

LAUDERDALE CITY COUNCIL MEETING AGENDA
7:00 P.M. TUESDAY, JUNE 22, 2021

Due to the coronavirus, the city council is holding meetings by teleconference. The public may view the meeting on Lauderdale's public access channel 16 for cable subscribers or online at <https://www.ctvnorthsuburbs.org/your-city/lauderdale/>. The public may join the meeting using the login instructions at the end of the agenda.

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 June 8, 2021 City Council Meeting
 - c. Claims Totaling \$112,645.37
4. **CONSENT**
 - a. May Financial Report
 - b. Temporary On-Sale Liquor License for July Community Event
5. **SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS**
6. **INFORMATIONAL PRESENTATIONS / REPORTS**
 - a. June 24 Community Event Highlighting Public Safety Partners
 - b. City Council Updates
7. **PUBLIC HEARINGS**

Public hearings are conducted so that the public affected by a proposal may have input into the decision. During hearings all affected residents will be given an opportunity to speak pursuant to the Robert's Rules of Order and the standing rules of order and business of the City Council.
8. **DISCUSSION / ACTION ITEM**
 - a. Insurance Renewal Information and Tort Liability Waiver Form
9. **ITEMS REMOVED FROM THE CONSENT AGENDA**
10. **ADDITIONAL ITEMS**
11. **SET AGENDA FOR NEXT MEETING**
 - a. Annual SWPPP Public Hearing

- b. Variance Applications
- c. American Rescue Plan (ARP) Guidance
- d. Amendment to Fire Code Ordinance Appointing New Fire Marshal
- e. NineNorth Contract Renewal

12. WORK SESSION

- a. Community Development Update
- b. 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.

13. ADJOURNMENT

Meeting Login Instructions:

You are invited to a Zoom webinar.

When: Jun 22, 2021 07:00 PM Central Time (US and Canada)

Topic: June 22, 2021 City Council Webinar

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/87401565363?pwd=YmJrTEo5Y2xzNzJoWG1KWXRHMT11UT09>

Passcode: 129637

Or One tap mobile :

US: +13017158592,,87401565363# or +13126266799,,87401565363#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656 or +1 253 215 8782 or +1 346 248 7799 or +1 669 900 9128 or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free) or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free)

Webinar ID: 874 0156 5363

International numbers available: <https://us02web.zoom.us/j/87401565363?pwd=YmJrTEo5Y2xzNzJoWG1KWXRHMT11UT09>

LAUDERDALE CITY COUNCIL
MEETING MINUTES
HELD REMOTELY VIA TELECONFERENCE

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June 8, 2021

Call to Order

Mayor Gaasch called the Regular City Council meeting to order at 7:00 p.m.

Roll Call

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

Councilor absent: Duane Pulford

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

Approvals

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

Mayor Gaasch asked if there were any corrections to the May 25, 2021 city council meeting minutes. There being none, Councilor Grove moved and seconded by Councilor Dains to approve the minutes of the May 25, 2021 city council meeting. Motion carried unanimously on a roll call vote.

Mayor Gaasch asked if there were any questions on the claims. There being none, Councilor Grove moved and seconded by Councilor Dains to approve the claims totaling \$61,098.58. Motion carried unanimously on a roll call vote.

Consent

Councilor Grove moved and seconded by Councilor Dains to approve the Consent Agenda thereby approving the encroachment agreement for a fence at 1792 Lake Street and 1797 Fulham Street and Resolution No. 060821A – Authorizing Publication of Ordinance No. 21-04 by Title and Summary.

Special Order of Business/Recognitions/Proclamations

A. Recognize Miles Cline of Five-Year Work Anniversary

Mayor Gaasch read a proclamation thanking Cline for his five years of service to the City.

Informational Presentations/Reports

A. June 24 Community Event Highlighting Public Safety Partners

Bownik stated that the first summer event will take place on Thursday, June 24 at the Lauderdale Community Park from 6-8 p.m. The City invited our public safety community including the St. Anthony Police Department, the St. Paul Fire Department, and the Ramsey County Sheriff's office which plans to bring the K-9 team, water rescue team, SWAT team, and 911 communications center. Additionally, there will be music, a food truck, and an adult beverage stand.

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June 8, 2021

B. City Council Updates

Mayor Gaasch said she participated in a forum hosted by the League of Women Voters on environment, climate change, and sustainability, and what cities can do to help those causes. One of the things Gaasch shared at the meeting was in regards to invasive jumping worms and the ways to curb their spread. She also spoke about our partnership with Falcon Heights and the University of Minnesota to improve Seminary Pond.

Discussion/Action Item

A. Parking Pad Waiver Request for 1848 Lake Street

Cal Nauman, 1848 Lake Street, applied for a driveway permit and parking pad permit. The proposed parking pad exceeds the size permitted therefore he is requesting a waiver of the rules. The Nauman's lot area is 12,197 square feet. At 5% of lot area, the maximum parking pad size is 609.85 square feet. The proposed parking pad is 702.96 square feet or 93.11 square feet (0.76%) over the 5% maximum allowed for that lot size. In their application, the Nauman's indicated the parking pad will address water issues along their garage.

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

Cal Nauman stated that water ingressions caused by runoff from an old alleyway led them to install a retaining wall to help mitigate the issue. They want to pave the surface between the retaining wall and garage to eliminate water intrusion and provide additional parking space for visitors and snowfall events.

Councilor Moffatt joined the meeting at 7:30 p.m. during the discussion.

Councilor Dains made a motion to approve the parking pad waiver request for 1848 Lake Street. This was seconded by Councilor Moffatt and carried 3-1 on a roll call vote with Councilors Dains, Moffatt, and Mayor Gaasch voting in favor and Councilor Grove opposed.

B. Resolution No. 060821B – Accepting the Bids for the 2021 Sanitary Sewer Lining Project

The City Council authorized the City engineer to bid a sanitary sewer lining project for 2021. The low base bidder was Visu-Sewer at \$191,940. This compares to the rejected April low bid of \$320,179.80. The contractors bid a manhole repair as an alternate. Staff recommends contracting for this work as part of the project.

Councilor Grove made a motion to adopt Resolution No. 060821B—A Resolution Accepting Bids for the 2021 Sanitary Sewer Lining Project. This was seconded by Councilor Dains and carried unanimously on a roll call vote.

Set Agenda for Next Meeting

The June 22 council meeting may include the May financial report, American Rescue Plan (ARP) guidance, an amendment to the fire code ordinance, NineNorth contract renewal, and the annual liability insurance renewal and tort waiver questionnaire.

LAUDERDALE CITY COUNCIL
MEETING MINUTES
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June 8, 2021

Work Session

A. Community Development Update

Butkowski shared that staff received a note from Luther Seminary stating that they hired a firm to help sell their parcel of land in segments instead of all 14 acres at one time. She also mentioned that she met with Roseville's engineering staff and MnDOT in regards to closing access to Broadway Street from northbound Highway 280 in 2024.

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.

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

Adjournment

Councilor Moffatt moved and seconded by Councilor Dains to adjourn the meeting at 7:53 p.m. Motion carried unanimously on a roll call vote.

Respectfully submitted,



Miles Cline
Deputy City Clerk



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

Request for Council Action

To: Mayor and City Council
From: City Administrator
Meeting Date: June 22, 2021
Subject: List of Claims

The claims totaling \$112,645.37 are provided for City Council review and approval that includes check numbers 27462 to 27505.

Accounts Payable

Checks by Date - Detail by Check Date

User: MILES.CLINE
 Printed: 6/22/2021 8:39 AM



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
ACH	43	Public Employees Retirement Association PR Batch 51200.06.2021 PERA Coordinated PR Batch 51200.06.2021 PERA Coordinated	06/11/2021 PR Batch 51200.06.2021 PER PR Batch 51200.06.2021 PER	1,225.46 1,062.07
Total for this ACH Check for Vendor 43:				2,287.53
ACH	44	Minnesota Department of Revenue PR Batch 51200.06.2021 State Income Tax	06/11/2021 PR Batch 51200.06.2021 Stat	712.25
Total for this ACH Check for Vendor 44:				712.25
ACH	45	ICMA Retirement Corporation PR Batch 51200.06.2021 Deferred Comp PR Batch 51200.06.2021 Deferred Comp	06/11/2021 PR Batch 51200.06.2021 Def PR Batch 51200.06.2021 Def	1,227.66 1,795.31
Total for this ACH Check for Vendor 45:				3,022.97
ACH	46	Internal Revenue Service PR Batch 51200.06.2021 Federal Income Tax PR Batch 51200.06.2021 Medicare Employer Po PR Batch 51200.06.2021 FICA Employer Portio PR Batch 51200.06.2021 FICA Employee Portio PR Batch 51200.06.2021 Medicare Employee Pc	06/11/2021 PR Batch 51200.06.2021 Fede PR Batch 51200.06.2021 Mec PR Batch 51200.06.2021 FIC. PR Batch 51200.06.2021 FIC. PR Batch 51200.06.2021 Mec	1,655.82 261.56 1,118.43 1,118.43 261.56
Total for this ACH Check for Vendor 46:				4,415.80
ACH	47	Public Employees Insurance Program PR Batch 51200.06.2021 Health Insurance PR Batch 51200.06.2021 Dental	06/11/2021 PR Batch 51200.06.2021 Hea PR Batch 51200.06.2021 Den	2,429.66 120.48
Total for this ACH Check for Vendor 47:				2,550.14
Total for 6/11/2021:				12,988.69
27462	337 062021	Lucy Angelis Rental Inspection Reimbursement	06/22/2021	40.00
Total for Check Number 27462:				40.00
27463	335 062021	Zachary Bell Rental Inspection Reimbursement	06/22/2021	45.00
Total for Check Number 27463:				45.00
27464	184 4086435874 4087088477	Cintas June Uniforms June Uniforms	06/22/2021	12.07 12.07
Total for Check Number 27464:				24.14

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
27465	29 4080	City of St Anthony June Police Services	06/22/2021	64,434.83
Total for Check Number 27465:				64,434.83
27466	192 124221178	Comcast Holdings Corporation May Internet	06/22/2021	413.00
Total for Check Number 27466:				413.00
27467	25 EMCOM-009313 EMCOM-009328 EMCOM-009345 PRRRV-001580	County of Ramsey May Fleet Support May 911 Dispatch Services May CAD Services Annual Voting Equipment Costs	06/22/2021	6.24 880.50 120.61 1,166.87
Total for Check Number 27467:				2,174.22
27468	249 062021	CVC Investments Rental Inspection Reimbursement	06/22/2021	80.00
Total for Check Number 27468:				80.00
27469	164 3790647	Dalco Enterprises Inc Toilet Tissue	06/22/2021	156.94
Total for Check Number 27469:				156.94
27470	19 87102 87102	Ehlers and Associates Inc 1795 Eustis Redevelopment 1795 Eustis Redevelopment	06/22/2021	442.50 295.00
Total for Check Number 27470:				737.50
27471	250 062021	Eric Ellingson Rental Inspection Reimbursement	06/22/2021	40.00
Total for Check Number 27471:				40.00
27472	242 062021	Richard Gauger Rental Inspection Reimbursement	06/22/2021	160.00
Total for Check Number 27472:				160.00
27473	9 164493	Genuine Parts Company Inc Truck Parts	06/22/2021	7.99
Total for Check Number 27473:				7.99
27474	293 062021	David Grant Rental Inspection Reimbursement	06/22/2021	40.00
Total for Check Number 27474:				40.00
27475	340 062021	Greenway Village Apartments Rental Inspection Reimbursement	06/22/2021	200.00
Total for Check Number 27475:				200.00
27476	252 062021	Xiaohong Guo Rental Inspection Reimbursement	06/22/2021	40.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 27476:	40.00
27477	185 062021 062021 062021	Lauderdale Certified Auto Repair Inc May Fuel May Fuel May Fuel	06/22/2021	184.44 39.52 39.52
			Total for Check Number 27477:	263.48
27478	24 0001125454	Metropolitan Council 07/21 Wastewater Treatment	06/22/2021	12,566.47
			Total for Check Number 27478:	12,566.47
27479	339 062021	MGM Property Management LLC Rental Inspection Reimbursement	06/22/2021	200.00
			Total for Check Number 27479:	200.00
27480	255 062021	Jeremy Newhouse Rental Inspection Reimbursement	06/22/2021	40.00
			Total for Check Number 27480:	40.00
27481	245 062021	Scott O'Brien Rental Inspection Reimbursement	06/22/2021	40.00
			Total for Check Number 27481:	40.00
27482	266 062021	Elizabeth Parady Rental Inspection Reimbursement	06/22/2021	40.00
			Total for Check Number 27482:	40.00
27483	5 619861-05-21	Premium Waters Inc May Water Bottles	06/22/2021	24.99
			Total for Check Number 27483:	24.99
27484	286 062021	Joe Sax May 2021 Mowing and Weed Whipping	06/22/2021	400.00
			Total for Check Number 27484:	400.00
27485	256 062021	Kurtis Schaum Rental Inspection Reimbursement	06/22/2021	40.00
			Total for Check Number 27485:	40.00
27486	135 0521572525	St Paul Pioneer Press Publish Notices	06/22/2021	168.30
			Total for Check Number 27486:	168.30
27487	336 062021	Richard Swanson Rental Inspection Reimbursement	06/22/2021	40.00
			Total for Check Number 27487:	40.00
27488	3 444397376	US National Equipment Finance Inc Copier Contract	06/22/2021	176.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 27488:	176.00
27489	90	Verizon Wireless	06/22/2021	
	9880936508	(Month) Cell Phone		33.91
	9880936508	(Month) Cell Phone		16.95
	9880936508	(Month) Cell Phone		16.96
			Total for Check Number 27489:	67.82
27490	7	Waste Management Inc	06/22/2021	
	8868687-0500-7	July Public Works		466.46
			Total for Check Number 27490:	466.46
27491	74	Xcel Energy	06/22/2021	
	734095046	Larpenteur Bridge Lights		29.37
	734188147	2430 Larpenteur Avenue W		15.33
	734450623	May Street Lighting		419.32
	734483169	Larpenteur Avenue		39.42
	734660551	1917 Walnut Street		36.77
	734660551	1885 Fulham Street		29.26
	734660551	1885 Fulham Street		25.00
	734660551	1917 Walnut Street		25.00
	734843071	1795 Eustis Street		62.63
	734843071	1891 Walnut Street		34.98
	734843071	1891 Walnut Street		129.37
			Total for Check Number 27491:	846.45
27492	338	ZPG Companies LLC	06/22/2021	
	062021	Rental Inspection Reimbursement		80.00
			Total for Check Number 27492:	80.00
27493	65	Allstream Inc.	06/22/2021	
	17558166	Fax Line		53.54
			Total for Check Number 27493:	53.54
27494	233	Bond Trust Services Corporation	06/22/2021	
	64129	2021A Paying Agent Fee		475.00
			Total for Check Number 27494:	475.00
27495	233	Bond Trust Services Corporation	06/22/2021	
	65091	2021A Interest Payment - Ref 339373		2,093.00
			Total for Check Number 27495:	2,093.00
27496	233	Bond Trust Services Corporation	06/22/2021	
	65090	2019A Interest Payment - Ref 333519		10,125.00
			Total for Check Number 27496:	10,125.00
27497	184	Cintas	06/22/2021	
	4087748134	June Uniforms		6.04
	4087748134	June Uniforms		6.03
			Total for Check Number 27497:	12.07
27498	133	Miles Cline	06/22/2021	

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	062021	Mileage Reimbursement		40.84
			Total for Check Number 27498:	40.84
27499	261 062021	Keith Dyrud Rental Inspection Reimbursement	06/22/2021	120.00
			Total for Check Number 27499:	120.00
27500	134 00113	Katrina Joseph May Legal Services	06/22/2021	925.00
			Total for Check Number 27500:	925.00
27501	31 161459	Kennedy & Graven Chartered May Legal Advice	06/22/2021	1,332.00
			Total for Check Number 27501:	1,332.00
27502	23 INV1834244	Metro Sales Inc Quarterly Copy Charges	06/22/2021	128.64
			Total for Check Number 27502:	128.64
27503	10 0001144568	On Site Sanitation Inc 06/12/2021 - 07/09/2021 Park Portable Restroom	06/22/2021	218.00
			Total for Check Number 27503:	218.00
27504	259 062021	Bonnie Troska Rental Inspection Reimbursement	06/22/2021	40.00
			Total for Check Number 27504:	40.00
27505	341 062021	Gary Valley Rental Inspection Reimbursement	06/22/2021	40.00
			Total for Check Number 27505:	40.00
			Total for 6/22/2021:	99,656.68
			Report Total (49 checks):	112,645.37

**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested

Consent X
Public Hearing
Discussion
Action
Resolution
Work Session

Meeting Date June 22, 2021

ITEM NUMBER May Financial Report

STAFF INITIAL AS

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 May 2021.

OPTIONS:

STAFF RECOMMENDATION:

By approving the consent agenda, the Council acknowledges the city's financial report for May 2021.

General Ledger

Cash Balances



User: heather.butkowski
 Printed: 6/11/2021 3:46:43 PM
 Period 05 - 05
 Fiscal Year 2021

Description	Account	Beg Bal	MTD Debit	MTD Credit	Current Balance
Cash	101-00000-000-10100	-2,818,749.16	121,271.72	130,291.70	-2,827,769.14
Change Fund	101-00000-000-10300	100.00	0.00	0.00	100.00
Cash	226-00000-000-10100	14,298.91	7.83	2,520.25	11,786.49
Cash	227-00000-000-10100	54,040.81	32.44	5,230.55	48,842.70
Cash	305-00000-000-10100	12,321.04	8.19	0.00	12,329.23
Cash	306-00000-000-10100	111,449.91	74.08	0.00	111,523.99
Cash	401-00000-000-10100	159,859.64	105.64	925.00	159,040.28
Cash	403-00000-000-10100	530,393.43	352.53	0.00	530,745.96
Cash	404-00000-000-10100	352,367.28	234.20	0.00	352,601.48
Cash	414-00000-000-10100	364,698.53	1,993.56	0.00	366,692.09
Cash	416-00000-000-10100	93,964.51	0.00	0.00	93,964.51
Cash	602-00000-000-10100	1,009,746.95	14,992.23	19,344.41	1,005,394.77
Cash	603-00000-000-10100	435,261.62	13,886.77	10,290.91	438,857.48
Current Assets		319,753.47	152,959.19	168,602.82	304,109.84
Petty Cash	101-00000-000-10200	300.00	0.00	0.00	300.00
Petty Cash		300.00	0.00	0.00	300.00
Investments - Fair Value Adj	101-00000-000-10410	3,178,321.36	2,185.65	100,000.00	3,080,507.01
Investments		3,178,321.36	2,185.65	100,000.00	3,080,507.01
Grand Total		<u>3,498,374.83</u>	<u>155,144.84</u>	<u>268,602.82</u>	<u>3,384,916.85</u>

General Ledger Revenue vs Expense

User: heather.butkowski
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 Period 05 - 05
 Fiscal Year 2021



Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
101	General Fund					
	Revenue					
	Taxes	899,710.00	0.00	0.00	899,710.00	0.00
	Licenses and Permits	37,750.00	4,712.00	16,532.00	21,218.00	43.79
	Intergovernmental Revenues	525,789.00	0.00	0.00	525,789.00	0.00
	Charges for Services	10,600.00	613.94	1,355.94	9,244.06	12.79
	Fines and Forfeits	27,000.00	2,376.25	10,036.92	16,963.08	37.17
	Miscellaneous Revenue	7,500.00	246.01	-14,963.10	22,463.10	-199.51
	Other Financing Sources	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
	Revenue	1,508,349.00	7,948.20	12,961.76	1,495,387.24	0.86
	Expense					
	Personal Services	425,105.00	31,710.45	172,697.63	252,407.37	40.62
	Supplies	16,200.00	1,475.18	5,488.62	10,711.38	33.88
	Other Services and Charges	1,059,044.00	82,071.90	385,265.67	673,778.33	36.38
	Capital Outlay	0.00	0.00	0.00	0.00	0.00
	Other Uses	<u>8,000.00</u>	<u>0.00</u>	<u>78,897.00</u>	<u>-70,897.00</u>	<u>986.21</u>
	Expense	1,508,349.00	115,257.53	642,348.92	866,000.08	42.59
101	General Fund	0.00	-107,309.33	-629,387.16	629,387.16	0.00

General Ledger Revenue vs Expense



User: heather.butkowski
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 Period 05 - 05
 Fiscal Year 2021

Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
226	Communications					
	Revenue					
	Taxes	19,000.00	0.00	5,046.62	13,953.38	26.56
	Intergovernmental Revenues	0.00	0.00	0.00	0.00	0.00
	Miscellaneous Revenue	100.00	7.83	38.77	61.23	38.77
	Revenue	19,100.00	7.83	5,085.39	14,014.61	26.63
	Expense					
	Personal Services	9,612.00	745.79	4,041.69	5,570.31	42.05
	Supplies	0.00	0.00	780.00	-780.00	0.00
	Other Services and Charges	3,600.00	1,774.46	3,140.29	459.71	87.23
	Capital Outlay	5,000.00	0.00	0.00	5,000.00	0.00
	Expense	18,212.00	2,520.25	7,961.98	10,250.02	43.72
226	Communications	888.00	-2,512.42	-2,876.59	3,764.59	-323.94

General Ledger

Revenue vs Expense

User: heather.butkowski
 Printed: 6/11/2021 3:54:08 PM
 Period 05 - 05
 Fiscal Year 2021



Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
227	Recycling Revenue					
	Intergovernmental Revenues	5,900.00	0.00	0.00	5,900.00	0.00
	Miscellaneous Revenue	<u>49,899.00</u>	<u>32.44</u>	<u>186.42</u>	<u>49,712.58</u>	<u>0.37</u>
	Revenue	55,799.00	32.44	186.42	55,612.58	0.33
	Expense					
	Personal Services	24,594.00	1,908.13	10,344.22	14,249.78	42.06
	Supplies	0.00	0.00	3,569.70	-3,569.70	0.00
	Other Services and Charges	39,869.00	3,322.42	13,289.68	26,579.32	33.33
	Capital Outlay	<u>350.00</u>	<u>0.00</u>	<u>0.00</u>	<u>350.00</u>	<u>0.00</u>
	Expense	64,813.00	5,230.55	27,203.60	37,609.40	41.97
227	Recycling	-9,014.00	-5,198.11	-27,017.18	18,003.18	299.72

General Ledger Revenue vs Expense

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 Period 05 - 05
 Fiscal Year 2021



Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
305	GO TIF Revenue Bonds 2018A					
	Revenue					
	Miscellaneous Revenue	500.00	8.19	40.72	459.28	8.14
	Other Financing Sources	0.00	0.00	1,365,000.00	-1,365,000.00	0.00
	Revenue	500.00	8.19	1,365,040.72	-1,364,540.72	273,008.14
	Expense					
	Other Services and Charges	475.00	0.00	44,397.00	-43,922.00	9,346.74
	Debt Service	25,253.00	0.00	1,307,626.25	-1,282,373.25	5,178.10
	Expense	25,728.00	0.00	1,352,023.25	-1,326,295.25	5,255.07
305	GO TIF Revenue Bonds 2018A	-25,228.00	8.19	13,017.47	-38,245.47	-51.60

General Ledger Revenue vs Expense



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 Period 05 - 05
 Fiscal Year 2021

Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
306	2019A Improvement Bonds					
	Revenue					
	Miscellaneous Revenue	300.00	74.08	332.68	-32.68	110.89
	Other Financing Sources	<u>126,263.00</u>	<u>0.00</u>	<u>0.00</u>	<u>126,263.00</u>	<u>0.00</u>
	Revenue	126,563.00	74.08	332.68	126,230.32	0.26
	Expense					
	Other Services and Charges	475.00	0.00	575.00	-100.00	121.05
	Debt Service	<u>121,000.00</u>	<u>0.00</u>	<u>110,875.00</u>	<u>10,125.00</u>	<u>91.63</u>
	Expense	121,475.00	0.00	111,450.00	10,025.00	91.75
306	2019A Improvement Bonds	5,088.00	74.08	-111,117.32	116,205.32	-2,183.91

General Ledger Revenue vs Expense

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 Period 05 - 05
 Fiscal Year 2021



Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
401	General Capital Projects					
	Revenue					
	Intergovernmental Revenues	0.00	0.00	0.00	0.00	0.00
	Miscellaneous Revenue	1,500.00	105.64	476.59	1,023.41	31.77
	Other Financing Sources	0.00	0.00	0.00	0.00	0.00
	Revenue	1,500.00	105.64	476.59	1,023.41	31.77
	Expense					
	Other Services and Charges	0.00	0.00	0.00	0.00	0.00
	Capital Outlay	35,000.00	925.00	925.00	34,075.00	2.64
	Other Uses	0.00	0.00	0.00	0.00	0.00
	Expense	35,000.00	925.00	925.00	34,075.00	2.64
401	General Capital Projects	-33,500.00	-819.36	-448.41	-33,051.59	1.34

General Ledger Revenue vs Expense

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 Period 05 - 05
 Fiscal Year 2021



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	4,000.00	352.53	8,418.59	-4,418.59	210.46
	Other Financing Sources	0.00	0.00	78,897.00	-78,897.00	0.00
	Revenue	4,000.00	352.53	87,315.59	-83,315.59	2,182.89
	Expense					
	Capital Outlay	0.00	0.00	4,058.75	-4,058.75	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
	Expense	0.00	0.00	4,058.75	-4,058.75	0.00
403	Street Capital Projects	4,000.00	352.53	83,256.84	-79,256.84	2,081.42

General Ledger Revenue vs Expense



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 Period 05 - 05
 Fiscal Year 2021

Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
404	Park Capital Projects					
	Revenue					
	Intergovernmental Revenues	0.00	0.00	28,750.00	-28,750.00	0.00
	Miscellaneous Revenue	4,000.00	234.20	-27,501.73	31,501.73	-687.54
	Other Financing Sources	0.00	0.00	0.00	0.00	0.00
	Revenue	4,000.00	234.20	1,248.27	2,751.73	31.21
	Expense					
	Supplies	0.00	0.00	0.00	0.00	0.00
	Capital Outlay	7,500.00	0.00	134,060.00	-126,560.00	1,787.47
	Other Uses	0.00	0.00	0.00	0.00	0.00
	Expense	7,500.00	0.00	134,060.00	-126,560.00	1,787.47
404	Park Capital Projects	-3,500.00	234.20	-132,811.73	129,311.73	3,794.62

General Ledger

Revenue vs Expense



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 Period 05 - 05
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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



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Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
414	Development Revenue					
	Miscellaneous Revenue	4,000.00	1,993.56	2,843.99	1,156.01	71.10
	Other Financing Sources	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
	Revenue	4,000.00	1,993.56	2,843.99	1,156.01	71.10
	Expense					
	Other Services and Charges	0.00	0.00	1,952.94	-1,952.94	0.00
	Other Uses	<u>67,956.00</u>	<u>0.00</u>	<u>0.00</u>	<u>67,956.00</u>	<u>0.00</u>
	Expense	67,956.00	0.00	1,952.94	66,003.06	2.87
414	Development	-63,956.00	1,993.56	891.05	-64,847.05	-1.39

General Ledger Revenue vs Expense

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 Period 05 - 05
 Fiscal Year 2021



Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
415	Housing Redevelopment					
	Revenue					
	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
	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
	Capital Outlay	0.00	0.00	0.00	0.00	0.00
	Expense	0.00	0.00	0.00	0.00	0.00
415	Housing Redevelopment	0.00	0.00	0.00	0.00	0.00

General Ledger

Revenue vs Expense



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 Period 05 - 05
 Fiscal Year 2021

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	0.00	0.00	0.00	0.00	0.00
	Other Financing Sources	0.00	0.00	0.00	0.00	0.00
	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
	Capital Outlay	0.00	0.00	0.00	0.00	0.00
	Other Uses	0.00	0.00	0.00	0.00	0.00
	Expense	0.00	0.00	0.00	0.00	0.00
416	TIF District No. 1-2	0.00	0.00	0.00	0.00	0.00

General Ledger

Revenue vs Expense

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 Period 05 - 05
 Fiscal Year 2021



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	14,429.57	103,636.06	182,279.94	36.25
	Miscellaneous Revenue	16,100.00	667.80	3,001.62	13,098.38	18.64
	Other Financing Sources	0.00	0.00	0.00	0.00	0.00
	Revenue	302,016.00	15,097.37	106,637.68	195,378.32	35.31
	Expense					
	Personal Services	77,500.00	5,853.69	31,861.35	45,638.65	41.11
	Supplies	800.00	52.80	216.68	583.32	27.09
	Other Services and Charges	180,573.00	13,543.06	88,549.26	92,023.74	49.04
	Capital Outlay	150,000.00	0.00	0.00	150,000.00	0.00
	Other Uses	0.00	0.00	0.00	0.00	0.00
	Expense	408,873.00	19,449.55	120,627.29	288,245.71	29.50
602	Sanitary Sewer	-106,857.00	-4,352.18	-13,989.61	-92,867.39	13.09

General Ledger

Revenue vs Expense



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 Period 05 - 05
 Fiscal Year 2021

Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
603	Storm Water Revenue					
	Intergovernmental Revenues	0.00	0.00	0.00	0.00	0.00
	Charges for Services	109,338.00	13,613.83	53,520.46	55,817.54	48.95
	Miscellaneous Revenue	4,500.00	291.50	1,286.04	3,213.96	28.58
	Other Financing Sources	0.00	0.00	0.00	0.00	0.00
	Revenue	113,838.00	13,905.33	54,806.50	59,031.50	48.14
	Expense					
	Personal Services	65,763.00	4,981.92	27,091.68	38,671.32	41.20
	Supplies	750.00	52.80	216.68	533.32	28.89
	Other Services and Charges	24,150.00	5,274.75	13,953.23	10,196.77	57.78
	Capital Outlay	80,000.00	0.00	0.00	80,000.00	0.00
	Other Uses	0.00	0.00	0.00	0.00	0.00
	Expense	170,663.00	10,309.47	41,261.59	129,401.41	24.18
603	Storm Water	-56,825.00	3,595.86	13,544.91	-70,369.91	-23.84

General Ledger Revenue vs Expense

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 Period 05 - 05
 Fiscal Year 2021



Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
999	Fund					
	Revenue					
	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
	Revenue	0.00	0.00	0.00	0.00	0.00
	Expense					
	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
	Expense	0.00	0.00	0.00	0.00	0.00
999	Fund	0.00	0.00	0.00	0.00	0.00

General Ledger Revenue vs Expense



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Account Number	Description	Budget	Current Period	YTD Balance	Variance	% Expend/Collect
Revenue Total		2,139,665.00	39,759.37	1,636,935.59	502,729.41	0.765
Expense Total		2,428,569.00	153,692.35	2,443,873.32	-15,304.32	1.0063
Grand Total		-288,904.00	-113,932.98	-806,937.73	518,033.73	2.7931

**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested

Consent X
Public Hearing
Discussion
Action
Resolution
Work Session

Meeting Date June 22, 2021

ITEM NUMBER Liquor License
for 7/29 Community Event

STAFF INITIAL Jim

APPROVED BY ADMINISTRATOR

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

In 2018, the Day in the Park planning committee supported having adult beverages and the applicable ordinances were updated to allow temporary on-sale liquor licenses for city events. Bent Brewstillery in Roseville has again agreed to sell and serve adult beverages at Lauderdale community events. They plan to provide beer, wine and mixed drinks.

Attached is the application required by the State. Once approved by the City Council, staff will submit it to the State for approval.

OPTIONS:

Approve by adopting the consent agenda or remove for discussion.

STAFF RECOMMENDATION:

By approving the consent agenda, the City Council is approving a temporary on-sale liquor license for Bent Brewstillery to sell and serve adult beverages at Lauderdale's community event on July 29, 2021.



Minnesota Department of Public Safety
 Alcohol and Gambling Enforcement Division
 445 Minnesota Street, Suite 1600, St. Paul, MN 55101
 651-201-7507 Fax 651-297-5259 TTY 651-282-6555
**APPLICATION AND PERMIT FOR A 1 DAY
 TO 4 DAY TEMPORARY ON-SALE LIQUOR LICENSE**

Name of organization		Date organized	Tax exempt number
Bent Brewstillery		June 11, 2011	45-2650832
Address	City	State	Zip Code
1744 Terrace Dr	Roseville	MN	55113
Name of person making application		Business phone	Home phone
Bartley Blume		651-233-3843	
Date(s) of event	Type of organization <input type="checkbox"/> Microdistillery <input type="checkbox"/> Small Brewer		
7/29/2021	<input checked="" type="checkbox"/> Club <input type="checkbox"/> Charitable <input type="checkbox"/> Religious <input type="checkbox"/> Other non-profit		
Organization officer's name	City	State	Zip Code
Bartley Blume	Roseville	MN	55113
Organization officer's name	City	State	Zip Code
		MN	
Organization officer's name	City	State	Zip Code
		MN	

Location where permit will be used. If an outdoor area, describe.
 Lauderdale Community Park, 1885 Fulham St, Lauderdale, MN 55113

If the applicant will contract for intoxicating liquor service give the name and address of the liquor license providing the service.

If the applicant will carry liquor liability insurance please provide the carrier's name and amount of coverage.

West Bend Insurance Company
 Aggregate Limit: \$2,000,000, Each Common: \$1,000,000

APPROVAL

APPLICATION MUST BE APPROVED BY CITY OR COUNTY BEFORE SUBMITTING TO ALCOHOL AND GAMBLING ENFORCEMENT

City of Lauderdale	6/22/2021
City or County approving the license	Date Approved
\$0	7/29/2021
Fee Amount	Permit Date
N/A	jim.bownik@lauderdalemn.org
Date Fee Paid	City or County E-mail Address
	651-792-7650
	City or County Phone Number

Signature City Clerk or County Official

Please Print Name of City Clerk or County Official

CLERKS NOTICE: Submit this form to Alcohol and Gambling Enforcement Division 30 days prior to event.

ONE SUBMISSION PER EMAIL, APPLICATION ONLY.

PLEASE PROVIDE A VALID E-MAIL ADDRESS FOR THE CITY/COUNTY AS ALL TEMPORARY PERMIT APPROVALS WILL BE SENT BACK VIA EMAIL. E-MAIL THE APPLICATION SIGNED BY CITY/COUNTY TO AGE.TEMPORARYAPPLICATION@STATE.MN.US

LAUDERDALE COUNCIL ACTION FORM

Action Requested

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

Meeting Date June 22, 2021

ITEM NUMBER Insurance Renewal Info

STAFF INITIAL 

APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

The City's workers compensation, property, liability, sewer backup, and auto insurance policies runs from August to August. Staff work with our insurance agent annually to prepare the materials for the renewal. This generally includes updating data on improvements and staffing costs. LMCIT hires appraisers to give values for the more expensive structures like city halls. Staff asked for information we could share with the Council and LMCIT staff provided the following document explaining how the Insurance Trust came to be. They also said LMCIT's director would be happy to present at a future meeting if invited.

A media report recently brought to light questions about LMCIT's liability coverage regarding police departments. There is a memo that explains this at: <https://www.lmc.org/wp-content/uploads/documents/Police-Department-Management-and-Liability-Issues.pdf>. As a city covered by a police contract, the liability does not fall to us but to St. Anthony.

Of importance to the City are the liability limits. Included in the packet are the relevant pages on the topic taken from a larger document on municipal liability coverage available at: <https://www.lmc.org/wp-content/uploads/documents/LMCIT-Liability-Coverage-Guide.pdf>. Annually, the City Council must determine whether or not to waive the municipal tort liability limits established by statute. The City has not waived them in the past as it opens the City to greater financial liability. Staff recommends maintaining that practice via the following motion.

OPTIONS:

STAFF RECOMMENDATION:

The Council authorizes staff to remit the Liability Coverage—Waiver From to LMCIT as presented indicating the City does not waive the monetary limits on municipal tort liability established by MS 466.04.



League of Minnesota Cities Insurance Trust

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Why we exist

The League of Minnesota Cities was created in 1913 by an act of the Legislature. Until 1974, it was a part of the University of Minnesota's Extension Division. The League then became an independent organization. It provides a variety of services to its 836 member cities, including advocacy, research, and educational programs and materials.

While the League of Minnesota Cities Insurance Trust is related to the League, it operates as an independent organization, with its own governance and administration. In the 1970s and 1980s, cities and other local governments across the country (counties and school boards, for example) faced significant difficulty in finding insurance in the private market. In some cases, it was completely unavailable. In others it was prohibitively expensive or provided very limited coverage. This led to the creation of governmental self-insurance pools in many states, and it's estimated there are currently more than 500 of these pools in the United States.

Minnesota's pool arose from 1980 legislation that gave local government entities the authority to create self-insurance pools. The Insurance Trust is one example. We are owned by our members and overseen by a Board of Trustees consisting of appointed and elected city officials, as well as the Executive Director of the League of Minnesota Cities. We are governed by most of the same laws that apply to our member cities, including the Open Meeting Law, the Minnesota Government Data Practices Act, and the state laws regulating investment of public funds, among others. In addition, we undergo annual audits.

We provide property, liability, auto, and workers' compensation to our member cities and other local government entities, such as housing and redevelopment authorities, joint powers organizations, watershed districts, and others. While most Minnesota cities belong to our programs, membership is voluntary and a handful instead buy insurance in the private market or self-insure, including Minneapolis, St. Paul, and Duluth.

Although there have been times since our creation where private insurance has been more widely available to cities, pools like ours have consistently retained membership throughout these cycles for a number of reasons. First, we focus on maintaining long-term premium rate stability, which is important for governmental budgeting. Second, we provide coverage specifically designed to meet the unique needs of local governments and the residents they serve. Third, our member-owned structure has allowed the Trust to return \$338 million in dividends to our members since our inception. Finally, to promote safety and minimize costly claims, we offer a broad range of loss control services covering areas such as cyber consulting, mental health first aid, land use regulation, occupational and safety health standards, and much more.

The Trust is a self-insured membership cooperative. It was created by Minnesota cities for Minnesota cities, and exists solely to serve its members. The Trust's fundamental purpose is to cover city risks and to mitigate hazards, not show a profit for stakeholders.

Our Values

Provide superior coverage.

Help members control losses.

Provide the best value and lowest long-term cost and avoid shock increases as much as possible.

Respond to members' needs always.

Be fair and equitable in how costs are spread, and how services and benefits are provided.

Provide stability by continuing to always pay covered claims.

Maintain knowledge and expertise regarding member risks.

Maintain members' trust.

Provide leadership on risk issues.

Innovate and experiment.

Claims Handling

Our member coverage agreement provides for the handling of covered claims and litigation by the Trust, much as insurance policies do for those organizations and individuals who rely on private insurance companies. We employ experienced staff with expertise in the various types of claims commonly seen by cities, fully investigate each claim, and ultimately make claim decisions based on our findings.

Throughout the process, the Trust works closely with our members. Our goal is to reach a mutual understanding on how an individual matter will be resolved, recognizing some claims present our members with both financial and policy implications.

Premiums

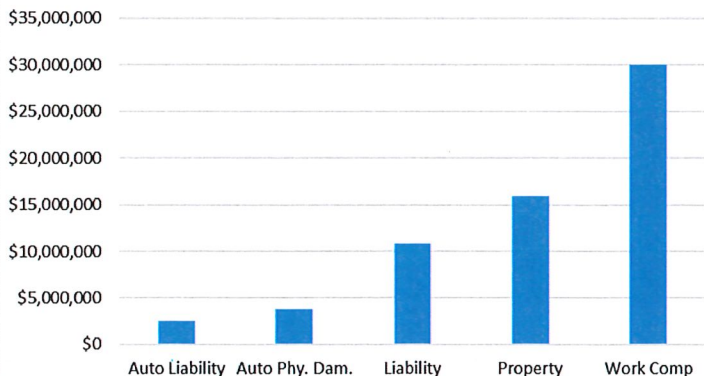
Premiums for property coverage are largely based on the estimated replacement cost of member property.

The Trust's rating system for calculating liability premiums is designed to allocate costs based on the sources of claims. It's based on five considerations that measure the most common types of claims: number of households (zoning and land use claims); number of sewer connections (sewer backup claims); number of city employees (employment claims); number of police officers (police liability claims); and overall city expenditures (all other risks).

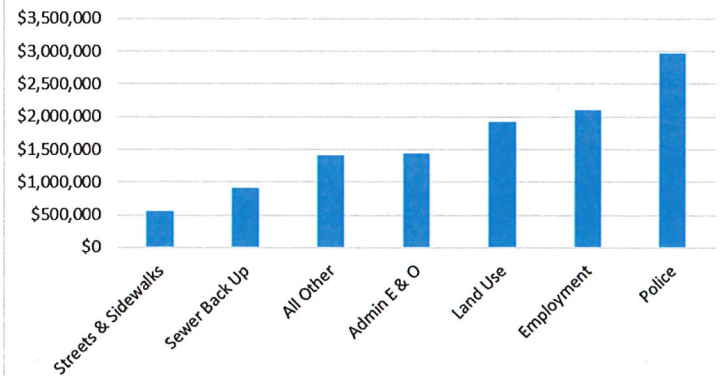
Workers' compensation premiums are generally based on the number and job classifications of the member's employees.

The liability and workers' compensation premiums are also affected by the member's individual experience. This helps further align premiums and claims.

Average Annual Claim Costs 2016-2020 at 12/31/20



Average Annual Liability Claim Costs 2016-2020 at 12/31/20





LMCIT No-Fault Sewer Back-up and Water Main Break Coverage

**Re: City of Lauderdale
Renewal Period: 8/1/2021-22**

According to the Underwriting Criteria for LMCIT's Optional No-Fault Sewer Back-Up Coverage, the City needs to qualify for this coverage each year. I have reviewed the City's expiring covenant along with sewer back-up claim information, if any, and I am pleased to advise that the City of Lauderdale continues to meet the Underwriting Criteria necessary to qualify for No-Fault Sewer Back-Up Coverage. Please note, the No-Fault Sewer Back-Up questions are no longer part of our online renewal application. Coverage will continue as per expiring.

LMCIT is here to help. If we can be of any further assistance regarding the maintenance of the City's Sewer Program, feel free to contact me directly at **651-215-4049**.

RELEVANT LINKS:

See Section III.K, *Liquor liability*.
See Section III.T, *Special events*.

See Section III.T, *Special events*.

See Section III.T, *Special events*.

[Minn. Stat. § 466.04.](#)

See Section II.D.3.a, *Statutory limits may not apply*.

See Section II.D.3, *Purchasing higher liability limits*.

3. Risks for which specialty coverage is needed

- Aircrafts (a drone is not considered an “aircraft” if it’s not designed for the transport of persons or property).
- Architects.
- Big boats.
- Doctors, most nurses, dentists, pharmacists, and psychologists.
- Liquor sales.
- Motorized amusement rides, such as carnival rides.
- Motor vehicle demolition derbies, racing, pulling contests, or stunt driving.
- Prisons.
- Railroads.
- Rodeos.
- Specialty type operations such as hospitals, clinics, nursing homes and licensed child care programs.
- Stunting activities or events that involve a significant risk of serious injury to the participant, performer, or others, such as high-wire acts, base or bungee jumping, skydiving, circus type acts, and acts involving dangerous animals.



D. Coverage limits



The Trust gives members options for structuring their liability coverage. Members can also choose either to waive or not to waive the monetary tort caps the statutes provide. It can also select from among several liability coverage limits.

1. LMCIT primary liability limits

The statutory municipal tort liability is limited to a maximum of \$500,000 per claimant and \$1.5 million per occurrence. These limits apply whether the claim is against the member, against an individual officer or employee, or against both. The Trust’s liability coverage provides a standard limit of \$2 million per occurrence because there are some types of liability claims that aren’t subject to the statutory tort caps and it’s common to see contracts require more than the statutory limit. A more common figure is \$2 million. The Trust’s higher limit meets this requirement, but if even higher limits are required, there is the option to carry the Trust’s excess liability coverage or in some cases the Trust can issue an endorsement to increase the member’s coverage limit only for claims relating to a particular contract.

In addition to the coverage limit of \$2 million per occurrence, there are annual aggregate limits, or limits on the total amount of coverage for the year regardless of the number of claims.

RELEVANT LINKS:

See Section III.B, *Data security breach and computer-related risks*.

See Section III.J, *Land use and special risk litigation*.

See Section III.D, *Employees' activities in outside organizations*.

[Minn. Stat. § 466.04.](#)

See [Summary of LMCIT Liability Coverage Options](#) and the effects of choosing the various coverage structure options.

A \$3 million annual aggregate applies for the following:

- Products.
- Failure to supply utilities (water, electricity, gas, steam service, and phone and internet or other electronic data transmission services).
- Data security breaches (a \$250,000 sublimit, which is part of and not in addition to the \$3 million aggregate, applies for Payment Card Industry fines, penalties, and assessments; and data security breach regulatory fines and penalties resulting from a data security breach claim).
- Electromagnetic fields.
- Limited contamination (sudden and accidental release of pollutants; herbicide and pesticide applications; sewer ruptures, overflows, and backups; lead and asbestos claims; mold claims; hostile fire claims; and excavation and dredging claims, which are also subject to an annual \$250,000 sublimit).
- Sexual abuse and molestation claims.

Other annual aggregate limits apply for the following:

- \$1 million annual aggregate for land use and special risk litigation. This coverage is provided on a sliding scale percentage basis.
- \$100,000 annual aggregate for employees' activities in outside organizations.
- \$250,000 annual aggregate for organic pathogen claims (this limit applies whether claims are made under municipal liability, auto liability, or both).

2. Statutory liability limits

The statutory municipal tort cap is limited to a maximum of \$500,000 per claimant and \$1.5 million per occurrence. These limits apply whether the claim is against the member, against the individual officer or employee, or against both. The Trust's liability coverage provides a standard limit of \$2 million per occurrence.

At the member's coverage renewal each year, it must decide whether to waive or not waive the statutory limits. There is no right or wrong answer, and it's a discretionary decision each governing body must make.

a. Waiving the statutory limit

Members who waive the statutory limits are waiving the protection of the statutory limits, up to the amount of coverage the member has. A claimant could recover up to the Trust's standard limit of \$2 million, rather than the statutory limit of \$500,000 per claimant. Because the waiver increases the exposure, the premium is higher for coverage under the waiver option.

RELEVANT LINKS:

See Section II.D.3,
*Purchasing higher liability
limits.*

See Section II.D.3.a,
*Statutory limits may not
apply.*

[Minn. Stat. § 3.736.](#)

[42 U.S. Code § 1983.](#)

A member may choose to pay more in premium for the waiver option because the statutory liability limit only applies in cases where the member is in fact liable and the injured party's actual proven damages are greater than the statutory limit. Some cities may want more assets available to compensate their citizens for injuries caused by the member's negligence.

In those cases where the member waives the statutory limit, but also purchases the Trust's excess liability coverage, a claimant could potentially recover more. If, for example, the member has \$1 million of excess coverage and chooses to waive the statutory tort caps, the claimant or claimants could recover up to \$3 million in damages in a single occurrence.

The cost of the excess liability coverage is higher if the member waives the statutory tort caps. The cost difference is proportionally greater than the cost difference at the primary level because for a member that carries excess coverage, waiving the statutory tort caps increases both the per claimant exposure and the per occurrence exposure.

b. Not waiving the statutory limit

For members who choose not to waive the statutory limits, the member's liability is limited by the statute to no more than \$500,000 per claimant and \$1.5 million per occurrence. The Trust's higher coverage limits would only apply to those types of claims that aren't covered by the statutory limit.

3. Purchasing higher liability limits

The Trust makes available the option of carrying higher coverage limits than the basic limit of \$2 million per occurrence. The Trust's excess liability coverage is available in \$1 million increments up to a maximum of \$5 million. There are several reasons why cities may consider carrying the excess liability coverage.

a. Statutory limits may not apply

The statutory tort caps do not or may not apply for the following types of claims:

- Claims under federal civil rights laws, including Section 1983, the Americans with Disabilities Act.
- Claims for tort liability the member has assumed by contract, which occurs when a member agrees in contract to defend and indemnify a private party.
- Claims for actions in another state, which may occur in border cities that have mutual aid agreements with adjoining states or when a member official attends a national conference.

RELEVANT LINKS:

[42 U.S. Code § 1983.](#)

See Section II.D, *Coverage limits.*

- Claims based on liquor sales, which mostly affects cities with municipal liquor stores, but it could also relate to beer sales at a fire relief association fundraiser, for example.
- Claims based on a “taking” theory, which are suits challenging land use regulations frequently include an “inverse condemnation” claim, alleging the regulation amounts to a “taking” of the property.

b. Annual limits apply for specific risks

Besides the Trust’s overall coverage limit of \$2 million per occurrence, there are annual aggregate limits for certain risks. If the member has a loss or claim in one of these areas, there might not be enough limits remaining to cover the member’s full exposure if there is another similar loss during the year.

There are, however, a couple important restrictions on how the excess coverage applies to risks that are subject to aggregate limits. The excess coverage does not apply to the following:

- Failure to supply utilities.
- Mold.
- Lead and asbestos.
- Excavation and dredging.
- Sudden and accidental release of pollutants below ground or within or on the surface of any body of water.
- Auto no-fault claims.
- Uninsured/underinsured motorist claims.
- Workers’ compensation, disability, or unemployment claims.
- Claims under medical payments coverage.
- Claims arising from the activities of outside organizations.
- No-fault sewer backup.
- Liquor liability, unless the member has specifically requested it.

c. Contracts may require higher coverage limits

A contract might include a requirement the member carry more than \$2 million per occurrence in coverage limits. Carrying excess coverage is a way to meet these requirements. Members can also request an endorsement to increase the member’s coverage limit only for claims relating to that contract.

d. Multiple political subdivisions

There may be more than one political subdivision covered under the member’s coverage, like an HRA, EDA, or port authority; or the member has agreed by contract to defend and indemnify or name another entity as a covered party.

RELEVANT LINKS:

See Section III.I, *Joint powers entities* and Section III.Q, *Separate city boards and commissions*.

See Section II.D.3, *Purchasing higher liability limits*.

In this case, a claimant may be able to recover amounts from both the member and the other entity. Excess coverage is one way to provide enough coverage limits. Another solution is for the HRA, EDA, or port authority to carry separate liability coverage in its own name.

III. Coverage details on specific liability exposures

The Trust's liability coverage is broad, but there are some situations where the member needs to take additional action or be aware of special coverage terms.

A. Airports

The Trust can provide airport liability coverage to members of the property/casualty program. Coverage is available for airports that are operated by a city, by a joint powers entity that includes at least one city, or by a special purpose district. Coverage is available for most municipal airports. Larger airports that have scheduled service are not eligible.

1. Coverage limits

The airport liability coverage is very broad and carries a per occurrence limit of \$2 million and an annual aggregate limit of \$3 million. It is subject to the same deductibles that apply to a member's municipal liability coverage. Higher limits can be provided through the Trust's optional excess liability coverage, although it is not available as an option for airport risks only.

2. Coverage terms

Cities or joint powers entities that choose the Trust's airport coverage option are provided coverage under the city's existing Trust liability coverage document. It is provided under an endorsement that modifies the airport exclusion in the basic municipal liability coverage document.

Since the airport liability exposure is wrapped under the basic Trust liability coverage document, the coverage for liability related to airport operations is extremely broad. It is specifically designed to address several important airport exposures, including:

- Damage to an aircraft that's in the city's care, custody, and control; or what is commonly referred to as hangar keeper's liability.
- Products liability coverage for city fueling operations.
- Claims relating to things like noise and vibration.
- Exposures related to errors and omissions such as employment liability and liability for damages other than bodily injury, personal injury or property damage.

LIABILITY COVERAGE – WAIVER FORM

Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before the member's effective date of coverage. Return completed form to your underwriter or email to psstech@lmc.org.

The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary.

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.*
- *If the member waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.*
- *If the member waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.*

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name:

Check one:

The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by [Minn. Stat. § 466.04](#).

The member **WAIVES** the monetary limits on municipal tort liability established by [Minn. Stat. § 466.04](#), to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: _____

Signature: _____ Position: _____