

**Lauderdale City Council
Meeting Minutes
March 25, 2003**

1. Meeting called to order at 7:30 P.M.

2. ROLL

Council present: Christensen, Giannetti, McCloskey, Gill-Gerbig and Mayor Dains

Staff present: Administrator Getschow and Assistant to the City Administrator Bownik

3. APPROVAL OF THE AGENDA

A. Approval of Agenda. Motion by Giannetti, second by Christensen to approve the agenda. Motion carried unanimously.

4. APPROVAL

A. Approval of Minutes. Motion by Gill-Gerbig, second by McCloskey to approve the minutes of the March 11, 2003 City Council meeting. Motion carried unanimously.

B. Approval of Claims totaling \$47,168.89. Motion by Giannetti, second by McCloskey to approve the claims totaling \$47,168.89. Motion carried unanimously.

C. Approval of Pay Request #10 for the 2002 Street and Utility Improvements in the amount of \$48,984.45. Motion by McCloskey, second by Christensen to approve Pay Request #10 for the 2002 Street and Utility Improvements in the amount of \$48,984.45. Motion carried unanimously.

5. OPPORTUNITY FOR THE PUBLIC TO ADDRESS ITEMS NOT ON THE AGENDA

6. CONSENT

7. SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS
8. INFORMATIONAL PRESENTATIONS
9. PUBLIC HEARINGS

A. *DNR Outdoor Recreation Grant Application- Community Park Tennis Court Reconstruction.* James Bownik, Assistant to the City Administrator, discussed the grant application that was being considered. He stated that the Park and Community Involvement Committee has supported this grant application and discussed its submittal at its last meeting. The estimated cost of the improvement is approximately \$80,000 with \$40,000 being funded through this grant. The matching funds are available in the Park Improvement Fund as part of a plan that was put in place in 1998 to save funds for this project.

Bownik stated that the new tennis courts will once again be a double court (120' x 114') and built approximately at the same location, with an emphasis on ADA compliance. A path will be extended to lead to an entrance of the tennis courts. Four-foot gates will be used for the entrances on each side, allowing for wheel chair accessibility. The new courts will be properly designed and built for drainage, durability, and longevity. The surfacing system will consist of 100% acrylic, with a vinyl-coated fence installed around the perimeter of the court.

Bownik then discussed the cost breakdown for the grant project that was included in a special handout that was distributed. He also referred to a letter from resident Jonathon Preus, 1723 Carl Street, which was submitted in 2002 and indicated support for the project

The Mayor opened the public hearing at 7:40 p.m.

Kim Anderson, 1627 Carl Street, requested verification on the fact that the grant application applied for funding to replace two courts as opposed to one court.

The Mayor closed the public hearing at 7:41 p.m.

10. ACTION

A. *Approval of Resolution 032503A: Authorizing Application for a DNR Outdoor Recreation Grant for the Construction of the Tennis Courts.*

Council member Gill-Gerbig stated that she supported the effort to apply for this grant.

Council member McCloskey stated that he did not support this grant application. Considering the economic times and the budget cuts that we may be facing, now may not be the right time to apply for this grant.

Mayor Dains stated that Council member McCloskey makes a good point. He asked at what point must the City commit to this grant, if it is received.

Bownik stated that the City does not need to commit until it signs a grant agreement within weeks of receiving notice that the grant has been awarded. Notification of this would occur at some point this summer. Therefore, there is not a commitment at this time of application.

Council member Gill-Gerbig then stated that we have the opportunity to turn down the grant at a later date if the fiscal situation deems it necessary. By the time that we would potentially receive the grant, we will know where we stand with the State of Minnesota and the state aid cuts.

Mayor Dains stated that he supported this application but that he has serious concerns regarding the public services that cities will be able to offer in the current environment. Even though Lauderdale is weathering the current fiscal condition well, we may not always be able to afford a lot of the services that residents have come to expect.

Council member Giannetti stated that she supported going forward with this grant application.

Council member Christensen inquired as to the timeline and requirements for completing the improvements under the grant agreement. He was also concerned with applying to the State for a grant that the City may not accept if it is awarded.

Motion by Giannetti, second by Gill-Gerbig to approve Resolution 032503A: Authorizing Application for a DNR Outdoor Recreation Grant for the Construction of the Tennis Courts. Roll: Yes: Christensen, Giannetti, and Mayor Dains. No: Gill-Gerbig and McCloskey. Motion carried

B. Approval of the Lauderdale Storm Water Pollution Prevention Program and the Municipal Separate Storm Sewer (MS4) Permit Application. Shabana Hameed of Bonestroo and Associates gave an overview of the NPDES Phase II permit program. She proceeded through the Lauderdale Storm Water Pollution Prevention Program that is a part of the permit application that focuses on six minimum control measures and the best management practices that fall under each minimum control measure. She stated that Lauderdale already utilizes many of the best management practices that are delineated in the plan. There will be new practices, such as conducting an annual storm water meeting, but many of the practices are currently in place. The effort required with the permit will be all of the record keeping and documentation needed for annually reporting on these best management practices.

Council member Gill-Gerbig stated that sanitary sewer system permits and best management practices have been around for a long time, but these storm water initiatives have just begun. Quantifying and reporting on these activities and best management practices is a positive and needed development.

Motion by Christensen, second by McCloskey to approve the Lauderdale Storm Water Pollution Prevention Plan and the Municipal Separate Storm Sewer System Permit Application to the Minnesota Pollution Control Agency.

Roll: Yes: all. Motion carried

C. Approval of a 2003 Refuse Hauler License for Vasko Rubbish. The City Administrator stated that all of the permit application materials have finally been submitted for approval by Vasko. Motion by Gill-Gerbig, second by McCloskey to approve a 2003 Refuse Hauler License for Vasko Rubbish. Roll: Yes: all. Motion carried

11. REPORTS

A. Development of the Park and Recreational Open Space Property at Walnut and Ione Street. Assistant to the City Administrator Bownik stated that the Park and Community Involvement Committee discussed this new park property at their last meeting. Bownik provided a list of suggestions for this new park that the Committee discussed and created. Council consensus was to move ahead and consider the following suggestions: a park sign, a bench, a garbage can, landscaping, and a small fence.

There also was an understanding that since the street project will be occurring in this neighborhood in 2003, the park will probably not be ready for full use until 2004.

B. Emergency Management and Emergency Preparedness. Bownik provided an update to the City Council about the community meeting that is scheduled at Lauderdale City Hall for Tuesday, April 15, 2003 from 6:00 to 8:00 p.m. The meeting will give the City an opportunity to provide residents with information on several topics of public safety. The meeting will involve Ramsey County Emergency Services, the St. Anthony Police Department, and the Falcon Heights Fire Department. It will cover such topics as severe weather, crime and fire prevention, and homeland security.

Bownik also provided a brief update on the recent activities of the Ramsey County Emergency Manager's Committee.

C. 2003 Improvements: Bidding Update and Legislative Issues. The City Administrator stated that the bids were received and opened last Tuesday, March 18, 2003. There were 10 bids that were opened. The apparent low bid, which would be considered by the Council at the April 8 meeting, was submitted by S.M. Hentges and Sons, Inc. It came in approximately \$3,000 below the engineer's estimate from the feasibility report.

Another issue that the City Administrator reported on was the legislative proposals in the House and the Senate regarding the issuance of debt. Since the city plans on issuing debt for a portion of these improvements, there is a need to monitor these developments. Cities could lose some authority or ability to issue debt service with a debt levy. Even though Lauderdale has not yet utilized a debt levy in the past, the ability to do so in the future may be important.

The Mayor and City Council expressed deep dissatisfaction with these proposals that erode local control. City Councils should best determine their City's needs and abilities; it should not be the state's duty to control so many aspects of local government finance.

D. Potential Hazardous Building at 1728 Malvern Street. The City Administrator stated the nuisance abatement process is under way. He reported that the Building Inspector has completed an exterior inspection of the building and the report was provided to the City Council and the owners. The City has been in contact with all owners of the property regarding this inspection and the City's plan to move ahead with the nuisance abatement process.

The next step in the process is for the City Attorney to draft a court order demanding repair or demolition of the structure based on the inspection report. The order must be approved in resolution form by the City Council and would then served upon all affected parties. The legal work required in addition to the drafting of the order is for title work to properly serve the order. While the Administrator acknowledged that the City is ready to move ahead with this process, we thought it would be prudent to give the owner one more chance to achieve compliance without the need for a court order and the legal expenses that accompany this method of nuisance abatement. While the City can recover its legal and potential demolition costs through an assessment of the property, this effort would be much simpler if the owner would take out a permit to either make the necessary repairs or to demolish the structure.

This item will return to the Council agenda in April.

12. DISCUSSION
13. ITEMS REMOVED FROM THE CONSENT AGENDA
14. ADDITIONAL ITEMS
15. SET AGENDA FOR NEXT MEETING
 1. 2003 Improvements Bids
 2. 2002 Annual Police Report
 3. 2003 Street Sweeping Bids
 4. 2002 Audit and Financial Statements
 5. Set a Date for Spring Clean-Up
 6. Work Session: Larpenteur Ave Redevelopment and County Road Turnbacks
16. ADJOURNMENT

Motion by McCloskey, second by Gill-Gerbig to adjourn at 9:00 P.M. Ayes: All.