

**Lauderdale City Council
Meeting Minutes
June 10, 2003**

1. Meeting called to order at 7:05 P.M.

2. ROLL

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

Staff present: Administrator Getschow

3. APPROVAL OF THE AGENDA

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

4. APPROVAL

A. Approval of Minutes. Motion by Giannetti, second by Gill-Gerbig to approve the minutes of the May 27, 2003 City Council meeting. Motion carried unanimously.

B. Approval of Claims totaling \$33,179.05. Motion by Gill-Gerbig, second by McCloskey to approve the claims totaling \$33,179.05. Motion carried unanimously.

C. Approval of Pay Request #2 for the 2003 Street and Utility Improvements for S.M. Hentges and Sons in the amount of \$228,495.02. Motion by Christensen, second by Giannetti to approve Pay Request #2 for the 2003 Street and Utility Improvements in the amount of \$228,495.02. Motion carried unanimously.

D. Water Utility Issue. Council member Gill-Gerbig stated that she had been in contact with a resident on Malvern Street (1747 Malvern) regarding concerns that this property owner has with a private water connection and issues with the Saint Paul Water Utility. This resident currently possesses a water connection served through an adjacent lot to a side street (Ione Street), even though there is a water service connection in front of this property (Malvern Street) at the property line. She stated that the owner has been notified by the Water Utility and city staff in writing that the water connection the resident seeks is voluntary, completely the responsibility of the homeowner, and independent of the street and utility improvement project that is currently underway in this area.

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

6. CONSENT

7. SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS/
CITIZENS ADDRESSING STREET AND UTILITY IMPROVEMENTS

A. Park and Community Involvement Committee (PCIC) Membership. Council member Giannetti, also the liaison to the PCIC, stated that new members are being sought for the PCIC. The committee is a fun group that mainly assists in planning community events and any improvements to the Community Park. Anyone interested in joining can contact City Hall for an application.

8. INFORMATIONAL PRESENTATIONS

9. PUBLIC HEARINGS

10. ACTION

A. 1728 Malvern Hazardous Building Removal Agreement. Administrator Getschow provided background on this issue that began with the Council directing staff to begin to go through the proper stages of the Hazardous Building Act for the property at 1728 Malvern Street. Since that time, there was an exterior inspection of the building and communication with all affected property owners that the City planned to move ahead with the nuisance abatement process. With the cooperation of the owners, everyone has agreed that an alternative route

that does not require a court order could be achieved. This involves the demolition of the building through a cooperative agreement that would be drafted by the City Attorney. This would involve the removal of the structure by the City, with all costs associated with the demolition of the house being placed on the property tax roll of the property.

The agreement was drafted by the City Attorney and executed by the property owners and is now ready for approval by the City Council. City staff will move forward with obtaining quotations for removal following the approval of this agreement.

Council member McCloskey expressed concern with this agreement because one would assume that if a property owner could afford to build on the site, he or she could afford to demolish the structure on the site without the need for the City to complete the project upfront even if all costs are assessed to the property.

The City Administrator stated that even if this were the case, and the City refused to enter into an agreement with the property owners, we would most likely end up at this point in the future. Unfortunately, it would be at least six months later and there would higher costs associated with the project due to the legal fees needed to obtain a court order or a judgment. Also, the main owner of the property that is to be assessed is not the same owner that is discussing building on the site following demolition.

Motion by Christensen, second by Giannetti to approve an agreement between the City of Lauderdale and the owners of 1728 Malvern Street to remove the hazardous structure at 1728 Malvern Street. Roll: Yes: all. Motion carried.

B. Consideration of a Non-Intoxicating Off-Sale Malt Liquor License and Cigarette License for TEK and W, LLC (SuperUSA). Administrator Getschow stated that Mr. Tek Hammett, the Chief Manager of STEK & W, LLC, has recently purchased the SuperUSA store located at 2424 Larpenteur Avenue and was applying for a non-intoxicating off-sale malt liquor license and a cigarette license for 2003. He has provided the City of Lauderdale with all required information, including worker's compensation and contact forms. His company has one store in Minneapolis, which is a SuperUSA store, and another store in Bloomington known as MegaMarket. Mr. Hammett does not plan on changing the way the store is set up or operated.

Motion by Giannetti, second by Gill-Gerbig to approve a Non-Intoxicating Off-Sale Malt Liquor License and Cigarette License for TEK and W, LLC (SuperUSA). Roll: Yes: all. Motion carried.

C. Approval of City Code Revision to Title 9 (Building Regulations), Chapter 1 (Building Code). Administrator Getschow stated that the revised and updated 2003 Minnesota Uniform Building Code has passed through the final rulemaking process and is now a part of state law. The last update to the Building Code was in 1998 with the adoption of the 1997 Uniform Building Code. As a result of this, the City needs to make revisions to City Code adopting the updated State Building Code.

Motion by Gill-Gerbig, second by McCloskey to approve and adopt the revisions Title 9- Building Regulations, Chapter 1-Building Code of the Lauderdale City Code.
Roll: Yes: all. Motion carried.

11. REPORTS

A. MNDOT Highway 280 Reconstruction Project. Administrator Getschow stated that he recently discussed the Highway 280 project with MNDOT Area Manager Frank Pafko. Pafko stated that MNDOT would not appeal the municipal consent resolution passed by the City Council in December 2002. This consent was conditioned on Roselawn Avenue remaining open for traffic exiting Highway 280 on to Roselawn Avenue until the Larpenteur Avenue interchange is reconstructed. MNDOT anticipates presenting final plans for review by the City Council in the fall of 2004.

Pafko also discussed the reconstruction of the Larpenteur Avenue interchange. MNDOT intends to apply for ISTEA funds this fall for building a new interchange. The reconstruction of the bridge under the interchange is tentatively scheduled for 2008. MNDOT would like to receive federal funds through the ISTEA program for that same year to reconstruct both the bridge and the interchange. Solicitations for ISTEA applications are being accepted this fall. Pafko will report back to the Council at that time to seek support and assistance for the funding application.

12. ITEMS REMOVED FROM THE CONSENT AGENDA

13. ADDITIONAL ITEMS

14. SET AGENDA FOR NEXT MEETING

1. Two Variance Applications
2. Quotations for the Demolition of 1728 Malvern Street

A break was taken at 7:45 p.m. to transition into a work session discussion.

15. WORK SESSION DISCUSSION

The meeting resumed at 7:47 p.m.

A. County Road Turnbacks Discussion- Ramsey County Commissioner.
County Commissioner Jan Weissner, County Public Works Director Ken Haider, and County Engineer Tim Mayasich were present to discuss the proposed county road turnback of Fulham Street in Lauderdale and Falcon Heights.

B. Presentation on Falcon Heights Southeast Corner Redevelopment.
Heather Worthington, Falcon Heights City Administrator, gave a presentation to the City Council on Falcon Height's redevelopment project on the southeast corner of Snelling Avenue. The project will involve the construction of new mixed-use housing and commercial units.

C. Council meeting schedule for July. The Council discussed the dates for the Council meetings in July.

D. 2003 Improvements. The Council discussed construction issues related to the 2003 Improvements. The Administrator stated that the City Engineer would be present at a future Council meeting to provide a report and potential change order on opening an alley in this phase of the improvements.

16. ADJOURNMENT

Motion by Gill-Gerbig, second by McCloskey to adjourn at 10:00 P.M. Ayes: All.