



City Council Workshop 5:00 p.m.
Regular City Council Meeting 6:00 p.m.
Tuesday, March 15, 2016
Lakeland City Hall

REGULAR CITY COUNCIL MEETING AGENDA
WORKSHOP: Hamline Grad Student Presentations

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE: FOLLOWED BY A MOMENT OF SILENCE
IN MEMORY AND HONOR OF WASHINGTON COUNTY BOARD CHAIR/DISTRICT 2
COMMISSIONER TED BEARTH
3. ADOPT AGENDA
4. CONSENT AGENDA (Items may be pulled for discussion and/or separate action)
 - A. Approval of February 16, 2016 City Council Meeting Minutes
 - B. Approval of Village Wine and Spirits Training Completion and Waiver/Refund
 - C. Gopher to Badger August 13, 2016 Race
 - D. Ordinance 7552 Adopting Subsurface Sewage Treatment Regulations (WC Ord. 196)
 - E. Ordinance 7553 Adopting Stormwater Regulations and Summary Publication
 - F. Interim Use Permit Extension St. Croix Woodlands
 - G. Approval of 2015 Financial Reports
 - H. Monthly List of Claims
 - I. City Treasurer's Report
5. AGENCY REPORTS
 - A. Law Enforcement Report
 - B. Fire Department Report
 - C. Government Affairs Report
 - D. Animal Control Report
6. OPEN FORUM (Public comments, presentations and petitions)
 - A. Lakeland Shores Mayor Randy Kopesky: New City Hall Space
7. CITY BUSINESS
 - A. Old City Hall Building Discussion
8. CITY STAFF REPORTS
9. CITY COUNCIL AND MAYOR REPORTS
10. CLOSED SESSION
 - A. Public Works Director Matt Kline Annual Performance Evaluation
11. ADJOURN

LAKELAND CITY COUNCIL MEETING MINUTES 2016

OFFICIAL RECORDED MINUTES OF LAKELAND CITY COUNCIL MEETING TUESDAY, FEBRUARY 16, 2016

CITY COUNCIL PRESENT: Mayor Amy Williams, Council Member Evan Loenser, Council Member Jeri Ryan, Council Member Richard Glasgow, Council Member Joe Paiement

STAFF PRESENT: City Attorney Josh Brekken, City Administrator/ Clerk Sandie Thone, Public Works Director Matt Kline, City Treasurer Tom Niedzwiecki, City Engineer John Parotti

WORKSHOP: MIDS (Mike Isensee and Jay Michaels) 5:15 to 5:59 p.m.

1. CALL TO ORDER by Mayor Williams at 6:04 p.m.
2. PLEDGE OF ALLEGIANCE was recited.
3. ADOPTED AGENDA:
Motion; Council Member Ryan/Second; Council Member Loenser/Motion Passed 5-0
4. ADOPTED CONSENT AGENDA:
Motion; Council Member Ryan/Second; Council Member Loenser/Passed 5-0
 - A. Approval of January 19, 2016 City Council Meeting Minutes
 - B. Resolution 2016-05 Approving New Polling Place Location
 - C. Monthly List of Claims
 - D. City Treasurer's Report
5. AGENCY REPORTS
 - A. Washington County Sheriff's Report/Deputy Sullivan reported new addition to the Sheriff's Department, as another Sheriff is leaving to become a K9 Handler.
 - B. Fire Department Report/Fire Crew is training two new members.
 - C. Government Affairs Report/Mayor Williams referred to Consultant Mark Nagel's report. Mark Nagel and Mayor Williams met with Metropolitan Council on January 28th regarding Lakeland's Comprehensive Plan. The City of Lakeland is working with Hamline University Students on Comprehensive Plan Projects which will be reviewed during the March City Council meeting.
 - D. Animal Control Report/Mayor Williams referred to written report and coyote concerns throughout the city.
6. OPEN FORUM (Public Comments, Presentations and Petitions)
 - A. Washington County Presentation: County Road 18 and 8th Street Intersection – Assistant County Engineer Cory Slagel/Proposes City Council Workshop to discuss

LAKELAND CITY COUNCIL MEETING MINUTES 2016

the intersection options.

7. PUBLIC HEARING called to order by Mayor Williams at 6:54 p.m.

A. Stormwater Ordinance Incorporating Minimal Impact Design Standards (MIDS)

Mike Isensee (Administrator for the Middle St. Croix Watershed Management Organization): The Middle St. Croix Watershed (north end of Stillwater to the south end of Afton) is a collection of 10 communities along the river who signed on to a Joint Powers Agreement. MIDS allows a process for water from small storm events to be soaked back into ground to keep it out of the river – this process is easier to implement at a local level. The WMO has met with many of the communities along the St. Croix, including Lakeland. The WMO worked with city staff, engineer and legal department to draft the ordinance.

Public was encouraged to speak

Gloria Phillips (569 Quixote Ave N): Inquired whether the Wisconsin side of the river is working on anything similar.

Mike Isenees: MIDS started in Minnesota and there are no requirements in Wisconsin from the state level for updating standards in erosion control but they are seeing the value of MIDS.

No additional public comments.

Mayor Williams closed Public Hearing at 7:12 p.m.

8. CITY BUSINESS

A. Stormwater Ordinance Incorporating Minimal Impact Design Standards (MIDS)

Approve the Draft Stormwater Ordinance Incorporating MIDS

Motion; Council Member Glasgow/Second; Council Member Ryan/Passed 5-0

Time Stamp: 37:29

Move Item 8B (New City Hall) to the end of City Business

Motion; Council Member Ryan/Second; Council Member Loenser/Passed 5-0

Time Stamp: 40:51

B. County Road 18 Median Maintenance

Public Works Director Kline discussed the responses of the Median Maintenance survey sent out with the February city newsletter. The survey eliminated the options of status quo - perennial landscaping and the concrete options. Out of 32 responses received, 12 preferred the Installation of native prairie grasses and 11 preferred the installation of small diameter trees.

C. Cable Commission

Central Valley Cable Commissions are raising their rates and Council Member Glasgow is requesting resident feedback. Council Member Glasgow's recommendation is to cancel the agreement, as technology has advanced and we can now watch cable television on our laptops and tablets. Council Member Ryan agreed that most cable channels can now be found online.

D. New City Hall

Grady Erickson (1003 Crest View Drive, Hudson WI): On behalf of Lakeland Plaza, LLC. Lakeland Plaza, LLC came up with two new proposals after cost was re-evaluated by the city. One proposal was for the northern most suite and another was for the southern suite. Grady Erickson addressed concerns of the condo process.

Brian Zeller/Former Lakeland Mayor (55 Lakeland Shores Drive): *Not present at meeting. Written comment was read into record at Council Member Glasgow's request in support of Lakeland Village to create a downtown for Lakeland. Building at the Lakeland Village will create a more centralized city location and will include all of what the city would like for a new city hall.

Additional written comments in support of both locations were received and are included in the original agenda packet.

Mort Newell (587 Quixote Ave): In favor of new city hall in Lakeland Village.

Chris White (311 Queenen Avenue South): In favor of new city hall at Water Department Location. The city already owns the land. It will create a location for all staff members to be together.

Jim Stanton (16549 10th Street Court South): In favor of the new city hall in Lakeland Village. Jim Stanton recieved over 100 petitions for residents in favor of the location of the new city hall at the Lakeland Plaza. The main reason residents

LAKELAND CITY COUNCIL MEETING MINUTES 2016

chose the Lakeland Village option was because of a centralized location for the community.

Mayor Williams believes that it is most important to have all staff members in one location on property the city owns, rather than having them in two separate locations. It would also reduce the amount of real estate that the city owns.

Council Member Ryan referred to the City of Lakeland's financial advisor and his suggestion that the city should combine staff at one location. Keeping all staff at the Water Utility building would be most efficient because the city already owns the building and the land, this would be the highest and best use of the land. The condo agreement at the Lakeland Village is not conducive for the city and will be problematic.

Gari Vander Vorst (Behalf of Erickson Family/Lakeland Plaza): Owners for the Plaza have invested in RFP, had two plans drawn up for the City of Lakeland to present.

Council Member Glasgow referred to the 100 petitions signed in favor of Lakeland Village, and none for the Water Utility Building. It is in the best interest of community members to build the new city hall at Lakeland Village, due to the central location of the building. All requirements are met at Lakeland Plaza compared to the Water Utility Building. It will be a cheaper option for the city and its residents.

Gloria Phillips (569 Quixote Ave N): Believes the Lakeland Village location would be in the best interest of community members with regards to elections. If the polling location is at Lakeland Plaza, more people who would show up for elections and be willing to vote, compared to elsewhere in the city.

Chris White (311 Queenan Ave S): The main reason that the 100 petitions were signed in favor of Lakeland Village was simply based on location and those residents did not necessarily have all of the information.

Bob Craggs/Former Mayor of Lakeland (16540 10th Street Court): The Plaza has been a central part of the city for years, and he believes that building the new city hall at the Lakeland Village will be an asset to the city, but he sees advantages of both locations.

Council Member Paiement expressed the City does not appear to need as much space as originally talked about, 2,000 sq. ft. option is the best option for the city. The city needs to get hard numbers for both locations to make an informed decision.

Council Member Loenser agrees that a smaller footprint for the new city hall would be in the best interest of the city.

Approve Resolution 2016-04 Approving Location for New City Hall to City-Owned property at 1190 St. Croix Trail South

Motion; Council Member Jeri Ryan/Mayor Williams Added an Amendment not to Exceed \$601,703.00/Second; Council Member Evan Loenser

ROLL CALL VOTE: Council Member Paiement; nay/Mayor Williams; aye/Council Member Glasgow; nay/Council Member Ryan; aye/Council Member Loenser; aye/Passed 3-2

Time Stamp 1:53:26

9. CITY STAFF REPORTS

A. City Attorney Josh Brekken

Has been working with staff on general procedural questions.

B. City Administrator/Clerk Sandie Thone

No Report.

C. Public Works Director Matt Kline

Has been working with City Engineer John Parotti regarding the drainage and reconstruction of Quality Avenue.

D. City Engineer John Parotti

Hoping to present Quality Avenue project to council, get direction and provide options regarding public opinion portion.

E. Treasurer Tom Niedzwiecki

Closed books for 2015 and the city ended up with an additional \$12,495. \$6,000 in property taxes for November and December were also added to the addition. \$12,000 was put into the "City Hall Relocation/Transition Reserve". Will prepare final reports for formal approval and state auditor by March council meeting.

10. CITY COUNCIL AND MAYOR REPORTS

Council Member Evan Loenser

No Report.

Council Member Jeri Ryan

No Report.

Council Member Richard Glasgow

Disappointed in council's decision to build new city hall at the water utility building instead of Lakeland Village.

Council Member Joe Paiement

No Report.

Mayor Amy Williams

Met with Metropolitan Council regarding Lakeland's Comprehensive plan; Hamline University students to present in March.

Mayor Williams moved to adjourn to closed session at 8:47 p.m.

11. CLOSED SESSION: City Administrator/Clerk Annual Performance Review

Council discussed City Administrator/Clerk's performance.

Mayor Williams adjourned Closed Session and resumed regular City Council meeting at 9:28 p.m.

Summary of Closed Session: City Attorney Brekken explained consensus was reached during closed session to award Administrator/Clerk Thone with a 9/10 exceptional rating which resulted in 125% of the annual step pay increase.

Motion to Adjourn effective 9:30 p.m.

Motion; Council Member Ryan/Second; Council Member Loenser/Passed 5-0

Respectfully submitted by Deputy Clerk, Halli Sevilla

Amy Williams, Mayor

Sandie Thone, City Administrator/Clerk



TO: Mayor and City Council

FROM: Sandie Thone, City Administrator/Clerk

RE: Compliance Violation Training Completion– Village Wine and Spirits

DATE: March 15, 2016

DISCUSSION

On December 10, 2015 Washington County Sheriff's Department conducted compliance checks throughout Washington County. An employee at Village Wine and Spirits LLC dba Village Wine and Spirits at 370 South St. Croix Trail, Lakeland, MN 55043 failed the compliance check and sold alcohol to a minor.

The case was forwarded to the city attorney for charging on December 15, 2015. Per Washington County Ordinance 158 and Lakeland City Code §113.99 the council issued a penalty of five hundred dollars (\$500) for the first offense at their December 15, 2015 regular city council meeting. The council agreed to waive \$250 of the fine if all employees undergo Alcohol Awareness Training within three months of the date of offense (12/10/2015). The fine was required to be paid within sixty (60) days of the offense.

Village Wine and Spirits paid the fine of \$500 within the specified time period of 60 days. Between February 14 and March 2, 2016 all employees of Village Wine and Spirits took ID training eTIPS Off Premise 2.0 and all received certificates of completion which were then forwarded to city staff. Staff, with approval of council, will issue a waiver/refund according to Lakeland City Code §113.99 totaling \$250.00 of the \$500.00 fees paid for compliance with the 90 day training requirement effective through March 10, 2016.

RECOMMENDATION

Staff is respectfully requesting the City Council approve the completion of training for Village Wine and Spirits employees and the resulting waiver/refund in fees of \$250.00. Motion, Second and Simple Majority (3/5) vote required.

4C



TO: Mayor and City Council
FROM: Sandie Thone, City Administrator/Clerk
RE: Gopher to Badger August 13, 2016 Race
DATE: March 15, 2016

DISCUSSION

Please review the attached request for the 2016 Gopher to Badger Race to be held on August 13, 2016. The race route runs through a portion of the city at Rivercrest Road from Highway 95 to Interstate 94 bridge. Final Stretch, Inc. has provided liability insurance coverage citing the City of Lakeland as Certificate Holder. The race route and pertinent information is attached. No roads in Lakeland will be closed for the race.

RECOMMENDATION

Staff is respectfully requesting the City Council approve the 2016 Gopher to Badger Race to be held on August 13, 2016 running through the city limits on Rivercrest Road from Highway 95 to Interstate 94 bridge. Motion, Second and Simple Majority (3/5) vote required.

FINAL STRETCH, INC.
P.O. Box 121
Nerstrand, MN 55053
(507) 649-2322

GOPHER TO BADGER 2016 RACE PROPOSAL

TO: City of Stillwater
Washington County Sheriffs
St. Croix County Sheriff
City of Hudson
City of Oak Park Heights
City of Bayport
City of Lakeland
West Lakeland

DATE: Saturday, August 13th, 2016.

TIME: 8:00 AM Start – Registration begins 6:15 AM – Lakefront Park - Hudson.

FROM: Final Stretch, Inc. – **Mark Bongers**

ROUTE: Baytown / Hudson – Start at the Washington County Fairgrounds parking lot. Go North on 5 to McDonald Dr. Continue to mile 2 and turn onto Neal Ave. Go .6 miles to 48th st Northbrook Dr. Go .5 miles to 14 and head East. Head 1.6 miles to Osgood avenue taking a left onto 44th st N and following that until you reach 21. Go straight to Hwy. 21, approximately 4.4 miles to 22nd Street, turn left or east. Go .6 miles east to Hwy. 95, crossover Hwy. 95 (Traffic Guards). Go South or right to Rivercrest. Go Left or East on Rivercrest, follow Rivercrest to 94 bridge.

WISCONSIN/ HUDSON – Follow 94 bridge bike path to 35 bike path to first set of lights, go left or west, follow bike path to band shell, finish line, 1.7 miles from Park N Ride in Minnesota to Band Shell in Hudson. Please see map attached.

TRAFFIC CONTROL: We will provide volunteer's to help out with each mile on the course. The course will be marked and coned to ensure the safety of the runners. We will abide by all City, County, and State regulations. We are hiring three Washington County sheriff deputies to help on the course for the Gopher to Badger. They would lead the runners and help with traffic control and then be present at the intersection of Hwy 95 and 22nd Street to control traffic and allow runners through the intersection. Minnesota DOT has been contacted and permits are being issued for controlling this intersection.

LIABILITY INSURANCE: We will provide required insurance and liability coverage for the Gopher to Badger Event. Additionally, we provide co-insurance to all regulatory agencies & governmental agencies.

RACE SPECIFICATIONS: The staging area for the race will be located at the Hudson band shell. Busses will pick-up the runners on 2nd street right in front of the bandshell at

7:00 am. Participants will then be bussed to Brown's Creek Park in Stillwater where they will begin the race. Race will begin at 8:00 am barring any emergencies or problems. The race will finish in Hudson at Lake Front Park.

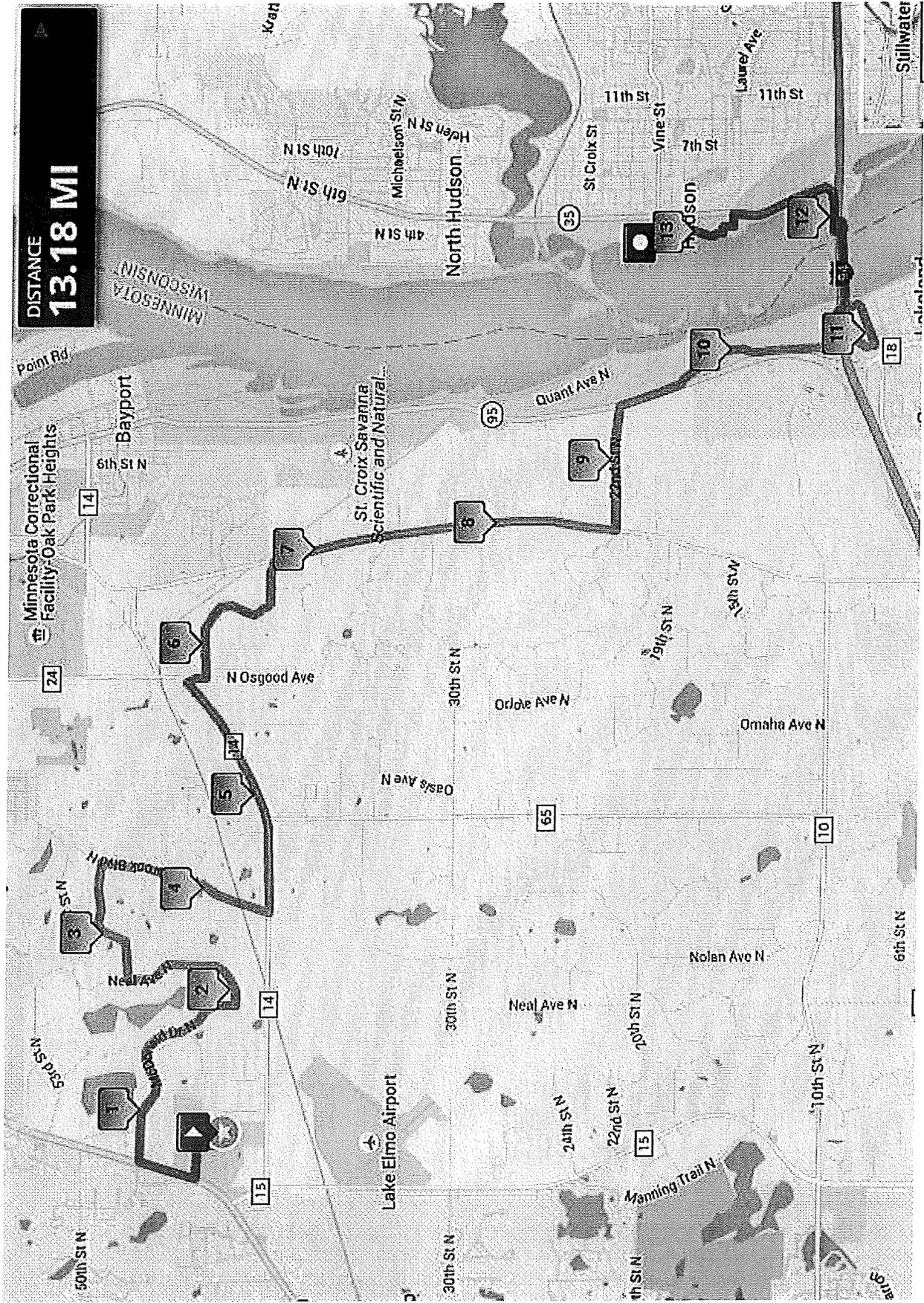
OTHER STAGING INFORMATION: Aid stations will be located off the road at 2.5, 5.0, 7.5, 10, and 12.5 miles throughout the course. Aid stations will include water or other drinks for the runners. Basic supplies of bandages and communication with the finish line if there is an emergency will be at each aid station. 911 will be notified first in the case of any emergency.

EVENT SIZE: Approximately 2,500 runners

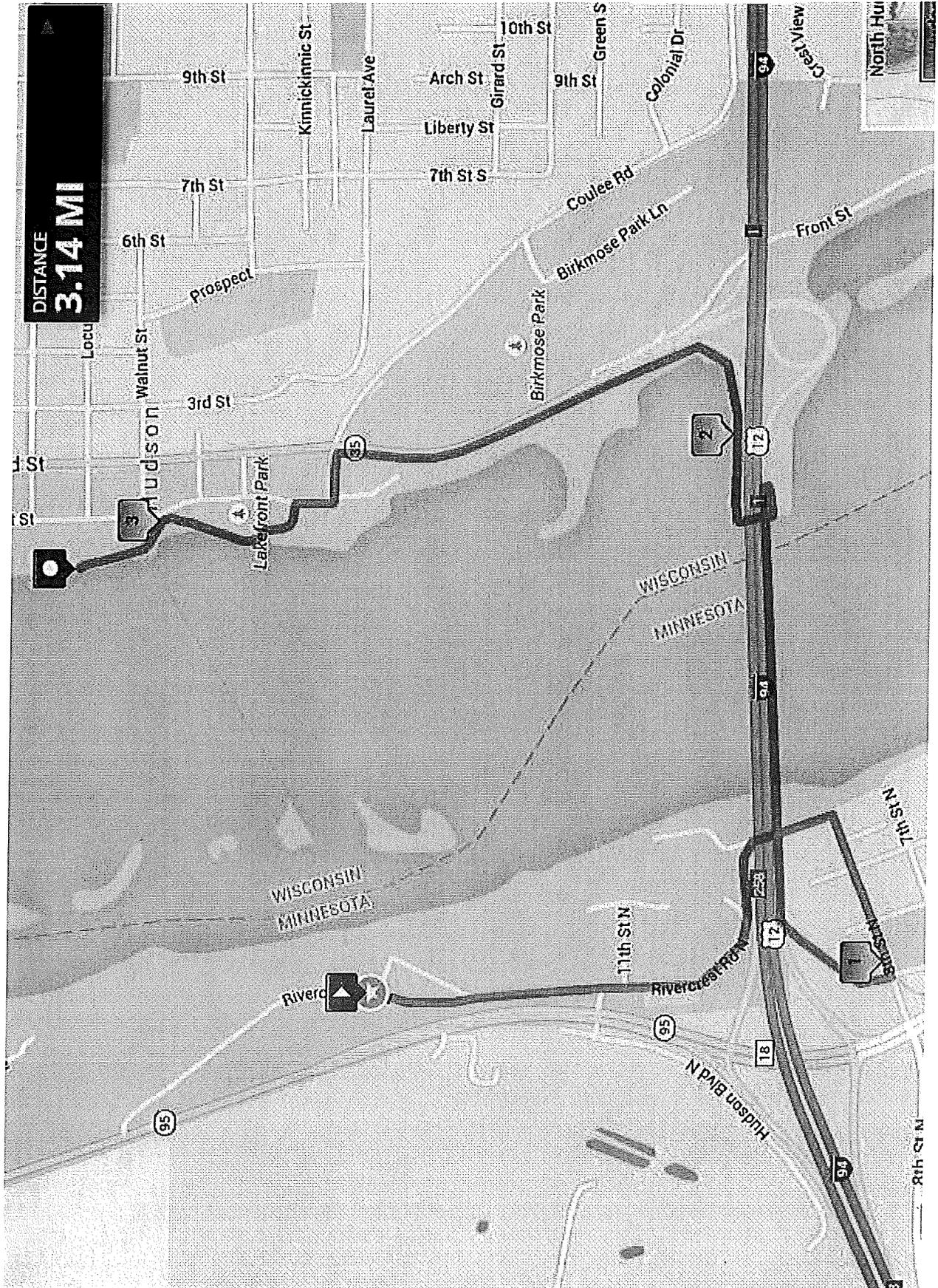
BENEFICIARY: Stillwater football/ athletic programs. Hudson Cross Country Team.

MERCHANT BENEFIT: Approximately 2,500 participants and families from the 5 state region will spend the majority of the day in downtown Hudson and along the course through Stillwater and surrounding areas.

Gopher to Badger Half Marathon Course



Gopher To Badger 5k course





CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

2/9/2016

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 Blakestad 901 N 3rd Street #114 Minneapolis MN 55401		CONTACT NAME: Sandi Bucheger PHONE (A/C No. Ext): (612) 767-0880 E-MAIL ADDRESS: sbucheger@blakestad.com FAX (A/C No.): (763) 574-7504	
INSURED Final Stretch, Inc. PO Box 121 12447 150th Street East Nerstrand MN 55053		INSURER(S) AFFORDING COVERAGE INSURER A: Secura Insurance NAIC # 22543 INSURER B: INSURER C: INSURER D: INSURER E: INSURER F:	

COVERAGES

CERTIFICATE NUMBER: CL162902856

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 LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC OTHER:			CP3220864	4/1/2016	4/1/2017	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ Excluded PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000 \$
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) \$ BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
A	<input checked="" type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input checked="" type="checkbox"/> RETENTION \$ 10,000 <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE			CU3220865	4/1/2016	4/1/2017	EACH OCCURRENCE \$ 4,000,000 AGGREGATE \$ 4,000,000 \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A				<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER E.L. EACH ACCIDENT \$ E.L. DISEASE - EA EMPLOYEE \$ E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Event - 08/13/2016 Gopher to Badger

The Certificate Holder includes the City of Lakeland, It's employees, officers and assigns.

CERTIFICATE HOLDER**CANCELLATION**

City of Lakeland
 690 Quinnell Ave North
 Lakeland, MN 55043

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

Jerod Blakestad/SANB

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4D



TO: Mayor and City Council
FROM: Sandie Thone, City Administrator/Clerk
RE: Ordinance 7552 Repealing Chapter 160 of City Code pertaining to SSTS
DATE: March 15, 2016

BACKGROUND

On April 28, 2015 Washington County repealed Ordinance 179 and adopted Ordinance 196 Washington County Development Code, Chapter Four, Subsurface Sewage Treatment System Regulations. MN Rules, Chapter 7082.0050, Subpart 1, Paragraph B states *City and township ordinances must be adopted no more than 12 months after adoption of the county ordinance in which the city or township is located and must comply with the standards of chapter 7080 to 7083 and must be as strict as the applicable county ordinance.*

DISCUSSION

Ordinance 7552 allows for Chapter 160 of the Lakeland Code of Ordinances pertaining to Subsurface Sewage Treatment System Regulations to be repealed in its entirety. Chapter 160 of the Lakeland Code of Ordinances is hereby adopting by reference and replaced with hereafter reading as follows: Washington County's Subsurface Sewage Treatment System Regulations, as set forth in Ordinance 196 (Washington County Development Code Chapter Four) as in effect on March 15, 2016 is hereby adopted in its entirety, except as specifically modified by this Chapter. This Ordinance shall be in full force and effect from and after its adoption and publication according to law. A copy of the new ordinance is on file at city offices and will be codified as well.

RECOMMENDATION

Staff is respectfully requesting the City Council approve Ordinance 7552 Repealing Lakeland City Code Chapter 160: Subsurface Sewage Treatment in its entirety and adopting by reference and replaced with Washington County's Subsurface Sewage Treatment System Regulations, as set forth in Ordinance 196 (Washington County Development Code Chapter Four). Motion, Second and Majority vote required.

CITY OF LAKELAND
WASHINGTON COUNTY, MINNESOTA

ORDINANCE 7552
REPEALING LAKELAND CITY CODE
CHAPTER 160: SUBSURFACE SEWAGE TREATMENT SYSTEM REGULATIONS IN ITS
ENTIRETY AND ADOPTING BY REFERENCE WASHINGTON COUNTY ORDINANCE 196:
SUBSURFACE SEWAGE TREATMENT SYSTEM REGULATIONS
THE CITY OF LAKELAND DOES ORDAIN:

Section 1: Repeal. Chapter 160 of the Lakeland Code of Ordinances pertaining to Subsurface Sewage Treatment System Regulations is hereby repealed in its entirety.

Section 2: Replace. Chapter 160 of the Lakeland Code of Ordinances is hereby adopted by reference and replaced, hereafter reading as follows: Washington County's Subsurface Sewage Treatment System Regulations, as set forth in Ordinance 196 (Washington County Development Code Chapter Four) as in effect on March 15, 2016 is hereby adopted in its entirety, except as specifically modified by this Chapter.

Section 3. Effective Date. This Ordinance shall be in full force and effect from and after its adoption and publication according to law. Passed and adopted by the City Council for the City of Lakeland this 15th day of March 2016.

Amy Williams, Mayor

Sandie Thone, City Administrator/Clerk

Published March 25, 2016
City of Lakeland
(Official Publication)
ORDINANCE 7552
AN ORDINANCE AMENDING THE LAKELAND
CITY CODE CHAPTER 160
The City Council of the City of Lakeland does ordain:

Section 1: Repeal. Chapter 160 of the Lakeland Code of Ordinances pertaining to Subsurface Sewage Treatment System Regulations is hereby repealed in its entirety.

Section 2: Replace. Chapter 160 of the Lakeland Code of Ordinances is hereby replaced and will hereafter read as follows: Washington County's Subsurface Sewage Treatment System Regulations, as set forth in Ordinance 196 (Washington County Development Code Chapter Four) as in effect on March 15, 2016 is hereby adopted by reference in its entirety, except as specifically modified by this Chapter.

Section 3. Effective Date. This Ordinance shall be in full force and effect from and after its adoption and publication according to law. Passed and adopted by the City Council for the City of Lakeland this 15th day of March 2016.

CITY OF LAKELAND
/s/ Amy Williams, Mayor
/s/ Sandie Thone, City Administrator/Clerk

Filed Under: Ordinances



Department of Public
Health and Environment

Lowell Johnson
Director

David Brummel
Deputy Director

June 3, 2015

City of Lakeland

690 Quinnell Ave N
Lakeland, MN 55043

COUNTY SSTS ORDINANCE

On April 28, 2015 the Washington County Board of Commissioners passed a resolution repealing the Washington County Development Code, Chapter Four, Subsurface Sewage Treatment System Regulations (Ordinance #179) and adopting the Washington County Development Code, Chapter Four, Subsurface Sewage Treatment System Regulations (Washington County Ordinance #196). The effective date of the Ordinance is April 28, 2015. The full ordinance is available at <http://www.co.washington.mn.us/DocumentCenter/View/90>

Minnesota Rules, Chapter 7082.0050, Subpart 1, Paragraph B states:

City and township ordinances must be adopted no more than 12 months after adoption of the county ordinance in which the city or township is located and must comply with the standards of chapter 7080 to 7083 and must be as strict as the applicable county ordinance.

In the absence of any septic system ordinance, the county's ordinance will prevail. If City of Lakeland has a current septic system ordinance, it must be revised by no later than April 28, 2016 and be as strict as Washington County Ordinance #196. If City of Lakeland does not currently have a septic system ordinance, you may either adopt an ordinance that is as strict as Washington County Ordinance #196, or adopt the Washington County Ordinance #196 by reference. City of Lakeland may also choose to take no action, in which case, after April 28, 2016, the County's ordinance shall prevail.

In 2015, the Department will also begin the process of repealing our "201 Sewer Use" Ordinance #59 which established requirements for community sewage treatment systems installed in the mid-1980's with state and federal "201" grant assistance. Since "201" community systems are partially publically owned, the local municipality should adopt an ordinance detailing the rights and responsibilities of each party. The Department will not proceed with the repeal of Ordinance #59 until each municipality choosing to adopt an equivalent ordinance has done so.

Government Center • 14949 62nd Street North — P.O. Box 6, Stillwater, Minnesota 55082-0006
Phone: 651-430-6655 • Fax: 651-430-6730 • TTY: 651-430-6246

Service Centers also located in Cottage Grove and Forest Lake

www.co.washington.mn.us

Equal Employment Opportunity / Affirmative Action

The Department is committed to assisting communities with this ordinance revision. If your community would like assistance from the Department in any way, please contact the undersigned at 651-430-6768 or via email at girard.goder@co.washington.mn.us. Once your ordinance has been revised or adopted, please advise the Department as to the effective date of that revision and provide a copy of the revised ordinance.

Sincerely,



Girard Goder
Environmental Program Supervisor

cc: Molly O'Rourke, County Administrator
Lowell Johnson, Director
David Brummel, Deputy Director
Jeff Travis, Senior Program Manager

Chris LeClair, Senior Environmental Specialist
Pete Ganzel, Senior Environmental Specialist

4E

Date: March 15, 2016
To: Mayor and City Council
From: Sandie Thone, City Administrator/Clerk
Re: Ordinance 7553 Stormwater Ordinance Integrating MIDS into Lakeland City Code

DISCUSSION

On February 16, 2016 a public hearing was held and the city council approved the Middle St. Croix Watershed Management Organization's (MSCWMO) draft Stormwater Ordinance integrating Minimal Impact Design Standards (MIDS) into Lakeland City Code. Suggested modifications were incorporated into the document. The final ordinance and summary publication are including in tonight's packet for approval for final adoption into Lakeland City Code and approval to publish the summary in the city's legal newspaper.

RECOMMENDATION

Staff recommends the City Council approve Ordinance 7553 Stormwater Ordinance Integrating Minimal Impact Design Standards (MIDS) into Lakeland City Code. Motion, second and majority vote needed.

Staff recommends the City Council approve Summary Publication for Ordinance 7553 Stormwater Ordinance Integrating Minimal Impact Design Standards (MIDS) into Lakeland City Code. Motion, second and 4/5 majority vote needed.

**CITY OF LAKELAND
WASHINGTON COUNTY, MINNESOTA**

**ORDINANCE 7553
STORMWATER ORDINANCE INCORPORATING
MINIMAL IMPACT DESIGN STANDARDS (MIDS) INTO LAKELAND CITY CODE
PERTAINING TO STORMWATER MANAGEMENT AND EROSION CONTROL ACTIVITIES**

1. Authorization, Purpose, Scope, and Interpretation

A. Statutory authorization

1. This ordinance is adopted pursuant to the authorization and policies contained in Minnesota Statutes §§ 103B, 103D, and 462; Minnesota Rules, Parts 6120.2500- 6120.3900; and Minnesota Rules Chapters 8410 and 8420.
2. This ordinance is intended to meet the construction site erosion and sediment control and post-construction stormwater management regulatory requirements for construction activity and small construction activity (NPDES Permit) as defined in 40 CFR 122.26(b)(14)(x) and (b)(15), respectively.
3. This ordinance is intended to meet the Minimal Impact Design Standards (MIDS) developed under Minnesota Statutes § 115.03 subd. 5c.

B. Purpose

1. The purpose of this ordinance is to establish regulatory requirements for land development and land disturbing activities aimed at minimizing the threats to public health, safety, public and private property and natural resources within the City from construction site erosion and post-construction stormwater runoff. Specifically, the ordinance establishes regulatory requirements that:
 - a. Meet MIDS performance standards;
 - b. Assist in meeting NPDES/SDS Construction Stormwater General Permit requirements;
 - c. Assist in meeting Total Maximum Daily Load (TMDL) plan wasteload allocations for impaired waters through quantification of load reductions;
 - d. Assist in meeting policies and performance standards of the Middle St. Croix Water Management Organization (MSCWMO);
 - e. Protect life and property from dangers associated with flooding;
 - f. Protect public and private property and natural resources from damage resulting from stormwater runoff and erosion;
 - g. Ensure site design minimizes the generation of stormwater runoff and maximizes pervious areas for stormwater treatment within the context of the allowable use;
 - h. Provide a single, consistent set of performance goals that apply to all developments;
 - i. Protect water quality from pollutant loadings of sediment, suspended solids, nutrients, heavy metals, toxics, debris, bacteria, pathogens, biological impairments, thermal stress and other pollutants;

- j. Promote infiltration and groundwater recharge;
- k. Provide vegetated corridors (buffers) to protect water resources from development;
- l. Protect functional values of all types of natural waterbodies (e.g., rivers, streams, wetlands, lakes, seasonal ponds); and
- m. Sustain or enhance biodiversity (native plant and animal habitat) and support riparian ecosystems.

C. Scope

- 1. Land shall not be developed for any use without providing stormwater management measures and erosion and sediment control measures that control or manage stormwater runoff from such developments.

D. Greater restrictions

- 1. Relationship to WD/WMO Requirements - All stormwater management and erosion and sediment control activities shall comply with all applicable requirements of the relevant Watershed Management Organization or Watershed District. In the case of conflict between provisions of this ordinance and other stormwater regulations, the strictest provisions shall apply to land development and/or land disturbing activities.
- 2. Relationship to Existing Easements, Covenants, and Deed Restrictions – The provisions of this ordinance are not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this ordinance imposes greater restrictions the provisions of this ordinance shall prevail.

E. Severability

- 1. The provisions of this ordinance are severable, and if any provision of this ordinance, or application of any provision of this ordinance to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this ordinance must not be affected thereby.

2. Applicability

A. Stormwater management permit

Unless otherwise exempted by Section 3, an approved Stormwater Management Permit shall be required prior to any proposed land development activity that meets any of the criteria in 1. through 5. immediately below. All stormwater management permits shall include an Erosion and Sediment Control Plan (ESC Plan) or a Stormwater Pollution Prevention Plan (SWPPP)

- 1. Any project that creates or fully reconstruct 6,000 square feet or more of impervious surface.
- 2. All major subdivisions or minor subdivisions that are part of a common plan of development.
- 3. Projects within the St. Croix Riverway that add 500 square feet of additional impervious surface.
- 4. Any project requiring a variance from the current local impervious surface zoning requirements for the property.

5. Any land development activity, regardless of size, that the City determines is likely to cause an adverse impact to an environmentally sensitive area or other property.

B. Erosion and sediment control plan

Unless otherwise exempted by this ordinance in Section 3, a Grading and Filling Permit including an Erosion and Sediment Control Plan shall be required prior to any proposed land disturbing activity that meets any of the criteria in 1. through 3. below.

1. Any project undertaking grading, filling, or other land alteration activities which involve movement of 100 cubic yards of earth or removal of vegetation on greater than 10,000 square feet of land.
2. Any project with wetland impacts, grading within public waters, grading within buffers or within 40-feet of the bluff line.
3. Any land disturbing activity, regardless of size, that the City determines is likely to cause an adverse impact to an environmentally sensitive area or other property, or may violate any other erosion and sediment control standard set forth in this ordinance.

C. Buffers

A buffer of unmowed natural vegetation shall be required upslope of wetlands, lakes and streams prior to any proposed land development that meets any of the criteria below, unless otherwise exempted in this ordinance in Section 3.

1. Sites that have been (a) subdivided or split or (b) subject to a new primary use for which a necessary rezoning, special use permit or variance has been approved.

3. Exemptions

The following activities shall be exempt from all of the requirements of this ordinance:

- A. Emergency work necessary to protect life, limb, or property.
- B. Routine agricultural activity such as tilling, planting, harvesting, and associated activities. Other agricultural activities are not exempt including activities such as construction of structures.
- C. Silvicultural/forestry activity.

4. Definitions

Words or phrases used in this ordinance shall have the meanings as defined by Appendix B of the Minnesota Construction Stormwater Permit No: MN R100001 (Construction Permit) available at <http://www.pca.state.mn.us/wfhy5b>:

If not defined in the Construction Permit, then words or phrases shall be interpreted to have the meaning they have in common usage.

Words or phrases shall be interpreted so as to give this ordinance its most reasonable application.

For the purpose of this ordinance, the words "must", "shall", and "will" are mandatory and not permissive.

- a. "Applicant" means the owner of land submitting an application under the provisions of this ordinance for a stormwater and/or erosion control permit to be issued by the community.

- b. "Atlas 14" means the Precipitation Frequency Estimates released by the National Weather Service Hydrometeorological Studies Design Center. Volume 8, released in 2013, provides precipitation frequency estimates for many Midwestern states including Minnesota.
- c. "Best management practices" (BMPs) means the most effective and practicable means of erosion prevention and sediment control, and water quality management practices that are the most effective and practicable means to control, prevent, and minimize degradation of surface water, including avoidance of impacts, construction-phasing, minimizing the length of time soil areas are exposed, prohibitions, pollution prevention through good housekeeping, and other management practices published by state or designated area-wide planning agencies.
- d. "Better Site Design" means the control and management of stormwater quantity and quality through the application of Better Site Design Techniques as outlined in the current version of the Minnesota Stormwater Manual:
http://stormwater.pca.state.mn.us/index.php/Main_Page Better Site Design includes: preservation of natural areas; site reforestation; stream and shoreland buffers; open space design; disconnection of impervious cover; rooftop disconnection; grass channels; stormwater landscaping; compost and amended soils; impervious surface reduction; and trout stream protection.
- e. "Common plan of development or sale" means a contiguous area where multiple separate and distinct land disturbing activities may be taking place at different times, on different schedules, but under one proposed plan. One plan is broadly defined to include design, permit application, advertisement or physical demarcation indicating that land-disturbing activities may occur.
- f. "Construction activity" includes construction activity as defined in 40 CFR pt. 122.26(b)(14)(x) and small construction activity as defined in 40 CFR pt. 122.26(b)(15) and construction activity as defined by Minn. R. 709.0080, subp. 4. This includes a disturbance to the land that results in a change in the topography, existing soil cover (both vegetative and non-vegetative), or the existing soil topography that may result in accelerated stormwater runoff, leading to soil erosion and movement of sediment into surface waters or drainage systems. Examples of construction activity may include clearing, grading, filling, and excavating. Construction activity includes the disturbance of less than one acre of total land area that is a part of a larger common plan of development or sale if the larger common plan will ultimately disturb one (1) acre or more. Construction activity does not include a disturbance to the land of less than five (5) acres for the purpose of routine maintenance that is performed to maintain the original line and grade, hydraulic capacity, or original purpose of the facility.
- g. "Development, new" Any development that results in the conversion of land that is currently prairie, agriculture, forest, or meadow and has less than 15% impervious surface. Land that was previously developed, but now razed and vacant, will not be considered new development.
- h. "Dewatering" means the removal of surface or ground water to dry and/or solidify a construction site to enable construction activity. Dewatering may require a Minnesota Department of Natural Resources (DNR) water appropriation permit, and if dewatering water is contaminated, discharge of such water may require an individual MPCA NPDES/SDS permit.
- i. "Energy dissipation" means methods employed at pipe outlets to prevent erosion caused by the rapid discharge of water scouring soils. Examples include, but are not limited to: concrete aprons, riprap, splash pads, and gabions that are designed to prevent erosion.

- j. "Erosion and Sediment Control Plan" (ESC Plan) means a plan for projects disturbing less than one acre that is in compliance with the minimum requirements of the MSCWMO and VBWD. The plan identifies erosion prevention and sediment control practices, location and timelines for installation. The plan also includes responsible parties and timelines for inspection and maintenance.
- k. "Erosion prevention" means measures employed to prevent erosion. Examples include but not limited to: soil stabilization practices, limited grading, mulch, temporary erosion protection or permanent cover, and construction phasing.
- l. "Fully reconstructed impervious surface" means areas where impervious surfaces have been removed down to the underlying soils. Activities such as structure renovation, mill and overlay projects, and pavement rehabilitation projects that do not alter underlying soil material beneath the structure, pavement, or activity are not considered fully reconstructed impervious surfaces. Reusing the entire existing building foundation and re-roofing of an existing building are not considered fully reconstructed.
- m. "General contractor" means the party who signs the construction contract with the owner or operator to construct the project described in the final plans and specifications. Where the construction project involves more than one contractor, the general contractor could be the party responsible for managing the project on behalf of the owner or operator. In some cases, the owner or operator may be the general contractor. In these cases, the owner may contract an individual as the operator who would become the co-permittee.
- n. "Green infrastructure" means a wide array of practices at multiple scales that manage wet weather and that maintains or restores natural hydrology by infiltrating, evapotranspiring, or harvesting and using stormwater. On a regional scale, green infrastructure is the preservation or restoration of natural landscape features, such as forests, floodplains and wetlands, couples with policies such as infill and redevelopment that reduce overall imperviousness in a watershed. On a local scale, green infrastructure consists of site and neighborhood-specific practices, such as bioretention, trees, green roofs, permeable pavements and cisterns.
- o. "Impervious surface" means a constructed hard surface that either prevents or retards the entry of water into the soil and causes water to run off the surface in greater quantities and at an increased rate of flow than prior to development. Examples include rooftops, sidewalks, patios, driveways, parking lots, storage areas, and concrete, asphalt, or gravel roads.
- p. "Land disturbance" means any activity that result in a change or alteration in the existing ground cover (both vegetative and nonvegetative) and/or the existing soil topography. Land disturbing activities include, but are not limited to, development, redevelopment, demolition, construction, reconstruction, clearing, grading, filling, stockpiling, excavation, and borrow pits. Routine vegetation management, and mill and overlay/resurfacing activities that do not alter the soil material beneath the pavement base, are not considered land disturbance. In addition, other maintenance activities such as catch basin and pipe repair/replacement, lighting, and pedestrian ramp improvements shall not be considered land disturbance for the purposes of determining permanent stormwater management requirements.
- q. "Linear project" means construction or reconstruction of roads, trails, sidewalks, and rail lines that are not part of a common plan of development or sale. Mill, overlay and other resurfacing projects are not considered to be reconstruction.
- r. "Major subdivision" means all subdivisions not classified as minor subdivisions including, but not limited to, subdivisions of four (4) or more lots, or any size subdivision requiring any new street or extension of an existing street.

- s. "Minor subdivision" means any subdivision containing three (3) or less lots fronting on an existing street, not part of a common plan of development nor involving any new street or road or the extension of municipal facilities.
- t. "National Pollutant Discharge Elimination System" (NPDES) means the program for issuing, modifying, revoking, reissuing, terminating, monitoring, and enforcing permits under the Clean Water Act (Sections 301, 318, 402, and 405) and United States Code of Federal Regulations Title 33, Sections 1317, 1328, 1342, and 1345.
- u. "Normal wetted perimeter" means the area of a conveyance, such as a ditch, channel, or pipe that is in contact with water during flow events that are expected to occur from a two-year 24 hour storm event.
- v. "Notice of termination" means notice to terminate coverage under this permit after construction is complete, the site has undergone final stabilization, and maintenance agreements for all permanent facilities have been established, in accordance with all applicable conditions of this permit.
- w. "Operator" means the person designated by the owner, who has day to day operational control and/or the ability to modify project plans and specifications related to the SWPPP. The operator must be named on the permit as the Permittee.
- x. "Owner" means the person or party possessing the title of the land on which the construction activities will occur; or if the construction activity is for a lease, easement, or mineral rights license holder, the party or individual identified as the lease, easement or mineral rights license holder; or the contracting government agency responsible for the construction activity.
- y. "Permanent cover" means surface types that will prevent soil failure under erosive conditions. Examples include: gravel, asphalt, concrete, rip rap, roof tops, perennial cover, or other landscaped material that will permanently arrest soil erosion. A uniform perennial vegetative cover (e.g., evenly distributed, without large bare areas) with a density of 70% of the native background vegetative cover for the area must be established on all unpaved areas and areas not covered by permanent structures, or equivalent permanent stabilization measures. Permanent cover does not include the practices listed under temporary erosion protection.
- z. "Permittee" means a person or persons, firm, or governmental agency or other entity that signs the application submitted to the MPCA and is responsible for compliance with the terms and conditions of the construction permit.
- aa. "Public waters" means all water basins and watercourses that are described in Minn. Stat. § 103G.005 subd. 15.
- bb. "Redevelopment" means any development that is not considered new development.
- cc. "Retain" means manage stormwater on site using a low-impact development approach so that the rate and volume of predevelopment stormwater reaching receiving waters is unchanged.
- dd. "St. Croix Riverway" means all lands and public waters within the riverway boundary subject to the standards and criteria for the Lower Saint Croix National Scenic Riverway in Minnesota.
- ee. "Saturated soil" means the highest seasonal elevation in the soil that is in a reduced chemical state because of soil voids being filled with water. Saturated soil is evidenced by the presence of redoximorphic features or other information.
- ff. "Sediment control" means methods employed to prevent sediment from leaving the site. Sediment control practices include: silt fences, sediment traps, earth dikes, drainage swales, check dams, subsurface drains, bio rolls, rock logs, compost logs, storm drain inlet protection, and temporary or permanent sedimentation basins.

- gg. "Small construction activity" means small construction activity as defined in 40 CFR part 122.26(b)(15). Small construction activities include clearing, grading and excavating that result in land disturbance of equal to or greater than one acre and less than five acres. Small construction activity includes the disturbance of less than one (1) acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one and less than five (5) acres.
- hh. "Stabilized" means exposed ground surface has been covered by appropriate materials such as mulch, staked sod, riprap, erosion control blanket, mats or other material that prevents erosion from occurring. Grass, agricultural crop or other seeding alone is not stabilization. Mulch materials must achieve approximately 90 percent ground coverage (typically 2 ton/acre).
- ii. "Standard plates" means general drawings showing a common or repeated construction activity or practice.
- jj. "Stormwater" is defined under Minn. R. 7077.0105, subp. 41(b), and includes precipitation runoff, stormwater runoff, snowmelt runoff, and any other surface runoff and drainage.
- kk. "Stormwater Pollution Prevention Plan" (SWPPP) means a plan for stormwater discharge that includes erosion prevention BMPs, sediment control BMPs and permanent stormwater management systems that, when implemented, will decrease soil erosion on a parcel of land and decrease off-site nonpoint pollution.
- ll. "Surface water or waters" means all streams, lakes, ponds, marshes, wetlands, reservoirs, springs, rivers, drainage systems, waterways, watercourses, and irrigation systems whether natural or artificial, public or private, except that surface waters do not include treatment basins or ponds that were constructed from upland.
- mm. "Temporary erosion protection" means methods employed to prevent erosion during construction activities. Examples of temporary erosion protection include; straw, wood fiber blanket, wood chips, vegetation, mulch and rolled erosion control products.
- nn. "Underground waters (Groundwater)" means water contained below the surface of the earth in the saturated zone including, without limitation, all waters whether under confined, unconfined, or perched conditions, in near surface unconsolidated sediment or regolith, or in rock formations deeper underground. The term groundwater shall be synonymous with underground water.
- oo. "Waters of the State" (as defined in Minn. Stat. § 115.01, subd. 22) means all streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state or any portion thereof.
- pp. "Wetland" or "Wetlands" is defined in Minn. R. 7050.0130, subp. F and includes those areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas. Constructed wetlands designed for wastewater treatment are not waters of the state. Wetlands must have the following attributes:
 - i. A predominance of hydric soils.
 - ii. Inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support a prevalence of hydrophytic vegetation typically adapted for life in a saturated soil condition.
 - iii. Under normal circumstances support a prevalence of such vegetation.

5. Permit Review Process

A. Pre- application meeting

1. At the discretion of the Zoning Administrator, the City shall facilitate a pre-application meeting with the Applicant, City staff (or their authorized representative), and staff of relevant partner agencies (e.g. WCD, MSCWMO, MDNR, etc.). The purposes of the meeting are to understand the general parameters of the proposed project and to convey the requirements of meeting the provisions of the ordinance.

B. Application completeness review

1. The City shall make a determination regarding the completeness of a permit application and notify the Applicant in writing if the application is not complete including the reasons the application was deemed incomplete.

C. Application review

1. The Applicant shall not commence any construction activity subject to this ordinance until a permit has been authorized by the City.

D. Permit authorization

1. If the City determines that the application meets the requirements of this ordinance, the City will issue approval authorizing the project or activity. The approval shall be valid for one year.

E. Permit denial

1. If the City determines the application does not meet the requirements of this ordinance the application must be denied. If the application is denied, the Applicant will be notified of the denial in writing including reasons for the denial. Once denied, a new application must be resubmitted for approval before any activity may begin.

F. Plan information requirements

1. The minimum information requirements of the application shall be consistent with the requirements in the most recent version of the NPDES/SDS Construction Stormwater General Permit and Middle St. Croix WMO. The application information must also include permanent treatment information showing the proposed project meets the MSCWMO or VBWD performance goals.

G. Modification of permitted plans

1. The Applicant must amend an approved ESC Plan or SWPPP to include additional requirements such as additional or modified BMPs designed to correct problems whenever:
 - a. There is a change in design, construction, operation, maintenance, weather or seasonal conditions that has a significant effect on the discharge of pollutants to surface water or underground water.
 - b. Inspections or investigations by site operators, local, state or federal officials indicate the plans are not effective in eliminating or significantly minimizing the discharge of pollutants to surface water or underground water or that the discharges are causing water quality standard exceedances.

- c. The plan is not achieving the general objectives of minimizing pollutants in stormwater discharges associated with construction activity.

H. Permit completion

1. Before work under the permit is deemed complete, the permittee must submit as-builts, a long term maintenance plan and information demonstrating that the stormwater facilities conform to design specifications.

6. Site Design and MIDS Calculator

A. Better Site Design

Whenever possible, development projects shall be designed using the Better Site Design Techniques of the current version of the Minnesota Stormwater Manual.¹

B. MIDS calculator

Final site design and choice of permanent stormwater volume reduction practices shall be based on outcomes of the MIDS Calculator (or other model that shows the performance goal can be met) and shall meet the performance goals in section 7 of this ordinance.

C. Buffer requirement

Buffer locations and widths must comply with the State of Minnesota, Minnesota Pollution Control Agency, and Middle St. Croix Watershed Management Organization standards.

7. Stormwater Volume Reduction Performance Standards

Any Applicant for a Stormwater Management Permit as defined in Section 2 of this ordinance must meet all of the following performance goals:

- A. **New development volume control:** For new, nonlinear developments on sites without restrictions, stormwater runoff volumes will be controlled and the post-construction runoff volume shall be retained on site for 1.1 inches of runoff from all impervious surfaces on the site.
- B. **Redevelopment volume control:** Nonlinear redevelopment projects on sites without restrictions that create or fully reconstruct impervious surfaces shall capture and retain on site 1.1 inches of runoff from the new and/or fully reconstructed impervious surfaces.
- C. **Linear development volume control:** Linear projects on sites without restrictions that create new and/or fully reconstructed impervious surfaces, shall capture and retain the larger of the following:
 1. 0.55 inches of runoff from the new and fully reconstructed impervious surfaces on the site.
 2. 1.1 inches of runoff from the net increase in impervious area on the site.
Mill and overlay and other resurfacing activities are not considered fully reconstructed.

Flexible treatment alternatives for sites with restrictions: Applicant shall attempt to comply fully with the appropriate performance standards described above.

¹ Available at http://stormwater.pca.state.mn.us/index.php/Better_site_design.

Alternatives considered and presented shall examine the merits of relocating project elements to address, varying soil conditions and other constraints across the site. If full compliance is not possible due to any of the factors listed below, the Applicant must document the reason. If site constraints or restrictions limit the full treatment goal, the following flexible treatment alternatives shall be used:

Applicant shall document the flexible treatment alternatives sequence starting with Alternative #1. If Alternative #1 cannot be met, then Alternative #2 shall be analyzed. Applicants must document the specific reasons why Alternative #1 cannot be met based on the factors listed below. If Alternative #2 cannot be met then Alternative #3 shall be met. Applicants must document the specific reasons why Alternative #2 cannot be met based on the factors listed below. When all of the conditions are fulfilled within an alternative, this sequence is completed.

Volume reduction techniques considered shall include infiltration, reuse & rainwater harvesting, and canopy interception & evapotranspiration and/or additional techniques included in the MIDS calculator and the Minnesota Stormwater Manual.

Higher priority shall be given to BMPs that include volume reduction. Secondary preference is to employ filtration techniques, followed by rate control BMPs.

Factors to be considered for each alternative will include:

- i. Karst geology
- ii. Shallow bedrock
- iii. High groundwater
- iv. Hotspots or contaminated soils
- v. Drinking Water Source Management Areas or within 200 feet of drinking water well
- vi. Zoning, setbacks or other land use requirements
- vii. Poor soils (infiltration rates that are too low or too high, problematic urban soils)

Alternative #1: Applicant attempts to comply with the following conditions:

- i. Achieve at least 0.55" volume reduction from all impervious surfaces if the site is new development or from the new and/or fully reconstructed impervious surfaces for a redevelopment or linear development site.
- ii. Remove 75% of the annual TP load from all impervious surfaces if the site is new development or from the new and/or fully reconstructed impervious surfaces for a redevelopment site.
- iii. Options considered and presented shall examine the merits of relocating project elements to address, varying soil conditions and other constraints across the site.

Alternative #2: Applicant attempts to comply with the following conditions:

- i. Achieve volume reduction to the maximum extent practicable.
- ii. Remove 60% of the annual TP load from all impervious surfaces if the site is new development or from the new and/or fully reconstructed impervious surfaces for a redevelopment site.
- iii. Options considered and presented shall examine the merits of relocating project elements to address, varying soil conditions and other constraints across the site.

Alternative #3: Off-site Treatment. Mitigation equivalent to the performance of 1.1 inches of volume reduction for new development, linear development or redevelopment as described above in this section, (including banking or cash) can be performed off-site to protect the receiving water body. Off-site treatment shall be achieved in areas selected in the following order of preference:

- i. Locations that yield benefits to the same receiving water that receives runoff from the original construction activity.
- ii. Locations within the same Department of Natural Resource (DNR) catchment area (Hydrologic Unit 08) as the original construction activity.
- iii. Locations within the next adjacent DNR catchment area upstream.
- iv. Locations anywhere within the City's jurisdiction.

The MIDS Design Sequence Flowchart can be found in the Minnesota Stormwater Manual:

http://stormwater.pca.state.mn.us/index.php/Flexible_treatment_options

8. Stormwater Management Rate Control

- A. For new development, redevelopment and linear development sites the site design shall provide on-site treatment during construction and post-construction to ensure no increase from existing conditions in offsite peak discharge for the 1-year, 2-year, 10-year, and 100-year, 24-hour storm events based on the standards defined by the MSCWMO or VBWD. For single family residential building lots not part of a common plan of development site rate control requirements do not apply.

9. Other Design Standards

- A. Minnesota Stormwater Manual: All volume control for water quality and quantity and site design specifications shall conform to the current version of the Minnesota Stormwater Manual.
- B. NPDES/SDS Construction Stormwater General Permit: All volume control and water quality and quantity Best Management Practice design specifications shall conform to the current version of the NPDES/SDS Construction Stormwater General Permit.
- C. Site erosion and sediment control requirements: All erosion and sediment control requirements shall conform to the current requirements of NPDES/SDS Construction Stormwater General Permit.
- D. Watershed District/WMO requirements: All stormwater management and erosion and sediment control activities shall comply with all applicable requirements of the Watershed Districts or Watershed Management Organizations in which the project is located. In case provisions in this ordinance and requirements of watershed district or watershed management organizations overlap or conflict, the strictest provisions shall apply to the activities.
- E. Where applicable, a minimum of 20' shall be provided on all sides of all publicly owned stormwater facilities for facility maintenance.

10. Inspections and Maintenance

A. Inspections and record keeping

1. Applicant responsibilities

The Applicant is responsible for inspections and record keeping during and after construction for all privately-owned stormwater treatment practices on the site.

2. City inspections

The City reserves the right to conduct inspections on a regular basis to ensure that both temporary and permanent stormwater management and erosion and sediment control measures are properly installed and maintained prior to construction, during construction, and at the completion of the project.

B. Right of entry and inspection

1. Powers - The issuance of a permit constitutes a right-of-entry for the City or its authorized representative to enter upon the construction site. The Applicant shall allow the City and its authorized representatives, upon presentation of credentials, to:

- a. Enter upon the permitted site for the purpose of obtaining information, examining records, and conducting investigations or surveys;
- b. Bring such equipment upon the permitted development as is necessary to conduct such surveys and investigations;
- c. Examine and copy any books, papers, records, or memoranda pertaining to activities or records required to be kept under the terms and conditions of the permit;
- d. Inspect the stormwater pollution control measures;
- e. Sample and monitor any items or activities pertaining to stormwater pollution control measures; and
- f. Correct deficiencies in stormwater and erosion and sediment control measures.

C. Fees

1. Fees will be applied per City Fee Schedule.

D. Enforcement tools/stop work orders

1. The City reserves the right to issue construction stop work orders when cooperation with inspections is withheld or when a violation has been identified that needs immediate attention to protect human health and/or the environment.

- a. **Construction stop work order:** The City may issue construction stop work orders until stormwater management measures meet specifications and the Applicant repairs any damage caused by stormwater runoff. An inspection by the City must follow before the construction project work can resume.
- b. **Other actions to ensure compliance:** The City can take any combination of the following actions in the event of a failure by Applicant to meet the terms of this ordinance:
 - i. Withhold inspections or issuance of certificates or approvals.

- ii. Revoke any permit issued by the City to the Applicant.
- iii. Conduct remedial or corrective action on the development site or adjacent site affected by the failure.
- iv. Charge Applicant for all costs associated with correcting the failure or remediating damage from the failure; if payment is not made within thirty days, payment will be made from the Applicant's financial securities.
- v. Bring other actions against the Applicant to recover costs of remediation or meeting the terms of this ordinance.
- vi. Any person, firm or corporation failing to comply with or violating any of these regulation, shall be deemed guilty of a misdemeanor and be subject to a fine or imprisonment or both. Each day that a separate violation exists shall constitute a separate offense.

E. Long term inspection and maintenance of stormwater facilities

1. Private stormwater facilities

- a. **Maintenance Plan Required:** No private stormwater facilities may be approved unless a maintenance agreement is provided that defines who will conduct the maintenance, the type of maintenance necessary to ensure effective performance, and the maintenance intervals. All private stormwater facilities shall be inspected by the property owner and maintained in proper condition by the owner consistent with the performance goals for which they were originally designed.
- b. **Facility Access:** The Applicant shall obtain all necessary easements or other property interests to allow access to the facilities for inspection or maintenance for both the responsible party and the City or authorized representative.
- c. **Removal of Settled Materials:** All settled materials including settled solids, shall be removed from ponds, sumps, grit chambers, and other devices as necessary and disposed of properly.
- d. **Inspections:** All stormwater facilities within the City shall be inspected by the property owner at a frequency consistent with the maintenance plan. Inspection reports shall be provided to the City upon request.

2. Public stormwater facilities

- a. **Acceptance of Publicly Owned Facilities:** Before work under the permit is deemed complete; the permittee must submit as-builts and a Maintenance Plan demonstrating at the time of final stabilization that the stormwater facilities conform to design specifications. A final inspection shall be required before the City accepts ownership of the stormwater facilities.
- b. **Maintenance:** The City shall perform maintenance of publicly owned stormwater facilities in accordance with their comprehensive stormwater management plan and other regulatory requirements.

11. Financial Securities

A. Amount

At the discretion of the City, the City may require a Financial Security from the Applicant in an amount sufficient to cover the entirety of the estimated costs of permitted and remedial work based on the final design as established in a set financial security schedule determined by the City.

B. Release

The Financial Security shall not be released until all permitted and remedial work is completed.

C. Use by City

The Financial Security may be used by the City to complete work not completed by the Applicant.

D. Form of security

The form of the Financial Security shall be one or a combination of the following to be determined by the City:

1. **Cash deposit** - A Financial Security for erosion and sediment control, as determined by the City, shall be by cash deposit to the City. The cash will be held by City in a separate account.
2. **Security deposit** - Deposit, either with the City, a responsible escrow agent, or trust company, at the option of the City, either:
 - a. An irrevocable letter of credit, negotiable bonds of the kind approved for securing deposits of public money, or other instruments of credit from one or more financial institutions, subject to regulation by the state and federal government wherein said financial institution pledges funds are on deposit and guaranteed for payment.
 - b. Cash in U.S. currency.
 - c. Other forms and securities (e.g., disbursing agreement) as approved by the City.

E. City indemnity

This Financial Security shall hold the City free and harmless from all suits or claims for damages resulting from the negligent grading, removal, placement or storage of rock, sand, gravel, soil or other like material within the City.

F. Maintaining the financial security

If at any time during the course of the work the balance of the Financial Security falls below 50% of the total required deposit, the Applicant shall make another deposit in the amount necessary to restore the cash deposit to the required amount. If the Applicant does not bring the financial security back up to the required amount within seven (7) days after notification by the City that the amount has fallen below 50% of the required amount the City may:

1. **Withhold inspections** - Withhold the scheduling of inspections and/or the issuance of a Certificate of Occupancy.
2. **Revoke permits** - Revoke any permit issued by the City to the Applicant for the site in question or any other of the Applicant's sites within the City's jurisdiction.

G. Action against the financial security

The City may access the Financial Security for remediation actions if any of the conditions listed below exist. The City shall use the Financial Security to pay for remedial work undertaken by the City, or a private contractor under contract with the City, or to reimburse the City for all costs incurred in the process of remedial work including, but not limited to, staff time and attorney's fees.

1. **Abandonment** - The Applicant ceases land disturbing activities and/or filling and abandons the work site prior to completion of the grading plan.
2. **Failure to implement the SWPPP or ESC Plan** - The Applicant fails to conform to the grading plan and/or the SWPPP as approved by the City.
3. **Failure to perform** - The BMPs utilized on the project fail within one year of installation.
 - a. **Failure to reimburse City** - The Applicant fails to reimburse the City for corrective action taken.

H. Proportional reduction of the financial security

1. When more than one-third of the Applicant's maximum exposed soil area achieves final stabilization, the City can reduce the total required amount of the financial security by one-third. When more than two-thirds of the Applicant's maximum exposed soil area achieves final stabilization, the City can reduce the total required amount of the financial security to two-thirds of the initial amount. This reduction in financial security will be determined by the City.

I. Returning the financial security

1. The security deposited with the City for faithful performance of the SWPPP or the ESC Plan and any related remedial work shall be released one full year after the completion of the installation of all stormwater pollution control measures, including vegetation establishment, as shown on the SWPPP or ESC Plan.

J. Emergency action

1. If circumstances exist such that noncompliance with this ordinance poses an immediate danger to the public health, safety and welfare, as determined by the City, the City may take emergency preventative action. The City shall also take every reasonable action possible to contact and direct the Applicant to take any necessary action. Any cost to the City for emergency action may be recovered from the Applicant's financial security.

12. Enforcement Actions

A. **Notification of Failure of the Permit:** The City shall notify the permit holder of the failure of the permit's measures.

1. **Initial Contact** - The initial contact will be to the party or parties listed on the application and/or the SWPPP as contacts. Except during an emergency action, forty-eight (48) hours after notification by the City or seventy-two (72) hours after the failure of erosion and sediment control measures, whichever is less, the City at its discretion, may begin corrective work. Such notification should be in writing, but if it is verbal, a written notification should follow as quickly as practical. If after making a good faith effort to notify the responsible party or parties, the City has been unable to establish contact, the City may proceed with corrective work. There are conditions when time is of the essence in controlling erosion. During such a condition the City may take immediate action, and then notify the Applicant as soon as possible.
2. **Erosion Off-site** - If erosion breaches the perimeter of the site, the Applicant shall immediately develop a cleanup and restoration plan, obtain the right-of-entry from the adjoining property owner, and implement the cleanup and restoration plan within forty-eight (48) hours of obtaining the adjoining property owner's permission. In no case, unless written approval is received from the City, may more than seven (7) calendar days go by without corrective action being taken. If in the discretion of the City, the permit holder does not repair the damage caused by the erosion, the City may do the remedial work required. When restoration to wetlands and other resources are required, the Applicant shall be required to work with the appropriate agencies to ensure that the work is done properly.
3. **Erosion into Streets, Wetlands or Water Bodies** - If eroded soils (including tracked soils from construction activities) enter or appear likely to enter streets, wetlands, or other water bodies, cleanup and repair shall be immediate. The Applicant shall provide all traffic control and flagging required to protect the traveling public during the cleanup operations.
4. **Failure to do Corrective Work** - When an Applicant fails to conform to any provision of this policy within the time stipulated, the City may take the following actions.
 - a. **Stop Work Order** - Issue a stop work order, withhold the scheduling of inspections, and/or withhold the issuance of a Certificate of Occupancy.
 - b. **Permit Revocation** - Revoke any permit issued by the City to the Applicant for the site in question or any other of the Applicant's sites within the City's jurisdiction.
 - c. **Correction by City** - Correct the deficiency or hire a contractor to correct the deficiency.
 - i. The Applicant will be required to reimburse the City for all costs incurred in correcting stormwater pollution control deficiencies.

If payment is not made within thirty (30) days after costs are incurred by the City, payment will be made from the Applicant's financial securities as described in Section 11 above.

- ii. If there is an insufficient financial amount in the Applicant's financial securities as described in Section 8 above, the City may assess the remaining amount against the property. As a condition of the permit, the owner shall waive notice of any assessment hearing to be conducted by the City, concur that the benefit to the property exceeds the amount of the proposed assessment, and waive all rights by virtue of Minnesota Statute 429.081 to challenge the amount or validity of assessment.

B. Misdemeanor. Any person, firm or corporation failing to comply with, or violating any of these regulations, shall be deemed guilty of a misdemeanor and be subject to a fine or imprisonment or both.

- 1. All land use and building permits may be suspended until the Applicant has corrected the violation.
- 2. Each separate violation shall constitute a separate offense.

This Ordinance shall be in full force and effect from and after its adoption and publication according to law. The full ordinance may be inspected at city offices or on the official city website.

Passed and adopted by the City Council for the City of Lakeland on the 15th day of March 2016.

Amy Williams, Mayor

Sandie Thone, City Administrator/Clerk

CITY OF LAKELAND
WASHINGTON COUNTY, MINNESOTA

ORDINANCE 7553
SUMMARY PUBLICATION
ADOPTING STORMWATER ORDINANCE INCORPORATING
MINIMAL IMPACT DESIGN STANDARDS (MIDS) PERTAINING TO STORMWATER
MANAGEMENT AND EROSION CONTROL ACTIVITIES

THE CITY COUNCIL FOR THE CITY OF LAKELAND DOES ORDAIN:

Section 1: ADOPTION. Adopting Stormwater Ordinance 7553 Incorporating Minimal Impact Design Standards pertaining to Stormwater Management Regulations and Erosion Control Activities.

Section 2. EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its adoption and publication according to law. The full ordinance may be inspected at city offices or on the official city website. Passed and adopted by the City Council for the City of Lakeland on the 15th day of March 2016.

S/S Amy Williams/Mayor
S/S Sandie Thone/City Administrator

4F

CITY OF LAKELAND
WASHINGTON COUNTY MINNEOSTA

INTERIM USE PERMIT
Commercial Special Occasion Ceremony Venue
d.b.a St. Croix Woodlands
16028 5th Street South
Lakeland, MN 55043

Date Issued: 1/20/2015
Date Extended: 3/15/2016

Legal Description: Washington County Plat-Parcel Number 02.208.20.23.0002
See attached "Exhibit A"

Business owner: John and Lynn Dewall Property Owner: Same
Address: 16028 5th Street South
Lakeland, MN 55043
Telephone: (651) 436-7838

Site Address: 16028 5th Street South
Lakeland, MN 55043

Present Zoning District: R-1

Permitted use/s set forth in City Code Chapter 159 Section 024

I. INTERIM USE PERMIT FOR Commercial Special Occasion Ceremony Venue
d/b/a St. Croix Woodlands

All uses shall be subject to the following conditions and/or restrictions imposed by the City Council of the City of Lakeland.

General Description

A. Ceremony-only venue in a nature setting for outdoor special occasion ceremonies.

II. ADDITIONAL RESTRICTIONS AND PROVISIONS

A. Accessory Building / Garage/Bridal Cottage to be used by a Bridal Party before the wedding, to be used for relaxing, getting ready and family to take a break before guests arrive.

B. Portable outdoor restrooms will be rented for ceremonies.

C. Receptions, food and alcohol are prohibited.

D. Parking Attendants

- There will be 3 to 5 parking attendants on site, depending on size of the wedding.
- Attendants will meet guests outside the driveway and direct drivers through drop-off areas in front of the ceremony area and on to the parking spaces.

E. Parking Plans – See "Exhibit B"

- Parking will be provided on site, with 100 parking spaces provided.
- Parking spaces have been designated and will be clearly marked.

- Parking spaces will be situated so turn-arounds are not necessary.
- Should there be need for overflow parking, arrangements have been made to use space at Lakeland Village for parking, with guests being shuttled to and from the ceremony site.
- There will be no parking on the driveway or on any public street.

F. Lighting

- There will be no lighting related to the ceremony venue, since all activity will be completed by sunset.

G. Sound

- There will be a portable sound system from use by participants and string/vocal music played only during ceremonies.

H. Hours of Operation

- Thursdays and Fridays, beginning at noon until sunset.
- Saturdays and Sundays, beginning at 8:00 a.m. until sunset.
- 24 hours a day, 7 days a week for administrative access.
- Ceremonies will be held on other days from time to time, for which notification will be made to the City for administrative approval.

I. Advertising/Signage will meet all Ordinance requirements.

Any change in the provisions of this permit requires an application to the City Council for an amendment to be made.

III. EXPIRATION / REVIEW

Pursuant to Section 159.028 of the Zoning Ordinance of the City of Lakeland, a review of this Interim Use Permit may be imposed as a condition of its being granted. In the event no review or expiration period is imposed the permit is effective as long as all conditions are upheld.

In Witness Whereof, the parties have set forth their hands and seals.

CITY OF LAKELAND

Date _____ By _____
Amy Williams, Mayor

Date _____ By _____
Sandie Thone, City Administrator/Clerk

Date _____ By _____
John Dewart, Applicant/Permit Holder

Date _____ By _____
Lynn Dewart, Applicant/Permit Holder

SCHEDULE A

All that part of the South Half of the Northwest Quarter of Section 2, Township 28 North, Range 20 West, City of Lakeland, Washington County, Minnesota, described as follows: Beginning at the southwest corner of said South Half of the Northwest quarter which is monumented by a Washington County cast iron monument, and which is also Judicial Landmark No. 1; thence North 89 degrees 55 minutes 52 seconds East, assumed bearing, along the south line of said South Half of the Northwest quarter, a distance of 1923.10 feet to its intersection with the west line of the east 44 rods of said South Half of the Northwest Quarter and to Judicial Landmark No. 2; thence North 00 degrees 34 minutes 48 seconds West, along said west line of the east 44 rods, a distance of 30.00 feet to its intersection with the north line of 5th Street South and to Judicial Landmark No. 3; thence North 89 degrees 55 minutes 52 seconds East, parallel with said south line of the South Half of the Northwest Quarter, a distance of 34.44 feet to its intersection with the west line of monumented HOBBYTOWN ADDITION, according to the plat thereof, on file and of record in the office of the County Recorder, Washington County, Minnesota and to Judicial Landmark No. 4; thence North 00 degrees 26 minutes 25 seconds West, along said west line of monumented HOBBYTOWN ADDITION, a distance of 625.32 feet to its intersection with the south line of the north 40 rods of said South Half of the Northwest Quarter and to Judicial Landmark No. 5; thence South 89 degrees 43 minutes 54 seconds west, along said south line of the north 40 rods, a distance of 1124.98 feet to its intersection with the west line of the east 110 rods of said South Half of the Northwest Quarter and to Judicial Landmark No. 6; thence North 00 degrees 34 minutes 48 seconds West, along said west line of the east 110 rods, a distance of 660.01 feet to its intersection with the north line of said South Half of the Northwest Quarter and to Judicial Landmark No. 7; thence South 89 degrees 43 minutes 54 seconds west, along said north line of the South Half of the Northwest quarter, a distance of 832.32 feet to its intersection with the west line of said South Half of the Northwest Quarter and to Judicial Landmark No. 8; thence south 00 degrees 27 minutes 40 seconds East, along said west line of the South Half of the Northwest Quarter, a distance of 633.94 feet to Judicial Landmark No. 9; thence North 89 degrees 32 minutes 20 seconds east, a distance of 19.05 feet to Judicial Landmark No. 10; thence South 00 degrees 57 minutes 56 seconds East, a distance of 68.50 feet to Judicial Landmark No. 11; thence South 89 degrees 32 minutes 20 seconds West, a distance of 19.65 feet, more or less to its intersection with said west line of the South Half of the Northwest Quarter and to Judicial Landmark No. 12; thence South 00 degrees 27 minutes 40 seconds East, along said west line of the south Half of the Northwest Quarter, a distance of 606.07 feet to Judicial Landmark No. 1 and to the point of beginning.

This parcel contains 41.85 acres, more or less, and is subject to an easement for roadway purposes over the south one rod for ingress and egress to the Southwest Quarter (SW 1/4) of the Northwest Half (NW 1/2) of said Section two (2) and is also subject to a perpetual easement for municipal water, sanitary sewer, street and storm water drainage purposes over, under and across the southerly 30 feet of the easterly 630 feet of the above described parcel, located in the South Half of the Northwest Quarter of Section 2, Township 28 North, Range 20 West, City of Lakeland, Washington County, Minnesota. This parcel is also subject to perpetual scenic easements over and across the westerly side of this property.



Google earth



* The open space is where ceremonies will be held.

Parking Instructions

Phase 0 pulling in and turning around parking on the right side of driveway facing the exit. This runs from slot after # 50 to end of driveway.

Phase I – Cars are counted and parked in north woods. These cars should drop-off their passengers at the white gate. They are instructed to go to the end, turn around, and then park on the right side in the closest spot to the gate (right behind the last car parked) leaving room for other cars to pass.

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21

Phase II – Cars follow through the woods on the right (west) side of the driveway. The attendant will guide them to their parking spot. Special care should be taken to make sure each car has an escape.

22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47

Phase III – Cars park in-between trees on the left (east) side of the driveway.

48 49 50

65 66 67 68 69 70 71 72 73 74 75 76 78 79

Phase IV – Cars park facing nose first towards exit of driveway.

80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100

Special Notes:

Bridal Party, Officiant, and Musician parking are designated by a sign on the left side of the driveway before the turn. Photographers can park in the Bridal Parking.

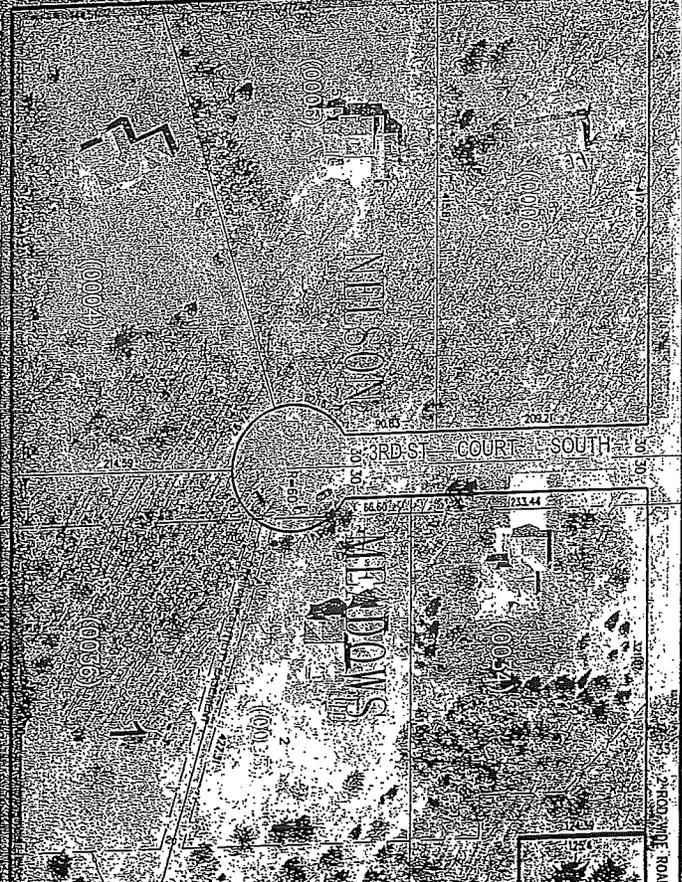
Handicapped and elderly parking is available at the white gate (to the right just before the gate) and then to the west (toward the house) between the trees – after the Musician parking space.

Handicapped/elderly should drive right up to the house for drop-off and then come back to park. Mary or Megan could valet if necessary.

Parking



02-028-20-125-0002



02-028-20-125-0001

02-028-20-125-0003

02-028-20-125-0004

02-028-20-125-0005

02-028-20-125-0006

02-028-20-125-0007

02-028-20-125-0008

02-028-20-125-0009



Google earth

feet
meters



— Parking area —

We have room for
100 parking places
on site.



16028 5th St S, Lakeland, MN 55043, USA

Google earth

© 2014 Google

Google earth

feet
meters



Flow of traffic

5A

ALCOPFR\$

PF Citations by City Rpt

QIJS Page 1
3/01/16 5:16:51

Washington County Sheriff's Office
CITATIONS BY CITY REPORT

City Selected: LAKELAND

From Date: 2/01/2016 To: 2/29/2016

LAKELAND

Offense Date	Offense Time	Location	Citation #
2/05/2016 Statute 152	1855 092	16540 10TH ST CT DRUG PARA	8221232
2/05/2016 Statute 152	1855 092	16540 10TH ST CT DRUG PARA	8221233
2/16/2016 Statute 169	1848 19 7	ST CROIX TR S/DIVISION ST OBSTRUCTED LIC PLATE	8221752
2/17/2016 Statute 392	0814 2C	ST CROIX TR/I94 FAIL TO OBEY TRAFFIC	8223859
2/20/2016 Statute 169A	0221 33 2	ST CROIX/5TH ST S UNDER 21 DRINK/DRIVE	8221876
2/22/2016 Statute 171	1748 24 2	ST CROIX TR S/2ND ST N DAR	8223745

Total for City: LAKELAND

6

** END OF REPORT **

Washington County Sheriff's Office
 CONTRACT ICR's
 Contract Report for LAKELAND
 For the Period 2/01/16 To 2/29/16

Date	Time	ICR #	ID#	Street Name	Complaint
2/01/16	8:23:23	116003740	0160	QUENTIN AV	SUSPICIOUS VEHICLE
2/01/16	15:12:31	116003797	0083	4TH ST	RECEIPT# 16000601
2/01/16	17:34:13	116003835	0176	I94	DISABLED VEH
2/02/16	15:16:29	116003949	0176	HUDSON RD	ACCIDENT NO INJURIES *ST
2/02/16	19:27:23	116004008	0061	SAINT CROIX TR	PROPERTY DAMAGE REPORT
2/04/16	8:12:44	116004215	0075	5TH ST	EXTRA PATROL REQUEST
2/04/16	16:13:37	116004282	1264	SAINT CROIX TR	TRAFFIC:WARRANT ARREST
2/04/16	20:38:53	116004300	1264	SAINT CROIX TR	WELFARE CHECK
2/05/16	14:53:57	116004411	0077	10TH ST CT	SUSPICIOUS VEH'S
2/05/16	18:55:07	116004448	0139	10TH ST CT	POSS DRUG ACITIVITY
2/07/16	20:17:22	116004601	0170	QUINNELL AV	INFORMATION
2/08/16	14:01:29	116004685	0081	QUEHL AV	DOMESTIC ASSAULT REPORT
2/09/16	5:36:21	116004740	0118	5TH ST	VEHICLE LOCKOUT
2/10/16	14:53:42	116004961	0151	I94	LEVEL 2 INSPECTION
2/10/16	15:20:18	116004965	0078	SAINT CROIX TR	ACCIDENT **RESTACK:CALL T
2/11/16	11:22:27	116005058	0083	3RD ST	RECEIPT# 160000796
2/12/16	10:35:56	116005161	0110	RIVERCREST RD	THEFT REPORT
2/12/16	12:50:04	116005189		6TH ST	WARRANT / SW / CR097569
2/12/16	13:24:31	116005204	0088	SAINT CROIX TR	STALLED VEH
2/12/16	15:07:06	116005230	0083	QUALITY AV	RECEIPT# 160000839
2/12/16	15:10:34	116005231	0083	QUALITY AV	RECEIPT# 160000841
2/13/16	17:08:58	116005339	0139	3RD ST	MEDICAL LEVEL 1
2/14/16	16:51:46	116005403	0091	SAINT CROIX TR	DEER TAG
2/15/16	17:01:46	116005490	0139	RIVERCREST RD	FOUND DOG
2/15/16	18:08:12	116005498	0093	SAINT CROIX TR	TRANSFORMER SPARKING
2/16/16	8:45:45	116005547	0130	SAINT CROIX TR	DAMAGE TO PROPERTY
2/16/16	11:40:21	116005588	1208	SAINT CROIX TR	K-9 DEMO
2/16/16	11:54:07	116005591	0100	QUINLAN AV	OFFICER INFO
2/16/16	18:39:04	116005644	1264	QUINNELL AV	LAKELAND CITY COUNCIL MEETING
2/16/16	18:48:35	116005645	1264	SAINT CROIX TR	TRAFFIC
2/17/16	8:59:16	116005682	0151	SAINT CROIX TR	LEVEL 3 INSPECTION/FAIL TO OBE
2/17/16	16:11:03	116005768	0153	SAINT CROIX TR	VEH LOCKOUT
2/18/16	9:37:36	116005832	0160	QUENTIN AV	PUBLIC ASSIST
2/20/16	2:39:55	116006108	0174	SAINT CROIX TR	TRAFFIC - NOT A DROP/SPEED (55
2/20/16	14:19:42	116006157	0081	LAKELAND	INFORMATION ONLY *THIS DID NOT
2/20/16	14:59:12	116006160	0082	SAINT CROIX TR	BURG ALARM
2/21/16	1:01:26	116006197	0072	10TH ST CT	SUSPICIOUS ACTIVITY/CAR ALARM
2/21/16	15:42:33	116006238	0174	SAINT CROIX TR	VERBAL ALTERCATION *COMP WITNE
2/21/16	17:35:31	116006241	0174	I94	VEHICLE FIRE
2/21/16	21:29:02	116006251	0174	SAINT CROIX TR	LOITERING
2/22/16	10:38:53	116006319		QUEBEC AV	RECEIPT# 160000994
2/22/16	16:14:30	116006385	0100	QUENTIN AV	OFFICER INFO
2/22/16	17:48:46	116006393	0174	SAINT CROIX TR	TRAFFIC - DAR
2/23/16	13:06:49	116006494	0100	QUEHL AV	OFFICER INFO
2/23/16	15:29:22	116006513	0076	SAINT CROIX TR	ALARM *RESTACKED TO CALL JEF
2/23/16	16:48:32	116006527	0151	I94	LEVEL 2 INSPECTION
2/24/16	15:55:54	116006645	0091	QUALITY AV	CHECK WELFARE/IRS SCAM REPORT
2/24/16	19:47:40	116006670	0091	QUALITY AV	CIVIL ISSUE
2/25/16	16:37:10	116006824	0151	I94	LEVEL 2 INSPECTION/HEADLAMP OU
2/25/16	22:06:53	116006845	1264	RIVERCREST RD	ABANDONED VEHICLE
2/26/16	11:56:18	116006920	0083	RIVERCREST RD	RECEIPT# 160001132
2/26/16	18:42:04	116006999	1264	3RD ST	BARKING DOG

CJBWPR\$
Washington County Sheriff's Office
CONTRACT ICR's
Contract Report for LAKELAND
For the Period 2/01/16 To 2/29/16

Date	Time	ICR #	ID#	Street Name	Complaint	
2/26/16	20:55:23	116007010	0084	I94	ROAD HAZARD	*STATE NOTIFIE
2/29/16	10:01:44	116007251	0063	RIVERCREST RD	UNWANTED FEMALE	

Total ICRs Processed: 54

** END OF REPORT **

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Lakeland Update – February, 2016

1. With Lakeland City Council approving a motion to continue the working relationship in October, I confirmed that Lakeland can continue to use Student Teams again. On Tuesday, January 5, 2016, I discussed the list of potential projects with the students that evening beginning at 6:30 PM. I have 2 students that have are working on projects – David Lewis is working on the Recreational Programming section of the 2020 Comp Plan, while Paul Carroll is working on the Lakeland Beach Fishing Pier. Their progress and dedication have been commendable given the short period of time to do the projects. They are scheduled to present their findings to City Council on Tuesday, March 15th at 5 PM.
2. The City Clerk/Administrator and I met with a contractor, Mohs Construction, for Friday, December 11th to help determine the costs of remediation of the current City Hall. In early January, we passed along our thoughts that it should be sold “as is” for a first approach. Since City Council has made a decision to move out of the build, I am now researching the options for handling the sale of the building with the Clerk Administrator.
3. Now that the City Council has made a decision on the location of City Hall, I am working with the Clerk Administrator on list of architects to send the RFP to, along with possible funding sources for parts of the new City Hall.
4. In answer to a question that came up at a recent City Council Meeting, the Washington County HRA administrates the Community Development Block Grant Program (CDBG) in the county. It is a competitive process with about \$317,000 available for projects. Applications for 2015 are closed, and now approved by the County Commissioners on 2/16, but it would be good to meet with the HRA to take a look at possible projects for 2017. I will facilitate that for the City later this Summer.
5. Now that Thrive MSP 2040 has laid out the direction, the Metro Council has sent individualized city System Statements in early November, so Lakeland now has a “blueprint” on what the City needs to do to comply with the 4 Policy Plans and can now proceed with their Comp Plan. The System statement for Lakeland is 76 pages long, so Mayor Williams and I met with City’s Sector Rep, Ryan Garcia, on

January 28th for further direction on how best to tackle the Comp Plan requirements. Overall, the Comp Plan will be easier to comply with time around and there are sections that we can complete by simply updating the current Comp Plan – Aviation, Transit System, and Metro Highway System are 3 examples that will require minimal revisions. I will start drafting those sections in March for future City Council review.

6. To assist the City in completing the Comp Plan by the end of 2018, Metro Council has developed an improved online clearinghouse. While not \$ for assistance; nevertheless, I found it to be easy to navigate for the different sections needed for the Comp Plan, especially the “how to” sections that detail the requirements. In our meeting with the Sector Rep, he showed us a few upgrades to the Clearinghouse. I feel confident that we’ll get the assistance we need to complete the Plan even if we don’t have access to funding.
7. Even Washington County has begun wrestling with the Comp Plan update...the Board of Commissioners started their process on 2/2. I’ll be keeping an eye on their process, since the County will need to “sign off” on Lakeland’s Comp Plan once it is complete.
8. As part of the Comp Plan process, all local Water Supply Plans are now to be submitted to the DNR only and on a standard template provided by the DNR. The DNR will then contact Metro Council for their comments on consistency with regional plans. The DNR will then approve the local Water Supply Plan, which will fulfil the requirements of the Comp Plan. Lakeland must submit their Water Supply Plan on the template by 12/31/16. Assuming approval, the city simply makes this part of the Comp Plan. I’ll be working with Matt on the inclusion into the Comp Plan.
9. The foreclosure data provided by the Washington County HRA thru October, 2015 shows that Lakeland had 1 foreclosure for the month – 244 Quehl Avenue. Overall, Sheriff’s Sales are down by 50 for 2015 from 2014, but there are still 2 months of stats to go.
10. The Elections Emergency Planning Task Force, which was created by the Legislature last year to make sure that Minnesota is prepared for any large scale incident that might affect election, made a report to the Legislature in early January. Among the recommendations the Legislature will consider this session will be that Counties consult with cities and other local government units in developing an emergency elections plan. Assuming the recommendations become law, the emergency elections plans would need to be completed by 9/1/16.

- 11. Other news...Metro Cities held a Housing Forum on 2/25 that dealt with Code Enforcement; Senior Housing; Rental Licensing; and the upcoming Comp Plan requirements – the presentations are now online on their Website; also on the Metro Cities Website are the presentations from the 2/27 Governor’s Water Summit; and the PERA Board voted in January NOT to change the contribution percentages – the employee contribution will remain at 6.5% and the employer contribution rate will remain at 7.5% through DECEMBER 31, 2017, which is good news for the Lakeland 2017 Budget, but it still has to be approved by the State Legislature; State Fire Aid Reports are due to the State Department of Revenue by 3/15; and, believe it or not, preparations have begun for the 2020 Census!**
- 12. As noted above, the Legislature starts on March 8th. In addition to the Bonding Bill, the “main event” is likely to be what to do with the projected budget surplus...now down to \$900 million from \$1.2 Billion. Cities would like to see some of that surplus, about \$67 Million, used to restore LGA back to 2003 levels, because unless there’s a change, then LGA levels are frozen after 2016 even with a surplus. Another issue important to cities under 5,000 will be to continue funding by the State for City streets...this netted Lakeland valuable \$ last year for maintenance of City streets, but was only for 1 year. Both of these are key Legislative positions for Lakeland, but perhaps less likely due to a 25% decrease in the State Budget surplus. I think making sure that the above is a “talking point” for any Mayor/Councilmember discussion with the City’s State legislative reps.**
- 13. Another key Legislative item is the Sales Tax Exemption on Construction materials, because, while technically exempt, the exemption is costly and requires complicated procedures to get it. Making this process simpler for cities to comply to will save \$. I will be reviewing with City Clerk Administrator the possible use of this exemption for construction materials used on the new City Hall.**
- 14. As I write this Update, the Legislative Session is just about to start. Like most citizens, you might be surprised to know that 234 Bills have already been introduced by the House for consideration in the upcoming Session. The fact is that House rules allow these “Pre-Session” Bills, while the Senate does not. Among the Bills already “in play” are HF 2585, which would require a 2/3 vote of the City Council before adopting an interim ordinance; HF 2485, which would prohibit cities from requiring registration of unmanned aircraft systems; HF 2494, which places a moratorium on local governments to organize**

solid waste collection; and, HF 2439, which allows cities to prohibit or regulate pesticide use...this is just a sample of what's already on the docket. I "attended" a great League of Minnesota Cities Webinar on "What's in Store for Cities During 2016 at the Capitol?" on 3/3...Council and Staff can access it on the League Website Home Page at the bottom.

15. The DNR has begun contacting cities asking for assistance in producing "buffer protection" maps, so Lakeland should expect to receive one given its location on the St. Croix River. It's part of a 4 phase effort to meet a new State law of producing buffer protection maps by July, 2016. Once the city receives the letter, I can help with the project and the City's role in it, if you wish.
16. If Lakeland requires licensed lawful gambling organizations to contribute up to 10% of annual net profits to a city fund, then Lakeland has to file an annual report with the Minnesota Gambling Control Board by March 15th.
17. The Washington County Board of Commissioners heard the Library's Strategic Plan and adopted it on February 16th. In reviewing it, as it pertains to Lakeland, the Goals include cultivating partnerships, improving library facilities, and making libraries a "tech hub". I think that the next step should be to invite the Library Board Chair to make a presentation to the Council on the Strategic Plan and how it might affect Lakeland. Let me know if you'd like me to set that up.
18. January, 2016 Work Plan – Focus on the 2020 Comp Plan Process, City Hall Options, Emerald Ash Borer Presentation for a CC Meeting, Setting Meeting on CDBG process; and Hamline Projects Coordination...and any other projects!

7A

Date: March 15, 2016
To: Mayor and City Council
From: Sandie Thone, City Administrator/Clerk
Re: Old City Hall Discussion

BACKGROUND

At the February 16, 2016 city council meeting the city council approved the location of the New City Hall. In addition the city council approved Afton-Lakeland Elementary School as the new polling place for city elections.

DISCUSSION

Throughout the course of year 2015 staff met with many various contractors, vendors, realtors and other professionals gaining insight into the current city hall building in anticipation of the eventual decision on how to move forward with the property/building. I will make available at the meeting any reports from the various professionals that you may want to review.

RECOMMENDATION

Staff is asking for direction from the city council at this time regarding the old city hall building.