



MAYOR & COUNCIL COMMUNICATION

DATE: December 17, 2013

CONSENT

ITEM #6

AGENDA ITEM: Adoption of Amended 2014 Fee Schedule

SUBMITTED BY: Beckie Gumatz, Program Assistant

THROUGH: Dean Zuleger, City Administrator

REVIEWED BY: Adam Bell, City Clerk

SUGGESTED ORDER OF BUSINESS (if removed from the consent agenda):

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

POLICY RECOMMENDER: Staff

FISCAL IMPACT: Specific annual dollar amount impact is not available at this time. Several fees are being lowered and theoretically could result in lower revenue to City; however most of the fees being lowered are minimal to begin with and paid so infrequently, if at all, there should be no recognized revenue loss.

SUMMARY AND ACTION REQUESTED: City Council is respectfully requested to consider approval of Ordinance 08-097, an Ordinance Amending the Lake Elmo Fee Schedule. As part of its consent agenda, no formal motion is required. If Council would like to remove this item from the Consent Agenda, the suggested motion is as follows:

“Move to approve Ordinance 08-097, An Ordinance Amending the Lake Elmo Fee Schedule.”

LEGISLATIVE HISTORY: It is incumbent upon the City to continually and regularly review the Municipal Fee Schedule to ensure that it is in compliance with state and local law as well as continually able to be justified. Below are the changes/modifications being proposed to the Lake Elmo Fee Schedule:

- Copy fees were clarified to reflect state law
- Eliminate Service Dog Fee (staff opinion is that it is too high)
- Change Video Reproduction Fee (staff opinion is that it is too high)
- Add Data DVD Fee (was part of video reproduction fee)
- Add Bulk Water Rate purchase for Sod Installation (add convenience for tax payer)
- Add Zoning Letter (New fee for increasingly frequent service)
- Remove OP Ordinance Fee (follow state fee)
- Remove Code Book Fees (follow state fee)
- Change Plan Size Map Fee (staff opinion is that it is too high)
- Remove Parks Plan Fee (follow state fee)
- Clarify Massage License Fee legislative intention
- Change Massage Therapy License Amendment Fee (staff opinion is that it is too high)
- Change SAC Charge (Met Council) Fee (Met Council raised fee for 2014)

BACKGROUND INFORMATION (SWOT):

Strengths Keeping the Fee Schedule up-to-date helps the City ensure that it is in compliance with state and local laws. It also helps to provide correct information to residents who pay for city services. Updating many items on the Fee Schedule at one time reduces the number of times this item must come before City Council.

Weaknesses At times, after further information or data is available, fees may need to be adjusted. This inherent weakness is not an argument against adoption, but simply a fact.

Opportunities The Fee Schedule should be updated annually and throughout the year as needed. This is currently being done, but staff should always strive to stay ahead of any required fee changes.

Threats Any fee that is not statutorily specified is subject to legal challenge. Short of being legally challenged, any fee the City imposes is subject to being challenged by a payer of any fee. It is incumbent on staff to stay up to date on the law and make sure that each fee is compliant and can be justified and legally defended.

RECOMMENDATION: City Council is respectfully requested to consider approval of Ordinance 08-097, an Ordinance Amending the Lake Elmo Fee Schedule. As part of its consent agenda, no formal motion is required. If Council would like to remove this item from the Consent Agenda, the suggested motion is as follows:

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ATTACHMENTS:

1. Ordinance 08-097
2. 2014 City of Lake Elmo Fee Schedule
3. Fee Schedule Modifications Summary