

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

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July 25, 2023

Call to Order

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

Roll Call

Councilors present: Jeff Dains, Sharon Kelly, Evan Sayre, and Mayor Pro Tem Duane Pulford.
Councilor absent: Mayor Mary Gaasch.

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

Approvals

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

Mayor Pro Tem Pulford asked if there were corrections to the minutes of the July 11, 2023 city council meeting. There being none, Councilor Sayre moved and seconded by Councilor Dains to approve the minutes of the July 11, 2023 city council meeting. Motion carried unanimously.

Mayor Pro Tem Pulford asked if there were any questions on the claims. There being none, Councilor Kelly moved and seconded by Councilor Sayre to approve the claims totaling \$23,923.83. Motion carried unanimously.

Informational Presentations/Reports

A. City Council Updates

Mayor Pro Tem Pulford shared that Nine North will have a discussion with city administrators regarding funding in August.

Public Hearings

A. Annual Storm Water Pollution Prevention Plan Public Hearing

Annually, the City Council must hold a public hearing to allow the public to comment on the City's storm water program. This meets one of the requirements of its Municipal Separate Storm Sewer System (MS4) permit. Butkowski explained that typically staff attach the most recent annual report to the Minnesota Pollution Control Agency (MPCA). This year, the City did not have to complete one by the end of June. We will have to make up for it when the MPCA's new reporting software comes online next year.

Mayor Pro Tem Pulford opened the floor to those in attendance interested in addressing the Council on this issue at 7:14 p.m. There being nobody interested in speaking, Mayor Pro Tem Pulford closed the floor at 7:15 p.m.

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B. Side Yard Setbacks Variance Request by Owners of 1897 Malvern Street

The applicants, Aric and Wieke Dahl, plan to demolish their current 12' x 20' garage and replace it with a 20' x 30' garage. Zoning regulations require a five-foot side yard setback. The applicants requested a two-foot variance to the side yard setback requirements. Zoning regulations also limit lot coverage to 30%. The staff calculated lot coverage for the new larger garage was 30.51%, which is over by 29.5 square feet. Thus, a .51% lot coverage variance was requested.

Staff noted that prior requests for side yard setback variances have been denied because the Council wanted to ensure that residents handled the rain that fell on their property and don't drain it to neighboring properties. The Council also discussed the request for a lot coverage variance. Councilors encouraged the Dahl's to explore options that would decrease the footprint of the structure thereby eliminating the need for either variance. The Dahl's expressed concern that the utility pole in the alley would be in the way of the garage entrance. They said Xcel Energy hasn't yet confirmed that they will move the pole.

After Council discussion, input from city attorney Ron Batty, and the Dahl's contractor, Mayor Pro Tem Pulford opened the floor to those in attendance interested in addressing the Council at 7:41 p.m. There being nobody interested in speaking, Mayor Pro Tem Pulford closed the floor at 7:42 p.m.

Councilor Dains made a motion directing staff to prepare a resolution of denial for the two-foot side yard setback variance and .51% lot coverage variance at 1897 Malvern Street for the next city council meeting. This was seconded by Councilor Kelly. The motion failed on a roll call vote with Councilors Dains and Kelly voting in favor of a resolution denying both requests and Councilors Sayre and Pulford in opposition.

Councilor Sayre made a motion directing staff to prepare a resolution of denial for the two-foot side yard setback, but approving the .51% lot coverage variance requests at 1897 Malvern Street for the next meeting. This was seconded by Councilor Kelly. The motion failed on a roll call vote with Councilors Sayre and Pulford voting in favor of a resolution approving one variance request and denying the other while Councilors Dains and Kelly voted in opposition.

Councilor Kelly made a motion to table the discussion until the August 22 city council meeting. This was seconded by Councilor Sayre and carried unanimously.

C. Ordinance No. 23-02 – Prohibiting the Sale of Edible Cannabinoid Products Pursuant to Minnesota Statutes, Section 151.72

Ron Batty, the city attorney, participated remotely. At the previous meeting, the Council provided Batty with directions to draft an ordinance that would ban the sale of edibles until the State licenses them and clarifies regulatory matters regarding cannabis and edibles.

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The public hearing notice was posted on July 13, 2023. If the Council adopts the ordinance, then the Council should also adopt the resolution to publish by title and summary at this meeting.

After Council discussion and input from city attorney Ron Batty, Mayor Pro Tem Pulford opened the floor to those in attendance interested in addressing the Council on this issue at 8:30 p.m. There being nobody interested in speaking, Mayor Pro Tem Pulford closed the floor at 8:31 p.m.

Councilor Kelly made a motion to adopt Ordinance No. 23-02— Prohibiting the Sale of Edible Cannabinoid Products Pursuant to Minnesota Statutes, Section 151.72. This was seconded by Councilor Dains and carried unanimously.

Discussion/Action Item

A. Resolution No. 072523A – Authorizing Publication of Ordinance No. 23-02 by Title and Summary

Councilor Sayre made a motion to adopt Resolution No. 072523A – Authorizing Publication of Ordinance No. 23-02 by Title and Summary. This was seconded by Councilor Dains and carried unanimously.

B. Agreement between Ramsey County and the City of Lauderdale for Election Services

Previously, staff discussed the impact of the recent election law changes on the City and staff and whether contracting with Ramsey County was something to consider. Ramsey County sent over a draft contract with the expectation that the contract be settled ahead of their upcoming election season. Staff have enjoyed running elections, and aside from Maplewood, Lauderdale is the last Ramsey County city to consider contracting with them.

The purpose of the election law changes was to make elections more accessible, but they come with a significant financial and personal cost to a staff our size. The most impactful change is that staff can no longer offer absentee voting via envelopes in the final 18 days before an election. This previously allowed staff to offer voting without all of the time investment in equipment set up and testing each day. It also allowed staff to bring ballots to Ramsey County every other day in the final weeks instead of every day. With the new early voting laws, staff would need to setup the equipment each morning by 8:00 a.m. and take it down each night after 4:30 p.m. before transporting the sealed ballots to the county elections office on Plato Boulevard. That requires two hours of overtime each day for the deputy clerk in addition to the extra evening and weekend hours required by the new law. A rough estimate of overtime costs for the deputy clerk at \$40/hour paid at time and one-half for two elections (primary and general) is

\$10,500. That does not count mileage costs or the other costs to run the election such as election judges (~\$5,500), required publishing of notices in the Pioneer Press (~\$500), and day of

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supplies (~\$500). This assumes that Ramsey County will provide Presidential Primary services in March 2024. If the City provided those services, the costs would increase by 50%.

The law also requires the city provide translated materials and have translation services available. For Ramsey County precincts, this would be for the Hmong language. The City would need to hire a support service to achieve this. Ramsey County meets the requirements by hiring election judges that speak English and Hmong.

A contract with Ramsey County does not change Election Day voting at Lauderdale City Hall. What changes are options for in-person absentee voting. Ramsey County has voting available the 46-days before elections at their office on Plato Boulevard and the Roseville Library. They will have additional sites available in the weeks before the elections. In lieu of in-person absentee voting, the law expanded vote-by-mail options that residents can take advantage of.

Councilor Dains made a motion to approve the Agreement between Ramsey County and the City of Lauderdale for Election Services. This was seconded by Councilor Kelly and carried unanimously.

Set Agenda for Next Meeting

Butkowski stated that the July 25 council meeting might include an electronic funds transfer policy, the June financial report, and the quarterly investment report.

Work Session

A. Community Development Update

Butkowski shared that a white vinyl fence was installed at The Fern in error. One adjacent property owner told Real Estate Equities (REE) they prefer this style of fence. REE is requesting the City Council reconsider the cedar fencing. Staff are working on the issue.

B. Opportunity for the Public to Address the City Council

Mayor Pro Tem Pulford opened the floor to those in attendance interested in addressing the Council. There being nobody interested in speaking, Mayor Pro Tem Pulford closed the floor.

Adjournment

Councilor Dains moved and seconded by Councilor Kelly to adjourn the meeting at 8:45 p.m. Motion carried unanimously.

Respectfully submitted,

Miles Cline

Miles Cline
Deputy City Clerk