

**LAUDERDALE CITY COUNCIL MEETING AGENDA**  
**7:30 P.M. TUESDAY, JUNE 11, 2019**  
**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 TO ORDER THE LAUDERDALE CITY COUNCIL MEETING**
2. **ROLL CALL**
3. **APPROVALS**
  - a. Agenda
  - b. Minutes of the May 14, 2019 Special City Council Meeting
  - c. Minutes of the May 28, 2019 City Council Meeting
  - d. Minutes of the May 29, 2019 Special City Council Meeting
  - e. Claims Totaling \$92,629.32
4. **CONSENT**
  - a. Deputy Clerk Step Pay Increase
  - b. 2019 Infrastructure Improvement Project Pay Request No. 1
5. **SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS**
6. **INFORMATIONAL PRESENTATIONS / REPORTS**
  - a. 2019 Infrastructure Improvement Project Update
  - b. 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.

  - a. Variance Requests for 1821 and 1831 Eustis Street
8. **DISCUSSION / ACTION ITEM**
  - a. Resolution No. 061119A – A Resolution Awarding the Sale of General Obligation Improvement Bonds, Series 2019A, in the Original Aggregate Principal Amount of \$1,000,000; Fixing their Form and Specifications; Directing their Execution and Delivery; Providing for their Payment; and Authorizing the Execution of Documents in Connection Therewith
  - b. Review of Draft Conditions for Redevelopment of 1795 Eustis Street
  - c. 2019 Infrastructure Improvement Project Construction Hours
  - d. Office Staffing during Fourth of July Holiday
9. **ITEMS REMOVED FROM THE CONSENT AGENDA**
10. **ADDITIONAL ITEMS**

**11. SET AGENDA FOR NEXT MEETING**

- a. May Financial Report
- b. Alley Vacation Public Hearing
- c. Decision on Variance Requests for 1821 and 1831 Eustis Street
- d. Police Contract Discussion with City of St. Anthony Staff
- e. Post Issuance Compliance Policy Update

**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. City of St. Paul Plans for Como Avenue Reconstruction
- c. Community Development Update

**13. ADJOURNMENT**

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

Page 1 of 1

May 14, 2019

**Call to Order**

The Special Lauderdale City Council meeting was called to order at 6:30 p.m.

**Roll Call**

Councilors present: Roxanne Grove, Andi Moffatt, Kelly Dolphin, Jeff Dains, and Mayor Mary Gaasch.

Councilors absent: None.

Staff present: Heather Butkowski, City Administrator; Jim Bownik, Assistant to the City Administrator.

**Discussion/Action Items**

A. 1795 Eustis Street Development Update with the City's Financial Advisor, Stacie Kvilvang, of Ehler's and Associates

Stacie Kvilvang led the discussion of the proposed purchase of 1795 Eustis Street. Kvilvang went through the financial plan of Real Estate Equities to fund the project, and answered questions from the Council.

**Adjournment**

The meeting was adjourned at 7:00 p.m.

Respectfully submitted,



Miles Cline  
Deputy City Clerk

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

Page 1 of 4

May 28, 2019

**Call to Order**

Mayor Gaasch called the Regular City Council meeting to order at 7:33 p.m.

**Roll Call**

Councilors present: Roxanne Grove, Andi Moffatt, Jeff Dains, Kelly Dolphin, and Mayor Mary Gaasch.

Councilors absent: None.

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 Grove to approve the agenda. Motion carried unanimously.

Mayor Gaasch asked if there were any corrections to the meeting minutes. There being none, Councilor Dolphin moved and seconded by Councilor Dains to approve the minutes of the May 14, 2019 city council meeting. Motion carried unanimously.

Mayor Gaasch asked if there were any questions on the claims. There being none, Councilor Grove moved and seconded by Councilor Dolphin to approve the claims totaling \$23,364.21. Motion carried unanimously.

**Consent**

Councilor Dains moved and seconded by Councilor Grove to approve the Consent Agenda thereby acknowledging the April Financial Report and approving the Lauderdale Community Park reservation application, the Recreation Agreement with Falcon Heights, and Resolution No. 052819A – Assigning a House Number to 1703 Eustis Street.

**Informational Presentations/Reports**

A. Annual Recycling Program Updates by Eureka! Recycling

Dave Weidenfeller from Eureka! Recycling presented the Council information on the recycling program for 2018, which was the last year of the previous contract. He covered the 2018 Year-End Recycling Report, the 2018 Tonnage & Revenue Report, customer service calls from residents, composition method, participation methodology, and a log of contamination reports.

B. 2019 Infrastructure Improvement Project Update

Administrator Butkowski noted that the contractor will continue to lay water main in the upcoming weeks. After that is done, they will begin working on the road base.



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

Page 2 of 4

May 28, 2019

C. City Council Updates

Councilor Moffatt stated that she has been monitoring the construction going on in the City. Councilor Gaasch shared that she attended the Minnesota Mayors Association conference in Stillwater, and the two primary factors they focused on were childcare and workforce issues.

**Discussion/Action Items**

A. Discussion of Real Estate Equities Planned Unit Development Application Public Hearing Comments

At the May 14 meeting, the City Council took public comment on the Planned Unit Development (PUD) application submitted by Real Estate Equities (REE). Butkowski noted that one of the questions raised during the meeting was the financial impact between the construction of senior apartments as proposed and single family homes. Stacie Kvilvang, the City's financial advisor, prepared financial models to explain the difference. Staff summarized the information further to explain the up front and long-term financial differences between the two types of projects.

Butkowski explained the anticipated demolition costs are \$300,000 inclusive of ~ \$100,000 in asbestos abatement costs. Assuming the City sells the site as is, it is expected that single-family homes would generate \$300,000 compared to the \$1,295,000 REE has agreed to. The single-family home value is derived from the lots being valued at \$50,000 per lot before factoring the price reduction for the buyer taking on the demolition costs. This is a difference of \$995,000.

Earlier this year the City Council adopted a Park Dedication Ordinance that requires developers to contribute land or money to improve the City's park system. Single-family homes would generate \$36,000 for these improvements; REE's project would generate \$342,000. This is a difference of \$306,000.

To create affordable housing, REE has asked the City to be the conduit for the bonds that will be sold to private investors. The City receives a 0.9% fee for providing this service that would net \$126,000. The City would not receive a fee in a single-family home project.

In summary, the City would receive \$336,000 from the buyer for the creation of single-family homes. In the REE scenario, the City will receive \$1,763,000. In the single-family home scenario, the City will need to refinance the debt from the purchase of the property. In the REE scenario, the bond would be repaid and the City would receive \$468,000 at closing to apply to park projects and repayment of the bonds for the Eustis/Roselawn Project.

If the City Council elects to refinance the bonds to support the creation of single-family homes, the outstanding costs would be structured into a new 10-year bond issue and the old bond retired. The cost to homeowners would vary based on the value of their home. The owner of an average priced home price in Lauderdale (\$225,000) would pay approximately \$1,459 over ten years.

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

Page 3 of 4

May 28, 2019

In the single-family home scenario, the City would receive an estimated \$12,124 starting the year after the homes are completed. In the REE deal, the City would receive an estimated \$4,000 (25% of the base value taxes of \$11,867) starting the year after the apartment is completed. The TIF district is estimated to last 16 years. Starting year 17, the City would receive \$48,590 in tax revenue. Over the first sixteen years, the single-family homes will generate \$193,984 in taxes compared to \$64,000 by the apartments as the remaining taxes paid by the developer will be used to help finance the project. Over the next sixteen years, the single-family homes will generate \$193,984 in taxes compared to \$777,440. All totaled over the first 32 years, the homes will generate \$387,968 in taxes compared to \$841,440 by the apartments.

Jennifer Haskamp prepared a memo highlighting the concerns of those that spoke at the meeting. She approached the dais and discussed her comments with the Council.

City Council members then provided their perspectives on the REE project. Based upon those comments, staff will seek additional information from REE on such things as parking usage and real estate values around similar projects. Thereafter, Councilor addressed community concerns about the project and their overall belief that the REE project should proceed as it is in the best overall interest of the community.

**Set Agenda for Next Meeting**

Administrator Butkowski stated that the June 11 council meeting may include the Post Issuance Compliance Policy Update and a draft of conditions for the REE project.

**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.

Heather Brian, 1778 Eustis Street, stated that property values for houses immediately adjacent to the project would be negatively impacted. She continued to say that parking may be an issue and that parking permits could be used for those directly affected.

Joe Steinger, 1955 Carl Street, shared that he is concerned about damage to the street from the school construction but wanted to be sure utilities were being planned for the site during the Eustis Street construction. He also expressed concerns about storm water and drainage issues.

Josh Hauser, 1778 Eustis Street, wanted to let residents know that Target stores collect film plastic for recycling. He also mentioned that construction in the area is loud and he would like to see work being done during the confines of the agreed upon hours.

Mayor Gaasch thanked those in attendance for contributing to the discussion.

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

Page 4 of 4

May 28, 2019

**B. Community Park Parking Concerns with Affected Neighbors**

Over the fall and winter, Council Member Dolphin and staff communicated with residents living on Pleasant Street next to the Lauderdale Community Park about their parking concerns.

Butkowski explained that neighbors felt parking on both sides of the street creates congestion, may be unsafe for pedestrians/children, inhibits mail delivery, makes it difficult to back out of their driveways, and may obstruct fire trucks from passing through.

Mayor Gaasch opened the floor to anyone in attendance that wanted to address the council on this matter.

Elizabeth French, 1907 Pleasant Street, stated that parking has been an issue when the park is heavily used and the times people have parked over night in front of her house. She said neighbors would like no parking along the west side of Pleasant Street by Community Park.

The Council discussed the request. They noted their while they understand their frustrations that eliminating that parking with exacerbate some of their concerns. They also noted hear from other neighbors on that street that don't want the parking situation changed.

Some Council Members expressed support for posting signage about the blocking of driveways. Staff will look further into the matter.

**C. Community Development Update**

Butkowski mentioned the developer buying Luther Seminary's land will be meeting with the St. Anthony Park Community Council in July. The City received and inflow and infiltration exceedance letter and is addressing the issue with the City of Roseville as Pacal may be the source of the water. The city attorney will be at the May 29 special city council meeting to discuss the alley vacation request. Government Alliance on Race and Equity (GARE) training is scheduled for June 4.

**Adjournment**

Councilor Dains moved and seconded by Councilor Mofatt to adjourn the meeting at 10:45 p.m. Motion carried unanimously.

Respectfully submitted,



Miles Cline  
Deputy City Clerk

# LAUDERDALE CITY COUNCIL - SPECIAL MEETING MINUTES

Lauderdale City Hall  
1891 Walnut Street  
Lauderdale, MN 55113

Page 1 of 1

May 29, 2019

## **Call to Order**

Mayor Gaasch called the Special Lauderdale City Council meeting to order at 5:37 p.m.

## **Roll Call**

Councilors present: Andi Moffatt, Kelly Dolphin, Jeff Dains, and Mayor Mary Gaasch.  
Councilors absent: Roxanne Grove.

Staff present: Heather Butkowski, City Administrator and Miles Cline, Deputy City Clerk.

## **Discussion/Action Items**

A. Alley Vacation Request by Residents of Malvern Street and Eustis Street

Ron Batty led the discussion of the proposed vacation request by residents of Malvern Street and Eustis Street. Batty went through the laws and statutes regarding easements, property rights, and alley and street vacations. He answered questions from the Council.

Mayor Gaasch opened the floor to anyone in attendance that wanted to address the Council.

Sherry Mills, 1856 Malvern Street, stated that none of the residents want the alley. She believes that they do not need it and have gotten along fine without it. She asked how the telephone and electrical poles would be moved around.

Craig Zbacnik, 1837 Eustis Street, believed that inadequate notification was given to those living on Malvern Street and Eustis Street about the alley plans. He questioned whether the project was good for the community as a whole and wanted to know how many alleys in the City have been previously vacated.

John Hassinger, 1856 Malvern Street, believed that the decision to build the alley had been determined. He shared that residents should have been informed earlier and that the money to do this project would be better spent elsewhere.

Glen Grindahl, 1847 Eustis Street, wanted to know if the alley project was going through or if the City was still in the process of discussing it.

## **Adjournment**

Councilor Dains moved and seconded by Councilor Mofatt to adjourn the meeting at 6:28 p.m.  
Motion carried unanimously.

Respectfully submitted,



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:** June 11, 2019  
**Subject:** List of Claims

---

The claims totaling \$92,629.32 are provided for City Council review and approval that includes check numbers 26431 to 26452.



# Accounts Payable

## Checks by Date - Detail by Check Date

User: MILES.CLINE  
 Printed: 6/6/2019 2:15 PM



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
ACH	43	Public Employees Retirement Association PR Batch 51100.05.2019 PERA Coordinated PR Batch 51100.05.2019 PERA Coordinated	05/31/2019 PR Batch 51100.05.2019 PER PR Batch 51100.05.2019 PER	989.57 1,141.81
Total for this ACH Check for Vendor 43:				2,131.38
ACH	44	Minnesota Department of Revenue PR Batch 51100.05.2019 State Income Tax	05/31/2019 PR Batch 51100.05.2019 Stat	778.24
Total for this ACH Check for Vendor 44:				778.24
ACH	45	ICMA Retirement Corporation PR Batch 51100.05.2019 Deferred Comp	05/31/2019 PR Batch 51100.05.2019 Def	1,638.63
Total for this ACH Check for Vendor 45:				1,638.63
ACH	46	Internal Revenue Service PR Batch 51100.05.2019 Medicare Employer Po PR Batch 51100.05.2019 FICA Employee Portio PR Batch 51100.05.2019 Federal Income Tax PR Batch 51100.05.2019 FICA Employer Portio PR Batch 51100.05.2019 Medicare Employee Pc	05/31/2019 PR Batch 51100.05.2019 Med PR Batch 51100.05.2019 FIC PR Batch 51100.05.2019 Fed PR Batch 51100.05.2019 FIC PR Batch 51100.05.2019 Med	249.91 1,068.62 1,627.65 1,068.62 249.91
Total for this ACH Check for Vendor 46:				4,264.71
Total for 5/31/2019:				8,812.96
26431	239 906585	American Engineering Testing Inc 2019 Infrastructure Improvements	06/11/2019	454.10
Total for Check Number 26431:				454.10
26432	33 062019	City of Falcon Heights April Fire Calls	06/11/2019	457.68
Total for Check Number 26432:				457.68
26433	36 0226173 0226180 0226214	City of Roseville 2019 Network Switch Replacements May Phone Services May IT Services	06/11/2019	1,580.30 83.00 1,096.00
Total for Check Number 26433:				2,759.30
26434	29 3807	City of St Anthony June Police Services	06/11/2019	59,433.68
Total for Check Number 26434:				59,433.68
26435	25	County of Ramsey	06/11/2019	

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	PRRRV-001150	2019 Election System Maintenance		1,167.00
			Total for Check Number 26435:	1,167.00
26436	25 PRRRV-001143	County of Ramsey Admin Charges - 2019 Recycling	06/11/2019	330.50
			Total for Check Number 26436:	330.50
26437	242 062019	Richard Gauger Rental Inspection Reimbursement	06/11/2019	160.00
			Total for Check Number 26437:	160.00
26438	61 9050527	Gopher State One Call May 2019 Locates	06/11/2019	79.25
			Total for Check Number 26438:	79.25
26439	82 062019 062019	Home Depot Park Supplies Warming House Supplies	06/11/2019	54.96 72.49
			Total for Check Number 26439:	127.45
26440	243 062019	Charles Hopper Rental Inspection Reimbursement	06/11/2019	40.00
			Total for Check Number 26440:	40.00
26441	134 0089	Katrina Joseph May Legal Services	06/11/2019	925.00
			Total for Check Number 26441:	925.00
26442	24 0001096933	Metropolitan Council July Waste Water	06/11/2019	13,409.80
			Total for Check Number 26442:	13,409.80
26443	95 MCMA2019 MCMA2019	Minnesota County/City Managers Associati '19-'20 Dues HB '19-'20 Dues JB/MC	06/11/2019	124.64 100.00
			Total for Check Number 26443:	224.64
26444	244 062019	Amy Myers Rental Inspection Reimbursement	06/11/2019	40.00
			Total for Check Number 26444:	40.00
26445	245 062019	Scott O'Brien Rental Inspection Reimbursement	06/11/2019	40.00
			Total for Check Number 26445:	40.00
26446	246 062019	Edwine Partch Rental Inspection Reimbursement	06/11/2019	40.00
			Total for Check Number 26446:	40.00
26447	248 062019	Chunsan Rowe Rental Inspection Reimbursement	06/11/2019	40.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 26447:	40.00
26448	247 062019	Eric Shin Rental Inspection Reimbursement	06/11/2019	40.00
			Total for Check Number 26448:	40.00
26449	4 18288 18288	The Neighborhood Recycling Company Inc May Single Unit Dwelling May Multi-Family Recycling Unit	06/11/2019	2,808.05 389.85
			Total for Check Number 26449:	3,197.90
26450	77 06112019 06112019	United States Postal Service 3 Rolls of Stamps 2 Rolls of Stamps	06/11/2019	165.00 110.00
			Total for Check Number 26450:	275.00
26451	3 385980990	US National Equipment Finance Inc Copier Contract	06/11/2019	176.00
			Total for Check Number 26451:	176.00
26452	7 8245005-0500-6	Waste Management Inc June Public Works	06/11/2019	399.06
			Total for Check Number 26452:	399.06
			Total for 6/11/2019:	83,816.36
			Report Total (26 checks):	92,629.32



**LAUDERDALE COUNCIL  
ACTION FORM**

**ACTION REQUESTED**

Consent     X      
Public Hearing         
Discussion         
Action         
Resolution         
Work session       

Meeting Date: June 11, 2019

ITEM NUMBER Step Increases

STAFF INITIAL     AB    

APPROVED BY ADMINISTRATOR

**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:**

Miles began working for the City on June 15, 2016; therefore, he moves to Step 5 of the pay scale on June 15, 2019.

A copy of the 2019 pay scale is attached.

**OPTIONS:**

**STAFF RECOMMENDATION:**

By approving the consent agenda, the City Council acknowledges the step increases.

**COUNCIL ACTION:**

**2019 Wage Schedule 3% increase (FT based on 2,080 hours)**

JOB TITLE	STEP 5	STEP 4	STEP 3	STEP 2	STEP 1
Maintenance Worker	\$ 63,513.38	\$ 60,354.59	\$ 57,147.57	\$ 54,012.90	\$ 50,777.56
(FT)	\$ 5,292.78	\$ 5,029.55	\$ 4,762.30	\$ 4,501.07	\$ 4,231.46
	\$ 30.54	\$ 29.02	\$ 27.47	\$ 25.97	\$ 24.41
Public Works Coordinator	\$ 71,904.67	\$ 68,311.85	\$ 64,694.91	\$ 61,102.09	\$ 57,509.27
(FT)	\$ 5,992.06	\$ 5,692.65	\$ 5,391.24	\$ 5,091.84	\$ 4,792.44
	\$ 34.57	\$ 32.84	\$ 31.10	\$ 29.38	\$ 27.65
Deputy Clerk	\$ 63,513.38	\$ 60,354.59	\$ 57,147.57	\$ 54,012.90	\$ 50,781.77
(FT)	\$ 5,292.78	\$ 5,029.55	\$ 4,762.30	\$ 4,501.07	\$ 4,231.81
	\$ 30.54	\$ 29.02	\$ 27.47	\$ 25.97	\$ 24.41
Asst to the City Administrator	\$ 69,638.06	\$ 66,141.69	\$ 62,669.43	\$ 59,173.06	\$ 55,700.80
(FT - Exempt)	\$ 5,803.17	\$ 5,511.81	\$ 5,222.45	\$ 4,931.09	\$ 4,641.73
	\$ 33.48	\$ 31.80	\$ 30.13	\$ 28.45	\$ 26.78
City Administrator	\$ 103,866.90	\$ 98,673.56	\$ 93,480.21	\$ 88,286.87	\$ 83,093.52
(FT - Exempt)	\$ 8,655.57	\$ 8,222.80	\$ 7,790.02	\$ 7,357.24	\$ 6,924.46
	\$ 49.94	\$ 47.44	\$ 44.94	\$ 42.45	\$ 39.95

**LAUDERDALE COUNCIL  
ACTION FORM**

**Action Requested**

Consent                      X    
Public Hearing                   
Discussion                       
Action                             
Resolution                       
Work Session                 

Meeting Date                    June 11, 2019

ITEM NUMBER                    Northdale Pay Request No. 1

STAFF INITIAL                      AS  

APPROVED BY ADMINISTRATOR

**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:**

Northdale Construction has submitted their first pay request for the 2019 Infrastructure Improvement Project. The request is for a payment of \$281,743.49. This pays for improvements through the end of May. As the majority of the work being completed right now is water main installation, most of these costs will be born by the city of St. Paul. Staff will bill them next week per this split:

- SPRWS: \$221,242.19
- Lauderdale: \$60,501.29

**STAFF RECOMMENDATION:**

By approving the Consent Agenda, the Council approve pay request No. 1 for the 2019 Infrastructure Improvement Project payable to Northdale Construction in the amount of \$281,743.49.



# CITY OF LAUDERDALE

1891 WALNUT STREET  
LAUDERDALE, MN 55113

Project 193804608 - 2019 INFRASTRUCTURE IMPROVEMENTS  
Request for Payment No. 1

Contractor: Northdale Construction Co., Inc.  
9760 71st Street NE  
Albertville, MN 55301

Stantec Project No. 193804608  
For Period: 5/1/2019 - 5/31/2019

**Contract Amounts**

Original Contract	\$2,269,093.49
Contract Changes	\$0.00
Revised Contract	\$2,269,093.49

**Work Certified To Date**

Base Bid Items	\$296,572.10
Backsheet	\$0.00
Change Order	\$0.00
Supplemental Agreement	\$0.00
Work Order	\$0.00
Material On Hand	\$0.00
<b>Total</b>	<b>\$296,572.10</b>

	Work Certified This Request for Payment	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Request for Payment	Total Amount Paid To Date
193804608	\$296,572.10	\$296,572.10	\$14,828.61	\$0.00	\$281,743.49	\$281,743.49
Percent Retained: 5.0000%				Percent Complete: 13.0701%		
<b>Amount Paid This Request for Payment</b>					<b>\$281,743.49</b>	

This is to certify that the items of work shown in this certificate of Request for Payment have been actually furnished for the work comprising the above mentioned projects in accordance with the plans and specifications heretofore approved.

Approved By \_\_\_\_\_

Approved By Northdale Construction Co., Inc.

\_\_\_\_\_  
Project Engineer

\_\_\_\_\_  
Contractor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

Approved for Payment By \_\_\_\_\_

\_\_\_\_\_  
City of Lauderdale

\_\_\_\_\_  
Date

CITY OF LAUDERDALE  
 1891 WALNUT STREET  
 LAUDERDALE, MN 55113  
 Project No. 193804608  
 Request for Payment No. 1

**193804608 Payment Summary**

No.	From Date	To Date	Work Certified Per Request for Payment	Amount Retained Per Request for Payment	Amount Paid Per Request for Payment
1	05/01/2019	05/31/2019	\$296,572.10	\$14,828.61	\$281,743.49
<b>Totals: \$296,572.10</b>				<b>\$14,828.61</b>	<b>\$281,743.49</b>

**193804608 Funding Category Report**

Funding Category No.	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Request for Payment	Total Amount Paid To Date
SPRWS	232,886.52	11,644.33	0.00	221,242.19	221,242.19
Lauderdale	63,685.57	3,184.28	0.00	60,501.29	60,501.29
<b>Totals: \$296,572.09</b>		<b>\$14,828.61</b>	<b>\$0.00</b>	<b>\$281,743.48</b>	<b>\$281,743.48</b>

<b>193804608 Project Item Status</b>									
Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request for Payment	Amount This Request for Payment	Quantity To Date	Amount To Date
<b>PART 1: GENERAL</b>									
1	2021.501	MOBILIZATION	LS	\$112,851.40	1	0.5	\$56,425.70	0.5	\$56,425.70
2	2563.601	TRAFFIC CONTROL	LS	\$8,987.50	1	0.5	\$4,493.75	0.5	\$4,493.75
<b>Totals For Section PART 1: GENERAL:</b>							<b>\$60,919.45</b>		<b>\$60,919.45</b>
<b>PART 2: WATER MAIN</b>									
3	2451.609	GRANULAR BACKFILL	TON	\$15.56	10400	4632.4	\$72,080.14	4632.4	\$72,080.14
4	2503.603	SANITARY SEWER SERVICE RECONNECTION	LF	\$45.81	415	54.5	\$2,496.65	54.5	\$2,496.65
5	2504.603	SERVICE STOP BOX	EA	\$306.73	9	0	\$0.00	0	\$0.00
6	2504.602	ADJUST SERVICE STOP BOX	EA	\$135.00	13	0	\$0.00	0	\$0.00
7	2504.602.001	REPAIR VALVE BOX	EA	\$350.00	2	0	\$0.00	0	\$0.00
8	2504.602	ADJUST VALVE BOX	EA	\$245.00	8	0	\$0.00	0	\$0.00
9	2504.602.00999	REPLACE VALVE BOX	EA	\$590.18	2	0	\$0.00	0	\$0.00
10	2504.602	WATER UTILITY HOLE	EACH	\$1,250.00	3	0	\$0.00	0	\$0.00
11	2504.602.00998	EXCAVATION FOR UTILITY OFFSET	EA	\$1,500.00	1	1	\$1,500.00	1	\$1,500.00
12	2502.604	2" INSULATION	S Y	\$25.65	14	4.6	\$117.99	4.6	\$117.99
13	2504.602.00997	HYDRANT INSTALLATION	EA	\$4,224.05	9	4	\$16,896.20	4	\$16,896.20
14	2515.0016	1" CORPORATION STOP	EA	\$122.43	1	2	\$244.86	2	\$244.86
15	2503.603.9990	1" ORISEAL VALVE INSTALLATION	EA	\$471.95	9	0	\$0.00	0	\$0.00
16	2503.603.9991	1.5" ORISEAL VALVE INSTALLATION	EA	\$689.44	1	0	\$0.00	0	\$0.00
17	2504.603.9986	2" ORISEAL VALVE INSTALLATION (WASTING)	EA	\$1,465.50	1	0	\$0.00	0	\$0.00
18	2503.603.9993	4" GATE VALVE INSTALLATION	EA	\$1,145.72	1	0	\$0.00	0	\$0.00

**193804608 Project Item Status**

Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request for Payment	Amount This Request for Payment	Quantity To Date	Amount To Date
19	2503.602.9991	6" GATE VALVE INSTALLATION	EA	\$1,373.66	5	3	\$4,120.98	3	\$4,120.98
20	2504.602.9990	8" GATE VALVE INSTALLATION	EA	\$1,822.81	17	10	\$18,228.10	10	\$18,228.10
21	2504.603.9998	1" CP WATER SERVICE REPLACEMENT	LF	\$28.89	115	0	\$0.00	0	\$0.00
22	2504.603.9988	1.5" CP WATER SERVICE REPLACEMENT	LF	\$65.16	5	0	\$0.00	0	\$0.00
23	2505.603.9990	2" CP WATER SERVICE REPLACEMENT	LF	\$69.20	10	0	\$0.00	0	\$0.00
24	2504.603.9985	6" DI WATER MAIN REPLACEMENT	LF	\$58.32	70	33.5	\$1,953.72	33.5	\$1,953.72
25	2504.603.9983	8" DI WATER MAIN REPLACEMENT	LF	\$78.63	3165	1190.5	\$93,609.02	1190.5	\$93,609.02
26	2504.603.9981	8" HDPE (SDR 11) WATER MAIN - PIPE BURSTING	LF	\$70.35	335	0	\$0.00	0	\$0.00
27	2504.603.9980	TELEWISE SANITARY SEWER SERVICE	EA	\$752.50	3	0	\$0.00	0	\$0.00
28	2504.603.9979	TELEWISE STORM SEWER CROSSING	EA	\$510.63	3	0	\$0.00	0	\$0.00
29	2504.603.9977	DUCTILE AND GREY IRON FITTINGS	LB	\$6.83	1335	1047	\$7,151.01	1047	\$7,151.01
<b>Totals For Section PART 2: WATER MAIN:</b>							<b>\$218,398.67</b>		<b>\$218,398.67</b>
<b>PART 3: SANITARY SEWER</b>									
30	2504.603.9975	ADJUST SANITARY SEWER CONNECTION	EA	\$350.00	12	0	\$0.00	0	\$0.00
31	2504.603.9973	REMOVE AND REPLACE 4' DIA SANITARY SEWER MANHOLE	EA	\$4,493.47	1	0	\$0.00	0	\$0.00
32	2504.603.9972	6" PVC SANITARY SEWER SERVICE PIPE	LF	\$38.12	250	0	\$0.00	0	\$0.00
33	2504.603.9971	8" X 6" PVC WYE	EA	\$1,292.41	5	0	\$0.00	0	\$0.00

193804608 Project Item Status									
Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request for Payment	Amount This Request for Payment	Quantity To Date	Amount To Date
34	2503.602	CONNECT TO EXISTING SANITARY SEWER SERVICE	EA	\$183.65	2	0	\$0.00	0	\$0.00
35	2504.603.9970	REMOVE AND REPLACE SANITARY MANHOLE CONE SECTION, CASTING AND RINGS	EA	\$1,795.10	2	0	\$0.00	0	\$0.00
<b>Totals For Section PART 3: SANITARY SEWER:</b>							<b>\$0.00</b>		<b>\$0.00</b>
<b>PART 4: STORM SEWER</b>									
36	2504.603.9969	ADJUST STORM SEWER CASTING	EA	\$325.00	9	0	\$0.00	0	\$0.00
37	25804.603.9968	REMOVE AND REPLACE STORM SEWER CASTING AND RINGS	EA	\$790.75	2	0	\$0.00	0	\$0.00
38	2104.509	REMOVE STORM SEWER STRUCTURE	EA	\$525.00	9	0	\$0.00	0	\$0.00
39	2504.603.9968	REMOVE AND REPLACE STORM SEWER STRUCTURE	EA	\$2,610.24	1	0	\$0.00	0	\$0.00
40	2104.501	REMOVE STORM SEWER PIPE	LF	\$11.50	300	0	\$0.00	0	\$0.00
41	2630.00056	CONNECT TO EXISTING STORM SEWER PIPE	EA	\$650.00	4	0	\$0.00	0	\$0.00
42	2506.602	CONNECT TO EXISTING STRUCTURE	EA	\$850.00	1	0	\$0.00	0	\$0.00
43	2503.603.9967	12" RCP STORM SEWER	LF	\$59.50	750	0	\$0.00	0	\$0.00
44	2504.603.9966	15" RCP STORM SEWER	LF	\$58.11	660	0	\$0.00	0	\$0.00
45	2503.603.9964	18" RCP STORM SEWER	LF	\$60.27	1020	0	\$0.00	0	\$0.00
46	2320.00044	IMPROVED PIPE FOUNDATION	LF	\$0.01	2430	0	\$0.00	0	\$0.00
47	2504.603.9961	27" CATCH BASIN	EA	\$1,395.48	8	0	\$0.00	0	\$0.00
48	2506.602	2'x3' CATCH BASIN	EA	\$1,793.11	6	0	\$0.00	0	\$0.00



<b>193804608 Project Item Status</b>									
Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request for Payment	Amount This Request for Payment	Quantity To Date	Amount To Date
49	2504.603.9960	4' DIAMETER CATCH BASIN MANHOLE	EA	\$2,516.98	16	0	\$0.00	0	\$0.00
50	2630.0001	4' DIAMETER STORM SEWER MANHOLE	EA	\$2,376.98	2	0	\$0.00	0	\$0.00
<b>Totals For Section PART 4: STORM SEWER:</b>							<b>\$0.00</b>		<b>\$0.00</b>
<b>PART 5: ROADWAY/ALLEY</b>									
51	2504.603.9965	SILT FENCE, MACHINE-SLICED	LF	\$2.45	1400	0	\$0.00	0	\$0.00
52	2573.530	INLET PROTECTION	EA	\$275.00	35	31	\$8,525.00	31	\$8,525.00
53	1570.0011	TEMPORARY ROCK CONSTRUCTION ENTRANCE	TN	\$39.50	100	0	\$0.00	0	\$0.00
54	2130.610	WATER FOR DUST CONTROL	TGAL	\$28.00	125	0	\$0.00	0	\$0.00
55	2504.603.9964	TEMPORARY MAILBOXES	LS	\$0.01	1	0	\$0.00	0	\$0.00
56	2104.602	REMOVE TREE	EA	\$333.25	15	5	\$1,666.25	5	\$1,666.25
57	2230.0002	CLEARING AND GRUBBING	LS	\$3,440.00	1	0	\$0.00	0	\$0.00
58	2572.501	TEMPORARY FENCE	LF	\$3.50	525	0	\$0.00	0	\$0.00
59	2504.603.9958	SALVAGE AND REINSTALL CHAIN LINK FENCE	LF	\$21.50	175	0	\$0.00	0	\$0.00
60	2504.603.9957	SALVAGE AND REINSTALL WOOD PRIVACY FENCE	LF	\$37.63	325	0	\$0.00	0	\$0.00
61	2504.603.9956	SALVAGE AND REINSTALL FENCE - OTHER	LF	\$43.00	40	0	\$0.00	0	\$0.00
62	2504.603.9955	SALVAGE AND REINSTALL SIGN	EA	\$182.75	30	0	\$0.00	0	\$0.00
63	2504.603.9954	STREET SWEEPER WITH PICKUP BROOM	HR	\$145.00	50	0	\$0.00	0	\$0.00
64	2104.505	REMOVE BITUMINOUS PAVEMENT	S Y	\$1.26	11000	4450	\$5,607.00	4450	\$5,607.00
65	2504.603.9952	CONCRETE PAVEMENT REPLACEMENT - SPECIAL	SF	\$19.39	540	0	\$0.00	0	\$0.00

193804608 Project Item Status									
Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request for Payment	Amount This Request for Payment	Quantity To Date	Amount To Date
66	2104.603	MILL BITUMINOUS PAVEMENT - 2" DEPTH	SY	\$1.51	7400	0	\$0.00	0	\$0.00
67	2225.00023	REMOVE BITUMINOUS DRIVEWAY	SY	\$5.25	300	0	\$0.00	0	\$0.00
68	2504.603.9951	REMOVE CONCRETE DRIVEWAY OR APRON	SY	\$7.50	400	14	\$105.00	14	\$105.00
69	2504.603.9950	REMOVE AND REPLACE CONCRETE CURB & GUTTER	LF	\$32.12	400	39	\$1,252.68	39	\$1,252.68
70	2225.0001	SAWING BITUMINOUS PAVEMENT	LF	\$4.75	350	0	\$0.00	0	\$0.00
71	2504.603.9949	REMOVE SIDEWALK	SF	\$0.95	3000	0	\$0.00	0	\$0.00
72	2104.501	REMOVE CONCRETE CURB & GUTTER	LF	\$2.65	700	37	\$98.05	37	\$98.05
73	2105.501	COMMON EXCAVATION (P)	CY	\$21.33	8800	0	\$0.00	0	\$0.00
74	2504.603.9948	COMMON EXCAVATION - ALLEYS (P)	CY	\$30.95	1500	0	\$0.00	0	\$0.00
75	2315.00041	SUBGRADE EXCAVATION (EV)	CY	\$23.33	500	0	\$0.00	0	\$0.00
76	2315.00116	GEOTEXTILE FABRIC	SY	\$1.98	13000	0	\$0.00	0	\$0.00
77	2105.522	SELECT GRANULAR BORROW (MODIFIED)	TN	\$16.63	9200	0	\$0.00	0	\$0.00
78	2211.501	AGGREGATE BASE, CLASS 5	TN	\$17.69	7100	0	\$0.00	0	\$0.00
79	2357.502	BITUMINOUS MATERIAL FOR TACK COAT	GAL	\$1.08	900	0	\$0.00	0	\$0.00
80	2504.603.9945	BITUMINOUS TRAIL PATCHING	SF	\$7.99	250	0	\$0.00	0	\$0.00
81	2504.603.9946	TYPE SP 9.5 WEARING COURSE MIXTURE (2,B)	TN	\$70.95	1900	0	\$0.00	0	\$0.00

**193804608 Project Item Status**

Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request for Payment	Amount This Request for Payment	Quantity To Date	Amount To Date
82	2503.603.9944	TYPE SP 9.5 WEARING COURSE MIXTURE FOR ALLEYS (2,B)	TN	\$86.00	150	0	\$0.00	0	\$0.00
83	2503.603.9943	TYPE SP 12.5 NONWEARING COURSE MIXTURE (2,B)	TN	\$68.26	1600	0	\$0.00	0	\$0.00
84	2503.603.9942	FULL DEPTH ROADWAY PATCHING	SY	\$86.40	400	0	\$0.00	0	\$0.00
85	2503.603.9941	BITUMINOUS PAVEMENT PATCHING - ROSELAWN	SY	\$53.75	400	0	\$0.00	0	\$0.00
86	2503.603.9940	B618 CONCRETE CURB & GUTTER	LF	\$13.81	5300	0	\$0.00	0	\$0.00
87	2503.603.9939	4" DRAINTILE	LF	\$9.67	5200	0	\$0.00	0	\$0.00
88	2521.501	4" CONCRETE WALK	SF	\$6.07	1750	0	\$0.00	0	\$0.00
89	2830.0014	MODULAR BLOCK RETAINING WALL	SF	\$31.71	300	0	\$0.00	0	\$0.00
90	2503.603.9938	TYPE SP 9.5 BITUMINOUS MIXTURE FOR DRIVEWAYS (2,B)	TN	\$193.50	100	0	\$0.00	0	\$0.00
91	2775.00421	6" CONCRETE DRIVEWAY APRON	SF	\$6.83	4000	0	\$0.00	0	\$0.00
92	2531.504	7" CONCRETE DRIVEWAY APRON	SF	\$7.42	1200	0	\$0.00	0	\$0.00
93	2503.603.9937	6" CONCRETE PEDESTRIAN CURB RAMP	SF	\$10.48	260	0	\$0.00	0	\$0.00
94	2503.603.9935	TRUNCATED DOME SURFACE	SF	\$64.50	20	0	\$0.00	0	\$0.00
95	2503.603.9934	SALVAGE HANDHOLE	EA	\$989.00	2	0	\$0.00	0	\$0.00
96	2503.603.9933	INSTALL SALVAGED HANDHOLE	EA	\$1,064.50	2	0	\$0.00	0	\$0.00

<b>193804608 Project Item Status</b>									
Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request for Payment	Amount This Request for Payment	Quantity To Date	Amount To Date
97	2503.603.9932	PREFORMED RIGID PVC CONDUIT LOOP DETECTOR 6' X 6'	EA	\$1,612.50	3	0	\$0.00	0	\$0.00
98	2503.603.9930	PREFORMED RIGID PVC CONDUIT LOOP DETECTOR 12' X 12'	EA	\$1,935.00	2	0	\$0.00	0	\$0.00
99	16110.0037	HANDHOLE	EA	\$2,683.20	1	0	\$0.00	0	\$0.00
100	2503.603.9928	1.5" NON-METALLIC CONDUIT	LF	\$13.55	80	0	\$0.00	0	\$0.00
101	2503.603.9927	DECIDUOUS TREE 6' HT B&B	EA	\$376.25	15	0	\$0.00	0	\$0.00
102	2315.0009	TOPSOIL BORROW (LV)	CY	\$30.10	1500	0	\$0.00	0	\$0.00
103	2503.603.9926	SOD	SY	\$4.52	9000	0	\$0.00	0	\$0.00
104	2503.603.9924	METAL FENCE	LF	\$38.43	50	0	\$0.00	0	\$0.00
105	2503.603.9929	LANDSCAPE FUND	LS	\$12,000.00	1	0	\$0.00	0	\$0.00
106	2582.502	4" DOUBLE YELLOW LINE - PAINT	LF	\$0.49	4200	0	\$0.00	0	\$0.00
107	2503.603.9921	4" SOLID WHITE LINE - PAINT	LF	\$0.25	8400	0	\$0.00	0	\$0.00
108	2503.603.9920	24" SOLID WHITE LINE - PAINT	LF	\$8.06	50	0	\$0.00	0	\$0.00
<b>Totals For PART 5: ROADWAY/ALLEY:</b>							<b>\$17,253.98</b>		<b>\$17,253.98</b>
<b>Project Totals:</b>							<b>\$296,572.10</b>		<b>\$296,572.10</b>

**LAUDERDALE COUNCIL  
ACTION FORM**

**Action Requested**

Consent \_\_\_\_\_  
Public Hearing \_\_\_\_\_ X \_\_\_\_\_  
Discussion \_\_\_\_\_ X \_\_\_\_\_  
Action \_\_\_\_\_ X \_\_\_\_\_  
Resolution \_\_\_\_\_  
Work Session \_\_\_\_\_

Meeting Date June 11, 2019  
ITEM NUMBER 1821 Eustis Variance  
STAFF INITIAL Jim  
APPROVED BY ADMINISTRATOR

**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:**

See attached memo.

**OPTIONS:**

**STAFF RECOMMENDATION:**

## MEMO

DATE: JUNE 11, 2019  
TO: MAYOR AND COUNCIL  
FROM: JIM BOWNIK  
RE: VARIANCE APPLICATION FOR 1821 EUSTIS STREET

**Proposal:** The applicant is proposing to construct a new single-family home, which includes a detached garage and open but covered porches on the front and back of the house. Total square footage of covered structures is proposed exceed the 30% maximum lot coverage by 60 square feet, or 1.16%. Thus, the applicant is requesting a 1.16% variance to the lot coverage requirements.

**Applicant:** Helin Company, 1485 Hamline Ave N, St Paul, MN 55208

**Owner:** Schumacher Holdings LLC, 9607 Whispering Valley Trail, Lake Elmo, MN 55042

### **POLICIES AND PROCEDURES FOR VARIANCE APPROVAL**

In reviewing this variance request, the Council should consider the Zoning Ordinance requirements as well as relevant State Statutes. These requirements are outlined on the attached Variance Checklist.

Here is the general order of procedure.

- 1) Staff presentation.
  - Apply the Practical Difficulties Test
- 3) Public Hearing.
- 4) Approve or deny the variance, adding any conditions as necessary.

### **PRACTICAL DIFFICULTY TEST**

The municipal variance standard requires the City to apply a three-factor test for “practical difficulties” consisting of (1) reasonableness, (2) uniqueness, and (3) essential character.

A variance should be granted if strict enforcement of the municipal variance standard as applied to a particular piece of property would cause the landowner a “practical difficulty.” The landowner is generally entitled to the variance if and only if the applicant meets the statutory three-factor test for practical difficulty. If the applicant does not meet all three factors of the statutory test, then a variance should not be granted.

### **ESTABLISHING THE FINDINGS OF FACT (Based on Answers to Questions on the Variance Checklist)**

The applicant has described the proposed project and why a variance is requested in the attached letter and provided answers to the questions in the Variance Checklist:

- A) How does the proposal put your property to use in a reasonable manner?
- B) What are the unique circumstances to the property not created by the landowner?
- C) How will a variance, if granted, not alter the essential character of the locality?

- D) How is granting of a variance in harmony with the purposes and intent of the Zoning Ordinance?  
E) How are the terms of a variance consistent with the Comprehensive Plan?

### **STAFF REVIEW**

A list of similar variance requests and resulting action by the City Council is listed below.

### **ENCLOSURES**

A) Original variance application, site plan, and variance checklist.

### **PUBLIC HEARING**

Adjacent property owners received notice of tonight's public hearing.

### **CITY COUNCIL ACTION OPTIONS**

- 1) Motion to approve the variance without conditions and direct staff to prepare a resolution of approval with findings of fact for the next meeting.
- 2) Motion to approve the variance with conditions and direct staff to prepare a resolution of approval with findings of fact for the next meeting.
- 3) Motion to deny the variance and direct staff to prepare a resolution of denial with findings of fact for the next meeting.
  - If the variance is denied, rationale for the denial must be stated in the motion.
- 4) Hold off on taking action until the alley vacation public hearing has taken place.

### **RECENT VARIANCE REQUESTS & RESULTING ACTION BY THE CITY COUNCIL**

July 22, 2014

1754 Walnut St, Wally & Jan Borner

Approved: 7' variance to the front yard setback requirement for a covered porch.

July 22, 2014

1784 Walnut St, Phyllis Carroll

Approved: 11' variance to the front yard setback requirement.

Approved: 3% variance to the lot coverage requirement for a new single-family home.

Conditions: property drainage is addressed through site planning in consultation with the City Engineer, and removal of the temporary driveway after construction of the house is completed.

June 11, 2013

1728 Malvern St, Jeremy & Jessica Newhouse

Approved: 3.5' variance to the front yard setback requirement for a new house.

May 8, 2012

1792 Walnut St, Christopher & Angela Brasel

Approved: 8' variance to the front yard setback requirement for a cedar arbor.

August 9, 2011

1732 Malvern St, Mike & Lindsey Gruttadaurio

Approved: 9' variance to the front yard setback requirements to construct an open deck.

## CITY OF LAUDERDALE VARIANCE CHECKLIST

The following requirements must be met in order for your variance application to be considered complete:

1) Have a pre-application meeting with city staff before submitting a variance application. Please bring the completed application and all required documents to this meeting.

2) Submit the following:

A) Variance application and fee.

B) Site Plan:

- Drawn to scale.
- Delineating your property lines (by locating property stakes, submitting a Certificate of Survey, or other means).
- Showing lot lines, street names, locations and dimensions of all existing or proposed buildings, setback distances, parking areas, lot coverage percentage (as defined by structures covered by a roof) and any other pertinent site information.

3) Describe your proposed project and why you are requesting a variance.

4) Answer the following questions:

A) How does the proposal put your property to use in a reasonable manner?

B) What are the unique circumstances to the property not created by the landowner?

C) How will a variance, if granted, not alter the essential character of the locality?

D) How is granting of a variance in harmony with the purposes and intent of the Zoning Ordinance (Lauderdale's Zoning Ordinance can be found online at [www.ci.lauderdale.mn.us](http://www.ci.lauderdale.mn.us))?

E) How are the terms of a variance consistent with the Comprehensive Plan (Lauderdale's Comprehensive Plan can be found online at [www.ci.lauderdale.mn.us](http://www.ci.lauderdale.mn.us))?

### Information You Should Know

- The municipal variance standard requires the city to apply a three-factor test for "practical difficulties" consisting of (1) reasonableness, (2) uniqueness, and (3) essential character.
- Thus, the city is required to adopt findings based on the questions above.
- Conditions may be imposed on granting of variances if those conditions are directly related to and bear a rough proportionality to the impact created by the variance.



# City of Lauderdale

1821 Eustis

MAIN 651-792-7650

## LAND USE APPLICATION

Date: 5/22/19

### Fee Escrow Type of Request

\$100	\$	0	Lot Consolidation/Division
\$150	\$	0	<input checked="" type="checkbox"/> Variance
\$200	\$	0	Conditional Use
\$500	\$1,000		Zoning Amendment
\$500	\$1,000		Subdivision
\$500	\$1,000		PUD

### Summary of Request

~~Request to cover~~ Propose  
to build new single family  
home where ~~lot~~ coverage  
exceeds allowable lot  
coverage by 60 sq ft, lot is  
5068 sq ft, 30% lot coverage = 1520,  
proposed house, garage, and porch  
cover 1580 square ft.

### Applicant Information

Name: Helin Company  
Address: 1485 Hamline Ave N.  
C, S, Z: St Paul, MN 55208  
Phone: 613-479-1317  
Email: tim.helin@gmail.com  
Signature: [Signature]

### Owner Information (if different)

Name: Schumacher Holdings LLC  
Address: 9607 Whispering Valley Trail  
C, S, Z: Lake Elmo, MN 55042  
Phone: 317-407-2638  
Email: dm.schumacher@msu.com  
Signature: Michelle Schumacher

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.

<b>For Office Use Only</b>	PIN#: _____
Date of Complete Application: <u>5-28-19</u>	Amount Paid: <u>150</u> Receipt #: <u>14329</u>
Escrow Fee Paid: _____	Receipt # _____ Date Escrow Returned: _____
PC Recommendation: (approve/deny) _____	Meeting Date: _____
Public Hearing Date: <u>6-11-19</u>	CC Action: (approved/denied) Meeting Date: _____
Conditions? _____	

FOR Tim Helin

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Randy L. Kurth, L.L.S. No. 20270  
Russell J. Kurth, L.L.S. No. 16113

ELEVATIONS SHOWN ARE NAVD, 1988

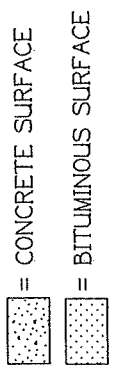
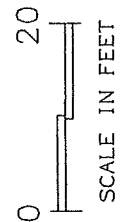
PROPOSED ELEVATIONS

- GARAGE SLAB =
- TOP FOUNDATION =
- BASEMENT FLOOR =

CERTIFICATE OF SURVEY

(MEASUREMENTS SHOWN IN FEET AND DECIMALS OF A FOOT)

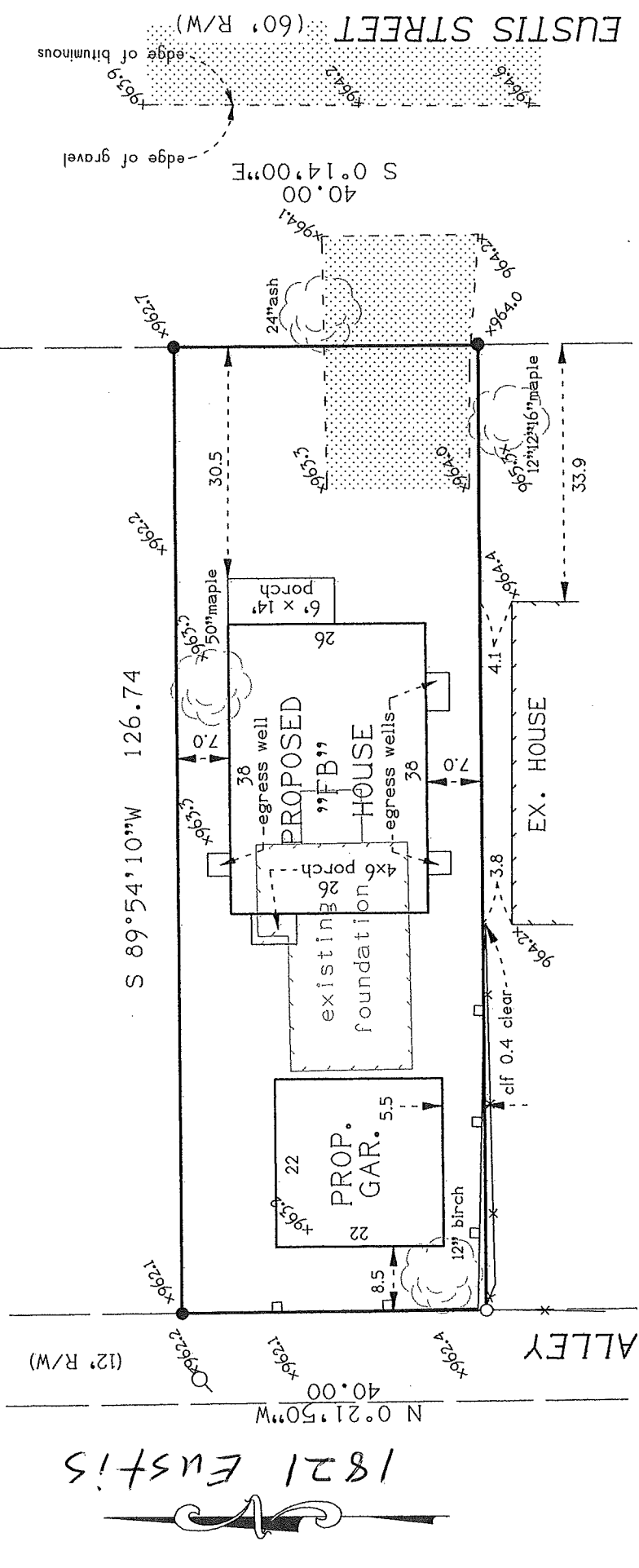
KURTH SURVEYING, INC.  
4002 JEFFERSON ST. N.E.  
COLUMBIA HEIGHTS, MN 55421  
PHONE (763) 788-9769 FAX (763) 788-7602  
E-MAIL: ksi@kurthsurveyinginc.com.



DATE: May 21, 2019

- O = IRON PIPE MONUMENT SET
- = IRON PIPE MONUMENT FOUND
- ⊗ = SPIKE SET
- = WOOD FENCE - wpf
- = CHAIN LINK FENCE - clf
- x100.1 = EXISTING SPOT ELEVATION
- (900.0) = PROPOSED ELEVATION
- = DRAINAGE ARROW

ADDRESS: 1821 EUSTIS ST  
TOTAL LOT AREA - 5068 SQ.FT.



PROPERTY DESCRIPTION (PER COUNTY TAX DEPT.)

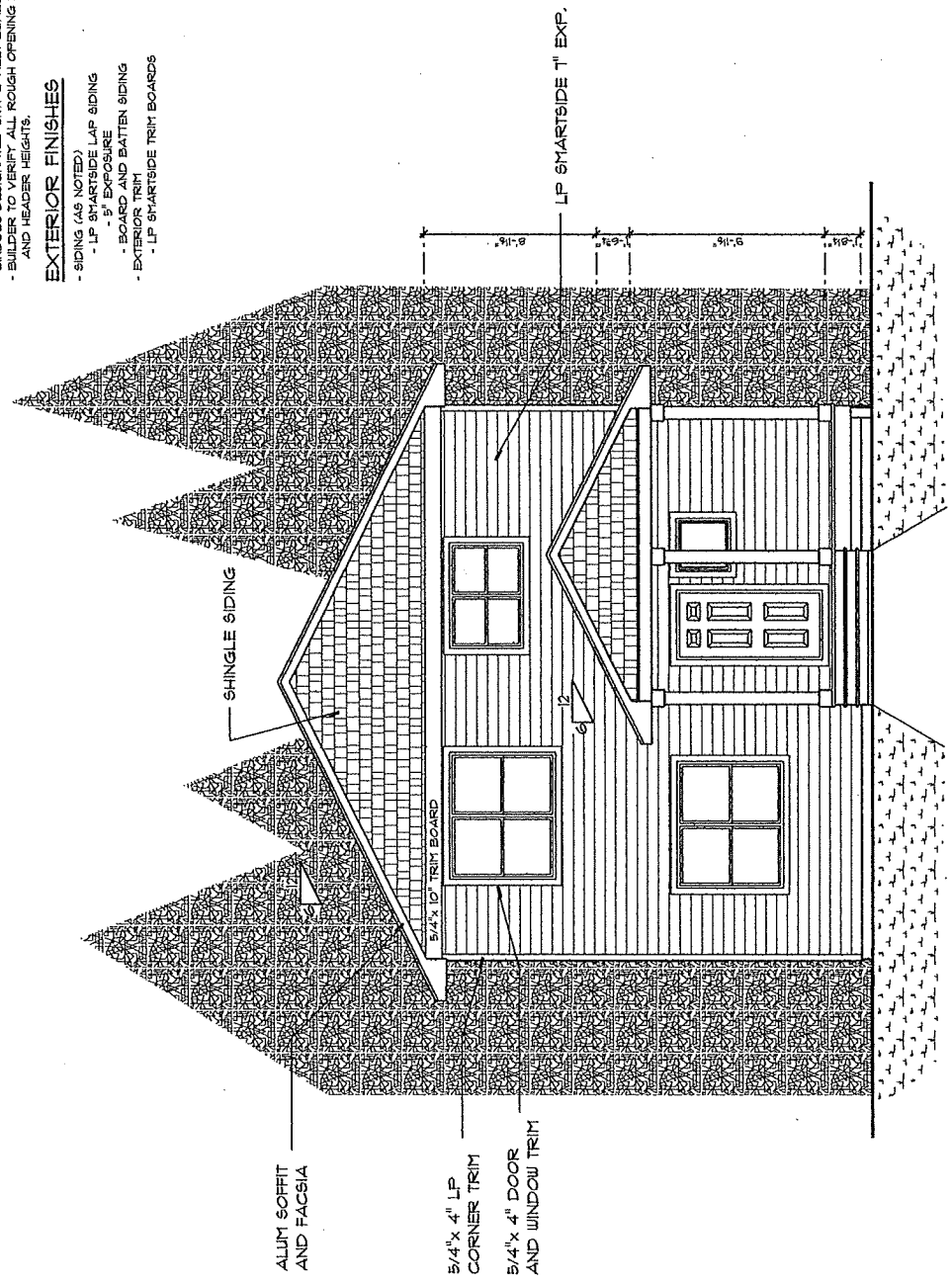
Lot 10, Block 7, Lauderdale's East Side Addition To Minneapolis, Ramsey County, Minnesota

FLOOR AREAS ARE CALCULATED FROM THE OUTSIDE OF FOUNDATION WALLS AND/OR OUTSIDE FACE OF EXTERIOR STUD AT FINISHED WALLS.  
 STAIRS ARE INCLUDED IN CALCULATIONS AT ALL LEVELS.

- GENERAL NOTES - EXTERIOR**
- KICKOUT FLASHING TO BE INSTALLED AS NEEDED
  - EXTERIOR WALL FINISHER TO VERIFY KICKOUT FLASHING IS INSTALLED PRIOR TO FINISHING
  - CARPENTER TO FLASH ALL EXTERIOR WINDOWS & DOORS PER MIN. AND IRC CODE REQUIREMENTS

- WINDOWS**
- ANDERSEN TO SERIES SHOWN
  - TYPE AND SIZE PER PLAN
  - WINDOWS DESIGNATED WITH 'E' MEET EGRESS CODES
  - BUILDER TO VERIFY ALL ROUGH OPENING DIMENSIONS AND HEADER HEIGHTS.

- EXTERIOR FINISHES**
- SIDING (AS NOTED)
  - LP SMARTSIDE LAP SIDING
  - 5" EXPOSURE
  - BOARD AND BATTEN SIDING
  - EXTERIOR TRIM
  - LP SMARTSIDE TRIM BOARDS



**FRONT ELEVATION**  
 SCALE : 1/4" = 1'-0"

## **Variance Request for 1821 Eustis**

Request made by Tim Helin, builder for Schumacher Holdings, Property owner

Contact: Tim at 513-479-1317 or email [tim.helin@gmail.com](mailto:tim.helin@gmail.com)

### **Description of project and reason for variance request:**

We are proposing to build a new single family home at 1821 Eustis St and are requesting a variance to exceed the maximum allowable lot coverage by 60 sq. ft. The proposed structures including a house, its covered porches and garage is 1580 sq. ft and 30% of the square footage of the lot is 1520 sq. ft.

The reason for this request is because we would like to build this home designed by the future owners, current Lauderdale residents Susan and John Shepperd according to the plans that Susan has designed. We believe it to be a reasonable request because the structures themselves do not exceed the 30% lot coverage requirement, rather the excess comes from the presence of covered front and rear porches; these porches are not enclosed or conditioned space, but are elevated, covered entry spaces.

### **What are the unique circumstances of the property not created by the landowner?**

There are no physical characteristics of the property that are unique and would suggest the need for a variance, however there are two factors that should be considered. First is that a restrictive covenant was included in the purchase agreement made between the city and builder/developer at the time of purchase that included, among other things, minimum standards for construction and minimum list prices for the homes to be built. We think the list prices are a reasonable expectation, but also think we should do all we can to offer as much as we can within the target price point. We feel that the minimum list price is encroached upon to a certain extent by the maximum allowable lot coverage of 30%. The second consideration is the maximum allowable lot coverage of 30% include porches that are not part of conditioned space. Our assumption is that the intent of the lot coverage requirements is to prevent construction of homes that are disproportionately large in relation to the surrounding homes. In this case, the presence of the front and back porch does not make the house itself disproportionately large, it simply serves the practical need of covering and elevating entry spaces and provides a place to greet guests and interact with neighbors.

### **How does your proposal put your property to use in a reasonable manner?**

Our proposal puts the property to use in a reasonable manner because it does not propose to deviate from the zoning for the parcel which is single family residential.

### **How will a variance, if granted, not alter the essential character of the locality?**

If granted, this variance will not alter the essential character of the locality in that it requests to exceed maximum allowable square footage by only 60 sq. ft. This square footage is not enclosed or conditioned space, so it is more functionally outdoor space than it is indoor space. Additionally, the presence of a front porch makes the home a more inviting and welcoming structure. Contrast this with many newly built homes on infill sites where the front-entry, attached garage is the most noticeable feature and seems to convey the supremacy of the automobile over that of the person. By allowing the construction

of this plan, including its front porch, the urban and traditional scale of the neighborhood is preserved and enhanced.

**How is granting of a variance in harmony with the purpose and intent of the Zoning Ordinance?**

“The objective of this Title is to regulate the location, height, bulk, size of structures, the size of yards and other open spaces, the density of population and the use of land and buildings for residence, trade, industry, recreation and other activities by establishing standards and procedures regulating such uses to help promote the public health, safety and general welfare of the City. (Zoning Ord. as amd.)”

The granting of this request would serve the purpose of the zoning ordinance in that it is almost entirely in compliance with the letter of the law and completely in compliance with the spirit. The structure itself does not exceed lot coverage requirements, and furthermore, it enhances the general welfare of the city allowing existing residents to move into a home built to their standards and one that raises the overall quality of the housing stock for the city.

**How are the terms of a variance consistent with the Comprehensive Plan?**

The terms of this variance are consistent with the comprehensive plan in that it removes impediments to building new, high-quality, single family homes in Lauderdale. Improving the long term quality of Lauderdale’s house stock is in step with the spirit of the comprehensive plan. Additionally, by allowing or even encouraging the construction or improvement of homes with features like front porches and detached garages in the back of the house, the traditional scale and urban feel of the neighborhood is preserved. Finally, encouraging the construction of new single-family homes in areas zoned for this ultimately addresses long term housing affordability by increasing housing supply.

**LAUDERDALE COUNCIL  
ACTION FORM**

**Action Requested**

Consent \_\_\_\_\_  
Public Hearing   X    
Discussion   X    
Action   X    
Resolution \_\_\_\_\_  
Work Session \_\_\_\_\_

Meeting Date   June 11, 2019    
ITEM NUMBER   1831 Eustis Variance    
STAFF INITIAL   Jim    
APPROVED BY ADMINISTRATOR \_\_\_\_\_

**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:**

See attached memo.

**OPTIONS:**

**STAFF RECOMMENDATION:**

## MEMO

DATE: JUNE 11, 2019  
TO: MAYOR AND COUNCIL  
FROM: JIM BOWNIK  
RE: VARIANCE APPLICATION FOR 1831 EUSTIS STREET

**Proposal:** The applicant is proposing to construct a new single-family home, which includes a detached garage and open but covered porches on the front and back of the house. Total square footage of covered structures is proposed exceed the 30% maximum lot coverage by 185.84 square feet, or 3.66%. Thus, the applicant is requesting a 3.66% variance to the lot coverage requirements.

**Applicant:** Helin Company, 1485 Hamline Ave N, St Paul, MN 55208

**Owner:** Schumacher Holdings LLC, 9607 Whispering Valley Trail, Lake Elmo, MN 55042

### **POLICIES AND PROCEDURES FOR VARIANCE APPROVAL**

In reviewing this variance request, the Council should consider the Zoning Ordinance requirements as well as relevant State Statutes. These requirements are outlined on the attached Variance Checklist.

Here is the general order of procedure.

- 1) Staff presentation.
  - Apply the Practical Difficulties Test
- 3) Public Hearing.
- 4) Approve or deny the variance, adding any conditions as necessary.

### **PRACTICAL DIFFICULTY TEST**

The municipal variance standard requires the City to apply a three-factor test for “practical difficulties” consisting of (1) reasonableness, (2) uniqueness, and (3) essential character.

A variance should be granted if strict enforcement of the municipal variance standard as applied to a particular piece of property would cause the landowner a “practical difficulty.” The landowner is generally entitled to the variance if and only if the applicant meets the statutory three-factor test for practical difficulty. If the applicant does not meet all three factors of the statutory test, then a variance should not be granted.

### **ESTABLISHING THE FINDINGS OF FACT (Based on Answers to Questions on the Variance Checklist)**

The applicant has described the proposed project and why a variance is requested in the attached letter and provided answers to the questions in the Variance Checklist:

- A) How does the proposal put your property to use in a reasonable manner?
- B) What are the unique circumstances to the property not created by the landowner?
- C) How will a variance, if granted, not alter the essential character of the locality?

D) How is granting of a variance in harmony with the purposes and intent of the Zoning Ordinance?

E) How are the terms of a variance consistent with the Comprehensive Plan?

### **STAFF REVIEW**

A list of similar variance requests and resulting action by the City Council is listed below.

### **ENCLOSURES**

A) Original variance application, site plan, and variance checklist.

### **PUBLIC HEARING**

Adjacent property owners received notice of tonight's public hearing.

### **CITY COUNCIL ACTION OPTIONS**

- 1) Motion to approve the variance without conditions and direct staff to prepare a resolution of approval with findings of fact for the next meeting.
- 2) Motion to approve the variance with conditions and direct staff to prepare a resolution of approval with findings of fact for the next meeting.
- 3) Motion to deny the variance and direct staff to prepare a resolution of denial with findings of fact for the next meeting.
  - If the variance is denied, rationale for the denial must be stated in the motion.
- 4) Hold off on taking action until the alley vacation public hearing has taken place.

### **RECENT VARIANCE REQUESTS & RESULTING ACTION BY THE CITY COUNCIL**

July 22, 2014

1754 Walnut St, Wally & Jan Borner

Approved: 7' variance to the front yard setback requirement for a covered porch.

July 22, 2014

1784 Walnut St, Phyllis Carroll

Approved: 11' variance to the front yard setback requirement.

Approved: 3% variance to the lot coverage requirement for a new single-family home.

Conditions: property drainage is addressed through site planning in consultation with the City Engineer, and removal of the temporary driveway after construction of the house is completed.

June 11, 2013

1728 Malvern St, Jeremy & Jessica Newhouse

Approved: 3.5' variance to the front yard setback requirement for a new house.

May 8, 2012

1792 Walnut St, Christopher & Angela Brasel

Approved: 8' variance to the front yard setback requirement for a cedar arbor.

August 9, 2011

1732 Malvern St, Mike & Lindsey Gruttadaurio

Approved: 9' variance to the front yard setback requirements to construct an open deck.



## CITY OF LAUDERDALE VARIANCE CHECKLIST

The following requirements must be met in order for your variance application to be considered complete:

1) Have a pre-application meeting with city staff before submitting a variance application. Please bring the completed application and all required documents to this meeting.

2) Submit the following:

A) Variance application and fee.

B) Site Plan:

- Drawn to scale.
- Delineating your property lines (by locating property stakes, submitting a Certificate of Survey, or other means).
- Showing lot lines, street names, locations and dimensions of all existing or proposed buildings, setback distances, parking areas, lot coverage percentage (as defined by structures covered by a roof) and any other pertinent site information.

3) Describe your proposed project and why you are requesting a variance.

4) Answer the following questions:

A) How does the proposal put your property to use in a reasonable manner?

B) What are the unique circumstances to the property not created by the landowner?

C) How will a variance, if granted, not alter the essential character of the locality?

D) How is granting of a variance in harmony with the purposes and intent of the Zoning Ordinance (Lauderdale's Zoning Ordinance can be found online at [www.ci.lauderdale.mn.us](http://www.ci.lauderdale.mn.us))?

E) How are the terms of a variance consistent with the Comprehensive Plan (Lauderdale's Comprehensive Plan can be found online at [www.ci.lauderdale.mn.us](http://www.ci.lauderdale.mn.us))?

### Information You Should Know

- The municipal variance standard requires the city to apply a three-factor test for "practical difficulties" consisting of (1) reasonableness, (2) uniqueness, and (3) essential character.
- Thus, the city is required to adopt findings based on the questions above.
- Conditions may be imposed on granting of variances if those conditions are directly related to and bear a rough proportionality to the impact created by the variance.

# City of Lauderdale

1831 Gustis

MAIN 651-792-7650

## LAND USE APPLICATION

Date: 5/22/19

### Fee Escrow Type of Request

\$100	\$	0	<input type="checkbox"/>	Lot Consolidation/Division
\$150	\$	0	<input checked="" 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 type="checkbox"/>	PUD

### Summary of Request

Request to exceed maximum allowable lot coverage for 1831 Gustis st by 190 sq ft. max allowable sq footage is 1519 ft<sup>2</sup> (30% of 5066 ft<sup>2</sup>) propose to cover 1709

### Applicant Information

Name: ~~Tim Helin~~ Helin Company  
 Address: 1485 Hamline Ave N.  
 C, S, Z: St Paul, MN 55208  
 Phone: 513-479-1317  
 Email: tim.helin@gmail.com  
 Signature: [Signature]

### Owner Information (if different)

Name: Schumacher Holdings LLC  
 Address: 9607 Whispering Valley Trail  
 C, S, Z: Lake Elmo, MN 55042  
 Phone: 317-407-2638  
 Email: danschumacher@msn.com  
 Signature: Mulhelle Schumacher

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.

<b>For Office Use Only</b>	PIN#:
Date of Complete Application:	<u>5-28-19</u> Amount Paid: <u>150</u> Receipt #: <u>14329</u>
Escrow Fee Paid:	Receipt # _____ Date Escrow Returned: _____
PC Recommendation: (approve/deny)	Meeting Date: _____
Public Hearing Date: <u>6-11-19</u>	CC Action: (approved/denied) Meeting Date: _____
Conditions?	_____

FOR Tim Helin

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

Randy L. Kurth, L.L.S. No. 20270  
Russell J. Kurth, L.L.S. No. 16113

ELEVATIONS SHOWN ARE NAVD, 1988

PROPOSED ELEVATIONS

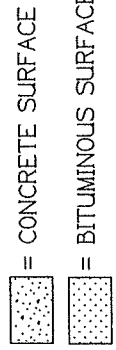
GARAGE SLAB =  
TOP FOUNDATION =  
BASEMENT FLOOR =

# CERTIFICATE OF SURVEY

(MEASUREMENTS SHOWN IN FEET AND DECIMALS OF A FOOT)

**KURTH SURVEYING, INC.**

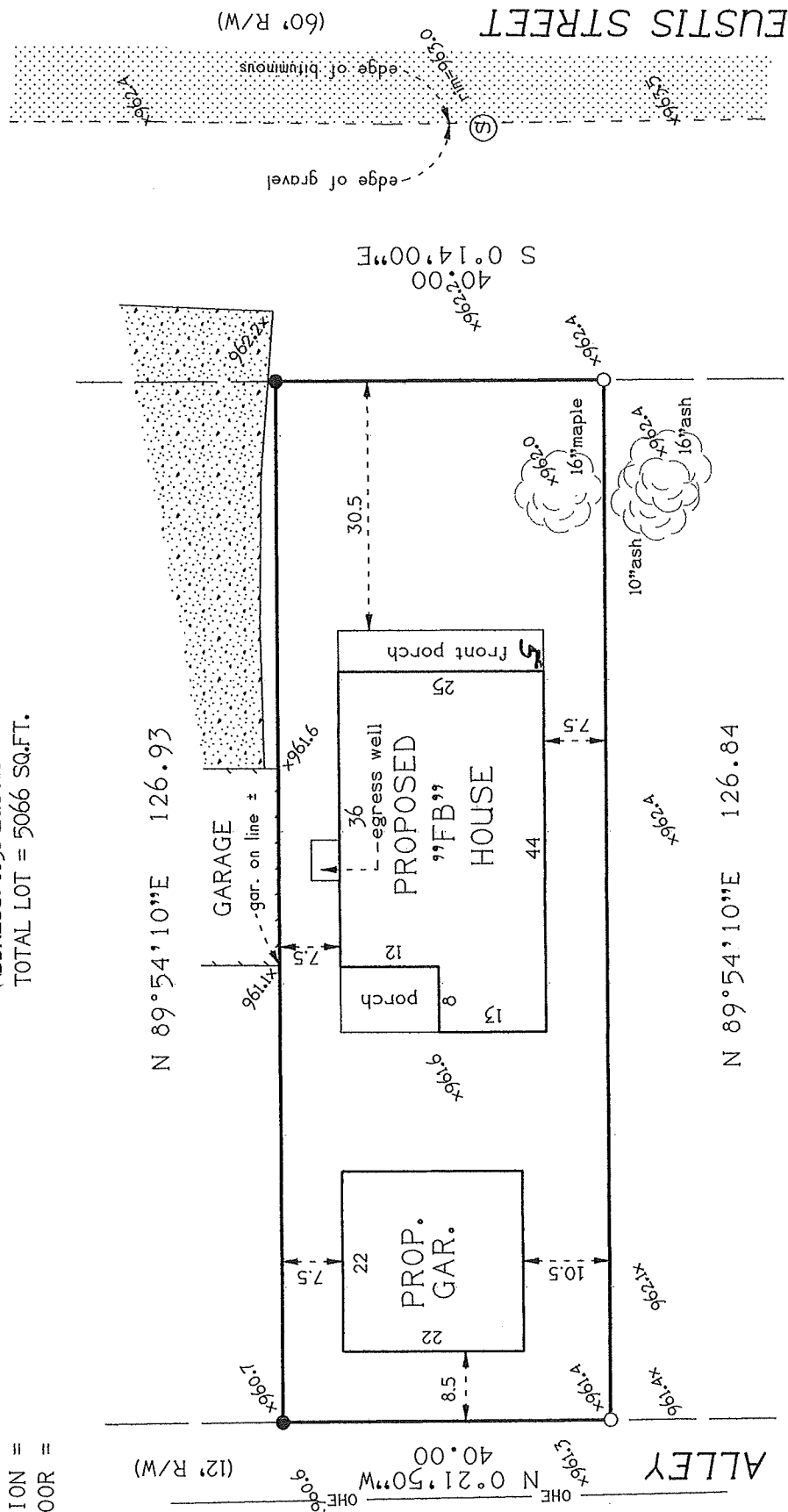
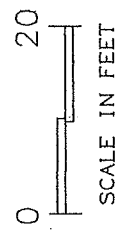
4002 JEFFERSON ST. NE.  
COLUMBIA HEIGHTS, MN 55421  
PHONE (763) 788-9769 FAX (763) 788-7602  
E-MAIL: ksi@kurthsurveyinginc.com.



ADDRESS: 1031 EUSTIS ST.  
TOTAL LOT = 5066 SQ.FT.

DATE: May 21, 2019

- = IRON PIPE MONUMENT SET
- = IRON PIPE MONUMENT FOUND
- ⊗ = SPIKE SET
- = WOOD FENCE - wpf
- = CHAIN LINK FENCE - c lf
- x100.1 = EXISTING SPOT ELEVATION
- (900.0) = PROPOSED ELEVATION
- = DRAINAGE ARROW



PROPERTY DESCRIPTION (PER COUNTY TAX DEPT.)

Lot 8, Block 7, Lauderdale's East Side Addition To Minneapolis, Ramsey County, Minnesota

DATE: APR. 20, 2018  
 60 FT.  
 PLAN FOR: 61 PAUL  
 1635 ST. ALBANS STREET N

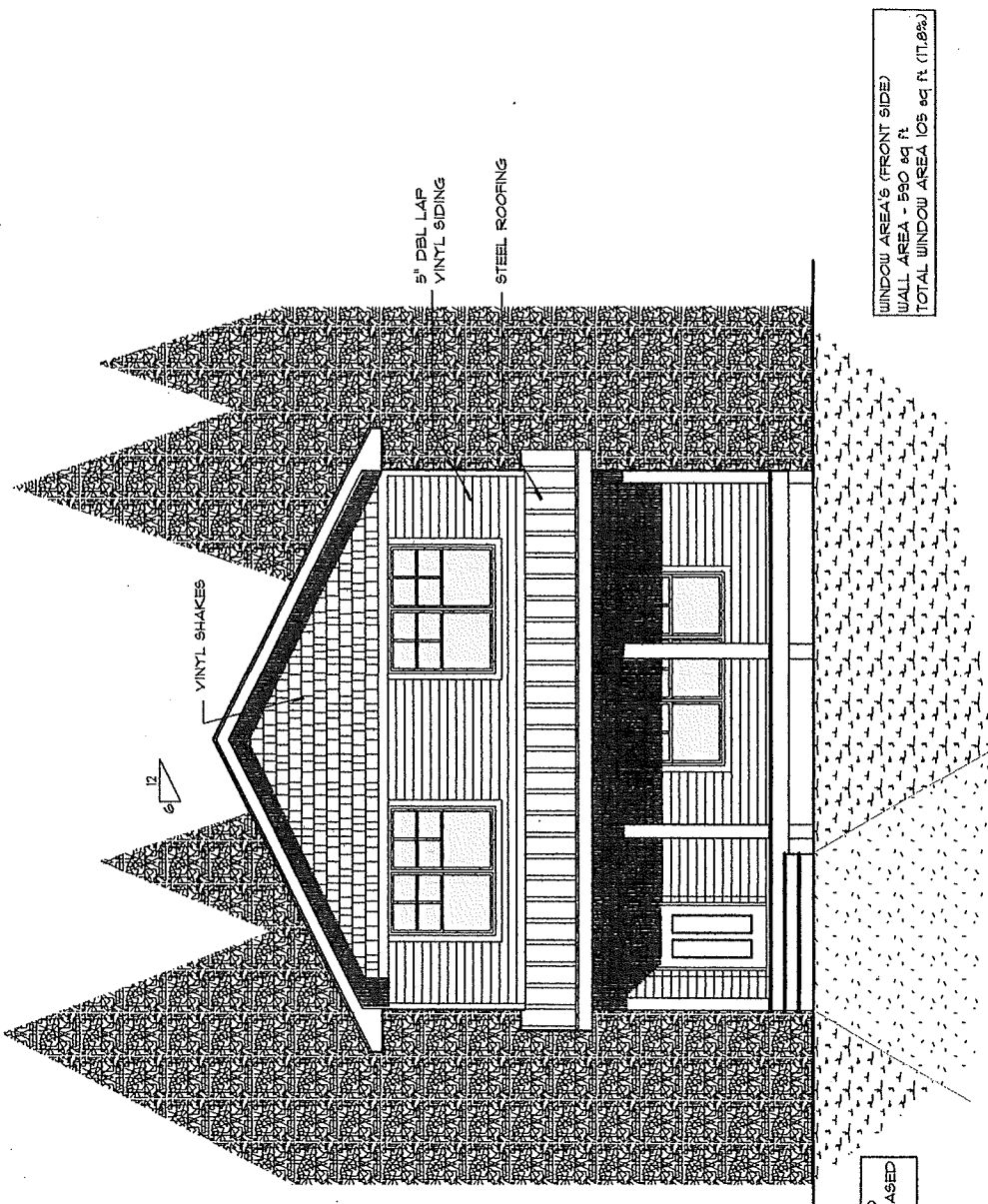
SHARPLINE HOME DESIGN LLC  
 1501 KENNEDY AVE N  
 CHAMPLAIN, MN 55316  
 OFFICE (763) 477-0246  
 EMAIL: shov@sharplinedesign.com

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN DESIGNING AND  
 PREPARING THESE PLANS INCLUDING CHECKING FOR ACCURACY, THE  
 CONTRACTOR, OWNER, OR SUB-CONTRACTOR MUST CHECK AND  
 VERIFY ALL DETAILS, DIMENSIONS AND BE RESPONSIBLE FOR ANY  
 ERRORS OR OMISSIONS. SHARPLINE HOME DESIGN LLC IS NOT  
 LIABLE FOR ANY DAMAGES OR CONSEQUENCES ARISING FROM  
 THESE PLANS OR ANY OTHERS RELATED TO THESE CONSTRUCTION.

**CORNERSTONE  
 RENOVATIONS**

PLAN NUMBER: 18-005  
 SHEETS: ONE OF 7

- GENERAL NOTES - EXTERIOR**
- KICKOUT FLASHING TO BE INSTALLED AS NEEDED
  - EXTERIOR WALL FINISHER TO VERIFY KICKOUT FLASHING IS INSTALLED PRIOR TO FINISHING
  - CARPENTER TO FLASH ALL EXTERIOR WINDOWS & DOORS PER MIN. AND IRC CODE REQUIREMENTS
- WINDOWS**
- WINDOW GLASS SIZE SHOWN
  - TYPE AND SIZE PER PLAN
  - BUILDER TO VERIFY ALL ROUGH OPENING DIMENSIONS AND HEADER HEIGHTS.
- EXTERIOR FINISHES**
- SIDING (AS NOTED)



WINDOW AREA'S (FRONT SIDE)  
 WALL AREA - 850 sq ft  
 TOTAL WINDOW AREA 105 sq ft (11.8%)

FIELD VERIFY STEP AND  
 SIDEWALK REQUIREMENTS BASED  
 ON FINISHED GRADE

**FRONT ELEVATION**  
 SCALE: 1/4" = 1'-0"

## **Variance Request for 1831 Eustis**

Request made by Tim Helin, builder for Schumacher Holdings, Property owner

Contact: Tim at 513-479-1317 or email tim.helin@gmail.com

### **Description of project and reason for variance request:**

We are proposing to build a new single family home at 1831 Eustis St and are requesting a variance to exceed the maximum allowable lot coverage by 190 sq. ft. The proposed structures including a house, its covered porches and garage is 1709. Sq ft and 30% of the square footage of the lot is 1520 sq. ft.

The reason for this variance request is because we would like permission to a model of the home that we initially submitted to the city of Lauderdale as part of our proposal to buy the three lots on Eustis Street including 1831 Eustis. The footprint of the house and garage is 1513 sq ft, so if the porches are excluded from the square footage consideration, we are within the allowable square footage.

### **What are the unique circumstances of the property not created by the landowner?**

There are no physical characteristics of the property that are unique and would suggest the need for a variance, however there are two factors that should be considered. First is that a restrictive covenant was included in the purchase agreement made between the city and builder/developer at the time of purchase that included, among other things, minimum standards for construction and minimum list prices for the homes to be built. We think the list prices are a reasonable expectation, but also think we should do all we can to offer as much as we can within the target price point. We feel that the minimum list price is encroached upon to a certain extent by the maximum allowable lot coverage of 30%. The second consideration is the maximum allowable lot coverage of 30% include porches that are not part of conditioned space. Our assumption is that the intent of the lot coverage requirements is to prevent construction of homes that are disproportionately large in relation to the surrounding homes. In this case, the presence of the front and back porch does not make the house itself disproportionately large, it simply serves the practical need of covering and elevating entry spaces and provides a place to greet guests and interact with neighbors.

### **How does your proposal put your property to use in a reasonable manner?**

Our proposal puts the property to use in a reasonable manner because it does not propose to deviate from the zoning for the parcel which is single family residential.

### **How will a variance, if granted, not alter the essential character of the locality?**

If granted, this variance will not alter the essential character of the locality in that it requests to exceed maximum allowable square footage by only 190 sq. ft. This square footage is not enclosed or conditioned space, so it is more functionally outdoor space that it is indoor space. Additionally, the presence of a front porch makes the home a more inviting and welcoming structure. Contrast this with many newly built homes on infill sites where the front-entry, attached garage is the most noticeable feature and seems to convey the supremacy of the automobile over that of the person. By allowing the

construction of this plan, including its front porch, the urban and traditional scale of the neighborhood is preserved and enhanced.

**How is granting of a variance in harmony with the purpose and intent of the Zoning Ordinance?**

“The objective of this Title is to regulate the location, height, bulk, size of structures, the size of yards and other open spaces, the density of population and the use of land and buildings for residence, trade, industry, recreation and other activities by establishing standards and procedures regulating such uses to help promote the public health, safety and general welfare of the City. (Zoning Ord. as amd.)”

The granting of this request would serve the purpose of the zoning ordinance in that it is almost entirely in compliance with the letter of the law and completely in compliance with the spirit. The structure itself does not exceed lot coverage requirements, and furthermore, it enhances the general welfare of the city allowing existing residents to move into a home built to their standards and one that raises the overall quality of the housing stock for the city.

**How are the terms of a variance consistent with the Comprehensive Plan?**

The terms of this variance are consistent with the comprehensive plan in that it removes impediments to building new, high-quality, single family homes in Lauderdale. Improving the long term quality of Lauderdale’s house stock is in step with the spirit of the comprehensive plan. Additionally, by allowing or even encouraging the construction or improvement of homes with features like front porches and detached garages in the back of the house, the traditional scale and urban feel of the neighborhood is preserved. Finally, encouraging the construction of new single-family homes in areas zoned for this ultimately addresses long term housing affordability by increasing housing supply.

**LAUDERDALE COUNCIL  
ACTION FORM**

**Action Requested**

Consent \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Discussion \_\_\_\_\_ X \_\_\_\_\_  
Action \_\_\_\_\_ X \_\_\_\_\_  
Resolution \_\_\_\_\_ X \_\_\_\_\_  
Work Session \_\_\_\_\_

Meeting Date June 11, 2019

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 Eustis Street and Roselawn Avenue construction project 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. 061119A. A draft is included in the packet for your review.

**STAFF RECOMMENDATION:**

Motion to adopt Resolution No. 061119A—A Resolution Awarding the Sale of General Obligation Improvement Bonds, Series 2019A, in the Original Aggregate Principal Amount of \$1,000,000; 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 at the City Hall in said City on Tuesday, the 11<sup>th</sup> day of June, 2019, 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 Improvement Bonds, Series 2019A, to be issued in the original aggregate principal amount of \$1,000,000.

The City Administrator presented a tabulation of the proposals that had been received in the manner specified in the Terms of Proposal for the Bonds. 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. 061119A \_\_\_\_\_

**A RESOLUTION AWARDING THE SALE OF GENERAL OBLIGATION IMPROVEMENT BONDS, SERIES 2019A, IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF \$1,000,000; 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 of the City of Lauderdale, Ramsey County, Minnesota (the "City") as follows:

Section 1. Sale of Bonds.

1.01. Authority.

(a) Certain assessable public improvements within the City, including but not limited to the street and utilities improvements for Roselawn Avenue to Larpenteur Avenue and Eustis Street to Trunk Highway 280, designated as the 2019 Infrastructure Improvements (the "Improvements") have been made, duly ordered or contracts let for the construction thereof pursuant to the provisions of Minnesota Statutes, Chapters 429 and 475, as amended (collectively, the "Act").

(b) It is necessary and expedient to the sound financial management of the affairs of the City to issue its General Obligation Improvement Bonds, Series 2019A (the "Bonds") in the aggregate principal amount of \$1,000,000, pursuant to the Act, to provide financing for the Improvements.

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

1.02. Award to the Purchaser and Interest Rates. The proposal of \_\_\_\_\_, \_\_\_\_\_ (the "Purchaser"), to purchase the Bonds is hereby found and determined to be a reasonable offer and is hereby accepted, the proposal being to purchase the Bonds at a price of \$\_\_\_\_\_ (par amount of \$1,000,000.00, [plus original issue premium of \$\_\_\_\_\_,] [less original issue discount of \$\_\_\_\_\_,] less an underwriter's discount of \$\_\_\_\_\_), plus accrued interest to date of delivery for Bonds, if any, bearing interest as follows:

<u>Year</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Interest Rate</u>
2021	_____ %	2026	_____ %
2022		2027	
2023		2028	
2024		2029	
2025		2030	

True interest cost: \_\_\_\_\_ %

1.03. Purchase Contract. The sum of \$\_\_\_\_\_, being the amount proposed by the Purchaser in excess of \$987,000.00, shall be credited to the Debt Service Fund hereinafter created or deposited in the Construction Fund hereinafter created, as determined by the City Administrator of the City 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 Bonds, 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 Amounts of the Bonds. The City will forthwith issue and sell the Bonds pursuant to the Act, in the total principal amount of \$1,000,000, originally dated June 26, 2019, in the denomination of \$5,000 each or any integral multiple thereof, numbered No. R-1, upward, bearing interest as above set forth, and maturing serially on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2021	\$ _____	2026	\$ _____
2022		2027	
2023		2028	
2024		2029	
2025		2030	

1.05. Optional Redemption. The City may elect on February 1, 2026, and on any day thereafter to prepay the Bonds due on or after February 1, 2027. 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 Bonds of a maturity are called for redemption, the City will notify DTC (as defined in Section 7 hereof) 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.

[1.06. Mandatory Redemption. Add Mandatory Redemption Language if term bonds are sold.]

Section 2. Registration and Payment.

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

2.02. Dates; Interest Payment Dates. Each 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 Bonds is payable on February 1 and August 1 of each year, commencing February 1, 2020, 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 that 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 Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of a 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 Bonds. When Bonds are 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. Bonds 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 a 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 a 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 Bonds 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 Bonds. If a 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 a 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. Bonds 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 any of the Bonds are called for redemption, notice thereof identifying the Bonds 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 each 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 Bonds. Bonds 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 Bonds 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 Bonds 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 Bonds ceases to be such officer before the delivery of a 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, a 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 different Bonds need not be signed by the same representative. The executed certificate of authentication on a Bond is conclusive evidence that it has been authenticated and delivered under this resolution. When the Bonds have 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 Bonds. The Bonds will be printed or typewritten in substantially the form set forth in 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, and cause the opinion to be printed on or accompany each Bond.

Section 4. Payment; Security; Pledges and Covenants.

4.01. Debt Service Fund. The Bonds are payable from the General Obligation Improvement Bonds, Series 2019A Debt Service Fund (the "Debt Service Fund") hereby created, and the proceeds of general taxes hereinafter levied (the "Taxes") and special assessments levied or to be levied (the "Assessments") for the Improvements described herein are hereby pledged to the Debt Service Fund. There is appropriated to the Debt Service Fund amounts over the minimum purchase price of the Bonds paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 1.03 hereof.

4.02. Construction Fund. The proceeds of the Bonds, less the appropriations made in Section 4.01 hereof, together with any other funds appropriated for the Improvements and Assessments and Taxes collected during the construction of the Improvements, will be deposited in a separate construction fund (the "Construction Fund") to be used solely to defray expenses of the Improvements and the payment of principal of and interest on the Bonds prior to the completion and payment of all costs of the Improvements. Any balance remaining in the Construction Fund after completion of the Improvements may be used to pay the cost in whole or in part of any other improvement instituted under the Act under the direction of the City Council. When the Improvements are completed and the cost thereof paid, the Construction Fund is to be closed and subsequent collections of Assessments and Taxes for the Improvements are to be deposited in the Debt Service Fund.

4.03. City Covenants. It is hereby determined that the Improvements will directly and indirectly benefit abutting property, and the City hereby covenants with the holders from time to time of the Bonds as follows:

(a) The City has caused or will cause the Assessments for the Improvements to be promptly levied so that the first installment will be collectible not later than 2020 and will take all steps necessary to assure prompt collection, and the levy of the Assessments is hereby authorized. The City Council will cause to be taken with due diligence all further actions that are required for the construction of each Improvement financed wholly or partly from the proceeds of the Bonds, and will take all further actions necessary for the final and valid levy of the Assessments and the appropriation of any other funds needed to pay the Bonds and interest thereon when due.

(b) In the event of any current or anticipated deficiency in Assessments and Taxes, the City Council will levy additional ad valorem taxes in the amount of the current or anticipated deficiency.

(c) The City will keep complete and accurate books and records showing receipts and disbursements in connection with the Improvements, Assessments and Taxes levied therefor

and other funds appropriated for their payment, collections thereof and disbursements therefrom, monies on hand and, the balance of unpaid Assessments.

(d) The City will cause its books and records to be audited at least annually and will furnish copies of such audit reports to any interested person upon request.

(e) At least twenty percent (20%) of the cost of the assessable Improvements described herein will be specially assessed against benefited properties.

4.04. Pledge of Tax Levy. For the purpose of paying a portion of the principal of and interest on the Bonds, there is levied a direct annual irrevocable ad valorem tax upon all of the taxable property in the City, which will be spread upon the tax rolls and collected with and as part of other general taxes of the City. The Taxes will be credited to the Debt Service Fund above provided and will be in the years and amounts as attached hereto as EXHIBIT C.

4.05. General Obligation Pledge. If a payment of principal of or interest on the Bonds 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 Assessments and Taxes when collected.

4.06. Certification to County Auditor as to Debt Service Fund Amount. It is hereby determined that the estimated collections of Assessments and the foregoing Taxes will produce at least five percent (5%) in excess of the amount needed to meet when due the principal and interest payments on the Bonds. The tax levy herein provided is irrevocable until all of the Bonds are paid, provided that at the time the City makes its annual tax levies the City Administrator may certify to the County Auditor of Ramsey County, Minnesota (the "County Auditor") the amount available in the Debt Service Fund to pay principal and interest due during the ensuing year, and the County Auditor will thereupon reduce the levy collectible during such year by the amount so certified.

4.07. 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 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 Bonds certified copies of proceedings and records of the City relating to the Bonds 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 Bonds, and such instruments, including any heretofore furnished, will 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 Bonds 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. Other 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 Bonds 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 Bonds.

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 Old National Bancorp, Chaska, Minnesota on the closing date for further distribution as directed by the City’s municipal advisor, Ehlers and Associates, Inc.

Section 6. Tax Covenant.

6.01. Tax-Exempt Bonds. The City covenants and agrees with the holders from time to time of the Bonds 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 Bonds 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 Bonds.

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 Bonds 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 Bonds, and the rebate of excess investment earnings to the United States, if the Bonds (together with other obligations reasonably expected to be issued in calendar year 2019) exceed 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 Bonds are 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 Bonds. The City further covenants not to use the proceeds of the Bonds or to cause or permit them or any of them to be used, in such a manner as to cause the Bonds to be “private activity bonds” within the meaning of Sections 103 and 141 through 150 of the Code.

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

(a) the Bonds are not “private activity bonds” as defined in Section 141 of the Code;

(b) the City hereby designates the Bonds as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code;

(c) the reasonably anticipated amount of tax-exempt obligations (other than any 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 2019 will not exceed \$10,000,000; and

(d) not more than \$10,000,000 of obligations issued by the City during calendar year 2019 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.

6.06. Reimbursement. The City may have incurred certain expenditures with respect to the Improvements that were financed temporarily from other sources but are expected to be reimbursed with proceeds of the Bonds. The City hereby declares its intent to reimburse certain costs of from proceeds of the Bonds (the “Declaration”). This Declaration is intended to constitute a declaration of official intent for purposes of the Section 1.150-2 of the Treasury Regulations promulgated under the Code.

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

7.01. DTC. The Bonds will be initially issued in the form of a separate single typewritten or printed fully registered Bond for each of the maturities set forth in Section 1.04 hereof. Upon initial issuance, the ownership of each 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 Bonds 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 Bonds 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 Bonds as securities depository (the “Participants”) or to any other person on behalf of which a Participant holds an interest in the Bonds, 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 Bonds, (ii) the delivery to any Participant or any other person (other than a registered owner of Bonds, as shown by the registration books kept by the Registrar), of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a registered owner of Bonds, of any amount with respect to principal of, premium, if any, or interest on the Bonds. The City, the Registrar and the Paying Agent may treat and consider the person in whose name each Bond is registered in the registration books kept by the Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal, premium and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bonds, and for all other purposes. The Paying Agent will pay all principal of, premium, if any, and interest on the Bonds 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 Bonds to the extent of the sum or sums so paid. No person other than a registered owner of Bonds, 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 shall govern payment of principal of, premium, if any, and interest on the Bonds and notices with respect to the Bonds. Any Paying Agent or Registrar subsequently appointed by the City with respect to the Bonds 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 Bonds 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 Bonds 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 a 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. Limited Continuing Disclosure. In order to qualify the Bonds for limited continuing disclosure under paragraph (d)(2) of the Securities and Exchange Commission Rules, Section 15c2-12 (the “SEC Rule”), the City makes the following factual statement and representation: As of the date of delivery of the Bonds, the City will not be an obligation person (as defined in paragraph (f) of the SEC Rule) with respect to more than \$10,000,000 in aggregate amount of outstanding municipal securities, including the Bonds and excluding municipal securities that were exempt from the SEC Rule pursuant to paragraph (d)(1) of the SEC Rule.

8.02. 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 Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

8.03. 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 Bonds; 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 Bonds 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 Bonds 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 Bonds will remain in full force and effect. The City may discharge all Bonds which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full. If any 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.

Passed and adopted this 11<sup>th</sup> day of June, 2019.

---

Mayor

Attest:

---

City Administrator

**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 BOND  
SERIES 2019A

<u>Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	February 1, 20__	June 26, 2019	

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, 2020, 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, 2026, and on any day thereafter to prepay Bonds due on or after February 1, 2027. 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 Bonds of a maturity are 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 one of an issue in the aggregate principal amount of \$1,000,000 all of like original issue date and tenor, except as to number, maturity date, redemption privilege, and interest rate, all issued pursuant to a resolution adopted by the City Council on June 11, 2019 (the "Resolution"), for the purpose of providing money to defray the expenses incurred and to be incurred in making local improvements, pursuant to and in full conformity with the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Chapters 429 and 475, as amended, and the principal hereof and interest hereon are payable in part from special assessments against property specially benefited by local improvements and

in part from ad valorem taxes for the City's share of the cost of the improvements, 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 are irrevocably pledged for payment of this Bond and the City Council has obligated itself to levy additional ad valorem taxes on all taxable property in the City in the event of any deficiency in special assessments and taxes pledged, which additional taxes may be levied without limitation as to rate or amount. The Bonds of this series are issued only as fully registered Bonds in denominations of \$5,000 or any integral multiple thereof of single maturities.

The City Council has designated the issue of Bonds of which this Bond forms a part as "qualified tax-exempt obligations" 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: June 26, 2019

**CITY OF LAUDERDALE, MINNESOTA**

\_\_\_\_\_  
(Facsimile)  
Mayor

\_\_\_\_\_  
(Facsimile)  
City Administrator

**CERTIFICATE OF AUTHENTICATION**

This is one of the Bonds 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, STEMP, SEMP or MSP, all in accordance with the Securities Exchange Act of 1934, as amended.

The 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

---

---

**EXHIBIT C**  
**TAX LEVY SCHEDULE**

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

I, being the duly qualified and acting 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 June 11, 2019 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 Improvement Bonds, Series 2019A, in the original aggregate principal amount of \$1,000,000.

WITNESS My hand officially as such City Administrator and the corporate seal of the City this \_\_\_\_\_ day of June, 2019.

(SEAL)

\_\_\_\_\_  
City Administrator  
City of Lauderdale, Minnesota

**LAUDERDALE COUNCIL  
ACTION FORM**

**Action Requested**

Consent \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Discussion   X    
Action \_\_\_\_\_  
Resolution \_\_\_\_\_  
Work Session \_\_\_\_\_

Meeting Date   June 11, 2019  

ITEM NUMBER   REE Draft Conditions  

STAFF INITIAL   *AB*  

APPROVED BY ADMINISTRATOR \_\_\_\_\_

**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:**

The City's consulting planner, Jennifer Haskamp, from Swanson Haskamp Consulting, prepared a memo based on the discussion from the previous meeting regarding conditions for the redevelopment of 1795 Eustis Street. Jennifer will be at the meeting to discuss the memo and finalize a list of conditions.

**OPTIONS:**

**STAFF RECOMMENDATION:**



## STAFF REPORT

**To:** Mayor and City Council  
Heather Butkowski, City Administrator

**Date:** June 6, 2019

**CC:** Daren Amundson, City Engineer, Stantec  
Stacie Kvilvang, Ehlers

**RE:** Application for PUD  
Development Stage Review –  
1795 Eustis Senior Housing  
(Draft Conditions)

**From:** Jennifer Haskamp  
Consulting City Planner

On May 28, 2019 at the regular City Council meeting discussion and follow-up to the Public Hearing for the proposed Senior Project at 1795 Eustis Street was held. Through the course of the discussion, the City Council made the following findings and conclusions:

- The City Council is supportive of the proposed Project with reasonable conditions.
- The City Council acknowledges and understands that the scale of the building will alter and change the use and feeling of the subject site. To the extent possible, conditions should address ways to mitigate the potential impacts of the proposed building to adjacent properties.
  - Landscaping was identified as the key mitigative tool to help soften the edges between the new building and adjacent single-family uses.
- The Council has determined that the proposed Project is consistent with the City's vision for the site that includes:
  - Senior uses. The demographics of the City and of surrounding communities is aging and providing affordable senior housing is important to the community.
  - Multi-family Uses: The City comprehensive plan re-guided this property from single-family uses to multi-family uses and stated that the goals was to attract senior housing if possible.
  - Makes the City Whole: While not use related, the City's objective was to recoup the acquisition costs and ultimately support a financially viable project that would not burden residents in the future. As demonstrated by the City's financial consultant, the proposed Project meets this objective.

As discussed by the Council, it is imperative that the conditions of the proposed Project be drafted carefully, and that there is opportunity to review, comment, edit and adjust the conditions prior to formal adoption. As such, the City Council directed staff to draft a set of conditions that will eventually be included in the draft Resolution of Approval. The following draft conditions are categorized by topic area and were drafted based on the following considerations:

1. City Council discussion and direction (Concept Plan through May 28, 2019)



2. Public Testimony (Public Hearing May 14, 2019)
3. Staff Review and Comments

### **City Council Action**

Staff is requesting that the City Council review the draft conditions and that edits, additions, deletions or modifications be discussed at the June 11, 2019 regular meeting. Once agreement and direction regarding the conditions has been provided, staff is seeking formal direction to prepare a resolution to Approve the Development Stage PUD and Conditionally Approve Rezoning of the Subject Property to PUD with conditions as noted.

The following draft Conditions are provided for your consideration and discussion:

#### General

1. The Plans submitted by the Applicant on April 24, 2019 are conditionally approval with the changes and updates noted in the following conditions.
2. The Proposed Project, as detailed and noted within the Narrative submitted by the Applicant on April 24, 2019 to rezone the property to Planned Unit Development (PUD) is conditionally approved provided the following conditions are met.
3. The Applicant shall submit an application to vacate that portion of the alley running east-to-west along the southern property line and connecting to Malvern Street with the Final PUD application.
4. That Final PUD and Rezoning shall be conditioned on the approval of the alley vacation.
5. That a Conditional Use Permit (CUP) be drafted to support the rezoning to PUD and shall be recorded against the subject property. The CUP shall incorporate operational conditions and site conditions as noted within the Development Agreement, and such conditions shall be consistent.
6. That in conjunction to the requirements of the Development Agreement, that the CUP shall be draft to permit the PUD for a Senior Housing use and that no other use shall be permitted without an application to amend the CUP.

#### Site Plan and Parking

1. Prior to Final PUD plan approval and rezoning the Applicant shall provide additional details regarding trash removal. All waste and recycling receptacles are required to be fully enclosed on site, and it is unclear how long the trash and recycling bins are proposed to be un-enclosed on the denoted concrete pad near the parking bay. Details must be provided and document within Operations Management Plan which must be reviewed by City Staff to ensure compliance with the City's ordinances. If details and assurances cannot be provided, then the concrete pad/pick-up area must be fully enclosed and screened from adjacent property and the right-of-way.
2. The Development Agreement, and Operations Management Plan, must provide details regarding snow removal on site. This language must be reviewed and approved by the City Staff prior to execution of the Development Agreement.
3. The Applicant shall prepare a Parking Plan that shall be incorporated into the Operations Management Plan and the Development Agreement. The Parking Plan shall





detail how resident parking will be managed to ensure that residents park and use the underground parking stalls. The Parking Plan shall address how it will be adjusted if residents are consistently parking on City Streets and not paying for use of the underground parking stalls. The Parking Plan, as well as process to amend it, shall be detailed and the City's staff, including City Attorney, shall review and approve the Parking Plan prior to execution of the Development Agreement.

#### Architectural and Signage

1. The Applicant shall provide additional detail regarding the monument/entrance sign including proposed lighting. This information shall be submitted with Final PUD application materials.
2. The Applicant shall submit and provide all proposed wall signage, entry signage, or any other proposed naming as part of the Final PUD submittal.
3. The Applicant shall submit and provide a board that shows proposed colors and exterior building materials with the Final PUD application materials.
4. The Applicant shall work cooperatively with the City to determine appropriate compensation to the property owner at 1801 Eustis Street. The compensation shall provide monetary relief for the reduction in solar productivity at the winter solstice as a result of the proposed Project. Such agreement and analysis shall be completed and incorporated into the Development Agreement.

#### Landscaping and Park Dedication

1. The Applicant shall update the Landscape Plan to include additional boulevard trees along the north frontage (Spring Street) and the west frontage (Malvern Street). Spacing between trees shall be consistent with the spacing as denoted along Eustis Street that is approximately 45-feet on center. Tree species as denoted including Boulevard Linden and Skyline Honeylocust are acceptable, and based on sheet L1-1 result in approximately 8-10 additional trees added to the landscape plan. Sheet L1-1 shall be updated and submitted with the Final PUD application for review and approval.
2. The Applicant shall provide a 2-year landscape guarantee for all plants identified on sheet L1-1, and such guarantee shall be included as a condition within the executed Development Agreement.
3. The landscaping along the southern property edge shall be maintained into perpetuity as it provides screening to adjacent single-family uses. If vegetation along the southern edges dies, replacement with the same, or substantially similar vegetative properties shall be planted as soon as possible based on appropriate planting conditions and season.
4. The Applicant shall provide a \$\_\_\_\_\_ landscape escrow to the City which shall be used solely for off-site plantings or fencing along the frontage at 1778 Eustis Street. The property owners shall select planting or fencing materials to mitigate potential glare/impacts from traffic existing at the proposed Project site.
5. Details regarding hardscape materials including all retaining walls shall be submitted for review and approval during the Final PUD application process.
6. The Applicant shall be required to pay all Park Dedications fees due, which shall be calculated and agreed to through the Final PUD process, prior to release of the building permit.



## Development Agreement, Conditional Rezoning, Permits and Development Approvals

1. The Operations Management Plan, or any other tool, which details the onsite management of the Senior Building including waste management, landscape management, and snow removal shall be provided to the City for review and approval of City Staff prior to Final PUD plan approval and rezoning.
2. The Applicant shall obtain all necessary permits and approvals from the Rice Creek Watershed District. Such approvals and permits shall include, but not be limited to, the stormwater management plan. The Applicant shall provide a copy of the approved permit prior to commencing any site work.
3. The Applicant shall prepare final construction plans acceptable to the City Engineer prior to commencing any site work.
4. The Applicant shall obtain appropriate demolition permits from the City, Ramsey County and the Minnesota Pollution Control Agency (MPCA), and shall follow all rules, procedures and conditions of such permits. Copies of all approved permits shall be provided to the City prior to any site work commencing on site.
5. The Applicant shall obtain a Building Permit prior to the commencement of any site work.
6. The Applicant shall prepare a Construction Management Plan that includes haul routes and parking locations which shall be incorporated into the Development Agreement. Such plan shall be developed in coordination with City Staff and shall be approved by the City Engineer prior to obtaining a Building Permit.
7. The Construction Management Plan shall also detail steps to inventory existing conditions, and to ensure adjacent foundations and structures are not adversely impacted by construction activities.
8. The Applicant shall be required to enter into a Development Agreement which shall be drafted and its terms generally agreed to by both parties prior to Final PUD or rezoning to PUD approval.
9. The Development Agreement shall be required to be executed as a condition of Rezoning to PUD.
10. Rezoning of the subject property to PUD shall be conditioned on the Applicant fulfilling the conditions as noted herein, and upon the approval of the Final PUD and any other instruments including, but not limited to, the TIF agreement.
11. That the Applicant shall replenish and pay all escrow fees and permit fees prior to Final PUD and Rezoning approval.



## LAUDERDALE COUNCIL ACTION FORM

### Action Requested

Consent \_\_\_\_\_  
 Public Hearing \_\_\_\_\_  
 Discussion \_\_\_\_\_ X \_\_\_\_\_  
 Action \_\_\_\_\_ X \_\_\_\_\_  
 Resolution \_\_\_\_\_  
 Work Session \_\_\_\_\_

Meeting Date June 11, 2019

ITEM NUMBER Construction Hours

STAFF INITIAL AB

APPROVED BY ADMINISTRATOR \_\_\_\_\_

### DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Northdale Construction is asking the City Council for a change to their construction hours. The working hours we gave them for the project were:

- 7:00 a.m. until 7:00 p.m. Monday through Friday
- 9:00 a.m. until 7:00 p.m. on Saturdays
- No work on Sundays or Holidays

In order to be out of the construction area with all equipment by 7:00 p.m. they start filling excavations, rebuilding driveways, and putting up erosion control measures by 5:30 p.m. They would like to be able to use the major construction equipment until 7:00 p.m. before starting clean up. This would help them decrease the number of construction days and make up for time lost time due to weather delays. If permission was granted, they would ensure that all excavations were filled, and all major equipment, such as dump trucks, backhoes, and loaders were still shut down by 7:00 p.m. The last hour would be spent doing minor clean-up work, maintaining erosion control measures, and installing/maintaining ramps at driveways as needed. All personnel would be out of the area by 8:00 p.m. This would not change the ability of residents to get back into the area and driveways by 7:00 p.m.

This change is at the discretion of the City Council as the trade off is quicker completion of the project versus less daily disruption to homeowners.

### STAFF RECOMMENDATION:

**LAUDERDALE COUNCIL  
ACTION FORM**

**Action Requested**

Consent \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Discussion \_\_\_\_\_ X \_\_\_\_\_  
Action \_\_\_\_\_  
Resolution \_\_\_\_\_  
Work Session \_\_\_\_\_

Meeting Date June 11, 2019

ITEM NUMBER Independence Day Holiday

STAFF INITIAL

AB

APPROVED BY ADMINISTRATOR

**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:**

Staff have been discussing the July 4 holiday weekend. Independence Day is on Thursday and City Hall is scheduled to be open on Friday. In advance of figuring out schedules for that day, staff is asking the City Council whether it would considering closing City Hall on Friday, July 5. Business traffic on days around holidays generally is very light. If the Council approved of this plan, staff wishing to take the day off would use a vacation day.

**OPTIONS:**

**STAFF RECOMMENDATION:**

## LAUDERDALE COUNCIL ACTION FORM

### Action Requested

Consent \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Discussion \_\_\_\_\_  
Action \_\_\_\_\_  
Resolution \_\_\_\_\_  
Work Session \_\_\_\_\_ X

Meeting Date June 11, 2019  
ITEM NUMBER Como Avenue Reconstruction  
STAFF INITIAL AB  
APPROVED BY ADMINISTRATOR \_\_\_\_\_

### DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Staff from St. Paul Public Works met with us last week to discuss their proposed reconstruction of Como Avenue and Hunting Valley Road in 2020. Included with this memo is a map of the construction area and an aerial of the Lauderdale portion of the project. The city border is the straight line running through the mid point of Como Avenue starting on the west side of the map.

The total project cost is approximately \$8,000,000 of which they estimate Lauderdale's portion of the project to be \$850,000. They asked the following questions:

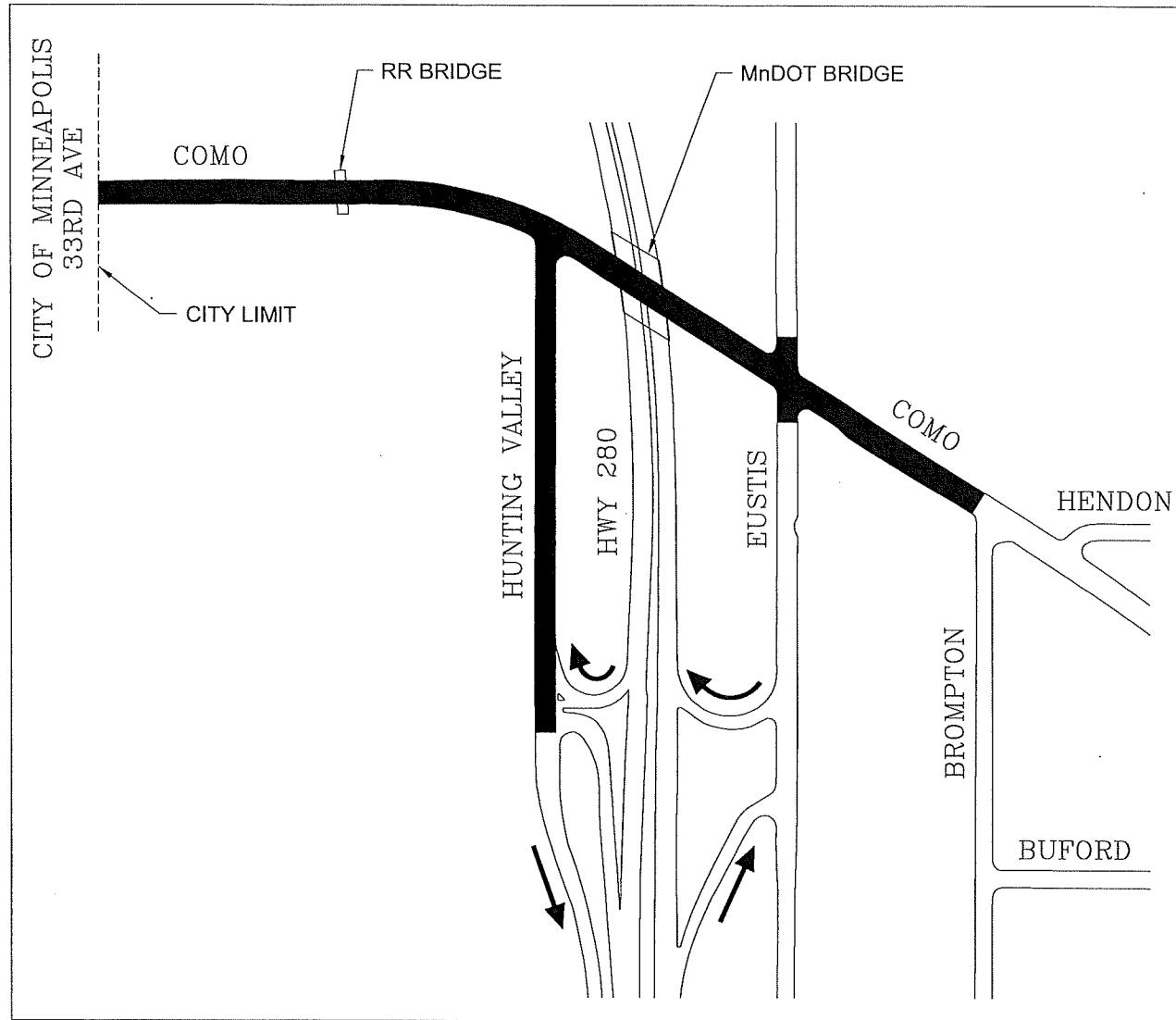
- Does the City Council have an opinion on whether a sidewalk should be installed on the north side of Como Avenue along Bolger Printing and MN/DOT's ponds?
- Can the City contribute to its share of the cost of reconstruction?
- Will the City assess benefiting properties?

Staff will be looking for feedback to these questions during the meeting.

### STAFF RECOMMENDATION:



City of Saint Paul  
 Department of Public Works  
 Street Design and Construction Division



2020

COMO AVENUE RECONSTRUCTION

CONSTRUCTION IN 2020

MSA Route 121  
 L = 2810 ft.  
 W = 40-48 ft.  
 PROJECT MAP

\\Teal\cad\streets\projects\current\Como 2019\DWG\Project Map\Como 2019 - Project Map.dwg Sep 25, 2018 - 5:13pm

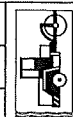


DESIGNED	CX
DRAWN	CX
APPROVED	NAP

PREPARED BY STREET ENGINEERING DIVISION FOR THE CITY OF ST. PAUL, DEPARTMENT OF PUBLIC WORKS

COMO AVENUE PHASE 3

PROJECT:	20-P-XXXX
STATE AID	164-121-XXX
PROJECT NUMBER:	
DATE:	9/25/2018







ERRY

*Hunting Valley*