

**LAUDERDALE CITY COUNCIL MEETING AGENDA**  
**7:30 P.M. TUESDAY, OCTOBER 22, 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 October 8, 2019 City Council Meeting
  - c. Claims Totaling \$61,368.84
4. **CONSENT**
  - a. September Financial Report
  - b. Resolution Designating Polling Places for the 2020 Presidential Primary, State Primary, and State General Election – Resolution No. 102219A
  - c. Resolution Authorizing Application for and Execution of the Municipal Infiltration and Inflow Grant Resolution No. 102219B
  - d. SCORE Grant Resolution – Resolution No. 102219C
5. **SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS**
6. **INFORMATIONAL PRESENTATIONS / REPORTS**
  - a. Metropolitan Council Representative Peter Lindstrom
  - b. 2019 Infrastructure Improvement Project
  - c. Halloween Party Planning
  - d. City Council Updates
7. **PUBLIC HEARINGS**

Public hearings are conducted so that the public affected by a proposal may have input into the decision. During hearings all affected residents will be given an opportunity to speak pursuant to the Robert's Rules of Order and the standing rules of order and business of the City Council.
8. **DISCUSSION / ACTION ITEM**
  - a. Resolution Calling for Hearing on Proposed Assessment for the 2019 Infrastructure Improvement Project – Resolution No. 102219D
  - b. Consideration of Nuisance Abatement at 1937 Pleasant Street
9. **ITEMS REMOVED FROM THE CONSENT AGENDA**
10. **ADDITIONAL ITEMS**

**11. SET AGENDA FOR NEXT MEETING**

- a. Special Assessment Hearing
- b. Third Quarter Investment Report
- c. Review of Long-Term Financial Plan with AEM Financial
- d. Public Hearing on High Density Residential - Conservation Zoning Ordinance – November 26

**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. 2020 Fund Budgets
- c. Community Development Update

**13. ADJOURNMENT**

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

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October 8, 2019

**Call to Order**

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

**Roll Call**

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

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 Moffatt moved and seconded by Councilor Grove to approve the agenda. Motion carried unanimously.

Mayor Gaasch asked if there were any corrections to the minutes of the September 24, 2019 city council meeting. There being none, Councilor Dains moved and seconded by Councilor Grove to approve the minutes of the September 24, 2019 city council meeting. Motion carried unanimously.

Mayor Gaasch asked if there were any questions on the claims. There being none, Councilor Moffatt moved and seconded by Councilor Dains to approve the claims totaling \$116,849.62. Motion carried unanimously.

**Consent**

Councilor Dains moved and seconded by Councilor Grove to approve the Consent Agenda thereby approving Resolution No. 100819A, Authorizing Publication of Ordinance No. 19-03 Regarding Front Yard Fences by Title and Summary, the Larpenteur Avenue sidewalk snow removal contract with 8<sup>th</sup> Day Landscaping, and the 2019 Infrastructure Improvement Project pay request number 5.

**Informational Presentations/Reports**

A. 2019 Infrastructure Improvement Project

Administrator Butkowski provided an overview of progress on the project.

B. Halloween Party Planning

Assistant to the City Administrator Bownik provided an update on the annual Halloween party. He stated that volunteers are needed as well as candy and monetary donations.

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

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October 8, 2019

C. City Council Updates

Councilor Grove shared that she will be attending a Ramsey County League of Women Voters meeting on October 25.

**Discussion/Action Items**

A. Designating Pioneer Press as Official Publication for Legal Notices

Butkowski said staff received an email notifying the City that Lillie Suburban Newspaper had gone out of business earlier in the week. Thereafter, staff discussed options for an alternative publication with the city attorney. The only two options were the Pioneer Press and Star Tribune. Based on the number of east metro cities affected by the loss of Lillie Suburban News, the Pioneer Press came up with pricing and a billing method to make for an easy transition to them. As a daily, the Pioneer Press offers the ability to get information out sooner. The downside is that we don't know the number of Lauderdale residents that will see the public notices, much like we aren't positive now.

Councilor Moffatt made a motion to appoint the Pioneer Press as Lauderdale's official newspaper for legal publications. This was seconded by Councilor Grove and carried unanimously.

B. Resolution Declaring Costs to be Assessed and Ordering Preparation of Proposed Assessment – Resolution 100819B

Staff asked the city attorney to prepare the documents necessary to complete the special assessment process now that construction is winding down. In order to complete the special assessment process this year, estimates have been made to derive a final project cost. The cost estimate in the feasibility report was \$2,459,830 and the final project cost is expected to be \$2,643,000 for a difference of \$183,170. As the bids came back over \$250,000 higher than anticipated, the difference was expected.

The City Council must establish the total amount being assessed for the project. Of the \$2,643,000 total project cost (including replacement of the water main), the proposed amount to be assessed is \$470,559. Staff and the engineer will finalize the calculations and send notice to affected property owners of their proposed special assessment amount with information about the special assessment hearing scheduled for November 12.

Councilor Moffatt made a motion to adopt Resolution No. 100819B—A Resolution Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment. This was seconded by Councilor Dains and carried unanimously.



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

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October 8, 2019

**Set Agenda for Next Meeting**

Administrator Butkowski stated that the October 22 council meeting may include Metropolitan Council representative Peter Lindstrom, a resolution calling for a hearing on the proposed assessment, the 2020 fund budgets, the September financial report, and the third quarter investment report.

**Work Session**

A. Opportunity for the Public to Address the City Council

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

B. Community Development Updates

Butkowski stated she received a letter from Lauderdale Hollows regarding plans to remove their playground equipment which is on city property. She continued to share that she met with representatives of Master Properties twice last week regarding the redevelopment of Luther Seminary's property in Lauderdale. Finally, discussions are ongoing with St. Paul, Roseville, and Falcon Heights regarding the future of fire services.

**Adjournment**

Councilor Moffatt moved and seconded by Councilor Grove to adjourn the meeting at 8:29 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:** October 22, 2019  
**Subject:** List of Claims

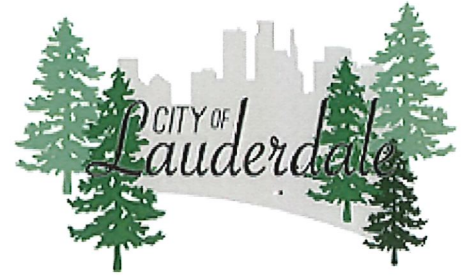
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The claims totaling \$61,368.84 are provided for City Council review and approval that includes check numbers 26631 to 26650.

# Accounts Payable

## Checks by Date - Detail by Check Date

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Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
ACH	43	Public Employees Retirement Association PR Batch 52100.10.2019 PERA Coordinated PR Batch 52100.10.2019 PERA Coordinated	10/18/2019 PR Batch 52100.10.2019 PER PR Batch 52100.10.2019 PER	1,136.60 985.07
Total for this ACH Check for Vendor 43:				2,121.67
ACH	44	Minnesota Department of Revenue PR Batch 52100.10.2019 State Income Tax	10/18/2019 PR Batch 52100.10.2019 Stat	621.19
Total for this ACH Check for Vendor 44:				621.19
ACH	45	ICMA Retirement Corporation PR Batch 52100.10.2019 Deferred Comp PR Batch 52100.10.2019 Deferred Comp	10/18/2019 PR Batch 52100.10.2019 Def PR Batch 52100.10.2019 Def	1,638.63 1,819.34
Total for this ACH Check for Vendor 45:				3,457.97
ACH	46	Internal Revenue Service PR Batch 52100.10.2019 Medicare Employee Pc PR Batch 52100.10.2019 FICA Employer Portio PR Batch 52100.10.2019 Medicare Employer Po PR Batch 52100.10.2019 Federal Income Tax PR Batch 52100.10.2019 FICA Employee Portio	10/18/2019 PR Batch 52100.10.2019 Mec PR Batch 52100.10.2019 FIC. PR Batch 52100.10.2019 Mec PR Batch 52100.10.2019 Fed PR Batch 52100.10.2019 FIC.	270.08 1,154.73 270.08 1,494.38 1,154.73
Total for this ACH Check for Vendor 46:				4,344.00
Total for 10/18/2019:				10,544.83
26631	34	AFSCME MN Council 5 PR Batch 52100.10.2019 Union Dues	10/22/2019 PR Batch 52100.10.2019 Unio	204.64
Total for Check Number 26631:				204.64
26632	184 102019 102019	Cintas September Uniforms September Uniforms	10/22/2019	70.46 70.45
Total for Check Number 26632:				140.91
26633	192 89327400	Comcast Holdings Corporation October Internet	10/22/2019	486.97
Total for Check Number 26633:				486.97
26634	25  EMCOM-007988 EMCOM-008002	County of Ramsey PR Batch 52100.10.2019 Short Term Disability PR Batch 52100.10.2019 Long Term Disability PR Batch 52100.10.2019 Life Insurance September Fleet Support September 911 Dispatch Services	10/22/2019 PR Batch 52100.10.2019 Sho PR Batch 52100.10.2019 Lon PR Batch 52100.10.2019 Life	61.76 88.99 303.53 6.24 1,083.73

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	EMCOM-008019	September CAD Services		222.13
	RISK-002013	Insurance Processing Fee		25.00
Total for Check Number 26634:				1,791.38
26635	9 102019	Genuine Parts Company Inc Truck Repairs	10/22/2019	291.64
Total for Check Number 26635:				291.64
26636	144 2019	International City/County Management Ass ICMA Renewal - Heather	10/22/2019	830.93
Total for Check Number 26636:				830.93
26637	134 0093	Katrina Joseph September Legal Services	10/22/2019	925.00
Total for Check Number 26637:				925.00
26638	185 102019 102019 102019	Lauderdale Certified Auto Repair Inc September Fuel September Fuel September Fuel	10/22/2019	55.24 257.81 55.24
Total for Check Number 26638:				368.29
26639	78 2018-2019 2018-2019 2018-2019 2018-2019 2018-2019 2018-2019 2018-2019 2018-2019 2018-2019 2018-2019 2018-2019 2018-2019 2018-2019	League of Minnesota Cities Insurance Trust 2018-2019 Work Comp Insurance 2018-2019 Work Comp Insurance 2018-2019 Work Comp Insurance 2018-2019 Work Comp Insurance 2018-2019 Work Comp Insurance 2018-2019 Work Comp Insurance 2018-2019 Work Comp Insurance 2018-2019 Work Comp Insurance 2018-2019 Work Comp Insurance 2018-2019 Work Comp Insurance 2018-2019 Work Comp Insurance 2018-2019 Work Comp Insurance 2018-2019 Work Comp Insurance	10/22/2019	18.15 212.90 341.08 679.55 204.75 311.87 27.14 24.93 8.20 10.49 547.94
Total for Check Number 26639:				2,387.00
26640	99 407	Metropolitan Area Management Associatio Luncheon Meeting - HB	10/22/2019	25.00
Total for Check Number 26640:				25.00
26641	24 0001101487	Metropolitan Council November Waste Water	10/22/2019	13,409.80
Total for Check Number 26641:				13,409.80
26642	12 2019-173	North Suburban Access Corporation September Webstreaming & Archiving	10/22/2019	271.57
Total for Check Number 26642:				271.57
26643	11 2019-521	North Suburban Communications Commiss 3Q19 Contribution	10/22/2019	1,157.24
Total for Check Number 26643:				1,157.24

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
26644	10 0000829165	On Site Sanitation Inc 10/05/2019 - 11/01/2019 Park Portable Restroom	10/22/2019	236.53
Total for Check Number 26644:				236.53
26645	5 619861-09-19	Premium Waters Inc September Water Bottles	10/22/2019	34.68
Total for Check Number 26645:				34.68
26646	26 1571038 1571039	Stantec Consulting Services Inc Gen Eng Services 2019 Improvement Project	10/22/2019	612.00 23,873.23
Total for Check Number 26646:				24,485.23
26647	91 102019	Suburban Ace Hardware General Supplies	10/22/2019	49.16
Total for Check Number 26647:				49.16
26648	4 18544 18544	The Neighborhood Recycling Company Inc September Multi-Family Recycling Unit September Single Unit Dwelling	10/22/2019	389.85 2,808.05
Total for Check Number 26648:				3,197.90
26649	90 9839160350 9839160350 9839160350	Verizon Wireless September Cell Phone September Cell Phone September Cell Phone	10/22/2019	16.36 32.72 16.36
Total for Check Number 26649:				65.44
26650	74 655898666 656124968	Xcel Energy September Street Lighting Larpenteur Avenue	10/22/2019	418.90 45.80
Total for Check Number 26650:				464.70
Total for 10/22/2019:				50,824.01
Report Total (24 checks):				61,368.84

**LAUDERDALE COUNCIL  
ACTION FORM**

**Action Requested**

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

Meeting Date                      October 22, 2019

ITEM NUMBER                      September Financial Report

STAFF INITIAL                      JB

APPROVED BY ADMINISTRATOR

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

Every month, staff provide the Council with an updated copy of the city's finances. Following are the revenue, expense, and cash balance reports for September 2019.

**OPTIONS:**

**STAFF RECOMMENDATION:**

By approving the consent agenda, the Council acknowledges the city's financial report for September 2019.

# General Ledger

## Cash Balances



User: heather.butkowski  
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 Period 09 - 09  
 Fiscal Year 2019

Description	Account	Beg Bal	MTD Debit	MTD Credit	Current Balance
Cash	101-00000-000-10100	-3,356,404.07	374,282.29	151,524.63	-3,133,646.41
Change Fund	101-00000-000-10300	100.00	0.00	0.00	100.00
Cash	226-00000-000-10100	14,714.04	20.21	972.60	13,761.65
Cash	227-00000-000-10100	94,426.60	131.55	4,990.49	89,567.66
Cash	305-00000-000-10100	25,828.72	37.99	0.00	25,866.71
Cash	306-00000-000-10100	13,043.26	19.19	0.00	13,062.45
Cash	401-00000-000-10100	124,668.23	183.37	0.00	124,851.60
Cash	403-00000-000-10100	1,203,019.45	56,018.63	288,859.53	970,178.55
Cash	404-00000-000-10100	274,719.78	404.08	0.00	275,123.86
Cash	414-00000-000-10100	349,607.74	514.24	0.00	350,121.98
Cash	416-00000-000-10100	94,272.38	138.60	46.00	94,364.98
Cash	602-00000-000-10100	978,437.70	49,147.52	20,454.02	1,007,131.20
Cash	603-00000-000-10100	403,873.12	14,366.89	6,225.16	412,014.85
<b>Current Assets</b>		<b>220,306.95</b>	<b>495,264.56</b>	<b>473,072.43</b>	<b>242,499.08</b>
Petty Cash	101-00000-000-10200	300.00	0.00	0.00	300.00
<b>Petty Cash</b>		<b>300.00</b>	<b>0.00</b>	<b>0.00</b>	<b>300.00</b>
Investments - Fair Value Adj	101-00000-000-10410	3,977,126.74	5,691.66	350,000.00	3,632,818.40
<b>Investments</b>		<b>3,977,126.74</b>	<b>5,691.66</b>	<b>350,000.00</b>	<b>3,632,818.40</b>
<b>Grand Total</b>		<b><u>4,197,733.69</u></b>	<b><u>500,956.22</u></b>	<b><u>823,072.43</u></b>	<b><u>3,875,617.48</u></b>



# General Ledger

## Revenue vs Expense

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 Period 09 - 09  
 Fiscal Year 2019



Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend	Collect
<b>101</b>	<b>General Fund</b>						
	<b>Revenue</b>						
	Taxes	810,104.00	0.00	433,544.40	376,559.60		53.52
	Licenses and Permits	35,850.00	5,507.70	37,234.90	-1,384.90		103.86
	Intergovernmental Revenues	540,820.00	0.00	270,410.00	270,410.00		50.00
	Charges for Services	11,800.00	3,121.97	13,472.10	-1,672.10		114.17
	Fines and Forfeits	30,000.00	2,728.12	24,152.98	5,847.02		80.51
	Miscellaneous Revenue	10,000.00	1,055.15	24,256.93	-14,256.93		242.57
	Other Financing Sources	0.00	0.00	0.00	0.00		0.00
		<u>1,438,574.00</u>	<u>12,412.94</u>	<u>803,071.31</u>	<u>635,502.69</u>		<u>55.82</u>
	<b>Revenue</b>						
	<b>Expense</b>						
	Personal Services	397,863.00	29,592.19	294,355.10	103,507.90		73.98
	Supplies	17,400.00	620.41	14,023.14	3,376.86		80.59
	Other Services and Charges	975,311.00	103,032.57	725,135.08	250,175.92		74.35
	Capital Outlay	0.00	0.00	0.00	0.00		0.00
	Other Uses	48,000.00	0.00	0.00	48,000.00		0.00
		<u>1,438,574.00</u>	<u>133,245.17</u>	<u>1,033,513.32</u>	<u>405,060.68</u>		<u>71.84</u>
	<b>Expense</b>						
<b>101</b>	<b>General Fund</b>	<b>0.00</b>	<b>-120,832.23</b>	<b>-230,442.01</b>	<b>230,442.01</b>		<b>0.00</b>



# General Ledger Revenue vs Expense

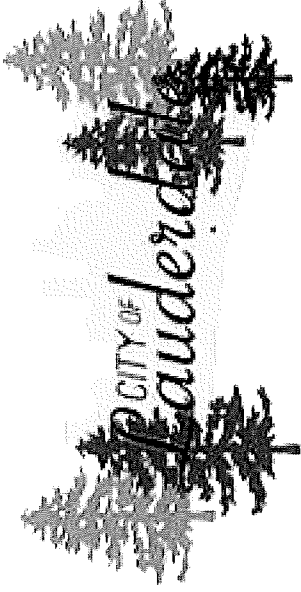


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 Period: 09 - 09  
 Fiscal Year 2019

Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
226	<b>Communications</b>					
	Revenue					
	Taxes	20,000.00	0.00	9,149.24	10,850.76	45.75
	Miscellaneous Revenue	<u>40.00</u>	<u>20.21</u>	<u>207.92</u>	<u>-167.92</u>	<u>519.80</u>
	<b>Revenue</b>	<b>20,040.00</b>	<b>20.21</b>	<b>9,357.16</b>	<b>10,682.84</b>	<b>46.69</b>
	<b>Expense</b>					
	Personal Services	8,930.00	701.03	6,494.07	2,435.93	72.72
	Supplies	600.00	0.00	650.00	-50.00	108.33
	Other Services and Charges	3,700.00	271.57	5,449.64	-1,749.64	147.29
	Capital Outlay	<u>5,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>5,000.00</u>	<u>0.00</u>
	<b>Expense</b>	<b>18,230.00</b>	<b>972.60</b>	<b>12,593.71</b>	<b>5,636.29</b>	<b>69.08</b>
226	<b>Communications</b>	<b>1,810.00</b>	<b>-952.39</b>	<b>-3,236.55</b>	<b>5,046.55</b>	<b>-178.81</b>

# General Ledger Revenue vs Expense

User: heather.butkowski  
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 Period 09 - 09  
 Fiscal Year 2019



Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
227	<b>Recycling Revenue</b>					
	Intergovernmental Revenues	6,000.00	0.00	5,742.00	258.00	95.70
	Miscellaneous Revenue	<u>46,460.00</u>	<u>131.55</u>	<u>25,141.53</u>	<u>21,318.47</u>	<u>54.11</u>
	<b>Revenue</b>	<b>52,460.00</b>	<b>131.55</b>	<b>30,883.53</b>	<b>21,576.47</b>	<b>58.87</b>
	<b>Expense</b>					
	Personal Services	22,996.00	1,792.59	16,748.02	6,247.98	72.83
	Supplies	0.00	0.00	0.00	0.00	0.00
	Other Services and Charges	38,500.00	3,197.90	25,583.20	12,916.80	66.45
	Capital Outlay	<u>350.00</u>	<u>0.00</u>	<u>330.50</u>	<u>19.50</u>	<u>94.43</u>
	<b>Expense</b>	<b>61,846.00</b>	<b>4,990.49</b>	<b>42,661.72</b>	<b>19,184.28</b>	<b>68.98</b>
227	<b>Recycling</b>	<b>-9,386.00</b>	<b>-4,858.94</b>	<b>-11,778.19</b>	<b>2,392.19</b>	<b>125.49</b>

# General Ledger Revenue vs Expense



User: heather.butkowski  
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 Period 09 - 09  
 Fiscal Year 2019

Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
305	GO TIF Revenue Bonds 2018A					
	Revenue					
	Miscellaneous Revenue	300.00	37.99	470.16	-170.16	156.72
	Other Financing Sources	0.00	0.00	0.00	0.00	0.00
	<b>Revenue</b>	<b>300.00</b>	<b>37.99</b>	<b>470.16</b>	<b>-170.16</b>	<b>156.72</b>
	Expense					
	Debt Service	18,939.00	0.00	32,040.63	-13,101.63	169.18
	<b>Expense</b>	<b>18,939.00</b>	<b>0.00</b>	<b>32,040.63</b>	<b>-13,101.63</b>	<b>169.18</b>
305	GO TIF Revenue Bonds 2018A	-18,639.00	37.99	-31,570.47	12,931.47	169.38

# General Ledger Revenue vs Expense



User: heather.butkowski  
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 Period 09 - 09  
 Fiscal Year 2019

Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
306	2019A Improvement Bonds					
	Revenue		19.19	72.87	-72.87	0.00
	Miscellaneous Revenue	0.00				
	Other Financing Sources	0.00	0.00	12,989.58	-12,989.58	0.00
	<b>Revenue</b>	<b>0.00</b>	<b>19.19</b>	<b>13,062.45</b>	<b>-13,062.45</b>	<b>0.00</b>
306	2019A Improvement Bonds		19.19	13,062.45	-13,062.45	0.00

# General Ledger Revenue vs Expense

User: heather.butkowski  
 Printed: 10/16/2019 4:36:04 PM  
 Period 09 - 09  
 Fiscal Year 2019



Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
<b>401</b>	<b>General Capital Projects</b>					
	<b>Revenue</b>					
	Intergovernmental Revenues	0.00	0.00	0.00	0.00	0.00
	Miscellaneous Revenue	1,000.00	183.37	1,751.44	-751.44	175.14
	Other Financing Sources	<u>27,000.00</u>	<u>0.00</u>	<u>0.00</u>	<u>27,000.00</u>	<u>0.00</u>
	<b>Revenue</b>	<b>28,000.00</b>	<b>183.37</b>	<b>1,751.44</b>	<b>26,248.56</b>	<b>6.26</b>
	<b>Expense</b>					
	Other Services and Charges	0.00	0.00	0.00	0.00	0.00
	Capital Outlay	70,000.00	0.00	0.00	70,000.00	0.00
	Other Uses	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
	<b>Expense</b>	<b>70,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>70,000.00</b>	<b>0.00</b>
<b>401</b>	<b>General Capital Projects</b>	<b>-42,000.00</b>	<b>183.37</b>	<b>1,751.44</b>	<b>-43,751.44</b>	<b>-4.17</b>

# General Ledger Revenue vs Expense



User: heather.butkowski  
 Printed: 10/16/2019 4:36:04 PM  
 Period 09 - 09  
 Fiscal Year 2019

Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
403	Street Capital Projects					
	Revenue					
	Intergovernmental Revenues	0.00	0.00	0.00	0.00	0.00
	Miscellaneous Revenue	6,000.00	56,018.63	661,461.08	-655,461.08	11,024.35
	Other Financing Sources	0.00	0.00	1,010,342.42	-1,010,342.42	0.00
	<b>Revenue</b>	<b>6,000.00</b>	<b>56,018.63</b>	<b>1,671,803.50</b>	<b>-1,665,803.50</b>	<b>27,863.39</b>
	Expense					
	Capital Outlay	0.00	288,859.53	1,936,364.11	-1,936,364.11	0.00
	Debt Service	0.00	0.00	35,750.00	-35,750.00	0.00
	Other Uses	0.00	0.00	0.00	0.00	0.00
	<b>Expense</b>	<b>0.00</b>	<b>288,859.53</b>	<b>1,972,114.11</b>	<b>-1,972,114.11</b>	<b>0.00</b>
403	Street Capital Projects	6,000.00	-232,840.90	-300,310.61	306,310.61	-5,005.18

# General Ledger Revenue vs Expense



User: heather.butkowski  
 Printed: 10/16/2019 4:36:04 PM  
 Period 09 - 09  
 Fiscal Year 2019

Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
404	<b>Park Capital Projects</b>					
	Revenue					
	Miscellaneous Revenue	3,500.00	404.08	3,862.66	-362.66	110.36
	Other Financing Sources	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
	<b>Revenue</b>	<b>3,500.00</b>	<b>404.08</b>	<b>3,862.66</b>	<b>-362.66</b>	<b>110.36</b>
	Expense					
	Supplies	0.00	0.00	0.00	0.00	0.00
	Capital Outlay	65,000.00	0.00	1,232.25	63,767.75	1.90
	Other Uses	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
	<b>Expense</b>	<b>65,000.00</b>	<b>0.00</b>	<b>1,232.25</b>	<b>63,767.75</b>	<b>1.90</b>
404	<b>Park Capital Projects</b>	<b>-61,500.00</b>	<b>404.08</b>	<b>2,630.41</b>	<b>-64,130.41</b>	<b>-4.28</b>

# General Ledger

## Revenue vs Expense



User: heather.butkowski  
 Printed: 10/16/2019 4:36:04 PM  
 Period 09 - 09  
 Fiscal Year 2019

Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
405	Rosehill Tax Increment					
	Revenue	0.00	0.00	0.00	0.00	0.00
	Miscellaneous Revenue	0.00	0.00	0.00	0.00	0.00
	Other Financing Sources					
	Revenue	0.00	0.00	0.00	0.00	0.00
	Expense					
	Other Services and Charges	0.00	0.00	0.00	0.00	0.00
	Expense	0.00	0.00	0.00	0.00	0.00
405	Rosehill Tax Increment	0.00	0.00	0.00	0.00	0.00



# General Ledger Revenue vs Expense



User: heather.butkowski  
 Printed: 10/16/2019 4:36:04 PM  
 Period 09 - 09  
 Fiscal Year 2019

Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
414	<b>Development</b>					
	Revenue	2,000.00	514.24	93,588.07	-91,588.07	4,679.40
	Miscellaneous Revenue		0.00	0.00	38,000.00	0.00
	Other Financing Sources	<u>38,000.00</u>				
	<b>Revenue</b>	<b>40,000.00</b>	<b>514.24</b>	<b>93,588.07</b>	<b>-53,588.07</b>	<b>233.97</b>
	<b>Expense</b>					
	Other Services and Charges	20,000.00	0.00	2,259.55	17,740.45	11.30
	Other Uses	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
	<b>Expense</b>	<b>20,000.00</b>	<b>0.00</b>	<b>2,259.55</b>	<b>17,740.45</b>	<b>11.30</b>
414	<b>Development</b>	<b>20,000.00</b>	<b>514.24</b>	<b>91,328.52</b>	<b>-71,328.52</b>	<b>456.64</b>

# General Ledger Revenue vs Expense



User: heather.butkowski  
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 Period 09 - 09  
 Fiscal Year 2019

Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
415	<b>Housing Redevelopment</b>					
	Revenue	0.00	0.00	0.00	0.00	0.00
	Miscellaneous Revenue	0.00	0.00	0.00	0.00	0.00
	Other Financing Sources					
	<b>Revenue</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
	<b>Expense</b>					
	Other Services and Charges	0.00	0.00	0.00	0.00	0.00
	Capital Outlay	0.00	0.00	0.00	0.00	0.00
	<b>Expense</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
415	<b>Housing Redevelopment</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

# General Ledger

## Revenue vs Expense

User: heather.butkowski  
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 Period 09 - 09  
 Fiscal Year 2019



Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
416	TIF District No. 1-2					
	Revenue					
	Taxes	0.00	0.00	0.00	0.00	0.00
	Miscellaneous Revenue	750.00	138.60	1,336.68	-586.68	178.22
	Other Financing Sources	0.00	0.00	0.00	0.00	0.00
	<b>Revenue</b>	<b>750.00</b>	<b>138.60</b>	<b>1,336.68</b>	<b>-586.68</b>	<b>178.22</b>
	Expense					
	Other Services and Charges	0.00	46.00	1,596.00	-1,596.00	0.00
	Capital Outlay	0.00	0.00	0.00	0.00	0.00
	Other Uses	0.00	0.00	0.00	0.00	0.00
	<b>Expense</b>	<b>0.00</b>	<b>46.00</b>	<b>1,596.00</b>	<b>-1,596.00</b>	<b>0.00</b>
416	TIF District No. 1-2	750.00	92.60	-259.32	1,009.32	-34.58

# General Ledger Revenue vs Expense

User: heather.butkowski  
 Printed: 10/16/2019 4:36:04 PM  
 Period 09 - 09  
 Fiscal Year 2019



Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
602	Sanitary Sewer Revenue					
	Intergovernmental Revenues	0.00	0.00	0.00	0.00	0.00
	Charges for Services	285,916.00	49,360.35	229,444.80	56,471.20	80.25
	Miscellaneous Revenue	10,000.00	1,479.21	13,843.73	-3,843.73	138.44
	Other Financing Sources	0.00	0.00	0.00	0.00	0.00
	<b>Revenue</b>	<b>295,916.00</b>	<b>50,839.56</b>	<b>243,288.53</b>	<b>52,627.47</b>	<b>82.22</b>
	Expense					
	Personal Services	75,398.00	5,463.82	57,382.85	18,015.15	76.11
	Supplies	800.00	60.87	489.13	310.87	61.14
	Other Services and Charges	197,718.00	16,621.37	150,094.27	47,623.73	75.91
	Capital Outlay	0.00	0.00	0.00	0.00	0.00
	Other Uses	22,000.00	0.00	0.00	22,000.00	0.00
	<b>Expense</b>	<b>295,916.00</b>	<b>22,146.06</b>	<b>207,966.25</b>	<b>87,949.75</b>	<b>70.28</b>
602	Sanitary Sewer	0.00	28,693.50	35,322.28	-35,322.28	0.00

# General Ledger Revenue vs Expense

User: heather.butkowski  
 Printed: 10/16/2019 4:36:04 PM  
 Period 09 - 09  
 Fiscal Year 2019



Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
603	<b>Storm Water Revenue</b>					
	Intergovernmental Revenues	0.00	0.00	0.00	0.00	0.00
	Charges for Services	107,194.00	14,060.35	80,856.16	26,337.84	75.43
	Miscellaneous Revenue	4,500.00	605.14	5,589.84	-1,089.84	124.22
	Other Financing Sources	0.00	0.00	0.00	0.00	0.00
	<b>Revenue</b>	<b>111,694.00</b>	<b>14,665.49</b>	<b>86,446.00</b>	<b>25,248.00</b>	<b>77.40</b>
	<b>Expense</b>					
	Personal Services	63,844.00	4,644.76	48,411.26	15,432.74	75.83
	Supplies	700.00	60.87	489.13	210.87	69.88
	Other Services and Charges	27,150.00	1,818.13	11,663.16	15,486.84	42.96
	Capital Outlay	5,000.00	0.00	0.00	5,000.00	0.00
	Other Uses	10,000.00	0.00	0.00	10,000.00	0.00
	<b>Expense</b>	<b>106,694.00</b>	<b>6,523.76</b>	<b>60,563.55</b>	<b>46,130.45</b>	<b>56.76</b>
603	<b>Storm Water</b>	<b>5,000.00</b>	<b>8,141.73</b>	<b>25,882.45</b>	<b>-20,882.45</b>	<b>517.65</b>

# General Ledger Revenue vs Expense



User: heather.butkowski  
 Printed: 10/16/2019 4:36:04 PM  
 Period 09 - 09  
 Fiscal Year 2019

Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
999	<b>Fund</b>					
	<b>Revenue</b>					
	Taxes	0.00	0.00	0.00	0.00	0.00
	Miscellaneous Revenue	0.00	0.00	0.00	0.00	0.00
	Other Financing Sources	0.00	0.00	0.00	0.00	0.00
	<b>Revenue</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
	<b>Expense</b>					
	Personal Services	0.00	0.00	0.00	0.00	0.00
	Other Services and Charges	0.00	0.00	0.00	0.00	0.00
	Capital Outlay	0.00	0.00	0.00	0.00	0.00
	Debt Service	0.00	0.00	0.00	0.00	0.00
	Other Uses	0.00	0.00	0.00	0.00	0.00
	<b>Expense</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
999	<b>Fund</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>

# General Ledger Revenue vs Expense



User: heather.butkowski  
 Printed: 10/16/2019 4:36:04 PM  
 Period 09 - 09  
 Fiscal Year 2019

Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
Revenue Total		1,997,234.00	135,385.85	2,958,921.49	-961,687.49	1.4815
Expense Total		2,095,199.00	456,783.61	3,366,541.09	-1,271,342.09	1.6068
Grand Total		-97,965.00	-321,397.76	-407,619.60	309,654.60	4.1609

## LAUDERDALE COUNCIL ACTION FORM

### Action Requested

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

Meeting Date October 22, 2019

ITEM NUMBER Resolution of Polling Places

STAFF INITIAL MC

APPROVED BY ADMINISTRATOR

### DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

The legislature requires all municipalities to designate their polling place locations for an upcoming election year by December 4 of the previous year. This provision is in effect for the 2020 presidential primary, state primary, and state general elections.

The law does permit changing polling place locations in the year of the election if the polling place authorized by the Lauderdale City Council has become unavailable for use. Ramsey County will conduct on-site inspections in early 2020. If, based on the on-site inspection, it becomes clear that an authorized polling place will not be available for use that year, it will be necessary to designate a replacement. In this scenario, the City of Lauderdale will need to inform Ramsey County of the new polling place(s) at least 90 days before the next election.

### OPTIONS:

### STAFF RECOMMENDATION:

By approving the Consent Agenda, the Council adopts Resolution 102219A—A Resolution Designating Polling Places for the 2020 Presidential Primary, State Primary, and State General Elections.



**RESOLUTION NO. 102219A**

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

**RESOLUTION DESIGNATING POLLING PLACES FOR THE  
2020 PRESIDENTIAL PRIMARY, STATE PRIMARY, AND STATE  
GENERAL ELECTIONS**

**WHEREAS**, Minnesota Statutes 204B.16, subd. 1 requires the City Council, by ordinance or resolution, to designate polling places for the upcoming year; and

**WHEREAS**, changes to the polling place locations may be made at least 90 days before the next election if one or more of the authorized polling places becomes unavailable for use; and

**WHEREAS**, the presidential primary is March 3, 2020, the state primary is August 11, 2020, and the state general election is November 3, 2020.

**NOW, THEREFORE, BE IT RESOLVED**, that the Lauderdale City Council hereby designates the following polling place for elections conducted in the City in 2020:

Precinct 1:     Lauderdale City Hall  
                  1891 Walnut Street  
                  Lauderdale, MN 55113

**AND, BE IT FURTHER RESOLVED**, that the City Clerk is hereby authorized to designate a replacement which meets the requirements of the Minnesota Election Law for any polling place designated in this Resolution that becomes unavailable for use by the City;

**AND, BE IT FURTHER RESOLVED**, that the City Clerk is directed to send a copy of this resolution to the Ramsey County Elections Office.

Adopted by the City Council of Lauderdale this 22<sup>nd</sup> day of October, 2019.

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Mary Gaasch, Mayor

ATTEST:

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Heather Butkowski, City Clerk


**LAUDERDALE COUNCIL  
ACTION FORM**

**Action Requested**

Consent                      X    
Public Hearing                       
Discussion                           
Action                                 
Resolution                 X    
Work Session                      

Meeting Date                    October 22, 2019

ITEM NUMBER                    Inflow/Infiltration Grant Res.

STAFF INITIAL                    

APPROVED BY ADMINISTRATOR

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

A grant designed to help cities address inflow and infiltration issues is going to cover some of the costs of the sanitary sewer lining project completed in 2018. In order to complete the application, the Council needs to adopt the attached resolution.

**STAFF RECOMMENDATION:**

By approving the Consent Agenda, the Council adopts Resolution 102219B—A Resolution Authorizing Application for and Execution of the Municipal Infiltration and Inflow Grant.

**RESOLUTION 102219B**

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

**A RESOLUTION AUTHORIZING APPLICATION FOR AND EXECUTION  
OF THE MUNICIPAL INFILTRATION AND INFLOW GRANT**

WHEREAS, the Metropolitan Council Environmental Services (MCES) has identified the city of Lauderdale as one of the many metro cities having excessive quantities of stormwater and groundwater, commonly referred to as Inflow and Infiltration (I&I), entering the public sanitary sewer system; and

WHEREAS, to facilitate the reduction of I&I, MCES is offering a Preliminary Minimum Allocation of \$25,000 per metro city, with provisions for future distribution of available funding until the total of \$8,730,000 for the State of Minnesota has been expended on I&I reduction measures; and

WHEREAS, the city of Lauderdale has identified public sanitary sewer system components requiring rehabilitation to minimize or eliminate excessive I&I.

NOW THEREFORE, BE IT RESOVLED, by the City Council that the city is authorized to apply for these grants; and

BE IT FURTHER RESOLVED, by the City Council that City Administrator or her designee be authorized to submit the applications and to serve as the contact person; and

BE IT FURTHER RESOLVED, that the city agrees to remit available grant funding towards the continued minimization or elimination of excessive I&I within the public sanitary sewer system; and

BE IT FINALLY RESOLVED, that the city will secure and retain receipts for all eligible repairs and that MCES will have reasonable access to audit these records upon request.

Adopted by the City Council of the City of Lauderdale, Minnesota this 22<sup>nd</sup> day of October, 2019.

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Mary Gaasch, Mayor

ATTEST:

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Heather Butkowski, City Administrator

## 2017 Municipal I&I Grant Program Cost Verification and Jobs Reporting Form

Completion of this form and submission of attachments is the basis for entering into agreement with the Metropolitan Council on the 2017 I&I Grant program. This form and its attachments verify that the community has finished I&I reduction projects, with costs eligible for reimbursement under the 2017 I&I Grant program. Please send the completed form and required attachments to (electronic submission preferred):

**Mail:** Matt Gsellmeier, MCES Grant Administrator 390 N. Robert Street St. Paul, MN 55101

**Email:** [Matthew.Gsellmeier@metc.state.mn.us](mailto:Matthew.Gsellmeier@metc.state.mn.us)

**Phone:** (651) 602-1802

### Required Attachments:

Please attach and return the following items to Met Council by November 1, 2019:

1. The Cost Verification & Jobs Reporting Form (**This form**)
2. One of the following that applies to your city's property situation:
  - Attachment 1 to Grant Agreement – DECLARATION of Real Property, and
    - Attachment II to Grant Agreement – Legal Description of Real Property, OR
  - Attachment 1-A – CERTIFICATION pursuant to Waiver of Real Property Declaration for projects located under any right of way, and
    - Exhibit A – LEGAL DESCRIPTION, NARRATIVE DESCRIPTION, OR MAP OF RESTRICTED PROPERTY
3. A city resolution authorizing application and execution of the Grant agreement
4. A detailed breakdown of actual expenditures that tie-out to the project costs cited in the Cost Verification Form.
  - MCES may request additional documentation to verify expenditures.
5. Description of work completed
6. Invoices or other documents that substantiate the cost of work completed.

### Required Cost Verification Information:

**City:** Lauderdale, MN

**City Official/Title:** Heather Butkowski/City Administrator

**Phone #:** 651-792-7657

**Project Start Date:** June 28, 2018

**Project End Date:** November 27, 2018

**Were projects completed between May 31, 2017 and November 1, 2019 (Y/N):** Y

In the space provided on the next page, please enter a summary of your costs, and your eligible I&I work. As a reminder, the following work is considered non-eligible under the I&I program:

- Studies, investigations or inspections
- Any improvement to privately owned infrastructure

**Enter A Summary of Total Project Costs:**

June-November 2018: Rehabilitate 3116 LF of 8" sewer pipe via CIPP: \$95,385.60 construction cost

**Enter the Eligible I&I Costs that your City incurred between May 31, 2017 and May 30, 2018 (Column A):**

Type of work:	(A) Total Project Costs:	(B) Covered: 50% of Project Costs	(C) % Eligible for funding	(D) Amount Eligible For Grant Funding
1. Pipe Lining and Replacement		X 50% = \$ 0.00	X 50% =	\$ 0.00
2. Pipe Joint Sealing and chimney Seals		X 50% = \$ 0.00	X 100% =	\$ 0.00
3. Manholes – Lining, replacement		X 50% = \$ 0.00	X 50% =	\$ 0.00
4. Manhole Sealing joints, castings, cover		X 50% = \$ 0.00	X 100% =	\$ 0.00
5. Flood Mitigation		X 50% = \$ 0.00	X 10% =	\$ 0.00
6. Cross Connection Elimination		X 50% = \$ 0.00	X 100% =	\$ 0.00
<b>Total:</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>		<b>\$ 0.00</b>

**Enter the Eligible I&I Costs that your City incurred between May 31, 2018 and November 1, 2019 (Column A):**

Type of work:	(A) Total Project Costs:	(B) Covered: 50% of Project Costs	(C) % Eligible for funding	(D) Amount Eligible For Grant Funding
1. Pipe Lining and Replacement	95,385.60	X 50% = \$47,692.80	X 50% =	\$23,846.40
2. Pipe Joint Sealing and chimney Seals		X 50% = \$ 0.00	X 100% =	\$ 0.00
3. Manholes – Lining, replacement		X 50% = \$ 0.00	X 50% =	\$ 0.00
4. Manhole Sealing joints, castings, cover		X 50% = \$ 0.00	X 100% =	\$ 0.00
5. Flood Mitigation		X 50% = \$ 0.00	X 10% =	\$ 0.00
6. Cross Connection Elimination		X 50% = \$ 0.00	X 100% =	\$ 0.00
<b>Total:</b>	<b>\$95,385.60</b>	<b>\$47,692.80</b>		<b>\$23,846.40</b>



## Required Jobs Reporting Information:

Per legislative requirements (*Minn. Stat. Sec. 16A.633, Subd. 4*), each grantee must report on 'jobs created or retained' as a result of projects funded through State Bond funds. To the best of your abilities, please complete the forms below. For reference, 1 FTE = 2,080 annual work hours (40 Hours X 52 Weeks per year).

1. Use the space below to enter jobs information for **Engineering Professionals:**

Hourly Wage Range:	Full-Time Equivalent (FTE) Jobs Created:	Full-Time Equivalent (FTE) Jobs Retained:
Less than \$10.00	0.00	0.00
\$10.01 to \$15.00	0.00	0.00
\$15.01 to \$20.00	0.00	0.00
\$20.01 to \$25.00	0.00	0.00
\$25.01 to \$30.00	0.00	0.00
\$30.01 to \$35.00	0.00	0.00
\$35.01 to \$40.00	0.00	0.00
More than \$40.00	0.00	0.00

2. Use the space below to enter jobs information for **Construction Workers:**

Hourly Wage Range:	Full-Time Equivalent (FTE) Jobs Created:	Full-Time Equivalent (FTE) Jobs Retained:
Less than \$10.00	0.00	0.00
\$10.01 to \$15.00	0.00	0.00
\$15.01 to \$20.00	0.00	0.00
\$20.01 to \$25.00	0.00	0.00
\$25.01 to \$30.00	0.00	0.00
\$30.01 to \$35.00	0.00	0.00
\$35.01 to \$40.00	0.00	0.00
More than \$40.00	0.00	0.00

3. Use the space below to enter jobs information for **All Other Workers:**

Hourly Wage Range:	Full-Time Equivalent (FTE) Jobs Created:	Full-Time Equivalent (FTE) Jobs Retained:
Less than \$10.00	0.00	0.00
\$10.01 to \$15.00	0.00	0.00
\$15.01 to \$20.00	0.00	0.00
\$20.01 to \$25.00	0.00	0.00
\$25.01 to \$30.00	0.00	0.00
\$30.01 to \$35.00	0.00	0.00
\$35.01 to \$40.00	0.00	0.00
More than \$40.00	0.00	0.00

**Attachment I-A**

**State of Minnesota  
General Obligation Bond Financed  
CERTIFICATION**

The undersigned hereby certifies as follows:

This Certification is being submitted pursuant to the Waiver of Real Property Declaration granted by Minnesota Management and Budget to Metropolitan Council for Municipal Publicly-Owned Infrastructure Inflow/Infiltration projects or the portions thereof which lie entirely within public road, street and highway rights-of-way and utility easements.

The City of Lauderdale, hereafter known as the Grantee, certifies that Grantee has read and will comply with the terms and conditions of the Waiver of Real Property Declaration, a copy of which is attached to this Certification and further, that the Governmental Program which is the subject of and described in the Municipal Publicly-Owned Infrastructure Inflow/Infiltration Grant Agreement [No. \_\_\_\_\_] between Grantee and Metropolitan Council qualifies for the Waiver of Real Property Declaration.

The undersigned owns  fee title to property and/or  permanent easement and/or  other easement which meets the requirements of this Agreement for wastewater collection purposes and/or permit for pipe in [identify Permitter, e.g., Hennepin Co.] public right of way which meets the requirements of this Agreement for wastewater collection purposes and a wastewater collection system within the fee title, permanent easement, and/or the other easement and wastewater collection system being located in Ramsey County, Minnesota. The fee title property, permanent easement and/or other easement and the wastewater collection system therein is referred to as "Restricted Property" and is described in Exhibit A attached hereto by **legal description, narrative description or diagram.**

As the owner of the Restricted Property, the undersigned hereby acknowledges the following restrictions and encumbrances with respect to the Restricted Property:

- A. The Restricted Property is State bond financed property within the meaning of Minn. Stat. § 16A.695 that exists as of the effective date of the grant agreement identified in paragraph B below, is subject to the encumbrance created and requirements imposed by such statutory provision, and cannot be sold, mortgaged, encumbered or otherwise disposed of without the approval of the Commissioner of Minnesota Management and Budget, or its successor, which approval must be evidenced by a written statement signed by said commissioner and attached to the deed, mortgage, encumbrance or instrument used to sell or otherwise dispose of the Restricted Property; and
- B. The Restricted Property is subject to all of the terms, conditions, provisions, and limitations contained in the G.O Grant agreement between Metropolitan Council and Grantee, dated \_\_\_\_\_, \_\_\_\_\_.

The Restricted Property shall remain subject to this State of Minnesota General Obligation Bond Financed Declaration for as long as the G.O. Grant Agreement is in force and effect; at which time it shall be released therefrom by way of a written release in recordable form signed by both the Metropolitan Council and the Commissioner of Minnesota of Management and Budget, or their successors, and such written release is recorded in the real estate records relating to the Restricted Property. This Certification may not be terminated, amended, or in any way modified without the specific written consent of the Commissioner of Minnesota of Management and Budget, or its successor.

**SIGNATURE BLOCK AND ACKNOWLEDGMENT**

City of Lauderdale [Grantee],  
a Minnesota Municipal Corporation

By: Heather Butkowski

Title: City Administrator

Dated: 10-22-19

STATE OF MINNESOTA )  
  ) ss.  
COUNTY OF RAMSEY )

On the 22<sup>nd</sup> day of October, 2019, before me a notary public within and for said County, personally appeared Heather Butkowski, named in the forgoing instrument as the City Administrator of the City of Lauderdale and acknowledged said instrument was signed on behalf of said City of Lauderdale.

\_\_\_\_\_  
Notary Public



**Exhibit A**  
**LEGAL DESCRIPTION, NARRATIVE DESCRIPTION, OR MAP OF RESTRICTED**  
**PROPERTY**

Maps identifying the project areas follow.



**RECORD PLAN**  
 THIS RECORD PLAN IS THE PROPERTY OF STANTEC TECHNOLOGIES USA, LLC. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF STANTEC TECHNOLOGIES USA, LLC. THE USER OF THIS RECORD PLAN SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES AND AUTHORITIES. THE USER OF THIS RECORD PLAN SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES SHOWN ON THIS PLAN. THE USER OF THIS RECORD PLAN SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES SHOWN ON THIS PLAN.

**LEGEND**

	SANITARY SEWER TO BE LINED
	EXISTING SANITARY SEWER
	EXISTING FORCE MAIN
	SEWER SERVICE - GROUNDED
	SEWER SERVICE - NOT GROUNDED



NO. OF SHEETS	11
SHEET NUMBER	C1.01
DATE	
BY	
CHECKED	
APPROVED	
PROJECT	2018 LAUDERDALE SANITARY SEWER LINING PROJECT
SHEET TITLE	LOCATION PLAN

**LAUDERDALE, MINNESOTA**  
**2018 LAUDERDALE SANITARY SEWER LINING PROJECT**  
 LOCATION PLAN

HEREBY CERTIFY THAT THIS PLAN SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.  
 PRINT NAME: JULIE M. SCHEGEL  
 SIGNATURE: \_\_\_\_\_  
 DATE: 7/16/2018

**Stantec**  
 2333 Highway 36 W  
 St. Paul, MN 55113  
 www.stantec.com

THE FACE OF THIS CHECK HAS A SECURITY VOID BACKGROUND PATTERN - DO NOT CASH IF THE WORD VOID IS VISIBLE

**City of Lauderdale**

1891 Walnut Street  
Lauderdale, MN 55113

NORTH STAR BANK  
1820 NORTH DEXINGTON - ROSEVILLE, MN 55113  
466 HWY. 61 - WHITE BEAR LAKE, MN 55110

22-95/960

026079

Date: 10/9/2018  
Amount: 86,370.39

Pay: EIGHTY-SIX THOUSAND THREE HUNDRED SEVENTY AND 39/100

To the order of:

Insituform Technologies USA LLC  
17988 Edison Ave  
Chesterfield, MO 63005

*Mary Ganske*  
*Nerthu Butkowski-Hnicks*

⑈026079⑈ ⑆096000959⑆ 40 43 550⑈

026079

Vendor Name: Insituform Technologies USA LLC

Vendor Number: 38

Check Amount: 86,370.39

Check Date: 10/9/2018

Invoice Number	Date	Description	Amount
PayReq	10/9/2018	2018 Sanitary Sewer Lining Project	86,370.39



Owner: City of Lauderdale, 1891 Walnut St., Lauderdale, MN 55113	Date: October 3, 2018
For Period: 8/1/2018 to 10/3/2018	Request No: 1
Contractor: Insituform Technologies USA, LLC, 17988 Edison Ave., Chesterfield, MO 63005	

**CONTRACTOR'S REQUEST FOR PAYMENT**

LAUDERDALE 2018 SANITARY SEWER LINING PROJECT.  
STANTEC PROJECT NO. 193804224

SUMMARY

1	Original Contract Amount		\$	<u>110,592.60</u>
2	Change Order - Addition	\$	<u>0.00</u>	
3	Change Order - Deduction	\$	<u>0.00</u>	
4	Revised Contract Amount		\$	<u>110,592.60</u>
5	Value Completed to Date		\$	<u>90,916.20</u>
6	Material on Hand		\$	<u>0.00</u>
7	Amount Earned		\$	<u>90,916.20</u>
8	Less Retainage 5%		\$	<u>4,545.81</u>
9	Subtotal		\$	<u>86,370.39</u>
10	Less Amount Paid Previously		\$	<u>0.00</u>
11	Liquidated damages -		\$	<u>0.00</u>
12	AMOUNT DUE THIS REQUEST FOR PAYMENT NO. <u>1</u>		\$	<u><u>86,370.39</u></u>

Recommended for Approval by:  
**STANTEC**

\_\_\_\_\_  
Approved by Contractor:  
**INSITUFORM TECHNOLOGIES USA, LLC**

\_\_\_\_\_  
Approved by Owner:  
**CITY OF LAUDERDALE**

\_\_\_\_\_  
Specified Contract Completion Date:

\_\_\_\_\_  
Date:

No.	Item	Unit	Contract Quantity	Unit Price	Current Quantity	Quantity to Date	Amount to Date
<b>BASE BID</b>							
1	MOBILIZATION	LS	1	1057.80	1	1	\$1,057.80
2	TRAFFIC CONTROL	LS	1	528.90	1	1	\$528.90
3	SEWER REHABILITATION WITH CIPP, 8"	LF	3250	26.30	2891	2891	\$76,033.30
4	REMOVE PROTRUDING SEWER SERVICE	EA	4	264.50	4	4	\$1,058.00
5	SERVICE LATERAL REPAIR BY CHEMICAL GROUT	EA	39	343.80	14	14	\$4,813.20
	TOTAL BASE BID						<u>\$83,491.20</u>
<b>ALTERNATE NO. 1: BACKYARD PIPE SEGMENT</b>							
6	SEWER REHABILITATION WITH CIPP, 8"	LF	225	33.00	225	225	\$7,425.00
7	REMOVE PROTRUDING SEWER SERVICE	EA	1	264.50			\$0.00
8	SERVICE LATERAL REPAIR BY CHEMICAL GROUT	EA	4	343.80			\$0.00
	TOTAL ALTERNATE NO. 1: BACKYARD PIPE SEGMENT						<u>\$7,425.00</u>
	TOTAL BASE BID						\$83,491.20
	TOTAL ALTERNATE NO. 1: BACKYARD PIPE SEGMENT						\$7,425.00
	<b>WORK COMPLETED TO DATE:</b>						<u><b>\$90,916.20</b></u>

**PROJECT PAYMENT STATUS**

OWNER CITY OF LAUDERDALE  
 STANTEC PROJECT NO. 193804224  
 CONTRACTOR INSITUFORM TECHNOLOGIES USA, LLC

**CHANGE ORDERS**

No.	Date	Description	Amount
<b>Total Change Orders</b>			

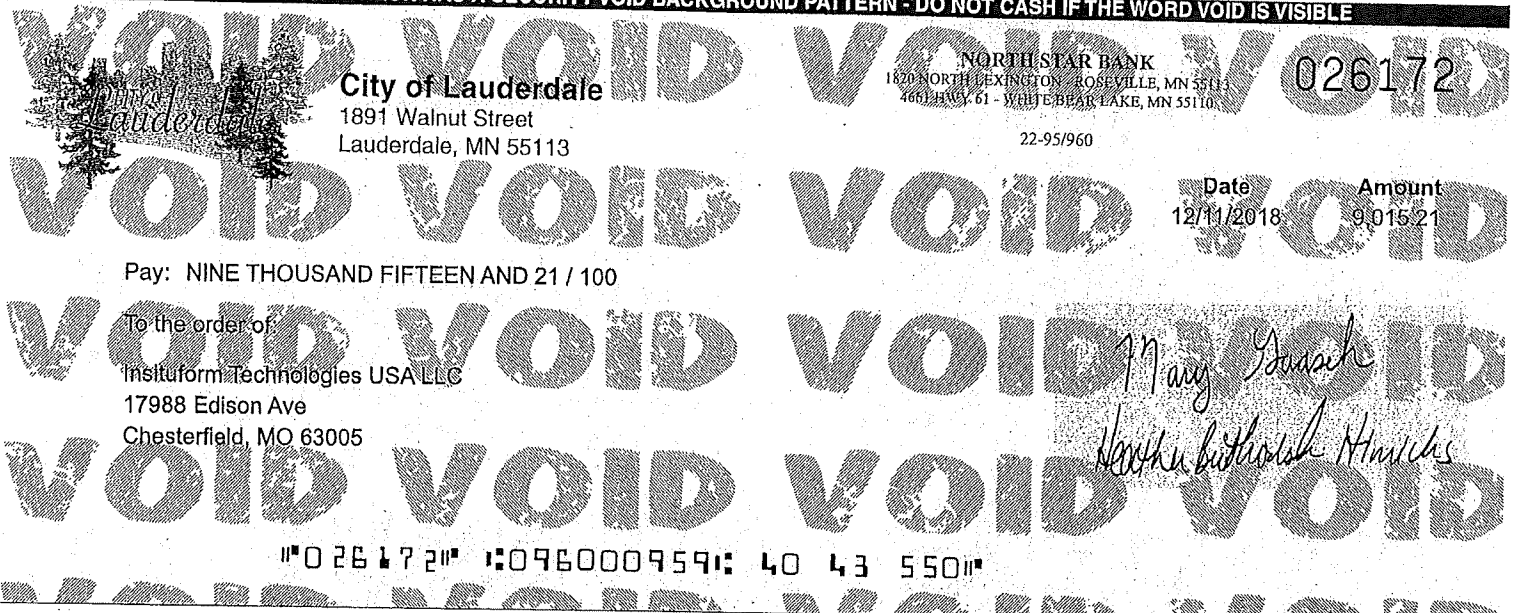
**PAYMENT SUMMARY**

No.	From	To	Payment	Retainage	Completed
1	08/01/2018	10/03/2018	86,370.39	4,545.81	90,916.20

**Material on Hand**

Total Payment to Date		\$86,370.39	Original Contract	\$110,592.60
Retainage Pay No.	1	4,545.81	Change Orders	
Total Amount Earned		\$90,916.20	Revised Contract	\$110,592.60

THE FACE OF THIS CHECK HAS A SECURITY VOID BACKGROUND PATTERN - DO NOT CASH IF THE WORD VOID IS VISIBLE



**City of Lauderdale**  
1891 Walnut Street  
Lauderdale, MN 55113

**NORTH STAR BANK**  
1820 NORTH LEXINGTON, ROSEVILLE, MN 55113  
4661 HWY. 61 - WHITE BEAR LAKE, MN 55110  
22-95/960

026172

Date: 12/11/2018  
Amount: 9,015.21

Pay: NINE THOUSAND FIFTEEN AND 21 / 100

To the order of:  
Insituform Technologies USA LLC  
17988 Edison Ave  
Chesterfield, MO 63005

*Mary Gausich*  
*North Star Bank*

⑈026172⑈ ⑆096000959⑆ 40 43 550⑈

026172

Vendor Name: Insituform Technologies USA LLC

Vendor Number: 138

Check Amount: 9,015.21

Check Date: 12/11/2018

<u>Invoice Number</u>	<u>Date</u>	<u>Description</u>
2018Final	12/7/2018	2018 Sanitary Sewer Lining Final

Amount  
9,015.21



Stantec Consulting Services Inc.  
2335 Highway 36 West, St. Paul MN 55113-3819

November 30, 2018  
File: 193804224

**Attention: Heather Butkowski**  
City of Lauderdale  
1891 Walnut Street  
Lauderdale, MN 55113

Dear Heather,

**Reference: 2018 Sanitary Sewer Lining Project Pay Request No. 2 & Final**

Transmitted herewith is the Request for Payment No. 2 & Final. Please execute the documents, keep one (1) copy for your files, and forward one (1) copy to the contractor, and one (1) copy to our office.

Should you have any questions regarding the project, please contact me at 651-604-4734.

Regards,

**Stantec Consulting Services Inc.**

*Kellie M. Schlegel*

**Kellie Schlegel**  
Associate  
Phone: 651 604 4734  
Fax: 651 636 1311  
kellie.schlegel@stantec.com

A handwritten signature in black ink, appearing to be "Kellie M. Schlegel", written over a faint circular stamp or watermark.

Attachment: Pay Request No. 2 & Final  
c. Darren Amundsen - Stantec





Owner: City of Lauderdale, 1891 Walnut St., Lauderdale, MN 55113	Date: November 27, 2018
For Period: 10/4/2018 to 11/27/2018	Request No: 2/FINAL
Contractor: Insituform Technologies USA, LLC, 17988 Edison Ave., Chesterfield, MO 63005	

**CONTRACTOR'S REQUEST FOR PAYMENT**

LAUDERDALE 2018 SANITARY SEWER LINING PROJECT.  
STANTEC PROJECT NO. 193804224

SUMMARY

1	Original Contract Amount		\$	110,592.60
2	Change Order - Addition	\$	0.00	
3	Change Order - Deduction	\$	0.00	
4	Revised Contract Amount		\$	110,592.60
5	Value Completed to Date		\$	95,385.60
6	Material on Hand		\$	0.00
7	Amount Earned		\$	95,385.60
8	Less Retainage 0%		\$	0.00
9	Subtotal		\$	95,385.60
10	Less Amount Paid Previously		\$	86,370.39
11	Liquidated damages -		\$	0.00
12	AMOUNT DUE THIS REQUEST FOR PAYMENT NO. <u>2/FINAL</u>		\$	<u>9,015.21</u>

Recommended for Approval by:  
STANTEC

*Kellie M. Schlegel*

Approved by Contractor:  
INSITUFORM TECHNOLOGIES USA, LLC

*Paul Elliott*

Approved by Owner:  
CITY OF LAUDERDALE

*May [Signature]*  
*Katherine Bethui*

Specified Contract Completion Date:

Date: *12/11/18*

No.	Item	Unit	Contract Quantity	Unit Price	Current Quantity	Quantity to Date	Amount to Date
<b>BASE BID</b>							
1	MOBILIZATION	LS	1	1057.80		1	\$1,057.80
2	TRAFFIC CONTROL	LS	1	528.90		1	\$528.90
3	SEWER REHABILITATION WITH CIPP, 8"	LF	3250	26.30		2891	\$76,033.30
4	REMOVE PROTRUDING SEWER SERVICE	EA	4	264.50		4	\$1,058.00
5	SERVICE LATERAL REPAIR BY CHEMICAL GROUT	EA	39	343.80	13	27	\$9,282.60
	TOTAL BASE BID						<u>\$87,960.60</u>
<b>ALTERNATE NO. 1: BACKYARD PIPE SEGMENT</b>							
6	SEWER REHABILITATION WITH CIPP, 8"	LF	225	33.00		225	\$7,425.00
7	REMOVE PROTRUDING SEWER SERVICE	EA	1	264.50			\$0.00
8	SERVICE LATERAL REPAIR BY CHEMICAL GROUT	EA	4	343.80			\$0.00
	TOTAL ALTERNATE NO. 1: BACKYARD PIPE SEGMENT						<u>\$7,425.00</u>
	TOTAL BASE BID						\$87,960.60
	TOTAL ALTERNATE NO. 1: BACKYARD PIPE SEGMENT						\$7,425.00
	<b>WORK COMPLETED TO DATE:</b>						<u><b>\$95,385.60</b></u>

**PROJECT PAYMENT STATUS**

OWNER CITY OF LAUDERDALE  
STANTEC PROJECT NO. 193804224  
CONTRACTOR INSITUFORM TECHNOLOGIES USA, LLC

**CHANGE ORDERS**

No.	Date	Description	Amount
Total Change Orders			

**PAYMENT SUMMARY**

No.	From	To	Payment	Retainage	Completed
1	08/01/2018	10/03/2018	86,370.39	4,545.81	90,916.20
2/FINAL	10/04/2018	11/27/2018	9,015.21		95,385.60

**Material on Hand**

Total Payment to Date		\$95,385.60	Original Contract	\$110,592.60
Retainage Pay No. 2/FINAL			Change Orders	
Total Amount Earned		\$95,385.60	Revised Contract	\$110,592.60

ACTION REQUESTED	LAUDERDALE COUNCIL
Consent <u>   X   </u> Special                             _____ Public Hearing                    _____ Report                              _____ Discussion/Action              _____ Resolution <u>   X   </u> Work session                     _____ _____	MEETING DATE <u>October 22, 2019</u> ITEM NUMBER <u>SCORE Funding for Recycling Program</u> STAFF INITIAL <u>Jim</u> APPROVED BY ADMINISTRATOR _____

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

In 1989, the Minnesota Legislature adopted comprehensive waste reduction and recycling legislation based on the recommendations of the **Governor's Select Committee on Recycling and the Environment**. This set of laws, commonly referred to as SCORE, is a part of Minnesota's Waste Management Act. The SCORE legislation has provided counties with a funding source to develop effective waste reduction, recycling and solid waste management programs.

SCORE funding grants are automatically provided to municipalities in Ramsey County on an annual basis with submittal of a grant application. Last year, Lauderdale received \$5,742 to help cover expenses related to the City's recycling program such as administration, promotion, equipment, and collection. We do not know what Lauderdale is eligible for this year because the Minnesota Pollution Control Agency does not provide counties with their allocations until November. However, Ramsey County requires the grant application to be submitted by the end of October.

A resolution is required as part of the grant application. Adopting the attached resolution means the city accepts the funding. A grant agreement should be ready for signing in November.

- OPTIONS:**
- Adopt the prepared resolution as part of the consent agenda.
  - Remove from the consent agenda for discussion and action.

**STAFF RECOMMENDATION:**  
 By approving the consent agenda, the Council is adopting the attached resolution.

**COUNCIL ACTION:**

**RESOLUTION NO. 102219C**

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

**A RESOLUTION ACCEPTING 2020 SCORE FUNDING FROM RAMSEY  
COUNTY FOR THE LAUDERDALE RECYCLING PROGRAM**

**WHEREAS**, SCORE Funding Grants are available to municipalities in Ramsey County for reimbursement of expenses related to administration, promotion, and collection of, recycling materials; and,

**WHEREAS**, the City of Lauderdale has a comprehensive curbside residential recycling program currently in use; and,

**WHEREAS**, these funds will provide Lauderdale with a method of paying for some incurred costs related to the administration of this program and collection of materials, thus aiding in keeping the cost to the residents low;

**NOW THEREFORE, BE IT RESOLVED** that the Lauderdale City Council does hereby authorize staff to submit an application to the St. Paul - Ramsey County Department of Public Health - Environmental Health Section for allocation of 2020 SCORE Funding Grant Monies.

**I CERTIFY THAT** the above resolution was adopted by the City Council of the City of Lauderdale on this 22nd day of October, 2019.

---

Mary Gaasch, Mayor

(ATTEST)

(SEAL)

---

Heather Butkowski, City Administrator

## LAUDERDALE COUNCIL ACTION FORM

### Action Requested

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

Meeting Date October 22, 2019

ITEM NUMBER Special Assess. Resolution

STAFF INITIAL HB

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

### DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Staff asked the city attorney to prepare the document necessary to complete the special assessment process now that construction is winding down. The following schedule completes the process prior to Ramsey County's November 30 deadline to receive special assessment rolls:

- October 22 – Resolution Calling for Hearing on Proposed Assessment.
- Immediately following October 22 – notice published at least once and mail notice to each property owner no less than 2 weeks prior to the hearing.
- November 12 - Assessment hearing – Resolution Adopting Assessment.
- November 26 - Date for continued assessment hearing if necessary.

For this meeting, the City Council must approve the resolution calling for a hearing on the proposed special assessments. The resolution establishes November 12 as the date of the public hearing. After this meeting, staff will send notice to affected property owners of their proposed special assessment amount with information about the special assessment hearing.

### STAFF RECOMMENDATION:

Motion to adopt Resolution No. 102219D—A Resolution Calling for Hearing on Proposed Assessment.

RESOLUTION NO. 102219D

CITY OF LAUDERDALE  
COUNTY OF RAMSEY  
STATE OF MINNESOTA

RESOLUTION CALLING FOR HEARING ON PROPOSED ASSESSMENT

WHEREAS, by a resolution passed by the city council on October 8, 2019, the city clerk-administrator was directed to prepare a proposed assessment of the cost of the improvement of Eustis Street between Larpenteur Avenue and Roselawn Avenue and Roselawn Avenue between Fulham Street and the T.H. 280 right-of-way; and

WHEREAS, the city clerk-administrator has notified the council that such proposed assessment has been completed and filed in her office for public inspection.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAUDERDALE, MINNESOTA:

1. A hearing shall be held at 7:30 p.m. on November 12, 2019 in the city hall located at 1891 Walnut Street, Lauderdale, Minnesota 55113, to pass upon such proposed assessment. All persons owning property affected by such improvement will be given an opportunity to be heard with reference to such assessment.

2. The city clerk-administrator is hereby directed to cause a notice of the hearing on the proposed assessment to be published once in the official newspaper at least two weeks prior to the hearing, and she shall state in the notice the total cost of the improvement. She shall also cause mailed notice to be given to the owner of each parcel described in the assessment roll not less than two weeks prior to the hearing.

3. The owner of any property so assessed may, at any time prior to certification of the assessment to the county auditor, pay the whole or part of the assessment on such property, with interest accrued to the date of payment, to the city treasurer, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. An owner may at any time thereafter, pay to the city treasurer the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

Adopted by the city council of the city of Lauderdale this 22<sup>nd</sup> day of October, 2019.

\_\_\_\_\_  
Mary Gaasch, Mayor

Attest:

\_\_\_\_\_  
Heather Butkowski, City Clerk-Administrator

## LAUDERDALE COUNCIL ACTION FORM

### Action Requested

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

Meeting Date October 22, 2019

ITEM NUMBER 1937 Pleasant Abatement

STAFF INITIAL AB

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

### DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

For some time, the City Council and staff have received messages from residents concerned about the tarps at 1937 Pleasant Street. The concerns have been varied including: a breeding ground for mosquitos, housing rodents, and aesthetically unappealing. In discussing the matter with the city's legal council, they advised that the City Council can abate the nuisance if in violation of:

Title 4, Chapter 6: Public Nuisance

Whoever by his or her act or failure to perform a legal duty intentionally does any of the following is guilty of maintaining a public nuisance, which is a misdemeanor:

A. Maintains or permits a condition which unreasonably annoys, injures or endangers the safety, health, morals, comfort or repose of any considerable number of members of the public...

The owner of the property received the attached letters concerning this meeting. Additionally, neighbors around the property were notified of tonight's hearing on the matter. Also included are photos and aerials of the tarps. Some have better resolution than others. The aerial taken by Ramsey County in 2015 shows the tarps. Their previous aerial taken in 2011 did not show the presence of tarps.

The purpose of this meeting is to determine if a nuisance exists by taking comment from the owner of the property and members of the public. If the Council determines that a nuisance exists, it can direct staff to abate the nuisance by removing and disposing of the tarps.

### OPTIONS:

Determine whether the issues at 1937 Pleasant Street are a nuisance that requires abatement.

### STAFF RECOMMENDATION:





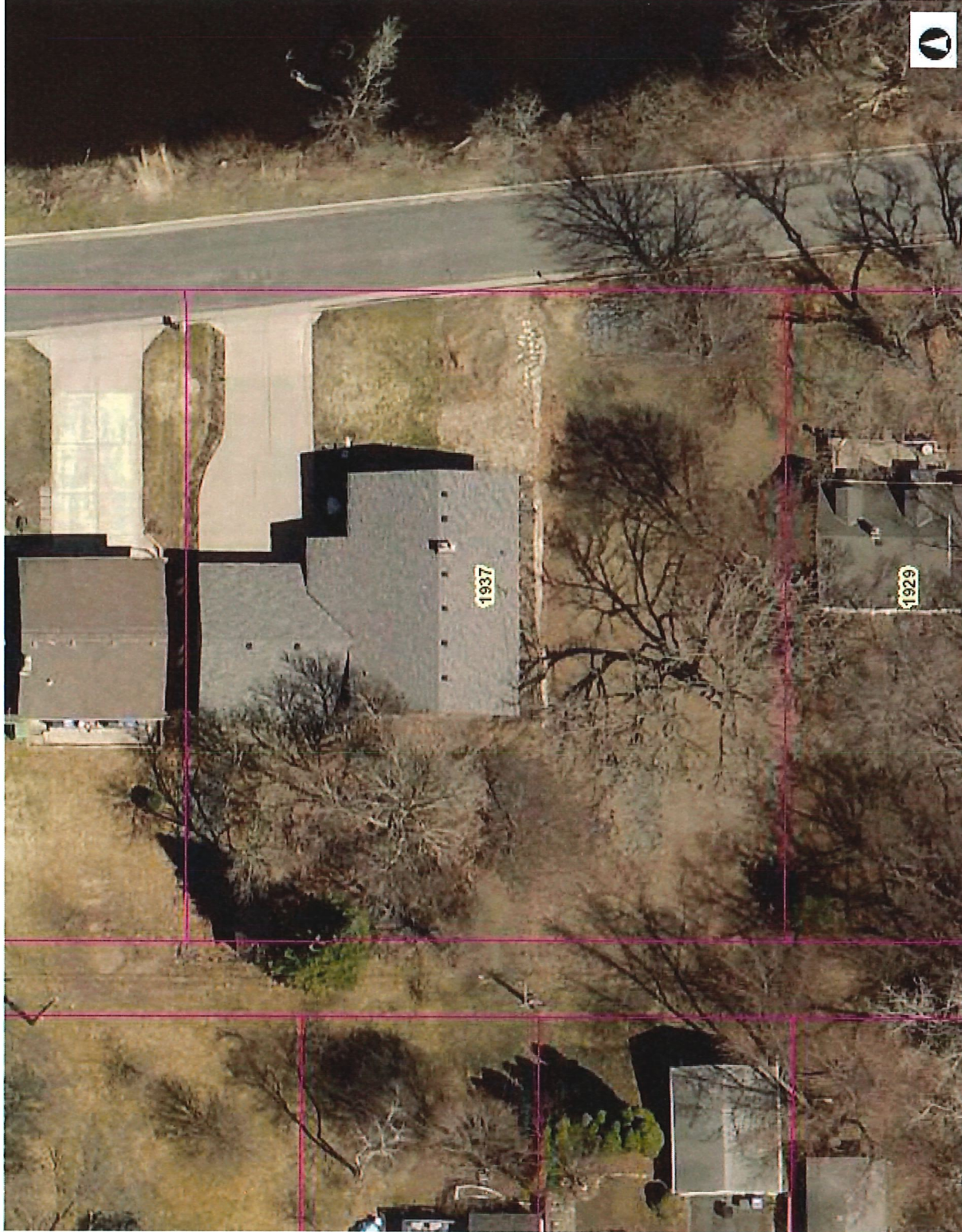








# RC Aerial - 2018



60.0 0 30.00 60.0 Feet

NAD\_1983\_HARN\_Adj\_MN\_Ramsey\_Feet  
© Ramsey County Enterprise GIS Division

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries

## Notes

Enter Map Description



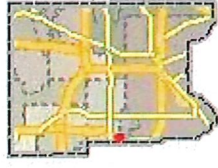


100.0 0 50.00 100.0 Feet

NAD\_1983\_HARN\_Adj\_MN\_Ramsey\_Feet  
© Ramsey County Enterprise GIS Division

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## Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries

## Notes

Enter Map Description





100.0 0 50.00 100.0 Feet

NAD\_1983\_HARN\_Ajri\_MN\_Ramsey\_Feet  
© Ramsey County Enterprise GIS Division

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THIS MAP IS NOT TO BE USED FOR NAVIGATION

## Legend



- City Halls
- Schools
- Hospitals
- Fire Stations
- Police Stations
- Recreational Centers
- Parcel Points
- Parcel Boundaries

## Notes

Enter Map Description



Google Maps 1941 Pleasant St

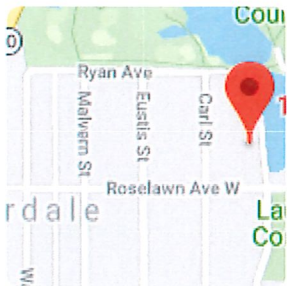


Image capture: Jul 2011 © 2019 Google

Lauderdale, Minnesota

Google

Street View - Jul 2011





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

October 2, 2019

John Mulhern  
1937 Pleasant Street  
Lauderdale, MN 55113

Dear John,

This letter is providing notice of violations per Title 4, Chapter 6 of City Code.

Per 4-6-11 Public Nuisance.

Whoever by his or her act or failure to perform a legal duty intentionally does any of the following is guilty of maintaining a public nuisance, which is a misdemeanor:

- A. Maintains or permits a condition which unreasonably annoys, injures or endangers the safety, health, morals, comfort or repose of any considerable number of members of the public;...

From our conversations, I understand the tarps in your yard are intended to eradicate weeds in advance of planting new grass. The tarps have been there for multiple growing seasons during which you have made no effort to remove them to plant grass. As such, this letter is notice that you have one week from the date of this letter, October 9, 2019, to remove the tarps from all locations in your yard. Failure to do so will result in a letter notifying you of the date and time the City Council will consider abatement of the violations.

As the property owner, you are liable for all costs of removal and will be billed for the cost of the service plus an administrative fee. Unpaid abatement charges will be assessed to the property.

I sincerely hope you remove the tarps yourself so the abatement process is unnecessary. I know from previous conversations that your intention is to plant a low-mow grass. Fall is a great time to start grass; there is still time to get that going this year. Please call me if you have any questions - 651.792.7657.

Sincerely,

Heather Butkowski  
City Administrator



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

October 10, 2019

John Mulhern  
1937 Pleasant Street  
Lauderdale, MN 55113

Dear John,

You received a letter dated October 2, 2019 identifying a public nuisance on your property. The letter instructed you to remove the tarps in your yard by October 9, 2019. As of today, that nuisance has not been remedied. This letter is providing you notice of the date and time the City Council will consider abatement of the violations.

The City Council will consider the violations at their October 22, 2019 City Council meeting. The meeting will be held at Lauderdale City Hall starting at 7:30 p.m. You have the right to appeal. I must receive the appeal in writing no later than seven days after the date of this letter.

At that meeting, the City Council has the authority to direct staff to remove the violations. Prior to making a decision, the Council will hold a hearing on the matter. If the Council orders the abatement, you are liable for all costs of removal and will be billed for the cost of the service plus an administrative fee. Unpaid abatement charges will be assessed to the property.

I sincerely hope you remove the tarps yourself so the abatement process is unnecessary. Please call me if you have any questions - 651.792.7657.

Sincerely,

Heather Butkowski  
City Administrator





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

October 15, 2019

Michelle and Richard Swanson  
2023 Schulenberg Aly  
Stillwater, MN 55082-4269

Dear Mr. and Ms. Swanson,

I have heard concerns from community members about the tarps at 1937 Pleasant Street that have remained through a number of growing seasons. Recently, the owner of the property was notified that he is maintaining a public nuisance per Title 4, Chapter 6 of City Code which reads as follows:

Public Nuisance.

Whoever by his or her act or failure to perform a legal duty intentionally does any of the following is guilty of maintaining a public nuisance, which is a misdemeanor:

- A. Maintains or permits a condition which unreasonably annoys, injures or endangers the safety, health, morals, comfort or repose of any considerable number of members of the public;...

I encouraged the owner to remove the tarps but as of today they remain. Therefore, based on the concerns of neighbors and members of the public, the City Council will consider abating the nuisance at their October 22, 2019 City Council meeting. The meeting will be held at Lauderdale City Hall starting at 7:30 p.m. Prior to making a decision, the Council will hold a hearing on the matter. If you have concerns regarding the matter, please plan to attend the city council meeting or send me a statement you would like read at the meeting. Due to data practices laws, I am unable to share information you may have previously shared with me.

Please call me if you have any questions - 651.792.7657.

Sincerely,

Heather Butkowski  
City Administrator

**CHAPTER 6:**  
**HEALTH AND SAFETY; NUISANCES**

Section

**General Provisions**

- 4-6-1 Assessable current services
- 4-6-2 Tree diseases

**Nuisances**

- 4-6-10 Definitions
- 4-6-11 Public nuisance
- 4-6-12 Public nuisances affecting health
- 4-6-13 Public nuisances affecting morals and decency
- 4-6-14 Public nuisances affecting peace and safety
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**Enforcement and Penalties**

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- 4-6-40 Jurisdiction
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## GENERAL PROVISIONS

### 4-6-01 ASSESSABLE CURRENT SERVICES.

A. Definition. For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

CURRENT SERVICE: Shall mean one or more of the following: snow, ice, or rubbish removal from sidewalks; weed elimination from street grass plots adjacent to sidewalks in the public right-of-way or from private property; removal or elimination of public health or safety hazards from private property, excluding any hazardous building included in Minnesota Statute sections 463.15 through 463.26 as they may be amended from time to time; installation or repair of water service lines; street sprinkling, street flushing, light street oiling, or other dust treatment of streets; repair of sidewalks and alleys; trimming and care of trees and removal of unsound and insect-infected trees from the public streets or private property; and the operation of a street lighting system.

B. Snow, ice, dirt and rubbish.

1. Duty of owners and occupants. The owner and the occupant of any property adjacent to a public sidewalk shall use diligence to keep the walk safe for pedestrians. The owner and occupant shall not allow snow, ice, dirt or rubbish to remain on the walk longer than 24 hours after its deposit thereon. The owner and occupant of any property are responsible for clearing the snow, ice, dirt or rubbish down to the pavement. Failure to comply with this section shall constitute a violation.

2. Removal by City. The City Administrator or other person designated by the City Council may cause removal from all public sidewalks all snow, ice, dirt and rubbish as soon as possible beginning 24 hours after any matter has been deposited thereon or after the snow has ceased to fall. The City Administrator or other designated person shall keep a record showing the cost of removal adjacent to each separate lot and parcel. Notwithstanding any provisions of this section to the contrary, upon removal of all snow, ice, dirt and rubbish by the City, the City Administrator shall prepare and send a bill to the property owner of the abutting property for the cost of the removal services. The property owner shall then have 60 days to pay such bill, after which time such interest or penalty may be added to the bill as otherwise authorized by the City Council. At the time of preparing assessments in accordance with subdivision F, the City Administrator shall cause all unpaid and outstanding balances to be assessed as unpaid special charges in accordance with Minnesota Statutes, Section 429.101.

C. Public health and safety hazards. When the City removes or eliminates public health or safety hazards from private property under the following provisions of this chapter, the administrative officer responsible for doing the work shall keep a record of the cost of the removal or elimination against each parcel of property affected and annually deliver that information to the City Administrator.

D. Personal liability. The owner of property on which or adjacent to which a current service has been performed shall be personally liable for the cost of the service. As soon as the service has been completed and the cost determined, the City Administrator, or other designated official, shall prepare a bill and mail it to the owner and thereupon the amount shall be immediately due and payable at the office of the City Administrator.

E. Damage to public property. Any person driving any vehicle, equipment, object or contrivance upon any street, road, highway or structure shall be liable for all damages which the surface or structure thereof may sustain as a result of any illegal operation, or driving or moving of the vehicle, equipment or object or contrivance; or as a result of operating, driving or moving any vehicle, equipment, object or contrivance weighing in excess of the maximum weight permitted by statute or this code. When the driver is not the owner of the vehicle, equipment, object or contrivance, but is operating, driving or moving it with the express or implied permission of the owner, then the owner and the driver shall be jointly and severally liable for any such damage. Any person who willfully acts or fails to exercise due care and by that act damages any public property shall be liable for the amount thereof, which amount shall be collectable by action or as a lien under Minnesota Statute section 514.67, as it may be amended from time to time.

F. Assessment. On or before November 1 of each year, the City Administrator shall list the total unpaid charges for each type of current service and charges under this section against each separate lot or parcel to which they are attributable under this section. The City Council may then spread the charges against property benefited as a special assessment under the authority of Minnesota Statute section 429.101 as it may be amended from time to time and other pertinent statutes for certification to the County Auditor and collection along with current taxes the following year or in annual installments, not exceeding ten, as the City Council may determine in each case.

#### **4-6-2 TREE DISEASES.**

A. Trees constituting nuisance declared. The following are public nuisances whenever they may be found within the city:

1. Any living or standing elm tree or part thereof infected to any degree with the Dutch Elm disease fungus *Ceratocystis Ulmi (Buisman) Moreau* or which harbors any of the elm bark beetles *Scolytus Multistriatus (Eichh.)* or *Hylungopinus Rufipes (Marsh)*;

2. Any dead elm tree or part thereof, including branches, stumps, firewood or other elm material from which the bark has not been removed and burned or sprayed with an effective elm bark beetle insecticide;

3. Any living or standing oak tree or part thereof infected to any degree with the Oak Wilt fungus *Ceratocystis fagacearum*;

4. Any dead oak tree or part thereof which in the opinion of the designated officer

constitutes a hazard, including but not limited to logs, branches, stumps, roots, firewood or other oak material which has not been stripped of its bark and burned or sprayed with an effective fungicide;

5. Any other shade tree with an epidemic disease.

B. Abatement of nuisance. It is unlawful for any person to permit any public nuisance as defined in subdivision A of this section to remain on any premises the person owns or controls within the city. The nuisance may be abated as provided in 4-6-17 and 4-6-18.

C. Record of costs. The City Administrator shall keep a record of the costs of abatement done under this section for all work done for which assessments are to be made, stating and certifying the description of the land, lots, parcels involved, and the amount chargeable to each.

D. Unpaid charges. On or before November 1 of each year, the City Administrator shall list the total unpaid charges for each abatement against each separate lot or parcel to which they are attributable under this section. The City Council may then spread the charges or any portion thereof against the property involved as a special assessment as authorized by Minnesota Statute section 429.101 as it may be amended from time to time and other pertinent statutes for certification to the County Auditor and collection the following year along with the current taxes.

## **NUISANCES**

### **4-6-10 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**PRIZE FIGHTING:** May include any activity or event, regardless of how named or described, or any other form of entertainment, where the primary practice involves individuals engaged in physical contact by striking an opponent with the hands, feet, head, or body. This shall include, but not be limited to, any event or contest where kicking, punching, martial arts, submission holds, knockouts, technical knockouts, and/or cage fighting are permitted.

### **4-6-11 PUBLIC NUISANCE.**

Whoever by his or her act or failure to perform a legal duty intentionally does any of the following is guilty of maintaining a public nuisance, which is a misdemeanor:

A. Maintains or permits a condition which unreasonably annoys, injures or endangers the safety, health, morals, comfort or repose of any considerable number of members of the public;

B. Interferes with, obstructs or renders dangerous for passage any public highway or right-of-way, or waters used by the public; or

C. Is guilty of any other act or omission declared by law or 4-6-11, 4-6-12, or 4-6-13, or any other part of this code to be a public nuisance and for which no sentence is specifically provided.

#### **4-6-12 PUBLIC NUISANCES AFFECTING HEALTH.**

The following are hereby declared to be nuisances affecting health:

- A. Exposed accumulation of decayed or unwholesome food or vegetable matter;
- B. All diseased animals running at large;
- C. All ponds or pools of stagnant water;
- D. Carcasses of animals not buried or destroyed within 24 hours after death;
- E. Accumulations of manure, refuse or other debris;
- F. Privy vaults and garbage cans which are not rodent-free or fly-tight or which are so maintained as to constitute a health hazard or to emit foul and disagreeable odors;
- G. The pollution of any public well or cistern, stream or lake, canal or body of water by sewage, industrial waste or other substances;
- H. All noxious weeds and other rank growths of vegetation upon public or private property;
- I. Dense smoke, noxious fumes, gas and soot, or cinders, in unreasonable quantities;
- J. All public exposure of people having a contagious disease;
- K. Any offensive trade or business as defined by statute not operating under local license;
- L. Yard Waste Composting: Purpose. Properly managed yard waste composting provides valuable nutrients for gardens. Improperly managed operations can cause objectionable odors, rodent harborages, and unsightly waste piles. The purpose of this section is to describe acceptable composting operations.

##### 1. Requirements for properly managed private compost operations.

- a. Notwithstanding the provisions of 4-2-9 relating to Private Composting, compost piles and containers shall be located in rear yards only and at least two feet from the hard surface of an alley. Compost piles and containers may be no closer than 40 feet from any residential dwelling located on an adjacent property. Said 40 feet is to be measured horizontally to the foundation of the nearest living space within the

structure to the nearest edge of the proposed compost pile location.

b. Composted yard waste must be managed so as to prevent the scattering of yard waste or other material beyond the pile or container.

c. Composted yard waste must be periodically mixed to promote rapid biological degradation.

d. Compost containers and piles must be maintained in a manner to prevent them from becoming habitat for rodents.

e. Only yard waste that will readily decompose within one year may be composted. Unmanaged piles of leaves do not inherently meet the composting requirements of this section.

f. Only the yard waste and vegetable matter which are produced on the premises can be composted on the premises. Property owner must have a demonstrated use for the compost.

2. Informational materials. The city shall offer technical assistance and informational materials on the proper operation and maintenance of a composting operation.

3. Violations. It is unlawful to carry out composting operations in violation of the requirements of this section and section 4-2-9. Violation may be abated as a public nuisance under section 4-6-18 of this code.

#### **4-6-13 PUBLIC NUISANCES AFFECTING MORALS AND DECENCY.**

The following are hereby declared to be nuisances affecting public morals and decency:

A. All gambling devices, slot machines and punch boards, except as otherwise authorized by federal, state or local law;

B. Betting, bookmaking, and prize fighting, and all apparatus used in those occupations;

C. All houses kept for the purpose of prostitution or promiscuous sexual intercourse, gambling houses, houses of ill fame and bawdy houses;

D. All places where intoxicating liquor is manufactured or disposed of in violation of law or where, in violation of law, people are permitted to resort for the purpose of drinking intoxicating liquor, or where intoxicating liquor is kept for sale or other disposition in violation of law, and all liquor and other property used for maintaining that place;

E. Any vehicle used for the unlawful transportation of intoxicating liquor, or for promiscuous sexual intercourse, or any other immoral or illegal purpose.

#### **4-6-14 PUBLIC NUISANCES AFFECTING PEACE AND SAFETY.**

The following are declared to be nuisances affecting public peace and safety:

- A. Intentionally Omitted
- B. All snow and ice not removed from public sidewalks 24 hours after the snow or other precipitation causing the condition has ceased to fall;
- C. All trees, hedges, billboards or other obstructions which prevent people from having a clear view of all traffic approaching an intersection;
- D. All wires and limbs of trees which are so close to the surface of a sidewalk or street as to constitute a danger to pedestrians or vehicles including, but not limited to, all limbs of trees which are less than eight feet (8') above the surface of any public sidewalk or nine feet (9') above the surface of any street, and all wires across public streets, alleys or sidewalks which are strung less than fifteen feet (15') above the surface of the ground;
- E. All obnoxious noises in violation of Minn. Rules Chapter 7030, as they may be amended from time to time which are hereby incorporated by reference into this code;
- F. The discharging of the exhaust or permitting the discharging of the exhaust of any stationary internal combustion engine, motor boat, motor vehicle, motorcycle, all terrain vehicle, snowmobile or any recreational device except through a muffler or other device that effectively prevents loud or explosive noises there from and complies with all applicable state laws and regulations;
- G. No person shall participate in any party or other gathering of people giving rise to noise, unreasonably disturbing the peace, quiet, or repose of another person. When a peace officer determines that a gathering is creating such a noise disturbance, the officer may order all persons present, other than the owner or tenant of the premises where the disturbance is occurring, to disperse immediately. No person shall refuse to leave after being ordered by a peace officer to do so. Every owner or tenant of such premises who has knowledge of the disturbance shall make every reasonable effort to see that the disturbance is stopped;
- H. Obstructions and excavations affecting the ordinary public use of streets, alleys, sidewalks or public grounds except under conditions as are permitted by this code or other applicable law;
- I. Radio aerials, satellite signal receivers, or television antennae erected or maintained in a dangerous manner;
- J. Any use of property abutting on a public street or sidewalk or any use of a public street or sidewalk which causes large crowds of people to gather, obstructing traffic and the free use of the street or sidewalk;
- K. All hanging signs, awnings and other similar structures over streets and sidewalks, so



situated so as to endanger public safety, or not constructed and maintained as provided by ordinance;

L. The allowing of rain water, ice, or snow to fall from any building or structure upon any street, sidewalk, or alley or to flow or fall onto adjacent private property. Dumping, plowing, blowing, or otherwise depositing snow from one private property onto any other private property;

M. Any barbed wire fence less than six feet above the ground and within three feet of a public sidewalk or way;

N. All dangerous, unguarded machinery in any public place, or so situated or operated on private property as to attract the public;

O. Waste water or sanitary sewage, as defined in 8-2-2-1, cast upon or permitted to flow upon streets or other public or private properties;

P. Accumulations in the open of discarded or disused machinery, household appliances, furniture, refuse, automobile bodies or other material in a manner conducive to the harboring of rats, mice, snakes or vermin, or the rank growth of vegetation among the items so accumulated, or in a manner creating fire, health or safety hazards from accumulation;

Q. Any well, hole or similar excavation which is left uncovered or in another condition as to constitute a hazard to any child or other person coming on the premises where it is located;

R. Obstruction to the free flow of water in a natural waterway or a public street drain, gutter or ditch with trash or other materials;

S. The placing or throwing on any street, sidewalk or other public property of any glass, tacks, nails, bottles or other substance which may injure any person or animal or damage any pneumatic tire when passing over the substance;

T. Discharge of Consumer Fireworks

1. Prohibited Acts. The use, display, possession, discharge or sale of any fireworks not expressly permitted by M. S. Section 624.21 is strictly prohibited.

2. Permitted Acts; Limitations. The use, display or discharge of permitted Consumer Fireworks must be conducted in a manner that minimizes the risk of fire or injury to other persons or property. The use, display, or discharge of those non-explosive, non-aerial pyrotechnic entertainment devices only containing the limited amounts of pyrotechnic chemical compositions described in and permitted by Minnesota Statute section 624.20, Subdivision 1(c), hereinafter "Consumer Fireworks," is strictly prohibited in the area on, below, above or within or in close proximity to:

- a. Public property, including schools, parks, sidewalks, roadways, streets, rights of way, highways, alleys, bicycle and pedestrian paths, schools, lakes, rivers, and waterways located in whole or in part within the City limits.
- b. Private property within the City limits that has conspicuously posted a written sign or notice that no fireworks discharge is allowed.
- c. Within five hundred (500) feet of any premises on which Consumer Fireworks are held for sale, display, distribution or storage.
- d. Any property, area, structure or material that by its physical condition or the physical conditions in which it is set would constitute a fire or personal safety hazard;

U. The depositing of garbage or refuse, including leaves, branches, and other yard waste, on a public street, alley, right-of-way, fountain, body of water, or on adjacent private property;

V. The posting or affixing of any notice, poster or sign to any street sign, lamppost, tree, utility pole, public structure or building, except as authorized by law;

W. Dumping, plowing, or otherwise depositing snow from private premises onto any public alley, street, or highway right of way in the City;

X. Accumulating and storing building material, lumber, or firewood in such a manner as to become infested with rodents.

1. Stored items must be stored on an impervious surface, such as a poured concrete slab, or must be elevated above the ground.

2. Firewood piles and other materials may only be located in the rear yards and side yards. Such wood piles and other materials may not encroach on any required rear or side yard set backs and must be a minimum of one foot from buildings used for habitation;

Y. All other conditions or things which are likely to cause injury to the person or property of anyone.

Z. Noises prohibited.

1. General prohibition. No person shall make or cause to be made any distinctly and loudly audible noise that unreasonably annoys, disturbs, injures, or endangers the comfort, repose, health, peace, safety, or welfare of any person or precludes their enjoyment of property or affects their property's value. Any noise plainly audible at the property line of the structure or building in which it is located, in the hallway or apartment adjacent, or at a distance of 50 feet if the source is located outside a structure or building, that is observed by at least two people, one of whom is a peace officer, shall be prima facie evidence of a violation of this section. This general prohibition is not limited by the specific restrictions of this section.

2. Defective vehicles or loads. No person shall use any vehicle so out of repair or so loaded as to create loud and unnecessary grating, grinding, rattling, or other noise.

3. Loading, unloading, unpacking. No person shall create loud or excessive noise in loading, unloading, or unpacking any vehicle.

4. Radios, phonographs, paging systems, and the like. No person shall use or operate or permit the use or operation of any radio receiving set, musical instrument, phonograph, paging system, machine or other device for the production or reproduction of sound in a distinct and loudly audible manner as to unreasonably disturb the peace, quiet, and comfort of any person nearby. Operation of any such set, instrument, phonograph, machine or other device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at the property line of the structure or building in which it is located, in the hallway or apartment adjacent, or at a distance of 50 feet if the source is located outside a structure or building, shall be prima facie evidence of a violation of this section.

5. Schools, churches, hospitals, and the like. No person shall create any excessive noise on a street, alley or public grounds adjacent to any school, institution of learning, church or hospital when the noise unreasonably interferes with the working of the institution or disturbs or unduly annoys its occupants or residents and when conspicuous signs indicate the presence of such institution.

#### Hourly restriction of certain operations.

1. Domestic power equipment. No person shall operate a power lawn mower, power hedge clipper, chain saw, mulcher, garden tiller, edger, drill or other similar domestic power maintenance equipment except between the hours of 7:00 a.m. and 10:00 p.m. on any weekday or between the hours of 9:00 a.m. and 10:00 p.m. on any weekend or holiday. Snow removal equipment is exempt from this provision.

2. Refuse hauling. No person shall collect or remove garbage or refuse in any residential district except between the hours of 7:00 a.m. and 8:30 p.m. on Mondays. When Monday is a legal holiday, residential garbage collection shall occur on the Tuesday immediately following the holiday.

3. Construction activities. No person shall engage in or permit construction activities involving the use of any kind of electric, diesel, or gas-powered machine or other power equipment except between the hours of 7:00 a.m. and 10:00 p.m. on any weekday or between the hours of 9:00 a.m. and 10:00 p.m. on any weekend or holiday.

Noise impact statements. The Council may require any person applying for a change in zoning classification or a permit or license for any structure, operation, process, installation or alteration or project that may be considered a potential noise source to submit a noise impact statement on a form prescribed by the Council. It shall evaluate each such statement and take its evaluation into account in approving or disapproving the license or permit applied for or the zoning change requested.

AA. Reflected glare or light from private exterior lighting exceeding 0.5 footcandles as measured on the property line of the property where the lighting is located when abutting any residential parcel, and one footcandle when abutting any commercial or industrial parcel.

AB. Graffiti not removed within 72 hours. Graffiti shall mean any unauthorized writing, printing, marks, signs, symbols, figures, designs, inscriptions, or other drawings which are scratched, scrawled, painted, drawn or otherwise placed on any exterior surface of a building, wall, fence, sidewalk, curb, dumpsters or other permanent structures on public or private property and which has the effect of defacing the property.

#### **4-6-15 NUISANCE PARKING AND STORAGE.**

A. *Declaration of nuisance.* The outside parking and storage on residentially-zoned property of large numbers of vehicles, materials, supplies or equipment not customarily used for residential purposes in violation of the requirements set forth below is declared to be a public nuisance because it (a) obstructs views on streets and private property, (b) creates cluttered and otherwise unsightly areas, (c) prevents the full use of residential streets for residential parking, (d) introduces commercial advertising signs into areas where commercial advertising signs are otherwise prohibited, (e) decreases adjoining landowners' and occupants' enjoyment of their property and neighborhood, and (f) otherwise adversely affects property values and neighborhood patterns.

B. Unlawful storage.

1. A person must not place, store, or allow the placement or storage of ice fish houses, skateboard ramps, playhouses, trampolines, tree houses, or other similar structures in the front-yard area of residential property.

2. A person must not store dumpsters on private property or in the public right-of-way for longer than three (3) months without the written permission of the City Administrator.

3. In addition to the unlawful storage provisions of 10-4-4-B, a person must not place, store, or allow the placement or storage of pipe, lumber, forms, steel, machinery, or similar materials, including all materials used in connection with a business, outside on residential property, unless shielded from public view.

#### **4-6-16 INOPERABLE MOTOR VEHICLES.**

A. It shall be unlawful to keep, park, store or abandon any motor vehicle which is not in operating condition, partially dismantled, used for repair of parts or as a source of repair or replacement parts for other vehicles, kept for scrapping, dismantling or salvage of any kind, or which is not properly licensed for operation with the state, pursuant to Minnesota Statute section 168B.011, Subdivision 3, as it may be amended from time to time.

B. This section does not apply to a motor vehicle enclosed in a building and/or kept out of view from any street, road or alley.

C. Any motor vehicles described in this section constitute a hazard to the health and welfare of the residents of the community in that such vehicles can harbor noxious diseases, furnish a shelter and breeding place for vermin and present physical danger to the safety and well-being of children and citizens; and vehicles containing fluids which, if released into the environment, can and do cause significant health risks to the community.

#### **4-6-17 BUILDING MAINTENANCE AND APPEARANCE.**

A. Declaration of nuisance. Buildings, fences and other structures that have been so poorly maintained that their physical condition and appearance detract from the surrounding neighborhood are declared to be public nuisances because they (a) are unsightly, (b) decrease adjoining landowners and occupants' enjoyment of their property and neighborhood, and (c) adversely affect property values and neighborhood patterns.

B. Standards. A building, fence or other structure is a public nuisance if it does not comply with the following requirements:

1. No part of any exterior surface may have deterioration, holes, breaks, gaps, loose or rotting boards or timbers.

2. Every exterior surface that has had a surface finish such as paint applied must be maintained to avoid noticeable deterioration of the finish. No wall or other exterior surface may have peeling, cracked, chipped or otherwise deteriorated surface finish on more than 20% of:

a. Any one wall or other flat surface; or

b. All door and window moldings, eaves, gutters, and similar projections on any one side or surface.

3. No glass, including windows and exterior light fixtures, may be broken or cracked, and no screens may be torn or separated from moldings.

4. Exterior doors and shutters must be hung properly and have an operable mechanism to keep them securely shut or in place.

5. Cornices, moldings, lintels, sills, bay or dormer windows and similar projections must be kept in good repair and free from cracks and defects that make them hazardous or unsightly.

6. Roof surfaces must be tight and have no defects that admit water. All roof drainage systems must be secured and hung properly.

7. Chimneys, antennae, air vents, and other similar projections must be structurally sound and in good repair. These projections must be secured properly, where applicable, to an exterior wall or exterior roof.

8. Foundations must be structurally sound and in good repair.

#### **4-6-18 DUTIES OF CITY OFFICERS.**

For purposes of 4-6-17 and 4-6-18, the City Police Department or Police Department whose services are contracted for by the City or person designated by the City Council, may enforce the provisions relating to nuisances. Any peace officer or designated person shall have the power to inspect private premises and take all reasonable precautions to prevent the commission and maintenance of public nuisances. Except in emergency situations of imminent danger to human life and safety, no peace officer or designated person shall enter private property for the purpose of inspecting or preventing public nuisances without the permission of the owner, resident or other person in control of the property, unless the officer or person designated has obtained a warrant or order from a court of competent jurisdiction authorizing the entry, as provided in 4-6-30.

#### **4-6-19 ABATEMENT.**

A. Notice. Written notice of violation; notice of the time, date, place and subject of any hearing before the City Council; notice of City Council order; and notice of motion for summary enforcement hearing shall be given as set forth in this section.

1. Notice of violation. Written notice of violation shall be served by a peace officer or designated person on the owner of record or occupant of the premises either in person or by certified or registered mail. If the premises is not occupied, the owner of record is unknown, or the owner of record or occupant refuses to accept notice of violation, notice of violation shall be served by posting it on the premises.

2. Notice of City Council hearing. Written notice of any City Council hearing to determine or abate a nuisance shall be served on the owner of record and occupant of the premises either in person or by certified or registered mail. If the premises is not occupied, the owner of record is unknown, or the owner of record or occupant refuses to accept notice of the City Council hearing, notice of City Council hearing shall be served by posting it on the premises.

3. Notice of City Council order. Except for those cases determined by the city to require summary enforcement, written notice of any City Council order shall be made as provided in Minnesota Statute section 463.17 (Hazardous and Substandard Building Act), as it may be amended from time to time.

4. Notice of motion for summary enforcement. Written notice of any motion for summary enforcement shall be made as provided for in Minnesota Statute section 463.17 (Hazardous and Substandard Building Act), as it may be amended from time to time.

B. Procedure. Whenever a peace officer or designated person determines that a public nuisance is being maintained or exists on the premises in the city, the officer or person designated shall notify in writing the owner of record or occupant of the premises of such fact and order that the nuisance be terminated or abated. The notice of violation shall specify the steps to be taken to abate the nuisance and the time within which the nuisance is to be abated. If the notice of violation is not complied with within the time specified, the officer or designated person shall report that fact forthwith to the City Council. Thereafter, the City Council may, after notice to the owner or occupant and an opportunity to be heard, determine that the condition identified in the notice of violation is a nuisance and further order that if the nuisance is not abated within the time prescribed by the City Council, the city may seek injunctive relief by serving a copy of the City Council order and notice of motion for summary enforcement or obtain an administrative search and seizure warrant and abate the nuisance.

C. Emergency procedure; summary enforcement. In cases of emergency, where delay in abatement required to complete the notice and procedure requirements set forth in divisions (A) and (B) of this section will permit a continuing nuisance to unreasonably endanger public health safety or welfare, the City Council may order summary enforcement and abate the nuisance. To proceed with summary enforcement, the officer or designated person shall determine that a public nuisance exists or is being maintained on premises in the city and that delay in abatement of the nuisance will unreasonably endanger public health, safety or welfare. The officer or designated person shall notify in writing the occupant or owner of the premises of the nature of the nuisance and of the city's intention to seek summary enforcement and the time and place of the City Council meeting to consider the question of summary enforcement. The City Council shall determine whether or not the condition identified in the notice to the owner or occupant is a nuisance, whether public health, safety or welfare will be unreasonably endangered by delay in abatement required to complete the procedure set forth in division (A) of this section, and may order that the nuisance be immediately terminated or abated. If the nuisance is not immediately terminated or abated, the City Council may order summary enforcement and abate the nuisance.

D. Immediate abatement. Nothing in this section shall prevent the city, without notice or other process, from immediately abating any condition which poses an imminent and serious hazard to human life or safety.

#### **4-6-20 RECOVERY OF COST.**

A. Personal liability. The owner of premises on which a nuisance has been abated by the city shall be personally liable for the cost to the city of the abatement, including administrative costs. As soon as the work has been completed and the cost determined, the City Administrator or other official shall prepare a bill for the cost and mail it to the owner. Thereupon the amount shall be immediately due and payable at the office of the City Administrator.

B. Assessment. After notice and hearing as provided in Minnesota Statute section 429.061, as it may be amended from time to time, if the nuisance is a public health or safety hazard on private property, the accumulation of snow and ice on public sidewalks, the growth of weeds on private property or outside the traveled portion of streets, or unsound or insect-infected trees, the City Administrator shall, on or before November 1 following abatement of the nuisance, list the total unpaid charges along with all other charges as well as other charges for current services to be assessed under Minnesota Statute section 429.101 against each separate lot or parcel to which the charges are attributable. The City Council may then spread the charges against the property under that statute and other pertinent statutes for certification to the County Auditor and collection along with current taxes the following year or in annual installments, not exceeding ten, as the City Council may determine in each case.

## **ENFORCEMENT AND PENALTIES**

### **4-6-30 PENALTY.**

Violation of any provision of this chapter, including maintaining a nuisance after being notified in writing by first class mail of a violation of any provision of this chapter, shall be a misdemeanor and punished as provided in 4-6-33.

### **4-6-31 ENFORCEMENT.**

A. Any licensed peace officer employed or whose services are contracted for by the City, the County Sheriff, any Deputy County Sheriff, or the Minnesota State Patrol (MSP), shall have the authority to enforce any provision of this chapter.

B. As permitted by Minnesota Statute section 626.862, as it may be amended from time to time, the City Administrator shall have the authority to administer and enforce this code. In addition, under that statutory authority, certain individuals designated within the code or by the City Administrator or City Council shall have the authority to administer and enforce the provisions specified. All and any person or persons designated may issue a citation in lieu of arrest or continued detention to enforce any provision of the code.

C. The City Administrator and any city official or employee designated by this code who has the responsibility to perform a duty under this code may with the permission of a licensee of a business or owner of any property or resident of a dwelling, or other person in control of any premises, inspect or otherwise enter any property to enforce compliance with this code.

D. If the licensee, owner, resident, or other person in control of a premises objects to the inspection of or entrance to the property, the City Administrator, peace officer, or any employee or official charged with the duty of enforcing the provisions of this code may, upon showing that probable cause exists for the issuance of a valid search warrant from a court of competent jurisdiction, petition and obtain a search warrant before conducting the inspection or otherwise entering the property. This warrant shall be only to determine whether the provisions of this code



enacted to protect the health, safety and welfare of the people are being complied with and to enforce these provisions only, and no criminal charges shall be made as a result of the warrant.

E. Every licensee, owner, resident or other person in control of property within the city shall permit at reasonable times inspections of or entrance to the property by the City Administrator or any other authorized city officer or employee only to enforce these code provisions. Unreasonable refusal to permit the inspection of or entrance to the property shall be grounds for termination of any and all permits, licenses or city service to the property. Mailed notice shall be given to the licensee, owner, resident or other person in control of the property, stating the grounds for the termination, and the licensee, owner, resident or other person in control of the property shall be given an opportunity to appear before the City Administrator to object to the termination before it occurs, subject to appeal of the Administrator decision to the City Council at a regularly scheduled or special meeting.

F. Nothing in this section shall be construed to limit the authority of the City to enter private property in urgent emergency situations where there is an imminent danger in order to protect the public health, safety and welfare.

#### **4-6-32 GENERAL PENALTY.**

A. Any person, firm, or corporation who violates any provision of this code for which another penalty is not specifically provided, shall, upon conviction, be guilty of a misdemeanor under Minnesota Statute section 609.03, as it may be amended from time to time by the Minnesota Legislature.

B. Any person, firm or corporation who violates any provision of this code, including Minnesota Statutes specifically adopted by reference, which is designated to be a petty misdemeanor shall, upon conviction, be guilty of a petty misdemeanor. The penalty for any petty offense is defined by Minnesota Statute section 609.0331, as it may be amended from time to time by the Minnesota Legislature.

C. In either the case of a misdemeanor or a petty misdemeanor, the costs of prosecution may be added. A separate offense shall be deemed committed upon each day during which a violation occurs or continues.

D. The failure of any officer or employee of the city to perform any official duty imposed by this code shall not subject the officer or employee to the penalty imposed for a violation.

E. In addition to any penalties provided for in this section or in 4-5-31, if any person, firm or corporation fails to comply with any provision of this code, the Council or any city official designated by it, may institute appropriate proceedings at law or at equity to restrain, correct or abate the violation.

## **WEEDS**

#### **4-6-40 JURISDICTION.**

This subchapter shall be in addition to any state statute or county ordinance presently in effect, subsequently added, amended or repealed.

#### **4-6-41 DEFINITIONS; EXCLUSIONS.**

A. For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**INSPECTOR.** The person designated by the City Council to inspect properties located within the corporate limits of the city and to file the notices and letters required by this subchapter.

**PROPERTY OWNER.** The person occupying the property, the holder of legal title or a person having control over the property of another, such as a right-of-way, easement, license or lease.

**WEEDS, GRASSES and RANK VEGETATION.** Includes but is not limited to the following:

1. Noxious weeds and rank vegetation shall include but not be limited to: alum (allium), Buckthorn, Bur Cucumber, Canada Thistle, Corncockle, Cressleaf Groundsel, Curly Dock, Dodder, Field Bindweed, French Weed, Hairy Whitetop, Hedge Bindweed, Hoary Cress, Horsenettle, Johnsongrass, Leafy Spurge, Mile-A-Minute Weed, Musk Thistle, Oxeye Daisy, Perennial Sowthistle, Poison Hemlock, Purple Loosestrife, Quackgrass, Russian Knapweed, Russian Thistle, Serrated Tussock, Shatter Cane, Sorghum, Wild Carrot, Wild Garlic, Wild Mustard, Wild Onion, Wild Parsnip;

2. Grapevines when growing in groups of 100 or more and not pruned, sprayed, cultivated, or otherwise maintained for two consecutive years;

3. Bushes of the species of tall, common, or European barberry, further known as *berberis vulgaris* or its horticultural varieties;

4. Any weeds, grass, or plants, other than trees, bushes, flowers, or other ornamental plants, growing to a height exceeding 8 inches;

5. Rank vegetation includes the uncontrolled, uncultivated growth of annuals and perennial plants;

6. The term *weeds* does not include shrubs, trees, cultivated plants or crops.

B. In no event shall cultivated plants or crops include plants which have been defined by state statute or administrative rule as being noxious or detrimental plants.

**4-6-42 OWNERS RESPONSIBLE FOR TRIMMING AND REMOVAL**

All property owners shall be responsible for the removal, cutting, or disposal and elimination of weeds, grasses and rank vegetation or other uncontrolled plant growth on their property, which at the time of notice, is in excess of 8 inches in height.

**4-6-43 FILING COMPLAINT.**

Any person, including the city, who believes there is property located within the corporate limits of the city which has growing plant matter in violation of this subchapter shall make a written complaint signed, dated and filed with the City Administrator.

**4-6-44 NOTICE OF VIOLATIONS.**

A. Upon receiving a complaint as described in 4-6-43, the Inspector shall inspect the subject property. If pursuant to this inspection a violation of this subchapter is observed, the Inspector shall send the Property Owner or the occupant of the subject property a Notice describing the violations under this subchapter and directing the Property Owner or the occupant to remove the violation within two (2) weeks. This Notice of Violations shall be served in writing by certified mail and filed with the City Administrator.

B. Certified mailings to the City Administrator or others is deemed filed on the date of posting to the United States Postal Service.

**4-6-45 NON-COMPLIANCE LETTER.**

A. If the Property Owner or occupant does not comply with the Notice of Violations, the Inspector shall send the Property Owner and occupant of the subject property a Non-Compliance Letter notifying the Property Owner and occupant that the City Council will consider the violations described in the Non-Compliance Letter and that the City Council has the authority to approve a Destruction Order directing a designated city staff person, its agents, representatives, or designees to remove the violations at the Property Owner's expense. The Non-Compliance Letter shall also notify the Property Owner of its right to appeal. This Non-Compliance Letter shall be served in writing by certified mail and filed with the City Administrator.

B. This Destruction Order may be approved by the City Council two (2) weeks after the Non-Compliance Letter was filed.

**4-6-46 APPEALS.**

A. The Property Owner has the right to appeal the Inspector's findings as described in the Notice of Violations or the Non-Compliance Letter.

B. Appeals by the Property Owner must be received in writing by the City Administrator no later than seven (7) days after the Non-Compliance Letter was filed. The Property Owner has the burden of demonstrating compliance with this subchapter.

C. Appeals by the Property Owner shall be considered by the City Council prior to approving a Destruction Order.

#### **4-6-47 DESTRUCTION ORDER; LIABILITY FOR COSTS.**

A. If after considering the violations described in the Notice of Violations and the Non-Compliance Letter and any appeals by the Property Owner, the City Council may approve a Destruction Order directing a designated city staff person, its agents, representatives, or designees to remove the violations to conform to this subchapter by all lawful means. The city may seek injunctive relief by serving a notice of motion for summary enforcement or obtain an administrative search and seizure warrant to remove the violation.

B. The Property Owner is liable for all costs of removal, cutting, or destruction of Weeds, Grasses, and Rank Vegetation.

C. The Property Owner is responsible for all collection costs associated with the Destruction Order, including but not limited to court costs, attorneys' fees, and interest on any unpaid amounts incurred by the city pursuant to this subchapter. If the city uses its municipal employees to remove the violations, it shall set and assign a reasonable per hour rate for employees, equipment, supplies, and chemicals that may be used.

D. All sums payable by the Property Owner are to be paid to the City Administrator and shall be deposited in a general fund as compensation for expenses and costs incurred by the city.

E. All sums payable by the Property Owner may be collected as a special assessment pursuant to Minnesota Statute Chapter 429, as amended from time to time.

F. The Property Owner or other responsible party in control of the property, upon the request of the designated city staff person, its agents, representatives, or designees, shall provide access to the property for the purpose of enforcing and assuring compliance with this subchapter after the procedures set forth in this subchapter have been followed.

#### **4-6-48 EFFECTIVE DATE.**

This ordinance shall be effective upon its adoption and publication.

**LAUDERDALE COUNCIL  
ACTION FORM**

**Action Requested**

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

Meeting Date October 22, 2019

ITEM NUMBER 2020 Fund Budgets & Rates

STAFF INITIAL \_\_\_\_\_



APPROVED BY ADMINISTRATOR

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

Staff were unable to complete in time. We will bring a rough draft of the fund budgets to the meeting for a discussion.

**STAFF RECOMMENDATION:**