

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

Lake Elmo City Council

Tuesday

April 19, 2005

3800 Laverne Avenue No.
Lake Elmo, MN 55042
777-5510 777-9615 (fax)

Please read:

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

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

Agenda

City Council Meeting Convenes 7:00 PM

Pledge of Allegiance

1. Agenda

2. Minutes:

April 5, 2005

3. PUBLIC INQUIRIES/INFORMATIONAL:

A. Public Informational: Citizen Award by Commander Tuthill

B. Jim Kelly, Dept. of Health, Tablyn Park Area Water. Update of proposed public meeting

Public Inquiries/Informational is an opportunity for citizens to bring the Council's attention any items not currently on the agenda. In addressing the Council, please state your name and address for the record, and a brief summary of the specific item being addressed to the Council. To allow adequate time for each person wishing to address the Council, we ask that individuals limit their comments to three (3) minutes. Written documents may be distributed to the Council prior to the meeting or as bench copies, to allow a more timely presentation.

4. CONSENT AGENDA

A. (1) Resolution No. 2005-040: Approving Claims

(2) Resolution No. 2005-041: Approving Claims

B. Clean Up Day Rates

C. Plow Truck Purchase

Those items listed under the Consent Calendar are considered to be routine by the City Council and will be enacted by one motion under a Consent Calendar format. There will be no separate discussion of these items unless a Council member so requests, in which event, the item will be removed from the general order of business and considered separately in its normal sequence on the agenda.

5. FINANCE

A. Monthly Operating Report

6. NEW BUSINESS

7. MAINTENANCE/PARK/FIRE/BUILDING:

A. Update on Building Department Activities: Jim McNamara

B. Accept Fire Study Report: Chief Malmquist

<p>8. <u>CITY ENGINEER'S REPORT:</u></p> <p>A. Approved Stop Sign at the Intersection of Highlands Trail and Hilltop Avenue</p> <p>B. Update on Water Tower Sites</p> <p>C. Phase II Watermain: Authorize for bids, Resolution No. 2005-042</p>	<p>Tom Prew</p>	
<p>9. <u>PLANNING, LAND USE & ZONING:</u></p> <p>A. Preliminary Plat, Comprehensive Plan Amendment Rezoning, Conditional Use Permit and OP Concept Plan – Deer Glen, Lakewood Evangelical Free Church (Continuation)</p> <p>B. Resolution No. 2005-043 approving placement of a garage structure in front of the primary structure :Gleason, 8211 Lake Jane Trail</p> <p>C. Zoning Ordinance Text Amendments - Fence Regulation/Standards, Ordinance No. 97-155</p> <p>D. Comprehensive Plan Amendments – Planning Commission Recommendations</p> <p>E. Comprehensive Plan – Consulting Services</p>	<p>C. Dillerud</p>	
<p>10. <u>CITY ATTORNEY'S REPORT:</u></p> <p>A.</p>		
<p>11. <u>CITY ADMINISTRATOR'S REPORT:</u></p> <p>A) PARKS Commission</p>		
<p>12. CITY COUNCIL REPORTS:</p> <p>A. Mayor Johnston:</p> <p>(1) Proposal by Jim Brimeyer: Objectives for City Administrator</p> <p>(2) Groundrules for Public Meetings</p> <p>B. Council Member Conlin</p> <p>C. Council Member DeLapp</p> <p>D. Council Member Johnson</p> <p>E. Council Member Smith</p>		
<p>MEETINGS ON COMPREHENSIVE PLAN: 4/16/05 8:00 a.m., 4/20/05 6:00 p.m., 4/23/05 8:00 a.m.</p>	<p>BOARD OF REVIEW: May 4, 4-6 p.m.</p> <p>CLEAN UP DAY: May 21st, 8-Noon</p>	

LAKE ELMO CITY COUNCIL MINUTES

APRIL 5, 2005

1. AGENDA
2. MINUTES: March 15, 2005
3. PUBLIC INQUIRIES/INFORMATIONAL:
 - (1) Arbor Day Proclamation
 - (2) Planning Commission Appointment
 - (3) Announce Board of Review
4. CONSENT AGENDA:
 - A. Resolution No. 2005-034: Approving Claims
5. FINANCE
6. NEW BUSINESS
7. MAINTENANCE/PARK/FIRE/BUILDING:
 - A. Update on Fire Department Activities: Fire Chief
8. CITY ENGINEER'S REPORT:
 - A. Water Tower Storage Tank, CUP
 - B. Public Works/Parks Facility, CUP and Variance: Resolution No. 2005-035
 - C. Resolution No. 2005-036: Award Bid for Phase I Water System Interconnect
9. PLANNING, LAND USE & ZONING:
 - A. Preliminary Plat, Comprehensive Plan Amendment, Rezoning, Conditional Use Permit and OP Concept Plan – Deer Glen (Continuation) Resolutions Postponed
 - B. OP Concept Plan – Farms of Lake Elmo; Resolution No. 2005-038
 - C. Minor Subdivision: Olinger, 9057 Lake Jane Trail; Resolution No. 2005-037
 - D. Section 520 Site Plan – 11051 Stillwater Blvd., Resolution No. 2005-039
 - E. Zoning Ordinance Text Amendment-Home Occupation in Rural Residential Zoning, Ordinance No. 97-154
 - F. CDBG – Award Contract for Cimarron Gas Service Replacements
 - G. Update on Comprehensive Plan
10. CITY ATTORNEY'S REPORT:
11. CITY ADMINISTRATOR'S REPORT
12. CITY COUNCIL REPORT:

Mayor Johnston called the Council meeting to order at 7 p.m. in the Council chambers.
PRESENT: Conlin, Smith, Johnston, Johnson, City Engineer Prew, City Attorney Filla, Finance Specialist Hristo Galiov, Fire Chief Malmquist, City Planner Dillerud and Administrator Rafferty. ABSENT: Council member DeLapp

1. AGENDA

Attorney Filla reported he received a 13 page letter and exhibits from Lakewood Evangelical Free Church Tuesday afternoon which requires more time to review if the applicant is willing to approve an extension for two weeks. Request 9A between 2 & 3, Add Items: 11A. Reroute of Hwy 5, 11B. Meeting with Fields HOA and Bob Engstrom, 11C., 12A. Proposal requested assisting Council performance of the City Administrator

M/S/P Johnson/Smith - to approve the April 5, 2005 City Council agenda, as amended. (Motion passed 4-0).

2. **MINUTES:** March 15, 2005

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

3. **PUBLIC INQUIRIES/INFORMATIONAL:**

A. Public Inquiries

Tim Mandel, 2479 Lisbon Avenue N., asked to go on record against the trail planned for his development, Eden Park. He has a concern for the safety of residents because this would be a public trail and access would go over private property. Residents do not want trails in their back yards on small lots.

Administrator Rafferty responded that no formal action had been taken by Council on the proposed trail plan. There will be a public hearing on the trail plan after the Parks Commission has a complete format and then the plan proceeds to the Planning Commission for its review and recommendation.

Gloria Knoblauch asked if the street could be named Friedrich Road in the proposed development, Farms of Lake Elmo. She said residents would want road to go through someday and asked if the developer could pay the assessments.

Jim Blackford indicated a public facility should be in a commercial area and not any where close to Sunfish Park. He added the Council won't let a church go in a residential area, but would stick a maintenance garage in a park. He said he talked to Mike Lynsky who has 33 acres of commercial land for sale close to where City Hall is located.

Jim Lund said he has served on the Parks Commission and such groups worked hard to preserve this land and we owe them a big debt of gratitude. He said there was a verbal contract apparently with a covenant that the land be used for recreational facilities. The definition of recreational facilities does not include a maintenance facility.

Ed Nielsen presented the park bond brochure and noted the City should have done their homework and reviewed all this information. He suggested placing all the City parks in a land trust.

Merle Olson said Lehart Friedrich was asked to sell the property and the purchase of this land was for park purposes. He said the past councils have pushed hard to preserve rural Lake Elmo. He asked the Council to please continue using Sunfish Park for park purposes.

Judy Blackford read a notice from resident, Rosalie Wahl, stating such a citing of a maintenance building on park land would be a violation of power. Without legal documentation for using this land only for park purposes may frees the City from some legal obligation, it is not good enough for her. Ms. Blackford said she served 5 years on

the Parks Commission and asked the Council to look at the intent of the documents presented.

David Steele said he is a member of the Park Commission and the Commission was asked to deliberate with no background information. A facilities committee was to be established and that has not happened. He asked what the Council saying to the residents and what legacy you are leaving after 31 years this land has been preserved.

Joe Kiesling stated the maintenance facility has been bouncing around for years. The City has to have a new maintenance building and a water tower. He asked who wants to pay for the open land and preserve it. The developers buy the land from the farmers and people are coming into the city.

1. Arbor Day Proclamation

Kathy Widin, Forestry Consultant and Lake Elmo Parks Commission recommended that the Council support the Arbor Day Proclamation for 2005 and an application for Tree City USA award.

MAYOR JOHNSTON PROCLAIMED THE MONTH OF MAY, 2005 TO BE ARBOR MONTH IN THE CITY AND MAY 29TH AS ARBOR DAY.

2. Planning Commission Appointment

At its February 15, 2005 meeting, the City Council appointed Rod Sessing to the Planning Commission for sixty days. The 60-day appointment will be expiring so staff asked for Council direction.

Mayor Johnston indicated the Council should follow the recently adopted appointment policy for Commissions. Council member Conlin noted there is a value in members that have worked on past plans and to keep the continuity. Council member Johnson agreed that it is valuable as a team to finish this process and noted it would be hard enough for someone new to come in at this time.

M/S/F Conlin/Johnson – to extend Rod Sessing's Planning Commission term for an additional 90 days. (Motion failed 2-2:Smith, Johnston.)

M/S/F Johnston/Smith – to follow the adopted appointment policy for Commissions and advertise the vacancy and interview applicant in two weeks. (Motion failed 2-2: Conlin, Johnson.)

Council member Smith indicated Rod Sessing's term would expire in 120 days which would bring his term into May; therefore, the Council could address this item at the first Council meeting in May.

3. Announce Board of Review

Mayor Johnston announced that the Lake Elmo Board of Review will meet at City Hall, May 4, 2005, between the hours of 4:00 and 6:00 for the purpose of reviews and correcting the assessment of said Real Estate for the 2005. The Council received the 2005 Assessment Report.

4. CONSENT AGENDA:

A. Resolution No. 2005-034: Approving Claims

M/S/P Johnson/Conlin - to adopt Resolution No. 2005-034, A Resolution Approving Claim Numbers 248, 249, DD373 through DD385, 27060 through 27086 that were used for Staff Payroll dated March 17th, 2005; 250, 252, DD386 through DD395, 27088 through 27099, which were used for Staff Payroll dated March 31st, 2005; claims 251, 27100 through 27151, in the total amount of \$147,793.85. (Motion passed 4-0).

5. FINANCE

6. NEW BUSINESS

7. MAINTENANCE/PARK/FIRE/BUILDING:

A. Update on Fire Department Activities: Fire Chief

Fire Chief Malmquist reported that two new applicants are starting on April 12th, but the department needs members. The Chief updated the Council on the latest department activities and recognized the captains for doing a great job introducing the duty crew.

8. CITY ENGINEER'S REPORT:

A. Water Tower Storage Tank, CUP

At the last Council meeting, staff was asked to review additional sites for the Public Works/Parks operations and the proposed Water Tower. City staff and the city engineer have worked to finalize facility locations for the Water Tower and Public Works/Parks operation.

In his memo dated March 24, 2005, the city engineer looked at alternate sites for both the public works building and water tower. The sites listed were

1. City Owned Property within the Closed Landfill Site
2. Washington and Ramsey County Owned Property South of the Closed Landfill Site: An additional 2,000 feet of 16-inch water main would need to be extended to the site along Jamaca Avenue at an additional cost of \$160,000.
3. City Owned Property in Sunfish West: Additional cost would be about \$200,000.
4. 3M Property – The additional estimated cost would be \$460,000.
5. Common Ground Church Property for water tower: The Church was not interested in selling more land for a maintenance building.

The City Planner drafted a report for the March 14th Public Hearing held by the Planning Commission. At that meeting, the Planning Commission recommended denial of the Conditional Use Permit for a Public Works/Park Maintenance Building and a Water Storage Tower in Sunfish Park.

The City Engineer reported when he and the City Administrator met with the officials from the Minnesota Pollution Control Agency they were told a water storage tank on legs could be built, but no new buildings would be allowed on the City owned property within the closed landfill site. Ed Nielsen added that he talked with Judith Hunter, Washington County, where her area is the Lake Jane Landfill. Mr. Nielsen advised the Council they may want to purchase this property at a reasonable price.

The Council asked staff to continue to review the tower sites proposed and to look at alternate sites for the water tower location.

B. Public Works/Parks Facility, CUP and Variance

The City Administrator presented background on the history of the City purchasing Sunfish Lake Park. He reported he had talked to Jim Lugar, Washington County, about placing a maintenance facility next to the County's garage in the Regional Park, but the County was not interested.

Susan Dunn asked the City to consider placing the park into the Minnesota Land Trust because Mr. Friedrich wanted this land protected. She suggested the Council look at a commercial area for the location of the maintenance garage and review the minutes of why the residents did not want the facility in the Old Village area.

Mayor Johnston stated the entire concept to place a facility in Sunfish Park came from the old council and this Council is following through with the suggestion.

Council member Conlin said she was on the council 10 years ago and there was discussion about needing a maintenance facility then. There was a need then for a building and the residents didn't want it in the location that was suggested. There is a real need now and again; the people don't want it in this location. Conlin said she did not believe this is a good use for park land. As the city grows, it will need all its parks later.

Council member Smith stated the park should be used for parks purposes only. She said she could not in good conscience vote to place the maintenance facility there.

Council member Johnson didn't think the staff had all the homework in place because they did not look at commercial property.

M/S/P Conlin/Smith - to adopt Resolution No. 2005-035, to deny granting a Conditional Use Permit and Variance for a Public Works Facility located in Sunfish Park. (Motion passed 3-1 Johnston: He would rather the City have a solid site identified before a vote was cast)

C. Resolution No. 2005- 036: Award Bid for Phase I of the Water System Interconnect Project

In his letter dated March 24, 2005, the City Engineer reported bids were opened on February 18, 2005 for this project. The City engineer recommended awarding the contract to the lowest bidder, Chris Riley Utilities, Inc. for their bid of \$348,626.18.

M/S/P Johnson/Conlin - to adopt Resolution No. 2005-036, A Resolution Awarding the bid for the Phase I of the Water System Interconnect Project to Chris Riley Utilities in the amount of \$348,626.18. (Motion passed 4-0).

9. PLANNING, LAND USE & ZONING:

A. Preliminary Plat, Comprehensive Plan Amendment, Rezoning, Conditional Use Permit and OP Concept Plan – Deer Glen (Continuation)

Attorney Filla reported he received a 13-page document from the representatives of the church late this afternoon and has not had time to review the submittals. He asked the applicant if they would agree to a two week extension of their application. Chuck Palmer, the applicant, said he would agree to the two week extension as long as it had no impact on the merits of the case.

M/S/P Smith/Johnson - to approve the extension for two weeks agreed to by the applicant, Chuck Palmer. (Motion passed 4-0.)

B. OP Concept Plan – Farms of Lake Elmo

This is an OP Concept Plan for Earl Friedrich Farm for 30-single family building lots on a site of 84 acres. The Planner explained the three lots at the southwestern edge of the site may not meet buffer requirements, but an adjoining parcel is eligible for OP development. The zoning ordinance does not provide for monument signs, so the letters have to be taken down and the wall left up.

Tim Freeman, Surveyor with FFE, indicated these lots sizes match or exceeds neighboring properties and only a few houses are close. Their plan would have the existing berm cut in with houses and planted above with additional buffering and screening. Freeman said the intent of the ordinance is met with 100 feet of buffer, and that they worked hard to keep each lot not having a neighbor across or behind them.

The Planner pointed out that the Planning Commission's recommendation deleted the staff condition #1 requiring the developer to install a full 200 foot OP buffer between the house pads of the westerly 3 lots and the west project property line. By implication, a 100 foot buffer with appropriate landscaping would be the expectation for the Development Stage Plan, but a 4/5 City Council waiver will be necessary to adopt that design strategy.

M/SP Conlin/Johnson - to waive the 200 foot buffer requirement and require the 100 foot buffering setback standards to the west, south and east based on the findings of the size of lots, adjoins the majority of the Regional Park, trees are planted on the top and the elevation difference. (Motion passed 4-0).

M/S/P Johnson/Conlin - to adopt Resolution No. 2005-038, as amended, A Resolution Approving the OP Concept Plan of Farms of Lake Elmo per the plans staff dated March 18, 2005, and subject to conditions #1-#3, of the Staff Report of March 18, 2005 and a 4th condition that the nameplate be removed from the rock wall at the entrance. (Motion passed 4-0).

C. Minor Subdivision: Olinger, 9057 Lake Jane Trail

The City Planner reported that the Planning Commission recommended approval of this application to divide an existing 16 acres parcel into parcels of 2.04 acres, .75 acres, and 13.3 acres. This application is responsive to the Comprehensive Plan amendment actions and a rezoning that was approved by the Council in 2004. A condition of the approval recommendation is that the .75 parcel be either combined with the parcel to the south (across Lake Jane Trail), or that a "No Build" covenant be placed on the title.

M/S/P Johnson/Johnston - to adopt Resolution No. 2005-037, A Resolution approving the Minor Subdivision for Daniel and Jean Olinger at 9057 Lake Jane Trail, per plans staff dated March 8, 2005, and subject to the conditions of the March 8, 2005 Staff Report. (Motion passed 4-0).

D. Section 520 Site Plan – 11051 Stillwater Blvd.

The City Planner reported the Planning Commission recommended approving this application to modify the site and make a building addition that nearly doubles the size of this existing 2,057 square foot structure. Since the additions will not double the size of the structure, the GB Architectural Standards do not apply. The two issues that form conditions to approval are proper placement of the pylon sign and the City Engineer's recommendation that a septic site be identified on the site. The Building Official pointed out that this building must be sprinkled.

M/S/P Smith/Conlin - to adopt Resolution No. 2005-039, A Resolution approving a Section 520 Site Plan for site modifications and a 2,046 square foot addition to 11051 Stillwater Blvd. per plans Staff dated march 9, 2005, and subject to the conditions of the Staff Report. (Motion passed 4-0).

E. Zoning Ordinance Text Amendment-Home Occupation in Rural Residential Zoning

The City Planner reported the Planning Commission conducted a Public Hearing and adopted a recommendation to approve an amendment to the text of the RR zoning district to permit Home Occupation as an Accessory Use. The Commission considered the reports of the City Attorney and City Planner on the matter and concluded that the amendment amounts to a code housekeeping item.

M/S/P Johnson/Smith - to adopt Ordinance 97-154, An Ordinance Amending Chapter 300 of the City Code to add "Home Occupation" as an Accessory Use in the RR zoning district. (Motion passed 4-0).

F. CDBG – Award Contract for Cimarron Gas Service Replacements

The City Planner reported staff solicited proposals for Cimarron gas service line replacement from 10 plumbing firms. The single bid that was received was reviewed and accepted by the Building Official.

The Council was disappointed at the price because this would mean that the natural gas lines of approximately one-third of the units would be replaced, but several Council members agreed the project needed to get started.

M/S/P Johnston/Johnson - to accept the proposal submitted by Murr Plumbing for Cimarron Gas Service Replacement. (Motion passed 3-1:Smith:Disappointed that there was only one bid with a price that would only replace the gas lines for one-third of Cimarron units.)

G. Update on Comprehensive Plan

Planner Dillerud stated he will bring the Planning Commission's recommendation on the amendments to the Comprehensive Plan responsive to the City/METC Memorandum of Agreement to the next Legislative Council Committee meeting.

10. CITY ATTORNEY'S REPORT:

Attorney Filla reported he had not received any correspondence from the Attorney representing the Ziertmans.

11. CITY ADMINISTRATOR'S REPORT

A. By Pass TH5 Study

Mayor Johnston requested discussion of redirection of Highway 5 be placed on the April 12th council committee meeting so the Council is informed on the study.

B. Meeting with Fields HOA and Bob Engstrom

The City Administrator indicated that the representatives from the Tana HOA should have been asked to sit in the meeting. The development of the park was discussed. The Parks Commission approved a plan for the park which is still is going to be completed. He said the original proposal seems acceptable to the residents at the meeting. Once the plan is finalized, he will contact all the residents involved.

C. Proposal Requested Assisting Council Performance of the City Administrator

Mayor Johnston suggested having a workshop with Jim Brimeyer to provide objectives in evaluating the performance of the City Administrator. This proposal would cost approximate \$750 and would set objectives where the Council would become more

formally involved in our personnel responsibility. The Council decided to place this item on the Human Resources Council Committee.

D. Fire Study Report

The Fire Study Report was passed out and will be an agenda item on the April 12th Council Committee meeting.

12. CITY COUNCIL REPORT:

Mayor Johnston reported he met with the Financial Director of the Stillwater School District, who was receptive on planning in a proactive manner. He is meeting with people from the Guardian Angels Church on expansion and wants to know about future growth in Lake Elmo. He also noted that the library is near approval as the Library Board recommended to Washington County Board to approve a lease on the Gathering Garden building. He said he was informed there is an effort to establish a rotary club and encouraged anyone to attend the meeting at the Lake Elmo Inn a week from Wednesday.

Council member Conlin asked that the Parks Commission review the suggestion of placing city parks in a land trust so park land can be used as parks. This item will be placed on the April 12th Council Committee meeting.

Council member Smith suggested taking some of the money from the sale of the Berschen property and uses it to purchase property for a maintenance facility.

Adjourn meeting at 11 p.m.

Lake Elmo Groundwater Investigation

Open House

Tuesday, April 26, 2005
 Lake Elmo Elementary School "BACK" Gymnasium
 11030 Stillwater Blvd North
 Lake Elmo, MN

5:00 p.m. to 7:00 p.m.: Public information session with MDH and other agency staff

7:00 p.m.: Brief presentations (below)

8:00 to 9:00 p.m.: Public information session continues with MDH and other agency staff

Introductions

5 minutes

Tannie Eshenaur, MDH

Groundrules:

1. Please hold your questions until the end.
2. We would like to entertain questions on the topics presented that will be of interest to the entire group.
3. If you have specific questions that relate to individual households we request that you use the info session following this presentation.

Brief History

5 minutes

Jim Kelly, MDH

Summary of 2004-2005 Well Monitoring

10 minutes

Ginny Yingling, MDH

- a. Context - Geology and Groundwater
- b. Sampling – results to date and current plan
- c. Private Well Issues & SWCA

Response Actions

10 minutes

Shawn Ruitsinoja, MPCA

Ingrid Verghagen, MPCA

City of Lake Elmo Water System Plans

5 minutes

Martin Rafferty, City Administrator (or other)

Conclusions, Comments and Wrap-up

5 minutes

Jim Kelly, MDH

Tannie Eshenaur, MDH

4A(1)

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

**RESOLUTION NO. 2005-040
RESOLUTION APPROVING CLAIMS**

BE IT RESOLVED THAT Claim Numbers 253, 254, DD396 through DD408, 27153 through 27184, were used for Staff Payroll dated April 14th, 2005; claims 27185 through 27229, in the total amount of \$85,828.67 are hereby approved.

ADOPTED, by the Lake Elmo City Council on the 19th day of April, 2005.

Dean A. Johnston
Mayor

ATTEST:

Martin J. Rafferty
City Administrator

Accounts Payable Computer Check Proof List

User: administrator

Printed: 04/14/2005 - 2:19 PM

SPRINGBROOK SOFTWARE

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: ACEHARD 1131	Ace Hardware Fuel Filter, Spark Plugs - Public Works Check Total:	15.42 15.42	04/19/2005	Check Sequence: 1 101-430-3100-42210	ACH Enabled: No
Vendor: ALEXAIR 9002	Alex Air Apparatus, Inc Dragger Jumper Hose - Fire Dept. Check Total:	32.82 32.82	04/19/2005	Check Sequence: 2 101-420-2220-42210	ACH Enabled: No
Vendor: AMPLAN 1-000874	American Planning Association Book - Planning Check Total:	423.72 423.72	04/19/2005	Check Sequence: 3 101-410-1910-44350	ACH Enabled: No
Vendor: ARAM 629-5694280	Aramark Linen - City Hall Check Total:	50.84 50.84	04/19/2005	Check Sequence: 4 101-410-1940-44010	ACH Enabled: No
Vendor: ARAMAU 56137401-2	ARAMARK Uniform Shirts - Public Works Check Total:	35.89 35.89	04/19/2005	Check Sequence: 5 101-430-3100-44170	ACH Enabled: No
Vendor: BUBERL 24139	Bubert Recycling & Compost Inc Snow Plowing on 03/09-03/10 Check Total:	712.50 712.50	04/19/2005	Check Sequence: 6 101-430-3100-43150	ACH Enabled: No
Vendor: CARQUEST 50697 D376184	Car Quest Credit Oil Filter, Batteries - Public Works	-2.62 158.97	04/19/2005 04/19/2005	Check Sequence: 7 101-430-3100-42210 101-430-3100-42210	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	156.35			
Vendor: COPYMAG 59145	Copy Images, Inc. Monthly Copier Maint. Check Total:	255.60 255.60	04/19/2005	Check Sequence: 8 101-410-1940-44040	ACH Enabled: No
Vendor: ELMOLUM 030332-01	Elmo's Lumber & Plywood Nozzle Check Total:	7.44 7.44	04/19/2005	Check Sequence: 9 101-420-2220-42210	ACH Enabled: No
Vendor: EMERGAPP 21038 21039 21071	Emergency Apparatus Maint. No Horns: Lights, Oil Leak, Air Fi.-3183 Lights, Oil Leak, Damper - 3173 Split Cooler line repair - 3176 Check Total:	801.74 718.90 224.56 1,745.20	04/19/2005 04/19/2005 04/19/2005	Check Sequence: 10 101-420-2220-44040 101-420-2220-44040 101-420-2220-44040	ACH Enabled: No
Vendor: EXCELLCO 11014000653 11014000671	EXCELLCOM Armor Case & 2 Belt Clips - Public Works Leather Case - Public Works Check Total:	26.57 21.25 47.82	04/19/2005 04/19/2005	Check Sequence: 11 101-430-3100-43210 101-430-3100-43210	ACH Enabled: No
Vendor: FARMERS 141372 141372	Farmers Union Co-Op Oil Fuel - Bldg Dept. Disct. Car Washes - Bldg Dept. Check Total:	28.00 13.82 41.82	04/19/2005 04/19/2005	Check Sequence: 12 101-420-2400-42120 101-420-2400-44040	ACH Enabled: No
Vendor: GENESIS IVC00472 IVC00472 IVC00472	Next Genesis Productions Sharon's Computer not booting New switch - part & install Restore files, testing Check Total:	75.00 452.63 150.00 677.63	04/19/2005 04/19/2005 04/19/2005	Check Sequence: 13 101-410-1320-44300 101-410-1520-43185 101-410-1520-43180	ACH Enabled: No
Vendor: GRAINGER 498-360180-0	Grainger Lamps - Lift Stations Check Total:	51.33 51.33	04/19/2005	Check Sequence: 14 602-495-9450-42270	ACH Enabled: No
Vendor: HAGBERGS Act. 10	Hagbergs Country Market Supplies - City Hall	32.00	04/19/2005	Check Sequence: 15 101-410-1940-44300	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Check Total:		32.00			
Vendor:LEOIL	Lake Elmo Oil, Inc.			Check Sequence: 16	ACH Enabled: No
B01203	Fuel - Public Works	3,062.78	04/19/2005	101-430-3100-42120	
S01203	Fuel - Fire Dept	227.08	04/19/2005	101-420-2220-42120	
Check Total:		3,289.86			
Vendor:LTLFALLS	Little Falls Machine, Inc			Check Sequence: 17	ACH Enabled: No
00033696	Spring Bar - Plowtruck - Public Works	71.18	04/19/2005	101-430-3100-42210	
Check Total:		71.18			
Vendor:MALMQ	GregMalmquist			Check Sequence: 18	ACH Enabled: No
Emp. Claim	Drinks - Fire Dept.	32.65	04/19/2005	101-420-2220-44300	
Check Total:		32.65			
Vendor:MARONEYS	Maroney's Sanitation, Inc			Check Sequence: 19	ACH Enabled: No
089548	Refuse - City Hall	95.89	04/19/2005	101-410-1940-43840	
089548	Refuse - Public Works	95.89	04/19/2005	101-430-3100-43840	
089548	Refuse - Parks	183.96	04/19/2005	101-450-5200-43840	
Check Total:		375.74			
Vendor:MCLEOD	McLeod USA			Check Sequence: 20	ACH Enabled: No
9269937	Telephone Service - City Hall	291.81	04/19/2005	101-410-1940-43210	
9269937	Telephone Service - Fire Dept.	164.32	04/19/2005	101-420-2220-43210	
9269937	Telephone Service - Public Works	129.57	04/19/2005	101-430-3100-43210	
9269937	Telephone Service - Parks	67.55	04/19/2005	101-450-5200-43210	
9269937	Telephone Service - Wells	108.26	04/19/2005	601-494-9400-43210	
9269937	Telephone Service - Lift Stations	119.72	04/19/2005	602-495-9450-43210	
9680940	Phone Service - City Hall	266.03	04/19/2005	101-410-1940-43210	
9680940	Phone Service - Fire Dept	-88.92	04/19/2005	101-420-2220-43210	
9680940	Phone Service - Public Works	-69.20	04/19/2005	101-430-3100-43210	
9680940	Phone Service - Parks	56.68	04/19/2005	101-450-5200-43210	
9680940	Phone Service - Wells	5.74	04/19/2005	601-494-9400-43210	
9680940	Phone Service - Lift Stations	-63.96	04/19/2005	602-495-9450-43210	
Check Total:		987.60			
Vendor:MCNAM	JamesMcNamara			Check Sequence: 21	ACH Enabled: No
9691	Reimb. - Seminar Registration	60.00	04/19/2005	101-420-2400-44370	

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	60.00			
Vendor:MENARDSO 94210	Menards - Oakdale Marker/Erase Kit, Wood - Parks Check Total:	29.77 29.77	04/19/2005	Check Sequence: 22 101-450-5200-42150	ACH Enabled: No
Vendor:MENARDST 59044/59053 59055	Menards - Stillwater Sanitizer, Erase Kit - Parks Garage Door Openers - Parks Check Total:	19.26 29.76 49.02	04/19/2005 04/19/2005	Check Sequence: 23 101-450-5200-42150 101-450-5200-42230	ACH Enabled: No
Vendor:METROFIR 20430	Metro Fire Foam - Fire Dept. Check Total:	236.00 236.00	04/19/2005	Check Sequence: 24 101-420-2220-42400	ACH Enabled: No
Vendor:MILLEREX 10389	Miller Excavating, Inc. Excavation - water main break Check Total:	1,887.90 1,887.90	04/19/2005	Check Sequence: 25 601-494-9400-44030	ACH Enabled: No
Vendor:NATREPRO NRL29492	National Reprographics, LLC Color Copies - Plans Check Total:	33.65 33.65	04/19/2005	Check Sequence: 26 101-410-1910-44350	ACH Enabled: No
Vendor:NORTHTOO 0563000380	HSBC Business Solutions Butt Splice, Wire stripper Check Total:	32.09 32.09	04/19/2005	Check Sequence: 27 101-450-5200-42400	ACH Enabled: No
Vendor:NORTHTS 24-10326	Northern Traffic Supply Inc. Sign Correction Check Total:	9.32 9.32	04/19/2005	Check Sequence: 28 101-430-3100-42260	ACH Enabled: No
Vendor:NORTHWOOD 24043	Northwood Power Equipment Fuel Tank Leak - Jaws of Life Check Total:	47.43 47.43	04/19/2005	Check Sequence: 29 101-420-2220-44040	ACH Enabled: No
Vendor:OAKDALE 1000039700 1000046000	City of Oakdale Oakdale Water - North Pit Oakdale Water - South Pit	1,274.68 2,156.87	04/19/2005 04/19/2005	Check Sequence: 30 601-494-9400-43820 601-494-9400-43820	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	3,431.55			
Vendor:ONECALL 5030508	Gopher State One-CallOne Call Concepts, Inc Line Locates	79.25	04/19/2005	Check Sequence: 31 101-430-3100-44300	ACH Enabled: No
	Check Total:	79.25			
Vendor:PELNAR March 2005	KathiPelnar Impounding Services	239.82	04/19/2005	Check Sequence: 32 101-420-2700-43150	ACH Enabled: No
	Check Total:	239.82			
Vendor:PRESS 04/0-04/011 04/05-04/07 Copies	StevenPress Cable Operator - Planning Cable Operator - City Copies - City Council	162.00 121.50 54.00 337.50	04/19/2005 04/19/2005 04/19/2005	Check Sequence: 33 101-410-1910-43620 101-410-1320-43620 101-410-1320-43620	ACH Enabled: No
	Check Total:	337.50			
Vendor:Rivertwn 50035963	RiverTown Newspaper Group Legal Publications - March 2005	330.69	04/19/2005	Check Sequence: 34 101-410-1320-43510	ACH Enabled: No
	Check Total:	330.69			
Vendor:RUD 04/04-04/13 04/05-04/14	DianePrince-Rud Cleaning - City Hall Cleaning - Fire Hall	240.00 240.00 480.00	04/19/2005 04/19/2005	Check Sequence: 35 101-410-1940-44010 101-420-2220-44010	ACH Enabled: No
	Check Total:	480.00			
Vendor:S&T 01JV3806 01JV9620 01JV9620 01JW3105	S&T Office Products, Inc. Name Plate - Planning Com. Adding Tape, Back-up tape, Folders Binders, Paper Fax Cartridge - Fire Dept.	48.30 46.80 423.44 13.79 532.33	04/19/2005 04/19/2005 04/19/2005 04/19/2005	Check Sequence: 36 101-410-1910-42000 101-410-1520-42000 101-410-1520-42000 101-420-2220-42000	ACH Enabled: No
	Check Total:	532.33			
Vendor:SATELLIT 24180620	Satellite Shelters, Inc. Rental - Bldg. Dept. Trailer	319.50	04/19/2005	Check Sequence: 37 101-420-2400-44120	ACH Enabled: No
	Check Total:	319.50			
Vendor:SENSUS ZZ50030789	SENSUS Sensus System Annual Support	1,000.00	04/19/2005	Check Sequence: 38 601-494-9400-43180	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	1,000.00			
Vendor: SPRINGB 0001789	Springbrook Software Annual Acctg. Software Support Check Total:	6,329.30 6,329.30	04/19/2005	Check Sequence: 39 101-410-1520-43180	ACH Enabled: No
Vendor: TWINCIT 1273	Twin City Water Clinic, Inc. Bacteria Analysis March 2005 Check Total:	20.00 20.00	04/19/2005	Check Sequence: 40 601-494-9400-43030	ACH Enabled: No
Vendor: UNIQUE 156944	Unique Paving Materials Corp. Asphalt - Public Works Check Total:	267.61 267.61	04/19/2005	Check Sequence: 41 101-430-3100-42240	ACH Enabled: No
Vendor: WAS-LAND 1005319	Washington County Surveyor Highway Map - Bldg. Dept. Check Total:	2.00 2.00	04/19/2005	Check Sequence: 42 101-420-2400-44350	ACH Enabled: No
Vendor: WAS-REC 1233	Washington County Recorder Copies Check Total:	10.00 10.00	04/19/2005	Check Sequence: 43 101-410-1910-44350	ACH Enabled: No
Vendor: WINKBRAD Permit 3975	BradWinkels Deposit Return - Permit 3975 Check Total:	1,000.00 1,000.00	04/19/2005	Check Sequence: 44 803-000-0000-22900	ACH Enabled: No
Vendor: XCEL 21955205 22076482 22191623 22193054 22195084 22201707 22212756 22224495 22237014 22243117 22251924 22252219	Xcel Energy City Lights 2759 Legion Ave Tennis Courts 4259 Jamaca - Public Works City Hall 11194 Upper 33rd St. 998 Inwood 11062 34th St. 3510 Laverne - Fire Dept. 3511 Laverne - Fire Dept. Manning & Stillwater 3675 Layton Ave	20.12 12.94 7.43 923.25 596.20 308.80 30.96 14.36 545.68 207.08 22.31 7.43	04/19/2005 04/19/2005 04/19/2005 04/19/2005 04/19/2005 04/19/2005 04/19/2005 04/19/2005 04/19/2005 04/19/2005 04/19/2005 04/19/2005	Check Sequence: 45 101-430-3160-43810 101-430-3100-43810 101-450-5200-43810 101-430-3100-43810 101-410-1940-43810 101-450-5200-43810 101-430-3160-43810 602-495-9450-43810 101-420-2220-43810 101-420-2220-43810 101-430-3160-43810 101-450-5200-43810	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
22353018	Pebble Park	7.43	04/19/2005	101-450-5200-43810	
22503000	3585 Laverne	137.32	04/19/2005	101-410-1940-43810	
22818206	City Lights	1,567.32	04/19/2005	101-430-3160-43810	
22938016	Hudson Lift Station	50.20	04/19/2005	602-495-9450-43810	
22938016	Traffic Lights 194/Inwood	23.74	04/19/2005	101-430-3160-43810	
22938016	Softball Field	42.44	04/19/2005	101-450-5200-43810	
23011664	Water Wells 3303 Langley & 11975 55th	881.56	04/19/2005	601-494-9400-43810	
	Check Total:	5,406.57			
Total for Check Run:		31,214.71			
Total Number of Checks:		45			

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

**RESOLUTION NO. 2005-041
RESOLUTION APPROVING CLAIMS**

BE IT RESOLVED THAT Claim Number 27230, in the total amount of \$360.00 is hereby approved.

ADOPTED, by the Lake Elmo City Council on the 19th day of April, 2005.

Dean A. Johnston
Mayor

ATTEST:

Martin J. Rafferty
City Administrator

Accounts Payable Computer Check Proof List

User: administrator

Printed: 04/14/2005 - 2:34 PM

SPRINGBROOK SOFTWARE

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: Johnson	Johnson Construction				ACH Enabled: No
April-June 2005	Storage Rental - Fire Dept.	270.00	04/19/2005	101-420-2220-44120	Check Sequence: 1
March 2005	Storage Rental - Fire Dept.	90.00	04/19/2005	101-420-2220-44120	
	Check Total:	360.00			
Total for Check Run:		360.00			
Total Number of Checks:		1			

Lake Elmo City Council 04-19-2005	Agenda Section: CONSENT AGENDA	<u>No.</u> 4B
<u>Agenda Item:</u> 2005 Lake Elmo Spring Clean-up		
<u>Background Information for April 19, 2005:</u>		
<p>The 2005 Annual Lake Elmo Spring Clean-up Day is set for Saturday May 21st 8:00am to Noon at the Washington County Fairgrounds.</p>		
<p>Attached please find the proposed rate schedule. Historically, the rates charged to our residents are designed to offset the cost of disposal. The city does not "profit" from the rates charged. This event is a service provided to the community and hopefully will discourage illegal dumping on the roadways. There is \$ 7000.00 (12,000 in expenditures less 5,000 in revenue) for Clean-up day. In 2004 we had a total of 121 vehicles (low compared to previous years) of which 101 were trucks. Total expense for the event was about \$ 7,000.00.</p>		
<p style="text-align: center;">GATE RECEIPT \$ 4934.00</p>		
<u>Action Items:</u> Approval of the 2005 Clean-up Day Rates		<u>Person responsible:</u> Tom Bouthilet
<u>Attachments:</u>		
1) 2005 Clean-up Day proposed rate schedule 2) 2005 Spring Clean-up charges-Vasko 3) 2004 Spring Clean-up charges-Vasko 4) 2004 Lake Elmo Spring Clean-up Flyer 5) 2005 Draft Lake Elmo Spring Clean-up Flyer		

2005 Lake Elmo Spring Clean-up Day
(Rate Structure Proposal)

	2004	Proposed 2005	
Fee per Trip	\$25.00	\$35.00	Staff Reserved the right to charge extra for vehicle with high loads.
Trailers		\$30.00	Staff Reserved the right to charge extra for vehicle with high loads.
Box Spring/Mattress	N/C	N/C	
Couch	N/C	N/C	
Stuffed Chairs	N/C	N/C	
Additional Appliances	\$15.00	\$15.00	
Air Conditioners	\$30.00	\$25.00	
Tires (over six)			
Passenger	\$2.00	\$2.00	
Light Duty	\$2.50	\$2.50	
Medium Duty	\$7.00	\$7.00	
Semi	\$8.00	\$8.00	
Truck	\$35.00	\$35.00	

2004 Rate includes 1 appliance at no additional cost



FAMILY OWNED SINCE 1968

Mike Bouthilet
City of Lake Elmo Public Works
4259 Jamaca Ave N
Lake Elmo, MN 55042

2005 Lake Elmo Spring Clean-up
May 21st, 8am- 12noon

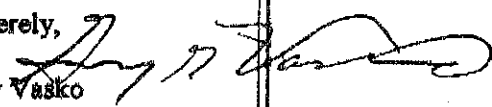
The following are prices for this years clean-up:

Car/Station Wagon	\$17.00
Mini Vans	\$19.50
Pickup trucks up to 1' over sides	\$32.75
Trailers up to 4' x 8' 4' (larger charged aced)	\$29.00
Box Spring/Mattress (any size)	\$12.75
Couch	\$17.50
Stuffed Chair	\$8.00
Household appliances	\$11.00
Air conditioners	\$17.50

Scrap metal will be hauled at no cost to the city.

Thank you for the opportunity to quote your city clean-up.

Sincerely,


Gary Vasko
Vasko Solid Waste Inc.
651-487-8546



FAMILY OWNED SINCE 1968

April 8, 2004

Mike Bouthilet
City of Lake Elmo Public Works
4259 Jamaica Ave N
Lake Elmo, MN 55042

**2004 Lake Elmo Spring Clean-Up
May 22nd, 2004 8am – 12 noon**

The following are prices for the Lake Elmo Spring Clean-Up:

Car/Station Wagon	\$16.50
Mini Vans	\$18.75
Pickup Trucks up 1' over sides	\$31.50
Trailers up to 4' x 8' x 4' (larger trailers charged add)	\$27.50
Box Spring/Mattress (any size)	\$12.50
Couch	\$16.75
Stuffed Chair	\$ 7.50
Appliances	\$ 9.00
Air Conditioners	\$18.00
Scrap Metal accepted at no cost to the city	

If you have any questions please give me a call at 651-774-0916.

Sincerely,

Gary Vasko

Vasko Solid Waster Inc.

www.vaskosolidwaste.com

651-487-8546

651-487-9504

651-487-9504

651-487-8546

651-487-9504

651-487-9504

651-487-9504

651-487-9504

APR 10 2004

2004

Clean-up Day!

For Lake Elmo Residents Only!

Saturday, May 22 ~ 8:00 am to Noon
Washington County Fairgrounds

NOT ACCEPTED!

- ☒ Brush
- ☒ Propane/LP Tanks
- ☒ Construction Material
- ☒ Batteries
- ☒ Paints
- ☒ Fluorescent Bulbs

ACCEPTED!

- ☒ Household Items
- ☒ Carpet
- ☒ Furniture
- ☒ Lawn Mowers
- ☒ Bicycles
- ☒ Mattresses
- ☒ Appliances

Hazardous Waste should be taken to the Washington County Hazardous Waste Facility—1900 Hadley Ave. N.—Oakdale 430-6655
Open Year-round: Tuesdays Noon—7 pm, Thursdays and Saturdays 9 am—2 pm, Closed on Major Holidays

The **FEE** is **\$25 PER TRIP** (Staff reserves the right to charge extra for unusual and hard to dispose of items, and for vehicle loads which are not level.) For speed and efficiency, please, have your check ready-payable to the CITY OF LAKE ELMO or have exact change.

ONE FREE APPLIANCE PER RESIDENCE.

Extra Appliances \$15.00
Air Conditioners \$30.00

TIRES: Limit SIX passenger or light tires (13-16.5"). NO FOAM-FILLED TIRES!

Additional Tires:

Passenger: 13-15".....\$2.00
Light Duty: 16-16.5".....\$2.50
Medium Duty: 18.25/20-1100/20 bias or radial.....\$7.00
Semi-truck: 1200 Series.....\$8.00
Tractor: Up to 8-ply 24" and 25"\$35.00

ONE Entrance will be open—**ENTER** off of HIGHWAY 5.

2005

Clean-up Day!

For Lake Elmo Residents Only!

Saturday, May 21 ~ 8:00 am to Noon
Washington County Fairgrounds

NOT ACCEPTED!

- ☒ Brush
- ☒ Propane/LP Tanks
- ☒ Construction Material
- ☒ Batteries
- ☒ Paints
- ☒ Fluorescent Bulbs
- ☒ Electronics/Computers

**\$35 PER TRIP
TRAILERS \$30**

ACCEPTED!

- ☒ Household Items
- ☒ Carpet
- ☒ Furniture
- ☒ Lawn Mowers
- ☒ Bicycles
- ☒ Mattresses
- ☒ Appliances

Hazardous Waste should be taken to the Washington County Hazardous Waste Facility—1900 Hadley Ave. N.—Oakdale 430-6655
Open Year-round: Tuesdays Noon—7 pm, Thursdays and Saturdays 9 am—2 pm, Closed on Major Holidays

The **FEE** is **\$35 PER TRIP, \$30 PER TRAILER** (Staff reserves the right to charge extra for unusual and hard to dispose items, and for vehicle loads which are not level.) For speed and efficiency, please, have your check ready-payable to the CITY OF LAKE ELMO or have exact change.

ONE FREE APPLIANCE PER RESIDENCE.

Extra Appliances..... \$15.00
Air Conditioners..... \$25.00

TIRES: Limit SIX passenger or light tires (13-16.5"). **NO FOAM-FILLED TIRES!**

Additional Tires:

Passenger: 13-15".....\$2.00
Light Duty: 16-16.5".....\$2.50
Medium Duty: 18.25/20-1100/20 bias or radial.....\$7.00
Semi-truck: 1200 Series.....\$8.00
Tractor: Up to 8-ply 24" and 25".....\$35.00

Lake Elmo City Council 04-19-2005	Agenda Section: CONSENT AGENDA	<u>No.</u> 4C
<u>Agenda Item:</u> Plow Truck Purchase		
<u>Background Information for April 19, 2005:</u>		
<p>The 2005 Capital Improvement Plan (CIP) has scheduled the 1986 Snow/Dump Truck for replacement. The City's Fixed Asset Management Program (FAMP) guidelines suggest trucks in this category be replaced in the 8-10 year range.</p>		
<p>With the rising maintenance expense of the existing 1986 Truck, the Public Works Director recommends purchase of a new one. The Maintenance Advisory Committee (MAC) has reviewed the specifications for the new truck and approved this request.</p>		
<p>The City has received a quote through the State Cooperative Purchase Venture Program in the amount of \$ 120,054 for the Truck & Plow. Not included in the above quote was vehicle registration, decals & radio installation. The estimate for the additional expenses is approximately \$ 4218.05. All other items included in Quote. Total Cost for the truck replacement should be no more than \$124,272.05. The CIP has set aside \$130,000 for this acquisition.</p>		
<p>Due to the low trade-in cost for the 1986 Truck, the MAC has recommended the City sell the Vehicle on the open market through the bid process with a \$ 10,000 minimum. If the minimum bid amount is not received, consideration should be given to keeping the truck as a back-up for light use/sanding.</p>		
<u>Action Items:</u> Approval of the purchase of a 2005 Ford Plow/Dump Truck not to exceed \$124,272.05		<u>Person responsible:</u> Tom Bouthilet
<u>Attachments:</u> Spécifications for the 2005 Ford Dump Truck		

Prepared for:
Mike Bouthilet
Lake Elmo City of
3800 Laverne Ave No
Lake Elmo, MN 55042
Phone: 651-770-2537

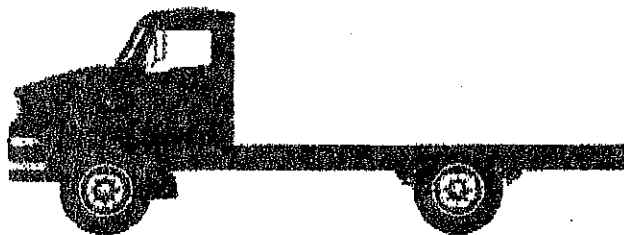
Prepared by:
Bruce Rioux
BOYER TRUCKS SOUTH ST.
PAUL
740 S. CONCORD ST.
SOUTH ST. PAUL, MN 55075

*A proposal for
Lake Elmo City of*

*Prepared by
BOYER TRUCKS SOUTH ST. PAUL
Bruce Rioux*

April 1, 2005

STERLING L 8500 CHASSIS



Application Version 3.5.383
Data Version PRL-21Y.004
BR Lake Elmo City



04/01/2005 10:30 AM

Page 1 of 1

Prepared for:
Mike Bouthlet
Lake Elmo City of
3800 Laverne Ave No
Lake Elmo, MN 55042
Phone: 651-770-2537

Prepared by:
Bruce Rioux
BOYER TRUCKS SOUTH ST. PAUL
740 S. CONCORD ST.
SOUTH ST. PAUL, MN 55075

SPECIFICATION PROPOSAL

Description

Price Level

STERLING PRL-21Y (EFF:8/31/04)

Data Version

SPECPRO21 DATA RELEASE VER 004

Vehicle Configuration

STERLING L 8500 CHASSIS
SET BACK AXLE - TRUCK
STRAIGHT TRUCK PROVISION
LH PRIMARY STEERING LOCATION

General Service

TRUCK CONFIGURATION
DOMICILED, USA 48 STATES (W/O CALIFORNIA)
UTILITY/REPAIR/MAINTENANCE SERVICE
GOVERNMENT BUSINESS SEGMENT
DIRT/SAND/ROCK COMMODITY
TERRAIN/DUTY: 100% (ALL) OF THE TIME, IN
TRANSIT, IS SPENT ON PAVED ROADS
MAXIMUM 8% EXPECTED GRADE
SMOOTH CONCRETE OR ASPHALT PAVEMENT -
MOST SEVERE IN-TRANSIT (BETWEEN SITES)
ROAD SURFACE
STERLING 7500/8500 BASIC WARRANTY
EXPECTED FRONT AXLE(S) LOAD : 18000.0 lbs
EXPECTED REAR DRIVE AXLE(S) LOAD : 23000.0
lbs
EXPECTED GROSS VEHICLE WGT CAPACITY :
41000.0 lbs

Truck Service

FRONT PLOW/END DUMP BODY

Engine

CAT C7 300 HP @ 2200 RPM; 2400 GOV RPM 800
LB/FT @ 1440 RPM

Application Version 3.5.383
Data Version PRL-21Y.004
BR Lake Elmo City



04/01/2005 10:31 AM

Page 1 of 10

Prepared for:
Mike Bouthilet
Lake Elmo City of
3500 Laverne Ave No
Lake Elmo, MN 55042
Phone: 681-770-2537

Prepared by:
Bruce Rioux
BOYER TRUCKS SOUTH ST. PAUL
740 S. CONCORD ST.
SOUTH ST. PAUL, MN 55075

Description

Engine Equipment

2004 EPA/CARB EMISSION CERTIFICATION
ENGINE MOUNTED OIL CHECK & FILL
DUAL AIR INTAKE, LH & RH, INSIDE/OUTSIDE
W/DONALDSON AIR CLEANER, FIREWALL MTD
LN 12V 160 AMP BRUSHLESS 2309 PAD MOUNT
ALTERNATOR WITHOUT LAMP DRIVER
(3) ALLIANCE GRP 31 12V MF 2850 CCA THREADED
STUD BATTERIES, MODEL 1131
CONVENTIONAL STYLE BATTERY BOX, DIAMOND
PLATE FACE, FRAME MOUNTED, CAB ACCESS
SINGLE BATTERY BOX FRAME MOUNTED RH SIDE
UNDER CAB
FRAME GROUND RETURN FOR BATTERY CABLES
NON-POLISHED BATTERY BOX COVER
POSITIVE AND NEGATIVE POSTS FOR JUMPSTART
MOUNTED NEAR/ON BATTERY TRAY/BOX
NO CLUTCH
BW 13.2 CFM COMPRESSOR (SERIES 550)
STANDARD AIR COMPRESSOR GOVERNOR
ELECTRONIC ENGINE INTEGRAL WARNING AND
DERATE PROTECTION SYSTEM
SINGLE HORIZONTAL RH MUFFLER WITH CAB
MOUNTED VERTICAL TAILPIPE, UNDER FRAME
ROUTING
FLEXIBLE STAINLESS STEEL EXHAUST PIPING
NO EXH SYSTEM HEIGHT/LENGTH(SCO)
HORTON DRIVEMASTER ON/OFF FAN DRIVE
AUTOMATIC CONTROL WITHOUT DASH SWITCH
OMIT PRIMARY FUEL FILTER
FUEL LINE PRIMER PUMP
FULL FLOW OIL FILTER
1000 SQ-IN ALUMINUM RADIATOR
REMOTE MOUNTED SURGE TANK
ANTIFREEZE TO -34F, ETHYLENE GLYCOL PRE-
CHARGED SCA HEAVY DUTY COOLANT
GATES BLUE STRIPE COOLANT HOSES
CONSTANT TENSION HOSE CLAMPS FOR
COOLANT HOSES
1310 ADAPTER FLANGE FOR FRONT PTO
PROVISION
PHILLIPS-TEMRO 1000 WATT/115 VOLT BLOCK
HEATER



Prepared for:
Mike Bouthilet
Lake Elmo City of
3800 Laverne Ave No
Lake Elmo, MN 55042
Phone: 651-770-2637

Prepared by:
Bruce Rioux
BOYER TRUCKS SOUTH ST. PAUL
740 S. CONCORD ST.
SOUTH ST. PAUL, MN 55075

Description

CHROME ENGINE HEATER RECEPTACLE
MOUNTED UNDER LEFT HAND DOOR
IRON FLYWHEEL HOUSING
AIR INTAKE WARMER
DELCO 12V 38MT HD STARTER

Transmission

ALLISON 3000 RDS AUTOMATIC TRANSMISSION
WITH PTO PROVISION

Transmission Equipment

WTEC CALIBRATION - 6 SPEED H9/RDS/TRV
(PACKAGE 113)
VEHICLE INTERFACE WIRING CIRCUIT ACCESS
BOX MTD EOF W/ FUSE PANEL WIRE
MAGNETIC PLUGS, ENGINE DRAIN TRANSMISSION
DRAIN, AXLE(S) FILL & DRAIN
~~PAINTED SHUTTLE LEVER - SOLID LUNGE~~
WATER TO OIL TRANSMISSION COOLER -IN
RADIATOR END TANK
TRANSMISSION OIL CHECK AND FILL WITH
ELECTRONIC OIL LEVEL CHECK

Front Axle and Equipment

MERITOR MFS-18-133A FL1 18,000# SINGLE FRONT
AXLE
MERITOR 16.5 X 6 Q+ CAST SPDR CAM FRT BRKS,
DBL ANCHOR, FAB'D SHOE
NON-ASBESTOS FRONT BRAKE LINING
CONMET CAST IRON FRONT BRAKE DRUMS
FRONT BRAKE DUST SHIELDS
CHICAGO RAWHIDE SCOTSEAL FRONT OIL SEALS
STEMCO ALUMINUM VENTED FRONT HUB CAPS W/
WINDOW AND SIDE PLUG - OIL
STANDARD SPINDLE NUTS FOR ALL AXLES
GUNITE FRONT SLACK ADJUSTERS WITH
STAINLESS STEEL YOKE CLEVIS PINS, ALSO REAR
TRW THP-60 POWER STEERING WITH RCH46
AUXILIARY GEAR
POWER STEERING PUMP
2 QUART SEE THROUGH POWER STEERING
RESERVOIR
OIL/AIR POWER STEERING COOLER

Front Suspension

CUSTOM FRONT SUSPENSION



Prepared for:
Mike Bouthilet
Lake Elmo City of
3800 Layme Ave No
Lake Elmo, MN 55042
Phone: 651-770-2637

Prepared by:
Bruce Rioux
BOYER TRUCKS SOUTH ST. PAUL
740 E. CONCORD ST.
SOUTH ST. PAUL, MN 55075

Description

GRAPHITE BRONZE BUSHINGS W/SHIELDS -
FRONT SUSPENSION

Rear Axle and Equipment

MERITOR RS-23-160 R-SERIES SINGLE REAR AXLE
@ 23,000#
6.83 AXLE RATIO
IRON REAR AXLE CARRIER HOUSING
1810HD DANA SPICER MAIN DRIVELINE W/HALF
ROUND YOKES
DRIVER CONTROLLED TRACTION DIFFERENTIAL
SINGLE REAR AXLE
INTERAXLE AND/OR DIFFERENTIAL LOCKOUT WITH
INDICATOR LIGHT
PETROLEUM BASED LUB ENG/TRANS/AXLE
MERITOR 16.5X7 Q+ CAST SPIDER CAM REAR
BRKS, DBLE ANCHOR, FAB'D SHOES
NON-ASBESTOS REAR BRAKE LINING
CONMET CAST IRON REAR BRAKE DRUMS
REAR BRAKE DUST SHIELDS
CHICAGO RAWHIDE SCOTSEAL REAR OIL SEALS
HALDEX LONG STROKE 1-DRIVE AXLE PARKING
CHAMBERS
GUNITE AUTOMATIC REAR SLACK ADJUSTERS

Rear Suspension

21,000# 52" VARIABLE RATE MULTI-LEAF SPRING
REAR SUSPENSION
SPRING SUSPENSION - NO AXLE SPACERS
STANDARD U-BOLT PAD

Brake System

WABCO 4S/4M ABS W/O TRACTION CONTROL
ENHANCEMENT
REINFORCED NYLON, FABRIC BRAID & WIRE BRAID
CHASSIS AIR LINES
STANDARD BRAKE SYSTEM VALVES
RELAY VALVE W/ 5-8 PSI CRACK PRESSURE NO
REAR PROPORTIONING VALVE
MERITOR WABCO SYSTEM SAVER 1200 HEATED
AIR DRYER W/PRESSURE CNTRL VALVE
AIR DRYER FRAME MOUNTED
STEEL AIR BRAKE RESERVOIRS
BW DV-2 AUTO DRAIN VALVE WITHOUT HEATER
ON ALL TANK(S)



Prepared for:
Mike Bouthilet
Lake Elmo City of
3800 Laverne Ave No
Lake Elmo, MN 55042
Phone: 651-770-2537

Prepared by:
Bruce Rioux
BOYER TRUCKS SOUTH ST. PAUL
740 S. CONCORD ST.
SOUTH ST. PAUL, MN 55075

Description

Wheelbase & Frame

4075MM (160") WHEELBASE
7/16" X 3-9/16" X 11-1/8" STEEL FRAME (11.11MM X
282.6MM/.437" X 11.13")120KSI
1475MM (58") REAR FRAME OVERHANG
24" INTEGRAL FRONT FRAME EXTENSION WITH
CHEEK PLATE REINFORCEMENT IN CUTOUT AREA
SQUARE END OF FRAME
STANDARD MIDSHIP #1 CROSSMEMBER(S)
STANDARD REARMOST CROSSMEMBER
STANDARD SUSPENSION CROSSMEMBER

Chassis Equipment

NO LH OR RH BACK OF CAB ACCESS
NO DECK PLATE
12" PAINTED STEEL BUMPER
NO MUD FLAP(S) BRACKETS
NO REAR MUDFLAP
FENDER MOUNTED FRONT MUD FLAPS
GRADE 8 THREADED HEX-HEADED FRAME
FASTENERS

Fifth Wheel

NO FIFTH WHEEL
NO 5TH WHEEL LOCATION
NO 5TH WHEEL LEG HEIGHT
NO 5TH WHEEL PLUMBING
NO FIFTHWHEEL RELEASE/INST.

Fuel Tanks

NO RIGHT-HAND FUEL TANK
50 GALLON / 189 LITER ALUMINUM FUEL TANK - LH
23" DIAMETER FUEL TANK(S)
ALUMINUM FUEL TANK BRACKET(S)
PLAIN ALUMINUM/PAINTED STEEL FUEL/
HYDRAULIC TANK(S) WITH PAINTED BANDS
FUEL TANK(S) FORWARD
ALLIANCE FUEL/WATER SEPARATOR WITH
INDICATOR LIGHT
EQUIFLO INBOARD FUEL SYSTEM
REINFORCED NYLON FUEL HOSE
NO FUEL COOLER
IN TANK FUEL LEVEL SENDER(S)



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Description

Tires	MICHELIN XZA1 315/80R22.5 20 PLY RADIAL FRONT TIRES MICHELIN XDN2 11R24.5 14 PLY RADIAL REAR TIRES
Hubs	CONNET IRON FRONT HUBS CONNET IRON REAR HUBS
Wheels	MOTOR WHEEL 10041 22.5X9.00 10-HUB PILOT5.25 INSET 6-HAND STEEL DISC FRONT WHEELS MOTOR WHEEL 90263 24.5X8.25 10-HUB PILOT5- HAND STEEL DISC REAR WHEELS NYLON WHEEL GUARDS, FRONT & REAR ALL INTERFACES
Cab Exterior	113" BBC CONVENTIONAL STEEL CAB RH CAB DOOR W/55 DEGREE DOOR STOP LH CAB DOOR W/55 DEGREE DOOR STOP NO SLEEPER BOX/SLEEPER CAB NO AIR SHIELD OR BRACKETS STERLING VALANCE PANEL RUBBER CAB MOUNTS 8" FENDER EXTENSIONS LH/RH EXTERIOR GRAB HANDLES AND RH INTERIOR GRAB HANDLE MTD TO 'A' POST BRIGHT METAL GRILLE - RADIATOR MOUNTED FIBERGLASS HOOD WITH TRANSVERSE ACCESS OPENING DUAL ROUND AIR HORNS, SINGLE BASE, CAB ROOF MTD SINGLE ELECTRIC HORN CUSTOM HORN SHIELD(S) FOR ROUND AIR HORNS ALL LOCKS KEYED THE SAME SINGLE RECTANGULAR HALOGEN HEADLIGHTS AERODYNAMIC MARKER LIGHTS - SMALL DAYTIME RUNNING LIGHTS INTEGRAL STOP/TAIL/BACKUP LIGHTS STANDARD FRONT TURN SIGNAL LAMPS DUAL STAINLESS STEEL HEATED MIRRORS DOOR MOUNTED MIRRORS



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BOYER TRUCKS SOUTH ST. PAUL
740 S. CONCORD ST.
SOUTH ST. PAUL, MN 55076

Description

98" EQUIPMENT WIDTH
LH/RH 8" CONVEX MIRRORS, BRIGHT FINISH, MTD
UNDER PRIMARY MIRRORS
LEFT-HAND AND RIGHT-HAND FENDER MOUNTED
8" STAINLESS STEEL CONVEX MIRRORS WITH
TRIPOD BRACKETS
FIBERGLASS EXTERIOR SUN VISOR
(2) 16"X26" TINTED REAR WINDOWS
TINTED DOOR GLASS LH & RH WITH TINTED
OPERATING WING WINDOWS
RH & LH ELECTRIC POWERED WINDOWS
TINTED WINDSHIELD
8 LITER WINDSHIELD WASHER RESERVOIR W/O
FLUID LEVEL INDICATOR

Cab Interior

OPAL GRAY VINYL INTERIOR
LH MOLDED DOOR PANEL WITH UPPER VINYL &
LOWER CARPET INSERTS
RH MOLDED DOOR PANEL WITH UPPER VINYL &
LOWER CARPET INSERTS
DARK TAUPE VINYL MATS WITH SINGLE
INSULATION
DASH MOUNTED ASH TRAYS & LIGHTER
MAP POCKETS, LEFT AND RIGHT DOORS
COAT HOOK(S), CAB
(2) CUP HOLDERS, LH & RH DASH
SAHARA/WASH WING DASH
6 LB. FIRE EXTINGUISHER
HEATER, DEFROSTER AND AIR CONDITIONER
MAIN FRESH AIR INLET & MAIN RECIRCULATION
FILTERS
MAIN HVAC CONTROLS WITHOUT RECIRCULATION
SWITCH
STANDARD PLUMBING W/SHUTOFF VALVES
SANDEN COMPACT AIR CONDITIONER
COMPRESSOR
RADIATOR MTD A/C CONDENSER
BINARY CONTROL, R-134A
CAB INSULATION
CIRCUIT FUSES
CENTER MOUNTED DOME LIGHT AND LH/RH
COURTESY LIGHT IN KICK PANELS
CAB DOOR LATCHES WITH MANUAL DOOR LOCKS



Prepared for:
Mike Bouthilet
Lake Elmo City of
3800 Laverne Ave No
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Prepared by:
Bruce Rioux
BOYER TRUCKS SOUTH ST. PAUL
740 S. CONCORD ST.
SOUTH ST. PAUL, MN 55075

Description

TRIANGULAR REFLECTORS W/O FLARES
EZYRIDER HIGH BACK AIR SUSPENSION DRIVER
SEAT W/ADJUSTABLE LUMBAR SUPPORT
EZ RIDER HI-BACK NON SUSPENSION PASSENGER
SEAT WITH TOOL BOX BASE
ARMREST DRIVER DUAL - NO PASSENGER SEAT
ARMREST
FABRIFORM GRAY MORDURA DRIVER SEAT
COVER
FABRIFORM GRAY MORDURA PASSENGER SEAT
COVER
3 POINT ADJUSTABLE D-RING RETRACTOR DRIVER
AND PASSENGER SEATBELTS
ADJUSTABLE TILT ONLY STEERING COLUMN
2-SPK 450MM(18") BLACK STEERING WHEEL(S)
DRIVER/PASSENGER INTERIOR SUN VISORS

Instruments & Controls

STERLING ELECTRONIC GAUGE CLUSTER - ICU3
NO CLUTCH PEDAL WITH NON-ADJUSTABLE
SUSPENDED BRAKE AND ACCELERATOR PEDALS
BLACK GAUGE BEZELS
MULTIPLEX INSTRUMENT PANEL
DARK TAURE CENTER INSTRUMENT PANEL WITH
FLAT GAUGE INSERT
LOW AIR PRESSURE LIGHT AND BUZZER
2" PRIMARY AND SECONDARY AIR PRESSURE
GAUGES
DASH MTD AIR RESTRICTION INDICATOR WITH
GRADUATIONS
87 DB TO 112 DB SELF-ADJUSTING BACKUP ALARM
CRUISE CONTROL-ELECTRONIC, CONTROLS ON
STEERING WHEEL SPOKES
KEY OPERATED IGN SWITCH & INTEGRAL START
POSITION; 4 POSITION OFF/RUN/START/ACC
ODO/TRIP/HOUR/DIAGNOSTIC/VOLTAGE
DISPLAY 1X7 CHAR, 26 WRNG LAMPS, DATA LINKED
ICU3
DIAGNOSTIC INTERFACE CONNECTOR, 9 PIN, SAE
J1587/1708/1939, LOCATED BELOW DASH
2" ELECTRIC FUEL GAUGE
ELECTRICAL ENGINE COOLANT TEMP GAUGE
TRANSMISSION OIL TEMPERATURE INDICATOR
LIGHT



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740 S. CONCORD ST.
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Description

ENGINE AND TRIP HOUR METERS INTEGRAL
WITHIN DRIVER DISPLAY
ELECTRIC ENGINE OIL PRESSURE GAUGE
STERLING XTA-2100 AM/FM/WE CASSETTE RADIO
BY DELCO
(2) RADIO SPEAKERS (CAB ONLY)
CUSTOM AM/FM RADIO ANTENNA RH COWL
MOUNTED
NO CB RADIO/PROVISION
NO CB ANTENNA, BRACKET OR LEAD
ELECTRONIC MPH SPEEDOMETER W/ SECONDARY
KPH SCALE, W/O ODOMETER
STANDARD VEHICLE SPEED SENSOR WITH SPEED
SIGNAL AT FUSE PANEL
ELECTRONIC TACHOMETER 3000 RPM
OMIT STANDARD HAND CONTROL BRAKE VALVE
DIGITAL VOLTAGE DISPLAY INTEGRAL WITH
DRIVER DISPLAY
SINGLE ELECTRIC WINDSHIELD WIPER MOTOR
W/DELAY AND ARCTIC TYPE BLADES
(3) POS'N ROTARY HEADLAMP SW W/SEP MKR LT
INTERRUPTER SW, DIMMER W/INT DOME
ONE VALVE PARKING BRAKE SYSTEM WITH
WARNING INDICATOR
SIGNAL STAT ELECTRONIC SELF CANCELING
TURN SIGNAL SWITCH WITH OVERRIDE
HEAVY DUTY MECHANICAL FLASHER

Design

PAINT: ONE SOLID COLOR

Color

CAB COLOR A: N6852HN GREEN IMRON 5000
BLACK, HIGH SOLIDS POLYURETHANE CHASSIS
PAINT
VENDOR WHITE FRONT WHEELS/RIMS
VENDOR WHITE REAR WHEELS/RIMS
BUMPER PAINT: N3713HN MED TITANIUM MET
IMRON 5000



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Other Factory Charges

RAW MATERIAL SURCHARGE
2004 EPA ENGINE PRICE ESCALATOR (US CURRENCY)



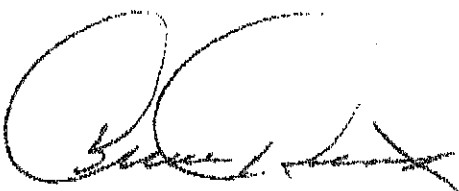
Base Unit Sterling L8500 Series Chassis Cab 84" c.a.
W /MBE 900 210hp, 6 spd manual, 10,000 lb Frt, 19000 lb Rear

\$36,500.00

Modified to City of Lake Elmo's Specifications

ABS Brake System all around.....	N.C.
Air Cam Brake System.....	N.C.
2005 HX Chassis as per spec.....	N.C.
300hp 860 torq CAT C7 in lieu of 210hp 520 Torq MBE 900 ref: 8.11...	+ 2,958.00
CAT Emissions Escalator ref: 8.11.....	+ 375.00
Inside/Outside Dual Engine Air Intake ref: 8.32.....	+ 211.00
160 Amp Alternator ref: 8.28.....	+ 142.00
(3) Batteries 2850cca in lieu of (2) 1900cca ref: 10.10.....	+ 64.00
Aluminum Battery Box in lieu of std plastic ref: 10.14.....	+ 300.00
Remote Jump start posts ref: 10.6.....	+ 36.00
Horizontal Muffler w/Vertical Exhaust ref: 8.14.....	+ 246.00
Horton Fan Clutch in lieu of std. ref: 8.41.....	+ 170.00
Fuel Line Primer Pump for engine ref: 8.25.....	+ 88.00
Front PTO Flange adapter for engine ref: 8.40.....	+ 388.00
Engine Block Heater ref: 8.54.....	+ 66.00
Allison 3500 RDS series 6spd Automatic Trans ref: 9.14.....	+ 6,639.00
Auxiliary Circuit Box to end of frame ref: 10.4.....	+ 123.00
Auxiliary Transmission Coolers ref: 9.17.....	+ 244.00
18,000 lb. Meritor MFS 18-133A Front axle in lieu of 10000 lb ref: 3.6...	+ 1,411.00
Front Brake Dust Shields ref: 3.12.....	+ 31.00
Gunite Front Slack Adjusters in lieu of std ref: 3.17.....	+ 5.00
Stainless Steel Yoke Clevis Pins on slack adjusters ref: 7.8.....	+ 23.00
Dual Sector Power Steering with Auxiliary Gear ref: 3.15.....	+ 435.00
Front Shock Absorbers ref: 3.9.....	+ 81.00
23,000 lb Meritor RS-23-160 Rear Axle in lieu of 19000 lb ref: 4.5.....	+ 873.00
H.D. Drive Line components Spicer 1810HD in lieu of std ref: 4.19.....	+ 186.00
Rear Brake Dust Shields ref: 4.21.....	+ 31.00
Wabco System Saver 1200 Heated Air Dryer ref: 7.1.....	N.C.
Auto Drain valves on all air tanks ref: 7.8.....	+ 58.00
H.D. Frame w/160"wb 96" C.A ref: 2.19.....	+ 608.00
Front Frame Extension with cheek plate ref: 2.1.....	+ 454.00
Front Fender Lower Mud Flap ref: 11.35.....	+ 29.00
315/80R22.5 -20 Michelin XZA1 Front Tires ref: 6.6.....	+ 565.00
11R24.5-14 Michelin XD2 Rear Tires ref: 6.17 & ref: 6.16.....	+ 57.00
Michelin Brand of tires in lieu of std ref: 6.16.....	+ 204.00
Nylon Wheel Guards ref: 6.1.....	+ 14.00
Sterlan Cab Valance Panel ref: 11.24.....	+ 106.00
5" Rubber fender extensions front fenders ref: 11.34.....	+ 107.00
Set Back Front Axle 113" BBC ref: 3.1.....	- 741.00
Stationary Chrome Grille w/Full tilting hood ref: 11.26.....	+ 419.00
Transverse Hood Opening on full tilting hood ref: 11.29.....	+ 376.00
Dual Air Horns w/Shields ref: 11.2.....	+ 52.00
Daytime Running Lights ref: 10.8.....	+ 28.00
Stainless Mirrors Dual Heated LH RH w/ 8" Auxiliary ref: 11.7.....	+ 125.00
Auxiliary LH & RH Fender Mtd Mirror stainless ref: 11.5.....	+ 129.00
External Cab Visor painted to match cab ref: 11.39.....	+ 87.00
Power Windows LH & RH ref: 12.29.....	+ 133.00

Premium Interior & Insulation Pkg. ref: 12.2.....	+	274.00
(2) Cup/Mug Holders Dash Mounted ref: 12.25.....	+	36.00
Air Conditioner & dehumidifier system ref: 12.31.....	+	554.00
Shutoff Valves for AC & Heater ref: 12.32.....	+	15.00
EzyRider Air Ride Drivers seat in lieu of non-susp drivers ref: 12.3.....	+	308.00
EzyRider non susp Passenger seat w/Tool Box base ref: 12.15.....	+	452.00
HD Mordura Cloth Seats in lieu of vinyl ref: 12.21 @ 21 ea.....	+	42.00
Suspended Brake & Accelerator ref: 12.58.....	+	72.00
Dash Mounted Air Restriction Gauge ref: 12.37.....	+	21.00
Electronic Back-up Alarm ref: 10.7.....	+	86.00
Engine Hour Meter Dash mtd. ref: 12.34.....		N.C.
AM-FM Stereo Radio w/Weatherband & cassette ref: 12.39.....	+	235.00
Cowl Mounted RH Antenna in lieu of std ref: 12.41.....	+	15.00
Vehicle Speed Sensor ref: 10.21.....	+	10.00
Arctic Windshield wipers in lieu of std ref: 11.36.....	+	8.00
Special Imron 5000 Paint Lk Elmo Green N5952HN ref: 11.16.....	+	113.00
TOTAL ea. unit		\$ 56,677.00



Bruce Rioux
Fleet & Govt. Sales Mgr.
Boyer Trucks, Inc.
So. St. Paul, MN. 55075

Prepared for:
Mike Bouthilet
Lake Elmo City of
3800 Laverne Ave No
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BOYER TRUCKS SOUTH ST. PAUL
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QUOTATION

STERLING WOOD CHASSIS

SET BACK AXLE - TRUCK
CAT 07 300 HP @ 2200 RPM; 2400 GOV RPM 800 LB/FT
@ 1440 RPM
ALLISON 3000 RDS AUTOMATIC TRANSMISSION WITH
PTO PROVISION
MERITOR RS-23-180 R-SERIES SINGLE REAR AXLE @
23,000#
21,000# 52" VARIABLE RATE MULTI-LEAF SPRING REAR
SUSPENSION
MERITOR MFS-18-133A FL1 18,000# SINGLE FRONT
AXLE

CUSTOM FRONT SUSPENSION

113" BBC CONVENTIONAL STEEL CAB
NO SLEEPER BOX/SLEEPER CAB
4075MM (160") WHEELBASE
NO FIFTH WHEEL
7/16" X 3-9/16" X 11-1/8" STEEL FRAME (11.11MM X
282.6MM/.437" X 11.13") 120KSI
1475MM (58") REAR FRAME OVERHANG

	TOTAL # OF UNITS (1)	PER UNIT	TOTAL
VEHICLE PRICE	\$	56,893	\$ 56,893
EXTENDED WARRANTY	\$	0	\$ 0
DEALER INSTALLED OPTIONS	\$	0	\$ 0
CUSTOMER PRICE BEFORE TAX	\$	56,893	\$ 56,893
TAXES AND FEES			
FEDERAL EXCISE TAX (FET)	\$	(216.0)	\$ (216.0)
TAXES AND FEES	\$	0	\$ 0
OTHER CHARGES	\$	0	\$ 0
TRADE-IN			
TRADE-IN ALLOWANCE	\$	(0)	\$ (0)
BALANCE DUE	(LOCAL CURRENCY) \$	56,677	\$ 56,677

COMMENTS: Only the items listed in this Bid/Quote are to be furnished, nothing else is implied or promised to customer in any way, unless in writing.

STATE of MINNESOTA CONTRACT # 433621 modified to City of Lake Elmo's spec's.

APPROVAL:

Please indicate your acceptance of this quotation by signing below:

Customer: X _____ Date: ____/____/____

Application Version 3.5.383
Data Version PRL-21Y.004
BR Lake Elmo City



04/01/2005 10:36 AM

Page 1 of 1

TOTAL P.15

J-Craft
A Division of Crysteel Mfg. Inc.
70127-330th Street
Kimball, MN 55353



DAN OLINGER
LAKE ELMO CITY OF
4259 JAMACA AVE NORTH
LAKE ELMO MN 55042

Estimate: EF02158

Estimated Lead Time: 10 TO 12 Weeks
Estimate Date: 02/18/05
Expiration Date: 07/30/05
Customer No: 11168
Contact: Tom Gartgen

No End Customer Noted

Ln Item	Description	Qty	Unit Price	Extended Price
1 8031089	ULTRAMXR100LAKEELOS P770-45-30-36-400	1	59,518.00	59,518.00
2 999991	MN SALES TAX 6 1/2 %	1	3,868.67	3,868.67

Having reviewed your equipment needs,
and pursuant to the current STATE OF MN
contract #433312, We are happy to offer
this package for your consideration.
PLEASE NOTE:

1. This quote is a summary of the individual prices as indicated on the attached STATE OF MN pricing pages
2. F.O.B. point is J-CRAFT's Kimball, MN facility.

A handwritten signature, likely of Tom Gartgen, written in ink.

Estimate Totals:

63,386.67

63,386.67

To help insure your satisfaction with J-Craft products,
please review all of the information listed on this estimate
for accuracy, including proper quantities and specifications
as listed when issuing a purchase order. Please contact us
directly if changes to this estimate are needed.

F.O.B. Kimball, MN
unless noted otherwise
above.

PO NBR: _____ DATE: _____ ACCEPTED BY: _____



J-CRAFT

a Division of Crysteel Mfg, Inc.
70127 - 330th Street
Kimball, MN 55353

Ph: 320-398-6122 Fx: 320-398-6123

Toll Free: 800-864-3828

"Experts in Contractor & Municipal Applications"



Equipment Specifications

Ref: Estimate # EF02158

CITY OF LAKE ELMO

MODEL: 100 ULTRA-MXR

DIMENSIONS:

10' long x 96" wide O.D.

FRONT PANEL:

45" high, 3/16" AR-400, tubing top rail with inclined mount & rubber flap seal

SIDES:

30" high, 3/16" AR-400 steel panel, 18" radius corners, fully boxed top rails w/inv angles full length, Board pockets front and rear/DELETED, full depth 7ga 304 STAINLESS STEEL rear crr posts, 3 line sander manifolds @ RH REAR Corner post area, 3-1/2" Bustin walk-rail full length both sides, J-CRAFT "Fold-A-Way" access ladder - LH FRONT

TAILGATE:

36" high, 3/16" AR400 main panel, 10 ga GR50 Reinf, 3 panel type, 1-1/4" dia top & bottom pins, 1" thick upper hinges, 3/8" alloy spreader chains, flame-cut steel latches, airtrip ready linkage. NOTE: SEE ALSO "SANDER" FOR Flow Plate Style

FLOOR:

3/16" AR-400 steel, 48" wide flat area (continuation of side panels) with center seam.

UNDERSTRUCTURE:

W8" x 13.0#/ft struct (I-BEAM) longisils, w/8" struct chnl rear bolster

PREP/PAINT:

Exterior industrially blasted, EPOXY primed, & Finish coated with "ONE COLOR" Polyurethane Enamel to Match cab. Underside undercoated.

RUSTPROOFING:

treatment applied to body underside.

LIGHTS/WIRE:

FMVSS 108 compliant, rubber mounted STD clearance lights, STD Cluster of 3, w/Factory sealed wire harness, Ground strap, STROBE/ STOP-TAIL-TURN /BACKUP light provisions (in corner posts), with lights provided by Strobe System and installed.

MUD FLAPS:

Rear of rear tires, attached to mounts.

CABSHIELD:

1/2 type, 24" cabshield, 7 ga const, Stationary "free-standing", SLOTTED VIEWING WINDOW, w/2vert shovel holders, Cabshield mounted reservoir, Installed and painted. SEE ALSO STROBE SYSTEM



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70127 - 330th Street

Kimball, MN 55353

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"Experts in Contractor & Municipal Applications"**HOIST:**

J-CRAFT, Model: P770, Overhang: 9", Dump angle: 50° Double acting, W/solid block rear hinge point & (2) OSHA approved safety props

PUMP:

Front frame mounted, Engine crank-shaft driven, LS type. Make: FORCE Model: PWWH45L, Including an H.P. ball valve on pressure outlet.

VALVE:

Make: FORCE/PARKER Model: MCV-ISO, 8 function, LS. Providing control for: BOX HOIST, POW LIFT, PLOW STEER, WING TOE, WING HEEL, SCRAPER, SANDER AUGER, SANDER SPINNER, Including RELIEF ON HOIST, FLOAT ON PLOW, & external valve ENCLOSURE

SANDER VALVE/CONTROL:

Force America model SSC-2100 manually adj electronic control mounted IN CC-2100 CONTROLLER. SEE "CONTROLS"

CONTROLS:

Force COMANDALL-2100 type remote electronic controls, tower mounted off cab floor.

RESERVOIR:

30gal CABSHIELD, W/sight/level glass, filler-breather, magnetic drain plug, 100 mesh suction screen, and gate type shut off valve. Filled with DEXRON III hydraulic oil. Low oil indicator system provided and included

FILTRATION:

Return line type, INTANK, w/replaceable element, & cond indicator installed.

PLUMBING:

2" suction line, 1" main pressure line, 1-1/4" return line, balance to match component port sizing. All swivel fittings 37° JIC or dry-seal type.

MOUNTING:

Included ref: 14" behind cab, to provide necessary room for stationary cabshield.

FENDERS:

SCSI model: M100 black poly fender set, w/bolt-on frame brackets, Installed

TAILGATE TRIP:

3-1/2" dia x 6" air cylinder, Solenoid air valve, w/piping and fittings, & installed

STROBE SYS:

WHELEN FREEDOM LED (22T07DPO) system, w/ Amber micro-edge front light head on adj tubing cabshield front mount. 'D' type stainless steel housings mounted in rear corner posts Amber lenses. Switches and power supply mounted in cab. NOTE: OEM tail lights will be mounted at or near stock position.



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"Experts in Contractor & Municipal Applications"

**ACC'Y WORK LIGHT:**

2 ea rubber encased clear work lights, With switches installed & labeled in cab
(IE: Sander light/Wing light)

SNOWFLOW LIGHTS:

Combo halogen headlight w/turn signal, hood mounted on alum bracket, w/Selector switch dash mounted, & relay mtd on power dist panel

UNDERBLADE:

Falls model IB-11A Fixed angle 11', RH discharge, (35° to 45°), 1" thick moldboard, all mtg hdwe & plbg, W/Pressure gauge cab mounted. Nitrogen accumulator cushion & auto reset W/External adj pressure reducing/relief valve included. Blade "down/reverse" alarm system provided and installed

SNOWPLOW:

Falls Model PR1243 complete with all std equip, DELETE SKID SHOES, HIGH VIS-MARKERS, RUBBER SNOW FLAP & plow push unit for Falls 46-B hitch system. Painted Falls std "ONE COLOR" LEAD-FREE paint color. Shipped loose in dump body.

PLOW HITCH:

Falls Model 46-B heavy duty hitch system, complete with all std features, all mtg hdwe, wing post provision, plbg, & S.A. lift cylinder. Installed and painted gloss black.

SNOW WING:

Falls Model SDL-10 snow wing, SCRAPER mount, complete with all std features, DRIPLESS COUPLERS all mtg hdwe & plbg, installed complete, and painted Falls std "ONE COLOR" LEAD FREE paint color.

SANDER:

Falls Model #1ASD-9SS STAINLESS STEEL under-gate sander, 9" dia auger, EXTERNAL-REMOVABLE side spill plates, LH poly spinner ass'y, RH steel berm chute plbg & mtg hdwe. Installed.
NOTE: PLUMBING CONNECTIONS AT RH REAR MANIFOLD

Specifications Accepted by: _____

Date: _____

Monthly Operating Report

As of 4/19/2005 (Period 4)	Budget	Amount	Variance	Comments
Mayor & Council				
Part-time Salaries	12,100	0	12,100	
FICA Contributions	875	0	875	
Medicare Contributions	204	0	204	
Travel Expense	4,000	0	4,000	
Miscellaneous	8,500	4,511	3,989	St. Croix Valley Community Center-\$2000.00
Dues & Subscriptions	8,000	2,689	5,311	
Conferences & Training	5,000	434	4,566	
Sub-Total	38,679	7,634	31,045	
Administration				
Full-time Salaries	128,235	36,282	91,953	
PERA Contributions	7,091	1,688	5,403	
FICA Contributions	7,951	2,264	5,687	
Medicare Contributions	1,859	529	1,330	
Health/Dental Insurance	19,132	4,469	14,663	
Workers Compensation	1,740	1,939	-199	Annual Premium Paid
Office Supplies	7,000	2,056	4,944	
Printed Forms	800	266	534	
Newsletter/Website	15,000	2,073	12,927	
Postage	9,500	2,907	6,593	
Travel Expense	4,200	228	3,972	
Legal Publishing	6,000	1,544	4,456	
Insurance	35,000	30,647	4,353	
Cable Operation Expense	1,200	1,157	43	
Miscellaneous	7,200	17,840	-10,640	Code Codification \$7470, Appreciation Dinner \$ 4669, Sales Tax collected-
Dues & Subscriptions	2,250	1,480	770	in sale of Sweeper & paid to the State.
Books	500	0	500	
Conferences & Training	2,500	66	2,434	
Professional Development	2,000	160	1,840	
Transfer Out	195,032	0	195,032	
Sub-Total	454,190	107,596	346,594	
Elections				
Part-time Salaries	1,100	0	1,100	
FICA Contributions	68	0	68	
Medicare Contributions	16	0	16	
Office Supplies	50	0	50	
Printed Forms	100	0	100	
Travel Expense	100	0	100	
Miscellaneous	250	55	195	
Conferences & Training	500	0	500	
Other Equipment	350	340	10	
Sub-Total	2,534	395	2,139	

5A

	Budget	Amtout	Variance	
Finance				
Full-time Salaries	61,798	15,149	46,649	
PERA Contributions	3,417	826	2,591	
FICA Contributions	3,831	940	2,891	
Medicare Contributions	896	220	676	
Health/Dental Insurance	7,969	1,675	6,294	
Workers Compensation	839	935	-96	Annual Premium Paid
Office Supplies	700	470	230	
Printed Forms	809	657	152	
Software Support	8,995	9,404	-409	Annual Accounting Software Maintenance Paid
Hardware Support	3,701	453	3,248	
Software Programs	1,560	0	1,560	
Travel Expense	2,000	18	1,982	
Miscellaneous	700	70	630	
Dues & Subscriptions	100	15	85	
Books	200	0	200	
Conferences & Training	1,000	40	960	
Sub-Total	98,515	30,872	67,643	
Accounting Services	22,000	15,461	6,539	Major portion of Budget is for Annual City Audit which has been invoiced.
Assessing Services	38,000	20,866	17,135	Annual assessing adjustment paid, remaining year= 1700.00/month.
City Attorney - Civil	26,000	9,580	16,420	
City Attorney - Criminal	45,000	10,343	34,657	
Planning & Zoning				
Full-time Salaries	64,631	19,785	44,846	
PERA Contributions	3,574	1,837	1,737	
FICA Contributions	4,007	1,234	2,773	
Medicare Contributions	937	289	648	
Health/Dental Insurance	7,962	3,592	4,370	
Workers Compensation	877	977	-100	Annual Premium Paid
Office Supplies	500	244	256	
Printed Forms	500	437	63	
Zoning Ordinance Dev - CDBG	5,000	0	5,000	
Cimarron Study - CDBG	24,000	0	24,000	
Comprehensive Planning	10,000	330	9,670	
Travel Expense	2,700	126	2,574	
Cable Operation Expense	1,200	493	707	
Miscellaneous	200	304	-104	
Dues & Subscriptions	500	205	295	
Books	200	467	-267	
Conferences & Training	2,000	0	2,000	
Sub-Total	128,788	30,320	98,468	
Engineering Services	27,861	11,036	16,825	

Attorney Fees	Budget	Amount	Variance	
	25,000	1,466	23,534	
Gov't Building				
Cleaning Supplies	300	108	192	
Building Repair Supplies	500	0	500	
Telephone	5,100	1,502	3,598	
Electric Utility	6,500	3,329	3,171	Budget not seasonally adjusted to Actual
Refuse	2,000	446	1,554	
Repairs/Maint Contractual Bldg	10,000	3,285	6,715	
Repairs/Maint Contractual Eqpt	7,000	1,630	5,370	
Miscellaneous	500	250	250	
Sub-Total	31,900	10,548	21,352	
Law Enforcement Services	327,633	176,911	150,722	
Fire				
Full-time Salaries	12,999	4,497	8,502	
Part-time Salaries	117,200	40,243	76,957	
PERA Contributions	719	926	-207	
FICA Contributions	8,034	2,775	5,259	
Medicare Contributions	1,879	649	1,230	
Health/Dental Insurance	1,677	7,126	-5,449	
Workers Compensation	3,580	3,990	-410	
Office Supplies	1,000	142	858	
Printed Forms	500	0	500	
EMS Supplies	1,500	508	992	
Fire Prevention	4,000	0	4,000	
Fuel	4,500	870	3,630	
Equipment Parts	500	462	38	
Building Repair Supplies	200	162	38	
Small Tools & Equipment	1,200	444	756	
Physicals	4,000	0	4,000	
Telephone	3,500	1,384	2,116	
Radio	7,500	25	7,475	
Internet	700	0	700	
Travel Expense	3,000	339	2,661	
Vehicle Insurance	14,850	13,197	1,653	
Electric Utility	5,700	2,681	3,019	
Repairs/Maint Contractual Bldg	7,000	3,728	3,272	
Repairs/Maint Contractual Eqpt	25,000	4,935	20,065	
Rentals - Building	1,080	540	540	
Uniforms	9,500	1,931	7,569	
Miscellaneous	1,300	16,843	-15,543	Fire Services Analysis - Expenditure to be transferred into
Dues & Subscriptions	2,500	560	1,940	Capital
Books	200	0	200	
Conferences & Training	15,000	3,158	11,842	
Pension Contribution	2,690	0	2,690	
Fire State Aid	25,000	13,738	11,262	
Equipment	10,000	4,169	5,831	
Transfer Out	40,000	0	40,000	
Sub-Total	338,008	130,022	207,986	

	Budget	Amount	Variance	
Building Inspection				
Full-time Salaries	125,415	35,853	89,562	
PERA Contributions	6,935	1,747	5,188	
FICA Contributions	7,776	2,228	5,548	
Medicare Contributions	1,819	521	1,298	
Health/Dental Insurance	18,845	4,693	14,152	
Workers Compensation	1,702	1,897	-195	Annual Premium Paid
Office Supplies	1,100	20	1,080	
Printed Forms	1,000	171	829	
Fuel	3,000	84	2,916	
Engineer Serv Utility Permits	2,000	0	2,000	
Plan Review Charges	5,000	0	5,000	
Surcharge Payments	13,500	2,214	11,286	
Telephone	400	131	270	
Travel Expense	1,000	75	925	
Insurance	1,200	964	236	
Repairs/Maint Contractual Eqpt	500	88	412	
Rentals - Building	4,500	1,278	3,222	
Uniforms	600	79	521	
Miscellaneous	400	200	200	
Dues & Subscriptions	800	100	700	
Books	300	2	298	
Conferences & Training	2,500	1,010	1,490	
Transfer Out	5,000	0	5,000	
Sub-Total	205,292	53,354	151,938	
Civil Defense	9,000	0	9,000	
Animal Control				
Printed Forms	250	0	250	
Contract Services	8,800	1,363	7,437	
Impounding	7,000	3,313	3,687	Expenditure was for last Qtr of Prior Year-Accrual adjustment due.
Miscellaneous	200	76	124	
Sub-Total	16,250	4,752	11,498	

	Budget	Amount	Variance	
Public Works				
Full-time Salaries	115,938	28,075	87,863	
Part-time Salaries	5,160	0	5,160	
PERA Contributions	6,697	1,553	5,144	
FICA Contributions	7,508	1,741	5,767	
Medicare Contributions	1,756	407	1,349	
Health/Dental Insurance	21,187	5,297	15,890	
Workers Compensation	6,740	7,511	-771	Annual Premium Paid
Office Supplies	300	0	300	
Fuel, Oil and Fluids	12,000	6,845	5,155	Inventory Resupplied during month.
Shop Materials	2,500	676	1,824	
Equipment Parts	5,000	1,292	3,708	
Building Repair Supplies	1,000	35	965	
Street Maintenance Materials	12,000	348	11,652	
Landscaping Materials	2,500	0	2,500	
Sign Repair Materials	4,000	756	3,244	
Sand/Salt	25,000	9,592	15,408	
Small Tools & Minor Equipment	1,500	234	1,266	
Engineering Services	4,000	0	4,000	
Sealcoating & Crack Sealing	35,000	0	35,000	
Contract Services	45,000	3,416	41,584	
Telephone	2,750	599	2,151	
Travel Expense	750	15	735	
Insurance	16,000	9,018	6,982	Annual Premium Paid
Electric Utility	9,300	4,050	5,250	
Refuse	1,300	384	916	
Repairs/Maint Contractual Bldg	2,000	0	2,000	
Repairs/Maint Imp Not Bldgs	2,500	29	2,471	
Repairs/Maint Contractual Eqpt	8,000	1,104	6,896	
Uniforms	1,200	948	252	
Miscellaneous	2,500	414	2,086	
Dues & Subscriptions	500	0	500	
Conferences & Training	500	0	500	
Clean-up Days	12,000	153	11,847	
Other Equipment	7,380	209	7,171	
Transfer Out	199,488	0	199,488	
Sub-Total	580,954	84,702	496,252	
Street Lighting	18,000	7,220	10,780	
Sanitation				
Recycling Supplies	6,000	7	5,993	
Newsletter	5,000	0	5,000	
Miscellaneous	7,100	0	7,100	
Sub-Total	18,100	7	18,093	

	Budget	Amtout	Variance	
Parks				
Full-time Salaries	52,660	13,275	39,385	
Part-time Salaries	25,658	2,684	22,974	
PERA Contributions	4,331	824	3,507	
FICA Contributions	4,856	991	3,865	
Medicare Contributions	1,136	232	904	
Health/Dental Insurance	7,241	1,919	5,322	
Workers Compensation	2,585	2,881	-296	Annual Premium Paid
Office Supplies	250	0	250	
Fuel, Oil and Fluids	2,200	142	2,058	
Shop Materials	500	49	451	
Chemicals	1,000	0	1,000	
Equipment Parts	4,000	464	3,536	
Building Repair Supplies	500	30	470	
Landscaping Materials	5,000	0	5,000	
Small Tools & Minor Equipment	1,000	32	968	
Telephone	1,000	366	634	
Travel Expense	0	30	-30	
Insurance	3,500	2,078	1,422	Annual Premium Paid
Electric Utility	7,600	2,811	4,789	
Refuse	2,400	736	1,664	
Repairs/Maint Contractual Bldg	2,000	0	2,000	
Repairs/Maint Imp Not Bldgs	30,000	1,077	28,923	
Repairs/Maint Contractual Eqpt	1,000	0	1,000	
Rentals - Buildings	3,000	313	2,687	
Uniforms	200	0	200	
Miscellaneous	200	38	162	
Dues & Subscriptions	100	0	100	
Transfer Out	18,000	0	18,000	
Sub-Total	181,917	30,972	150,945	
Total General Fund	2,633,621	744,057	1,889,564	

	Budget	Amount	Variance	
Water Enterprise Operating				
Full-time Salaries	70,119	27,537	42,582	
PERA Contributions	3,878	1,429	2,449	
FICA Contributions	4,347	1,712	2,635	
Medicare Contributions	1,017	400	617	
Health/Dental Insurance	8,618	2,892	5,726	
Workers Compensation	2,137	2,382	-245	Annual Premium Paid
Office Supplies	200	150	50	
Printed Forms	1,500	77	1,423	
Chemicals	3,000	371	2,629	
Utility System Maintenance	3,000	440	2,560	
Water Meters & Supplies	17,500	525	16,975	
Small Tools & Minor Equipment	500	19	481	
Engineering Services	8,000	4,809	3,191	Water System Study/Mapping - \$1537.00
Software Support	6,500	1,000	5,500	
Telephone	2,000	359	1,641	
Postage	1,120	0	1,120	
Travel Expense	1,400	72	1,328	
Insurance	3,433	6,449	-3,016	Annual Premium Paid
Electric Utility	15,806	3,777	12,029	
Water Utility	85,000	13,624	71,376	
Repairs/Maint Imp Not Bldgs	8,000	3,739	4,261	
Miscellaneous	10,000	1,330	8,670	
Conferences & Training	1,020	691	329	
Other Equipment	2,000	0	2,000	
Sub-Total	260,095	73,784	186,311	
Sewer Operating Enterprise				
Full-time Salaries	11,993	6,443	5,550	
PERA Contributions	663	333	330	
FICA Contributions	744	401	343	
Medicare Contributions	174	94	80	
Health/Dental Insurance	1,401	717	684	
Workers Compensation	463	516	-53	Annual Premium Paid
Utility System Maint Supplies	500	51	449	
Small Tools & Minor Equipment	500	0	500	
Engineering Services	6,000	1,987	4,013	
Telephone	2,000	404	1,596	
Travel Expense	0	21	-21	
Electric Utility	2,123	251	1,872	
Sewer Utility - Met Council	0	825	-825	
Repairs/Maint Imp Not Bldgs	4,000	1,531	2,469	
Miscellaneous Expenses	600	0	600	
Conferences & Training	500	0	500	
Sub-Total	31,661	13,574	18,087	

	Budget	Amtout	Variance	
Surface Water Utility				
Full-time Salaries	29,523	0	29,523	
PERA Contributions	1,633	0	1,633	
FICA Contributions	1,830	0	1,830	
Medicare Contributions	428	0	428	
Health/Dental Insurance	4,346	0	4,346	
Workers' Compensation	900	1,003	-103 Annual Premium Paid	
Office Supplies	500	0	500	
Utility System Maint Supplies	2,500	0	2,500	
Small Tools & Minor Equipment	1,000	71	929	
Engineering Services	10,000	5,846	4,154	
Erosion Control	5,000	0	5,000	
Software Support	4,000	0	4,000	
Postage	1,110	0	1,110	
Contract Services	2,500	0	2,500	
Repairs/Maint Not Bldg	2,500	0	2,500	
Miscellaneous Expenses	750	0	750	
Transfer Out	30,315	0	30,315	
Sub-Total	98,835	6,920	91,915	

Monthly Operating Report - Revenue				
As of March 2005				
Description	Budget	Amount	Variance	Comments
Current Ad Valorem Taxes	1,923,989.00	47,114.18	1,876,874.82	
Fiscal Disparities	12,838.00	0.00	12,838.00	
Liquor License	9,000.00	0.00	9,000.00	
Wastehauler License	420.00	825.00	-405.00	
General Contractor License	175.00	1,050.00	-875.00	
Heating Contractor License	1,000.00	2,705.50	-1,705.50	
Building Permits	176,000.00	16,378.80	159,621.20	
Surcharge	10,154.00	0.00	10,154.00	
Heating Permits	9,000.00	0.00	9,000.00	
Plumbing Permits	7,000.00	2,437.80	4,562.20	
Sewer Permits	4,000.00	0.00	4,000.00	
Animal License	1,500.00	660.00	840.00	
Utility Permits	1,500.00	1,335.00	165.00	
Burning Permit	1,200.00	490.00	710.00	
Local Government Aid	1,375.00	0.00	1,375.00	
MSA - Maintenance	0.00	9,067.50	-9,067.50	
State Fire Aid	25,000.00	0.00	25,000.00	
PERA Aid	1,500.00	0.00	1,500.00	
Gravel Tax	4,000.00	3,062.62	937.38	
Recycling Grant	15,000.00	17,724.00	-2,724.00	
Zoning & Subdivision Fees	25,000.00	8,647.00	16,353.00	
Plan Check Fees	62,000.00	3,939.82	58,060.18	
Sale of Copies, Books, Maps	1,200.00	484.39	715.61	
Assessment Searches	500.00	75.00	425.00	
Clean Up Days	5,000.00	0.00	5,000.00	
Cable Operation Reimbursement	1,920.00	400.00	1,520.00	
Fines	65,000.00	13,090.93	51,909.07	
Miscellaneous Revenue	22,000.00	258.93	21,741.07	
Interest Earnings	60,000.00	1,990.99	58,009.01	
Interfund Operating Transfers	64,752.00	0.00	64,752.00	
General Fund Total	2,512,023.00	131,737.46	2,380,285.54	
Water Sales	\$202,500.00	\$54,350.28	\$148,149.72	
Tower Rent	\$26,500.00	\$6,295.00	\$20,205.00	
Total Water Enterprise	\$229,000.00	\$60,645.28	\$168,354.72	
Total Sewer Enterprise Fund	\$16,915.00	3469.17	\$13,445.83	
Total Surface Enterprise Fund	\$75,000.00	44.74	\$74,955.26	
Total Report	\$2,832,938.00	\$195,896.65	\$2,637,041.35	

Lake Elmo City Council April 19, 2005	Agenda Section: Building/Fire/Maintenance	<u>No.</u> 7A.
<u>Agenda Item:</u> Building Department Monthly Update		
<u>Background Information for April 19, 2005:</u> A. Construction Activity Report B. Update on Radon C. Miscellaneous		
<u>Action Items:</u> Informational. No action needed.	<u>Person responsible:</u> J. McNamara	
<u>Attachments:</u> Summary Building Report		

Summary Building Report

March 2005

Year to Date

Permits
Issued

Valuation

Permits
Issued

Valuation

New Residential	1	\$350,000.00
New Commercial	2	\$500,000.00

New Residential	2	\$800,000
New Commercial	2	\$500,000

Other Residential	20	\$209,942.00
Other Commercial	3	\$80,800.00

Other Residential	52	\$833,706
Other Commercial	6	\$93,178

Total	26	\$1,140,742.00
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Total	62	\$2,226,884
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Total Building Fees Collected	\$21,002.49
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Total Building Fees Collected	\$34,724.96
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Summary Plumbing Report

Summary Plumbing Report

Plumbing	4	\$70,400.00
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Plumbing	9	133,178
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Total Plumbing Fees Collected	\$452.00
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Total Plumbing Fees Collected	\$804.00
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Summary HVAC Report

Summary HVAC Report

HVAC	8	\$156,248.00
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HVAC	19	202,297
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Total HVAC Fees Collected	\$1,407.90
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Total HVAC Fees Collected	\$2,213.40
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Summary Grand Total Fees	\$22,862.39
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Summary Grand Total Fees	\$37,742.36
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Surcharge Fee Paid to State	\$560.97
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Surcharge Fee Paid to State	1088.75
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SAC Fees Paid to Met Council	0
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SAC Fees Paid to Met Council	0
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WAC Fees Paid to Oakdale	0
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WAC Fees Paid to Oakdale	0
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Misc. Expenses	0
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Misc. Expenses	0
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Total Fees Retained	\$22,301.42
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Total Fees Retained	\$36,653.61
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Credit Fees to Bldg	\$18,826.42
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Credit Fees to Bldg	33,178.61
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Credit Fees to Water	\$3,400.00
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Credit Fees to Water	3,400.00
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Credit Fees to Sewer	\$75.00
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Credit Fees to Sewer	75.00
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MEMORANDUM

To:	<u>Lake Elmo City Council</u>	Reference:	<u>Hilltop Avenue and Highlands Trail</u>
Copies To:	<u></u>		<u>Stop Sign Review</u>
	<u></u>		<u>City of Lake Elmo, Minnesota</u>
From:	<u>Thomas Prew, P. E. TP</u>	Proj. No.:	<u>13267.000</u>
Date:	<u>April 14, 2005</u>	Routing:	<u></u>
			<u></u>

The City has received a request to reconsider the new stop sign at Hilltop Avenue and Highlands Trail.

You may recall that Mike Bouthilet and I recommended that a stop sign be installed on the westbound leg, of this "T" intersection. Previously it was uncontrolled. We based this on the lack of sight distance at the intersection, and the increase in traffic that has occurred. Also, it was one of the only intersections in the City that was uncontrolled.

Although the resident presents many arguments against this stop sign, and looks at other methods of traffic control, we still believe this is the best location for a stop sign. The minimum sight triangle for 30 MPH traffic is 200 feet in each direction. This intersection does not meet this requirement. Further, the up-hill slope on Highlands Trail makes the situation even worse.

I recommend the City not make any traffic control changes to this intersection at this time.

The City is scheduled to overlay Hilltop Avenue this year. We will look at traffic calming methods as part of that project.

RECEIVED
APR 04 2005

COPY

cc: council, Marty, Chuck

Tom, we need your help here.
Would you please read through
this document, and let us know if
we should address the council again
Thanks

To: City Engineer Tom Prew
City Council Members Rita Conlin, Steve DeLapp, Liz Johnson, Anne Smith
Mayor Dean Johnston

Re: Approved stop sign at Highlands Trail and Hilltop

I, Michael Maas, spoke at the last council meeting regarding the proposed stop sign. I have lived on this street, Highlands Trail, for nearly 30 years, I have lived here longer than any resident in this area, and I am therefore called upon often to speak for our residents.

Following the last council meeting we assembled the attached document for your review to make certain everyone fully understood the facts and impacts around the approved stop sign. We then sat on it for a few days debating any merit of delivering it after the vote, until we read the newspaper article in the March 23, Oakdale-Lake Elmo Review. The newspaper article, which we know had no influence on your vote, contains many inaccuracies and some exaggerations. But if the contents of this article are what Mr. Prew based his decision on to install a stop sign, then we feel these facts, as we see them, need to be made clear. As you stated before the vote, "It's a tough call to make." Perhaps the attached document will add additional light to this decision.

First, it should be very clear to all that only one person from this area made the request to have a stop sign installed, with no prior input from the other residents. Again, we attended the last council meeting hoping to hear the reasons, did not hear the reasons prior to voicing our concerns, and were therefore unprepared to discuss the issue completely.

Be very clear about this; we've been raising kids on these streets for 30 years and have not encountered the grave safety issues that have been raised by David Bendel and his wife, Jeannie. We go for walks, our kids walk to their friend's houses, to school and to the park, and we walk our pets, and have not felt threatened by traffic. It's a fairly quite area. But we use common sense and follow safe practices in doing so, as discussed in the attached article.

Please read all of the attached pages, particularly the comments related to the perceived "obstructed view" at this intersection.

And please read our additional comments (an addendum to our original document) including the last page regarding our safety concerns around the stop sign that was installed near Demontreville Park last year.

Thank you.

To: City Engineer Tom Prew
City Council Members Rita Conlin, Steve DeLapp, Liz Johnson, Anne Smith
Mayor Dean Johnston

Re: Approved stop sign at Highlands Trail and Hilltop

We (residents of the Highlands Neighborhood) are all for improving pedestrian and vehicular safety, but we're still having difficulty understanding the need for the proposed stop sign based on reasons of obstructed vision and/or pedestrian safety.

Would you please take a moment of your time to review this document, and possibly consider again the decision you made during the last council meeting to install a stop sign at this intersection?

As I stated at the last meeting during my address to council, we were uninformed prior to the council meeting of the full reason for the proposed installation. I gave to you our comments concerning child safety and traffic control. Later, city engineer Prew stated the stop sign was needed due to obstructed vision at the intersection. We had not considered "obstructed vision" as one of our concerns because we've never considered the intersection to have obstructed views.

Please inspect the photos, and possibly drive the route yourself, and notice there certainly appears to be clear view of approaching traffic, bicycles, joggers, etc.

Please keep in mind that cars approaching the proposed stop sign are moving uphill and slowing for the turn, giving drivers from any direction ample forewarning of approaching traffic and peds.



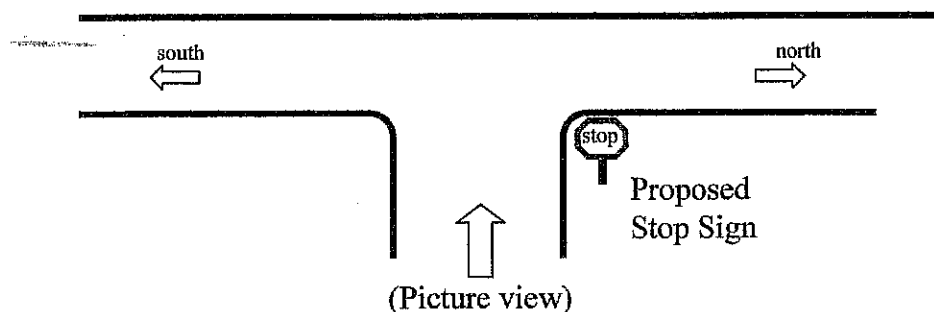
Looking to the left; the south approach.



Looking straight ahead. It is a "Tee" intersection, so cars must turn left or right.



Looking to the right; the north approach. ("X" marks the proposed stop sign.)



We understand the time to vote has passed, and the sign has been approved, but we sincerely feel that valuable input to this decision has been left out. Could we take one more look at this installation, possibly conduct a little more investigation regarding effectiveness, and gather input from the folks that this directly affects? Responding to a request from only one person seems to ignore a lot of other folks with not only differing viewpoints, but also ignoring a lot of other legitimate needs for additional signs, speed bumps, crosswalks, sidewalks, etc.

Is there a stop sign need based on pedestrian safety? Read on.

This is a residential area, and we routinely see kids and parents with their pets on leash out for walks, or people out jogging. We have great streets, wide enough to accommodate both pedestrians and passing cars. Again, it is a residential street, not a county thoroughfare, so traffic is mainly residential. We have never felt threatened by passing cars, and of course we try to keep our kids out of the street, as that is not a playground. We have large yards for play, and great community parks and playgrounds.

For example, Paula Cusick has operated a licensed day care just down the street from this intersection for 20 years, and she stated she has never had a concern or problem with the traffic in this area.

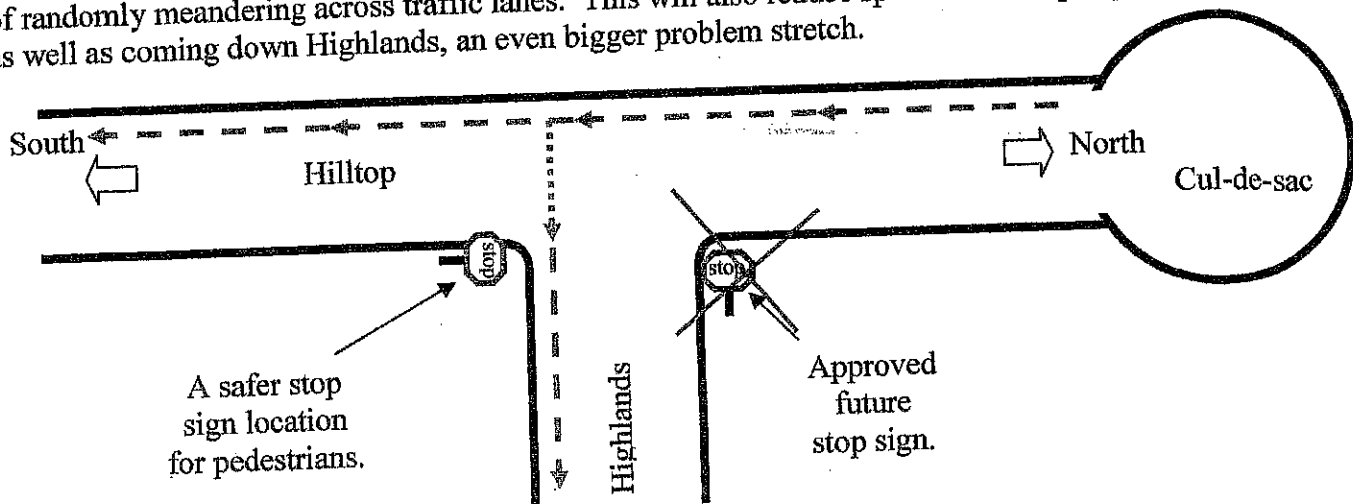
It is truly unfortunate that one of our neighbors, as he voiced at the council meeting, has repeatedly put his kids and his dog into harms way by taking them out into the street. That would be scary to say the least. However, walking along the edge of the street and looking both ways before crossing the street would probably be a good way to avoid such encounters in the future.

We do not see how a stop sign at this corner will make the streets any safer. Pedestrians still need to navigate the length of the streets and will cross the street along its length to get to the other side. And they can do this safely by practicing good pedestrian safety, such as looking both ways before crossing and walking along the side of the road. No one is out to run down pedestrians; and if they are, God help us, a stop sign will not stop them.

If in fact a stop sign is needed for pedestrian crossing purposes (and again, traffic is light) it might be more effective to place the stop sign so as to support safe pedestrian walk patterns.

Remember, pedestrians are encouraged (possibly even required?) to **walk on the side of the street facing traffic**. The green dashed lines in the drawing below indicate these safe walk patterns for kids from the cul-de-sac.

A stop sign at the indicated safer location will support safe crossing at the orange dotted line, instead of randomly meandering across traffic lanes. This will also reduce speed on Hilltop, a problem stretch, as well as coming down Highlands, an even bigger problem stretch.



We understand the time to vote has passed, and the sign has been approved, but we sincerely feel that valuable input to this decision has been left out. Could we take one more look at this installation, possibly conduct a little more investigation regarding effectiveness, and gather input from the folks that this directly affects? Responding to a request from only one person seems to ignore a lot of other folks with not only differing viewpoints, but also ignoring a lot of other legitimate needs for additional signs, speed bumps, crosswalks, sidewalks, etc.

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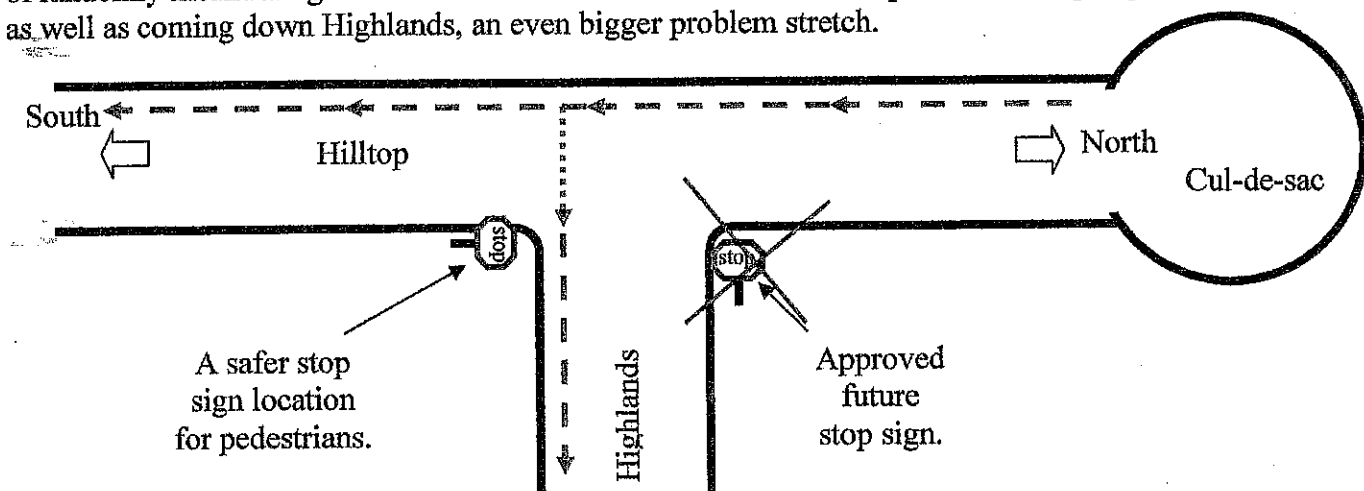
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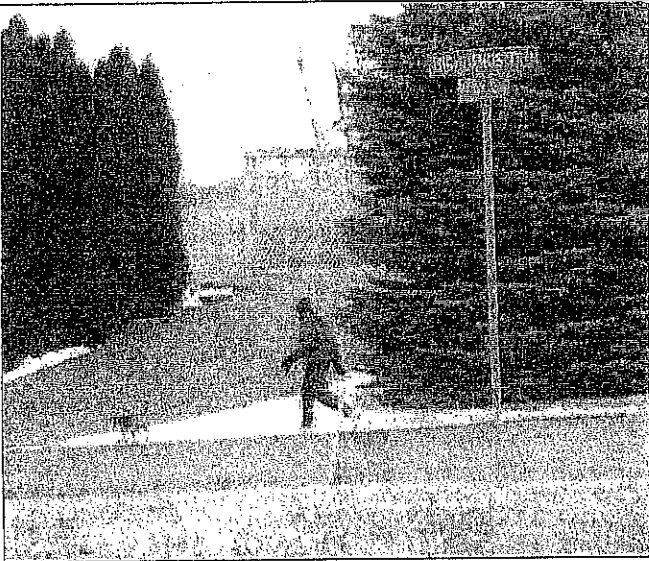
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ADDENDUM:

After viewing last week's local newspaper we feel compelled to add additional comments.
At the very least, we wish to set the record straight:



This is the picture that accompanied the "stop sign" article in last week's Oakdale-Lake Elmo Review newspaper. It makes the corner appear to be terribly obstructed with large evergreen trees. The trees are there, but take a look at how the intersection really appears.

(This is the view that vehicles coming out of the cul-de-sac have of the intersection.)



This is what vehicles see as they approach the intersection. The garbage can in that driveway is where the man in the photo above is walking his dog.



As we get closer to the intersection the view gets increasingly clearer to the left. Remember, cars to the left are coming up hill and slowing for the turn! This is not an expressway or a county road!

If, in fact, you feel that this is an obstructed view, then the cars coming out of this cul-de-sac should have a caution, like a **Yield** sign, or even a **Stop** sign. Traffic approaching from the other two directions have a very clear view, as seen in the photos on page 1 of this document, thus there is no need to stop traffic from either of the other two directions.

Regarding other comments and "facts" presented in the newspaper article:

- We came to the council with very real safety concerns for our children, and we were very offended by the laughter that was invoked by Bendel's insensitive "broken leg" jokes. He obviously has not had to share the grief experienced by parents that have had kids struck by cars.
- This lone stop sign will not create a "substantial improvement in safety" as it does at intersections with real traffic problems. You still need to navigate the remaining unmarked crisscrossing of this intersection, and the real safety concern is the speed of vehicles along the length of Hilltop and Highlands, not the intersection. Again, walking along the side of the road and looking both ways before crossing is the real solution.
- We hope that Jeannie is not holding "school bus drivers" as a model of the ultimate in safe driving. Please observe all the school bus related tragedies of the past few years! And most of those were on clear straight sections of roads! Why, we even had a school bus drive into the lake at the bottom of our street where it tees into Demontreville, and there's been a stop sign there since day one!
- If there is the occasional car that speeds up the hill fast enough to miss the turn, then they probably aren't in stable enough shape to heed a stop sign either. Things like this are going to happen regardless of all the laws and signs in the world, so don't set our kids up with the idea that they have safe passing no matter what. They still need to practice common sense either way!
- Mr. Prew stated the sign was not justified due to traffic, but rather to blocked vision. Please take a look at the photos, and please visit the intersection yourself. If there is any one approach to the intersection that is slightly blocked, it's the approach coming out of the cul-de-sac. Maybe, if anything, give those cars a caution of possible blocked vision, like a Yield sign. (see page 4)
- The "enforceability of a stop sign" isn't necessarily supported by fact. Observe the total lack of regard many drivers have for existing stop signs and red lights. While out driving around on any given day we see many drivers running red lights and making little effort to even slow down slightly as they blow through stop signs, especially when turning. Please, don't set our kids up for tragedy! Statistics show that only 4 out of 5 drivers heed stop signs correctly. That means we'll have 5 to 10 cars a day exhibiting the potential to run over kids!
- Jeannie Bendel stated she sees cars occasionally speeding up the hill toward this intersection. I agree, but there's probably more speeding down the hill, as well as occasional speeding along the length of Hilltop. A stop sign will do nothing to curb this problem! Witness the continued speeding in front of Demontreville Park after the installation of that stop sign last year. (see the next page)

Folks, we have jumped way too high to Mr. Bendel's request; the request of one person! This is clearly not proper representation of all the people! We believe a thorough investigation and study of this request would have resulted in a lack of any substantial need for this stop sign. There are easier and certainly safer ways of handling the concern for safety at this intersection.

To City Engineer, Tom Prew:

Maybe we can't hold up the installation of the stop sign at this late date, but we can make it a safer intersection.

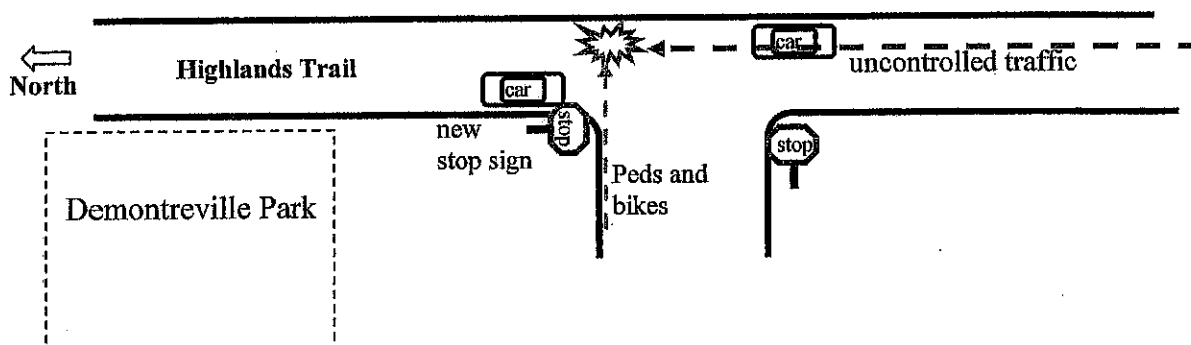
If the stop sign must go in, please make it a safe intersection for the kids by making it a three way stop intersection. There is no protection for kids navigating to and from Highlands to Hilltop if we only stop traffic coming up the hill. Sooner or later some kid, or adult, is going to assume they can cross lanes of traffic as they go through the intersection with the full expectation that cars will give them the right of way from all directions. Just watch any intersection, any place; they do it all the time.

As I stated earlier, the one stop sign is going to give a false sense of security. There is that perceived idea that kids, and a lot of adults, have "pedestrian right of way" no matter which path they take through such a marked intersection!

And speaking of intersection safety:

We want to call attention to the stop sign installed last year near Demontreville Park on the "other" Highlands Trail; it's a tragic accident waiting to happen.

When a car stops at the existing stop sign to let a child cross, there is very good probability that the child could get hit by a car going in the opposite direction. Traffic coming up hill from the south may or may not see that a pedestrian is being given the right of way, thus leading to unimaginable tragedy.



Please make this intersection a three-way stop intersection!

And make the intersection at Highlands and Hilltop a three-way stop as well.

Thanks!

MEMORANDUM

To:	<u>Martin Rafferty</u>	Reference:	<u>Estimated Costs</u>
Copies To:	<u></u>		<u>Revised Water Tower Location</u>
	<u></u>		<u>City of Lake Elmo, Minnesota</u>
	<u></u>	Comm. No.	<u>13186.002</u>
From:	<u>Thomas Prew, P. E.</u>	Routing:	<u></u>
Date:	<u>April 14, 2005</u>		<u></u>

Other sites we are now considering for the water tower include 2 locations near the public works building, and one on the 3M property. We have revised the locations of the required truck mains to match these sites.

Revised estimated project costs are as follows:

Phase I - Now

1.	Watermain Extension (To Tapestry)	\$ 400,000.00	(Bids Opened)
2.	Watermain Oversizing at Tapestry	<u>\$ 75,000.00</u>	(Developer's Agreement)
	Phase I Total	\$ 475,000.00	

Phase II-Spring 2005-Spring 2006

3.	Watermain Extension (To Public Works)	\$ 394,100.00
4.	500,000 Gallon Elevated Storage Tank	\$1,200,000.00
5.	Modifications to Well #2	\$ 40,000.00
6.	Pressure Reducing Valves (2)	\$ 90,000.00
7.	Well No. 1 Modifications	\$ 226,000.00
8.	Well No. 1 Watermain Replacement	\$ 164,400.00
9.	TH 5/The Farm Extension	<u>\$ 285,500.00</u>
	Phase II Total	\$2,400,000.00

Phase III-When Required

10.	Watermain Oversizing (31st St. to Kelvin Ave)	\$ 92,000.00
11.	Watermain Extension (Kelvin to Old Village)	<u>\$ 575,000.00</u>
	Phase III Total	\$ 667,000.00

Phase IV- Future

12.	Remove Existing Elevated Storage Tank	\$ 41,000.00
13.	Pumphouse No. 1 Replacement	<u>\$ 390,000.00</u>
	Phase IV Total	\$ 431,000.00

Additional Tank on 3M Property

14.	Watermain Replacement (Jamaca Ave.)	\$ 400,000.00
15.	Watermain Extension (Jamaca Ave. to 3M)	<u>\$ 320,000.00</u>
	Additional Cost	\$ 720,000.00

<i>TOTAL IMPROVEMENT COSTS</i>	<i>\$4,693,000.00</i>
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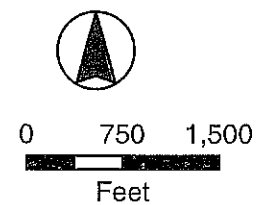
Legend

- City Limits
- Proposed Water Tower
- Ex. City Well/Tank
- Future Watermain
- Proposed Watermain**
- Phase I - Spring 2005
- Phase II - Summer 2005
- Phase III - When Needed

Watermain Size

- 4"
- 6"
- 8"
- 12"
- 16"

WATER SYSTEM INTERCONNECT AND EXPANSION POSSIBLE WATER TOWER LOCATIONS REVISED APRIL 14, 2005



Limitation of Liability
This document is not a legally recorded map or survey and is not intended to be used as one. This map is a compilation of records and information from various state, county, and city offices, and other sources.

For Further Information
Contact City of Lake Elmo at
(651) 777-5510

Map Date: April 14, 2005

Create by: **TKDA**
ENGINEERS • ARCHITECTS • PLANNERS

80

TKDA

ENGINEERS • ARCHITECTS • PLANNERS

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

RECEIVED

APR 15 2005

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

April 14, 2005

Honorable Mayor and City Council
City of Lake Elmo, Minnesota

Re: Approve Plans and Authorize Advertisement for Bids
Water Systems Interconnect Phase II
City of Lake Elmo, Minnesota
TKDA Project No. 13186.000

Dear Mayor and City Council:

Plans and Specifications are complete on the second phase of the Water Systems Interconnect Project. This phase of the project installs 16-inch watermain from the intersection of Tapestry Drive and 45th Street, to the existing Public Works building.

This project will allow us to disconnect from the City of Oakdale's water system in the Lake Jane area.

We have specified that this project be performed by directional drilling. The boulevard area on Lake Jane Trail is very congested, and this method will allow us to construct the pipe without replacing all of Lake Jane Trail. We will be installing services along the watermain to provide water to adjoining properties when they are ready to connect to it.

City Council Action Requested

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

Sincerely,



Thomas Prew, P. E.
City Engineer

TDP:mrk
Enclosure

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

**RESOLUTION NO. 2005- 042
A RESOLUTION APPROVING PLANS AND SPECIFICATIONS AND
ORDERING ADVERTISEMENT FOR BIDS
WATER SYSTEMS INTERCONNECT PHASE II**

WHEREAS, the City Engineer has prepared plans and specifications for the Water Systems Interconnect Phase II and has presented such plans and specifications to the Council for approval.

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


1. Such plans and specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.
2. Th City Clerk shall prepare and cause to be inserted in the official paper and in the Construction Bulletin an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for two weeks, shall specify the work to be done, shall state that bids will be opened and considered by the Council at the May 17, 2005 Council meeting, in the Council chambers of the City Hall, and that no bids will be considered unless sealed and filed with the clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the clerk for 5% of the amount of such bid.

ADOPTED BY THE COUNCIL this 19th day of April, 2005.

Dean A. Johnston, Mayor

ATTEST:

Martin J. Rafferty, City Administrator

Lake Elmo City Council April 19, 2005	Agenda Section: Planning, Land Use & Zoning	<u>No.</u> 9A
<u>Agenda Item:</u> Preliminary Plat, OP Concept Plan, Comp Plan Amendment, Rezoning and Conditional Use Permit – Lakewood Church		
<u>Background Information for April 19, 2005:</u> <p>The Council tabled these applications on April 5 to enable the City Attorney time to review a 12 page letter that had been presented to the City by the applicant's attorney at 4:15 PM on April 5 (the day of the Council meeting). The applicant went on record agreeing to extend the City's review period to August 19, and the Council tabled the applications pending a report from the City Attorney regarding the applicant's letter of April 5.</p> <p>Please find attached the resolutions/ordinance as presented for Council consideration on April 5. The City Attorney will report to the Council regarding the applicant's attorney's letter on April 5 should a written report not be available prior to agenda publication.</p>		
<u>Action items:</u> Motions regarding resolutions addressing the Preliminary Plat, OP Concept Plan, Comp Plan Amendment, and Conditional Use Permit; and, a motion regarding the rezoning ordinance.	<u>Person responsible:</u>  City Planner	
<u>Attachments:</u> <ol style="list-style-type: none"> 1. Resolution #2005 – Approving Preliminary Plat 2. Resolution #2005 - Denial of OP Concept Plan 3. Alternate Resolution #2005 – Approving OP Concept Plan 4. Resolution #2005 – Denial of Comp. Plan Amendment 5. Resolution #2005 – Denial of Rezoning 6. Resolution #2005 – Denial of Conditional Use Permit 7. Resolution #2005 – Denial of Section 520 Site Plan 	<u>Time Allocated:</u>	

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

RESOLUTION NO. 2005-027

A RESOLUTION APPROVING THE PRELIMINARY PLAT OF DEER GLEN

WHEREAS, on the 7th day of February, 2005, the Lakewood Evangelical Free Church ("Applicant") submitted a completed application requesting that the City of Lake Elmo approve a preliminary plat called DEER GLEN; and

WHEREAS, on the 28th day of February 2005, at a public hearing, the Lake Elmo Planning Commission reviewed the Development Application, the City Planner's reports and comments, the comments of the Applicant and the Applicant's representatives; and recommended denial of the Development Application; and

WHEREAS, on the 15th day of March, 2005, the Lake Elmo City Council reviewed the Development Application, the City Planner's reports and comments, the Planning Commission recommendations and the comments of the Applicant and its representatives.

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

Approves the preliminary plat as illustrated on Pre Plat Drawing, prepared by Kimley-Horn & Associates, Inc., dated February 7, 2005, which would create Lot 1, Block 1 and Outlots A, B, C and D, DEER GLEN, subject to the following conditions:

- a. In regard to proposed Outlot B, lot lines shall be adjusted as necessary to ensure that proposed Outlot B is a minimum of ten (10) acres.
- b. In regard to proposed Outlot D:
 - (i) Lot lines shall be adjusted as necessary to ensure that proposed Outlot D is a minimum of ten (10) acres; or
 - (ii) It shall be combined with proposed Lot 1, Block 1; or
 - (iii) In the event that the City Council approves the open space development-concept for proposed Outlot A, its use shall be restricted so that it can only be used in conjunction with the proposed open space project on proposed Outlot A.

ADOPTED, by the Lake Elmo City Council on the 5th day of April, 2005

Dean Johnston, Mayor

ATTEST:

Martin Rafferty, City Administrator

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-028

A RESOLUTION DENYING A
COMPREHENSIVE PLAN AMENDMENT FROM RAD TO PF
REQUESTED BY LAKEWOOD EVANGELICAL FREE CHURCH

WHEREAS, on the 7TH day of February, 2005, the Lakewood Evangelical Free Church ("Applicant") submitted a completed comprehensive plan amendment application requesting the City of Lake Elmo approve a Comprehensive Plan Amendment from RAD to PF, and

WHEREAS, on the 28th day of February 2005, at a public hearing, the Lake Elmo Planning Commission reviewed the Comprehensive Plan Amendment application, the City Planner's reports and comments, the comments of the Applicant and the Applicant's representatives; and recommended denial of the Comprehensive Plan Amendment; and

WHEREAS, on the 15th day of March, 2005, the Lake Elmo City Council reviewed the Comprehensive Plan Amendment, the City Planner's reports and comments, the Planning Commission recommendations and the comments of the Applicant and its representatives,

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

Denies the Comprehensive Plan Amendment from RAD to PF to construct a church on proposed Lot 1, Block 1, Deer Glen based on the following findings:

1. The City Council has reviewed the current comprehensive plan land use designations for applicant's property and for surrounding parcels, and has concluded that at the present time, in its judgment, the current land use designations continue to reflect the City Council's vision plan for development of land in this portion of the City.
2. The current Comprehensive Plan land use designations do not appear to be the result of any prior errors.
3. The current Comprehensive Plan land use designations will not require modifications as a result of the settlement between the City and the Metropolitan Council.

4. The City Council wants to implement the overall Comprehensive Plan changes required as a result of its settlement with the Metropolitan Council before it re-evaluates Comprehensive Plan designations for specific areas of the City.

ADOPTED by the Lake Elmo City Council on the 5th day of April, 2005.

Dean Johnston, Mayor

ATTEST:

Martin Rafferty, City Administrator

(LEChurch Comp Plan)

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-029

**A RESOLUTION DENYING THE APPROVAL OF THE PROPOSED REZONING
FOR LOT 1, BLOCK 1, DEER GLEN**

WHEREAS, on the 7th day of February, 2005, the Lakewood Evangelical Free Church ("Applicant") submitted a completed application request that the City of Lake Elmo approve a rezoning from a Rural Residential (RR) designation to a Public Facility (PF) designation for proposed Lot 1, Block 1, Deer Glen.

WHEREAS, on the 28th day of February 2005, at a public hearing, the Lake Elmo Planning Commission reviewed the rezoning application, the City Planner's reports and comments, the comments of the Applicant and the Applicant's representatives; and recommended denial of the rezoning; and

WHEREAS, on the 15th day of March, 2005, the Lake Elmo City Council reviewed the rezoning application, the City Planner's reports and comments, the Planning Commission recommendations and the comments of the Applicant and its representatives.

NOW, THEREFORE, BE IT RESOVED that the Lake Elmo City Council hereby"

Denies the Rezoning for Lot 1, Block 1, Deer Glen based on the following finding:

1. The rezoning would not be consistent with the City's 1990 Comprehensive Plan the City approved 2000 Comprehensive Plan and with any changes to the City approved 2000 Comprehensive Plan anticipated as a result of the settlement between the City's and the Metropolitan Council.

ADOPTED by the Lake Elmo City Council on the 5th day of April, 2005.

Dean Johnston, Mayor

ATTEST:

Martin Rafferty, City Administrator

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-030

A RESOLUTION DENYING THE REQUEST FOR A CONDITIONAL USE PERMIT
BY LAKEWOOD EVANGELICAL FREE CHURCH FOR
PROPOSED LOT 1, BLOCK 1, DEER GLEN

WHEREAS, on the 7th day of February, 2005, the Lakewood Evangelical Free Church ("Applicant") submitted a completed application requests that the City of Lake Elmo approve a Conditional Use Permit to construct a church on 20 acres. and

WHEREAS, on the 28th day of February 2005, at a public hearing, the Lake Elmo Planning Commission reviewed the Conditional Use Permit application, the City Planner's reports and comments, the comments of the Applicant and the Applicant's representatives; and recommended denial of the Conditional Use Permit; and

WHEREAS, on the 15th day of March, 2005, the Lake Elmo City Council reviewed the Conditional Use Permit application, the City Planner's reports and comments, the Planning Commission recommendation and the comments of the Applicant and its representatives.

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

Denies the Conditional Use Permit for a church on proposed Lot 1, Block 1, Deer Glen based on the following finding:

1. The conditional use permit would allow development that is not consistent with the current zoning for the applicant's property and because the traffic generated by the proposed development would create serious traffic congestion at the intersection of Keats Avenue and Highway 36, as indicated in the traffic study dated the 15th day of December, 2004 prepared by Kimley-Horn and Associates, Inc.

ADOPTED by the Lake Elmo City Council on the 5th day of April, 2005.

Dean Johnston, Mayor

ATTEST:

Martin Rafferty, City Administrator

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

RESOLUTION NO. 2005-031

**A RESOLUTION DENYING THE SITE PLAN OF
LAKEWOOD EVANGELICAL FREE CHURCH.**

WHEREAS, on the 7th day of February, 2005, the Lakewood Evangelical Free Church ("Applicant") submitted a completed application requesting that the City of Lake Elmo approve a Section 520 Site Plan for Lot 1, Block 1, of the proposed plat of DEER GLEN; and

WHEREAS, on the 28th day of February 2005, at a public hearing, the Lake Elmo Planning Commission reviewed the Development Application, the City Planner's reports and comments, the comments of the Applicant and the Applicant's representatives; and recommended denial of the Development Application; and

WHEREAS, on the 15th day of March, 2005, the Lake Elmo City Council reviewed the Development Application, the City Planner's reports and comments, the Planning Commission recommendations and the comments of the Applicant and its representatives.

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

Denies the approval of the proposed site plan for Lot 1, Block 1 of the proposed plat because the site plan is for a development that would not be consistent with the current RR zoning for applicant's property.

ADOPTED, by the Lake Elmo City Council on the 5th day of April, 2005

Dean Johnston, Mayor

ATTEST:

Martin Rafferty, City Administrator

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

RESOLUTION NO. 2005-032

**A RESOLUTION DENYING THE OPEN SPACE PRESERVATION DEVELOPMENT
OF LAKEWOOD EVANGELICAL FREE CHURCH.**

WHEREAS, on the 7th day of February, 2005, the Lakewood Evangelical Free Church ("Applicant") submitted a completed application requesting that the City of Lake Elmo approve an Open Space Preservation Development Concept Plan; and

WHEREAS, on the 28th day of February 2005, at a public hearing, the Lake Elmo Planning Commission reviewed the Development Application, the City Planner's reports and comments, the comments of the Applicant and the Applicant's representatives; and recommended denial of the Development Application; and

WHEREAS, on the 15th day of March, 2005, the Lake Elmo City Council reviewed the Development Application, the City Planner's reports and comments, the Planning Commission recommendations and the comments of the Applicant and its representatives.

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

Denies the open space development-concept plan for Outlots A and D, DEER GLEN, as illustrated on a portion of the Lakewood Evangelical Free Church Concept Plan prepared by Kimley-Horn & Associates, Inc. dated September 24, 2004 for the following reasons:

- a. The open space development-concept plan proposes significant modifications to natural grades and to existing floodplains on Applicant's property and is therefore inconsistent with the City's Comprehensive Plan Environmental Protection policies which require residential developments to conform to the limitations presented by natural features of the land and natural drainage systems. The proposed development would require the grading and redistribution of approximately 70,000 cubic yards of soil and fill; will require grading and scraping which will disturb approximately ten (10) acres of a forty-eight (48) acre site and such significant modifications to natural grades will be required in order to develop approximately one-half of the proposed lots in a manner that is consistent with the requirements of the Valley Branch Watershed District.
- b. The open space development-concept plan is inconsistent with the purpose of the City's Open Space Preservation Ordinance because it proposes to significantly alter the natural drainage features of the site.

ADOPTED, by the Lake Elmo City Council on the 5th day of April, 2005

Dean Johnston, Mayor

ATTEST:

Martin Rafferty, City Administrator

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

RESOLUTION NO. 2005-032

**A RESOLUTION APPROVING THE OPEN SPACE PRESERVATION
DEVELOPMENT OF LAKEWOOD EVANGELICAL FREE CHURCH.**

WHEREAS, on the 7th day of February, 2005, the Lakewood Evangelical Free Church ("Applicant") submitted a completed application requesting that the City of Lake Elmo approve an Open Space Preservation Development Concept Plan; and

WHEREAS, on the 28th day of February 2005, at a public hearing, the Lake Elmo Planning Commission reviewed the Development Application, the City Planner's reports and comments, the comments of the Applicant and the Applicant's representatives; and recommended denial of the Development Application; and

WHEREAS, on the 15th day of March, 2005, the Lake Elmo City Council reviewed the Development Application, the City Planner's reports and comments, the Planning Commission recommendations and the comments of the Applicant and its representatives.

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

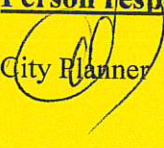
Approves the open space concept for Outlots A and D Deer Glen as illustrated on a portion of the Lakewood Evangelical Free Church Concept Plan prepared by Kimley-Horn & Associates, Inc., dated September 24, 2004 and noting that the open space project does not include the development of Lot 1, Block 1, DEER GLEN even though that development is also illustrated on the preliminary plat.

ADOPTED, by the Lake Elmo City Council on the 5th day of April, 2005

Dean Johnston, Mayor

ATTEST:

Martin Rafferty, City Administrator

Lake Elmo City Council April 19, 2005	Agenda Section: Planning, Land Use & Zoning	<u>No.</u> 9B
<u>Agenda Item:</u> Garage in Front of House – 8211 Lake Jane Trail		
<p><u>Background Information for April 19, 2005:</u></p> <p>The applicants have requested a Resolution by the City Council to allow relocation of an existing 24X26 accessory structure from one side of the lot to the other. The accessory structure (formerly the only garage on the site) is now located closer to the street than the house, and would continue to be in front of the house in the proposed location. The City Code prohibits detached garages or accessory buildings located nearer the front lot line than the principal building (home). By a somewhat unusual clause in the Code, the City Council may waive this provision by adoption of a Resolution.</p> <p>It appears that the proposed garage location will be no more intrusive than the present location – perhaps even less so. It also appears that the garage ion the proposed location will comply with R-1 structure set back standards. We note that the applicant does not propose driveway access to the accessory structure at the proposed location.</p>		
<p><u>Action items:</u></p> <p>Motion to adopt Resolution #2005 - , approving relocation of a 24X26 accessory structure at 8211 Lake Jane Trail nearer the street than the principal structure, per plans staff dated April 14, 2005.</p>	<p><u>Person responsible:</u></p> <p> City Planner</p>	
<p><u>Attachments:</u></p> <ol style="list-style-type: none"> 1. Draft Resolution 2005 - Approving Structure Location 2. Location Map 3. Applicant Documents and Graphics 	<p><u>Time Allocated:</u></p>	

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

RESOLUTION NO. 2005-043

**A RESOLUTION APPROVING THE PLACEMENT OF A GARAGE
STRUCTURE IN FRONT OF THE PRIMARY STRUCTURE
AT 8211 LAKE JANE TRAIL**

WHEREAS, pursuant to Section 300.13, Subd. 3, I of the Lake Elmo Municipal Code, Harvey Gleason, the property owner has requested approval to relocate his detached garage due west of its current location, in accordance with sketch plan staff dated April 11, 2005.

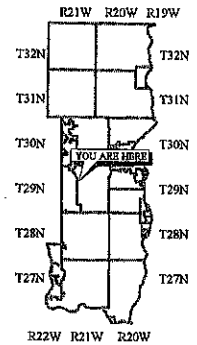
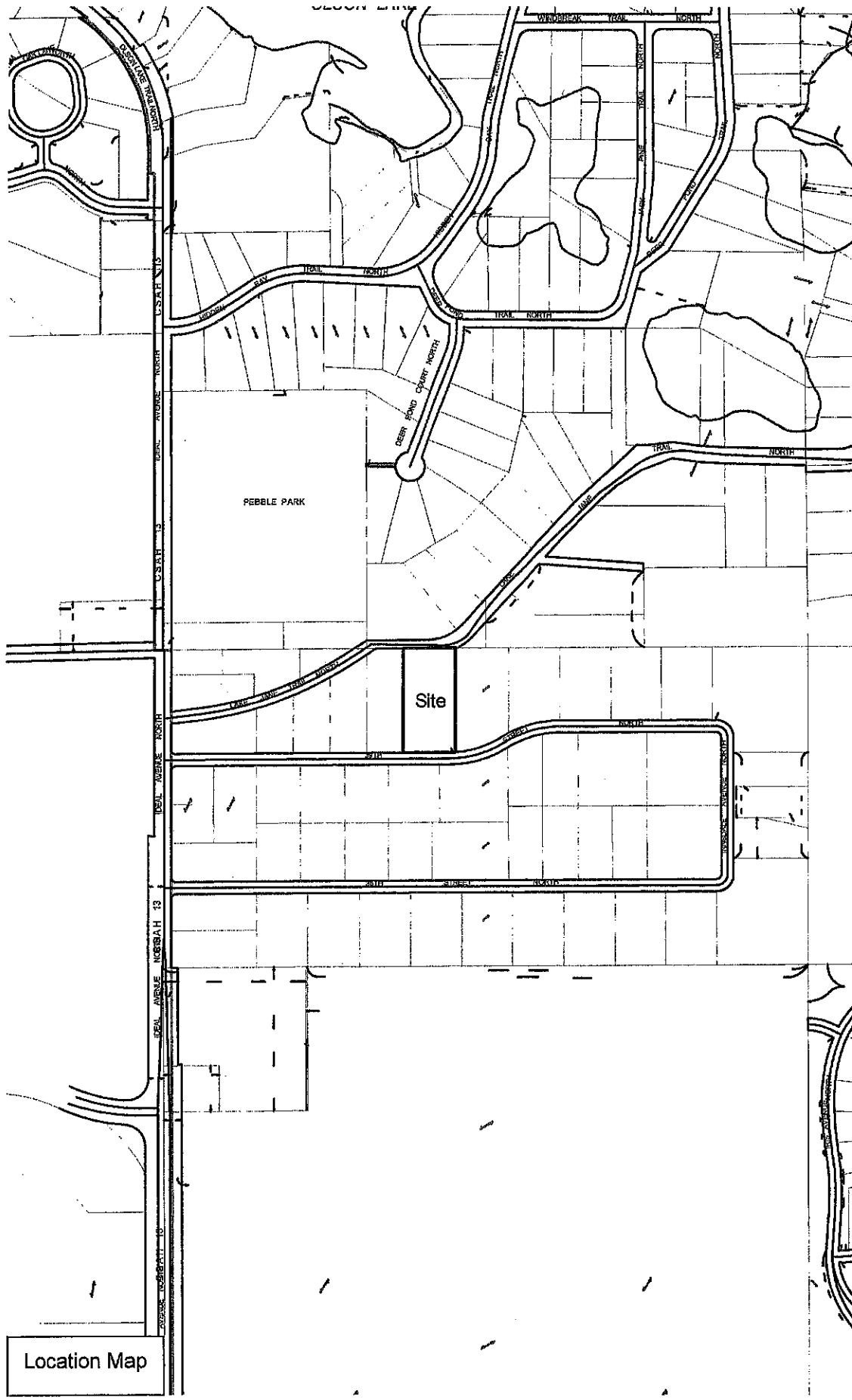
NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Lake Elmo hereby grants permission for the garage structure to be relocated nearer the front property line than the principal structure at 8211 Lake Jane Trail, per sketch plan staff dated April 11, 2005.

ADOPTED, by the Lake Elmo City Council on the 19th day of April, 2005.

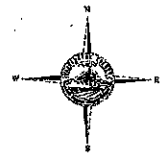
Dean A. Johnston, Mayor

ATTEST:

Martin J. Rafferty, City Administrator



Vicinity Map



This drawing is the result of a compilation and reproduction of land records as they appear in various Washington County offices. The drawing should be used for reference purposes only. Washington County is not responsible for any inaccuracies.

Source: Washington County Surveyor's Office.
Phone (501) 430-6675

Parcel data based on A8400 information

Location Map

April 4, 2005

RECEIVED

APR 11 2005

Lake Elmo City Hall
3800 Laverne Avenue North
Lake Elmo, MN 55042

Re: Garage Relocation Request

Dear Lake Elmo City Council Members:

My name is Harvey Gleason and I live at 8211 Lake Jane Trail. I write to request approval to relocate my detached garage to the western half of my lot.

As shown on the enclosed aerial map, the proposed location is due west of the current location. There, it would be surrounded on three sides by thirty foot pine trees which would prevent view of the garage from Lake Jane Trail and from my neighbors to the west and north-west.

I have several good reasons for relocating the garage. Locating the garage any further south requires excavating the land to remove an upslope. It would also require the removal of several mature pine trees. Lastly, it improves accessibility.

My neighbors to the west and north-west have reviewed the enclosed aerial map and this proposal. Both have no objection to the plan as shown by their signatures on the enclosed documents.

For the foregoing reasons, please pass a resolution allowing relocation of my garage as shown on the enclosed map.

If you have any questions please call me at 612-490-7595.

Sincerely,

A handwritten signature in cursive script that reads "Harvey Gleason". The signature is written in dark ink and is positioned below the word "Sincerely,".


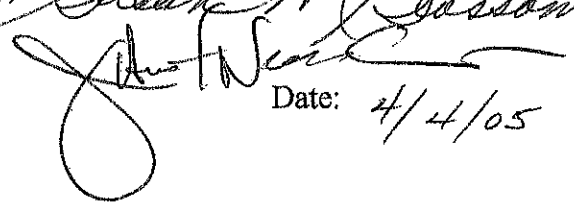
Harvey Gleason

Enclosure

Susan Blossom & Jim Nonnemacher
8170 39TH ST N

(name and address of neighbor to the west) understands
Harvey Gleason's proposal to move his detached garage due west. I have reviewed the
letter to the Lake Elmo City Council and aerial map and have no objection to the
proposed placement of the garage.

Sincerely,

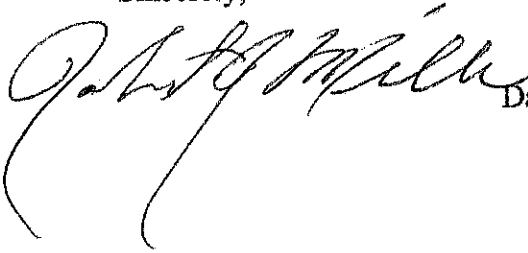



Date: 4/4/05

8190 Lake Jane Trail North

(name and address of neighbor to the west) understands
Harvey Gleason's proposal to move his detached garage due west. I have reviewed the
letter to the Lake Elmo City Council and aerial map and have no objection to the
proposed placement of the garage.

Sincerely,

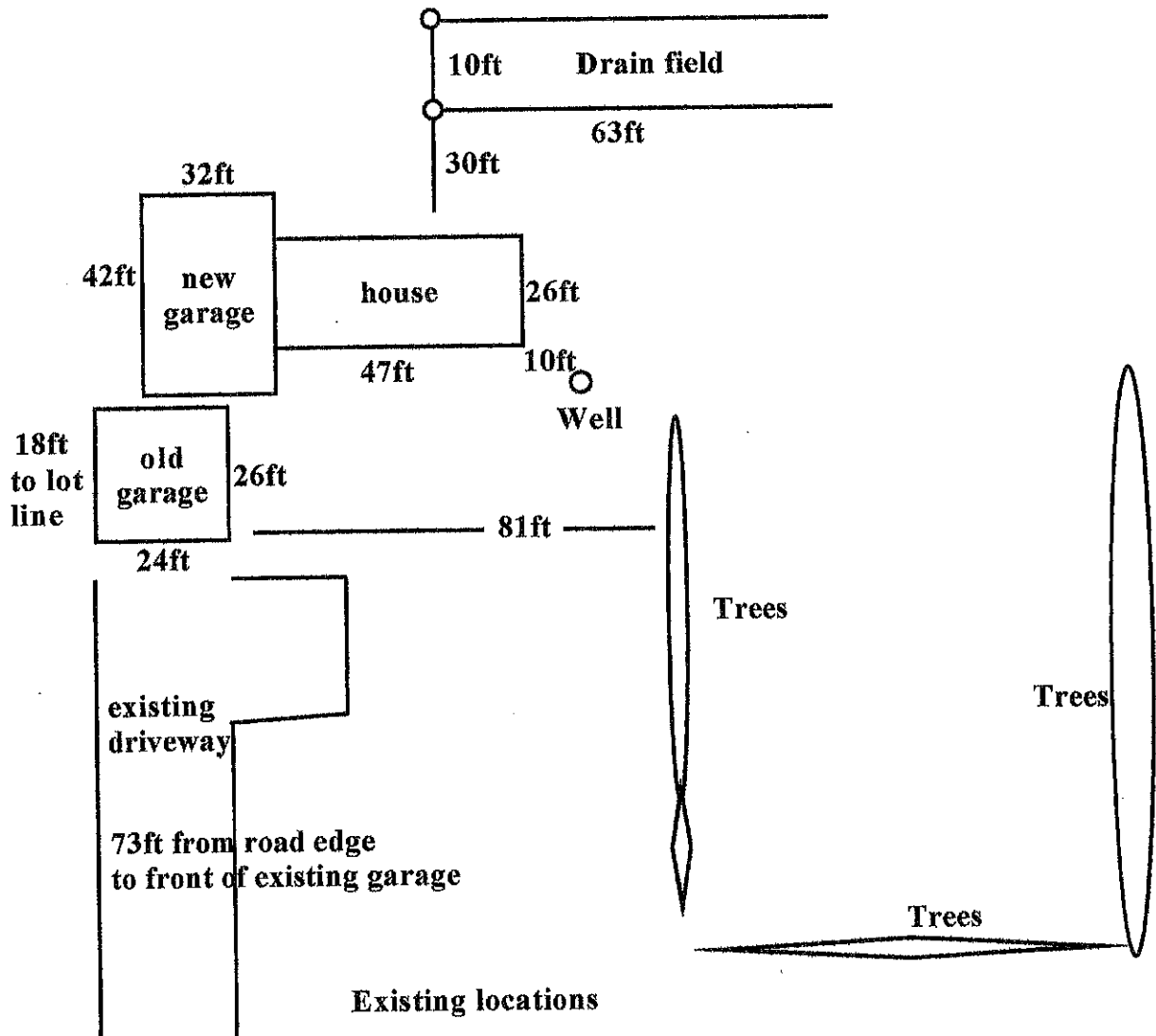
 Date: 4/4/05

215 Feet

2 Acres Total lot size

433 Ft.

Existing Layout of property



Existing locations

Lake Jane Trail

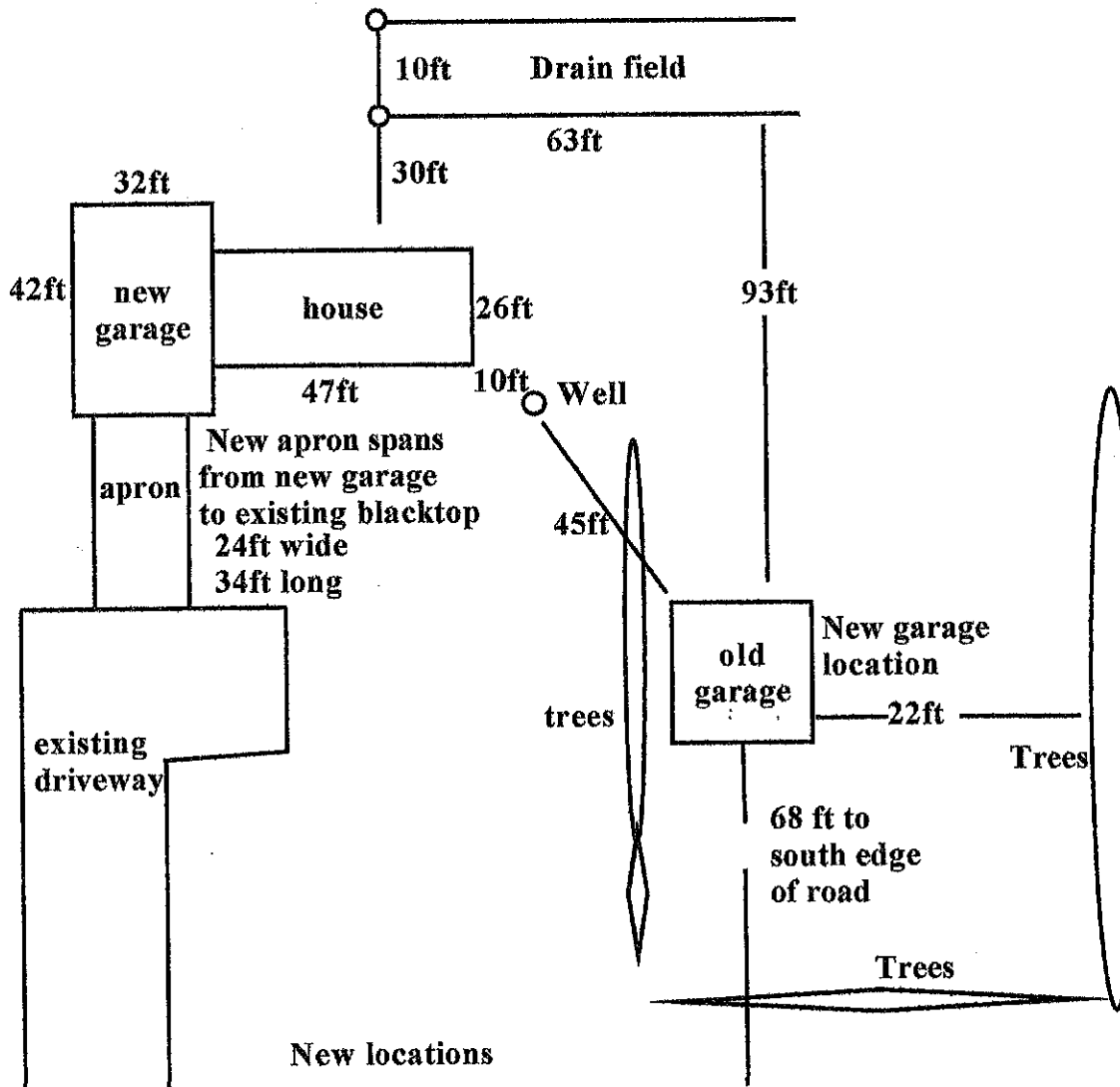
2 Acres Total lot size

Harvey Gleason
8211 Lake Jane Trail
Lake Elmo, Mn. 55042

651-770-7702 Home 612-490-7595 cell

New Locations

433 Ft.



New locations

Lake Jane Trail

Lake Elmo City Council April 19, 2005	Agenda Section: Planning, Land Use & Zoning	<u>No.</u> 9C
<u>Agenda Item:</u> Zoning Ordinance Text Amendments - Fence Regulation/Standards		
<p><u>Background Information for April 19, 2005:</u></p> <p>At its meeting April 11, 2005 the Planning Commission conducted a Public Hearing, and adopted a Motion to transmit certain amendments to the Fence regulation/standards of the Zoning Ordinance to the City Council without a recommendation. Those amendments had been initiated by the Finance, Legal, et al Committee of the Council.</p> <p>The proposed amendments address screening fence, both adding standards to the traditional screening fence provisions, and introducing the new concept of "Extended Living Area" fencing. There were no comments by the Public regarding these amendments during the (very) brief Public Hearing.</p>		
<p><u>Action items:</u> <i>155</i></p> <p>Motion to adopt Ordinance #97- amending the text of the Zoning Ordinance regarding regulations and standards for fencing.</p>	<p><u>Person responsible:</u></p> <p><i>[Signature]</i> City Planner</p>	
<p><u>Attachments:</u> <i>155</i></p> <ol style="list-style-type: none"> 1. Draft Ordinance #97 - , Approving Fence Amendments 2. Draft Planning Commission Minutes of April 11 	<p><u>Time Allocated:</u></p>	

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

ORDINANCE NO. 97-155

**AN ORDINANCE ADDING SECTION 302.06, SUBD. 1, AND SUBD. 2.
RELATING TO FENCES AS SCREENING AND SECURITY**

Section 1. Amendment: Section 302.06, Subd 1, (5), Fences as Screening and Security as Required by this Code is hereby added to the Lake Elmo Municipal Code, to wit:

Section 302.06, Subd. 1.,(5) General Screening

Solid fence not to exceed 72 inches in height measured from grade may be installed, subject to the following standards:

5. The total area of any parcel enclosed by solid fencing shall not exceed the maximum allowable area for an accessory structure in the zoning district in which the parcel is located, less the sum of the area of any accessory structures. The area enclosed by screen fencing shall maintain a ratio of width to length of no greater than 2:1. (See Section 300.13 Subd. 4).

Section 2 . Amendment: Section 302.06, Subd. 2, (1),(2),(3), Fences as Screening and Security as Required by this Code is hereby added to the Lake Elmo Municipal Code, to wit:

Section 302.06, Subd. 2,(1),(2),(3) Outdoor Living Area Extensions

Solid fencing to a maximum height of 72 inches may be used to enclose outdoor extended living areas of a principal structure, subject to the following standards:

1. The area enclosed by outdoor extended living area fencing shall be limited to the area of the room with the principal structure from which access to the outdoor extended living area is gained. Where access to the outdoor extended living area to be enclosed is gained from more than one room of the principal structure, only the area of the room with largest floor area shall be used to determine the allowable area of the fenced outdoor extended living area.
2. Fence utilized to enclose an outdoor extended living area shall be physically attached to the principal structure at one fence termination point.

3. 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 of front street yard. (See Figure 302.3)

Section 2. Effective Date: This ordinance shall become effective upon its passage and publication according to law.

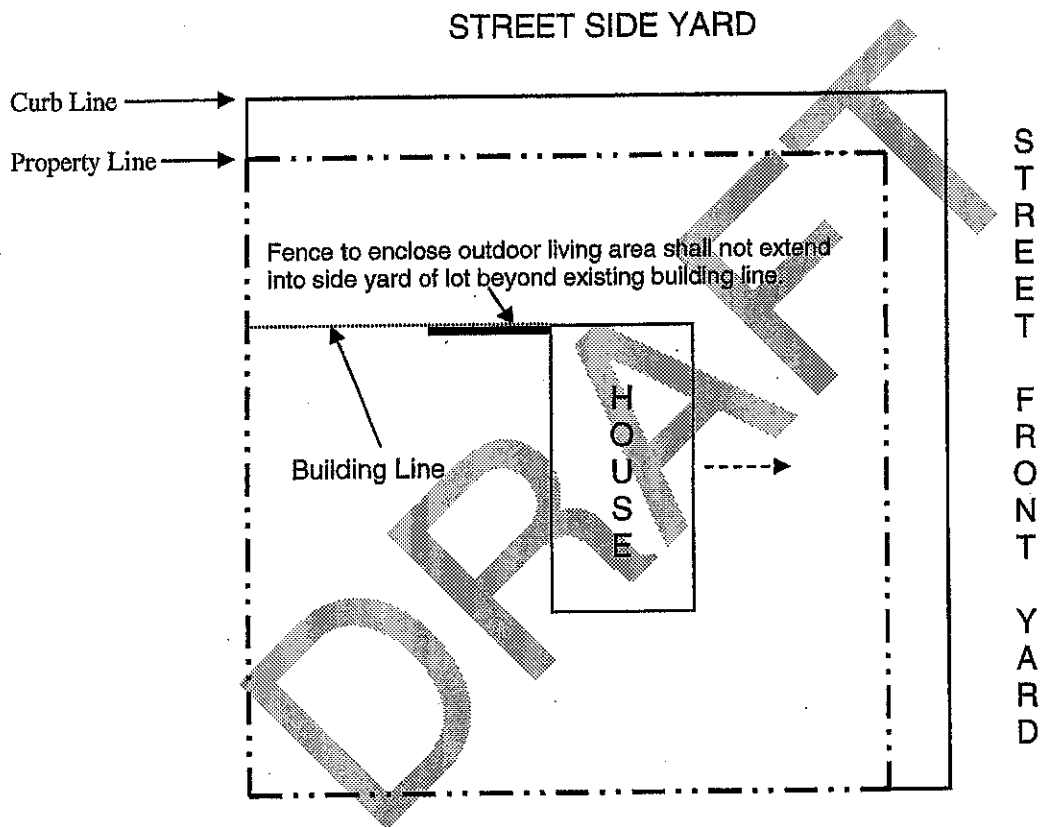
ADOPTED by the Lake Elmo City Council this 19th day of April, 2005.

Dean Johnston, Mayor

ATTEST:

Martin J. Rafferty, City Administrator

Figure 302.3
FENCING FOR OUTDOOR LIVING AREA



PUBLIC HEARING: AMEND FENCE CODE

The Planner explained the history of the new fence ordinance. He reported that a Council Committee recommended adding additional standards to traditional screen fencing and a section addressing fencing where a living area may be extended outdoors by screen fencing.

The Planner explained that one of the intents of this ordinance amendment is to set limits on the amount of area a property owner may use for screen fencing. The purpose of Paragraph 5 is to allow fencing in relation to and in combination with the allowable square footage of accessory structures. He said that the concept of an extended living area is also addressed by the amendments. The size of a solid fenced area for an outdoor extended living area cannot exceed the size of the room area from which you enter the fenced area. The fence must be physically attached to the structure at some point. The fence cannot extend beyond the side edge of the house.

Commissioner Sedro asked if we prefer to see stored items sticking up above the 72" height of a fence to allowing a higher fence for the purpose of screening such items.

The Planner said the prior fence ordinance allowed up to 8 feet for screen fencing. He also noted that a higher fence than 72 inches may be more intrusive than what can be seen of any item a resident may wish to screen.

Commissioner Roth asked for the definition of outdoor extended living area.

Commissioner Fliflet asked what would be the standard applied if the area from which you exit the residence to the extended living area was an unfinished walk-out basement.

The Planner said that was a good point that staff had not considered which might need a qualifier in the ordinance.

Commissioner Deziel asked if this type of screening would apply only to street sides or any side yard.

The Planner said it would apply to any side yard.

Commissioner Ptacek said that it might be drafted this way because we do not want a fence like that viewed from the front of the home. If the side yard is where a walkout is located, that type of fencing would not be allowable.

Commissioner Sessing said that since the extended living area fence is attached to the home, it would require frost footings. If that fence was constructed within so many feet of the home, it might not need frost footings. That would cost less.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:24 P.M.

Nobody came forward to speak.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:25 P.M.

Commissioner Sessing suggested that the Council look at the RR zoning district where the code says that exterior storage farm equipment cannot be stored outside. He said he would like to see exterior storage changed for RR where farm equipment is often utilized.

The Planner said the Commission could publish a hearing notice or make a recommendation to the City Council, but such an amendment could not be considered as a part of what was now on the Commission's table since it was not mentioned in the Hearing Notice.

Councilmember DeLapp said that he knows of a Lake Elmo 200-acre farm zoned RR. He said the change suggested by Commissioner Sessing would be in order.

Commissioner Armstrong wondered if limiting the size of the fenced area to the room from which one exits the house to the extended living area is too arbitrary. He asked about limiting the screened extended living area to the footprint size of the house.

The Planner said the footprint of the house might be excessive.

Commissioner Roth suggested the square footage of the room or 500 square feet whichever is greater.

Commissioner Fliflet suggested the fenced area should be no larger than one-half the foundation size of the house.

Commissioner Deziel said as a city we restrict more and more, and now we are liberalizing on a restrictive basis. He said this code is too far from where we started. Now we are being asked to regulate something that is a minimal problem. He said that we are going backwards as a city, unnecessarily restricting our residents.

Commissioner Armstrong asked if the intent of Paragraph 5 under General Screening is to limit the amount of stuff in the backyard and how it is screened. He asked if there are problems arising from fence permit applications. He asked what the impetus is for these changes.

The Planner said the initiative came from Council Committee and staff drafted language.

M/S/F, Deziel/Armstrong, to recommend that screening may be allowed at 72" as long as it is within the building setback of non-street yards, removing the clause relating to the size of the screened area to the size of accessory building area..

Commissioner Armstrong said if the Council wants something different, they should do it. If the fence is not street screening fence, and it can meet the setbacks, that is all an individual should have to do.

Administrator Rafferty asked for clarification, not just all setbacks.

Commissioner Deziel said non-street setbacks only.

Administrator Rafferty said a resident came forward with a request for some living area that can be screened for privacy. Staff's concern is how overwhelming it could be. In our existing code, only 42" of solid fencing is allowed. If scale is not limited, a resident could potentially have a

solid 72" fence from the back corner of the house to the rear setback line, which could be 400 feet long. He said that staff took the concept from the public request to create some privacy for a solid wall fence. That is where this amendment originated.

Commissioner Fliflet thought the rationale of number 5 was fine before the changes.

VOTE: 4:5 Nay - Roth, Ptacek, Lyzenga, Helwig, Schneider. FAILED

M/S/F, Ptacek/Schneider, to recommend the Fence Ordinance to the City Council as presented with the following changes:


1. Item 5- cross out of height of 72"
2. Outdoor Living Area- move forward with the addition of "provided that the area where the screened area closes and/or connects to the principal structure be no greater than six inches, and also that the total area of screening be no more than one-half the footprint of the primary residential structure.

VOTE: 4:5 Armstrong, Sedro, Sessing, Roth, Deziel. FAILED.

Commissioner Roth said he is not clear why these changes are necessary. He said he is having difficulty making the changes without a rationale. Maybe council committee has more information.

M/S/P, Roth/Sessing, to pass on these proposed amendments without recommendation. VOTE: 7:2, Nay: Commissioners Schneider, Ptacek PASSED.

M/S/P, Sessing/Roth, to ask council committee to look at Section 1340 regarding screening of farm implements allowed in RR and also trailer and boat storage of 25 feet, and whether that includes RVs. VOTE: 9:0. PASSED.

Lake Elmo City Council April 19, 2005	Agenda Section: Planning, Land Use & Zoning	<u>No.</u> 9D
<u>Agenda Item:</u> Comprehensive Plan Amendments – Planning Commission Recommendations		
<u>Background Information for April 19, 2005:</u>		
<p>Following several working sessions the Planning Commission, on April 4, conducted a Public Hearing regarding amendments to the Comprehensive Plan responsive to the City/METC Memorandum of Agreement (MOA). The Hearing addressed the Planning Policy, Land Use Text, Land Use Plan, and Development Staging elements of the required Comprehensive Plan amendments.</p>		
<p>On April 11 the Planning Commission discussed the Hearing testimony, and reviewed some adjustments to the Land Use Plan that they had directed after the close of the April 4 Hearing. The attached drafts of the Plan elements now completed (including the April 11 revisions) were, on April 11, recommended to the City Council for adoption on a Planning Commission vote of 9-0.</p>		
<u>Action items:</u> Council direction by Motion is requested regarding the review process and calendar for adoption of the Planning Commission recommended Comprehensive Plan amendments.	<u>Person responsible:</u>	
	City Planner 	
<u>Attachments:</u> <ol style="list-style-type: none"> 1. Draft April 4 and April 11 (excerpt) Planning Commission Minutes 2. The Commission-recommended Plan drafts of the Planning Policy, Land Use Plan, Land Use Map, and Staging Plan will be distributed to the Council at the April 16 Workshop. 	<u>Time Allocated:</u>	

MARCH 31, 2005

- M/S/P, to recommend Plan C with options for extension above 10th Street and D with modifications, and to look at keeping the back up of simple urban reserve.
VOTE: 8:0.

- M/S/P, Lyzenga/Sessing, to include an option in Plan C to distribute the additional REC units across the three areas of Open Space Preservation, the Old Village, and the Near Urban.

Chairman Helwig said if we go to .6 in the OP, at that density individual sewer will not fit without going into the open space. **VOTE: 8:0.**

- M/S/P, Armstrong/Roth, to recommend the Back Load Staging Plan because we can then allow more of the OP units and Old Village units first.

Commissioner Armstrong said that if a beautiful development comes in we can modify our plans but we should not commit up front. **VOTE: 8:0.**

APRIL 11, 2005

- M/S/P, Armstrong/Deziel, to recommend the Planning Policy and Land Use Plan as presented except for typographical errors and internal questions in the draft, and change the Land Use Plan and Planning Policy from 9,500 dwelling units in 2030 to 8,730. **VOTE 9:0**

- M/S/P, Armstrong/Sessing, to direct staff to draft clear language in the City-wide Planning Policy on page 7 under "I-94," paragraph 3, indicating that reguinding will not be automatic but will require an affirmative resolution of the City Council before reguinding can take place.

Commissioner Deziel said the city should make sure the map with 3,700 units is not interpreted as an official document. **VOTE: 8:1, Nay-Deziel.**

- M/S/P, Sedro/Ptacek to recommend the 3,700 unit map for the area south of 10th street along with language explaining that this plan represents the Planning Commission's best understanding at this time but we expect the details to change, and north of 10th street that 450 units be distributed to each of the three options: 150 units for the Old Village bonus densities, 150 units to Open Space Preservation Developments, and 150 in RAD2, which will be situated on the perimeter of and particularly on the corners of the City.

Commissioner Lyzenga asked what makes the City default to this detailed map. She said she is not comfortable with this map under any circumstance. She said the Commission has been rushed into conclusions which results in too many questions.

Commissioner Sedro said this map is the best the Commission has come up with so far. Hopefully the Planning Commission can revisit it when we have more time.

Commissioner Ptacek asked for a friendly amendment to the motion. Eliminate the map and deal with the distribution of units only. He said the Commission should approve the text in the City-wide Planning Policy and Land Use Plan and RAD2.

Commissioner Sedro said she is more comfortable with RAD2 in small specific areas where it will be sited. She said that Open Space Preservation is in the entire city.

Commissioner Armstrong said he supports the motion but wants a follow up to narrow down the RAD2 areas..

VOTE: 8:1, Nay-Deziel.

○ **M/S/P, Armstrong/Sessing, To eliminate the RAD2 areas of the map at southwest portion of the city off Inwood, and the western portion of the city at Highway 5.**

VOTE: 8:1 Nay-Ptacek- RAD2 off Highway 5 makes more sense with the development going on there in Oaksdale.

○ **M/S/P, Roth/Deziel, to modify the 3,700 map by moving the greenbelt areas shown south of 10th adjacent to the existing residential neighborhoods.**

Commissioner Armstrong said that the goal is minimum impact in the transition areas. He suggested taking the lavender and green areas, combine them, and make it one unit per 2 acres with setbacks of 300-400 feet. He said that would mean no up front taking, allowing more planning flexibility. **VOTE: 8:0:1, Ptacek-Abstain – Lack of information.**

○ **M/S/P, Armstrong/Helwig, to recommend looking at combining low density residential of one unit per two acres and green space area with significant setbacks for existing residents to provide a wide enough buffer and eliminate chance of entire parcels being located within the green space area.**

VOTE: 6:2:1 Abstain-Roth - Lack of Information.

○ **M/S/P, Roth/Deziel, to amend the Staging Plan to reflect the reduction in units south of 10th Street North. VOTE: 9:0.**

**City of Lake Elmo
Planning Commission Meeting
Minutes of April 4, 2005**

Chairman Helwig called to order the meeting of the Lake Elmo Planning Commission at 7:00 p.m. COMMISSIONERS PRESENT: Lyzenga, Ptacek, Sessing, Roth, Sedro, Armstrong, Fliflet, and Schneider (Deziel 7:13 p.m.). STAFF PRESENT: Planner Dillerud and Recording Secretary Schaffel. ALSO PRESENT: Mayor Johnston and Councilmembers Johnson and Conlin.

PLEDGE OF ALLEGIANCE

AGENDA

M/S/P, Ptacek/Sedro, to approve the Agenda as presented. VOTE: 9:0.

PUBLIC HEARING: COMPREHENSIVE PLAN MODIFICATIONS

The Planner presented the updated information for amendments to the Comprehensive Plan. He explained the background and history of this round of Comprehensive Planning. He offered guidelines for the Public Hearing portion of the meeting.

The Planner suggested that it is assumed that there will be two iterations of a Land Use Plan. The reason for this is the Met Council requirement of an Urban Reserve for areas to be served by Regional Sewer in the future, coupled with compliance with State Statute that requires any zoning to be in compliance a Comp Plan within 9 months. Urban Reserve, meaning one unit per 20 acres, will be designated until the sewer arrives. The second layer will be the detailed Land Use Plan to guide development after the sewer arrival.

The Planner noted persons-per-dwelling unit in 2030 are forecasted by Met Council using 24,000 population and 9,500 dwelling units - equaling 2.53 persons per household. The Planner said that as he has reviewed the logic of that calculation and believes he could successfully argue a larger persons-per-dwelling unit factor for Lake Elmo. He said he believes that 2.75 persons-per-dwelling unit for Lake Elmo by 2030 is reasonable. That would result in 8,750 dwelling units by 2030 to result in a population of 24,000. He said the City has a logical basis to address persons per dwelling unit in this fashion.

The Planner explained the layout of the Land Use Plan. He then continued by explaining the Metropolitan Council's schedule for sewer. He said that most cities have a staging plan. The Planner said that staging allows a controlled level of growth so city services and infrastructure can keep up with that growth. He noted that the Planning Commission has previously indicated preference for a somewhat back loaded approach to staging.

The Planner said that the Planning Commission can also look at some other options such as increasing density in OP Developments.

Commissioner Roth asked about how those densities compare to acreage.

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 7:49 P.M.

Tina Goodroad did not speak.

Walt Krueger did not speak.

Kathy Schallhorn did not speak.

Gary Jader

Mr. Jader said he is a resident south of 10th Street. He thanked the commission and mayor for making this process as pleasant as possible for residents south of 10th Street. Those residents chose Lake Elmo for rural character. He urged the Planning Commission to make it as palatable as possible south of 10th. He asked that the plan be made as equitable north of 10th as possible.

David Heinrichs

Mr. Heinrichs said he is a resident south of 10th Street. He agreed with Mr. Jader. He said there is a great deal of pressure south of 10th Street. He recommended the Commission come up with different options along Highway 5 to take some pressure off the families south of 10th Street.

Greg Milnar

Mr. Milnar said his family owns land at 10th Street and County Road 13. He moved from Woodbury. He is concerned about the focus south of 10th Street. At the west border of Stonegate, he would prefer a transition of lot sizes rather than a buffer zone of open space. He said he would welcome residential housing as a homogenous mix.

Tom Kreimer

Mr. Kreimer said he is a Stonegate resident and zoning around him has now changed. He said the new development will be a burden south of 10th Street with dense housing, and too many lights. He asked the Commission to choose Option D and send 800 more units north of 10th Street. He said that both Dean Johnston and Anne Smith campaigned for a strip of development along I-94, and it is now in his backyard. He would like to see rural character preserved there. He brought forth a petition from Stonegate asking to vacate sub street rights of way in Stonegate to prevent streets being built where they do not exist today. He said 95% of the residents signed it, and he was unable to reach the other 5% in time for the meeting. Traffic and safety are his concerns. He said he would prefer graduated density on the sewer side of Stonegate. A greenway without trees does little to shelter the homes from the density. However, he said a greenway will be a good buffer against construction. He said back loading should allow us to choose choice developments.

Steve Fisher, Bruggeman Properties

Mr. Fisher said that Lake Elmo Development owns 200 acres in the Old Village in the former Hutchinson land. They would welcome consideration for additional density in the

Old Village and an increased pace to the staging plan for that area. He said the Old Village Plan is in place, and they are ready to put that plan into action along with other developers. He said the City will benefit from that plan by balancing population in the city. The expanded Old Village will help revitalize downtown. Septic systems are failing. He said the city should expect developers to subsidize the sewer extension. When asking for additional densities, they should be expected to subsidize the sewer. Assessments to existing residents can be reduced if developers subsidize those costs.

Wayne Prowse

Mr. Prowse said he lives in Stonegate. Crime and traffic made him move from Lake Phalen, and rural character with 2.5 acre lots brought him to Lake Elmo. He said he and his family are sad and they never thought it would happen to us. He said if it can happen to his family it can happen to all of the residents of Lake Elmo. He would like the Commission to try to minimize the impact on his lifestyle. He said he does not want the traffic and the crime.

Kirby Spike

Mr. Spike said he lives on 53rd Street. He said that looking at new Public Facilities on the proposed plan, there appears to be an error deficiency in the plan. He said he is a member of the Lakewood Church. He said there is no plan for public facilities. He said he would like a definition on how an organization can get PF, clearly outlining steps in the Comp Plan that can be taken. General statements he said he heard indicate an error or change in conditions too burdensome for a PF to meet. He said the lack of clarity in the plan leaves a legal window open. He was surprised not to see a designation for PF. Objective criteria should be added. If the city does not change these objective requirements, then the city should show the zones as PF in the future mapping. He said the entire process is overly burdensome to PF organizations and that is unreasonable. There ought to be a provision for PF to keep up with the growth in population.

Michele Haskins

Ms. Haskins said she lives in the Forest. She feels these plans put an unfair burden south of 10th Street. She asked how much it will affect each commissioner. She said their area will look like Woodbury. She said it is unfair they should shoulder the burden.

Marcus Gernes

Mr. Gernes said he is a former Planning Commissioner, and said that given the plan and densities presented there is some flexibility north of 10th Street. He said he lives in the Forest. He said that east of the Forest appears to be townhouses. He requested the Planning Commission look closer at buffering the zone east with single family residential before going eastward.

Peter Coyle of Larkin, Hoffman spoke on behalf of the following three homeowners:

Bernie Nass owns the parcel at the corner of Manning and Highway 36. Mr. Nass assumed he would be annexed into Oak Park Heights. He said that sewer pipe is

available to Mr. Nass, and he wants to be allowed to create a mixed use development north of Carriage Station.

The Schiltgen Family are owners of multiple parcels in the city, and they do not endorse the entire Old Village Plan. Density shifting should be encouraged, allowing some parcels accelerated densities. He said there should be more flexibility on commercial and retail. They encourage a clearer statement to property owners who are willing to work with the Planning Commission on the Old Village Plan.

RECO Real Estate are the owners of property on northeast corner of County Road 17 and Hudson Boulevard. He said the ownership supports commercial use of that property. He said the Commission has commercial too narrowly defined. They endorse a broader range of opportunities than just research park. He said that a broader definition would facilitate the development that will pay for new residential development.

Mark Enright

Mr. Enright said he is a resident of Stonegate. He said he has several concerns which include traffic in and around 10th Street. At the Stonegate entrance, it is a difficult area to get out onto 10th Street and to get up to speed up the hill. He said he feels there is a lack of banding. Even reducing the green space and putting in residences would be better than open space. He would prefer to see additional graduated development in the bands around Stonegate. He said he is happy to hear of any alternatives north of 10th Street. He said he would prefer good quality single family residences in their back yards over townhomes.

Joel Ofsthun

Mr. Ofsthun said he is a resident of Stonegate. He said that traffic on 10th Street used to be at a bare minimum. He can't get out on the street during rush hour. More houses mean more congestion. He said there is no easy way to cross 10th Street, and he is concerned for children on bicycles. He would like the Commission to put some of the proposed housing north. He said that sewer and water would be too costly for their neighborhood.

Cindy Feyma

Ms. Feyma said she is sad that the burden for development is below 10th Street, although she understands the necessity.

Steve Most

Mr. Most said he lives south of 10th Street because of the rural character. He said that green space is shown around two developments but not around Midland Meadows. He said it would be nice to have some green space located there for when those lots redevelop. He asked why we cannot go back to 3,000 REC units. There is plenty of acreage, and he encourages more development north of 10th Street, and he asked the Commission not to sacrifice the rural character south of 10th Street.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 8:25 P.M.

The Commission adjourned for ten minutes and Reconvened at 8:41 p.m.

The Planner addressed questions raised during the Public Hearing. He addressed the green space buffers along with like density residential lots. He noted that this item was addressed previously and changed at Commission direction. He said that 660 feet of bare ground does not help much as a transition. The vacation petition will be transmitted to the City Council and a Public Hearing will be held. He said a great deal of time was spent on density in the Old Village Plan. He said the Commission worked a long time for that, and he feels comfortable with it but the door is open.

The Planner thanked Mr. Fisher for his offer to help with sewer assessments. Given the circumstances of a current application before the City Council, he said he does not wish to discuss PF tonight. Communities do not allocate PF the way they allocate Parks.

In relation to density east of the Forest, the Planner confirmed that area is scheduled for four units per acre on the current Plan draft. He said you can do single family detached homes at 4 units per acre like Liberty on the Lake.

With regard to additional sewered units north of 10th Street, he said there is nothing precluding it but whatever the City does must be at least 3 units per acre and the cost to do so will be much higher in many cases than if we construct sewer units south of 10th Street because of the distances of sewer run that would be involved.

The Planner said that Midland Meadows area is subject to change. Those lots are very long and narrow. The Planner said that he assumed that those homeowners would want to get together to replat a portion of those lots. It could be left alone or planned for that future replatting. He said if the unit count south of 10th Street were reduced to 3700, there would be a need to move 500 north of 10th Street.

The Planner said that flexibility of commercial use along I-94 was something the Commission had discussed at length; and, the Commission was not at all interested in a greater retail level. He said the current Policy draft does not preclude retail, but that retail must relate to the new residential or office development being created.

The Planner said the goal of the Commission in the Planning Policy was to be sure the existing residents would not have to be assessed for sewer until they had specifically requested to be connected to it.

Commissioner Deziel pointed out that both plans C and D try to reduce traffic at 10th by placing more intense future development at Keats and at Manning intersections With I-94.

The Planner said that traffic is loaded toward service roads. The peak hour traffic will be at interchanges to allow it to come and go without moving into the rest of the City.

Commissioner Ptacek said that with regard to the Nass property, the Oak Park Heights sewer would not count for our REC units.

The Planner said there could be more sewer north of 10th but development must be 3 units per acre. He observed that the MOU specifies that anywhere we get credit for sewer it must be 3 per acre other than the Post 2030 RECs.

Commissioner Armstrong said the commission knows the difference between residents who want to raise a family here and those who wish to exploit the lands to make money. He said the planning being done is because of the mandate of the Metropolitan Council.

- **M/S/P, Armstrong/Sessing, to recommend amending the two drafts of the Land Use Plan and Planning Policy to reflect a per dwelling unit count at the year 2030 from 9,500 to 8,730. VOTE: 9:0.**

Commissioner Sedro asked if converting from the Urban Reserve land use plan and zoning to the detailed post-sewer land use plan and zoning will be automatic or require 4/5 vote of Council.

The Planner reported that advice from the City Attorney on that question is that the change could be "automatic" if the proper mechanism is written into the Plan text now.

Commissioner Ptacek said the change process was originally set up in the Planning Policy so that before changing 1:20 land use and zoning to the detailed land use and zoning, the City would need an official amendment to the Comprehensive Plan. This would apply to the entire area south of 10th except three residential areas and Eagle Point. Then, when sewer arrives with the staging plan, will it require a formal amendment to the Comprehensive Plan requiring 4/5 vote of Council. He said he thought the Commission changed that later to make it an automatic change with the arrival of sewer service.

Commissioner Fillet said she did not think the Commission voted for the automatic transition, but perhaps the Council did so with their advice to the Commission on the Policy draft.

Commissioner Sessing asked if this goes through with FUSD and Plan C as a back layer, can the Planning Commission change it at anytime without facing a "taking" issue.

The Planner said the City has broad authority to adjust land use/zoning without legal consequences. The "taking" issue is not as controlling as developers and their attorneys would have cities believe.

Commissioner Roth asked for a clarification of the RSOP land use clarification.

The Planner said there are 1,800 RECs capacity remaining after 2030, and no definition in MOU, but intent is clear for redevelopment, environmental problems, etc.

M/S, Ptacek/Roth, to send forward Plan C , the 4,200 unit plan including the RAD 2 classification, and increase the present OP density from .4 to .55 units per acre.

Chairman Helwig asked if changing to .55 in OP would require an ordinance change.

The Planner said if the Land Use Plan has that feature in it , the zoning ordinance has to have it within 9 months of adoption.

Commissioner Deziel recommended 50% open space and .6 density. He suggested going ahead without RAD 2 and go with the 4,200 units.

Commissioner Roth said this map does not have the 750 units removed as a result of the persons-per-dwelling unit adjustments. He said his preference is to see a final map reflecting those changes first.

Commissioner Ptacek said that the Commission heard clearly from residents who wanted a shift of burden, and Plan C accomplishes that. If we agree on RAD2 he would amend his Motion to eliminate OP changes, but he wants an opinion on RAD 2 and sharing the burden north of 10th Street. He would like staff to move forward with revising Plan C to the previous numbers and continue to explore RAD2 classification. **MOTION WITHDRAWN.**

Commissioner Armstrong said tonight is not the first time seeing RAD2, and he is not in favor of tinkering with it . He suggested the increased density be applied across all OPs and not a select few. He is not in favor of sending the Plan forward and wants to see a map pulling out the 750 units. He noted that the OP chart provided tonight achieving .55 units per acre gains 500 units. He said there are still 500 unaccounted for. The city can achieve 3,700 units south of 10th Street where sewer should stay. Infrastructure should be maintained there. He suggested the Commission shift those extra units across all Ops, or OPs and the OV. He said he wants to see a 3,700 REC plan south of 10th Street, and to see how the "extra" 500 units could be addressed north of 10th Street.

Commissioner Sedro said she would like those additional units north of 10th Street split across the three options of Old Village Plan , OP, and RAD2 because when you get OP above 5/10 units per acre it becomes less OP.

The Planner said the original OP ordinance with bonuses added is similar to a 5/10 density.

- o **M/S/P, Armstrong/Deziel**, to direct staff to present a map of 3,700 residential REC units south of 10th Street, and to show options for the remaining 500 units located north of 10th Street.

Commissioner Ptacek said he does not support the entire motion. He wants to see a plan. He said the Commission is not even willing to look at densities greater in other

areas of the community. He said he is not confident movement will go in that direction.

Commissioner Schneider said we are moving too fast and being too specific. He asked why that is necessary after only two months working on the Comprehensive Plan.

Commissioner Roth said we are in the final stages, and hopefully 3,700 units brings a better balance of single family residential and townhomes below 10th Street North.

VOTE: 9:0.

Commissioner Sedro said we heard preference for large lots instead of a green space buffer.

Commissioner Roth said we can cut the buffer in half, put homes on one acre lots. Maps are showing more than six per acre graduated out - particularly around Stonegate and east of the Forest. He said he would like to see more lines of gradation.

Commissioner Deziel said there would still be better than a football field in distance by cutting green space in half. Some places should be saved for some larger parks; not just pathways. Not all of it should be cut in half. Plus the area around Midland Meadows has not been designated as well.

A Straw Poll was taken to see graduated density and narrower pathways around all three of the developments. The Planner said it cannot be done south of the Forest. Most Commissioners agreed with that.

To be reviewed again on April 11.

ADJOURN AT 9:42 P.M.

Respectfully submitted,



Kimberly Schaffel
Recording Secretary

RECEIVED
APR 14 2005

April 11, 2005

Mayor Dean Johnston
Lake Elmo City Council
3800 Laverne Avenue North
Lake Elmo, Minnesota 55042

Re: Lake Elmo Comprehensive Plan Amendment
Nass Property

Dear Mayor Johnston and Council:

We represent Mr. Bernie Nass regarding his 27-acre parcel in the northeast corner of Lake Elmo, Minnesota. Mr. Nass' property abuts TH 36 to the north and Manning Avenue to west. Mr. Nass and his immediate neighbors (Buberl and Bidon) own approximately 50 acres between Manning on the west and the boundary with Oak Park Heights on the east. Mr. Nass has for many years sought to develop his property with access to public utilities. By this letter, Mr. Nass restates his request that his property be considered for urban density development as part of the pending amendment of the City's Comprehensive Plan. While I do not represent the Buberl and Bidon property interests, I believe they agree with this request.

It would be Mr. Nass' intention to pursue some type of mixed development of his property, together with his neighbors, if allowed to do so by City policies. The enclosed land use map depicts commercial use of the property fronting TH 36, with access from Manning and via a frontage road connection to east. The south half of the property would be developed with residential uses. The anticipated level of density would be similar to that of Carriage Station. We understand Oak Park Heights has sewer capacity to accommodate such a plan; indeed, at one point the Nass and adjoining properties were slated to be annexed into Oak Park Heights and utilities were constructed for this purpose by that city.

Please give this option your serious attention during your upcoming deliberations. Mr. Nass would pledge his cooperation in pursuing this matter both with your staff and the City of Oak Park Heights if you express your support for this request.

Mayor Dean Johnston

April 11, 2005

Page 2

Please call me if you have any questions.

Sincerely,



Peter J. Coyle, for
Larkin Hoffman Daly & Lindgren Ltd.

Direct Dial: (952) 896-3214
Direct Fax: (952) 896-3265
Email: pcoyle@larkinhoffman.com

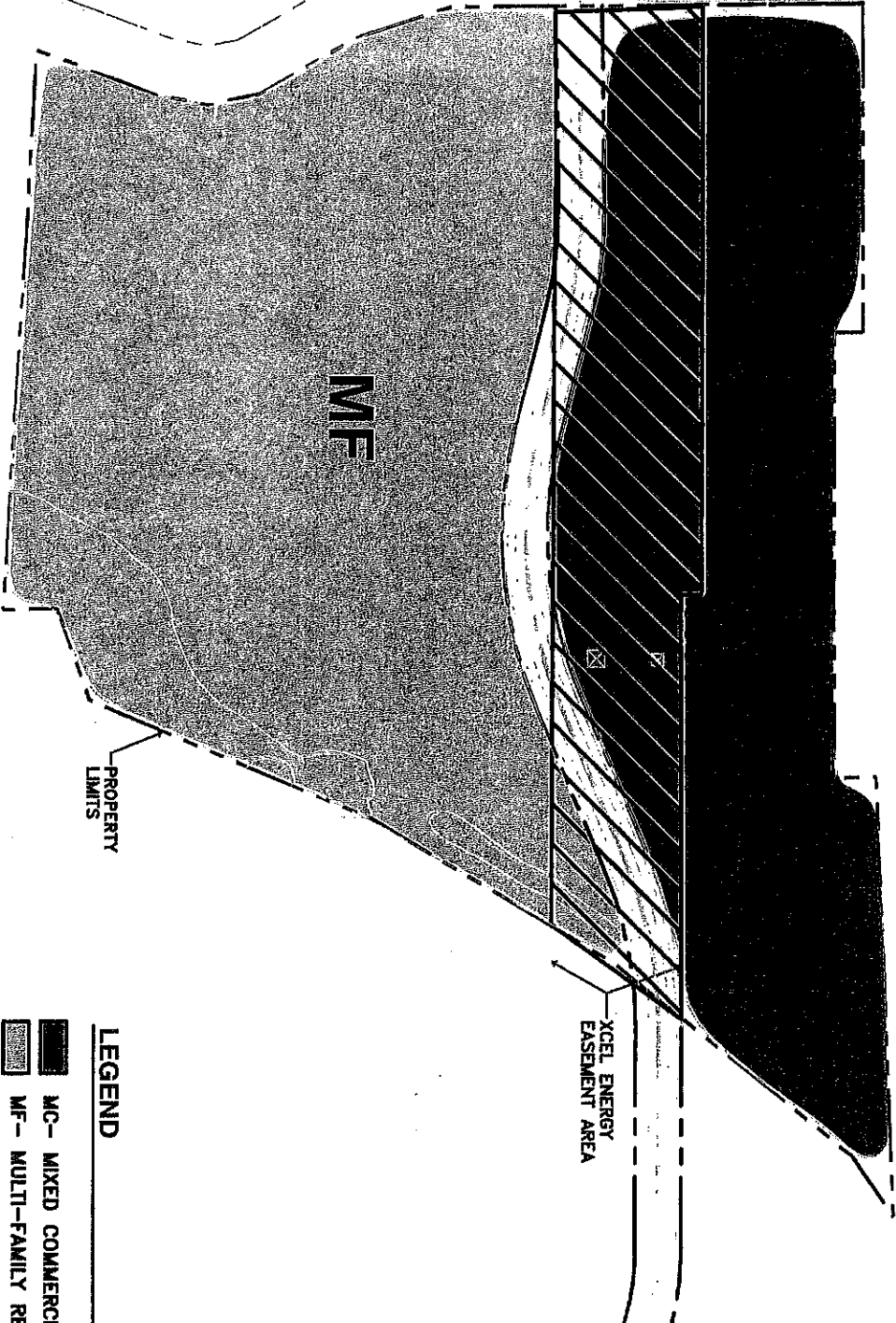
cc: Bernie Nass
Metropolitan Council

Encl.

1003792.1

STATE HIGHWAY 36

MANNING AVENUE



LEGEND

- MC- MIXED COMMERCIAL
- MF- MULTI-FAMILY RESIDENTIAL



SCALE: 1" = 300'
DATE: 4.8.05



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WEB: www.larkinhoffman.com

April 7, 2005

Mayor Dean Johnston
Lake Elmo City Council
3800 Laverne Avenue North
Lake Elmo, Minnesota 55042

Re: Lake Comprehensive Plan Update
RECO Real Estate, LLC

Dear Mayor and Councilmembers:

We represent RECO Real Estate, LLC, the owner of approximately 30 acres at the northeast corner of CR 17 and Hudson Boulevard in the City of Lake Elmo. RECO's property has been historically guided for commercial development; the pending amendment to the City's Comprehensive Plan continues to show commercial guiding. However, the draft Land Use Policies indicate that only "research park" type commercial development will be favored versus other conventional forms of commercial activity; placing this restriction on virtually all freeway frontage property will create an oversupply of such property within the City and unfairly restrict other forms of commercial development that may be suitable for the RECO site. We strongly urge that the City Council adopt a broader view of the types of commercial uses allowed along I-94, especially when the site has direct freeway access. In our view, more intensive commercial uses should be allowed, with offsite impacts managed through performance standards addressing architecture, setbacks, landscaping, etc.

In addition to the City's Land Use Policies, we object to the phasing plan proposed by the Planning Commission. Their proposed schedule essentially back-ends all commercial development until post 2020. As with the Land Use Policies, this phasing schedule unfairly restricts new commercial development in the City. Such a schedule would appear to violate both the spirit and intent of the City's settlement agreement with the Metropolitan Council.

On behalf of RECO, I urge the City Council to modify its pending Land Use Policies for commercial development along the I-94 frontage to allow for a broader mix of commercial land uses. I also urge a more balanced schedule for development based on the pending availability of public utilities within the next couple of years.

Mayor Dean Johnston

April 7, 2005

Page 2

Please call me if you have any questions.

Sincerely,



Peter J. Coyle, for
Larkin Hoffman Daly & Lindgren Ltd.

Direct Dial: (952) 896-3214

Direct Fax: (952) 896-3265

Email: pcoyle@larkinhoffman.com

Cc: Katie Nath, Esq.
Metropolitan Council

1003807.1

Chuck Dillerud

From: deanjohnston [deanjohnston@comcast.net]
Sent: Tuesday, April 05, 2005 1:14 PM
To: Tom Kreimer
Cc: Chuck Dillerud; Martin Rafferty; Steve DeLapp; Smith, Anne J; Johnson, Elizabeth; Conlin, Rita
Subject: Re: Lake Elmo Comprehensive Plan Amendments

Tom

My vision for meeting the Met Council requirements is somewhat different than that presented last night. I would be the first to admit that the Met Council requirements were more geographically specific than I expected during the campaign. However, I am still convinced that the vision I presented during the campaign is better for all of Lake Elmo and specifically better for south of Tenth Street.

I believe we are making a mistake in centering our conversation around "housing units" and "housing units per acre." I would prefer a conversation based on population. The Met Council requirement for population south of Tenth Street is 3 units per acre multiplied by the number of people per unit which was established last night as 2.75 people per unit ($3 \times 2.75 = 8.25$ people per acre). With 1000 acres this would require 8250 new people. Adding this to the 2000 existing residents would yield a minimum population of 10,250 people minimum!

If you use the 4200 residences model you would get (4200 housing units \times 2.75 people per unit = 11,550 new people) a new population of 11,550 people. Adding the existing 2000 residents you get a total of 13,550 total people which is 56.5% of the 24,000 target for the year 2030. Repeating the calculation for 3700 residences you would get a total population south of Tenth Street of 12,175 people or 50.8% of 24,000. Too many!

My position is that there should be no than 40% of Lake Elmo's total population be south of Tenth Street. In numbers 40% of 24,000 is 9,600 people. This is possible with senior housing. I intend to propose that we plan for approximately four senior housing units per acre. At 1.5 residents per unit times four units per acre, the population would be $4 \times 1.5 \times 1000 = 6000$ new people. This would give a total population of 6000 new plus 2000 existing for a total of 8000 people. The obvious advantage of seniors is that they place little burden on schools and rush hour traffic as well as demands for other services. In short seniors make very desirable neighbors. (I realize that the numbers don't match exactly but there will be a lot of other input.)

This approach would require a little shifting of population north of Tenth, which will certainly inspire further discussion.

The second change to our analysis is consideration of efficient government. We must implement our final plan so there is the minimum effect on taxes for existing residents. "No new taxes" may or may not be possible; however, it needs to be our goal and a careful focus of our analysis.

After the meeting last night I am sure you appreciate the complexity of the development issue facing us. It is difficult to simplify the issues into one or two sentences; however, my two guiding principles will be 1) no more than 40% of our population south of Tenth Street (9600

4/11/2005

people) and 2) no new taxes.

I am confident that the Council will be willing to consider your petition. I think we may want to wait until we know what the final plan looks like.

I would welcome your feedback on this approach.

Dean Johnston
777-4444

----- Original Message -----

From: Tom Kreimer
To: Liz Johnson ; Anne Smith ; Rita Conlin ; Steve DeLapp ; Dean Johnston
Cc: ggstoy@usfamily.net ; chuck.dillerud@lakeelmo.org
Sent: Tuesday, April 05, 2005 11:15 AM
Subject: Lake Elmo Comprehensive Plan Amendments

Dear Mayor and Council Members:

Last night I spoke at the public hearing and presented a petition signed by 92% of the 61 homeowners in Stonegate to vacate all rights of way and terminate all existing streets in our development. I have attached a copy of the petition and included a summary of my comments below. I know this is not easy or pleasant for anyone involved, and I thank you for your service to our community.

**Tom Kreimer
772 Jewel Avenue N.
651/501-9794**

My name is Tom Kreimer. I live at 772 Jewel Ave North in Stonegate. I purchased my land in Lake Elmo 8 years ago because I loved the character and openness of the area. After confirming that development behind my home would be on similar 2.5 acre Rural Estate lots, I built my home. I have a lot of time and energy invested in my 2.5 acres, which happens to be south of 10th Street.

The area south of 10th street is already carrying the vast majority of the burden of the Memorandum Of Understanding with the Metropolitan Council – please do not force us to take any more than we absolutely have to. This area is already going to be full of lights, traffic, and dense housing. Choose the option that requires the least amount of homes in the southern portion of the city. The remaining 7/8 of the city can easily shoulder some units without looking as drastically different as we are going to look in the South part of the city.

During their campaigning, Mayor Johnston and Council Member Smith both discussed how they felt we could “give up a strip along 94” to keep the rest of the city rural. Well, the strip has now come to my backyard. We can’t change this, but you can choose to make it less of a burden.

The new Planning Policy document states that, “The city will preserve the rural character and living environment for neighborhoods south of 10th Street and preclude externalities of that urban development such as through traffic, exterior lighting, noise, and trespass.” Tonight I am presenting a

4/11/2005

petition on behalf of Stonegate to have formal action taken on the traffic issue by vacating rights of way and terminating all streets in our development. 92% of the 61 households in our neighborhood have signed the petition and I'm certain we could get the rest given additional time. None of us in Stonegate anticipated having roads lead into high-density areas creating excessive traffic and safety concerns and we would like to be assured that this will not be the case.

As for the land use plan, I like the idea of a greenway, but since this greenway has very minimal trees, would still want to have graduated density on the sewered side of the greenway. An open greenway doesn't do much to shelter a switch from one home per two acres to 4 or 6 homes per acre. My preference would be for the greenway and then a ring of 3 homes per acre followed by 4 homes per acre and so on. The greenway also will help to reduce dirt and disruption associated with the construction and development period. If you choose to skip the greenway, while it is not my preference, then the first ring needs to be 1 home per 2 acres.

Regarding staging, I think Commissioner Armstrong has said it perfectly. Plan for back end load, but be willing to accept proposals that go above and beyond the minimum standards and will be something really special for the area.

In summary, I thank you for the hard work you have put forth on these issues and thank you for the protections you have already offered. Now I ask that you formalize the items I've discussed, so the residents of Stonegate can all be re-assured that the neighborhood and homes we have all worked so hard to build will not be destroyed.

Tom Kreimer
tkreimer@churchillnet.com
Churchill Capital, Inc.

612/673-6631 voice
612/673-6733 fax

Bruggeman Properties, Lake Elmo Development Corp.

Public Hearing Comments
Lake Elmo Comprehensive Plan Amendment
April 4, 2005

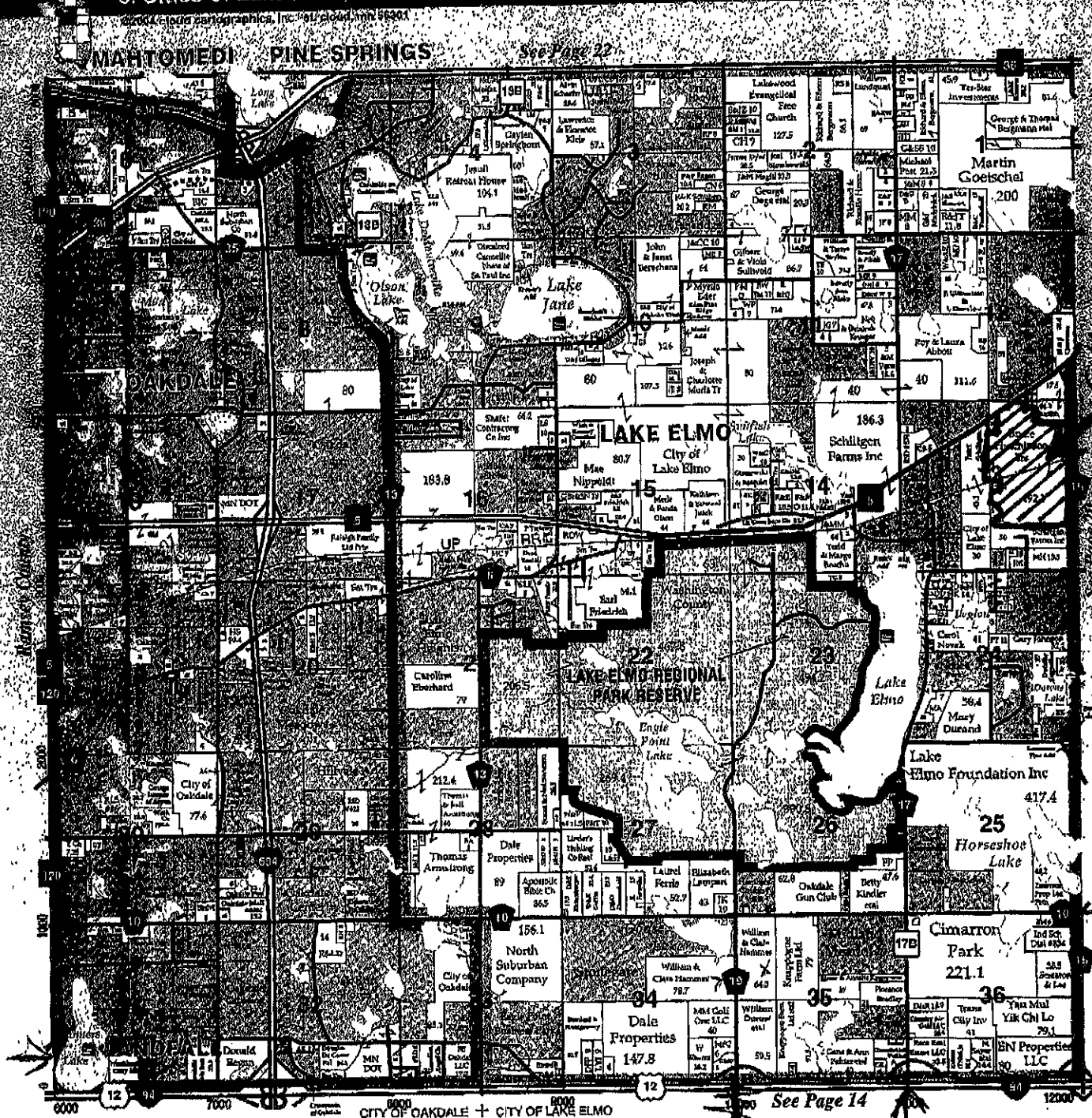
1. **Introduction –LEDC – our development team has diligently attended countless meetings regarding Lake Elmo and the Old Village.**
2. **Lake Elmo Development Corporation recommends that the City of Lake Elmo make the Old Village area a priority for sewer service and seriously consider increasing the densities in the Old Village.**
3. **We own 200 acre parcel located south of State Hwy 5 and west of C.R. 15 located adjacent to the existing Old Village and within the Old Village Planning Area.**
4. **We encourage the city to identify the Old Village area as a priority service "Staging" area.**
 - **The Old Village Area has been carefully planned for a number of years and is ripe for development. Our development team has been actively communicating with other developers, landowners and interested parties to keep them abreast of plans/schedules and evolving information. We are in a position to implement the Old Village Plan.**
 - **As the plan indicates - residential housing near the core of downtown is critical to revitalizing this commercial district and to sustaining a downtown.**
 - **Existing septic treatment systems are failing and in need of attention**
 - **Allowing staged growth in the Old Village and elsewhere will balance the population in the city ensuring voting residents of Lake Elmo will be equitably dispersed to that historic community values that make Lake Elmo unique continue to be respected as the community grows. Residents of the Old Village will more likely support a growing/sustainable downtown and respect and appreciate traditional village or neighborhood type development.**
5. **We request that the city of Lake Elmo consider additional density in the Old Village Area. We welcome additional density consideration on our large well-positioned parcel.**
 - **Met-council requires that areas targeted to hook up to the metropolitan disposal line be hooked up at a density of 3 dwelling units/acre. City staff indicate that they expect developers to pay for the sewer extension. Paying for the sewer extension can be realized by allowing more density in the old village and requiring the developers to pay for the cost of this extension.**
 - **The more new residences charged for the sewer extension and hook up will equate to significant reductions in assessments to existing residents of the Old Village.**

We stand ready to work with the city to ensure that the Old Village Plan and compliance with the MOU agreement with the Met Council becomes a reality.

Steve Fisher, AICP

6. Cities of Lake Elmo, Oakdale, Landfall, Mahtomedi & Pine Springs

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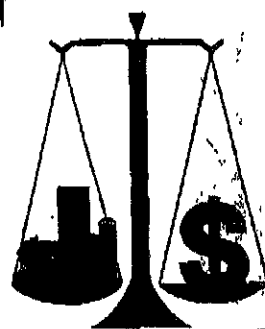
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Chuck Dillerud

From: karutkowski@mmm.com
Sent: Monday, April 11, 2005 10:52 AM
To: deanjohnston@comcast.net; Chuck Dillerud; marty.rafferty@lakeelmo.org
Cc: ptacekTnetzero.net@mmm.com; tkreimer@churchhillnet.com
Subject: Lake Elmo Comprehensive Plan

Thank You for your time and efforts in supporting the quality of life in Lake Elmo. I believe the city representatives have done an excellent job up to this point and believe that in the end they/you will make the right decision for all of it's families. I also want to say that I live in the Stonegate neighborhood and have the following comments that I would like for you to consider when making your decisions.

In an effort to keep this short I am going to just list my concerns/issues of living in the new "South of 10th Street" zone :

1. We already have the additional noise from HWY 94 that the rest of Lake Elmo does not have.
2. We already have the noise from the 94 flight pattern into MSP Airport
3. We back up to the ultralight landing and take off hanger
4. We live close enough to the Gun Club that we get the noise from that.
5. We back up to the gravel pit which does add dust and noise to our neighborhood.
6. The traffic on 10th street has dramatically increased in the last few years and is now quite dangerous for us to pull out of our development.
Can this road bear the new growth?
7. We get an overflow of light from the Woodbury development.
8. If we get the largest share of growth will our taxes be reduced to match the loss of quality of life?
9. Will the City absorb the cost of sewer/water to our homes since we will have to absorb the growth. Being on 2.5 acres will be costly and one that is unnecessary since our systems are still relatively new. If residents north of 10th street get their way of avoiding sewer and water they should absorb the cost.

In closing, I hope that you will communicate this to the other decision makers in Lake Elmo and take into considerations the points that I have made and that of others residents south of 10th street have communicated.

I also want to say that I am very surprised that you are not looking to add new growth within the city limits. When I moved to Lake Elmo I assumed as others that when there was going to be growth it would be nearer the city than that on the fringe. But I do not see that here and wonder why we need to carry the burden of the growth when there is so much open space around the city limits especially along highway 5. I would prefer to see a more commercialized "Old type Main Street" where people actually go to use the stores plus new ones and socialize rather than to just drive through.

Thank You again and would sincerely appreciate your help in controlling growth south of 10th street.

Best regards,
Keith

Keith A. Rutkowski
3M Center, Building 223-6S-04
St. Paul, MN 55144-1000
Oil & Gas Business
Tel: (651) 733-7460
Fax: (651) 737-5421
karutkowski@mmm.com

Chuck Dillerud

From: Gary Jader [g.jader@comcast.net]
Sent: Thursday, April 07, 2005 9:40 AM
To: 'Bill & Deb Roettger'; dnr.conlin@comcast.net; 'Dean Johnston'; smithannej@netzero.com; 'Liz Johnson'; 'Steve DeLapp'
Cc: 'Jeff Johnson'; 'Greg & Bev Milnar'; 'Tom & Mary FitzGerald'; 'Kris & Brian Rolloff Taylor'; 'Ben & Jennifer Bruno'; 'Gino & Peggy Monico'; 'Dale & Bernie Meyer'; 'Doug & Amy Betz'; 'Scott & Anmarie Ellingson'; 'Gale & Kelly Cadwallader'; 'Tony & Mary Bonfe'; 'Ofelts'; 'Jim & Patty Skarda'; 'Tom & Wendy Kreimer'; 'Mark & Lynn Enright'; 'Marc & Lisa Cunningham'; 'John & Sharon Booher'; 'Tom Kreimer'; 'Susie and Craig'; 'Dave & Mary Pletscher'; jdworth1@mmm.com; jdworth1@mmm.com; jdworth1@mmm.com; Chuck Dillerud; 'Curt & Deb Monteith'; 'Ron & Colleen Israelson'; 'Dave & Lori Henrichs'; 'Terry & Carol Smorch'; 'Joel & Kim Ofsthun'; 'Rick & Cathy Schallhorn'; 'Mike & Anita Sleight'; 'Kevin & Tami Fahey'; 'Steve Gabrielli & Michelle Auel'; 'Scott & Pam Sorensen'
Subject: RE: Lake Elmo Comprehensive Plan

Well said, Bill. Thank you.

I would like to underscore two points that you made. First, it looks as though we are destined to become Lake Elmo's largest voting block. It will be critical for our elected officials to take note of that fact. Ambitious, bright, educated, and unhappy voters will not bode well for those currently pushing these plans.

Secondly, and your more positive point. We are all one community. Like most compromises, it seems as though we are looking at this as $2+2=1$. In other words, we all need to lose. How can we ALL win here? I do ideation (extreme brainstorming) for a living helping corporations re-invent their future. I guarantee you that there are not 3-5 possible solutions for this challenge. There are hundreds. I would be happy to volunteer my services to help the city re-invent itself. There is a way to have everyone win here.

Gary Jader

-----Original Message-----

From: Bill & Deb Roettger [mailto:roettger@bitstream.net]
Sent: Thursday, April 07, 2005 7:59 AM
To: dnr.conlin@comcast.net; Dean Johnston; smithannej@netzero.com; Liz Johnson; Steve DeLapp
Cc: Jeff Johnson; Greg & Bev Milnar; Tom & Mary FitzGerald; Kris & Brian Rolloff Taylor; Ben & Jennifer Bruno; Gino & Peggy Monico; Dale & Bernie Meyer; Doug & Amy Betz; Scott & Anmarie Ellingson; Gale & Kelly Cadwallader; Gary & Richelle Jader; Tony & Mary Bonfe; Ofelts; Jim & Patty Skarda; Tom & Wendy Kreimer; Mark & Lynn Enright; Marc & Lisa Cunningham; John & Sharon Booher; Tom Kreimer; Susie and Craig; Dave & Mary Pletscher; jdworth1@mmm.com; jdworth1@mmm.com; jdworth1@mmm.com; chuck.dillerud@lakeelmo.org; Curt & Deb Monteith; Ron & Colleen Israelson; Dave & Lori Henrichs; Terry & Carol Smorch; Joel & Kim Ofsthun; Rick & Cathy Schallhorn; Mike & Anita Sleight; Kevin & Tami Fahey; Steve Gabrielli & Michelle Auel; Scott & Pam Sorensen
Subject: Re: Lake Elmo Comprehensive Plan

Dear Mayor Johnson and City Council Memebers,

Mayor Johnson, I would appreciate it if you would also forward this letter to the members of the Planning Commission.

4/7/2005

Chuck Dillerud

From: Bill & Deb Roettger [roettger@bitstream.net]
Sent: Thursday, April 07, 2005 7:59 AM
To: dnr.conlin@comcast.net; Dean Johnston; smithannej@netzero.com; Liz Johnson; Steve DeLapp
Cc: Jeff Johnson; Greg & Bev Milnar; Tom & Mary FitzGerald; Kris & Brian Rolloff Taylor; Ben & Jennifer Bruno; Gino & Peggy Monico; Dale & Bernie Meyer; Doug & Amy Betz; Scott & Anmarie Ellingson; Gale & Kelly Cadwallader; Gary & Richelle Jader; Tony & Mary Bonfe; Ofelts; Jim & Patty Skarda; Tom & Wendy Kreimer; Mark & Lynn Enright; Marc & Lisa Cunningham; John & Sharon Booher; Tom Kreimer; Susie and Craig; Dave & Mary Pletscher; jdwith1 @mmm.comjdwith1 @mmm.comjdwith1 @mmm.com; Chuck Dillerud; Curt & Deb Monteith; Ron & Colleen Israelson; Dave & Lori Henrichs; Terry & Carol Smorch; Joel & Kim Ofsthun; Rick & Cathy Schallhorn; Mike & Anita Sleigh; Kevin & Tami Fahey; Steve Gabrielli & Michelle Auel; Scott & Pam Sorensen
Subject: Re: Lake Elmo Comprehensive Plan

Dear Mayor Johnson and City Council Memebers,

Mayor Johnson, I would appreciate it if you would also forward this letter to the members of the Planning Commission.

I was in attendance at the April 4th meeting of the Lake Elmo Planning Commission

Background:

My wife and I spent several years researching where we wanted to raise our family. We both grew up on farms and were quickly attracted to the rural character of Lake Elmo. We attended Lake Elmo City Council and Planning Commission meetings prior to purchasing our lot here in Stonegate 9 years ago, and were pleased with future plans for our area. We have been happy in our new home, neighborhood, and community. We have four children, a dog, apple trees and a large vegetable garden. Like many other people that have chosen Lake Elmo as a place to live, the primary reason was Lake Elmo's rural character, and Lake Elmo's stated desire and plan to maintain residential development of one house per 2.5 acres of land in an effort to maintain this rural character.

When the Metropolitan Council started pressuring Lake Elmo to change it's plans for future development to include a significantly higher housing density, I along with the rest of the residents of Lake Elmo hoped that we would be able to prevail and stay with previous plans that had been put in place. We have since resigned ourselves to the fact that we have no choice but to accept the directives of the Metropolitan Council.

Observations of the Planning Commission Meeting

The maps on display in the entrance, the maps handed out (of which there were not enough), and the maps on the overhead display were labeled differently. This made it very difficult to make sure which map or proposal people were discussing when comments were made. Maybe this was not on purpose, but it seemed as if it was -- an attitude of if we can keep the people in attendance confused, they will not be able to make useful comments/complaints, and we can sneak this by them. Numerous speakers were discussing the proposal where some amount of development with city water and sewer would be north of 10 street along Inwood Avenue, but the city planner continually redirected the discussion back to the plan where all development would be south of 10th Street. When pushed on the alternative plan that would have some development north of 10 street, it was dismissed as not likely due to the additional cost.

I understand this is a very difficult task, and that it will be impossible to make all residents of Lake Elmo happy. I commend the people on the Planning Commission for stepping forward and undertaking this task.

There were some ideas in the plans that were good:

4/7/2005

- Keeping commercial development clustered around the existing freeway entrances to Highway 94.
- Trying to create bands of lower density to higher density residential development, stretching outward from the existing housing developments south of 10th street.
- Placing an undeveloped green space around each of the existing developments – in an attempt to buffer them from the higher density development.

Some thoughts for future discussion:

The proposed undeveloped green space surrounding each existing development uses up a good amount of land. If this were to be developed at the lowest proposed density, this would reduce the amount of area that needs to be developed at the highest proposed density. Would the residents of the existing housing developments prefer this approach?

It seems that most people find large concentrations of multi-family housing units to be unappealing. The banded approach will result in some large concentrations of multi-family housing units. An alternative approach that seems to be gaining acceptance in other communities is to mix multi-family housing units in with single family housing units. From a visual impact standpoint I know I would prefer to see a mixture instead of seeing 40 acres of single family housing units, and then 40 acres of multi-family housing units.

Would allowing for development(s) similar to the The Classic – At the Preserve (the apartment complex behind Kohl's and Target – at Valley Creek and 494) provide enough residential units that there could be a significant reduction in the density for the remaining residential development? The Classic at the Preserve has 282 units located on approximately 17 acres, a density of 16.6 residential units per acre. While at first glance no one wants an apartment complex, it might prove acceptable if it allowed for some open space, or lower density in the remaining areas to be developed. This type of residential complex could become apartments or condos for senior housing.

While losing the rural character of my immediate neighborhood is of concern, I have a couple of other issues that are of greater concern. I am sure most residents in the existing developments south of 10th street will share these concerns.

It is probable that the existing developments south of 10th street will be forced into accepting city water and sewer by future political action. I know there is a proposed provision that states this will only be done if it is approved by 2/3 of the residents in each development. If all it takes is this type of statement in a comprehensive plan for future development, then why have so many developments in other communities in the metro area been forced into having city water and sewer? Homeowners in developments with lots similar in size have been assessed in excess of \$100,000 for this city water and sewer. Our own city planner stated that according to his previous experience in another community that approximately 1/3 of the residents were unable to afford this, and were thus forced to move. I challenge the leaders of Lake Elmo to be answerable now to this possible future burden. At the very least give us more tangible proof that we will not be forced out of our homes before our children are grown. I believe that if Lake Elmo is expecting the existing housing developments south of 10th street to bear the brunt of the high density development to their detriment, it seems only fair that some of the future tax proceeds from this development be used to ease these burdensome assessments should the developments be forced into accepting city water and sewer.

The increased traffic due to an additional 10,000-12,000 people living in Lake Elmo south of 10th street will create many issues. I do not see how this kind of growth can occur without 10th street being increased to 4 lanes. The entrance to Stonegate at Jasmine Ave N on 10th St. is a blind intersection in regards to the traffic that is traveling west on 10th St. at 55 plus miles an hour. The additional traffic resulting from this additional development south of 10th street will surely require a reduction in the speed limit and probably traffic lights to ensure the safety of the residents. With this additional population within easy walking or biking distance of our wonderful regional park, what provisions will be made to provide safe access across a wider and much busier 10th street (e.g. lights, pedestrian bridge or tunnel)? Think of how difficult it was for the residents of Oak Run Shores to get a stoplight at Heron & 10th St., it took 3 accidents and the death of a child before that light was approved.

At the Planning Commission Meeting on the 4th the plan seemed to be that Lake Elmo would sacrifice south of 10th street, so the rest of Lake Elmo can stay the way it is. In 10 to 15 years there will be even greater pressure to develop any undeveloped areas with even higher residential density. The only way to prevent having developments of your disliking being forced on

you is to create a plan now for developments of your liking

I left the Commission Meeting feeling that the attitude of some city officials was "OK we had our obligatory meetings, we faced the complaints we knew were coming, we will force all the development south of 10th street, and we will do what we can to make it easier for those residents as long as it does not cost any money."

I foresee a very sad result of sacrificing the developments south of 10th street. When the time comes that the remaining parts of Lake Elmo are forced to accept higher density development, who will fight for your neighborhood? If the city of Lake Elmo does not expend extra money and effort during this development process to improve the situation of the existing residents south of 10th street; then it is highly unlikely in the future that the residents south of 10th street (then a majority of the residents of Lake Elmo) will choose to expend extra money and effort to improve the situation of residents north of 10th street when they are forced to accept higher density development.

We have to think as a community, not as individuals. We can not allow the attitude of "Do it, as long as it is not in my backyard". I know it will be very difficult but if we are open to discussing this future development perhaps some new ideas will surface that will help us arrive at a solution that is more acceptable to all of Lake Elmo.

Bill Roettger
568 Julep Ave North
Lake Elmo, MN 55042
651-501-1068
roettger@bitstream.net

RECEIVED
APR 07 2005

April 5, 2005

Mr. Mayor, City Administrator, Council members and Planning commissioners,

We would like to speak in response to the information shared at last night's public hearing.

First of all, thank you for all the time and dedication you have all put into this project. We appreciate all of your efforts.

On page seven of the city-wide planning policy drafted on March 13th in number one you pledge to preserve the present rural character and living environment of the existing residential neighborhoods south of 10th Street. In the development plan maps it appears that Stonegate is intact and buffered. The Forest is intact and buffered. Cimarron is intact and buffered. Our neighborhood – Midland Meadows – has no such provisions in either plan C or D. Not only do we not have a green space buffer, the majority of our properties have been infringed upon with sewer development. Only one third of the lots, and those being the smallest in the neighborhood, are proposed to remain at RAD. The remaining two thirds have portions of each lot planned for SRD 3. You are not planning the development for just the adjoining neighborhoods, which would be bad enough, you are actually carving up our lots. Where is the protection here?

We would request that you reconsider the handling of Midland Meadows and protect this neighborhood as you did Stonegate, The Forest, and Cimarron. We request that the lots be left intact and a buffer be added between the RAD and SRD3 sections.

Residents of Midland Meadows,
Dave and Denise Richter

John Ebertz
1147 Clipper Way
Woodbury, MN 55125
651.246.4152

RECEIVED
APR 08 2005

April 4, 2005

Planning Commission
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042

RE: Restricted Use of Commercial Property

Dear Commission Members:

This letter shall serve as official notice of opposition to the Commission's intention to restrict the use of commercial property in the City of Lake Elmo. As a long-time landowner and taxpayer, I find the proposed limited use of the 18 acre plot of commercial land located at Interstate 94 and County Road 19 to be unacceptable.

I also feel that the intent of the Commission to restrict use is not in compliance with the spirit of the Metropolitan Council's decision to expand along the I94 corridor in Lake Elmo. To limit use to the extent that you have proposed, in essence, almost assures Lake Elmo that there will be no development.

I am requesting that this letter be entered into public record as a vehement protest to the Commission's proposed plan and expect that they will include this letter as a factor in making their decision.

Sincerely,



John Ebertz

cc: Metropolitan Council
Lake Elmo City Council
Walter Ebertz, Jacob Ebertz, Susan Ebertz

Chuck Dillerud

From: Todd Foster [ToddF@heritagedevelopment.com]
Sent: Tuesday, April 05, 2005 9:10 AM
To: Chuck Dillerud
Subject: Planning Commission Public Hearing Handouts

RECEIVED
APR 05 2005

Chuck,

I did arrive five minutes early last night, but all the handouts were gone. Could you email them to me? If not, can arrangements be made for me to get them?

Just for the record, we are for the density increases in the new old village and echo most of Steve Fisher's comments from last night, but differ on his desire to have all the new Old Village pay for the forcemain. We think that cost should be divided equally. Ultimately it impacts the City's future residents and final lot and home prices and the old Old Village should share that cost in our opinion.

We are very interested in how additional units are allocated and how it will impact our property. As you know our desire is to make some important decisions as soon as the City determines how to allocate all REC's. We are curious what you think the minimum and maximum number of units will be on our property. I heard you make reference to the Thorbeck Study again last night as the current model for the Old Village. The board you had in the lobby showed 91 lots on our property (approximately 15,000 sf lots. If you take the OP density of 0.4 over 110 acres that equates to 44 units or maybe 60 units if 0.55 is adopted. This results in three very different numbers and has a dramatic impact on our plans. We would like your opinions and guidance as soon as possible on the realistic options available to us. Feel free to provide any input you are comfortable with at this time and maybe indicate when, any other input that may not be provided at this time, would be available.

Todd Foster - Heritage Development
422 E County Rd D, St. Paul MN 55117
Phone: 651-481-0017 Ext.104, Fax: 651-481-1518
Cell: 651-324-9848
toddF@heritagedevelopment.com
www.heritagedevelopment.com/hd/minnesota.html

4/5/2005



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APR 05 2005

RECEIVED

APR 05 2005

April 4, 2005

Planning Commission
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042

RE: (Hearing Draft 4/1/05) Land Use Plan for Planning Commission meeting April 4, 2005

Dear Commissioners:

I would like to submit this letter for the public record at tonight's planning commission meeting.

Dale Properties, LLC is a landowner in Lake Elmo we have a 150 acre parcel on the north side of Hudson Road between Inwood Ave and Keats, and a 90-acre parcel on the N.E. corner of Inwood and 10th avenue.

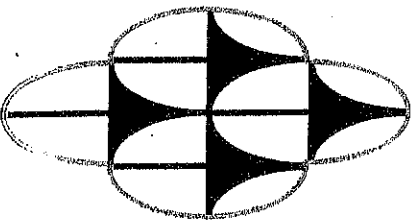
I have reviewed the (Hearing Draft - March 13, 2005) City-Wide Planning Policy and the (Hearing Draft 4/1/05) Land Use Plan. I would encourage the commission to broaden the definitions for LB (Limited Business) and BP (Business Park) to include warehousing, manufacturing, distribution facilities and retail sales. The proposed LB and BP designation areas along I 94 cannot be developed by 2030 with such restricted designated uses.

Sincerely,

Alan J. Dale
President

Copy: Metropolitan Commission

DALE PROPERTIES, LLC
19350 WALDEN TRAIL • WAYZATA, MINNESOTA • 55391
PHONE: 952-926-1639 • FAX: 952-476-2388
ALAN.DP@MCIISI.COM



MFC

PROPERTIES CORPORATION

PHONE (651) 452-3303

FAX: (651) 452-3362

www.mfcproperties.com

April 4, 2005

RECEIVED
APR 04 2005

The Honorable Chairman and Members of the Planning Commission
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042

**Re: MFC Properties 94 Limited Partnership Property and the
CM Properties 94 Limited Partnership Property located in the
Northwest Quadrant of I-94 and Keats**

Dear Mr. Chairman and
Members of the Planning Commission:

Thank you and the Lake Elmo staff for all your efforts to date in updating the comprehensive plan. I know a lot of volunteer time has been committed on your part to get this plan to where it is today.

I have reviewed the proposed Land Use Plan, Land Use Maps and the City Wide Planning text which has been provided for tonight's public hearing. The property we own in the northwest quadrant of I-94 and County Road 19 (Keats) is designated as commercial in both proposed land use maps. I would like to go on record with a couple of comments/concerns regarding the proposed.

On Page 4 of the City-Wide Planning Policy it states "*Non-residential uses in the I-94 corridor shall be principally office / research in character*". This concerns me greatly as it severely limits the potential uses for all I-94 commercial properties. According to my calculations this will result in 3,120,000 square feet of office / research space along the I-94 corridor. (The Metropolitan Council allocates 1 REC per 10 employees @ 40 employees per acre = 4 RECS (aka SAC) per acre. Met Council also allocates 1 SAC (RECS) per 2,400 square feet of office. At a density of 4 SACs (RECS) per acre = 9,600 square feet of office per acre. 9,600 square feet x 325 acres = 3,120,000 square feet of office / research space). There is no way the market will support 3,120,000 square feet of office / research space between now and 2030. It is unrealistic to believe Lake Elmo will even come close to absorbing 3.12 million square feet of office space. For comparison purposes, according to the McCombs Report, Woodbury, a pro-development community, has only 800,000 square feet of multi-tenant office space plus about 975,000 square feet in single tenant headquarters type space and that includes the 475,000 square feet State Farm Building which is about to be vacated. Woodbury has been progressive on development and they have only landed approximately 1.8 million square feet in 30+ years. Why does Lake Elmo believe they will get almost double that in less than 25 years?

The Honorable Chairman and Members of the Planning Commission
Letter -- Page 2

The second concern I would like to raise is on Page 3 of the City-Wide Planning Policy which states "*Lake Elmo is bordered on the north and south by Principal Arterial Roadways. The City will not use traffic counts as a basis for non-residential land use at interchanges / intersections... Non-residential land use within the City will be local need driven as opposed to traffic count driven.*" Again, these statements seem to be unrealistic. It essentially ignores the freeway and appears inconsistent with taking a regional approach. I interpret "local need driven" to mean only needed by residents and employees of Lake Elmo. It doesn't appear logical to ignore the freeway. Significant infrastructure has already been provided and because of that this would be an excellent location to locate businesses that provide goods and services to the entire region not just Lake Elmo residents.

The spirit of the MOU is for Lake Elmo to take its fair share of both residential and commercial. Although I believe you have done a fine job to realistically demonstrate how you will meet the residential REC requirements I don't believe the plans attempt to meet the commercial requirements at all. To guide unreasonable numbers of office / research when there is a very limited market for that type of use is just making it look good on paper with no real expectations of it actually happening. Hopefully that is not your goal.

In closing, I would respectfully ask you to consider expanding the commercial, sewerred uses in non-residential to include retail, office/showroom, lodging, etc., recognizing the region has already made a significant investment in the infrastructure in this area to accommodate a wide variety of businesses.

Sincerely,

MFC PROPERTIES CORPORATION



Bruce A. Miller, CCIM
Vice President

cc: Members of the Metropolitan Council

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APR 04 2005

Lakewood Evangelical Free Church
Due to our (LEFC) experiences as a Public Facility (Place of Worship) as we have tried to enter the Community of Lake Elmo, and build a Church, we believe there is a major deficiency in the Comprehensive Land Use Plan and have the following recommendations and request for changes to the Plan.

- The City of Lake Elmo should provide definition regarding exactly how an organization can receive PF zoning, and a subsequent change in the Comprehensive Plan, for a new Public Facility. The Plan should clearly outline the steps to be taken and/or state that if an Organization meets all of the requirements in the Public Facilities Ordinance they will be approved.
- General statements requiring an Organization to show an Error in the Comprehensive Land Use Plan or a Change in conditions are too subjective and burdensome a requirement for a Public Facility to meet. The lack of clarity in this area of the plan leaves the City open for an argument and possible legal confrontation alleging that a governmental scheme exists to keep Public Facilities out of the community. Objective criteria would help the City avoid this situation.
- If the City chooses not to make changes to the plan document to ^{establish} clarify the objective requirements to be met to obtain PF zoning, then the City should show the designated Public Facility zones in the future guiding map. If you do so we request that the property LEFC owns on the Corner of Keats and Hiway 36 be shown as a Public Facility designation.

Without inclusion of one or the other of the above recommendations the entire process becomes one that is overly burdensome to both the PF Organization and City and is so subjective as to create a situation in which PF cannot reasonably enter the City of Lake Elmo.

Chuck Palmer Sor LEFC
landowner @ Keats & Hiway 36

Kirby Spike
9670 53rd St. N

Action Plan for Stonegate

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APR 04 2005

- Choose Option C because it requires 1000 less units south of 10th street
 - Remaining 7/8 of city can easily shoulder 1000 units without looking as drastically different as we will in the south.

- Vacate rights of way and terminate all streets in our development.

- Institute a greenway, with **graduated** density on the sewer side of the greenway
 - an open greenway with minimal trees doesn't do much to shelter a switch from one home per 2.5 acres to high density.
 - The greenway also will help to reduce dirt and disruption associated with the construction and development period.

- Plan for back end load staging, but be willing to accept proposals that are really special and go above and beyond the minimum standards.

- Complete a detailed plan so that current and future residents will know what to expect.

Tom Kreimer
772 Jewel Avenue North
651/501-9794

RECEIVED
APR 04 2005April 4th 2005

Jacob Ebertz
Walter Ebertz
10990 Manning Avenue South
Hastings, Mn. 55033

Lake Elmo Planning Commission
3800 LaVerene Ave. No.
Lake Elmo, Mn. 55402

RE: Proposed zoning along I-94 Frontage Rd. And Keats Ave.

Our property is located on the North Frontage Rd. of I-94, 1/4 mile West of Keats Ave.
approximately 18 acres in Section 34.

We object to the proposed commercial zoning on the basis of the list of uses permitted as drawn. A more market place approach to commercial zoning with a broad-based list of uses would have more merit. We would prefer a more open type of zoning that would include possible office, shops or restaurant use with high density residential on the upper levels.

We have owned this property for 30 years and would very much like to see it developed in a high quality manor in the near future.

Sincerely,


Walter Ebertz

cc:Metropolitan Council Members

The Planning Commission
Fax: 651-777-9615
The City of Lake Elmo
City Hall
3800 Laverne Avenue
Lake Elmo, MN 55042

RECEIVED
APR 04 2005

RE: I-94 Corridor

Dear Planning Commission:

On behalf of Reco Real Estate, LLC, the owner of approximately 30 acres at the northeast corner of County Road 17 and Hudson Blvd. in Lake Elmo, we strongly oppose the limited zoning proposed for our parcel, as well as of the land along the Interstate 94 corridor.

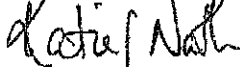
The proposed zoning calls for very limited office space. This proposed zoning is far too restrictive. The market does not demand the amount of R&D/office space suggested by the proposed comprehensive plan, and will actually prevent us and the City from obtaining the highest best use of our parcel from our perspective, and from the City's perspective.

We urge you to be more flexible in your planning. The City of Lake Elmo can better fulfill its goals with respect to development by broadening the allowed zoning, then seeking to implement its policies through site specific controls. All parties would be better served by starting with more options for the proposed development, then creating site-specific plans that reflect the City's development policies. Please reconsider the proposed zoning for our parcel and implement a broader zoning.

Should you have any questions, please contact me at 612-670-3779

Sincerely,

Reco Real Estate LLC



By Katie J. Nath, owner
4944 Linden Trail North
Lake Elmo, MN 55042

April 4, 2005

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APR 04 2005

City of Lake Elmo

I Terry Emerson ask that this letter become part of City record.

It appears the city proposal regarding the commercial zoning is accommodating only to Corporate Headquarters type businesses. I don't believe the I-94 corridor can support 325 acres of office buildings without diversification of business types. At a 40 employees per acre average I feel the property will not develop. I don't see this as the intent of the Met Council. The plan for the I-94 Corridor needs business diversification in order to prosper. For the city not to take advantage of that opportunity is not in the best interest of the people who want to live and work within their own community.

State Farm Insurance has their Regional Headquarters on I-94. The building will be for sale in the near future. I have information from my insurance broker that it is a distinct possibility the building will be demolished as it is a difficult sell. How can we allow the majority of the zoning to be Corporate Headquarters type businesses when we have one just down the road virtually vacant.

The Office Park in the Old Village has developed at a very slow rate. Offices built and for sale on Hwy 5 and Jamica are not occupied. The Business Park on I-94 and Radio Drive has also been very slow to develop.

I understand Woodbury is in the process of rezoning their office park area. They realize the need to balance the office ratio to housing and retail in order for the property to develop.

By your chart in Hearing Draft 4-1-05 Land Use Plan, Development Staging plan is in 5 year increments. It has no Commercial Development until 2020. I believe this is again inconsistent with the Met Council.

It is proposed on the household portion of the chart for 200 sewer units by 2010 in the Old Village and 0 sewer units south of 10th street by 2010. The cost to run the sewer from county road 19 to the 4.5 miles to the Old Village would be very expensive. The most cost-effective way for the city would be to develop the I-94 corridor. Get the sewer line closer to the Old Village via the I-94 development then run your pipe to the city. The savings to the city would be substantial with 1.5 miles less pipe to install.

Respectfully,



Terry Emerson

April 4, 2005

RECEIVED
APR 04 2005

Jacob and Doris Ebertz
1147 Clipper Way
Woodbury, MN 55125

Lake Elmo Planning Commission
3800 LaVerene Ave N.
Lake Elmo, MN 55402

RE: Zoning of I-94 Frontage Rd. and Keats Ave.

Dear Commission Members:

We are writing the letter to you as property owners in Lake Elmo for over thirty years. Our current property is approximately 18 acres which is located west of Keats Ave (County Rd. 19) on the frontage road.

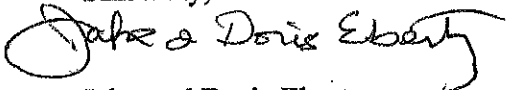
We have held this land as an investment for 30 years all the while contributing to the tax coffers of Lake Elmo. With the recent ruling by the State Supreme Court regarding the development of this corridor to the twin cities with the Met Council, we were hopeful that this investment would come to fruition through commercial development.

With the current zoning plan under consideration being so restrictive; thus limiting the future development potential of this prime piece of land, our brief hopes are being dashed. The current plan under consideration would be similar to zoning the area for an egg business, but not allowing any chickens on the land. We encourage the commission to remember that a plan that is designed to encourage development must have the freedom of flexibility.

The city sign should not say Lake Elmo "Developing, Stay Away".

Thank you for taking the time to read our letter and consider the importance of this matter as it moves forward.

Sincerely,



Jake and Doris Ebertz

cc: Members of the Met Council

John Ebertz
1147 Clipper Way
Woodbury, MN 55125
651.246.4152

April 4, 2005

Planning Commission
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042

RECEIVED
APR 04 2005

RE: Restricted Use of Commercial Property


Dear Commission Members:

This letter shall serve as official notice of opposition to the Commission's intention to restrict the use of commercial property in the City of Lake Elmo. As a long-time landowner and taxpayer, I find the proposed limited use of the 18 acre plot of commercial land located at Interstate 94 and County Road 19 to be unacceptable.

I also feel that the intent of the Commission to restrict use is not in compliance with the spirit of the Metropolitan Council's decision to expand along the I94 corridor in Lake Elmo. To limit use to the extent that you have proposed, in essence, almost assures Lake Elmo that there will be no development.

I am requesting that this letter be entered into public record as a vehement protest to the Commission's proposed plan and expect that they will include this letter as a factor in making their decision.

Sincerely,


John Ebertz

cc: Lake Elmo City Council Members
Walter Ebertz, Jacob Ebertz, Susan Ebertz

RECEIVED
APR 04 2005

To: Bob Helwig, Chairman, Lake Elmo Planning Commission
(Fax: 651-773-3418 and 651-777-9615)
From: Rick Schallhorn, 418 Julep Ave. Lake Elmo; 651-702-9446
Re: Public Comment Hearing Meeting April 4, 2005

[Chairman Helwig, I would like my comments below read into the public record as part of the above public hearing as I can not attend due to travel. I have limited my remarks to 3 minutes.]

First of all, thanks to all of you that fought the MET council directive. The effort and expense that we all bore was worth it and was the right thing to fight for – the preservation of the rural character of this city. Despite our best efforts we have now lost and must deal with the consequences the best we can.

The Memorandum of Understanding is our attempt to do just that. In general I understand the strategy of that memo and can see that it preserves the rural character for most of the city. However, the consequence of this strategy is that my family, as residents south of 10th Street, will live in a different Lake Elmo than all of the members of the City Council and most of the members of the planning commission. We will live in the Woodbury annex of Lake Elmo and that is not what we intended in moving where we did.

Now I believe it is the responsibility of the Commission and the Council to make every reasonable effort to minimize the burden being borne by families like ours who will be making a sacrifice in order to preserve the rural character for all of the other citizens of Lake Elmo. The following are some important things that I would like to see implemented:

Regarding Timing,

I would like to see the staging plan for development as back-loaded as possible. I strongly agree with commissioner Armstrong that this gives us the most control. We know that the actual pace of development must be relatively even, but let's not commit ourselves in such a way that we may be compelled to approve some developments that we may not be excited about. Back-loading it will allow us to selectively accelerate developments that look the best for the city and deny those that are not consistent with our vision.

Regarding Sequencing,

The Old Village Plan has been carefully detailed. Ideas south of 10th Street are still very immature. Let's first do what we have planned well. I suggest we first take the Cottage Grove sewer line north and develop the Old Village. Then I suggest we run spurs to the two most likely places for relatively high density development: I-94/Manning and I-94/Keats. Then use those points as centers from which we move outward starting with the highest density developments and finishing with the lower density areas abutting existing residents. This minimizes the immediate effects on existing residents and seems logical from a transportation perspective to connect up with major arteries. It may also make more sense from a city financing perspective to start with a bolus of development, but one that is on the furthest fringe of the city distant from nearly all residents south of 10th.

Regarding Buffering existing development,

I appreciate the commission's sensitivity to this issue. I recommend that any land use plans you must detail address this. I do not immediately abut the perimeter of Stonegate but it seems to me that we need to be open minded. A 500ft. buffer with high density townhomes on the other side may not be better than 2 acre home sites diminishing to .3 acre home sites as you move out. Our plans for now must retain flexibility.

Other considerations,

In the future as you consider more detail of how the development will look I urge you to consider the following details as well. Connect all new development only from a new, high volume Hudson Rd. and the major north/south feeders. Making 10th a major artery will put future pressure to develop north of 10th and the dominoes will continue. Lastly, I urge the most restrictive lighting ordinances the law will allow to further delineate Lake Elmo from Woodbury.

Thank you
Rick Schallhorn
418 Julep Avenue Lake Elmo

Lake Elmo
City Council
April 19, 2005

Agenda Section: Planning, Land Use & Zoning

No. 9E

SAVED
26

Agenda Item: Comprehensive Plan – Consulting Services

Background Information for April 19, 2005:

TKDA has presented the attached proposal and cost estimate for providing anticipated consulting services related the Comprehensive Plan modifications required per the MOU with METC. This proposal/estimate is broken down as follows:

- | | |
|-------------------------------|-----------------|
| 1. Transportation/Traffic | - \$29,052 |
| 2. Water System Plan | - 9,100 |
| 3. Sanitary Sewer System Plan | - 5,000 |
| 4. Graphics/Land Use Plan | - <u>28,000</u> |
| | \$70,000 |

To bring us to the point we are at as of April 13, 2005 we have expended \$10,500 on setting up the GIS mapping base, and generating the maps/acreage/unit yield calculations that we have used during the multiple Planning Commission meetings and plan iterations on the Land Use and Staging Plans. All of the text work and tables were completed internally by staff. Since the bulk of the "Graphics/Planning Assistance" work has been completed, I doubt whether the \$28,000 for that line item will be fully expended at project completion. That may depend, however, on how much changing takes place as the result of City Council (and Met Council) review and decisions.

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

Person responsible:

City Planner

Attachments:

1. March 18, 2005 TKDA Proposal for Services

Time Allocated:

TKDA

ENGINEERS • ARCHITECTS • PLANNERS

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

RECEIVED

MAR 21 2005

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

March 18, 2005

Mr. Martin Rafferty
City Administrator
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, Minnesota 55042-9629

Re: Authorization for Professional Services
2005 Comprehensive Plan
City of Lake Elmo, Minnesota
TKDA Project No. 0013267.000

Dear Mr. Rafferty:

Enclosed please find three originals of the referenced Authorization for Professional Services, presented for review and signature. Upon execution, please return two copies to this office for confirmation. A fully executed copy of the Authorization will be returned to you for your files.

We look forward to working with you on this project. If you have any questions, please call me at 651/292-4430.

Sincerely,



Thomas D. Prew, P.E.
City Engineer

TDP:adh

Enclosures

cc: Dick Thompson, TKDA

CITY OF LAKE ELMO, MINNESOTA

AUTHORIZATION FOR PROFESSIONAL SERVICES

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

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

2005 COMPREHENSIVE PLAN

I. PROJECT DESCRIPTION

The City of Lake Elmo is required to prepare a new Comprehensive Plan to meet the requirements of the Metropolitan Council. The City desires TKDA to assist the City Planner with land use planning, and also to prepare the Transportation Plan, Sewer Plan, and Water Supply Plan. Assistance with GIS mapping will be provided as required.

To meet the Metropolitan Council requirements, the Comprehensive Plan shall be ready for distribution to neighboring communities by April 15, 2005.

II. SERVICES TO BE PROVIDED BY TKDA

TKDA is requested to provide the following services for the Project:

A. LAND USE PLANNING

1. Develop map and inventory information for area south of 10th street and Old Village. Specific tasks include:
 - a. Prepare maps including transportation, natural resources, and existing land use.
 - b. Analyze population forecasts/needs for residential development using Memorandum of Understanding - Lake Elmo/Metropolitan Council and subsequently designate geographic areas.
 - c. Analyze business and commercial needs in the development area.

2. Design land use plans which include residential and single family, multi-family at three units per acre, and business and commercial, institutional, and mixed uses at a non-residential density of 40 employees per acre as appropriate.
3. Refine land use plans and analyze costs for services to be provided including:
 - a. Prepare preliminary plans and analyze the services for roads, sewers, water, stormwater, and other services such as fire, police, and solid waste.
 - b. Analyze feasibility of providing service to Cimarron and Old Village.
4. Develop a staging plan that is consistent with the proposed land use plan and the proposed land uses in the City.

B. TRANSPORTATION PLAN

Prepare the Transportation Plan in accordance with the Metropolitan Council Planning Handbook. Specific tasks include.

1. Update existing conditions map.
2. Update the Traffic Analysis Zones (TAZ) to match the approved land use plan.
3. Prepare a map showing minor arterials and the functional classification of all roadways. This will include number of lanes, current traffic counts, and future volumes.
4. Review existing and future traffic problems, and proposed solutions.
5. Develop and recommend access control strategies as necessary.
6. Recommend improvements to the City trail system.
7. Recommend a process for preservation of trail and transit corridors.

C. SEWER PLAN

Prepare the Sewer Plan in accordance with the Metropolitan Council Planning Handbook. Specific tasks include.

1. Prepare a community forecast of households in 5-year increments.
2. Prepare a map showing interceptor service and staging in 5-year increments.
3. Project total flows for each interceptor service area in 5-year increments.
4. Prepare a map showing land use and local sewer service areas.
5. Prepare City goals for preventing and reducing excessive infiltration and inflow into the sewer system.

6. Prepare a description of the City's on-site ordinance.
7. Prepare a map showing the location of public and private community treatment systems and capacity of each system.
8. Prepare a description of when community treatment systems are allowed.
9. Prepare additional information as required to meet the Tier II requirements in the Metropolitan Council Land Planning Handbook. This includes a map detailing new sewage facilities with design flows and capacities.

D. WATER SUPPLY PLAN

Prepare the Water Supply Plan in accordance with the Metropolitan Council Planning Handbook. Specific tasks include.

1. Complete a description and evaluation of the City's water supply. This will include review of the existing system, and expansion plans based on the adopted land use plan.
2. Update the City's existing Emergency Water Supply Plan.
3. Update the City's Water Conservation Plan.
4. Include additional information as detailed in Part IV of the Local Planning Handbook. This information will include a 5-year Capitol Improvement Plan.

E. GIS MAPPING

Assist the City Planner with GIS Mapping. Specific tasks include.

1. Update the City's GIS database for existing land use and zoning.
2. Prepare maps and supporting exhibits as required for public meetings and the final planning document.

III. ADDITIONAL SERVICES

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

- A. Registered land or right-of-way surveys, right-of-way mapping; plats; legal descriptions; land appraisals, negotiations and/or related services.

- B. Investigations of existing conditions or facilities or to make measured drawings thereof, or to verify the accuracy of drawings or other information furnished by the OWNER.
- C. Preparation of applications and supporting documents for governmental grants, loans or advances in connection with the Project; preparation or review of environmental assessments and impact statements; review and evaluation of the effect on the design requirements of the Project of any such statements and documents prepared by others; and assistance in obtaining approvals of authorities having jurisdiction over the anticipated environmental impact of the Project.
- D. Services resulting from significant changes in extent of the Project.
- E. Preparing to serve or serving as expert witness in connection with any legal or arbitration proceeding.
- F. Additional services in connection with the Project, including services not normally furnished by OWNER and services not otherwise provided for in this Authorization and the Basic Agreement, a part hereof.

IV. PERIOD OF SERVICE

TKDA will start services promptly upon receipt of this executed Authorization and complete services within six months. This timeframe is dependent on review and approvals by the Metropolitan Council and other agencies.

V. COMPENSATION

Compensation to TKDA for services provided under SECTION II of this Authorization shall be on an Hourly Rate basis as defined in Agreement Article 3, in the estimated amount of \$70,000 due to the variables involved in comprehensive planning, including changes to the direction or content of the plan as directed by the City or Metropolitan Council. During the course of the Project if this estimated amount is found to be insufficient, TKDA agrees not perform services or incur costs which result in billing in excess of such amount until advised by the OWNER that additional funds are available and services can continue.

Approved at a _____ meeting of the _____ on _____, 2005.

By _____ Attest _____

Consultant Acceptance by _____, _____, 2005.
Authorized TKDA Representative