

LAUDERDALE CITY COUNCIL MEETING AGENDA
7:00 P.M. TUESDAY, JULY 26, 2022
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 July 12, 2022 City Council Meeting
 - c. Claims Totaling \$19,535.87
4. **CONSENT**
5. **SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS**
6. **INFORMATIONAL PRESENTATIONS / REPORTS**
 - a. Day in the Park
 - b. Primary Election and Candidate Filing
 - c. City Council Updates

7. **PUBLIC HEARINGS**

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

- a. Ordinance No. 22-04 Regarding Administrative Citations
 - b. Resolution No. 072622A - Authorizing Publication of Ordinance No. 22-04 by Title and Summary.
 - c. Ordinance No. 22-05 Regarding Public Safety Repeat Nuisance Call Service Fees
 - d. Resolution No. 072622B – Authorizing Publication of Ordinance No. 22-05 by Title and Summary.
 - e. Ordinance No. 072622C – Interim Ordinance Authorizing Studies and Imposing a Moratorium on the Sale of Cannabis Products
 - f. Resolution No. 072622C - Authorizing Publication of Ordinance No. 22-06 by Title and Summary.
8. **DISCUSSION / ACTION ITEM**
 - a. Resolution No. 072622D – Amending the 2022 Fee Schedule
 - b. 2023 General Fund Budget Overview
 9. **ITEMS REMOVED FROM THE CONSENT AGENDA**

10. ADDITIONAL ITEMS

11. SET AGENDA FOR NEXT MEETING (AUGUST 8)

- a. June Financial Report
- b. 2023 General Fund Budget
- c. Eustis Street South of Larpenteur Avenue Reconstruction Planning by Ramsey County Staff (August 23)

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 three (3) 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

To provide public comments, join us via Zoom.

You are invited to a Zoom webinar.

When: Jul 26, 2022 07:00 PM Central Time (US and Canada)

Topic: July 26, 2022 Lauderdale City Council Webinar

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/88931596765?pwd=c0tRQ2h4Z1R3TFd6bkY5RVpHZklPUT09>

Passcode: 526040

Or One tap mobile :

US: +16469313860,,88931596765# or +13017158592,,88931596765#

Or Telephone:

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

US: +1 646 931 3860 or +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656 or +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 386 347 5053 or +1 564 217 2000 or +1 669 444 9171 or 888 788 0099 (Toll Free) or 833 548 0276 (Toll Free) or 833 548 0282 (Toll Free) or 877 853 5247 (Toll Free)

Webinar ID: 889 3159 6765

International numbers available: <https://us02web.zoom.us/j/88931596765>

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

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July 12, 2022

Call to Order

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

Roll Call

Councilors present: Jeff Dains, Roxanne Grove, Duane Pulford and Mayor Pro Tem Andi Moffatt.

Councilor absent: Mayor Mary Gaasch.

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

Approvals

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

Mayor Pro Tem Moffatt asked if there were any corrections to the minutes of the June 28, 2022 city council meeting. There being none, Councilor Dains moved and seconded by Councilor Grove to approve the minutes of the June 28, 2022 city council meeting. Motion carried unanimously.

Mayor Pro Tem Moffatt 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 \$133,565.28. Motion carried unanimously.

Informational Presentations/Reports

A. Day in the Park

Assistant to the City Administrator Bownik gave an update on the food, games, music, and events that will take place at Lauderdale's annual Day in the Park event. The event will take place on Thursday, July 21 at Lauderdale Community Park.

B. Primary Election and Candidate Filing

Administrator Butkowsi stated that early voting for the state primary election started at City Hall. She shared that mail-in ballots can be obtained at mnvotes.org. Filing for City offices starts on August 2 and runs until August 16. There will be two city council seats, as well as the mayoral seat up for reelection.

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C. City Council Updates

Councilor Pulford stated that the retaining wall at Lauderdale Community Park is deteriorating. Butkowski said the new concrete blocks were purchased and staff planned on installing them soon.

Public Hearings

A. Annual Stormwater Pollution Prevention Plan Public Hearing

Annually, the City must report on its storm water efforts as one of the requirements of our Municipal Separate Storm Sewer System (MS4) permit. A copy of the 2021 annual report submitted to the Minnesota Pollution Control Agency (MPCA) was in the packet.

Mayor Pro Tem Moffatt opened the floor for public comment on our storm water program at 7:10 p.m. There being no one interested in speaking, Moffatt closed the floor at 7:11 p.m.

Discussion/Action Item

A. Draft Administrative Citation Ordinance

B. Draft Public Safety Repeat Nuisance Call Service Fees Ordinance

Butkowski explained that staff worked with the City attorney on two draft ordinances. The first ordinance was related to administrative citations. This alternative to the criminal court system would address some code violations such as rank growth, debris, zoning issues, and pet licensing. The second ordinance would fine property owners for overuse or misuse of public safety services. She said in practice, these two ordinances would work together to address problem properties. Often the properties that fail to mow their yard or keep pets secured also generate excessive police calls for conduct issues on the property.

If adopted, the City Council must set fines for the administrative citations. Staff provided examples from Roseville and Cambridge for comparison purposes. The City Council discussed the drafts and recommended changes. The drafts will be discussed again at the next meeting with staff from the City's building official staff.

Set Agenda for Next Meeting

Butkowski said the July 26 council meeting may include the June financial report, an administrative citation ordinance, a public safety repeat nuisance call service fees ordinance, and the 2023 general fund budget.

Work Session

A. Community Development Update

Butkowski shared that the school closing took place last week. The asbestos abatement will begin soon. Demolition on the site is set to start August 8. Butkowski continued to say that City staff would be training election judges in person at City Hall.

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B. Opportunity for the Public to Address the City Council

Mayor Pro Tem Moffatt opened the floor to anyone in attendance interested in addressing the Council.

Heather Brian, 1778 Eustis Street, stated that she helped pick up refuse left behind from an event at Lauderdale Community Park on July 9. The Council thanked her for her efforts.

There being no other parties interested in speaking, Mayor Pro Tem Moffatt closed the floor.

Adjournment

Councilor Pulford moved and seconded by Councilor Dains to adjourn the meeting at 8:02 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: July 26, 2022
Subject: List of Claims

The claims totaling \$19,535.87 are provided for City Council review and approval that includes check numbers 27991 to 28007.

Accounts Payable

Checks by Date - Detail by Check Date

User: MILES.CLINE
 Printed: 7/21/2022 3:25 PM



Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
ACH	34	AFSCME MN Council 5 PR Batch 51500.07.2022 Union Dues	07/22/2022 PR Batch 51500.07.2022 Unic	219.52
Total for this ACH Check for Vendor 34:				219.52
ACH	43	Public Employees Retirement Association PR Batch 51500.07.2022 PERA Coordinated PR Batch 51500.07.2022 PERA Coordinated	07/22/2022 PR Batch 51500.07.2022 PER PR Batch 51500.07.2022 PER	1,220.22 1,057.52
Total for this ACH Check for Vendor 43:				2,277.74
ACH	44	Minnesota Department of Revenue PR Batch 51500.07.2022 State Income Tax	07/22/2022 PR Batch 51500.07.2022 Stat	709.15
Total for this ACH Check for Vendor 44:				709.15
ACH	45	ICMA Retirement Corporation PR Batch 51500.07.2022 Deferred Comp PR Batch 51500.07.2022 Deferred Comp	07/22/2022 PR Batch 51500.07.2022 Defi PR Batch 51500.07.2022 Defi	1,177.41 1,500.76
Total for this ACH Check for Vendor 45:				2,678.17
ACH	46	Internal Revenue Service PR Batch 51500.07.2022 Medicare Employer Po PR Batch 51500.07.2022 Medicare Employee Pc PR Batch 51500.07.2022 FICA Employee Portio PR Batch 51500.07.2022 Federal Income Tax PR Batch 51500.07.2022 FICA Employer Portio	07/22/2022 PR Batch 51500.07.2022 Mec PR Batch 51500.07.2022 Mec PR Batch 51500.07.2022 FIC. PR Batch 51500.07.2022 Fedc PR Batch 51500.07.2022 FIC.	275.14 275.14 1,176.35 1,808.39 1,176.35
Total for this ACH Check for Vendor 46:				4,711.37
Total for 7/22/2022:				10,595.95
27991	65 18603876	Allstream Inc. Fax Line	07/26/2022	53.25
Total for Check Number 27991:				53.25
27992	373 6290026622 6290026622	ARAMARK Uniform & Career Apparel Gr July Uniforms July Uniforms	07/26/2022	88.70 88.71
Total for Check Number 27992:				177.41
27993	184 4122224836 4122921901 4123574459 4124282712 4124934029	Cintas June Uniforms June Uniforms June Uniforms July Uniforms July Uniforms	07/26/2022	8.46 8.46 8.46 8.77 8.77

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
	4125631566	July Uniforms		8.77
			Total for Check Number 27993:	51.69
27994	192 150307834	Comcast Holdings Corporation July Internet	07/26/2022	413.00
			Total for Check Number 27994:	413.00
27995	25	County of Ramsey	07/26/2022	
		PR Batch 51500.07.2022 Long Term Disability	PR Batch 51500.07.2022 Lon	95.87
		PR Batch 51500.07.2022 Life Insurance	PR Batch 51500.07.2022 Life	223.93
		PR Batch 51500.07.2022 Short Term Disability	PR Batch 51500.07.2022 Sho	88.47
	EMCOM-010163	June Fleet Support		6.24
	EMCOM-010178	June 911 Dispatch Services		642.58
	EMCOM-010195	June CAD Services		106.52
			Total for Check Number 27995:	1,163.61
27996	25 RISK-002182	County of Ramsey July Insurance Processing Fee	07/26/2022	25.00
			Total for Check Number 27996:	25.00
27997	19 90655 90655	Ehlers and Associates Inc Continuing Disclosure Report Continuing Disclosure Report	07/26/2022	375.00 375.00
			Total for Check Number 27997:	750.00
27998	185 072022 072022 072022	Lauderdale Certified Auto Repair Inc June Fuel June Fuel June Fuel	07/26/2022	40.49 40.48 188.93
			Total for Check Number 27998:	269.90
27999	374 110446 110447	LUNSETH Lawn Care Professionals LLC Organic Lawn Treatment - City Hall Organic Lawn Treatment - PW Building	07/26/2022	377.87 552.04
			Total for Check Number 27999:	929.91
28000	12 2022-117 2022-117 2022-117	NineNorth June Virtual Meeting Production June Webstreaming & Archiving June Virtual Meeting Charge	07/26/2022	360.00 255.41 74.75
			Total for Check Number 28000:	690.16
28001	10 0001362248	On Site Sanitation Inc 07/09/2022 - 08/05/2022 Park Portable Restroom	07/26/2022	218.00
			Total for Check Number 28001:	218.00
28002	5 619861-06-22	Premium Waters Inc June Water Bottles	07/26/2022	17.50
			Total for Check Number 28002:	17.50
28003	155 66610	Seven Corners Printing 3Q2022 Newsletter	07/26/2022	1,240.00

Check No	Vendor No Invoice No	Vendor Name Description	Check Date Reference	Check Amount
			Total for Check Number 28003:	1,240.00
28004	26 1954102 1954102	Stantec Consulting Services Inc Plan Review General Engineering Services	07/26/2022	1,131.25 219.50
			Total for Check Number 28004:	1,350.75
28005	90 9910068300 9910068300 9910068300	Verizon Wireless June Cell Phone June Cell Phone June Cell Phone	07/26/2022	45.23 45.22 90.45
			Total for Check Number 28005:	180.90
28006	7 9210204-0500-4	Waste Management Inc July Public Works	07/26/2022	607.30
			Total for Check Number 28006:	607.30
28007	74 786099849 786179109 786441676 786488945 786644843 786644843 786659335 786659335 786659335 786659335	Xcel Energy Larpenteur Bridge Lights 2430 Larpenteur Avenue W June Street Lighting Larpenteur Pedestrian Lighting 1891 Walnut Street 1891 Walnut Street 1885 Fulham Street 1885 Fulham Street 1917 Walnut Street 1917 Walnut Street	07/26/2022	33.92 17.12 512.99 47.59 36.83 35.02 36.91 28.49 28.49 24.18
			Total for Check Number 28007:	801.54
			Total for 7/26/2022:	8,939.92
			Report Total (22 checks):	19,535.87

LAUDERDALE COUNCIL ACTION FORM

Action Requested

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

Meeting Date July 26, 2022

ITEM NUMBER Admin Citation Ordinances

STAFF INITIAL 

APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

During the previous meeting, the Council started discussing drafts of an administrative citation ordinance and public safety nuisance fee ordinance. The purpose of the ordinances is to address properties with condition and/or conduct issues that are hard to tackle via the criminal court system.

During this meeting, Carri Levitski from Rum River Consultants (RRC) will join the meeting remotely to share how RRC staff will use the administrative citations ordinance to tackle building and nuisance code issues. Prior to joining RRC, Carri worked in community development for a couple of cities and used these tools.

In the packet are the two draft ordinances along with a suggested fee schedule. Based on the conversation and community feedback during the public hearing, the Council can determine whether to move ahead with adoption of the ordinances and fee schedule. If the fee schedule needs revisions, the ordinances can still be adopted at this meeting and the fee schedule at the next.

OPTIONS:

STAFF RECOMMENDATION:

Motion to adopt Ordinance No. 22-04 adding Chapter 11 to Title 1 of the Code of Ordinances Regarding Administrative Citations.

Motion to adopt Resolution No. 072622A Authorizing Publication of Ordinance No. 22-04 by Title and Summary.

Motion to adopt Ordinance No. 22-05 adding Chapter 12 to Title 5 of the Code of Ordinances Regarding Public Safety Repeat Nuisance Call Service Fees.

Motion to adopt Resolution No. 072622B Authorizing Publication of Ordinance No. 22-05 by Title and Summary.

CITY OF LAUDERDALE
ORDINANCE NO. 22-04

An Ordinance Amending Title 1 of the Code of Ordinances
Regarding Administrative Citations

The city council of the city of Lauderdale ordains as follows:

SECTION 1. Title 1 of the Lauderdale City Code is hereby amended by adding a new Chapter 11 as follows:

CHAPTER 11
ADMINISTRATIVE CITATIONS

- 1-11-1 PURPOSE
- 1-11-2 DEFINITION
- 1-11-3 PROCEDURE
- 1-11-4 PAYMENT
- 1-11-5 CONTESTING ADMINISTRATIVE CITATIONS
- 1-11-6 DISPOSITION OF PENALTIES; ADDITIONAL CONSEQUENCES
- 1-11-7 PENALTIES CUMULATIVE

- 1-11-1 PURPOSE

The city council of the city of Lauderdale finds that there is a need for additional alternative methods of enforcing the city code. While criminal fines and penalties have been the most frequent enforcement mechanism, the administrative enforcement of the city code will increase compliance with the code, will encourage citizens to become more receptive to enforcement efforts, will be more informal and cost-effective, and will keep many violations out of the district court's criminal justice system. Accordingly, the city council finds that the use of administrative citations is a legitimate alternative method of enforcement of the city code that is also an effective way to promote the health, safety, and welfare of the citizens. This method of enforcement shall be in addition to and not exclusive of any other legal remedy for code enforcement, including, without limitation, the filing of criminal charges or other civil remedies for code violations.

- 1-11-2 DEFINITION

“Administrative offense” is any violation of a provision of the Lauderdale City Code or any violation of a condition or requirement of a City-issued permit or license, and such violations may be subject to the administrative citation process set forth herein. Each day a violation exists shall constitute a separate administrative offense. In cases where code violations involve real property, both the responsible party and the property owner may be held accountable for violations occurring on the said property after proper notice is given.

- 1-11-3 PROCEDURE

A. Authority to Issue Notices and Citations. The following representatives of the city shall have the authority to issue notices and citations for administrative offenses:

- i. Building official;
- ii. Building inspector;
- iii. Safety/rental inspector;
- iv. City administrator;
- v. Any licensed peace officer;
- vi. Any other personnel designated by the city administrator to enforce the city code.

B. Administrative Notice.

- i. Upon determining that an administrative offense has occurred, a city representative may issue an administrative notice to the violator, either in person or by regular mail. In the case of a vehicular violation, the administrative notice may be attached to the vehicle. The notice will state the date, time, and nature of the administrative offense, the action necessary to remedy the administrative offense, a reasonable time period to come into compliance, and the name of the official issuing the notice.
- ii. If the violator is making a good faith attempt to remedy the administrative offense, the city may grant an extension to the time period contained in the notice, the length of which must be agreed upon in writing between the city and the violator.
- iii. If an administrative offense is a same or similar subsequent violation within any 12-month period, an administrative notice is not required before subsequent citations are issued pursuant to subsection (C) below.

C. Administrative Citation. If the violator fails to correct the administrative offense within the time period provided in an administrative notice, a city representative may issue an administrative citation. The citation must be issued to the violator in person or by regular mail. In the case of a vehicular violation, the citation may be attached to the vehicle. The citation must state the date, time, and nature of the administrative offense, the action necessary to remedy the administrative offense, the name of the representative issuing the citation, the amount of the scheduled fine, the manner for paying the fine, that a failure to pay may result in a lien against real property to be collected via assessment or a personal obligation of the violator, and the violator's right and manner for appealing the citation under section 1-11-5.

1-11-4 PAYMENT

A. Amount. The amount payable for administrative citations shall be established by the fee schedule as adopted by the city council and, unless an appeal is appropriately requested, shall be due within 10 days of the date of the citation. In the event that a violator is issued a second or subsequent administrative citation for the same or substantially similar

offense within a twelve (12) month period, the fee for such second or subsequent offense may be increased pursuant to the fee schedule.

- B. Effect of Payment. Payment of an administrative citation to the city will not act to prevent or affect further enforcement efforts that may result from any ongoing conduct of the violator, including any and all city code violations that occur after the issuance of the original administrative citation.
- C. Failure to Pay. If the violator fails to pay the fee for the violation in the amount of time specified in the administrative citation, which shall be 10 days absent an appeal, the city may suspend or revoke any city-issued license that is associated with the administrative offense or take additional enforcement actions afforded to the city under the law for the cited offense. Additionally, any unpaid fee shall constitute:
 - i. A lien upon the real property upon which the violation occurred if the property or improvements on the property was the subject of the violation;
 - ii. A personal obligation of the violator in all other situations.

A lien may be assessed against the property and collected in the same manner as taxes. A lien may be collected as a special charge, as authorized by Minnesota Statutes, sections 366.011 and 366.012, as well as Minnesota Statutes, section 415.01, subd. 2. A personal obligation may be collected by any appropriate legal means.

1-11-5 CONTESTING ADMINISTRATIVE CITATIONS

- A. Any person issued an administrative citation under this chapter shall have the right to appeal such citation by filing a written notice of appeal with the city within 10 days of the date of such citation. Upon receipt of such written notice, the city administrator, or his or her designee, shall schedule the appeal hearing as soon as reasonably practical but in no event more than 60 days from the date of such appeal notice.
- B. The appeal will be heard by a neutral, third party hearing office appointed by the city administrator or his or her designee. At the hearing, the parties will have an opportunity to present testimony and documentary evidence and question witnesses, but strict compliance with evidentiary rules will not be required. The hearing officer may impose limitations on the scope of evidence to be allowed, as well as time limits which may apply to such appeal hearings, and any other substantive or procedural elements which the hearing officer deems appropriate to ensure an efficient appeal process.
- C. The hearing officer shall issue its findings and conclusions, in writing, within 30 days following the hearing. Upon concluding that an administrative citation was justified, it will uphold the citation as issued. If the hearing officer finds that the administrative citation was not justified, it will overturn the citation.
- D. Failure to attend the appeal hearing constitutes a waiver of the violator's rights to a hearing and an admission of the violation. The city administrator may waive this result, however,

upon a showing of good cause. Examples of "good cause" are: death or incapacitating illness of the accused; a court order requiring the accused to appear for another hearing at the same time; or lack of proper service of the citation or notice of the hearing. "Good cause" does not include forgetfulness or intentional delay.

E. An aggrieved party may obtain judicial review of the decision of the hearing officer according to any applicable law.

1-11-6 DISPOSITION OF PENALTIES; ADDITIONAL CONSEQUENCES

All penalties collected pursuant to this section shall be paid to the city of Lauderdale and deposited into the city's general fund. The city may also suspend or revoke a city-issued license, permit, or other approval associated with any administrative violation, subject to any applicable procedural requirements contained in state or local laws as it relates to adverse action against such city-issued license, permit, or other approval. Suspension or revocation of a license, permit or other approval is authorized regardless of whether additional penalties (such as administrative fines) are imposed for the violation.

1-11-7 PENALTIES CUMULATIVE

Nothing in this section shall prevent the city from taking such other actions as are permitted under law, and the penalties provided herein shall be cumulative.

SECTION II. This ordinance shall be effective upon its adoption and publication.

Adopted by the Lauderdale city council this 26th day of July, 2022.

By: _____
Mary Gaasch, Mayor

ATTEST:

Heather Butkowski, City Administrator

Member _____ introduced the following resolution and moved its adoption.

CITY OF LAUDERDALE

RESOLUTION NO. 072622A

RESOLUTION AUTHORIZING PUBLICATION OF
ORDINANCE NO. 22-04 BY TITLE AND SUMMARY

WHEREAS, the city council of the city of Lauderdale has adopted Ordinance No. 22-04, an ordinance amending Title 1 of the code of ordinances regarding administrative citations; and

WHEREAS, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the ordinance is four pages in length; and

WHEREAS, the city council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Lauderdale that the city administrator shall cause the following summary of Ordinance No. 22-04 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

On July 26, 2022, the city council of the city of Lauderdale adopted Ordinance No. 22-04 amending Title 1 of the code of ordinances regarding administrative citations. The purpose of the ordinance is to adopt a new chapter in the city code authorizing the issuance of administrative citations for violations of the city code and violations of conditions of city-issued permits or licenses. The ordinance provides a mechanism and framework for issuance, payment, collection, and appeals of administrative citations. This public notice is intended only to summarize the ordinance. The full text of the ordinance is available for inspection at Lauderdale city hall during regular business hours and has been posted to the city's website.

BE IT FURTHER RESOLVED by the city council of the city of Lauderdale that the city administrator keep a copy of the ordinance in her office at city hall for public inspection and that she

post a full copy of the ordinance in a public place within the city.

Dated: July 26, 2022.

Mary Gaasch, Mayor

ATTEST:

Heather Butkowski, City Administrator

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

And the following voted against same:

Whereupon said resolution was declared duly passed and adopted.

CITY OF LAUDERDALE
ORDINANCE NO. 22-05

An Ordinance Amending Title 5 of the Code of Ordinances
Regarding Public Safety Repeat Nuisance Call Service Fees

The city council of the city of Lauderdale ordains as follows:

SECTION 1. Title 5 of the Lauderdale City Code is hereby amended by adding a new Chapter 12 as follows:

CHAPTER 12
PUBLIC SAFETY REPEAT NUISANCE CALL SERVICE FEES

- 5-12-1 PURPOSE
 - 5-12-2 SCOPE AND APPLICATION
 - 5-12-3 DEFINITIONS
 - 5-12-4 REPEAT NUISANCE SERVICE CALL FEE
 - 5-12-5 NOTICE
 - 5-12-6 RIGHT TO APPEAL
 - 5-12-7 LEGAL REMEDIES NONEXCLUSIVE
 - 5-12-8 APPLICABILITY OF CHAPTER
 - 5-12-9 RECOVERY OF FEE
-
- 5-12-1 PURPOSE

The purpose of this chapter is to protect the public health, safety, and welfare and to discourage repeat nuisance service calls in the city to the same property or location which interfere with providing police and public safety services to other residents of the city. It is the intent of the city to impose and collect service call fees from the owner of any property to which city officials must repeatedly respond to nuisance public safety service calls because such calls involve extraordinary increased costs to the city. The repeat nuisance service call fee is intended to reimburse the city of the cost of such calls which is over and above the cost of providing normal law enforcement services and police protection city-wide.

5-12-2 SCOPE AND APPLICATION

This chapter applies to the owner of any private property which is the subject or location of repeat nuisance service calls by city officials or other public safety agencies serving the city. This chapter applies to any repeat nuisance service calls made by a peace officer, part-time peace officer, community service officer, animal control, or other designated public safety personnel.

5-12-3 DEFINITIONS

For purposes of this chapter, the term “nuisance” shall mean any activity, conduct, or condition occurring upon private property within the city that unreasonably annoys, injures, or endangers

the health, safety, morals, comfort, or repose of any member of the public or will, or tend to, alarm, anger, or disturb others or provoke breach of the peace, to which the city is required to respond, including, but not limited to the following:

- A. Any activity, conduct, or condition deemed as a public nuisance under any provision of the city code; or
- B. Any conduct, activity, or condition constituting a violation of Minnesota Statutes, chapter 609, as it may be amended from time to time.

5-12-4 REPEAT NUISANCE SERVICE CALL FEE

- A. The city hereby imposes a repeat nuisance service call fee upon the owner of any private property where the city has rendered services or responded to such property on three or more occasions within a period of 365 days in response to or for the abatement of a nuisance condition.
- B. The repeat nuisance service call fee for the third and each subsequent service call within a period of 365 days shall be in such amount as provided for in the city's fee schedule, as it may be amended from time to time. The fee is intended to reimburse the city for, among other things, the cost associated with city employees, officials, or other contracted public safety agencies who respond to or remain at the nuisance event, any cost for the equipment necessary to respond to such event, the cost of any repairs needed to such equipment based on the response, and the cost of any medical treatment which may be required to be provided to responding officers.
- C. A repeat nuisance service call fee imposed under this chapter will be deemed delinquent if it is not paid within 30 days after the city mails the billing statement for the fee. The city will add a 10% late penalty to a delinquent payment.

5-12-5 NOTICE

The city shall send written notice to the record owner of any property which has had two repeat nuisance service calls within the preceding 365 day period. No repeat nuisance service call fee shall be imposed without first providing the owner with written notice. Such written notice shall:

- A. Identify the nuisance conduct that previously occurred on the property and the dates of the previous nuisance conduct;
- B. State that the owner may be subject to a nuisance call service fee if a third nuisance service call is rendered to the property within the specified time period for any further nuisance-related conduct;
- C. State that the city has the right to seek other legal remedies or actions for abatement of the nuisance or compliance with the law; and

- D. Be served by U.S. mail upon the owner at their address as shown on Ramsey County's property tax records, or, if such mailing is returned as undeliverable for any reason, by posting such notice upon the front door of the subject property. If notice is posted, at least 10 days shall lapse before a repeat nuisance service call fee is imposed.

5-12-6 RIGHT TO APPEAL

- A. When the city mails the billing statement for the repeat nuisance service call fee, the city will also inform the owner of their right to request a hearing to appeal the imposition of such fee.
- B. The owner of any property upon which the fee is imposed may request a hearing within 10 days of the date that the fee statement was mailed. In calculating 10 days, the date that the statement was mailed shall not be counted. Any request for a hearing must be in writing and delivered to the city administrator. Upon receipt of such written notice, the city administrator, or his or her designee, shall schedule the appeal hearing as soon as reasonably practical but in no event more than 90 days from the date of such appeal request. If the owner fails to request a hearing within the time and in the manner required under this section, the right to appeal hereunder is waived.
- C. The appeal will be heard by a neutral, third party hearing office appointed by the city administrator or his or her designee. At the hearing, the parties will have an opportunity to present testimony and documentary evidence and question witnesses, but strict compliance with evidentiary rules will not be required. The hearing officer may impose limitations on the scope of evidence to be allowed, as well as time limits which may apply to such appeal hearings, and any other substantive or procedural elements which the hearing officer deems appropriate to ensure an efficient appeal process.
- D. The hearing officer shall issue its findings and conclusions, in writing, within 30 days following the hearing. Upon concluding that a repeat nuisance service call fee was justified, it will uphold the decision and the statement shall be paid within 30 days. If the hearing officer finds that the fee was not justified, it will overturn the decision and the statement will no longer be outstanding.
- E. Failure to attend the appeal hearing constitutes a waiver of the owner's rights to a hearing and the statement shall be paid within 30 days of the failure to appear. The city administrator may waive this result, however, upon a showing of good cause. Examples of "good cause" are: death or incapacitating illness of the owner; a court order requiring the owner to appear for another hearing at the same time; or lack of receipt of the notice of the hearing. "Good cause" does not include forgetfulness or intentional delay.
- F. An aggrieved party may obtain judicial review of the decision of the hearing officer according to any applicable law.

5-12-7 LEGAL REMEDIES NONEXCLUSIVE

Nothing in this chapter shall be construed to limit the city's available legal remedies, including criminal and civil action, or other available relief.

5-12-8 APPLICABILITY OF CHAPTER

The city shall not impose a repeat nuisance service call fee for a police response relating to emergency assistance, including, but not limited to, domestic violence or child abuse, or for any other matter, in the city's reasonable discretion, for which it would not be in the public interest to charge such a fee.

5-12-9 RECOVERY OF FEE

If an owner fails to pay the fee in the amount of time specified under this chapter, said unpaid fee shall constitute a lien upon the real property upon which the fee is associated with. A lien may be assessed against the property and collected in the same manner as taxes. A lien may also be collected as a special charge, as authorized by Minnesota Statutes, sections 366.011 and 366.012, as well as Minnesota Statutes, section 415.01, subd. 2.

SECTION II. This ordinance shall be effective upon its adoption and publication.

Adopted by the Lauderdale city council this 26th day of July, 2022.

By: _____
Mary Gaasch, Mayor

ATTEST:

Heather Butkowski, City Administrator

Member _____ introduced the following resolution and moved its adoption.

CITY OF LAUDERDALE

RESOLUTION NO. 072622B

RESOLUTION AUTHORIZING PUBLICATION OF
ORDINANCE NO. 22-05 BY TITLE AND SUMMARY

WHEREAS, the city council of the city of Lauderdale has adopted Ordinance No. 22-05, an ordinance amending Title 5 of the code of ordinances regarding public safety repeat nuisance call service fees; and

WHEREAS, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the ordinance is four pages in length; and

WHEREAS, the city council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Lauderdale that the city administrator shall cause the following summary of Ordinance No. 22-05 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

On July 26, 2022, the city council of the city of Lauderdale adopted Ordinance No. 22-05 amending Title 5 of the code of ordinances regarding public safety repeat nuisance call service fees. The ordinance establishes a procedure for establishing a repeat nuisance service call fee for owners of property where the city has rendered services or responded to such property on three or more occasions within a period of 365 days in response to or for the abatement of a nuisance condition. The ordinance further establishes a procedural framework for imposing, appealing, and recovering said fee. Certain emergency responses are exempt from the fee, including, but not necessarily limited to, domestic violence and child abuse response. This public notice is intended only to summarize the ordinance. The full text of the ordinance is available for inspection at Lauderdale city hall during regular business hours and has been posted to the city's website.

BE IT FURTHER RESOLVED by the city council of the city of Lauderdale that the city administrator keep a copy of the ordinance in her office at city hall for public inspection and that she post a full copy of the ordinance in a public place within the city.

Dated: July 26, 2022.

Mary Gaasch, Mayor

ATTEST:

Heather Butkowski, City Administrator

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

And the following voted against same:

Whereupon said resolution was declared duly passed and adopted.

**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested

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

Meeting Date July 26, 2022

ITEM NUMBER Interim Cannabis Ordinance

STAFF INITIAL 

APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

The legalization of edible cannabinoids by the state legislature this year created a number of questions for cities on whether they should or should not take a role in regulating the sale or location of the sale of these products. The League of Minnesota Cities and city attorneys throughout the state are taking a look at the new law and trying to answer the questions being posed by their city clients. Because state law has little by way of regulation of the product, that is being left to cities. There is a strong possibility the legislature may create additional regulations but that wouldn't happen until the legislative session next year which leaves cities deciding what, if anything, to do now.

Because of the uncertainty around the issue, the City Council can adopt an interim ordinance to prohibit the sale of the edible cannabinoids within the City for up to one year to research the issue. Staff recommends this because new information is coming out regularly that should be considered.

OPTIONS:

Based on Council sentiment and feedback during the public hearing, the Council can decide whether or not to adopt the interim ordinance.

STAFF RECOMMENDATION:

Motion to adopt Ordinance No. 22-06 adopting an Interim Ordinance Authorizing Studies and Imposing a Moratorium on the Sale of Cannabis Products.

Motion to adopt Resolution No. 072622C Authorizing Publication of Ordinance No. 22-06 by Title and Summary.

ORDINANCE NO. 22-06

CITY OF LAUDERDALE
COUNTY OF RAMSEY
STATE OF MINNESOTA

**AN INTERIM ORDINANCE AUTHORIZING STUDIES AND IMPOSING A
MORATORIUM ON THE SALE OF CANNABIS PRODUCTS**

The City Council of the City of Lauderdale does ordain as follows:

Section 1. Legislative Findings and Authority

- (A) There is a great deal of uncertainty regarding the effect of Minnesota Laws 2022, Chapter 98 amending Minnesota Statutes, section 151.72 (the “Act”) to allow the sale of edible cannabinoid products (“Cannabis Products”).
- (B) Because the proposal to allow the sale of Cannabis Products received little publicity until the Act went into effect on July 1, 2022, the city of Lauderdale (the “City”) did not have an opportunity to study and consider the potential impacts of the Act or to engage in policy discussions regarding the potential regulation of sale of Cannabis Products by the City.
- (C) The Act authorizes the Minnesota Board of Pharmacy to enforce the Act but the Act does not provide for any licensing of manufacturers or of those who sell Cannabis Products and is silent regarding the enactment of local regulations related to Cannabis Products.
- (D) The Act does not expressly prohibit or limit local regulations but the regulations established in the Act clearly do not constitute the Legislature having occupied the field of regulation regarding the sale of Cannabis Products.
- (E) The city council finds the uncertainties associated with sale of Cannabis Products, as well as the options of local regulation, strongly suggests the need for a study to develop information the City Council may use related to potential regulation of Cannabis Products through the adoption of licensing and zoning controls.
- (F) Pursuant to Minnesota Statutes, section 462.355, subdivision 4(a), the city council is authorized to adopt an interim ordinance “to regulate, restrict, or prohibit any use . . . within the jurisdiction or a portion thereof for a period not to exceed one year from the date it is effective.”
- (G) The city council is also authorized as part of its general police powers to adopt business licensing requirements related to the sale of Cannabis Products.

- (H) The Minnesota Supreme Court in *Almquist v. Town of Marshan*, 245 N.W.2d 819 (Minn. 1976) upheld the enactment of a moratorium despite the lack of express statutory authority as being a power inherent in a broad grant of power to municipalities. In most cases, the enactment of business licensing requirements is based on a city's police powers, which is the broadest grant of power to cities. Inherent in that broad grant of authority is the power to place a temporary moratorium on a business to study and potentially implement licensing regulations on that business.
- (I) There are both business licensing and zoning issues associated with the sale of Cannabis Products. The city council determines it needs time to study the matter and to consider the development and adoption of appropriate local regulations. To protect the planning process and the health, safety, and welfare of the residents while the City conducts its study and the city council engages in policy discussions regarding possible regulations, the city council determines it is in the best interests of the City to impose a temporary moratorium on the sale of Cannabis Products.

Section 2. Definitions. For the purposes of this Ordinance, the following words, terms, and phrases shall have the meanings given them in this section.

- (A) "Act" means 2022 Minnesota Session Laws, Chapter 98 (H.F. No. 4065), amending Minnesota Statutes, section 151.72.
- (B) "Cannabis Products" means Edible Cannabinoid Product and any other product that became lawful to sell for the first time in Minnesota effective July 1, 2022, as a result of the adoption of the Act.
- (C) "Edible Cannabinoid Product" has the same meaning given the term in Minnesota Statutes, section 151.72, subdivision 1(c).

Section 3. Study. The city council hereby authorizes and directs the city administrator to conduct a study regarding Cannabis Products and provide the city council a report on the potential regulations of such products. The report shall include recommendations on whether the city council should adopt regulations and, if so, the recommended types of regulations. The study shall consider, but is not limited to, the following:

- (A) The potential impacts of the sale of Cannabis Products within the City;
- (B) Licensing the sale of Cannabis Products and related regulations; and
- (C) Zoning regulations related to the sale and distribution of Cannabis Products.

Section 4. Moratorium. A moratorium is hereby imposed within the City regarding the sale of Cannabis Products. No business, person, or entity may sell Cannabis Products to the public within the jurisdictional boundaries of the City. The City shall not accept, process, or act on any application, site plan, building permit, or zoning or other approval for a business proposing to engage in the sale of Cannabis Products.

Section 5. Violations. During the period the moratorium is in effect it is a violation of this Ordinance to sell Cannabis Products within the City.

Section 6. Exceptions. The moratorium imposed by this Ordinance does not apply to the sale of medical cannabis or hemp products that were lawful to sell prior to the effective date of the Act.

Section 7. Enforcement. Violation of this Ordinance is a misdemeanor. In addition, the City may enforce this Ordinance by mandamus, injunction, other appropriate civil remedy in any court of competent jurisdiction.

Section 8. Effective Date and Term. This Ordinance shall be effective upon adoption and publication in the City's official newspaper and shall have a term of 12 months. This Ordinance shall remain in effect until the expiration of the 12-month term, until it is expressly repealed by the city council, or until the effective date of an ordinance amending the city code to address Cannabis Products, whichever occurs first.

Section 9. Severability. Every section, provision, and part of this Ordinance is declared severable from every other section, provision, and part thereof. If any section, provision, or part of this Ordinance is held to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision, or part of this Ordinance.

PASSED BY THE CITY COUNCIL OF THE CITY OF LAUDERDALE, MINNESOTA THIS
26th DAY OF JULY 2022.

Mary Gaasch
Mayor

ATTEST:

Heather Butkowski
City Clerk-Administrator

Member _____ introduced the following resolution and moved its adoption.

CITY OF LAUDERDALE

RESOLUTION NO. 072622C

RESOLUTION AUTHORIZING PUBLICATION OF
ORDINANCE NO. 22-06 BY TITLE AND SUMMARY

WHEREAS, the city council of the city of Lauderdale has adopted Ordinance No. 22-06, an interim ordinance establishing a moratorium on the sale of Cannabis Products; and

WHEREAS, Minnesota Statutes, section 412.191, subd. 4, allows publication by title and summary in the case of lengthy ordinances or those containing charts or maps; and

WHEREAS, the ordinance is three pages in length; and

WHEREAS, the city council believes that the following summary would clearly inform the public of the intent and effect of the ordinance.

NOW, THEREFORE, BE IT RESOLVED by the city council of the city of Lauderdale that the city administrator shall cause the following summary of Ordinance No. 22-06 to be published in the official newspaper in lieu of the entire ordinance:

Public Notice

On July 26, 2022, the city council of the city of Lauderdale adopted Ordinance No. 22-06, an ordinance establishing a moratorium on the sale of Cannabis Products, as that term is now defined in state law. The 2022 Legislature adopted an amendment to Minnesota Statutes, section 151.72 which permits the retail sale of edible cannabinoid products as of July 1, 2022. Virtually no advanced word about this legislation was provided prior to passage. The act authorizes the Minnesota Board of Pharmacy to enforce the law but provides no guidance regarding regulation. Lauderdale, like most cities, is unprepared to regulate the sale of these products. The interim ordinance declares a moratorium on such sales and authorizes a study to determine if and how the city wishes to regulate sales. Medical cannabis and hemp products which could be sold legally before July 1, 2022, are exempt from the moratorium. The moratorium has a maximum duration of 12 months. This public notice is intended only to summarize the ordinance. The full text of the ordinance is

available for inspection at Lauderdale city hall during regular business hours and has been posted to the city's website.

BE IT FURTHER RESOLVED by the city council of the city of Lauderdale that the city administrator keep a copy of the ordinance in her office at city hall for public inspection and that she post a full copy of the ordinance in a public place within the city.

Dated: July 26, 2022.

Mary Gaasch, Mayor

ATTEST:

Heather Butkowski, City Administrator

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

And the following voted against same:

Whereupon said resolution was declared duly passed and adopted.

**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested

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

Meeting Date July 26, 2022

ITEM NUMBER Admin Citation Ordinances

STAFF INITIAL 

APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

For simplicity, staff decided to separate the fee schedule discussion from the administrative ordinances discussions. The proposed fee schedule was amended to include the types of violations staff envision enforcing through administration citations from adoption through the end of 2022. Based on how well it works, more items can be added in 2023. Please review the list noted in red on the first page. Staff is looking for feedback on the list but especially on the fine level. Most of the fines are lower than the Roseville or Cambridge fees we look at but seem to have a level of reasonableness.

Since the fee schedule is being amended, staff proposing adding the changes in red on the other pages. If there are any questions, we can discuss during the meeting.

OPTIONS:

STAFF RECOMMENDATION:

Motion to adopt Resolution No. 072622D Amending the 2022 Fee Schedule.

RESOLUTION NO. 072622D

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

A RESOLUTION AMENDING THE 2022 FEE SCHEDULE

WHEREAS, state law allows the City of Lauderdale City Council to create, change, amend, or revise fees for such things as permits, licenses, charges for services, and applications from time-to-time by resolution; and

WHEREAS, the administrative costs for regulating business activities, development activities, and recreational activities in the City should be borne by the users; and

WHEREAS, the additional administrative costs of renewals of licenses and permits after various dates for regulating business activities, development activities, and recreational activities in the City should be borne by the users, which may include the paying of escrow dollars to ensure funds are recouped.

NOW THEREFORE BE IT RESOLVED, by the Council of the City of Lauderdale, Minnesota, the following license, permit, business, and application fees or charges be and hereby are established effective July 27, 2022 upon the passage and adoption of this Resolution.

ADOPTED this 26th day of July, 2022 by the Lauderdale City Council.

Mary Gaasch, Mayor

ATTEST:

Heather Butkowski, City Administrator

2022 Amended Fee Schedule

ADMINISTRATIVE FEE

Each Occurrence \$25.00

ADMINISTRATIVE CITATION

Abandoned and/or Junk Vehicle \$50 per day after citation issued for non-compliance
 Animal Licensing \$25 per day after citation issued for non-compliance
 City Code Violations Not Otherwise Listed \$50 per day after citation issued for non-compliance
 Expired or Missing License Plates and Tabs \$40 per day after citation issued for non-compliance
 Failure to Apply for License \$50 per day after citation issued for non-compliance
 Failure to Apply for Rental Housing License \$50 per day after citation issued for non-compliance
 Failure to Correct Rental Housing Violation \$100 per day after citation issued for non-compliance
 Fireworks: Use, Possession, and Sale \$100 per offense
 Illegal Dumping \$100 per offense
 Illicit Discharge \$100 per offense
 Land Use Violations \$50 per day after citation issued for non-compliance
 Open Burning Ordinance Violations \$100 per offense
 Public Safety Repeat Nuisance Call Service \$250 Beginning with the Third Call
 Rank Growth \$50 per day after citation issued for non-compliance
 Refuse and Debris Accumulation \$50 per day after citation issued for non-compliance
 Sale of Cannabis Products \$100 per offense
 Solicitor, Peddlers, and Door-to-Door Activity w/o License \$100 per offense
 Trespassing \$100 per offense

ANIMALS

Domestic Animal License \$10.00
 Duplicate License \$3.00
 Non-Domestic Animal License \$10.00

BINGO OR RAFFLE

\$100.00

BUILDING PERMITS

See Appendix A

BUSINESS ASSISTANCE

Escrow with minimum of \$10,000.00

CANDIDATE FILING FEE

\$2.00

CERTIFIED COPIES

\$1.00/page plus sales tax

CIGARETTES/TOBACCO LICENSE

\$200.00/year

CITY COUNCIL

Requested Special Meeting \$250.00

CITY PROPERTY RENTAL

Banquet Table Rent \$4.00/table
 Banquet Table Deposit \$100.00/table
 Metal Detector Rent \$5.00/day
 Metal Detector Deposit \$100.00
 Metal Folding Chair Rent \$0.75/chair
 Metal Folding Chair Deposit \$20.00/chair

COMMUNITY ROOM RENTAL

Resident Use Only \$50.00/5 hour block
 Deposit - Key \$100.00
 Deposit - Damage \$100.00
 Excess Trash Fee \$10.00/bag

Cancellation Fee (5 business days prior to reservation)	\$20.00	
Cancellation Fee (less than 5 business days prior to reservation)	Reservation fee	
COUNCIL MEETING DVD	\$50.00 plus sales tax	
CREDIT CARD PROCESSING FEE (Suspended for 2022)	\$2.50 for transactions of \$0-250 \$5.00 for transactions of \$251-500 \$10.00 for transactions of \$501-1,000 \$15.00 for transactions of \$1,001-1500 \$20.00 for transactions of \$1,501-2000 3% charge for transactions over \$2,001 *Excludes City Merchandise and Donations	
FACSIMILE	\$0.50/page	
FIRE		
False Alarms Per Ordinance	Cost plus administrative fee	
Fire Call Charge Back	Cost of Fire Services plus administrative fee	
Fire Inspection Annual or Additional	\$35.00/hour	
LIQUOR, 3.2 Percent		
Off-Sale	\$150.00	
On-Sale	\$300.00	
Temporary	\$50.00	
Penalties	See Appendix B	
MECHANICAL PERMITS	See Appendix A	
MERCHANDISE SALES		
History Book	\$25.00	(\$23.28 + \$1.72 sales tax)
Mugs	\$5.00	(\$4.66 + \$.34 sales tax)
T-shirts	\$7.00	
Long-sleeve t-shirt	\$12.00	
Sweatshirts	\$17.00	
MILEAGE REIMBURSEMENT	Per IRS	
NON-SUFFICIENT FUNDS CHECK	\$30.00	
NUISANCE VIOLATIONS		
Weed/Grass Mowing	Actual Costs + Admin Fee	
Refuse	Actual Costs + Admin Fee	
Junk Vehicles	Actual Costs of Towing & Disposal + Admin Fee	
Nuisance Violation Appeal	\$200.00	
PARKING		
Disabled Parking Zone Sign	\$25.00/year	
PARK DEDICATION		
Residential	\$3,000/per unit	
Commercial/Industrial	10% of fair market value of subdivided land	
PARK RESERVATION RENTALS		
Resident	No Fee	
Non-resident	\$25.00 plus sales tax/4 hour block	

Non-resident Damage Deposit	\$50.00
PHOTOCOPY	\$.25/page
PLUMBING	See Appendix A
RECYCLING CARTS	\$75.00
REFUSE HAULERS	
Annual	\$75.00/truck
RENTAL HOUSING	See Appendix A
Administrative Penalty	
Late Application	\$25.00/day
License Violations	Up to \$1,000.00/day
RIGHT-OF-WAY	
City Engineer's Review, if applicable	\$100.00
City Attorney Review, if applicable	\$100.00
Excavation Permit	\$100.00 plus bond
Obstruction Permit	\$100.00
SALES TAX	
Sale of goods	7.375%
City Purchases	6.875%
SANITARY SEWER AND WATER DEVELOPMENT	
Sewer Availability Charge	Per Metropolitan Council
Water Availability Charge	Per St. Paul Water
SPECIAL ASSESSMENTS, Interest Rate	
Delinquent Utility Bills, Accounts Receivable	8% or \$25.00, whichever is greater
TREE CONTRACTOR LICENSE	\$50.00/year
VACATIONS (Streets, Alleys, etc.)	\$500.00 plus \$700 escrow *
ZONING APPLICATIONS	
Conditional Use Permit	\$200 plus \$500 escrow*
Home Occupation	\$100.00
Lot Consolitation / Division	\$100 plus \$500 escrow*
Lot Line Rearrangement	\$200 plus \$1,000 escrow*
Planned Unit Development	\$500 plus \$5,000 escrow *
Sign Permit	\$200.00
Subdivision	\$500.00 plus \$1,500 escrow *
Variance from Zoning Ordinance	\$150.00
Zoning Amendment	\$500.00 plus \$1,500 escrow *
Document Recording Fee	Recording cost plus Administrative fee
ZONING PERMIT	
Driveway or Parking Pad	\$50.00
Fence	\$50.00
Retaining Wall	\$50.00
Sidewalk	\$50.00

* Applicants will be responsible for submitting the escrow payment in addition to assuming all city accrued costs on the application review.

NOTE: A private party or public institution (hereinafter applicant) making a request of the city must cover the cost of the request

including consultants' costs. Prior to having the request considered by the city, the applicant must deposit an escrow fee in an amount that is estimated to cover the city consultant's costs as determined by the city administrator. If the city consultant's costs exceed the escrow deposited by the applicant, an additional escrow fee will be required to cover the additional costs. The city shall use the applicant's fees to cover the city's actual consultants' costs, publishing costs, and recording costs in reviewing the request regardless of the city's action on the applicant's request. If the applicant's escrow fees exceed the city's actual consultant's costs for reviewing the request, the remaining escrow fees shall be refunded to the applicant.

Building Permit and Related Fees

Subd. 1. Permits, Inspections and Fees. The issuance of permits and the collection of fees shall be as authorized in Minnesota Statutes 326B.148, and section 326B.151 and as provided by this ordinance and other applicable rules and regulations. Fees are to be commensurate with the service provided.

Subd. 2. Project Valuation. The Building Official has the authority and responsibility to determine project valuation for the purposes of determining applicable plan review and permit fees. Valuation data is referenced from the State of Minnesota and the International Code Council; internal processes are updated as needed to reflect the approximate cost of material and labor associated with the project.

Subd. 3. State Surcharge on Building Permit Fees. In addition to the permit fees outlined in this ordinance, a surcharge fee shall be collected on all permits issued for work governed by the MSBC in accordance with MN Statute, Section 326B.148.

Subd. 4. Refunds. The municipality may refund fees for permits (up to 75% of the permit fee) in which no work has been done and no inspections have been made. Requests for refunds must be in writing and signed by the permit holder. The Building Official will review the request for refund and make a determination whether or not to approve the request.

No refund will be provided for plan review fees or surcharges related to the permit.

Subd. 5. Work Without a Permit. Work without a permit may result in additional fees as specified in MN Rules 1300.0160 subpart 8. Fees may be up to, but not to exceed, the permit fee itself.

Subd. 6. Minimum Permit Fee. Work requiring a permit shall be charged a minimum of \$75.00 for processing and administration.

Subd. 7. Permit Expiration. Permits issued must be pursued in good faith and at no time exceed 180 days of *inactivity*. For the purposes of this section, *activity* is defined as site inspections and/or permit extensions. Extension requests shall be received in writing and may be granted with or without additional fees and must be received prior to the permit expiration.

Subd. 8. Expired permits. Permits determined to be "inactive" for 180 days or more may be deemed expired. It is the responsibility of the permit applicant to maintain an active status. Applicants may or may not be contacted at or before expiration.

Building / Fire Sprinkler/ Fire Alarm Permit Fees

Valuation Based Building Permit Fees	Building Permit	1997 Uniform Building Permit Fee Schedule as extracted from the 1997 Uniform Building Code, Table No. 1-A
	Plan Review	If building valuation exceeds \$1,000 and building plans are required to be submitted, a plan review fee of 65% of the building permit fee must be paid in addition to the building permit fee. (Except as per MN Rules 1300.0160, Subp. 5 for similar plans, after the first submittal.)
Fixed Fee Building Permits Building Projects not identified as "Fixed Fee" permits are to be considered "Value Based Permits"	Residential maintenance projects, including: roofing, siding and window replacement (same size)	\$125.00
	Residential structure moving	\$250.00
	Residential demolition (Dwelling and/or accessory structures)	\$200.00
	Re-inspection fees. Additional fees may apply after more than 2 failed inspections	\$95.00
	Commercial demolition	\$385.00
State Surcharge: State Surcharge must be paid per MN Statutes 326B.148, in addition to other calculated fees.		

Mechanical Permit Fees

Valuation Based Fees	All Commercial Projects (New or Replacement Systems)	
	Mechanical Permit	1997 Uniform Building Permit Fee Schedule as extracted from the 1997 Uniform Building Code, Table No. 1-A
	Mechanical Plan Review	10% of permit fee when job valuation exceeds \$30,000.
Fixed Fee Mechanical Permits	Residential New Construction	\$150.00
	Residential Replacement - furnace, air conditioner, exhaust system / air exchanger, etc.	\$125.00
	Residential furnace and air conditioner simultaneously	\$185.00
State Surcharge: State Surcharge must be paid per MN Statutes 326B.148, in addition to other calculated fees.		

Plumbing Permit Fees

Valuation Based Plumbing Permits	Commercial new construction, addition and remodeling. Based on valuation, including material and labor.	1997 Uniform Building Permit Fee Schedule as extracted from the 1997 Uniform Building Code, Table No. 1-A
Fixed Fee Plumbing Permits	Residential New Construction	\$150.00
	Residential addition, remodel or water heater, water conditioning system, etc.	\$125.00
	Landscape Irrigation System	\$100.00

On Site Septic Permit Fees

Residential Septic System (New or Replacement)	Type I-II-III	\$250.00
	Septic or holding tank only	\$175.00
Residential or Commercial	Performance / Engineered System	1997 Uniform Building Permit Fee Schedule as extracted from the 1997 Uniform Building Code, Table No. 1-A
	Operating Permit	\$100.00 / year
	Maintenance Permit	\$10.00 per permit, needed every 3 years

Solar/ Photovoltaic Systems

Residential and Commercial Solar Electric/ Photovoltaic Installation Set Permit Fees These are in addition to permits and inspections required by the MN Board of Electricity.	0 watts to and including 5,000 watts	\$90.00
	5,001 watts to and including 10,000 watts	\$100.00
	10,001 to and including 20,000 watts	\$150.00
	20,001 watts to and including 30,000	\$200.00
	30,001 watts to and including 40,000 watts	\$250.00
	40,001 watts to and including 1,000,000 watts	\$250.00 and \$25.00 for each additional 10,000 watts over 40,001 watts
	1,000,001 watts to 5,000,000	\$2,6050 and \$15.00 for each additional 10,000 watts
	5,000,000 watts and larger	\$8,650 and \$10.00 for each additional 10,000 watts over 5,000,000 watts

State Surcharge: State Surcharge must be paid per MN Statutes 326B.148, in addition to other calculated fees.

Rental License Fees

Rental License Fee	2 Year License Period	
	Single Family/ Duplex/ IRC Structure	\$200/ Building
	Multi-family/ Apartment/ IBC	\$200.00/ Building, plus Additional \$5.00 per unit

Manufactured Home Set Up

Residential Permits / Fees	Manufactured home set up	\$175.00
	Plumbing permit	\$75.00
	HVAC permit	\$75.00

Reinspection Fees

Reinspection Fees	\$95.00 per hour/ inspection- whichever is greater. This may be applicable to inspections outside of the published inspection record for any project including residential, commercial or rental license. 1- hour minimum
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2022 Civil Penalty Fee Schedule for Alcohol Violations

Type of Violation	1 st	2 nd	3 rd	4 th
1. Commission of a felony related to the licensed activity	Revocation	N/A	N/A	N/A
2. Sale of alcoholic beverages while license is under suspension	Revocation	N/A	N/A	N/A
3. Sale of alcoholic beverages to under-age persons	\$1000 +6 days	18 days	30 days	Revocation
4. After hours sale of alcoholic beverages	\$1000 +6 days	18 days	30 days	Revocation
5. After hours display or consumption of alcoholic beverages	\$1000 +6 days	18 days	30 days	Revocation
6. Refusal to allow city officials to inspect premises	\$1000 +18 days	30 days	Revocation	
7. Failure to take reasonable steps to stop person from leaving premises with alcohol beverages	\$1000 +6 days	18 days	30 days	Revocation

LAUDERDALE COUNCIL ACTION FORM

Action Requested

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

Meeting Date July 26, 2022

ITEM NUMBER 2023 Budget and Levy

STAFF INITIAL *KL*

APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Staff continues to work on a draft of the 2023 general fund budget but it is a work in progress. It will be a difficult year as one would expect if you watch the news. The big issues are the coming together of inflation and staffing pressures. A few of the cost drivers for 2023 are:

- \$63,182 or 7.93% increase in policing costs
- \$14,757 or 2.8% decrease in LGA
- \$4,639 or 21.4% increase for IT services

Without factoring increasing staffing costs, fuel costs, or any increases from any of our other partners, the city has to address a \$82,578 budgetary shortfall or about double our annual general fund budget increase.

The good news is, the City Council has options to address this and will be the topic of discussion during the meeting. One of staff's proposal is to make a permanent annual contribution from the sanitary sewer fund and the storm sewer fund to cover administrative overhead. Currently, there is some cost starting with these funds but they have never contributed to building repairs and maintenance, vehicle repairs and maintenance, legal services, and legislative time to name a few. If the transfer is permanent, the down the road impact is lessened as the enterprise funds are healthy and the expected contribution is not large.

The other option is to use some of the American Rescue Plan dollars to cover the shortfall. The funds were designed for that. It would be a short-term solution to reach an acceptable levy increase. As these are non-reoccurring funds paying for reoccurring expenses, the levy will eventually need to be raised to cover the costs. Ideally, by next year prices will have flattened and decisions can then be made based on the new reality.

OPTIONS:

STAFF RECOMMENDATION:

Heather Butkowski

From: Charlie Yunker
Sent: Wednesday, July 13, 2022 4:22 PM
To: Heather Butkowski
Cc: Shelly Rueckert; Jon Mangseth
Subject: Police Contract 2023
Attachments: Police Contract - 2023 PRELIM.pdf

Hi Heather,

Speaking of the PD contract, the preliminary 2023 is ready for us to review and discuss.

Below are the assumptions they used to put this together, and this is without any additional staff assumed as this time. Figured those conversations can happen separately/in parallel and this can be adjusted based on how those things play out.

The preliminary draft includes the following assumptions:

- No change in existing employee count
- 4.5 percent increase in wages from 2022 police contract
- Health insurance rates will increase by 10.85 percent in 2023
- The contract includes a blended 16.0 percent health insurance increase based on current elections
- 50 percent increase in fuel pricing, which is the current run rate compared to prior year
- 31 percent increase in Roseville IT and phone based on the Metro-Net Voting allocation sheet
- 17 percent decrease in prop/casualty insurance from 2022 contract, this is based on 2022/2023 renewal
- All other expenses were inflated by 4 percent
- Total contract increase was 7.93 percent or \$63,182 from 2022 contract

Once you've had a chance to digest let me know and we can chat on it. Fyi, I will be out of the office until Tuesday, but let me know when you want to discuss and if you have any questions.

Thanks,



CHARLIE YUNKER

CITY MANAGER

CITY OF SAINT ANTHONY VILLAGE

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