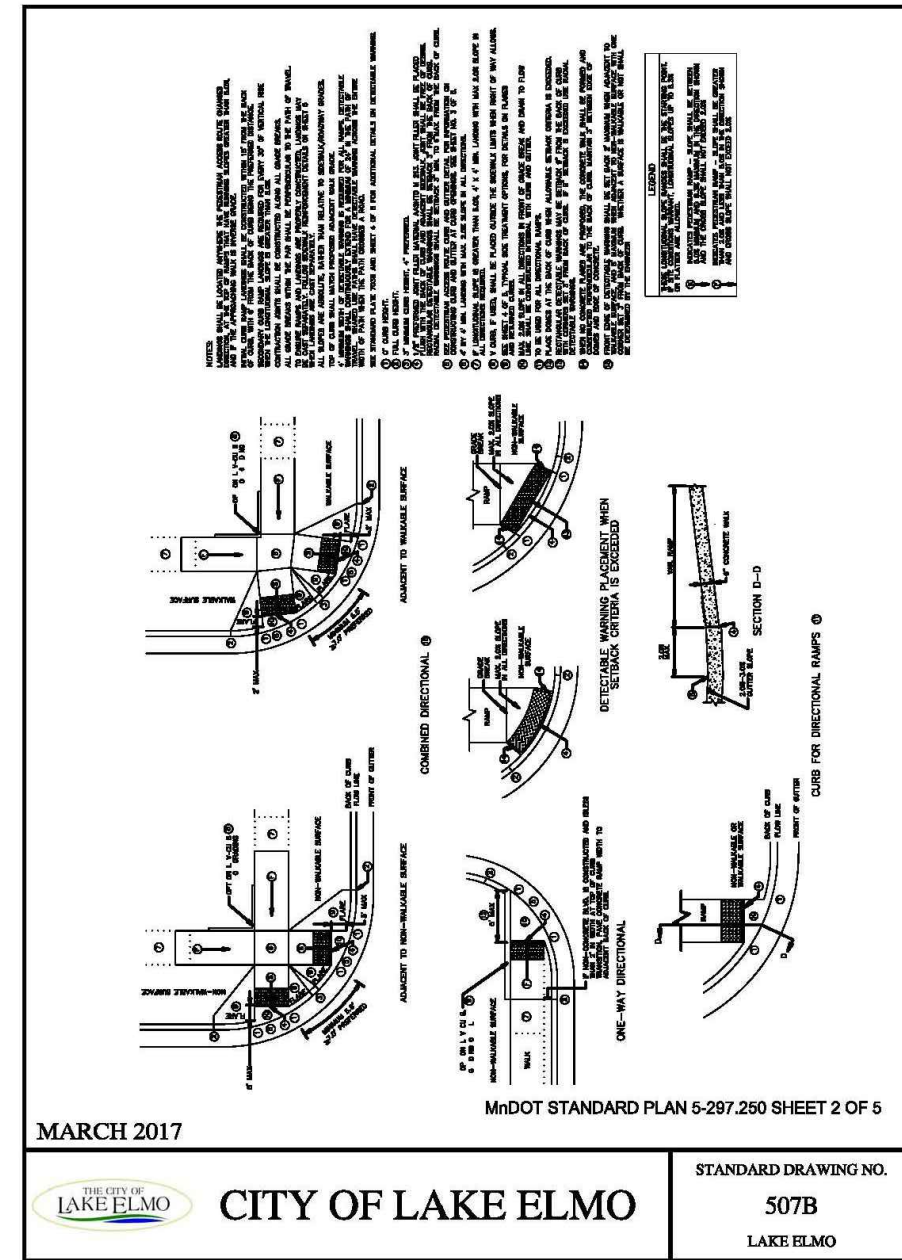
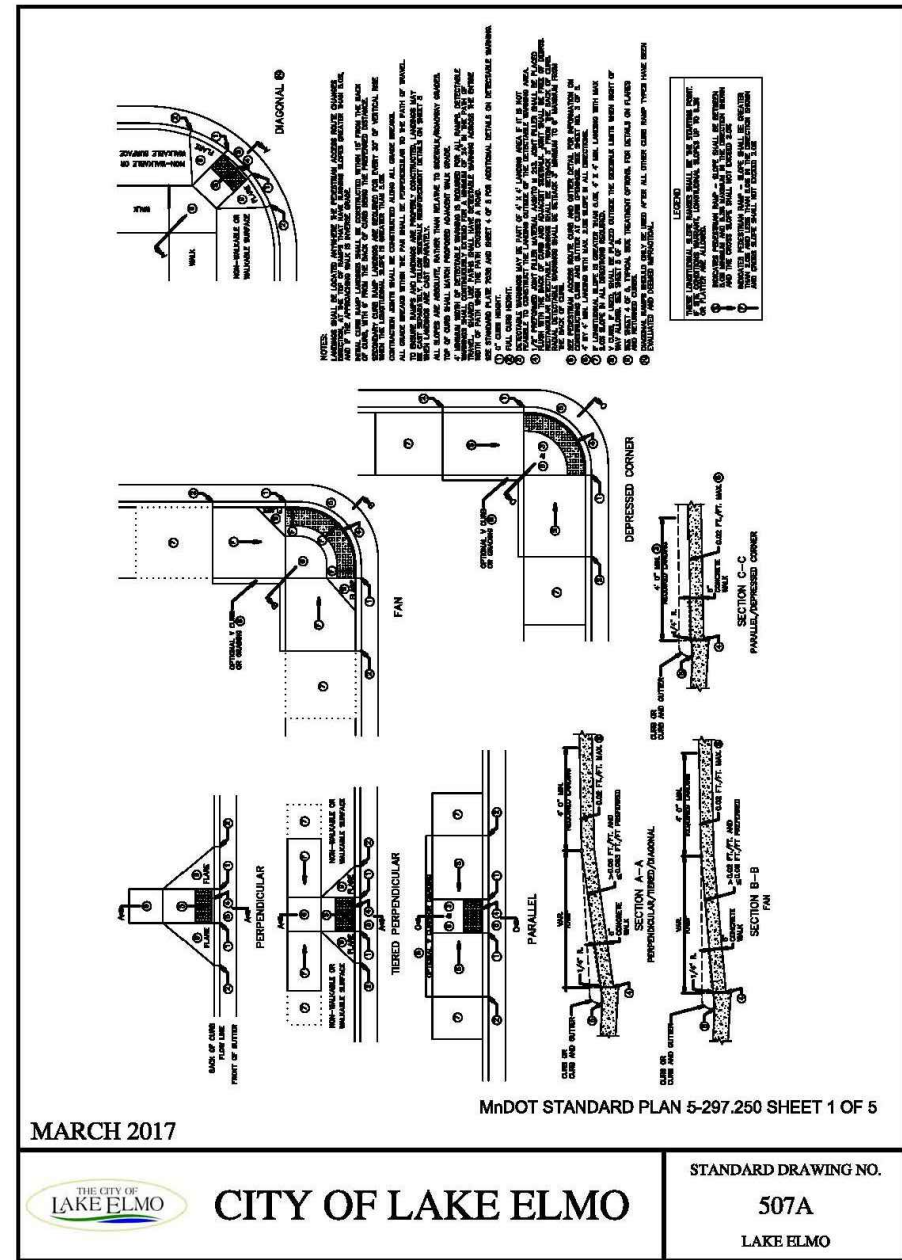
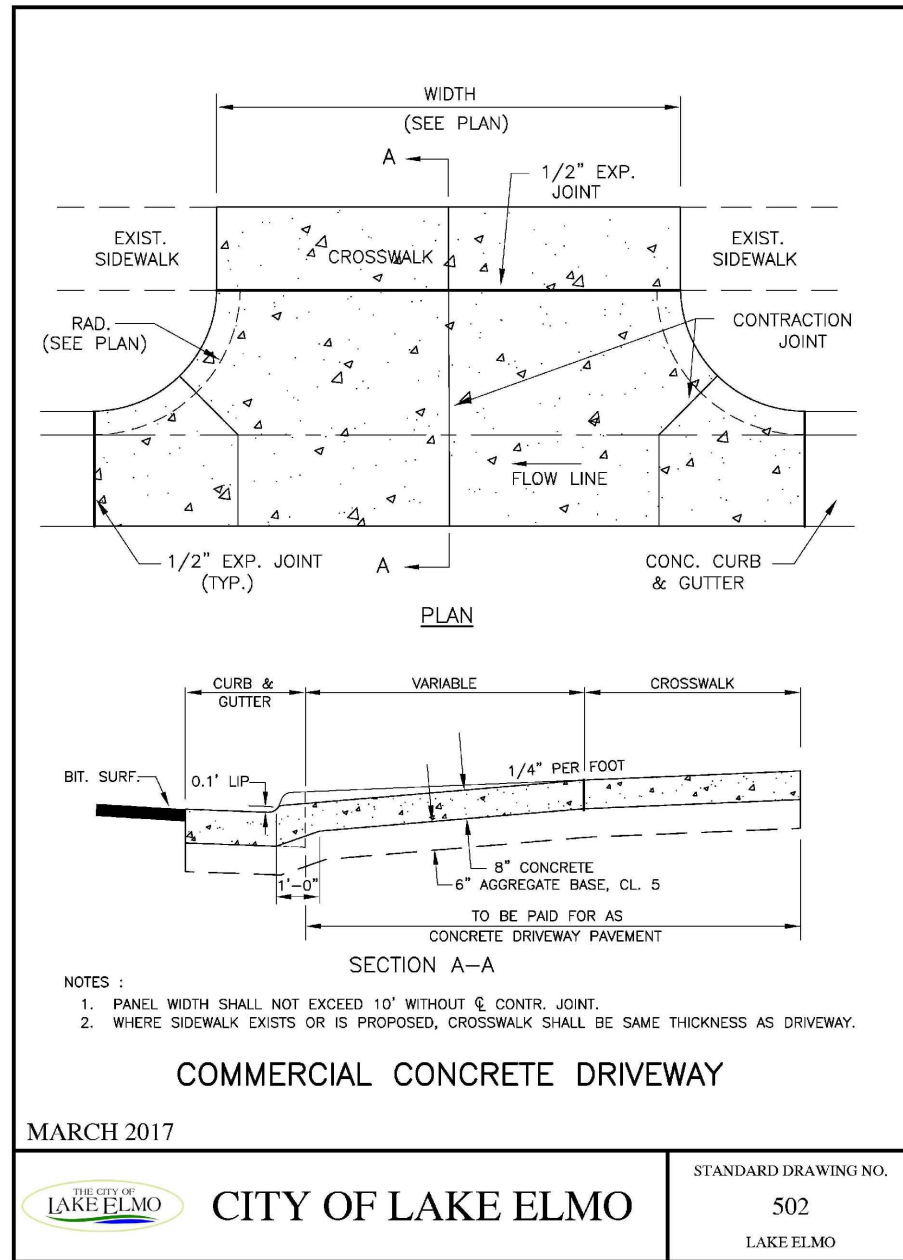
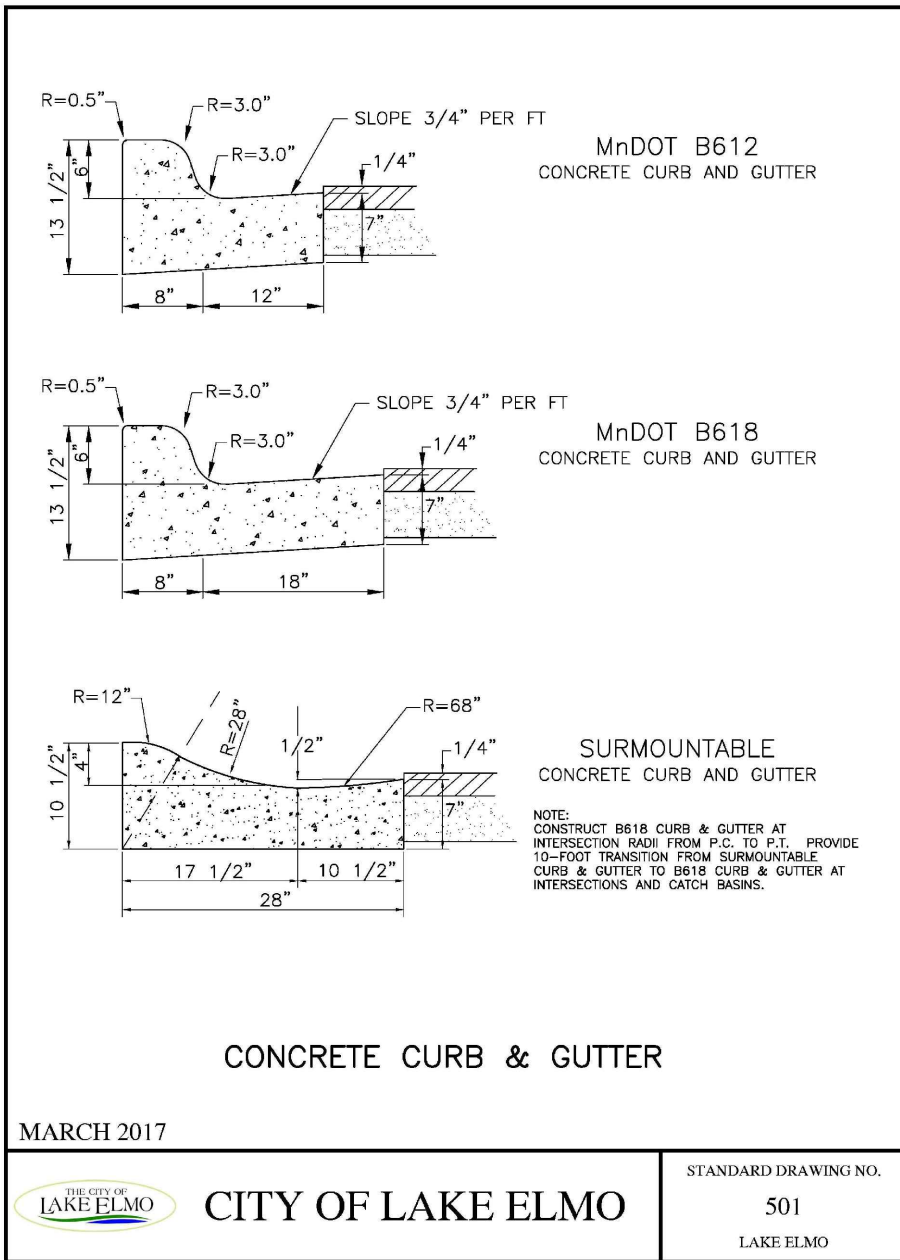
C1 NO SCALE



4 | UTILITY SERVICE CONNECTIONS

C1 NO SCALE





ENVIRONMENTAL - ENGINEERING - SURVEYING

3890 Pheasant Ridge Dr. NE #100, Blaine, MN

Phone: 763-489-7900 Fax: 763-489-7959

LAKE ELMO SHOPPES

Lake Elmo, Minnesota

MFC PROPERTIES CORP.

3460 Washington Drive, Suite 100

Eagan, MN 55122

REVISIONS

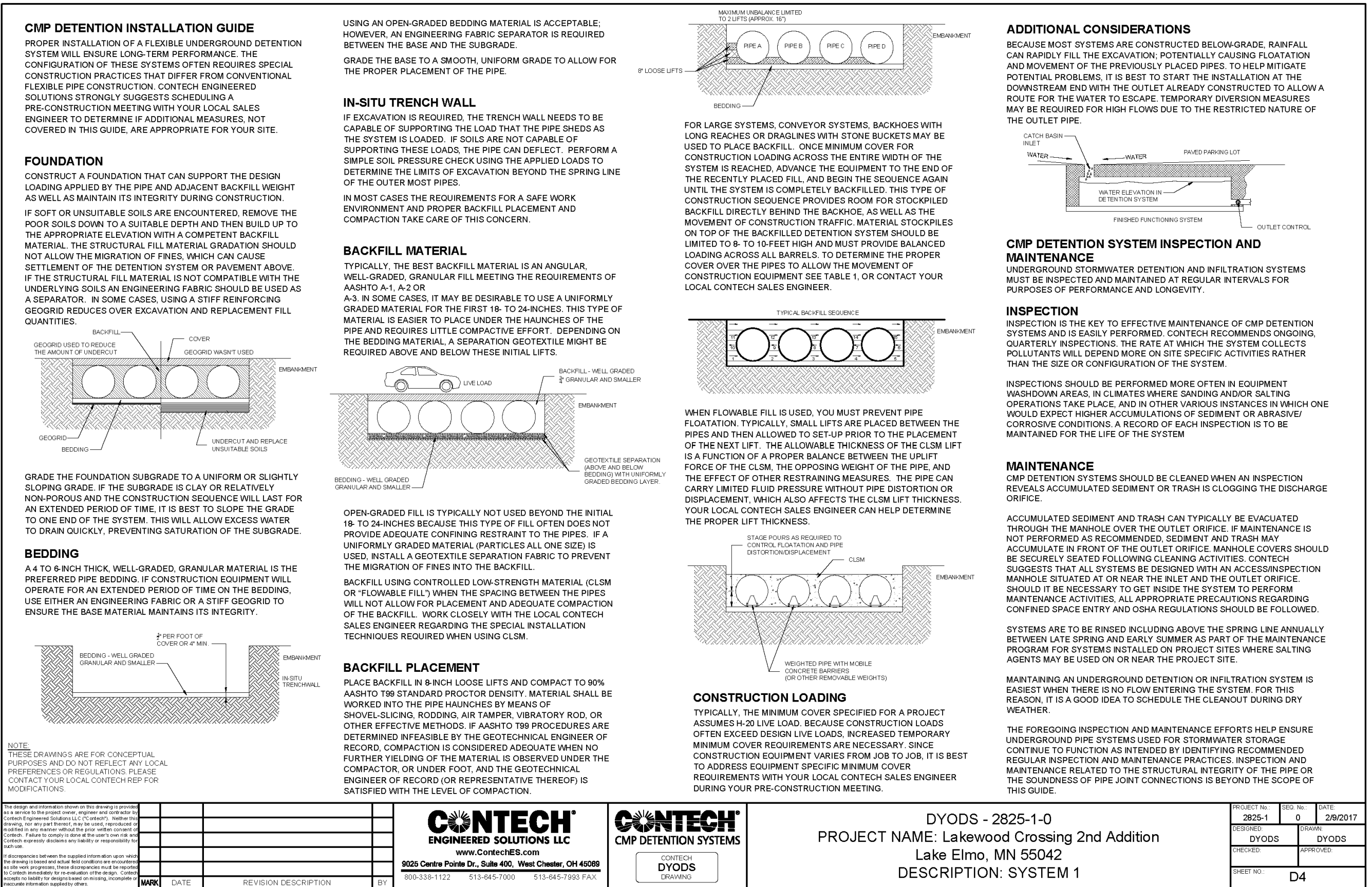
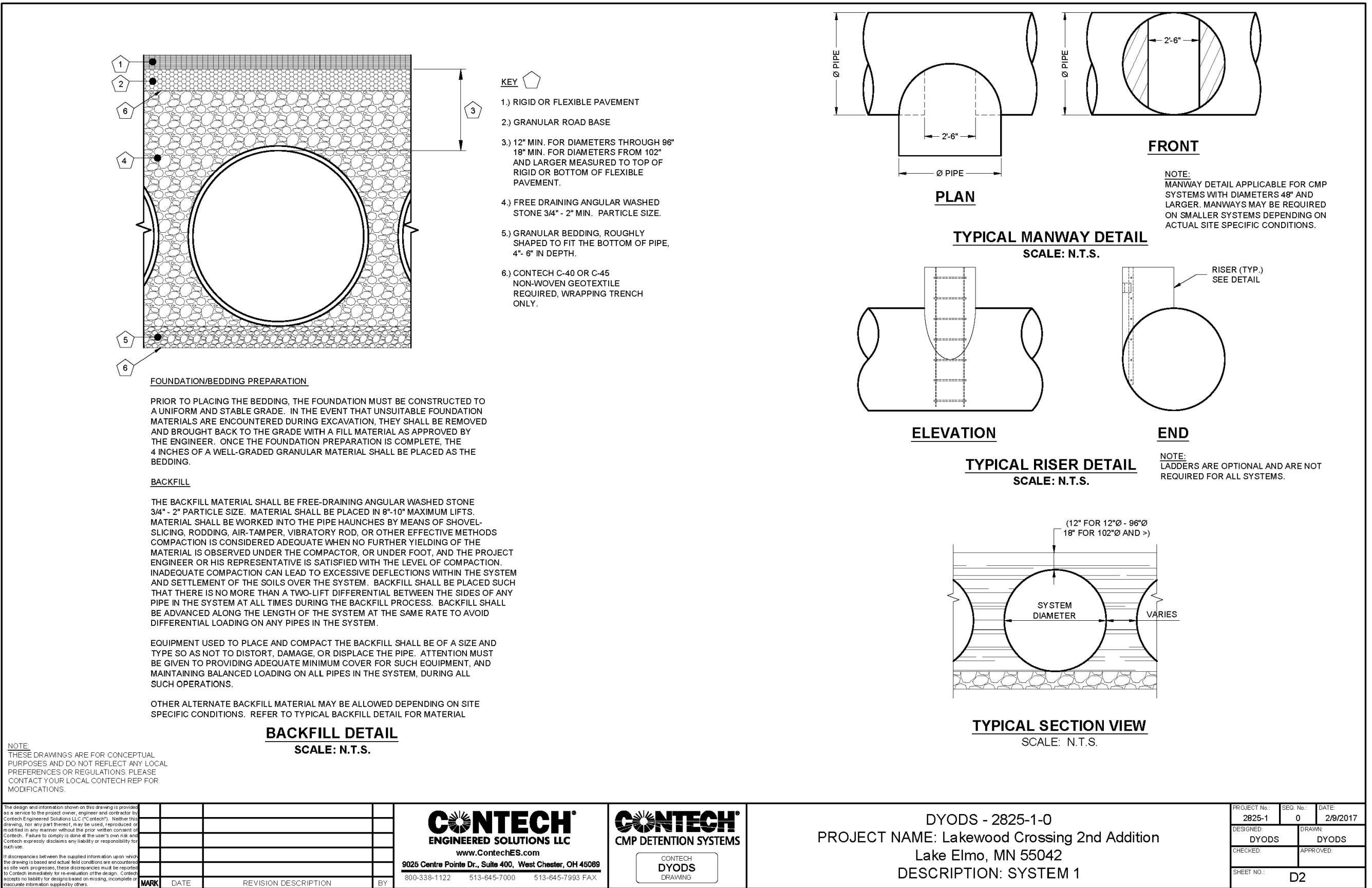
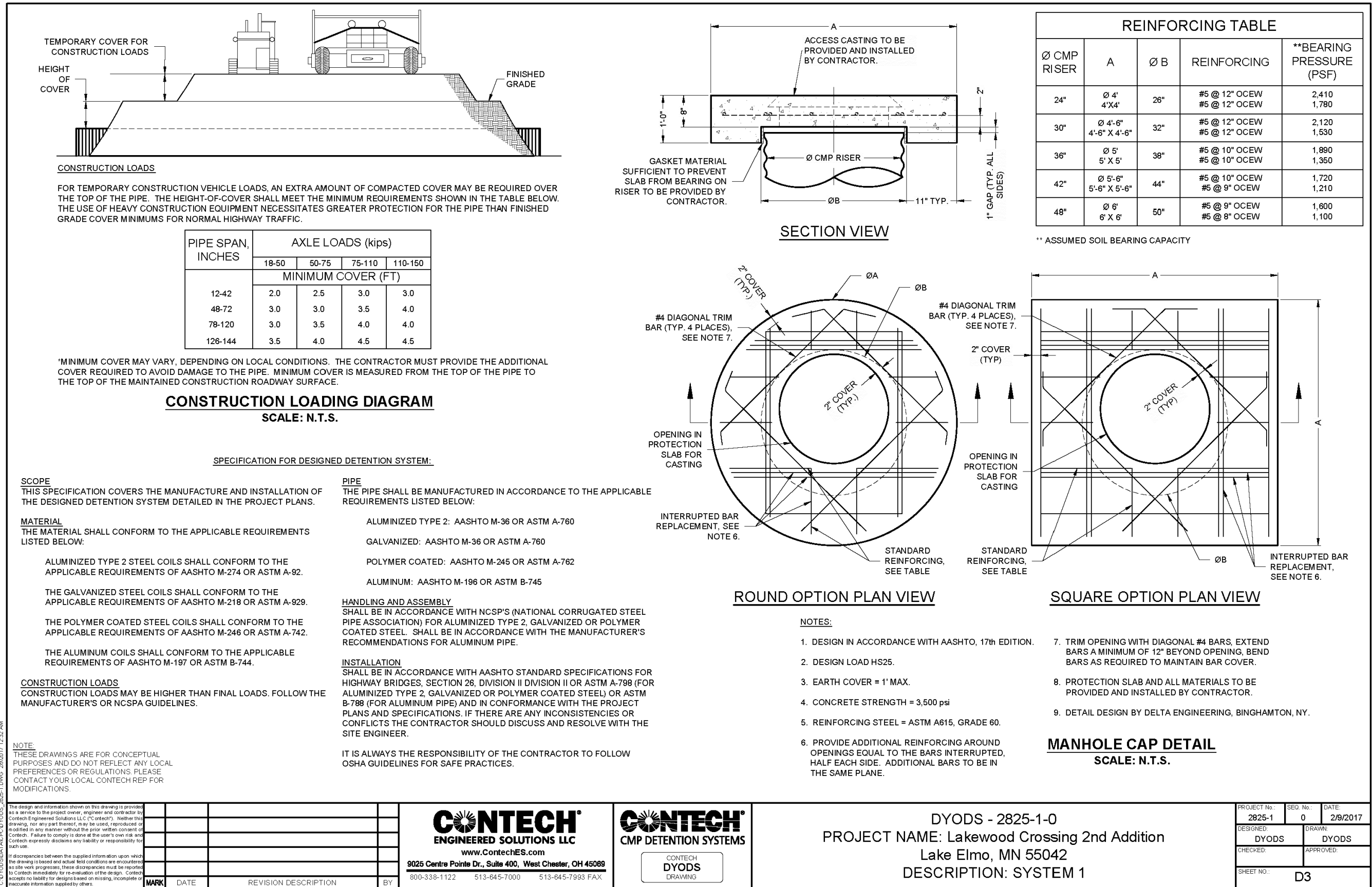
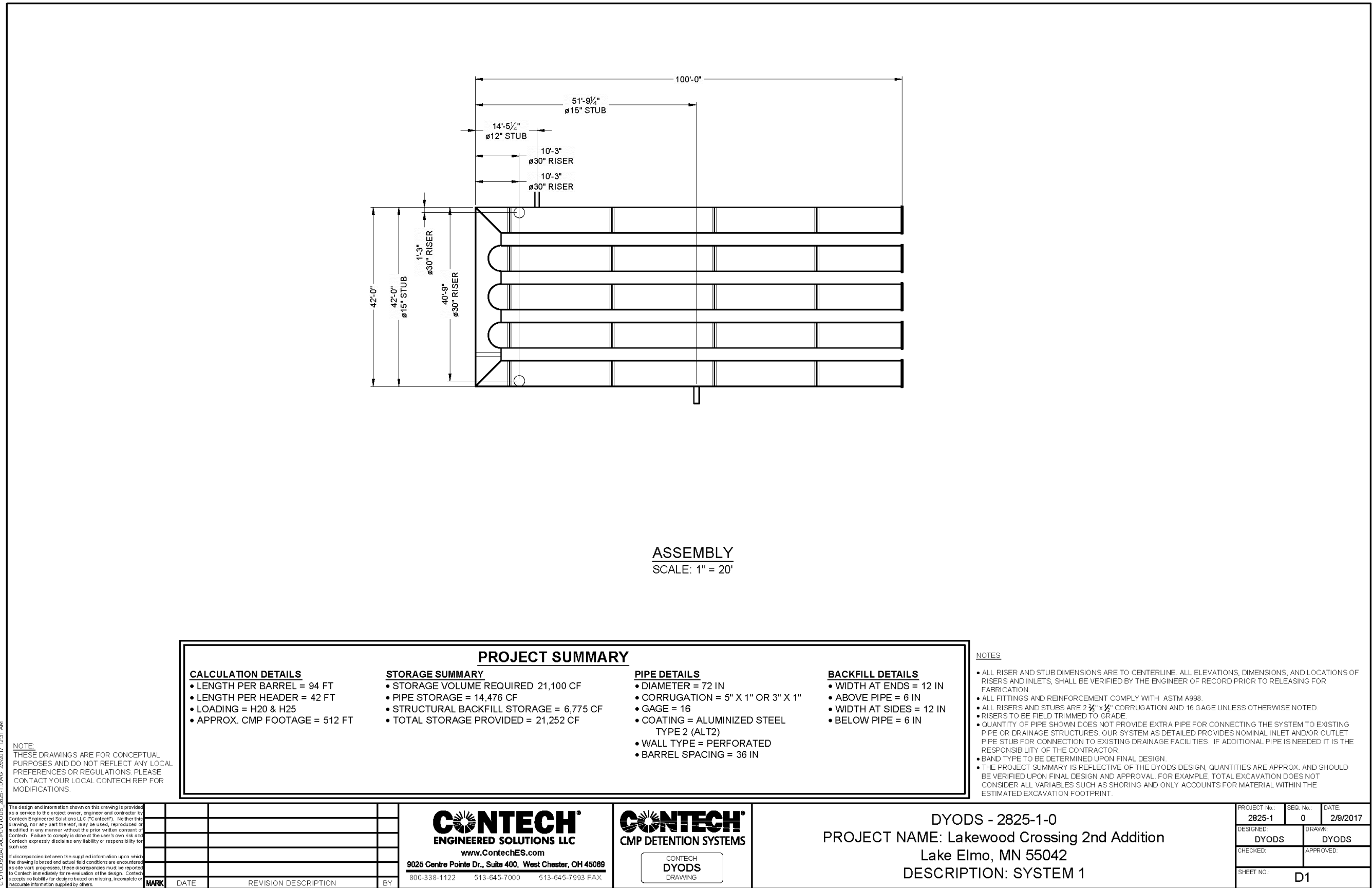
1.	04/26/17	Per City comments.
2.	05/24/17	Per City Comments.
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DRAWN BY: JTR
DESIGNED BY: JTR
ISSUE DATE: 02/03/17

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

Name: Joseph T. Radach, P.E.
Signature:
Date: 02/03/17 License #: 45899

C9 of 11



Carlson McCain
ENVIRONMENTAL · ENGINEERING · SURVEYING
3890 Pheasant Ridge Dr. NE #100, Blaine, MN
Phone: 763-489-7900 Fax: 763-489-7959

DETAILS (CMP SYSTEM)
LAKE ELMO SHOPPES
Lake Elmo, Minnesota

MFC PROPERTIES CORP.
3460 Washington Drive, Suite 100
Eagan, MN 55122

REVISIONS
1. 04/26/17 Per City comments.
2. 05/24/17 Per City Comments.
3.
4.
5.
6.

DRAWN BY: JTR
DESIGNED BY: JTR
ISSUE DATE: 02/03/17

Signature: Joseph T. Radach, P.E.
Date: 02/03/17 **License #:** 45889

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of
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NOTE:
THESE DRAWINGS ARE FOR CONCEPTUAL PURPOSES AND DO NOT REFLECT ANY LOCAL PREFERENCES OR REGULATIONS. PLEASE CONTACT YOUR LOCAL CONTECH REP FOR MODIFICATIONS.

NOTES:
1. ALL RISER AND STUB DIMENSIONS ARE TO CENTERLINE. ALL ELEVATIONS, DIMENSIONS, AND LOCATIONS OF RISERS AND INLETS, SHALL BE VERIFIED BY THE ENGINEER OF RECORD PRIOR TO RELEASING FOR CONSTRUCTION.
2. ALL FITTINGS AND REINFORCEMENT COMPLY WITH ASTM A500.
3. ALL RISERS AND STUBS ARE 2'-0" O.C. CORRUGATION AND 16 GAUGE UNLESS OTHERWISE NOTED.
4. RISERS TO BE FIELD TRIMMED TO GRADE.
5. QUANTITY OF PIPE SHOWN DOES NOT PROVIDE EXTRA PIPE FOR CONNECTING THE SYSTEM TO EXISTING PIPE OR DRAINAGE STRUCTURES. OUR SYSTEM AS DETAIL PROVIDES NORMAL INLET AND/OR OUTLET PIPE STUB FOR CONNECTION TO EXISTING DRAINAGE FACILITIES. IF ADDITIONAL PIPE IS NEEDED IT IS THE RESPONSIBILITY OF THE CONTRACTOR.
6. ROAD TYPE TO BE DETERMINED UPON FINAL DESIGN.
7. THE PROJECT SUMMARY IS REFLECTIVE OF THE DYODS DESIGN. QUANTITIES ARE APPROX. AND SHOULD BE VERIFIED UPON FINAL DESIGN AND APPROVAL. FOR EXAMPLE, TOTAL EXCAVATION DOES NOT CONSIDER ALL VARIABLES SUCH AS SHORING AND ONLY ACCOUNTS FOR MATERIAL WITHIN THE ESTIMATED EXCAVATION FOOTPRINT.

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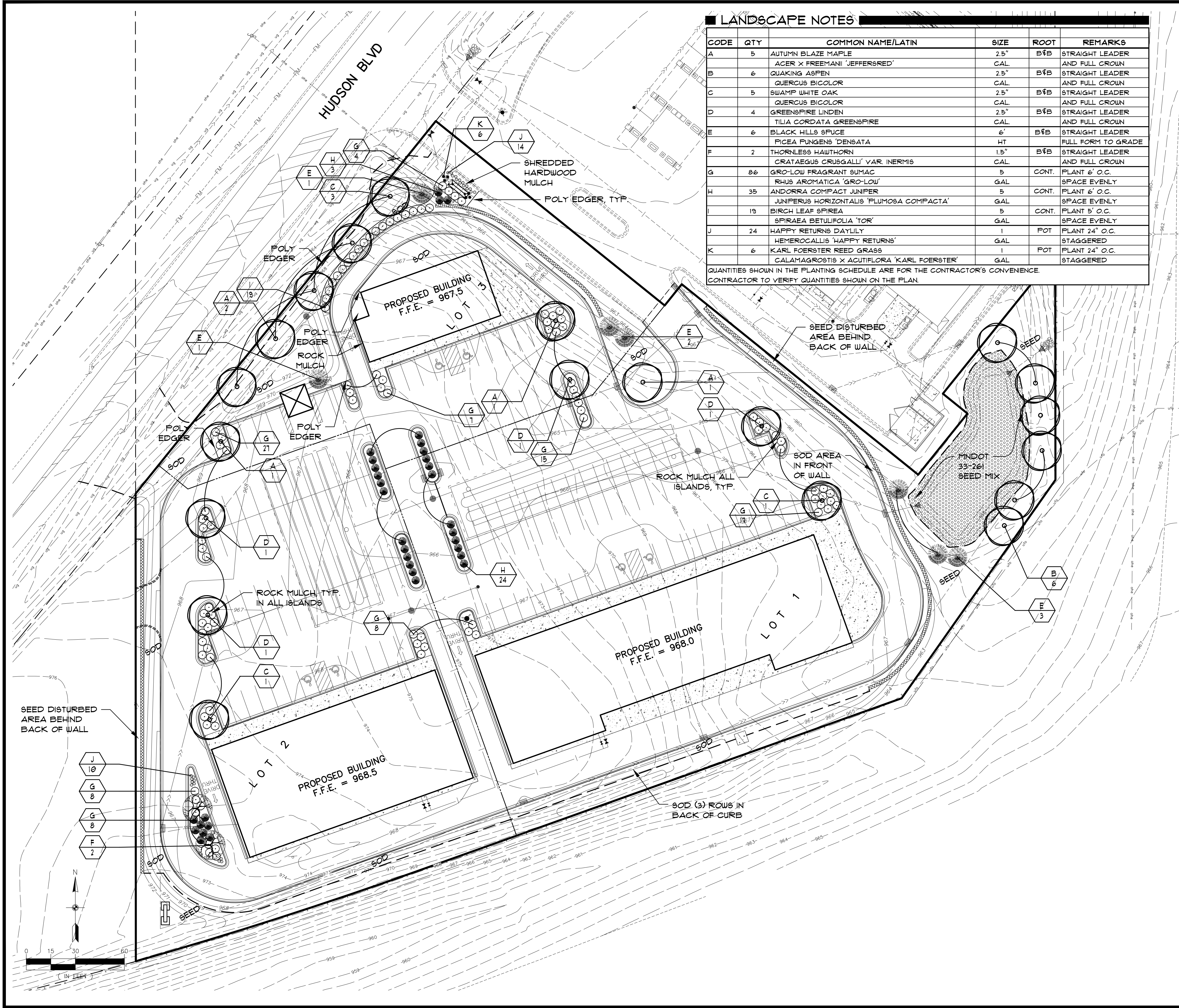
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LANDSCAPE NOTES

CODE	QTY	COMMON NAME/LATIN	SIZE	ROOT	REMARKS
A	5	AUTUMN BLAZE MAPLE	2.5"	B&B	STRAIGHT LEADER
		ACER X FREEMANI 'JEFFERRED'	CAL		AND FULL CROWN
B	6	QUAKING ASPEN	2.5"	B&B	STRAIGHT LEADER
		QUERCUS BICOLOR	CAL		AND FULL CROWN
C	5	SWAMP WHITE OAK	2.5"	B&B	STRAIGHT LEADER
		QUERCUS BICOLOR	CAL		AND FULL CROWN
D	4	GREENSPIRE LINDEN	2.5"	B&B	STRAIGHT LEADER
		TILIA CORDATA GREENSPIRE	CAL		AND FULL CROWN
E	6	BLACK HILLS SPICE	6'	B&B	STRAIGHT LEADER
		PICEA FUNGENS 'DENSATA'	HT		FULL FORM TO GRADE
F	2	THORNLESS HAWTHORN	1.5"	B&B	STRAIGHT LEADER
		CRATAEGUS CRUGGALLI' VAR. INERMIS	CAL		AND FULL CROWN
G	86	GRO-LOW FRAGRANT SUMAC	5	CONT.	PLANT 6' O.C.
		RHUS AROMATICA 'GRO-LOW'	GAL		SPACE EVENLY
H	35	ANDORRA COMPACT JUNIPER	5	CONT.	PLANT 6' O.C.
		JUNIPERUS HORIZONTALIS 'FLUMOSA COMPACTA'	GAL		SPACE EVENLY
I	19	BIRCH LEAF SPIREA	5	CONT.	PLANT 5' O.C.
		SPIRAEA BETULIFOLIA 'TOR'	GAL		SPACE EVENLY
J	24	HAPPY RETURNS DAYLILY	1	POT	PLANT 24" O.C.
		HEMEROCALLIS 'HAPPY RETURNS'	GAL		STAGGERED
K	6	KARL FOERSTER REED GRASS	1	POT	PLANT 24" O.C.
		CALAMAGROSTIS X ACUTIFLORA 'KARL FOERSTER'	GAL		STAGGERED

QUANTITIES SHOWN IN THE PLANTING SCHEDULE ARE FOR THE CONTRACTOR'S CONVENIENCE. CONTRACTOR TO VERIFY QUANTITIES SHOWN ON THE PLAN.

LANDSCAPE NOTES

- IRRIGATION SHALL BE PROVIDED FOR ALL SOD AND LANDSCAPE AREAS.
- SOD AND IRRIGATE ALL DISTURBED AREAS UNLESS OTHERWISE NOTED.
- LANDSCAPE BEDS TO RECEIVE 3" OF SHREDDED HARDWOOD MULCH UNLESS OTHERWISE NOTED.
- ROCK MULCH = 1-1/2" DRESSER TRAP ROCK @ 3" DEPTH WHERE NOTED.
- HEAVY COMMERCIAL GRADE POLY EDGER SHALL BE USED AROUND THE PERIMETER OF LANDSCAPE BEDS NOTED ON PLAN.
- REFER TO DETAIL SHEET L2 FOR GENERAL NOTES, PLANTING SPECIFICATIONS, PLANTING DETAILS.
- REFER TO GRADING PLAN FOR GRADES AND EROSION CONTROL.
- REMOVE ANY BURLAP, TWINE, ROPES AND/OR WIRING FROM THE TOP AND SIDES OF ROOTBALL FOR ALL BALLED AND BURLAPPED PLANTS.
- REMOVE CONTAINERS AND CUT CIRCLING ROOTS IF PLANTS ARE CONTAINER GROWN.
- ALL PLANTINGS SHALL RECEIVE FERTILIZER AS FOLLOWS:
 - 0-20-20 GRANULAR FERTIZER APPLIED AT THE TIME OF PLANTING AT A RATE OF 12 OZ PER 2.5 CALIPER INCHES OF TREE AND 6 OZ PER SHRUB.
- PLACE LANDSCAPE FILTER FABRIC UNDER ALL MULCHED AREAS. FILTER FABRIC SHALL BE 100% INTERWOVEN 5.1OZ NEEDLE PUNCHED POLYPROPYLENE FABRIC MANUFACTURED BY DEWITT. USE PRO 5 "WEED BARRIER" OR APPROVED EQUAL.

LANDSCAPE REQUIREMENTS

- A MINIMUM OF (1) TREE PER 50 LF OF STREET FRONTAGE.
- ADDITIONALLY, (5) TREES SHALL BE PLANTED PER (1) ACRE OF DEVELOPED LAND OR DISTURBED BY DEVELOPMENT ACTIVITY

TOTAL STREET FRONTAGE = 296 LF. 6 TREES REQUIRED
OVERALL SITE ACREAGE = 3.82. 19 TREES REQUIRED.
TOTAL TREES REQUIRED = 25
TOTAL TREES PROVIDED = 25

MNDOT 33-261 SEED MIX

Common Name	Scientific Name	Rate (lb/ac)	Rate (kg/ha)	% of Mix (by weight)	Seeds/ sq ft
big bluestem	Andropogon gerardii	2.00	2.24	5.72%	7.35
fringed brome	Bromus ciliatus	2.00	2.24	5.73%	8.10
virginia wild rye	Elymus virginicus	1.50	1.68	4.28%	2.31
low bluegrass	Poa palustris	1.06	1.19	3.03%	50.70
slender wheatgrass	Elymus trachycaulus	1.00	1.12	2.85%	2.53
switchgrass	Panicum virgatum	0.38	0.43	1.07%	1.93
prairie cordgrass	Spartina pectinata	0.38	0.43	1.07%	0.91
indian grass	Sorghastrum nutans	0.12	0.13	0.36%	0.55
bluejoint	Calamagrostis canadensis	0.06	0.07	0.18%	6.40
Grasses Subtotal		8.50	9.53	24.29%	80.78
awl-fruited sedge	Carex stipata	0.25	0.28	0.71%	3.10
dark green bulrush	Scirpus atrovirens	0.19	0.21	0.54%	31.70
woolgrass	Scirpus cyperinus	0.06	0.07	0.18%	39.00
Sedges & Rushes Subtotal		0.50	0.56	1.43%	73.80
golden alexanders	Zizia aurea	0.20	0.22	0.56%	0.79
autumn sneezeweed	Helenium autumnale	0.13	0.15	0.36%	5.97
marsh milkweed	Asclepias incarnata	0.11	0.12	0.32%	0.20
leafy beggaricks	Bidens frondosa	0.11	0.12	0.31%	0.20
Canada anemone	Anemone canadensis	0.07	0.08	0.19%	0.20
obedient plant	Physostegia virginiana	0.07	0.08	0.21%	0.30
tall coneflower	Rudbeckia laciniata	0.07	0.08	0.21%	0.37
Symphyotrichum novae-angliae		0.07	0.08	0.19%	1.56
flat topped aster	Doellingeria umbellata	0.06	0.07	0.17%	1.50
spotted Joe pye weed	Eutrochium maculatum	0.06	0.07	0.18%	2.19
blue vervain	Verbena hastata	0.05	0.06	0.15%	1.85
Forbs Subtotal		1.80	1.12	2.85%	15.13
Oats	Avena sativa	25.00	28.02	71.43%	11.14
Cover Crop Subtotal		25.00	28.02	71.43%	11.14
Total		35.00	39.23	100.00%	180.85
Purpose:	Stormwater pond edges, temporarily flooded dry ponds, and temporarily flooded ditch bottoms.				
Planting Area:	Tallgrass Aspen Parklands, Prairie Parklands, and Eastern Broadleaf Forest Provinces. MNDOT Districts 2 (west), 3B, 4, Metro, 5, 7 & 8.				



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LANDSCAPE PLAN

LAKE ELMO SHOPPES
Lake Elmo, Minnesota

MFC PROPERTIES CORP.
3460 Washington Drive, Suite 100
Eagan, MN 55122

REVISIONS	
1.	04/26/17 PER CITY COMMENT
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DRAWN BY:	SDB
DESIGNED BY:	SDB
ISSUE DATE:	02/03/17

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 Landscape Architect under the laws of the State of Minnesota

Name: James A. Kalkes RLA
Signature: *James A. Kalkes*
Date: 05/24/17 License #: 45071

GENERAL NOTES:

- LANDSCAPE CONTRACTOR TO VERIFY ALL UTILITY LOCATIONS ON THE PROPERTY WITH THE GENERAL CONTRACTOR AND BY GOPHER STATE ONE CALL PRIOR TO STAKING PLANT LOCATIONS.
- COORDINATE THE PHASES OF CONSTRUCTION AND PLANTING INSTALLATION WITH OTHER CONTRACTORS WORKING ON THE SITE.
- WHERE EXISTING TREES AND/OR SIGNIFICANT SHRUB MASSINGS ARE FOUND ON THE SITE WHETHER SHOWN ON THE DRAWINGS OR NOT, THEY SHALL BE PROTECTED AND SAVED UNLESS NOTED TO BE REMOVED AND/OR ARE WITHIN THE GRADING LIMITS. ANY QUESTION REGARDING WHETHER PLANT MATERIAL SHOULD OR SHOULD NOT REMAIN SHOULD BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT PRIOR TO REMOVAL.
- ALL EXISTING TREES TO REMAIN SHALL BE FERTILIZED AND PRUNED TO REMOVE DEAD WOOD AND DAMAGED OR RUBBING BRANCHES.
- BB TREES AND SHRUBS ARE BALLED AND BURLAPPED.
- NO PLANT MATERIAL SUBSTITUTIONS WILL BE ACCEPTED UNLESS APPROVAL IS REQUESTED OF THE LANDSCAPE ARCHITECT BY THE LANDSCAPE CONTRACTOR PRIOR TO SUBMISSION OF BID AND/OR QUOTATION.
- ALL PLANT MATERIAL SHALL COMPLY WITH THE LATEST ADDITION OF THE AMERICAN STANDARD FOR NURSERY STOCK, AMERICAN ASSOCIATION OF NURSERYMEN.
- THE CONTRACTOR IS RESPONSIBLE FOR ON-GOING MAINTENANCE OF ALL NEWLY INSTALLED MATERIALS UNTIL TIME OF OWNER ACCEPTANCE. ANY ACTS OF VANDALISM OR DAMAGE WHICH MAY OCCUR PRIOR TO OWNER ACCEPTANCE SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR.
- CONTRACTOR SHALL PROVIDE A WRITTEN REQUEST FOR THE OWNER ACCEPTANCE INSPECTION.
- WARRANTY FOR THE LANDSCAPE MATERIALS SHALL BEGIN ON THE DATE OF ACCEPTANCE BY THE LANDSCAPE ARCHITECT AFTER THE COMPLETION OF PLANTING ALL LANDSCAPE MATERIALS. NO PARTIAL ACCEPTANCE WILL BE CONSIDERED.
- CONTRACTOR SHALL GUARANTEE NEW PLANT MATERIAL THROUGH ONE CALENDAR YEAR FROM THE DATE OF OWNER ACCEPTANCE WITH ALL REPLACEMENTS TO BE PROVIDED AT NO ADDITIONAL COST TO THE OWNER.

IRRIGATION NOTES:

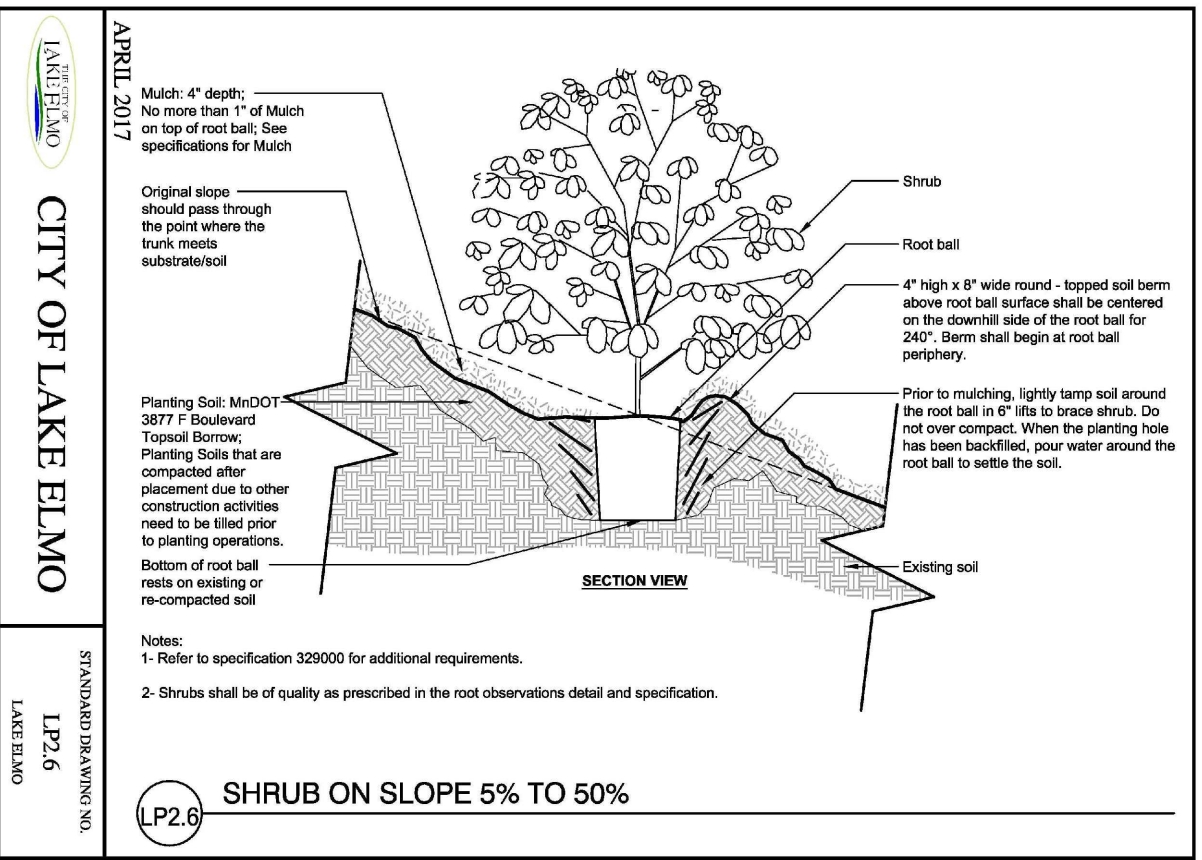
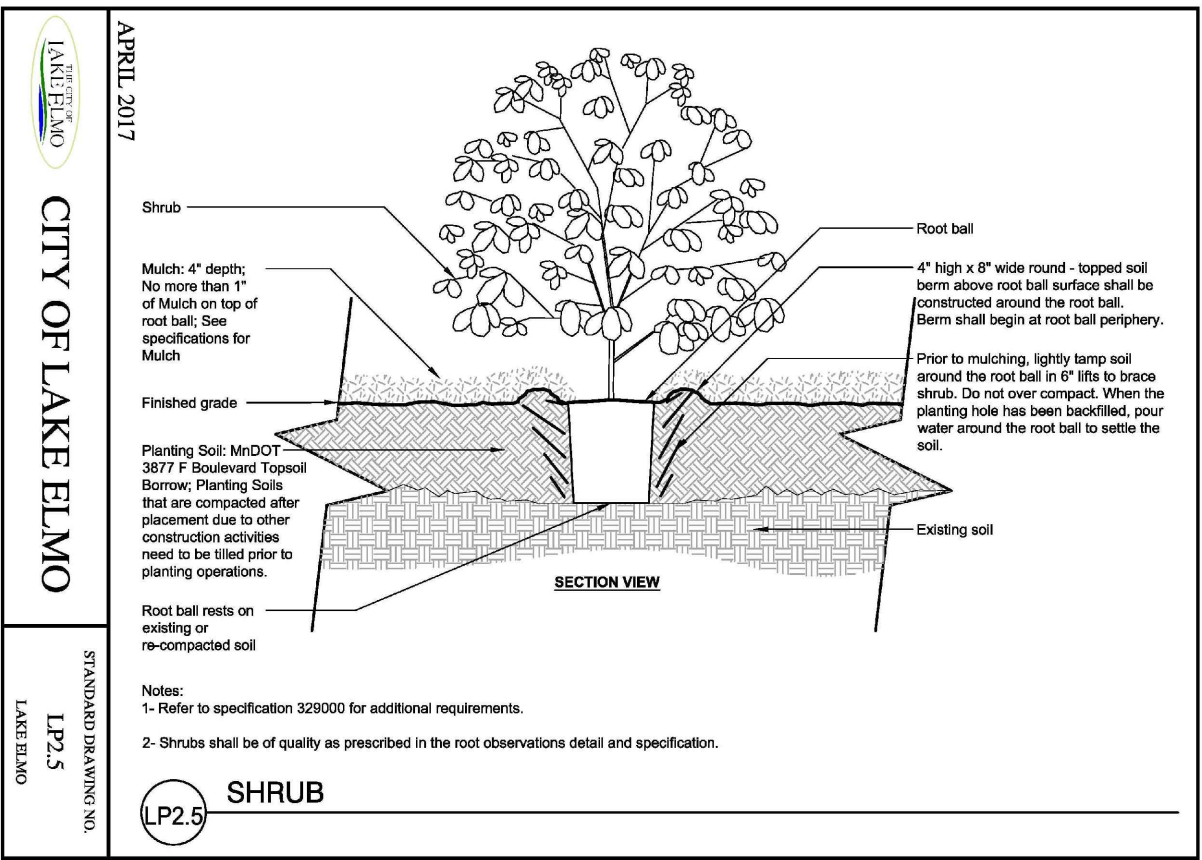
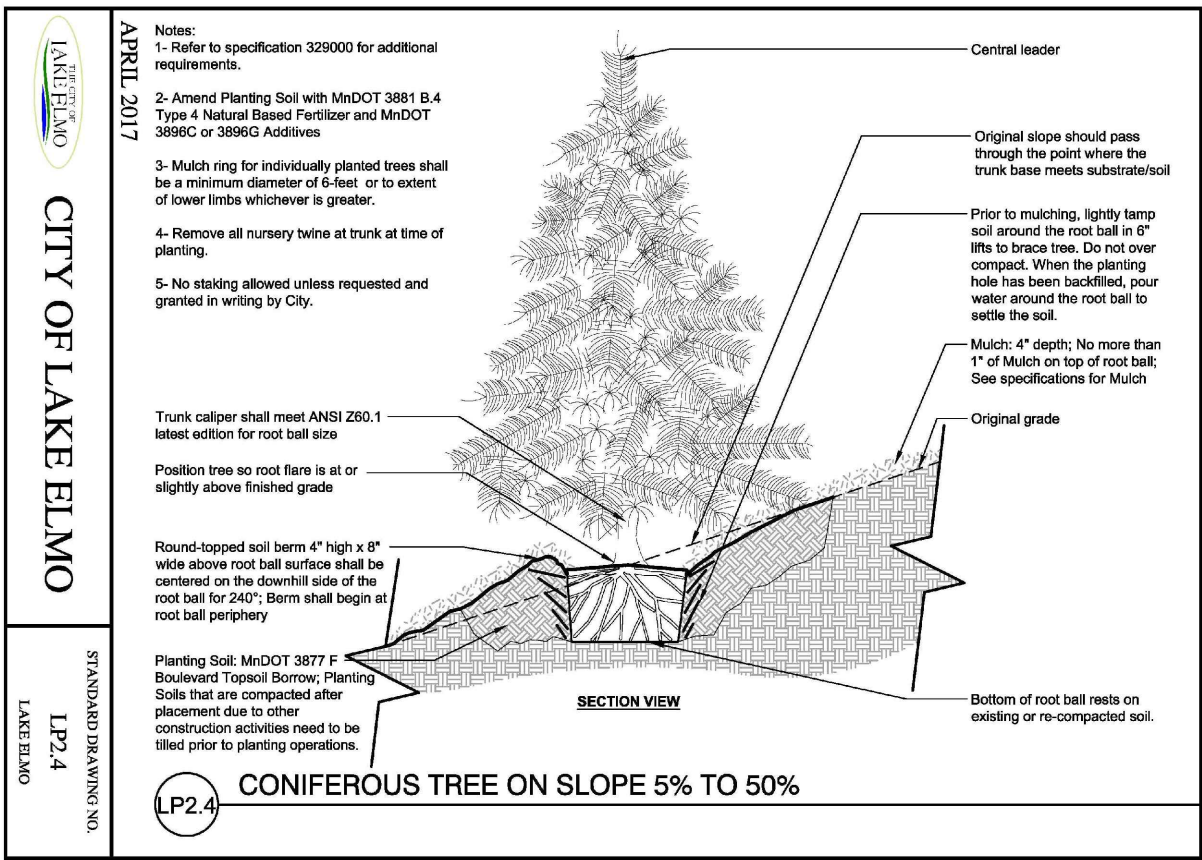
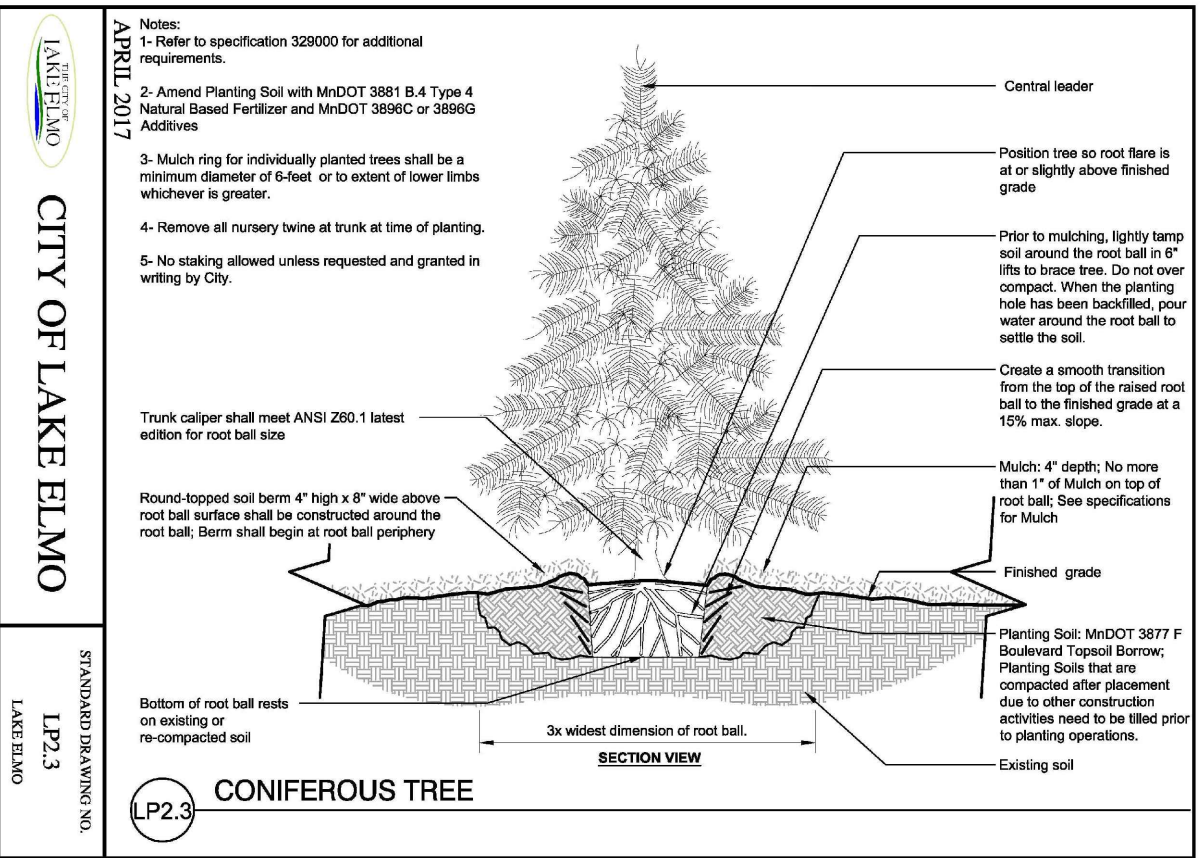
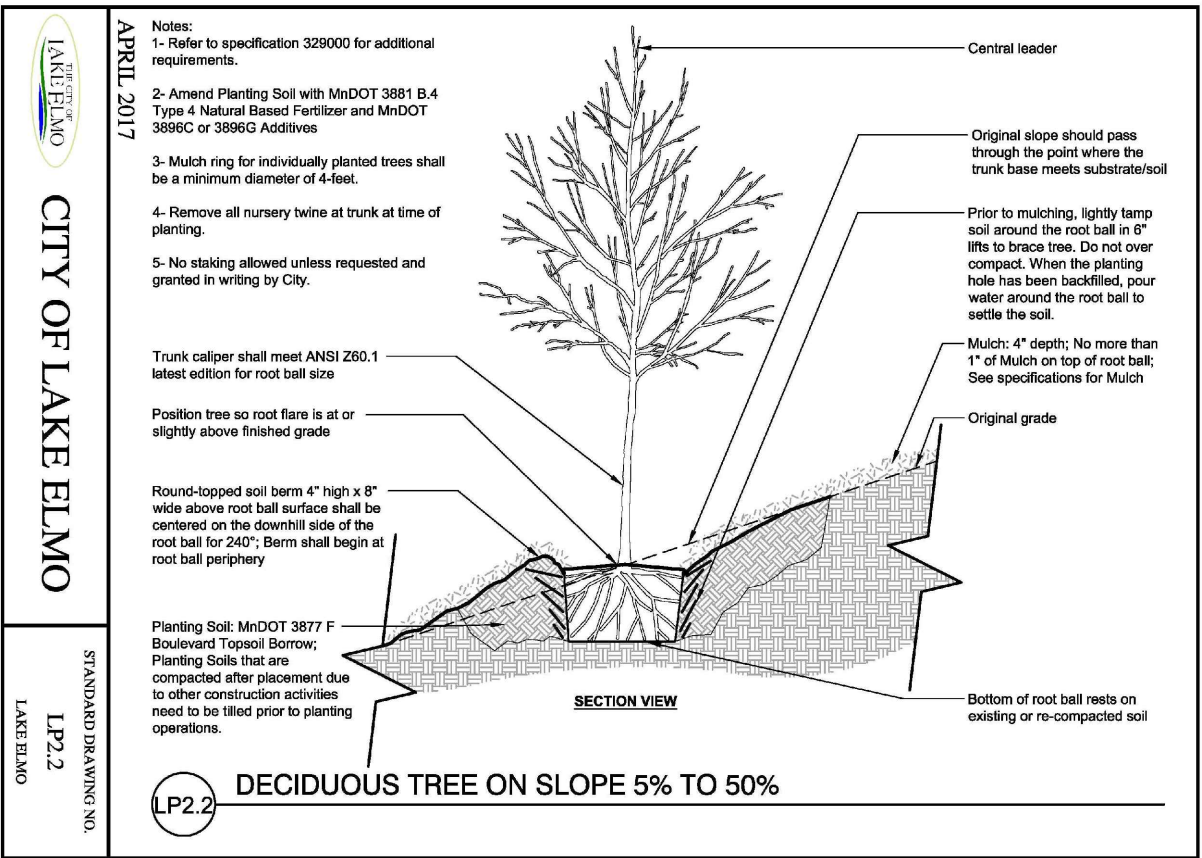
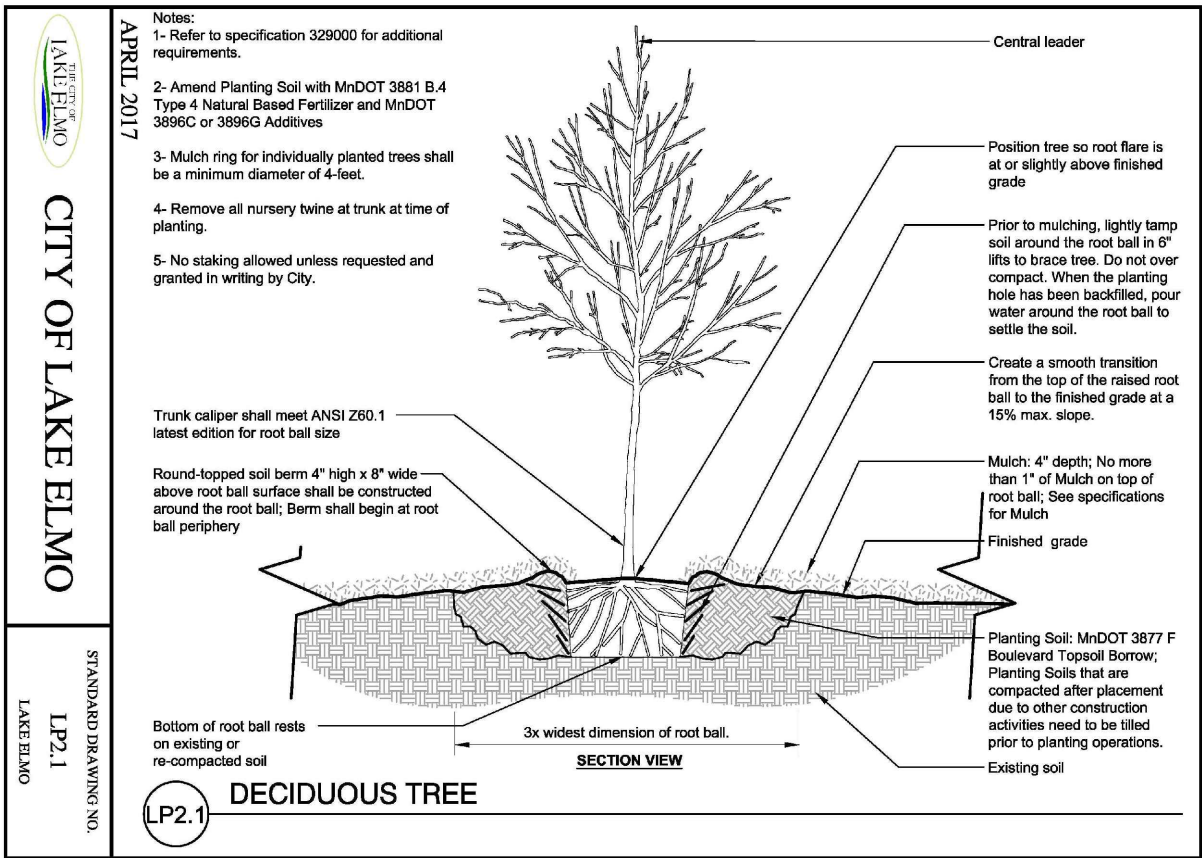
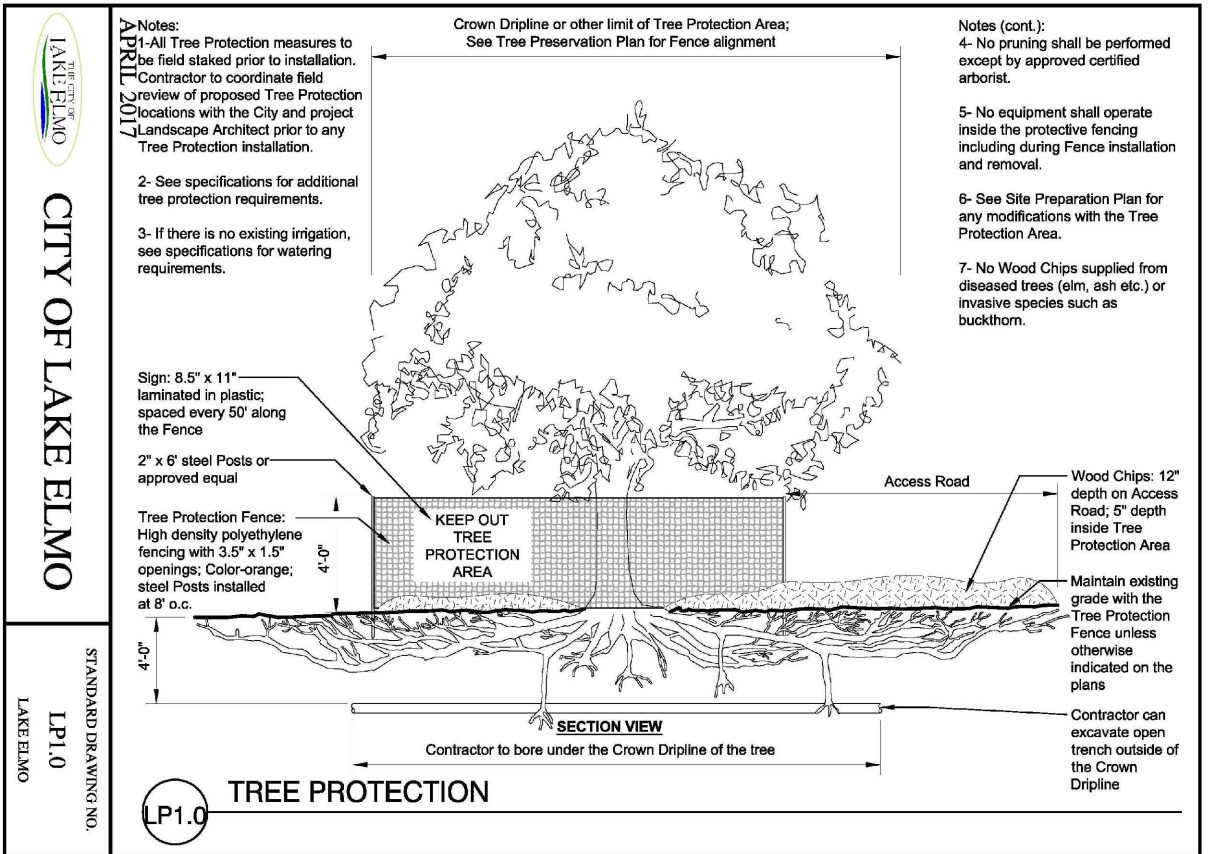
- LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING SHOP DRAWINGS ILLUSTRATING IRRIGATION PLANS AND SPECIFICATIONS AS PART OF THE SCOPE OF WORK WHEN BIDDING. THESE SHALL BE APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO ORDER.
- VERIFY EXISTING/PROPOSED SYSTEM LOCATION.
- UNLESS OTHERWISE NOTED, ALL SOD/SEED AND PLANTING AREAS INDICATED ON THE PLAN SHALL BE 100% IRRIGATED. THE IRRIGATION SHALL INCLUDE THE PUBLIC RIGHT OF WAY BETWEEN THE PROPERTY LINE AND BACK OF CURB WHERE NEW LANDSCAPE IMPROVEMENTS ARE PROPOSED.
- IT SHALL BE THE LANDSCAPE CONTRACTORS RESPONSIBILITY TO INSURE THAT ALL SODDED/SEEDED AND PLANTED AREAS ARE IRRIGATED PROPERLY, INCLUDING THOSE AREAS DIRECTLY AROUND AND ABUTTING BUILDING FOUNDATION.
- THE LANDSCAPE CONTRACTOR SHALL PROVIDE THE OWNER WITH A WATERING/LAWN IRRIGATION SCHEDULE APPROPRIATE TO THE PROJECT SITE CONDITIONS AND TO PLANT MATERIAL GROWTH REQUIREMENTS.

PLANTING SPECIFICATIONS:

- PLANTING BED PREPARATION: ALL MASS PLANTING BEDS SHALL BE TILLED TO A MINIMUM DEPTH OF 10". AMENDMENTS SHALL BE APPLIED AFTER CULTIVATION.
- BACKFILL SOIL: USE SOIL EXCAVATED FROM PLANTING HOLES & PROVIDE AMENDMENTS. REMOVE ALL DEBRIS AND ROCKS LARGER THAN 3" IN DIA.
- FERTILIZATION: IT IS RECOMMENDED THAT NEWLY PLANTED TREES AND SHRUBS SHOULD NOT BE FERTILIZED THE FIRST YEAR. IF NECESSARY, BEGIN FERTILIZING TREES AND SHRUBS THE SECOND YEAR AFTER ESTABLISHMENT AT A RATIO AND RATE BASED ON A SOIL TEST.
- MULCH MATERIAL: AS SPECIFIED ON LANDSCAPE PLANS. MASS MULCH ALL PLANTING BEDS TO 3" DEPTH OVER FIBER MAT WEED BARRIER. ALL PERRENIAL PLANTING BEDS TO RECEIVE 3" DEEP SHREDDED HARDWOOD MULCH WITH NO FIBER WEED MAT BARRIER. ALL DECIDUOUS AND EVERGREEN TREES TO RECEIVE 6" DEEP SHREDDED HARDWOOD MULCH WITH NO MULCH IN DIRECT CONTACT WITH TREE TRUNK.
- TREE STAKING: IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO STAKE AND/OR GUY THE TREES ACCORDING TO THE DETAILS. IT IS THE CONTRACTOR'S RESPONSIBILITY TO TAKE EVERY STEP NECESSARY TO MAINTAIN THE TREES AND SHRUBS ON AN UPRIGHT AND PLUMB CONDITION AT ALL TIMES UNTIL THE END OF THE PLANT GUARANTEE PERIOD, ESPECIALLY WHERE VANDALISM, SOIL OR WIND CONDITIONS ARE A PROBLEM.
- TREE WRAPPING: WRAPPING MATERIAL SHALL BE QUALITY, HEAVY WATERPROOF CREPE PAPER MANUFACTURED FOR THIS PURPOSE. WRAP ALL DECIDUOUS TREES IN THE FALL PRIOR TO 12-1 AND REMOVE ALL WRAPPING BY 5-1.
- RODENT PROTECTION: PROVIDE ON ALL TREES, EXCEPT SPRUCE UNLESS OTHERWISE NOTED.
- PLANTING PLAN: ALL PROPOSED PLANTS SHALL BE LOCATED CAREFULLY AS SHOWN ON THE PLANS. THE PLAN TAKES PRECEDENCE OVER THE NOTES. RESPECT STATED DIMENSIONS. DO NOT SCALE DRAWINGS.
- EDGING: EDGING SHALL BE 4" P.V.C COMMERCIAL GRADE EDGING WITH THREE (3) METAL ANCHOR STAKES PER 20 FOOT SECTION, UNLESS OTHERWISE NOTED ON THE PLAN. ALL MASS PLANTING BEDS SHALL HAVE EDGING PLACED BETWEEN MULCH AND ANY ADJACENT TURF AREAS.

PLANTING NOTES:

- NO PLANTING TO BE INSTALLED UNTIL GRADING AND CONSTRUCTION HAS BEEN COMPLETED IN THE IMMEDIATE AREA.
- ALL PLANT MATERIAL LOCATIONS MUST BE REVIEWED AND APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO ANY AND ALL DIGGING.
- IF THE LANDSCAPE CONTRACTOR PERCEIVES AND DEFICIENCIES IN THE PLANT SELECTIONS, SOIL CONDITIONS, OR ANY OTHER SITE CONDITION WHICH MIGHT NEGATIVELY AFFECT PLANT MATERIAL ESTABLISHMENT, SURVIVAL OR GUARANTEE, THEY SHALL BRING THESE DEFICIENCIES TO THE ATTENTION OF THE LANDSCAPE ARCHITECT PRIOR TO INSTALLATION.
- ADJUSTMENTS IN THE LOCATION OF PROPOSED PLANT MATERIAL MAY BE NEEDED IN THE FIELD. SHOULD AN ADJUSTMENT BE ADVISED, THE LANDSCAPE ARCHITECT MUST BE NOTIFIED.
- ALL PLANTS TO BE INSTALLED PER PLANTING DETAILS.
- ONE SHRUB PER TYPE AND SIZE IN EACH PLANTING BED AND EVERY TREE SHOULD BE CLEARLY IDENTIFIED (COMMON OR LATIN NOMENCLATURE) WITH A PLASTIC TAG WHICH SHALL NOT BE REMOVED PRIOR TO OWNER ACCEPTANCE.
- WHERE SOD/SEED ABUTS PAVED SURFACES, FINISHED GRADE OF SEED/SOD SHALL BE HELD 1" BELOW SURFACE ELEVATION OF TRAIL, SLAB, CURB, ETC.
- SOD SHALL BE LAID PARALLEL TO THE CONTOURS AND SHALL HAVE STAGGERED JOINTS. ON SLOPES STEEPER THAN 3 : 1 OR IN DRAINAGE SWALES, THE SOD SHALL BE STAKED TO THE GROUND.
- SEED ALL AREAS DISTURBED DUE TO GRADING OTHER THAN THOSE TO RECEIVE SOD.
- REPAIR ALL DAMAGE TO PROPERTY FROM PLANTING OPERATORS AT NO COST TO THE OWNER.



Carlson McCain
ENVIRONMENTAL - ENGINEERING - SURVEYING
3890 Pheasant Ridge Dr. NE #100, Blaine, MN
Phone: 763-489-7900 Fax: 763-489-7959

LANDSCAPE DETAILS

LAKE ELMO SHOPPES
Lake Elmo, Minnesota

MFC PROPERTIES CORP.
3460 Washington Drive, Suite 100
Eagan, MN 55122

REVISIONS	
1.	04/26/17 PER CITY COMMENT
2.	
3.	
4.	
5.	
6.	
DRAWN BY: SDB	
DESIGNED BY: SDB	
ISSUE DATE: 02/03/17	

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 Landscape Architect under the laws of the State of Minnesota

Name: James A. Kalkes
Signature: *James A. Kalkes*
Date: 05/24/17 License #: 45071

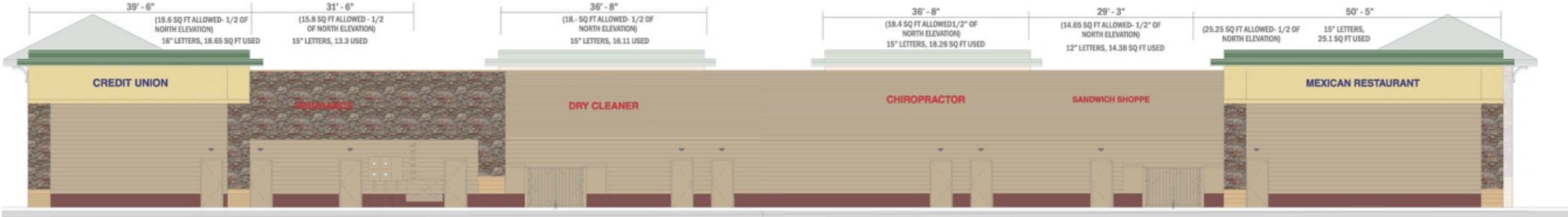
L2
of
2



1X PER LF OF FRONTAGE

1
1

PROPOSED: NORTH ELEVATION (FRONT), ILLUMINATED CHANNEL LETTERS. 5" RETURNS, 1" TRIMCAP, 3/16" ACRYLIC FACES.
SCALE: 1"=20'-0"



1/2X SQ FT OF NORTH EL

2
1

PROPOSED: SOUTH ELEVATION (BACK), ILLUMINATED CHANNEL LETTERS. 5" RETURNS, 1" TRIMCAP, 3/16" ACRYLIC FACES.
SCALE: 1"=20'-0"



2.5X PER LF OF FRONTAGE

1
1

PROPOSED: NORTH ELEVATION (FRONT), ILLUMINATED CHANNEL LETTERS. 5" RETURNS, 1" TRIMCAP, 3/16" ACRYLIC FACES.
SCALE: 1"=20'-0"



2.5X PER LF OF FRONTAGE

2
1

PROPOSED: SOUTH ELEVATION (BACK), ILLUMINATED CHANNEL LETTERS. 5" RETURNS, 1" TRIMCAP, 3/16" ACRYLIC FACES.
SCALE: 1"=20'-0"



1.5X PER LF OF FRONTAGE

3
1

PROPOSED: WEST & EAST ELEVATIONS, ILLUMINATED CHANNEL LETTERS. 5" RETURNS, 1" TRIMCAP, 3/16" ACRYLIC FACES.
SCALE: 1"=20'-0"

NOTE:
COLORS, TENANT PANEL
CONFIGURATION AND DESIGN
ELEMENTS ARE SHOWN ONLY
TO REPRESENT PROPOSED
SIZES AND DIMENSIONS.
ALL ARE SUBJECT TO CHANGE.



3
1

PROPOSED: ILLUMINATED MONUMENT SIGN WITH TENANT PANELS

SCALE: 1/2" = 1' - 0"

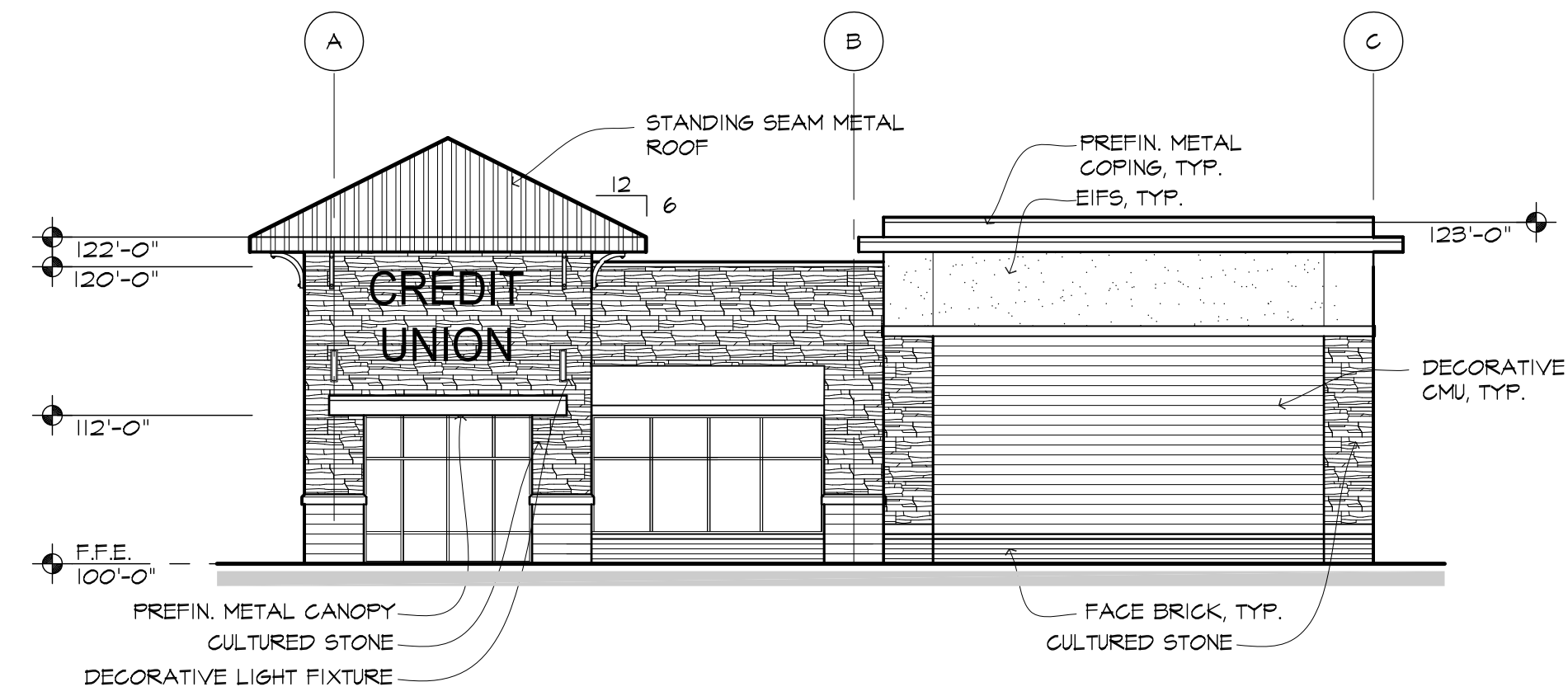
NOTE:
COLORS, TENANT PANEL
CONFIGURATION AND DESIGN
ELEMENTS ARE SHOWN ONLY
TO REPRESENT PROPOSED
SIZES AND DIMENSIONS.
ALL ARE SUBJECT TO CHANGE.



4
1

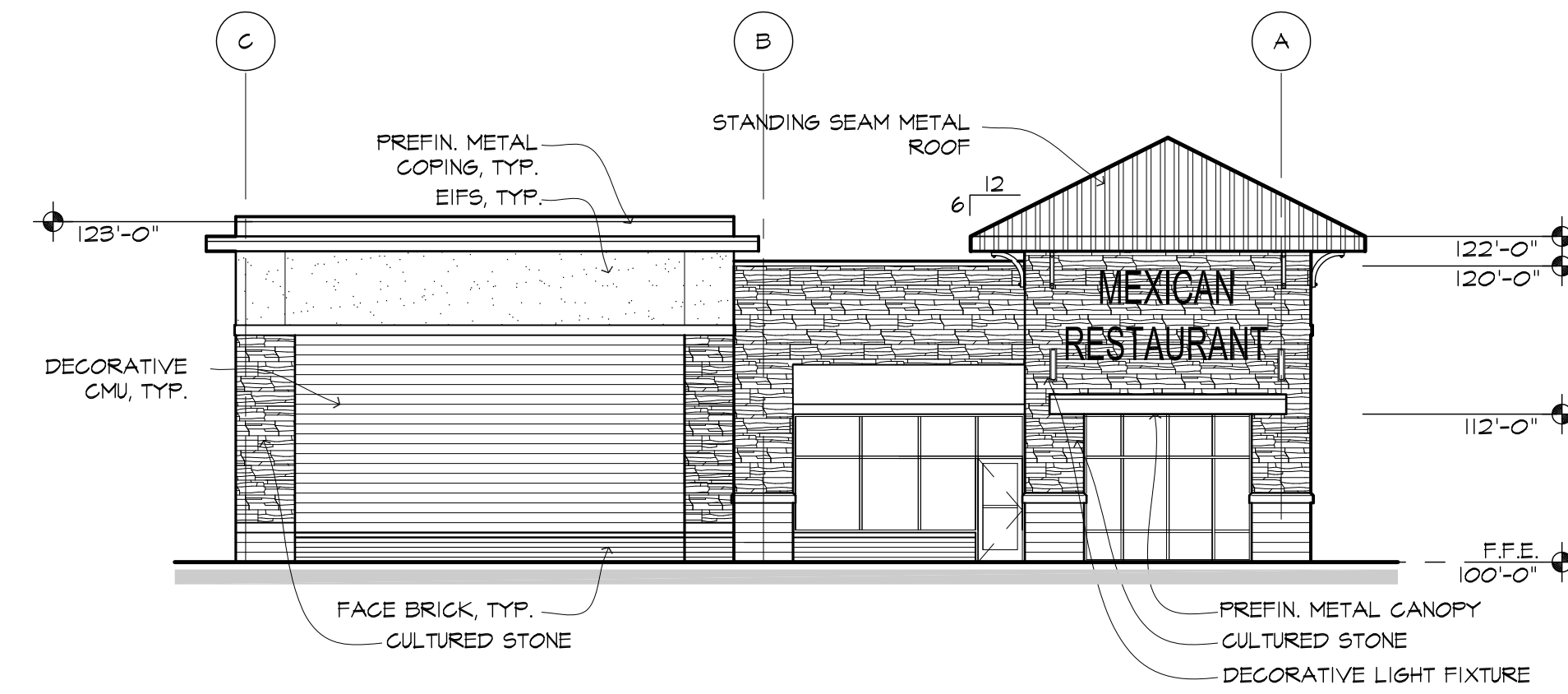
PROPOSED: ILLUMINATED MAIN ID PYLON SIGN WITH TENANT PANELS

SCALE: 1/4" = 1' - 0"



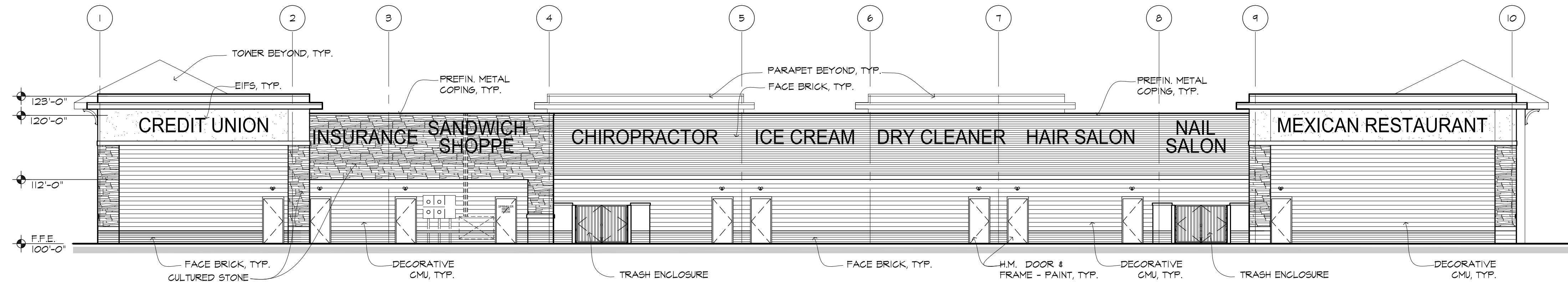
1 WEST ELEVATION

3/32" = 1'-0"



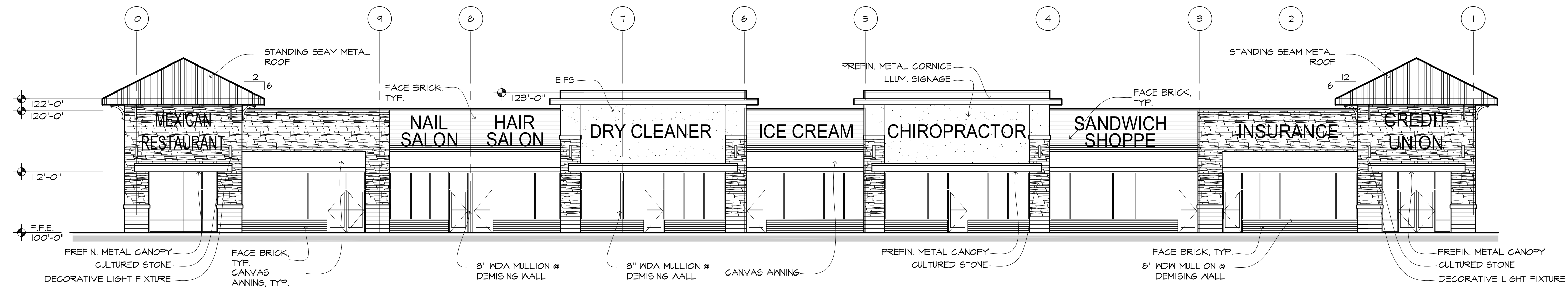
2 EAST ELEVATION

3/32" = 1'-0"



3 SOUTH ELEVATION

3/32" = 1'-0"



4 NORTH ELEVATION

3/32" = 1'-0"

Mark	Revision / Issue	Date
	CITY SUBMITTAL	05/01/17

PRELIMINARY
NOT FOR CONSTRUCTION

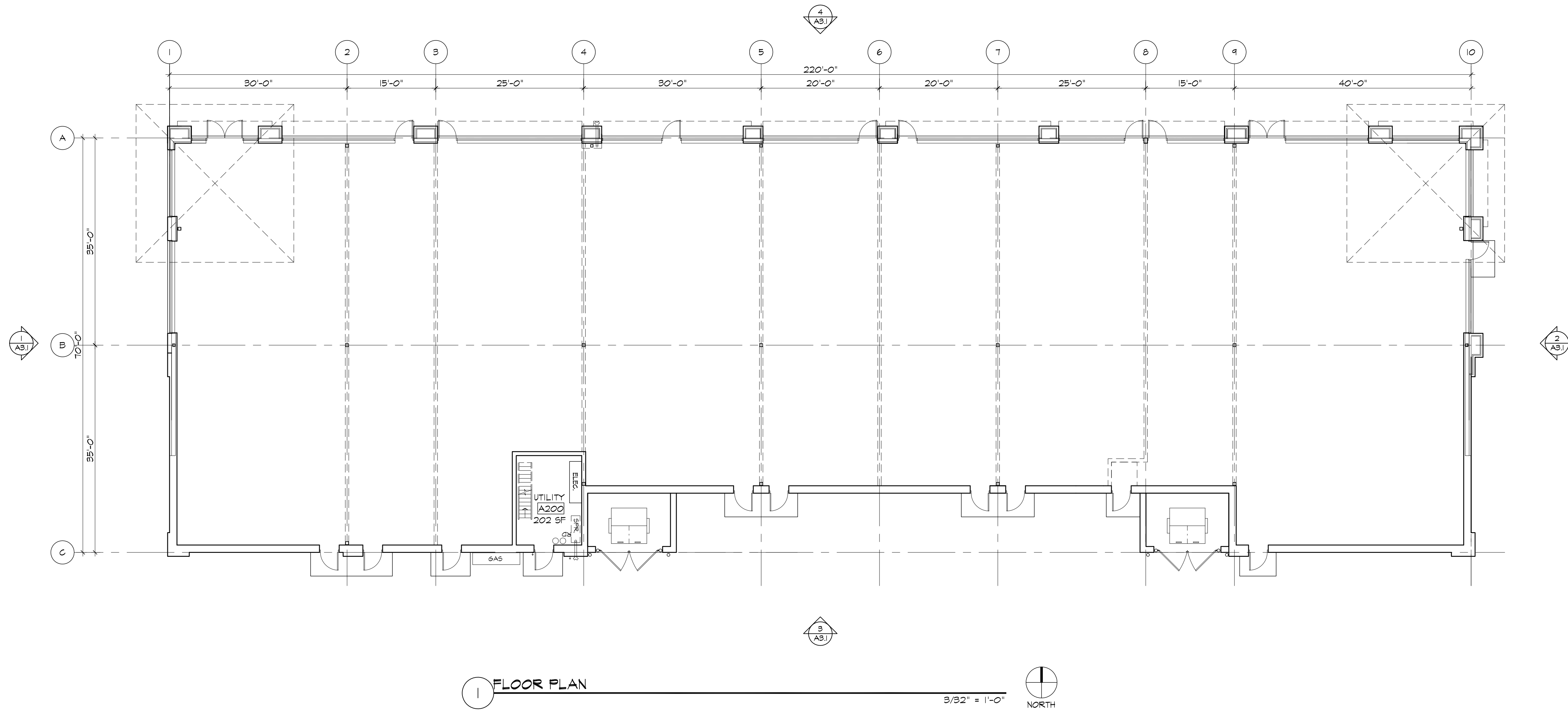
**LAKE ELMO
SHOPPES**

LAKE ELMO, MN

**PROPOSED EXTERIOR
ELEVATIONS**

PROJECT NUMBER:	17-1001-01
ISSUED DATE:	05-01-17
DRAWN BY:	MR
CHECKED BY:	KA

A3.1



1 FLOOR PLAN
3/32" = 1'-0"
NORTH

Mark	Revision / Issue	Date
	CITY SUBMITTAL	05/01/17

PRELIMINARY
NOT FOR CONSTRUCTION

LAKE ELMO
SHOPPES

LAKE ELMO, MN

PROPOSED
FLOOR PLAN

PROJECT NUMBER:	17-1001-01
ISSUED DATE:	05-01-17
DRAWN BY:	MR
CHECKED BY:	KA

A2.1

MEMORANDUM

FOCUS ENGINEERING, inc.

Cara Geheren, P.E. 651.300.4261
Jack Griffin, P.E. 651.300.4264
Ryan Stempski, P.E. 651.300.4267
Chad Isakson, P.E. 651.300.4285

Date: May 31, 2017

To: Emily Becker, City Planner
Cc: Stephen Wensman, Planning Director
From: Jack Griffin, P.E., City Engineer

Re: Lakewood Crossing 2nd Addition
Preliminary/Final Plat Review

An engineering review has been completed for the Lakewood Crossing 2nd Addition Preliminary/Final Plat. The submittal consisted of the following documentation received on May 30, 2017 and prepared by Carlson McCain:

- Lake Elmo Shoppes Site Improvement Plans dated May 24, 2017.
- Lake Elmo Shoppes Stormwater Management Plans dated April 26, 2017.
- Lakewood Crossing 2nd Addition Plat dated April 26, 2017.
- Narrative, not dated.

STATUS/FINDINGS: Following comments should be incorporated as conditions of Preliminary/Final Plat approval.

FINAL PLAT: LAKEWOOD CROSSING 2ND ADDITION

- The Final Plat shall not be recorded until final construction plan approval is granted and all easements as requested by the City Engineer and Public Works department are documented on the Final Plat.
- No construction for Lakewood Crossing 2nd Addition may begin until the applicant has received City Engineer approval for the Final Construction Plans; the applicant has obtained and submitted to the City all applicable permits, easements and permissions needed for the project; and a preconstruction meeting has been held by the City's engineering department.
- Final Construction Plans and Specifications must be prepared for any phased site improvements and submitted for review and approval by the City Engineer prior to construction. The Final Construction Plans and Specifications must be prepared in accordance with the City Engineering Design Standards Manual using City details, plan notes and specifications and meeting City Engineering Design Guidelines.
- The preliminary plans must be updated and the final construction plans must include a right turn lane along eastbound Hudson Boulevard and any additional fire hydrants as required the Fire Chief/Building Official.
- The preliminary/final construction plans must be updated to include all necessary drainage and utility easements as required for the public sanitary sewer and watermain/hydrants.
- There are no Outlots as part of this Plat to be dedicated to the City.
- Prior to the start of construction a Stormwater Maintenance and Easement Agreement in the City's standard form must be executed and recorded with the County.

Traffic and Access Management Requirements:

- Primary access. The shared access location with Kwik Trip has been approved for this site.
- Right turn lane should be required on Hudson Boulevard. There is an existing westbound left turn lane on Hudson Boulevard at the existing access location to this development. However an eastbound right turn should be required as part of this project to handle the increased traffic volumes. Hudson Boulevard is a local

collector roadway and Municipal State Aid route. Hudson Boulevard is expected to receive significant growth in traffic volume as the I94 corridor develops. The road is considered to be a major collector for serving the area but it is the goal of the City to maintain the road as 2-lanes. In order to achieve that goal left and right turn lanes will need to be implemented throughout the corridor to facilitate the turning movements for the developing areas while maintaining the mobility of the through traffic.

- Secondary access. The site does not have sufficient frontage along Hudson Boulevard to accommodate a secondary access. The secondary access shown on the concept plans approximately 250 feet to the west of the shared access has therefore been eliminated as required by staff. The Access Management Guidelines per the City's Comprehensive Transportation Plan requires access spacing of 1/8 mile (660 feet) for full access intersections and commercial driveways along Hudson Boulevard. A shared access driveway was planned as part of the Lakewood Crossing 1st Addition to allow access to the proposed development area while maintaining the required access spacing guidelines.
- Future secondary access potential. A second access location could be planned along the south side of Hudson Boulevard that would align with the property to the west of Lakewood 2 Addition with this parcel (PID No. 3402921440004) coordinating and sharing access with Lakewood 2nd Addition. A potential future access connection to the adjacent westerly property has been shown on the site plan.
- Right-in/Right-out access locations cannot be allowed along Hudson Boulevard since the roadway does not include raised center medians to prohibit left turning movements from the site. There currently are no plans for a center raised median along Hudson Boulevard.

Grading, Drainage & Erosion Control Plan:

- Governing Specifications and Plan Details for grading and erosion control must be in accordance with the City of Lake Elmo standard specifications.
- Retaining walls that exceed 4 feet in height must have a design submitted and certified by an engineer licensed in the state of Minnesota.

Utility Plans:

- Connection to existing sanitary sewer stub. The project proposes to connect to the existing sanitary sewer stub located in the northeast corner of the property and is extended throughout the development to connect 3 commercial buildings. Sanitary sewer is extended along the northwest property line and stubbed to the westerly adjacent plat limits as required by City policy. A drainage and utility easement is shown on the plat over the portion of sanitary sewer to be owned and maintained by the City.
- Connection to existing watermain stub. The project proposes to connect to an existing 8-inch watermain located in the northeast corner of the property and is extended along the northwest property line and stubbed to the westerly adjacent plat limits as required by City policy. A service stub is shown for connection for Lot 3. A lateral 6-inch watermain to the south of the development is also proposed for the placement of a fire hydrant and the connection of two additional buildings. A drainage and utility easement is shown on the plat over the portion of watermain/hydrant to be owned and maintained by the City.
- Fire Hydrant locations. Additional fire hydrants may be required based on review by the Fire Chief/Building Official. All watermain and fire hydrants required for the project are to be owned and maintained by the City and will require the necessary easements outlined below.
- Drainage and utility easements are required over all public sanitary sewer and watermain not located on City Outlots and right-of-way, minimum 30-feet in width, 15 feet from centerline on each side of pipe (including 15 feet from all sides of a fire hydrant). Drainage and utility easements must be provided on the plat or in the City's standard form of easement agreement.

Stormwater Management:

- The site plan is subject to a storm water management plan meeting State, VBWD and City rules and regulations. A VBWD permit has been obtained for the improvements.
- Stormwater runoff will be routed through two underground parking lot storm chamber systems that will provide infiltration and retention in addition to one above ground infiltration basin. The above ground infiltration basin will be obtained by converting an existing storm water pond to an infiltration basin.

Pretreatment for the infiltration systems will be provided by oversized sump manholes equipped with scour prevention devices.

- Due to the proximity of the site to the Kwik Trip Service Station the applicant should review with MPCA if infiltration practices will be allowed, in particular the planned conversion of the existing storm water pond to a storm water infiltration basin directly east and adjacent to the service station.
- The proposed storm water facilities will be privately owned and maintained. Prior to the start of onsite construction a Stormwater Maintenance and Easement Agreement in the City's standard form must be executed and recorded with the County. The agreement shall provide a maintenance plan defining the maintenance responsibilities for the private owner, the type of maintenance and the maintenance intervals.
- Written landowner permission may be required for any off-site storm water discharges to adjacent properties to avoid negative impacts to downstream properties.

COMPREHENSIVE SIGN PLAN NARRATIVE

Lake Elmo Shoppes is proposed to be an upscale neighborhood shopping and dining experience. Signage for Lake Elmo Shoppes should be allocated and designed to encompass a professional, first class look and feel. When potential tenants deliberate on signing leases and joining the Lake Elmo business community, they must also have the confidence that their brand will be properly showcased and seen by the vast numbers of commuters and the local traffic patterns. Our signage goals are to provide consistency in size and construction materials, while allowing each tenant the flexibility and square footage to showcase their building storefronts, brand names, and individual site locations as best as possible. Lake Elmo Shoppes is proposing wall signage and two (2) ground signs.

Wall Signs:

As we began to develop the sign criteria for the various buildings at the Lake Elmo Shoppes, we reviewed what the current sign code allows, which is 1 square foot of signage per 1 lineal foot of storefront on the front elevations and .5 square foot of signage per 1 lineal foot of frontage for the rear elevation. Wall signs sized to code are represented on the attached Exhibit 1 "Sign Per Code". As you can see on Exhibit 1, at these ratio's the signs look small on the storefront and do not "fit" the façade. The signs look dwarfed on these elevations and certainly do not give the look or exposure that tenants would consider adequate. Regarding the even smaller signs on the back, the Tenants would pass on adding signage on the rear of the property as the cost and readability would make for an unworthy investment.

Exhibit 2 "Comprehensive Sign Plan" represents a 2.5 square feet of signage per 1 lineal foot of storefront on the front and rear elevations, and a 1.5 square feet of signage per 1 lineal foot on the west and east elevations. As you will see, these signs look much more proportional and "fit" the elevations much better. These ratios will also create consistency with any size proportion issues that arise with future tenants and their short and long business names. The north elevation will now be visible from Hudson Blvd., and tenant's will be able to showcase their place of business. The rear signage is really designed to capture the traffic from the westbound on-ramp traffic to I-94. With this increased size, it will now be readable and will help in the promotion and success of the Lake Elmo Shoppes retail and restaurant businesses. The 1.5 square feet of signage per 1 lineal foot on the west and east elevations will allow those tenants the opportunity to capture additional angles of east and west traffic and stop light patterns as commuters enter the freeway as well as from the adjacent Kwik Trip.

The intention of the increased ratios is to develop a uniform criteria that creates a fair amount of square footage allowance for all tenants. Since there is uncertainty of what new businesses will occupy each space at this time, utilizing this new ratio implements tenant fairness while ensuring a professional look. This will also address the variety and length of actual store names, their corporate sign regulations, and desired letter sizes that tenants will be required or want to achieve with their space. This provides flexibility and approval to enhance their investment with the specified ratio, provided that their identity and look is approved by the Landlord.

Ground Sign #1:

Ground Sign #1 is an attractive 10'x12' multi-tenant, sign to be located in the northeastern access and will face Hudson Boulevard. As the two main retail buildings are set back up to 400' from Hudson Boulevard, this monument will allow potential customers to know which businesses are in the shopping center. Ground Sign #1 will help in the promotion and success of these Lake Elmo businesses.

Ground Sign #2:

Ground Sign #2 is an attractive 14'x30' multi-tenant sign located in the southwest corner of the development and is intended to provide a signage opportunity to the over 100,000 VPD on I-94. Ground Sign #2 will have print that is large enough for the traveling public to be able to notice what businesses are in Lake Elmo Shoppes which will further enhance the promotion and success of these Lake Elmo businesses.

Lake Elmo Shoppes has 22' high, prominent storefronts and proportionate signage on these storefronts is necessary both from the tenants branding perspective as well as the building look. We believe this Comprehensive Sign Plan overall enhances the quality and effectiveness of the shopping and dining experience.

EXHIBIT A
SIGN CRITERIA

Lake Elmo Shoppes, Lake Elmo, MN 55042

Tenant agrees to be bound and comply with the Sign Criteria as follows:

1. **EXTERIOR SIGNAGE:**

- A. Tenant shall be required to identify its Leased Premises with an exterior sign.
- B. Tenant's signs shall be retail store identity signs only with restricted copy to designate the Tenant's name, product, or service.
- C. Each Tenant will be allocated an area on the exterior sign band of the building.
- D. Sign size and placement will be restricted to the sign band. The beginning and end of the Tenant's sign shall not be nearer than 18" to outside edges of the Tenant's allocated sign area, and determined by Lessor as per Exhibit G. All signs shall contain individual letters. All signs shall be lighted, and all transformers will be installed inside the Tenant's Leased Premises. All exterior signs shall be located within the designated signing area. Any drilling or boring to be done through the exterior wall of the building shall be performed in accordance with all architecturally accepted methods and every precaution shall be taken to assure that these areas be sufficiently waterproofed. All illuminated sign letters shall be channel type construction, plastic faces attached with trim cap. All illuminated sign letters must be LED lit. Colors need to be approved by the Landlord, raceways behind the parapet wall are required on all signage above the roof line and must be installed in a manner as to not void the roof warranty.
- E. Each Tenant is allowed (1) sign on the Front of the Building (North Elevation) and (1) on the Back of the Building (South Elevation).
- F. The total sign surface area of all wall signs on a façade shall not exceed 2.5 square feet of sign area per 1 lineal feet of storefront leased on the front elevation.
- G. Each end cap Tenant is allowed (1) additional signage area that will be utilized to face the west or east elevations for a maximum total of (3) signs for those Tenant's only. End cap tenants are allowed (1) added sign that is 1.5 sf per lf of leased frontage on that elevation.
- H. Awnings are acceptable with Landlord approval. Awnings cannot include logos or copy.
- I. The use of predominantly decorative sculpture, coat of arms, shields or other such logos requires special approval by Landlord
- J. Landlord expressly reserves the right to deviate from this sign criteria when dealing with other tenants.

2. **GROUND SIGN #1:**

- A. (1) freestanding multi-tenant ground sign shall be allowed in the northeast corner of the development providing signage to Hudson Boulevard.
- B. Ground sign is limited to a maximum height of 12.5'.
- C. Landlord will allocate which tenants shall be on the ground sign and allocate the amount of space to the individual tenants.
- D. Landlord expressly reserves the right to deviate from this sign criteria when dealing with other tenants.
- E. Freestanding sign will incorporate colors and/or decorative design similarities to building façade as determined by Landlord.

3. GROUND SIGN #2:

- A. (1) freestanding multi-tenant ground sign shall be allowed in the southwest corner of the development providing signage to I-94.
- B. Freestanding sign is limited to a maximum height of 30’
- C. Landlord will allocate which tenants shall be on the ground sign and allocate the amount of space to the individual tenants.
- D. Landlord expressly reserves the right to deviate from this sign criteria when dealing with other tenants.
- E. Freestanding sign will incorporate colors and/or decorative design similarities to building façade as determined by Landlord.

4. PROHIBITED SIGNS:

The following types of signs or sign components shall be PROHIBITED.

- A. Signs employing exposed raceways, ballast boxes or transformers.
- B. Signs employing moving or flashing lights.
- C. Signs, letters, symbols, or identification of any nature painted directly on the surface of the exterior to Leased Premises.
- D. Signs employing unedged or uncapped plastic letters or letters with no returns or exposed fastenings.
- E. Cloth, wood, paper or cardboard signs, stickers, decals or painted signs around or on exterior surfaces (doors and/or windows of the Leased Premises).
- F. Rooftop signs.
- G. Signs employing noise-making devices or components.
- H. Signs exhibiting the names, stamps, or decals of the sign manufacturer or installer.
- I. Signs prohibited by city ordinance.

5. SIGN APPROVALS:

Procedure for obtaining Landlord’s approval of sign drawings

- A. Tenant shall submit one (1) set in electronic format (.pdf or .jpg) including a color photo rendering and specifications to Landlord for all proposed sign work.
- B. The drawings shall clearly show location of sign onto fascia of building, graphics, color and construction and attachment details
- C. The Landlord shall reply to Tenant with “Approved”, “Approved as Noted” or “Disapproved”. In no event shall erection of any sign take place without the written approval of the Landlord. Sign drawings that have been disapproved are to be redesigned and resubmitted to Landlord for approval within (7) days of receipt by Tenant. After the sign has been approved by Landlord, Tenant shall also require the approval of the City of Lake Elmo prior to the erecting said sign if said approval is required or requested by said City. Tenant is responsible for receiving and paying for all fees associated with the installation of this sign, including ALL permits.
- D. Approval of store design drawings or working drawings and specifications for Tenant’s Leased Premises does not constitute approval of any sign work

6. GENERAL TENANT REQUIREMENTS

- A. The furnishing and installation of signage and all expense incurred shall be the sole responsibility of the Tenant.
- B. Sign construction is to be completed according to the instructions contained within this criteria
- C. All exterior signage installation must be performed utilizing mechanical platforms on the outside of the building. No ladders may be used in connection with said installation
- D. A representative of Landlord must be present prior to the installation of any exterior signage in order to supervise same
- E. Tenant shall, at its own expense, install and maintain a time clock that will cause its exterior signage to be fully illuminated at times provided in the Lease.

From: [Michael Bent](#)
To: [Emily Becker](#)
Cc: [Greg Malmquist](#)
Subject: Lake Elmo Shoppes Site Plan Review - Revisions
Date: Thursday, May 11, 2017 9:10:20 AM

Hey Emily

Greg and I have reviewed the utility plan for the Lake Elmo Shoppes project. Below are revisions to the comments I sent to you previously and refer specifically to page C6:

1. The apparatus access roads look pretty good around the entire site with the following exceptions:
 - a. The west end of the proposed building on Lot 2 indicates a Drive Thru lane and then a lane to the west of the drive thru lane, the plan does show a width for this lane, but it indicates a 16' width (I missed it), please have the developer widen this to 20' as the apparatus access width is set at a minimum 20' wide. It doesn't make any sense to choke the width down to 16' and then widen it to the required width beyond and behind the buildings.
2. The fire protection water service is shown on the south side of both buildings. The Fire Department Connections for both of the proposed buildings will be installed on the north (front) of the buildings. A fire hydrant will need to be located on the west end island of the building on lot 2 and the east end island of the building on lot 1, in line with the proposed hydrant in the island at the northwest corner of lot 1. (totaling 3 hydrants on the north side of both buildings.)
3. No other hydrants are shown on the plans, another fire hydrant needs to be added in the vicinity of the west end of the building proposed to the north, my previous comment regarding the addition of a hydrant on the east end of the building to the north can be removed, there is an existing hydrant on the Kwik Trip property that will suffice for coverage.

Let me know if you have any questions.

Michael Bent
Building Official
City of Lake Elmo
651-747-3910
mbent@lakeelmo.org



June 1, 2017

Steven Wensman
Planning Director, City of Lake Elmo
3800 Laverne Avenue N.
Lake Elmo, MN 55042

SUBJECT: P17-020A Lakewood Crossing
NW quad I-94 and Keats Ave
Lake Elmo, Washington County
Control Section 8204

Dear Mr. Wensman:

The Minnesota Department of Transportation (MnDOT) has reviewed the above referenced plat in compliance with Minnesota Statute 505.03, subdivision 2, Plats. All MnDOT's comments from the previous March 2017 letter still apply. Before any further development, please address the following issues:

Design

Grading is proposed up to the existing freeway fence and MnDOT property line. Ensure that the proposed grading stays with the limits of the development and that a note is included to protect the existing fence during construction.

For questions regarding these comments please contact Nancy Jacobson 651.234.7647 or Nancy.L.Jacobson@state.mn.us

Right of way

Hudson Blvd has been turned back to the city of Lake Elmo in this area. The MnDOT plats referenced in this preliminary plat do not show this release. Our current right of way can be seen on RW Map No. 180-12D.

For questions regarding these comments please contact Ashley Roup at (651)-234-7558 or Ashley.Roup@state.mn.us

Water Resources

A drainage permit is required. We would like to review the computations and plans as a check that the proposed development maintains or reduces drainage rates to MnDOT right of way when comparing the existing to the proposed condition.

As part of a drainage permit submittal, the City or project developer will need to submit existing and proposed hydraulic computations for both 10 and 100 year rainfall events verifying that all existing drainage patterns, ponding, and systems affecting MnDOT right of way will be perpetuated.

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

RESOLUTION NO. 2017-063

*A RESOLUTION APPROVING LAKEWOOD CROSSING 2ND ADDITION PRELIMINARY AND
FINAL PLAT AND PLANNED UNIT DEVELOPMENT PLANS*

WHEREAS, CM Properties 94 LP, c/o MFC Properties, 3460 Washington Drive, Suite 100, Eagan, MN 55112 (“Applicant”) has submitted an application to the City of Lake Elmo (“City”) for approval of Preliminary and Final Plat and Planned Unit Development (PUD) Plans for Lakewood Crossing 2nd Addition; and

WHEREAS, the Lake Elmo Planning Commission held a Public Hearing on March 13, 2017 to consider the PUD Concept Plan for Lakewood Crossing 2nd Addition; and

WHEREAS, the Lake Elmo City Council approved the Lakewood Crossing 2nd Addition Concept Plan on March 21, 2017, and

WHEREAS, The Planning Commission held a public hearing and considered the Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans on June 12, 2017 and recommended approval subject to a number of conditions; and

WHEREAS, the City Council reviewed the recommendation of the Planning Commission and the proposed Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans at a meeting on June 20, 2017; and

NOW, THEREFORE, based upon the testimony elicited and information received, the City Council makes the following:

FINDINGS

1. That the Applicant has submitted all application requirements outlined in Sections 153.07; 153.08; and 154.759 for Preliminary and Final Plat and PUD Plans.
2. That the Lakewood Crossing 2nd Addition Preliminary Plat and PUD Plans meets at least one or more of the objectives outlined in Section 154.751 of the Zoning Code.
3. That the Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans propose to enhance the site and retail shopping and dining experience with enhanced architectural materials and site furnishings.

4. That the Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans is consistent with the Lake Elmo Comprehensive Plan and the Future Land Use Map for this area.
5. That the Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans generally comply with the City's Commercial zoning district.
6. That the Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans complies with the City's Subdivision Ordinance.
7. That the Lakewood Crossing 2nd Addition Preliminary and Final Plat meets other City zoning ordinances, such as landscaping, tree preservation, erosion and sediment control, and other ordinances, except where noted in the conditions of approval, Staff report to the Planning Commission dated June 12, 2017 or attachments thereto.
8. That the Applicant has requested the following PUD flexibility from the City's Zoning Code:
 - a. Allowing medical facilities, drive-throughs, and outdoor dining as a permitted, rather than conditional, use.
 - b. Allowing a minimum lot width of 18 feet for Lot 2.
 - c. Allowing a maximum impervious surface of 80% for Lot 2, with a total of 75% impervious surface.
 - d. Allowing flexibility from the minimum parking lot setbacks from property lines, allowing a zero foot setback between three lots and an 8.7 foot setback from the lot to the east.
 - e. Allowing flexibility from certain Lake Elmo Design Guidelines and Standards Manual as detailed in the Staff Report to the Planning Commission dated June 12, 2017.
 - f. To waive off-street loading requirements.
 - g. To waive requirement PUD requirement for 20% protected open space, as other site amenities are provided within the development.
 - h. Approval of a Comprehensive Sign Plan which allows 2.5 square feet of wall signage per one (1) lineal foot of store front on the front and rear elevations; 1.5 square feet of wall signage per one (1) lineal foot on building on the west and east elevations; a 10' X 12' multi-tenant ground sign near the northeastern corner of the site; and a 14' X 30' multi-tenant monument sign located in the southwest corner of the site.
9. That the Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans is consistent with the City's engineering standards provided the plans are updated to address the City Engineer's comments documented in a letter dated May 31, 2017. The Landscape Plan shall include additional landscaping along the Keats Ave N to WB I-94 ramp.
10. That the Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans will require a relatively minor amount of city services and will not create a significant burden on the City.
11. That the Lakewood Crossing 2nd Addition Preliminary and Final Plat and PUD Plans will not conflict with nearby land uses.

12. The Applicant will be extending municipal sewer and water to the westerly property (PID# 34.029.21.44.0004), providing benefit to the City.

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicants' application for Preliminary and Final Plat and PUD Plans, subject to the following conditions of approval:

1. The Applicant shall address all of the comments outlined in the City Engineer memorandum dated May 31, 2017.
2. The Final Plat shall not be recorded until final construction plan approval is granted and all easements as requested by the City Engineer and Public Works department are recorded on the Final Plat.
3. The Applicant shall obtain all necessary permits including but not limited to all applicable city permits (building, grading, sign, etc.), NPDES/SWPPP permits, and Valley Branch Watershed District approval.
4. The Applicant should review with the MPCA if infiltration practices will be allowed, in particular the planned conversion of the existing storm water pond to a storm water infiltration basin directly east and adjacent to the service station.
5. The Applicant shall address all comments outlined in the Minnesota Department of Transportation memorandum dated June 1, 2017.
6. The Applicant shall be required to extend sanitary sewer and municipal water service to the westerly adjacent property.
7. Stormwater facilities shall be privately owned and maintained. A Stormwater Maintenance and Easement Agreement in the City's standard form must be executed and recorded.
8. A right turn lane on Hudson Boulevard shall be constructed at the Applicant to handle increased traffic volumes.
9. The Applicant shall amend the proposed Landscape Plan to comply with City standards and obtain approval by the City.
10. The Applicant shall provide financial security for 125% of landscaping materials with a Site Work Agreement.
11. The Applicant shall provide further information on the proposed drive-through locations including but not limited to exact location of speakers, windows, and refuse receptacles as well as drive-through canopy detail.
12. The Applicant shall address all of the recommendations to improve the drive-through operations as outlined in the Technical Memorandum prepared by Spack Consulting dated April 12, 2017.
13. The Applicant shall submit a photometric plan, and all lighting must meet requirements of Sections 150.035-150.038 of the City Code.
14. The Applicant shall pay a park dedication fee of \$4500 per acre, totaling \$17,190, in lieu of required parkland.

15. The Applicant shall address all comments outlined in the Fire Chief and Building Official email memos dated May 10, 2017 and May 11, 2017. Specifically, the building on Lot 3 shall be sprinklered; fire hydrant locations shall be added according to comments; and the drive aisle width to the west of the drive-through lane on Lot 2 shall be widened to 20 feet. The Applicant shall submit a plan and obtain approval from the Building Official and Fire Chief for the location of hydrants and No Parking and Fire Lane signs.
16. A Reciprocal Easement and Operating Agreement provided shared parking access across all lots shall be provided, approved by the City, and recorded.
17. Tables cannot block a public sidewalk or other walkway needed for pedestrian circulation. Minimum of 5 ft. of sidewalk must remain open
18. Mechanical rooftop equipment must be screened.
19. The Site Plan shall be updated to include lines that clearly delineate two aisles on the lanes to the south of Lots 1 and 2 and the east side of Lot 1.
20. The Applicant shall provide additional striping and/or a stop sign to facilitate traffic circulation in the area where access is shared with Kwik Trip.
21. Permitted medical facilities shall be limited to non-urgent facilities, including but not limited to clinics, eye doctors, and dental facilities.
22. The Applicant shall add site amenities such as benches, trash receptacles, decorative lighting, and signage compliant with the Lake Elmo Design Guidelines and Standards Manual to the site plan.
23. Fencing shall be provided enclosing all outdoor dining areas.

Passed and duly adopted this 20th day of June, 2017 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk



STAFF REPORT

DATE: 6/20/2017
REGULAR
ITEM #: 18

TO: City Council
FROM: Emily Becker, City Planner
AGENDA ITEM: Fence Ordinance
REVIEWED BY: Stephen Wensman, Planning Director

BACKGROUND:

The City's Zoning Code prohibits solid wall fences over four feet in height on lots under ½ acre in size. Any portion of a fence over four feet in height on such lots is to be at least 75% open to air and light, with certain provisions. A solid wall fence six feet in height was erroneously permitted on a lot within the Hunter's Crossing development on a lot under half an acre in size. The fence permit application was not signed by the Planning department, yet the permit was erroneously issued.

There are a number of issues with what transpired with this particular fence permit application, yet the ordinance that a solid wall fence that is over four feet in height is prohibited except under certain provisions still governs. The City has recently received a complaint by a property owner who has observed the aforementioned fence, also owns a lot that is under one half acre in size within the Hunter's Crossing development, and believes that he should be able to have a solid wall fence six feet in height or that the aforesaid fence should be required to be removed.

The City Council reviewed the City's fence ordinance at its May 9, 2017 workshop and recommended that the Planning Commission review Section 154.205 of the City's Zoning Code. The Planning Commission held a public hearing on June 12, 2017 and considered amendments to this Section and made recommendation to Council.

ISSUE BEFORE COUNCIL:

The Council is being asked to review proposed amendments to Section 154.205: Fencing Regulations of the City's Zoning Code.

PROPOSAL DETAILS/ANALYSIS:

Ordinance Review. The City's fence ordinance has been reviewed multiple times over the years. In 2013, a number of amendments were made to this Section. These amendments were thoroughly vetted over a number of meetings. While Council has asked that the Planning Commission review the City's Fencing Regulations, Staff recommends that the Planning Commission specifically focus on Subd. (E), and specifically Subsection (3), which requires any portion of a fence over four feet in height on a yard that is less than half an acre to be at least 75% open to air and light. The most recent version of this section of the ordinance is below:

3. Residential Fence Design Requirements. Solid wall fences over four (4) feet in height shall be prohibited on any lot under ½ acre (21,780 square feet) in size. Any portion of a fence over four (4)

feet on such lots shall be at least 75% open to light and air, except under one of the following circumstances:

- a. When a residential property abuts a district or use of a higher classification, and specifically, when an A, RR, RS, RE, or LDR district abuts any other district or a single family residential use abuts a multi-family residential use or a non-residential use.
- b. When a property is a through lot and abuts a street that is a higher functional classification than the street abutting the front yard of the property.
- c. For screening of outdoor living space subject to the following criteria:
 - i. The area enclosed by outdoor extended living area fencing shall not exceed an enclosed area of 500 square feet.
 - ii. A fence utilized to enclose an outdoor extended living area shall be extended to a point not more than 6 inches from the principal structure at 1 fence termination point.
 - iii. A fence utilized to enclose an outdoor extended living area shall not extend into side yard of a lot beyond the existing building line of the existing principal structure, nor shall such fences be located in any side or front street yard.
- d. For screening or privacy purposes when the lineal measurement of the fence does not exceed one-fourth ($\frac{1}{4}$) of the linear distance of the perimeter of a lot.

Recent Amendments to Fencing Regulations. The Council re-reviewed this requirement in September and October of 2016 and made certain amendments to these provisions, striking the following. The Council at that time was not amenable to removing the prohibition of solid wall fences over four feet in height on lots less than half an acre in size entirely.

d. For screening or privacy purposes when the lineal measurement of the fence does not exceed one-fourth ($\frac{1}{4}$) of the linear distance of the perimeter of a lot. ~~Such fences may only be installed with the written consent of the adjacent property owner.~~

e. ~~Under other circumstances when a solid fence is warranted due to safety, health, animal containment, or a similar purposes subject to review and approval by the City Council and with the written consent of the adjacent property owner.~~

Planning Analysis. When lot sizes decrease, so does privacy from abutting lots. With narrower lots and houses closer together, there are not as many opportunities to provide adequate privacy and separation between homes and yards through site design alone.

Fence Ordinances of Other Cities. Attached is a table that outlines fence ordinances of other cities. These cities were selected, as they were the cities used in the market analysis of the Job Classification and Compensation Study. This table shows that these cities generally allow a solid wall fence of up to six feet in height in side and rear yards.

Current Code Limitations on Fences within Front and Side (Corner) Yards. The Fence Height and Design Section currently already limits fences on any lot to be over 42 inches in height within front or side (corner) yards and mandates that they be at least 50% open to air and light. This is consistent with other cities' requirements and promotes public safety so as not to limit sight lines for drivers and pedestrians on streets. However, it should be considered that a rear yard may abut a public right-of-way, so it may be beneficial to change the language aforementioned language to the following:

Fences within Front and Side (Corner) Yards. Any fence within a front or side (corner) yard setback or any required setback from a public right-of-way may not exceed forty-two (42) inches in height and must be 50% open to air and light.

Additional Amendment Regarding Fences on Property Lines. There is currently a provision that requires that property owners wishing to erect a fence on a property line obtain permission from the adjacent property owner. The purpose of this provision is that typically erecting a fence on a property line will require access to a neighboring property for erection and maintenance of said fence. However, the provision only specifies that this permission is required if the fence is erected directly on the property line. This could mean that a fence that is erected even one inch off the property line would not require permission from the adjacent property owner. However, erecting and maintaining a fence set such a distance from the neighboring property line would still require access to the adjacent property. In order to provide clarification on this, Staff is recommending that language be amended to mandate that fences erected up to one foot off the property line require permission from the adjacent property owner.

PLANNING COMMISSION/PUBLIC HEARING:

The Planning Commission held a public hearing and considered this request at its June 12, 2017 meeting. No comments were received prior to the public hearing, and no one from the public spoke during the public hearing. The Planning Commission recommended that Staff-recommended amendments to Subd. (D) (5) and (E) (1) be made as well as striking Subd. (E) (3) of 154.205.

The Planning Commission made this recommendation with an affirmative vote of 3-2.

Affirmative comments included the following:

- Smaller lots increase the need for privacy, and so the need for taller solid wall fences is greater.

Dissenting comments included the following:

- There are already exceptions to the prohibition of solid wall fences within the Zoning Code.
- Seeing a wall of solid wall fences on smaller lots is not aesthetically pleasing.

FISCAL IMPACT:

None.

OPTIONS:

- Recommend adoption of Ord. 08-178, Staff and Planning Commission- recommended amendments to Section 154.205 of the Zoning Code.
- Make alternative amendments to Section 154.205 of the Zoning Code, and adopt Ord. 08-178 as amended.
- Not adopt Ord. 08-178.

RECOMMENDATION:

Staff and the Planning Commission recommend adoption of Ord. 08-178, amending Section 154.205 of the City's Zoning Code. The recommended amendments can may be adopted with the following motion:

“Move to recommend adoption of Ord. 08-178, amending Section 154.205: Fencing Regulations of the City's Zoning Code.”

If Council adopts the recommended Ordinance, Staff also recommends that Council adopt Resolution 2017-064, authorizing summary publication of Ord. 08-178 with the following motion:

“Move to recommend adoption of Resolution 2017-064 authorizing summary publication of Ord. 08-178.”

ATTACHMENTS:

- Ord. 08-178
- Fence Ordinance Comparison Table

City	6 Foot Solid Wall Fence Allowed?
Ham Lake	Yes, but not in front yard
Little Canada	Yes, but not in front yard or in visibility triangle
Mounds View	Yes (up to 8 feet), except within 30 feet of an intersection
Rogers	Yes, but not in front or corner side yards
Victoria	Yes, but not in front or corner side yards
Vadnais Heights	Yes, but must meet accessory structure setback requirements if less than 25% open
Orono	Yes, but not within shoreland setback or rear or side yard facing a street
Mound	Yes, but not in the front or side corner yard
Mahtomedi	Yes, but not in front yards
Albertville	Yes, but not in front yards
Waconia	Yes, but not in front yards

CITY OF LAKE ELMO

RESOLUTION NO. 2017-064

**RESOLUTION AUTHORIZING PUBLICATION OF
ORDINANCE NO. 08-178 BY TITLE AND SUMMARY**

WHEREAS, the City Council of the city of Lake Elmo has adopted Ordinance No. 08-178, an ordinance amending Section 154.205: Fencing Regulations of the Lake Elmo City Code; and

WHEREAS, the ordinance is lengthy; and

WHEREAS, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the City Council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lake Elmo, that the City Administrator shall cause the following summary of Ordinance No. 08-178 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

The City Council of the City of Lake Elmo has adopted Ordinance No. 08-178, which:

- Clarifies that fences may be installed with written permission from the adjacent property owner on or within one foot (12 inches) of property lines.
- Restricts fences within required setbacks from any public right-of-way to 42 inches in height and at least 50% open to air and light.
- Strikes residential fence design requirements prohibiting solid wall fences over four feet in height on properties under one-half acre in size or less.

BE IT FURTHER RESOLVED by the City Council of the City of Lake Elmo that the City Administrator keep a copy of the ordinance at City Hall for public inspection and that a full copy of the ordinance be placed in a public location within the City.

Dated: June 20, 2017.

Mayor Mike Pearson

ATTEST:

Julie Johnson, City Clerk

(SEAL)

The motion for the adoption of the foregoing resolution was duly seconded by member

_____ and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against same: _____

Whereupon said resolution was declared duly passed and adopted.



STAFF REPORT

DATE: June 20, 2017

Consent

ITEM #: 19

MOTION

TO: City Council
FROM: Stephen Wensman, Planning Director
AGENDA ITEM: Inwood 5th Addition Developers Agreement
REVIEWED BY: Jack Griffin, City Engineer
Sarah Sonsalla, City Attorney
Brian Swanson, Finance Director

BACKGROUND:

On April 4, 2017, the City Council adopted Resolution 2017-029 approving the Final Plat and Final PUD for Inwood 5th Addition. An executed Developers Agreement is a condition of final plat approval and is required prior to recording the final plat with Washington County.

At its last meeting, the Council considered the Inwood 5th Addition Developers Agreement. Discussion was held regarding the trail along 10th Street that was included in previous plans. The draft Developers Agreement previously presented to Council did not mandate the developer to construct this trail. The Council motioned to remove language which allowed this exception, and the Developer Agreement was recorded without this language. A First Amendment to Development Agreement has now been drafted.

ISSUE BEFORE COUNCIL:

The City Council is being asked to adopt Resolution 2017-067 approving an amendment to the Developer Agreement for Inwood 5th Addition.

REVIEW/ANALYSIS:

The Amendment to Development Agreement amends the following:

- The Developer agrees to develop the Property in accordance with City approvals with the exception of requiring a multi-purpose trail to be constructed along 10th Street.

This is due to the City and County determining that a trail along 10th Street between Island Trail and Inwood Avenue is not needed and therefore not required.

FISCAL IMPACT:

None.

OPTIONS:

The City Council is being asked to consider the approval of the Developer's Agreement:

- 1) Adopt Resolution 2017-067 approving the Developer Agreement for Inwood 5th Addition.

RECOMMENDATION:

Staff recommends the City Council adopt Resolution 2017-067 approving an amendment to the Developer's Agreement for Inwood 5th Addition Planned Unit Development.

Staff recommends the following motion:

“Move to adopt Resolution 2017-067 approving the 1st amendment to the developer's agreement for Inwood 5th Addition Planned Unit Development”

ATTACHMENTS:

- Resolution 2017-067
- 1st Amendment to Inwood 5th Addition Developer's Agreement

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

RESOLUTION NO. 2017-067

*A RESOLUTION APPROVING AN AMENDMENT TO DEVELOPER'S AGREEMENT FOR THE
INWOOD 5TH ADDITION PLANNED UNIT DEVELOPMENT*

WHEREAS, the City of Lake Elmo is a municipal corporation organized and existing under the laws of the State of Minnesota; and

WHEREAS, Hans Hagen Homes, 941 NE Hillwind Road, Suite 300, Fridley, MN ("applicant") has previously submitted an application to the City of Lake Elmo ("City") for a Final Plat for Inwood 5th Addition Planned Unit Development; and

WHEREAS, the Lake Elmo City Council considered and approved the Inwood PUD General Concept Plan on September 16, 2014; and

WHEREAS, the Lake Elmo City Council approved the Inwood Preliminary Plat and Preliminary PUD Plan on December 2, 2014; and

WHEREAS, the Lake Elmo City Council adopted Resolution 2017-029 on April 4, 2017 approving the Final Plat and Final PUD for Inwood 5th Addition; and

WHEREAS, a condition of approval of said Resolution 2016-090, establishes that prior to execution of the Final Plat by City officials, the Applicant shall enter into a Developer's Agreement with the City; and

WHEREAS, the Applicant and the City have agreed to enter into such a contract and a copy of the Developer's Agreement was submitted to the City Council for consideration at its June 6, 2017 meeting;

WHEREAS, after further study, it has been determined by the City and Washington County that a trail along 10th Street between Island Trail and Inwood Avenue is not needed and is not being required;

WHEREAS, the City acknowledges that this condition of City Council Resolution 2017-029 approving the Final Plat is no longer a condition of approval and agrees that the Developer shall not be required to construct, dedicate, or convey an easement for a trail along 10th Street between Island Trail and Inwood Avenue.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council does hereby approve an amendment to the Developer's Agreement for Inwood 5th Addition PUD and authorizes the mayor and city Clerk to execute the document.

Passed and duly adopted this 20th day of June, 2017 by the City Council of the City of Lake Elmo, Minnesota.

Mike Pearson, Mayor

ATTEST:

Julie Johnson, City Clerk

FIRST AMENDMENT TO DEVELOPMENT AGREEMENT

This First Amendment to Development Agreement (Amendment) is made and entered into this ____ day of _____, 2017, by and between the City of Lake Elmo, a municipal corporation under the laws of Minnesota (the “City”) and M/I Homes of Minneapolis/St. Paul, LLC, a Delaware limited liability company (the “Developer”).

RECITALS:

A. The City and the Developer have entered into a Development Agreement dated June 6, 2017 and recorded with Washington County on June ____, 2017 as Document No. _____ (the “Development Agreement”).

B. The Development Agreement relates to that subdivision located in Lake Elmo, Minnesota known as Inwood 5th Addition and the property is legally described on Exhibit A attached hereto.

C. The Development Agreement required a multi-purpose trail to be constructed by the Developer along 10th Street between Island Trail and Inwood Avenue (the “Trail”). This was a requirement of Washington County.

D. Washington County is no longer requiring the Trail to be constructed.

E. The City and the Developer desire to amend the Development Agreement to reflect this change.

NOW, THEREFORE, in consideration of the above recitals, which are expressly incorporated herein, and for other good and valuable consideration, the receipt and sufficiency which is hereby acknowledged, the City and the Developer agree to amend the Development Agreement as follows:

1. Section 7 of the Development Agreement shall be changed to read as follows:

7. DEVELOPMENT PLANS. The Developer agrees to develop the Property in accordance with the City approvals, including the terms and conditions of approval of the final plat as detailed in City Council Resolution No. 2017-29 (with the exception of requiring a multi-purpose trail to be constructed along 10th Street between Island Trail and Inwood Avenue, as detailed in Section 29 (G) of this Agreement), and to construct all improvements in accordance with the approved construction plans and specifications (collectively, the “Plans”) prepared by a professional engineer registered in the State of Minnesota at its sole expense. All terms and conditions of the City approvals are hereby incorporated by reference into this Agreement. The documents which constitute the Plans are those on file with and approved by the City and are listed on **Exhibit B** attached hereto. The Plans may not be modified by the Developer without the prior written approval of the City.

2. A new paragraph (G) shall be added to Section 29 of the Development Agreement which shall read as follows:

G. After further study, it has been determined by the City and Washington County that a trail along 10th Street between Island Trail and Inwood Avenue is not needed and is not being required. Therefore, the City acknowledges that this condition of City Council Resolution No. 2017-29 approving the final plat is no longer a condition of approval and agrees that the Developer shall not be required to construct, dedicate, or convey an easement for a trail along 10th Street between Island Trail and Inwood Avenue.

3. All other terms and conditions of the Development Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the City and the Developer have executed this First Amendment to the Development Agreement as of the date first written above.

CITY OF LAKE ELMO

By: _____
Mike Pearson, Mayor

By: _____
Julie Johnson, City Clerk

STATE OF MINNESOTA)
) ss.
COUNTY OF WASHINGTON)

The foregoing instrument was acknowledged before me this _____ day of _____, 2017, by Mike Pearson and Julie Johnson, the Mayor and the City Clerk, respectively of the City of Lake Elmo, a Minnesota municipal corporation, on behalf of the City.

Notary Public

M/I HOMES OF MINNEAPOLIS/ST. PAUL, LLC

By: _____

Its: _____

STATE OF _____)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this _____ day of _____, 2017, by _____, the _____ of M/I Homes of Minneapolis/St. Paul, LLC, a Delaware limited liability company, on behalf of the company.

Notary Public

This document was drafted by:

Kennedy & Graven, Chartered (SJS)

470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis, MN 55402
(612) 337-9300

EXHIBIT A

Legal Description of the Property

The property subject to the foregoing First Amendment to Development Agreement is legally described as follows:

Outlots A, B, F and G, Inwood 3rd Addition, according to the recorded plat thereof, Washington County, Minnesota.



STAFF REPORT

DATE: June 20, 2017

REGULAR

ITEM #: 20

AGENDA ITEM: Janero Avenue North – Accept Petition and Consider Improvements

SUBMITTED BY: Jack Griffin, City Engineer

REVIEWED BY: Kristina Handt, City Administrator
Rob Weldon, Public Works Director
Chad Isakson, Assistance City Engineer

ISSUE BEFORE COUNCIL: Should the City Council accept a petition to complete street improvements along Janero Avenue North and to accept the improved street as publically owned and maintained?

BACKGROUND: Janero Avenue North, from 31st Street to the south dead end, is an unimproved gravel roadway with no defined drainage system and is privately owned and maintained. There are 6 residential properties with direct driveway access to Janero Avenue along with one vacant platted property. The street is largely single sided on the west with a 20 acre Outlot along the east side that is owned by the Farms of Lake Elmo homeowners association. The Outlot contains the Farms of Lake Elmo community drainfield and the HOA gains maintenance access to the drainfield from Janero Avenue.

In 2006, the City extended municipal water service along Janero Avenue as part of the Tablyn Park-Lake Elmo Heights Watermain Extension Improvements. The City has a drainage and utility easement for the purpose of maintaining the 8-inch diameter public watermain.

PROPOSAL DETAILS/ANALYSIS: In May 2017, the City received a petition requesting Janero Avenue to be paved and for the City to assume the road as a publically owned street. The petition is dated April 31, 2017 and is signed by 4 property owners, consisting of 50% of the abutting parcels. The petition requests a simple blacktop road, no extra curbing/gutters, and within a reasonable price.

Engineering and Public Works have completed a field review of the existing roadway conditions to determine the minimum scope of improvements necessary for staff to recommend City ownership. The minimum recommended improvements are outlined below and a high level cost estimate for these improvements was determined to be approximately \$170,000 excluding easement/right-of-way acquisition.

- Janero Avenue should be reconstructed to provide a minimum aggregate roadway base supported by a 12-inch granular subbase; then paved with 3.5-inches of bituminous.
- The street would be constructed to a 24-foot width with a 45-foot cul-de-sac to support emergency vehicle and maintenance access.
- Concrete curb and gutter is recommended to minimize adjacent property impacts and to direct roadway runoff to two separate discharge locations, one on the north end and one at 31st Street.

- The improvements would likely trigger City ordinance and VBWD rules for storm water treatment and retention requiring infiltration basins, however minimal storm sewer appears to be needed due to the roadway topography.
- Staff recommends that the improvements only be considered under the condition that all easement and right-of-way acquisition needed for the project be dedicated at no cost to the City. Easements would likely be required from the Farms of Lake Elmo HOA.

Should the City Council wish to accept the petition and to consider accepting the street as publically owned and maintained, it is recommended that Council direct staff to meet with the impacted property owners to present the City's position regarding the minimum scope of improvements and expected level of assessment should the project go forward. If the property owners are agreeable to the City's position then staff would further recommend that any such project be scheduled in the Capital Improvement Program to be constructed in 2019. This would defer the completion of the feasibility report for the Janero Avenue improvements until the 2019 Street Improvement feasibility report is authorized. It should be noted that more detailed analysis completed for the feasibility report may present information that would change the City's or property owner's support for the project at that time.

Staff would respectfully request Council direction in regards to the following areas:

- Affirm staff recommendations for the minimal scope of improvements for a City owned and maintained street, or amend as desired.
- Provide direction regarding the proposed property assessments that should be levied for these improvements. Staff can present a few example assessment calculations at the meeting for discussion.
- Provided direction regarding any additional considerations regarding this proposal.

FISCAL IMPACT: Unknown at this time. Capital cost participation by the City and ongoing maintenance costs have not yet been estimated and are dependent on the scope of work to be completed and assessment methodology selected.

RECOMMENDATION: Staff is recommending that the City Council direct staff to meet with the property owners along Janero Avenue and the Farms of Lake Elmo HOA to present the City's position regarding the scope of improvements, expected assessments, and other considerations to proceed with the improvement of Janero Avenue North and acceptance as a Public street. The recommended motion for this action is as follows:

Move to direct staff to meet with the impacted property owners to present the City's position regarding the scope of improvements, expected assessments, and other considerations to proceed with the improvement of Janero Avenue North and acceptance as a Public street."

ATTACHMENTS:

1. Petition for Local Improvements from Janero Avenue North, dated April 31, 2017.
2. Project Location Map.

CITY OF Lake Elmo

PETITION FOR LOCAL IMPROVEMENT

DATE: 4-31-17

TO THE CITY COUNCIL OF LAKE ELMO, MINNESOTA:

We the undersigned, being the owners of real property in the City of Lake Elmo and representing at least 35% of the affected properties abutting or receiving benefit from the requested improvements, hereby petition the City to complete roadway improvements to Janero Avenue North from 31st Street North to the south dead end and adopt it as a City owned and maintained roadway pursuant to Minnesota Statutes, Chapter 429, and that the City assess the cost of the improvement against our property described below and hereby agree to pay the entire cost as apportioned by the City.

We understand that if the City Council orders the improvements, we may be assessed for these improvements in accordance with the City's Special Assessment Policy and State Statutes, we understand that the City Council has full authority to authorize improvements to be made, and assessments to be levied against my property, and that any decision to order the improvements is NOT subject to vote by the abutting properties.

(To allow for proper City notifications, each signature must be accompanied by a legibly printed name and address)

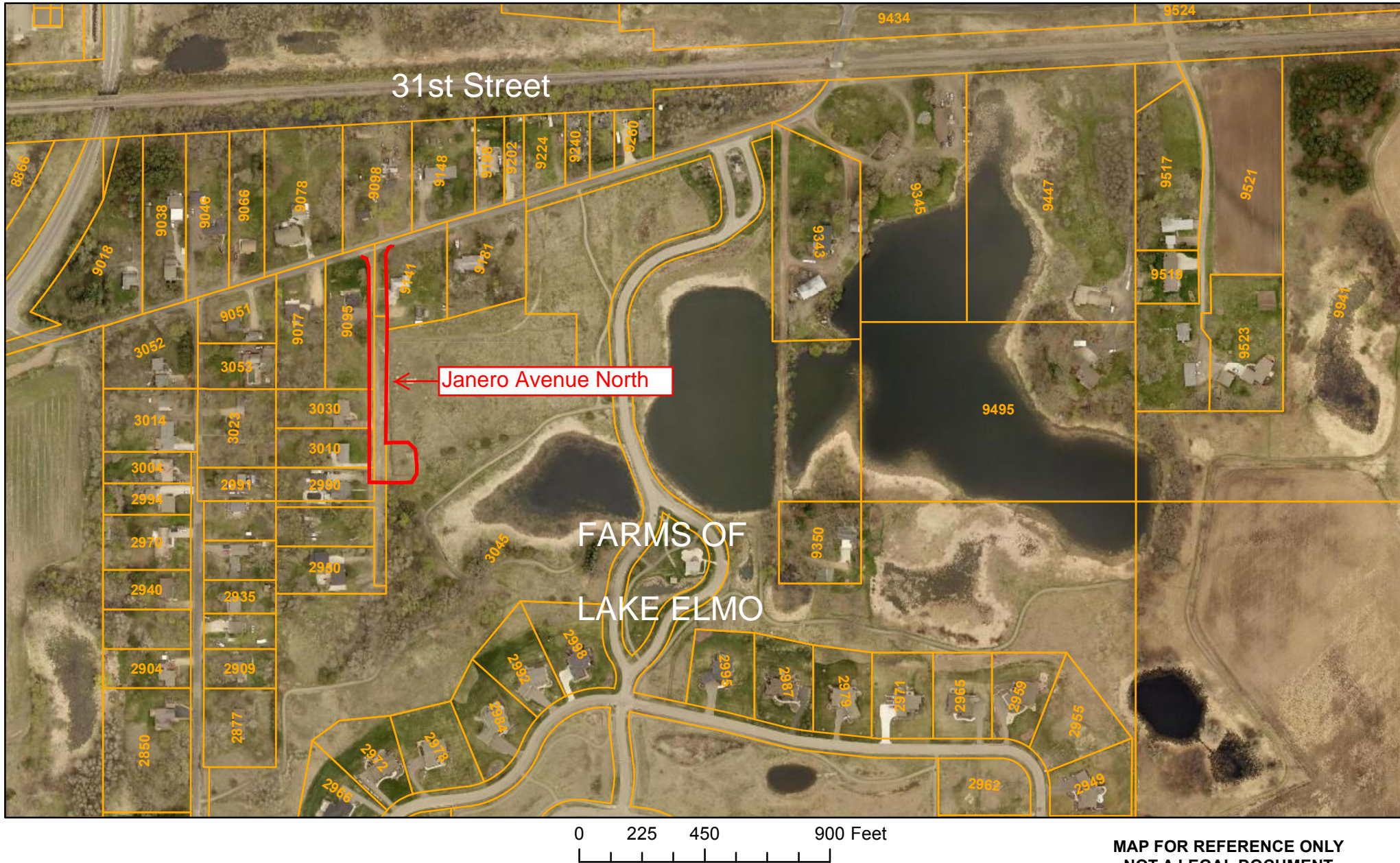
SIGNATURE OF PROPERTY OWNER(S)	NAME (printed)	ADDRESS (printed)
1. <u>Greg Salas</u>	Greg Salas	2950 Janero Ave N
2. <u>Scott Gleuwe</u>	Scott Gleuwe	3030 Janero Ave N
3. <u>Jeremy Sterbenk</u>	JEREMY STERBENK	9141 31 ST ST N
4. <u>Lisa Salazar</u>	Lisa Salazar	9095 N 31 st St N
5. <u>Sandra Salas</u>	Sandra Salas	2950 Janero Ave N
6. _____		
7. <u>Note: We are requesting a simple blacktop road no</u>		
8. <u>extra curbing/gutters. Also within reasonably priced</u>		
<u>range bidding. Pre estimates requested.</u>		

Examined, checked, and found to be in proper form and to be signed by the required number of owners of property affected by the making of the improvement petitioned for.

Julie Johnson, City Clerk

(Seal)

LOCATION MAP



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**



STAFF REPORT

DATE: June 20, 2017

REGULAR

ITEM #: 21

AGENDA ITEM: Administration Department Staffing

TO: Mayor and City Council

SUBMITTED BY: Kristina Handt, City Administrator

BACKGROUND:

In 2015, the city had 20 regular employees, excluding library staff and paid on call firefighters. Today there are 22 positions filled or in the process of recruitment. The increase has been in the building department (+2) and public works department (+2) with a reduction in administration department (-2).

At the May work session, staff shared with Council some of the challenges with the reduction of administration staffing such as some activities that are no longer being done. For example, there is less communication from the city to the public with the elimination of the taxpayer relations position. The Source Quarterly newsletter has not been issued since 2015. Also, with the four positions (clerk, deputy clerk, taxpayer relations, and admin assist) being essentially combined into two positions (clerk and admin assist) other functions are suffering such as human resources and record keeping. With the unionization of public works and the growth in staffing in other areas, human resources is becoming a bigger need in the city. With the growth in the city, there are more documents to track and manage according to the retention schedule and data practice provisions.

The Council was asked to have a discussion on adding one additional staff position to the Administration Department, Assistant Administrator. The primary objective of the position would be to perform a variety of administrative responsibilities and interact routinely with the public and other agencies. This position would assist primarily in the areas of Human Resources, Communications and General Administration. The position would report to the City Administrator and supervise the cable casting staff.

The Human Resources Committee reviewed the job description and discussed the need for additional staffing in the Administration Department at their recent meeting. They are recommending Council approve the job description and advertise for the position.

ISSUE BEFORE COUNCIL:

Should the Council approve the job description for an Assistant Administrator and authorize staff to advertise the position?

PROPOSAL DETAILS/ANALYSIS:

A copy of the proposed job description for an Assistant Administrator is included in your packet. I used the job description from Waconia (one of the comparable cities used in the recent job classification and compensation study) as the starting point and modified it to best meet the needs in Lake Elmo.

I have also included proposed job descriptions for the Clerk and Deputy Clerk so you can see how the duties are divided. Human Resource functions were moved from the Clerk to the Assist Admin. The Clerk and the Deputy Clerk would provide back up in the areas of communication such as website maintenance and newsletters.

Using the Job Evaluation Tool (JET) recently created in the study completed by David Drown Associates, this position is proposed to be a level 11, with a hiring pay range of \$55,000 to \$60,550. This is an exempt position due to its handling of confidential data and supervisory duties.

FISCAL IMPACT:

Estimated annual cost of the position (salary, taxes and benefits) is estimated at \$85,000. Impact to the 2017 budget would be about \$35,500 if the position were filled in August.

OPTIONS:

- 1) Approve the Assistant Administrator job description and advertising for the position
- 2) Amend and then approve the Assistant Administrator job description and advertising for the position
- 3) Approve the addition of a different position for the Administration Department
- 4) Approve no additional staff for the Administration Department

RECOMMENDATION:

Motion to approve the Assistant Administrator, Clerk and Deputy Clerk job descriptions and authorize advertising for an Assistant Administrator.

ATTACHMENTS:

- Assistant Administrator Job Description
- Clerk Job Description
- Deputy Clerk Job Description

City of Lake Elmo

Job Title: Assistant City Administrator

Department: Administration

Status: Full-time regular position

Benefits: Qualifies for full-time benefits

Reporting Relationship: Reports to City Administrator

Supervisory Duties: Cable Casting staff

Position Details: This position performs a wide variety of administrative responsibilities and interacts routinely with the public and other agencies. This position assists primarily in the areas of Human Resources, Communications, and General Administration. With the wide variety of work, this position works with all departments to carry out the work of the City.

Human Resources:

- Manage recruitment process for all departments. Assemble employment application information, post and publish advertisements, assist in development of selection procedures, assist in evaluating qualifications of candidates, develop interview questions, and participate in interviews as requested.
- Evaluate and administer benefit programs, including health, dental, life, long-term disability, and supplemental insurance plans. Manage employee health coverage enrollment and termination.
- Prepare and process routine payroll and benefit forms. Maintain confidential employee personnel files. Research and respond to employee inquiries, employment verifications, and draft routine correspondence.
- Perform and coordinate employee orientation and training.
- Coordinate drug and medical testing.
- Comply with all federal and state reporting standards (Worker's Compensation, COBRA, HIPAA, etc.).
- Communicate policies and procedures as adopted by the City Council to employees in written and verbal format.
- Participates in union negotiations
- Coordinate and research all personnel issues necessary to properly administer municipal employment.
- Assist with pay plan administration, pay equity, and job analysis.
- Participate in the development of operations policies, practices, procedures, and recommendations to the City Administrator and City Council.
- Assist in development and oversight of wellness programs.
- Assist with Data Practices policy development and implementation.
- Facilitate the city's Human Resources Committee including but not limited to agenda preparation, research, committee minutes, etc.

Communications:

- Assist and serve as an online editor of the City's social media profiles and website.

- Write, edit, proofread, and approve content to be posted on www.lakeelmo.org.
- Review, propose, manage, and coordinate with the City Administrator new and improved website enhancements.
- Monitor communication efforts and user trends in the organization.
- Assist all departments in public involvement and education by identifying target areas and means of communication.
- Assist with the City's public information programs, using all of the City's tools.
- Write, edit, proofread, and coordinate publication of the City's newsletters both electronically and in print
- Assist with internal communication initiatives.
- Work with other agencies from time to time on communication programs.
- Manage and schedule cable casting staff
- Responds to data request inquiries
- Establish and maintain effective relationships with other organizations, associations, businesses, and departments.

General Administration:

- Communicate and recommend measures to improve operations and employee performance both within the department and the organization as a whole.
- Coordinate contract management for the City on general contracts (including but not limited to: prosecution contract, law enforcement contract, cellular antenna contracts, etc.)
- Oversee the City's general liability and workers compensation insurance programs.
- Facilitate the city's Environmental Committee including but not limited to agenda preparation, research, committee minutes, etc.
- Assist with the maintenance of the City's records management system.
- Serve as liaison with state, county, and local officials to exchange information and coordinate activities associated with this position.

While these areas are the primary focus of the position, we believe strongly in teamwork and employees will be called upon to perform a variety of duties as a part of their role with the City.

Position Requirements

Knowledge, Skills and Abilities:

- Knowledge of federal and state statutes, city codes, and other requirements affecting municipal government operations.
- Thorough knowledge in the areas of public sector personnel/human resources administration, principles, practices, and techniques including legal requirements.
- Write clear and interesting articles, stories, social media posts, and other education and promotional material.
- Considerable ability to interpret policy decisions and guidelines and to develop practical solutions and programs.
- Considerable ability to resolve conflicts and negotiate solutions.
- Considerable ability to maintain confidential or proprietary information within the bounds of the law.
- Skill in analyzing facts, organizational procedures, and operational considerations.
- Ability to work independently, determine priorities, work collaboratively, and make appropriate decisions.
- Demonstrates a working knowledge of records management and MN data practices

- Demonstrates a working knowledge of advanced office practices, procedures, equipment and Microsoft Office
- Commitment to exceptional customer service and positive attitude
- Demonstrates a team player approach and high level of professionalism in assisting staff
- Demonstrates initiative in process improvement opportunities
- Ability to perform successfully with minimal supervision
- Ability to maintain effective and positive working relationships with staff and the public

Education: Bachelor's Degree in public administration, business administration, human resources or related field.

Requirements: Minimum of three years' experience working in local government. Specific requirements for this job include:

- Valid MN Driver's License

Process basic computers skills, including a good knowledge of and experience using:

- E-mail and Microsoft Outlook
- Web Browsing
- Basic Computer Mapping (Google Maps, Bing)
- Adobe PDF Viewer
- Microsoft Office Products
- Desktop Publishing

Desired Qualifications:

- Master's degree in public administration, business administration, human resources or related field.
- Five years practical experience in personnel administration, business administration or local government
- Knowledge of records management and MN data practices
- Experience in the fundamentals of human resources
- Initiative to look for continual improvement opportunities
- Ability to exercise independent judgement and discretion in decision-making
- Ability to effectively problem solve using analytical and strategic thinking

Physical and Mental Requirements: Positions in this job typically require: sitting, feeling, manual dexterity, grasping, talking, hearing, typing, and seeing. This position encounters unexpected and prolonged workdays and stress and pressure from dealing with emotional issues and conflicts. There is also sustained exposure to computer keyboards and video screens. This position is generally light-duty and may require the exertion up to 20 pounds of force on occasion and the ability to lift, carry, push, pull and move objects. The individual may encounter unexpected and prolonged workdays and stress and pressure from dealing with emotional issues and conflicts.

*** The physical demands described here are representative to those that must be met by an employee to successfully perform the essential functions of the job. Reasonable accommodations can be made to enable individuals with disabilities to perform the essential functions.*

Working Conditions: Most work is performed in an office setting

*** The work environment characteristics described here are representative to those an*

employee encounters while performing essential functions of this job. Reasonable accommodations can be made to enable individuals with disabilities to perform the essential functions.

Competencies Common to All City Positions:

- Develop, maintain a thorough working knowledge of, and comply with all departmental and applicable City policies and procedures
- Demonstration by personal example the spirit of service, excellence, and integrity expected from all staff.
- Develop respectful and cooperative working relationships with co-workers, including willing assistance to newer staff so job responsibilities can be performed with confidence as quickly as possible.
- Confer regularly with and keep immediate supervisor informed of all important matters which pertain to the applicable job functions and responsibilities.
- Represent the City of Lake Elmo in a professional manner to the general public, outside contacts and constituencies.

City of Lake Elmo

Job Title: City Clerk

Department: Administration

Status: Full-time regular position

Benefits: Qualifies for full-time benefits

Reporting Relationship: Reports to City Administrator

Supervisory Duties: This position supervises Deputy Clerk, administrative assistants, and interns

Position Details: The City Clerk performs moderate to complex technical duties and responsibilities of the City Clerk under the direction of the City Administrator. This position is responsible for all statutory functions and legal requirements of the Office of City Clerk; serves as Clerk to the City Council; responsible for state and local elections, municipal licensing, records management, public notices, and serves as the City's Data Practices Responsible Authority. This position serves as Deputy Treasurer for the City and provides administration support to the City Administrator. A primary function of this position is to develop and maintain positive relationships with staff, council, citizens, and other groups and agencies.

Clerk Duties:

- Responsible for processing accounts payable
- Responsible for Department filing and reporting
- Coordinate with Departments to ensure vouchers are properly coded and approved for payment
- Serves as Clerk to City Council: coordinates the recording of all meetings and official proceedings; supervises the preparation of minutes and other important documents of the City Council. Signs deeds, agreements and other official documents on behalf of the City

Election:

- Accept affidavits of filing of city council candidates
- Obtain judges and supervise polls, preparation/posting/printing of notices/balleets/results.
- Preparation of canvassing of board report of election results
- Responsible for reporting results to County
- Coordinate and supervise any special joint election between the school district and City
- Stay abreast of any state election law change
- Organizes and administers absentee voting

Record Keeping:

- Oversees the preparation and distribution of City Council packets and agendas
- Attends all City Council meetings
- Directs and manages official recordkeeping and notification requirements for the City, ensuring that all notices, ordinances, resolutions and other documents are posted, recorded, and published in accordance to law
- Develops and administers a comprehensive records management system

- Coordinate with American Legal for updating and maintaining the City's online City Code

Communications:

- Back up for updates to the City's website, Facebook and weekly email newsletter
- Back up for front desk coverage
- Back up for phones when busy to assist callers with setting up building inspections and other building department inquiries
- Coordinate with vendors for the repair and replacement of current equipment (computers, laptops, tablets, desk phones, cell phones and copiers)
- Responds to data request inquiries

Finance:

- Responsible for City licensing of liquor, animals, massage therapy, waste haulers, etc.

While these areas are the primary focus of the position, we believe strongly in teamwork and employees will be called upon to perform a variety of duties as a part of their role with the City.

Position Requirements

Knowledge, Skills and Abilities:

- Demonstrates a working knowledge in public elections
- Demonstrates a working knowledge of records management and MN data practices
- Demonstrates a working knowledge of management of the City's legal documents
- Demonstrates a working knowledge of finance and budgeting methods, reporting and practices
- Demonstrates a working knowledge of advanced office practices, procedures, equipment and Microsoft Office
- Commitment to exceptional customer service and positive attitude
- Demonstrates a team player approach and high level of professionalism in assisting staff
- Demonstrates initiative in process improvement opportunities
- Ability to perform successfully with minimal supervision
- Ability to maintain effective and positive working relationships with staff and the public

Education: two-year degree or associates degree in business, accounting, public administration, urban and regional studies or related field

Requirements: Minimum of five years' experience working in local government or an equivalent of work experience and education. Specific requirements for this job include:

- Minnesota Municipal Clerks Certification or the ability to acquire it within three years of employment
- Valid MN Driver's License

Process basic computers skills, including a good knowledge of and experience using:

- E-mail and Microsoft Outlook
- Web Browsing
- Basic Computer Mapping (Google Maps, Bing)
- Adobe PDF Viewer
- Microsoft Office Products

Desired Qualifications:

- Previous experience as a Municipal Clerk
- Knowledge of principles and practices of local government
- Knowledge of records management and MN data practices
- Knowledge and experience in the public elections process
- Experience in the fundamentals of finance and budgeting
- Initiative to look for continual improvement opportunities
- Ability to exercise independent judgement and discretion in decision-making
- Ability to effectively problem solve using analytical and strategic thinking
- Four-year degree in business, public administration, management or accounting

Physical and Mental Requirements: Positions in this job typically require: sitting, feeling, manual dexterity, grasping, talking, hearing, typing, and seeing. This position encounters unexpected and prolonged workdays and stress and pressure from dealing with emotional issues and conflicts. There is also sustained exposure to computer keyboards and video screens. This position is generally light-duty and may require the exertion up to 20 pounds of force on occasion and the ability to lift, carry, push, pull and move objects. The individual may encounter unexpected and prolonged workdays and stress and pressure from dealing with emotional issues and conflicts.

*** The physical demands described here are representative to those that must be met by an employee to successfully perform the essential functions of the job. Reasonable accommodations can be made to enable individuals with disabilities to perform the essential functions.*

Working Conditions: Most work is performed in an office setting

*** The work environment characteristics described here are representative to those an employee encounters while performing essential functions of this job. Reasonable accommodations can be made to enable individuals with disabilities to perform the essential functions.*

Competencies Common to All City Positions:

- Develop, maintain a thorough working knowledge of, and comply with all departmental and applicable City policies and procedures
- Demonstration by personal example the spirit of service, excellence, and integrity expected from all staff.
- Develop respectful and cooperative working relationships with co-workers, including willing assistance to newer staff so job responsibilities can be performed with confidence as quickly as possible.
- Confer regularly with and keep immediate supervisor informed of all important matters which pertain to the applicable job functions and responsibilities.
- Represent the City of Lake Elmo in a professional manner to the general public, outside contacts and constituencies.

City of Lake Elmo

Job Title: Deputy Clerk

Department: Administration

Status: Full-time regular position

Benefits: Qualifies for full-time benefits

Reporting Relationship: Reports to City Clerk

Supervisory Duties: This position has no supervision responsibilities

Position Details: The Deputy Clerk performs various types of skills including front office customer service, support the Administration Department, support City Clerk and other duties as assigned. Performs statutory clerk duties in the absence of the City Clerk.

Customer Service:

- Fields all incoming phone calls
- Greets and assists visitors at front counter
- Provides general assistance to the public
- Receives, distributes and handles incoming and outgoing mail
- Schedules park reservations, conference rooms and council chambers
- Issues and tracks licensing programs

Administrative Support:

- Responsible for opening and closing of City Hall
- Assists with administrative mailings, publications, management of social media and community communications
- Assists with records management and data practices requests
- Assists with elections and serves as an election judge
- Assists with the preparation and distribution of Council and Parks Commission packets
- Responsible for minute taking for the Parks Commission
- Assists with scheduling building inspections
- Assist with Right of Way permits
- Assist with alcohol, tobacco, dog and other city licenses

Financial Support:

- Responsible for ordering offices supplies and maintaining inventory
- Assists with utility billing inquiries and mailings
- Responsible for preparation of bank deposits
- Responsible for petty cash reconciliation

While these areas are the primary focus of the position, we believe strongly in teamwork and employees will be called upon to perform a variety of duties as a part of their role with the City.

Position Requirements

Knowledge, Skills and Abilities:

- Commitment to exceptional customer service and positive attitude

- Demonstrate poise, tact, and diplomacy with strong focus on delivering superior customer service to internal and external customers
- Demonstrate a working knowledge of Microsoft Office software and office equipment
- Demonstrate initiative in process improvement opportunities
- Strong attention to detail in reporting, accounting, and official city record keeping
- Ability to maintain effective and positive working relationships with associates and the public
- Possess excellent written and verbal communications skills
- Possess excellent phone etiquette, with the ability to relate effectively with diverse individuals
- Ability and willingness to work in a fast-paced environment

While these areas are the primary focus of the position, we believe strongly in teamwork and employees will be called upon to perform a variety of duties as a part of their role with the City.

Education: High School Diploma or GED

Requirements: Minimum of five years' experience working in local government or an equivalent of work experience and education.

Desired Qualifications:

- Knowledge of principles and practices of local government
- Knowledge or experience in permitting and licensing
- Advanced computer software knowledge
- Ability to exercise independent judgement and discretion in decision-making
- Ability to effectively problem solve using analytical and strategic thinking
- Knowledge of City and State regulations related to building, housing and zoning

Physical and Mental Requirements: Positions in this job typically require: sitting, feeling, manual dexterity, grasping, talking, hearing, typing, and seeing. This position encounters unexpected and prolonged workdays and stress and pressure from dealing with emotional issues and conflicts. There is also sustained exposure to computer keyboards and video screens. This position is generally light-duty and may require the exertion up to 20 pounds of force on occasion and the ability to lift, carry, push, pull and move objects. The individual may encounter unexpected and prolonged workdays and stress and pressure from dealing with emotional issues and conflicts.

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Working Conditions: Most work is performed in an office setting

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Competencies Common to All City Positions:

- Develop, maintain a thorough working knowledge of, and comply with all departmental and applicable City policies and procedures
- Demonstration by personal example the spirit of service, excellence, and integrity expected from all staff.
- Develop respectful and cooperative working relationships with co-workers, including willing assistance to newer staff so job responsibilities can be performed with confidence as quickly as possible.
- Confer regularly with and keep immediate supervisor informed of all important matters which pertain to the applicable job functions and responsibilities.
- Represent the City of Lake Elmo in a professional manner to the general public, outside contacts and constituencies.



STAFF REPORT

DATE: June 20, 2017

REGULAR

ITEM #: 22

AGENDA ITEM: Remaining Parks 2017 CIP Items

TO: Mayor and City Council

SUBMITTED BY: Kristina Handt, City Administrator

BACKGROUND:

The 2017-2021 CIP included five projects in the parks department for this year. Three of them have been approved for purchase of bids. The two projects yet to be started are improvements at Pebble Park and a trail along 50th Street. At their special meeting to work on the CIP on May 30th, the Parks Commission is recommending the Council not complete the 50th St trail and Pebble Park improvements in 2017 because of exceeding planned spending in 2017 and the establishment of new priorities.

ISSUE BEFORE COUNCIL:

Should Council direct staff to proceed with remaining Parks CIP items for 2017?

PROPOSAL:

The Parks Commission is recommending the following items not be completed this year:

PR-002, 50th Street Trail for \$140,000;

PR-005, Pebble Park Improvements for \$80,000 (restrooms, lighting and security features).

If Council still wants to proceed with these items this year, they should direct staff to obtain quotes for the Pebble Park Improvements. Further direction would need to be given to authorize the City Engineer to complete a feasibility study of the 50th St trail as is the typical process with any work in the right of way.

FISCAL IMPACT:

The estimated cost of these projects is \$220,000. This number, as noted in the CIP last year, does not include right of way acquisition for the trail on 50th St.

OPTIONS:

- 1) Direct staff to proceed with the Pebble Park Improvements and 50th St Trail
- 2) Direct staff to proceed with either the Pebble Park Improvements or the 50th St Trail
- 3) Support Parks Commission recommendation of not completing these projects in 2017

RECOMMENDATION:

Motion to support Parks Commission recommendation to not complete Pebble Park and 50th St Trail improvements in 2017.

ATTACHMENTS:

None



STAFF REPORT

DATE: June 20, 2017

REGULAR

ITEM #: 23

AGENDA ITEM: Paperless Council Packets and Computer Reimbursement

TO: Mayor and City Council

SUBMITTED BY: Kristina Handt, City Administrator

BACKGROUND:

At the April, work session Council discussed going to a paperless packet model. Council positions were mixed but since at least two members were supportive of the idea staff has drafted a resolution and set of guidelines for Council to consider adopting at this meeting.

ISSUE BEFORE COUNCIL:

Should the Council adopt the Guidelines for Paperless Council Packets? If so, should the City reimburse Council for the purchase of a computer or other electronic device for use in reading the packets?

PROPOSAL:

Included in your packet are proposed Guidelines for Paperless Council Packets. It lays out the purpose of the policy, how meeting materials would be distributed to Council, staff and the public, provides a reminder on the classification and retention of electronic data and outlines security protocols. These guidelines are proposed to be adopted as an appendix to the resolution laying out how Council may be reimbursed for the purchase of a computer to use for this purpose.

The resolution provides for a \$1,000 per term reimbursement for each member of the Council. Since there were different opinions from Council about whether or not the City should purchase laptops or other electronic devices for members if the City chose to go paperless, staff is proposing this option to provide flexibility for each member. This will also allow members to get the device that works best for them. The effective date of the guidelines would be the first meeting in August to allow time for Council to obtain electronic device if they wish to.

FISCAL IMPACT:

The City Clerk spends about 5 hours for each Council meeting packet in preparation-copying, stapling, assembling, etc.-and delivery-driving packets to each member's house. An additional \$1,800 per year is spent on supplies such as paper, copies, staples, binders, etc.

OPTIONS:

- 1) Approve Resolution No-2017-65
- 2) Amend and then Approve Resolution No 2017-65
- 3) Do not adopt Resolution No 2017-65

RECOMMENDATION:

Motion to approve Resolution No 2017-65

ATTACHMENTS:

- Resolution
- Guidelines

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

RESOLUTION 2017-65

**RESOLUTION APPROVING PAPERLESS PACKETS FOR COUNCIL MEETINGS
AND REIMBURSEMENT TO MAYOR AND CITY COUNCIL MEMBERS FOR THE
PURCHASING OF COMPUTER AND COMPUTER RELATED EQUIPMENT.**

WHEREAS, the City of Lake Elmo can cut costs incurred by the continuous purchasing of paper, preparation of City Council agendas, delivery of City Council agendas and use the paper-related products used during meetings; and

WHEREAS, the City currently budgets approximately \$6,400 per year for paper, equipment, and staff time for preparation for delivery of City Council agendas; and

WHEREAS, a reimbursement program for electronic equipment for Council members is anticipated to cost an average of \$1,000 per year; and

WHEREAS, the City of Lake Elmo can become more environmentally friendly by cutting back on the use of paper and instead focus on using modern technology.

NOW, THEREFORE BE IT RESOLVED:

1. That the attached Guidelines for Paperless Council Meeting Packets in the City of Lake Elmo is hereby adopted.
2. That the Mayor and City Council members of the City of Lake Elmo will be provided reimbursement by the City for a computer, tablet or other electronic device purchased for use in their official capacity as Lake Elmo City Council members in a maximum amount of \$1,000 with receipt for proof of purchase.
3. That the reimbursement will be done once per member per four-year Council term. The computer or electronic device must be purchased within twelve (12) months of the member's term to be eligible for reimbursement as provided in this Resolution.
4. That the computer or electronic device purchases reimbursed under this Resolution are the personal property of the Mayor and Council member. Individual Council members may refuse this benefit.
5. That only those councilmembers in office on January 1, 2017 and thereafter will be eligible for this reimbursement. Notwithstanding the preceding provision, a Mayor elect and Council members elect who will take office effective January 1 of any year may be reimbursed after January 1 of any year, for their computer equipment purchased prior to the effective date of the commencement of their term in office. Also, any Mayor or Council member in office at the time of the effective date of this resolution may receive said reimbursement for purchases made within twelve (12) months of the effective date.
6. The Guidelines for Paperless Council Meeting Packets will be effective with the August 1, 2017 Council meeting packet.

APPROVED by the Lake Elmo City Council on this 20th day of June, 2017.

By: _____
Mike Pearson
Mayor

ATTEST:

Julie Johnson
City Clerk

Guidelines for Paperless Council Meeting Packets in the City of Lake Elmo

These guidelines apply to all members of the city council and mayor in the City of Lake Elmo.

For purposes of these guidelines, “city clerk” means the city clerk, manager, administrator or his / her designee.

These guidelines apply regardless of whether the council member is using a city-provided email address and account, his/her personal email address or account, or one provided by his/her employer.

The purpose of the paperless meeting packet guidelines is to use technologies to save City Funds, Staff time, better communicate with the public and allow for a more eco-way of providing government through the use of innovative technologies. The City has committed itself to more efficient, greener, innovative procedures using technologies. Paperless agendas and the related devices is one tool to help the City of Lake Elmo accomplish these goals. Additionally, these guidelines will set out the proper procedures the City Council will follow when using electronic media and the City’s electronic communication system. These guidelines will also insure that the use of electronic media complies with applicable law, including but not limited to the Minnesota Open Meetings Law and Government Data Practices Act.

MEETING MATERIALS

Electronic communication of meeting materials should generally be conducted in a one-way communication from the city clerk to the council.

- Council members may receive agenda materials, background information, and other meeting materials via email attachment or other electronic means (such as file sharing) from the city clerk.
- If a council member has questions or comments about materials received, s/he should inquire via electronic means directly back to the city clerk or appropriate staff member. A council member should not copy other council members on his/her inquiry.
- If the clarification is one of value to other council members, the city staff may send follow-up materials or information to the council.

PROCEDURES FOR IMPLEMENTING PAPERLESS MEETING PACKTES

- The Mayor and City Council members of the City of Lake Elmo will be provided reimbursement by the City for an electronic device purchased for use in their official capacity as Lake Elmo City Council members in a maximum amount of \$1,000 with receipt for proof of purchase
- Information pertaining to one or more scheduled meetings items (i.e. meeting “packets”) shall be regularly available on Google Docs, Dropbox (or similar file sharing program) or via Email Transmission.

- All City Council members will be required to use an electronic device to read and download information at meetings. Materials will be available in electronic format only. Paper copies will not be mailed but available for pickup at City offices at the time agendas are posted for meetings for those needing ADA provisions. Upon receipt of an email from the City Clerk's office, City Council shall be individually responsible for viewing the meeting's packet and to review their packet in advance of the scheduled meeting.
- Meeting information will be available for City Council members and Staff by 4:00 p.m. the Thursday prior to the meeting or equivalent day. Special meetings packet will be available 72 hours ahead of time. On the day of the meeting the most current packet will be available by the start of the meeting.
- Council Packets will be posted online for the public no later than 2:00 p.m. the Friday prior to the Council Meeting.
- The media will be required to go online to access information on the City Council Meeting as the public will.
- All Consultants, Vendors and the Public must submit reports, or requests in a PDF or MS Word digital format or other format requested by the City.
- The City of Lake Elmo will accept limited copies of reports or studies from the various Consultants, Vendors and the Public.
- Materials relating to agenda items of a meeting must also be made available to the public at the meeting. One paper copy of the meeting packet will be made available at the meeting to comply with the Minnesota Government Data Practices Act.

CLASSIFICATION AND RETENTION OF ELECTRONIC COMMUNICATIONS

- Regardless of whether electronic communication by a council member is taking place on a city-provided computer, home computer or other computer system, classification of information as public, private or other is governed by the Minnesota Government Data Practices Act (Minn. Stat. Chapt. 13) and should be treated accordingly.
- Council members should retain electronic communications in keeping with city policies and procedures, whether such communication takes place on a city-provided computer, home computer or other computer system.
- City Council members may occasionally receive private or non-public electronic information. Some examples of non-public information are: personnel records, internal investigations, information relating to litigation or potential litigation, attorney-client communication, information relating to labor negotiations, or information relating to confidential real estate negotiations. When Council members receive private or non-public information, it should be marked "Private Information" or "Non-Public Data" so that Council members are alerted to the nature of the information.

- Private or non-public information should not be sent or forwarded to individuals or entities not authorized to receive that information and should not be sent or forwarded to City employees not authorized to view such information.
- The City Attorney should be contacted concerning any questions about whether a communication is private or non-public data.

SECURITY

- City Council and Staff members are encouraged to take appropriate steps to protect the security of networks and files by the use of passwords and by taking all necessary steps to maintain the integrity of passwords. While the City Clerk shall have the right to know all passwords, passwords should not otherwise be shared, nor should they be posted.
- Any suspected breach of security, damage, destruction, or theft of any computer or other device owned by the City should be reported to the City Administrator as soon as possible.