

FILE

City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042
City Council Meeting
May 15, 2012

7:00 p.m.

6:30 P.M. – PARKS COMMISSION INTERVIEW

- A. **CALL TO ORDER:**
- B. **PLEDGE OF ALLEGIANCE:**
- C. **ATTENDANCE:** ___ Johnston ___ Emmons ___ Park ___ Pearson ___ Smith
- D. **APPROVAL OF AGENDA:** (The approved agenda is the order in which the City Council will do its business.)
- E. **ORDER OF BUSINESS:** (This is the way that the City Council runs its meetings so everyone attending the meeting or watching the meeting understands how the City Council conducts its public business.)
- F. **GROUND RULES:** (These are the rules of behavior that the City Council adopted for doing its public business.)
- G. **ACCEPT MINUTES:**
1. Accept May 1, 2012, City Council minutes
- H. **PUBLIC COMMENTS/INQUIRIES:** In order to be sure that anyone wishing to speak to the City Council is treated the same way, meeting attendees wishing to address the City Council on any items NOT on the regular agenda may speak for up to three minutes.)
- I. **REPORTS AND ANNOUNCEMENTS:**
(These are verbal updates and do not have to be formally added to the agenda.)
- Mayor and Council
 - Administrator
 - City Attorney
 - City Engineer
 - Planning Director
 - Finance Director

J. **CONSENT AGENDA:** (Items placed on the Consent Agenda by City Staff and the Mayor because they are not anticipated to generate discussion. Items may be removed at City Council's request.)

2. Approve Payment of Disbursements and Payroll
3. Temporary Liquor License – Go Commando
4. Special Event – Go Commando Adventure Race/Team Ortho Foundation
5. City Hall Facilities Improvement
6. Affirm Hiring of Nicholas Johnson as City Planner
7. Authorization to Participate in the Minnesota GreenStep Cities Program

K. **REGULAR AGENDA:**

8. Parks Commission Appointment
9. Oakdale Gun Club Conditional Use Permit Amendment
10. Christ Lutheran Church Septic System Variance for Holding Tanks
11. Adoption of City of Lake Elmo Mission Statement, Vision Statement and Statement of Values per April 2012 Council– Staff Retreat
12. Surface Water Utility Fee Appeal Process / Credit Policy
13. Discussion of Library Financing

L. Adjourn

CLOSED MEETING:

The City Council will hold a closed meeting regarding real estate negotiations.

LAKE ELMO CITY COUNCIL MINUTES
DRAFT

City of Lake Elmo
City Council Minutes
May 1, 2012

Mayor Johnston called the meeting to order at 7:00 p.m.

PRESENT: Mayor Johnston, Council Members Emmons, Smith, & Pearson

Also Present: City Administrator Zuleger, Attorney Snyder, City Engineer Griffin, Planning Director Klatt, City Clerk Thone, Fire Chief Malmquist, and Finance Director Bendel.

APPROVAL OF AGENDA:

City Administrator Zuleger asked that a Closed Session be added to the agenda to discuss recent developments with regard to the negotiations for purchase of real estate for the library use. Council Member Emmons asked that Item 6 on the consent agenda be moved to the regular agenda and Council Member Pearson asked that Item 8 on the consent agenda be moved to the regular agenda.

*MOTION: Council Member Smith moved to approve the May 1, 2012 City Council Agenda as amended. Council Member Pearson seconded the motion. **The motion passed 4-0.***

ACCEPTED MINUTES:

The April 17, 2012 City Council Minutes were accepted as amended with one change to the total for the financial disbursements by consensus of the City Council.

PUBLIC COMMENTS/INQUIRIES:

Greg Stopka, Central Regional Director with the Alliance for Innovation gave a presentation to encourage the City of Lake Elmo to become a member in the organization to transform local government, advance community excellence through leading ideas and emerging practices mainly through webinars and workshops and access to case study results and members worldwide. City Administrator Zuleger added he would forgo his membership in ICMA at \$900 annually and put the money towards membership in Alliance for Innovation which would cost \$1825 annually and include all employees as he believes this is the best management practice group he has observed for local government and the program allows training with no added travel requirements. Council Member Pearson and Council Member Smith expressed their support for the program.

REPORTS:

Council Member Emmons reported he recently attended some beneficial sustainability training.

Council Member Smith reported the planning for the Lake Elmo Fall Festival on September 8, 2012 will begin this week.

Mayor Johnston reported the council/staff retreat was successful. The board of review was completed this past week, he attended the Rasmussen College open house, and the Metro Cities annual meeting where he was re-elected to a three year term on the board of directors. He attended a meeting of the leadership group at the Mahtomedi School District and discussed a Highway 36 Corridor Plan with other cities and made plans to further discuss a united plan. He reported he had meetings regarding the park and rides, met with a Village land owner requesting additional information on future plans for the area and gave the prayer for officials at the Woodbury Prayer Breakfast.

City Administrator Zuleger reported the Red Zone traffic study was completed successfully on Highlands Trail. The Red Zone traffic study will move to 30th Street followed by Lake Jane Trail. He stated the draft executive report was submitted by Don Salverda from the retreat and a mission, vision statement and statement of values will be submitted at the next council meeting for approval. He attended along with Council Member Pearson a positive roundtable meeting with 26 local businesses citing excellent open dialogue among the group. Work was continued on the safe route to school traffic calming option and Excel provided a downtown lighting demonstration. He stated the Rotary has funds to provide options for the downtown area. The Ramsey Washington Cable Commission Franchise fund check of over \$39k was received this week.

City Attorney Snyder stated work is nearing completion on updating Administrative Penalty Fines. He stated a scheduling order in the detachment proceeding was received providing for a January 2013 trial date and some briefing considered for Fall of 2012.

City Engineer Griffin reported they are working on the 2012 seal coat project, are progressing on the street improvement project for Demontrreville and preparing for the May 8, 2012 workshop on Utilities and Growth.

Planning Director Klatt reported they are scheduling meetings with the technical committee and will be meeting with Washington County and the State to talk about transportation improvements for Highway 5 to fit into the Village plan, planning for the special meeting being held on May 7, 2012 which includes two public hearings, the regular planning meeting on May 14, 2012 which will look at the comprehensive plan, and the last meeting which has been rescheduled due to the Memorial Day holiday and will be held on May 30, 2012 and Eco-Check will be giving a presentation on community treatment systems.

Finance Director Bendel reported the audit had been re-scheduled for the week of May 7th, followed by the Workers Compensation audit the following week, the budget process will begin in early June and work on updating the financial content of the website is underway.

CONSENT AGENDA:

MOTION: Council Member Pearson moved to approve the Consent Agenda, removing items: Item 6 and Item 8 for further discussion and review. Council Member Emmons seconded the motion. *The motion passed 4-0.*

- 2) Approve Payment of Disbursements and Payroll in the amount of \$111, 837.61
- 3) Approve Year End Fund Closing Transfers
- 4) 2012 Seal Coat Project: Approval of Plans and Specification and Ordering Advertisement for Bids
- 5) CSAH 10Mill and Overlay – Resolution Approving a County Project within Municipal Corporate Limits.
- 6) Demontrreville Park and Wildlife Area – Approve Parking Lot Improvements and Add to 2012 Street Improvement Project
- 7) Designation of South Washington County Watershed District as the LGU for Administering the Wetlands Conversation Act.
- 8) Approve Budget Adjustment/Designation and Donation for Maintenance of Historic District 12 School House

ITEM 6: DEMONTREVILLE PARK AND WILDLIFE AREA – APPROVE PARKING LOT IMPROVEMENTS AND ADD TO 2012 STREET IMPROVEMENT PROJECT

Council Member Emmons inquired about run-off, and where the water would go and whether there are rain gardens, etc. provided for in this plan. City Engineer Griffin responded there is a rain garden planned for the area for drainage. Council Member Smith added that it would be beneficial for the long range plan for the park to include shade trees and possibly a pavilion.

MOTION: Council Member Emmons moved to approve Item 6. Council Member Smith seconded the motion. The motion passed 4-0.

ITEM 8: APPROVE BUDGET ADJUSTMENT/DESIGNATION AND DONATION FOR MAINTENANCE OF HISTORIC DISTRICT 12 SCHOOL HOUSE

Council Member Pearson expressed his hesitation for approving the donation citing with the information available to him at this time, it did not meet his threshold for donations of city funds. Mayor Johnston and Council Member Emmons explained their support for the donation.

MOTION: Mayor Johnston moved to approve Item 8. Council Member Emmons seconded the motion. The motion passed 3-1, Council Member Pearson: Nay.

REGULAR AGENDA:

ITEM 9: PURCHASE OF LAKE ELMO FIRE DEPARTMENT TURNOUT GEAR

City Administrator Zuleger explained his support for the purchase of turnout gear for the fire department, citing safety concerns that needed to be addressed. He asked the City Council to approve turnout gear for the fire department to meet current safety standards in the amount of \$42,388 (at a forty-two percent discount), funds allocated in the 2011 surplus fund, to purchase 21 sets of firefighter personal protective equipment from Municipal Services, Inc. Fire Chief Malmquist further explained the justification for the purchase and Lake Elmo Firefighters highlighted the turnout gear and the most significant features.

MOTION: Council Member Smith moved to approve the Purchase of 21 Sets of Lake Elmo Fire Department Turnout Gear in the Amount of \$42,388 from Municipal Services, Inc. Council Member Pearson seconded the motion. The motion passed 4-0.

ITEM 10: COUNCIL DISCUSSION OF ECONOMIC DEVELOPMENT AUTHORITY (EDA)

City Administrator Zuleger discussed the city's philosophy with regard to sustainable, planned and balanced growth. He explained four of the five top goals coming out of the retreat were centered on growth, exemplifying mindful and thoughtful growth. He presented the options for the EDA and other development tools and stressed the need to properly clarify and define the parameters of future growth. Mayor Johnston agreed that additional information on this topic would be helpful before making a decision. Council Member Pearson expressed his support for the EDA and development tools and stated this was a step in the right direction in being prepared and changing the perception of the city in a positive manner. Council Member Smith expressed her support for these beneficial development tools to help bring forth the vision for the city discussed at the retreat. Council Member Emmons expressed his support for development tools used mindfully. *City Attorney Snyder recommended council advise staff to mock up the EDA documents to gain a better understanding of what an EDA is and does to which council responded in the affirmative.*

ITEM 11: AUTHORIZATION TO PURCHASE LANDSCAPE MATERIAL FOR MNDOT LANDSCAPE PARTNERSHIP PROGRAM PLANTING

City Planner Klatt explained staff was requesting council to authorize the purchase of landscape material for MnDOT Landscape Partnership Program planting project. Staff is recommending the purchase through Abrahamson Nursery in the amount of \$17,016 with a two-year warranty. He stated although the bid was not the lowest, it was under the \$18,200 reimbursable amount, was the only complete submission and did include the two-year warranty. He reminded everyone to meet on June second in the Lake Elmo Bank parking lot at 9:00 a.m. to be a part of the planting project.

MOTION: Council Member Smith moved to Approve Authorization to Purchase Landscape Material for MnDOT Landscape Partnership Program Planting through Abrahamson Nursery in the amount of \$17,016 with a two year warranty. Council Member Pearson seconded the motion. *The motion passed 4-0.*

The regular city council meeting adjourned at 8:43 p.m. to Closed Session to discuss developments, specifically the purchase price with regard to the city's potential purchase of real estate.

Present at the Closed Session to discuss developments, specifically the purchase price with regard to the city's potential purchase of real estate were Mayor Johnston, Council Members Emmons, Smith and Pearson, City Attorney Snyder, Finance Director Bendel, City Clerk Thone and City Administrator Zuleger.

The closed session adjourned at 9:16 p.m.

Resolutions Approved:

- 2012-17: Resolution Approving the plans and Specifications and Ordering Advertisement for Bids
- 2012-18: Resolution Approving a County Project within Municipal Corporate Limits
- 2012-19: Resolution Regarding the Administration of the Wetland Act of 1991

Respectfully submitted by Sandie Thone, City Clerk



MAYOR & COUNCIL COMMUNICATION

DATE: 5/15/2012
CONSENT
ITEM #: 2
MOTION *as part of Consent Agenda*

AGENDA ITEM: Approve Disbursements in the Amount of \$115,370.67

SUBMITTED BY: Cathy Bendel, Finance Director

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Joan Ziertman, Finance Consultant

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to approve disbursements in the amount of \$115,370.67. No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

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

Claim #	Amount	Description
ACH	\$ 6,503.72	Payroll Taxes to IRS 5/3/2012
ACH	\$ 1,243.79	Payroll Taxes to MN Dept. of Revenue 5/3/2012
ACH	\$ 4,509.44	Payroll Retirement to PERA 5/3/2012
DD3938 – DD3953	\$ 21,522.04	Payroll Dated 5/3/2012 (Direct Deposit)
38358-38360	\$ 826.51	Payroll Dated 5/3/2012 (Payroll Paper Checks)
38361-38418	\$ 80,105.17	Accounts Payable Dated 5/15/2012
1427-1437	\$ 660.00	Accounts Payable Dated 5/15/2012 (Library Checks)
TOTAL	\$115,370.67	

STAFF REPORT: City staff has compiled and reviewed the attached set of claims. All appears to be in order and consistent with City budgetary and fiscal policies and Council direction

RECOMMENDATION: It is recommended that the City Council approve as part of the Consent Agenda proposed disbursements in the amount of \$115,370.67.

Alternatively, the City Council does have the authority to remove this item from the Consent Agenda or a particular claim from this item and further discuss and deliberate prior to taking action. If done so, the appropriate action of the Council following such discussion would be:

“Move to approve the May 15, 2012, Disbursements as
Presented *[and modified]* herein.”

ATTACHMENTS:

1. Accounts Payable Dated 5/15/2012

SUGGESTED ORDER OF BUSINESS (if removed from the Consent Agenda):

- Questions from Council to Staff..... Mayor Facilitates
- Call for Motion..... Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

Accounts Payable To Be Paid Proof List

User: joan z

Printed: 05/10/2012 - 2:43 PM

Batch: 003-05-2012

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
ALEXAIR Alex Air Apparatus, Inc										
21750	05/09/2012	43.00	0.00	05/15/2012	Replacement SCBA Waist Strap		-			0000
101-420-2220-44040	Repairs/Maint Eqpt									
	21750 Total:	43.00								
	ALEXAIR Total:	43.00								
ANCOM ANCOM COMMUNICATIONS, INC.										
28736	04/05/2012	44.25	0.00	05/15/2012	Pager Part		-			0000
101-420-2220-43230	Radio									
	28736 Total:	44.25								
29119	04/05/2012	103.00	0.00	05/15/2012	Replacement Radio Battery		-			0000
101-420-2220-43230	Radio									
	29119 Total:	103.00								
	ANCOM Total:	147.25								
ANIMALHU Animal Humane Society										
742	05/03/2012	811.11	0.00	05/15/2012	Animal Impound Fees - 1st Qtr		-			0000
101-420-2700-43150	Contract Services									
	742 Total:	811.11								
	ANIMALHU Total:	811.11								
ARAM Aramark, Inc.										
629-7483804	05/10/2012	22.91	0.00	05/15/2012	Uniforms		-			0000
101-430-3100-44170	Uniforms									
	629-7483804 Total:	22.91								
629-7485678	04/30/2012	171.14	0.00	05/15/2012	Linen City Hall		-			0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
	629-7485678 Total:	171.14								
629-7488796	05/03/2012	22.91	0.00	05/15/2012	Uniforms		-			0000
101-430-3100-44170	Uniforms									
	629-7488796 Total:	22.91								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
ARAM Total:		216.96								
BIFFS Biff's Inc.	05/02/2012	885.33	0.00	05/15/2012	Portable Restrooms		-		No	0000
Multiple										
101-450-5200-44120	Rentals - Buildings									
Multiple Total:		885.33								
BIFFS Total:		885.33								
BURBBLAC Burberl Black Dirt, Inc.	05/01/2012	38.48	0.00	05/15/2012	Black Dirt		-		No	0000
13654										
101-430-3125-42250	Landscaping Materials	38.48								
13654 Total:		38.48								
BURBBLAC Total:		38.48								
CARQUEST Car Quest Auto Parts	04/02/2012	2.96	0.00	05/15/2012	Bulb		-		No	0000
2055-253372										
101-410-1910-44300	Miscellaneous	2.96								
2055-253372 Total:		2.96								
2055-256045	04/30/2012	136.23	0.00	05/15/2012	Batteries 06-3 Vac-Excavator		-		No	0000
603-496-9500-44030	Repairs/Maint Not Bldg									
2055-256045 Total:		136.23								
CARQUEST Total:		139.19								
CATCO Catco	04/26/2012	411.21	0.00	05/15/2012	Muffler Assembly 98-2		-		No	0000
1-56055										
101-430-3120-42210	Equipment Parts	411.21								
1-56055 Total:		411.21								
CATCO Total:		411.21								
CDW CDW Government Inc.	04/18/2012	22.51	0.00	05/15/2012	Wireless Mouse for Notebook		-		No	0000
J549877										
410-480-8000-45700	Office Equipment & Furnishings	22.51								
J549877 Total:		22.51								
CDW Total:		22.51								
COMCAST COMCAST	04/27/2012	7.90	0.00	05/15/2012	Monthly Service		-		No	0000
04272012										
101-420-2220-44300	Miscellaneous									
04272012 Total:		7.90								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
COMCAST Total:		7.90								
COMPENSA Compensation Consultants, Ltd										
May 2012	05/10/2012	40.00	0.00	05/15/2012	Monthly FSA Admin Fee May 2012		-	No		0000
101-410-1320-44300	Miscellaneous									
May 2012 Total:		40.00								
COMPENSA Total:		40.00								
COVERALL Coverall of The Twin Cities										
7070177715	05/31/2012	321.38	0.00	05/15/2012	Cleaning City Hall & Annex		-	No		0000
101-410-1940-44010	Repairs/Maint Contractual Bldg									
7070177715 Total:		321.38								
COVERALL Total:		321.38								
CTYBLOOM City of Bloomington										
April 2012	04/30/2012	40.00	0.00	05/15/2012	Lab Bacteria Tests		-	No		0000
601-494-9400-42270	Utility System Maintenance									
April 2012 Total:		40.00								
CTYBLOOM Total:		40.00								
CTYOAKDA City of Oakdale										
201205083176	05/08/2012	29.00	0.00	05/15/2012	Oil Change, CV2		-	No		0000
101-420-2220-44040	Repairs/Maint Eqpt									
201205083176 Total:		29.00								
CTYOAKDA Total:		29.00								
CTYROSEV City of Roseville										
216009	05/01/2012	1,652.08	0.00	05/15/2012	Monthly IT Services May 2012		-	No		0000
101-410-1450-43180	Information Technology/Web									
216009 Total:		1,652.08								
CTYROSEV Total:		1,652.08								
CUMMINGS Cummings Mary Jo										
05/10/12	05/10/2012	1,800.00	0.00	05/15/2012	Library Consultant - 4/24-5/3/12		-	No		0000
206-450-5300-43150	Contract Services									
05/10/12 Total:		1,800.00								
CUMMINGS Total:		1,800.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
EMERGAPP Emergency Apparatus Maint. INC										
61583	04/24/2012	117.00	0.00	05/15/2012	Repair Parts for deck gun - E1		-		No	0000
101-420-2220-44040	Repairs/Maint Egt									
61583 Total:		117.00								
EMERGAPP Total:		117.00								
ENVENTIS ENVENTIS										
738507	05/01/2012	568.53	0.00	05/15/2012	Telephone/Data Service-City Hall 5/12		-		No	0000
101-410-1940-43210	Telephone									
738507	05/01/2012	444.13	0.00	05/15/2012	Telephone/Data Service-PW 5/12		-		No	0000
101-430-3100-43210	Telephone									
738507 Total:		1,012.66								
ENVENTIS Total:		1,012.66								
FINANCE Finance and Commerce										
22304635	05/08/2012	208.29	0.00	05/15/2012	Publication for bids for 2012 Seal Coat		-		No	0000
101-410-1450-43510	Public Notices									
22304635 Total:		208.29								
FINANCE Total:		208.29								
FIORILLO Fiorillo Megan										
05/07/2012	05/07/2012	55.00	0.00	05/15/2012	Planning Commission 5/7/12		-		No	0000
101-410-1450-43620	Cable Operations									
05/07/2012 Total:		55.00								
FIORILLO Total:		55.00								
HAGBERGS Hagbergs Country Market										
04/25/2012	04/25/2012	21.45	0.00	05/15/2012	Misc Supplies		-		No	0000
101-410-1320-44300	Miscellaneous									
04/25/2012 Total:		21.45								
HAGBERGS Total:		21.45								
HAMMONDC Hammond Community Library										
04/27/2012	04/27/2012	100.00	0.00	05/15/2012	Shelving		-		No	0000
206-450-5300-45800	Other Equipment									
04/27/2012 Total:		100.00								
HAMMONDC Total:		100.00								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
KDV Kern DeWenter Viere Ltd 147118 04/27/2012 101-410-1520-43150 Contract Services 147118 Total: KDV Total:		5,265.00 5,265.00 5,265.00	0.00	05/15/2012	Financial Services April 2012		-	No		0000
LEOIL Lake Elmo Oil, Inc. 04/30/2012 04/30/2012 101-420-2220-42120 Fuel, Oil and Fluids 04/30/2012 Total: LEOIL Total:		112.67 112.67 112.67	0.00	05/15/2012	Fuel		-	No		0000
Lillie Newspapers Inc. Lillie Suburban 04/30/12 04/30/2012 101-410-1450-43510 Public Notices 04/30/12 Total: Lillie Total:		26.65 26.65 26.65	0.00	05/15/2012	Public Hearing Notice 4/25/12		-	No		0000
LINDERSA Linder Sarah 9227532629 04/26/2012 206-450-5300-42000 Office Supplies 9227532629 Total: LINDERSA Total:		35.33 35.33 35.33	0.00	05/15/2012	Library Processing Supplies		-	No		0000
LINNER Linner Electric Company, Inc. 22251 04/24/2012 404-480-8000-45300 Improvements Other Than Bldgs 22251 Total: LINNER Total:		1,001.00 1,001.00 1,001.00	0.00	05/15/2012	Security Lights in Pebble Park		-	No		0000
MANKATOW Mankato Web Design 107 05/08/2012 101-410-1450-43180 Information Technology/Web 107 Total: MANKATOW Total:		3,000.00 3,000.00 3,000.00	0.00	05/15/2012	Website Creation		-	No		0000
MARONEYS Maroney's Sanitation, Inc 430214 05/02/2012 101-410-1940-43840 Refuse		108.32	0.00	05/15/2012	Waste Removal - City Hall		-	No		0000

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
430214	05/02/2012	47.68	0.00	05/15/2012	Waste Removal - Fire		-	No		0000
101-420-2220-43840	Refuse									
430214	05/02/2012	207.82	0.00	05/15/2012	Waste Removal - Public Works		-	No		0000
101-430-3100-43840	Refuse									
430214	05/02/2012	207.82	0.00	05/15/2012	Waste Removal - Parks		-	No		0000
101-450-5200-43840	Refuse									
430214 Total:		571.64								
MARONEYS Total:		571.64								
MARVS Marv's Professional Tools										
248710	05/03/2012	62.46	0.00	05/15/2012	Tools		-	No		0000
101-430-3100-42400	Small Tools & Minor Equipment									
248710 Total:		62.46								
MARVS Total:		62.46								
McPhilli Mike McPhillips Inc										
39772	04/19/2012	8,481.26	0.00	05/15/2012	Street Sweeping (Surface Water Protect)		-	No		0000
603-496-9500-44010	Street Sweeping									
39772 Total:		8,481.26								
McPhilli Total:		8,481.26								
MEMPHISN Memphis Net & Twine Co Inc.										
66769	05/03/2012	69.86	0.00	05/15/2012	Soccer Nets		-	No		0000
101-450-5200-44030	Repairs/Maint Imp Not Bldgs									
66769 Total:		69.86								
MEMPHISN Total:		69.86								
MENARDSO Menards - Oakdale										
88125	04/30/2012	41.53	0.00	05/15/2012	Drink Fountain/Sign Repair Materials		-	No		0000
101-450-5200-44030	Repairs/Maint Imp Not Bldgs									
88125 Total:		41.53								
MENARDSO Total:		41.53								
MES Municipal Emergency Services										
00294535-SNV	02/10/2012	169.25	0.00	05/15/2012	Replacement Fitting for T2		-	No		0000
101-420-2220-44040	Repairs/Maint Eqpt									
00294535-SNV Total:		169.25								
MES Total:		169.25								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	PO Line #
METCOU Metropolitan Council 988593 05/07/2012 602-495-9450-43820 Sewer Utility - Met Council 988593 Total: METCOU Total:		1,081.28 1,081.28 1,081.28	0.00	05/15/2012	Monthly Wastewater Service - May 2012		-		No		0000
METROFIR Metro Fire 44060 04/26/2012 101-420-2220-42400 Small Tools & Equipment 44060 Total: METROFIR Total:		164.10 164.10 164.10	0.00	05/15/2012	Gear Wash Soap		-		No		0000
MILLSCOL Mills Cole 05/08/12 05/08/2012 101-410-1450-43620 Cable Operations 05/08/12 Total: MILLSCOL Total:		55.00 55.00 55.00	0.00	05/15/2012	Council Workshop 5/8/12		-		No		0000
MINITEX Minitex 77762 04/23/2012 206-450-5300-42000 Office Supplies 77762 04/23/2012 206-450-5300-42000 Office Supplies 77762 Total: MINITEX Total:		240.00 11.00 251.00 251.00	0.00 0.00	05/15/2012 05/15/2012	Single Bar Code Labels Shipping		- -		No No		0000 0000
NAMERICA North American Salt Company 70824673 04/19/2012 101-430-3125-42290 Sand/Salt 70824673 Total: NAMERICA Total:		16,483.29 16,483.29 16,483.29	0.00	05/15/2012	Road Salt		-		No		0000
NCPERS 566200-NCPERS MINNESOTA 5662512 04/23/2012 101-000-0000-21708 Other Benefits 5662512 Total: NCPERS Total:		48.00 48.00 48.00	0.00	05/15/2012	April 2012 Deductions		-		No		0000

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	PO Line #
OAKD-HIS Oakdale Lake Elmo Historical Socie											
04/16/2012	04/16/2012	500.00	0.00	05/15/2012	2012 Donation		-		No	0000	
101-410-1110-44300	Miscellaneous										
	04/16/2012 Total:	500.00									
	OAKD-HIS Total:	500.00									
ONECALL Gopher State One Call											
38976	05/01/2012	242.15	0.00	05/15/2012	Line Locates - April 2012		-		No	0000	
101-430-3100-43150	Contract Services										
	38976 Total:	242.15									
	ONECALL Total:	242.15									
PITNEYRE Reserve Account Pitney Bowes											
04/16/2012	04/16/2012	200.00	0.00	05/15/2012	Postage		-		No	0000	
101-410-1320-43220	Postage										
04/16/2012	04/16/2012	500.00	0.00	05/15/2012	Postage		-		No	0000	
601-494-9400-43220	Postage										
	04/16/2012 Total:	700.00									
	PITNEYRE Total:	700.00									
PLANTH PLANT HEALTH ASSOCIATES, INC											
1084-12	05/03/2012	525.00	0.00	05/15/2012	Forester Services - April 2012		-		No	0000	
101-430-3250-43150	Contract Services										
	1084-12 Total:	525.00									
	PLANTH Total:	525.00									
POMPS Pump's Tire Service, Inc.											
27605	04/24/2012	397.88	0.00	05/15/2012	Four Tires 91-1		-		No	0000	
101-450-5200-42210	Equipment Parts										
	27605 Total:	397.88									
	POMPS Total:	397.88									
PRESSA Anastasia Press											
05/01/2012	05/01/2012	55.00	0.00	05/15/2012	City Council Meeting 5/1/12		-		No	0000	
101-410-1450-43620	Cable Operations										
	05/01/2012 Total:	55.00									
	PRESSA Total:	55.00									

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
PROSTAFF PROSTAFF										
102-855629	05/26/2012	620.00	0.00	05/15/2012	Temp Help W/E 4/22/12		-	No		0000
101-410-1320-43150	Contract Services									
	102-855629 Total:	620.00								
102-856355	05/13/2012	620.00	0.00	05/15/2012	Temp Help W/E 4/29/12		-	No		0000
101-410-1320-43150	Contract Services									
	102-856355 Total:	620.00								
	PROSTAFF Total:	1,240.00								
READYWAT Ready Watt Electric										
96438	04/26/2012	5,560.00	0.00	05/15/2012	Emergency Repairs to warning sirens		-	No		0000
101-420-2500-43150	Contract Services									
	96438 Total:	5,560.00								
	READYWAT Total:	5,560.00								
RELIANCE Reliance Electric Motors										
3007	04/26/2012	56.25	0.00	05/15/2012	Repair Sawzall		-	No		0000
101-420-2220-44040	Repairs/Maint Eqpt									
	3007 Total:	56.25								
	RELIANCE Total:	56.25								
RICHTMAN Richtman Karen										
04/25/2012	04/25/2012	2,146.42	0.00	05/15/2012	Recycling Supplies		-	No		0000
101-430-3200-42100	Recycling Supplies									
	04/25/2012 Total:	2,146.42								
	RICHTMAN Total:	2,146.42								
RIVRCOOP River Country Cooperative										
04/30/2012	04/30/2012	336.14	0.00	05/15/2012	Fuel		-	No		0000
101-420-2220-42120	Fuel, Oil and Fluids									
	04/30/2012 Total:	336.14								
	RIVRCOOP Total:	336.14								
S&T S&T Office Products, Inc.										
01DE0627	05/01/2012	177.22	0.00	05/15/2012	Office Supplies		-	No		0000
101-410-1320-42000	Office Supplies									
	01DE0627 Total:	177.22								
	S&T Total:	177.22								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close PO Line #
SACHSJIM James Sachs										
04/25/2012	04/25/2012	23.00	0.00	05/15/2012	Reimburse Water Certification		-		No	0000
601-494-9400-44370	Conferences & Training									
	04/25/2012 Total:	23.00								
	SACHSJIM Total:	23.00								
SW/WC SW/WC Service Cooperatives										
06/01/2012	06/01/2012	15,132.00	0.00	05/15/2012	June 2012 Premiums		-		No	0000
101-000-0000-21706	Medical Insurance									
	06/01/2012 Total:	15,132.00								
	SW/WC Total:	15,132.00								
THONESAN Thone Sandie										
05/04/2012	05/04/2012	268.52	0.00	05/15/2012	Reimburse Office Supplies		-		No	0000
101-410-1320-42000	Office Supplies									
	05/04/2012 Total:	268.52								
	THONESAN Total:	268.52								
VISALE40 VISA										
04/04/2012	05/10/2012	35.78	0.00	05/15/2012	Dinner to meet Sandie Thone		-		No	0000
101-410-1320-44300	Miscellaneous									
04/04/2012	05/10/2012	41.50	0.00	05/15/2012	Stock Photo Purchase for Website		-		No	0000
101-410-1320-43090	Newsletter/Website									
04/04/2012	05/10/2012	65.27	0.00	05/15/2012	Food for Board of Appeals		-		No	0000
101-410-1110-44300	Miscellaneous									
04/04/2012	05/10/2012	210.76	0.00	05/15/2012	Pioneer Press		-		No	0000
101-410-1320-43090	Newsletter/Website									
	04/04/2012 Total:	353.31								
	VISALE40 Total:	353.31								
XCEL Xcel Energy										
51-0117417-0	05/10/2012	34.97	0.00	05/15/2012	Welcome Sign		-		No	0000
101-430-3160-43810	Street Lighting									
	51-0117417-0 Total:	34.97								
51-4504807-7	05/10/2012	68.94	0.00	05/15/2012	Lift Station		-		No	0000
602-495-9450-43810	Electric Utility									
51-4504807-7	05/10/2012	30.34	0.00	05/15/2012	Traffic Lights		-		No	0000
101-430-3160-43810	Street Lighting									
51-4504807-7	05/10/2012	48.82	0.00	05/15/2012	Lights at Legion Park		-		No	0000
101-450-5200-43810	Electric Utility									
	51-4504807-7 Total:	148.10								

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close	POLine #
51-4572945-7	05/10/2012	1.44	0.00	05/15/2012	Street Lights		-			No	0000
101-430-3160-43810	Street Lighting										
51-4572945-7	Total:	1.44									
51-4576456-3	05/10/2012	54.18	0.00	05/15/2012	Fire Station 2		-			No	0000
101-420-2220-43810	Electric Utility										
51-4576456-3	Total:	54.18									
51-4580376-5	05/10/2012	260.37	0.00	05/15/2012	City Hall		-			No	0000
101-410-1940-43810	Electric Utility										
51-4580376-5	05/10/2012	29.09	0.00	05/15/2012	Traffic Lights		-			No	0000
101-430-3160-43810	Street Lighting										
51-4580376-5	05/10/2012	394.84	0.00	05/15/2012	City Hall		-			No	0000
101-410-1940-43810	Electric Utility										
51-4580376-5	Total:	684.30									
51-4733556-8	05/10/2012	5.14	0.00	05/15/2012	Tennis Courts		-			No	0000
101-450-5200-43810	Electric Utility										
51-4733556-8	Total:	5.14									
51-5044219-0	05/10/2012	89.08	0.00	05/15/2012	Parks Building		-			No	0000
101-450-5200-43810	Electric Utility										
51-5044219-0	Total:	89.08									
51-5275289-3	05/10/2012	18.44	0.00	05/15/2012	Pebble Park		-			No	0000
101-450-5200-43810	Electric Utility										
51-5275289-3	Total:	18.44									
51-5350323-8	05/10/2012	1,541.10	0.00	05/15/2012	Wells 1 & 2		-			No	0000
601-494-9400-43810	Electric Utility										
51-5350323-8	Total:	1,541.10									
51-5522332-2	05/10/2012	38.77	0.00	05/15/2012	Traffic Lights		-			No	0000
101-430-3160-43810	Street Lighting										
51-5522332-2	Total:	38.77									
51-5747685-4	05/10/2012	147.88	0.00	05/15/2012	Arts Center		-			No	0000
101-450-5200-43810	Electric Utility										
51-5747685-4	Total:	147.88									
51-5916043-7	05/10/2012	19.10	0.00	05/15/2012	Lift Station		-			No	0000
602-495-9450-43810	Electric Utility										
51-5916043-7	Total:	19.10									
51-6429583-8	05/10/2012	16.09	0.00	05/15/2012	Lift Station		-			No	0000
602-495-9450-43810	Electric Utility										
51-6429583-8	Total:	16.09									
51-6433976-2	05/10/2012	267.97	0.00	05/15/2012	Fire Station 1		-			No	0000
101-420-2220-43810	Electric Utility										
51-6433976-2	Total:	267.97									
51-6625457-1	05/10/2012	297.40	0.00	05/15/2012	Legion Park		-			No	0000
101-450-5200-43810	Electric Utility										
51-6625457-1	Total:	297.40									
51-6736544-2	05/10/2012	1,871.44	0.00	05/15/2012	Street Lights		-			No	0000
101-430-3160-43810	Street Lighting										

Invoice #	Inv Date	Amount	Quantity	Pmt Date	Description	Reference	Task	Type	PO #	Close POLine #
51-6928283-3	05/10/2012	1,871.44								
101-430-3160-43810	Street Lighting	27.12	0.00	05/15/2012	Traffic Lights		-		No	0000
51-6928283-3	Total:	27.12								
51-6956201-4	05/10/2012	48.14	0.00	05/15/2012	VFW Ballfield Lights		-		No	0000
101-450-5200-43810	Electric Utility	48.14								
51-7538112*1	05/10/2012	761.72	0.00	05/15/2012	Public Works		-		No	0000
101-430-3100-43810	Electric Utility	761.72								
51-8126093-5	05/10/2012	19.52	0.00	05/15/2012	Water Tower 2		-		No	0000
601-494-9400-43810	Electric Utility	19.52								
51-8711719-3	05/10/2012	11.26	0.00	05/15/2012	Speed Sign Hwy 5		-		No	0000
101-430-3160-43810	Street Lighting	11.26								
51-8711719-3	Total:	11.26								
XCEL Total:		6,103.16								
ZIERTMAN Joan Ziertman										
May 2012	05/10/2012	1,250.00	0.00	05/15/2012	April Clerical Services		-		No	0000
101-410-1520-43150	Contract Services	1,250.00								
May 2012 Total:		1,250.00								
ZIERTMAN Total:		1,250.00								
Report Total:		80,105.17								



MAYOR & COUNCIL COMMUNICATION

DATE: 05/11/2012

AGENDA ITEM: April 2012 Financial Reporting

SUBMITTED BY: Cathy Bendel, Finance Director

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: City Administrator and City Clerk

SUMMARY AND ACTION REQUESTED: As part of its Consent Agenda, the City Council is asked to accept the April 2012 Financial Reporting Packet. No specific motion is needed, as this is recommended to be part of the overall approval of the *Consent Agenda*.

BACKGROUND INFORMATION: The City of Lake Elmo has fiduciary authority and responsibility to conduct normal business operation and report the financial (unaudited) statement to the City Council. City guidelines suggest the Council be updated on a regular basis.

STAFF REPORT: Attached please find a summary memorandum and reports for April reflecting the detail rolling up to the year to date actual results and compares those results to the 2012 Budget.

RECOMMENDATION: Based upon the above background information it is recommended that the City Council receive the April monthly Financial Reporting Packet *as part of tonight's Consent Agenda*.

Alternatively, the City Council does have the authority to remove this item from the Consent Agenda and further discuss and review.

ATTACHMENTS:

1. Memorandum outlining April 2012 monthly and year to date highlights
2. April Financial Reports

- Questions from Council to Staff..... Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

SUGGESTED ORDER OF BUSINESS (if removed from the Consent Agenda):

Memorandum

Consent Agenda

To: City of Lake Elmo City Council

From: Cathy Bendel

Date: May 11, 2012

Re: General Fund Revenue/Expenditures through April 30, 2012 (Unaudited)

The attached reports detail the year to date revenue and expense activity for the City of Lake Elmo General Fund by month through April 2012. Included is a one page roll up snapshot summary as well as a detailed report by department. The larger variances are highlighted below:

Revenues:

- General Contractor licenses to date have exceeded the full year budget by 8.75%. It is anticipated that this trend will continue.
- The Cable Commission reimbursement was received for \$39,949.50 was received in April and was 9.45% over the budgeted amount. This is a once a year reimbursement.
- Assessment searches to date are at 150% of budget due to a coordinated effort to make sure to charge for all search requests. On average 5 searches are done per week due to an increased volume of activity in the housing market.
- Miscellaneous revenue reflects assets sold to date as well as a refund received related to the annual Work Comp audit based on actual wages and experience rating for 2011. The Work Comp refund amount was \$6.8k and will be reallocated to the respective departments in May.
- Internal charges reflect the service fee charged for processing performed related to the library card reimbursements. Through April, 410 library card reimbursements have been processed at a reimbursement of \$2 each.

Expenses:

All departments are at or well below their 33.33% of budget as all Departments continue to strive to identify and implement any cost saving measures. A few key items to note:

- Some recurring expense items show zero for January which stands out. This is a result of moving the expense back to December when the expense was incurred for year end.

- Unemployment Benefits and Workers Compensation are expensed as those benefits are paid out to claimants.
- Although no contract services were budgeted for Administration, expenses were incurred to cover the front desk prior to being fully staffed.
- The Finance Department also used contracted services to cover the Finance department lack of full-time staff and is over budget in that category as a result. The contractor services were primarily used to prepare for the annual Financial Audit.
- The Planning Department also used a part-time contractor to cover the Planning Assistant functions until a full-time staff person was hired. The new Planning Assistant starts May 29th.

SUMMARY

City of Lake Elmo
Budget to Actual
2012 By Month
As of April 30, 2012
101-General Fund Detail

REVENUE	BUDGET	Jan	Feb	Mar	Apr	YTD	% of Budget	Over/ (Under)	
Current Ad Valorem Taxes	2,442,903.00	0.00	0.00	0.00	0.00	0.00	0.00%	(2,442,903.00)	
Mobile Home Tax	8,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(8,000.00)	
Liquor License	8,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(8,000.00)	
Wastewater License	200.00	0.00	0.00	0.00	0.00	0.00	0.00%	(200.00)	
General Contractor License	2,000.00	1,340.00	225.00	220.00	390.00	2,175.00	108.75%	175.00	Numerous license requests!
Heating Contractor License	50.00	0.00	0.00	0.00	0.00	0.00	0.00%	(50.00)	
Blacktopping Contractor License	50.00	0.00	0.00	0.00	0.00	0.00	0.00%	(50.00)	
Building Permits	115,000.00	6,716.51	5,041.52	7,626.07	14,409.11	33,793.21	29.39%	(81,206.79)	
Heating Permits	6,000.00	750.00	230.00	455.00	600.00	2,035.00	33.92%	(3,965.00)	
Plumbing Permits	3,500.00	500.00	155.00	305.00	1,135.00	2,095.00	59.86%	(1,405.00)	
Sewer Permits	300.00	0.00	0.00	0.00	0.00	0.00	0.00%	(300.00)	
Animal License	2,000.00	660.00	300.00	180.00	180.00	1,320.00	66.00%	(680.00)	Majority of licenses early in year
Utility Permits	5,000.00	0.00	291.80	330.00	185.20	807.00	16.14%	(4,193.00)	
Burning Permits	1,000.00	170.00	90.00	90.00	305.00	655.00	65.50%	(345.00)	
MSA-Maintenance	75,000.00	43,789.00	0.00	0.00	0.00	43,789.00	58.39%	(31,211.00)	1st half 2012; actual will be \$12k over budget
State Fire Aid	40,000.00	0.00	0.00	1,500.00	0.00	1,500.00	3.75%	(38,500.00)	
PERA Aid	2,749.00	0.00	0.00	0.00	0.00	0.00	0.00%	(2,749.00)	
Gravel Tax	1,000.00	0.00	688.63	0.00	0.00	688.63	68.86%	(311.37)	
Recycling Grant	15,500.00	0.00	0.00	0.00	0.00	0.00	0.00%	(15,500.00)	Filed for grant of Approx \$15.7k
Cable Franchise Revenue	36,500.00	0.00	0.00	0.00	39,949.50	39,949.50	109.45%	3,449.50	One time Cable Commission Reimbursement
Zoning and Subdivision Fees	5,500.00	1,152.40	0.00	0.00	0.00	1,152.40	20.95%	(4,347.60)	
Plan Check Fees	38,000.00	2,457.00	2,571.96	2,565.06	6,126.06	13,720.08	36.11%	(24,279.92)	
Copies, books, maps	150.00	3.00	3.00	0.00	13.90	19.90	13.27%	(130.10)	
Assessment Searches	200.00	15.00	45.00	120.00	135.00	315.00	157.50%	115.00	Avg if 5 searches per wk
Clean up Days	3,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(3,000.00)	
Cable Optn Reimbursement	2,000.00	47.50	0.00	0.00	687.50	735.00	36.75%	(1,265.00)	
Fines	53,000.00	0.00	4,154.15	7,570.16	0.00	11,724.31	22.12%	(41,275.69)	
Misc Revenue	6,384.00	1,648.44	0.00	4,662.63	7,146.68	13,457.75	210.80%	7,073.75	Sale of assets, WC ins refund of \$6.8k due to lack of claims
Internal Charges	0.00	298.00	348.00	98.00	76.00	820.00	NA	820.00	Library card svc fees; not budgeted
Interest Earnings	20,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(20,000.00)	Currently interest only bkd at YE
Donations	8,000.00	0.00	7,500.00	0.00	0.00	7,500.00	93.75%	(500.00)	
Total Revenues	2,900,986.00	59,546.85	21,644.06	25,721.92	71,338.95	178,251.78	6.14%	(2,722,734.22)	
EXPENSE BY DEPT									
410-General Government	965,182.00	32,695.72	75,839.99	72,121.09	70,066.68	250,723.48	25.98%	714,458.52	
420-Public Safety	1,081,541.00	25,871.75	31,938.19	47,736.80	32,123.84	137,670.58	12.73%	943,870.42	
430-Public Works	482,749.00	23,080.10	44,427.22	21,205.76	29,856.45	118,569.53	24.56%	364,179.47	
450-Culture Recreation	183,103.00	10,524.58	9,723.89	8,550.38	9,597.51	38,396.36	20.97%	144,706.64	
460-Compensation Adj	13,411.00	0.00	0.00	0.00	0.00	0.00	0.00%	13,411.00	
493-Other Financing Uses	175,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	175,000.00	
Total Expenses	2,900,986.00	92,172.15	161,929.29	149,614.03	141,644.48	545,359.95	18.80%	2,355,626.05	
Net	0.00	(32,625.30)	(140,285.23)	(123,892.11)	(70,305.53)	(367,108.17)	NA	(367,108.17)	

DETAIL

City of Lake Elmo
Budget to Actual
2012 By Month
As of April 30, 2012
101-General Fund Detail
By Department

DEPT 410 - GEN'L GOV'T

	BUDGET	Jan	Feb	Mar	Apr	YTD	% of Budget	Over/ (Under)
1110 - Mayor & Council								
PT Salaries	16,435.00	0.00	0.00	0.00	0.00	0.00	0.00%	(16,435.00)
FICA Contributions	1,019.00	0.00	0.00	0.00	0.00	0.00	0.00%	(1,019.00)
Medicare Contributions	238.00	0.00	0.00	0.00	0.00	0.00	0.00%	(238.00)
Workers Compensation	0.00	36.00	0.00	0.00	0.00	36.00	0.00%	36.00
Mileage	1,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(1,000.00)
Miscellaneous	2,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(2,000.00)
Dues & Subscriptions	11,200.00	3,391.00	0.00	0.00	0.00	3,391.00	30.28%	(7,809.00)
Conferences & Training	3,500.00	0.00	0.00	0.00	0.00	0.00	0.00%	(3,500.00)
Total Mayor & Council	35,392.00	3,427.00	0.00	0.00	0.00	3,427.00	9.68%	(31,965.00)
1320 - Administration								
FT Salaries	220,671.00	9,446.62	17,718.94	12,755.74	12,653.83	52,575.13	23.83%	(168,095.87)
PERA Contributions	8,617.00	684.85	1,154.12	924.79	917.41	3,681.17	42.72%	(4,935.83)
ICMA Contributions	7,382.00	0.00	0.00	0.00	0.00	0.00	0.00%	(7,382.00)
FICA Contributions	13,682.00	572.97	1,064.66	756.95	750.63	3,145.21	22.99%	(10,536.79)
Medicare Contributions	3,200.00	134.01	249.01	177.04	175.56	735.62	22.99%	(2,464.38)
Health/Dental Insurance	33,548.00	4,435.56	(1,445.04)	4,074.76	2,055.81	9,121.09	27.19%	(24,426.91)
Unemployment Benefits	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Workers Compensation	2,310.00	1,396.00	0.00	0.00	0.00	1,396.00	60.43%	(914.00)
Office Supplies	6,000.00	595.59	492.70	592.58	281.62	1,962.49	32.71%	(4,037.51)
Printed Forms	1,000.00	0.00	0.00	363.91	0.00	363.91	36.39%	(636.09)
Legal Services	65,000.00	0.00	0.00	9,739.50	0.00	9,739.50	14.98%	(55,260.50)
Newsletter/Website	0.00	0.00	0.00	0.00	61.00	61.00	0.00%	61.00
Assessing Services	46,000.00	0.00	2,000.00	2,000.00	2,000.00	6,000.00	13.04%	(40,000.00)
Contract Services	0.00	0.00	2,724.14	2,243.63	2,361.81	7,329.58	0.00%	7,329.58
Postage	6,500.00	0.00	0.00	500.00	500.00	1,000.00	15.38%	(5,500.00)
Mileage	3,000.00	0.00	29.97	176.27	134.41	340.65	11.36%	(2,659.35)
Legal Publishing	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Insurance	39,500.00	380.00	500.00	(78.53)	0.00	801.47	2.03%	(38,698.53)
Cable Operation Expense	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Miscellaneous	6,000.00	40.00	458.17	542.99	184.56	1,225.72	20.43%	(4,774.28)
Dues & Subscriptions	3,500.00	0.00	0.00	58.50	117.78	176.28	5.04%	(3,323.72)
Books	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Conferences & Training	3,500.00	0.00	0.00	66.21	489.72	555.93	15.88%	(2,944.07)
Staff Development	1,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(1,000.00)
Total Administration	470,410.00	17,685.60	24,946.67	34,894.34	22,684.14	100,210.75	21.30%	(370,199.25)
1410 - Elections								
PT Salaries	10,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(10,000.00)
Office Supplies	250.00	0.00	0.00	0.00	0.00	0.00	0.00%	(250.00)
Printed Forms	350.00	0.00	0.00	0.00	0.00	0.00	0.00%	(350.00)
Miscellaneous	1,350.00	0.00	1,014.93	281.82	0.00	1,296.75	96.06%	(53.25)
Total Elections	11,950.00	0.00	1,014.93	281.82	0.00	1,296.75	10.85%	(10,653.25)

Temp services to cover front desk

1450 - Communicatic									
FT Salaries	11,117.00	229.37	654.71	614.62	832.86	2,331.56	20.97%	(8,785.44)	
PERA Contributions	806.00	16.64	47.48	44.56	60.39	169.07	20.98%	(636.93)	
FICA Contributions	689.00	14.21	40.60	38.10	51.64	144.55	20.98%	(544.45)	
Medicare Contributions	161.00	3.33	9.49	8.90	12.08	33.80	20.99%	(127.20)	
Health/Dental Insurance	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	
Workers Compensation	503.00	56.00	0.00	0.00	0.00	56.00	11.13%	(447.00)	
Newsletter	5,400.00	0.00	0.00	0.00	0.00	0.00	0.00%	(5,400.00)	
Info Technology/Web	31,500.00	1,652.08	6,298.69	2,157.71	1,652.08	11,760.56	37.34%	(19,739.44)	
Public Notices	3,500.00	0.00	20.50	0.00	534.85	555.35	15.87%	(2,944.65)	
Cable Operations	4,000.00	137.50	272.25	348.00	233.75	991.50	0.00%	(3,008.50)	
Repair/Maint Equipment	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	
Total Communications	57,676.00	2,109.13	7,343.72	3,211.89	3,377.65	16,042.39	27.81%	(41,633.61)	
1520 - Finance									
FT Salaries	34,674.00	0.00	0.00	0.00	5,384.00	5,384.00	15.53%	(29,290.00)	
PERA Contributions	2,514.00	0.00	0.00	0.00	195.17	195.17	7.76%	(2,318.83)	
FICA Contributions	2,150.00	0.00	0.00	0.00	312.52	312.52	14.54%	(1,837.48)	
Medicare Contributions	503.00	0.00	0.00	0.00	73.08	73.08	14.53%	(429.92)	
Health/Dental Insurance	3,826.00	0.00	0.00	0.00	6.50	6.50	0.00%	(3,819.50)	
Unemployment Benefits	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	
Workers Compensation	250.00	176.00	0.00	0.00	0.00	176.00	70.40%	(74.00)	
Office Supplies	500.00	0.00	0.00	0.00	0.00	0.00	0.00%	(500.00)	
Printed Forms	500.00	0.00	0.00	0.00	0.00	0.00	0.00%	(500.00)	
Audit Services	30,000.00	0.00	4,000.00	35.00	0.00	4,035.00	13.45%	(25,965.00)	
Contract Services	30,000.00	0.00	16,126.50	12,610.50	18,290.00	47,027.00	156.76%	17,027.00	To cover Fin Dir functions
Software Programs	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	
Mileage	100.00	0.00	0.00	0.00	0.00	0.00	0.00%	(100.00)	
Miscellaneous	2,500.00	10.00	1,563.00	0.00	0.00	1,573.00	62.92%	(927.00)	Includes \$1k for annual bond disclosure report
Dues & Subscriptions	100.00	0.00	0.00	0.00	0.00	0.00	0.00%	(100.00)	
Conferences & Training	300.00	0.00	0.00	0.00	0.00	0.00	0.00%	(300.00)	
Total Finance	107,917.00	186.00	21,689.50	12,645.50	24,261.27	58,782.27	54.47%	(49,134.73)	
1910 - Planning & Zoning									
FT Salaries	104,109.00	4,308.90	5,773.95	5,965.20	5,878.95	21,927.00	21.06%	(82,182.00)	
PERA Contributions	7,548.00	249.33	332.44	332.44	332.44	1,246.65	16.52%	(6,301.35)	
FICA Contributions	6,455.00	256.23	343.42	355.29	349.93	1,304.87	20.21%	(5,150.13)	
Medicare Contributions	1,510.00	59.92	80.32	83.08	81.83	305.15	20.21%	(1,204.85)	
Health/Dental Insurance	22,566.00	2,675.70	793.61	(440.89)	793.61	3,822.03	16.94%	(18,743.97)	
Workers Compensation	749.00	530.00	0.00	0.00	0.00	530.00	70.76%	(219.00)	
Office Supplies	750.00	0.00	0.00	0.00	43.37	43.37	5.78%	(706.63)	
Printed Forms	10,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(10,000.00)	
Engineering Services	12,000.00	0.00	1,613.50	1,867.50	1,483.64	4,964.64	41.37%	(7,035.36)	
Contract Services	3,000.00	0.00	1,698.66	2,278.26	0.00	3,976.92	132.56%	976.92	PT Planner
Mileage	400.00	0.00	0.00	0.00	0.00	0.00	0.00%	(400.00)	
Miscellaneous	400.00	0.00	0.00	350.00	0.00	350.00	87.50%	(50.00)	
Dues & Subscriptions	750.00	0.00	0.00	0.00	0.00	0.00	0.00%	(750.00)	
Books	300.00	0.00	0.00	0.00	0.00	0.00	0.00%	(300.00)	
Conferences & Training	1,500.00	0.00	255.00	0.00	0.00	255.00	0.00%	(1,245.00)	
Total Planning & Zoning	172,037.00	8,080.08	10,890.90	10,790.88	8,963.77	38,725.63	22.51%	(133,311.37)	
1930 - Engineering Services									
Engineering Services	70,000.00	0.00	6,845.06	7,203.11	7,982.26	22,030.43	31.47%	(47,969.57)	
Total Planning & Zoning	70,000.00	0.00	6,845.06	7,203.11	7,982.26	22,030.43	31.47%	(219,753.98)	

1940 - City Hall									
Cleaning Supplies	600.00	0.00	0.00	10.13	71.06	81.19	13.53%	(518.81)	
Building Repair Supplies	800.00	0.00	0.00	237.44	0.00	237.44	29.68%	(562.56)	
Telephone	8,600.00	564.75	627.14	824.06	657.90	2,673.85	31.09%	(5,926.15)	
Electric Utility	11,500.00	0.00	1,339.55	1,166.06	771.09	3,276.70	28.49%	(8,223.30)	
Refuse	1,300.00	108.32	108.32	108.32	108.32	433.28	33.33%	(866.72)	
Repairs/Maint Contractual Bldg	11,000.00	321.38	740.94	574.87	938.08	2,575.27	23.41%	(8,424.73)	
Repairs/Maint Contractual Equip	5,000.00	213.46	293.26	172.67	251.14	930.53	18.61%	(4,069.47)	
Miscellaneous	1,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(1,000.00)	
Total Planning & Zoning	39,800.00	1,207.91	3,109.21	3,093.55	2,797.59	10,208.26	25.65%	(29,591.74)	
Total General Government	965,182.00	32,695.72	75,839.99	72,121.09	70,066.68	250,723.48	25.98%	(886,242.93)	
DEPT 420 - PUBLIC SAFETY									
2100 - Police									
Law Enforcement Contract	493,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(493,000.00)	
Total Planning & Zoning	493,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(493,000.00)	
2150 - Prosecution									
Attorney Criminal	51,000.00	0.00	0.00	8,565.00	0.00	8,565.00	0.00%	(42,435.00)	Billed Qtrly
Total Planning & Zoning	51,000.00	0.00	0.00	8,565.00	0.00	8,565.00	16.79%	(42,435.00)	
2200 - Fire									
FT Salaries	64,684.00	4,011.66	5,453.07	5,440.63	5,427.69	20,333.05	31.43%	(44,350.95)	
PT Salaries	112,500.00	783.00	7,799.98	8,318.82	7,692.17	24,593.97	21.86%	(87,906.03)	
PERA Contributions	10,016.00	672.80	915.37	906.66	913.50	3,408.33	34.03%	(6,607.67)	
FICA Contributions	7,344.00	14.30	437.58	472.36	429.31	1,353.55	18.43%	(5,990.45)	
Medicare Contributions	2,592.00	65.23	186.47	193.83	184.57	630.10	24.31%	(1,961.90)	
Health/Dental Insurance	14,322.00	2,074.36	1,142.97	1,142.97	1,142.97	5,503.27	0.00%	(8,818.73)	
Unemployment Benefits	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	
Workers Compensation	15,492.00	10,130.00	0.00	0.00	0.00	10,130.00	65.39%	(5,362.00)	
Office Supplies	1,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(1,000.00)	
Printed Forms	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00	
EMS Supplies	1,200.00	0.00	0.00	155.50	0.00	155.50	12.96%	(1,044.50)	
Fire Prevention	3,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(3,000.00)	
Fuel, Oil & Fluids	10,800.00	0.00	746.59	788.14	1,052.43	2,587.16	0.00%	(8,212.84)	
Small Tools & Equip	9,500.00	74.43	18.44	1,712.17	841.94	2,646.98	27.86%	(6,853.02)	
Physicals	9,250.00	0.00	0.00	324.95	563.70	888.65	9.61%	(8,361.35)	
Telephone	5,000.00	0.00	410.67	247.44	79.71	737.82	14.76%	(4,262.18)	
Radio	18,500.00	0.00	0.00	0.00	3,914.76	3,914.76	21.16%	(14,585.24)	
Mileage	600.00	0.00	0.00	0.00	0.00	0.00	0.00%	(600.00)	
Vehicle Insurance	14,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(14,000.00)	
Electric Utility	12,500.00	0.00	1,130.77	1,377.74	901.91	3,410.42	27.28%	(9,089.58)	
Refuse	1,000.00	47.68	47.68	47.68	47.68	190.72	19.07%	(809.28)	
Repair/Maint Bldg	11,000.00	49.98	632.61	578.39	244.53	1,505.51	13.69%	(9,494.49)	
Repair/Maint Equip	25,000.00	0.00	1,929.67	1,887.73	2,239.35	6,056.75	24.23%	(18,943.25)	
Uniforms	8,200.00	0.00	1,680.50	731.70	323.99	2,736.19	33.37%	(5,463.81)	
Miscellaneous	1,500.00	7.90	96.08	147.33	47.70	299.01	19.93%	(1,200.99)	
Dues & Subscriptions	3,300.00	316.00	1,314.00	404.11	0.00	2,034.11	61.64%	(1,265.89)	
Books	1,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(1,000.00)	
Conferences & Training	25,000.00	0.00	1,744.00	2,434.00	497.52	4,675.52	18.70%	(20,324.48)	
Total Fire	388,300.00	18,247.34	25,686.45	27,312.15	26,545.43	97,791.37	25.18%	(290,508.63)	

2250 - Fire Relief

Fire State Aid

Total Fire Relief

40,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(40,000.00)
40,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(40,000.00)

2400 - Building Inspection

FT Salaries	60,818.00	3,463.62	4,506.48	4,541.38	4,534.41	17,045.89	28.03%	(43,772.11)
PERA Contributions	4,409.00	251.11	326.71	329.25	328.74	1,235.81	28.03%	(3,173.19)
FICA Contributions	3,771.00	208.51	271.10	273.24	272.84	1,025.69	27.20%	(2,745.31)
Medicare Contributions	882.00	48.77	63.40	63.91	63.82	239.90	27.20%	(642.10)
Health/Dental Insurance	8,585.00	1,273.78	687.10	687.10	687.10	3,335.08	0.00%	(5,249.92)
Unemployment Benefits	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Workers Compensation	2,186.00	2,213.00	0.00	0.00	0.00	2,213.00	101.24%	27.00
Office Supplies	300.00	0.00	0.00	0.00	0.00	0.00	0.00%	(300.00)
Printed Forms	200.00	0.00	0.00	0.00	0.00	0.00	0.00%	(200.00)
Engineering	10,000.00	0.00	630.00	1,092.50	607.50	2,330.00	23.30%	(7,670.00)
Surcharge Pmts	0.00	(468.60)	(308.95)	(485.56)	(933.78)	(2,196.89)	0.00%	(2,196.89)
Inspector Contract Services	1,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(1,000.00)
Telephone	400.00	0.00	17.62	17.83	17.78	53.23	13.31%	(346.77)
Mileage	100.00	0.00	0.00	0.00	0.00	0.00	0.00%	(100.00)
Insurance	800.00	0.00	0.00	0.00	0.00	0.00	0.00%	(800.00)
Repairs/Maint Equip	750.00	0.00	0.00	0.00	0.00	0.00	0.00%	(750.00)
Miscellaneous	500.00	0.00	0.00	0.00	0.00	0.00	0.00%	(500.00)
Dues & Subscriptions	200.00	0.00	0.00	90.00	0.00	90.00	45.00%	(110.00)
Books	140.00	0.00	58.28	0.00	0.00	58.28	41.63%	(81.72)
Conferences & Training	500.00	0.00	0.00	0.00	0.00	0.00	0.00%	(500.00)
Total Building Inspections	95,541.00	6,990.19	6,251.74	6,609.65	5,578.41	25,429.99	26.62%	(70,111.01)

Coding correction needed

2500 - Emergency Communications

Contract Services

6,000.00	634.22	0.00	5,250.00	5,884.22	5,884.22	5,884.22	98.07%	(115.78)
6,000.00	634.22	0.00	5,250.00	5,884.22	5,884.22	5,884.22	98.07%	(115.78)

\$5.2 was for annual Siren maintenance

2700 - Animal Control

Printed Forms	100.00	0.00	0.00	0.00	0.00	0.00	0.00%	(100.00)
Contract Services	7,500.00	0.00	0.00	0.00	0.00	0.00	0.00%	(7,500.00)
Miscellaneous	100.00	0.00	0.00	0.00	0.00	0.00	0.00%	(100.00)
Total Animal Control	7,700.00	0.00	0.00	0.00	0.00	0.00	0.00%	(7,700.00)
Total Public Safety	1,081,541.00	25,871.75	31,938.19	47,736.80	32,123.84	137,670.58	12.73%	(943,870.42)

DEPT 430 - PUBLIC WORKS

3100 - Public Works

FT Salaries	127,257.00	7,352.98	10,005.83	9,669.19	9,617.31	36,645.31	28.80%	(90,611.69)
PT Salaries	12,573.00	0.00	0.00	0.00	0.00	0.00	0.00%	(12,573.00)
PERA Contributions	10,138.00	533.13	725.42	701.05	697.27	2,656.87	26.21%	(7,481.13)
FICA Contributions	8,670.00	425.88	581.97	561.07	557.86	2,126.78	24.53%	(6,543.22)
Medicare Contributions	2,027.00	99.59	136.12	131.23	130.48	497.42	24.54%	(1,529.58)
Health/Dental Insurance	32,694.00	4,742.44	2,590.10	2,590.10	2,590.10	12,512.74	0.00%	(20,181.26)
Unemployment Benefits	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Workers Compensation	12,565.00	8,726.00	0.00	0.00	0.00	8,726.00	69.45%	(3,839.00)
Office Supplies	500.00	0.00	213.93	53.12	0.00	267.05	53.41%	(232.95)
Shop Materials	1,800.00	0.00	54.59	101.33	148.70	304.62	0.00%	(1,495.38)
Equipment Parts	1,800.00	0.00	32.60	43.65	0.00	76.25	4.24%	(1,723.75)
Building Repair Supplies	1,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(1,000.00)
Small Tools and Minor Equip	3,000.00	0.00	148.55	32.04	65.10	245.69	0.00%	(2,754.31)
Engineering Services	2,000.00	0.00	45.00	202.50	517.50	765.00	38.25%	(1,235.00)
Contract Services	6,000.00	0.00	115.95	30.55	105.85	252.35	4.21%	(5,747.65)
Telephone	8,000.00	496.22	862.30	684.42	531.50	2,574.44	32.18%	(5,425.56)
Radio	300.00	0.00	0.00	0.00	0.00	0.00	0.00%	(300.00)
Mileage	100.00	0.00	0.00	0.00	0.00	0.00	0.00%	(100.00)
Insurance	14,500.00	0.00	0.00	0.00	0.00	0.00	0.00%	(14,500.00)
Electric Utility	21,000.00	0.00	2,724.69	2,032.63	2,481.96	7,239.28	34.47%	(13,760.72)
Refuse	2,000.00	207.82	207.82	207.82	207.82	831.28	41.56%	(1,168.72)
Repair/Maint Bldg	3,000.00	0.00	469.01	160.69	160.69	790.39	26.35%	(2,209.61)
Repair/Maint NOT Bldg	500.00	0.00	0.00	0.00	0.00	0.00	0.00%	(500.00)
Repair/Maint Equip	4,500.00	0.00	0.00	0.00	0.00	0.00	0.00%	(4,500.00)
Uniforms	1,675.00	22.86	156.72	87.92	58.65	58.65	1.30%	(4,441.35)
Miscellaneous	1,000.00	303.25	51.16	(139.79)	0.00	332.51	19.85%	(1,342.49)
Dues & Subscriptions	150.00	0.00	60.00	0.00	0.00	60.00	21.46%	(785.38)
Conferences & Training	1,000.00	0.00	0.00	0.00	0.00	0.00	40.00%	(90.00)
Clean up Days	7,500.00	0.00	0.00	0.00	0.00	0.00	0.00%	(1,000.00)
Total Public Works	287,249.00	22,910.17	19,181.76	17,149.52	17,935.80	77,177.25	26.87%	(210,071.75)

3120 - Streets

Fuel, Oil & Fluids	28,000.00	0.00	1,822.43	91.22	5,206.41	7,120.06	25.43%	(20,879.94)
Equipment Parts	7,500.00	17.53	196.02	0.00	220.50	434.05	5.79%	(7,065.95)
Street Maintenance Materials	12,000.00	152.40	13.86	0.00	577.02	743.28	6.19%	(11,256.72)
Sign Repair Materials	3,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(3,000.00)
Contract Services	13,500.00	0.00	0.00	0.00	315.00	315.00	2.33%	(13,185.00)
Repairs/Maint Equipment	8,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(8,000.00)
Total Streets	72,000.00	169.93	2,032.31	91.22	6,318.93	8,612.39	11.96%	(63,387.61)

3125 - Ice & Snow Removal

Landscaping Material	1,000.00	0.00	0.00	0.00	7.45	7.45	0.75%	(992.55)
Sand/Salt	70,000.00	0.00	20,257.28	0.00	0.00	20,257.28	28.94%	(49,742.72)
Contract Services	7,500.00	0.00	0.00	0.00	0.00	0.00	0.00%	(7,500.00)
Repairs/Maint Equipment	2,500.00	0.00	870.43	991.04	431.00	2,292.47	91.70%	(207.53)
Total Streets	81,000.00	0.00	21,127.71	991.04	438.45	22,557.20	27.85%	(58,442.80)

3160 - Street Lighting

Street Lighting	24,500.00	0.00	2,085.44	2,200.38	2,175.77	6,461.59	26.37%	(18,038.41)
Total Street Lighting	24,500.00	0.00	2,085.44	2,200.38	2,175.77	6,461.59	26.37%	(18,038.41)

3200 - Recycling									
Recycling Supplies									
Newsletter									
Miscellaneous									
Total Recycling									
3250 - Tree Program									
Contract Services									
Total Tree Program									
Total Public Works									

DEPT 450 - CULTURE, RECREATION

5200 - Parks & Recreation								
FT Salaries	78,164.00	3,677.67	5,651.68	5,517.78	5,915.41	20,762.54	26.56%	(57,401.46)
PT Salaries	30,551.00	961.04	750.08	0.00	679.76	2,390.88	7.83%	(28,160.12)
PERA Contributions	7,882.00	336.28	464.12	400.20	478.13	1,678.73	21.30%	(6,203.27)
FICA Contributions	6,740.00	275.77	381.77	327.00	393.78	1,378.32	20.45%	(5,361.68)
Medicare Contributions	1,576.00	64.50	89.26	76.45	92.06	322.27	20.45%	(1,253.73)
Health/Dental Insurance	12,668.00	1,803.38	970.97	970.97	970.97	4,716.29	0.00%	(7,951.71)
Unemployment Benefits	0.00	0.00	0.00	0.00	0.00	0.00	0.00%	0.00
Workers Compensation	7,522.00	3,138.00	0.00	0.00	0.00	3,138.00	41.72%	(4,384.00)
Shop Materials	600.00	0.00	0.00	0.00	0.00	0.00	0.00%	(600.00)
Chemicals	800.00	0.00	0.00	0.00	43.61	43.61	0.00%	(756.39)
Equipment Parts	2,500.00	60.12	0.00	0.00	155.16	215.28	8.61%	(2,284.72)
Building Repair Supplies	500.00	0.00	0.00	0.00	0.00	0.00	0.00%	(500.00)
Landscaping Materials	3,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(3,000.00)
Small Tools and Minor Equip	1,000.00	0.00	0.00	0.00	43.98	43.98	0.00%	(956.02)
Telephone	550.00	0.00	115.90	103.38	88.69	307.97	55.99%	(242.03)
Mileage	100.00	0.00	0.00	0.00	0.00	0.00	0.00%	(100.00)
Insurance	5,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(5,000.00)
Electric Utility	9,500.00	0.00	960.11	869.66	440.74	2,270.51	23.90%	(7,229.49)
Refuse	2,500.00	207.82	207.82	207.82	207.82	831.28	33.25%	(1,668.72)
Repair/Maint Bldg	700.00	0.00	9.60	16.01	0.00	25.61	3.66%	(674.39)
Repair/Maint NOT Bldg	4,000.00	0.00	0.00	0.00	26.11	26.11	0.65%	(3,973.89)
Repair/Maint Equip	2,000.00	0.00	0.00	0.00	0.00	0.00	0.00%	(2,000.00)
Rental Buildings	4,500.00	0.00	122.58	61.29	61.29	245.16	5.45%	(4,254.84)
Miscellaneous	750.00	0.00	0.00	0.00	0.00	0.00	0.00%	(750.00)
Total Parks & Recreation	183,103.00	10,524.58	9,723.89	8,550.56	9,597.51	38,396.54	20.97%	(144,706.46)
DEPT 460 - COMP ADJ	13,411.00	0.00	0	0	0	0.00	0.00%	(13,411.00)
DEPT 493 - OTH FINANCING	175,000.00	0.00	0	0	0	0.00	0.00%	(175,000.00)
GRAND TOTAL ALL DEPTS	2,900,986.00	92,172.15	161,929.29	149,614.21	141,644.48	545,360.13	18.80%	(2,527,410.28)

**City of Lake Elmo
Building Department**

Building Permit Detail Summary

January 1, 2012 Through April 30, 2012

Occupancy 0

Class of Work: Add

Permit #	Description of Work	Date Issued	Use of Building	Valuation
8327	sportcourt	4/23/2012	None	30,000
Totals for Class of Work: Add		Number of Permits = 1	Total Valuation =	30,000

Class of Work: Remodel

Permit #	Description of Work	Date Issued	Use of Building	Valuation
8300	Basement finish (includes plmg&htg)	3/29/2012	Single Family Dwelling	25,000
Totals for Class of Work: Remodel		Number of Permits = 1	Total Valuation =	25,000

Class of Work: Repair

Permit #	Description of Work	Date Issued	Use of Building	Valuation
8298	Roof Replacement (ice & water)	3/27/2012	Single Family Dwelling	14,300
8304	Roof Replacement (ice & water)	4/10/2012	Single Family Dwelling	16,522
Totals for Class of Work: Repair		Number of Permits = 2	Total Valuation =	30,822

Totals for Occupancy: 0

Number of Permits = 4

Total Valuation = 85,822

Occupancy B

Class of Work: Add

<i>Permit #</i>	<i>Description of Work</i>	<i>Date Issued</i>	<i>Use of Building</i>	<i>Valuation</i>
8261	Gasline	1/17/2012	Commercial	1,400

Totals for Class of Work: Add *Number of Permits = 1* *Total Valuation = 1,400*

Class of Work: Repair

<i>Permit #</i>	<i>Description of Work</i>	<i>Date Issued</i>	<i>Use of Building</i>	<i>Valuation</i>
8301	repair	4/3/2012	Commercial	2,650
8263	reroof	1/23/2012	Commercial	38,420
8255	Roof Replacement	1/6/2012	Office Building	33,800

Totals for Class of Work: Repair *Number of Permits = 3* *Total Valuation = 74,870*

Totals for Occupancy: B **Number of Permits = 4** **Total Valuation = 76,270**

Occupancy U-1**Class of Work: Add**

<i>Permit #</i>	<i>Description of Work</i>	<i>Date Issued</i>	<i>Use of Building</i>	<i>Valuation</i>
8295	accessory structure	3/23/2012	Accessory Building	2,600
8303	accessory structure/porch overhang/kit remodel	4/9/2012	Accessory Building	33,163

Totals for Class of Work: Add *Number of Permits = 2* *Total Valuation = 35,763*

Class of Work: New

<i>Permit #</i>	<i>Description of Work</i>	<i>Date Issued</i>	<i>Use of Building</i>	<i>Valuation</i>
8249	accessory structure	1/3/2012	Accessory Building	59,000

Totals for Class of Work: New *Number of Permits = 1* *Total Valuation = 59,000*

Totals for Occupancy: U-1 Number of Permits = 3 Total Valuation = 94,763

Occupancy R-3

Class of Work: Add

Permit #	Description of Work	Date Issued	Use of Building	Valuation
8289	addition & remodel (Incl'd plmg & hvac)	3/13/2012	Single Family Dwelling	45,000
8297	addition & remodel (Incl'd plmg & hvac)	3/27/2012	Single Family Dwelling	68,000
8318	addition & remodel (Incl'd plmg & hvac)	4/17/2012	Single Family Dwelling	30,000
8287	Deck	3/12/2012	deck	10,000
8322	Deck	4/20/2012	Single Family Dwelling	4,000
8315	Door Replacement	4/16/2012	Single Family Dwelling	2,869
8274	fence	2/16/2012	Single Family Dwelling	3,000
8290	fence	3/16/2012	Single Family Dwelling	3,000
8325	fence	4/20/2012	Single Family Dwelling	960
8326	fence	4/23/2012	Single Family Dwelling	2,400
8250	Fireplace	1/3/2012	Single Family Dwelling	3,200
8258	Fireplace	1/11/2012	Single Family Dwelling	2,000
8311	Fireplace	4/13/2012	Single Family Dwelling	3,200
8313	lawn Sprinkler	4/16/2012	Single Family Dwelling	2,800
8309	Porch	4/12/2012	Single Family Dwelling	15,000
8323	Shed	4/20/2012	Single Family Dwelling	1,500
Totals for Class of Work: Add			Number of Permits = 16	Total Valuation = 196,929

Class of Work: Remodel

Permit #	Description of Work	Date Issued	Use of Building	Valuation
8266	Door Replacement	1/27/2012	Single Family Dwelling	1,741

Class of Work: Remodel

<i>Permit #</i>	<i>Description of Work</i>	<i>Date Issued</i>	<i>Use of Building</i>	<i>Valuation</i>
8312	driveway	4/13/2012	Single Family Dwelling	4,000
8270	interior buildout incld P & H	2/6/2012	Single Family Dwelling	20,000
8275	Remodel	2/17/2012	Single Family Dwelling	5,000
8334	Remodel	4/27/2012	Single Family Dwelling	8,000
8267	Remodel (including plmg&ht g)	2/3/2012	Single Family Dwelling	25,000
8292	Remodel (including plmg&ht g)	3/19/2012	Single Family Dwelling	25,000
8272	repair	2/7/2012	Single Family Dwelling	1,525
8277	window replacement	2/22/2012	Single Family Dwelling	4,993
8279	window replacement	3/2/2012	Single Family Dwelling	2,600
8276	window replacement/door	2/22/2012	Single Family Dwelling	5,152

*Totals for Class of Work: Remodel**Number of Permits = 11**Total Valuation = 103,011***Class of Work: New**

<i>Permit #</i>	<i>Description of Work</i>	<i>Date Issued</i>	<i>Use of Building</i>	<i>Valuation</i>
8321	Deck	4/19/2012	Single Family Dwelling	5,000
8268	New House	2/3/2012	Single Family Dwelling	460,412
8269	New House	2/3/2012	Single Family Dwelling	650,000
8296	New House	3/27/2012	Single Family Dwelling	575,000
8310	New House	4/13/2012	Single Family Dwelling	437,000
8320	New House	4/18/2012	Single Family Dwelling	450,000
8331	New House	4/26/2012	Single Family Dwelling	424,000

*Totals for Class of Work: New**Number of Permits = 7**Total Valuation = 3,001,412*

Class of Work: Repair

<i>Permit #</i>	<i>Description of Work</i>	<i>Date Issued</i>	<i>Use of Building</i>	<i>Valuation</i>
8271	Door Replacement	2/6/2012	Single Family Dwelling	3,000
8319	driveway	4/18/2012	Single Family Dwelling	6,950
8256	repair	1/11/2012	Single Family Dwelling	18,500
8251	Roof Replacement	1/4/2012	Single Family Dwelling	2,000
8281	Roof Replacement (ice & water)	3/7/2012	Single Family Dwelling	4,900
8282	Roof Replacement (ice & water)	3/7/2012	Single Family Dwelling	13,000
8291	Roof Replacement (ice & water)	3/19/2012	Single Family Dwelling	9,000
8293	Roof Replacement (ice & water)	3/19/2012	Mobile Home	1,201
8294	Roof Replacement (ice & water)	3/22/2012	Single Family Dwelling	14,524
8299	Roof Replacement (ice & water)	3/28/2012	Single Family Dwelling	8,000
8305	Roof Replacement (ice & water)	4/10/2012	Single Family Dwelling	6,900
8316	Roof Replacement (ice & water)	4/16/2012	Single Family Dwelling	8,500
8317	Roof Replacement (ice & water)	4/16/2012	Single Family Dwelling	16,500
8329	Roof Replacement (ice & water)	4/23/2012	Single Family Dwelling	10,000
8330	Roof Replacement (ice & water)	4/25/2012	Single Family Dwelling	12,900
<i>Totals for Class of Work: Repair</i>				<i>Total Valuation = 135,875</i>

Class of Work: Demolition

<i>Permit #</i>	<i>Description of Work</i>	<i>Date Issued</i>	<i>Use of Building</i>	<i>Valuation</i>
8260	demolition	1/11/2012	Single Family Dwelling	6,000
<i>Totals for Class of Work: Demolition</i>				<i>Total Valuation = 6,000</i>
Totals for Occupancy: R-3				Total Valuation = 3,443,227

Occupancy S-1**Class of Work: Add**

<i>Permit #</i>	<i>Description of Work</i>	<i>Date Issued</i>	<i>Use of Building</i>	<i>Valuation</i>
8264	Communication Antenna	1/25/2012	Commercial	48,000

<i>Totals for Class of Work: Add</i>	<i>Number of Permits = 1</i>	<i>Total Valuation =</i>	<i>48,000</i>
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<i>Totals for Occupancy: S-1</i>	<i>Number of Permits = 1</i>	<i>Total Valuation =</i>	<i>48,000</i>
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<i>Grand Total of All Permits Issued:</i>	<i>Number of Permits 62</i>	<i>Total Valuation =</i>	<i>3,748,082</i>
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*City of Lake Elmo
Building Department*

Plumbing Permit Detail Summary

January 1, 2012 Through April 30, 2012

<i>Permit #</i>	<i>Description of Work</i>	<i>Date Issued</i>	<i>Valuation</i>
8307	alter resd plmg	4/11/2012	5,000
8332	alter resd plmg	4/26/2012	1,200
8308	alter resd plmg & gasline	4/11/2012	5,000
8269	New Residential	2/3/2012	35,000
8265	Remodel Commercial	1/27/2012	1,000
8268	Resd plmg/water /sewer connect.	2/3/2012	35,000
8296	Resd plmg/water /sewer connect.	3/27/2012	30,000
8310	Resd plmg/water /sewer connect.	4/13/2012	30,000
8320	Resd plmg/water /sewer connect.	4/18/2012	30,000
8331	Resd plmg/water /sewer connect.	4/26/2012	30,000
8278	water heater install	3/2/2012	3,500
8283	water heater install	3/7/2012	500
8314	water heater install	4/16/2012	200
8324	water heater install	4/20/2012	500
8328	water heater install	4/23/2012	500
8333	water softner	4/27/2012	1,200

Total Number of Permits = 16

Total Valuation = 208,600

**City of Lake Elmo
Building Department**

HVAC Permit Detail Summary

January 1, 2012 Through April 30, 2012

<i>Permit #</i>	<i>Description of Work</i>	<i>Date Issued</i>	<i>Valuation</i>
8269	HVAC-residential	2/3/2012	30,000
8268	HVAC-residential	2/3/2012	30,000
8280	HVAC-residential	3/5/2012	6,800
8296	HVAC-residential	3/27/2012	25,000
8310	HVAC-residential	4/13/2012	25,000
8320	HVAC-residential	4/18/2012	25,000
8331	HVAC-residential	4/26/2012	20,000
8261	New Commercial	1/17/2012	1,400
8248	replace furnace	1/3/2012	3,150
8254	replace furnace	1/6/2012	3,400
8253	replace furnace	1/6/2012	3,000
8252	replace furnace	1/6/2012	1,650
8259	replace furnace	1/11/2012	2,787
8257	replace furnace	1/11/2012	1,775
8262	replace furnace	1/18/2012	2,000
8273	replace furnace	2/9/2012	1,750
8284	replace furnace	3/12/2012	2,300
8285	replace furnace	3/12/2012	3,500
8286	replace furnace	3/12/2012	4,200
8302	replace furnace/AC	4/3/2012	6,287
8306	replace furnace/AC	4/10/2012	9,770
Total Number of Permits = 21			Total Valuation =
			208,769



MAYOR AND COUNCIL COMMUNICATION

DATE: 05/15/2012
CONSENT
ITEM #: 3
MOTION *Consent Agenda*

AGENDA ITEM: Temporary Liquor License

SUBMITTED BY: Sandie Thone, City Clerk

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Dean A. Zuleger, City Administrator

SUMMARY AND ACTION REQUESTED: As part of the Consent Agenda City Council is respectfully requested to consider approval of a temporary on-sale liquor license issued to Team Ortho Foundation, Inc. for their event the Go Commando Adventure Race being held at Green Acres on June 9, 2012, subject to approval of the Director of Alcohol and Gambling Enforcement.

BACKGROUND INFORMATION: Pursuant to Lake Elmo City Code Chapter 111.17 Section B3 temporary on-sale licenses shall be issued only to clubs, charitable, religious or other non-profit organizations in existence for at least three years and shall authorize the on-sale of intoxicating liquor in connection with a social event sponsored by the licensee and subject to the restrictions imposed by MN Statute 340A.

STAFF REPORT: Team Ortho Foundation, Inc. located at 1170 15th Avenue SE, Minneapolis, MN 55414 is planning to hold their Go Commando Adventure Race on June 9, 2012 at Green Acres located at 8989 55th Street North. They have requested an on-sale temporary special event liquor license to allow for the safe sale of alcoholic beverages at the event. Please find attached the request from Team Ortho Foundation, Inc. The event will be held from 8:00 a.m. through 4:00 p.m. at Green Acres. Security will be present during the entire event. Team Ortho Foundation, Inc. has successfully submitted an application, certificate of insurance for liquor liability and paid the \$25 license fee.

RECOMMENDATION: Based upon the above background information and staff report, it is recommended that the City Council approve a temporary on-sale liquor license issued to Team Ortho Foundation, Inc. for their Go Commando Adventure Race being held at Green Acres on June 9, 2012, subject to approval of the Director of Alcohol and Gambling Enforcement.

ATTACHMENTS:

1. Team Ortho Request Letter
2. Proof of Non-Profit Status (501c)
3. MN Department of Public Safety Application for Temporary Liquor License
4. Certificate of Insurance



May 3, 2012

City of Lake Elmo City Hall

Attn Sandie Thone

3800 Laverne Avenue N.

Lake Elmo, Minnesota 55042

Team Ortho Foundation is requesting a Liquor License for our Adventure Race.

Team Ortho is non profit foundation whose mission is to To improve and enhance the lives of orthopaedic patients through our commitment to supporting research, education, and advancements in orthopaedic technology; and to promote good muscular, skeletal, and joint health by encouraging an active lifestyle including training for and participating in amateur athletic events.

We put on many races in the metro area and have in the last year over 50,000 people participated in those events.

On June 9, 2012 we are again have our Go Commando adventure race at Green Acres. The event will be from 8am to about 4 pm on that date; it is a fun filled event with a lot of excited runners.

If any of the staff or council members would like to participate let me know. We hope to again have the Lake Elmo Fire department there cleaning off the muddy and happy participants.

Michael G Swanson

GO Commando Race Director

612-209-2658

teamorthomike@gmail.com

Polar Dash | Get Lucky | Minneapolis Marathon | Minneapolis Duathlon | Go Commando | Monster Dash
Team Ortho Foundation
2906 Second Street North
Minneapolis, MN 55411
Ph: 612-209-2658 | teamorthomike@gmail.com

INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

IRS

Date: SEP 14 2004

Employer Identification Number:

DLN:

TEAM ORTHO FOUNDATION INC
C/O JOHN LARSON
701 PARK AVE MC 862B
MINNEAPOLIS, MN 55416

Contact Person:
SIRIJUN MAYI ID# 31449
Contact Telephone Number:
(877) 829-5500
Accounting Period Ending:
December 31
Public Charity Status:
170(b)(1)(A)(vi)
Form 990 Required:
Yes
Effective Date of Exemption:
February 4, 2004
Contribution Deductibility:
Yes
Advance Ruling Ending Date:
December 31, 2008

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. During your advance ruling period, you will be treated as a public charity. Your advance ruling period begins with the effective date of your exemption and ends with advance ruling ending date shown in the heading of the letter.

Shortly before the end of your advance ruling period, we will send you Form 8734, Support Schedule for Advance Ruling Period. You will have 90 days after the end of your advance ruling period to return the completed form. We will then notify you, in writing, about your public charity status.

Please see enclosed Information for Exempt Organizations Under Section 501(c)(3) for some helpful information about your responsibilities as an exempt organization.

If you distribute funds to other organizations, your records must show whether they are exempt under section 501(c)(3). In cases where the recipient organization is not exempt under section 501(c)(3), you must have evidence the funds will be used for section 501(c)(3) purposes.

Letter 1045 (DO/CG)

APPLICATION AND PERMIT FOR A 1 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE

Minnesota Department of Public Safety
ALCOHOL AND GAMBLING ENFORCEMENT DIVISION
444 Cedar Street Suite 222, St. Paul MN 55101-5133
(651) 201-7507 Fax (651) 297-5259 TTY (651) 282-6555
WWW.DPS.STATE.MN.US



TYPE OR PRINT INFORMATION

NAME OF ORGANIZATION Team Over the Foundation Inc		DATE ORGANIZED 2/4/2004		TAX EXEMPT NUMBER [REDACTED]	
STREET ADDRESS 1170 15th Ave SE #307		CITY (Minneapolis)	STATE MN	ZIP CODE 55414	
NAME OF PERSON MAKING APPLICATION Michael G. Swanson		BUSINESS PHONE (612) 746-1364		HOME PHONE [REDACTED]	
DATES LIQUOR WILL BE SOLD 6/25 - 6/26 / 2011		TYPE OF ORGANIZATION CLUB CHARITABLE RELIGIOUS OTHER NONPROFIT		ADDRESS 1170 15th Ave SE Minneapolis, MN 55414	
ORGANIZATION OFFICER'S NAME Michael G. Swanson		ADDRESS		ADDRESS	
ORGANIZATION OFFICER'S NAME		ADDRESS		ADDRESS	
Location license will be used. If an outdoor area, describe at Green Acres		8989 - 55th St N		Lake Elm, MN 55042	
Will the applicant contract for intoxicating liquor service? If so, give the name and address of the liquor licensee providing the service.					
Will the applicant carry liquor liability insurance? If so, please provide the carrier's name and amount of coverage. yes MW Ins - \$2,000 / 100,000					
APPROVAL APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL & GAMBLING ENFORCEMENT					
CITY/COUNTY		DATE APPROVED		CITY FEE AMOUNT	
DATE FEE PAID		LICENSE DATES		SIGNATURE CITY CLERK OR COUNTY OFFICIAL	
APPROVED DIRECTOR ALCOHOL AND GAMBLING ENFORCEMENT					

NOTE: Submit this form to the city or county 30 days prior to event. Forward application signed by city and/or county to the address above. If the application is approved the Alcohol and Gambling Enforcement Division will return this application to be used as the license for the event



MAYOR AND COUNCIL COMMUNICATION

DATE: 05/15/2012
CONSENT
ITEM #: 4
MOTION *Consent Agenda*

AGENDA ITEM: Special Event Permit – Go Commando Adventure Race/Team Ortho Foundation

SUBMITTED BY: Sandie Thone, City Clerk

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Kyle Klatt, Planning Director
Greg Malmquist, Fire Chief

SUMMARY AND ACTION REQUESTED: As part of the Consent Agenda City Council is respectfully requested to consider approval of a special event permit issued to Team Ortho Foundation, Inc. for their event the Go Commando Adventure Race being held at Green Acres on June 9, 2012.

The recommended motion to act on this on this request is as follows:

***“Move to approve a Special Event Permit requested by Team Ortho Foundation to conduct the Go Commando Adventure Race at Green Acres from 8:00 a.m. to 5:00 p.m. on June 9, 2012.*”**

<u>FISCAL IMPACT:</u> None – all costs associated with the event will be borne by the applicant. There are no anticipated public expenses associated with the event.
--

BACKGROUND INFORMATION: The applicant has successfully submitted a special event permit application, a diagram detailing the event, the certificate of insurance required by city code and the permit application fee of \$75. The event being proposed is an adventure race with an anticipated 3000 participants. Security and crowd control will be provided by the Washington County Sheriff's department and first aid will be provided by the Team Ortho Medical Team. Live entertainment will be provided between the hours of 8:00 a.m. and 5:00 p.m. the day of the event. There will be no parking at the site – all participants will park at the Washington County Fairgrounds and be bussed to the event location. All clean-up and trash hauling will be provided by Team Ortho. The event is expected to draw approximately 500 spectators.

A special event permit has been deemed necessary for this event because it will involve more than 100 participants within a 24-hour period and is a privately-sponsored event. The recently adopted ordinance for Special Events also lists a series of information that must be provided or requirements that must be met in order to conduct the event, which include the following:

- **Maximum Number of People:** 3000 competitors, 500 spectators, and 100 volunteers
- **Sound Equipment:** Yes, music provided by local bands, four hours each session
- **Sanitary Facilities:** 30 units
- **Security:** provided by Washington County Sheriff's Department
- **Food Service:** Certified food service; Washington County Temporary Food License
- **Fire Protection:** None required, please see comments from the Fire Chief below
- **Duration of Special Event:** June 9, 2012 between 8:00 a.m. and 5:00 p.m. (with additional hours for setup and tear-down one day beforehand and one day after event)
- **Cleanup Plan:** Complete clean-up including trash haul away
- **Waivers:** None requested
- **Insurance:** Certificate of Insurance provided

In addition to the above requirements, the applicant has indicated that they will have Team Ortho Medical Team on sight for first aid.

RECOMMENDATION: Based upon the above background information and staff report, it is recommended that the City Council approve a Special Event Permit for Go Commando Adventure Race sponsored by Team Ortho Foundation to conduct a race at Green Acres on June 9, 2012 by undertaking the following action:

"Move to approve a Special Event Permit issued to Team Ortho Foundation to conduct the Go Commando Adventure Race at Green Acres from 8:00 a.m. to 5:00 p.m. on June 9, 2012."

ATTACHMENTS:

1. Special Event Permit Application submitted by Team Ortho Foundation
2. Event Diagram
3. Certificate of Insurance



Special Event Permit Application

I. Title and Brief Description of Event

Go Commando Adventure Race

II. Applicant Information

The applicant is responsible for answering all questions, including inquiries from media and citizens.

Applicant: Michael Swanson Title: Race Director

Address: 2906 Second Street North Minneapolis

Business/Organization: Team Ortho Foundation

Daytime Phone: 612-209-2658 Mobile Phone: _____ Emergency Phone: _____

III. Event Timetable

A. Requested day and date: June 9, 2012

B. Requested Hours of Operation, from 8 a.m./p.m. to 5 a.m./p.m.

C. Set up beginning day and date June 8, time 8 a.m./p.m.

D. Dismantle by day and date June 10, time 5 a.m./p.m.

E. Anticipated number of participants: 3000; and spectators: 500

IV. Insurance

Attach to this application either an insurance policy or a certificate of insurance including the policy number and showing liability amounts. The policy must state that any outside area to be used for an event is covered. The policy must also show evidence that the requested event is not excluded from insurance liability.

V. Check All Items that Apply to your Event

(See attached Division)

☐ Use of a Public Facility (note facility): _____
☒ Event participant and/or spectator parking areas (describe): Washington City Fairgrounds

☒ Entertainment or stage location (provide to-scale drawings): _____

☐ Construction or erection of temporary structures (may need permit: check with planning department): _____

☒ Trash containers (indicate # and locations): 30

☒ Portable toilet facilities (indicate # and locations): 30

☒ First aid facilities (indicate who is providing): Town of the Medical Team -

☐ Parade and/or parade floats (may need permit): _____

☐ Fireworks and/or pyrotechnics site (may need permit, check with the fire department): _____

☐ Cooking facilities, open flame, or vehicle fuels (may need permit, check with fire department): _____

☒ Electricity (indicate source and plan): Green Acres

☐ Other (please describe): _____

VI. Food, Beverages, and/or Entertainment

A. If your event includes music, live entertainment, sound amplification or any other noise impact, please describe, including the intended hours of the music, sound or noise.
8:00 a.m. - 5 p.m.

B. Will alcoholic beverages be served? ☒ Yes ☒ No
C. Name of liquor establishment: _____
D. For service of alcohol outside a licensed premise, include a diagram showing the defined area of the alcohol concession service and attach a copy of your certificate of liquor liability insurance covering the limits of the alcohol service area.

- E. If serving alcohol, describe how you will ensure that alcohol will be possessed and consumed only by those persons 21 years or older. Describe all security measures in place.

All participants are over 21 yrs of age.
I.D. checked before they arrive and
at the venue

- F. Will food and/or non-alcoholic beverages be served? ☒ Yes ☐ No

- G. If yes, describe sanitation and food-handling procedures:

All chefs are safe - certified.

- H. If yes, you will need to have a Temporary Food License from Washington County. Attach a copy of your Temporary Food License to this application. (applied for)

- I. If you intend to cook food in the event area, describe your area layout, including fuel or electrical sources to be used:

1 propane grille for Hot Dogs.

VII. Vendors or Concessionaires

List what vendors/concessionaires you will have at your event and list their Sales Tax ID Number:

None

VIII. Security and Safety Procedures

- A. Describe your proposed procedures for security and crowd control:

Washington County Sheriffs

B. If the event is to occur at night, describe how you will light the event area in order to increase the safety of participants and spectators coming to and leaving the event:

N/A

IX. Clean-up

List persons responsible for clean-up duties:

Team Orthe will have all trash
hauled away

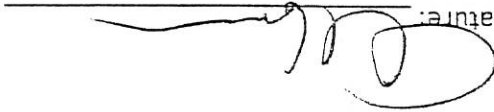
X. Mitigation of Impacts on Others

Describe how you intend to mitigate the impacts of the special event on businesses, churches, neighbors, motorists, and others:

No vehicles on site ever again
from Washington City fair grounds.
Music starts after 8:00 a.m.

Note: Any condition which causes adverse impacts may be cause to revoke the Special Events Permit

Applicant Signature:

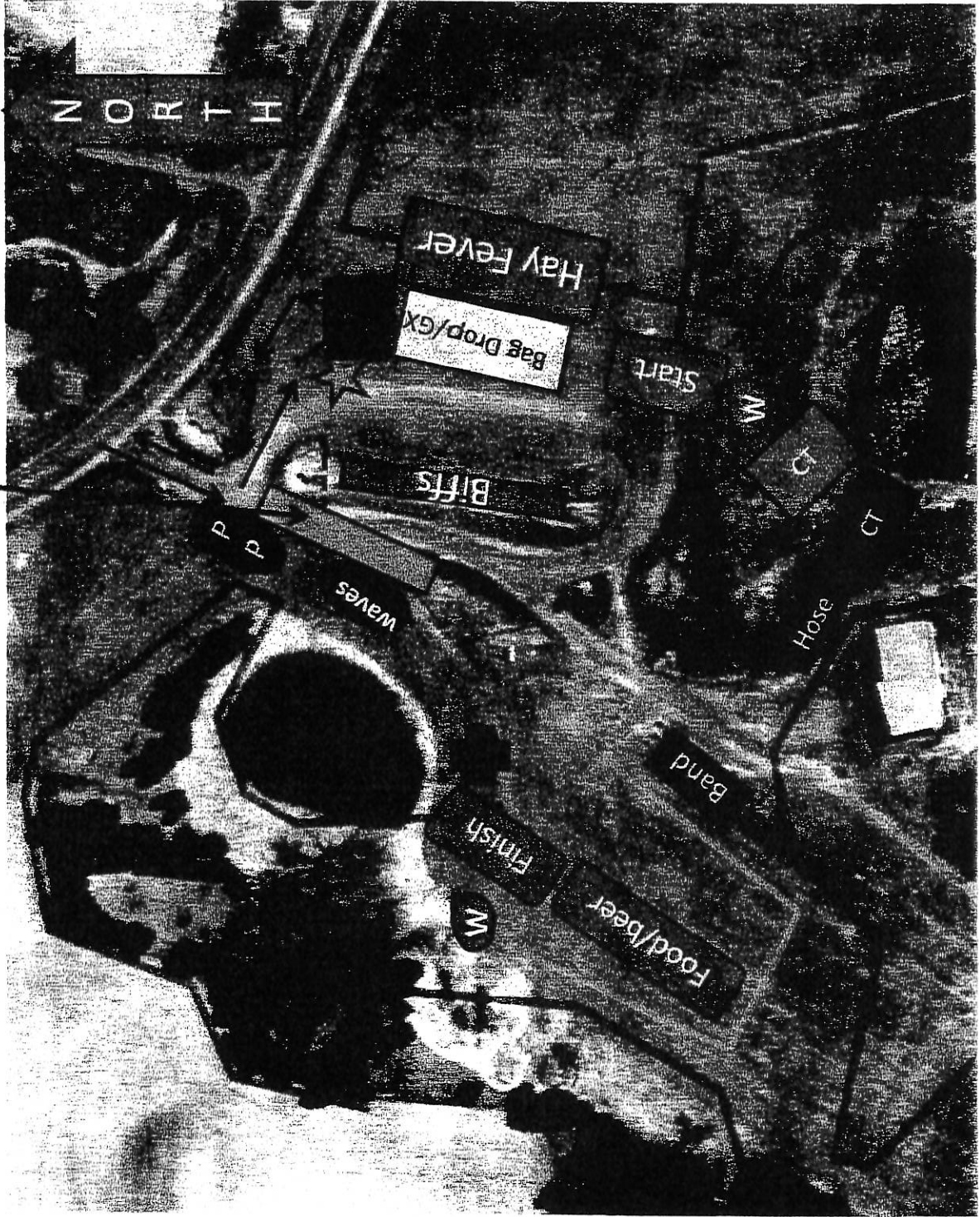


Date of Application:

5/9/12

Race Village

Delineators for managing PP lines



Bus pickup
tents colored
per parking lot

★ Bus pickup/
dropoff

CT Changing Tent
(details in

upcoming slide
PP and reg-JS
(includes gear)

Bus route

Walking route
to Packet pickup

Waves
Wave bracelets,
Info and tickets

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
05/03/2012

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Advance Insurance Agency, Inc. 5241 Viking Drive Ste 200 Edina, MN 55435		INSURED Team Ortho Foundation 2906 2nd Street N Minneapolis, MN 55411	
CONTACT NAME: Erik Johnson PHONE (A/C, No. ext): 952-842-1154 FAX (A/C, No.): (952) 831-0572 E-MAIL: ADDRESS: PRODUCER CUSTOMER ID #:		INSURER(S) AFFORDING COVERAGE NSI NAIC #	

COVERAGES
CERTIFICATE NUMBER: 12/13
REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR	TYPE OF INSURANCE	ADDITIONAL SUBR	INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY			NS01440392	04/16/2012	04/16/2013	EACH OCCURRENCE \$ 1,000,000
	COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	UTOMOBILE LIABILITY						COMBINED SINGLE LIMIT (ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ NON-OWNED AUTOS HIRED AUTOS ALL OWNED AUTOS SCHEDULED AUTOS ANY AUTO
	UMBRELLA LIAB			NU01440392	04/16/2012	04/16/2013	EACH OCCURRENCE \$ 1,000,000 AGGREGATE \$ 1,000,000
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATUTORY LIMITS OTHER
	DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)						E.L. DISEASE - POLICY LIMIT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. EACH ACCIDENT \$

Green Acres is named as additional insured on the General Liability.

CERTIFICATE HOLDER

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.	AUTHORIZED REPRESENTATIVE Erik Johnson
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MAYOR AND COUNCIL COMMUNICATION

DATE: 05/15/2012

CONSENT

ITEM #: 5

MOTION / \$\$ Fiscal Impact

AGENDA ITEM: City Hall Facilities Improvement

SUBMITTED BY: Sandie Thone, City Clerk

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Dean A. Zuleger, City Administrator

SUMMARY AND ACTION REQUESTED: As part of the Consent Agenda City Council is respectfully requested to consider approval of a facility update that includes the purchasing and installation of carpeting and tile in addition to the purchase of paint for the interior walls of the City Hall facility. The funds have been allocated in the 2012 budget.

BACKGROUND INFORMATION: The flooring at City Hall is in poor condition. The flooring was last replaced over 25 years ago. The interior walls are in need of repair and new paint. In efforts to effectively maintain the facility staff recommends approval of the facility improvements described herein.

FISCAL IMPACT: The funds have been allocated in the 2012 budget in the Building – City Hall Fund and total \$15, 925 for new carpet, new tile and new paint for the city hall facility.

STAFF REPORT: In efforts to maintain the City Hall facility staff recommends approval of the facility improvements including new carpeting, tile and paint. Competitive quotes were obtained. The following quotes were obtained for purchase of carpet and tile, trim, floor prep, installation and haul away:

Froggy's Carpet Shop, Inc.	\$16,349
Fantastic Floors, Inc.	\$15,325

We have chosen Fantastic Floors at a bid of \$15,325 for the carpet and tile purchase and installation as they have submitted the most competitive bid and we have received exemplary service and response times to date. In addition we have received a bid from Sherwin Williams in the amount of \$600 for paint for the interior city hall. The total expenditure for this facility upgrade totals \$15,925.

RECOMMENDATION: Based upon the above background information and staff report, staff recommends that the City Council approve a facility update that includes the purchasing and installation of carpeting and tile in addition to the purchase of paint for the interior walls of the City Hall facility. The funds in the amount of \$15,925 have been allocated in the 2012 budget.

DATE: 5/15/12
CONSENT
ITEM #: 6
MOTION / CONSENT AGENDA

AGENDA ITEM: Affirm Hiring of Nick Johnson as City Planner

SUBMITTED BY: Kyle Klatt, Planning Director

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Cathy Bendel, Finance Director

SUMMARY AND ACTION REQUESTED: As part of the Consent Agenda, the City Council is being asked to affirm the hiring of Nick Johnson as the City Planner for the City of Lake Elmo.

<u>FISCAL IMPACT:</u> \$45,000 salary / \$19,000 benefits = \$64,000
--

BACKGROUND INFORMATION: Mr. Johnson was hired in the summer of 2011 as the Planning Intern for Lake Elmo on a short-term basis, and completed his internship before returning to the second year of his master's program at the Hubert H. Humphrey Institute of Public Affairs. With the resignation of the City Planner last fall, Staff presented a plan to the Council for covering the staffing needs within the department on a temporary basis, part of which included the hiring of an interim City Planner. Nick's schedule allowed him to fill this position while still attending school. The position has averaged around 20 hours each week since the first of the year.

In order to address the long term staffing needs within the department, Staff would like to fill the vacant Planner position, and has offered the position to Mr. Johnson, who could start working on a full-time basis since he will be graduating in May, with a tentative starting date of May 29, 2012. At this point, Staff is seeking Council affirmation of this hiring in order to make this decision official.

STAFF REPORT: The offer of employment includes a base salary of \$45,000 with the complementary benefits offered to all City of Lake Elmo full-time equivalent employees. This salary, in addition to the benefits, falls in line with the amount budgeted for salaries in 2012 for the Planning Department. The position would be a full-time (40 hours per week), salaried position that would assume the duties as described in the current job description for the City

Planner. Nick has demonstrated a very strong work ethic throughout his current tenure with the City, and his positive attitude and willingness to tackle complex projects have proved to be a significant asset for the department over the last several months. Nick has been very instrumental in helping to keep the City's long range planning projects on track during a period of staff transition.

Please note that the position would be probationary for six months, and will be subject to the completion of a performance review prior to the end of this period.

RECOMMENDATION: Based upon the above background information and Staff report, it is recommended that the City Council affirm the hiring of Nick Johnson as the City Planner for the City of Lake Elmo by undertaking the following action:

"Move to affirm the hiring of Nick Johnson as the City Planner for the City of Lake Elmo at an annual salary of \$45,000 subject to a six-month performance review"

ATTACHMENTS: (None)



MAYOR AND COUNCIL COMMUNICATION

DATE: 5/15/2012

CONSENT

ITEM #: 7

MOTION

AGENDA ITEM: Authorization to Participate in the Minnesota GreenStep Cities Program

SUBMITTED BY: Nick M. Johnson, City Planner

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Kyle Klatt, Planning Director

SUMMARY AND ACTION REQUESTED:

The City Council is asked to authorize the City's participation in the Minnesota GreenStep Cities program. This resolution is required to officially enter the program.

BACKGROUND INFORMATION:

The GreenStep Cities program aims to provide Minnesota cities a clear pathway to greater sustainability based upon implementing best practices specific to Minnesota cities of differing sizes and capabilities. Due to the multiple environmental, economic, and social dimensions of the best practices, leadership from the City Council is needed to oversee their implementation and coordination/integration with other city and community activities, and with other governmental jurisdictions. Regarding the best practices of the GreenStep Cities program, the initiatives are focused into five categories: (1) Buildings and Lighting; (2) Transportation; (3) Land Use; (4) Environmental Management; and (5) Economic and Community Development. Providing a framework to address sustainable practices in these five categories is intended to assist cities in achieving improvement in operational practices, planning outcomes, and environmental stewardship.

STAFF REPORT:

Given the future growth that will occur within Lake Elmo, the Staff is evaluating all of the opportunities available to receive technical and administrative support in planning for sustainable development. In order to preserve the excellent natural resources available within the city, it is important to utilize sustainable practices in a developing community. In addition, the City

should also make efforts to evaluate its internal operations to ensure that it is acting as a steward of fiscal responsibility and efficient energy use in the future.

In order to achieve these goals, the Staff has explored opportunities to receive assistance in implementing sustainable practices into its operations. The opportunity to join the Minnesota GreenStep Cities program arose through a technical workshop which was attended by a member of the Staff. After consideration, it was determined that the assistance offered by this program matched up well with the City's goals of utilizing sustainable practices. After contacting the GreenStep metro representative, it was determined that the City of Lake Elmo would be an excellent candidate to join the program.

In order to facilitate the implementation of the best practices outlined within the GreenStep Cities program, the City shall appoint Dean A. Zuleger, City Administrator, and Nick M. Johnson, City Planner, as the City's GreenStep coordinators. To effectively participate in the program, the City will work towards implementing 12 required and optional best practices, as determined by Lake Elmo's status as a category B city. Finally, in order to track and monitor the City of Lake Elmo's progress on achieving the best practices, a summary of the City's initiatives will be posted on the GreenStep Cities website.

RECOMMENDATION:

Based upon the above background information and staff report, it is recommended that the City Council authorize the participation in the Minnesota GreenStep Cities program.

ATTACHMENTS:

1. Resolution 12-xxx
2. GreenStep Program Requirements
3. GreenStep Program 28 Best Practices
4. GreenStep Program City Category Notification

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

RESOLUTION NO. 12-_____

*A RESOLUTION AUTHORIZING THE CITY LAKE ELMO TO PARTICPATE IN THE
MINNESOTA GREENSTEP CITIES PROGRAM*

WHEREAS, the GreenStep Cities program aims to provide Minnesota cities a clear pathway to greater sustainability based upon implementing best practices specific to Minnesota cities of differing sizes and capabilities; and

WHEREAS, the Minnesota GreenStep Cities program assist in facilitating technical assistance for the implementation of these sustainable development best practices; and

WHEREAS, The Minnesota GreenStep Cities program provides cost-effective sustainable development best practices in the following five categories: (1) Buildings and Lighting; (2) Transportation; (3) Land Use; (4) Environmental Management; and (5) Economic and Community Development;

NOW THEREFORE BE IT RESOLVED, that the City Council of the City of Lake Elmo does hereby authorize the City of Lake Elmo (the "City") to participate in the Minnesota GreenStep Cities program; and

BE IT FURTHER RESOLVED, that the City:

1. Appoints Dean A. Zuleger, City Administrator, and Nick M. Johnson, City Planner, to serve as the City's GreenStep coordinators to facilitate best practice implementation; and
2. Will facilitate the involvement of community members, civic, business and educational organizations, and other units of government as appropriate in the planning, promoting and implementing of GreenStep Cities best practices; and
3. Grants to the GreenStep program's buildings advisor read-only access to the City's B3 Benchmarking Database, so as to facilitate analysis and cost savings advice to the City regarding its buildings' energy use; and
4. Will identify a short list of best practices for initial implementation by 6/15/2012; and
5. Will claim credit for having implemented and will work toward implementing at least 12 required and optional GreenStep best practices that will result in energy use reduction, economic savings and reduction in the community's greenhouse gas

footprint. A summary of the City's implementation of best practices will be posted on the Minnesota GreenStep Cities website.

ADOPTED BY the Lake Elmo City Council on the 15th day of May, 2012.

ATTEST:

Dean A. Johnston, Mayor

Dean A. Zuleger, City Administrator

CERTIFICATION

I certify that the above Resolution is an accurate copy of the Resolution adopted by the Council of the City of Lake Elmo at an authorized meeting held on the 15th day of May, 2012, as shown by the minutes of the meeting in my possession.

Signed:

(Signature)

(Type or Print Name)

(Title)

Subscribed and sworn to before me
this _____ day of May, 2012.

Notary Public _____

My Commission Expires _____

GreenStep Program Requirements			Category		
Buildings & Lighting	>> for details see http://tinyurl.com/3mx3bob		C	B	A
	1	Efficient Existing Public Buildings		Required	Required
	2	Efficient Existing Private Buildings			
	3	New Green Buildings			
	4	Efficient Building & Street Lighting and Signals		xzx	
	5	Building Reuse		xzx	
Buildings & Lighting BPs Required			1	2	2
Land Use	6	Comprehensive Planning & Implementation	Required	Required	Required
	7	Higher Density			
	8	Mixed Uses		x	
	9	Efficient Highway-Oriented Development		x	
	10	Conservation Design		x	
Land Use BPs Required			1	2	2
Transportation	11	Complete Green Streets			Required
	12	Mobility Options			Required
	13	Efficient City Fleets			
	14	Demand-Side Travel Planning		x	
Transportation BPs Required			1	1	2
Environmental Management	15	Environmentally Preferable Purchasing	Required	Required	Required
	16	Urban Forests		Required	Required
	17	Efficient Stormwater Management		x	Required
	18	Parks & Trails		x	
	19	Surface Water Quality		x	
	20	Efficient Water & Wastewater Facilities			
	21	Septic Systems		x	
	22	Solid Waste Reduction			
	23	Local Air Quality			
Environmental BPs Required			1	3	4
Economic, Community Development	24	Benchmarks & Community Engagement	Required	Required	Required
	25	Green Business Development		Required	Required
	26	Renewable Energy			
	27	Local Food			
	28	Business Synergies		x	
Development BPs Required			1	2	3
Floating BPs (additional to required BPs)			3	2	3
Total BPs Required (including floating) for Step 3			8	12	16

NOTES

- For each BP there are specific requirements, e.g. "complete any 2 actions."
- For BP groups, e.g. Buildings & Lighting, a mix of BPs is required. Category A & B cities, e.g. must implement BP #1 & one other BP from BP # 2-5.
- The "floating BP:" a city implements the required # of BPs in the 5 categories AND implements any 3 (or 2, for Category B cities) other BPs.
- When a city has implemented a total of 8, 12 or 16 BPs, taking into account the details in notes 1-3 above, Step 3 GreenStep recognition is granted at the mid-June conference of the League of Minnesota Cities.

10. **Conservation Design:** Adopt development ordinances or processes that protect natural systems.
9. **Efficient Highway-Oriented Development:** Adopt commercial development and design standards for highway road corridors.

8. **Mixed Uses:** Develop efficient and healthy land patterns.
7. **Efficient City Growth:** Promote financial and environmental sustainability by enabling and encouraging higher density housing and commercial land use.
6. **Comprehensive Plan and Implementation:** Adopt a Comprehensive Plan and the regulatory ordinances to it.

Land Use

5. **Building Reuse:** Create economic and regulatory incentives for redeveloping and repurposing existing buildings before building new.
4. **Efficient Building & Street Lighting and Signals:** Improve the efficiency of public and private lighting and signals.
3. **New Green Buildings:** Construct new buildings to meet or qualify for a green building standard.

2. **Efficient Existing Private Buildings:** Assess and finance energy and sustainability improvements of existing structures.
1. **Efficient Existing Public Buildings:** Assess and finance energy and sustainability improvements of existing structures.

Buildings and Lighting

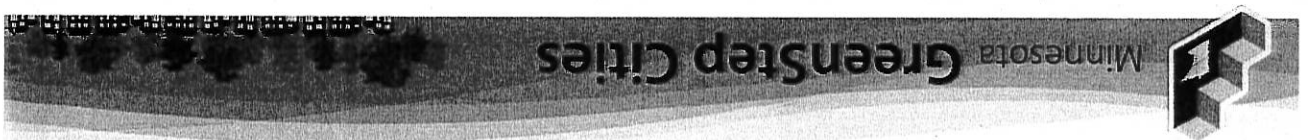
GreenStep's 28 Best Practices

➤ Visit www.MinGreenStep.org to learn more about this program, to see what cities have accomplished, and to understand how your city can become involved.

Cities that implement a minimum number of best practices, organized into five categories below, will be recognized as a GreenStep City. Each best practice can be implemented by completing one or more specific actions from a list of four to eight actions. A city's accomplishments are recognized on the GreenStep website. Implementation of additional best practices will garner additional recognition.

The best practices focus on cost savings and energy use reductions that lead cities beyond compliance and encourage a culture of innovation.

GreenStep Cities is an assistance program for all Minnesota cities that supports and recognizes implementation of 28 sustainable development best practices.



A program of the Minnesota Pollution Control Agency

Transportation

11. **Complete Green Streets:** Create a network of multimodal green streets.
12. **Mobility Options:** Promote active living and alternatives to single-occupancy car travel.
13. **Efficient City Fleets:** Implement a city fleet investment, operations and maintenance plan.
14. **Demand-Side Travel Planning:** Use Travel Demand Management and Transit-Oriented Design.



Environmental Management

15. **Purchasing:** Adopt an environmentally preferable purchasing policy.
16. **Urban Forests:** Increase city tree and plant cover.
17. **Efficient Stormwater Management:** Minimize the volume of and pollutants in rainwater runoff.
18. **Parks and Trails:** Enhance the city's green infrastructure.
19. **Surface Water Quality:** Improve local water bodies.
20. **Efficient Water and Wastewater Facilities:** Assess and improve drinking water and sewer facilities.
21. **Septic Systems:** Implement an effective management program for decentralized wastewater treatment systems.
22. **Solid Waste Reduction:** Increase waste reduction, reuse and recycling.
23. **Local Air Quality:** Prevent generation of local air contaminants.



Economic and Community Development

24. **Benchmarks & Community Engagement:** Adopt outcome measures for GreenStep and other city sustainability efforts, and engage community members in ongoing education, discussion, and campaigns.
25. **Green Business Development:** Support the expansion of the green business sector in your city.
26. **Renewable Energy:** Remove barriers to and encourage installation of renewable energy generation capacity.
27. **Local Food:** Strengthen local food and fiber production and access.
28. **Business Synergies:** Network/cluster businesses to achieve better energy, economic and environmental outcomes.



Minnesota GreenStep Cities grew out of a report to the 2009 Legislature. The program is governed by a public-private partnership of state agencies and non-governmental organizations and is led by the MPCA.



Urban Land
Institute
Minnesota



division of
energy
resources
Minnesota Department of Commerce



www.MnGreenStep.org

Determining a City's GreenStep Category

Click on the empty cells in the Answers column for more information and to complete the worksheet using the dropdown menu.

Questions	Answers
1 Approximately how many public buildings does the city own?	Two or fewer
2 Approximately how many paid full time equivalent (FTE) staff does the city have?	11 - 50
3 For how many separate departments (public works, planning, etc) does the city have paid staff?	4
4 Does the city have fixed route transit service (bus or rail) with at least two separate routes that make more than one local stop? Exclude dial-a-ride, paratransit.	Yes
5 Is the city required to have an MS4 (Municipal Separate Storm Sewer System) permit from the Minnesota Pollution Control Agency?	Yes
6 Does the city operate a centralized wastewater treatment facility that serves most residents?	No
7 Does the city operate a drinking water treatment facility that serves most residents?	Yes
8 How many distinct commercial areas and industrial parks does the city have?	Two or Three
9 Is the city part of a metropolitan area?	Two or Three
10 If the city is not part of a metropolitan area, does it share a border with more than one other incorporated city?	Yes
If so, does the city have the largest population among the adjoining communities?	Yes
11 Does the city administer a zoning ordinance?	Yes

Your City is a Category B City



MAYOR AND COUNCIL COMMUNICATION

DATE: 05/15/2012

REGULAR

ITEM #: 8

MOTION

AGENDA ITEM: Parks Commission Appointment

SUBMITTED BY: Sandie Thone, City Clerk

THROUGH: Dean A. Zuleger, City Administrator

REVIEWED BY: Dean A. Zuleger, City Administrator

SUMMARY AND ACTION REQUESTED:

The City Council is respectfully requested to appoint Shane Weis as 2nd Alternate on the Parks Commission.

***"Move to appoint Shane Weis of 8483 27th Street North as
2nd Alternate on the Parks Commission."***

RECOMMENDATION:

Staff is requesting City Council to appoint Shane Weis as 2nd Alternate to the Parks Commission, providing a full membership for the Parks Commission.

ATTACHMENTS:

1. Parks Commission Application

City of Lake Elmo
3800 Lavee Avenue North
Lake Elmo, Minnesota 55042
651.777.5510 FAX: 777.9615

APPLICATION FOR PARK COMMISSION APPOINTMENTS
CITY OF LAKE ELMO

Date: 04/18/2012

Name: Shane Weis, Address: 8483 27th St. North

Phone Number [REDACTED]

E-mail address: [REDACTED] How long have you lived in Lake Elmo: 18 Months

1. Why are you interested in serving on the Lake Elmo Park Commission? What personal interests and expertise will you bring? As a resident of Lake Elmo, I believe our parks are an asset that will promote future growth for our community. I am an avid bike rider, hiker, snow shoer, skier, and believe my children need to be able to enjoy the same parks I do.
- My expertise includes 8 years of construction estimating and management. I have an engineering degree from Iowa State University. I am a LEED accredited professional.

2. How will those skills and interests be of service to the development and management of the City's parks, trails and natural areas?
My skills will enable me to assist in cost feasibility and analyzing environmental impacts of construction during park planning.
3. What do you see as the role and function of the Park Commission? How does this relate to the roles and responsibility of the City Council in park matters?
Thorough research of proposals and presentation of facts/ recommendations to council members.

4. What value do parks and trails have to our citizens? What role or function do they provide? See Above
5. How much time do you have or are you willing to devote to Park Commission activities? 4hrs a week

Please complete and return to the City office. Thank you for your interest in the Lake Elmo Park Commission.

DATE: 5/15/12
REGULAR
ITEM #: 9
MOTION / RESOLUTION

AGENDA ITEM: Oakdale Gun Club Conditional Use Permit Amendment

SUBMITTED BY: Kyle Klatt, Planning Director *K.K.*

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Planning Commission
Nick Johnson, City Planner

SUMMARY AND ACTION REQUESTED: The City Council is being asked to consider a request to amend the Conditional Use Permit for the Oakdale Gun Club. A conditional use permit must be approved by the City if the applicant meets the criteria for granting such a permit as specified by City Code. Specifically, the Council is required to review the request and consider the effect of the proposed use upon the health, safety, morals, convenience, and general welfare of occupants of surrounding lands, existing and anticipated traffic conditions including parking facilities on adjacent streets and land, the effect on utility and school capacities, the effect on property values of property in the surrounding area, and the effect of the proposed use on the Comprehensive Plan. The City is required to grant an amendment to a conditional use permit if the conditions in the ordinance are demonstrably met by the applicant.

If approved, the amendment would allow for the construction of cementitious sidewalls and overhead baffling on several of the existing gun ranges within the facility. The changes to the property are requested in order to improve safety throughout the property and to reduce the amount of noise being deflected off-site. Staff is recommending approval of the request. The attached Staff report includes a detailed review of the application along with the Staff recommendation.

The recommended motion to act on this request is as follows:

“Move to approve Resolution 2012-____ approving a request to amend the Conditional Use Permit for the Oakdale Gun Club to allow the construction of cementitious sidewalls and overhead baffling on several of the existing gun ranges within the facility”

ADDITIONAL INFORMATION: The Club presently operates under a Conditional Use Permit (C.U.P.) approved by the city council in 1988. The use dates back many years and prior to the city adopting any land use regulations.

Site situation. The site is situated between the Lake Elmo Park Reserve and 10th Street in the southern portion of the City. The club owns two parcels of land; the gun range is located on the 40-acre parcel which is zoned A – Agricultural. The applicant also owns an adjacent 22-acre parcel which is zoned RR – Rural Residential. The existing permit and proposed amendment is applicable only to the larger 40-acres parcel.

State Requirements. Minnesota Statutes Chapter 87A provides certain protections for shooting ranges like the Oakdale Gun Club. Any action taken by the City would need to be compliant with the Shooting Range Protection Act, which permits the continued operation of a shooting range as long as it is in compliance with the State's performance standards.

- This act specifically permits a range operator to improve the safety and sound conditions of the range in order to maintain and continue the operation of the range. The requested C.U.P. amendment has been requested for this exact purpose.

- The City does have more discretion under the act to deal with safety issues; however, there has been no evidence generated or testimony received by the City in the recent past indicating that any safety hazards exist on the site.

City Approval. If approved by the City, the requested amendment to the C.U.P. would allow the proposed sidewalks and overhead baffling to be constructed. No other changes are proposed to the other portions of the site that would affect the current operation of the facility.

Existing Conditions. The City does have the authority to enforce any existing ordinances or permits governing the activity on the gun club site, but must be careful to collect evidence and sound data before proceeding with any review of the overall conditional use permit currently in place on the property.

PLANNING COMMISSION REPORT: The Planning Commission reviewed the request for a Conditional Use Permit amendment at its May 7, 2012 meeting and conducted a public hearing at this time. The Commission received the following testimony at the meeting:

- Rusty Williams (Black and Dew, LLC) speaking as a representative of the applicant indicated that under state law, all gun ranges will have to go through a process to make similar improvements to their properties. He noted that it would not be a problem to add openings to the walls in accordance with the Staff recommendation.

- Jackie McNamara, 10321 10th Street North, stated that she lives across from the Gun Club. She noted that although there are several trees along 10th Street, a large number of these trees are deciduous and do not provide as much sound protection in the winter months when the range is the busiest. McNamara also commented that when the

driveway was moved several years ago, the sound levels increased from the gully where the driveway was located. She expressed concern that the proposed structures would be visible from 10th Street.

- Richard McNamara, 10321 10th Street North, stated that he is not complaining about the proposed amendment, but that he would like to see the potential health and safety issues associated with the Gun Club further studied.

The Commission general discussed the proposed improvements, and suggested that additional evergreen planting be provided in specific portions of the site to help mitigate the noise from the site and to minimize the visual impacts of the proposed structures.

The Planning Commission adopted a motion to recommend approval of the CUP amendment with the conditions drafted by Staff and with an additional condition as follows:

- The applicant shall plant conifer trees in the general vicinity of the old driveway entrance to the site and in the southeastern corner of the site of sufficient capacity to provide additional screening and sound buffering. These trees shall be documented on a landscape plan to be reviewed and approved by the Planning Director and implemented as part of the building permit for the proposed structures.

The Commission adopted the above motion with a vote of five ayes to one nay.

RECOMMENDATION: Based upon the above background information, Staff report and Planning Commission recommendation, it is recommended that the City Council approve the request from the Oakdale Gun Club to amend its existing Conditional Use Permit to allow the construction of cementitious sidewalls and overhead ballistic baffling on several of the gun ranges within their facility at 10386 North 10th Street by undertaking the following action:

“Move to approve Resolution 2012-_____ approving a request to amend the Conditional Use Permit for the Oakdale Gun Club to allow the construction of cementitious sidewalls and overhead baffling on several of the existing gun ranges within the facility”

Alternatively, the City Council may consider the other actions that were suggested as part of the Planning Commission report, which includes the following:

- A. Deny the Conditional Use Permit amendment request, and develop appropriate findings of fact to support this action. These findings would need to address the following:
 1. That the amendment would negatively affect the health, safety, morals convenience, or general welfare of surrounding lands; or
 2. That the amendment would adversely affect traffic or parking conditions; or
 3. That the use would negatively affect utility or school capacities; or
 4. That the proposed amendment would significantly decrease property values of surrounding lands; or

5. The use would not be consistent with the Comprehensive Plan.
- B. Approve the request but with additional conditions to respond to issues that are deemed appropriate by the Council.
- C. Table taking action on the variance in order to request additional information from either staff or the applicants.

ATTACHMENTS:

1. Resolution No. 2012-____
2. Planning Commission Staff Report (5/7/12 Meeting)
3. Application Form
4. Application Narrative
5. Location Map
6. Wall/Truss Sections
7. Site Plan (New Structures in Purple)
8. Aerial Photograph of Ranges
9. Photographs of Example Structures
10. Chapter 112 of the Lake Elmo City Code (Target Ranges)
11. City Council Resolution 88-5
12. City Attorney Correspondence (2/28/12)
13. FAQ Sheet (Shooting Range Protection Act)

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation..... Planning Director
- Questions from Council to Staff..... Mayor Facilitates
- Public Input, if Appropriate Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

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

RESOLUTION NO. 2012-__

*A RESOLUTION APPROVING A CONDITIONAL USE PERMIT AMENDMENT FOR THE
OAKDALE GUN CLUB, 10386 10th STREET NORTH, TO ALLOW THE CONSTRUCTION OF
SIDEWALLS AND OVERHEAD BAFFLING*

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

WHEREAS, Oakdale Gun Club, 10386 North 10th Street (the "Applicant"), has submitted an application to the City of Lake Elmo (the "City") for a Conditional Use Permit amendment to allow the construction of cementitious sidewalls and overhead ballistic baffling on several of the gun ranges within its facility at 10386 North 10th Street, a copy of which is on file with the City; and

WHEREAS, notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.018; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on said matter on May 7, 2012; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation to the City Council as part of a Staff Memorandum dated May 15, 2012; and

WHEREAS, the City Council considered said matter at its May 15, 2012 meeting.

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

FINDINGS

- 1) That the procedures for obtaining said Conditional Use Permit (CUP) Amendment are found in the Lake Elmo Zoning Ordinance, Section 154.018.
- 2) That all the submission requirements of said 154.018 have been met by the Applicant.
- 3) That the proposed CUP Amendment is to allow the construction of cementitious sidewalls and overhead ballistic baffling on several of the gun ranges within the Applicant's facility

at 10386 North 10th Street as documented in the application materials on file with the City.

- 4) That the proposed CUP Amendment will be located on property legally described as follows:

The Southeast Quarter of the Southwest Quarter (SE ¼ of SW ¼) of Section Twenty-size (26), in the Township Twenty-nine (29) North of Range Twenty-one (21) West, SUBJECt to easements in favor of American Telephone and Telegraph Company of Minnesota, recorded in Block 118 of Deeds, page 554, and 135 of Deeds, page 374, in the office of the Register of Deeds in and for said County and State. More commonly known as 10386 10th Street North; PID Number: 26-029-21-34-0001

- 5) That the proposed structure will not negatively affect the health, safety, morals, convenience, or general welfare of surrounding lands. *Specific findings: The addition of sidewalks and overhead baffling will reduce the overall impacts from the site by adding additional protections to ensure that bullets do not stray from the individual shooting ranges and by reducing the impact of sounds from these ranges. The proposed work will not alter the current shooting ranges in any manner and will not result in any increase in activity beyond what is already occurring on the site.*

- 6) The proposed improvements will not affect traffic or parking conditions. *Specific findings: Because the proposed improvements will not create any new ranges or expand the capacity of any existing ranges, no additional traffic or demand for parking beyond the present situation will be generated by the project. Adding the sidewalks and baffling to existing ranges does not increase the ability of the Gun Club to accommodate additional users in any manner. The amount of traffic and parking associated with the proposed use will continue to be consistent with the existing operation*

- 7) The proposed improvements will not have an effect on utility or school capacities. *Specific findings: The building addition and new range building will have minimal impacts on the existing utilities at the site. There will be no changes to the utilities already established for the site sewer facilities will not be provided to the parking lot.*
- 8) The proposed improvements would have no effect on property values of surrounding lands. *Specific findings: The Club has been in operation since before the City regulated such uses through zoning, and likewise, the club has been located on this site since before many of the surrounding land uses were established. The site changes requested as part of the C.U.P. amendment are intended to reduce overall impacts from the site.*

- 9) The proposed improvements would be consistent with the Comprehensive Plan. *Specific findings: The Comprehensive Plan guides the property for public facility use in the future, but also provides for the continuation of existing uses until such time as the parcel is redeveloped.*

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicants' application for a Conditional Use Permit Amendment is granted subject to the following conditions:

1. That the applicant continues to comply with the conditions of Resolution No. 88-5, approving the master Conditional Use Permit for the site.
2. That the applicant provide for proper drainage openings or install drain tile along the sidewalls to minimize the disruption of any existing drainage patterns within the site due to the construction of said walls.
3. That the applicant secure any permits required by the Valley Branch Watershed District in order to construct the proposed structures.
4. A building permit will be required for the proposed structures, and all construction plans shall be signed by an engineer registered in the State of Minnesota.
5. That prior to any future amendments to the Conditional Use Permit the applicant provide an updated site plan with an accurate depiction of all buildings, ranges, fences, driveways, and other site improvements for review by the City.
6. That the applicant shall plant conifer trees in the general vicinity of the old driveway entrance to the site and in the southeastern corner of the site of sufficient capacity to provide additional screening and sound buffering. These trees shall be documented on a landscape plan to be reviewed and approved by the Planning Director and implemented as part of the building permit for the proposed structures.

Passed and duly adopted this 15th day of May 2012 by the City Council of the City of Lake Elmo, Minnesota.

Dean A. Johnston, Mayor

ATTEST:

Dean A. Zuleger, City Administrator

City of Lake Elmo Planning Department
Conditional Use Permit Amendment Request

To: Planning Commission

From: Kyle Klatt, Planning Director

Meeting Date: May 7, 2012

Applicant: Rusty Williams, Black and Dew, LLC

Owner: Oakdale Gun Club

Location: 10386 North 10th Street

Zoning: A - Agricultural

Introductory Information

Application Summary:

The City of Lake Elmo has received a request from Rusty Williams of Black and Dew, LLC on behalf of the Oakdale Gun Club to amend its existing Conditional Use Permit to allow the construction of cementitious sidewalls and overhead ballistic baffling on several of the gun ranges within their facility at 10386 North 10th Street. The proposed improvements are intended to help prevent accidental discharges passing beyond the existing bullet traps and to increase safety between the various ranges on the site.

The applicant has submitted a more detailed project narrative as part of the request, which includes a description of some of the project benefits.

Property Information:

The Oakdale Gun Club has been in operation continuously on its present site since 1964, which predates the City's current Zoning Ordinance. The City's file on this property goes back to at least 1965; however, for the purposes of the present review, Staff will be focusing on actions taken by the City since 1982. It was at this point in time that the City of Lake Elmo conducted a more thorough review of the Gun Club operations, and it appears that this is when the current conditions of operation were adopted by the City.

Between 1983 and 1997 the City reviewed the Gun Club operation as part of an annual review of conditional use permits that was presented to the City Council each year. Since 1997, it does not appear that the Council was presented information concerning existing Conditional Use Permits. Staff's assumption is that any reviews were conducted on an administrative basis.

Starting in the mid 1980's, the City Council adopted a resolution that specified the conditions of approval for the Gun Club. After 1988, subsequent reviews and amendments to the C.U.P. have used the resolution adopted in this year (Resolution No. 88-5) as the basis for compliance. All amendments since then have technically

amended this resolution as it relates to the continued operation of the Gun Club. A summary of the more recent C.U.P. amendments for the Gun Club is as follows:

- 1998 (Resolution 95-58) New caretaker residence, accessory garage, and accessory storage structure.
- 2002 (Resolution not in file) Noise abatement cover for 25 ft. range.
- 2005 (Resolution No. 2005-111) Storage structure addition.
- 2006 (Resolution No. 2006-145) New storage building.
- 2008 (Withdrawn by Applicant) Construction of a building shell over an existing range/expansion of operations building

The current use of the site includes a range operations building, several outdoor ranges of varying length, the caretaker's home, storage buildings, a covered shooting range (25 yards), an archery practice area, and other miscellaneous buildings. The actual use of the facility beyond target practice includes training and other educational programs.

The property owned by the club is divided into two larger tracts. The 22-acre eastern portion is not used for any formal range facilities while the 40-acre western parcel houses all of the formal range operations.

**Applicable
Codes:**

Section 154.018 Administration.

Conditional Use Permits. Outlines the general requirements for all conditionally permitted uses in Lake Elmo.

Section 154.033 Districts.

Subd. 4 (A) Agricultural Zoning District. Specifies that "Commercial recreation of a rural nature, including outdoor target ranges" requires a conditional use permit.

Chapter 112 Target Ranges.

Contains the City's requirements for the establishment and operation of a target range facility, including requirements for inspection, application, insurance, organization, construction, signage, hours of operation, supervision, and other regulations.

Findings & General Site Overview

Site Data: Lot Size: 40 acres (active gun range property)

Existing Use: Target range facility

Existing Zoning: A – Agricultural

Property Identification Number (PID): 26-029-21-34-0001

Application Review:

CUP Review:

The Oakdale Gun Club is a unique use in the City of Lake Elmo for a number of reasons, and most importantly from a land use perspective, it has been in operation long before the City adopted a Zoning Ordinance to regulate such uses. In reviewing the extensive file for this property, Staff is suggesting that the Planning Commission concentrate on the 1988 action by the City as a starting point for determining whether or not the proposed site changes are in compliance with the Zoning Ordinance and Conditional Use Permit for the property. This is the general approach that was used to analyze the Club's C.U.P. amendments submitted since 1998.

As with the previous amendments, Staff has determined that an amendment to the C.U.P. is required for the applicant to complete the work proposed. In accordance with Section 300.06, Subd. 4 (K) of the Zoning Ordinance, an amended conditional use may be administered in a manner similar to that required for a new permit. The proposed improvements to the site would involve the construction of cementitious side walls and overhead baffling on the ranges indicated on the attached site plan. The specific ranges that would be subject to these improvements include the Comp, 100-yard, 50-yard, 200-yard, 25-yard, and Short ranges, all of which are highlighted on the site plan that was submitted. These improvements do not include the installation of a roof over any of the ranges, and therefore would not result in any significant increase in the impervious coverage presently on the site.

The applicant has indicated that the construction of side walls and overhead baffling is being done to primarily improve safety within and outside of the gun range. The work does have the added benefit of potentially reducing noise from the facility as well since the walls and baffling will redirect some sound that would otherwise travel directly offsite. Because the proposed structures would be built over existing ranges, there would be no expansion to any existing ranges or any expansion in the operation beyond the current usage. Staff concurs with the applicant's statements that the proposed improvements will not have an impact on sound levels, environmental impacts, vehicular traffic, and parking demand beyond the current levels.

The City Engineer does point out that the sidewalls could impact existing drainage patterns within the facility, especially if they are located over an existing drainage pattern on the site. Although the applicant has not submitted a topographic survey of the site, most of the ranges have an earthen berm surrounding three of their sides, and therefore any potential storm water runoff is most likely already flowing around each range. The site in general is located within a depression, with the northern portion of the site sloping upwards towards the Lake Elmo Park Reserve. The applicant has agreed to install openings along the length of the wall at various intervals in order to allow water to continue flowing freely along any existing drainage ways, and Staff is suggesting that the potential for openings be considered as part of the building permit review.

When the Gun Club approached the City a little over 4 years ago to amend its Conditional Use Permit, it was noted that the State of Minnesota had recently adopted the Shooting Range Protection Act, which provides additional protections to existing gun ranges to continue operating in their present locations. Please note that under this

act. the City can continue to enforce any existing conditions and ordinances that regulate the site, including the hours of operation. A brief summary of the legislation is attached to this report, in addition to an opinion provided by the City Attorney on this matter in 2008.

The changes proposed for the property are intended to help reduce the overall impacts from the facility by enclosing and mitigating some of the shooting activity that presently takes place on the site. There are no other changes proposed at this time, although as the club continues to make improvements to their property, it is very likely that the City will be involved in additional reviews of this site.

**Conditional
Use Permit
Criteria:**

Reviewing this request requires that all general CUP criteria be examined. For these types of applications, the burden is on the City to show why the use should not be permitted due to impacts that cannot be controlled by reasonable conditions.

1. Effects on the health, safety, morals, convenience, or general welfare of surrounding lands.

In the early 1980's the City of Lake Elmo conducted an extensive review of the Oakdale Gun Club and developed a list of conditions that have been applied to this day to the present day. As part of the 2008 permit request Staff visited the site and found that the club was operating in accordance with the City's requirements at that time. One of the key factors that Staff recommends that the Planning Commission consider as part of its review is whether or not the proposed changes will create any external impacts beyond what presently occurs on the site. In this case, the addition of sidewalls and overhead baffling should reduce the overall impacts from the site by adding additional protections to ensure that bullets do not stray from the individual shooting ranges.

The proposed work will not alter the current shooting ranges in any manner and will not result in any increase in activity beyond what is already occurring on the site. Staff finds that this criterion is satisfied.

2. Traffic & Parking conditions.

Because the proposed improvements will not create any new ranges or expand the capacity of any existing ranges, no additional traffic or demand for parking beyond the situation will be generated by the project. Adding the sidewalls and baffling to existing ranges does not increase the ability of the Gun Club to accommodate additional users in any manner. The amount of traffic and parking associated with the proposed use will continue to be consistent with the existing operation. Staff finds that this criterion is met.

3. Effects on utility and school capacities.

The building addition and new range building will have minimal impacts on the existing utilities at the site. There will be no changes to the utilities already established for the site. Staff finds this criterion is met.

4. Effect on property values of surrounding lands.

The Club has been in operation since before the City regulated such uses through zoning, and likewise, the club has been located on this site since before many of the surrounding land uses were established. Furthermore, since the request is for an amendment to a C.U.P. and not a new use, the Planning Commission should consider the potential impacts associated with this change and not the overall impacts of the site. If there are any violations of the previous conditions of approval for the site, the City may take action in accordance with the process specified in Resolution No. 88-5 or through enforcement of the City's Target Range ordinance.

Since the site changes requested as part of the C.U.P. amendment are intended to reduce overall impacts from the site, Staff finds that this criterion is satisfied as well.

5. *Effect of the proposed use on the Comprehensive Plan.*

The property at 10386 North 10th Street is currently utilized for a target range facility. The Comprehensive Plan guides the property for public facility use in the future, but also provides for the continuation of existing uses until such time as the parcel is redeveloped. The City Code allows for such a use to be conditionally permitted on this site. Staff finds this criterion is met.

**Conditional
Use Permit
Conclusions:**

Based on the above analysis of the review criteria in City Code, staff recommends approval of the request by the Oakdale Gun Club to amend its Conditional Use Permit to construct cementitious sidewalls and overhead baffling on several of the existing ranges within its facility at 10386 North 10th Street, based on the following:

1. The use would not negatively affect the health, safety, morals, convenience, or general welfare of surrounding lands.
2. It would not affect traffic or parking conditions.
3. The use would have no effect on utility or school capacities.
4. The proposed amendment would have no effect on property values of surrounding lands.
5. The use would be consistent with the Comprehensive Plan.

**Resident
Concerns:**

When the City considered the last amendment to the applicant's C.U.P. in 2008, several property owners expressed concern over the sound levels emanating from the site, especially during the summer months. In addition, it was noted that at certain times, there is a lot more activity on the property than had been in the past due to an increase in the use of the facility for police training.

**Additional
Information:**

Although the proposed improvements should not meet the threshold for a permit by the Valley Branch Watershed District, Staff is recommending that a condition of approval noted that such a permit be secured if required.

Conclusion:

The applicant is seeking approval to amend the existing Conditional Use Permit that was issued to the Oakdale Gun Club to allow for the construction of sidewalls and overhead baffling on several of the existing ranges at its facility at 10386 North 10th Street.

**Commission
Options:**

The Planning Commission has the following options:

- A) Recommend approval of the conditional use permit request;
- B) Recommend denial of the conditional use permit request.

The 60-day review period for this application expires on 6/18/12, but can be extended an additional 60 days if more time is needed.

Staff Rec:

Staff is recommending approval of the request to amend an existing conditional use permit for the Oakdale Gun Club at 10386 North 10th Street based on the following:

1. The amendment to the conditional use would not negatively affect the health, safety, morals, convenience, or general welfare of surrounding lands.
2. It would not affect traffic or parking conditions given the use has existed on the site for one year and no complaints were received.
3. The amendment to the conditional use would have little or no effect on utility or school capacities.
4. The amendment to the conditional use would have no effect on property values of surrounding lands.
5. The amendment to the conditional use would be consistent with the Comprehensive Plan.

Provided the following conditions are met

1. That the applicant continues to comply with the conditions of Resolution No. 88-5, approving the master Conditional Use Permit for the site.
2. That the applicant provide for proper drainage openings or install drain tile along the sidewalls to minimize the disruption of any existing drainage patterns within the site due to the construction of said walls.
3. That the applicant secure any permits required by the Valley Branch Watershed District in order to construct the proposed structures.
4. A building permit will be required for the proposed structures, and all construction plans shall be signed by an engineer registered in the State of Minnesota.
5. That prior to any future amendments to the Conditional Use Permit the applicant provide an updated site plan with an accurate depiction of all buildings, ranges, fences, driveways, and other site improvements for review by the City.

Denial
Motion
Template:
To deny the request, you may use the following motion as a guide:
I move to recommend denial of the request by the Oakdale Gun Club to amend its existing conditional use permit...(please site reasons for the recommendation)

Approval
Motion
Template:
To approve the request, you may use the following motion as a guide:
I move to recommend approval of the request by the Oakdale Gun Club to amend its existing conditional use permit based on the following findings...(use staff's findings provided above or cite your own)
...with the following conditions:

1. That the applicant continues to comply with the conditions of Resolution No. 88-5, approving the master Conditional Use Permit for the site.
2. That the applicant provide for proper drainage openings or install drain tile along the sidewalks to minimize the disruption of any existing drainage patterns within the site due to the construction of said walls.
3. That the applicant secure any permits required by the Valley Branch Watershed District in order to construct the proposed structures.
4. A building permit will be required for the proposed structures, and all construction plans shall be signed by an engineer registered in the State of Minnesota.
5. That prior to any future amendments to the Conditional Use Permit the applicant provide an updated site plan with an accurate depiction of all buildings, ranges, fences, driveways, and other site improvements for review by the City.

cc: Rusty Williams, Black and Dew, LLC
Oakdale Gun Club, 10386 North 10th Street

Fee \$ 500

City of Lake Elmo DEVELOPMENT APPLICATION FORM

- | | | |
|---|--|---|
| ☐ Comprehensive Plan Amendment | ☐ Variance * (See below) | ☐ Residential Subdivision Preliminary/Final Plat |
| ☐ Zoning District Amendment | ☐ Minor Subdivision | ☐ 01 - 10 Lots |
| ☐ Text Amendment | ☐ Lot Line Adjustment | ☐ 11 - 20 Lots |
| ☐ Flood Plain C.U.P. Conditional Use Permit | ☐ Residential Subdivision Sketch/Concept Plan | ☐ 21 Lots or More |
| ☒ Conditional Use Permit (C.U.P.) | ☐ Site & Building Plan Review | ☐ Excavating & Grading Permit |
| | | ☐ Appeal ☐ PUD |

APPLICANT: Rusty Williams Black and Decker 2586 7TH AVE N ST Paul, MN 55109
(Name) (Mailing Address) (Zip)

TELEPHONES: 651-775-2922 651-236-8802 651-775-2922 651-777-4994
(Home) (Work) (Mobile) (Fax)

FEE OWNER: OAKDALE GUN CLUB 10386 10TH ST N LAKE ELMO, MN 55042
(Name) (Mailing Address) (Zip)

TELEPHONES: STEVE O'Brien 651-738-0123 DIRECTOR OAKDALE GUN CLUB
(Home) (Work) (Mobile) (Fax)

PROPERTY LOCATION (Address and Complete (Long) Legal Description):

10386 10TH ST N, LAKE ELMO, MN 55042

DETAILED REASON FOR REQUEST: Improvements to existing gun ranges.

***VARIANCE REQUESTS:** As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the Applicant must demonstrate a hardship before a variance can be granted. The hardship related to this application is as follows:

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

Rusty Williams 4/18/2012
Signature of Applicant Date

[Signature] 6/7/2012
Signature of Applicant Date

Oakdale Gun Club

2012 Proposed Safety Improvements

Amendment to the existing conditional use permit

TO: City of Lake Elmo Planning Commission

Purpose: To increase range safety

Location: Oakdale Gun Club

10386 10th St N

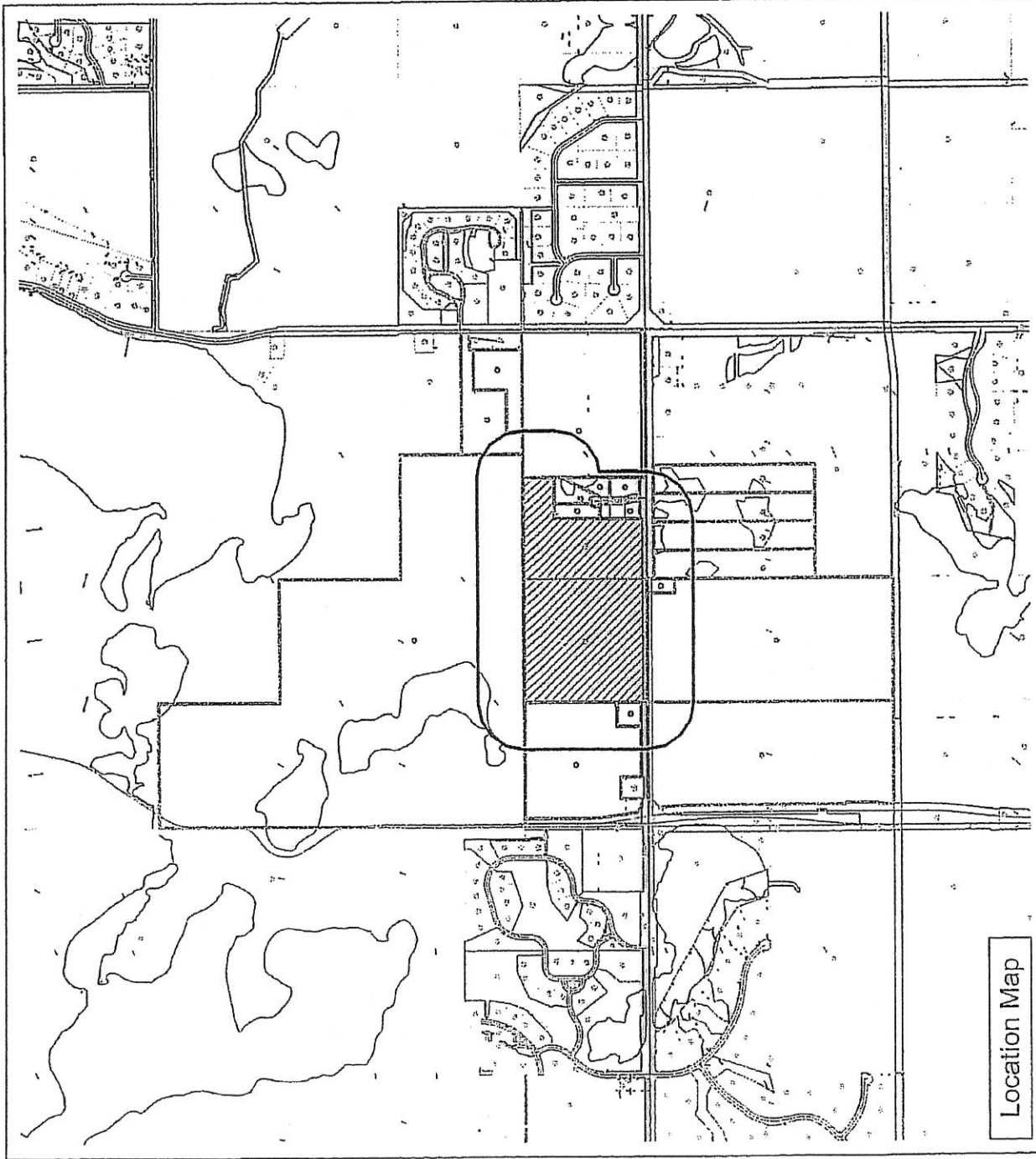
Lake Elmo, MN 55042

The proposed range improvements are designed to increase the safety of the ranges that are currently being used. The work would include installing cementitious sidewalls to support overhead ballistic baffling. The baffling would be installed at designed intervals to prevent any accidental discharges passing beyond the existing bullet trap. The overhead baffling is placed at designed intervals and does not fully enclose the range. There are no additional roofs created. The cementitious support would also act as sidewall protection to increase range safety for adjacent ranges as well as mitigate any ricochet potential between ranges.

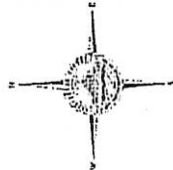
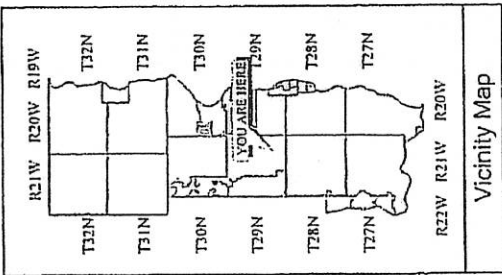
- The proposed improvements do not alter or increase the drainage on or off the site.
- The range improvements do not increase the number of shooting lanes available from the current use.
- The range improvements do not increase the sound levels leaving the existing ranges.
- The range improvements do not alter the environmental impact of the current facility.
- The ranges improvements do not alter the current vehicle traffic patterns to the site.
- The range improvements do not alter the available parking areas of the site.

The following items are included as attachments

- Development Application
- Location map from County GIS System
- Location map Satellite view
- List of Property Owners and mailing labels
- Aerial view of site highlighting shooting ranges
- Site Plan showing existing structures and proposed improvements
- Section detail of the proposed overhead baffling and sidewall support

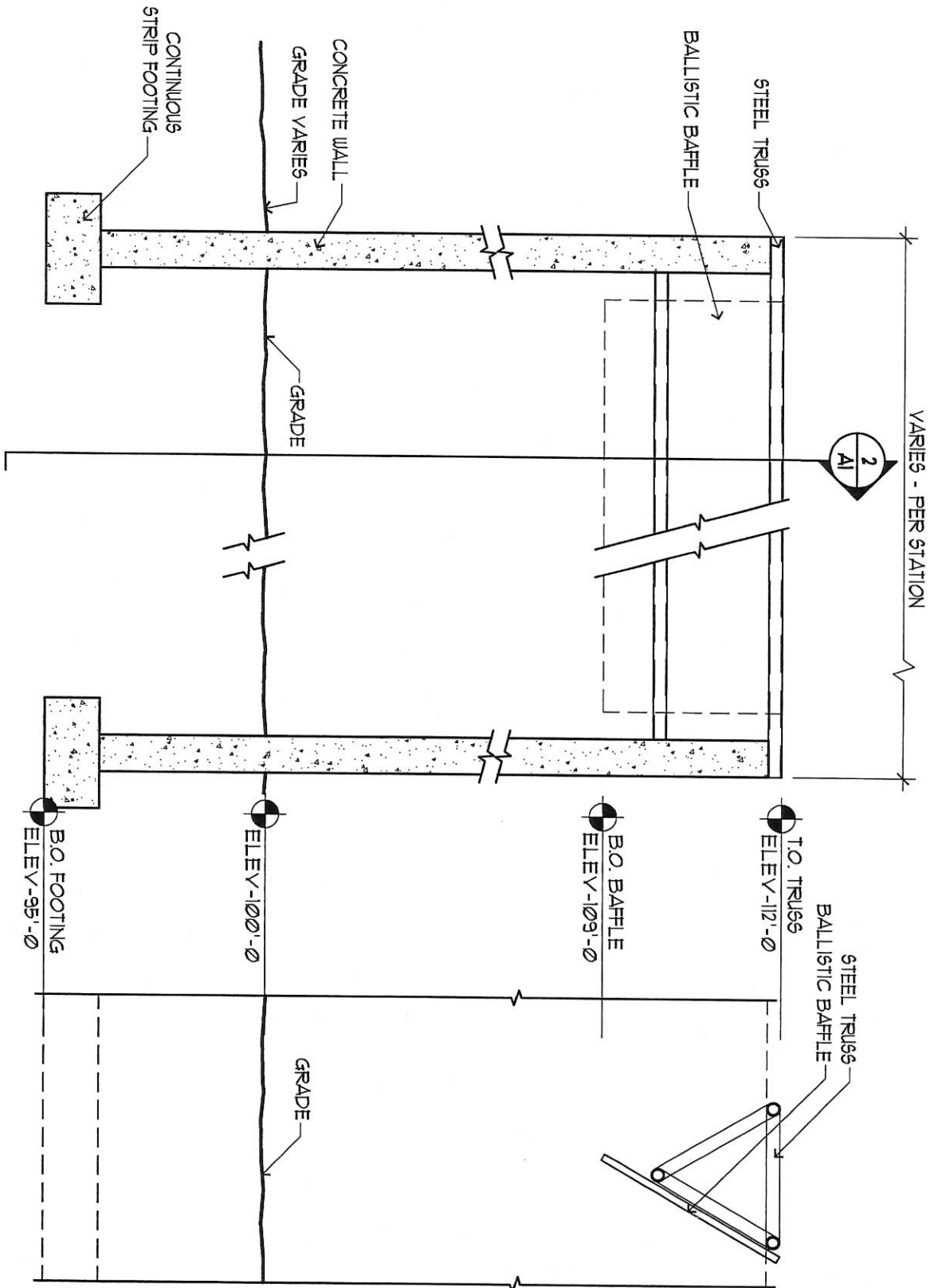


Location Map



1539
Scale in Feet
0

This drawing is the result of a compilation of information from various sources. The information is not guaranteed to be accurate. The drawing should be used for reference purposes only. Washington County is not responsible for any inaccuracies.
Source: Washington County Surveyor's Office.
Phone: (531) 430-5875
Parcel data based on AS 100 Information
Washington County, Alaska
Map printed: December 20, 2007



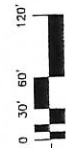
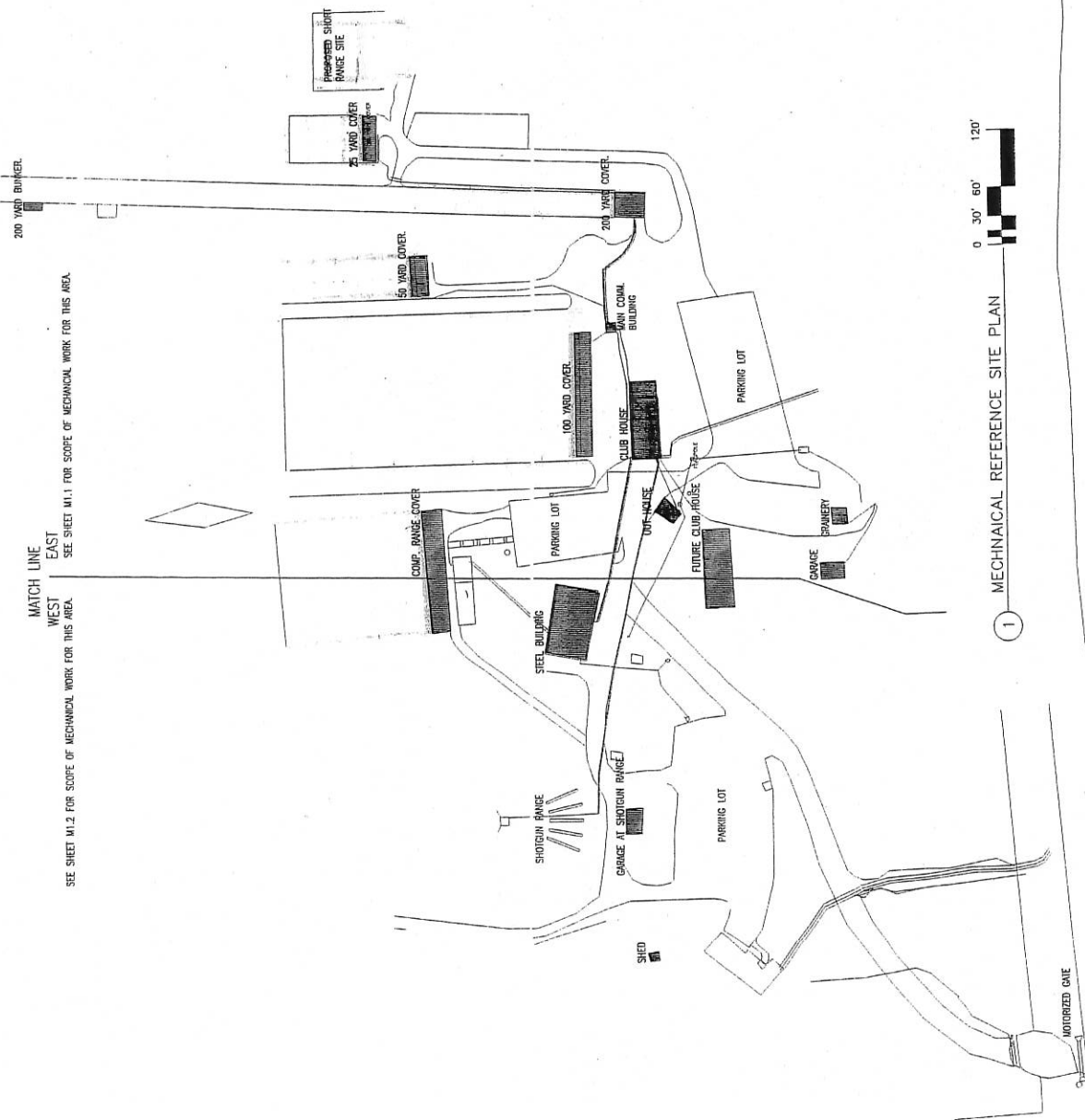
1959 Sloan Place, Suite 100
Maplewood, MN 55117
Phone: (651) 487-3281
Fax: (651) 487-3283
Mn-Architects.com

OAKDALE GUN CLUB
RANGE TRUSSES
3/8" = 1'-0"

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 Architect under the laws of the state of Minnesota.
Signature: John K. Gaspar
Typed Name: JOHN K. GASPAR
Date: 4/18/2012 Reg. No. 16430

Comm. No.: 2012036
Drawn By: SGB
Date: 04/18/2012

A1



MECHANICAL REFERENCE SITE PLAN



Club House

Classroom

Comp Range
(0001)

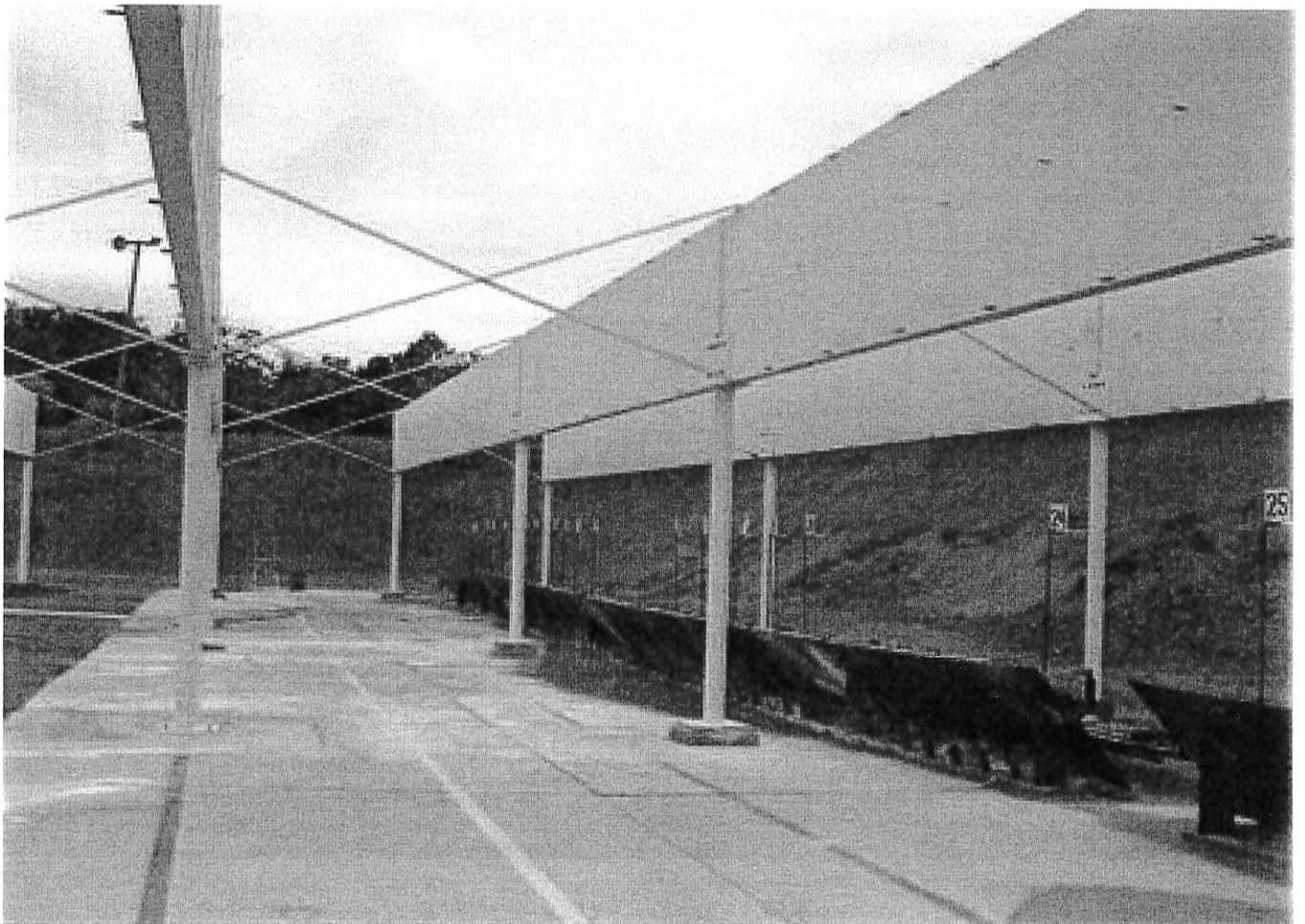
100 Yrd

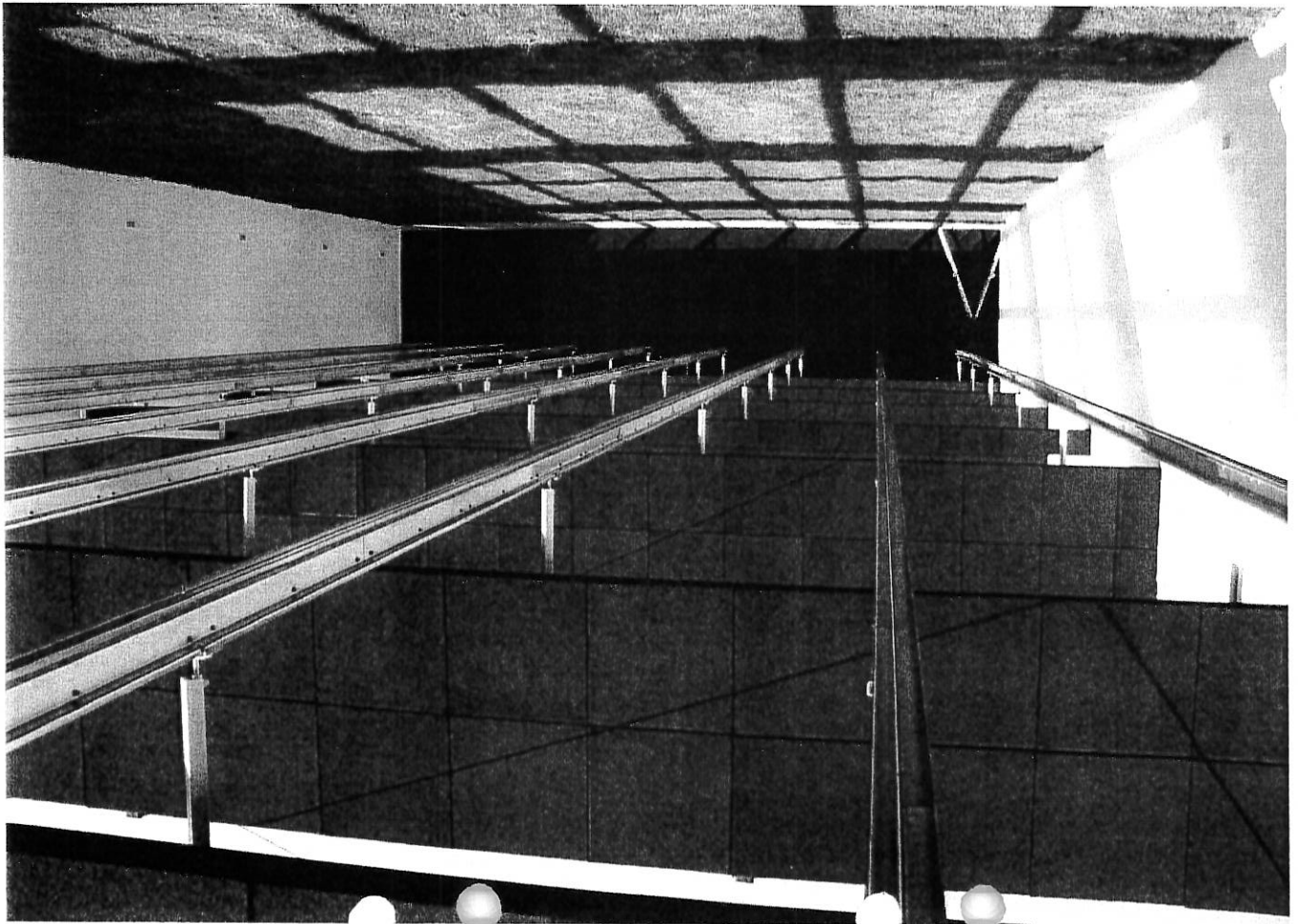
50 Yrd

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CHAPTER 112: TARGET RANGES

Section

112.01	Scope
112.02	Permit
112.03	Inspection
112.04	Application
112.05	Insurance
112.06	Club or organization
112.07	Construction
112.08	Warning signs
112.09	Time open signs
112.10	Hours of shooting
112.11	Shooting safety signs
112.12	Supervision
112.13	Safety rules and regulations

§ 112.01 SCOPE.

(A) This chapter shall apply to existing and future outdoor target ranges within the city.

(B) A conditional use permit shall be required to construct, maintain, or operate an outdoor target range.

(1997 Code, § 1305.01)

§ 112.02 PERMIT.

The conditional use permit may be rescinded, after a 2-week notice and a public hearing, if the Council finds that the public health, safety, or welfare is jeopardized.

(1997 Code, § 1305.02)

§ 112.03 INSPECTION.

The range and range area shall be subjected to inspection prior to issuance of the permit and at any other time as the Council may feel necessary without any notification.

(1997 Code, § 1305.03)

§ 112.04 APPLICATION.

(A) The individual or organization requesting a permit for the construction of a new outdoor target range shall submit an application for the permit to the Administrator.

(B) The application shall include the following:

(1) A plan for adequate sewage treatment, a safe water supply, and the disposal of solid wastes;

(2) A letter outlining the proposed hours of operation, range etiquette, range rules to be posted, and provisions for emergency preparedness;

(3) A noise abatement plan;

(4) Photos of the property and all ranges and facilities;

(5) A site plan at a scale of 1 inch equals 50 feet which gives the legal description of the property, north point, location of all ranges to scale with distances to property lines, proposed fencing along all developed property lines; topographic information at 2 foot intervals showing all berms, noise barriers, drainage, and elevations of buildings; location and dimensions of all buildings, parking areas, and accesses; the type and nature of equipment to be installed; the type of range to be constructed; and adjacent property uses; and

(6) A list of range officers in charge for the Police Department.

(C) The application will be reviewed by the Building Official, the City Engineer, the City Administrator and the other officials or consultants as the Council may require; and their findings and recommendations shall be forwarded to the Council and the applicant.

(1997 Code, § 1305.04) Penalty, see § 10.99

§ 112.05 INSURANCE.

Lake Elmo, MN Code of Ordinances

Public liability and property damage insurance, the minimum limits of coverage to be not less than \$300,000, shall be provided. The city shall be named as an additional insured and be furnished with evidence of the coverage.

(1997 Code, § 1305.05) Penalty, see § 10.99

§ 112.06 CLUB OR ORGANIZATION.

In the case of a club or organization, a list of officers is to be filed with the Administrator. The Council is to be notified of any change in writing to the City Administrator.

(1997 Code, § 1305.06) Penalty, see § 10.99

§ 112.07 CONSTRUCTION.

Construction of the range shall be of a permanent nature and must meet all safety standards as set up by the National Rifle Association. Any expansion of the range will require an amended conditional use permit.

(1997 Code, § 1305.07) Penalty, see § 10.99

§ 112.08 WARNING SIGNS.

The entire outer area of the property for which a permit is granted shall be posted with warning signs advising the public of possible danger. The signs shall be of a permanent nature and posted at intervals of not less than 200 feet apart. Lettering shall be as follows:

<i>Sign Type</i>	<i>Letter Size</i>	<i>Color</i>
DANGER	4 inch	Red
TARGET RANGE	2 inch	Black
NO TRESPASSING	2 inch	Black

(1997 Code, § 1305.08) Penalty, see § 10.99

§ 112.09 TIME OPEN SIGN.

The entrance to the range area must be posted as to the time the range is open for public use.

(1997 Code, § 1305.09) Penalty, see § 10.99

§ 112.10 HOURS OF SHOOTING.

A firearm may not be discharged prior to 8:00 a.m. and not after 1/2 hour before dusk of each day or at any other time that for any reason whatsoever would create a danger either to the general public or users of the range.

(1997 Code, § 1305.10) Penalty, see § 10.99

§ 112.11 SHOOTING SAFETY SIGNS.

A sign shall be displayed at the entrance to the range area and at each firing point stating club rules and N.R.A. rules for range and gun safety.

(1997 Code, § 1305.11) Penalty, see § 10.99

§ 112.12 SUPERVISION.

(A) *Position of supervision.* When a range is open to the public, there is to be a minimum of 1 qualified range supervisor in charge at all times during the operation of a range. A holder of a firearm safety instructor certificate of the Minnesota Department of Natural Resources or an N.R.A. firearms instruction certificate or having completed a range safety program inspected and endorsed by the D.N.R., shall constitute a qualified supervisor.

(B) *Persons under age 18.* No one under the age of 18 years old shall be on the range, unless:

- (1) Participating in a firearm safety training program;
- (2) Accompanied by responsible adult; and/or
- (3) That person has received thorough indoctrination in range safety

American Legal Publishing Corp.

Lake Elmo, MN Code of Ordinances
procedures and range etiquette, if pulling targets.

(1997 Code, § 1305.12) Penalty, see § 10.99

§ 112.13 SAFETY RULES AND REGULATIONS.

All target ranges shall follow reasonable safety procedures. Prima facie evidence of reasonable safety procedures shall be those procedures set forth in the National Rifle Association Manual.

(1997 Code, § 1305.13) Penalty, see § 10.99

RESOLUTION 88-5
CITY OF LAKE ELMO
WASHINGTON COUNTY, MINNESOTA

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT TO OAKDALE GUN CLUB FOR OUTDOOR TARGET RANGE IN THE AGRICULTURAL ZONING DISTRICT

WHEREAS, Oakdale Gun Club has applied for a Conditional Use Permit for an Outdoor Target Range on SW1/4 of Section 26, T29, R21, subject to easement, located at 10386 North 10th Street in the City of Lake Elmo; and has submitted all required information and fees for the application for such permit; and,

WHEREAS, Section 301.070 D.b. of the Municipal Code of Lake Elmo requires a Conditional Use Permit to operate an Outdoor Target Range in the City of Lake Elmo; and,

WHEREAS, Section 1300 of the ZONING ORDINANCE of the Municipal Code of Lake Elmo sets forth the conditions under which said permit may be granted and such use permitted; and

WHEREAS, the applicant meets or exceeds all the conditions set forth above.

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

THAT, the Conditional Use Permit for Outdoor Target Range at 10386 10th Street North, Lake Elmo, Minnesota is hereby granted to Oakdale Gun Club, subject to the following conditions:

1. Fencing
 - a. Additional fencing, if any, along the north border (common border with County Park) to be accomplished per agreement between Club and County Director of Planning.
 - b. Fencing along east and west borders to be accomplished if and when adjacent properties are developed to the extent that fencing is necessary. A determination as to when the adjacent properties are sufficiently developed to require fencing will be made at the time of permit renewal in future years.

2. Weapons on the shotgun range shall be limited to fine shot (#6 shot) on the shotgun range.

3. There will be no expansion at the present location without an abatement to this permit.

4. The names of lead range officers and a schedule of events with the officer in charge shall be provided to the Washington County Sheriff.

This Conditional Use Permit will be reviewed on an annual basis, and may be rescinded, after a 2 week notice and a public hearing, if the City Council finds that the public health, safety, or welfare is jeopardized.

ADOPTED, this 5th day of January 1988, by the City Council of the City of Lake Elmo, Washington County, Minnesota.

Signed

Arlyn Christ

Arlyn Christ, Mayor

Attest:

Mary Kueffner

Mary Kueffner, Acting City Administrator

Warren E. Peterson
 Jerome F. Filla
 Daniel Witt Fram
 Glenn A. Bergman
 John Michael Miller
 Michael T. Oberle
 Steven H. Bruns
 Paul W. Fahning
 Sonja R. Ortiz
 Amy K. L. Schmidt
 Ben I. Rust
 Jared M. Goerlitz



Suite 800
 55 East Fifth Street
 St. Paul, MN 55101-1718
 (651) 291-8955
 (651) 228-1753 facsimile
 www.pfb-pa.com

(651)290-6907
 jfilla@pfb-pa.com

February 28, 2008

Kyle Kiatt
 Planning Director
 City of Lake Elmo
 3800 Laverne Ave. North
 Lake Elmo, MN 55042

RE: Shooting Range Regulations

Kyle:

The City has regulations which are applicable to target ranges (Lake Elmo Code 1305), nuisances (Lake Elmo Code 1335), and noise emissions (Lake Elmo Code 1370). All of these regulations were adopted prior to May of 2008.

The Minnesota Shooting Range Protection Act (Minnesota Statutes Chapter 87A) became effective on May 28, 2005 and includes shooting range performance standards. Except as hereinafter provided, if a shooting range is in compliance with the State's performance standards, the City must permit shooting ranges to do the following (M.S. 87A.03, Subd. 1):

1. Operate the range and conduct activities involving the discharge of firearms.
2. Expand or increase its membership or opportunities for public participation related to primary activity as a shooting range.
3. Make those repairs or improvements desirable to meet or exceed requirements of shooting range standards.
4. Increase events and activities related to the primary activity as a shooting range.
5. Conduct shooting activities and discharge of fire arms daily between 7:00 a.m. and 10:00 p.m. A local unit of government with zoning jurisdiction over a shooting range may extend the hours of operation by issuance of a special or conditional use permit.
6. Acquire additional land to be used for buffer zones or noise mitigation efforts or to otherwise comply with State Regulations.

Kyle Klatt
February 28, 2008
Page 2

If, on May 28, 2005, the City's shooting range standards relating to days and hours of operation were more restrictive than those adopted by Minnesota Statutes Chapter 87A, the more restrictive local standards would apply. Lake Elmo standards permit the discharge of firearms daily between 8:00 a.m. and ½ hour before dusk. The State Regulations would allow discharge of firearms daily between 7:00 a.m. and 10:00 p.m. In this case, the City's standard for time of discharge of firearm would apply because the standard was in effect on May 28, 2005 and is more restrictive.

Future amendments to the City's Standard for shooting ranges must be consistent with the provisions of Minnesota Statutes Chapter 87A.

If you have any questions, please contact me.

Very truly yours,



Jerome P. Filla

JPF/jmt

Minnesota's Shooting Range Protection Act

FAQ Sheet, House Research Bill Summary, and 2005 Chapter 105

(Revised 09-21-2005)

In May 2005, Minnesota Governor Tim Pawlenty signed into law the Shooting Range Protection Act. It became effective on May 28, 2005, becoming Minnesota Statutes, Chapter 87A. Since the law's passage, a number of questions regarding what the law does and does not address or impact have been asked. This page is intended to help answer and clarify those questions.

What is the intent of Chapter 87A?

To provide shooting ranges with the ability to maintain their operating capacity, if local opposition to an existing shooting range facility arises.

What types of facilities are intended to be covered or protected in Chapter 87A?

Firearms and archery shooting facilities, to include licensed shooting preserves.

Related to those types of facilities, what are the key elements that this law addresses?

That shooting ranges are safely operating, meaning they keep all projectiles (i.e., bullets, pellets and arrows) within their facility boundaries, they keep sound levels generated on the range to an acceptable level, and they operate within a reasonable set of hours. If these are precepts are violated, the range has the opportunity to correct their problems within an acceptable time frame.

Does Chapter 87A take precedence over existing local ordinances, rules, regulations, or operating restrictions for shooting ranges or preserves?

No. Any pre-existing conditional use permit, special use permit, operating hours restrictions, covenants or other performance related requirements set in existence by local units of government with legal jurisdiction over a shooting range are to be maintained. In the meantime, if no pre-existing operating hours are in place for a range, they are now, based on the State's Sound Rule (Minnesota Rules, Chapter 7030).

Chapter 87A references "Performance Standards". What are these?

Primarily, the Performance Standards refer to considerations that need to be taken to ensure the safe operation of a shooting range. The National Rifle Association (NRA) has produced a set of guidelines or recommendations for constructing and operating various shooting ranges. These are contained in the

1999 edition of The Range Source Book: A Guide to Planning and Construction. The NRA uses this document as a reference and teaching tool when they conduct their Range Development and Operations classes throughout the United States. Chapter 87A establishes that, until the DNR adopts permanent performance standards through formal rulemaking processes, this document will be an interim set of standards for safe range operations. This source book is available online from the NRA headquarters at www.nrahq.org/shootingrange/sourcebook.asp.

When will final Performance Standards be established by the DNR?

DNR has been given the responsibility to formally adopt Shooting Range Performance Standards, using the expedited rulemaking process, as defined in State statute.

These Rules will take into account the interim performance standards, and any additional information that is relevant to Chapter 87A.

Will all shooting ranges need to be built to the same level or degree?

No. The performance standards are recommendations, and are site specific. In urban or suburban settings, more people can be affected by an operating shooting range. In these settings, where projectile containment is absolutely necessary, all safeguards necessary must be taken to ensure that **all** bullets shot on the range stay on the range property. This concept should be also used as the basis for any range that is built, but the number of required safeguards installed will likely be fewer in a more rural setting. Sound containment must also be installed that will make sure the range is in compliance with Chapter 87A. These will also vary, based on the level of local population density.

The Game and Fish Laws of Minnesota restrict the discharge of a firearm to 500 or more feet away from a residence while hunting, unless permission is granted to be closer. Does this standard apply under Chapter 87A?

No. Shooting ranges and preserves are allowed to have bows and firearms discharged within their boundaries, provided that all projectiles remain on the shooting range. The difference here is that the Game and Fish laws refer only to hunting situations on private lands.

Chapter 87A references a range operation becoming a nonconforming use. What does this mean?

Local zoning definitions governing land uses are subject to change, due to land use changes such as residential development. If local zoning changes take place that make a shooting range a nonconforming use where it had previously been allowed to operate, the range operator has the ability to improve the safety and sound conditions of the range, in order to maintain and continue the operation of the range.

Should shooting range operators be concerned that a law pertaining to shooting ranges is now in effect?

No, not at all. Shooting range operators in Minnesota are allowed to maintain the operation of their facilities, provided they are operated safely, conform to sound level standards, and maintain reasonable operating hours. Most shooting ranges are set in relatively rural and undeveloped land areas. Nothing in Chapter 87A will negatively affect these ranges. Instead, when other development occurs on adjacent land, the range will be given the opportunity to continue operating, and not be subject to closure due to that change.

If neighbors do live near a shooting range, there is now a defined process in place that will allow the range operators to determine if a problem does exist, and allow them to take steps to address those concerns. What Chapter 87A does is help the shooting range operator be a "good neighbor", taking into consideration the safety, sound, and operating hours in effect on a given shooting range.

What does the "mitigation area" in Section 87A.04 intend to address?

Sound or noise generated by a shooting range, and its impact on neighboring land use. By their very nature of use, shooting ranges generate sound. If a range has development (usually pertaining to one or more residence) within 750 feet of its perimeter, that was planned, approved and/or built before October 1, 2005, it is the range operator's responsibility to take steps to ensure that the sound levels reaching neighboring land be within the sound standard limits defined in Chapter 87A. After October 1, 2005, any new development within 750 feet of a shooting range's perimeter will be responsible to pre-plan and install its own sound mitigating devices to keep a range compliant with the sound standards.

In the event that the sound coming off a shooting range is bothersome to a neighboring residence, ideally the range operators and neighbor would be willing to work together, both before and after October 1, 2005, to minimize the sound levels arriving at the neighboring property. This can be achieved through a variety of means, including installing one or more sound berms, walls to deflect sound, one or more firing line enclosures, shooting tubes, and vegetative barriers that can further absorb and/or deflect sound.

What is a brief explanation of the Noise Standard referenced in Chapter 87A?

The noise level referenced in the shooting range law refers to measuring the sound level over an hour's time at a neighboring property that is receiving the sound generated at a range, to determine a "steady state" level of sound, which is referred to as the $L_{eq}(h)$. This steady state cannot exceed 63 decibels (dBA), and will include the sound generated by the range, along with all other sounds generated and recorded at that [sound] receiving location. Collectively, this will include gunshots, and all other ambient noise. Specific sound measurement methodology, including procedure, equipment, etc., is defined in Minnesota Rules, Section 7300.0060.

What is an obvious activity that can be defined as a "clear and present danger" at a shooting range?

As stated before, one of the main objectives of the Shooting Range Protection Act is to make sure all projectiles shot at a range stay on the property of the range. Any arrows, pellets, or bullets that leave a range's property could cause harm or injury to others not on the shooting range. This would at least constitute a trespass, and should not, under any circumstances, knowingly be allowed to take place. Whether or not a correctable danger exists could be an issue to be decided in a court of law.

If one portion of a shooting range is deemed to be a safety hazard, does an entire shooting range have to close?

Not unless a court finds that an entire range would pose a safety hazard, and can't be remedially improved or repaired.

DATE: 5/15/12
REGULAR
ITEM #: 10
MOTION / RESOLUTION

AGENDA ITEM: Christ Lutheran Church Septic System Variance for Holding Tanks

SUBMITTED BY: Kyle Klatt, Planning Director

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Planning Commission
Nick Johnson, City Planner

SUMMARY AND ACTION REQUESTED: The City Council is being asked to consider a request from Christ Lutheran Church, 11194 36th Street North, for a variance to install holding tanks that will replace an existing non-compliant subsurface sewage treatment on its site. The proposal involves the installation of three tanks with a capacity of 1,500 gallons each that will be used for longer than a 12 month period of time. The Washington County regulations pertaining to subsurface sewage treatment systems (SSTS), which have been adopted by reference by the City of Lake Elmo, do not allow the use of holding tanks beyond 12 months.

The recommended motion to act on this request is as follows:

“Move to approve Resolution 2012-_____ approving a variance to allow the use of holding tanks for longer than 12 months at 11194 36th Street North.”

BACKGROUND INFORMATION: The attached Planning Commission report includes a detailed review of the application along with the original Staff recommendation to the Commission. Should the Council support the Planning Commission recommendation for approval of the request, the attached resolution reflects the findings that were adopted by the Commission. If the Council decides to deny the variance, it will need to work with staff to develop findings of fact that are supportive of this decision. Staff has suggested how such findings could be constructed under the alternate actions presented below.

PLANNING COMMISSION REPORT: The Planning Commission reviewed the variance request at its May 7, 2012 meeting and conducted a public hearing at this time. At the hearing, the Commission received public testimony from one neighboring property owner who expressed concern that the additional pumping that would be required to service the holding tanks would add traffic and noise to the neighborhood beyond the current amount. It was noted that the

add traffic and noise to the neighborhood beyond the current amount. It was noted that the church pumps its current system roughly twice a year, and with the proposed variance would need to potentially pump the system every 20 days.

The Commission reviewed the Staff recommendation, and adopted a motion to recommend approval of the request without the two conditions as recommended by Staff and documented as part of the attached report to the Commission. Commissioners indicated that they did not want to see the Church lose rights in the future by waiving its ability to appeal assessments. The Commission also indicated that requiring pumping records to be submitted to the City would be duplicative and add additional burden to the applicant, especially since they would already need to submit these reports to the County. The Planning Commission added one condition to its recommendation that requires the Church enter into an agreement with the City that it will connect to public sanitary sewer within six months of its availability to the Church site as an alternative to the waiver requirement.

The Commission recommended approval of the variance request with one condition of approval as follows:

1. That the applicant enter into an agreement with the City to connect to the public sanitary sewer system within six months of its availability to the Church property at 11194 36th Street North.

The Planning Commission vote on the recommendation was unanimous.

RECOMMENDATION: Based upon the above background information, staff report and request from Christ Lutheran Church, 11194 36th Street North, for a variance to install holding tanks that will replace an existing non-compliant subsurface sewage treatment on its site by undertaking the following action

"Move to approve Resolution 2012-_____ approving a variance to allow the use of holding tanks for longer than 12 months at 11194 36th Street North."

Alternatively, the City Council may consider the other actions that were suggested as part of the Planning Commission report, which includes the following:

- A. Recommend denial of the variance request, and develop appropriate findings of fact to support this action. These findings would need to address the following:

1. That the inability to utilize holding tanks would not cause any practical difficulties for the property owner, and that the applicant would still be entitled to a reasonable use of the property without an updated sanitary sewer system. Please note that this finding/action would not allow the Church to move forward with its plans to improve the facility since the existing septic system has been deemed non-conforming.

2. That there is nothing unique about the applicants property that would warrant the granting of a variance.
 3. That the variance would alter the essentially character of the locality, and that the surrounding properties are similar in size, shape, density, and usage by allowing the continued use and expansion of a facility that has not yet been provided with municipal sewer service.
 4. That the proposed variance would negatively impact the adjacent properties and traffic in the area by increasing the frequency of pumping vehicles visiting the site.
- B. Approving the request but with the two conditions of approval as originally recommended by Staff. The City Engineer has expressed concern that granting the variance would allow the church to continue using and expanding the property in advance of the City's sewer project, which could potentially result in a decreased interest in an eventual sewer connection. If the applicant is requesting rights that do not presently exist on the site, Staff does not believe it is an unreasonable trade-off to require the waiver of a future right concerning sewer assessments. Under the state law pertaining to such assessments, the City can only request reimbursement for any benefits received by a property owner from a project, but the City will have already given the Church some of these benefits by approving the use of holding tanks. Staff views the original conditions as a way to protect the City's financial interest in the future. These conditions were recommended as follows:
1. The applicant shall enter into an Agreement with the City waiving their right to appeal their assessment for the extension of Municipal Sanitary Sewer when a project to serve this property is initiated by the City. A non-binding letter as submitted does not fulfill this requirement.
 2. The applicant should be required to submit copies of all septic tank pumping records to the City on a quarterly basis.
- C. Table taking action on the variance in order to request additional information from either staff or the applicants.

ATTACHMENTS:

1. Resolution No. 2012-__
2. Planning Commission Staff Report (5/7/12 Meeting)
3. Application Narrative
4. Site Plan
5. Letter from Septic Designer (3/23/12)
6. Septic Designer Analysis
7. Letter from Church Facilities Chairman (4/12/12)

8. Proposed Septic System Management Plan
9. City Sewer Letter (Applicant 4/3/12)
10. City Engineer Review Memorandum

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation..... Planning Director
- Questions from Council to Staff..... Mayor Facilitates
- Public Input, if Appropriate Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

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

RESOLUTION NO. 2012-_____

*A RESOLUTION APPROVING A VARIANCE TO ALLOW THE INSTALLATION OF HOLDING
TANKS TO BE USED FOR LONGER THAN 12 MONTHS*

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

WHEREAS, Christ Lutheran Church, 11194 36th Street North (the "Applicant") has submitted an application to the City of Lake Elmo (the "City") for a variance to install holding tanks that will replace an existing non-compliant subsurface sewage treatment on its site, a copy of which is on file with the City; and

WHEREAS, notice has been published, mailed and posted pursuant to the Lake Elmo Zoning Ordinance, Section 154.017; and

WHEREAS, the Lake Elmo Planning Commission held a public hearing on said matter on May 7, 2012; and

WHEREAS, the Lake Elmo Planning Commission has submitted its report and recommendation to the City Council as part of a Staff Memorandum dated May 15, 2012; and

WHEREAS, the City Council considered said matter at its May 15, 2012 meeting.

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

FINDINGS

- 1) That the procedures for obtaining said Variance are found in the Lake Elmo Zoning Ordinance, Section 154.017.
- 2) That all the submission requirements of said 154.017 have been met by the Applicant.
- 3) That the proposed variance is to install holding tanks that will replace an existing non-compliant subsurface sewage treatment on its site. The proposal involves the installation of three tanks with a capacity of 1,500 gallons each that will be used for longer than a 12 month period of time. The Washington County regulations pertaining to subsurface

sewage treatment systems (SSTS) and adopted by reference Section 51.002 of the City Code do not allow the use of holding tanks beyond 12 months

4) That the Variance will be located on property legally described as follows:

(Per Deed Record No. 84, Page 607)

All that part of the Northwest quarter (NW1/4) of Section Number Thirteen (13), in Township number Twenty-nine (29) North, of Range number Twenty-one West, described as follows, to-wit;

Beginning at a point in the center of the Elmo Road (so-called) at a point Six hundred and seventy (670) feet Northerly of the Northwest corner of Lot Number One (1) of Block number One (1) of Elmo Park, as surveyed and platted and now of record in the Office of the Register of Deeds in and for said County; thence Easterly on a line parallel to the North line of said Section One hundred and eighty (180) feet to a point, being the point of beginning; thence Northerly on a line parallel to the center line of said road Two hundred and seventeen and eighty one-hundredths (217.80) feet; thence Easterly on a line parallel to the North line of said Section Two Hundred (200) feet; thence Southerly on a line parallel to the center line of said road Two hundred and seventeen and eighty one-hundredths (217.80) feet; thence Westerly on a line parallel to the North line of said Section two hundred (200) feet, to the point of beginning, except Twenty (20) feet on the West Side of said lot which is to be used for private alley, and Thirty three (33) feet on the East side, and Thirty (30) feet on the South side, which is to be used for Public Road.

And (Per Quit Claim Deed Document No. 192551) The West Twenty (20) feet of Lot Thirty-nine (39) County Auditor's Plat No.8, Washington County, Minnesota. And (Per Warranty Deed Document No. 192552) Lots Eight (8) and Nine (9), Block Two (2), Cloverdale, According to the plat thereof, on file and of record in the Office of the Register of Deeds, Washington County, Minnesota.

5) That the strict enforcement of Zoning Ordinance would cause practical difficulties and that the property owner proposes to use the property in a reasonable manner not permitted by an official control. *Specific findings: That the proposed use of holding tanks is a reasonable use of the property until such time that public sanitary sewer is available. The applicant has demonstrated that there are no suitable locations on the site to construct a drainfield, and the proposed holding tanks will allow the church to continue its operations prior to the extension of public sanitary sewer service to its property. The Church has provided a written statement that it intends to connect to public sewer service when it is made available, and that the holding tanks are a temporary solution until such time.*

- 6) That the plight of the landowner is due to circumstances unique to the property not created by the landowner. ***Specific findings: That there are no portions of the applicant's site that could accommodate a drainfield and standard sewage treatment system. The site is very constrained due to previous additions and expansions, and an old structure foundation further limits the amount of land available for a treatment system. The applicant's site is further unique because it is a small parcel located within the Lake Elmo Village Area and is zoned PF – Public Facility. It is the only church located within the City's central business district, and it is surrounded by commercial and residential structures with a variety of setbacks and building sizes.***
- 7) That the proposed variance will not alter the essential character of the locality in which the property in question is located. ***Specific findings: That the proposed holding tanks will not change the essential character of the locality because tanks will be installed below grade and will not be visible to surrounding properties. The City's central business district is comprised of a wide mix of commercial and residential uses, many of which are located very close or immediately adjacent to public right-of-way.***
- 8) That the proposed variance will not impair an adequate supply of light and air to property adjacent to the property in question or substantially increase the congestion of the public streets or substantially diminish or impair property values within the neighborhood. ***Specific findings: That the proposed holding tanks will not alter or increase any of the existing traffic patterns in the surrounding neighborhood beyond what would reasonably be expected within the Lake Elmo Village area.***

CONCLUSIONS AND DECISION

Based on the foregoing, the Applicants' application for a Variance is granted, provided the following conditions are met:

1. That the applicant enter into an agreement with the City to connect to the public sanitary sewer system within six months of its availability to the Church property at 11194 36th Street North.

Passed and duly adopted this 15th day of May 2012 by the City Council of the City of Lake Elmo, Minnesota.

Dean A. Johnston, Mayor

ATTEST:

Dean A. Zulger, City Administrator

City of Lake Elmo Planning Department
Septic System Variance Request

To: Planning Commission
From: Kyle Klat, Planning Director
Meeting Date: 5/7/12

Applicant: Christ Lutheran Church

Owner: Christ Lutheran Church

Location: 11194 36th Street North

Zoning: PF – Public and Quasi-Public Open Space/Public Facilities

Introductory Information

Application Summary:

The City of Lake Elmo has received an application from Christ Lutheran Church, 11194 36th Street North, for a variance to install holding tanks that will replace an existing non-compliant subsurface sewage treatment on its site. The proposal involves the installation of three tanks with a capacity of 1,500 gallons each that will be used for longer than a 12 month period of time. The Washington County regulations pertaining to subsurface sewage treatment systems (SSTS) do not allow the use of holding tanks beyond 12 months.

The applicant has provided a written statement to the City indicating that the Church will connect to public sanitary sewer when it is extended to its site and that it will not contest the construction of this system

As part of a previous request to the City, the Church was seeking improvements to Laverne Avenue in front of its facility, but has since elected not to pursue these improvements. The site plans submitted with the current variance request therefore eliminate any work that was proposed with the Lavern Avenue right-of-way.

Property Information:

The Christ Lutheran Church building was initially constructed in the 1950's, and the facility has been expanded and improved at various times over the past several years. The most recent major renovation/expansion occurred in 1996, since that time there is no record of any other significant improvements in the City records. The facility includes several different components, including the sanctuary, offices, atrium, classrooms, conference room, kitchen, and other ancillary functions. Because the facility has been expanded various times in a piecemeal fashion, and given the age of many of the improvements, the Church recently received approval from the City to improve overall access throughout the facility and create additional space for church functions through an amendment to its Conditional Use Permit.

The applicant's site is located within the heart of the Village Planning Area, and is one

of a series of PF – Public Facility uses that is scattered amongst the residential and commercial uses within the Village. The Church also owns the former Lake Elmo Bank building at 3549 Lake Elmo Avenue North, and uses the parking lot accessory to this building to help provide for the parking demand around the Church on Sundays and during other peak usage times. The attached site survey includes all of the property owned by the Church in this area, which is spread between four separate parcels of land.

As noted above, the Church recently was granted approval to improve its current site by adding on the entrance areas, enclosing the current atrium, and adding a second story addition above some existing classroom and meeting space areas. As part of its approval for this work, the City adopted the following condition of approval:

The applicant shall submit a septic system inspection report prepared and signed by a licensed septic inspector verifying that the current septic system is compliant with Washington County regulations, and that: a) address the available capacity of the system and states its ability to accommodate the additional use created by the expansion project, or provide a design for its expansion, and b) includes a description of the current system type and components, dimensions, and capacity.

- a) Should the current system be found to be a non-compliant system or in need of replacement, a revised septic system plan shall be approved by Washington County prior to the issuance of a building permit for the proposed project.

In researching status of the current system in accordance with the above requirement, the applicant found that it was not compliant with current County requirements, and therefore began to research alternatives to install a new system. For the reasons as noted in the attached application materials, the applicant has indicated that there are no suitable locations to install a new drainfield, and has asked for a variance to install holding tanks on a temporary basis until the City's sanitary sewer system is extended to the site.

**Applicable
Codes:**

Section 154.063 PF – Public and Quasi-Public Open Space

(B) *Uses allowed by conditional use permit*

(2) Places of Worship

Sections A through F contain the district regulations for the PF Zoning District

Section 150.017 Variances.

(A-I) Variances. Identifies procedures and requirements for the processing and review of a variance application. Please note that this section was recently updated by the City to comply with revisions to Minnesota State Statutes.

Washington County Development Code: Chapter 4 – Subsurface Sewage Treatment Systems. Includes the regulations adopted by reference by the City of

Lake Elmo, including the provisions pertaining to the use of holding tanks.

Findings & General Site Overview

Site Data:

Lot Size: 1.14 acres (3 parcels, including street right-of-way)

Existing Use: Place of Worship (includes accessory uses)

Existing Zoning: PF – Public and Quasi-Public Facilities

Property Identification Numbers (PID): 13.029.21.21.0020; 13.029.21.23.0060; and 13.029.21.23.0061

Application Review:

Variance Review:

The applicant's current septic system is divided into two separate and distinct systems that handle the needs of the facility. It was last upgraded in 1969, with portions dating back to 1953, prior to any of the existing regulations for wastewater treatment. The City's files contain very little information regarding these systems, which is not surprising given their ages. Based on the inspections that were recently performed, the Church came to the conclusion that the current system was not going to be viable to continue operating in the future, especially once it proceeds with the planned facility improvements.

The attached application narrative contains a written description from the applicant outlining the reasons why a variance has been requested. As part of the initial review from the Church's submissions to the City, the City requested additional documentation from the Church's septic designer to confirm that: 1) the existing systems that serve the site can no longer provide adequate capacity for the church, and 2) that there is not sufficient room on the site to install a new drainfield. The additional research performed by the applicant's septic designer has shown that there is a buried foundation from an old structure on the premises which further reduces the amount of land on the property that is suitable for a treatment system.

The ultimate recommendation from the septic designer is that there is no suitable alternative to the installation of holding tanks until such time that sewer is available to the property.

The system that has been proposed would continue to make use of the existing internal system that directs flow into two separate systems. The larger system would be designed with a capacity of 3,000 gallons and the smaller system would include a 1,500 gallon tank. Based on the past two months' worth of water usage by the Church, this would provide a capacity of about 20 days for the church. As part of the application materials, the applicant has submitted a proposed management plan for each of the holding tank systems, which the Church should be able to use to help monitor and maintain the system.

The City Engineer has reviewed the proposed variance and provided comments included in the attached memorandum dated April 19, 2012. Please note this review

	includes a recommendation of two conditions which have been incorporated into the Staff recommendation below. The Engineer is recommending that the applicant enter into an agreement with the City that waives the right to appeal assessments related to the extension of sewer to this site.
Variance Requirements:	An applicant must also establish and demonstrate compliance with the variance criteria set forth in Lake Elmo City Code Section 154.017 before an exception or modification to city code requirements can be granted. These criteria are listed below: 1. Practical Difficulties. A variance to the provision of this chapter may be granted by the Board of Adjustment upon the application by the owner of the affected property where the strict enforcement of this chapter would cause practical difficulties because of circumstances unique to the individual property under consideration and then only when it is demonstrated that such actions will be in keeping with the spirit and intent of this chapter. Definition of practical difficulties - "Practical difficulties" as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by an official control. 2. Unique Circumstances. The plight of the landowner is due to circumstances unique to the property not created by the landowner. 3. Character of locality. The proposed variance will not alter the essential character of the locality in which the property in question is located. 4. Adjacent properties and traffic. The proposed variance will not impair an adequate supply of light and air to property adjacent to the property in question or substantially increase the congestion of the public streets or substantially diminish or impair property values within the neighborhood. Given the information that has been submitted by the applicant and pending further review by the Planning Commission, staff would offer the following suggested findings specific to the variances that have been requested by the applicant: 1. <i>The proposed use of holding tanks is a reasonable use of the property. The applicant has demonstrated that there are no suitable locations on the site to construct a drainfield, and the proposed holding tanks will allow the church to continue its operations prior to the extension of public sanitary sewer service to its property. The Church has provided a written statement that it intends to connect to public sewer service when it is made available, and that the holding tanks are a temporary solution until such time.</i> 2. <i>There are no portions of the applicant's site that could accommodate a drainfield and standard sewage treatment system. The site is very constrained due to previous additions and expansions, and an old structure foundation</i>

- further limits the amount of land available for a treatment system.
3. The applicant's site is unique because it is a small parcel located within the Lake Elmo Village Area and is zoned PF – Public Facility. It is the only church located within the City's central business district, and it is surrounded by commercial and residential structures with a variety of setbacks and building sizes.
 4. The proposed holding tanks will not change the essential character of the locality because tanks will be installed below grade and will not be visible to surrounding properties. The City's central business district is comprised of a wide mix of commercial and residential uses, many of which are located very close or immediately adjacent to public right-of-way.
 5. The proposed variance will not impair an adequate supply of light and air to property adjacent to the property in question or substantially increase the congestion of the public streets or substantially diminish or impair property values within the neighborhood. The proposed holding tanks will not alter or increase any of the existing traffic patterns in the surrounding neighborhood.

Conclusions:

Based on the above background information and analysis, Staff is recommending approval of the variance request from Christ Lutheran Church, 11194 36th Street North, for a variance to install holding tanks that will replace an existing non-compliant subsurface sewage treatment on its site with two conditions of approval.

Additional Information:

The applicant will need to secure property permits from Washington County if the variance is approved by the City Council.

Conclusion:

Christ Lutheran Church, 11194 36th Street North, has submitted a request for a variance to install holding tanks that will replace an existing non-compliant subsurface sewage treatment on its site. The proposal involves the installation of three tanks with a capacity of 1,500 gallons each that will be used for longer than a 12 month period of time

Commission Options:

The Planning Commission has the following options:

- A) Table taking action on the request and direct the applicant to provide additional information concerning the request;
- B) Recommend approval of the conditional use permit amendment request, with the conditions as recommended by Staff;
- C) Recommend denial of the conditional use permit amendment request with

findings to support this action.

The 60-day review period for this application expires on June 20, 2012, but can be extended an additional 60 days if more time is needed to complete the City's review.

Staff Rec: **Staff is recommending that the Planning Commission** recommend approval of the variance request by Christ Lutheran Church, 11194 36th Street North, has submitted a request for a variance to install holding tanks that will replace an existing non-compliant subsurface sewage treatment on its site, provided the following conditions are met:

1. The applicant shall to enter into an Agreement with the City waiving their right to appeal their assessment for the extension of Municipal Sanitary Sewer when a project to serve this property is initiated by the City. A non-binding letter as submitted does not fulfill this requirement.
2. The applicant should be required to submit copies of all septic tank pumping records to the City on a quarterly basis.

**Denial
Motion**

To deny the request, you may use the following motion as a guide:

Template:

I move to recommend denial of the request by the Christ Lutheran Church for a variance... *(please site reasons for the recommendation)*

**Approval
Motion**

To approve the request, you may use the following motion as a guide:

Template:

I move to recommend approval of the request by the Christ Lutheran Church for a septic system variance based on the findings provided in the staff report...(or cite your own)
...with the conditions outlined in the staff report.

cc: Jim Lohmann, Christ Lutheran Church
Kevin Busch, Busch Architects

RECEIVED
DEC 22 2011

City of Lake Elmo
DEVELOPMENT APPLICATION FORM

Fee \$ 750

- | | | | |
|---|--|--|---|
| ☐ Comprehensive Plan Amendment | ☒ Variance * (See below) | ☐ Residential Subdivision | ☐ Preliminary/Final Plat |
| ☐ Zoning District Amendment | ☐ Minor Subdivision | ☐ Lot Line Adjustment | ☐ 01 - 10 Lots |
| ☐ Text Amendment | ☐ Residential Subdivision | ☐ Sketch/Concept Plan | ☐ 11 - 20 Lots |
| ☐ Flood Plain C.U.P. | ☐ Conditional Use Permit | ☐ Site & Building Plan Review | ☐ 21 Lots or More |
| ☐ Conditional Use Permit | ☐ Conditional Use Permit (C.U.P.) | ☐ Appeal | ☐ PUD |

APPLICANT: Kevin Busch on behalf of Christ Lutheran Church 11194 36th ST. NO. 55042 (Name) (Mailing Address) (Zip)
TELEPHONES: Kevin Busch 612-333-2275 (Home) 651-216-3634 (Mobile) 612-339-2336 (Fax)
FEE-OWNER: Busch Address: 310 4th Ave South Suite 1009 Minneapolis MN 55415 (Name) (Mailing Address) (Zip)

TELEPHONES: (Home) (Work) (Mobile) (Fax)

PROPERTY LOCATION (Address and Complete (Long) Legal Description):

11194 36th Street North
(Legal description provided on previous application)

DETAILED REASON FOR REQUEST: To bring non-complying septic system into an approved, complying system - related to decided building improvements

*VARIANCE REQUESTS: As outlined in Section 301.060 C. of the Lake Elmo Municipal Code, the Applicant must demonstrate a hardship before a variance can be granted. The hardship related to this application is as follows:
The current building, site, and septic systems were all in place prior to regulation regarding septic systems. The developed site cannot add a complying system due to site constraints without the variance.
In signing this application, I hereby acknowledge that I have read and fully understand the applicable provisions of the Zoning and Subdivision Ordinances and current administrative procedures. I further acknowledge the fee explanation as outlined in the application procedures and hereby agree to pay all statements received from the City pertaining to additional application expense.

Signature of Applicant Kevin Busch Date 12-22-2011

Signature of Applicant _____ Date _____

22 December 2011

To:

City of Lake Elmo

3800 Laverne Avenue

Lake Elmo, MN 55042

From:

Christ Lutheran Church

11194 36th Street North

Lake Elmo, MN 55042

Request for Variance – Narrative

Variance for septic system type, period of use, and servicing.

- a. Owner: Christ Lutheran Church, 11194 36th Street North, Lake Elmo, MN 550
- b. Legal Description: DESCRIPTION OF PROPERTY SURVEYED

(Per Deed Record No. 84, Page 607)

All that part of the Northwest quarter (NW1/4) of Section Number Thirteen (13), in Township number Twenty-nine (29) North, of Range number Twenty-one West, described as follows, to-wit;

Beginning at a point in the center of the Elmo Road (so-called) at a point Six hundred and seventy (670) feet Northerly of the Northwest corner of Lot Number One (1) of Block number One (1) of Elmo Park, as surveyed and platted and now of record in the Office of the Register of Deeds in and for said County; thence Easterly on a line parallel to the North line of said Section One hundred and eighty (180) feet to a point, being the point of beginning; thence Northerly on a line parallel to the center line of said road Two hundred and seventeen and eighty one-hundredths (217.80) feet; thence Easterly on a line parallel to the North line of said Section Two Hundred (200) feet; thence Southerly on a line parallel to the center line of said road Two hundred and seventeen and eighty one-hundredths (217.80) feet; thence Westerly on a line parallel to the North line of said Section two hundred (200) feet, to the point of beginning, except Twenty (20) feet on the West Side of said lot which is to be used for private alley, and Thirty three (33) feet on the East side, and Thirty (30) feet on the South side, which is to be used for Public Road.

And

(Per Quit Claim Deed Document No. 192551)

The West Twenty (20) feet of Lot Thirty-nine (39) County Auditor's Plat No. 8, Washington County, Minnesota.

And

(Per Warranty Deed Document No. 192552)

Lots Eight (8) and Nine (9), Block Two (2), Cloverdale, According to the plat thereof, on file and of record in the Office of the Register of Deeds, Washington County, Minnesota.

And

(Per Special Warranty Deed Document Nos. 1123102 (Torrens) and 3155545 (Abstract))

Parcel 1 (Torrens):

The South Forty (40) feet of Lot Twenty-nine (29) and all of Lot Thirty (30), County Auditor's Plat No. 8 as surveyed and platted and now on file in the Office of the Registrar of Titles of Washington County, Minnesota being the Village of Lake Elmo, Minnesota.

Parcel 2 (Abstract):

Lot Twenty-nine except the South 40 feet thereof, County Auditor's Plat No. 8.

1. Parcel Identification Numbers: Cloverdale, Block 2, Lot 8 and Lot 9 (1302921230020); County Auditor's Plat No. 8, Lots 39, 29, 30, (1302921230060); (1302921230053).
2. Parcel Size: 67,158 s.f.; 1.54 acres.
3. Existing Use of Land: Religious organization; Business; Parking.
4. Current Zoning: P/PF; R-1; GB – see drawings for locations of each.
5. Portion of Site under consideration is being used as a church. Site size: 31,363 s.f.; 0.72 acres; Zoning, P/PF.

c. Washington County Development Code Chapter 4 – Sub-Surface Sewer System Regulations; requires the following: A permit for a temporary, septic holding tank is valid for one-year. We are requesting a variance so that the temporary holding tanks can be used until a Municipal Sanitary Sewer has been installed in either Laverne Avenue or 36th Street North.

d. The church proposes to install temporary septic holding tanks, specifically, three 1,500 gallon tanks for sewage disposal and holding. The tanks will be emptied by a disposal service on a regular, on-going basis. After considering building setbacks, building footprint, and other impermeous surfaces, the site does not have the capacity for the installation of additional drainage fields, necessitating the installation of septic holding tanks.

e. We have worked with the city planner and engineer to determine what the City of Lake Elmo would prefer for wastewater systems. We have retained a licensed septic inspector for Washington County (Barry Brown) to conduct an inspection for compliance of the existing building wastewater system. Mr. Brown determined that the existing system is in non-compliance and that there is not enough room on the property to install a compliant system that meets the needs of the building. We have received water-use reports from the City to help determine wastewater volume – leading again to a finding of non-compliance with the existing system.

f. Christ Lutheran Church has been using this property since 1953 and there are no other options for an expanded septic system. The church wishes to remain in its present location as a community based church

g. The original church building including the west side septic system was constructed in 1953; the classroom/office addition including the east side septic system, was constructed in 1969 – both preceded any zoning ordinances regarding wastewater and septic systems. At the time the existing systems were installed, there were no regulations regarding capacity. Now with new regulations, the church finds itself with a non-complying septic system and no land to install or expand a typical drainfield.

h. The new septic tank system will not be visible within the neighborhood. There will be a pumping service that will visit the site twice per week to pump the temporary tanks. The tanks

will be removed when the Municipal Sewerage System has been installed in the street and the church connects to the new system.

- i. Thank you for your consideration.



CONSULTANT

CERTIFICATION

HEEDY CERTIFY THAT THIS PLAN SPECIFICATION ON REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A duly REGISTERED ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE	APR 11, 2012	REG NO	10000
PRINTED NAME	KEVIN C BOSCH		

COMMISSION NO.: 09-06

CHECKED BY:	KCB
DATE	14/04/2012

UNIT TO ONE DATE	PERIOD BEGINNING DATE
REVISION DATES	

PROJECT TITLE

CHRIST LUTHERAN CHURCH
LAKE ELMO, MINNESOTA

OMMER

CHRIST LUTHERAN CHURCH
1164 30TH STREET NORTH
LAKE ELMO, MN 55042

SHEET TITLE

01/04/10 01:15:11

SHEET NO. _____

Office	1	of	1
Printed	March 28, 2012		

1

RECEIVED

APR 12 2012

CITY OF LAKE ELMO

23 March 2012

Kyle Klatt, Director of Planning
City of Lake Elmo
3800 Laverne Avenue North
Lake Elmo, MN 55042

Re: Christ Lutheran Church, 11194 36th Street North, Lake Elmo, MN 55042

Dear Kyle,

Upon your request, I have been on site at Christ Lutheran Church to survey the property to see if there are alternative locations for a septic system other than the temporary holding tanks the Church is proposing.

Because of the parking lot on the north and west sides, the existing septic system on the east, and the buried foundations of an old house on the south, there appear to be no alternative locations for a traditional septic system.

Therefore I am recommending approval of the variance to have temporary holding tanks installed until that time when a municipal system is in place.

Thank you!

Sincerely,



Barry Brown

Licensed Septic Inspector for Washington County

PERCOLATION REPORT

THE RESOURCES MANAGEMENT CONSULTANTS

To The City of Lake Elmo

I am a licensed designer and inspector of septic systems in the state of Minnesota. I have studied the septic systems at Christ Lutheran Church in Lake Elmo. It is in my professional opinion that:

- 1) The existing systems can no longer provide adequate capacity for Christ Lutheran Church. Neither system is a holding tank but both need to be pumped on a regular basis to prevent backups.
- 2) Because of the situation with street right of way on the east and south sides, there is definitely not enough space to install a new drain field on this parcel. The only permanent answer is to hook the church to a municipal sewer. The holding tanks are the only answer until the municipal sewer comes through.

If there are any questions about this I can be reached at 651-735-7321

Barry Brown



License number 1772



April 12, 2012

Mr. Kyle Klatt
Planning Director
City of Lake Elmo
Lake Elmo, MN 55042



Re: Septic System Management Plans
Christ Lutheran Church
11194 36th Street North
Lake Elmo, MN 55042

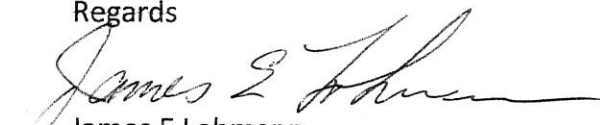
Dear Mr. Klatt

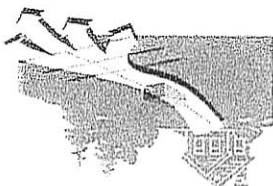
Attached is the Septic System Management Plans for the Holding Tank Systems. One for the West side and one for the East side of Christ Lutheran Church.

Also included is a letter from Barry Brown that he has reviewed the site and there appears to be no alternate locations for a traditional septic system.

I believe this is all the information the city engineers need to proceed with the variance application. If not please let me know as soon as possible what additional information you need.

Regards


James E Lohmann
Chairman of the Facilities Task Force



Septic System Management Plan for Holding Tank Systems

The goal of a septic system is to protect human health and the environment by properly treating wastewater before returning it to the environment. Your holding tank system is designed to store your used water before it is recycled back into our lakes, streams and groundwater.

This **management plan** will identify the operation and maintenance activities necessary to ensure compliance with applicable rules and regulations. Some of these activities must be performed by you, the homeowner. Other tasks must be performed by a licensed septic maintainer. However, it is YOUR responsibility to make sure all tasks get accomplished in a timely manner.

The University of Minnesota's *Septic System Owner's Guide* contains additional tips and recommendations designed to extend the effective life of your system and save you money over time.

Proper septic system design, installation, operation and maintenance means safe and clean water!

Property Owner: Christ Lutheran Church (west side holding area)

Property Address: 11194 36th St., Lake Elmo
Property ID: 1302921230060

System Designer: Barry Brown
License #: 1772

System Installer:
License #:

Service Provider/Maintainer:
Phone:

Permitting Authority: Washington County
Phone: 651-430-6676

Permit #:
Date Inspected:

Keep this Management Plan with your Septic System Owner's Guide. The Septic System Owner's Guide includes a folder to hold maintenance records including pumping, inspection and evaluation reports. Ask your septic professional to also:

- Attach permit information, designer drawings and as-builts of your system, if they are available.
- Keep copies of all pumping records and other maintenance and repair invoices with this document.
- Review this document with your maintenance professional at each visit; discuss any changes in product use, activities, or water-use appliances.

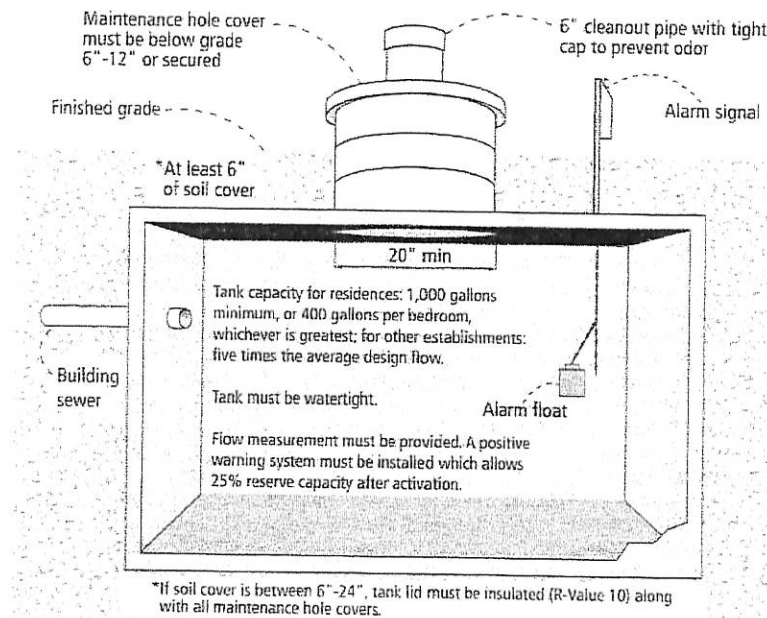
For a copy of the *Septic System Owner's Guide*, call 1-800-876-8636 or go to <http://shop.extension.umn.edu/>

<http://septic.umn.edu>





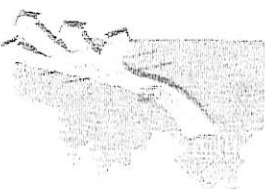
Your Holding Tank



Dwelling Type	Well Construction
Number of bedrooms: <u>WCST Hoteling Center</u>	Well depth (ft): <u>municipal supply</u>
System capacity/ design flow (gpd): <u>50</u>	☐ Cased well Casing depth: _____
Anticipated average daily flow (gpd): <u>50</u>	☐ Other (specify): _____
Comments _____	Distance from septic (ft): _____
In-home business? ☐ What type? _____	Is the well on the design drawing? ☐ Y ☒ N
Number of occupants _____	

Holding Tank	
☒ One tank: Tank volume: <u>1500</u> gallons	☐ Flow measurement device: <u>meter</u>
☐ Two tanks: Tank volume: _____ gallons	☐ Location: <u>alarm in building</u>
☐ Tank is constructed of _____	☐ Alarm ☐ visual ☒ audible
	☐ Reserve %: <u>20</u>
☐ Service contract held by: _____	
☐ Service contract is attached to this management plan	

Homeowner Management Tasks



These operation and maintenance activities are your responsibility. Use the chart on page 6 to track your activities.

Identify the service intervals recommended by your system designer and your local government. The tank assessment for your system will be the **shortest interval of these three intervals**. Your pump/maintainer will determine if your tank needs to be pumped.

$$\text{Tank capacity} \div (\# \text{ of occupants} \times 50 \text{ Gallons/day}) = \# \text{ of days between cleaning}$$

OR

Within 24 hours of alarm signal

System Designer: check every 20 days

Local Government: check every days

My tank needs to be emptied
every 20 days

Seasonally

- ☐ Monitor alarm daily – make sure the alarm has not signaled. Alarms signal when your holding tank is nearly full; contact your maintainer.
- ☐ Measure and note your average daily water usage on page 5. Conserving water saves you money!
- ☐ Leaks. Check (listen, look) for leaks in toilets and dripping faucets. Repair leaks promptly.

Annually

- ☐ Establish a contract for tank cleaning services with a state licensed maintenance business.
- ☐ Caps. Make sure that all caps and lids are intact and in place. Inspect for damaged caps at least every fall. Fix or replace damaged caps before winter to help prevent freezing issues.
- ☐ Water conditioning devices. See Page 5 for a list of devices. When possible, discharge clear water sources to another location. Program the recharge frequency based on *water demand* (gallons) rather than *time (days)*. Recharging too frequently will result in increased pumping costs.
- ☐ Review your water usage rate. Review the Water Use Appliance chart on Page 5. Discuss any major changes with your pump/maintainer.

During each visit by a pump/maintainer

- ☐ Ask if your pump/maintainer is licensed in Minnesota.
- ☐ Make sure that your pump/maintainer has clear access to the holding tank and completely empties the tank
- ☐ Ask your pump/maintainer to accomplish the tasks listed on the Professional Tasks on Page 4.



Professional Management Tasks

These are the operation and maintenance activities that a pumper/maintainer performs to help ensure long-term performance of your system. Professionals should refer to the O/M Manual for detailed checklists for tanks, pumps, alarms and other components. Call 800-322-8642 for more details.

- ☐ Written record provided to homeowner after each visit.

Plumbing/Source of Wastewater

- ☐ Review the Water Use Appliance Chart on Page 5 with homeowner. Discuss any changes in water use and the impact those changes may have on the frequency of maintenance.
- ☐ Review and document water usage rates with homeowner.

Holding Tanks

- ☐ *Maintenance hole lid.* A riser is recommended if the lid is not accessible from the ground surface. Insulate the riser cover for frost protection.
- ☐ *Liquid level.* Check to make sure the tank is not leaking.
- ☐ *Inspection pipes.* Replace damaged caps.
- ☐ *Alarm.* Verify that the alarm works and that there is at least 25% reserve capacity.
- ☐ *End of year seasonal property pumping.* Remind homeowner of most frequent causes of tank and building sewer freeze-ups. Ensure that there are no "micro-sources" of water such as a high efficiency furnace or other dripping devices. Determine a logical winter water use plan that will not result in need for emergency visit(s).

All other components – inspect as listed here:

Alarm should be checked by lifting the float with a hooked rod.

Water-Use Appliances and Equipment in the Home

Appliance	• Uses water and increases pumping frequency and expense. • Uses water and increases pumping frequency and expense.	Management Tips • Use of a garbage disposal is not recommended. • Minimize garbage disposal use. Compost instead. • Choose a front-loader or water-saving top-loader; these units use less water than older models. • Wash only full loads. • Do laundry off site. • Wash only full loads.
Garbage disposal	• Uses water and increases pumping frequency and expense. • Uses water and increases pumping frequency and expense.	
Washing machine	• Uses water and increases pumping frequency and expense.	Management Tips • Take short showers to conserve water.
Dishwasher	• Uses water and increases pumping frequency and expense. • Uses water and increases pumping frequency and expense.	
Large bathtub (whirlpool)	• Uses water and increases pumping frequency and expense.	Impacts on Holding Tank
Clear Water Uses	• Drip may result in frozen pipes during cold weather.	
High-efficiency furnace	• Uses water and increases pumping frequency and expense.	Management Tips • Re-route water into a sump pump or directly out of the house. Do not route furnace recharge to your holding tank. • These sources produce water that is not sewage and should not go into your holding tank. • Re-route water from these sources to another outlet, such as a dry well, drain tile or old drainfield. • When replacing, consider using a demand-based recharge vs. a time-based recharge. • Check valves to ensure proper operation; have unit serviced per manufacturer directions
Water softener Iron filter Reverse osmosis	• Uses water and increases pumping frequency and expense.	
Surface drainage Footing drains	• Uses water and increases pumping frequency and expense.	

Maintenance Log

Track maintenance activities here for easy reference. See list of management tasks on pages 3 and 4.

[illegible]



Water Meter Reading and Tank Evacuation Schedule			
Date	Water Meter Reading (in gallons)	Tank Contents Removed?	Total Gallons Removed

Notes:

Mitigation/corrective action plan:

"As the owner of this SSTS, I understand it is my responsibility to properly operate and maintain the sewage treatment system on this property, utilizing the Management Plan. If requirements in this Management Plan are not met, I will promptly notify the permitting authority and take necessary corrective actions."

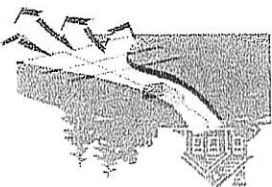
Property Owner Signature:

Date

Management Plan Prepared By: **Barry Brown**

Certification # 4213

Permitting Authority: **Washington County**



Septic System Management Plan for Holding Tank Systems

The goal of a septic system is to protect human health and the environment by properly treating wastewater before returning it to the environment. Your holding tank system is designed to store your used water before it is recycled back into our lakes, streams and groundwater.

This **management plan** will identify the operation and maintenance activities necessary to ensure compliance with applicable rules and regulations. Some of these activities must be performed by you, the homeowner. Other tasks must be performed by a licensed septic maintainer. However, it is YOUR responsibility to make sure all tasks get accomplished in a timely manner.

The University of Minnesota's *Septic System Owner's Guide* contains additional tips and recommendations designed to extend the effective life of your system and save you money over time.

Proper septic system design, installation, operation and maintenance means safe and clean water!

Property Owner: Christ Lutheran Church (east side holding area)

Property Address: 11194 36th St., Lake Elmo
Property ID: 1302921230060

System Designer: Barry Brown
License #: 1772

System Installer:
License #:

Service Provider/Maintainer:
Phone:

Permitting Authority: Washington County
Phone: 651-430-6676

Permit #:
Date Inspected:

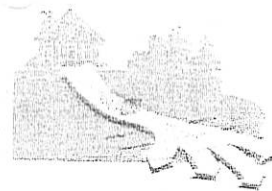
Keep this Management Plan with your Septic System Owner's Guide. The Septic System Owner's Guide includes a folder to hold maintenance records including pumping, inspection and evaluation reports. Ask your septic professional to also:

- Attach permit information, designer drawings and as-builts of your system, if they are available.
- Keep copies of all pumping records and other maintenance and repair invoices with this document.
- Review this document with your maintenance professional at each visit; discuss any changes in product use, activities, or water-use appliances.

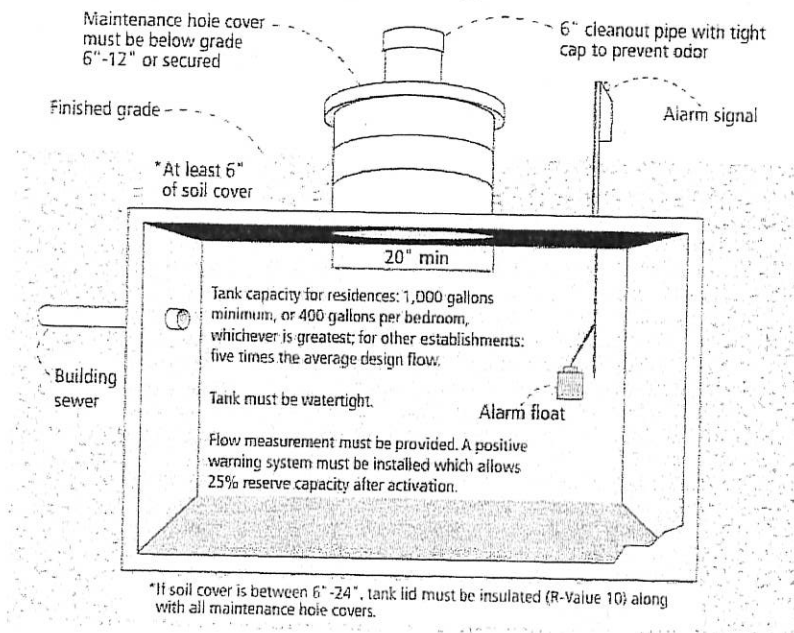
For a copy of the *Septic System Owner's Guide*, call 1-800-876-8636 or go to <http://shop.extension.umn.edu/>

<http://septic.umn.edu>





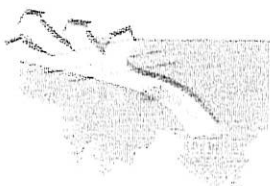
Your Holding Tank



Dwelling Type	Well Construction
Number of bedrooms: <u>East holding tanks</u>	Well depth (ft): <u>municipal supply</u>
System capacity/ design flow (gpd): <u>150</u>	☐ Cased well Casing depth: _____
Anticipated average daily flow (gpd): <u>150</u>	☐ Other (specify): _____
Comments _____	Distance from septic (ft): _____
In-home business? <u> </u> What type? <u> </u>	Is the well on the design drawing? ☐ Y ☒ N
Number of occupants _____	

Holding Tank	
☐ One tank: Tank volume: _____ gallons	☐ Flow measurement device: <u>water meter</u>
☐ Two tanks: Tank volume: <u>3000</u> gallons	☐ Location: <u>alarm in building</u>
☐ Tank is constructed of <u>concrete</u>	☐ Alarm <u> </u> visual ☒ audible
	☐ Reserve %: <u>20</u>
☐ Service contract held by: _____	
☐ Service contract is attached to this management plan	

Homeowner Management Tasks



These operation and maintenance activities are your responsibility. Use the chart on page 6 to track your activities.

Identify the service intervals recommended by your system designer and your local government. The tank assessment for your system will be the **shortest interval of these three intervals**. Your pump/maintainer will determine if your tank needs to be pumped.

$$\text{Tank capacity} \div (\# \text{ of occupants} \times 50 \text{ Gallons/day}) = \# \text{ of days between cleaning}$$

OR

Within 24 hours of alarm signal

System Designer: check every 20 days
Local Government: check every days

My tank needs to be emptied
every 20 days

Seasonally

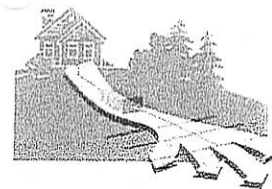
- ☐ Monitor alarm daily – make sure the alarm has not signaled. Alarms signal when your holding tank is nearly full; contact your maintainer.
- ☐ Measure and note your average daily water usage on page 5. Conserving water saves you money!
- ☐ Leaks. Check (listen, look) for leaks in toilets and dripping faucets. Repair leaks promptly.

Annually

- ☐ Establish a contract for tank cleaning services with a state licensed maintenance business.
- ☐ Caps. Make sure that all caps and lids are intact and in place. Inspect for damaged caps at least every fall. Fix or replace damaged caps before winter to help prevent freezing issues.
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- ☐ Review your water usage rate. Review the Water Use Appliance chart on Page 5. Discuss any major changes with your pump/maintainer.

During each visit by a pump/maintainer

- ☐ Ask if your pump/maintainer is licensed in Minnesota.
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- ☐ Written record provided to homeowner after each visit.

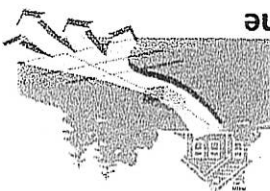
Plumbing/Source of Wastewater

- ☐ Review the Water Use Appliance Chart on Page 5 with homeowner. Discuss any changes in water use and the impact those changes may have on the frequency of maintenance.
- ☐ Review and document water usage rates with homeowner.

Holding Tanks

- ☐ *Maintenance hole lid.* A riser is recommended if the lid is not accessible from the ground surface. Insulate the riser cover for frost protection.
- ☐ *Liquid level.* Check to make sure the tank is not leaking.
- ☐ *Inspection pipes.* Replace damaged caps.
- ☐ *Alarm.* Verify that the alarm works and that there is at least 25% reserve capacity.
- ☐ *End of year seasonal property pumping.* Remind homeowner of most frequent causes of tank and building sewer freeze-ups. Ensure that there are no "micro-sources" of water such as a high efficiency furnace or other dripping devices. Determine a logical winter water use plan that will not result in need for emergency visit(s).

All other components – inspect as listed here:



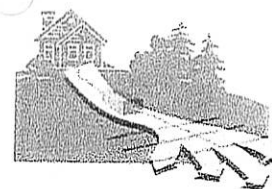
Water-Use Appliances and Equipment in the Home

Appliance	Impacts on Holding Tank	Management Tips
Garbage disposal	• Uses water and increases pumping frequency and expense.	• Use of a garbage disposal is not recommended. • Minimize garbage disposal use. Compost instead.
Washing machine	• Uses water and increases pumping frequency and expense.	• Choose a front-loader or water-saving top-loader, these units use less water than older models. • Wash only full loads. • Do laundry off site.
Dishwasher	• Uses water and increases pumping frequency and expense.	• Wash only full loads.
Large bathtub (whirlpool)	• Uses water and increases pumping frequency and expense.	• Take short showers to conserve water.
Clear Water Uses	Impacts on Holding Tank	Management Tips
High-efficiency furnace	• Drip may result in frozen pipes during cold weather.	• Re-route water into a sump pump or directly out of the house. Do not route furnace recharge to your holding tank.
Water softener	• Uses water and increases pumping frequency and expense.	• These sources produce water that is not sewage and should not go into your holding tank.
Reverse osmosis	• Uses water and increases pumping frequency and expense.	• Re-route water from these sources to another outlet, such as a dry well, drain tile or old drainfield.
Surface drainage	• Uses water and increases pumping frequency and expense.	• When replacing, consider using a demand-based recharge vs. a time-based recharge. • Check valves to ensure proper operation; have unit serviced per manufacturer directions

Maintenance Log

Track maintenance activities here for easy reference. See list of management tasks on pages 3 and 4.

Activity	Date accomplished/measured water usage
Check daily for a period of time and weekly once average use is determined:	
Water usage rate (gallons per day)	
Leaks: check for plumbing leaks	
Annually:	
Establish and maintain contract for holding tank pumping services	
Water use appliances – review use	



Water Meter Reading and Tank Evacuation Schedule			
Date	Water Meter Reading (in gallons)	Tank Contents Removed?	Total Gallons Removed

Notes:

Mitigation/corrective action plan:

"As the owner of this SSTS, I understand it is my responsibility to properly operate and maintain the sewage treatment system on this property, utilizing the Management Plan. If requirements in this Management Plan are not met, I will promptly notify the permitting authority and take necessary corrective actions."

Property Owner Signature:

Date

Management Plan Prepared By: **Barry Brown**

Certification # **4312**

Permitting Authority: **Washington County**

11194 36th Street North * Lake Elmo, MN 55042
Phone: 651/777-2881 * Fax: 651/748-0145
Mailing: P.O. Box 310, Lake Elmo, MN 55042

Christ
Lutheran
Church



April 3, 2012

Mr. Kyle Klatt

Planning Director

City of Lake Elmo

Lake Elmo, MN 55042

Re: Variance Application for Septic System Holding Tanks

Christ Lutheran Church

11194 36th Street North

Lake Elmo, MN 55042

Dear Mr. Klatt,

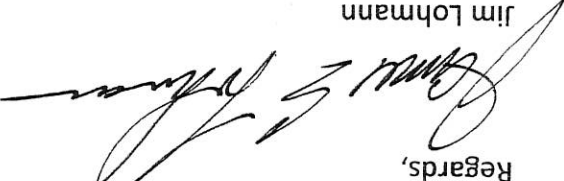
Per your request we are providing a letter indicating that Christ Lutheran Church will connect to the new sewer system when it is installed in the City of Lake Elmo

Christ Lutheran Church is looking forward to the construction of the new sewer system and anticipates connecting to the new sewer system as soon as the sewer system is installed in the road by the church.

Christ Lutheran Church has no plans to contest the construction of the new sewer system.

We hope this letter will be sufficient to indicate our intent for connection to the new system in Lake Elmo.

Regards,


Jim Lohmann

MEMORANDUM

FOCUS ENGINEERING, inc.

Cara Geheren, P.E. 651.300.4261
Jack Griffin, P.E. 651.300.4264
Ryan Stempski, P.E. 651.300.4267

Date: April 19, 2012

To: Kyle Klatt, Lake Elmo Planning Director

Re: City of Lake Elmo
Christ Lutheran Church
Review of Variance Request
For Holding Tanks

Cc: Jack Griffin, P.E., City Engineer

From: Ryan Stempski, P.E.

We have received the supplemental submittal documentation for the variance request from Christ Lutheran Church (11194 36th Street) to install holding tanks for more than 12 months for their septic system. The following additional items were received:

- Cover letter dated April 3, 2012.
- Letter from Licensed Septic System Designer, received April 19, 2012.
- Septic System Management Plans for west side and east side holding tank systems.
- Updated Septic System Plan, prepared by Busch Architects, Inc., and March 28, 2012.

From the Engineer's perspective, this application is now complete when combined with the previous submittal materials.

Engineering Review Comments:

The applicant has certified that the current septic system cannot support the facility into the future and that the property has no viable location for a compliant subsurface sewage treatment replacement system. Holding tanks appear to be the only viable solution until municipal sanitary sewer service can be extended to the property. However, the reliance on holding tanks as a long-term solution is not a recommended practice. Accordingly, Washington County requires a variance for the use of holding tanks for a period longer than 12 months. The County relies on the local government unit to provide this variance.

Engineering recommends the following condition of approval should the Council choose to grant this variance:

1. The applicant should be required to enter into an Agreement with the City waiving their right to appeal their assessment for the extension of Municipal Sanitary Sewer when a project to serve this property is initiated by the City. A non-binding letter as submitted does not fulfill this requirement.
2. The applicant should be required to submit copies of all septic tank pumping records to the City on a quarterly basis.



MAYOR & COUNCIL COMMUNICATION

DATE: May 15, 2012

REGULAR

ITEM #: 11

MOTION

AGENDA ITEM: Adoption of City of Lake Elmo Mission Statement, Vision Statement and Statement of Values Per April 2012 Council - Staff Retreat

SUBMITTED BY: Dean Zuleger, City Administrator

THROUGH: Mayor Johnston & Council Member Emmons

REVIEWED BY: Dean Zuleger, City Administrator

SUMMARY AND ACTION REQUESTED: On April 20-21st, 2012 the City Council and Management Staff of the City of Lake Elmo engaged in a two-day planning and development retreat for the purpose of setting strategic and ongoing goals for 2012 and beyond. During the retreat the Council / Staff were asked to develop a Mission Statement, Vision Statement and a Statement of Values to be used as guiding principles for the governance of the community. Key to this process was the formal adoption of the consensus-based Mission Statement, Vision Statement and Statement of Values and the proclamation of same through City communication means.

BACKGROUND INFORMATION: Through both small workgroups and a modified nominal group process, the City Council and Staff developed two alternatives for a general Mission Statement (what we do) and two alternatives for a Vision Statement (what we want to be). Similarly, the retreat participants developed a list of core values that would act as a public statement of how City Officials and Staff will conduct themselves on a day-to-day basis (see attached). These principles were recorded by Retreat Facilitator Don Salverda and presented to the City Administrator for further action.

At the May 15, 2012 Council Meeting, members of the elected body will be asked to select one of two proposed Mission Statement, select one of two proposed Vision Statements, and to formally adopt the mutually agreed upon Statement of Values.

STAFF REPORT: The City Administrator has reviewed the proposed Mission Statements, Vision Statements, and Statement of Values for accuracy of content, feasibility and general purpose. The Mission Statements (Option #1 & Option #2), the Vision Statements (Option #1 & Option #2), and the Statement of Values reflect the general consensus of the retreat.

RECOMMENDATION: Based upon the above background information and staff report, it is recommended that the City Council take three (3) actions:

1. Select a Mission Statement for the City of Lake Elmo from the two options provided;
2. Select a Vision Statement for the City of Lake Elmo from the two options provided;
3. Approve the Statement of Values for the City of Lake Elmo;

Subsequently, the City Council may instructs the City Administrator and the City Clerk to publish the Mission Statement, Vision Statement and the Statement of Values on the City website, the City Newsletter, and through signage visible in the reception area / Council Chambers..

ATTACHMENTS: Mission Statements

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item..... City Administrator
- Report/Presentation..... City Administrator
- Questions from Council to Staff..... Mayor Facilitates
- Public Input, if Appropriate..... Mayor Facilitates
- Call for Motion..... Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates

OUR MISSION

Option 1

“Our mission is to provide quality public services in a fiscally responsible manner while preserving the city’s open space character.”

Option 2

“Our mission is to provide quality public services to our residents and businesses while serving the character of Lake Elmo.”

OUR VISION

Option 1

"The City of Lake Elmo commits to building on its heritage, while enhancing a high quality of life for all its citizens. We pledge to work in partnership with our residents and businesses to foster community pride, to develop a vibrant, diversified economy, to plan for the future, and to preserve and enhance our open space environment."

Option 2

"The City will be recognized among municipalities across the state for a strong sense of community, embracing and expertly planning and executing a vibrant and unique future growth while maintaining our open space character."

THE PROPOSED VALUES STATEMENT

THE FOLLOWING VALUES ARE FUNDAMENTAL TO THE CITY OF LAKE ELMO'S SUCCESS AND THE FULFILLMENT OF OUR MISSION:

- 1) **Excellence and Quality in the Delivery of Services**
We believe that service to the public is our reason for being and strive to deliver quality services in a highly professional, cost-effective, and efficient manner.
- 2) **Fiscal Responsibility**
We believe that fiscal responsibility and the prudent stewardship of public funds are essential for citizen confidence in government.
- 3) **Ethics and Integrity**
We believe that ethics and integrity are the foundation blocks of public trust and confidence and that all meaningful relationships are built on these values.
- 4) **Visionary Leadership and Planning**
We believe that the very essence of leadership is to be visionary and plan for the future.
- 5) **Open and Honest Communication**
We believe that open and honest communication is essential for an informed and involved citizenry and fosters a positive working environment for employees.
- 6) **Respect for the Individual**
We believe that citizens we serve are to be treated with courtesy and respect and deserve the best services the city can provide.
- 7) **Professionalism**
We believe that continuous improvement is the mark of professionalism, and we are committed to applying this principle to the services we offer and the development of our employees.



MAYOR & COUNCIL COMMUNICATION

DATE: 5-15-2012

REGULAR

ITEM #: 12

MOTION / Reprint

AGENDA ITEM: Surface Water Utility Fee Appeal Process / Credit Policy

SUBMITTED BY: Dean Zuleger, City Administrator

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: City Engineer / Planning Department

SUMMARY AND ACTION REQUESTED: To create a formal appeal process and equitable credit policy for the City of Lake Elmo's Surface Water Utility Fee Schedule"

"To Adopt a Surface Water Utility Fee Appeal Process Based on Individual Property Impact On Surface Water Run-Off - AND - to establish a Surface Water Utility Fee Credit Policy Based on Intentional, Measureable Retention Efforts by the Property Landowner".

BACKGROUND INFORMATION: The City of Lake Elmo has established a Surface Water Utility with the intent to manage surface water flow and mitigate any effects of suspended solids and other adulterants traveling in surface water run-off to lakes, ponds and streams in the community. The Surface Water Utility also serves a vital role in the prevention of erosion caused by surface water run-off. The current base fee is \$50 /per resident and for larger parcels increases based on an equivalent run-off unit that correlates to impervious surface impact. As part of the management of utility fee collections / management, the City of Lake Elmo allowed for property owners to appeal the allocated fee. However, no formal process has been established to arbitrate appeals.

STAFF REPORT: At the request of the Council, the City Administrator and the Finance Director-Designee began a review of the Surface Water Utility Account with special attention given to past due balances and property owner appeals dating back as far as 2008. Specifically, 21 appeals have been left unattended with balances as high as +\$20,000 without any formal review. The City Administrator has been handling each of these appeals personally to develop benchmarks for appeal and to establish a prudent credit policy for those property owners who intentionally retain surface water or whose property has minimal impact on surface water run-off. A financial hardship consideration has also been examined where the property has a negligible impact on surface water.

The most difficult task in the review process has been the fact that many of those who have appealed have not been informed of a decision or kept current on their annual obligation to the surface water utility. This lack of information has caused uncertainty and confusion among residents and many believe that their obligation has been waived when in fact their outstanding balance has continued to accrue. This has led to a total outstanding balance of \$56,317.82.

After a week of field work, analysis of credit policies of other MN surface water utilities and individual case analysis to be able to approach the appellants with a credible rationale for their participation in Lake Elmo's surface water utility, it became that there were three types of appeals:

1. A property owner that has intentionally retained surface water on their land either through government mandate or voluntary efforts;
2. A property owner that has not been explained the purpose of the surface water utility and has refused to pay for principle purposes;
3. A property owner who has not contributed to the surface water utility based on an arbitrary decision or omission of assessment.

In the first ten appeals, there were three specific cases where there was an intentional effort by the property owner to retain water not only for their own property but for others as well. There were two instances of financial hardship from religious non-profit groups located in Lake Elmo. There were one appeal where the property had extenuating circumstances in the original billing. There was one appeal where natural ponds on the property hold at least 60% of the property run-off based on topographical analysis. Finally, there were three properties where there was a measurable contribution by the property to surface water run-off and the appeal was denied.

Since Lake Elmo is home to a variety of surface water features that make the determination of impact more complicated than most surface water utilities. It is inevitable that 90% of property assessed will have an impact on drain-ways / ditches, road system or surface water – therefore reducing the number of appeals and lessening the degree of credit. The first 10 appeals acted as a beta test for a tangible appeal and credit policy listed below.

RECOMMENDATION: Based upon the above background information and staff report, it is recommended that the City Council undertake the following action to create a credible appeal process and credit policy for the Surface Water Utility:

1. Establish a definition of intentional effort to retain on-site surface water;
2. Establish a one-time credit policy for the installation of rain barrel;
3. Establish a one-time credit for the construction of a rain garden. In the case of a rain garden constructed in the right-of-way as part of a street improvement project, establish an annual credit of 25% provided the affected landowner agrees to perform annual maintenance on said rain garden;
4. Establish an annual credit (25%-75%) for the construction of an on-site surface water retention facilities (swale, pond, et al), that is based on facility holding capacity and effective metering of water enter municipal drain-ways.

5. Establish an economic hardship policy for the reduction of surface water utility fees.

The following policy will be adopted no later than June 1, 2012 to allow for adequate time for policy implementation. In addition, staff is directed to use their best judgment in negotiating and collecting past due receivables using the aforementioned five-point policy structure as a guideline for settlement.

Alternatively, the City Council may agree to eliminate the appeal process and use the current formulaic calculation to assess / collect all current and future surface water fees.

ATTACHMENT: Ordinance 12-057

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item City Administrator
- Report/Presentation..... City Administrator
- Questions from Council to Staff.....Mayor Facilitates
- Public Input, if AppropriateMayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion.....Mayor Facilitates

CITY OF LAKE ELMO
WASHINGTON COUNTY
STATE OF MINNESOTA
ORDINANCE 12-057

ORDINANCE AMENDING SECTION 53.04 OF LAKE ELMO CITY CODE PERTAINING TO
SURFACE WATER MANAGEMENT FEE ADJUSTMENT CREDIT

(Last Amended Ordinance 08-041, passed 4-5-2011)

Section 1: Amendment: Section 53.04 of the Lake Elmo City Code is hereby amended to read as follows:

(A) *Surface water management fee adjustment credits.*

(1) The City Council, upon report and recommendation of the City Administrator, Finance Director and Public Works Director, shall apply a credit to a property owner's surface water management fee provided the property owner has contributed to the management of surface water through intentional acts of retaining or re-using surface water to have a minimal impact on the municipal surface water management system or surface waters of the State of Minnesota. The Council may apply a 25% to 75% credit based on the property owner's employment of surface water retention practices in accordance with Section 150.277 of Lake Elmo City Code. These practices include the installation of:

- a. Rain Barrel;
- b. Rain Garden;
- c. Retention Pond;
- d. Swales, Ditches or man-made watercourses;
- e. Riparian Area Plantings;
- f. Other practices that may be deemed as intentional detention of surface water run-off.

(2) The City Council, may grant a one-time or ongoing credit based the effectiveness of the surface water retention as it relates to the management of the municipal surface water management system as a whole. For practices, such as rain gardens constructed in the adjacent right-of-way, the City Council may grant an ongoing credit in exchange for the adjacent property owner's participation in the maintenance of the surface water retention device. This credit will not exceed 50% of the annual surface water management fee.

(3) The City Council, upon the report and recommendation of the City Administrator and Finance Director, may apply a financial hardship credit of no greater than 75% based on a review of the property owner's ability to pay.

(4) All credits are subject to City Code Section 53.07 for hearing or re-computation.

Section 2: Effective Date: This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat. § 412.191, Subdivision 4.

ADOPTION DATE: Adopted by Lake Elmo City Council on the fifteenth day of May 2012.

CITY OF LAKE ELMO

Dean A. Johnston
Mayor

Attest:

Dean Zuleger
City Administrator



MAYOR & COUNCIL COMMUNICATION

DATE: 5-15-2012
REGULAR
ITEM #: 13
MOTION- REGULAR \$\$

AGENDA ITEM: Library Financing
SUBMITTED BY: Dean Zuleger, City Administrator
THROUGH: Dean Zuleger, City Administrator
REVIEWED BY: Dean Zuleger, City Administrator

SUMMARY AND ACTION REQUESTED: To consider a two-year repayment schedule from the Lake Elmo Library Board to the City of Lake Elmo for the purchase of a building for use of a public library facility.

BACKGROUND INFORMATION: In March, the City of Lake Elmo, in concert with the City of Lake Elmo Library Board, agreed to pursue the purchase of a building located at 3537 Lake Elmo Avenue North to house the Lake Elmo Library. The City Administrator was given the authority to negotiate in good faith favorable terms and a purchase price (<\$200,000) for acquisition of the building. The purchase would be made with surplus funds provided by a 2005A Public Facilities Bond to avoid arbitrage penalty. Subsequent to the purchase decision, the Lake Elmo Library Board approved a motion to repay the City of Lake Elmo out of the allocated library levy using a four-year amortization schedule to allow for sufficient operating capital and an accelerated debt elimination plan. Since this motion, there has been considerable discussion revolving around the proper ratio of debt service to working capital to allow the Library to successfully operate on Day 1.

STAFF REPORT: At the May 9, 2012 Library Board Meeting, a proposal was brought forth by Councilmember and Library Board Member Mike Pearson to further accelerate the repayment of funds used to purchase the building located at 3537 Lake Elmo Avenue North by the Library Board to the City of Lake Elmo. The repayment acceleration would create a two year recouping of City of Lake Elmo funds rather than the previously approved four year plan. The repayment plan anticipated a purchase price of \$240,000. After an extensive discussion and debate on the effect this plan would have on operations, the Library Board approved a two-year repayment plan and adjusted their budget accordingly to minimize the effect on library operations.

Motion: Pearson moved: *"The Library Board will pay the city back for the building within in two years, by Dec. of 2013, upon receipt their levy."* Gibson seconded, passed unanimously. resident DeLapp also polled alternates Williams, Ryberg and Meier who were present, and all agreed.

The City Finance Director is now currently reviewing the Library budget for feasibility and practicality.

RECOMMENDATION: Based on the appropriate and reasonable due diligence by the Library Board, City Council Representatives and City Staff, the following action is recommended:

"Move to ratify the Lake Elmo Library Board motion to re-pay (using the allocated library levy) the City of Lake Elmo for facility bond funds used to purchase 3537 Lake Elmo Avenue North over a two year period by December 2103. The City of Lake Elmo will receive additional simple interest on the principal funds calculated by the LIBOR rate on the date of the purchase"

SUGGESTED ORDER OF BUSINESS:

- Introduction of Item..... City Administrator
- Report/Presentation..... City Administrator
- Questions from Council to Staff..... Mayor Facilitates
- Public Input, if Appropriate..... Mayor Facilitates
- Call for Motion Mayor & City Council
- Discussion..... Mayor & City Council
- Action on Motion..... Mayor Facilitates