

LAUDERDALE CITY COUNCIL MEETING AGENDA
7:30 P.M. TUESDAY, APRIL 10, 2018
LAUDERDALE CITY HALL, 1891 WALNUT STREET

The City Council is meeting as a legislative body to conduct the business of the City according to Robert's Rules of Order and the Standing Rules of Order and Business of the City Council. Unless so ordered by the Mayor, citizen participation is limited to the times indicated and always within the prescribed rules of conduct for public input at meetings.

1. **CALL THE MEETING TO ORDER**
2. **ROLL CALL**
3. **APPROVALS**
 - a. Agenda
 - b. Minutes of the March 27, 2018 City Council Meeting
 - c. Claims Totaling \$98,089.52
4. **CONSENT**
5. **SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS**
6. **INFORMATIONAL PRESENTATIONS / REPORTS**
 - a. Annual Police Department Report, Chief Jon Mangseth
 - b. Summer Festival Update
 - c. City Council Updates
7. **PUBLIC HEARINGS**

Public hearings are conducted so that the public affected by a proposal may have input into the decision. During hearings all affected residents will be given an opportunity to speak pursuant to the Robert's Rules of Order and the standing rules of order and business of the City Council.

8. **DISCUSSION / ACTION ITEM**
 - a. Resolution No. 041018A – Awarding the Sale of Bonds to Purchase 1795 Eustis Street
 - b. Resolution No. 041018B – Supporting Local Decision-Making Authority
 - c. Amendment to the *Amended and Restated Development Plan* with Greenway Village Apartments
 - d. Absentee Ballot Administration for 2018 Elections
9. **ITEMS REMOVED FROM THE CONSENT AGENDA**
10. **ADDITIONAL ITEMS**
11. **SET AGENDA FOR NEXT MEETING**
 - a. March Financial Report
 - b. Rental Housing Ordinance Revisions
12. **WORK SESSION**
 - a. Opportunity for the Public to Address the City Council

Any member of the public may speak at this time on any item not on the agenda. In consideration for the public attending the meeting, this portion of the meeting will be limited to fifteen (15) minutes. Individuals are requested to limit their comments to four (4) minutes or less. If the majority of the Council determines that additional time on a specific issue is warranted, then discussion on that issue shall be continued at the end of the agenda. Before addressing the City Council, members of the public are asked to step up to the microphone, give their name, address, and state the subject to be discussed. All remarks shall be addressed to the Council as a whole and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter any discussion without permission of the presiding officer.

Your participation, as prescribed by the Robert's Rules of Order and the standing rules of order and business of the City Council, is welcomed and your cooperation is greatly appreciated.

b. Community Development Update

13. **ADJOURNMENT**

LAUDERDALE CITY COUNCIL
MEETING MINUTES
Lauderdale City Hall
1891 Walnut Street
Lauderdale, MN 55113

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March 27, 2018

Roll Call

Mayor Gaasch called the Regular City Council meeting to order at 7:40 p.m.

Councilors present: Jeff Dains, Andi Moffatt, and Mayor Mary Gaasch.

Councilors absent: Kelly Dolphin and Roxanne Grove.

Staff present: Heather Butkowski, City Administrator; Jim Bownik, Assistant to the City Administrator; and Miles Cline, Deputy City Clerk.

Approvals

Mayor Gaasch asked if there were any additions to the meeting agenda. There being none, Councilor Dains moved and seconded by Councilor Moffatt to approve the agenda. Motion carried unanimously.

Mayor Gaasch asked if there were any changes to the meeting minutes. There being none, Councilor Dains moved and seconded by Councilor Moffatt to approve the minutes of the March 13, 2018, city council meeting. Motion carried unanimously.

Mayor Gaasch asked if there were any questions on the claims. There being none, Councilor Moffatt moved and seconded by Councilor Dains to approve the claims totaling \$26,019.64. Motion carried unanimously.

Consent

Councilor Dains moved and seconded by Councilor Moffatt to approve the Consent Agenda thereby acknowledging the February Financial Report and the street sweeping proposal.

Informational Presentations/Reports

A. 2017 Audit Report by Adbo, Eick, and Meyers Staff

Andrew Berg of Adbo, Eick, and Meyers approached the Council to present the 2017 audited financials. Berg went through the Management Letter and the Annual Financial Report and answered questions from the Council after his presentation was complete.

B. City Council Updates

Mayor Gaasch and Councilor Moffatt attended the League of Minnesota Legislative Conference where they met with State Representative Alice Hausman to discuss street infrastructure and state aid. Mayor Gaasch added that she attended a Metro Cities Board of Directors meeting where she was nominated to be the president of the organization. Finally, Councilor Moffatt said she attended the Comprehensive Plan Open House at City Hall.

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1891 Walnut Street
Lauderdale, MN 55113

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March 27, 2018

Discussion/Action Items

A. Post Issuance Debt Compliance Policy

Previously, the Council entered into an agreement with Ehlers and Associates for assistance with meeting post bond issuance debt compliance requirements. At this meeting, the Council considered adoption of a Post-Issuance Debt Compliance Policy.

Councilor Moffatt moved to adopt the Post-Issuance Debt Compliance Policy as presented. The motion was seconded by Councilor Dains and carried unanimously.

B. Proposal for Phase II Subsurface Investigation at 1795 Eustis Street

The Javelin Group completed the Phase I report, and based on their research, they are recommending a Phase II to look more in depth at a couple of items including the soil around the fuel oil tank that was removed in the 1990s and soil vapors.

Councilor Moffatt moved to hire The Javelin Group to complete a Phase II Subsurface Investigation at 1795 Eustis Street. The motion was seconded by Councilor Dains and carried unanimously.

C. Rental Housing Ordinance Revisions

Butkowski stated that the draft rental housing ordinance was sent to rental property owners at the beginning of March. Owners were asked to return comments on the draft by March 20. Staff is still working on revisions with the city attorney and adoption is expected in the near future.

Set Agenda for Next Meeting

Administrator Butkowski stated that the next council meeting may include the results of the April 10 bond sale for purchase of 1795 Eustis Street and Rental Housing Ordinance revisions.

Work Session

A. Opportunity for the Public to Address the City Council

Mayor Gaasch opened the floor to anyone in attendance that wanted to address the Council. There being no interested parties to speak, Mayor Gaasch closed the floor.

B. Community Development Update

Butkowski informed the Council that she met with the Fulham Street neighbors regarding the land use designation for the Luther Seminary property, she completed the bond rating interview and is awaiting the results, and Ramsey County called to discuss Eustis Street.

Adjournment

Councilor Dains moved and seconded by Councilor Moffatt to adjourn the meeting at 8:10 p.m. Motion carried unanimously.

LAUDERDALE CITY COUNCIL
MEETING MINUTES
Lauderdale City Hall
1891 Walnut Street
Lauderdale, MN 55113

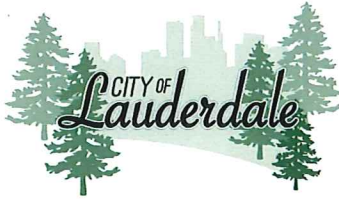
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March 27, 2018

Respectfully submitted,

A handwritten signature in cursive script that reads "Miles Cline".

Miles Cline
Deputy City Clerk



CITY OF LAUDERDALE
LAUDERDALE CITY HALL
1891 WALNUT STREET
LAUDERDALE, MN 55113
651-792-7650
651-631-2066 FAX

Request for Council Action

To: Mayor and City Council
From: City Administrator
Meeting Date: April 10, 2018
Subject: List of Claims

The claims totaling \$98,089.52 are provided for City Council review and approval that includes check numbers 25784 to 25802.

Accounts Payable

Checks by Date - Detail by Check Date

User: miles.cline
 Printed: 4/6/2018 1:55 PM



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
ACH	43	Public Employees Retirement Association PR Batch 50700.04.2018 PERA Coordinated PR Batch 50700.04.2018 PERA Coordinated	04/06/2018 PR Batch 50700.04.2018 PER PR Batch 50700.04.2018 PER	1,102.25 955.28
Total for this ACH Check for Vendor 43:				2,057.53
ACH	44	Minnesota Department of Revenue PR Batch 50700.04.2018 State Income Tax	04/06/2018 PR Batch 50700.04.2018 Stat	681.38
Total for this ACH Check for Vendor 44:				681.38
ACH	45	ICMA Retirement Corporation PR Batch 50700.04.2018 Deferred Comp PR Batch 50700.04.2018 Deferred Comp	04/06/2018 PR Batch 50700.04.2018 Defi PR Batch 50700.04.2018 Defi	939.37 1,351.27
Total for this ACH Check for Vendor 45:				2,290.64
ACH	46	Internal Revenue Service PR Batch 50700.04.2018 Medicare Employer Po PR Batch 50700.04.2018 FICA Employer Portio PR Batch 50700.04.2018 Medicare Employee Pc PR Batch 50700.04.2018 FICA Employee Portio PR Batch 50700.04.2018 Federal Income Tax	04/06/2018 PR Batch 50700.04.2018 Mec PR Batch 50700.04.2018 FIC. PR Batch 50700.04.2018 Mec PR Batch 50700.04.2018 FIC. PR Batch 50700.04.2018 Fed	230.56 985.85 230.56 985.85 1,136.80
Total for this ACH Check for Vendor 46:				3,569.62
Total for 4/6/2018:				8,599.17
25784	13 5829	8th Day Landscaping LLC March Snow Removal	04/10/2018	645.00
Total for Check Number 25784:				645.00
25785	20 398180 398180 398180	Abdo Eick & Meyers LLP 2017 Audit 2017 Audit 2017 Audit	04/10/2018	375.00 1,750.00 375.00
Total for Check Number 25785:				2,500.00
25786	56 1Q2018	James Bownik Mileage Reimbursement	04/10/2018	24.53
Total for Check Number 25786:				24.53
25787	57 1Q2018	Heather Butkowski Mileage Reimbursement	04/10/2018	62.02
Total for Check Number 25787:				62.02

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
25788	36	City of Roseville	04/10/2018	
	0224321	March IT Services		1,118.00
	0224367	March Phone Services		82.43
Total for Check Number 25788:				1,200.43
25789	29	City of St Anthony	04/10/2018	
	3658	April Police Services		57,730.66
Total for Check Number 25789:				57,730.66
25790	133	Miles Cline	04/10/2018	
	1Q2018	Mileage Reimbursement		28.03
Total for Check Number 25790:				28.03
25791	25	County of Ramsey	04/10/2018	
	EMCOM-006810	March Fleet Support		6.24
	EMCOM-006822	March CAD Services		233.07
	EMCOM-006836	March 911 Dispatch Services		1,248.01
Total for Check Number 25791:				1,487.32
25792	25	County of Ramsey	04/10/2018	
	04102018-1821	Recycling Assessment - 1821 Eustis		35.76
Total for Check Number 25792:				35.76
25793	59	Finance and Commerce Inc	04/10/2018	
	743703044	Advertise 2018 Sanitary Sewer Lining Project		77.23
Total for Check Number 25793:				77.23
25794	1	Lillie Suburban Newspapers Inc	04/10/2018	
	032018	Advertise 2018 Sanitary Sewer Lining Project		34.50
Total for Check Number 25794:				34.50
25795	24	Metropolitan Council	04/10/2018	
	0001080893	May Wastewater Treatment		10,846.48
Total for Check Number 25795:				10,846.48
25796	112	Minnesota Pollution Control Agency	04/10/2018	
	042018	Wastewater Certification Renewal - DH		23.00
Total for Check Number 25796:				23.00
25797	84	North Star Bank Cardmember Services	04/10/2018	
	042018	Bathroom Tissue		60.76
	042018	Hand Vacuum		41.64
	042018	PCA Sewer Test - GB		55.00
	042018	DOLI - Building Official License - DH		35.00
Total for Check Number 25797:				192.40
25798	5	Premium Waters Inc	04/10/2018	
	619861-03-18	March Water Delivery		30.92
Total for Check Number 25798:				30.92
25799	47	Public Employees Insurance Program	04/10/2018	
		PR Batch 50700.04.2018 Health Insurance	PR Batch 50700.04.2018 Hea	2,032.62

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
		PR Batch 50700.04.2018 Dental	PR Batch 50700.04.2018 Den	116.10
			Total for Check Number 25799:	2,148.72
25800	109 104	Ramsey County League of Local Governm 2018 Membership Dues	04/10/2018	175.00
			Total for Check Number 25800:	175.00
25801	26 1334679 1334718 1334718 1336032 1336032 1336034	Stantec Consulting Services Inc LSWMP Preparation Eustis/Roselawn Negotiations Wetland Conservation Act Annual Report Eustis & Roselawn Transfer Sewer Lining Project LSWMP Preparation	04/10/2018	5,688.50 1,995.00 75.50 684.00 741.00 2,722.50
			Total for Check Number 25801:	11,906.50
25802	7 7857933-0500-0	Waste Management Inc April Public Works	04/10/2018	341.85
			Total for Check Number 25802:	341.85
			Total for 4/10/2018:	89,490.35
			Report Total (23 checks):	98,089.52

**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested

Consent _____
Public Hearing _____
Discussion X
Action X
Resolution X
Work Session _____

Meeting Date April 10, 2018

ITEM NUMBER Bond Sale Results & Res.

STAFF INITIAL AB

APPROVED BY ADMINISTRATOR

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

The bond sale to finance the purchase of 1795 Eustis Street will be held Tuesday morning. The results of the sale will be reported to the City Council during our meeting that evening. At the conclusion of the discuss, the City Council will be asked to adopt a final version of Resolution No. 041018A. A draft is included in the packet for your review.

STAFF RECOMMENDATION:

Motion to adopt Resolution No. 041018A—A Resolution Awarding the Sale of General Obligation Tax Increment Revenue Bonds, Series 2018A, inn the Original Aggregate Principal Amount of \$1,310,000; Fixing their Form and Specifications; Directing their Execution and Delivery; Providing for their Payment; and Authorizing the Execution of Documents in Connection Therewith.

Extract of Minutes of Meeting
of the City Council of the
City of Lauderdale, Ramsey County, Minnesota

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Lauderdale, Minnesota, was duly held in the City Hall in said City on Tuesday, April 10, 2018, commencing at 7:30 P.M.

The following members were present:

and the following were absent:

* * *

* * *

* * *

The Mayor announced that the next order of business was consideration of the proposals which had been received for the purchase of the City's General Obligation Tax Increment Revenue Bonds, Series 2018A, to be issued in the original aggregate principal amount of \$1,310,000.

The City Administrator presented a tabulation of the proposals which had been received in the manner specified in the Terms of Proposal of the Bond. The proposals are attached hereto as EXHIBIT A.

After due consideration of the proposals, Member _____ then introduced the following resolution and moved its adoption:

RESOLUTION NO. 041018A

**CITY OF LAUDERDALE
RAMSEY COUNTY
STATE OF MINNESOTA**

A RESOLUTION AWARDED THE SALE OF GENERAL OBLIGATION TAX INCREMENT REVENUE BONDS, SERIES 2018A, IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF \$1,310,000; FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; PROVIDING FOR THEIR PAYMENT; AND AUTHORIZING THE EXECUTION OF DOCUMENTS IN CONNECTION THEREWITH

BE IT RESOLVED By the City Council (the "City Council") of the City of Lauderdale, Ramsey County, Minnesota (the "City"), as follows:

Section 1. Sale of the Bond.

1.01. Authorization.

(a) The City has previously established and administers Development District No. 1 (the "Development District") within the City and has established Tax Increment Financing District No. 1-2 (the "TIF District"), a redevelopment district, within the Development District, pursuant to Minnesota Statutes, Sections 469.174 through 469.1794, as amended (the "TIF Act"). The City has approved a Tax Increment Financing Plan for the TIF District. The TIF District was created to help facilitate redevelopment to create additional market rate rental housing, create new commercial uses, and improve the tax base in the City.

(b) Pursuant to Section 469.178, subdivision 2 of the TIF Act, the City is authorized to pledge the tax increment revenues generated by the TIF District to the payment of principal of and interest on general obligation bonds to be issued by the City to pay all or a portion of the public redevelopment costs incurred or to be incurred by the City in the Development District as identified in the TIF Plan.

(c) Pursuant to Section 469.178, subdivision 5 of the TIF Act and Minnesota Statutes, Section 475.61, subdivision 6, the City is authorized to issue temporary bonds maturing within three (3) years from their date of issue to pay all or a portion of the public redevelopment costs incurred or to be incurred by the City in the Development District as identified in the TIF Plan.

(d) The City intends to expend funds within the Development District for land acquisition costs (the "Project").

(e) The City finds it necessary and desirable to the sound financial management of the affairs of the City to issue its General Obligation Tax Increment Revenue Bonds, Series 2018A (the "Bond"), in the original aggregate principal amount of \$1,310,000, pursuant to

the TIF Act and Minnesota Statutes, Chapter 475, as amended (collectively, the "Act"), specifically Section 469.178, subdivision 5 and Section 475.61, subdivision 6, to provide temporary financing for redevelopment costs incurred or to be incurred by the City for the Project as identified in the TIF Plan and the costs of issuing the Bond (the "Project Costs").

(f) The City is authorized by Section 475.60, subdivision 2(9) of the Act to negotiate the sale of the Bond, it being determined that the City has retained an independent municipal advisor in connection with such sale. The actions of the City staff and the City's municipal advisor in negotiating the sale of the Bond are ratified and confirmed in all aspects.

1.02. Award to the Purchaser and Interest Rate. The proposal of _____ (the "Purchaser") to purchase the Bond of the City is hereby found and determined to be a reasonable offer and is hereby accepted, the proposal being to purchase the Bond at a price of \$_____ (par amount of \$1,310,000, [plus original issue premium of \$_____,] [less original issue discount of \$_____,] less underwriter's discount of \$_____), plus accrued interest to date of delivery, if any, for the Bond bearing interest at a rate of _____% per annum. The true interest cost of the Bond is _____%.

1.03. Purchase Contract. The sum of \$_____, being the amount proposed by the Purchaser in excess of \$1,302,140, shall be credited to the Debt Service Fund hereinafter created or applied to Project Costs, as determined by the City Administrator in consultation with the City's municipal advisor. The City Administrator is directed to retain the good faith check of the Purchaser, pending completion of the sale of the Bond, and to return the good faith checks of the unsuccessful proposers. The Mayor and City Administrator are directed to execute a contract with the Purchaser on behalf of the City.

1.04. Terms and Principal Amount of the Bond. The City will forthwith issue and sell the Bond pursuant to the Act, in the total principal amount of \$1,310,000, originally dated May 1, 2018, in the denomination of \$5,000 each or any integral multiple thereof, numbered No. R-1, bearing interest as above set forth, and maturing on February 1, 2021.

1.05. Optional Redemption. The City may elect on February 1, 2019, and on any day thereafter to prepay the Bond. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all of the Bond is called for redemption, the City will notify DTC (as defined in Section 7 hereof) of the particular amount to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

Section 2. Registration and Payment.

2.01. Registered Form. The Bond will be issued only in fully registered form. The interest thereon and, upon surrender of the Bond, the principal amount thereof, is payable by check or draft issued by the Registrar described herein.

2.02. Dates; Interest Payment Dates. The Bond will be dated as of the last interest payment date preceding the date of authentication to which interest on the Bond has been paid or made available for payment, unless (i) the date of authentication is an interest payment date to which interest has been paid or made available for payment, in which case the Bond will be dated as of the date of authentication, or (ii) the date of authentication is prior to the first interest payment date, in which case the Bond will be dated as of the date of original issue. The interest on the Bond is payable on February 1 and August 1 of each year,

commencing February 1, 2019, to the registered owners of record thereof as of the close of business on the fifteenth day of the immediately preceding month, whether or not such day is a business day.

2.03. Registration. The City will appoint a bond registrar, transfer agent, authenticating agent and paying agent (the "Registrar"). The effect of registration and the rights and duties of the City and the Registrar with respect thereto are as follows:

(a) Register. The Registrar must keep at its principal corporate trust office a bond register in which the Registrar provides for the registration of ownership of the Bond and the registration of transfers and exchanges of the Bond entitled to be registered, transferred or exchanged.

(b) Transfer of Bond. Upon surrender for transfer of the Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar will authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until that interest payment date.

(c) Exchange of Bond. When the Bond is surrendered by the registered owner for exchange the Registrar will authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity as requested by the registered owner or the owner's attorney in writing.

(d) Cancellation. The Bond surrendered upon transfer or exchange will be promptly cancelled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When the Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the Bond until the Registrar is satisfied that the endorsement on the Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar will incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name the Bond is registered in the bond register as the absolute owner of the Bond, whether the Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on the Bond and for all other purposes, and payments so made to a registered owner or upon the owner's order will be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. The Registrar may impose a charge upon the owner thereof for a transfer or exchange of the Bond sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bond. If the Bond becomes mutilated or is destroyed, stolen or lost, the Registrar will deliver a new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for a Bond destroyed, stolen or lost, upon the payment of the reasonable

expenses and charges of the Registrar in connection therewith; and, in the case of the Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that the Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar an appropriate bond or indemnity in form, substance and amount satisfactory to it and as provided by law, in which both the City and the Registrar must be named as obligees. The Bond so surrendered to the Registrar will be cancelled by the Registrar and evidence of such cancellation must be given to the City. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it is not necessary to issue a new Bond prior to payment.

(i) Redemption. In the event the Bond is called for redemption, notice thereof identifying the Bond to be redeemed will be given by the Registrar by mailing a copy of the redemption notice by first class mail (postage prepaid) to the registered owner of the Bond to be redeemed at the address shown on the registration books kept by the Registrar and by publishing the notice if required by law. Failure to give notice by publication or by mail to any registered owner, or any defect therein, will not affect the validity of the proceedings for the redemption of the Bond. The Bond so called for redemption will cease to bear interest after the specified redemption date, provided that the funds for the redemption are on deposit with the place of payment at that time.

2.04. Appointment of Initial Registrar. The City appoints Bond Trust Services Corporation, Roseville, Minnesota, as the initial Registrar. The Mayor and the City Administrator are authorized to execute and deliver, on behalf of the City, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, the resulting corporation is authorized to act as successor Registrar. The City agrees to pay the reasonable and customary charges of the Registrar for the services performed. The City reserves the right to remove the Registrar upon thirty (30) days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar must deliver all cash and the Bond in its possession to the successor Registrar and must deliver the bond register to the successor Registrar. On or before each principal or interest due date, without further order of the City Council, the City Administrator must transmit to the Registrar moneys sufficient for the payment of all principal and interest then due.

2.05. Execution, Authentication and Delivery. The Bond will be prepared under the direction of the City Administrator and executed on behalf of the City by the signatures of the Mayor and the City Administrator, provided that those signatures may be printed, engraved or lithographed facsimiles of the originals. If an officer whose signature or a facsimile of whose signature appears on the Bond ceases to be such officer before the delivery of the Bond, that signature or facsimile will nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery. Notwithstanding such execution, the Bond will not be valid or obligatory for any purpose or entitled to any security or benefit under this resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on a different Bond need not be signed by the same representative. The executed certificate of authentication on the Bond is conclusive evidence that it has been authenticated and delivered under this resolution. When the Bond has been so prepared, executed and authenticated, the City Administrator will deliver the same to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Purchaser is not obligated to see to the application of the purchase price.

Section 3. Form of Bond.

3.01. Execution of the Bond. The Bond will be printed or typewritten in substantially the form attached hereto as EXHIBIT B.

3.02. Approving Legal Opinion. The City Administrator is authorized and directed to obtain a copy of the proposed approving legal opinion of Kennedy & Graven, Chartered, Minneapolis, Minnesota, which is to be complete except as to dating thereof and to cause the opinion to be printed on or accompany the Bond.

Section 4. Payment; Security; Pledges and Covenants.

4.01. Debt Service Fund. The Bond will be payable from the General Obligation Tax Increment Revenue Bonds, Series 2018A Debt Service Fund (the "Debt Service Fund") hereby created. The Debt Service Fund shall be administered and maintained by the City Administrator as a bookkeeping account separate and apart from all other funds maintained in the official financial records of the City. Tax increment revenues resulting from increases in taxable valuation of real property in the TIF District (the "Tax Increment Revenues") received by the City from the TIF District are pledged to the Debt Service Fund. There is also appropriated to the Debt Service Fund (i) amounts over the minimum purchase price of the Bond paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 1.03 hereof; and (ii) capitalized interest financed from Bond proceeds, if any.

4.02. Project Costs. Proceeds of the Bond will be used by the City to finance the Project Costs.

4.03. Tax Increment Revenues. The estimated amount of the Tax Increment Revenues available to pay debt service on the Bond exceeds twenty percent (20%) of the Project Costs related to the TIF District. The total Project Costs are estimated to be at least equal to the amount of the Bond.

4.04. General Obligation Pledge. For the prompt and full payment of the principal of and interest on the Bond, as the same respectively become due, the full faith, credit, and taxing powers of the City are irrevocably pledged. If a payment of principal of or interest on the Bond becomes due when there is not sufficient money in the Debt Service Fund to pay the same, the City Administrator is directed to pay such principal or interest from the general fund of the City, and the general fund will be reimbursed for those advances out of the proceeds of Tax Increment Revenues when received.

Furthermore, in accordance with its statutory duties under Section 475.61, subdivision 6 and Section 469.178, subdivision 5 of the Act, the City covenants and agrees with the holders of the Bond that if the Bond cannot be paid at maturity from Tax Increment Revenues or from other funds appropriated by the City Council, the Bond will be paid from the proceeds of definitive or additional temporary bonds that will be issued and sold prior to the maturity date of the Bond.

4.05. Debt Service Coverage. It is hereby determined that the estimated collection of the Tax Increment Revenues for the payment of principal of and interest on the Bond will produce at least five percent (5%) in excess of the amount needed to meet, when due, the principal and interest payments on the Bond and that no tax levy is needed at this time.

4.06. Certificate of County Auditor as to Registration. The City Administrator is authorized and directed to file a certified copy of this resolution with the County Auditor of Ramsey County, Minnesota and to obtain the certificate required by Section 475.63 of the Act.

Section 5. Authentication of Transcript.

5.01. City Proceedings and Records. The officers of the City are authorized and directed to prepare and furnish to the Purchaser and to the attorneys approving the Bond certified copies of proceedings and records of the City relating to the Bond and to the financial condition and affairs of the City, and such other certificates, affidavits and transcripts as may be required to show the facts within their knowledge or as shown by the books and records in their custody and under their control, relating to the validity and marketability of the Bond, and such instruments, including any heretofore furnished, may be deemed representations of the City as to the facts stated therein.

5.02. Certification as to Official Statement. The Mayor and the City Administrator are authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bond and that to the best of their knowledge and belief the Official Statement is a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement.

5.03. Closing Certificates. The Mayor and the City Administrator are hereby authorized and directed to furnish to the Purchaser at the closing such certificates as are required as a condition of sale. Unless litigation shall have been commenced and be pending questioning the Bond or the organization of the City or incumbency of its officers, at the closing the Mayor and the City Administrator shall also execute and deliver to the Purchaser a suitable certificate as to absence of material litigation, and the City Administrator shall also execute and deliver a certificate as to payment for and delivery of the Bond.

5.04. Payment of Costs of Issuance. The City authorizes the Purchaser to forward the amount of Bond proceeds allocable to the payment of issuance expenses to KleinBank, Chaska, Minnesota, on the closing date for further distribution as directed by the City's municipal advisor, Ehlers & Associates, Inc.

Section 6. Tax Covenant.

6.01. Tax-Exempt Bond. The City covenants and agrees with the holders from time to time of the Bond that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Bond to become subject to taxation under the Internal Revenue Code of 1986, as amended (the "Code"), and the Treasury Regulations promulgated thereunder, in effect at the time of such actions, and that it will take or cause its officers, employees or agents to take, all affirmative action within its power that may be necessary to ensure that such interest will not become subject to taxation under the Code and applicable Treasury Regulations, as presently existing or as hereafter amended and made applicable to the Bond. To that end, the City will comply with all requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bond under Section 103 of the Code, including without limitation requirements relating to temporary periods for investments and limitations on amounts invested at a yield greater than the yield on the Bond.

6.02. No Rebate Required.

(a) The City will comply with requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bond under Section 103 of the Code, including without limitation requirements relating to temporary periods for investments, limitations on amounts invested at a yield greater than the yield on the Bond, and the rebate of excess investment earnings to the United States, if the Bond (together with other obligations reasonably expected to be issued in calendar year 2018) exceeds the small-issuer exception amount of \$5,000,000.

(b) For purposes of qualifying for the small issuer exception to the federal arbitrage rebate requirements, the City finds, determines and declares that the aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by the City (and all subordinate entities of the City) during the calendar year in which the Bond is issued and outstanding at one time is not reasonably expected to exceed \$5,000,000, all within the meaning of Section 148(f)(4)(D) of the Code.

6.03. Not Private Activity Bond. The City further covenants not to use the proceeds of the Bond or to cause or permit them or any of them to be used, in such a manner as to cause the Bond to be a “private activity bond” within the meaning of Sections 103 and 141 through 150 of the Code.

6.04. Qualified Tax-Exempt Obligation. In order to qualify the Bond as a “qualified tax-exempt obligation” within the meaning of Section 265(b)(3) of the Code, the City makes the following factual statements and representations:

(a) the Bond is not a “private activity bond” as defined in Section 141 of the Code;

(b) the City designates the Bond as a “qualified tax-exempt obligation” for purposes of Section 265(b)(3) of the Code;

(c) the reasonably anticipated amount of tax-exempt obligations (other than private activity bonds that are not qualified 501(c)(3) bonds) which will be issued by the City (and all subordinate entities of the City) during calendar year 2018 will not exceed \$10,000,000; and

(d) not more than \$10,000,000 of obligations issued by the City during calendar year 2018 have been designated for purposes of Section 265(b)(3) of the Code.

6.05. Procedural Requirements. The City will use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designations made by this section.

Section 7. Book-Entry System; Limited Obligation of City.

7.01. DTC. The Bond will be initially issued in the form of a separate single typewritten or printed fully registered Bond for the maturity set forth in Section 1.04 hereof. Upon initial issuance, the ownership of the Bond will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, and its successors and assigns (“DTC”). Except as provided in this section, all of the outstanding Bond will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC.

7.02. Participants. With respect to the Bond registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC, the City, the Registrar and the Paying Agent will have no responsibility or obligation to any broker dealers, banks and other financial institutions from time to time for which DTC holds the Bond as a securities depository (the “Participants”) or to any other person on behalf of which a Participant holds an interest in the Bond, including but not limited to any responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any Participant with respect to any ownership interest in the Bond, (ii) the delivery to any Participant or any other person (other than a registered owner of the Bond, as shown by the registration books kept by the Registrar), of any notice with respect to the Bond, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a registered owner of the Bond, of any amount with respect to principal of, premium, if any, or interest on the Bond. The City, the Registrar and the Paying Agent may treat and consider the person

in whose name the Bond is registered in the registration books kept by the Registrar as the holder and absolute owner of the Bond for the purpose of payment of principal, premium and interest with respect to the Bond, for the purpose of registering transfers with respect to the Bond, and for all other purposes. The Paying Agent will pay all principal of, premium, if any, and interest on the Bond only to or on the order of the respective registered owners, as shown in the registration books kept by the Registrar, and all such payments will be valid and effectual to fully satisfy and discharge the City's obligations with respect to payment of principal of, premium, if any, or interest on the Bond to the extent of the sum or sums so paid. No person other than a registered owner of Bond, as shown in the registration books kept by the Registrar, will receive a certificated Bond evidencing the obligation of this resolution. Upon delivery by DTC to the City Administrator of a written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the words "Cede & Co." will refer to such new nominee of DTC; and upon receipt of such a notice, the City Administrator will promptly deliver a copy of the same to the Registrar and Paying Agent.

7.03. Representation Letter. The City has heretofore executed and delivered to DTC a Blanket Issuer Letter of Representations (the "Representation Letter") which will govern payment of principal of, premium, if any, and interest on the Bond and notices with respect to the Bond. Any Paying Agent or Registrar subsequently appointed by the City with respect to the Bond will agree to take all action necessary for all representations of the City in the Representation Letter with respect to the Registrar and Paying Agent, respectively, to be complied with at all times.

7.04. Transfers Outside Book-Entry System. In the event the City, by resolution of the City Council, determines that it is in the best interests of the persons having beneficial interests in the Bond that they be able to obtain Bond certificates, the City will notify DTC, whereupon DTC will notify the Participants, of the availability through DTC of Bond certificates. In such event the City will issue, transfer and exchange Bond certificates as requested by DTC and any other registered owners in accordance with the provisions of this resolution. DTC may determine to discontinue providing its services with respect to the Bond at any time by giving notice to the City and discharging its responsibilities with respect thereto under applicable law. In such event, if no successor securities depository is appointed, the City will issue and the Registrar will authenticate Bond certificates in accordance with this resolution and the provisions hereof will apply to the transfer, exchange and method of payment thereof.

7.05. Payments to Cede & Co. Notwithstanding any other provision of this resolution to the contrary, so long as the Bond is registered in the name of Cede & Co., as nominee of DTC, payments with respect to principal of, premium, if any, and interest on the Bond and all notices with respect to the Bond will be made and given, respectively in the manner provided in DTC's Operational Arrangements, as set forth in the Representation Letter.

Section 8. Continuing Disclosure.

8.01. Execution of Continuing Disclosure Certificate. "Continuing Disclosure Certificate" means that certain Continuing Disclosure Certificate executed by the Mayor and City Administrator and dated the date of issuance and delivery of the Bond, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

8.02. City Compliance with Provisions of Continuing Disclosure Certificate. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this resolution, failure of the City to comply with the Continuing Disclosure Certificate is not to be considered an event of default with respect to the Bond; however, any Bondholder may take such actions as may be necessary and

appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this section.

Section 9. Defeasance. When all of the Bond and all interest thereon have been discharged as provided in this section, all pledges, covenants and other rights granted by this resolution to the holders of the Bond will cease, except that the pledge of the full faith and credit of the City for the prompt and full payment of the principal of and interest on the Bond will remain in full force and effect. The City may discharge all of the Bond which is due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full. If the Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

(The remainder of this page is intentionally left blank.)

The motion for the adoption of the foregoing resolution was duly seconded by Member _____, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

EXHIBIT A
PROPOSALS

EXHIBIT B
FORM OF BOND

No. R-_____

\$_____

UNITED STATES OF AMERICA
STATE OF MINNESOTA
COUNTY OF RAMSEY
CITY OF LAUDERDALE

GENERAL OBLIGATION TAX INCREMENT REVENUE BOND
SERIES 2018A

<u>Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	February 1, 20__	May 1, 2018	

Registered Owner: Cede & Co.

The City of Lauderdale, Minnesota, a duly organized and existing municipal corporation in Ramsey County, Minnesota (the "City"), acknowledges itself to be indebted and for value received hereby promises to pay to the Registered Owner specified above or registered assigns, the principal sum of \$_____ on the maturity date specified above, with interest thereon from the date hereof at the annual rate specified above (calculated on the basis of a 360 day year of twelve 30 day months), payable February 1 and August 1 in each year, commencing February 1, 2019, to the person in whose name this Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by Bond Trust Services Corporation, Roseville, Minnesota, as Bond Registrar, Paying Agent, Transfer Agent and Authenticating Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the City have been and are hereby irrevocably pledged.

The City may elect on February 1, 2019, and on any day thereafter to prepay this Bond. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all of the Bond is called for redemption, the City will notify The Depository Trust Company ("DTC") of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

This Bond is issued in the aggregate principal amount of \$1,310,000 pursuant to a resolution adopted by the City Council on April 10, 2018 (the "Resolution"), for the purpose of providing money to aid in providing temporary financing for public redevelopment costs of projects in Tax Increment Financing District No. 1-2 (the "TIF District") in the City, pursuant to and in full conformity with the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Sections 469.174 through 469.1794, as amended, and Minnesota Statutes, Chapter 475, as amended, specifically Section 469.178,

subdivision 5 and Section 475.61, subdivision 6. The principal hereof and interest hereon are payable primarily from tax increments resulting in increases in the taxable value of real property in the TIF District and from proceeds of definitive bonds or additional temporary bonds to be issued by the City prior to the maturity hereof, as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred. The full faith and credit of the City is irrevocably pledged for payment of this Bond and the City Council has obligated itself to levy ad valorem taxes on all taxable property in the City in the event of any deficiency in tax increment revenues pledged, which taxes may be levied without limitation as to rate or amount. The Bond is issued only as a fully registered Bond in denominations of \$5,000 or any integral multiple thereof of single maturities.

The City Council has designated this Bond as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code") relating to disallowance of interest expense for financial institutions and within the \$10 million limit allowed by the Code for the calendar year of issue.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Bond Registrar, by the registered owner hereof in person or by the owner's attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Bond Registrar, duly executed by the registered owner or the owner's attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the City will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The City and the Bond Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Bond Registrar will be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of Minnesota, to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the City in accordance with its terms, have been done, do exist, have happened and have been performed as so required, and that the issuance of this Bond does not cause the indebtedness of the City to exceed any constitutional or statutory limitation of indebtedness.

This Bond is not valid or obligatory for any purpose or entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon has been executed by the Bond Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of Lauderdale, Ramsey County, Minnesota, by its City Council, has caused this Bond to be executed on its behalf by the facsimile or manual signatures of the Mayor and City Administrator and has caused this Bond to be dated as of the date set forth below.

Dated: May 1, 2018

CITY OF LAUDERDALE, MINNESOTA

(Facsimile)
Mayor

(Facsimile)
City Administrator

CERTIFICATE OF AUTHENTICATION

This is the Bond delivered pursuant to the Resolution mentioned within.

BOND TRUST SERVICES CORPORATION

By _____
Authorized Representative

ABBREVIATIONS

The following abbreviations, when used in the inscription on the face of this Bond, will be construed as though they were written out in full according to applicable laws or regulations:

TEN COM -- as tenants in common

UNIF GIFT MIN ACT

Custodian _____

TEN ENT -- as tenants by entireties

(Cust) _____ (Minor)
under Uniform Gifts or Transfers to Minors
Act, State of _____

JT TEN -- as joint tenants with right of survivorship and not as tenants in common

Additional abbreviations may also be used though not in the above list.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by a financial institution that is a member of the Securities Transfer Agent Medallion Program ("STAMP"), the Stock Exchange Medallion Program ("SEMP"), the New York Stock Exchange, Inc. Medallion Signatures Program ("MSP") or other such "signature guarantee program" as may be determined by the Registrar in addition to, or in substitution for, STAMP, SEMP or MSP, all in accordance with the Securities Exchange Act of 1934, as amended.

The Bond Registrar will not effect transfer of this Bond unless the information concerning the assignee requested below is provided.

Name and Address:

(Include information for all joint owners if this Bond is held by joint account.)

Please insert social security or other identifying number of assignee

PROVISIONS AS TO REGISTRATION

The ownership of the principal of and interest on the within Bond has been registered on the books of the Registrar in the name of the person last noted below.

Date of Registration

Registered Owner

Signature of
Officer of Registrar

Cede & Co.
Federal ID #13-2555119

STATE OF MINNESOTA)
)
COUNTY OF RAMSEY) SS.
)
CITY OF LAUDERDALE)

I, the undersigned, being the duly qualified and City Administrator of the City of Lauderdale, Minnesota (the "City"), do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City Council of the City held on April 10, 2018, with the original minutes on file in my office and the extract is a full, true and correct copy of the minutes insofar as they relate to the issuance and sale of the City's General Obligation Tax Increment Revenue Bonds, Series 2018A, issued in the original aggregate principal amount of \$1,310,000.

WITNESS My hand officially as such City Administrator and the corporate seal of the City this _____ day of April, 2018.

(SEAL)

City Administrator
City of Lauderdale, Minnesota

LAUDERDALE COUNCIL ACTION FORM

Action Requested

Consent _____
Public Hearing _____
Discussion X
Action X
Resolution X
Work Session _____

Meeting Date April 10, 2018

ITEM NUMBER Local Control Resolution

STAFF INITIAL HB

APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

The City Council regularly discusses legislative attempts to control or limit local government authority. It appears state legislators forget that city council members hold election certificates and are subject to the same referendum of their decision making authority as they are.

The League of Minnesota Cities is asking member cities to consider adopting the following resolution. Following is a list of the cities that have already adopted the resolution. The League uses these signs of support in their efforts to combat the usurpation of local control.

STAFF RECOMMENDATION:

Motion to adopt Resolution 041018B—A Resolution Supporting Local Decision-Making Authority.

RESOLUTION NO. 041018B

**CITY OF LAUDERDALE
RAMSEY COUNTY
STATE OF MINNESOTA**

A RESOLUTION SUPPORTING LOCAL DECISION-MAKING AUTHORITY

WHEREAS, local elected decision-makers are in the best position to determine what health, safety and welfare regulations best serve their constituents; and

WHEREAS, just like state legislative leaders, local elected officials are held accountable through Minnesota's robust elections process; and

WHEREAS, ordinances at the local level are enacted only after a comprehensive, legal and open process; and

WHEREAS, local units of government are required to publish notices about meetings where policies will be discussed and decisions will be made; and

WHEREAS, under the state's Open Meeting Law, public policy discussions and decisions must occur in meetings that are accessible to members of the public; and

WHEREAS, cities are often laboratories for determining public policy approaches to the challenges that face residents and businesses; and

WHEREAS, preservation of local control in Minnesota has yielded statewide benefits such as the 2007 Freedom to Breathe Act, an amendment to the Minnesota Clean Indoor Air Act; and

WHEREAS, more than two dozen bills that restrict local decision-making have been introduced in 2017 to date.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LAUDERDALE that this Council supports local decision-making authority and opposes legislation that removes the ability for local elected officials to respond to the needs of their businesses and constituents.

Adopted this 9th day of January 2018.

Mary Gaasch, Mayor

Heather Butkowski, City Administrator



CONNECTING & INNOVATING
SINCE 1913

Cities Supporting Local Control

*The following 96 cities have passed resolutions supporting local control in 2017 & 2018
(see page 2 for sample resolution)*

Alexandria	Hastings	Pequot Lakes
Audubon	Hawley	Prior Lake
Baudette	Hewitt	Proctor
Bemidji	Hinckley	Rice Lake
Big Lake	Hopkins	Richfield
Blue Earth	Hoyt Lakes	Rochester
Buffalo	Hutchinson	Round Lake
Cambridge	Isanti	Royalton
Carver	Jenkins	Sandstone
Centerville	Kasson	Shoreview
Clarkfield	Lake Bronson	Silver Lake
Climax	Lake City	Springfield
Coates	Lindstrom	St. Louis Park
Cold Spring	Little Falls	St. Paul
Cottage Grove	Lucan	Stewartville
Crosslake	Mahnomen	Taylor Falls
Currie	Maplewood	Thief River Falls
Dawson	Mazeppa	Vesta
Dayton	Medford	Wabasso
Deer River	Melrose	Wadena
Delano	Mendota Heights	Warren
Dilworth	Minneapolis	Warroad
Duluth	Minnertonka	Watkins
Eagan	Moorhead	Waverly
Eden Valley	Mora	Wendell
Edina	North Branch	Whakon
Ely	North St. Paul	Wheaton
Eyota	Northfield	White Bear Lake
Fosston	Olivia	Wood Lake
Franklin	Oronoco	Worthington
Granite Falls	Ottertail	
Grant	Owatonna	
Ham Lake	Paynesville	


LAUDERDALE COUNCIL ACTION FORM

Action Requested

Consent _____
 Public Hearing _____
 Discussion X
 Action X
 Resolution _____
 Work Session _____

Meeting Date April 10, 2018

ITEM NUMBER Greenway Village / Daycare

STAFF INITIAL 

APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Greenway Village Apartments is requesting an amendment to the Amended and Restated Development Plan (Plan) agreed to in 2015 after they purchased their property from Luther Seminary. At that time, they intended to open a fitness center in the building that previously housed a radio station. The building was expanded but they ultimately decided not to open the fitness center.

As Sonshine Learning Center (SLC) had been operating on the site prior to their purchase, the Plan permitted daycare centers as an allowed use on the site but not in the building that was expected to be a fitness center. As Greenway Village Apartments continues their apartment remodeling plans, they intend to return the apartments used for the daycare center back to apartments. As the fitness center building is available and seemingly sized appropriately for a daycare center, they would like to amend the Plan to allow for the daycare center to move into the fitness center building.

As a daycare center has operated on the site for many years, limited impact is expected from the change with regard to traffic or noise. SLC is licensed to serve 53 children from birth to kindergarten. Their hours of operation are Monday through Friday from 7:00 a.m. to 5:30 p.m.

OPTIONS:

Staff is looking for guidance on the matter. An amended agreement is included with the packet as it took little effort to revise. If the Council would like further information, staff will gather that for the next meeting. If the Council would like to adopt the changes, the motion would be to approve the First Amendment to the Amended and Restated Development Plan.

STAFF RECOMMENDATION:

**FIRST AMENDMENT
TO
AMENDED AND RESTATED DEVELOPMENT PLAN

(LUTHER-NORTHWESTERN THEOLOGICAL
SEMINARY PLANNED UNIT DEVELOPMENT)**

This First Amendment to Amended and Restated Development Plan (the “First Amendment”) is made this 10th day of April, 2018 by and between the city of Lauderdale, a Minnesota municipal corporation (the “City”) and Greenway Village Apartments, LLC, a Minnesota limited liability company (the “Developer”).

Recitals

A. On July 14, 2015, the City and the Developer entered into an Amended and Restated Development Plan regarding Luther-Northwestern Theological Seminary Planned Unit Development (the “Development Plan”).

B. The Development Plan was recorded on July 27, 2015 as doc. no. A04567174 in the Office of the County Recorder, Ramsey County, Minnesota.

C. The City and the Developer desire to modify the Development Plan.

Agreement

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and the Developer agree as follows:

1. The second sentence of section 2 of the Development Plan is modified by adding the underlined material as follows:

Notwithstanding the foregoing, the City agrees that, in addition to being used as a health and fitness club, the Health Club Building (as hereinafter defined) may also be used for office purposes or as a daycare facility.

2. The second sentence of section 5 of the Development Plan is modified by deleting the stricken material and adding the underlined materials as follows:

To the extent that development standards pertaining to the Developer Property are not specified in this Development Plan, as amended, or the PUD Ordinance, the development standards of the City’s ~~R-1~~ underlying zoning district shall apply to any future use or development of the Developer Property that differs from the

GREENWAY VILLAGE APARTMENTS, LLC

By: _____

Its: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of April, 2018, by _____, the _____ of Greenway Village Apartments, LLC, a Minnesota limited liability company, on behalf of the Developer.

Notary Public

This document drafted by:

Kennedy & Graven, Chartered
470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis, MN 55402
(612) 337-9300 (RHB)

EXHIBIT A

Legal Description for Developer Property

Lot 1, Block 1, Luther Seminary Addition,
according to the recorded plat thereof, Ramsey County, Minnesota

City of Lauderdale

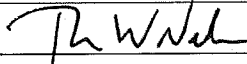
MAIN 651-792-7650

LAND USE APPLICATION

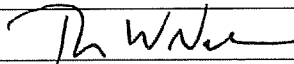
Date: June 26, 2014

<u>Fee</u>	<u>Escrow</u>	<u>Type of Request</u>	<u>Description of Request</u>
\$100	\$ 0	<input type="checkbox"/> Lot Consolidation/Division	Amendment to PUD to allow fitness center as permitted use.
\$150	\$ 0	<input type="checkbox"/> Variance	
\$200	\$ 0	<input type="checkbox"/> Conditional Use	
\$500	\$1,000	<input type="checkbox"/> Zoning Amendment	
\$500	\$1,000	<input type="checkbox"/> Subdivision	
\$500	\$1,000	<input checked="" type="checkbox"/> PUD	

Applicant Information

Name: Greenway Village Apartments, LLC
Address: 1568 Eustis St.
C, S, Z: Lauderdale, MN 55108
Phone: Thor Nelson: 612-720-8467
Email: tnelson@aspenwaste.com
Signature: 

Owner Information (if different)

Name: Same (office/mailling address below)
Address: 2951 Weeks Ave. SE
C, S, Z: Minneapolis, MN 55414
Phone: _____
Email: _____
Signature: 

By signing above, the applicant agrees to pay the application fee and deposit an escrow fee to cover the city's consultants' costs associated with reviewing the associated request. Prior to having the request considered by the city, the applicant must deposit an escrow fee in an amount that is estimated to cover the city's consultants' costs as determined by the city administrator. If the city's consultants' costs exceed the initial escrow deposited by the applicant, an additional escrow fee will be required to cover the additional costs. The city shall use the applicant's fees to cover the city's actual consultants' costs in reviewing the request regardless of the city's action on the applicant's request. If the applicant's escrow fees exceed the city's actual consultants' costs for reviewing the request, the remaining escrow fees shall be refunded to the applicant.

Review Timeline: All applications, other than concept plans, must be complete before being formally reviewed. Minnesota Statute provides 15 days to determine the application's completeness. Completeness depends on whether or not the checklist items are fulfilled.

Checklist: Please review the checklist for the type of application you are applying for.

For Office Use Only	PIN#: <u>20.29.23.21.0078</u>
Date of Complete Application: <u>7-6-15</u>	Amount Paid: <u>1500</u> Receipt #: <u>12022</u>
Escrow Fee Paid: <u>1000.00</u>	Receipt #: <u>12022</u> Date Escrow Returned: _____
PC Recommendation: (approve/deny) Meeting Date: <u>N/A</u>	
Public Hearing Date: <u>7-14-15</u>	CC Action: <u>(approved)</u> Meeting Date: <u>7-14-15</u>
Conditions? <u>none</u>	



Doc No **A04567174**

Certified, filed and/or recorded on
Jul 27, 2015 3:05 PM

Office of the County Recorder
Ramsey County, Minnesota
Susan R Roth, County Recorder
Christopher A. Samuel, County Auditor and Treasurer
Deputy 705 Pkg ID 1080105C

Document Recording Fee Abstract	\$46.00
<i>Document Total</i>	\$46.00

**AMENDED AND RESTATED
DEVELOPMENT PLAN**

**(Luther-Northwestern Theological Seminary
Planned Unit Development)**

THIS AMENDED AND RESTATED DEVELOPMENT PLAN (the “**Development Plan**”) is made and entered into as of July 14, 2015 (the “**Effective Date**), by and between the city of Lauderdale, a Minnesota municipal corporation (the “**City**”) and Greenway Village Apartments, LLC, a Minnesota limited liability company (the “**Developer**”). Hereinafter the City and the Developer may each be referred to individually as a “**Party**” and together as the “**Parties**”.

RECITALS

A. By Resolution 111280 A and Resolution 111280 B dated November 17, 1980, and Resolution 21081 C, dated February 10, 1981 (collectively, the “**Resolutions**”), the City approved the Final Development Plan (the “**Original Development Plan**”) for the Luther-Northwestern Theological Seminary Planned Unit Development (the “**PUD**”).

B. On or about November 12, 2014, the Developer purchased the real property in the PUD, legally described on Exhibit A attached hereto (the “**Developer Property**”), from Luther Seminary.

C. The Developer has requested that the City amend the Original Development Plan to modify the uses permitted within the PUD and to allow the Developer to modify and expand one of the buildings located within the PUD.

D. Neither the City nor the Developer has been able to locate documentation that comprehensively memorializes the uses and improvements within the PUD that were approved with the Original Development Plan.

E. The Parties are executing this Development Plan to memorialize the elements of the PUD that exist today and the modifications the City is authorizing the Developer to make within the PUD at this time.

20 29. 23. 21. 0078 1-9

AGREEMENT

NOW THEREFORE, for good and valuable consideration, receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree and covenant as follows:

1. **Recitals.** The above Recitals are incorporated by reference and are made a part of this Development Plan.

2. **Permitted Uses.** In addition to the uses generally associated with the general land use category shown for the Developer Property in the City's Comprehensive Plan, the following shall be permitted uses in the PUD: (i) multi-family dwellings; (ii) daycare centers; (iii) offices; and (iv) fitness clubs and health clubs, all to the extent such uses exist as of the Effective Date or are approved by this Development Plan. Notwithstanding the foregoing, the City agrees that, in addition to being used as a health and fitness club, the Health Club Building (as hereinafter defined) may also be used for office purposes.

3. **Plat.** The Developer Property is legally described on Exhibit A attached hereto. The Developer Property shall not be further subdivided without a further amendment of the Development Plan and such other land use approvals as may be required by the City.

4. **Site Plan.** The City has approved previously the development of the Developer Property for the construction of five (5) multi-family dwellings, a single commercial building, a garage, and related improvements (including driveways, entrances, curb cuts, parking stalls, access aisles, open spaces, and other site alterations and improvements), all as depicted on the survey that is attached as Exhibit B hereto. The City hereby approves, subject to the City's issuance of building and other related construction permits, Developer's remodeling and expansion of the commercial building located in the southwest quadrant of the Developer Property into a single-story, 7,860 square foot building (the "Health Club Building"), as depicted generally on the site plan attached as Exhibit C hereto, for purposes of constructing and operating a health and fitness club.

5. **Development Regulations.** Future use and development of the Developer Property shall be regulated by this Development Plan and the City's Planned Unit development ordinance (the "PUD Ordinance"), sections 10-7-1 through 10-7-11 of the City code of ordinances. To the extent that development standards pertaining to the Developer Property are not specified in this Development Plan or the PUD Ordinance, the development standards of the City's R-1 zoning district shall apply to any future use or development of the Developer Property that differs from the manner in which the Developer Property is used and developed as of the Effective Date.

6. **Entire Agreement; Modifications.** This Development Plan constitutes the complete agreement between the Parties relating to the PUD and supersedes any prior oral or written agreements between the Parties regarding the PUD, including but not limited to the Original Development Plan. This Development Plan specifies the principal uses permitted in the PUD and their size, height, layout and relationship to one another as of the Effective Date as depicted on Exhibit B or as approved herein. This Development Plan may be amended only in accordance with the requirements of section 10-7-11 of the PUD Ordinance.

EXHIBIT A

Legal Description for Developer Property

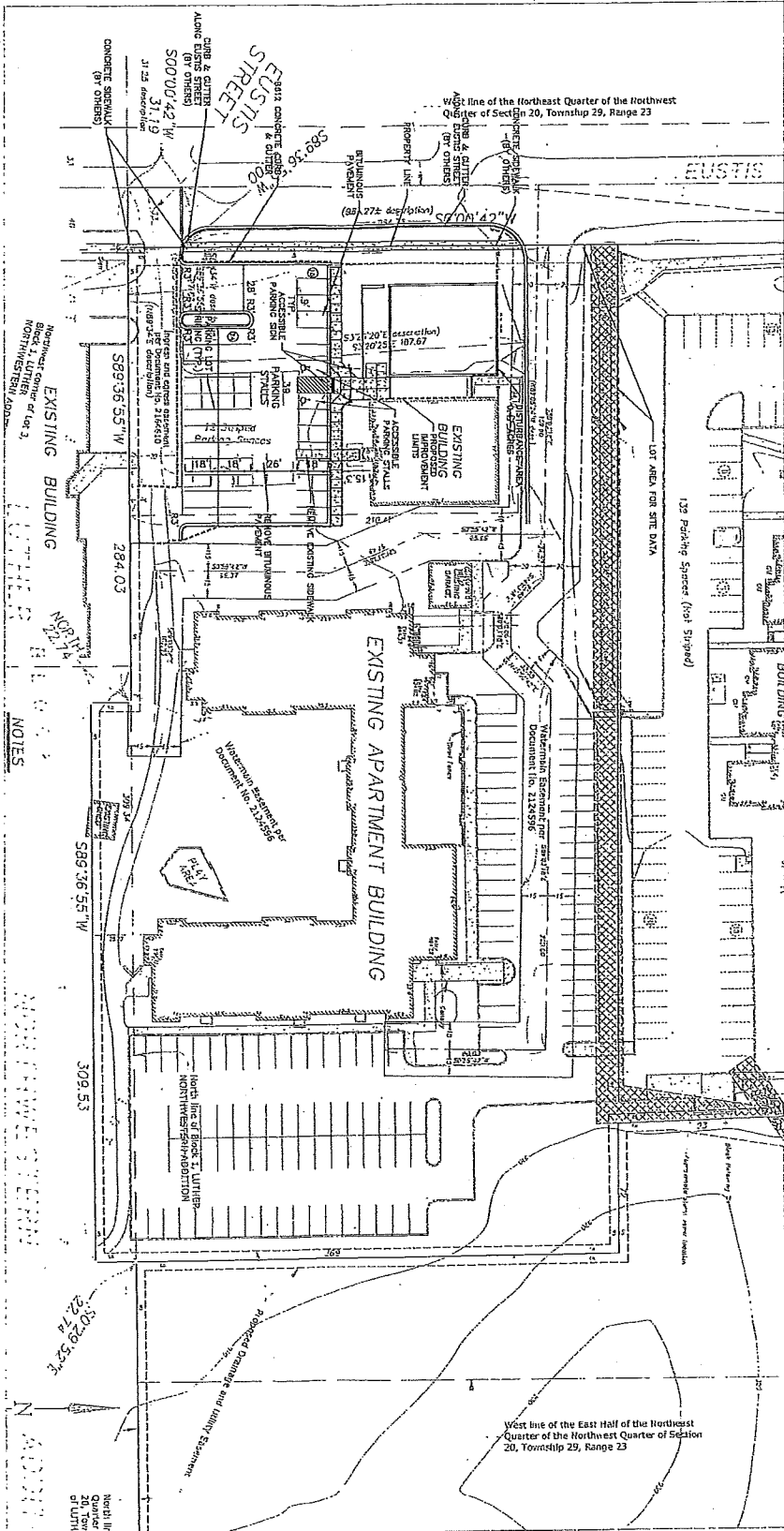
Lot 1, Block 1, Luther Seminary Addition,
according to the recorded plat thereof, Ramsey County, Minnesota

EXHIBIT B

Survey of Developer Property

EXHIBIT C

Site Plan for Remodeling and Expansion of Commercial Building



GENERAL NOTES:

1. PRIOR TO STARTING CONSTRUCTION, THE CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS AND RECORD THE LOCATION OF ALL UTILITIES AND STRUCTURES TO BE PRESERVED OR REMOVED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AGENCIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AGENCIES.
2. ALL WORK SHALL BE ACCORDING TO THE SPECIFICATIONS AND THE REQUIREMENTS OF THE CONTRACT DOCUMENTS AND THE REQUIREMENTS OF THE APPLICABLE AGENCIES AND AGENCIES.
3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AGENCIES.
4. CONCRETE SHALL BE PLACED AND CURED ACCORDING TO THE REQUIREMENTS OF THE CONTRACT DOCUMENTS AND THE REQUIREMENTS OF THE APPLICABLE AGENCIES AND AGENCIES.
5. ALL DIMENSIONS, ANGLES, GRADES AND FINISHES SHALL BE AS SHOWN ON THE DRAWINGS AND THE CONTRACT DOCUMENTS AND THE REQUIREMENTS OF THE APPLICABLE AGENCIES AND AGENCIES.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AGENCIES.
7. ALL CONCRETE SHALL BE PLACED AND CURED ACCORDING TO THE REQUIREMENTS OF THE CONTRACT DOCUMENTS AND THE REQUIREMENTS OF THE APPLICABLE AGENCIES AND AGENCIES.

SITE PLAN NOTES:

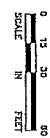
1. ALL DIMENSIONS ARE TO FACE OF BUILDING AND/OR FACE OF CURB.
2. CONCRETE FINISHES SHALL BE AS SHOWN ON THE DRAWINGS AND THE CONTRACT DOCUMENTS AND THE REQUIREMENTS OF THE APPLICABLE AGENCIES AND AGENCIES.
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SITE DATA:

TOTAL LOT AREA = 12,544 sq. ft.
 PROPOSED IMPROVEMENTS AREA = 1,234 sq. ft.
 REMAINING LOT AREA = 11,310 sq. ft.
 EXISTING PARKING = 117 SPACES
 PROPOSED PARKING ADDITIONAL = 35 SPACES
 TOTAL PROPOSED PARKING = 152 SPACES

SITE LEGEND:

- EXISTING CURB AND GUTTER
- EXISTING DRIVE
- EXISTING SIDEWALK
- EXISTING DRIVE
- EXISTING SIDEWALK
- EXISTING DRIVE
- EXISTING SIDEWALK



PRELIMINARY
 NOT FOR CONSTRUCTION

NO.	DATE	REVISION
1	05/12/16	ISSUE FOR PERMIT
2	05/12/16	REVISED PER PERMIT COMMENTS

GREENWAY VILLAGE
 PARKING LOT EXPANSION
 EUSTIS STREET
 LAUDERDALE, MN

ALLIANT
 239 Park Ave S, Ste 300
 Minneapolis, MN 55410
 612.255.3200
 612.255.3009 fax
 www.alliantllc.com

LAUDERDALE COUNCIL ACTION FORM

Action Requested

Consent _____
 Public Hearing _____
 Discussion _____ X
 Action _____ X
 Resolution _____
 Work Session _____

Meeting Date April 10, 2018

ITEM NUMBER 2018 Elections

STAFF INITIAL 

APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Election season is underway. Lauderdale is one of the remaining Ramsey County cities that runs elections in-house. The others are Maplewood, Shoreview, Little Canada, and New Brighton. As elections laws and equipment have become more complicated, the other cities have chosen Ramsey County to run their elections. As more cities have done this, and with the recent upgrade in election equipment, the County will open more polling places around the County where voters can vote no matter what Ramsey County city they live in. This will be better for all voters as early voting becomes more prevalent.

Following are two memos from Ramsey County Elections Manager, Joe Mansky. Of great value to staff, Ramsey County will process all absentee applications that come through mnvotes.org. As the voting process moves online, this is the new entry point for most requesting a ballot.

Staff continue to believe that the ability to vote locally is an essential service we offer residents and plan to offer the service again unless the Council proposes otherwise. We are not beyond using County resources, however, to manage the workload. In the March 27 memo from Joe Mansky, he outlines options for cities that manage their absentee voting in-house. Staff suggest Option A as it worked well two years ago. With Option A, staff provide absentee voting to residents at City Hall up to the week prior to the election. During the week prior to the election, we offer "early voting" whereby voters put their ballots directly into the ballot counter. Staff transport the ballots to Ramsey County at the end of each day. All of the mailed ballots are returned directly to the County to be processed. The cost is \$3.94 per ballot but makes administering absentee balloting in-house manageable for the staff we have.

STAFF RECOMMENDATION:

Motion to approve having Ramsey County Elections provide absentee voting services as defined as Option A in the attached document at a cost of \$3.94 per ballot.

March 28, 2018

TO: Ramsey County Local Election Officials

FROM: Joseph Mansky
Ramsey County Elections Manager

SUBJECT: PREPARATIONS FOR VOTING PRIOR TO ELECTION DAY IN 2018

We are expecting another busy year for all forms of voting prior to election day this year. For the state general election, we estimate that approximately 70,000 voters countywide will choose to cast their ballot by either mail, in-person absentee, or early voting.

The following is a brief summary of our plans for administering absentee voting for the state primary and state general election in 2018.

1. Mail voting

Ramsey County Elections will administer all mail voting and pay all the costs associated with mail voting in 2018. This will include acceptance of applications, mailing of ballots, the acceptance and processing of voted ballots and the counting of voted ballots. Voters interested in receiving a mail ballot will be able to apply online at mnvotes.org or can submit a hard copy application to us.

2. In-person absentee voting

Ramsey County Elections will administer in-person absentee voting for the state primary at our Plato Building location from June 29 through August 6. For the state general election, we will administer in-person absentee voting at both the Plato Building and at the Public Works Building in Arden Hills from September 21 through October 29. All Ramsey County voters will be able to vote by absentee ballot at these locations.

Cities that wish to administer in-person absentee voting at city hall are free to do so at their own expense. We will provide the training for city staff and the materials needed. Those cities that plan to choose this option should let us know by April 30.

3. Early voting

Ramsey County Elections will administer early voting for the state primary from August 7 through August 13 and for the state general election from October 30 through November 5. Early voting will take place at the following locations. All Ramsey County voters will be able to cast their ballot at any of these locations.

City of Saint Paul

Ramsey County Elections
Highland Park Community Center
Martin Luther King Recreation Center
Como Park Historic Streetcar Station
Arlington Hills Community Center

Suburban Ramsey County

Ramsey County Library – White Bear Lake
Ramsey County Library – Maplewood
Ramsey County Library – Shoreview
Ramsey County Library – Roseville
Ramsey County Public Works – Arden Hills
St Anthony City Hall – St Anthony

Early voting hours at Ramsey County Elections will be 8:00am to 6:00pm Tuesday through Friday, 9:00am to 3:00pm on Saturday and 8:00pm to 5:00pm on Monday. For the state general election, Ramsey County Elections will also be open for early voting on Sunday, November 4 from 11:00am to 3:00pm.

Early voting hours at all remote locations will be noon to 6:00pm on weekdays and 9:00am to 3:00pm on Saturday.

Cities that wish to administer early voting at city hall are free to do so at their own expense. We will provide the training for city staff and the ballot counter and related materials needed. Those cities that plan to choose this option should let us know by April 30.

If you have questions about any of this, please let me know.

March 27, 2018

TO: Ramsey County Local Election Officials

FROM: Joseph Mansky
Ramsey County Elections Manager

SUBJECT: OPTIONS FOR PROCESSING AND COUNTING ABSENTEE BALLOTS IN 2018

Section III(E)(3) of the joint powers agreement provide the cities with an opportunity each year to select one of three options for processing and counting absentee ballots. This is now the time to select your option for the 2018 state primary and state general election.

You will not need to consider the impact of mail voting this year. RC Elections will assume the responsibility and costs associated with mailing, processing and counting all absentee ballots cast by mail in 2018.

Your three options are as follows.

- Option A RC Elections will perform the following duties: 1) accept/reject all absentee ballots submitted by city voters; 2) conduct the daily audit of AB transactions; 3) open ballot envelopes and initial ballots; and 4) count the ballots. The cost of selecting Option A will be \$3.94 per AB transaction.
- Option B RC Elections will perform the following duties: 1) open ballot envelopes and initial ballots and 2) count the ballots. The cost of selecting Option B will be \$0.81 per AB transaction. Those cities that choose Option B will be required to accept/reject absentee ballots submitted in person and to conduct the daily audit. You will also be required to contact our office every day to assist with our daily audit of mail ballots we receive for your city.
- Option C The city will perform all accepting/rejecting, auditing, processing and counting duties itself. The city will assume all costs of Option C. For cities that choose Option C, we will provide you with a sufficient number of ballot counters to count the estimated number of absentee ballots that we expect you will receive this year, at no additional cost to you. Those cities that choose Option C will be required to contact our office every day to assist with our daily audit and comprehensive audit of mail ballots we receive for your city. You will also be required to follow our counting schedule during the last seven days before election day.

Those cities that choose Options A or B will be required to courier any absentee envelopes dropped off at city hall to our office according to the time requirements of Minn. Stat. § 203B.08, subd 3.

Remember that with all three options, the cities that opt to conduct counter absentee voting and early voting at city hall will pay these costs directly.

Please let me know by April 27 which of these three options you would like to select for 2018.