

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

Lake Elmo City Council

Tuesday

April 5, 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:

March 15, 2005

3. PUBLIC INQUIRIES/INFORMATIONAL:

A. PUBLIC INQUIRIES:

B. PUBLIC INFORMATIONAL:

(1) Arbor Day Proclamation

(2) Planning Commission Appointment

(3) Announce Board of Review

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

4. CONSENT AGENDA

A. Resolution No. 2005-034: Approving Claims

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

5. FINANCE

A.

6. NEW BUSINESS

7. MAINTENANCE/PARK/FIRE/BUILDING:

A. Update on Fire Department Activities: Fire Chief

8. <u>CITY ENGINEER'S REPORT:</u> A. Water Tower Storage Tank, CUP B. PW/Parks Facility, CUP and Variance C. Resolution No. 2005- : Award Bid for Phase I Water System Interconnect	Tom Prew
9. <u>PLANNING, LAND USE & ZONING:</u> A. Preliminary Plat, Comprehensive Plan Amendment, Rezoning, Conditional Use Permit and OP Concept Plan -Deer Glen (continuation) B. OP Concept Plan - Farms of Lake Elmo C. Minor Subdivision:Olinger , 9057 Lake Jane Trail D. Section 520 Site Plan – 11051 Stillwater Blvd. E. Zoning Ordinance Text Amendment - Home Occupation in Rural Residential Zoning F. CDBG – Award Contract for Cimarron Gas Service Replacements G. Update on Comprehensive Plan (verbal)	C. Dillerud
10. <u>CITY ATTORNEY'S REPORT:</u> A.	
11. <u>CITY ADMINISTRATOR'S REPORT:</u> A.	
12. CITY COUNCIL REPORTS: A. Mayor Johnston B. Council Member Conlin C. Council Member DeLapp D. Council Member Johnson E. Council Member Smith	
TREE SEMINARS: Buckthorn: April 7, 7 p.m. Oak Wilt/Dutch Elm Disease: April 21, 7 p.m.	BOARD OF REVIEW: <u>May 4, 4-6 p.m.</u> CLEAN UP DAY: <u>May 21st, 8-Noon</u>

LAKE ELMO CITY COUNCIL MINUTES

MARCH 15, 2005

1. AGENDA
2. MINUTES: MARCH 1, 2005
3. PUBLIC INQUIRIES/INFORMATIONAL:
 - A. St. Croix Valley Community Family Center: Select representative to guidance committee and authorize \$2,000 donation: Resolution No. 2005-024
 - B. Appointment to Community Improvement Commission
4. CONSENT AGENDA:
 - A. Resolution No. 2005-021: Approving Claims
 - B. Authorization for Professional Services: GIS Mapping of the Surface Water System and Sanitary Sewer System
 - C. Authorization for Professional Services: Construction Details and Engineering Design Standard Update
 - D. Next Genesis Contract
 - (1) Website Redesign
 - (2) DSL Service
 - (3) Monthly Maintenance Service
 - E. Resolution No. 2005-022: Worker's Compensation
 - F. Ordinance 97-150: Relating to Waiving Water Surface Use Regulations
5. FINANCE:
 - A. Monthly Operating Report
6. NEW BUSINESS:
 - A. Ordinance No. 97-151: Relating to Dogs (Adoption postponed)
 - B. Appointments to Regional Park Comprehensive Planning Committee
7. MAINTENANCE/PARK/FIRE/BUILDING:
 - A. Update on Building Department Activities: Jim McNamara
8. CITY ENGINEER'S REPORT
 - A. Ordinance No. 97-152: Installation of Stop Sign at the Intersection of Highlands Trail and Hilltop Avenue
9. PLANNING, LAND USE & ZONING:
 - A. Preliminary Plat, Comprehensive Plan Amendment Rezoning, Conditional Use permit and OP Concept Plan – Deer Glen: Resolution No. 2005-027 through Resolution No. 2005-032
 - B. Minor Subdivision/Site Plan and Zoning Variance, Amendment to the Development Moratorium, Public Hearing: Vacation of drainage easements – Lynsky (Brookman 3rd Addition), Resolution No. 2005-025, Resolution No. 2005-026, Ordinance No. 97-153
 - C. Conditional Use Permit, Variance and Section 520 Site plan – City of Lake Elmo
 - D. Fields of St. Croix II/Little Blue Stem – Developer Improvements
 - E. Resolution No. 2005-023: Capital Improvements Program Amendment – Street Improvements

10. CITY ATTORNEY'S REPORT:
 - A. Sunfish Lake Park Legal
11. CITY ADMINISTRATOR'S REPORT
12. CITY COUNCIL REPORTS:

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

1. AGENDA

M/S/P DeLapp/Johnson - to approve the March 15, 2005 City Council agenda, as amended. (Motion passed 5-0).

2. MINUTES: MARCH 1, 2005

M/S/P Johnson/Conlin - to approve the March 1, 2005 City Council minutes, as amended. (Motion passed 5-0).

3. PUBLIC INQUIRIES/INFORMATIONAL:

- A. St. Croix Valley Community Family Center: Select representative to guidance committee and authorize \$2,000 donation: Resolution No. 2005-024

The Partners of the St. Croix Valley Area Community Family Center are requesting the support of a one-time financial contribution for the Project Coordinator position and would like to have a volunteer to serve on the guiding team. Mayor Johnston said he would volunteer to serve on the team and bring information back to the city in a timely manner.

M/S/P Johnson/Smith - to adopt Resolution No. 2005-024, A Resolution by the Partners of the St. Croix Valley Area Community Family Center Supporting a one-time Financial Contribution of \$2,000 for the Position of a Project Coordinator and name Mayor Johnston to serve on the guiding team. (Motion passed 4-1: DeLapp: The city has a past record of dealing with such requests by placing donation requests on the website. Money is not in our budget.)

B. Appointment to Community Improvement Commission

The Community Improvement Commission consists of seven members. If Deborah Lyzengas's resigns because of her appointment to the Planning Commission, this will create two vacancies on the Community Improvement Commission. The City has received an application form Gloria Knoblauch.

M/S/P Smith/Conlin - to appoint Gloria Knoblauch to the Community Improvement Commission. (Motion passed 5-0).

4. CONSENT AGENDA:

A. Resolution No. 2005-021: Approving Claims

M/S/P Johnson/DeLapp - to adopt Resolution No. 2005-021, approving claim numbers 245, 246, 247, DD363 through DD372, 26999 through 27005, which were used for staff payroll dated March 3, 2005, claims 27006 through 27059, in the total amount of \$68,659.52. (Motion passed 5-0).

B. Authorization for Professional Services: GIS Mapping of the Surface Water System and Sanitary Sewer System

M/S/P Johnson/DeLapp - to approve the authorization for Professional Services from TKDA for the GIS Mapping of the Surface Water System and Sanitary Sewer System in the amount of \$32,000. (Motion passed 5-0).

C. Authorization for Professional Services: Construction Details and Engineering Design Standard Update

M/S/P Johnson/DeLapp - to approve authorization for Professional Services from TKDA for the Construction Details and Engineering Design Standard Update in the amount of \$5,000. (Motion passed 5-0).

D. Next Genesis Contract
(1) Website Redesign

The Finance Director reported that the city's current website was designed as a start-up program for the purpose of disseminating information to the residents. Next Genesis has provided a proposal in the amount of \$12,380.63 that entails the complete redesign and requires little time from staff. The primary goal is to make the site more "user friendly" and to improve the overall appearance. The Council Finance Committee reviewed this proposal and recommended approval of the web-site redesign.

M/S/P Johnson/DeLapp - to approve the Next Genesis proposal for web-site redesign in the amount of \$12,380.63 per the recommendation of the Council Finance Committee. (Motion passed 5-0).

(2) DSL Service

The Finance Director reported the city receives its existing internet service through Comcast Cable Company at no charge, but the city is continually interrupted in accessing the internet due to Comcast frequent changes to the Internet Protocol (IP) address. Next Genesis has submitted a proposal to provide DSL service at a \$253.88 start-up cost and \$90 per month thereafter. The Council Finance Committee reviewed this proposal and recommended approval of this service.

M/S/P Johnson/DeLapp - to approve the Next Genesis proposal for DSL service in the amount of a \$253.88 start-up cost and \$90 per month thereafter per the recommendation of the Council Finance Committee. (Motion passed 5-0)

(3) Monthly Maintenance Service

The Finance Director reported in 2004 the cost for Management Information Systems (MIS) support services cost the city approximately \$1080.00/month. Next Genesis has submitted a proposal for monthly support services for \$900/month which will enable the city to lock into a constant rate for at least a year and will assist in calculating expenses in future budgets. The Council Finance Committee has reviewed this proposal and has recommended approval.

M/S/P Johnson/DeLapp - to approve the Next Genesis Proposal for Monthly Maintenance Services in the amount of \$900.00/month per the recommendation of the Council Finance Committee. (Motion passed 5-0).

E. Resolution No. 2005-022: Worker's Compensation

The Finance Director reported that Minnesota Statute 176.011 subd 9, (5) provides that "municipal officers elected or appointed for a regular term of office" are considered to be "employees" for workers' compensation purposes only if the city has passed a resolution to that effect. This would provide coverage for elected officials injured while performing his or her duties. The total premium for all elected officials in 2005 will be \$71.00.

M/S/P Johnson/DeLapp - to adopt Resolution No. 2005-022 regarding workers' compensation coverage for all elected officials at a cost of \$71.00 for all elected officials in 2005. (Motion passed 5-0).

F. Ordinance 97-150: Relating to Waiving Water Surface Use Regulations

At the March 1st meeting, Joe Kiesling, Tri lakes Association, requested Council approval of a Water Surface Use Permit for the Annual Water Ski Show on Lake Jane. Mr. Kiesling also requested a waiver from the Water Surface Use Regulations for this event. Attorney Filla advised that the municipal code would have to be amended in order for the City to permit a temporary suspension of the rules. A draft Ordinance waiving the Water Surface Use regulations by authorizing a special permit was submitted for Council approval.

M/S/P Johnson/DeLapp - to adopt Ordinance No. 97-150, An Ordinance Relating to Water Surface Use Regulations of the Municipal Code. (Motion passed 5-0).

5. FINANCE:

A. Monthly Operating Report INFORMATIONAL

The Finance Director reported the City is on-track with all of our expenditures.

6. NEW BUSINESS:

A. Ordinance No. 97-151:Relating to Dogs

At the Public Health and Safety Council Committee, the committee recommended the modifications to the animal control ordinance prepared by the Community Improvement Commission. This issue has been studied by the CIC for a number of months, has gone to Council for action and referred back to the PH&S Committee for final review. In the proposed ordinance; if any owner is not at home a dog may not be secured by an invisible fence.

Lake Elmo resident Jeanette Behr pointed out that the consequences for dogs that are found loose are already established in the ordinance. If you leave home with your dog in the invisible fence, you have already violated the proposed ordinance. Ms. Behr noted that the ordinance needs to be fine tuned because it does not give enough definition of owner at home and places the animal control officer in an uncomfortable and difficult situation. She suggested that "invisible fencing" be changed to "underground pet containment system" because invisible fencing is a trademark. Ms. Behr volunteered to assist in amending the ordinance.

Lake Elmo resident Linda Wagner said she has had an invisible fence since 1994 so will these fences be grandfathered in. She asked if this was a city-wide issue. If the dog is at large, cite the dog as at large and use the 3 strike rule. Mayor Johnston responded that the Council discussed the 3-strike system and it became too complicated to work with.

Council member Johnson didn't think the amendment was warranted based on the ACO report that only four dogs wearing the collars picked up both in 2003 and 2004. Johnson said if a dog is at large, it's at large and we have a system in place to handle that. Both Johnson and Lake Elmo resident Bret Emmons indicated the ordinance was penalizing individuals using an underground system and who have done good work in following through with training.

Council member Smith said the Animal Control Officer lives 25 miles away and doesn't always get here in time to see the dog out. Council member Johnson responded that if the problem is response time may be we should look at who we are using for animal control.

Attorney Filla agreed that the amendment lacked clear language as to the definition of owner at home and as to enforcement.

M/S/P Smith/Johnston - to table Ordinance No. 97-151, An Ordinance Relating to Confinement of Dogs for clarification by staff for the definition of owner at home, enforcement if an animal is not properly confined and change the name of invisible fencing to underground pet containment system and bring this ordinance back to the council committee for review. (Motion passed 5-0).

Council member DeLapp suggested, once the ordinance has been adopted, request the Animal Control Officer report back in a year on how effective this ordinance.

B. Appointments to Regional Park Comprehensive Planning Committee

Jim Lugar, Director for the Regional Park, met with the city administrator to discuss the need to develop a new comprehensive plan for the park. He asked that the City appoint two committee representatives so the City's interest would be represented. Three individuals agreed to participate should the Council decide to select them for this purpose, Sue Dunn, Margaret Carlson and Bob Schumacher.

M/S/P Johnson/Conlin - to appoint Margaret Carlson and Bob Schumacher, with Susan Dunn as backup as committee representatives to the Regional Park Comprehensive Planning Committee. (Motion passed 5-0).

7. MAINTENANCE/PARK/FIRE/BUILDING:

A. Update on Building Department Activities: Jim McNamara

The Building Official reported there were no residential or commercial building permits issued in the month of February. He will be attending a radon seminar presented by the State of MN next week.

8. CITY ENGINEER'S REPORT

A. Ordinance No. 97-152: Installation of Stop Sign at the Intersection of Highlands Trail and Hilltop Avenue

The City Engineer and Public Works Supervisor reviewed the request for a stop sign on west bound Highland Trail at Hilltop Avenue. They recommended a stop sign be installed due to the limited sight distance due to surrounding landscaping and the topography. At the March 8th Council Committee workshop, the Council asked staff to invite surrounding property owners for their input.

Mike Moss said he was not opposed to the stop sign, but caution neighbors it could be creating more of a hazard because it is a false sense of safety for children. He has seen drivers, who are residents, drive down the hill very fast. Maybe it should be a 3-way stop and install speed bumps.

Dave Bendel said he petitioned for the stop sign for safety reasons. He has three children and worries about their safety because he himself has been close to getting hit at least six times.

Council member Johnson raised her concern on accountability and enforceability of a stop sign.

M/S/P Johnson/Smith - to adopt Ordinance No. 97-152, Approving Installation of a Stop Sign at the Intersection of Highlands Trail and Hilltop Avenue. (Motion passed 5-0)

9. PLANNING, LAND USE & ZONING:

- A. Preliminary Plat, Comprehensive Plan Amendment, Rezoning, Conditional Use permit and OP Concept Plan – Deer Glen:Resolution No. 2005-027 – Resolution No. 2005-033 (Adoption of Resolutions Postponed)

The City Planner reported the Planning Commission adopted a recommendation to deny all of the subject multiple applications for the platting of 108 acres, an Op Concept Plan covering 40+ acres; a Comprehensive Plan Amendment (from RAD to PF) for 20 acres; and rezoning (from RR to PF) for 20 acres, and a Conditional use Permit for a 52,000 sq.ft. church facility on the 20 acre site. No action was taken regarding the church Section 520 Site Plan pending Council action on the precedent applications.

Chuck Palmer, Lakewood Evangelical Free Church, stated this plan fits in the future direction of Lake Elmo. The church traffic will have a minimal impact except for weekends when church is in session. He would like to work with the city and MnDOT to resolve any problems.

Jim Arkell stated he is a Lake Elmo resident who attends this church and had served on the Planning Commission when they worked on the 1990 comp plan. Then the Commission realized it didn't have an ordinance that would deal with churches. This is a perfect transition buffer moving south from a major highway.

Paul Danielson, Consulting Engineer, Kimley-Horn & Associates, reported this is the best site for the church in this 108 acre site which is in the middle on higher ground with buffers from other potential developments. They have modified the plan for a buffer on the west side, wetlands on north side and a small wetland throughout the site. There is no wetland litigation proposed. He said he spent time with the VBWD in how to deal with water quality and storm water management plan and have obtained a permit from the VBWD. The roadway avoids the wetlands and follows contours as much as possible to minimize tree impact. There are various areas that don't drain out and have flood storage issues. Outlot B is slightly less than 10 acres and will be adjusted to ensure that the proposed Outlot B is a minimum of 10 acres in the Preliminary Plat.

Craig Peterson, BWBR, said the building would be rising from the landscape without screaming for attention and nestled into the landscape with building materials of natural colors. It will be welcoming and inviting reflecting the personality of the church.

Mayor Johnston asked the council should to deal with all development applications separately.

Preliminary Plat:

The City received a letter stating the applicant would be willing to correct Outlot B that is substandard. Attorney Filla noted the Council is addressing the preliminary plat illustrated on preplat drawing, prepared by Kimley-Horn & Associates, Inc, dated February 7, 2005 which would create Lot 1, Block 1 and Outlots A, B, C and Deer Glen.

If the Council should approve the preliminary plat, it should be subject to: 1) Outlot B is a minimum of ten acres, 2) Lot lines adjusted to ensure that Outlot D is a minimum of 10 acres or combined with proposed Lot 1, Block 1, and 3) If the open space development concept for proposed Outlot A is approved, it's use shall be restricted so that it can only be used in conjunction with the proposed open space project on Outlot A.

Peter Beck, attorney for the applicant, explained Outlot D is a dedicated open space development concept plan. It is not intended to be a buildable parcel because it is dedicated open space. There will be a condition in Preliminary Plat approval that places this in dedicated open space.

M/S/P Johnson/Conlin – to direct the City Attorney to draft a resolution approving the preliminary plat subject to the conditions stated by Attorney Filla. (Motion passed 5-0:DeLapp stated the applicant has exempted the road, ask for the same rights the others have been given.)

Open Space Preservation Plan

The City Planner explained the Planning Commission indicated the concept plan is inconsistent with the Lake Elmo Comprehensive Plan Environmental Protection policies regarding residential developments conforming to the limitations presented by natural features including natural drainage systems, by proposing significant modifications of natural grades and existing floodplain on the site.

The City Planner stated it is a subjective call regarding how much floodplain can be filled or moved around. The Planning Commission thought it was significant enough to deny. The engineer for the church responded there is no impact on the jurisdictional wetlands. The soils are not conducive to create wetlands.

The open space development plan proposes significant modifications to natural grade and to existing floodplains on the applicant's property and is inconsistent with the City's Comprehensive Plan Environmental Protection policy. The plan is inconsistent with the purpose of the City's Open Space Preservation Ordinance because it proposes to significantly alter the natural drainage feature of the site.

Comprehensive Plan Change for the 20 acres for the Church

Mayor Johnston said he did not see the justification to change the City's Comprehensive Plan from RAD to PF. The Council reviewed the current comprehensive plan land use designation for this property and decided the current land use designations continue to reflect the Council's vision plan for development of land in this section of the city. The current comp plan land use designations will not require modifications as a result of the settlement between the City and the Met Council.

Attorney Filla indicated the Council should implement the Comprehensive Plan changes required as a result of its settlement with the Metropolitan Council before it re-evaluates comp plan designations for specific areas of the City which should known by May.

The Council indicated it was not willing to change the comprehensive plan.

Rezoning from and RR Designation to a PF Designation

Mayor Johnston noted that the hardship does not exist for a rezoning and there is a reasonable use of land under the current zoning. Attorney Filla pointed out that the rezoning would not be consistent with the City's 1990 Comp Plan, the City approved 2000 Comp Plan and with any changes to the City approved 2000 Comp Plan as a result of the agreement between the city and the Met Council.

Conditional Use Permit

The City Planner explained based on the traffic study the traffic generated by the proposed development would create traffic congestion at the intersection of Keats Avenue and Highway 36. Mr. Danielson reported that Mn/DOT said that this development would not create any unsatisfactory problem on Hwy 36, but does present delays on Keats approaching Hwy 36. There would be a minimal impact on the intersection except on weekends. Danielson said MnDOT would say the 3-corner intersection could be in now. The church is willing to spend \$150,000 to improve this intersection.

The requested Conditional Use Permit for proposed Lot 1, Block 1 would allow development that is not consistent with the current zoning for the applicant's property and because of the traffic generated by the proposed development would create serious traffic congestion at Keats Avenue and Hwy 36.

Attorney Filla will draft a resolution incorporating Council direction. The council recommended denial of the comprehensive plan amendment and the rezoning from RR to a PF designation so the use will be denied because it is not consistent with the zoning.

M/S/P Conlin/Johnson - to table the development applications for the Lakewood Evangelical Free Church until the April 5th Council meeting where resolutions will be provided for council approval. (Motion passed 5-0.)

- B. Minor Subdivision/Site Plan and Zoning Variance, Amendment to the Development Moratorium, Public Hearing: Vacation of drainage easements - Lynsky (Brookman 3rd Addition), Resolution No. 2005-025, Resolution No. 2005-026, Ordinance No. 97-153

Planner Dillerud reported the Planning Commission adopted a recommendation for denial of the applications for Minor Subdivision and Section 520 Site Plan that are proposed by the applicant to allow construction of a 10,000 sq.ft. office building on 39th Street North. Prior to the Commission's vote on the motion, the Chair offered the applicant's representative an opportunity to waive the 60 day city review window to allow time to process the variance issue, but that offer was declined. Dillerud noted that subsequent to February 14 one of the partners of the project formally requested the 60 day review waiver, and a variance application will be heard by the Planning Commission on March

14, 2005. Staff committed to the applicant to bring the applications to the Council on March 15, along with the Planning Commission recommendation on the variance.

The Planner asked Council action on 1.) Moratorium; 2.) Site Plan; 3.) Variance; 4.) Minor Subdivision, and 5.) Hearing and Easement Vacation. A Resolution denying the Site Plan and Minor Subdivision, Ordinance regarding the Moratorium and a Resolution for the easement vacation is provided for Council review.

Tracy Galowitz, applicant, explained it would be a prairie style building, similar to the professional buildings in Carriage Station. They simply want to keep their business in town. They need the moratorium lifted, a minor subdivision and are asking for a variance for asphalt shingles.

DeLapp/No Second - to deny the moratorium because the City is still waiting for a master plan to see how this building fits into the plan.

M/S/P Johnson/Johnston – to approve Ordinance 97-153, An Ordinance removing property from the restrictions of the Village Area Development Moratorium. (Motion passed 4-1:DeLapp)

M/S/P Johnson/Johnston - to approve Resolution No. 2005-025 , approving the Section 520 Site Plan and Minor subdivision applications of Mike Lynsky/Lake Elmo Business Park Co. (Motion passed 4-1:DeLapp - They should put in a holding tank as proposed, take 5 credits of sewer. It is a waste of their money).

M/S/P DeLapp/Smith – to approve the asphalt roofing material as the same approved asphalt shingles used on the Prairie Ridge Office Park and in the County, City Credit Union used based on the Findings by the City Planner. (Motion passed 5-0).

Mayor Johnston opened the Public Hearing at 11:29 p.m..
There was no one to speak for or against vacating the drainage easement.
Mayor Johnston closed the Public Hearing at 11:30 p.m.

M/S/P Conlin/DeLapp - to approve Resolution No. 2005-026, A Resolution Vacating Existing Platted Drainage and Utility Easements in Brookman 3rd Addition. (Motion passed 5-0).

C. Conditional Use Permit, Variance and Section 520 Site plan – City of Lake Elmo

The City Planner reported the City has made application to construct an 11,000 sq.ft. Public Works/Park Maintenance building and a 500,000 gallon water storage tank on a 20 acre site adjacent Sunfish Park. The Conditional Use Permit is to locate a Public Facility on a PF zoned site. The variance is to the standards of the PF zone to allow standing seam metal exterior surfacing to retain the rural image of the proposed structure.

Merle Olson said Lehart Friedrich sold 150 acres at \$2,000 an acre, which at that time was much less than the going price. The City, Parks Commission voted and passed this so a covenant was made for this land to be used only for park purposes. Olson had talked to the Stillwater cross country ski coach who has 120 students using Sunfish Park trails and with maintenance facility built next to the park would be opening the City up to liability issues. Olson said his family intends to purchase this land back if not used for park purposes.

Dave Morgan said this park is everybody's neighborhood. You don't make water towers look like silos. The City Administrator was wrong when he said the City was free to use the land any way they wanted because it was not stated for park purposes only in the deeds and was trying to sell the facility by stating the building would hold 85% for park purposes. The bond issue was for park land and it was park land for perpetuity. He said he was surprised that the Planning Commission members and some of the Parks Commission members didn't even know we had so many parks.

Jim Blackford said this is the wrong place for a tower and building to be placed. The Council should honor the wishes of all the people that came before us. There was a retired Supreme Court Justice, who is a Lake Elmo resident, asked the Council to honor its commitments. He asked the Council to consider your legacy to the city. The proposed project is inconsistent to what the City stands for.

Dick Hedquist reminded the Council it is losing a park and you will not get it back. He thought the water tower should be located where the people are using Oakdale water.

Sue Dunn said she saw the entire presentation before the Planning Commission. She said there is condemn land by the Lake Jane Landfill the City could look into for locating a maintenance facility. She asked that the City proceed through the process which includes the commissions and make the Council Committee meetings formal meetings that can be cancelled.

In his letter dated March 3, 2005, Attorney Filla provided his review of all the documents which were recorded relating to Sunfish park property. Based on the information that he reviewed, it was his opinion that the City owns fee title to the Sunfish Park property. The city is not legally restricted in its use of the Sunfish Park property provided that it is used for a public purpose.

Administrator Rafferty stated there was an additional piece of property of 110 acres known as the West Sunfish acquisition. Some of the documents stated the land went to Washington County and the City acquired it for \$75,000.

Mayor Johnston recommended sending this item back to staff to look into other locations for a water tower. Also, ask the Parks Commission if they want to place the City parks in a land trust.

M/S/P Johnson/Conlin – to turn back to staff to determine other possible locations for the water storage tower. (Motion passed 5-0).

Ed Nielsen said he had no problem with the landfill area for a maintenance garage. There is also acreage owned by Ramsey County that could be explored. Jim Blackford said this is not a commercial corridor.

M/S/P Johnson/DeLapp - to send this agenda item back to staff to look into locations in Sunfish Park as discussed for location of the mtnce garage. (Motion passed 5-0).

D. Fields of St. Croix II/Little Blue Stem – Developer Improvements

The City Planner reported staff requested direction from the Council regarding incomplete developer improvements within the Fields of St. Croix II plat, and the pending expiration of the Letter of Credit guaranteeing completion of those improvements. The three primary areas of incomplete work are interior street island landscaping, the Public Park located between Fields II and Tana Ridge; and buffer screen forestation along the plat west property line. The Council directed staff to secure an extension of the Letter of Credit (\$77,500), and advise the developer (Robert Engstrom Companies) to, within 30 days provided the City Council with his plans and schedule to complete the work.

Robert Engstrom has requested an amendment to the landscape island planting plan to substitute for the prairie grass plan that was approved for those areas 5 years ago. The Planner noted it appears that the HOA has concurred in this plan, and staff also concurs that this is a better approach than prairie grass. While no mention is made of the ball field/soccer field improvements, work had already commenced late last year. Park Superintendent Bouthilet directed work be suspended pending resolution of the property location of the ball field and soccer field per the plan approved by the Park Commission.

Cindy Silkworth said there is a big departure from what the plan as presented in number of trees and landscaping that is done. Dillerud pointed out the landscape plan in the packet is the official plan. Engstrom said the plan is very schematic. Mayor Johnston said the City can take the money and complete the plan and then bill Mr. Engstrom for the difference. Engstrom said he thought he had an agreement with the HOA Board of Directors.

The Council asked that the staff schedule a meeting to discuss the landscape plan with Bob Engstrom, Planner Dillerud, Cindy Silkworth, President of the FoSC HOA when Planner Dillerud comes back from vacation

E. Resolution No. 2005-023:Capital Improvements Program Amendment – Street Improvements

M/S/P Johnson/DeLapp – to adopt Resolution 2005-023, Amending the 2005-2009 Capital Improvements Program regarding staging of street overlay projects in 2005-2006. (Motion passed 5-0).

10. CITY ATTORNEY'S REPORT:

A. Sunfish Lake Park Legal – See Agenda Item 9C.

11. CITY ADMINISTRATOR'S REPORT

12. CITY COUNCIL REPORTS:

The Council adjourn the meeting at 12:13 p.m.

Respectfully submitted by Sharon Lumby, City Clerk

Resolution No. 2005-021 Approve Claims

Resolution No. 2005-022 Worker's Compensation

Resolution No. 2005-023 CIP Amendment for Street Improvements

Resolution No. 2005-024 St. Croix Valley Community Family Center

Resolution No. 2005-025 Section 520 Site Plan/Minor Subdivision applications of
Mike Lynsky/Lake Elmo Business Park Co.

Resolution No. 2005-026 Vacating Drainage Easements

Resolution No. 2005-027-Resolution No. 2005-033 Lakewood Evangelical Church

DRAFT

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

MARCH 1, 2005

5:30 P.M. Interviews for Planning Commission Vacancies

1. AGENDA
2. MINUTES: February 15, 2005
3. PUBLIC INQUIRIES/INFORMATIONAL:
 - A. Public Inquirers
 - B. Public Informational:
 - (1) Water Ski Show: Joe Kiesling
 - (2) St. Croix Valley Family Center: Doris Karls
 - (3) Planning Commission Appointments
4. CONSENT AGENDA:
 - A. Resolution No. 2005-019: Approving Claims
5. FINANCE:
6. NEW BUSINESS:
7. MAINTENANCE/PARK/FIRE/BUILDING:
8. CITY ENGINEER'S REPORT:
 - A. Water Tower Storage Tank Design
 - B. Resolution No. 2005-020: Approve Plans and Authorize Advertisement for Bids, Water System Interconnect – Phase II - POSTPONED
9. PLANNING, LAND USE & ZONING:
 - A. Septic and Shoreland Setback Variance, 8784 Lake Jane Trail: Gibson
 - B. Comprehensive Plan Modifications (From February 28th Planning Commission Meeting)
10. CITY ATTORNEY'S REPORT:
11. CITY ADMINISTRATOR'S REPORT:
 - A. Report of meeting with Jim Lugar, Washington County Park
12. CITY COUNCIL REPORTS:

Mayor Johnston called the council meeting to order at 7:00 p.m. in the council chambers.
PRESENT: Johnston, Conlin, DeLapp, Johnson, Smith, City Engineer Prew, City Planner Dillerud, Finance Director Tom Bouthilet and Administrator Rafferty.

1. AGENDA

ADD: 11A. Regional Park Comprehensive Plan, 12. Council Reports: Discuss how public gets involved and how council talks to developers--procedures need to be developed.

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

2. MINUTES: February 15, 2005
M/S/P Johnson/Conlin - to approve the February 15, 2005 City Council minutes, as amended. (Motion passed 5-0).

3. PUBLIC INQUIRIES/INFORMATIONAL:

A. Public Inquires

Wyn John, Friends of the Library, reported that at the February 28th meeting of the Library Board, a motion to enter negotiations with the owner of the premises for leasing space at 3479 Lake Elmo Avenue was unanimously approved. The aim is to complete these negotiations by the next Library Board meeting on March 28. Library and County staff are gathering data on facility costs to convert the space to a suitable library location. When the upgrade costs are known, the Library Board Director is proposing to approach the City Council with a cost sharing request. As Secretary of the Friends of Lake Elmo Library, Wyn John asked that this request be treated sympathetically by the Council.

Paul Ryberg, Friends of the Library, reported they will host a book drive at 3585 Laverne Avenue N., from 6 to 8 p.m. until March 19th. Items that can be used by the library will be given to the library. A book sale will be held March 19, and leftover paperbacks will be sent to military troops on active duty around the world. A silent auction may be held. Mr. Ryberg asked if the Friends of the Library meetings can be televised.

B. Public Informational:

(1) Water Ski Show: Joe Kiesling

Joe Kiesling, Tri Lakes Association, requested Council approval of a Water Surface Use Permit for the Annual Water Ski Show on Lake Jane, August 13, 2005. Mr. Kiesling also requested a waiver for this event from the Water Surface Use Regulations, namely Section 1380.03, Subd. 2 Hours of Operation and Subd 5. Operation. The Tri-Lakes Association has secured the appropriate insurance coverage and the Sheriff's Department will sign off on the permit pending Council approval. The Fire Department will provide an emergency permit.

Attorney Filla advised that the Water Surface Use regulations of the municipal code would have to be amended in order for the City to grant a special permit to waive these regulations.

M/S/P DeLapp/Johnson - to approve the permit request of Joe Kiesling, on behalf of the Tri-Lakes Association, to hold a Water Ski Show on Lake Jane, August 13, 2005, from 1-5 p.m. based on the submittal of the appropriate information and on past favorable requests. (Motion passed 5-0.)

M/S/P DeLapp/Johnson - to direct staff to amend the city code to grant a temporary suspension of the rules for an event such as this Water Ski Show and to approve a "No Parking" permit to park on Lake Jane Trail from Jamaca Avenue to Jane Road North for this event based on past favorable requests. (Motion passed 5-0).

(2) St. Croix Valley Area Community Family Center: Doris Karls

Doris Karls and other representatives presented a proposal for a St. Croix Valley Area Community Family Center Concept Plan which would meet the educational, recreational and wellness needs of families and individuals in the Greater Stillwater Area – serving the whole child, whole family, and whole community. Ms. Karls encouraged the city to have a person on the guidance team and would be requesting a small contribution for the project coordinator position.

(3) Planning Commission Appointments

The Council interviewed seven applicants for the Planning Commission starting at 5:30 p.m. At the February 15th meeting, the City Council appointed Todd Ptacek and Rod Sessing to the Planning Commission for 60 days. The city currently has two vacancies, First Alternate and Second Alternate.

M/S/P DeLapp/Johnson - to reappoint Todd Ptacek to a third term on the Planning Commission. He is vital as a representative south of 10th street and important to have a good planning representative that is active in the process of working on the Met Council's Memo of Understanding. (Motion passed 5-0.)

M/S/P Johnson/DeLapp - to appoint Deb Lyzenga, 21 Cimarron, as the First Alternate to the Planning Commission. (Motion passed 5-0.)

M/S/P Smith/Conlin – to appoint Julie Fliflet, 4577 Lily Avenue, as the Second Alternate to the Planning Commission. (Motion passed 4-1: Johnston).

4. CONSENT AGENDA:

A. Resolution No. 2005-019: Approving Claims

M/S/P DeLapp/Johnson - to adopt Resolution No. 2005-019, approving claim numbers 243, 244, DD350 through DD362, 26923 through 26954 which were used for staff payroll dated February 17th, 2005 and claims 26955 through 26998 in the total amount of \$337,401.25. (Motion passed 5-0).

5. FINANCE:

6. NEW BUSINESS:

7. MAINTENANCE/PARK/FIRE/BUILDING:

8. CITY ENGINEER'S REPORT:

A. Water Tower Storage Tank Design

The City Engineer reported that at the February 15th meeting, the Council requested him to review the tank location west from the public works site. The location would be approximately 800 feet west of the public works building. This location is as far west as it can be moved without placing it in the woods. Property owners, within a one-half mile radius of the location of the water tower, were invited to offer their input on the water tower design.

Ed Nielsen, a former Lake Elmo Parks commissioner, presented documentation from 1974 from three families who sold land to the city for park purposes only. He said that this is the only reason that these property owners signed the contracts. Other former Parks Commission members, Dave Morgan and Susan Dunn, agreed with Mr. Nielsen, in that placing a water tower near Sunfish Park would be a degradation of one of the city's most popular parks.

Jim and Judy Blackford, who live near the land designated for a water tower, said he could not think of another regional example where a city water tower was placed in a public park in recent years. They emphasized there was a commitment made to the landowners to use this land for parks...it was a covenant all for parks. Mr. Blackford suggested Ideal Avenue which is high ground to build a tower.

Administrator Rafferty explained this tower is a vital component to a comprehensive water system expansion that the City will be implementing over the next two years. The Council approved the early stages of the plan, which included the construction of a new 16-inch watermain that would supply the Tapestry subdivision with water. He said that the land at the entrance to the park is the specific property the city intended for the public works facility and the water tower. He added that land has been leased out by the city for commercial farming for a number of years and is not actually part of Sunfish Park.

Sue Dunn suggested that the city investigate whether it could partner with Washington County and place a maintenance building near the county's parks maintenance building in Lake Elmo Park Reserve. Council member Smith noted the council has heard citizens saying you can't put a water tower in a park, but a suggestion was made to place it in the Regional Park. Everybody wants the water, but nobody wants the tower in their backyard.

In response to the suggestion of placing the public works facility on the Lake Jane Landfill property, the City Engineer responded using any property near the landfill would run the risk of methane gas contamination.

Mayor Johnston explained designs of the public works building and water tower were taken to the Public Works Council Committee. Commitments have been made because we are along in the process. Johnston said the city wasn't legally required to have a public hearing on this item. The Council invited property owners to this meeting for their input on water tower design. The staff needs to look at the issues raised and determine if there are any legitimate legal issues.

John Lalonde, his backyard backs up to Sunfish Lake Park, said he moved here six months ago, and he didn't understand why the city would think of placing a water tower and a maintenance building in a park.

M/S/P Johnson/Conlin – to table the water tower agenda item and direct the city attorney to investigate the information presented at the Council meeting for possible legal ramifications. (Motion passed 5-0.)

B. Resolution No. 2005-020: Approve Plans and Authorize Advertisement for Bids, Water System Interconnect – Phase II - POSTPONED

M/S/P DeLapp/Johnson – to postpone this agenda item per the request of the City Engineer. (Motion passed 5-0).

9. PLANNING, LAND USE & ZONING:

A. Septic and Shoreland Setback Variance, 8784 Lake Jane Trail: Gibson

The City Planner reported that Bob Gibson, 8784 Lake Jane Trail, is requesting a variance to construct a new septic drainfield that encroached a total of 75 square feet into the OHW setback from Lake Jane. Since there are no other on-site options, the encroachment is minimal, and both the City Engineer and DNR recommend approval. The Planner advised at its February 28th meeting, the Planning Commission conducted a public hearing and recommended approval of the septic and shoreland setback variance.

M/S/P Johnson/Conlin - to direct staff to draft a resolution for approval of a septic and shoreland setback variance for Bob Gibson at 8784 Lake Jane Trail per the recommendation of the Planning Commission, City Engineer and the DNR. (Motion passed 5-0.)

B. Comprehensive Plan Modifications (From February 28th Planning Commission Meeting)

The City Planner reported the Planning Commission will be completing their initial work on the Planning Policy modifications to the Comprehensive Plan that are responsive to the Met Council Memo of Understanding at its February 28th meeting. The Planner provided the latest draft, along with his cover memo to the Commission explaining the changes from the February 23rd draft. The Commission will address any additional guidance the Council may provide at the Commission's March 7th workshop, and then begin work on the Land Use Plan modifications responsive to the Policy.

Mayor Johnston provided his comments in written form and is made part of these minutes.

Council member DeLapp explained we have a Memo of Understanding with the Met Council and we can choose to do this. If we don't, with all the government changeovers, we would not have to put in 24,000 people. The City Planner responded this is a discussion for the land use section. Mayor Johnston noted it was naïve to say we would be better if we delay the project. Council member DeLapp asked what about the schools. Mayor Johnston said he talked to the 834 school district.

Council member Conlin asked to have the planner's draft in a soft copy form so the Council members could make changes/additions and then the planner could merge all the suggestions.

The Planner said he will integrate the Councils' comments and note who said what and where in his draft.

10. CITY ATTORNEY'S REPORT:

11. CITY ADMINISTRATOR'S REPORT:

The Administrator reported he met with Jim Lugar, Washington County Park, and found that the County has not updated its comprehensive plan in 25 years. The County is amenable to connect with our proposed trails. The County has requested two representatives to sit on this committee to work on the new comprehensive plan. Sue Dunn has expressed an interest to sit on this committee.

Council member Conlin said she would be interested and thought that Margaret Carlson would also have an interest. Administrator Rafferty will contact the Park Chair to find out if he or a parks member may be interested. Mayor Johnston suggested waiting until we find out who may be interested to serve on this committee and asked that this item be placed on the March 8th Council Committee meeting.

12. CITY COUNCIL REPORTS:

Council member DeLapp indicated he was contacted by a representative of the Lakewood Evangelical Free Church, who worked for 3M, to see if he could get him to vote for approval of the church proposed for Lake Elmo. He expressed his concern that this type of communication is happening more and more between Council members and potential developers since the Met Council's agreement.

Administrator Rafferty responded that he and Planner Dillerud have met with 3 or 4 developers and never had three council members because of the local meeting law. He said the proper contact is to hold meetings at City Hall.

Attorney Filla advised that the council could adopt a code of ethics to address these specific concerns of the Council. Attorney Filla will provide a sample of a code of ethics adopted by another city to be presented at the March 8th Council committee meeting.

Council member Liz Johnson reported her and Council member Smith received training on liability and management issues that dealt with the fire department. This will assist them in working with fire dept in the future.

Council member Smith thanked the Planning Commission applicants and congratulated the new appointees, Deb Lyzenga and Julie Fliflet.

Mayor Johnston volunteered to fill that role on the St. Croix community family center guidance team. This item and request for financial support will be added to the Public Health and Safety Council Committee meeting. Term.

Council adjourned the meeting at 10:13 p.m.

Respectfully submitted by Sharon Lumby, City Clerk

Resolution No. 2005-019 Approve Claims

Resolution No. 2005-020 Approve septic and shoreland setback variance, Gibson, 8784
Lake Jane Trail

Lake Elmo City Council April 5, 2005	Agenda Section: PUBLIC INFORMATIONAL	<u>No. 3B(1)</u>
<u>Agenda Item:</u> Arbor Day Proclamation		
<u>Background Information for April 5, 2005:</u> Kathy Widin, Forestry Consultant and Lake Elmo Parks Commission recommend that the Council support the Arbor Day Proclamation for 2005 and an application for Tree City USA award		
<u>Action Items:</u> Proclaim the Month of May, 2005 to be ARBOR MONTH in the City and make out an application for the Tree City USA Award		
<u>Attachments:</u> Arbor Day Proclamation Letter from Kathy Widin, Forestry Consultant 3-21-05 Parks Commission Minutes		

CITY OF LAKE ELMO
ARBOR DAY PROCLAMATION

- WHEREAS:** Minnesota is home to many of our nation's natural resources, foremost among them are our beautiful and abundant forests; and
- WHEREAS:** Trees are an increasingly vital resource in Minnesota today, enriching our lives by purifying the air, conserving soil, water and energy, creating jobs through a large forest products industry, serving as recreational settings, providing habitat for wildlife of all kinds, and creating beautiful landscapes to make our communities more livable; and
- WHEREAS:** Human activities such as construction damage, pollution and neglect, as well as climatic extremes, disease and insects threaten our trees, creating the need for concerted action to ensure the future of community and rural forests in our state and throughout the country; and
- WHEREAS:** Each individual can act locally to improve the environment by planting trees and ensuring that these trees are protected and receive proper maintenance in the years ahead; and
- WHEREAS:** Each year on the last Friday in the month of April and throughout the month of May, the people of Minnesota pay special tribute to the vital natural resource that our trees represent and dedicate themselves to the continued vitality of our state's community and rural forests;

NOW, THEREFORE, I, Dean Johnston, Mayor of the City of Lake Elmo, do hereby proclaim April 29, 2005 to be

ARBOR DAY

and the month of May, 2005 to be **ARBOR MONTH** in Lake Elmo, Minnesota.

Signed this 5th day of April, 2005

Dean Johnston, Mayor

Tree City U.S.A.

Katharine D. Widin, Ph.D.

Plant Health Associates, Inc.
13457 6th St. N.
Stillwater, Minnesota 55082
(651)436-8811
email: kdwidin@comcast.net

3/16/05

To: Martin Rafferty, City Administrator
Parks Commission
City Council

City of Lake Elmo

From: Kathy Widin, Forestry Consultant

Re: Tree City USA Award

Attached is a description of the Tree City USA Award which is administered by the National Arbor Day Foundation in Nebraska. The purpose of this award is to recognize communities that effectively manage their public tree resources. The Standards which cities must meet for this award are listed. Among these standards is the issuance of an Arbor Day Proclamation each year during the month of April. Since we can't always plant trees at the end of April in Minnesota, our state also recognizes May as Arbor Month. I ask that the Parks Commission act as the Tree Board for the City of Lake Elmo and that they recommend that the Council support the attached Arbor Day Proclamation for 2005 and an application for the Tree City USA award. I would also ask that the Council issue the Arbor Day proclamation in April. Mike Bouthilet and I are planning a tree planting ceremony with schoolchildren sometime during the month of May for this year's Arbor Day observance. I would like to thank the City of Lake Elmo for having the foresight to recognize that trees are important to the community and that they need continued care.

As a TREE CITY USA, your community will receive...

... additions to your awards denoting the year

... a Tree City USA flag

... special anniversary materials

... along with the joy of stewardship and the gratitude of future generations



The National Arbor Day Foundation, in cooperation with the U.S. Forest Service and the National Association of State Foresters, recognizes towns and cities across America that meet the standards of the TREE CITY USA program.

At least half of the trees in a typical city are on public property...along streets, in parks, and around public buildings. The TREE CITY USA program is designed to recognize those

communities that effectively manage their public tree resources, and to encourage the implementation of community tree management based on four TREE CITY USA Standards.

These four standards provide structure for a community forestry program, require that program to demonstrate success based on the judgment of the state forester's office, and provide for an awareness and appreciation of trees among the

residents of the community.

Tree CITY USA is an ongoing community improvement program, and your community can and should apply for recertification each year.

Ongoing TREE CITY USA recognition can make a strong contribution to your community's pride, and it will keep you in touch with other communities and resources which can help you improve your program.

Application Procedures

The TREE CITY USA application for recertification must be completed by an appropriate city official (mayor, city forester, chairman of the tree board, etc.). Mail the completed

application to your state forester along with all requested supporting material no later than December 31. Your state forester will evaluate application and forward it to The National Arbor Day

Foundation. You will be advised whether your community qualifies for TREE CITY USA recertification.

Tree City USA Standards

STANDARD 1: A Tree Board or Department

A tree board is a group of concerned citizens, usually volunteer, charged by ordinance to develop and administer a comprehensive community tree management program for the care of trees on public property. Tree boards usually function with the aid of professional foresters. In communities with a population of more than 10,000, city forestry departments with salaried employees are often feasible. These departments may or may not be supported by advisory boards or administrative commissions.

STANDARD 2: A Community Tree Ordinance

The community tree ordinance needs to designate the tree board or department and give them the responsibility for writing and implementing the annual community forestry work plan. The ordinance should determine public tree care policies for planting, maintenance and removals. Ideally, the city tree ordinance will make provisions for establishing and updating a list of recommended street tree species to be planted with spacing and location requirements. A sample tree ordinance may be obtained by writing The National Arbor Day Foundation.

STANDARD 3: A Community Forestry Program with an Annual Budget of at least \$2 per capita.

Many communities begin their program by taking a inventory of the trees growing

on public property. The species, location, and condition of each tree are noted (i.e. healthy, needs pruning, should be removed, etc.) and the inventory data is summarized in a written report for presentation and approval by the city council. The report should be an objective analysis of the present state of the urban forest with recommendations for future management. The essential, ongoing activity for the care of trees along streets, in parks, and on other public places is the community forestry program. The annual work plan should address planting, watering and fertilizing, dead and hazardous tree removal, safety and line pruning, and insect and disease control. To be named as a TREE CITY USA, a town or city must annually spend at least \$2 per capita for its annual community forestry program. Consider all funds spent for tree care - budget for street tree department or board, park department's tree expenditures, dead tree removal, etc.

STANDARD 4: An Arbor Day Observance and Proclamation

An Arbor Day observance can be simple and brief or an all-day or all-week observance. A proclamation issued by the mayor must accompany the observance and declare the observance of Arbor Day in your community. You can obtain a free "Celebrate Arbor Day!" packet by writing The National Arbor Day Foundation. Along with ideas for celebrating the holiday, the packet contains a sample proclamation.

The Parks Commission was called to order on 3-21-05 by Chairman Bob Schumacher. Also present were Commissioners Wagner, Nalipinski, Steele, Watters, Larson and Bouthilet. Administrator Rafferty was present from staff to assist in recoding the business of the Commission. Also present was Glen Von Wormer of SEH to discuss the final Trail Plan developed by the Parks Commission.

A motion by Chuck Naplinski was seconded by Watters approving the Agenda. The Motion passed with no opposition.

A motion by Chuck Naplinski was seconded by Watters approving the minutes of January 19, 2005. The Motion passed with no opposition.

A motion by Wagner was seconded by Watters approving the minutes of February 22, 2005. The Motion passed with no opposition.

Glen Van Wormer of SHE presented a map of a revised trail plan incorporating the comments received from the public and during the open house. He also provided written documentation in summary form of all the comments received from the public. He also explained that the final plan was being completed and would be forwarded to the Parks Commission for their final review so it could be approved by the Commission and forwarded to the Planning Commission. After reviewing the Trail Plan, the Planning Commission would forward the plan to City Council for final approval. The Commission thanked Glen for his excellent work on the trail plan. Glen provided summarized comments in written for from the public.

A new OP development plan "Farms of Lake Elmo was presented showing a plan with the proposed trail system as being designed for private use only. The Commission reviewed the plan and found the proposed plan is consistent with the newly developed "Trails Plan". The developer will be making a financial contribution may potentially provide public easements for pathway dedication consistent with the new trail plan.

Dr. Kathy Widin, the Lake Elmo Tree Doctor, requested the Commission recommend to the City Council to approve the Arbor Day Proclamation as a step toward gaining a Tree City USA designation. A motion by Watters was seconded by Chuck Naplinski recommending the Arbor Day Proclamation to the City Council. The Motion passed with no opposition.

The Parks Commission asked the City Administrator to ask Dr. Widin to come to the April Commission meeting to review the services she is and will be providing the city in 2005.

Meeting adjourned at 8:30.

Lake Elmo City Council April 5, 2005	Agenda Section: PUBLIC INFORMATIONAL	<u>No. 3B(2).</u>
<u>Agenda Item:</u> Planning Commission Appointment		
<u>Background Information for April 5, 2005:</u> 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 is asking for Council direction.		
<u>Action Items:</u> Request Council direction	<u>Person responsible:</u> S.Lumby	
<u>Attachments:</u>		

Lake Elmo City Council April 5, 2005	Agenda Section: PUBLIC INFORMATIONAL	<u>No. 3B(3).</u>
<u>Agenda Item:</u> ANNOUNCE 2005 BOARD OF APPEAL AND EQUALIZATION MEETING		
<p><u>Background Information for April 5 2005:</u> The Lake Elmo Board of Review will meet at City Hall on Wednesday, 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 year 2005. The City has received the 2005 Assessment Report.</p>		
<u>Action Items:</u> Announce May 4, 2005 as the date of the 2005 Board of Review	<u>Person responsible:</u> S.Lumby	
<u>Attachments:</u> 2005 Assessment Report		

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

**RESOLUTION NO. 2005-034
RESOLUTION APPROVING CLAIMS**

BE IT RESOLVED THAT Claim Numbers 248, 249, DD373 through DD385, 27060 through 27086, were used for Staff Payroll dated March 17th, 2005; 250, 252, DD386 through DD395, 27088 through 27099, were used for Staff Payroll dated March 31st, 2005; claims 251, 27100 through 27151, in the total amount of \$147,793.85 are hereby approved.

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

Dean A. Johnston
Mayor

ATTEST:

Martin J. Rafferty
City Administrator

Accounts Payable Computer Check Proof List

User: administrator

Printed: 03/31/2005 - 1:59 PM

SPRINGBROOK SOFTWARE

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
Vendor: ALEXAIR 8270	Alex Air Apparatus, Inc Handle - Fire Dept Check Total:	48.38 48.38	04/05/2005	Check Sequence: 1 101-420-2220-44040	ACH Enabled: No
Vendor: ALLSAFE 64677 64737	All Safe Fire & Security Fire Extinguishers Tests & Certification Fire Extinguishers Tests & Certification Check Total:	322.45 98.93 421.38	04/05/2005 04/05/2005	Check Sequence: 2 101-420-2220-44040 101-420-2220-44040	ACH Enabled: No
Vendor: ARAM 629-5674908 629-5684599	Aramark Linen - City Hall Linen - City Hall Check Total:	50.84 50.84 101.68	04/05/2005 04/05/2005	Check Sequence: 3 101-410-1940-44010 101-410-1940-44010	ACH Enabled: No
Vendor: ASPENMI 59726	Aspen Mills, Inc. Changing over from light to dark blue Check Total:	1,890.73 1,890.73	04/05/2005	Check Sequence: 4 101-420-2220-44170	ACH Enabled: No
Vendor: ATTW1 023-2750230	CINGULAR WIRELESS Floater phones Fire Dept Check Total:	20.49 20.49	04/05/2005	Check Sequence: 5 101-420-2220-43210	ACH Enabled: No
Vendor: AVAYA 2720793512	AVAYA Inc. Monthly Telephone Maint. Check Total:	150.36 150.36	04/05/2005	Check Sequence: 6 101-410-1940-44040	ACH Enabled: No
Vendor: BATTYPL 32-97057 32-97739	Batteries Plus Woodbury Battery Tester Generator - Parks	46.23 28.22	04/05/2005 04/05/2005	Check Sequence: 7 101-430-3100-42400 101-450-5200-42210	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	74.45			
Vendor: BIFFS W249688	Biff's Inc. Sunfish Lake Park Check Total:	94.26 94.26	04/05/2005	Check Sequence: 8 101-450-5200-44120	ACH Enabled: No
Vendor: CAREERTR 7722502	CareerTrack Dealing w/difficult people Conference DJ Check Total:	149.00 149.00	04/05/2005	Check Sequence: 9 101-410-1110-44370	ACH Enabled: No
Vendor: CARQUEST 26878	Car Quest Credit	-21.94	04/05/2005	Check Sequence: 10 101-430-3100-42210	ACH Enabled: No
D372915	Halogen Beam - Fire Dept.	5.94	04/05/2005	101-420-2220-42210	
D372931	Socket	2.67	04/05/2005	101-420-2220-42210	
D374869	Lamp, Disc pads, mirror glass - Public W	115.72	04/05/2005	101-430-3100-42210	
D374873	Metric Hex Set, Bits Check Total:	46.74 149.13	04/05/2005	101-430-3100-42400	
Vendor: COLLYA Emp. Claim	Bonnie Collyard EMT Refresher Reimbursement Check Total:	175.00 175.00	04/05/2005	Check Sequence: 11 101-420-2220-44370	ACH Enabled: No
Vendor: DAHLG 25682	Dahlgren Shardlow and Uban Fire Services Analysis Check Total:	8,825.56 8,825.56	04/05/2005	Check Sequence: 12 101-420-2220-44300	ACH Enabled: No
Vendor: EARLANDE 0064733-IN	Earl F. Andersen, Inc. Street Signs Check Total:	266.61 266.61	04/05/2005	Check Sequence: 13 101-430-3100-42260	ACH Enabled: No
Vendor: EMSUSA 295368	Emergency Medical Supply, Inc. EMS Supplies - Fire Dept Check Total:	43.20 43.20	04/05/2005	Check Sequence: 14 101-420-2220-42080	ACH Enabled: No
Vendor: F.I.R.E. 04184 04374	Fire Instruction & Rescue Education Inc Classes - Fire Dept: Car Fire, Gas Emer. Classes - Fire Dept: RIT Training	600.00 450.00	04/05/2005 04/05/2005	Check Sequence: 15 101-420-2220-44370 101-420-2220-44370	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	1,050.00			
Vendor: FIREEQUI 4004	Fire Equipment Specialties Name Patch - Kevlar - Fire Dept. Check Total:	40.38 40.38	04/05/2005	Check Sequence: 16 101-420-2220-44170	ACH Enabled: No
Vendor: FOUR 23-039153	Four Seasons Service City Hall Supplies Check Total:	58.85 58.85	04/05/2005	Check Sequence: 17 101-410-1940-44300	ACH Enabled: No
Vendor: FRED'S 419900	Fred's Tire Tire Repair - Fire Dept 3183 Check Total:	67.90 67.90	04/05/2005	Check Sequence: 18 101-420-2220-44040	ACH Enabled: No
Vendor: FXL April 2005	FXL, Inc. Assessing Services April 2005 Check Total:	1,700.00 1,700.00	04/05/2005	Check Sequence: 19 101-410-1550-43100	ACH Enabled: No
Vendor: GENESIS IVC00431 IVC00451 IVCMonthly	Next Genesis Productions Software issues Spam filter, Internet down Monthly Software Support Check Total:	112.50 337.50 900.00 1,350.00	04/05/2005 04/05/2005 04/05/2005	Check Sequence: 20 101-410-1520-43180 101-410-1520-43180 101-410-1520-43180	ACH Enabled: No
Vendor: HACH 4203998	HACH Company Fluoride Testing Vials Check Total:	174.66 174.66	04/05/2005	Check Sequence: 21 601-494-9400-42270	ACH Enabled: No
Vendor: Hotsy 23453	HOTSY EQUIPMENT OF MINNESOTA Nozzle, pipes, hoses - Public Works Check Total:	70.98 70.98	04/05/2005	Check Sequence: 22 603-496-9500-42400	ACH Enabled: No
Vendor: IAFCREG FRI 2005	IAFC Reg. fees - Greg Malmquist Check Total:	695.00 695.00	04/05/2005	Check Sequence: 23 101-420-2220-44370	ACH Enabled: No
Vendor: LEAGMN LMCIT 2005 Safe	League of MN Cities Safety and Loss Control Workshop	40.00	04/05/2005	Check Sequence: 24 101-410-1520-44370	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	40.00			
Vendor: LEAGUE 1-000020541	League of Minnesota Cities 2005 Fire - Liz Johnson Check Total:	20.00 20.00	04/05/2005	Check Sequence: 25 101-410-1110-44370	ACH Enabled: No
Vendor: MALMQ Claim	Greg Malmquist DVD Player - Training Check Total:	58.40 58.40	04/05/2005	Check Sequence: 26 101-420-2220-42000	ACH Enabled: No
Vendor: MENARDSO 91444	Menards - Oakdale Used railroad ties - Fire Dept Check Total:	14.89 14.89	04/05/2005	Check Sequence: 27 101-420-2220-42400	ACH Enabled: No
Vendor: METROCA 02161642	Metrocall Inc. Pagers - Fire Dept Check Total:	86.21 86.21	04/05/2005	Check Sequence: 28 101-420-2220-43210	ACH Enabled: No
Vendor: MNFIRESO ERTC/212	MN State Fire Rescue School Class - Bonnie Collyard Check Total:	105.00 105.00	04/05/2005	Check Sequence: 29 101-420-2220-44370	ACH Enabled: No
Vendor: NEXTEL 761950227-024 761950227-024 761950227-024 761950227-024	Nextel Communications Cellular Phone Service - Admin Cellular Phone Service - Bldg Dept. Cellular Phone Service - Public Works Cellular Phone Service - Parks Check Total:	76.00 32.64 48.96 17.87 175.47	04/05/2005 04/05/2005 04/05/2005 04/05/2005	Check Sequence: 30 101-410-1940-43210 101-420-2400-43210 101-430-3100-43210 101-450-5200-43210	ACH Enabled: No
Vendor: ONECALL 5020506	Gopher State One-Call Concepts, Inc Line locates - February 2005 Check Total:	33.75 33.75	04/05/2005	Check Sequence: 31 101-430-3100-44300	ACH Enabled: No
Vendor: PETERSON 11135M 11140M 11145M 11150M 11161M	Peterson Fram & Bergman Administration Criminal Pros Public Improv. Projects Community Dev. Auto Forfeiture	2,439.99 2,868.68 544.36 198.00 94.50	04/05/2005 04/05/2005 04/05/2005 04/05/2005 04/05/2005	Check Sequence: 32 101-410-1610-43040 101-410-1610-43045 409-480-8000-43040 803-490-9070-43040 101-410-1610-43045	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	6,145.53			
Vendor: PINKY 39848 41356	Pinky's Sewer Service, Inc. Pumping - 8012 50th St Pumping - 7990 50th St Check Total:	200.00 150.00 350.00	04/05/2005 04/05/2005	Check Sequence: 33 602-495-9450-44030 602-495-9450-44030	ACH Enabled: No
Vendor: PITNEY 2817997-MR05	Pitney Bowes Postage Machine Rental Check Total:	693.00 693.00	04/05/2005	Check Sequence: 34 101-410-1940-44010	ACH Enabled: No
Vendor: POSTOFF Newsletter	POSTMASTER Newsletter April Check Total:	378.30 378.30	04/05/2005	Check Sequence: 35 101-410-1320-43220	ACH Enabled: No
Vendor: PRESS 3/14-3/30 3/14-3/30	StevenPress Cable Operator - Council Meetings Cable Operator - Planning Com. Check Total:	81.00 222.75 303.75	04/05/2005 04/05/2005	Check Sequence: 36 101-410-1320-43620 101-410-1910-43620	ACH Enabled: No
Vendor: QWEST 651714-2209 456	Qwest Final - Hudson Lift Station Check Total:	5.27 5.27	04/05/2005	Check Sequence: 37 602-495-9450-43210	ACH Enabled: No
Vendor: REED 2846087 2850240	Reed Business Information Legal Ad - Watermain Project Legal Ad - Watermain Project Check Total:	133.32 133.32 266.64	04/05/2005 04/05/2005	Check Sequence: 38 101-410-1320-43510 101-410-1320-43510	ACH Enabled: No
Vendor: Reserve 20313037	Pitney Bowes Reserve Account Postage Check Total:	500.00 500.00	04/05/2005	Check Sequence: 39 101-410-1320-43220	ACH Enabled: No
Vendor: ROGERS 12389 12389 12412	Rogers Printing Services Envelopes Business Cards - Dean Johnston 3200 Newsletters	122.48 30.88 983.00	04/05/2005 04/05/2005 04/05/2005	Check Sequence: 40 101-410-1320-42000 101-410-1110-44300 101-410-1320-43090	ACH Enabled: No

Invoice No	Description	Amount	Payment Date	Acct Number	Reference
	Check Total:	1,136.36			
Vendor: RUD 3/14-3/30 3/15-3/31 9332	Diane Prince-Rud Cleaning City Hall 3/14-3/30 Cleaning Fire Hall 3/15-3/31 Cleaning Supplies Check Total:	360.00 360.00 21.60 741.60	04/05/2005 04/05/2005 04/05/2005	Check Sequence: 41 101-410-1940-44010 101-420-2220-44010 101-410-1940-42110	ACH Enabled: No
Vendor: S&T 01JU8519 01JU8519	S&T Office Products, Inc. Binders, paper Paper Check Total:	333.72 43.45 377.17	04/05/2005 04/05/2005	Check Sequence: 42 101-410-1320-42000 101-410-1910-42000	ACH Enabled: No
Vendor: Sherman Emp. Claim Emp. Claim	Robert Sherman Milage - B. Sherman - pager repairs Training Videos - Shipping Check Total:	25.13 77.60 102.73	04/05/2005 04/05/2005	Check Sequence: 43 101-420-2220-43310 101-420-2220-44370	ACH Enabled: No
Vendor: SPRINT 0526076028-3	Sprint Connection Card - Fire Dept. Check Total:	40.15 40.15	04/05/2005	Check Sequence: 44 101-420-2220-43210	ACH Enabled: No
Vendor: STCROIXF Donation	St. Croix Valley Comm. Center Donation Check Total:	2,000.00 2,000.00	04/05/2005	Check Sequence: 45 101-410-1110-44300	ACH Enabled: No
Vendor: STJOSEPH SF02579 SR13668	St Joseph Equipment, Inc. 5 Gal Trans. Fluid Rental Check Total:	42.37 213.00 255.37	04/05/2005 04/05/2005	Check Sequence: 46 101-430-3100-42120 101-430-3100-43150	ACH Enabled: No
Vendor: TKDA 000200501056 000200501061 000200501062 000200501063 000200501063 000200501063 000200501063	TKDA, Inc. 2004 NPDES Phase II Permit Water Sys Interconnection Water Tank MSA Reporting 2005 Street Project Review Public Works Building Water Tower	98.52 18,068.06 785.92 261.39 380.03 7,334.11 215.82	04/05/2005 04/05/2005 04/05/2005 04/05/2005 04/05/2005 04/05/2005 04/05/2005	Check Sequence: 47 603-496-9500-43030 601-494-9400-43030 601-494-9400-43030 402-480-8000-43030 409-480-8000-43030 410-480-8000-46200 601-494-9400-43030	ACH Enabled: No

Reference

Acct Number

Amount Payment Date

Description

Invoice No

000200501063	Deer Glen - Septic Review	1,097.83	04/05/2005	602-495-9450-43030	
000200501063	2004 NPDES Report	365.94	04/05/2005	603-496-9500-43030	
000200501063	Staff Meetings	2,596.39	04/05/2005	101-410-1930-43030	
000200501063	Whispering Valley, Tapestry	641.51	04/05/2005	803-490-9070-43030	
000200501064	Council Meetings 2/1, 2/15	200.00	04/05/2005	101-410-1930-43030	
000200501075	Public Works @ Sunfish Lake Design	8,428.86	04/05/2005	410-480-8000-46200	
000200501144	Water Leak Location - 13 & EPBld	216.20	04/05/2005	601-494-9400-43030	
	Check Total:	40,690.58			
Vendor: UM/CONTED	U of M Continuing Education			Check Sequence: 48	ACH Enabled: No
MN Clerks I	MN Mun Clerks Program - C. Freeman	160.00	04/05/2005	101-410-1320-44380	
	Check Total:	160.00			
Vendor: WAS-AG	Washington Cty Ag Society			Check Sequence: 49	ACH Enabled: No
Lease/Deposit	Lease and Deposit - Wash. Cty Fair	153.00	04/05/2005	101-430-3100-44380	
	Check Total:	153.00			
Vendor: WASHWFC	Washington County			Check Sequence: 50	ACH Enabled: No
East Metro Econ	Conference - Dean Johnston	10.00	04/05/2005	101-410-1110-44370	
East Metro Econ	Conference - Liz Johnson	10.00	04/05/2005	101-410-1110-44370	
	Check Total:	20.00			
Vendor: WINKBRAD	BradWinkels			Check Sequence: 51	ACH Enabled: No
Emp. Claim	EMT Refresher - Reimbursement	175.00	04/05/2005	101-420-2220-44370	
	Check Total:	175.00			
Vendor: XCEL	Xcel Energy			Check Sequence: 52	ACH Enabled: No
19125036	Traffic Lights 194& Inwood	21.52	04/05/2005	101-430-3160-43810	
19125036	Softball Field	72.21	04/05/2005	101-450-5200-43810	
19125036	Hudson Lift Station	39.52	04/05/2005	602-495-9450-43810	
19135023	3585 Laverne Ave N	143.80	04/05/2005	101-410-1940-43810	
19143055	City Lights	1,562.45	04/05/2005	101-430-3160-43810	
19324774	3303 Langly Ct, 11975 55th St Wells	887.91	04/05/2005	601-494-9400-43810	
21367342	3880 Laverne	23.00	04/05/2005	101-430-3160-43810	
	Check Total:	2,750.41			
	Total for Check Run:	75,396.58			
	Total Number of Checks:	52			

CITY OF LAKE ELMO

2005 BILLING SUMMARY

MONTH	11135 Administration	11140 Criminal Pros	11145 Public Imp. Proj	11150 Community Dev	11155 Civil Litigation	11161 Auto Forfeiture	TOTAL
Jan	\$4,443.11	\$3,456.17	\$66.00	\$673.71	\$210.00	\$464.00	\$9,312.99
Feb	\$2,439.99	\$2,868.68	\$544.36	\$198.00		\$94.50	\$6,145.53
March							\$0.00
April							\$0.00
May							\$0.00
June							\$0.00
July							\$0.00
Aug							\$0.00
Sept							\$0.00
Oct							\$0.00
Nov							\$0.00
Dec							\$0.00
Totals	\$6,883.10	\$6,324.85	\$610.36	\$871.71	\$210.00	\$558.50	\$15,458.52

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

PETERSON
FRAMBERGMAN
PROFESSIONAL ASSOCIATION

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

CITY OF LAKE ELMO
3800 Laverne Avenue North
Lake Elmo MN 55042

Page: 1
02/28/2005
ACCOUNT NO: 11135M

	FEES	EXPENSES	ADVANCES	BALANCE
11135-040002 2004 RECODIFICATION	132.00	0.00	0.00	\$132.00
11135-920001 Administration	2,297.50	10.49	0.00	\$2,307.99
	<u>2,429.50</u>	<u>10.49</u>	<u>0.00</u>	<u>\$2,439.99</u>

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CITY OF LAKE ELMO
3800 Laverne Avenue North
Lake Elmo MN 55042

ACCOUNT NO:

Page: 1
02/28/2005
11140M

	FEES	EXPENSES	ADVANCES	BALANCE
11140-030001 Misc Prosecutions	2,560.00	28.68	0.00	\$2,588.68
11140-030066 Brama, Angela Ann 3rd degree DUI, 3rd degree .10	50.00	0.00	0.00	\$50.00
11140-050015 Pavlak, Jamie Elizabeth assault	5.00	0.00	0.00	\$5.00
11140-050016 Brama, Angela 2nd degree DUI	0.00	0.00	0.00	\$0.00
11140-050020 Bradley, Terry DAC, no proof of insurance	5.00	0.00	0.00	\$5.00
11140-050031 Young, Roger Alan GM-fail to report injury accident	10.00	0.00	0.00	\$10.00
11140-050033 Aumer, Daniel Ryan No DL, no insurance, no proof of insurance	5.00	0.00	0.00	\$5.00
11140-050036 Martenson, Linda Kay park/drive where prohibited	5.00	0.00	0.00	\$5.00

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CITY OF LAKE ELMO

ACCOUNT NO:

Page: 2
02/28/2005
11140M

	FEES	EXPENSES	ADVANCES	BALANCE
11140-050037 Walters, Diane Elaine GM-intent to escape MV tax	10.00	0.00	0.00	\$10.00
11140-050038 Smith, Kandis Lorraine failure to yield	5.00	0.00	0.00	\$5.00
11140-050039 Schmotter, Nicholas domestic assault	5.00	0.00	0.00	\$5.00
11140-050042 Lynch, Dennis Jr. no insurance, no proof of ins.	10.00	0.00	0.00	\$10.00
11140-050043 Van Allen, Kenneth J. domstic assault	5.00	0.00	0.00	\$5.00
11140-050044 Johnson, Mary Jo DOC	5.00	0.00	0.00	\$5.00
11140-050045 Patterson, Desiree Candelario 3rd degree DUI	77.50	0.00	0.00	\$77.50
11140-050047 Thorsen, Michael J. domestic assault	5.00	0.00	0.00	\$5.00
11140-050048 Foley, Rose Marie 2nd debgree DUI, test refusal	10.00	0.00	0.00	\$10.00
11140-050049 Spaulding, Melissa Anne no proof of insurance	10.00	0.00	0.00	\$10.00

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CITY OF LAKE ELMO

Page: 3
02/28/2005
ACCOUNT NO: 11140M

	FEES	EXPENSES	ADVANCES	BALANCE
11140-050050 Van, Ana				
GM-school bus arm violation	10.00	0.00	0.00	\$10.00
11140-050051 Braun, Christopher Francis				
domestic assault, 911 interference	47.50	0.00	0.00	\$47.50
	<u>2,840.00</u>	<u>28.68</u>	<u>0.00</u>	<u>\$2,868.68</u>

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

Page: 1
02/28/2005
ACCOUNT NO: 11145M

	FEEs	EXPENSES	ADVANCES	BALANCE
11145-040003 WATER SYSTEMS CONNECTION	303.00	0.75	30.00	\$333.75
11145-050001 PUBLIC WORKS BUILDING	209.00	1.61	0.00	\$210.61
	<u>512.00</u>	<u>2.36</u>	<u>30.00</u>	<u>\$544.36</u>

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

Page: 1
02/28/2005
ACCOUNT NO: 11150M

	FEES	EXPENSES	ADVANCES	BALANCE
11150-040005 LAKEWOOD EVANGELICAL FREE CHURCH - REZONING - SUP				
	132.00	0.00	0.00	\$132.00
11150-050002 LE PROFESSIONAL CENTER C/O J. MCDONALD VARIANCE				
	66.00	0.00	0.00	\$66.00
	<hr/>	<hr/>	<hr/>	<hr/>
	198.00	0.00	0.00	\$198.00
				<hr/>

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Federal Tax ID #41-0991098

Page: 1
02/28/2005
11161M

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

ACCOUNT NO:

	FEES	EXPENSES	ADVANCES	BALANCE
11161-050001 Brama, Angela				
vehicle forfeiture-2005 Escalade	94.50	0.00	0.00	\$94.50
	<hr/>	<hr/>	<hr/>	<hr/>
	94.50	0.00	0.00	\$94.50
				<hr/>

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Lake Elmo City Council April 5, 2005	Agenda Section: CITY ENGINEER'S/ADMINISTRATOR'S REPORT	<u>No. 8 A.&B.</u>
--	---	-------------------------------

Agenda Item: Public Works/Parks Facility and Water Tower Location

Over the last several years the city has retained the services of professional consulting firms and community study groups to evaluate and recommend needed community facilities. In 2004 the City Council held a public informational meeting on proposed new city facilities planned for construction in 2005. The city received input from the residents on combined and separate facility site locations for City Hall, Public Works and potential Fire Station(s).

Since that meeting, in the fall of 2004, city staff has continued to identify and evaluate alternative sites to relocate the Public Works/Parks operation, presently adjacent to the old landfill site, with specific Council and Council Committee directives to plan for the current Sunfish location. The current design (barn like) of the structure reflects the City Council's deliberate efforts to appropriately incorporate design features that reflect the surrounding land characteristics and foster "rural character" of the community.

The Fire Department operations and facility needs would continue to be evaluated and identified through a new study now completed in a final draft form. The City Hall has three active locations presently under review.

At the last City 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.

As requested, staff has looked at alternate sites for both the public works building and the water tower. Below is a summary of our findings:

1. City Owned Property within the Closed Landfill Site

The City owns all 110 acres of the closed landfill site. This is where our current Public Works site is located. We met with representatives of the MPCA Closed Landfill unit to discuss possible land use alternatives for this site. They are very concerned about methane migration around the landfill site.

They did not have problem with a water tower near our existing pole barn as long as it was a legged tank. They strongly recommend that no new buildings be built on this site.

This site was originally selected in the Feasibility Report. Ground elevation is about 950.

2. Washington and Ramsey County Owned Property south of the Closed Landfill site.

Washington and Ramsey County own 30 acres directly south of the closed landfill site. The property has a land use easement to the MPCA. The MPCA is checking their records on this site, as they assumed they owned the site.

The MPCA would allow a fluted column or a composite tank on the southwest corner of the parcel, near Jamaca Avenue only. The remainder of the site may be needed in the future for water or gas treatment. No other facilities would be allowed on this 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 \$160,000.00. Ground elevation is about 955.

3. City owned property in "Sunfish West"

The City owned property east of the landfill permit area contains a high hill which would be suitable for the tank. The site is heavily wooded and would need tree clearing, an access road built, along with a significant water-main extension to the site. Additional cost would be about \$200,000.00. Ground elevation is 980.

Because of the elevation and dense woods, this site would not be suitable for the Public Works site.

4. 3M Property

It would be feasible to construct a water tower on the 3M property, west of Wildflower Shores. Depending on the location, there might be as much as 4,000 additional feet of watermain plus over sizing of other watermains, at an estimated cost of \$460,000.00. Property acquisition costs are not known at this time. Ground elevation could be as high as 1010.

Advantages to a site here would be the increased water service area due to the higher elevation of the tank, and distance from residential properties. Disadvantages would be increased pump size at our wells to pump up to the higher elevation. There may be no easy way to loop the watermains for the foreseeable future. Also, the site is not zoned Public Facilities, any property acquired would need a rezoning.

Acquiring a site large enough for the Public Works Building from 3M is not being considered.

5. Common Ground Church Property

The Common Ground church owns the property between TH 5 and Stillwater Boulevard. They have agreed to meet to discuss selling about an acre worth of property; with no commitment to sell, for a water tower site. They indicated they would like to keep the remainder for future expansion. The site would be south and east of the entrance to Sunfish Park. Ground elevation is 950. The site is already zoned Public Facility.

The advantage to the site is its close proximity to the planned watermain route. However a disadvantage is that the houses on the north side of Stillwater Boulevard would have the water tower directly in front of their houses.

Discussion on this site would be for the water tower only.
as previously proposed.

The staff recommends we continue to study the water tower sitting.

Summary

These sites were ones brought up at the CUP hearing or identified by staff. There may be other sites throughout the City for the public works building; however the staff has been searching for many years for a suitable site. Sites for the water tower are limited due to the constraints of our service area.

Because of its central location within the City, its distance from residential properties, and the ability to expand, it is the best site in the City to place this facility. The staff recommends the Public Works Building be located at Sunfish Park as proposed.

The staff recommends we continue to study the water tower sitting.

Action Items:

Pertaining to PW/Parks Facility

A motion directing staff finalize plans, specifications and bid the Public Works/Parks facility in the Sunfish location. Approve the pending CUP for that purpose and grant the variance request for the exterior material usage as proposed.

Pertaining to the Water Tower

A motion directing staff to hold a public meeting for all currently proposed Water Tower locations that remain as a viable possibility.

Person responsible:

Martin Rafferty, City Administrator

Tom Prew, City Engineer

Attachments:

Engineer Report

Resolutions

RECEIVED
MAR 28 2005

TKDA

ENGINEERS • ARCHITECTS • PLANNERS

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

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

March 24, 2005

Honorable Mayor and City Council
City of Lake Elmo, Minnesota

Re: Public Works and Water Tower
Alternate Sites Consideration
City of Lake Elmo, Minnesota
TKDA Commission No. 13186.000

Dear Mayor and City Council:

As requested, we have looked at alternate sites for both the public works building and the water tower. Below is a summary of our findings:

1. City Owned Property within the Closed Landfill Site

The City owns all 110 acres of the closed landfill site. This is where our current Public Works site is located. We met with representatives of the MPCA Closed Landfill unit to discuss possible land use alternatives for this site. They are very concerned about methane migration around the landfill site.

They did not have problem with a water tower near our existing pole barn as long as it was a legged tank. They strongly recommend that no new buildings be built on this site.

This site was originally selected in the Feasibility Report. Ground elevation is about 950.

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Washington and Ramsey County own 30 acres directly south of the closed landfill site. The property has a land use easement to the MPCA. The MPCA is checking their records on this site, as they assumed they owned the site.

The MPCA would allow a fluted column or a composite tank on the southwest corner of the parcel, near Jamaca Avenue only. The remainder of the site may be needed in the future for water or gas treatment. No other facilities would be allowed on this site.

An additional 2,000 feet of 16-inch watermain would need to be extended to the site along Jamaca Avenue at an additional cost of \$160,000.00. Ground elevation is about 955.

3. City owned property in "Sunfish West"

The City owned property east of the landfill permit area contains a high hill which would be suitable for the tank. The site is heavily wooded and would need tree clearing and an access road built, along with a significant watermain extension to the site. Additional cost would be about \$200,000.00. Ground elevation is 980.

Because of the elevation and dense woods, this site would not be suitable for the Public Works site.

4. 3M Property

It would be feasible to construct a water tower on the 3M property, west of Wildflower Shores. Depending on the location, there might be as much as 4,000 additional feet of watermain plus over sizing of other watermains, at an estimated cost of \$460,000.00. Property acquisition costs are not known at this time. Ground elevation could be as high as 1,010.

Advantages to a site here would be the increased water service area due to the higher elevation of the tank, and distance from residential properties. Disadvantages would be increased pump size at our wells to pump up to the higher elevation. There may be no easy way to loop the watermains for the foreseeable future. Also, the site is not zoned Public Facilities, therefore any property acquired would need a rezoning.

Acquiring a site large enough for the Public Works Building from 3M is not being considered.

5. Common Ground Church Property

The Common Ground Church owns the property between TH 5 and Stillwater Boulevard. They have agreed to meet to discuss selling about an acre's worth of property, with no commitment to sell, for a water tower site. They indicated they would like to keep the remainder for future expansion. The site would be south and east of the entrance to Sunfish Park. Ground elevation is 950. The site is already zoned Public Facility.

The advantage to the site is its close proximity to the planned watermain route. However, a disadvantage is that the houses on the north side of Stillwater Boulevard would have the water tower directly in front of their houses.

Discussion on this site would be for the water tower only.

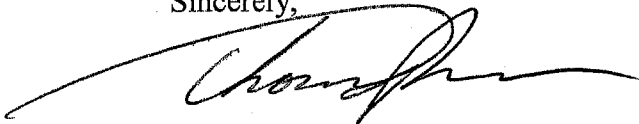
Summary

These sites were ones brought up at the CUP hearing or identified by staff. There may be other sites throughout the City for the public works building; however the staff has been searching for many years for a suitable site. Sites for the water tower are limited due to the constraints of our service area.

Because of its central location within the City, its distance from residential properties, and the ability to expand, it is the best site in the City to place this facility. The staff recommends the Public Works Building be located at Sunfish Park as previously proposed.

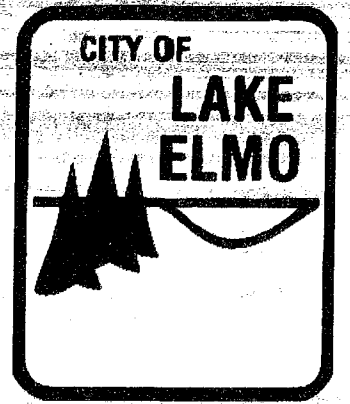
The staff recommends we continue to study the water tower sitting.

Sincerely,

A handwritten signature in black ink, appearing to read 'Thomas D. Prew', with a long horizontal flourish extending to the right.

Thomas D. Prew, P. E.
City Engineer

TDP:tlb



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 MARCH 24, 2005



0 600 1,200
Feet

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: March 24, 2005

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

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT, SITE PLAN AND
VARIANCE FOR A PUBLIC WORKS/PARK MAINTENANCE BUILDING

WHEREAS, the City of Lake Elmo has made application for a Conditional Use Permit for a Public Works/Park Maintenance Building in the Public Facility Zoning District, located 10,000 Stillwater Lane, Lake Elmo, Minnesota.

The property is generally described as Sunfish Lake Park, 10,000 Stillwater Lane
PID 15-029-21-11-0001

WHEREAS, the City of Lake Elmo has made application for a variance to Section 300.07 Subd. 4.M.5.a.1. to allow standing seam metal as a primary exterior surfacing material where other materials are required.

WHEREAS, the application was reviewed and recommended for approval by the Planning Commission at a public hearing on March 14, 2005.

WHEREAS, the application for a Conditional Use Permit, Site Plan and Variance for a Public Works/Park Maintenance Building, the recommendation of the Planning Commission, and the recommendations of the Staff were reviewed.

NOW, THEREFORE, the City Council makes the following findings in regard to the Conditional Use Permit:

1. The Conditional Use Permit is consistent with the standards for Conditional Use Permits specified by Section 300.07 Sub 4.M, Sub 2. C. of the City Code.
and is consistent with the findings required by Section 300.06, Subd 4A.

NOW, FURTHERMORE, the City Council finds with regard to the requested variance that said variance meets the findings required in Section 300.06 Subd 4A.

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-

A RESOLUTION APPROVING A CONDITIONAL USE PERMIT
AND SITE PLAN FOR A WATER STORAGE TANK

WHEREAS, the City of Lake Elmo has made application for a Conditional Use Permit and Site Plan for a water storage tank in the Public Facility Zoning District, located 10,000 Stillwater Lane, Lake Elmo, Minnesota.

The property is generally described as Sunfish Lake Park, 10,000 Stillwater Lane
PID 15-029-21-11-0001

WHEREAS, the application was reviewed and recommended denial by the Planning Commission at a public hearing on March 14, 2005.

WHEREAS, the application for a Conditional Use Permit and site plan for a 500,000 gallon water storage tank, the recommendation of the Planning Commission, and the recommendations of the Staff were reviewed.

NOW, THEREFORE, the City Council makes the following findings in regard to the Conditional Use Permit:

1. The Conditional Use Permit is consistent with the standards for Conditional Use Permits specified by Section 300.07, Subd. 4.M., Sub.2.C. of the City Code, and is consistent with the findings required by Section 200.06, Subd. 4A.

NOW, FURTHERMORE, the City Council approves the conditional use permit and site plan for a 500,000 water storage tank in the Public Facility Zoning District located in Sunfish lake Park.

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

Dean Johnston, Mayor

ATTEST:

Martin Rafferty, City Administrator

**LAKE ELMO PLANNING COMMISSION
STAFF REPORT**

Date: March 10, 2005 for the Meeting of March 14, 2005

Applicant: City of Lake Elmo

Location: 10000 Stillwater Blvd.

Requested Action: Site Plan, Zoning Variance and Conditional Use Permit

Land Use Plan Guiding: PF (Public/Semi Public Facilities)

Existing Zoning: PF (Public/Semi Public Facilities)

Site History and Existing Conditions:

The 19.8 acres site was acquired by the City along in the mid 1970's as a part of the land acquisition package for Sunfish Park. While 200+ wooded acres of Sunfish Park have been slowly developed as a passive recreation resource since the acquisition, this portion of the acquisition has been farmed by third parties. Initially this area was farmed for cash crops by the seller without compensation, in accordance with the sales agreement with the City. When the terms of the agreement for rent-free farming expired, the seller declined to continue, and a third party has rented the site for cash crop farming since that time. The site has not been used for park purposes at any time since its acquisition by the City.

The site is generally rolling open field, with about 20 vertical feet of topographic relief – with no specific direction of rise/fall. Approximately 6/10 acre of the extreme north periphery of the site is wooded.

Discussion and Analysis:

The City proposes to construct an XX,XXX square foot Public Works/Park Maintenance facility and a 500,000 water storage tank on the site. As with any applicant on lands zoned PF, the City will require a Conditional Use Permit as a "Facility for Local, County, or State Government". As with all PF uses there are specific conditions included. For this type of the facility those conditions are as follow:

1. Direct access is provided to a Public street classified by the Comprehensive Plan as Major Collector or Arterial. Via the Park Access Road (not a Public Street), the site has direct access to State Highway 5 – an Arterial.
2. The use and location is consistent with the Community Facilities Element of the Comprehensive Plan. The specific location of public facilities is not addressed by the Community Facilities Element of the Lake Elmo Comprehensive Plan. The Community Facilities Element of the 2000-2020 Plan does very specifically address the need for additional elevated water storage at some location (but not adjacent to any of the wells). The Community Facilities and Staffing Report - adopted by the City Council in 2002 – addresses the immediate need for new and expanded Public Works/Park Maintenance Facilities for the City – again not specifying any particular site for the new facilities.

3. No use may exceed a ratio of 3.0 SAC units per 3.5 acres or 235 gallons per day per net acre of land based on the design capacity of all facilities, whichever is more restrictive. Based on the 300 square feet of office space within the proposed structure, a total of 1 SAC units would be chargeable, based on Metropolitan Council standards. Using a total of maximum of 10 employees that may some day be located at the site, the wastewater generation will not exceed 38 gallons per day per net acre of the site. In both cases the wastewater generation of the site as proposed (or even if some day expanded by several factors) will be well below the maximum thresholds.

The Site Plan has been reviewed by Staff, both during its design, and again as finalized for this application. The Site plan meets or exceeds all Section 520 site plan and PF zoning district standards. In addition the site plan meets or exceeds applicable standards of other related City codes. Note that "utility transmission services" are exempt from any zoning ordinance height restrictions. Production and transmission of public water is a utility, and water towers an integral component of the service.

The variance requested is from provisions of the PF district standards regarding the exterior surfacing of the Public Works/Park Maintenance building. The City proposes use of standing seam metal exterior surfacing for 85% of the exterior of the structure; and stone surfacing for the balance. The City argues that the Public Interest of preserving Rural Character is best enhanced by use of these materials in a barn motif. The hardship is unique to this site (or any other site in the community) by way of introducing a structure of sizable scale to a neighborhood without imposing a "commercial" appearance.

Findings and Recommendations:

Staff finds that the applications generally comply with the requirements of the PF district, and other applicable City Codes. The suggested Finding regarding the variance request are unusual, reflecting the unique and non-reoccurring nature of this Public project.

Planning Commission Actions Requested:

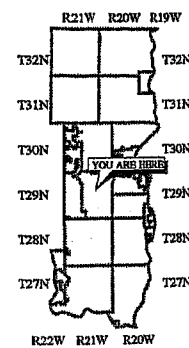
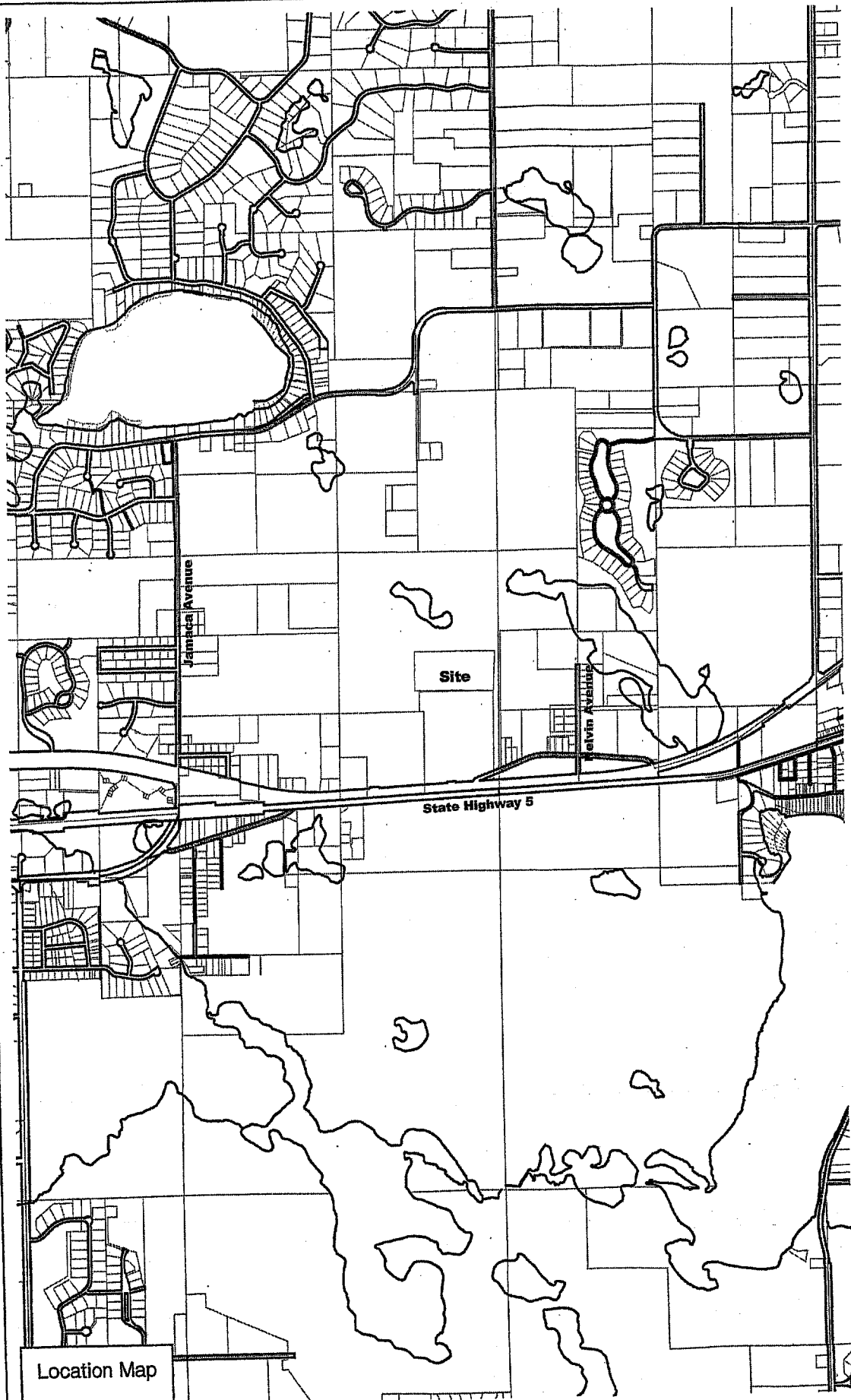
Motions regarding a recommendation regarding the Section 520 Site Plan, PF Conditional Use Permit, and Zoning Variance.



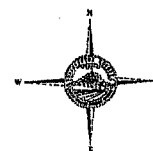
Charles E. Dillerud, City Planner

Attachments:

1. Location Map
2. Applicants Graphics



Vicinity Map



0 2400
Scale in Feet

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

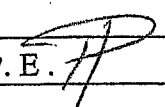
Source: Washington County Surveyor's Office.
Phone (851) 430-8876

Parcel data based on AS400 information

Location Map

MEMORANDUM

To: Chuck Dillerud
Copies To: _____

From: Thomas Prew, P. E. 
Date: March 9, 2005

Reference: Conditional Use Permit Site Plan
Public Works/ Water Tower
City of Lake Elmo, Minnesota
Comm. No. 13335.000
Routing: _____

We have prepared a site plan for the planned Public Works Building and Water Tower and have the following comments:

Roads

The site lies west of the access driveway to the parking lot at Sunfish Lake Park. This is not a public street.

The driveway is currently topped with gravel. The Public Works Foreman would like to pave this driveway in the future, but recommends waiting to see how it performs under the loads from larger trucks.

A driveway from the public works site to the water tower will be necessary.

Septic System

A new septic system is planned to serve the building. The set aside area is large enough for both an initial system and a backup system. The soils atlas shows sandy loam soils at this site, which are acceptable for a drain field. An actual site evaluation will be done by the building contractor. All septic system work will be done according to City code.

Drinking Water

The site will draw drinking water from the watermain that serves the proposed water tower.

Surface Water

All surface water from the impervious surfaces at the Public Works site will be infiltrated to reduce the impact to Sunfish Lake Park. The infiltration basins have sufficient volume to contain a 100-year event prior to overtopping.

Soils under the infiltration basins are sandy loam and have a good infiltration capacity. Deep rooted native plantings will be used to help promote infiltration within the basins.

RECEIVED
MAR 09 2005

March 11, 2005

Mr. Chuck Dillerud
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042



Re: 11051 Stillwater Boulevard Addition

Dear Mr. Dillerud:

Thank you for submitting the information regarding the proposed addition at 11051 Stillwater Boulevard. On behalf of the Valley Branch Watershed District (VBWD), I have reviewed the information and this letter provides my preliminary comments. Because the project will require a VBWD permit, I will review the project more thoroughly once a VBWD permit application is submitted.

Background

The project site lies within the Downs Lake watershed. Downs Lake is relatively small, with a surface area of approximately 35 acres compared to its large tributary watershed of about 2,400 acres. Before ultimately draining to Downs Lake, the site drains to a channel that conveys runoff through the village to a low area around Lion's Park.

Water Quality

Downs Lake is shallow and has poor water quality. The lake's average summertime Secchi disc transparencies are usually less than 3 feet, and the average summertime total phosphorus and chlorophyll a concentrations are typically quite high.

Water Quantity

Downs Lake has a high overflow, and there are two homes within the 100-year floodplain of Downs Lake. Over the winter of 2002-2003, the VBWD constructed a project that will draw floodwaters down faster after a flood, but the project will not prevent flooding. As development in the Downs Lake watershed continues, more impervious area will be created, which will cause the volume of stormwater runoff to increase unless infiltration techniques are incorporated into the development. Increases in the stormwater runoff volumes reaching Downs Lake will likely increase the "normal" water level of Downs Lake and the chances of flooding.

Proposed Project

The proposed project involves adding about 4,000 square feet to the existing building and reconstructing the parking lot. More than 6,000 square feet of new impervious surfaces are proposed, and therefore, a VBWD permit is required.

Low Impact Development Techniques

Reducing impervious surfaces and encouraging infiltration practices will protect Downs Lake (and all water bodies) from negative water quantity and quality impacts. The VBWD does not currently require that low impact techniques be incorporated into developments, but



DAVID BUCHECK LINCOLN FETTER DONALD SCHEEL DALE BORASH DUANE JOHNSON

VALLEY BRANCH WATERSHED DISTRICT
P.O. BOX 838

www.vbwd.org
LAKE ELMO, MINNESOTA 55042-0538

because the site drains to the existing floodprone area within the Old Village and eventually to Downs Lake, incorporating low impact development techniques into the site design is strongly encouraged.

Some low impact development techniques are being incorporated into the site. It appears that the amount of proposed imperviousness has been limited by only proposing the minimum number of parking stalls required by the City, by constructing each parking stall at a 90-degree angle to the driving isle, by limiting stall dimensions to 9 feet by 18 feet, and by minimizing the width of the accesses to the parking lot to 18 feet. An infiltration basin is being proposed.

Additional practices that would encourage more infiltration on this site include:

- Constructing the site so that compaction in pervious areas is prevented
- Requiring loosening of soils to a depth of 24 inches to a maximum compaction of 85% standard proctor density and tilling the upper 10 inches of soils prior to planting
- Directing roof drains to pervious areas
- Using pervious areas for snow storage
- Planting trees that at maturity will canopy over at least 50% of the impervious surfaces
- Planting deep-rooted trees, shrubs, wildflowers, and grasses in at least 25% of the project's green space

Peak Discharge Rates

Hydrologic modeling information was submitted, but more details and supporting documentation needs to be submitted. The applicant appears to be depending on infiltration to control the discharge rates leaving the site. The infiltration rate assumed is 1 inch per hour, which is high. A slower infiltration rate should be used and/or supporting documentation that justifies that this rate will be sustainable needs to be submitted.

Water Quality Treatment

The standard stormwater management pond is not being proposed. If the infiltration basin functions as assumed, it will provide runoff treatment. The VBWD requires skimming devices from parking lot runoff. Pretreatment of runoff prior to it entering the infiltration basin would greatly increase the time between needed maintenance.

Minimum Floor Elevations

The proposed minimum floor elevations appear to be at least two feet above the 100-year flood level of the infiltration pond.

The City has recently completed modeling of the channel adjacent to this site. The 100-year flood level of the channel should be compared to the proposed floor elevations.

Erosion

A temporary rock construction entrance and silt fence are shown on the plans. The stability of the riprap parking lot overflow needs to be reviewed. The outlet of the proposed infiltration basin should be stabilized. If the flow velocities are small and if the flows can be spread out, the erosion potential could be reduced.

Wetland Issues

The applicant will need to submit a wetland delineation report or proof that no wetlands exist on the site. The VBWD is the Local Government Unit responsible for administering the Wetland

Conservation Act. The developer will need to follow all of the rules and regulations of the Wetland Conservation Act, and submit all of the necessary documentation. The VBWD will then review the information, forward the information to the appropriate agencies for comments, and ensure the proposal conforms to the Wetland Conservation Act and other VBWD wetland rules and regulations.

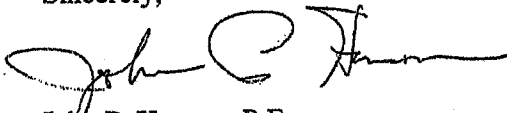
Permit Requirements

The proposed project will require a permit from the VBWD. The landowner should submit a complete permit application packet to me. Permit application material can be obtained from the VBWD's website, www.vbwd.org, or from me. Once a complete VBWD permit application is submitted, I will review the project for conformance to the VBWD's rules and regulations, including:

- Stormwater rates
- Water quality treatment
- Flood levels and minimum floor elevations
- Wetland delineations and protection
- Erosion controls
- Potential downstream impacts

If you have any questions, please contact me at 952-832-2622.

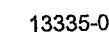
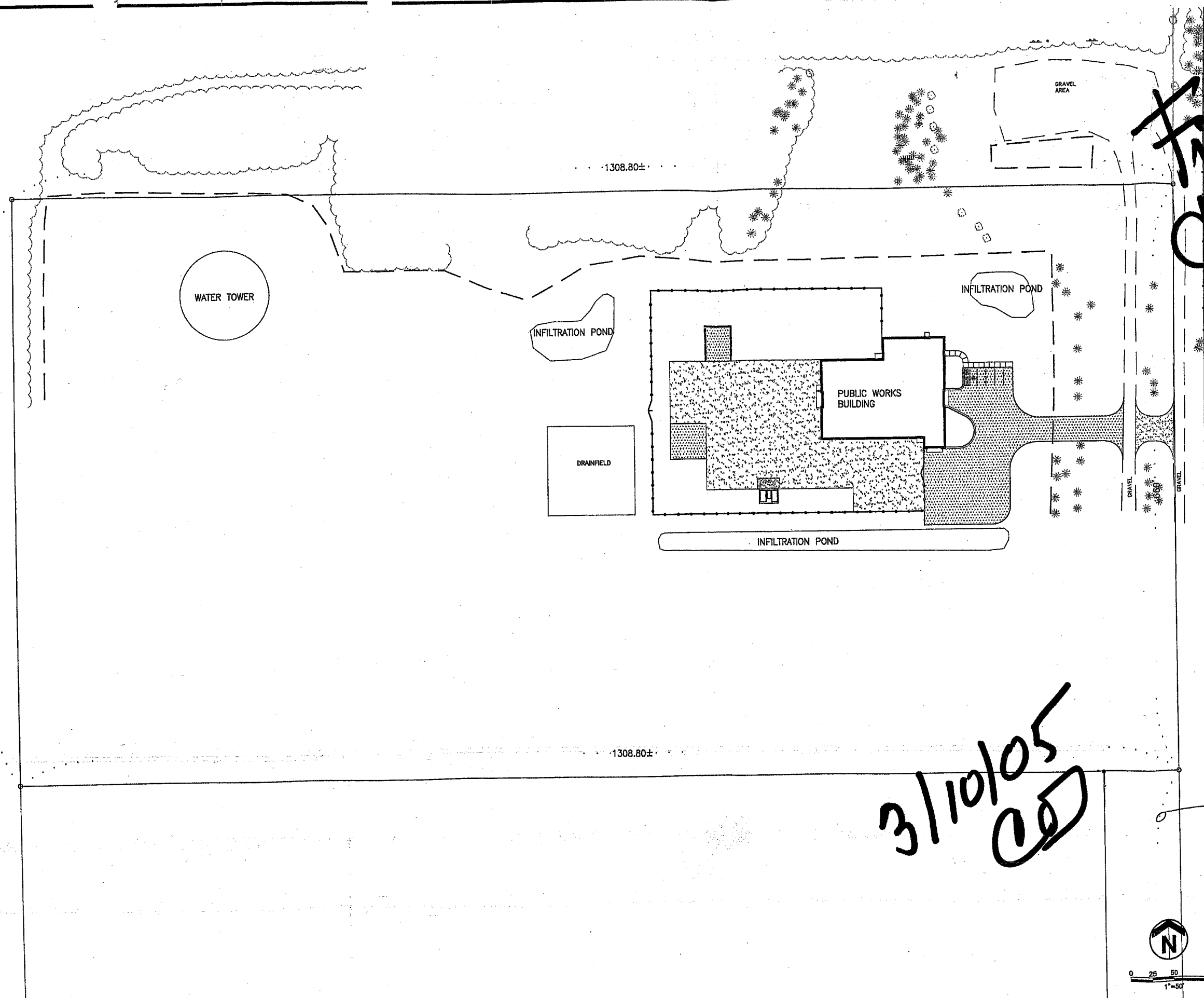
Sincerely,



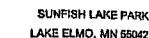
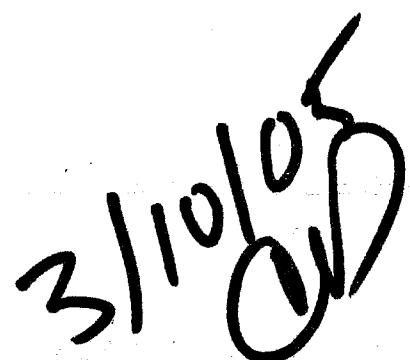
John P. Hanson, P.E.
BARR ENGINEERING COMPANY
Engineers for the District

- c: David Bucheck, VBWD President (via e-mail)
Michael Murphy, Larson Engineering of Minnesota, 3524 Labore Road, White Bear Lake,
MN 55110 (via mail)
Tom Prew, TKDA, City Engineer (via e-mail)

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

SIGNATURE: *Richard L. Gray*
 PRINTED NAME: RICHARD L. GRAY
 LIC. NO.: 16346 DATE: 3/7/82

ENGINEERS • ARCHITECTS • PLANNERS

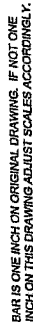
1500 Piper Jeffrey Plaza 444 Cedar Street St. Paul, MN 55101-2140 (651) 292-4400

DESIGNED	RLG	DRAWN	DMM	CHECKED	RLG
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SITE PLAN

L2.1

13335-01



SUNFISH LAKE PARK
LAKE ELMO, MN 55042

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

SIGNATURE: [Signature]
PRINTED NAME: RICHARD L. GRAY
LIC. NO.: 18346 DATE: 3/9/05

ENGINEERS • ARCHITECTS • PLANNERS

1800 Piper Jaffray Plaza 444 Cedar Street St. Paul, MN 55101-2140
www.wildaporn.com

DESIGNED	DRAWN	CHECKED
RLG	DMM	RLG

GRADING & UTILITY
PLAN

L2.2

13335-01

EROSION AND SEDIMENT CONTROL NOTES:

EROSION AND SEDIMENT CONTROL NOTES:
THE CONTRACTOR SHALL SEQUENCE THEIR WORK AS FOLLOWS:

1. THE CONTRACTOR SHALL SEQUENCE THEIR WORK AS FOLLOWS:
1. INSTALL SILT FENCE AROUND PERIMETER OF ENTIRE SITE PRIOR TO GRADING OPERATIONS. MAINTAIN THROUGHOUT CONSTRUCTION.
2. INSTALL ROCK CONSTRUCTION ENTRANCES.
3. CONSTRUCT TEMPORARY SEDIMENTATION BASINS UPSTREAM OF PERMANENT INFILTRATION BASINS AND SEED/MULCH W/ TEMPORARY EROSION CONTROL SEEDING.
4. CONSTRUCT PERMANENT INFILTRATION BASINS SED AND SECURE WITH EROSION CONTROL BLANKET. INSTALL SILT FENCE AROUND INFILTRATION BASINS AND AT STORM SEWER INLETS/OUTLETS TO PROTECT INFILTRATION BASINS FROM SILTATION DURING CONSTRUCTION.
5. PERFORM GRADING OPERATIONS. PROVIDE TEMPORARY EROSION AND SEDIMENT CONTROL FOR STOCKPILE AREAS DURING CONSTRUCTION.
6. PROVIDE TEMPORARY COVER SEEDING ON ANY AREAS NOT WORKED FOR 21 DAYS ON FLATTER THAN 10:1 SLOPES, 14 DAYS ON 10:1 TO 3:1 SLOPES, AND 7 DAYS ON STEEPER THAN 3:1 SLOPES.
7. COMPLETE GRADING OPERATIONS.
8. GRADE TEMPORARY SEDIMENTATION BASIN AREAS TO FINAL GRADE.
9. INSTALL PERMANENT EROSION CONTROL (SODDING, SEEDING, MULCHING, EROSION CONTROL BLANKET, ETC.) ON ALL AREAS NOT ALREADY COMPLETED WITH FINAL TURF ESTABLISHMENT.
10. REMOVE SILT FENCE AND ROCK CONSTRUCTION ENTRANCES AFTER TURF IS ESTABLISHED.

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CITY OF
LAKE ELMO

SUNFISH LAKE PARK
LAKE ELMO, MN 55042


PUBLIC WORKS FACILITY

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

SIGNATURE: 
PRINTED NAME: RICHARD L. GRAY
LIC. NO.: 16346 DATE: 2/7/0

TKDA
ENGINEERS • ARCHITECTS • PLANNERS

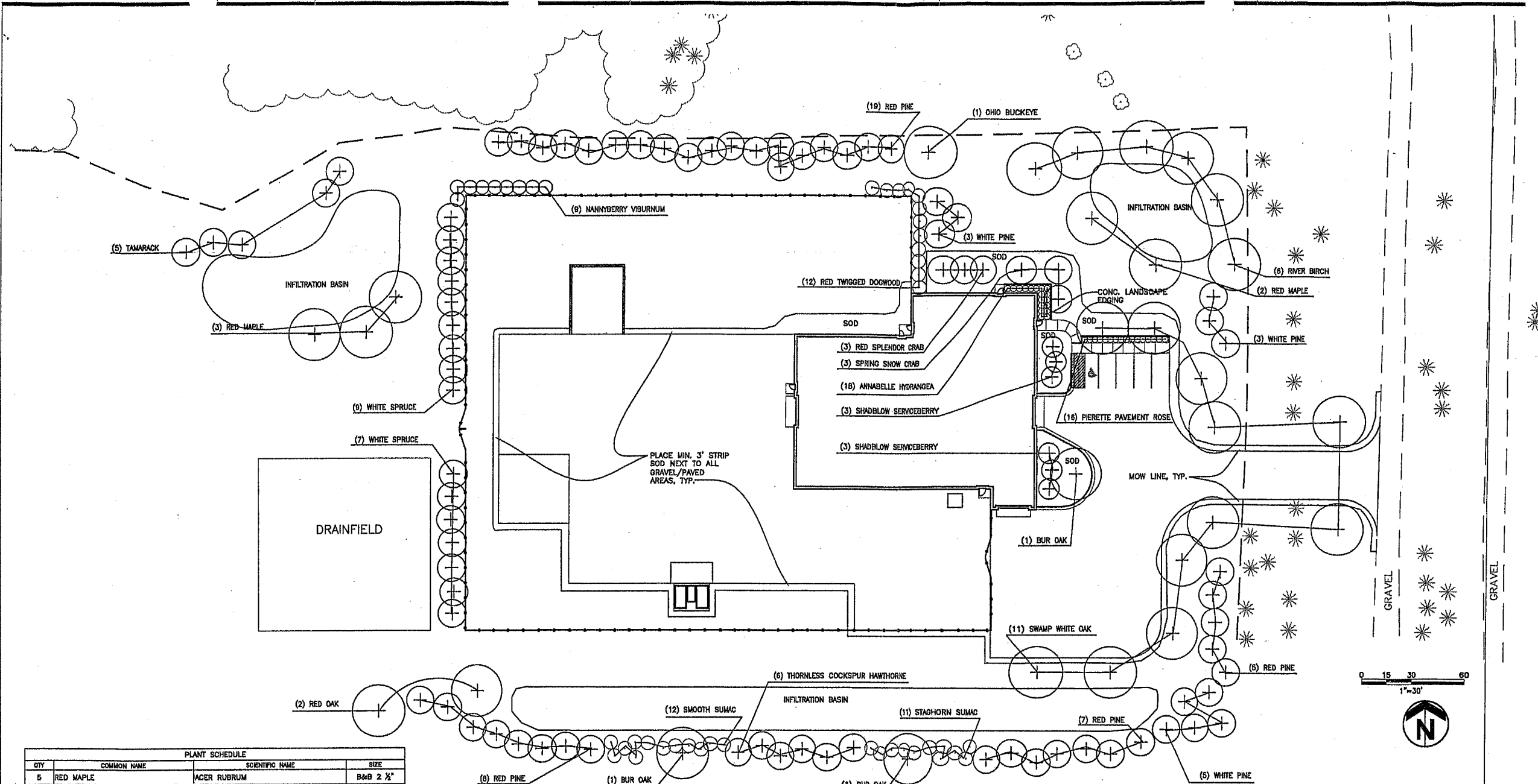
1500 Piper Jaffray Plaza 444 Cedar Street St Paul, MN 55101-2140
www.waldbro.com (851) 292-4400
(851) 292-0083 Fax

DESIGNED	RIC	DRAWN	DMM	CHECKED	RIC
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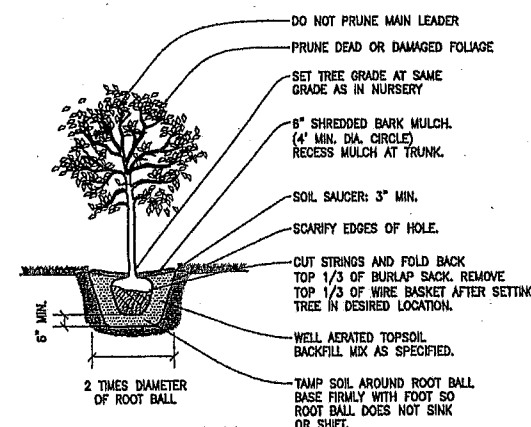
LANDSCAPE
PLAN

L2.3

13335-01

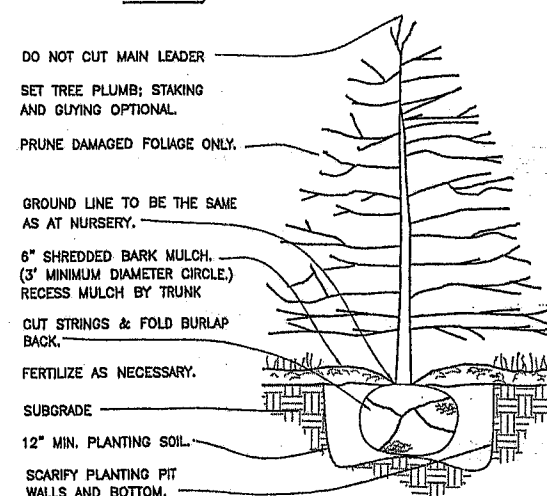


QTY	COMMON NAME	SCIENTIFIC NAME	SIZE
5	RED MAPLE	ACER RUBRUM	B&B 2 1/2"
1	OHIO BUCKEYE	AESCULUS GLABRACELTIS OCCIDENTALIS	B&B 2 1/2"
6	RIVER BIRCH	BETULA NIGRA	B&B 2"
5	TAMARACK	LARIX LARICINA	B&B 6'
11	SWAMP WHITE OAK	QUERCUS BICOLOR	B&B 2 1/2"
3	BUR OAK	QUERCUS MACROCARPA	B&B 2 1/2"
2	RED OAK	QUERCUS RUBRA	B&B 2 1/2"
6	SHADBLow SERVICEBERRY	AMELANCHER CANADENSIS	B&B 6'
6	THORNLESS COCKSPUR HAWTHORN	CRATAEGUS CRUS-CALLI VAR. INERMIS	B&B 2"
3	RED SPLENDOR CRAB	MALUS 'RED SPLENDOR'	B&B 2"
3	SPRING SNOW CRAB	MALUS 'SPRING SNOW'	B&B 2"
18	ANNABELLE HYDRANGEA	HYDRANGEA ARBORESCENS 'ANNABELLE'	POT 18"
16	PIERETTE PAVEMENT ROSE	ROSA 'PIERETTE PAVEMENT'	POT 18"
12	RED TWIGGED DOGWOOD	CORNUS SERICEA 'BAILEY'	POT 24"
9	NANNYBERRY VIBURNUM	VIBURNUM LENTAGO	POT 24"
12	SMOOTH SUMAC	RHUS GLABRA	POT 24"
11	STAGHORN SUMAC	RHUS TYPHINA	POT 24"
11	WHITE PINE	PINUS STROBUS	B&B 6'
20	RED PINE	PINUS RESINOSA	B&B 6'
16	WHITE SPRUCE	PICEA GLAUCA	B&B 6'



NOTE:
1. DO NOT ALLOW AIR POCKETS TO FORM WHEN BACK FILLING.
2. DO NOT HEAVILY PRUNE THE TREE AT PLANTING.
SEE SPECIFICATIONS.

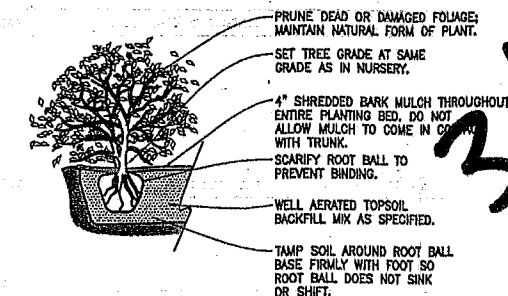
1 TYPICAL DECIDUOUS TREE DETAIL



NOTES:

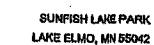
1. PLACE 6" TOPSOIL ON ALL DISTURBED AREAS EXCEPT IN INFILTRATION BASINS.
2. PLACE SOD WHERE SHOWN ON PLANS AND IN 3' WIDE MINIMUM STRIP AROUND ALL GRAV & PAVED AREAS.
3. SEED INFILTRATION BASINS WITH MNDOT SPEC 3876, MIXTURE 25B, SECURE WITH MNDOT SPEC 3885, EROSION CONTROL BLANKET, CATEGORY 2, STRAWIS.
4. SEED ALL OTHER AREAS WITH MNDOT SPEC 3876, MIXTURE 30B-WF.

2 TYPICAL CONIFEROUS TREE DETAIL



NOTE:
1. DO NOT ALLOW AIR POCKETS TO FORM WHEN BACK FILLING.
2. DO NOT HEAVILY PRUNE AT PLANTING.
SEE SPECIFICATIONS.

3 TYPICAL SHRUB DETAIL



MAY 1965

NO.	DATE	ISSUE RECORD
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LICENSED ARCHITECT UNDER THE LAWS OF THE STATE
OF MINNESOTA

SIGNATURE: _____
PRINTED NAME: THERESA M. OLSEN
LIC. NO.: 40783 DATE: _____

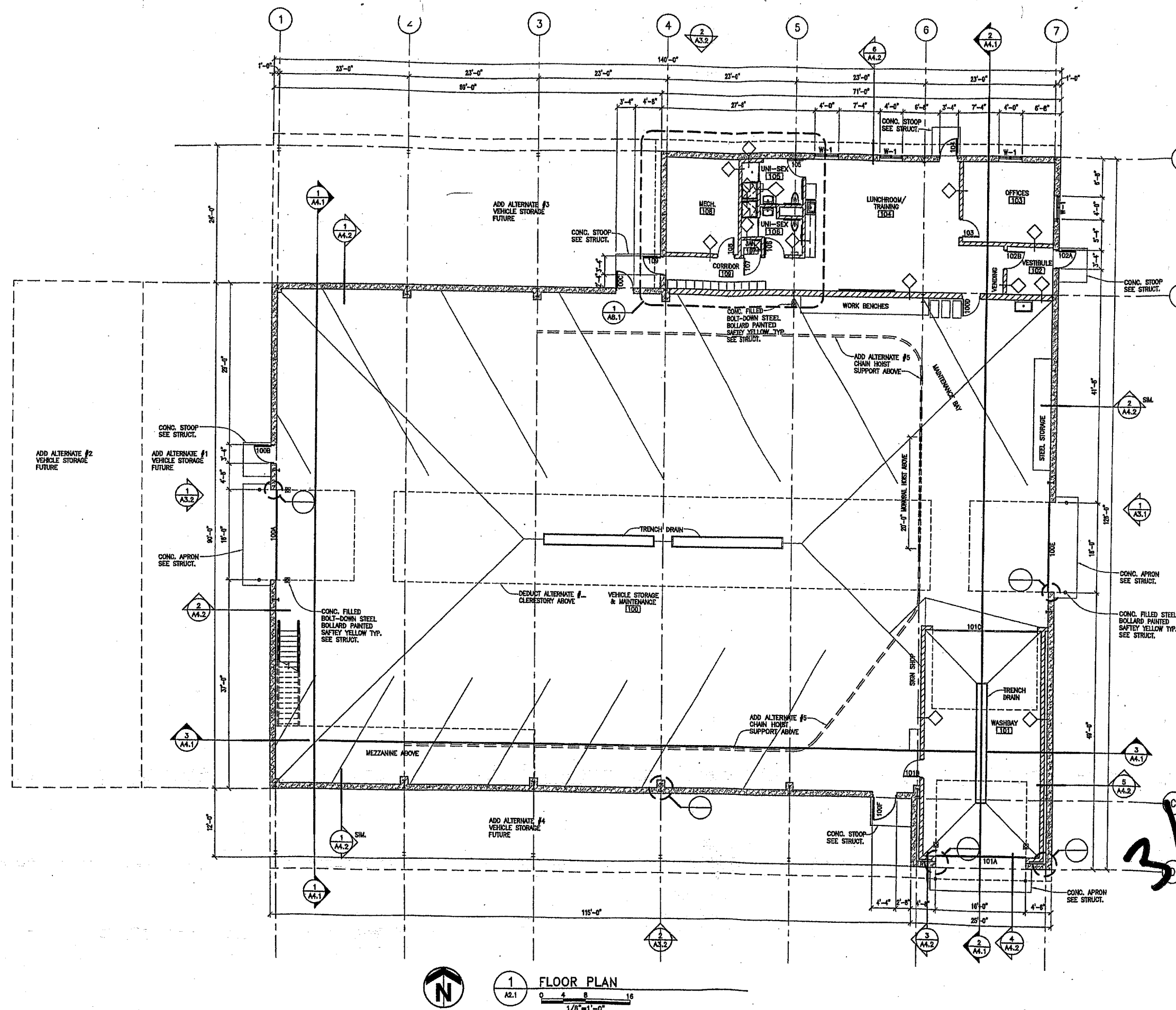
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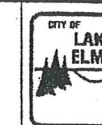
1500 Piper-Jeffrey Plaza 444 Corder Street St. Paul, MN 55101-2142
 www.jhfa.com (612) 292-4400

DESIGNED	DRAWN	CHECKED
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FLOOR PLAN

13335-01





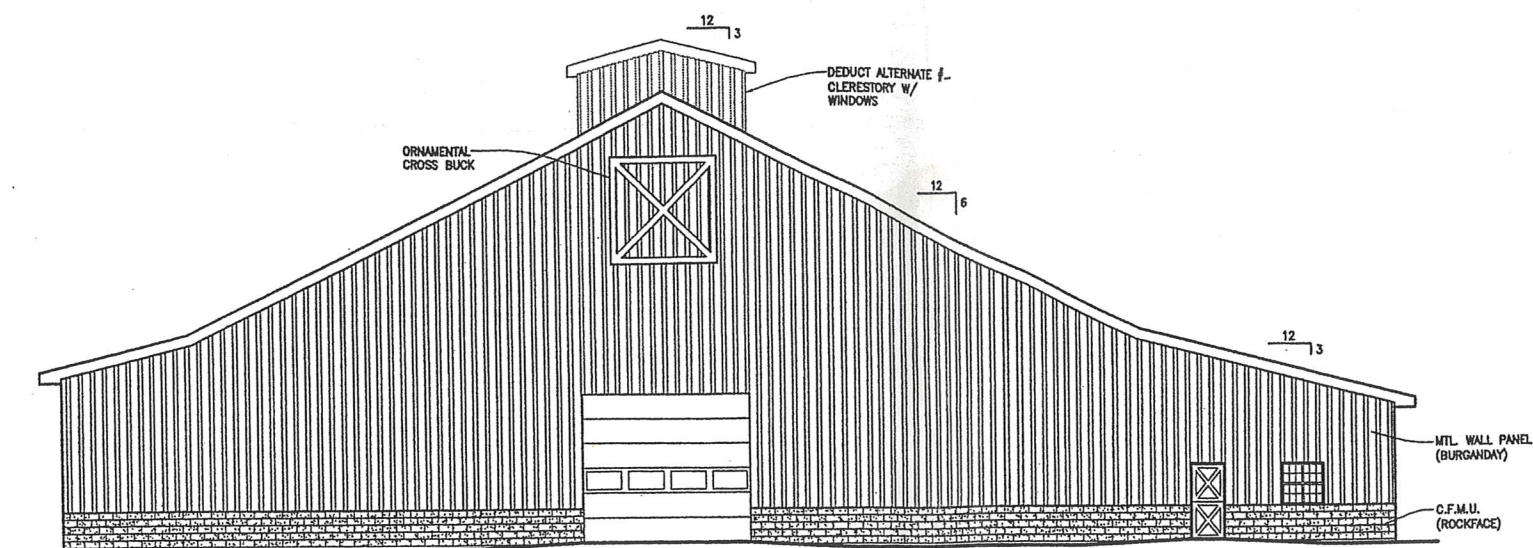
CITY OF
LAKE ELMO

SUNFISH LAKE PARK
LAKE ELMO, MN 55042

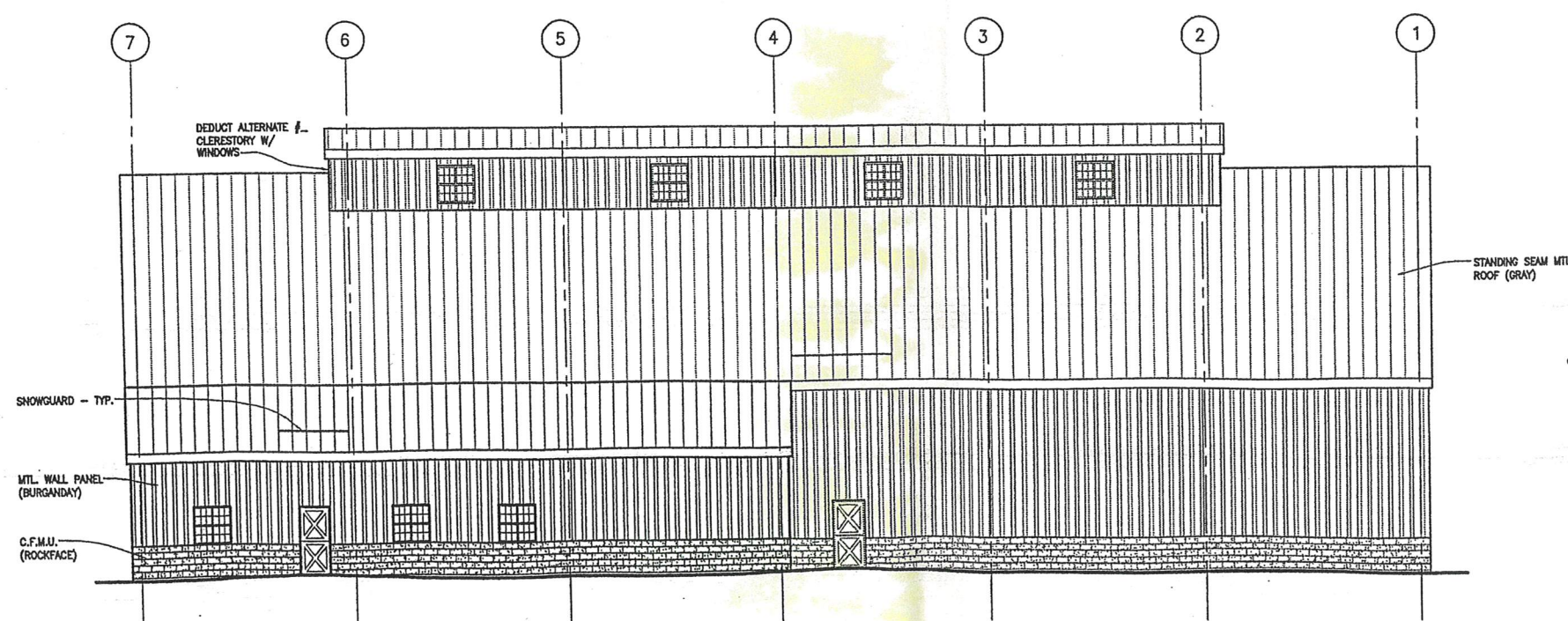
PUBLIC WORKS
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MEET



1 EAST ELEVATION
A3.1
0 4 8 16
1/8" = 1'-0"



2 NORTH ELEVATION
A3.1 0 4 8 16
 $1/8" = 1' - 0"$

DESIGN DEVELOPMENT

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OF MINNESOTA

SIGNATURE: _____
 PRINTED NAME: THERESA M. OLSEN
 LIC. NO.: 40793 DATE: _____

TKDA

ENGINEERS • ARCHITECTS • PLANNERS

DESIGNED	DRAWN	CHECKED
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BASE BID
EXTERIOR ELEVATIONS

A3.1

13335-01

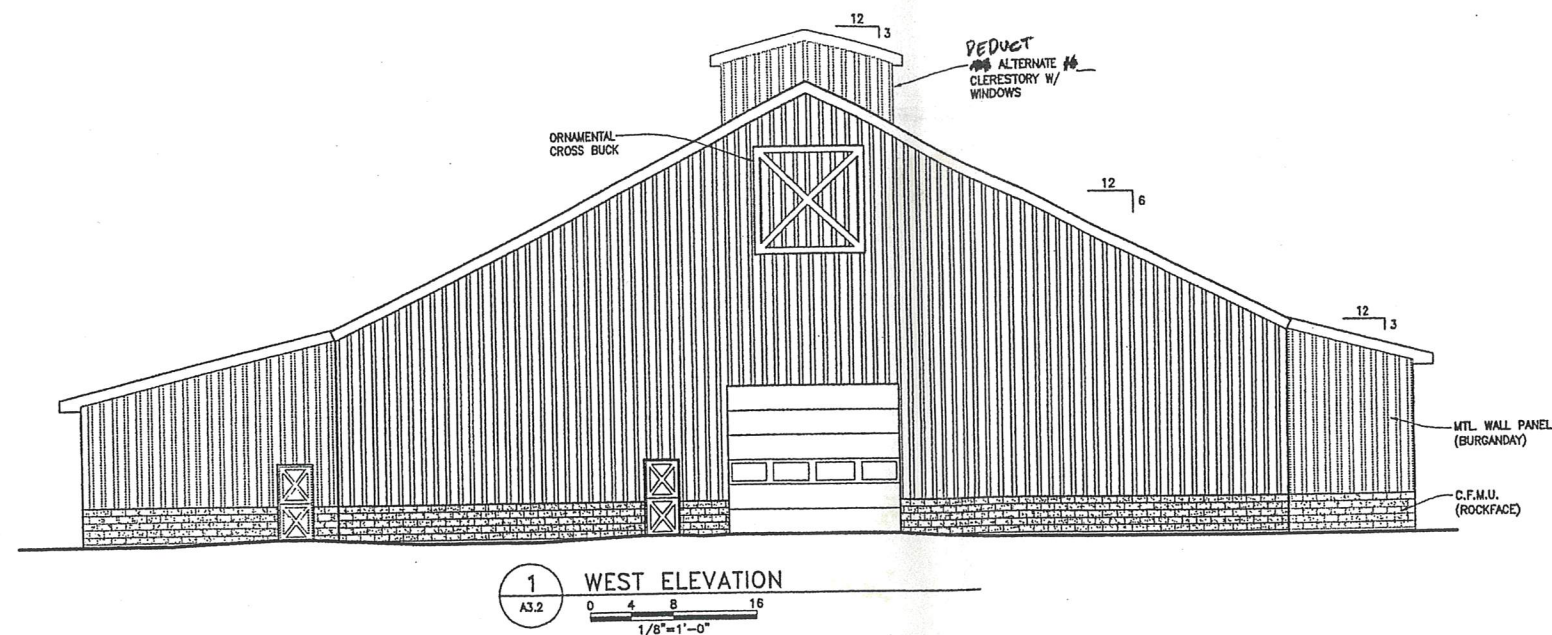
CITY OF
LAKE ELMO

SUNFISH LAKE PARK
LAKE ELMO, MN 55041

PUBLIC WORKS FACILITY

RECEIVED

MAR 09 2005



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SIGNATURE: _____
PRINTED NAME: THERESA M. OLSEN
LIC. NO.: 40793 DATE: .

TKDA

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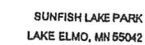
1500 Piper Jaffray Plaza 444 Cedar Street St. Paul, MN 55101-2140
651.292-4400 651.292-0083 Fax

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BASE BID
EXTERIOR ELEVATIONS

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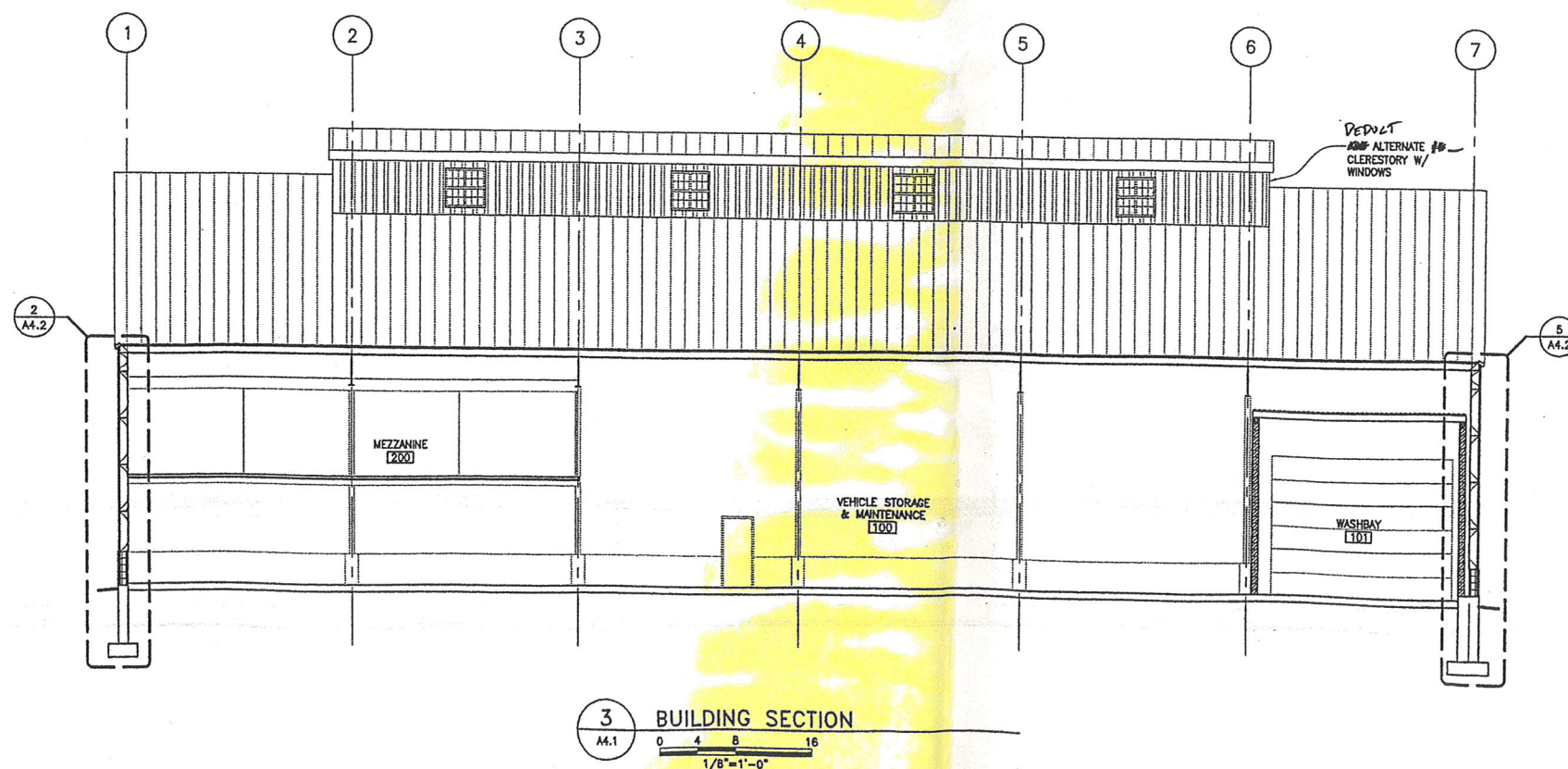
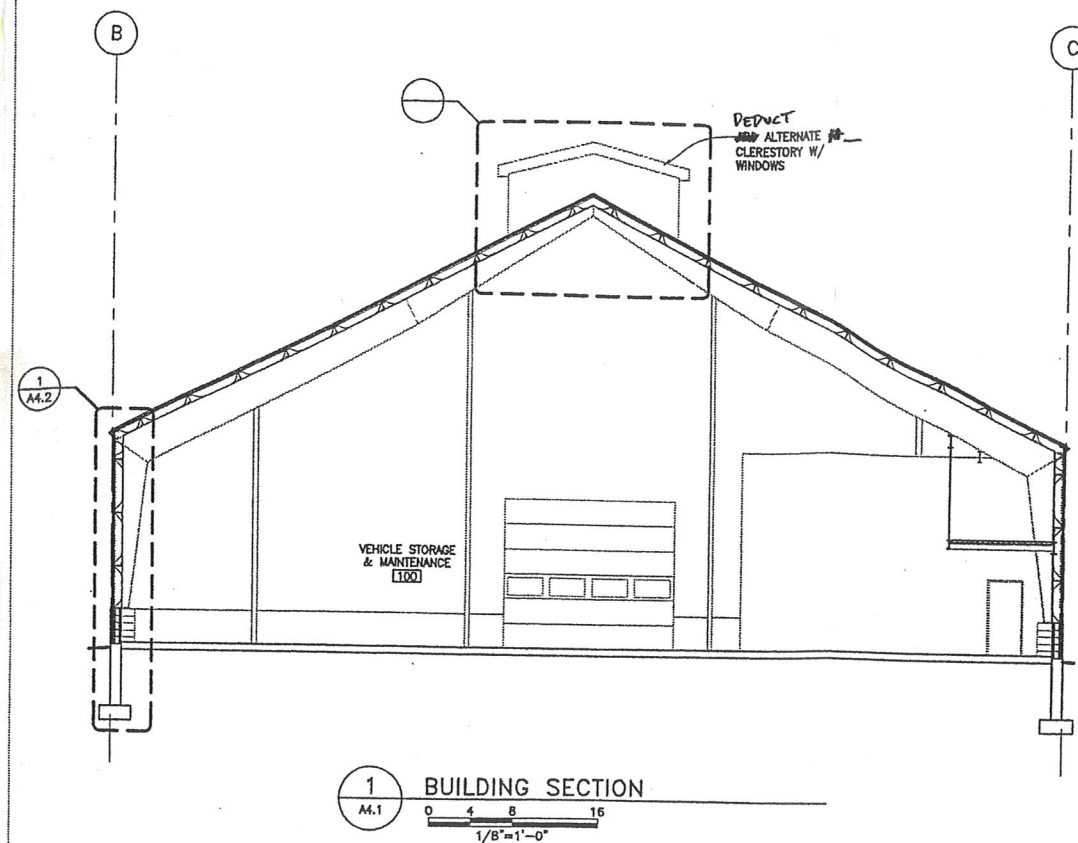
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13335-01



3/10/05

<p>Lake Elmo City Council April 5, 2005</p>	<p>Agenda Section: CITY ENGINEER'S REPORT</p>	<p><u>No 8C.</u></p>
<p><u>Agenda Item:</u> Resolution Awarding Bid for Phase I of the Water System Interconnect Project</p>		
<p><u>Background Information for April 5, 2005:</u> In his letter dated March 24, 2005, the City Engineer reported bids were opened on February 18, 2005 for this project.</p> <p>The City Engineer recommends awarding the contract to the lowest bidder, Chris Riley Utilities, Inc, for their bid of \$348,626.18.</p>		
<p><u>Action Items:</u> Motion: _____, Second _____, to adopt Resolution No. 2005-_____, 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.</p>	<p><u>Person responsible:</u> T.Prew</p>	
<p><u>Attachments:</u> Letter from Tom Prew dated March 24, 2005 Resolution 2005 Award Bid</p>		

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-

A RESOLUTION AWARDING THE BID FOR PHASE I OF THE
WATER SYSTEM INTERCONNECT PROJECT

WHEREAS, pursuant to an advertisement for bids for the Phase I Water Systems Interconnect Project, bids were received, opened and tabulated according to law, and the attached bids were received complying with the advertisement:

<u>Low Bidder</u>	<u>Total Amount</u>
Chris Riley Utilities, Inc	<u>of Alternate Bid</u>
	\$348,626.18

AND WHEREAS, Chris Riley Utilities, Inc. is the lowest responsible bidder.

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

1. The Mayor and Clerk are hereby authorized and directed to enter into a contract with Chris Riley Utilities in the name of the City of Lake Elmo for Phase I of the Water System Interconnect Project, according to the plans and specifications therefore approved by the City Council and on file in the office of the City Clerk.
2. The City Clerk is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

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

Dean Johnston, Mayor

ATTEST:

Martin Rafferty, City Administrator

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

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

March 24, 2005

Honorable Mayor and City Council
City of Lake Elmo, Minnesota

Re: Award Bid
Water Systems Interconnect Phase I
City of Lake Elmo, Minnesota
TKDA Commission No. 13186.000.002

Dear Mayor and City Council:

Bids were opened on February 18, 2005 for Phase I of the Water System Interconnect Project.

There was a base bid and an alternate bid was received. The base bid was to install standard ductile iron pipe (DIP) with open cut methods. The alternate bid was to install high density polyethylene pipe (HDPE) by directional drilling it into place. Directional drilling allows us to install the pipe with very little surface disturbance. Both methods are acceptable for this portion of the project. We bid this project two ways in order for the City to receive the best price for the work.

The low bidder, Chris Riley Utilities has supplied references, which have been checked. They would install the HDPE pipe by directional drilling. Their bid is well under our estimate for this phase of the project.

The single easement we need has been acquired.

City Council Action Requested

Approve the enclosed Resolution awarding the bid to Chris Riley Utilities in the amount of \$348,626.18.00

Sincerely;



Thomas Prew, P. E.
City Engineer

TDP:arw
Enclosure

TABULATION OF BIDS - BY LOWEST PRICE

WATER SYSTEM INTERCONNECT - PHASE I
CITY OF LAKE ELMO, MINNESOTA
TKDA PROJECT NO. 13186.000

BIDS OPENED: FEBRUARY 18, 2005, AT 10:00 AM
*DENOTES ERROR IN BIDDERS CALCULATION



ITEM NO.	DESCRIPTION	ENGINEER'S ESTIMATE			CHRIS RILEY UTILITIES			RICHARD KNUXTSON			ELLINGSON DRAINAGE		
		QUANTITY	UNIT	PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT		
BASE BID													
1	MOBILIZATION	1	LS	\$ 20,000.00	\$ 20,000.00		\$ -	\$ 9,300.00	\$ 9,300.00		\$ -		
2	TRAFFIC CONTROL	1	LS	\$ 5,000.00	\$ 5,000.00		\$ -	\$ 2,000.00	\$ 2,000.00		\$ -		
3	CLEAR TREE AND GRUB STUMP	7	EA	\$ 500.00	\$ 3,500.00		\$ -	\$ 500.00	\$ 3,500.00		\$ -		
4	REMOVE & DISPOSE OF BIT. PAVEMENT	572	SY	\$ 3.50	\$ 2,002.00		\$ -	\$ 2.50	\$ 1,430.00		\$ -		
5	SAW CUT BIT. PAVEMENT	370	LF	\$ 3.00	\$ 1,110.00		\$ -	\$ 5.00	\$ 1,850.00		\$ -		
6	PATCH BIT ROADWAY 4" THICK	572	SY	\$ 25.00	\$ 14,300.00		\$ -	\$ 20.60	\$ 11,783.20		\$ -		
7	REMOVE & REPLACE CMP CULVERT	175	LF	\$ 20.00	\$ 3,500.00		\$ -	\$ 24.25	\$ 4,243.75		\$ -		
8	REMOVE & REPLACE CMP FES	4	LF	\$ 200.00	\$ 800.00		\$ -	\$ 375.00	\$ 1,500.00		\$ -		
9	SEEDING, INCL. SEED, FERTILIZER & WOOD FIBER BLANKET	16,500	SY	\$ 3.00	\$ 49,500.00		\$ -	\$ 1.20	\$ 19,800.00		\$ -		
10	SODDING TYPE LAWN	1,633	SY	\$ 4.00	\$ 6,532.00		\$ -	\$ 2.75	\$ 4,490.75		\$ -		
11	CL-5 FOR DRIVEWAY 6" DEPTH	493	TN	\$ 11.00	\$ 5,423.00		\$ -	\$ 12.75	\$ 6,285.75		\$ -		
12	BIT. PAVEMENT FOR DRIVEWAY 2" DEPTH	154	TN	\$ 35.00	\$ 5,390.00		\$ -	\$ 42.50	\$ 6,545.00		\$ -		
13	CONNECT TO EXIST. WATERMAIN	1	EA	\$ 2,000.00	\$ 2,000.00		\$ -	\$ 1,500.00	\$ 1,500.00		\$ -		
14	6" DIP CL-52 WATERMAIN	42	LF	\$ 25.00	\$ 1,050.00		\$ -	\$ 32.50	\$ 1,365.00		\$ -		
15	8" DIP CL-50 WATERMAIN	15	LF	\$ 30.00	\$ 450.00		\$ -	\$ 41.50	\$ 622.50		\$ -		
16	16" DIP CL-50 WATERMAIN	6,649	LF	\$ 40.00	\$ 265,960.00		\$ -	\$ 38.10	\$ 253,326.90		\$ -		
17	6" RES. SEAT GATE VALVE & BOX	6	EA	\$ 700.00	\$ 4,200.00		\$ -	\$ 628.00	\$ 3,768.00		\$ -		
18	8" RES. SEAT GATE VALVE & BOX	1	EA	\$ 900.00	\$ 900.00		\$ -	\$ 861.00	\$ 861.00		\$ -		
19	16" BUTTERFLY VALVE & BOX	4	EA	\$ 2,000.00	\$ 8,000.00		\$ -	\$ 1,991.00	\$ 7,964.00		\$ -		
20	6" HYDRANT (7'-6" BURY)	6	EA	\$ 2,000.00	\$ 12,000.00		\$ -	\$ 2,016.00	\$ 12,096.00		\$ -		
21	MJ DIP COMPACT FITTINGS	4,109	LB	\$ 4.00	\$ 16,436.00		\$ -	\$ 4.00	\$ 16,436.00		\$ -		
	TOTAL BASE BID				\$ 428,053.00		\$ -	\$	\$ 370,667.85		\$ -		
ALTERNATE BID													
1	MOBILIZATION	1	LS	\$ 20,000.00	\$ 20,000.00	\$ 15,000.00	\$ 15,000.00	\$ 14,800.00	\$ 14,800.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
2	REMOVE & DISPOSE OF BIT. PAVEMENT	210	SY	\$ 3.50	\$ 735.00	\$ 5.00	\$ 1,050.00	\$ 2.50	\$ 525.00	\$ 2.38	\$ 499.80	\$ 499.80	\$ 499.80
3	SAW CUT BIT. PAVEMENT	75	LF	\$ 3.00	\$ 225.00	\$ 1.00	\$ 75.00	\$ 5.00	\$ 375.00	\$ 3.00	\$ 225.00	\$ 225.00	\$ 225.00
4	PATCH BIT. PAVEMENT 4" THICK	210	SY	\$ 25.00	\$ 5,250.00	\$ 18.00	\$ 3,780.00	\$ 8.00	\$ 1,680.00	\$ 7.00	\$ 1,470.00	\$ 1,470.00	\$ 1,470.00
5	REMOVE & REPLACE CMP CULVERT	70	LF	\$ 20.00	\$ 1,400.00	\$ 12.00	\$ 840.00	\$ 24.25	\$ 1,697.50	\$ 5.00	\$ 350.00	\$ 350.00	\$ 350.00
6	SEEDING, INCL. SEED, FERTILIZER & WOOD FIBER BLANKET	900	SY	\$ 3.00	\$ 2,700.00	\$ 1.50	\$ 1,350.00	\$ 5.95	\$ 5,355.00	\$ 2.35	\$ 2,115.00	\$ 2,115.00	\$ 2,115.00
7	SODDING TYPE LAWN	200	SY	\$ 4.00	\$ 800.00	\$ 2.50	\$ 500.00	\$ 11.28	\$ 2,256.00	\$ 4.00	\$ 800.00	\$ 800.00	\$ 800.00
8	CL-5	30	TN	\$ 11.00	\$ 330.00	\$ 9.00	\$ 270.00	\$ 18.75	\$ 562.50	\$ 25.00	\$ 750.00	\$ 750.00	\$ 750.00
9	BIT. PAVEMENT FOR DRIVEWAY 2" DEPTH	154	TN	\$ 35.00	\$ 5,390.00	\$ 50.00	\$ 7,700.00	\$ 42.50	\$ 6,545.00	\$ 50.00	\$ 7,700.00	\$ 7,700.00	\$ 7,700.00
10	CONNECT TO EXIST. WATERMAIN	1	EA	\$ 2,000.00	\$ 2,000.00	\$ 1,200.00	\$ 1,200.00	\$ 1,500.00	\$ 1,500.00	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00
11	6" DIP CL-52 WATERMAIN	42	LF	\$ 25.00	\$ 1,050.00	\$ 33.82	\$ 1,420.44	\$ 32.50	\$ 1,365.00	\$ 28.00	\$ 1,176.00	\$ 1,176.00	\$ 1,176.00
12	8" DIP CL-50 WATERMAIN	15	LF	\$ 30.00	\$ 450.00	\$ 45.86	\$ 687.90	\$ 41.50	\$ 622.50	\$ 29.50	\$ 442.50	\$ 442.50	\$ 442.50
13	DIR. DRILL 16" (DIP) HDPE DR 17	6,649	LF	\$ 55.00	\$ 365,695.00	\$ 40.48	\$ 269,151.52	\$ 67.00	\$ 445,483.00	\$ 44.25	\$ 294,218.25	\$ 294,218.25	\$ 294,218.25
14	6" RES. SEAT GATE VALVE & BOX	6	EA	\$ 700.00	\$ 4,200.00	\$ 888.42	\$ 5,330.52	\$ 2,078.00	\$ 12,468.00	\$ 750.00	\$ 4,500.00	\$ 4,500.00	\$ 4,500.00
15	8" RES. SEAT GATE VALVE & BOX	1	EA	\$ 900.00	\$ 900.00	\$ 1,179.32	\$ 1,179.32	\$ 2,286.00	\$ 2,286.00	\$ 960.00	\$ 960.00	\$ 960.00	\$ 960.00
16	16" BUTTERFLY VALVE & BOX	4	EA	\$ 2,000.00	\$ 8,000.00	\$ 2,610.91	\$ 10,443.64	\$ 3,341.00	\$ 13,364.00	\$ 6,150.00	\$ 24,600.00	\$ 24,600.00	\$ 24,600.00
17	6" HYDRANT (7'-6" BURY)	6	EA	\$ 2,000.00	\$ 12,000.00	\$ 2,720.14	\$ 16,320.84	\$ 3,266.00	\$ 19,596.00	\$ 3,000.00	\$ 18,000.00	\$ 18,000.00	\$ 18,000.00
18	MJ DIP COMPACT FITTINGS	4,109	LB	\$ 4.00	\$ 16,436.00	\$ 3.00	\$ 12,327.00	\$ 4.00	\$ 16,436.00	\$ 3.75	\$ 15,408.75	\$ 15,408.75	\$ 15,408.75
19	TYPE LV-3 BIT. NON-WEAR COURSE MIXTURE	0	TN	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 43.00	\$ -	\$ -	\$ -
20	TYPE LV-4 BIT. WEAR COURSE MIX	0	TN	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 50.00	\$ -	\$ -	\$ -
21	BITUMINOUS MATERIAL FOR TACK COAT	0	GA	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3.00	\$ -	\$ -	\$ -
22	TOPSOIL BORROW	0	CY	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 25.00	\$ -	\$ -	\$ -
23	SODDING	0	SY	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 3.50	\$ -	\$ -	\$ -
	TOTAL ALTERNATE BID				\$ 447,561.00	\$	\$ 348,626.18	\$	\$ 546,916.50	\$	\$ 384,415.30	\$ 384,415.30	\$ 384,415.30

TABULATION OF BIDS - BY LOWEST PRICE

WATER SYSTEM INTERCONNECT - PHASE I
CITY OF LAKE ELMO, MINNESOTA
TKDA PROJECT NO. 13186.000

BIDS OPENED: FEBRUARY 18, 2005, AT 10:00 AM
*DENOTES ERROR IN BIDDERS CALCULATION



ITEM NO.	DESCRIPTION	BURCHVILLE CONSTRUCTION			FRONTIER PIPELINE			FRIEDGES CONTRACTING CO.			NORTHDALE CONSTRUCTION			
		QUANTITY	UNIT	PRICE	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT		
BASE BID														
1	MOBILIZATION	1	LS	\$ 3,500.00		\$ 3,500.00		\$		\$ 12,665.63		\$ 18,617.50		\$ 18,617.50
2	TRAFFIC CONTROL	1	LS	\$ 2,500.00		\$ 2,500.00		\$	-	\$ 2,272.14		\$ 13,110.00		\$ 13,110.00
3	CLEAR TREE AND GRUB STUMP	7	EA	\$ 300.00		\$ 2,100.00		\$	-	\$ 125.71		\$ 879.97		\$ 2,625.00
4	REMOVE & DISPOSE OF BIT. PAVEMENT	572	SY	\$ 5.00		\$ 2,860.00		\$	-	\$ 3.10		\$ 1,773.20		\$ 6,006.00
5	SAW CUT BIT. PAVEMENT	370	LF	\$ 5.00		\$ 1,850.00		\$	-	\$ 5.16		\$ 1,909.20		\$ 2,035.00
6	PATCH BIT ROADWAY 4" THICK	572	SY	\$ 38.00		\$ 21,736.00		\$	-	\$ 36.15		\$ 20,677.80		\$ 19,934.20
7	REMOVE & REPLACE CMP CULVERT	175	LF	\$ 20.00		\$ 3,500.00		\$	-	\$ 18.76		\$ 3,283.00		\$ 23.50
8	REMOVE & REPLACE CMP FES	4	LF	\$ 100.00		\$ 400.00		\$	-	\$ 24.27		\$ 97.08		\$ 4,112.50
9	SEEDING, INCL. SEED, FERTILIZER & WOOD FIBER BLANKET	16,500	SY	\$ 1.30		\$ 21,450.00		\$	-	\$ 1.19		\$ 19,635.00		\$ 300.00
10	SODDING TYPE LAWN	1,633	SY	\$ 2.25		\$ 3,674.25		\$	-	\$ 2.48		\$ 4,049.84		\$ 21,285.00
11	CL-5 FOR DRIVEWAY 6" DEPTH	493	TN	\$ 15.00		\$ 7,395.00		\$	-	\$ 16.78		\$ 8,272.54		\$ 5,062.30
12	BIT. PAVEMENT FOR DRIVEWAY 2" DEPTH	154	TN	\$ 52.00		\$ 8,008.00		\$	-	\$ 44.41		\$ 6,839.14		\$ 16.55
13	CONNECT TO EXIST. WATERMAIN	1	EA	\$ 1,500.00		\$ 1,500.00		\$	-	\$ 667.19		\$ 667.19		\$ 45.69
14	6" DIP CL-52 WATERMAIN	42	LF	\$ 25.00		\$ 1,050.00		\$	-	\$ 20.93		\$ 879.06		\$ 1,800.00
15	8" DIP CL-50 WATERMAIN	15	LF	\$ 27.00		\$ 405.00		\$	-	\$ 24.78		\$ 371.70		\$ 26.95
16	16" DIP CL-50 WATERMAIN	6,649	LF	\$ 40.00		\$ 265,960.00		\$	-	\$ 42.15		\$ 280,255.35	*	\$ 28.44
17	6" RES. SEAT GATE VALVE & BOX	6	EA	\$ 700.00		\$ 4,200.00		\$	-	\$ 671.36		\$ 4,028.16		\$ 41.62
18	8" RES. SEAT GATE VALVE & BOX	1	EA	\$ 800.00		\$ 800.00		\$	-	\$ 875.82		\$ 875.82		\$ 687.15
19	16" BUTTERFLY VALVE & BOX	4	EA	\$ 1,600.00		\$ 6,400.00		\$	-	\$ 1,687.88		\$ 6,751.52		\$ 885.11
20	6" HYDRANT (7'-6" BURY)	6	EA	\$ 1,800.00		\$ 10,800.00		\$	-	\$ 2,148.37		\$ 12,890.22	*	\$ 1,865.16
21	MJ DIP COMPACT FITTINGS	4,109	LB	\$ 3.50		\$ 14,381.50		\$	-	\$ 4.04		\$ 16,600.36		\$ 2,165.05
TOTAL BASE BID						\$ 384,469.75		\$	-			\$ 405,673.92	*	\$ 4.84
ALTERNATE BID														
1	MOBILIZATION	1	LS	\$ 10,000.00		\$ 10,000.00		\$ 30,000.00		\$ 8,262.33		\$ 8,262.33		\$
2	REMOVE & DISPOSE OF BIT. PAVEMENT	210	SY	\$ 5.00		\$ 1,050.00		\$ 1.00	\$ 210.00		\$ 5.16	\$ 1,083.60		\$
3	SAW CUT BIT. PAVEMENT	75	LF	\$ 5.00		\$ 375.00		\$ 1.00	\$ 75.00		\$ 10.33	\$ 774.75		\$
4	PATCH BIT. PAVEMENT 4" THICK	210	SY	\$ 85.00		\$ 17,850.00		\$ 2.00	\$ 420.00		\$ 77.46	\$ 16,266.60		\$
5	REMOVE & REPLACE CMP CULVERT	70	LF	\$ 40.00		\$ 2,800.00		\$ 20.00	\$ 1,400.00		\$ 18.76	\$ 1,313.20		\$
6	SEEDING, INCL. SEED, FERTILIZER & WOOD FIBER BLANKET	900	SY	\$ 1.50		\$ 1,350.00		\$ 2.00	\$ 1,800.00		\$ 2.45	\$ 2,205.00	*	\$
7	SODDING TYPE LAWN	200	SY	\$ 3.00		\$ 600.00		\$ 3.00	\$ 600.00		\$ 15.88	\$ 3,176.00		\$
8	CL-5	30	TN	\$ 40.00		\$ 1,200.00		\$ 12.00	\$ 360.00		\$ 37.96	\$ 1,138.80		\$
9	BIT. PAVEMENT FOR DRIVEWAY 2" DEPTH	154	TN	\$ 65.00		\$ 10,010.00		\$ 54.00	\$ 8,316.00		\$ 51.64	\$ 7,952.56		\$
10	CONNECT TO EXIST. WATERMAIN	1	EA	\$ 5,000.00		\$ 5,000.00		\$ 1,400.00	\$ 1,400.00		\$ 667.19	\$ 667.19		\$
11	6" DIP CL-52 WATERMAIN	42	LF	\$ 200.00		\$ 8,400.00		\$ 42.00	\$ 1,764.00		\$ 20.93	\$ 879.06		\$
12	8" DIP CL-50 WATERMAIN	15	LF	\$ 250.00		\$ 3,750.00		\$ 42.00	\$ 630.00		\$ 24.78	\$ 371.70		\$
13	DIR. DRILL 16" (DIP) HDPE DR 17	6,649	LF	\$ 70.00		\$ 465,430.00		\$ 47.00	\$ 312,503.00		\$ 70.62	\$ 469,552.38		\$
14	6" RES. SEAT GATE VALVE & BOX	6	EA	\$ 1,700.00		\$ 10,200.00		\$ 500.00	\$ 3,000.00		\$ 711.28	\$ 4,267.68		\$
15	8" RES. SEAT GATE VALVE & BOX	1	EA	\$ 1,800.00		\$ 1,800.00		\$ 500.00	\$ 500.00		\$ 915.73	\$ 915.73		\$
16	16" BUTTERFLY VALVE & BOX	4	EA	\$ 2,600.00		\$ 10,400.00		\$ 1,500.00	\$ 6,000.00		\$ 3,200.52	\$ 12,802.08		\$
17	6" HYDRANT (7'-6" BURY)	6	EA	\$ 3,200.00		\$ 19,200.00		\$ 1,785.00	\$ 10,710.00		\$ 2,213.23	\$ 13,279.38		\$
18	MJ DIP COMPACT FITTINGS	4,109	LB	\$ 3.75		\$ 15,408.75		\$ 2.25	\$ 9,245.25		\$ 9.91	\$ 40,720.19		\$
19	TYPE LV-3 BIT. NON-WEAR COURSE MIXTURE	0	TN	\$ -		\$ -		\$ -	\$ -		\$ -	\$ -		\$
20	TYPE LV-4 BIT. WEAR COURSE MIX	0	TN	\$ -		\$ -		\$ -	\$ -		\$ -	\$ -		\$
21	BITUMINOUS MATERIAL FOR TACK COAT	0	GA	\$ -		\$ -		\$ -	\$ -		\$ -	\$ -		\$
22	TOPSOIL BORROW	0	CY	\$ -		\$ -		\$ -	\$ -		\$ -	\$ -		\$
23	SODDING	0	SY	\$ -		\$ -		\$ -	\$ -		\$ -	\$ -		\$
TOTAL ALTERNATE BID						\$ 584,823.75			\$ 388,933.25			\$ 585,628.23	*	\$
														\$

TABULATION OF BIDS - BY LOWEST PRICE

WATER SYSTEM INTERCONNECT - PHASE I
CITY OF LAKE ELMO, MINNESOTA
TKDA PROJECT NO. 13186.000

BIDS OPENED: FEBRUARY 18, 2005, AT 10:00 AM
*DENOTES ERROR IN BIDDERS CALCULATION



ITEM NO.	DESCRIPTION	GM CONTRACTING			THREE RIVERS CONSTRUCTION			PARK CONSTRUCTION CO.			FF JEDLUCKI						
		QUANTITY	UNIT	PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT						
BASE BID																	
1	MOBILIZATION	1	LS		\$	515.00	\$	515.00	\$	21,850.00	\$	21,850.00	\$	19,000.00	\$	19,000.00	
2	TRAFFIC CONTROL	1	LS	-	\$	5,000.00	\$	5,000.00	\$	750.00	\$	750.00	\$	2,900.00	\$	2,900.00	
3	CLEAR TREE AND GRUB STUMP	7	EA	-	\$	231.75	\$	1,622.25	\$	250.00	\$	1,750.00	\$	485.00	\$	3,395.00	
4	REMOVE & DISPOSE OF BIT. PAVEMENT	572	SY	-	\$	2.13	\$	1,218.36	\$	1.75	\$	1,001.00	\$	4.00	\$	2,288.00	
5	SAW CUT BIT. PAVEMENT	370	LF	-	\$	3.00	\$	1,110.00	\$	2.84	\$	1,050.80	\$	5.00	\$	1,850.00	
6	PATCH BIT ROADWAY 4" THICK	572	SY	-	\$	29.41	\$	16,822.52	\$	21.23	\$	12,143.56	\$	22.00	\$	12,584.00	
7	REMOVE & REPLACE CMP CULVERT	175	LF	-	\$	27.75	\$	4,856.25	\$	14.55	\$	2,546.25	\$	31.00	\$	5,425.00	
8	REMOVE & REPLACE CMP FES	4	LF	-	\$	239.38	\$	957.52	\$	284.57	\$	1,138.28	\$	390.00	\$	1,560.00	
9	SEEDING, INCL. SEED, FERTILIZER & WOOD FIBER BLANKET	16,500	SY	-	\$	2.09	\$	34,485.00	\$	1.80	\$	29,700.00	\$	1.50	\$	24,750.00	
10	SODDING TYPE LAWN	1,633	SY	-	\$	3.36	\$	5,486.88	\$	3.35	\$	5,470.55	\$	2.50	\$	4,082.50	
11	CL-5 FOR DRIVEWAY 6" DEPTH	493	TN	-	\$	16.68	\$	8,223.24	\$	7.09	\$	3,495.37	\$	20.00	\$	9,860.00	
12	BIT. PAVEMENT FOR DRIVEWAY 2" DEPTH	154	TN	-	\$	43.78	\$	6,742.12	\$	42.50	\$	6,545.00	\$	83.00	\$	12,782.00	
13	CONNECT TO EXIST. WATERMAIN	1	EA	-	\$	744.38	\$	744.38	\$	1,290.04	\$	1,290.04	\$	8,250.00	\$	8,250.00	
14	6" DIP CL-52 WATERMAIN	42	LF	-	\$	40.45	\$	1,698.90	\$	48.61	\$	2,041.62	\$	29.00	\$	1,218.00	
15	8" DIP CL-50 WATERMAIN	15	LF	-	\$	44.39	\$	665.85	\$	47.34	\$	710.10	\$	33.00	\$	495.00	
16	16" DIP CL-50 WATERMAIN	6,649	LF	-	\$	46.05	\$	306,186.45	\$	43.11	\$	286,638.39	\$	61.00	\$	405,589.00	
17	6" RES. SEAT GATE VALVE & BOX	6	EA	-	\$	693.82	\$	4,162.92	\$	904.73	\$	5,428.38	\$	850.00	\$	5,100.00	
18	8" RES. SEAT GATE VALVE & BOX	1	EA	-	\$	952.94	\$	952.94	\$	1,160.73	\$	1,160.73	\$	1,050.00	\$	1,050.00	
19	16" BUTTERFLY VALVE & BOX	4	EA	-	\$	1,876.99	\$	7,507.96	\$	2,814.69	\$	11,258.76	\$	2,400.00	\$	9,600.00	
20	6" HYDRANT (7-6" BURY)	6	EA	-	\$	2,264.68	\$	13,588.08	\$	3,331.04	\$	19,986.24	\$	1,950.00	\$	11,700.00	
21	MJ DIP COMPACT FITTINGS	4,109	LB	-	\$	4.53	\$	18,613.77	\$	6.31	\$	25,927.79	\$	6.00	\$	24,654.00	
	TOTAL BASE BID			-	\$		\$	441,160.39			\$	441,882.86			\$	568,132.50	
ALTERNATE BID																	
1	MOBILIZATION	1	LS	\$	22,000.00	\$	2,811.90	\$	2,811.90	\$	22,300.00	\$	22,300.00	\$	19,000.00	\$	19,000.00
2	REMOVE & DISPOSE OF BIT. PAVEMENT	210	SY	\$	4.02	\$	844.20	\$	2.08	\$	436.80	\$	1.39	\$	4.00	\$	840.00
3	SAW CUT BIT. PAVEMENT	75	LF	\$	5.00	\$	375.00	\$	3.00	\$	225.00	\$	2.39	\$	5.00	\$	375.00
4	PATCH BIT. PAVEMENT 4" THICK	210	SY	\$	28.33	\$	5,949.30	\$	14.18	\$	2,977.80	\$	7.85	\$	30.00	\$	6,300.00
5	REMOVE & REPLACE CMP CULVERT	70	LF	\$	22.15	\$	1,550.50	\$	23.25	\$	1,627.50	\$	13.05	\$	31.00	\$	2,170.00
6	SEEDING, INCL. SEED, FERTILIZER & WOOD FIBER BLANKET	900	SY	\$	1.24	\$	1,116.00	\$	1.74	\$	1,566.00	\$	2.15	\$	1.50	\$	1,350.00
7	SODDING TYPE LAWN	200	SY	\$	2.06	\$	412.00	\$	3.87	\$	774.00	\$	3.00	\$	2.50	\$	500.00
8	CL-5	30	TN	\$	17.32	\$	519.60	\$	16.68	\$	500.40	\$	8.05	\$	28.00	\$	840.00
9	BIT. PAVEMENT FOR DRIVEWAY 2" DEPTH	154	TN	\$	66.95	\$	10,310.30	\$	43.78	\$	6,742.12	\$	45.70	\$	83.00	\$	12,782.00
10	CONNECT TO EXIST. WATERMAIN	1	EA	\$	3,656.23	\$	3,656.23	\$	721.88	\$	721.88	\$	972.54	\$	18,250.00	\$	18,250.00
11	6" DIP CL-52 WATERMAIN	42	LF	\$	80.39	\$	3,376.38	\$	44.39	\$	1,864.38	\$	41.40	\$	29.00	\$	1,218.00
12	8" DIP CL-50 WATERMAIN	15	LF	\$	85.88	\$	1,288.20	\$	54.19	\$	812.85	\$	40.81	\$	33.00	\$	495.00
13	DIR. DRILL 16" (DIP) HDPE DR 17	6,649	LF	\$	48.55	\$	322,808.95	\$	81.34	\$	540,829.66	\$	54.40	\$	50.00	\$	332,450.00
14	6" RES. SEAT GATE VALVE & BOX	6	EA	\$	1,474.03	\$	8,844.18	\$	693.82	\$	4,162.92	\$	722.59	\$	1,050.00	\$	6,300.00
15	8" RES. SEAT GATE VALVE & BOX	1	EA	\$	1,694.11	\$	1,694.11	\$	952.94	\$	952.94	\$	905.35	\$	1,400.00	\$	1,400.00
16	16" BUTTERFLY VALVE & BOX	4	EA	\$	4,634.00	\$	18,536.00	\$	3,217.85	\$	12,871.40	\$	1,844.33	\$	3,300.00	\$	13,200.00
17	6" HYDRANT (7-6" BURY)	6	EA	\$	3,944.34	\$	23,666.04	\$	2,264.68	\$	13,588.08	\$	2,766.73	\$	1,950.00	\$	11,700.00
18	MJ DIP COMPACT FITTINGS	4,109	LB	\$	3.00	\$	12,327.00	\$	6.14	\$	25,229.26	\$	4.90	\$	4.00	\$	16,436.00
19	TYPE LV-3 BIT. NON-WEAR COURSE MIXTURE	0	TN	\$	150.00	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
20	TYPE LV-4 BIT. WEAR COURSE MIX	0	TN	\$	150.00	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
21	BITUMINOUS MATERIAL FOR TACK COAT	0	GA	\$	5.00	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
22	TOPSOIL BORROW	0	CY	\$	30.00	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
23	SODDING	0	SY	\$	10.00	\$	-	\$	-	\$	-	\$	-	\$	-	\$	-
	TOTAL ALTERNATE BID			\$	439,273.99	\$	618,694.89			\$	449,529.23			\$	445,606.00		

TABULATION OF BIDS - BY LOWEST PRICE

WATER SYSTEM INTERCONNECT - PHASE I
CITY OF LAKE ELMO, MINNESOTA
TKDA PROJECT NO. 13186.000

BIDS OPENED: FEBRUARY 18, 2005, AT 10:00 AM
*DENOTES ERROR IN BIDDERS CALCULATION



ITEM NO.	DESCRIPTION	ARCON CONSTRUCTION CO.			CARL BOLANDER & SONS			HOLST EXCAVATING			EBI DRILLING		
		QUANTITY	UNIT	PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
BASE BID													
1	MOBILIZATION	1	LS	\$ 10,000.00	\$ 10,000.00	\$ 36,700.00	\$ 36,700.00	\$ 6,500.00	\$ 6,500.00	\$ 25,000.00	\$ 25,000.00		
2	TRAFFIC CONTROL	1	LS	\$ 2,000.00	\$ 2,000.00	\$ 4,000.00	\$ 4,000.00	\$ 4,500.00	\$ 4,500.00	\$ 3,000.00	\$ 3,000.00		
3	CLEAR TREE AND GRUB STUMP	7	EA	\$ 400.00	\$ 2,800.00	\$ 800.00	\$ 5,600.00	\$ 600.00	\$ 4,200.00	\$ 1,000.00	\$ 7,000.00		
4	REMOVE & DISPOSE OF BIT. PAVEMENT	572	SY	\$ 3.60	\$ 2,059.20	\$ 9.00	\$ 5,148.00	\$ 3.00	\$ 1,716.00	\$ 7.00	\$ 4,004.00		
5	SAW CUT BIT. PAVEMENT	370	LF	\$ 5.00	\$ 1,850.00	\$ 5.70	\$ 2,109.00	\$ 5.00	\$ 1,850.00	\$ 4.00	\$ 1,480.00		
6	PATCH BIT ROADWAY 4" THICK	572	SY	\$ 43.00	\$ 24,596.00	\$ 20.00	\$ 11,440.00	\$ 19.00	\$ 10,868.00	\$ 25.00	\$ 14,300.00		
7	REMOVE & REPLACE CMP CULVERT	175	LF	\$ 30.00	\$ 5,250.00	\$ 25.75	\$ 4,506.25	\$ 15.00	\$ 2,625.00	\$ 20.00	\$ 3,500.00		
8	REMOVE & REPLACE CMP FES	4	LF	\$ 120.00	\$ 480.00	\$ 274.00	\$ 1,096.00	\$ 200.00	\$ 800.00	\$ 500.00	\$ 2,000.00		
9	SEEDING, INCL. SEED, FERTILIZER & WOOD FIBER BLANKET	16,500	SY	\$ 2.65	\$ 43,725.00	\$ 1.25	\$ 20,625.00	\$ 2.75	\$ 45,375.00	\$ 3.00	\$ 49,500.00		
10	SODDING TYPE LAWN	1,633	SY	\$ 5.65	\$ 9,226.45	\$ 3.00	\$ 4,899.00	\$ 4.00	\$ 6,532.00	\$ 6.00	\$ 9,798.00		
11	CL-5 FOR DRIVEWAY 6" DEPTH	493	TN	\$ 19.25	\$ 9,490.25	\$ 18.50	\$ 9,120.50	\$ 11.00	\$ 5,423.00	\$ 30.00	\$ 14,790.00		
12	BIT. PAVEMENT FOR DRIVEWAY 2" DEPTH	154	TN	\$ 60.00	\$ 9,240.00	\$ 50.00	\$ 7,700.00	\$ 44.00	\$ 6,776.00	\$ 90.00	\$ 13,860.00		
13	CONNECT TO EXIST. WATERMAIN	1	EA	\$ 700.00	\$ 700.00	\$ 3,500.00	\$ 3,500.00	\$ 1,000.00	\$ 1,000.00	\$ 3,000.00	\$ 3,000.00		
14	6" DIP CL-52 WATERMAIN	42	LF	\$ 45.90	\$ 1,927.80	\$ 75.00	\$ 3,150.00	\$ 21.00	\$ 882.00	\$ 70.00	\$ 2,940.00		
15	8" DIP CL-50 WATERMAIN	15	LF	\$ 47.35	\$ 710.25	\$ 100.00	\$ 1,500.00	\$ 25.00	\$ 375.00	\$ 70.00	\$ 1,050.00		
16	16" DIP CL-50 WATERMAIN	6,649	LF	\$ 41.99	\$ 279,191.51	\$ 56.00	\$ 372,344.00	\$ 52.00	\$ 345,748.00	\$ 80.00	\$ 531,920.00		
17	6" RES. SEAT GATE VALVE & BOX	6	EA	\$ 685.00	\$ 4,110.00	\$ 1,120.00	\$ 6,720.00	\$ 1,000.00	\$ 6,000.00	\$ 1,500.00	\$ 9,000.00		
18	8" RES. SEAT GATE VALVE & BOX	1	EA	\$ 1,045.00	\$ 1,045.00	\$ 1,440.00	\$ 1,440.00	\$ 1,200.00	\$ 1,200.00	\$ 3,000.00	\$ 3,000.00		
19	16" BUTTERFLY VALVE & BOX	4	EA	\$ 2,125.00	\$ 8,500.00	\$ 3,400.00	\$ 13,600.00	\$ 2,000.00	\$ 8,000.00	\$ 4,000.00	\$ 16,000.00		
20	6" HYDRANT (7-6" BURY)	6	EA	\$ 2,070.00	\$ 12,420.00	\$ 2,270.00	\$ 13,620.00	\$ 2,000.00	\$ 12,000.00	\$ 5,000.00	\$ 30,000.00		
21	MJ DIP COMPACT FITTINGS	4,109	LB	\$ 5.90	\$ 24,243.10	\$ 2.38	\$ 9,779.42	\$ 4.90	\$ 20,134.10	\$ 4.00	\$ 16,436.00		
TOTAL BASE BID					\$ 453,564.56		\$ 538,597.17		\$ 492,504.10		\$ 761,578.00		
ALTERNATE BID													
1	MOBILIZATION	1	LS		\$ -	\$ 40,700.00	\$ 40,700.00		\$ -	\$ 25,000.00	\$ 25,000.00		
2	REMOVE & DISPOSE OF BIT. PAVEMENT	210	SY		\$ -	\$ 8.00	\$ 1,680.00		\$ -	\$ 8.00	\$ 1,680.00		
3	SAW CUT BIT. PAVEMENT	75	LF		\$ -	\$ 5.50	\$ 412.50		\$ -	\$ 8.00	\$ 600.00		
4	PATCH BIT. PAVEMENT 4" THICK	210	SY		\$ -	\$ 6.50	\$ 1,365.00		\$ -	\$ 30.00	\$ 6,300.00		
5	REMOVE & REPLACE CMP CULVERT	70	LF		\$ -	\$ 15.80	\$ 1,106.00		\$ -	\$ 20.00	\$ 1,400.00		
6	SEEDING, INCL. SEED, FERTILIZER & WOOD FIBER BLANKET	900	SY		\$ -	\$ 3.50	\$ 3,150.00		\$ -	\$ 4.00	\$ 3,600.00		
7	SODDING TYPE LAWN	200	SY		\$ -	\$ 9.00	\$ 1,800.00		\$ -	\$ 10.00	\$ 2,000.00		
8	CL-5	30	TN		\$ -	\$ 105.00	\$ 3,150.00		\$ -	\$ 50.00	\$ 1,500.00		
9	BIT. PAVEMENT FOR DRIVEWAY 2" DEPTH	154	TN		\$ -	\$ 50.00	\$ 7,700.00		\$ -	\$ 90.00	\$ 13,860.00		
10	CONNECT TO EXIST. WATERMAIN	1	EA		\$ -	\$ 5,100.00	\$ 5,100.00		\$ -	\$ 4,000.00	\$ 4,000.00		
11	6" DIP CL-52 WATERMAIN	42	LF		\$ -	\$ 135.00	\$ 5,670.00		\$ -	\$ 80.00	\$ 3,360.00		
12	8" DIP CL-50 WATERMAIN	15	LF		\$ -	\$ 192.00	\$ 2,880.00		\$ -	\$ 100.00	\$ 1,500.00		
13	DIR. DRILL 16" (DIP) HDPE DR 17	6,649	LF		\$ -	\$ 54.00	\$ 359,046.00		\$ -	\$ 62.00	\$ 412,238.00		
14	6" RES. SEAT GATE VALVE & BOX	6	EA		\$ -	\$ 1,200.00	\$ 7,200.00		\$ -	\$ 1,500.00	\$ 9,000.00		
15	8" RES. SEAT GATE VALVE & BOX	1	EA		\$ -	\$ 1,650.00	\$ 1,650.00		\$ -	\$ 3,000.00	\$ 3,000.00		
16	16" BUTTERFLY VALVE & BOX	4	EA		\$ -	\$ 3,600.00	\$ 14,400.00		\$ -	\$ 4,500.00	\$ 18,000.00		
17	6" HYDRANT (7-6" BURY)	6	EA		\$ -	\$ 2,500.00	\$ 15,000.00		\$ -	\$ 5,500.00	\$ 33,000.00		
18	MJ DIP COMPACT FITTINGS	4,109	LB		\$ -	\$ 3.50	\$ 14,381.50		\$ -	\$ 0.01	\$ 41.09		
19	TYPE LV-3 BIT. NON-WEAR COURSE MIXTURE	0	TN		\$ -	\$ -	\$ -		\$ -	\$ 90.00	\$ -		
20	TYPE LV-4 BIT. WEAR COURSE MIX	0	TN		\$ -	\$ -	\$ -		\$ -	\$ 90.00	\$ -		
21	BITUMINOUS MATERIAL FOR TACK COAT	0	GA		\$ -	\$ -	\$ -		\$ -	\$ 4.00	\$ -		
22	TOPSOIL BORROW	0	CY		\$ -	\$ -	\$ -		\$ -	\$ 30.00	\$ -		
23	SODDING	0	SY		\$ -	\$ -	\$ -		\$ -	\$ 10.00	\$ -		
TOTAL ALTERNATE BID					\$ -		\$ 486,391.00		\$ -		\$ 540,079.09		

TABULATION OF BIDS - BY LOWEST PRICE

WATER SYSTEM INTERCONNECT - PHASE I
CITY OF LAKE ELMO, MINNESOTA
TKDA PROJECT NO. 13186.000

BIDS OPENED: FEBRUARY 18, 2005, AT 10:00 AM
*DENOTES ERROR IN BIDDERS CALCULATION



ITEM NO.	DESCRIPTION	BILL MILLER-MINNCOMM			PUSH, INC.			TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT
		QUANTITY	UNIT	UNIT PRICE	TOTAL AMOUNT	UNIT PRICE	TOTAL AMOUNT					
BASE BID												
1	MOBILIZATION	1	LS		\$	-	\$	-		\$		\$
2	TRAFFIC CONTROL	1	LS		\$	-	\$	-		\$		\$
3	CLEAR TREE AND GRUB STUMP	7	EA		\$	-	\$	-		\$		\$
4	REMOVE & DISPOSE OF BIT. PAVEMENT	572	SY		\$	-	\$	-		\$		\$
5	SAW CUT BIT. PAVEMENT	370	LF		\$	-	\$	-		\$		\$
6	PATCH BIT ROADWAY 4" THICK	572	SY		\$	-	\$	-		\$		\$
7	REMOVE & REPLACE CMP CULVERT	175	LF		\$	-	\$	-		\$		\$
8	REMOVE & REPLACE CMP FES	4	LF		\$	-	\$	-		\$		\$
9	SEEDING, INCL. SEED, FERTILIZER & WOOD FIBER BLANKET	16,500	SY		\$	-	\$	-		\$		\$
10	SODDING TYPE LAWN	1,633	SY		\$	-	\$	-		\$		\$
11	CL-5 FOR DRIVEWAY 6" DEPTH	493	TN		\$	-	\$	-		\$		\$
12	BIT. PAVEMENT FOR DRIVEWAY 2" DEPTH	154	TN		\$	-	\$	-		\$		\$
13	CONNECT TO EXIST. WATERMAIN	1	EA		\$	-	\$	-		\$		\$
14	6" DIP CL-52 WATERMAIN	42	LF		\$	-	\$	-		\$		\$
15	8" DIP CL-50 WATERMAIN	15	LF		\$	-	\$	-		\$		\$
16	16" DIP CL-50 WATERMAIN	6,649	LF		\$	-	\$	-		\$		\$
17	6" RES. SEAT GATE VALVE & BOX	6	EA		\$	-	\$	-		\$		\$
18	8" RES. SEAT GATE VALVE & BOX	1	EA		\$	-	\$	-		\$		\$
19	16" BUTTERFLY VALVE & BOX	4	EA		\$	-	\$	-		\$		\$
20	6" HYDRANT (7'-6" BURY)	6	EA		\$	-	\$	-		\$		\$
21	MJ DIP COMPACT FITTINGS	4,109	LB		\$	-	\$	-		\$		\$
TOTAL BASE BID					\$	-	\$	-		\$		\$
ALTERNATE BID												
1	MOBILIZATION	1	LS	\$ 16,625.00	\$ 16,625.00	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00		\$		\$
2	REMOVE & DISPOSE OF BIT. PAVEMENT	210	SY	\$ 12.00	\$ 2,520.00	\$ 4.80	\$ 1,008.00	\$ 4.80		\$		\$
3	SAW CUT BIT. PAVEMENT	75	LF	\$ 3.00	\$ 225.00	\$ 4.05	\$ 303.75	\$ 4.05		\$		\$
4	PATCH BIT. PAVEMENT 4" THICK	210	SY	\$ 45.00	\$ 9,450.00	\$ 12.00	\$ 2,520.00	\$ 12.00		\$		\$
5	REMOVE & REPLACE CMP CULVERT	70	LF	\$ 50.00	\$ 3,500.00	\$ 20.00	\$ 1,400.00	\$ 20.00		\$		\$
6	SEEDING, INCL. SEED, FERTILIZER & WOOD FIBER BLANKET	900	SY	\$ 3.00	\$ 2,700.00	\$ 4.20	\$ 3,780.00	\$ 4.20		\$		\$
7	SODDING TYPE LAWN	200	SY	\$ 6.00	\$ 1,200.00	\$ 5.30	\$ 1,060.00	\$ 5.30		\$		\$
8	CL-5	30	TN	\$ 20.00	\$ 600.00	\$ 11.50	\$ 345.00	\$ 11.50		\$		\$
9	BIT. PAVEMENT FOR DRIVEWAY 2" DEPTH	154	TN	\$ 50.00	\$ 7,700.00	\$ 183.50	\$ 28,259.00	\$ 183.50		\$		\$
10	CONNECT TO EXIST. WATERMAIN	1	EA	\$ 1,700.00	\$ 1,700.00	\$ 1,350.00	\$ 1,350.00	\$ 1,350.00		\$		\$
11	6" DIP CL-52 WATERMAIN	42	LF	\$ 65.00	\$ 2,730.00	\$ 27.50	\$ 1,155.00	\$ 27.50		\$		\$
12	8" DIP CL-50 WATERMAIN	15	LF	\$ 85.00	\$ 1,275.00	\$ 29.85	\$ 447.75	\$ 29.85		\$		\$
13	DIR. DRILL 16" (DIP) HDPE DR 17	6,649	LF	\$ 72.50	\$ 482,052.50	\$ 74.15	\$ 493,023.35	\$ 74.15		\$		\$
14	6" RES. SEAT GATE VALVE & BOX	6	EA	\$ 1,200.00	\$ 7,200.00	\$ 996.25	\$ 5,977.50	\$ 996.25		\$		\$
15	8" RES. SEAT GATE VALVE & BOX	1	EA	\$ 1,200.00	\$ 1,200.00	\$ 1,290.00	\$ 1,290.00	\$ 1,290.00		\$		\$
16	16" BUTTERFLY VALVE & BOX	4	EA	\$ 2,900.00	\$ 11,600.00	\$ 2,350.00	\$ 9,400.00	\$ 2,350.00		\$		\$
17	6" HYDRANT (7'-6" BURY)	6	EA	\$ 2,200.00	\$ 13,200.00	\$ 4,000.00	\$ 24,000.00	\$ 4,000.00		\$		\$
18	MJ DIP COMPACT FITTINGS	4,109	LB	\$ 3.25	\$ 13,354.25	\$ 3.75	\$ 15,408.75	\$ 3.75		\$		\$
19	TYPE LV-3 BIT. NON-WEAR COURSE MIXTURE	0	TN	\$ 55.00	\$ -	\$ -	\$ -	\$ -		\$		\$
20	TYPE LV-4 BIT. WEAR COURSE MIX	0	TN	\$ 55.00	\$ -	\$ -	\$ -	\$ -		\$		\$
21	BITUMINOUS MATERIAL FOR TACK COAT	0	GA	\$ 1.50	\$ -	\$ -	\$ -	\$ -		\$		\$
22	TOPSOIL BORROW	0	CY	\$ 15.00	\$ -	\$ -	\$ -	\$ -		\$		\$
23	SODDING	0	SY	\$ 6.00	\$ -	\$ -	\$ -	\$ -		\$		\$
TOTAL ALTERNATE BID					\$ 578,831.75	\$ 598,228.10	\$ 598,228.10	\$ 598,228.10		\$		\$

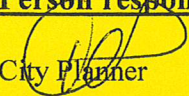
TABULATION OF BIDS

Water System Interconnect - Phase I
City of Lake Elmo, Minnesota

Bids Due: 10:00 a.m.
Date: February 18, 2005

Project No. 13186.000

Bidder	Bid Bond	Addenda Acknow.	Ref'd P & S	Total Amount of Base Bid	Total Amount of Alternate Bid
American Cast Iron Pipe Company					
Arcon Construction Company, Inc.	✓	✓		453,564.56	—
Barbarossa and Sons, Inc.					
Bill Miller-MinnComm	✓	✓		—	578,832.00
Burschville Construction, Inc.	✓	✓		384,469.75	584,823.75
Carl Bolander & Sons, Inc.	✓	✓		538,597.17	486,391.00
Chris Riley Utilities, Inc.	✓	✓		—	348,626.18
Davies Water Equipment Company					
EBI Drilling, Inc.	✓	✓		761,578.00	540,079.09
Ellingson Drainage	✓	✓		—	384,415.30
Enerson, Inc.					
Forrer Supply Company, Inc.					
Friedges Contracting Company	✓	✓		401,459.08	585,383.33
Frontier Pipeline	✓	✓		—	388,933.25
G.F. Jedlicki, Inc.	✓	✓		589,132.50	445,606.00
G.M. Contracting, Inc.	✓	✓		—	439,273.99
Holst Excavating, Inc.	✓	✓		492,504.10	—
Hydrocon, Inc.					
Inland Utility construction, Inc.					
Kober Excavating, Inc.					
Minnesota Pipe & Equipment					
National Waterworks					
Northdale Construction	✓	✓		433,719.30	—
Park Construction Company	✓	✓		441,882.80	449,529.23
Push, Inc.	✓	✓		—	598,228.10
Richard Knutson, Inc.	✓	✓		370,667.85	543,735.50
S.J. Louis Construction, Inc.					
S.R. Weidema, Inc.					
Three Rivers Construction	✓	✓		441,160.39	618,694.89
Engineer's Estimate				\$ 428,053.00	\$ 447,561.00

Lake Elmo City Council April 5, 2005	Agenda Section: Planning, Land Use & Zoning	<u>No.</u> 9A
<u>Agenda Item:</u> Preliminary Plat/Comp Plan Amend/Rezoning/CUP/OP Concept – Deer Glen		
<u>Background Information for April 5, 2005:</u> As directed by the Council on March 15 we have attached draft resolutions regarding each of the actions applied for in this matter, as prepared by the City Attorney. The Resolution regarding the Preliminary Plat is for approval, with conditions. Two Resolutions are presented for the OP Concept Plan: Denial and Approval. All other Resolutions (Comp Plan Amend, Rezone, and Conditional Use Permit) are for denial.		
<u>Action items:</u> Motion(s) regarding the attached Resolutions	<u>Person responsible:</u>  City Planner	
<u>Attachments:</u> <ol style="list-style-type: none"> 1. Draft Resolution #2005 – Approving Preliminary Plat 2. Draft Resolution #2005 – Approving OP Concept Plan 3. Draft Resolution #2005 – Denying OP Concept Plan 4. Draft Resolution #2005 – Denying Comp Plan Amend 5. Draft Resolution #2005 - Denying Rezoning 6. Draft Resolution #2005 – Denying Conditional Use Permit 	<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

9. PLANNING, LAND USE & ZONING:

- A. Preliminary Plat, Comprehensive Plan Amendment, Rezoning, Conditional Use permit and OP Concept Plan – Deer Glen:Resolution No. 2005-027 – Resolution No. 2005-033 (Adoption of Resolutions Postponed)

The City Planner reported the Planning Commission adopted a recommendation to deny all of the subject multiple applications for the platting of 108 acres, an Op Concept Plan covering 40+ acres; a Comprehensive Plan Amendment (from RAD to PF) for 20 acres; and rezoning (from RR to PF) for 20 acres, and a Conditional use Permit for a 52,000 sq.ft. church facility on the 20 acre site. No action was taken regarding the church Section 520 Site Plan pending Council action on the precedent applications.

Chuck Palmer, Lakewood Evangelical Free Church, stated this plan fits in the future direction of Lake Elmo. The church traffic will have a minimal impact except for weekends when church is in session. He would like to work with the city and MnDOT to resolve any problems.

Jim Arkell stated he is a Lake Elmo resident who attends this church and had served on the Planning Commission when they worked on the 1990 comp plan. Then the Commission realized it didn't have an ordinance that would deal with churches. This is a perfect transition buffer moving south from a major highway.

Paul Danielson, Consulting Engineer, Kimley-Horn & Associates, reported this is the best site for the church in this 108 acre site which is in the middle on higher ground with buffers from other potential developments. They have modified the plan for a buffer on the west side, wetlands on north side and a small wetland throughout the site. There is no wetland litigation proposed. He said he spent time with the VBWD in how to deal with water quality and storm water management plan and have obtained a permit from the VBWD. The roadway avoids the wetlands and follows contours as much as possible to minimize tree impact. There are various areas that don't drain out and have flood storage issues. Outlot B is slightly less than 10 acres and will be adjusted to ensure that the proposed Outlot B is a minimum of 10 acres in the Preliminary Plat.

Craig Peterson, BWBR, said the building would be rising from the landscape without screaming for attention and nestled into the landscape with building materials of natural colors. It will be welcoming and inviting reflecting the personality of the church.

Mayor Johnston asked the council should to deal with all development applications separately.

Preliminary Plat:

The City received a letter stating the applicant would be willing to correct Outlot B that is substandard. Attorney Filla noted the Council is addressing the preliminary plat illustrated on preplat drawing, prepared by Kimley-Horn & Associates, Inc, dated February 7, 2005 which would create Lot 1, Block 1 and Outlots A, B, C and Deer Glen.

If the Council should approve the preliminary plat, it should be subject to: 1) Outlot B is a minimum of ten acres, 2) Lot lines adjusted to ensure that Outlot D is a minimum of 10 acres or combined with proposed Lot 1, Block 1, and 3) If the open space development concept for proposed Outlot A is approved, it's use shall be restricted so that it can only be used in conjunction with the proposed open space project on Outlot A.

Peter Beck, attorney for the applicant, explained Outlot D is a dedicated open space development concept plan. It is not intended to be a buildable parcel because it is dedicated open space. There will be a condition in Preliminary Plat approval that places this in dedicated open space.

M/S/P Johnson/Conlin – to direct the City Attorney to draft a resolution approving the preliminary plat subject to the conditions stated by Attorney Filla. (Motion passed 5-0:DeLapp stated the applicant has exempted the road, ask for the same rights the others have been given.)

Open Space Preservation Plan

The City Planner explained the Planning Commission indicated the concept plan is inconsistent with the Lake Elmo Comprehensive Plan Environmental Protection policies regarding residential developments conforming to the limitations presented by natural features including natural drainage systems, by proposing significant modifications of natural grades and existing floodplain on the site.

The City Planner stated it is a subjective call regarding how much floodplain can be filled or moved around. The Planning Commission thought it was significant enough to deny. The engineer for the church responded there is no impact on the jurisdictional wetlands. The soils are not conducive to create wetlands.

The open space development plan proposes significant modifications to natural grade and to existing floodplains on the applicant's property and is inconsistent with the City's Comprehensive Plan Environmental Protection policy. The plan is inconsistent with the purpose of the City's Open Space Preservation Ordinance because it proposes to significantly alter the natural drainage feature of the site.

Comprehensive Plan Change for the 20 acres for the Church

Mayor Johnston said he did not see the justification to change the City's Comprehensive Plan from RAD to PF. The Council reviewed the current comprehensive plan land use designation for this property and decided the current land use designations continue to reflect the Council's vision plan for development of land in this section of the city. The current comp plan land use designations will not require modifications as a result of the settlement between the City and the Met Council.

Attorney Filla indicated the Council should implement the Comprehensive Plan changes required as a result of its settlement with the Metropolitan Council before it re-evaluates comp plan designations for specific areas of the City which should known by May.

The Council indicated it was not willing to change the comprehensive plan.

Rezoning from and RR Designation to a PF Designation

Mayor Johnston noted that the hardship does not exist for a rezoning and there is a reasonable use of land under the current zoning. Attorney Filla pointed out that the rezoning would not be consistent with the City's 1990 Comp Plan, the City approved 2000 Comp Plan and with any changes to the City approved 2000 Comp Plan as a result of the agreement between the city and the Met Council.

Conditional Use Permit

The City Planner explained based on the traffic study the traffic generated by the proposed development would create traffic congestion at the intersection of Keats Avenue and Highway 36. Mr. Danielson reported that Mn/DOT said that this development would not create any unsatisfactory problem on Hwy 36, but does present delays on Keats approaching Hwy 36. There would be a minimal impact on the intersection except on weekends. Danielson said MnDOT would say the 3-corner intersection could be in now. The church is willing to spend \$150,000 to improve this intersection.

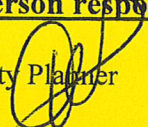
The requested Conditional Use Permit for proposed Lot 1, Block 1 would allow development that is not consistent with the current zoning for the applicant's property and because of the traffic generated by the proposed development would create serious traffic congestion at Keats Avenue and Hwy 36.

Attorney Filla will draft a resolution incorporating Council direction. The council recommended denial of the comprehensive plan amendment and the rezoning from RR to a PF designation so the use will be denied because it is not consistent with the zoning.

M/S/P Conlin/Johnson - to table the development applications for the Lakewood Evangelical Free Church until the April 5th Council meeting where resolutions will be provided for council approval. (Motion passed 5-0.)

B. Minor Subdivision/Site Plan and Zoning Variance, Amendment to the Development Moratorium, Public Hearing: Vacation of drainage easements – Lynsky (Brookman 3rd Addition), Resolution No. 2005-025, Resolution No. 2005-026, Ordinance No. 97-153

Planner Dillerud reported the Planning Commission adopted a recommendation for denial of the applications for Minor Subdivision and Section 520 Site Plan that are proposed by the applicant to allow construction of a 10,000 sq.ft. office building on 39th Street North. Prior to the Commission's vote on the motion, the Chair offered the applicant's representative an opportunity to waive the 60 day city review window to allow time to process the variance issue, but that offer was declined. Dillerud noted that subsequent to February 14 one of the partners of the project formally requested the 60 day review waiver, and a variance application will be heard by the Planning Commission on March

Lake Elmo City Council April 5, 2005	Agenda Section: Planning, Land Use & Zoning	<u>No.</u> 9B
<u>Agenda Item:</u> OP Concept Plan – Farms of Lake Elmo		
<p><u>Background Information for April 4, 2005:</u></p> <p>At its meeting March 28, 2005 the Planning Commission conducted a Public Hearing and adopted (8-1 Sedro opposed) a recommendation to approve this OP Concept Plan for 30 single family building lots on a site of 84 acres. The recommendation deletes 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. Commissioner Sedro's "nay" vote related to this element of the recommendation – not the OP Concept generally.</p>		
<p><u>Action items:</u></p> <p>Motion to adopt Resolution #2205 - , approving the OP Concept Plan of Farms of Lake Elmo per the plans staff dated March 18, 2005, and subject to conditions #2 - #4 of the Staff Report of March 18, 2005 and a 4th condition that the nameplate letters be removed from the rock wall at the entrance.</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 Concept Plan 2. Draft Planning Commission Minutes of March 28, 2005 3. Planning Staff Report of March 18, 2005 4. Please Bring the Project Booklets that Were Sent with the March 28 Planning Commission Packets 	<p><u>Time Allocated:</u></p>	

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

RESOLUTION NO. 2005-_____

**A RESOLUTION APPROVING THE OPEN SPACE PRESERVATION
DEVELOPMENT OF FARMS OF LAKE ELMO.**

WHEREAS, on the 9th day of March, 2005, the M & K Development, LLC, ("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 March, 2005, at a public hearing, the Lake Elmo Planning Commission reviewed the Development Application, the City Planner's reports and comments, the comments of the Applicant and the Applicant's representatives; and recommended approval of the Development Application; and

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

Approves the Open Space Concept Plan for FARMS OF LAKE ELMO as illustrated on a M& K Development, LLC Concept Plan prepared by Folz, Freeman, Erickson, Inc., staff dated March 18, 2005 with the following conditions:

1. Compliance with 4/5 waiver to buffering setback standards to the west and south, and the use of additional screening;
2. Compliance with recommendations of city engineer;
3. Compliance with city trail system plan;
4. Compliance with VBWD that the city engineer finds to be practical.
5. Removal of lettering from the entrance wall.

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

Dean Johnston, Mayor

ATTEST:

Martin Rafferty, City Administrator

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(Unedited Excerpt from The Planning Commission Meeting of 3/28/05)

PUBLIC HEARING: FARMS OF LAKE ELMO

The Planner introduced the Concept Plan applied for the Earl Friedrich Farm for an 83.8 acre OP Residential Subdivision. Approval of this stage permits the applicant to come forth with a second stage plan. He said that three lots at the southwestern edge of the site may not meet buffer requirements but an adjoining parcel is eligible for OP development. He said the applicant proposed alternative buffering such as berming. A waiver of 4/5 would be required by City Council. There are also a couple of other lots at the south end that might have difficulty meeting the buffering requirement. The adjoining parcel will never be developed because it is the LEPR, and he said it is the intent of the ordinance is to keep homes farther apart. The Planner said this parcel might be within the Shoreland district. A public trail is depicted in the concept plan that runs through this parcel. The city would want easements dedicated to give the trail to the public.

Findings:

The Concept Plan of FARMS OF LAKE ELMO sufficiently complies with OP Standards.

Conditions:

Compliance with OP Buffer or 4/5 waiver,
Compliance with city engineer,
Compliance with city trail system plan,
Compliance with VBWD that engineer finds practical.

The Chairman of the Parks Commission said the commission opted for fee in lieu of park in this development.

Tim Freeman, Surveyor and Land Planner with FFE and Steven Masty, Landscape Architect

Mr. Freeman said they conducted a neighborhood meeting last Wednesday for neighbors to get a sneak preview of their plan.

Mr. Masty introduced key features and amenities on the plan.

Mr. Freeman explained that encroaching neighbors will be granted open space easements so they may continue to use the property. He said this plan is minimizing water into existing wetlands. The stormwater system will send water north into the pond and into infiltration areas. There is very little pipe and no catch basin and the developer is very proud of that. He explained the design of the community wastewater treatment system. He said the applicant is open to creating easements or to use park dedication funds to construct it. He said the City Attorney might want to look at the liability issues for the public portions of the trail. The developer wants to reserve the right to ask people to stop if they are doing something wrong on the trail. He explained the reason for dedicating the Conservation Easements to the city. It is because fragmented open spaces are

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undesirable to the land trust and the types of uses do not fit their plans. He said the intent of the OP ordinance buffering standards is for when little lots are created next to existing larger lots. He said these lot sizes match or exceed neighboring properties, and only a few houses are anywhere close. Their plan would have the existing berm cut in with houses and planted above with additional buffering and screening. He said the intent of the ordinance is met with 100 feet of buffer. He said they worked hard to keep each lot not having a neighbor across or behind them.

Commissioner Deziel asked why it was necessary to loop the road around the common area because a single lane would be narrower.

Mr. Freeman said they wanted to separate that area and create a gathering space. A 46 inch oak is shown as a centerpiece. Part of the split accommodates that oak tree. He said they created that many more rainwater gardens to accommodate the runoff.

Mr. Masty said when kids are playing in the center, it is safer with a single lane, one way road, and providing better visibility for automobiles.

CHAIRMAN HELWIG OPENED THE PUBLIC HEARING AT 7:48 P.M.

Richard Song lives on other side of the pond and asked where the drainfields will be.

Mr. Freeman it is located at the top of the hill. He said homes are located on the outskirts of the site.

Gloria Knoblauch is an adjoining neighbor. She said it is a beautiful, aesthetically pleasing plan with historic building preservation. She asked if additional ponds will raise groundwater, will drainfields contaminate wells on 31st Street, and can fire trucks get through. She wished the road could be named for Friedrich but said apparently regulations make it out of question.

Bob Schumacher said he lives on the south side of the site on mud road known as 20th Street. His home will be within the 200 feet buffer of Lot 21.

THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 7:52 P.M.

Mr. Freeman said with their plan, there is a decrease of water ending up in the ponds. He said that everything they have done cannot alleviate all concerns completely due to groundwater issues. He said he believes there will be a substantial decrease in water once hydrological engineering is completed. Mr. Freeman said a community wastewater treatment system requires PCA approval and permits. It would not be allowed to contaminate drinking water of neighbors. He said the plan has not been formally presented to the Fire Chief. Roads at the size required by the ordinance do not function as well in the winter time. These are slightly larger. Street naming and numbering in the city is prescribed by the uniform system.

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The Planner street said the prevailing street design scenario is to insist on narrowest street possible due to impervious surface. He said the Fire Chief and Public Works may disagree.

Mr. Freeman said there is a natural hill in front of Mr. Schumacher's home that is 30 feet high. He thought that would be enough of a buffer. They could possibly increase plantings in that area.

Commissioner Schneider asked if there is a concern for water running off that hill.

Mr. Freeman said no, there will actually be less water going down that hill than what there is today will be less. He said the City Engineer recommended a driveway dug out between the ponds but the DNR will never let that happen.

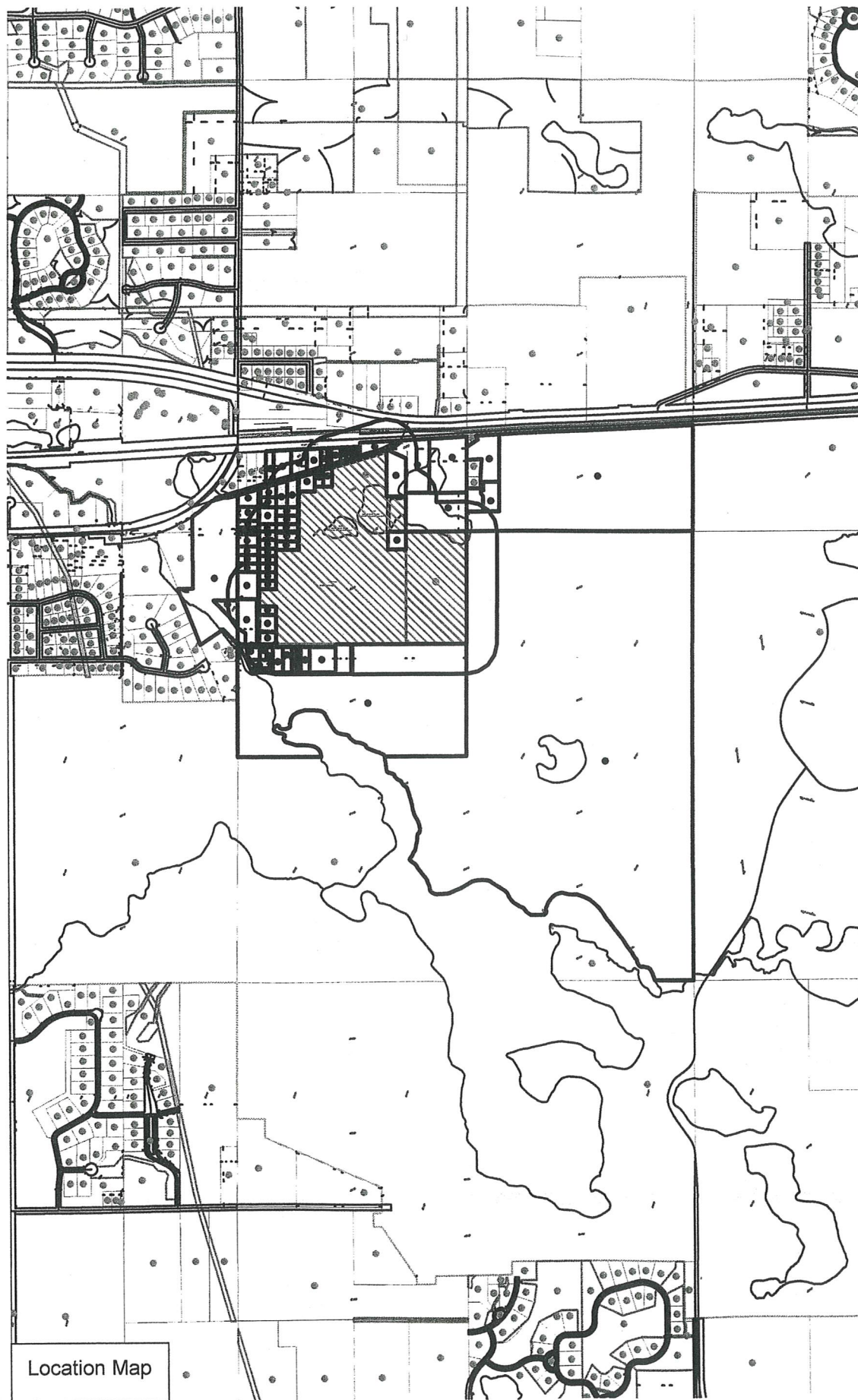
M/S/P, Sedro/Sessing, to approve the Concept Plan of FARMS OF LAKE ELMO with staff conditions plus removing letters from the entrance wall.

AMENDED, Helwig/Deziel, to amend the motion to remove condition number one except to keep the additional screening.

Discussion:

Lots proposed are larger than most neighbors. Intent is for developmental reasons for neighbors whose lots and uses are unlike. This development is less dense and 100 feet buffer on the western edge is doable without hardship to neighbors. VOTE: 8:1, Nay-Commissioner Sedro said she has heard good arguments for bending OP rules and regretted them later.

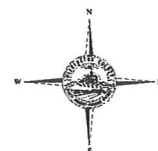
Chairman Helwig said go back to 100 feet buffer on the western side only because of the ridge there. He said he recommends 4/5 waiver for that.



Location Map



Vicinity Map



0 1700
Scale in Feet

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

Source: Washington County Surveyor's Office.
Phone (651) 430-6875

Parcel data based on AS400 information

**LAKE ELMO PLANNING COMMISSION
STAFF REPORT**

Date: March 18, 2005 for the meeting of March 28, 2005

Applicant: M&K Development/Friedrich Estate

Location: Southeast Quadrant of Janero Avenue and 31st Street North – North of the Park Reserve

Requested Action: Open Space Development Concept Plan

Land Use Plan Guiding: AG

Existing Zoning: AG

Site History and Existing Conditions:

Other than a 1971 Building Permit for construction of a “pole shed” City records reveal no planning/zoning/building actions by the City involving this parcel.

The existing site of 83.8 acres has been a working farm for over 100 years. While approximately 10 acres of the site is open water, the balance of the site (less farmstead) is open farm field, with a scattering of trees adjacent to the farmstead and water areas. The site features rolling terrain, with approximately 35 feet of topography from high point to low point. A farmstead that included a house and 6 outbuildings (as of the 2000 air photos) is located in the center of the parcel.

Discussion and Analysis:

The applicants propose an OP Concept for the site that would result in 30 home sites. Wastewater would be treated by a common facility and water supply would be City. The Preserved Open Space is proposed to be held by City (as opposed to Minnesota Land Trust Easement). The applicants also propose renovation of two of the existing farm structures to serve as HOA owned features of the neighborhood. A single lot credit is proposed in return for the farm structure renovation (as permitted by the OP Ordinance).

Staff review of the Concept Plan design leads to the following observations:

1. Proposed lot areas meet or exceed OP lot area standards.
2. Lot count and proposed Preserved Open Space appears to be in compliance with OP standards – based on buildable area (totaling 71 acres). It appears that the applicants have properly deducted the water areas from both the buildable area, and from the claimed Preserved Open Space.
3. While no actual building pads are depicted by the Concept Plan, the applicants report that the 200 foot OP buffer standard that is applicable along the west line of the Concept would not be complied with. The application requests substitution of the 100 foot buffer with elevation differential (approximately 20 foot fall from the proposed homes to adjacent homes) and landscaping, as allowed by Section 301.06 Subd. 2E. Staffs observes that the alternative OP Buffer standard is not available to the applicants since the adjacent land is not itself eligible for OP development. The only avenue available to the applicant for the

proposed 100 foot buffer substitution will be a 4/5 OP standards waiver by the City Council – Section 306.06.

4. It appears that several of the proposed lots along the east and south peripheries of the Concept would also fail to meet the 200 foot buffer requirement once house pads are identified. In both cases the lots will back onto the Lake Elmo Regional Park Reserve. In a recent similar situation lots of the Tapestry OP backed onto the City's Sunfish Park. In that case staff found that the Intent and Purposes of the OP ordinance would be complied with without a buffer to a major natural park environment.
5. The applicant proposes City water service to the neighborhood via a connection at Jamey Avenue. While the City has indicated an interest in serving this site with public water supply the timing and point of water service has not as yet been determined. The applicants should understand that service may not be available as quickly as they may desire, and service may be from 31st Street North rather than Jamey – at the City's option.
6. The applicant has not specified the type of "community" wastewater treatment proposed.
7. The City Engineer has made several design recommendations by his Memo of March 11 – some of which repeat those noted above. In addition, comments have been received from both the Valley Branch Watershed District, DNR and Washington County – all attached. Note that staff had a discussion with DNR regarding our Shoreland Ordinance as applied to OP projects in the past. The City Shoreland Ordinance does specifically refer to OP lot area minimums – ½ acre (left over from the Old OP standards). We fail to see the DNR issue in this regard.
8. The City Trail System Plan is before the Park Commission in its Final Draft Form. The Commission will soon be transmitting the Plan to the Planning Commission for review. The current draft depicts a public trail running east/west through this site with a west extension across Jamey to Tablyn Park. Compliance with the adopted (or draft) City Trails System Plan should be reflected by the Development Stage Plan for this site – including removal of direct trail access to the Regional Park.

Findings and Recommendations:

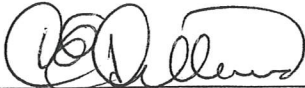
Staff finds that the OP Concept Plan generally complies with the standards of the OP District – as such standards are applicable at the Concept Stage. We find, however, that the proposed lots along the west border of the Concept fail to comply with OP buffer standards, and do not qualify for a reduced buffer alternative. Those lots must provide a 200 foot buffer unless a City Council 4/5 OP waive is approved. Staff suggests that a Planning Commission recommendation by for approval of the OP Concept Plan, subject to the following conditions:

1. Compliance with the 200 foot OP buffer requirement for all lots abutting existing platted lots.
2. Compliance the recommendations of the City Engineer.
3. Compliance with the recommendations of the Valley Branch Watershed District, as found applicable and practical by the City Engineer.
4. Compliance with the City Trail System Plan, with construction and dedication of Public trail within the neighborhood in accordance with that Plan – whether draft or adopted.

Planning Commission Actions Requested:

Motion to recommend approval of the Farms of Lake Elmo OP Concept Plan subject to the following conditions:

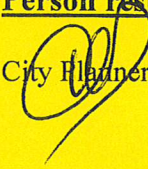
1. Compliance with the 200 foot OP buffer requirement for all lots abutting existing platted lots.
2. Compliance the recommendations of the City Engineer.
3. Compliance with the recommendations of the Valley Branch Watershed District, as found applicable and practical by the City Engineer.
4. Compliance with the City Trail System Plan, with construction and dedication of Public trail within the neighborhood in accordance with that Plan – whether draft or adopted.



Charles E. Dillerud, City Planner

Attachments:

1. Location Map
2. City Engineer's Memo
3. Valley Branch Memo
4. Washington County Letter
5. DNR Letter
6. Applicant's Documentation & Graphics

Lake Elmo City Council April 5, 2005	Agenda Section: Planning, Land Use & Zoning	<u>No.</u> 9C
<u>Agenda Item:</u> Minor Subdivision – 9057 Lake Jane Trail		
<u>Background Information for April 5, 2005:</u> At its meeting March 14, 2005 the Planning Commission unanimously adopted a recommendation to approve 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 Comp Plan amendment actions and a rezoning that was approved by the City Council in 2004. A condition of the approval recommendation in 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.		
<u>Action items:</u> Motion to approve Resolution #2005 - , approving the Minor Subdivision for 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.	<u>Person responsible:</u>  City Planner	
<u>Attachments:</u> <ol style="list-style-type: none"> 1. Draft Resolution #2005 – Approval of Minor Subdivision 2. Planning Commission Minutes of March 14, 2005 3. Location Map 4. Staff Report of March 8, 2005 5. Applicant’s Graphics 	<u>Time Allocated:</u>	

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

RESOLUTION NO. 2005-_____

**A RESOLUTION APPROVING THE MINOR SUBDIVISION REQUEST OF DANIEL AND
JEAN OLINGER.**

WHEREAS, on the 1st day of March, 2005, Daniel and Jean Olinger, ("Applicant") submitted a completed application requesting that the City of Lake Elmo approve a minor subdivision of a parcel located at 9057 Lake Jane Trail and legally described as:

That part of the Government Lot 5 of Section 10, Township 29 North, Range 21 West, Washington County, Minnesota, lying northerly of the south 40 acres thereof and lying south of the following described line:

Commencing at the southeast corner of said Government Lot 5; thence northerly along the east line of said Government Lot 5 a distance of 1694.00 feet to the southeast corner of the tract described in Book 274 of Deeds, page 366, on file and of record in the office of the County Recorder, Washington County, Minnesota and the point of beginning of said described line; thence westerly deflecting to the left 90 degrees 00 minutes 00 seconds along the south line of said tract a distance of 330.00 feet to the southwest corner of said tract; thence northerly deflecting to the right 90 degrees 00 minutes 00 seconds along the westerly line of said tract to a line distant 249.00 feet southerly of the southerly line of Lake Jane Trail and the southeast corner of the tract described in Document No. 362324 on file and of record in said office of the County Recorder; thence westerly along said line and along the south line of said tract to the west line of said tract and the west line of the East 505.00 feet of said Government Lot 5; thence southerly along said west line of the East 505.00 feet of Government Lot 5 a distance of 9.27 to a point on the North line of the South 1711.82 feet of said Government Lot No. 5; thence Westerly along the North line of the South 1711.82 feet of said Government Lot No. 5 for 803.07 feet to the West line of said Government Lot No. 5, and said described line there terminating.

AND

That part of the Government Lot 5 of Section 10, Township 29 North, Range 21 West, Washington County, Minnesota, described as follows:

Commencing at the southeast corner of said Government Lot 5; thence northerly along the east line of said Government Lot 5 a distance of 1694.00 feet to the southeast corner of the tract described in Book 274 of Deeds, page 366, on file and of record in the office of the County Recorder, Washington County, Minnesota; thence westerly deflecting to the left 90 degrees 00 minutes 00 seconds along the south line of said tract a distance of 330.00 feet to the southwest corner of said tract; thence northerly deflecting to the right 90 degrees 00 minutes 00 seconds along the westerly line of said tract to a line distant 249.00 feet southerly of the southerly line of Lake Jane Trail and the southeast corner of the tract described in Document No. 362324 on file and of record in said office of the County Recorder; thence westerly along said line and along the south line of said tract to the west line of said tract and the west line of the East 505.00 feet of said Government Lot 5 and the point of beginning; thence northerly along the west line of said tract and along said west line of the East 505.00 feet of Government Lot 5 to said south line of

Lake Jane Trail; thence easterly along said south line of Lake Jane Trail to said west line of the tract described in Book 274 of Deeds, page 366; thence northerly along said west line to the shore line of Lake Jane; thence westerly along said shore line to the east line of the West 591.00 feet of said Government Lot 5; thence southerly along said east line to the north line of the South 1711.82 feet of said Government Lot 5; thence easterly along said north line to the west line of the East 505.00 feet of said Government Lot 5; thence northerly along said west line of the East 505.00 feet of Government Lot 5 a distance of 9.27 feet to the southeast corner of the tract described in Document No. 362324 on file and of record in said office of the County Recorder to the point of beginning.

Subject to a drainage easement in favor of the Valley Branch Watershed District as described in Document No. 397877, on file and of record in said office of the County Recorder.

Also, subject to existing Lake Jane Trail running east-west through the above described property

ALSO:

That part of the Government Lot 5 of Section 10, Township 29 North, Range 21 West, Washington County, Minnesota, described as follows:

Commencing at the southeast corner of said Government Lot 5; thence northerly along the east line of said Government Lot 5 a distance of 1694.00 feet to the southeast corner of the tract described in Book 274 of Deeds, page 366, on file and of record in the office of the County Recorder, Washington County, Minnesota; thence westerly deflecting to the left 90 degrees 00 minutes 00 seconds along the south line of said tract a distance of 330.00 feet to the southwest corner of said tract; thence northerly deflecting to the right 90 degrees 00 minutes 00 seconds along the westerly line of said tract to a line distant 249.00 feet southerly of the southerly line of Lake Jane Trail and the southeast corner of the tract described in Document No. 362324 on file and of record in said office of the County Recorder; thence westerly along said line and along the south line of said tract to the west line of said tract and the west line of the East 505.00 feet of said Government Lot 5; thence southerly a distance of 9.27 feet along said west line of the east 505.00 feet to the north line of the South 1711.82 feet of said Government Lot 5; thence westerly along said north line to the east line of the West 405.00 feet and the southeast corner of the tract described in Document No. 676524, on file and of record in said office of the County Recorder and the point of beginning, thence northerly along said east line and the east line of said tract to said shore line of Lake Jane; thence westerly along said shore line to the east line of the West 219.00 feet of said Government Lot 5 and the east line of the tract described in document No. 340685, on file and of record in said office of the County Recorder; thence southerly along said east line to said south line of Lake Jane Trail and the southeast corner of said tract; thence westerly along said south line and the south line of said tract to the west line of said Government Lot 5; thence southerly along said west line to the north line of the South 1711.82 feet of said Government Lot 5; thence easterly along said north line to the east line of the West 405.00 feet of said Government Lot 5 to the point of beginning.

EXCEPT a 66.00 foot wide parcel of land over that part of the East 186.00 feet of the West 405.00 feet of said Government Lot 5 lying 33.00 feet each side of the following described center line:

Commencing at the southwest corner of said Government Lot 5; thence North 01 degree 42 minutes 37 seconds West, bearing oriented to the Washington County Coordinate System, South Zone, along the west line of said Government Lot 5 a distance of 1943.00 feet to the center line of Lake Jane Trail as presently traveled and the point of beginning of the center line to be described; thence North 82 degrees 06 minutes 53 seconds East along said center line 218.31 feet; thence easterly along said center line and a tangential curve, concave to the south, having a radius of

3926.21 feet and a central angle of 02 degrees 45 minutes 10 seconds, a distance of 188.64 feet to said east line of the West 405.00 feet of said Government Lot 5 and said center line there terminate.

Also, subject to a utility easement in favor of the City of Lake Elmo as described in Document No. 774780, on file and of record in said office of the County Recorder.

WHEREAS, on the 14th day of March, 2005, at a public meeting, the Lake Elmo Planning Commission reviewed the Development Application, the City Planner's reports and comments, the comments of the Applicant and the Applicant's representatives; and recommended approval of the Development Application; and

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

Approves the Minor Subdivision for the property located at 9057 Lake Jane Trail as illustrated on a plans prepared by Folz, Freeman, Erickson, Inc., staff dated March 8, 2005 legally described as:

Parcels A, B, and C with descriptions to be attached

with the following condition:

1. The City Attorney must approve covenant language for the title of Parcel C prohibiting the construction of a structure on that lot.

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

Dean Johnston, Mayor

ATTEST:

Martin Rafferty, City Administrator

Minor Subdivision: 9057 Lake Jane Trail - Olinger

The Planner explained that this request for a minor subdivision follows a rezoning and comprehensive plan amendment from 2004. The applicant proposes to divide a parcel for their daughter and a second parcel for a neighbor to have water access. In the event the neighbor does not purchase that parcel, it will be reserved for recreational use for the future development on the larger parent parcel, and covenants will be drafted to prevent the parcel from ever becoming buildable.

Commissioner Sedro noted that in the staff report a typo indicates a no-build covenant for Parcel C not B.

Tim Freeman

He said the minor subdivision is consistent with what was presented in 2004. He said the application meets code and DNR requirements in every respect.

M/S/P, Ptacek/Sessing, to recommend approval of a minor subdivision of property at 9057 Lake Jane Trail subject to the condition that the city attorney approve covenant language on the title of Parcel C prohibiting the construction of a structure on that lot. VOTE: 9:0.

City Council Update

The Planner updated the commission about the previous Council meeting.

Comprehensive Plan Modifications Policy

The Planner distributed copies of his latest edits and drafts and a table for staging to the commission. The Planner announced that he has changed the Public Hearing date to April 4.

The Planner said staging is important in an urbanizing situation with introduction of sewer, since the City must provide staffing, infrastructure, and services. Most communities that have urbanization in the future have a staging plan.

The Planner explained the tables for staging options.

- Scenario No. 1 heavily back loads the growth at the minimum pace prescribed by the MOU.
- Scenario No. 2 also backloads, but to a lesser degree than #1
- Scenario No. 3 attempts to distribute the growth relatively evenly over the 30 year period.
- Scenario No. 4 front loads to accommodate the fiscal aspects of City infrastructure costs – particularly water.

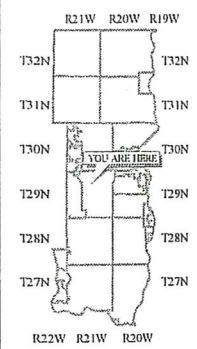
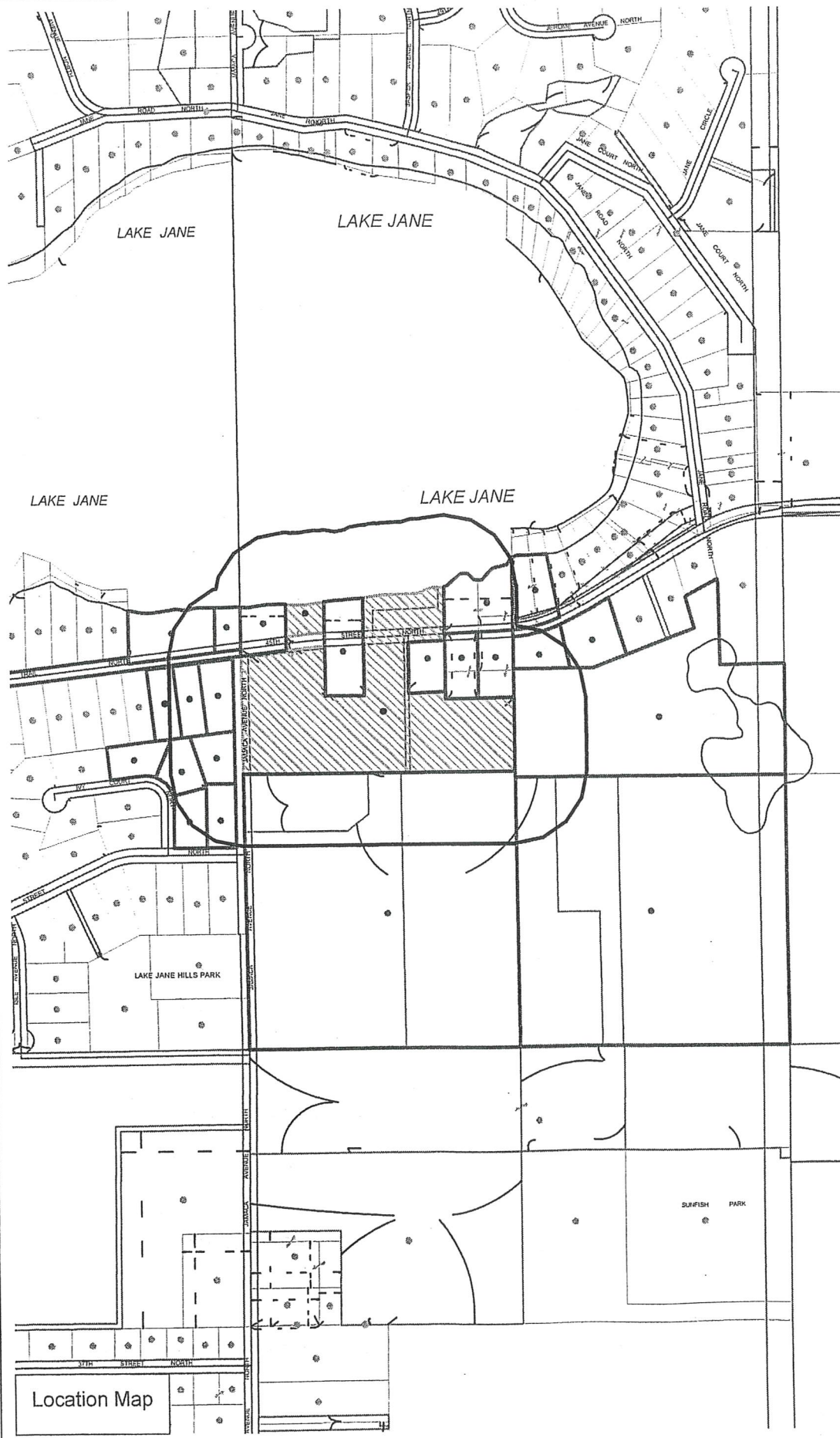
The Planner said staging can be done by building permits per year, an infrastructure control ordinance, limiting lots platted or permits issued to slow installation of infrastructure.

Administrator Rafferty said the number of units south and north of 10th Street is dividing the allocation annually as well. We have serious concerns making sure we are not in financial jeopardy. He said that needs to be considered for a front load scenario.

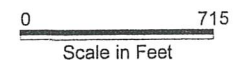
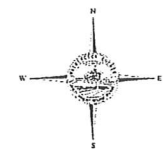
Administrator Rafferty said the entire water system south and north must be constructed from water connection fees and revenues in the enterprise fund, or the General Fund becomes obligated. He said if we want development in the Old Village and to make it a commercial center, it gets harder if not recognized as a center early on.

The Planner said he hoped to present some very detailed Land Use Mapping, but we just don't have the time to do it. He said the rush is to get something in to Met Council that meets desires, if not the detail we prefer at this time.

Commissioner Lyzenga asked for a recap on funding options for municipal services. She would like a review of bonding, tax levies, etc., because we are getting to the point of conflicting fiscal and



Vicinity Map



Location 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 (651) 430-6875

Parcel data based on AS400 information

**LAKE ELMO PLANNING COMMISSION
STAFF REPORT**

Date: March 8, 2005

Applicant: Dan & Jean Olinger

Location: 9057 Lake Jane Trail

Requested Action: Minor Subdivision

Land Use Plan Guiding: SRD

Existing Zoning: R-1

Site History and Existing Conditions:

On July 6, 2004 the City Council adopted a Resolution amending the Comprehensive Plan to reclassify this site from RAD to SRD; and, to rezone this site from RR to R-1. The Comprehensive Plan amendment and the rezoning were both subject to concurrence by the Metropolitan Council, which the City received on October 1, 2004.

Discussion and Analysis:

The applicant now proposed Minor Subdivision of the site of the previous Comp Plan/rezoning actions to create three separate tax parcels:

1. Parcel B – Approximately 2.04 acres (net of Lake Jane Trail ROW) located north and south of Lake Jane Trail, which will become an SFD building lot.
2. Parcel C - Approximately .75 acres (net of Lake Jane Trail ROW) north of Lake Jane Trail that will become an unbuildable remnant.
3. Parcel A – Approximately 13.3 acres (net of Lake Jane Trail and Jamaca Avenue ROW) located north and south of Lake Jane Trail that contains the existing Olinger house and accessory structures. The southerly portion of this proposed parcel (approximately 11 acres) remains land use guided RAD, and zoned RR.

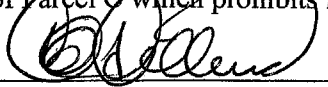
Subject to a "No Build" covenant that the applicant has proposed for Parcel B, all proposed parcels meet or exceed the dimensional standards of the zoning district in which they are located.

Findings and Recommendations:

Staff finds the proposed Minor Subdivision to be in compliance with the standards and process prescribed by Chapter 400 (Subdivision) for Minor Subdivision, and the resulting parcels to be in compliance with the applicable R-1 and RR zoning standards of Chapter 300 (Zoning).

Planning Commission Actions Requested:

Motion to recommend approval of a Minor Subdivision at 9057 Lake Jane Trail per plans staff-dated March 8, 2005, subject to a condition that a covenant, approved by the City Attorney as to form, be recorded on the title of Parcel C which prohibits its use as the location of a residence structure.



Charles E. Dillerud, City Planner

Attachments:

1. Location Map
2. Applicant's Documentation

CERTIFICATE OF SURVEY

Jlz, Freeman, Erickson, Inc.



LAND PLANNING
SURVEYING
ENGINEERING

5620 MEMORIAL AVENUE NORTH, STILLWATER, MN 55082

Phone (651) 439-8833 Fax (651) 430-9331

Website: www.jfe-inc.com

SURVEY FOR:

Daniel & Jean Olinger
9057 Lake Jane Trail
Lake Elmo, MN 55042

LEGEND

- DENOTES 1/2 INCH IRON PIPE MONUMENT MARKED WITH A PLASTIC CAP INSCRIBED "FREEMAN LS 16989", UNLESS SHOWN OTHERWISE
- DENOTES FOUND MONUMENT, SIZE AND MARKINGS AS INDICATED
- ✱ SOIL BORING / TEST PIT



NOTES

- 1) ORIENTATION OF THIS BEARING SYSTEM IS BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SECTION 10, T29N, R21W, WASHINGTON COUNTY, MN., WHICH BEARS NORTH 00 DEGREES 53 MINUTES 21 SECONDS WEST.

LEGAL DESCRIPTION:

PARCEL A

That part of the East 186.00 feet of the West 405.00 feet of Government Lot 5 of Section 10, Township 29 North, Range 21 West, Washington County, Minnesota lying northerly of the South 1711.82 feet thereof, as measured at a right angle to the south line of said Government Lot 5, containing 1.97 acres, more or less, EXCEPT, a 66.00 foot wide road parcel over that part of the above described tract lying 33.00 feet each side of the following described center line:
Commencing at the southwest corner of said Government Lot 5; thence North 01 degree 42 minutes 37 seconds West, bearing oriented to the Washington County Coordinate System, South Zone, along the west line of said Government Lot 5 a distance of 1943.00 feet to the center line of Lake Jane Trail as presently traveled and the point of beginning of the center line to be described; thence North 82 degrees 06 minutes 53 seconds East along said center line 218.31 feet; thence easterly along said center line and a tangential curve, concave to the south, having a radius of 3926.21 feet and a central angle of 02 degrees 45 minutes 10 seconds, a distance of 188.64 feet to the east line of the West 405.00 feet of said Government Lot 5 and said center line there terminate; together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions: except for liens or encumbrances caused or suffered to attach to the said premises by act or omissions by persons other than the grantors herein after March 18, 1982.

ALSO:
That part of Government Lot 5 of Section 10, Township 29 North, Range 21 West, Washington County, Minnesota, described as follows:
Commencing at the southeast corner of said Government Lot 5; thence northerly along the east line of said Government Lot 5 a distance of 1694.00 feet to the southeast corner of the tract described in Book 274 of Deeds, page 366, on file and of record in the office of the County Recorder, Washington County, Minnesota and the point of beginning; thence westerly deflecting to the left 90 degrees 00 minutes 00 seconds along the south line of said tract a distance of 330.00 feet to the southwest corner of said tract; thence northerly deflecting to the right 90 degrees 00 minutes 00 seconds along the westerly line of said tract to a line distant 249.00 feet southerly of the southerly line of Lake Jane Trail and the southeast corner of the tract described in Document No. 362324 on file and of record in said office of the County Recorder; thence westerly along said line and along the south line of said tract to the west line of said tract and the west line of the East 505.00 feet of said Government Lot 5; thence southerly along the west line of the East 505.00 feet of Government Lot 5 a distance of 9.17 feet to the north line of the South 1711.82 feet of said Government Lot 5; thence westerly along said north line to the east line of the West 219.00 feet of said Government Lot 5; thence northerly along said east line to said south line of Lake Jane Trail and the southeast corner of the tract described in Document No. 340685 on file and of record in the office of the County Recorder; thence westerly along said south line and the south line of said tract to the west line of said Government Lot 5; thence southerly along said west line to the north line of the South 405.00 feet of said Government Lot 5; thence easterly along said north line to said east line of Government Lot 5; thence northerly along said east line to the point of beginning.

Subject to a drainage easement in favor of the Valley Branch Watershed District as described in Document No. 397877, on file and of record in said office of the County Recorder;

Also, subject to a public street and utility easement in favor of the City of Lake Elmo as described in Document No. 774780, on file and of record in said office of the County Recorder;

Also, subject to a public street and utility easement in favor of the City of Lake Elmo as described in Document No. 778335, on file and of record in said office of the County Recorder;

Also, subject to existing Lake Jane Trail running east-west through the above described property as described in Document No. 431649 on file and of record in said office of the County Recorder;

And other valid easements and restrictions of record, if any.

PARCEL B

That part of the Government Lot 5 of Section 10, Township 29 North, Range 21 West, Washington County, Minnesota, described as follows:
Commencing at the southeast corner of said Government Lot 5; thence northerly along the east line of said Government Lot 5 a distance of 1694.00 feet to the southeast corner of the tract described in Book 274 of Deeds, page 366, on file and of record in the office of the County Recorder, Washington County, Minnesota; thence westerly deflecting to the left 90 degrees 00 minutes 00 seconds along the south line of said tract a distance of 330.00 feet to the southwest corner of said tract; thence northerly deflecting to the right 90 degrees 00 minutes 00 seconds along the westerly line of said tract to a line distant 249.00 feet southerly of the southerly line of Lake Jane Trail and the southeast corner of the tract described in Document No. 362324 on file and of record in said office of the County Recorder; thence westerly along said line and along the south line of said tract to the west line of said tract and the west line of the East 505.00 feet of said Government Lot 5 and the point of beginning; thence northerly along the west line of said tract and along said west line of the East 505.00 feet of Government Lot 5 to the shore line of Lake Jane; thence westerly along said shore line to the east line of the West 591.00 feet of said Government Lot 5; thence southerly along said west line to the north line of the South 1711.82 feet of said Government Lot 5; thence easterly along said north line to the west line of the East 505.00 feet of said Government Lot 5; thence northerly along said west line 9.17 feet of the point of beginning.

And other valid easements and restrictions of record, if any.

PARCEL C

That part of the Government Lot 5 of Section 10, Township 29 North, Range 21 West, Washington County, Minnesota, described as follows:
Commencing at the southeast corner of said Government Lot 5; thence northerly along the east line of said Government Lot 5 a distance of 1694.00 feet to the southeast corner of the tract described in Book 274 of Deeds, page 366, on file and of record in the office of the County Recorder, Washington County, Minnesota; thence westerly deflecting to the left 90 degrees 00 minutes 00 seconds along the south line of said tract a distance of 330.00 feet to the southwest corner of said tract; thence northerly deflecting to the right 90 degrees 00 minutes 00 seconds along the westerly line of said tract to a line distant 249.00 feet southerly of the southerly line of Lake Jane Trail and the southeast corner of the tract described in Document No. 362324 on file and of record in said office of the County Recorder; thence westerly along said line and along the south line of said tract to the west line of said tract and the west line of the East 505.00 feet of said Government Lot 5 and the point of beginning; thence easterly along said south line of Lake Jane Trail to said west line of the tract described in Book 274 of Deeds, page 366; thence northerly along said west line to the shore line of Lake Jane; thence westerly along said shore line to the west line of the East 505.00 feet of said Government Lot 5; thence southerly along said west line to the point of beginning.

Subject to a drainage easement in favor of the Valley Branch Watershed District as described in Document No. 397877, on file and of record in said office of the County Recorder; Also, subject to existing Lake Jane Trail running east-west through the above described property;

And other valid easements and restrictions of record, if any.

LAKE JANE TRAIL (45TH ST. NORTH)

HERETOFORE QUIT CLAIMED BY DEED DATED MARCH 18, 1982, FILED MAY 24, 1982 AS DOCUMENT NO. 431649
A 66.00 foot wide parcel of land over that part of the East 186.00 feet of the West 405.00 feet of Government Lot 5 of Section 10, Township 29 North, Range 21 West, Washington County, Minnesota lying northerly of the South 1711.82 feet thereof, as measured at a right angle to the south line of said Government Lot 5, containing 1.97 acres, more or less, lying 33.00 feet each side of the following described center line:
Commencing at the southwest corner of said Government Lot 5; thence North 01 degree 42 minutes 37 seconds West, bearing oriented to the Washington County Coordinate System, South Zone, along the west line of said Government Lot 5 a distance of 1943.00 feet to the center line of Lake Jane Trail as presently traveled and the point of beginning of the center line to be described; thence North 82 degrees 06 minutes 53 seconds East along said center line 218.31 feet; thence easterly along said center line and a tangential curve, concave to the south, having a radius of 3926.21 feet and a central angle of 02 degrees 45 minutes 10 seconds, a distance of 188.64 feet to the east line of the West 405.00 feet of said Government Lot 5 and said center line there terminate.

ROAD PARCEL TO BE DEDICATED


A 66.00 foot wide parcel of land over that part of Government Lot 5 of Section 10, Township 29 North, Range 21 West, Washington County, Minnesota lying northerly of the South 1711.82 feet thereof, as measured at a right angle to the south line of said Government Lot 5, lying 33.00 feet each side of the following described center line:
Commencing at the southwest corner of said Government Lot 5; thence North 01 degree 42 minutes 37 seconds West, bearing oriented to the Washington County Coordinate System, South Zone, along the west line of said Government Lot 5 a distance of 1943.00 feet to the center line of Lake Jane Trail as presently traveled; thence North 82 degrees 06 minutes 53 seconds East along said center line 218.31 feet; thence easterly along said center line and a tangential curve, concave to the south, having a radius of 3926.21 feet and a central angle of 02 degrees 45 minutes 10 seconds, a distance of 188.64 feet to the east line of the West 405.00 feet of said Government Lot 5 and the point of beginning of the center line to be described; thence continuing easterly along said tangential curve, concave to the south, having a radius of 3926.21 feet and a central angle of 02 degrees 24 minutes 36 seconds, a distance of 165.15 feet; thence North 88 degrees 05 minutes 55 seconds East a distance of 408.97 feet to the west line of the tract described in Book 274 of Deeds, page 366 and said center line there terminate.

3/18/05
000
RECEIVED

I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the Laws of the State of Minnesota.

Timothy J. Freeman, LS
Minnesota License No. 16989

Note: Official Copies of this map are crimp sealed
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Lake Elmo City Council April 5, 2005	Agenda Section: Planning, Land Use & Zoning	<u>No.</u> 9D
<u>Agenda Item:</u> Section 520 Site Plan – 11051 Stillwater Blvd.		
<u>Background Information for April 5, 2005:</u> On March 9 ³⁸ , 2005 the Planning Commission unanimously (9-0) adopted a recommendation to approve this application to modify the site and make building additions 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 <u>identified</u> on the site .		
<u>Action items:</u> Motion to adopt Resolution #2005 - , 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.	<u>Person responsible:</u> <div style="text-align: center;">  City Planner </div>	
<u>Attachments:</u> <ol style="list-style-type: none"> 1. Resolution #2005 - , Approving Site Plan 2. Planning Commission Minutes of March 14, 2005 3. Planning Staff Report of March 9, 2005 4. Applicant's Graphics 	<u>Time Allocated:</u>	

CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

RESOLUTION NO. 2005-

A RESOLUTION APPROVING THE SECTION 520 SITE PLAN
FOR 11051 STILLWATER BOULEVARD

WHEREAS, Bahr Management, has submitted a Section 520 Site Plan for site modifications and a 2,046 square foot addition to 11051 Stillwater Blvd., and

WHEREAS, at its March 28, 2005 meeting, the Planning Commission reviewed and recommended approval of this site plan per plans staff dated March 9, 2005 as same on file with the City Administrator, subject to the following conditions:

1. Relocation of the proposed monument sign to a point not less than 15 feet from the south edge of the MnDOT highway easement; or, elimination of the sign from the Site Plan.
2. Confirmation from the applicant that the installed height of the parking lot lighting fixtures be no more than 20 feet above grade – regardless of pole height.
3. Compliance with the requirements of the City Attorney, City Engineer, Valley Branch Watershed District (as found applicable by the City Engineer) and MnDOT.

NOW, THEREFORE, BE IT RESOLVED, that the City Council for the City of Lake Elmo does hereby approve the Section 520 Site Plan based upon the recommendation of the Planning Commission.

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

Dean Johnston, Mayor

ATTEST:

Martin Rafferty, City Administrator

(Unedited Draft Excerpt of the 3/28/05 Planning Commission Minutes)

Section 520 Site Plan – 11051 Stillwater Boulevard

The Planner explained that this application is for an addition to and remodeling of an existing commercial site. He said the new monument sign is unfortunately located within the Highway 5 right of way easement. Mn/DOT has not provided commentary yet. The Planner said he recommends approval subject to compliance with city engineer, VBWD, and finish height of lights being exactly 20 feet above grade or less, and the monument sign relocated 15 feet within the right of way line.

Rodney Bahr, Applicant and Owner of Bahr Construction

Mr. Bahr said he has an option to purchase the subject building contingent on city approval. He distributed some photos of the type of exterior he plans for the structure. He is still in discussions with Mn/DOT about relocating the sign.

M/S/P, Sessing/Schneider, to recommend approval with three conditions in the staff report.

Mr. Bahr said he would prefer the sign be separated from the motion until he has worked it out with Mn/DOT.

VOTE: 9:0.

:.) *Kim*

Kimberly Schaffel
City of Lake Elmo

**LAKE ELMO PLANNING COMMISSION
STAFF REPORT**

Date: March 9, 2005 for the Meeting of March 14, 2005

Applicant: Bahr Management

Location: 11051 Stillwater Blvd.

Requested Action: Section 520 Site Plan – Remodel/Addition

Land Use Plan Guiding: “C” (Commercial)

Existing Zoning: GB (General Business)

Site History and Existing Conditions:

The site is 1.1 acres with an existing 2,057 square foot (foot print) structure that was converted from a residence to an office building in 1980 following rezoning by the City from R-1 to GB. City records reveal no other actions of significance on the site except a modification of the sign face message for the occupant insurance agency in 2004.

Discussion and Analysis:

The applicant proposes remodeling, site modifications and additions to the existing office structure. The additions would be to the south and west, totaling 2,046 square feet (foot print) as additional office space. The remodeling would be primarily internal, but also include a new exterior surfacing. Occupancy would continue to include the present insurance agency, but now also include a building contractor (the applicant). The site modifications primarily involve new off-street parking to comply with zoning ordinance minimums for GB office uses. Staff review of the proposed site plan for compliance with GB and other related standards reveals the following regarding the proposed plans:

1. All parking, GB setback standards, and GB site coverage standards (for site of less than 4 acres) are complied with.
2. The Section 520 landscaping value minimum is complied with, and the parking landscape island standard is not applicable due to the size of the off street parking area.
3. The additions to the existing structure (by foot print) total 99.4% of the existing structure. Since the additions total (just) less than a 100% enlargement of the existing structure, the site plan is exempt from GB exterior surfacing standards. (Ordinance 97-108, amending Section 300.07, Subd. 4H4).
4. The proposed exterior lighting generally complies with code standards if the overall fixture height does not exceed 20 feet from grade. Any pedestal height added to the specified 20 foot light pole will result in non-compliance.
5. Proposed wall signage is compliant with Sign Ordinance standards.
6. The proposed street monument sign appears to comply with sign area standards, but the applicant proposes to locate this sign in the same location as the present pylon sign – within the MnDOT roadway easement. Staff has discussed this with the applicant in the past, and has advised the applicant that, while the present pylon sign (with any new copy the applicant requires) could remain (subject to MnDOT) as legally non-conforming as to

set back, any new sign must meet a set back standard of 15 feet from the highway ROW – south edge of the MnDOT easement.

7. The applicant proposes to upgrade the present holding tank wastewater system.

Findings and Recommendations:

Except with respect to the proposed monument sign location, staff finds the Site Plan to generally comply with applicable City Code and Zoning Ordinance standards for a project as described. A recommendation of approval is suggested.

Planning Commission Actions Requested:

Motion to recommend approval of a Section 520 Site plan at 11051 Stillwater Blvd. per plans staff-dated March 9, 2005, subject to the following conditions:

1. Relocation of the proposed monument sign to a point not less than 15 feet from the south edge of the MnDOT highway easement; or, elimination of the sign from the Site Plan.
2. Confirmation from the applicant that the installed height of the parking lot lighting fixtures be no more than 20 feet above grade – regardless of pole height.
3. Compliance with the requirements of the City Attorney, City Engineer, Valley Branch Watershed District (as found applicable by the City Engineer), and MnDOT.

Charles E. Dillerud, City Planner

Attachments:

1. Location Map
2. Applicant's Graphics

HWY EASEMENT per Book 256 Deeds, Page 3

LAKE ELMO AVENUE NORTH

CSAH 17

50

510.40

218.40

470

HWY

1758.90 FT. 50 OF CORNER OF SEC 11, 12, 13 & 14

1540.50 FT. 50 OF CORNER OF SEC 11, 12, 13 & 14

430.00

330.00

218.40

406.20

281.60

424.50

427.52

150.00

141.12

65-029-21-23-004

147.00

147.00

147.00

147.00

147.00

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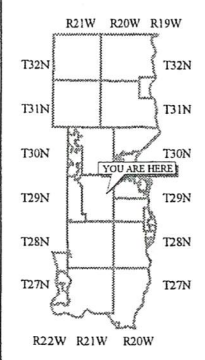
147.00

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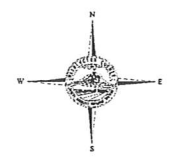
147.00

147.00

147.00



Vicinity Map



0 190
Scale in Feet

Location 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 (651) 430-6875

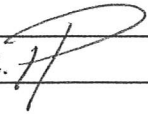
Parcel data based on AS400 information

RECEIVED
MAR 21 2005

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

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

MEMORANDUM

To:	<u>Chuck Dillerud</u>	Reference:	<u>Site Plan Review</u>
Copies To:	<u></u>		<u>11051 Stillwater Boulevard</u>
	<u></u>		<u>City of Lake Elmo, Minnesota</u>
From:	<u>Thomas Prew, P. E.</u> 	Proj. No.	<u>13186.000</u>
Date:	<u>March 18, 2005</u>	Routing:	<u></u>
			<u></u>

I have reviewed the site plan dated March 3, 2005, and have the following comments:

Access

The current driveway entrance is not changing in size or location.

Septic System

It is proposed to install two holding tanks until such time as municipal sanitary sewer service is available. There is not a time table yet for City sewer to be extended to this site. The following conditions should apply if the holding tanks are allowed. First, a drainfield area should be identified so a conforming septic system could be built if necessary. Second, the Owner shall agree to connect to City sewer within 6 months of it being available to them. The septic tanks shall be abandoned or removed at that time.

Any existing septic tanks shall be abandoned as part of these site improvements.

Drinking Water

The plan shows connecting to City water. The existing well shall be abandoned in accordance with State Health Department Code.

Surface Water

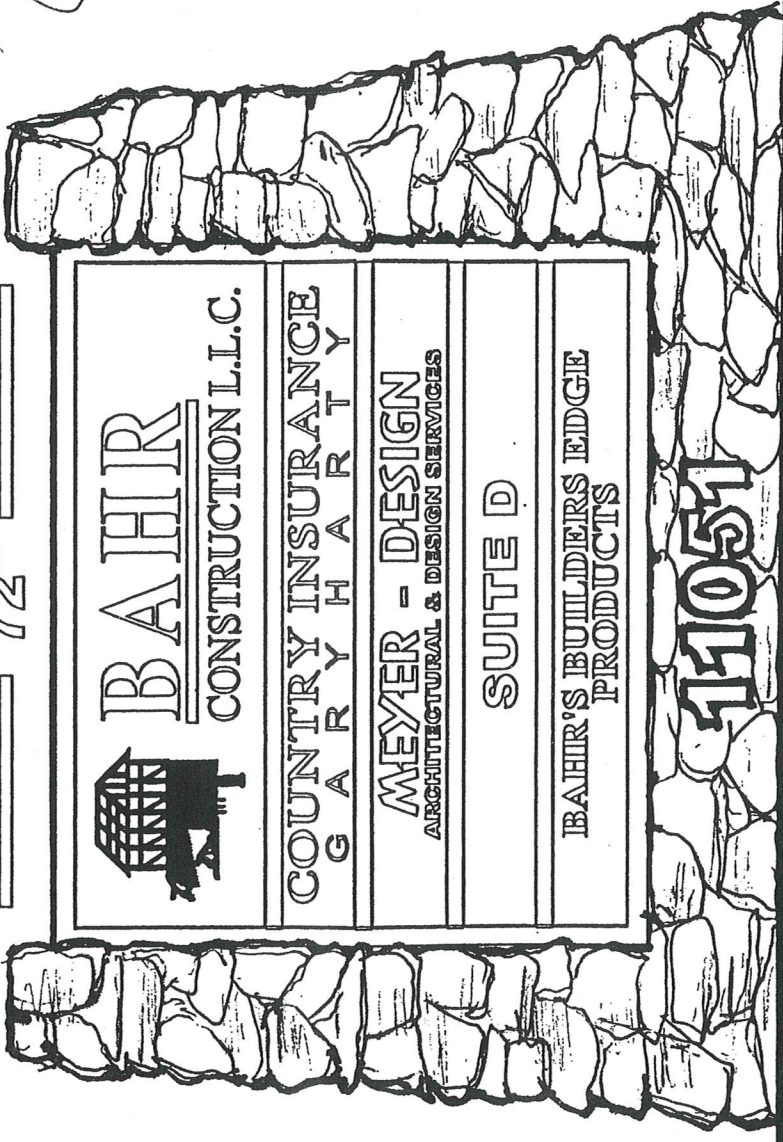
Two small ponds with a grass channel between them are proposed. The design encourages some infiltration. Final outlet is to the channel south of the property where the water currently runs.

Other

A bond for the site improvement work and a second bond for the landscaping should be required prior to issuance of a building permit.

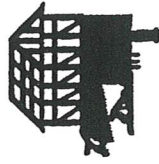
3/19/05
00

72"



60"

12"



BAHR

CONSTRUCTION L.L.C.

COUNTRY INSURANCE
GARYHARTY

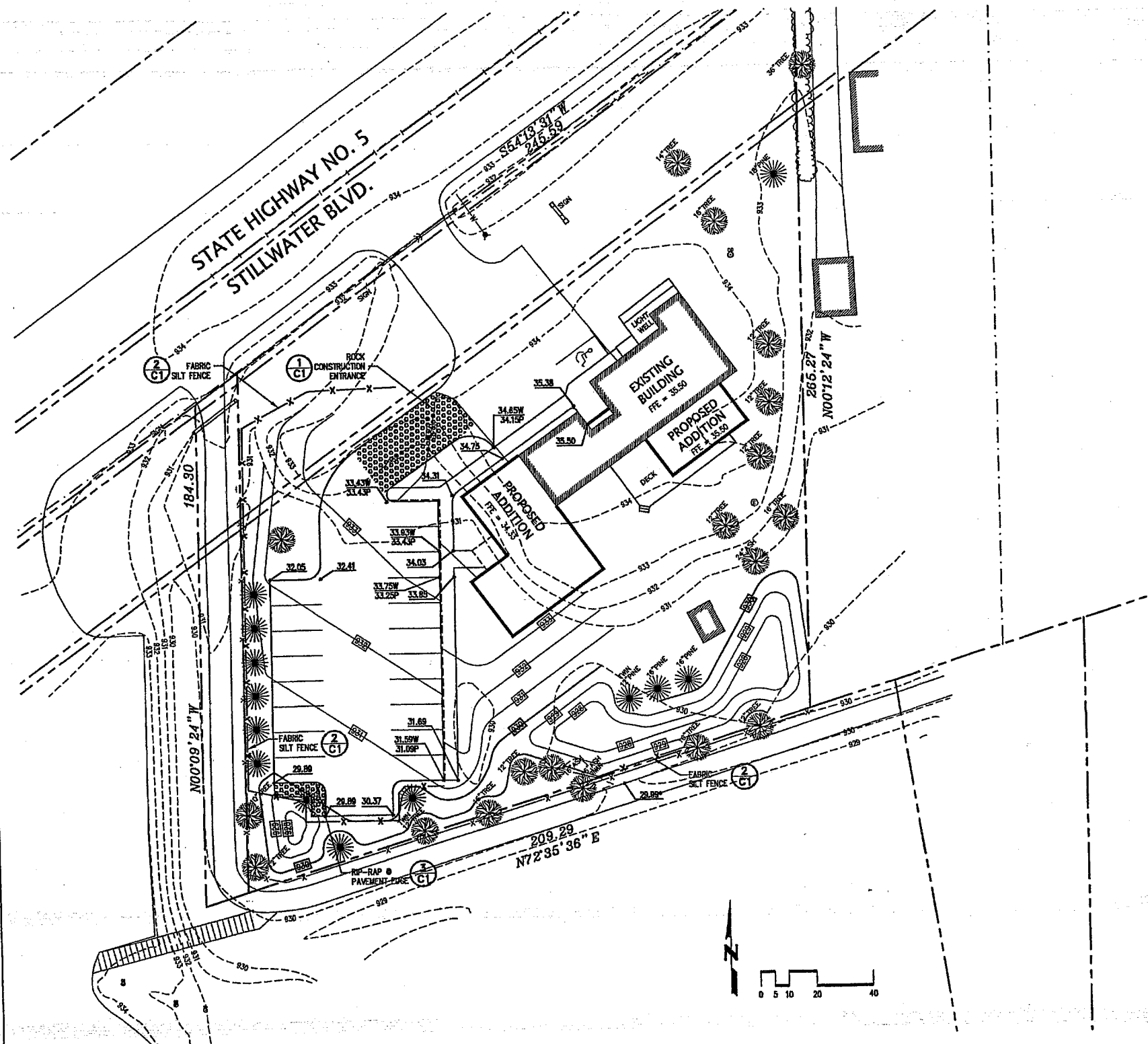
MEYER - DESIGN
ARCHITECTURAL & DESIGN SERVICES

SUITE D

BAHR'S BUILDERS EDGE
PRODUCTS

111051

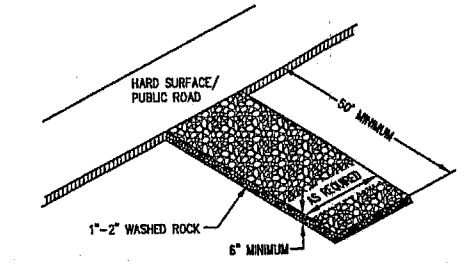
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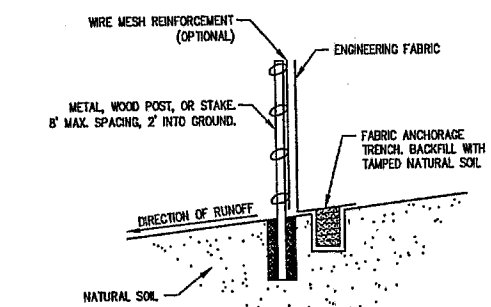
GRADING & EROSION CONTROL

EROSION AND SEDIMENT CONTROL PLAN

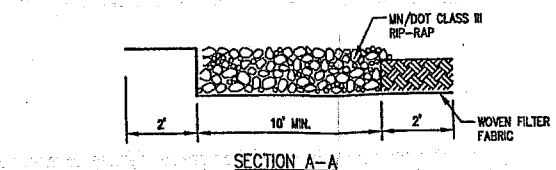
- 1) ALL GRASS AREAS TO BE STABILIZED WITHIN 14 DAYS OF ROUGH GRADING COMPLETION.
- 2) INSTALL SILT FENCE PRIOR TO ANY OTHER CONSTRUCTION. SILT FENCE MAY BE REMOVED UPON COMPLETION OF ALL SITE RESTORATION.
- 3) INSTALL ROCK CONSTRUCTION ENTRANCE AT BEGINNING OF INITIAL SITE GRADING. REMOVE WHEN PAVING OF SITE BEGINS.
- 4) STORMWATER DISCHARGE FROM SITE IS VIA SWALES INTO INFILTRATION BASIN.
- 5) CONTRACTOR SHALL MAINTAIN ALL EROSION AND SEDIMENT CONTROL PRACTICES UNTIL COMPLETION OF ALL SITE RESTORATION.



ROCK CONSTRUCTION ENTRANCE
NOT TO SCALE



NOTE: DEPENDING UPON CONFIGURATION, ATTACH FABRIC TO WIRE MESH WITH HOO RINGS, STEEL POSTS WITH WIRES, OR WOOD POSTS WITH STAPLES.
SILTATION FENCE INSTALLATION DETAIL
NOT TO SCALE



NOTE: 500X MIRAFI FABRIC OR EQUAL.
RIP-RAP AT PAVEMENT EDGE
NOT TO SCALE

3/9/05
C1

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
REG. NO. 5568
DATE: 3/07/05

Larson Engineering of Minnesota
2804 Lohr Road
White Bear Lake, MN 55110
(P) 651.481.9120 (F) 651.481.0001

GRADING & EROSION CONTROL PLAN & DETAILS

NO.	REVISION	DATE	BY

BUILDING ADDITIONS
11051 STILLWATER BOULEVARD
LAKE ELMO, MINNESOTA 55042

DRAWN: MAM	CHECKED: MAM	DATE: 3/07/05	12056035
SHEET			C1

ALL EXISTING ITEMS AND CONDITIONS SHOULD BE VERIFIED BY THE CONTRACTOR BEFORE CONSTRUCTION.

^ CONTACT:

COUNTY/CITY:

SEAL:

THE STATE OF MINNESOTA DOES NOT
REQUIRE A SEAL

CERTIFICATION:


Daniel L. Thurmes Registration No: 25718


Date: 2-24-05

REVISIONS:

DATE	REVISION
2-24-05	SITE PLAN
3-3-05	REVISE SITE PLAN

PROJECT LOCATION:

11051
STILLWATER BLVD. N.
P.I.D.#1302921230067

 Suite #B10
200 E. Chestnut Street
Stillwater, MN 55081
Phone 651.275.8966
Fax 651.275.8977
dlc-cals
mcleodus

CORNERSTONE
LAND SURVEYING

FILE NAME	SURVR
PROJECT NO.	RB050

DEMOLITION PLAN

EXISTING LEGAL DESCRIPTION:

(NOTE: LEGAL DESCRIPTION PROVIDED by Bahr Construction)

All that part of Lot 1, County Auditor's Plat No. 8, Washington County, Minnesota, described as follows: Beginning at the quarter-section corner on the west side of Section 13, Township 29 North, Range 21 West, thence north along the west line of said Section 13, 329.64 feet to a stone monument on the southerly side of the St. Paul and Sillwater Road; thence North 55 degrees 16 minutes 30 seconds East along the said southerly line of said Road 464.63 feet to the northwest corner of a tract of land conveyed by James S. Collony and wife to William J. By Ward, County Auditor, and acknowledged land; 13.19 feet to a point recorded in the office of the County Recorder in and for said Washington County in Book 76 of Deeds, page 148, to the place of beginning; thence south along the west line of said land 261.60 feet to the southwest corner of said land; thence South 72 degrees 48 minutes West 225.00 feet to a point; thence north along a line parallel to the said west line of said Section 13 to a point on the southerly line of said St. Paul and Sillwater Road; 15.16 feet to a point 15 minutes 30 seconds East, on the southerly line of said road to the place of beginning. EXCEPT the easterly 15.00 feet thereof.

EASEMENT INFO:

NO TITLE WORK WAS PROVIDED BY BAHR CONSTRUCTION, INC OR THE SELLER OF THE PROPERTY. RIGHT OF WAY INFORMATION SHOWN BASED ON WASHINGTON COUNTY HALF SECTION MAPPING. ADJOINING PLATS AND MAPS WERE USED TO ESTABLISH THE CENTERLINE OF STATE HIGHWAY NO. 5.

OTHER EASEMENTS MAY EXIST THAT ARE NOT SHOWN ON THIS SURVEY.

THE CONVEYANCE OF THE WESTERLY 15.00 FEET OF THE PARCEL IN THE RECORDERS OFFICE COULD NOT BE FOUND BY CORNERSTONE. IT IS BELIEVED THAT THIS PROPERTY WAS DEEDED TO THE CITY OF LAKE ELMO FOR THE TRAIL.

THE UNDERLYING DESCRIPTION FOR THE ADJOINING PARCEL TO THE EAST WAS USED TO ESTABLISH THE SOUTHERLY LINE OF THIS PARCEL. THE BEARINGS IN THE DEED CALLS WERE IDENTICAL AND THE CALL OF THE CENTERLINE EXTENDED WESTERLY WAS HELD.

▲ **DEVELOPMENT DATA:**

TOTAL AREA = 44,916 SQ. FT. / 1.03 ACRES
RIGHT OF WAY = 10,316 SQ. FT. / 0.24 ACRES
NET AREA = 34,600 SQ. FT. / 0.79 ACRES

PROPOSED IMPERVIOUS AREA = 14,305 SQ.FT. 41.3%

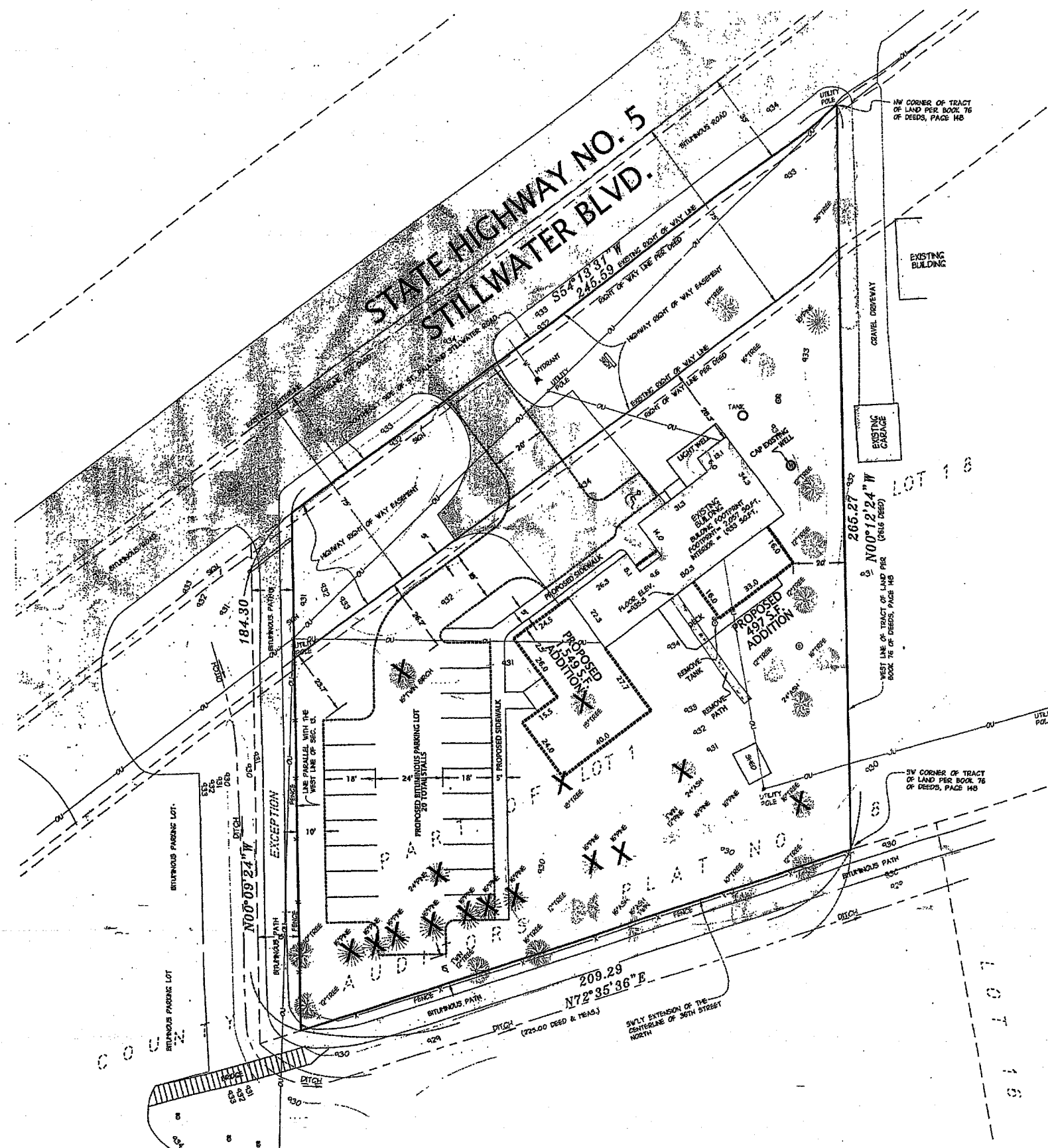
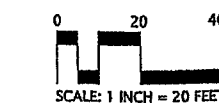
TOTAL PROPOSED PARKING 1 STALL FOR EVERY 200 SQ.FT. OF INTERIOR SPACE.
TOTAL INTERIOR SPACE - 3,979 SQ.FT. / 200 = 20 STALLS

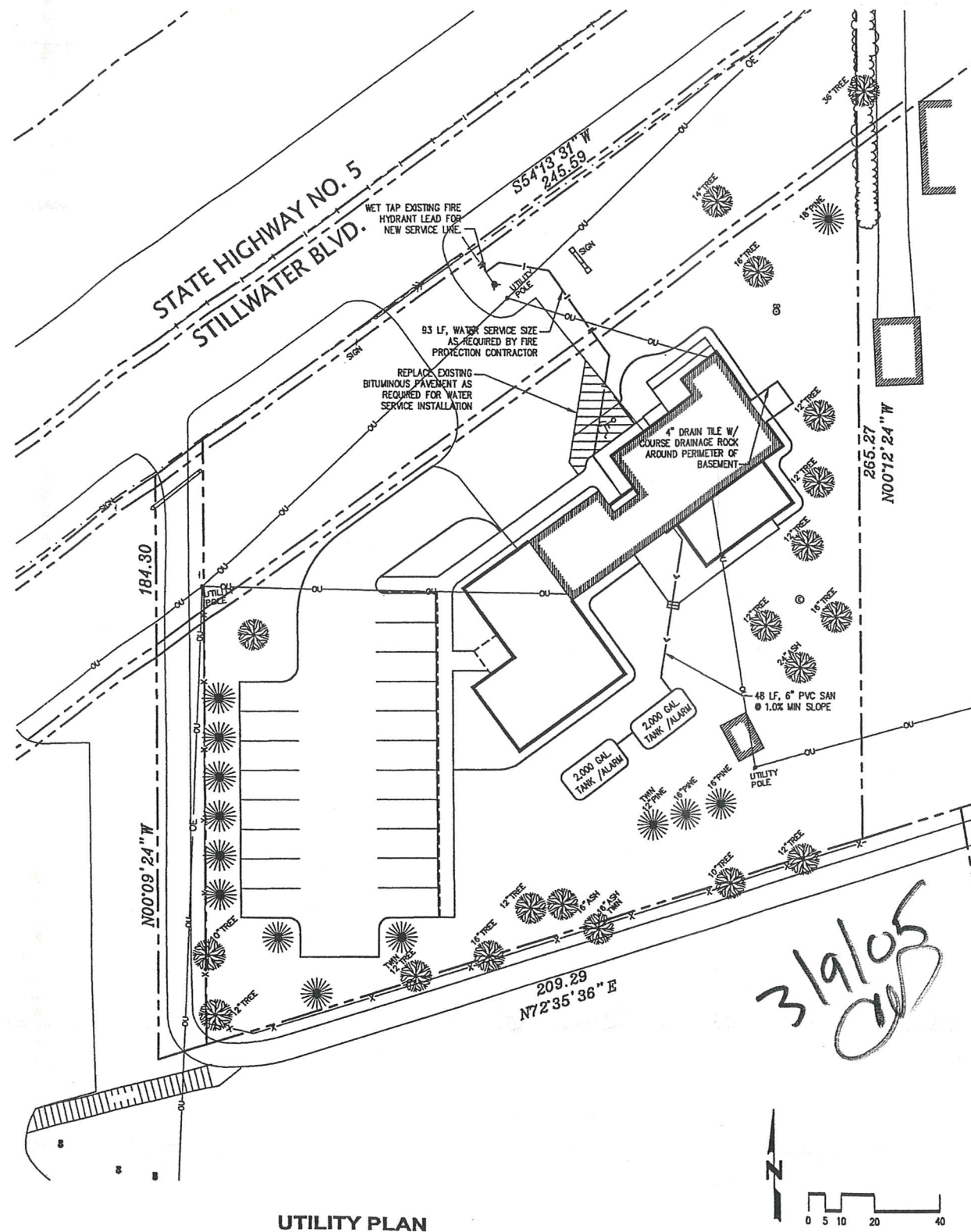
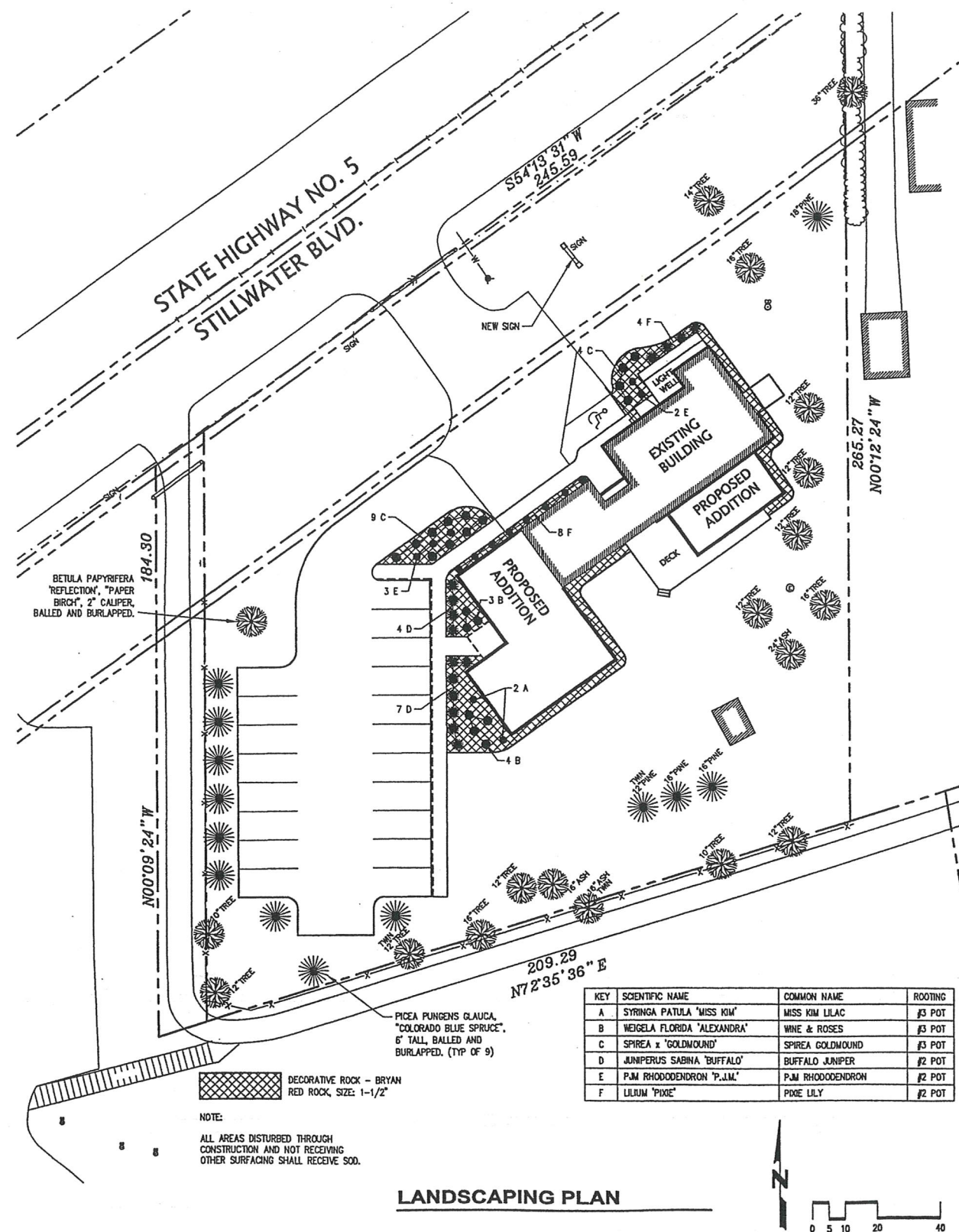
^ SURVEY NOTES:

1. BEARINGS ARE BASED ON WASHINGTON COUNTY SECTION INFORMATION NAD 1983
2. UNDERGROUND UTILITIES NOT LOCATED.
3. ELEVATIONS BASED BENCH MARKS PROVIDED BY MNDOT.
4. UNDERGROUND UTILITIES, GAS, ELECTRIC, ETC. NOT SHOWN OR LOCATED.
5. SEPTIC AREA NOT LOCATED OR SHOWN.

SYMBOLS:

- | | |
|-----------------------|----------------|
| MANHOLE | CATCH BASIN |
| CULVERT | HYDRANT |
| GAS METER | SIGN |
| FENCE | WATER VALVE |
| CONCRETE | UTILITY POLE |
| | LIGHT POLE |
| DENOTES FOUND | TELE/ELEC BOX |
| 1/2" IRON PIPE | GAS VALVE |
| | OVERHEAD WIRES |
| DENOTES SET 1/2" IRON | WELL |
| PIPE MARKED RLS 25718 | |
| TO BE SET | |





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

Richard A. Murphy
 Richard A. Murphy, P.E.
 DATE 3.07.05 REG. NO. 42808

Larson
Engineering of Minnesota
3024 Labore Road
White Bear Lake, MN 55110
(P) 651.481.8120 (F) 651.491.9201

[illegible]

BUILDING ADDITIONS
11051 STILLWATER BOULEVARD
LAKE ELMO, MINNESOTA 55042

DRAWN: MAM	120580
CHECKED: MAM	SHEET
DATE: 3.07.05	C2

ALL EXISTING ITEMS AND CONDITIONS SHOULD BE VERIFIED BY THE CONTRACTOR BEFORE CONSTRUCTION



EXTERIOR PHOTOMETRIC PLAN

LUMINAIRE SCHEDULE							
Symbol	Label	Qty	Catalog Number	Description	Lamp	Lumens	LLF Watts
⬢	B	2	KSP2 250M RASC	AREA LIGHT W/TYPE 4, CUTOFF REFLECTOR, FLAT GLASS LENS.	ONE 250-WATT CLEAR, BT-28 METAL HALIDE, HORIZONTAL POSITION.	20000	0.72 287
⬢	E	2	7000 350MTS 120 NHSP	DIE CAST ALUMINUM FLOODLIGHT WITH NARROW HORIZONTAL SPOT DISTRIBUTION, PRISMATIC GLASS, W FLAT GLASS LENS.	ONE 35-WATT CLEAR T8 METAL HALIDE, HORIZONTAL POS.	3400	0.72 55.7

STATISTICS						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone	+	0.2 fc	3.7 fc	0.0 fc	N/A	N/A

LUMINAIRE LOCATIONS									
No.	Label	X	Y	Z	MH	Orientation	Tilt	X	Alt Y Z
1	B	487351.0	192852.0	20.0	20.0	0.0	0.0	487351.0	192853.4 0.0
2	B	487334.0	192845.0	20.0	20.0	90.0	0.0	487335.4	192845.0 0.0
3	E	487413.0	193059.0	0.0	0.0	53.1	105.0	487421.0	193065.0 3.0
4	E	487431.1	193072.0	0.0	0.0	236.7	103.8	487422.0	193066.0 3.0

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

NAME: Paulson & Clark REG. NO. 23796
DATE: 3/17/05

PAULSON & CLARK
ENGINEERING, INC.
2352 E. County Road J.
White Bear Lake, MN 55110
Office: (651) 407-6056
Fax: (651) 407-6476

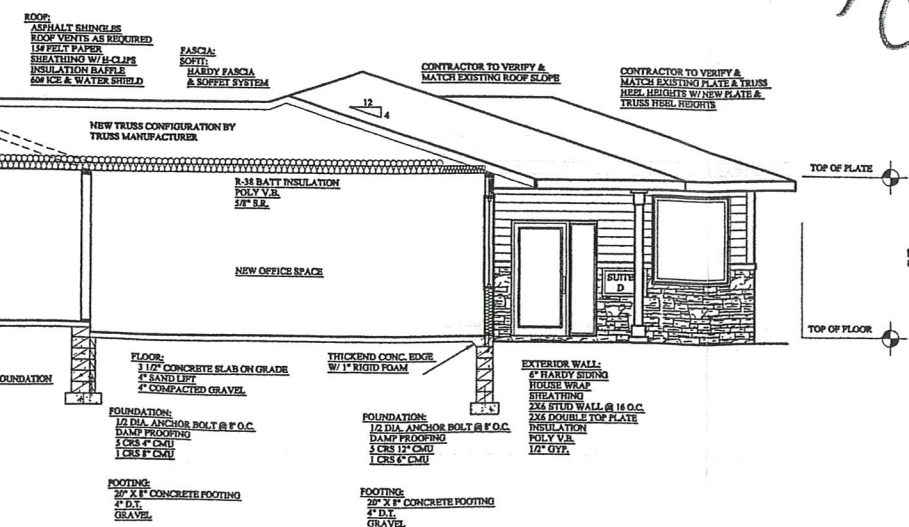
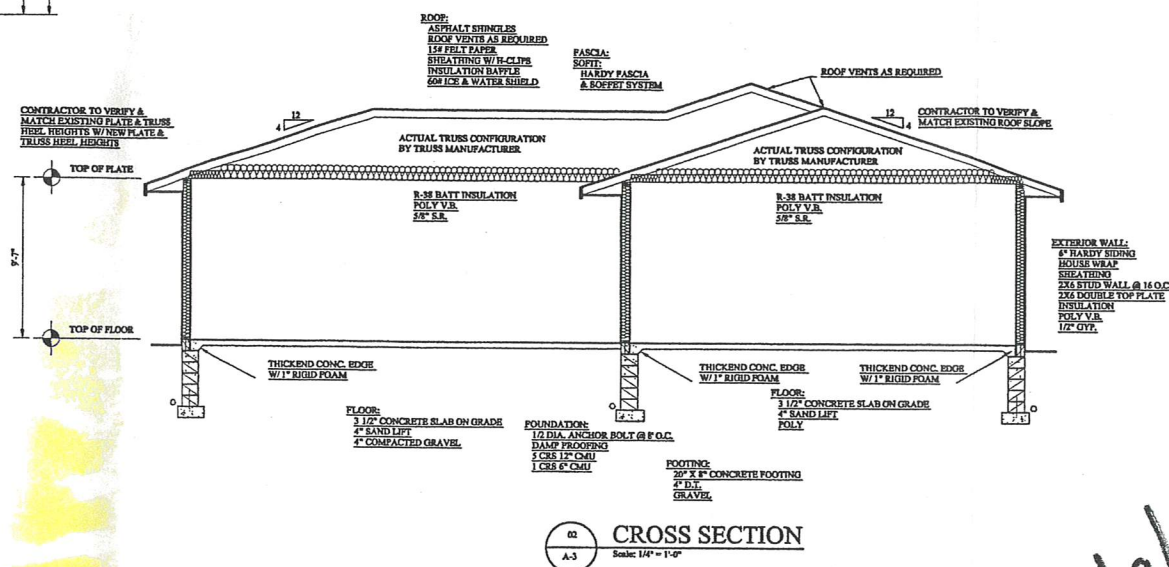
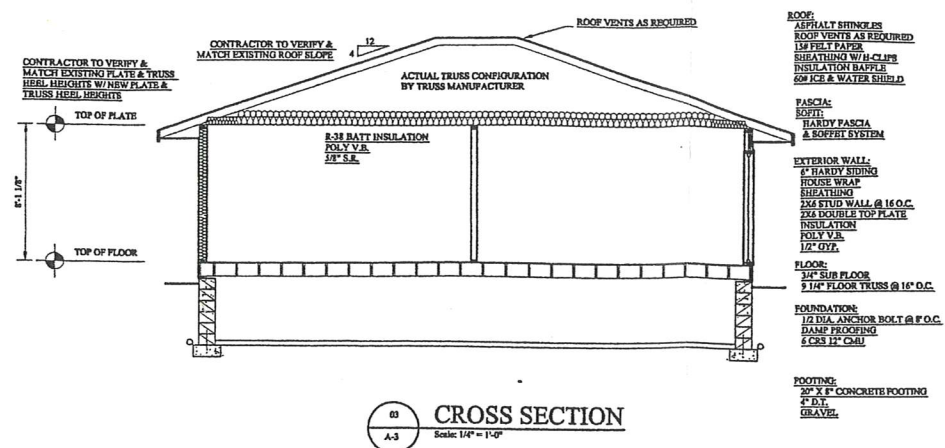
EXTERIOR PHOTOMETRIC PLAN			
NO.	REVISION	DATE	BY

BUILDING ADDITIONS
11051 STILLWATER BOULEVARD
LAKE ELMO, MINNESOTA 55042

3/19/05

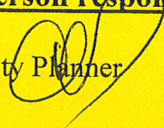
ALL EXISTING ITEMS AND CONDITIONS SHOULD BE VERIFIED BY THE CONTRACTOR BEFORE CONSTRUCTION.

DRAWN: AJT
CHECKED: DSP
DATE: 3/17/05
SHEET
E1



ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND SPECIFICATIONS, THE CONTRACTOR MUST CHECK ALL DETAILS AND DIMENSIONS AND BE RESPONSIBLE FOR THE SAME FOR ALL GOVERNING CODES AND BUILDING PRACTICES. THESE DRAWINGS CONFORM TO GENERALLY ACCEPTED BUILDING PRACTICES, HOWEVER, STATE AND LOCAL CODES, ORDINANCES, AND REGULATIONS MAY VARY FROM THOSE SHOWN HEREIN. ALL CONSTRUCTION SHALL COMPLY WITH ALL APPLICABLE STATE AND LOCAL CODES. DO NOT SCALE DRAWINGS. USE ONLY THE PRINTED DIMENSIONS. VERIFY WITH THE WINDOW MANUFACTURER ALL WINDOW SIZES AND APPLICABLE PRODUCT REQUIREMENTS. ALL DIMENSIONS ARE TAKEN FROM TO EDGHS OF A DIMENSION OF EITHER: 1) (CASTINGS), 2) (2x4 STUDS), OR TO THE OUTSIDE OF MASONRY. CONTRACTOR SHALL VERIFY ALL MECHANICAL AND ELECTRICAL REQUIREMENTS AND CLEARANCES. CONTRACTOR SHALL VERIFY FLOOR AND ROOF BEARING LOCATIONS. CONTRACTOR SHALL VERIFY ALL BEAM AND HEATER SIZES FOR CODE COMPLIANCE.

DRAWN BY: Mathew McDonald	FOUNDATION PLAN SECTIONS	SHEET NUMBER A-3	JOB NUMBER	RESIDENCE FOR: Rod Bahir	MEYER DESIGN SERVICE TEL: (888) 257-3433 FAX: (651) 777-0477	ALL RIGHTS RESERVED NO PART MAY BE REPRODUCED WITHOUT WRITTEN PERMISSION FROM MEYER DESIGN SERVICE	DATE	C.D. #	AUTHORIZED BY:	DESCRIPTION OF CHANGE

Lake Elmo City Council April 5, 2005	Agenda Section: Planning, Land Use & Zoning	<u>No.</u> 9E
<u>Agenda Item:</u> Zoning Ordinance Text Amendment – Home Occupations in the RR Zone		
<u>Background Information for April 5, 2005:</u> At its meeting March 14, 2005 the Planning Commission conducted a Public Hearing and unanimously (8-0, Commissioner Sessing did not remain at the table for discussion and vote) 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.		
<u>Action items:</u> Motion to adopt Ordinance #97- , Amending Chapter 300 of the City Code to add “Home Occupation” as an Accessory Use in the RR zoning district.	<u>Person responsible:</u>  City Planner	
<u>Attachments:</u> 1. Draft Ordinance #97 - , Amending Zoning Text 2. Planning Commission Minutes of March 14, 2005 3. Planning Staff Report	<u>Time Allocated:</u>	

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

ORDINANCE NO. 97-

**AN ORDINANCE ADDING SECTION 300.07, SUBD. 4.B.2. RELATING TO
HOME OCCUPATIONS IN THE RURAL RESIDENTIAL ZONING DISTRICT**

Section 1. Amendment: Section 300.07 4.B.2 Accessory Uses and Structures is hereby added to the Lake Elmo Municipal Code, to wit:

Section 300.07, Subd. 4.,B.2.b.
b. Home Occupations

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 5th day of April, 2005.

Dean Johnston, Mayor

ATTEST:

Martin J. Rafferty, City Administrator

meet the code. If the law is the law for all we should obey our own laws.

Commissioner Schneider said bonds have been sold for the maintenance facility. He asked if now it will cost additional funds for land purchase should the Sunfish site not be used. Does relocation add a large cost to the project?

The Planner said relocation adds large cost to the project.

M/S, Ptacek, to recommend no action on the conditional use permit to construct a public works facility and a water storage facility on city-owned land in Sunfish Lake Park. FAILED FOR LACK OF A SECOND.

Chairman Armstrong said he firmly believes there are no legal restrictions to using this City-owned land for public works/parks and a water storage facility, and while he is firmly convinced the city has a moral obligation to uphold, Staff has done the best they could. The City desperately needs a public works/parks facility and a water storage facility.

M/S/P, Armstrong/Schneider, to recommend denial of the application for a conditional use permit to construct a public works facility and a water storage facility on City-owned land adjacent to Sunfish Lake Park, or in the alternative, to recommend that the City Council withdraw the applications based upon the Findings that park land should not be utilized for more intense uses.

Commissioner Armstrong said residents are strongly opposed to allowing parks facilities to be used for a water tower and a garage. He said it was unfortunate that the agreements did not survive into the deeds. He recommended that the Facilities Committee be reinstated because they made progress finding sites for a new city hall.

Commissioner Deziel said he thought the motion was appropriate. The commission does not know enough and might need more education. He said we need more public input at an earlier point in the process. He said the Parks commission knew of this application late in the process.

Commissioner Fliflet said the problem seems to be more with the site than with a variance or conditional use permit.

Commissioner Lyzenga said the city can expect this type of conflict to become more common as we move into the future. We will look at this more often - balancing the concerns of long-term residents with new residents. The City has to build a water tower and put out fires. She said that the cheapest solution may not be the best solution, and we may have to dig into our pockets to hang onto our values.

VOTE: 8:0:1 Abstain: Helwig - for reasons of potential conflict of interest.

THE CHAIRMAN RECESSED AT 8:49 P.M.

THE CHAIR RECONVENED AT 9:04 P.M.

PUBLIC HEARING: Zoning Text Amendment – To allow Home Occupations in RR
COMMISSIONER SESSING RECUSED HIMSELF AND STEPPED DOWN FROM THE TABLE.
The Planner explained that Home Occupations are allowed in all residential districts but are not mentioned in the RR Zone. He reported that the City Attorney researched the zoning ordinance into the 1970's, and found that Home Occupations were never included in the RR Zone. He also reported that the Planner researched any amendments and found none whether recommending removal of Home Occupations from RR or inclusion of it. The Planner provided code language for the inclusion of Home Occupations in the RR portion of the zoning code.

THE CHAIRMAN OPENED THE PUBLIC HEARNG AT 9:08 P.M.

AT 9:09 P.M., THE CHAIRMAN CLOSED THE PUBLIC HEARING AFTER HEARING NO COMMENTS.

M/S/P, Ptacek/Sedro, to recommend approval of a zoning text amendment for Section 300.07 4.b.2, to allow Home Occupations in the RR Zoning District.

Commissioner Ptacek said the matter was simple housekeeping.

VOTE: 9:0.

COMMISSIONER SESSING RETURNED TO THE TABLE.

PUBLIC HEARING: CIP 2005-2009 AMENDMENT

The Planner introduced the City's application to amend the CIP 2005-09. He advised that an amendment to the CIP is an amendment to the Comprehensive Plan. He said the section proposed for is the street construction/reconstruction section is the Infrastructure Reserve Fund. He reported that the City Engineer has sampled the Hilltop sub grade, and has determined it was not as bad as presumed. Instead of total reconstruction of Hilltop the City Engineer now recommends a less costly mill and resurface project. The Planner said that finding will free some street funds in 2006 to undertake deferred overlay projects in 2006

Commissioner Fliflet said it appears the cost has gone up for those overlays about \$18,000.

The Planner said that cost has gone up

THE CHAIRMAN OPENED THE PUBLIC HEARING AT 9:16 P.M.

NO SPEAKER CAME FORWARD, AND THE CHAIRMAN CLOSED THE PUBLIC HEARING AT 9:17 P.M.

M/S/P, Ptacek/Sessing, to recommend approval of an amendment to the Capital Improvement Program 2005-09, Infrastructure Reserve Fund to add 2007 street overlays to the 2006 program, and amend the Hilltop project from reconstruction to overlay. VOTE: 9:0.

PUBLIC HEARING: Variance – Visible Roofing Materials – Village North Office Park

The Planner reminded the Commission of the application by Mike Lynskey for a site plan and minor subdivision for an office building. The Planning Commission had previously recommended denial. He advised the Commission that the applicant has waived the 60 day review period, and has requested going forward with the variance to allow asphalt roofing.

Commissioner Deziel said the proposed roofing materials are a reasonable use of the property.

Tracy Gallows

She said the partnership is excited to have an office building in the Old Village. They tailored their architecture after the bank and the Carriage Station dental office. She said it looks professional, and it may eventually become part of a PUD application. She said that asphalt shingles will tie in with what is already in the city. She said all the commercial buildings in the area have asphalt shingle except for Leslie's. She said the metal seam roof will not look like what they are trying to achieve. She requested the commission reconsider the entire application package together with the roofing variance.,

Mike Diem, Architectural Network

Mr. Diem said Arch Net has their office in the Carriage Station Professional Park. He said they listened carefully to what Lake Elmo wants. They designed all four of those buildings in Carriage Station.; He displayed a photo of one of those office buildings. He said the Carriage Station buildings were designed with asphalt shingle before the code was changed. They could do it with standing seam but it would be a challenge, and asphalt shingle will be a smoother transition with the residential community planned north

MEMO

(November 18, 2004 for the Meeting of November 22, 2004)

To: Lake Elmo Planning Commission

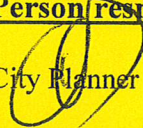
From: Chuck Dillerud

Subject: Home Occupations

On November 16 the City Council heard a decided an appeal from a resident to a City Notice of Violation regarding the conduct of a Home Occupation. The Council affirmed the Staff Violation notice, but also noted possible issues within the City Code text regarding Home Occupations that are in need of review and recommendation by the Commission.

The most obvious issue identified by the Council relates to the exclusion of Home Occupations as an allowable Accessory Use in the RR zoning district even though that Accessory Use is specifically included in the AG, RE, R-1, and R-2 zoning districts. The City Attorney has reviewed all prior Zoning Ordinances for the City – dating back to the mid 1970's – and notes that same RR exclusion (versus inclusion in the other residential/AG districts) in all prior Zoning Ordinances. That confirms that there has not been any directed amendment to the RR district standards regarding Home Occupation for at least 30 years. So, should the Zoning Ordinance now be amended to include Home Occupation as an allowable Accessory Use in the RR District? **Should the Commission be of the opinion that such an amendment needs to be considered, direction to staff to publish the required Public Hearing Notice is appropriate and necessary.** No action can be taken by the Commission (since this is a zoning matter) without the Notice and Hearing.

The Council also has directed the Commission to review the current definition of "Home Occupation" as appearing in Section 150 of the City Code. A specific concern has been raised by residents regarding the prohibition on the keeping of stock-in-trade that is now a part of the definition. It has been suggested that many of the "typical" home occupations (such as cosmetics sales and other door-to-door or "party sales" home businesses) require some measure of home kept stock-in-trade. As the definition now reads, the keeping of one container of cosmetics that is intended for sale to others would be a violation. It has been suggested that some threshold of stock-in-trade (be it cubic or square footage, or some other quantitative threshold) be considered in the definition. The definition can be modified without Public Notice or Public Hearing since it is not a part of the Zoning Ordinance. Does the Commission wish to address this matter in detail? If so, we can include the issue on the same future Commission agenda as the Public Hearing on the other issue – if that be the direction of the Commission.

Lake Elmo City Council April 5, 2005	Agenda Section: Planning, Land Use & Zoning	<u>No.</u> 9F
<u>Agenda Item:</u> CDBG – Award Contract for Cimarron Gas Service Replacements		
<u>Background Information for April 5, 2005:</u> Staff solicited proposals for Cimarron gas service line replacements from 10 plumbing firms. The single bid that was received is being reviewed by the Building Official, and staff will have a report and recommendation for Council consideration On April 5.		
<u>Action items:</u> Motion regarding gas service replacement vendor, as appropriate.	<u>Person responsible:</u>  City Planner	
<u>Attachments:</u> 1. Gas Service Replacement RFP	<u>Time Allocated:</u>	

Request for Proposal

REPLACEMENT OF NATURAL GAS SERVICE LINES Cimarron Manufactured Housing Neighborhood Lake Elmo, Minnesota

Overview

This document solicits proposals from qualified natural gas service installation contractors to undertake a City-funded project to replace deteriorating natural gas services from meter to appliances on up to 100 manufactured housing units located in the Cimarron Manufactured Housing Neighborhood in Lake Elmo. All work shall be completed by June 30, 2005. This project is funded from Federal CDBG Grant funds. Therefore, Davis Bacon Wage Scales must be paid. The City will undertake all other Federal fiscal and reporting requirements.

Background

In 2003 the City contracted a visual inspection of the natural gas service connections of the 200 oldest manufactured housing units in the Cimarron – many of which are nearly 40 years old. The outcomes of that inspection project revealed circumstances of improper installation, improper alterations to the services and physical deterioration of service piping, unions and valves.

The City has determined that the gas service problems observed may constitute a potential threat to public safety, and replacement of those appurtenances is therefore in the Public interest. The City has also determined that many of the Cimarron manufactured housing owners with observed gas service line concerns do not have the personal financial resources available to expediently replace the natural gas services within their homes.

Responding to these two determinations by the City, 2004-2005 City Community Block Grant funds have been reserved to provide City financial assistance to qualifying Cimarron homeowners for the purpose of the necessary natural gas service line replacement. Those funds will be available to pay for the contractor's replacement services/materials where the property owner can not do so.

Description of Tasks

In development of the proposal, the contractor should assume that the following tasks will be performed for up to 100 manufactured housing units in Cimarron, as assigned by the City

- Preparation by the contractor of a complete Work Order for each manufactured housing unit which details the replacement tasks/materials deemed to be required, and the contractor's labor/materials quote and schedule to complete the required replacements.
- The contractor shall secure City permits for each unit on which gas service replacement work will be conducted. The City will waive all permit fees, but permits must be secured before work commences.
- Completion by the contractor of all work specified by the Work Order as approved in advance by the City.

Contractor Qualification

All contractors responding to this solicitation shall be licensed by the State as Plumber/Gas Fitter. Evidence of licensure must be attached to all proposals submitted responsive to this certification.

Proposal Content

The contractor shall provide proposed flat rate charges for the work to be performed on up to 100 units. It is anticipated that multiple rates will be required to address varying per unit gas service line lengths to be replaced, and varying per unit numbers of appliances served with natural gas unit-by-unit.

The contractor should provide a proposed schedule for completion of gas service work to at least 100 manufactured housing units; the man hours estimated to complete the project; and, the number of contractor's licensed personnel that will be assigned to this project.

Contractor Selection

One or more contractors will be selected by the City to complete the project. Selection of the contractor(s) will be based upon the sum of the following criteria:

1. Contractor's understanding of the tasks proposed above as reflected in the contractor's written proposal.
2. Contractor's experience with similar work, particularly with manufactured housing.
3. Contractor's proposed charges per unit to complete the required work.
4. Contractor's schedule for completion of the work.

We would sincerely appreciate your indication of interest in this contract by advising the City of your interest by Email at **Jim.McNamara@LakeElmo.org**, or by FAX at 651-777-5510 by March 15, 2005. The schedule for this RFP process is:

1. Request for Proposal will be mailed by the City of Lake Elmo to prospective consultants by February 25, 2005;
2. Contractors submit written proposals by – March 25, 2005
3. Lake Elmo Building Inspector will Certify Qualified Contractors by – April 8, 2005
4. Notice of Selection and Contract Offer(s) – April 15, 2005

Thank you for your interest in providing contract services to the City of Lake Elmo on this important project. Please direct any questions you may have regarding this solicitation to **Jim McNamara, Lake Elmo Building Official at 651-777-5510**.

Charles E. Dillerud
City Planner/Assistant City Administrator