

LAUDERDALE CITY COUNCIL
MEETING MINUTES
HELD REMOTELY VIA TELECONFERENCE

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November 24, 2020

Call to Order

Mayor Gaasch called the Regular City Council meeting to order at 7:04 p.m.

Roll Call

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

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

Approvals

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

Mayor Gaasch asked if there were any corrections to the minutes of the November 10, 2020 city council meeting. There being none, Councilor Dains moved and seconded by Councilor Moffatt to approve the minutes of the November 10, 2020 city council meeting. Motion carried unanimously on a roll call vote.

Mayor Gaasch asked if there were any corrections to the minutes of the November 12, 2020 canvassing board meeting. There being none, Councilor Moffatt moved and seconded by Councilor Dolphin to approve the minutes of the November 12, 2020 canvassing board meeting. Motion carried unanimously on a roll call vote.

Mayor Gaasch asked if there were any questions on the claims. There being none, Councilor Dolphin moved and seconded by Councilor Dains to approve the claims totaling \$31,203.82. Motion carried unanimously on a roll call vote.

Consent

Councilor Moffatt moved and seconded by Councilor Dains to approve the Consent Agenda thereby acknowledging the October financial report.

Informational Presentations/Reports

A. City Council Updates

Mayor Gaasch stated that because of the number of items on the agenda, she will save her updates for a later meeting.

Public Hearings

A. Alley Vacation at 1795 Eustis Street

Jennifer Haskamp provide information on the process to vacate an alley and the specifics of the

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request from Real Estate Equities (REE) to vacate a portion of the alley between Eustis Street and Malvern Street north of Ione Street. Haskamp explained that REE applied to close the alley access to Malvern Street and will dedicate right-of-way for use by the public through the site to Eustis Street. The residents of the proposed senior facility and the current residents on the block would share access.

Mayor Gaasch opening up the floor to anyone in attendance interested in addressing the Council on this topic.

Heather Brian, 1778 Eustis Street, stated that she is not in favor of the easement. She stated that the traffic coming in and out of the new building would create a nuisance for neighboring houses.

Duane Pulford, 1757 Eustis Street, asked whether the City anticipated the traffic pattern changes of the existing owners upon completion of the new building.

There being no additional people interested in speaking, Mayor Gaasch closed the floor.

The Council will vote on this item at a later date.

B. Variance Request for 1847 Fulham Street

Assistant to the City Administrator Bownik addressed the Council to explain the proposed variance request brought forward by Eric and Alyssa McIntosh.

Bownik explained the applicants reconstructed a deck that is attached to the rear of the house. The previous deck was located two feet from the north side property line. The reconstructed deck was built to the north side property line and follows that line for a distance of twelve feet. Zoning regulations require a side yard setback of five feet. Thus, the applicant is requesting a five-foot variance to build to the north property line for a zero-foot setback for the reconstructed deck.

Mayor Gaasch opened up the floor to anyone in attendance interested in addressing the Council on this topic.

Eric and Alyssa McIntosh, 1847 Fulham Street, stated that the variance was for the deck as they planned to come into compliance with the height of the fence not attached to the deck. They said that they stopped building when notified of violations and wanted to come into compliance.

Emma Nauman, 1848 Lake Street, shared that she lives near the McIntosh's and supports their variance application.

There being no additional people interested in speaking, Mayor Gaasch closed the floor.

The Council discussed the recently completed fence ordinance and the intention to maintain the

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standards established. They also discussed that neither this Council nor previous Councils have allowed residents to build up to property lines for a variety of reasons. They also expressed regret as these issues could have been avoided had the applicant sought assistance from city staff or the building official prior to starting construction.

Councilor Moffatt made a motion to deny the variance for a zero-foot setback based on 1) the permit application was submitted after the work was already done, 2) the previous deck was constructed with a two-foot gap from the property line and not to the property line, and 3) the fence does not meet city or state code requirements. This was seconded by Councilor Dolphin and carried unanimously on a roll call vote.

Staff will draft a resolution of denial for consideration at the next council meeting.

Discussion/Action Item

A. Real Estate Equities Final PUD Application for Senior Development at 1795 Eustis Street – Development Agreement

Jennifer Haskamp presented the draft outline of the purchase and development agreement. She highlighted the key provisions that address Council and community questions. She tied the outline to the conditions of the resolution adopted during Phase II of REE's PUD application. A complete draft was expected by the city attorney for the next meeting.

B. Tobacco Ordinance Revisions

Butkowski mentioned that the Council adopted an interim ordinance to pause the issuance of new tobacco licenses in order to update City code to reflect the new federal and state regulations, and to consider the interest of existing tobacco license holders to open tobacco shops to sell a broader selection of flavored tobacco products. The Council adopted the ordinance restricting the sale of flavored tobacco in response to residents' concerns over the increase in tobacco use among young people. While the tobacco license holders would open tobacco shops, they stated their preference would be to resume sales of mint and menthol flavored tobacco products out of their existing convenience stores.

After discussion, the Council directed staff to mail notice to tobacco license holders of the public hearing scheduled for January 12. The draft language would include a prohibition on flavored tobacco in the City.

C. 2020-2021 Skating Rink Hires

Bownik said staff have been preparing to flood and maintain rinks during the winter skating season but not open the warming house to the public. Staff needs approval to hire staff and set the rate of pay at \$15.00 per hour. If that rate doesn't generate enough applicants, staff requests the ability to increase the rate of pay.

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Councilor Dains made a motion authorizing staff to hire employees to flood and maintain the skating rinks at \$15 per hour and the COVID-19 Policy on the condition the activities meet the Governor's Executive Orders. This was seconded by Councilor Moffatt and carried on a roll call vote with Councilors Dains and Moffatt and Mayor Gaasch voting in favor and Councilor Dolphin voting against.

D. 2021 Preliminary Fund Budgets and Utility Rates

Butkowski went through the proposed capital improvement plan and utility rates for 2021, as well as the proposed tax rates and levy impacts for Ramsey County.

Set Agenda for Next Meeting

The December 8 council meeting will include the 2021 budget and levy public hearing; the findings of fact resolution for the 1847 Fulham Street variance request; Real Estate Equities' final PUD application for a senior development at 1795 Eustis Street; a presentation from Doug Cook, the Outreach Coordinator for Metro Transit; and recognition of outgoing Council Member Dolphin.

Work Session

A. Community Development Update

Butkowski stated that tax statements were posted online and would be mailed by Ramsey County property owners shortly.

B. Opportunity for the Public to Address the City Council

Mayor Gaasch opened up the floor to anyone in attendance interested in addressing the Council.

Duane Pulford, 1757 Eustis Street, stated that his property taxes went down \$200 from last year.

Eric McIntosh, 1847 Fulham Street, asked whether he could apply for a new variance requesting the two-foot setback that the previous deck had. The Council said they would consider that.

There being no additional people interested in speaking, Mayor Gaasch closed the floor.

Adjournment

Councilor Dains moved and seconded by Councilor Mofatt to adjourn the meeting at 9:33 p.m. Motion carried unanimously on a roll call vote.

Respectfully submitted,



Miles Cline
Deputy City Clerk