

LAUDERDALE CITY COUNCIL MEETING AGENDA

TUESDAY, SEPTEMBER 25, 2001

CITY HALL, 7:30 P.M.

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 MEETING TO ORDER AT 7:30 P. M.

2. ROLL:

Councilmembers:

Gower _____	Christensen _____
Gill-Gerbig _____	Hawkinson _____
Mayor Dains _____	

Staff: Getschow ____ Bownik ____

3. APPROVAL OF THE AGENDA

4. APPROVAL

- A. Approval of minutes of 9/11/01 City Council Meeting and the 8/21/01 Joint Work Session with the City of Roseville
- B. Approval of claims totaling \$24,325.91

5. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COUNCIL ON ITEMS NOT ON THE AGENDA

Any member of the public may speak at this time on any item NOT on the agenda. In consideration of the public attending the meeting for specific items on the agenda, 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 under Additional Items 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 Council's 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.

6. **CONSENT**

7. **SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS/ CITIZENS ADDRESSING THE STREET AND UTILITY IMPROVEMENTS**

8. **INFORMATIONAL PRESENTATIONS**

- A. Peace Lutheran Church's "After School at Peace" Program-
 Claudia Gilbertson

9. **REPORTS**

10. **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. Peace Lutheran Church: Sign Variance

11. **ACTION**

- A. Peace Lutheran Church: Sign Variance
B. Historic Stone: Conditional Use Permit Application
C. Appointment of Election Judges for the 2001 General Election
D. Resolution 092501A: Resolution Electing to Continue Participation in the Local Housing Incentives Account Program Under the Metropolitan Livable Communities Act
E. 2002 City of Lauderdale Recycling Contract

12. **DISCUSSION**

- A. Paving the Hockey Rink

13. **ITEMS REMOVED FROM THE CONSENT AGENDA**

14. **ADDITIONAL ITEMS**

15. **SET AGENDA FOR NEXT MEETING**

16. **ADJOURNMENT**

**Lauderdale City Council
Meeting Minutes
September 11, 2001**

1. Meeting called to order at 7:35 P.M.

2. ROLL

Council present: Gill-Gerbig, Christensen, Gower, and Mayor Dains

Council absent: Hawkinson

Staff present: Getschow, Bownik

The Mayor asked that the City Council and all those in attendance observe a moment of silence for the national tragedy that occurred on Tuesday, September 11, 2001.

3. APPROVAL OF AGENDA

A. Approval of Agenda. Motion by Christensen, second by Hawkinson to approve the agenda. Motion carried unanimously.

4. APPROVAL

A. Approval of Minutes. Motion by Gower, second by Gill-Gerbig to approve the minutes of the August 28, 2001 City Council meeting with the noted corrections. Motion carried unanimously.

B. Approval of the 2001 Street and Utility Improvements- Pay Request #3. Motion by Christensen, second by Gill-Gerbig to approve Pay Request #3 for Northdale Construction for the 2001 Street and Utility Improvements in the amount of \$176,586.55. Motion carried unanimously.

C. Approval of Claims totaling \$245,416.90 . Motion by Gower, second by Gill-Gerbig to approve the claims totaling \$245,416.90. (This includes the \$176,586.55 from the Northdale Construction pay request mentioned above). Motion carried unanimously.

5. OPPORTUNITY FOR THE PUBLIC TO ADDRESS ITEMS NOT ON THE AGENDA
6. CONSENT
7. SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS/
CITIZEN'S ADDRESSING THE STREET AND UTILITY IMPROVEMENTS

A. *2001 Street and Utility Improvements Update.* Paul Heuer, City Engineer, updated the City Council on the status of the project. Most of the construction work is still in high gear south of Larpenteur Avenue. He also discussed the problems related to directional drilling and the elimination of the Larpenteur Avenue lift station.

8. INFORMATIONAL PRESENTATIONS
9. REPORTS
10. PUBLIC HEARINGS

A. *2000 Street and Utility Improvements Special Assessment Roll.* The Mayor stated that the Council is considering the assessment roll for the 2000 Street and Utility Improvement project and that the Council, by simple majority, may approve the assessment roll following the public hearing. However, if staff needs more time to research questions or address major concerns, it may be recommended that the Council wait for final approval on the assessment roll until the next Council meeting.

The City Engineer provided a summary of the construction that occurred for the 2000 Street and Utility Improvements.

The City Administrator then provided a background on the timeline that led to this assessment hearing and the details of the project financing. He then summarized relevant sections of the assessment policy that covered such issues as assessment methods, assessment rates, senior citizen deferments, and payment options.

The Mayor opened the public hearing at 7:57 p.m.

The City Administrator then read two written statements objecting to assessments from the following affected property owners in the project area:

Pamela Ludford, 1737 Fulham Street, Unit A
Anastassia and Naum Bukingolts, 1838 Pleasant Street

The following residents addressed the Mayor and City Council:

Don Vandenberg, 1737 Fulham Street, Unit D, requested further clarification on the policy for assessing condominiums and townhomes.

Pam Gahr, 1729 Fulham Street, Unit E, objected to the city policy on assessing condominiums. She felt that the assessments were disproportionate when compared to the assessments of single-family homes. She also questioned some potential reasons surrounding the assessments, such as a higher density of units and the use of the streets. She does not feel that the assessment of approximately \$880 to her unit adds value to her property.

Ron Ambosier, 1792 Lake Street, discussed the right-of-way easement agreement that he did not execute with the City. He also questioned why the contractor apparently removed a peony bush on his property.

John Polanski, 1720 Pleasant Street, Unit C, also objected to the city policy on assessing condominiums. He felt that the city's treatment of these units being different from the treatment of single-family homes was not acceptable. Specifically, he felt that condo owners were being assessed 100% for improvements, while single-family homeowners were being assessed only 40% for these improvements.

The Mayor closed the public hearing at 8:21 p.m.

The Mayor and City Council discussed the assessment policy with those in attendance as it relates to assessments for condominiums and townhomes. They reiterated their process and procedure for adopting this policy, which included public hearings and input from residents in 1999. The Council also indicated that they continue to support the logic and reasoning behind the policy's process of assessing condominiums and townhomes.

11. ACTION

A. *Resolution 091101A: A Resolution Approving the 2000 Street and Utility Improvements Assessment Roll.* Motion by Gill-Gerbig, second by Christensen to approve Resolution 091101A: A Resolution Approving the 2000 Street and Utility Improvements Assessment Roll. Roll: Yes: all. Motion carried.

B. *Resolution 091101B: A Resolution Granting Final Plat Approval for the Broadway Business Park.* The City Administrator stated that at the August 28, 2001 Council meeting, preliminary plat approval was granted for the Broadway Business Park. Since that meeting, all of the required information in the preliminary plat for final plat approval has been reviewed by City Staff, the City Engineer, and the City Attorney. The main instrument involved with the approval of the final plat is the execution of the subdivision agreement, which has been drafted and revised through input and direction from the City Attorney, the City Engineer, the applicant, and City Staff. All parties have reached agreement on all aspects of the final draft of the agreement.

Motion by Gill-Gerbig, second by Gower to approve Resolution 091101B: A Resolution Granting Final Plat Approval for the Broadway Business Park. Roll: Yes: all. Motion carried.

C. *Hamline Auto Body: Storm Water Management Plan.* The City Engineer recommended approval of the storm water management plan with minor conditions outlined in his memorandum to the City Council. Motion by Christensen, second by Gill-Gerbig to approve the storm water management plan based on the conditions outline in the attached memorandum by the City Engineer. Roll: Yes: all. Motion carried.

D. *Hamline Auto Body: Conditional Use Permit Application.* Administrative Analyst Bownik stated that this item was returned from the July 10, 2001 meeting where it was tabled as a result of requiring subdivision approval for the subject property before zoning approvals could be considered. Bownik stated that almost all issues related to the conditional use permit (i.e., road access and the service of utilities) were resolved through the subdivision process.

Bownik stated that there were environmental issues associated with the proposed use. He stated that these issues are under the jurisdiction of other governmental agencies such as Ramsey County or the Minnesota Pollution Control Agency. He also stated that fire protection issues are addressed through the building plan review and inspection process.

Council member Gill-Gerbig expressed concern with the City potentially not receiving proper notification of any environmental issues that arise with the applicant and these other agencies. She proposed that some condition be placed on this use that addresses that concern.

Kevin Maas, Amcon Construction, and representing the applicant, proposed the following conditional use language:

“The applicant will follow all local, regional, and state environmental regulations and will make a reasonable effort to notify the City upon any notification of any such violation.”

Motion by Gill-Gerbig, second by Gower to approve the conditional use permit of Hamline Auto Body to operate an auto body and repair facility in an I-1 District with the following condition:

1. The applicant will follow all local, regional, and state environmental regulations and will make a reasonable effort to notify the City upon any notification of any such violation.

Roll: Yes: all. Motion carried.

A break was taken at 8:48 p.m.

The meeting resumed at 9:02 p.m.

E. Hamline Auto Body: Variance Application. Administrative Analyst Bownik stated that this item was returned from the July 10, 2001 meeting where it was tabled as a result of requiring subdivision approval for the subject property before zoning approvals could be considered. Bownik stated that the applicant is applying for a variance to the rear-yard setback requirements to go from 30 feet to 13 feet from the east property line along Highway 280. (This differs from the July 10, 2001 meeting when the east property line was considered the side-yard setback of 20 feet). The applicant proposes to construct a new building on the south 3.1 acres of the total 6.8 acre site at 2520 Broadway Drive. The proposed building is restricted by an Xcel Energy powerline easement on the west side of the property that does not allow building construction in the easement area.

Motion by Christensen, second by Gill-Gerbig to approve the 17-foot rear-yard building setback variance for Hamline Auto Body. Roll: Yes: all. Motion carried.

F. Conditional Use Permit Application: Historic Stone. James Bownik, Administrative Analyst, stated this item was tabled from the August 28, 2001 meeting when Historic Stone applied for a conditional use permit for a supply yard in an I-1 District, at their site at Highway 280 and West Summer Street. At that meeting, the Council expressed concern with traffic issues. Staff was directed to contact MNDOT for more information on these traffic and access permit issues. Also, staff was asked to continue to work with Historic Stone on possibly revising their screening plan.

Since that meeting, MNDOT has provided a letter stating that they are not fully researching the access issues at this point because the owners of Historic Stone have requested an immediate buy-out of their property.

Based upon this letter and the potential buy-out, Bownik stated that the City Council may not need to further consider the conditional use application. Regardless of that possibility, proposed conditions for this use could still be discussed.

The applicant requested that the City Council continue to process his conditional use permit application and to discuss any potential conditions that may be placed on the use.

Bownik stated six conditions that the Council could consider with this use:

1. The applicant first receives an access permit from MNDOT for unrestricted access to the site, as well as MNDOT approval to widen the current driveway;
2. The applicant construct a right turn lane and an acceleration lane to NTSA standards;
3. The applicant submits a driveway permit application to the City of Lauderdale to bring the current gravel driveway at the site into compliance with the City's current driveway construction standards for gravel driveways, according to Title 9-10-6-A-3 of the Lauderdale City Code;
4. The applicant obtains all necessary permits from applicable agencies such as the Rice Creek Watershed District;
5. The applicant grants the City of Lauderdale a 10-foot utility easement along the east property line;
6. The applicant includes natural screening as part of the updated screening plan;
7. The applicant will follow all local, regional, and state environmental regulations and will make a reasonable effort to notify the City upon any notification of any such violation;

The City Council stated that they consider all of these conditions ones that they would impose for this application, but did not wish to act on the application at this meeting because the owner was currently negotiating with MNDOT for an immediate buy-out.

Motion by Gower, second by Gill-Gerbig to table consideration of the conditional use application permit until the September 25, 2001 meeting. Roll: Yes: all. Motion carried.

G. Resolution 091101C: A Resolution Approving the 2002 Lauderdale Preliminary Levy. The City Administrator presented the City Council with four options for the 2002 preliminary tax levy that included:

- Option A - keeping the tax levy the same as 2001 at \$488,406;
- Option B - keeping the net levy (accounting for fiscal disparities) the same as 2001 with the resulting 2002 levy being \$463,900;
- Option C - keeping the tax rate the same as 2001 with the resulting 2002 levy being \$398,891; or
- Option D – lowering the tax levy from \$488,406 to \$480,000 for 2002.

It was stated that the Option D is a compromise between Option A and Option B. Due to the uncertainty of the tax capacity numbers, Option B does not give the City any room in the budget or levy if the tax capacity numbers are lower by any amount. Also, while Option D does lower the levy, the possibility that the city tax rate will increase is almost certain.

Motion by Christensen, second by Gower to approve Resolution 091101C: A Resolution Approving the Lauderdale 2002 Tax Levy, which would be for \$488,000. Roll: Yes: all. Motion carried.

- 12. DISCUSSION
- 13. ITEMS REMOVED FROM THE CONSENT AGENDA
- 14. ADDITIONAL ITEMS

15. SET AGENDA FOR NEXT MEETING

1. Historic Stone Conditional Use
2. Appointment of Election Judges for the 2001 General Election
3. Recycling Contract Discussion
4. Presentation from Peace Lutheran Church
5. Peace Lutheran Church – Sign Variance

16. ADJOURNMENT

Motion by Gill-Gerbig, second by Gower to adjourn at 10:07 P.M. Ayes: All.

**Lauderdale City Council
Meeting Minutes
August 21, 2001**

1. Meeting called to order at 6:40 P.M.

2. INTRODUCTIONS AND ROLL

Lauderdale Council present: Gower, Gill-Gerbig, Christensen, Hawkinson,
and Mayor Dains

Roseville Council present: Goedeke, Maschka, Mastel, and Mayor Kysylczyn

Lauderdale Staff present: Getschow

Roseville Staff present: Bloom, Welsh, and Beets

3. BACKGROUND.

Marc Goess, MNDOT, provided background on the history of the Highway 280 reconstruction project.

4. TRUNK HIGHWAY 280 FACTS

Nancy Daubenberger, MNDOT, provided background data such as accident history on Highway 280.

5. DISCUSSION

The Roseville City Council and the Lauderdale City Council discussed several issues surrounding the reconstruction of Highway 280. Some of the issues included:

- The protection of residential property on the east side of Highway 280 in Lauderdale.
- Federal and state funding that exists or does not exist for Highway 280 from Como Avenue to Highway 35/36.
- The economic development and redevelopment of commercial property on the west side of Highway 280 affecting Lauderdale and Roseville.
- Access from Highway 280 between Como Avenue and Terminal Road in Roseville.
- Safety Concerns, Accident Issues, and Traffic Uses on Highway 280.

The City of Minneapolis was also in attendance at the meeting as a result of their interests on the west side of Highway 280.

There was the consensus of everyone in attendance that not reconstructing Highway 280 in the near future, and losing federal funding, was not a desirable option. It may be possible to reconstruct the highway and meet the needs of all communities and interests.

MNDOT stated that they had received important feedback from this meeting and would return to the respective City Council's in the future with further options for this project.

6. ADJOURNMENT

The meeting was adjourned at 8:20 P.M.

CITY OF LAUDERDALE
Claims for Approval
September 25, 2001 City Council Meeting

Payroll

09/14/01 Payroll: Check # 7002 - 7006	\$5,660.71
09/14/01 Payroll: Federal Payroll Taxes EFT	\$2,399.22
09/14/01 Payroll: PERA EFT	\$873.52

Payment Claims

09/25/01 Claims: Check # 15422 - 15439	\$15,392.46
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Total Claims for Approval

\$24,325.91

Paid Register

Check Numbe	Employee Number	Employee Name	Pay Period	Pay Group Description	Check Amount	Check Date	Status
007002	000000011	BOWNIK, JAMES	19	BI-WEEKLY	\$1,025.65	9/14/01	Outstanding
007003	000000003	GETSCHOW, RICK	19	BI-WEEKLY	\$1,597.78	9/14/01	Outstanding
007004	000000030	GOYETTE, SHANNON	19	BI-WEEKLY	\$860.76	9/14/01	Outstanding
007005	000000002	HINRICHS, DAVID C	19	BI-WEEKLY	\$1,224.06	9/14/01	Outstanding
007006	000000005	HUGHES, JOSEPH A	19	BI-WEEKLY	\$952.46	9/14/01	Outstanding
007001		VOID	19		\$0.00	9/14/01	Void
					<hr/> \$5,660.71		

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21 Sep 2001
Fri 9:44 AM

* Paid Check Reg
CITY OF LAUDERDALE
CLAIMS FOR APPROVAL
SEPTEMBER 25, 2001
CITY COUNCIL MEETING

Page 1

Check Invoice Number	Number	Name	Account Code	Comments	Transaction Amount
Check Number	15422	AT & T			
15422	1217535866	AT & T	101-41200-391	09/01 LONG DISTANCE	3.54

Totals Check Number	15422	AT & T			3.54
Check Number	15423	BIFFS, INC.			
15423	W138496	BIFFS, INC.	101-45200-427	PARK BIFFY: THRU 9/4/01	14.37

Totals Check Number	15423	BIFFS, INC.			14.37
Check Number	15424	CINTAS			
15424	470388877	CINTAS	601-49000-425	PUBLIC WORKS UNIFORMS	27.70
15424	470391198	CINTAS	601-49000-425	PUBLIC WORKS UNIFORMS	27.70

Totals Check Number	15424	CINTAS			55.40
Check Number	15425	EAST HENNEPIN AUTO SERVICE INC			
15425	9/25/01	EAST HENNEPIN AUTO SERVICE INC	101-43100-212	08/01 TRUCK FUEL	30.10
15425	9/25/01	EAST HENNEPIN AUTO SERVICE INC	601-49000-212	08/01 TRUCK FUEL	30.10

Totals Check Number	15425	EAST HENNEPIN AUTO SERVICE INC			60.20
Check Number	15426	GLENWOOD INGLEWOOD			
15426	082886323	GLENWOOD INGLEWOOD	101-41200-208	BOTTLED WATER: CITY HALL	43.22

Totals Check Number	15426	GLENWOOD INGLEWOOD			43.22
Check Number	15427	GOPHER STATE ONE-CALL			
15427	1080472	GOPHER STATE ONE-CALL	101-43400-386	08/01 LOCATE CALLS	11.55

Totals Check Number	15427	GOPHER STATE ONE-CALL			11.55
Check Number	15428	ICMA RETIREMENT TRUST - 457			
15428	9/25/01	ICMA RETIREMENT TRUST - 457	101-21705	9/14/01 PAYROLL	839.99

Totals Check Number	15428	ICMA RETIREMENT TRUST - 457			839.99
Check Number	15429	MEDIA WORKSHOP			
15429	1945	MEDIA WORKSHOP	101-41200-442	COPY VIDEOTAPE	25.00

21 Sep 2001
Fri 9:44 AM

* Paid Check Reg
CITY OF LAUDERDALE
CLAIMS FOR APPROVAL
SEPTEMBER 25, 2001
CITY COUNCIL MEETING

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15430 726993	MET-COUNCIL ENVIRONMENTAL SER. 601-49000-387		10/01 WASTEWATER SERVICES	11,394.87
Totals Check Number	15430 MET-COUNCIL ENVIRONMENTAL SER.			11,394.87
Check Number	15431 MINNESOTA STATE TREASURER			
15431 9/25/01	MINNESOTA STATE TREASURER 101-43400-308		DAVE: BLDG CODE SEMINAR	30.00
Totals Check Number	15431 MINNESOTA STATE TREASURER			30.00
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15432 9/25/01	NELSON, SARA 101-45100-442		NON-RESI REIM F HTS REC	10.00
Totals Check Number	15432 NELSON, SARA			10.00
Check Number	15433 QWEST			
15433 9/25/01	QWEST 601-49000-391		09/01 AUTODIAL: MALV LIFT	56.94
Totals Check Number	15433 QWEST			56.94
Check Number	15434 QWEST			
15434 9/25/01	QWEST 601-49000-391		09/01 AUTODIAL: LARP LIFT	57.28
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Check Number	15435 QWEST			
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Check Number	15436 RAMSEY COUNTY			
15436 RISK000352	RAMSEY COUNTY 101-21706		09/01 EMPLOYEE BENEFITS	760.12
Totals Check Number	15436 RAMSEY COUNTY			760.12

21 Sep 2001
Fri 9:44 AM

* Paid Check Reg
CITY OF LAUDERDALE
CLAIMS FOR APPROVAL
SEPTEMBER 25, 2001
CITY COUNCIL MEETING

Page 3

Check Invoice Number Number	Name	Account Code	Comments	Transaction Amount
Check Number	15437 SPRINT PCS			
15437 9/25/01	SPRINT PCS	601-49000-391	09/01 CELL: PUBLIC WORKS	17.10
15437 9/25/01	SPRINT PCS	101-41200-391	09/01 CELL: CITY ADMIN	13.74

Totals Check Number	15437 SPRINT PCS			30.84
Check Number	15438 ST. PAUL PIONEER PRESS			
15438 9/25/01	ST. PAUL PIONEER PRESS	101-41200-438	52 WK SUBSCRIP: SUN-FRI	104.52


Totals Check Number	15438 ST. PAUL PIONEER PRESS			104.52
Check Number	15439 WASTE MANAGEMENT			
15439 9/25/01	WASTE MANAGEMENT	203-50000-389	08/01 RECYCLING	1,837.68

Totals Check Number	15439 WASTE MANAGEMENT			1,837.68

Grand Total				15,392.46

MEMOS BY JAMES

DATE: SEPTEMBER 25, 2001
TO: HONORABLE MAYOR AND COUNCIL
FROM: JAMES BOWNIK, ADMINISTRATIVE ANALYST
RE: AFTER SCHOOL AT PEACE PRESENTATION BY CLAUDIA GILBERTSON



BACKGROUND

Claudia Gilbertson, a representative from Peace Lutheran Church, requested to give a presentation to the Council regarding the church's After School at Peace Program.

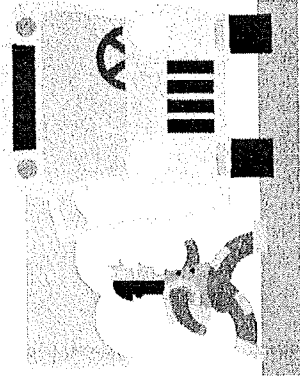
Claudia may invite members of the Council to visit the After School at Peace Program as a guest speaker for the students. They are looking for positive role models to share what they do for a living, etc.

The attached flyer gives an overview of the program.

COUNCIL ACTION REQUESTED

No action requested.

After School At Peace



ASAP

In collaboration with...

- Peace Lutheran Church (651) 644-5440
- Luther Seminary (651) 641-3456
- Brimhall Elementary School (651) 638-1958
- City of Lauderdale (651) 631-0300
- Roseville Area Schools (651) 635-1600
- Suburban Ramsey Family Collaborative (651) 604-3514
- VIBE Urban Youth Ministries (651) 224-3371

After School at Peace

WELCOME!

We are delighted to offer an after-school program for students in grades 1 through 6 residing in and around the Lauderdale community. After School At Peace (ASAP) is a collaborative partnership among Peace Lutheran Church, Luther Seminary, Brimhall Elementary, the City of Lauderdale, Roseville Area Schools, Suburban Ramsey Family Collaborative, and VIBE Urban Youth Ministries.

Daily activities include:

- ☞ stories
- ☞ crafts
- ☞ games
- ☞ music
- ☞ multi-cultural activities
- ☞ special guests

GOALS of ASAP:

- ☞ to provide a safe and supportive after-school environment
- ☞ to model values of equality, social justice, integrity, honesty, and responsibility
- ☞ to strengthen youth and families in and around the Lauderdale community.

SCHEDULE:

ASAP operates **Monday through Friday from 4:00 to 6:00 pm** on days when school is in session. Bus transportation from Brimhall to Peace is available. Children need to be picked up at Peace by 6:00 pm.

COST:

ASAP is free. For those who are able, a donation to help defray expenses is appreciated. All students are welcome, but space is limited.

LOCATION:

ASAP is located at:

**Peace Lutheran Church
1744 Walnut Street
Lauderdale, MN 55113**

Peace is located in the southwest corner of the Brimhall attendance area, one block north of Larpenteur Avenue and two blocks west of Eustis Street. It is on the corner of Walnut and Ione Streets.

To volunteer or for more information, call ASAP at Peace Lutheran Church: **(651) 644-5440**.

MEMOS BY JAMES

DATE: SEPTEMBER 25, 2001
TO: HONORABLE MAYOR AND COUNCIL
FROM: JAMES BOWNIK, ADMINISTRATIVE ANALYST
RE: VARIANCE TO THE ZONING ORDINANCE REQUEST FOR PEACE LUTHERAN CHURCH, 1744 WALNUT STREET



BACKGROUND

PROPOSAL: Request for a Variance to the Sign Regulations - to place off-premises signs in the boulevard in four locations in Lauderdale including Eustis Street & Larpenteur Avenue (NE corner), Eustis Street & Lone Street (NE corner), Roselawn Avenue & Walnut Street (SW corner), and Roselawn Avenue & Fulham Street (SW corner).

APPLICANT: Peace Lutheran Church
1744 Walnut Street
Lauderdale, MN 55113

The proposed signs would be two-way signs, able to be read from two directions.

Attached as Exhibit A is the current variance application from Peace Lutheran Church for your review. I have also attached a map, detailing the locations of the proposed signs.

SITE PLAN AND VARIANCE REQUEST

All four of the proposed signs involve the intersection of County roads. Ramsey County's Roadway Engineer Dan Soler stated that Ramsey County has a policy that does not allow for private signs in the public right-of-way. There is no process for applying for or receiving approval for a private sign in the public right-of-way. In Lauderdale, we also prohibit private signs in the public right-of way, but people can apply for a variance to the ordinance. Ramsey County's policy basically eliminates the northerly two signs as a possibility because the intersections at both locations involve two county roads. The other two signs involve one county road and one city road. The signs at these two locations would need to be placed about 20 to 25 feet from the intersection (on Lone Street and on Walnut Street), so that the signs are not placed in the county right-of-way.

Peace Lutheran may be reconsidering their request in light of this information. Also, City Attorney Ron Batty recommends the City continue to take the same position as the County in regards to allowing private signs in the public right-of-way. Peace Lutheran has the option of negotiating with a private property owner to allow them to have an off-premises sign on their private property. If Peace Lutheran can negotiate this with a private property owner, Peace Lutheran and the private property owner should be co-applicants for the variance application.

Attached as Exhibit B is the Lauderdale Sign Ordinance.

POLICIES AND PROCEDURES FOR VARIANCE APPROVAL

In reviewing this variance request, the Council should consider the Zoning Ordinance requirements as well as relevant State Statutes. The following should be considered:

- Chapter 3 of the Zoning Ordinance defines variances as follows:

"The Board shall hear requests for variances from the literal provisions of this Title in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration, and to grant such variances only when it is demonstrated that such actions will be in keeping with the spirit and intent of this Title. The Board of Appeals and Adjustments may not permit as a variance any use that is not permitted under this Title for property in the zone where the affected person's land is located".

- According to State Statute 462.357, Subd. 6, the following regulations apply to variances:

The board of appeals and adjustments has the following powers with respect to the zoning ordinance: "To hear requests for variances from the literal provisions of the ordinance in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration, and to grant such variances only when it is demonstrated that such actions will be in keeping with the spirit and intent of the ordinance. "Undue Hardship" as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance. Undue hardship also includes, but is not limited to, inadequate access to direct sunlight for solar energy systems".

PLANNING COMMISSION ACTION

The Planning Commission did not meet to discuss the variance request due to the lack of a quorum. Instead, this action item was placed directly on the council agenda per Title 2-1-10-4:K of the current Zoning Ordinance. The Planning Commission received the information packet and have been invited and encouraged to attend the council meeting in order to provide input to the Council.

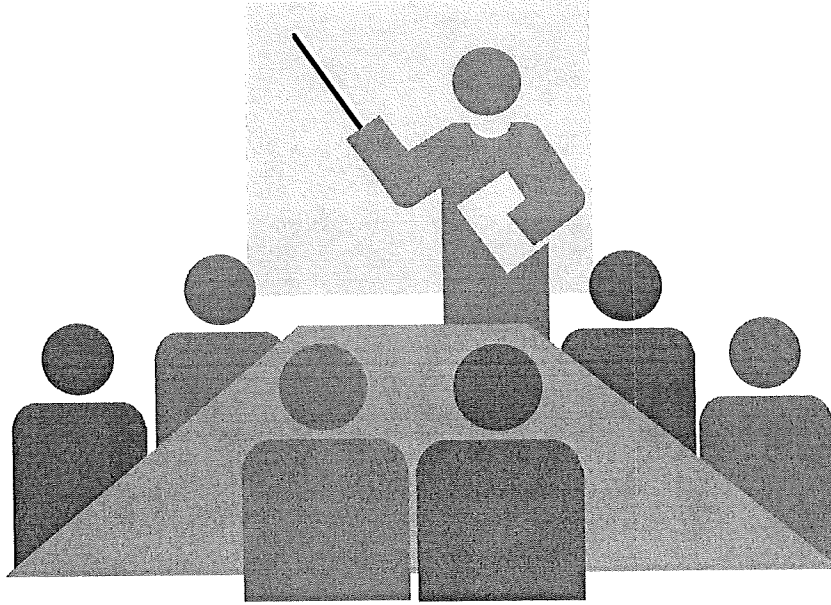
PUBLIC HEARING FOR THE VARIANCE REQUEST

On September 14, 2001 property owners adjacent to the proposed sign locations were sent notice of tonight's public hearing.

CITY COUNCIL ACTION REQUESTED

Approve or deny the variances request, attaching any conditions deemed necessary for approval.

Exhibit A



Peace Lutheran Variance Application

City of Lauderdale

1891 Walnut Street • Lauderdale • Minnesota 55113

Phone: 651.631.0300 Fax: 651.631.2066

ZONING APPLICATION

<u>Type of Request</u>	<u>Amount</u>
<u>X</u> Variance	\$ 75
<u> </u> Zoning Amendment	\$100
<u> </u> Conditional Use	\$165
<u> </u> PUD	N/A
<u> </u> Other	

Name of Applicant Peace Lutheran Church

Address 1744 Walnut

City Lauderdale State MN Zip 55113

Address of Property _____
(if different than above)

Day Phone 651-644-5440 Evening Phone 651-633-2458 Fax _____

Please describe why you are applying for this application for directional
signs permit.

Jeff Nelson, Trustee
Applicant's Signature
Peace Lutheran Church

9-4-2001
Date

For Office Use Only

Date of Application 9-4-01 Amount Paid 75.00 Receipt Number 6124
PIN # _____

Recommendation of Planning Commission (approve / deny) Meeting Date _____

Date of Public Hearing _____

City Council Action Taken (approved / denied) Meeting Date _____

Conditions? _____

SUPPLEMENTAL VARIANCE APPLICATION QUESTIONS

Application Number: _____

A variance to the zoning ordinance is required to provide relief to a property owner when the strict enforcement of zoning regulations for lot size, setbacks, parking requirements, etc., imposes an undue hardship on the petitioner or denies the petitioner the reasonable use of the land.

1) Please provide a short narrative to the following questions:

A) How does the ordinance deprive you of rights commonly enjoyed by other properties in the same zoning district, and leave the applicant with no reasonable use of the land, provided that the property owner shall not have created the hardship?

B) Explain if there are exceptional or extraordinary circumstances applying to your property which do not apply to other properties in the same zoning district (such as small lot size or lot shape).

Peace Lutheran Church is located in a residential area.

It is difficult to explain directions to visitors. The church now has an after school program (ASAP) unfamiliar with Lauderdale. The church has the spirit and intent of the Zoning Ordinance.

C) Explain how granting the variance would be in keeping with the spirit and intent of the Zoning Ordinance.

Directional signs will make the church more accessible to members and visitors from the area. Signs will assist parents of children in locating the church when picking-up their children.

ASAP

2) Please submit ten (10) copies of a site plan and supporting data which shall be drawn to scale showing the following:

the size and location of the site, existing land use, zoning, existing drainage, proposed public and private roads, structures for the subject property and adjacent properties, parking and loading areas, driveways, and property lines.

The Zoning Administrator may also require additional information as needed. We propose to remove old directional sign at Larpentuer and Walnut. We propose to add new directional signs (see attached visual of sign) at the following four intersections: Eustis and Larpentuer, Eustis and Lane, Roselawn and Walnut, and Roselawn and Fulham.

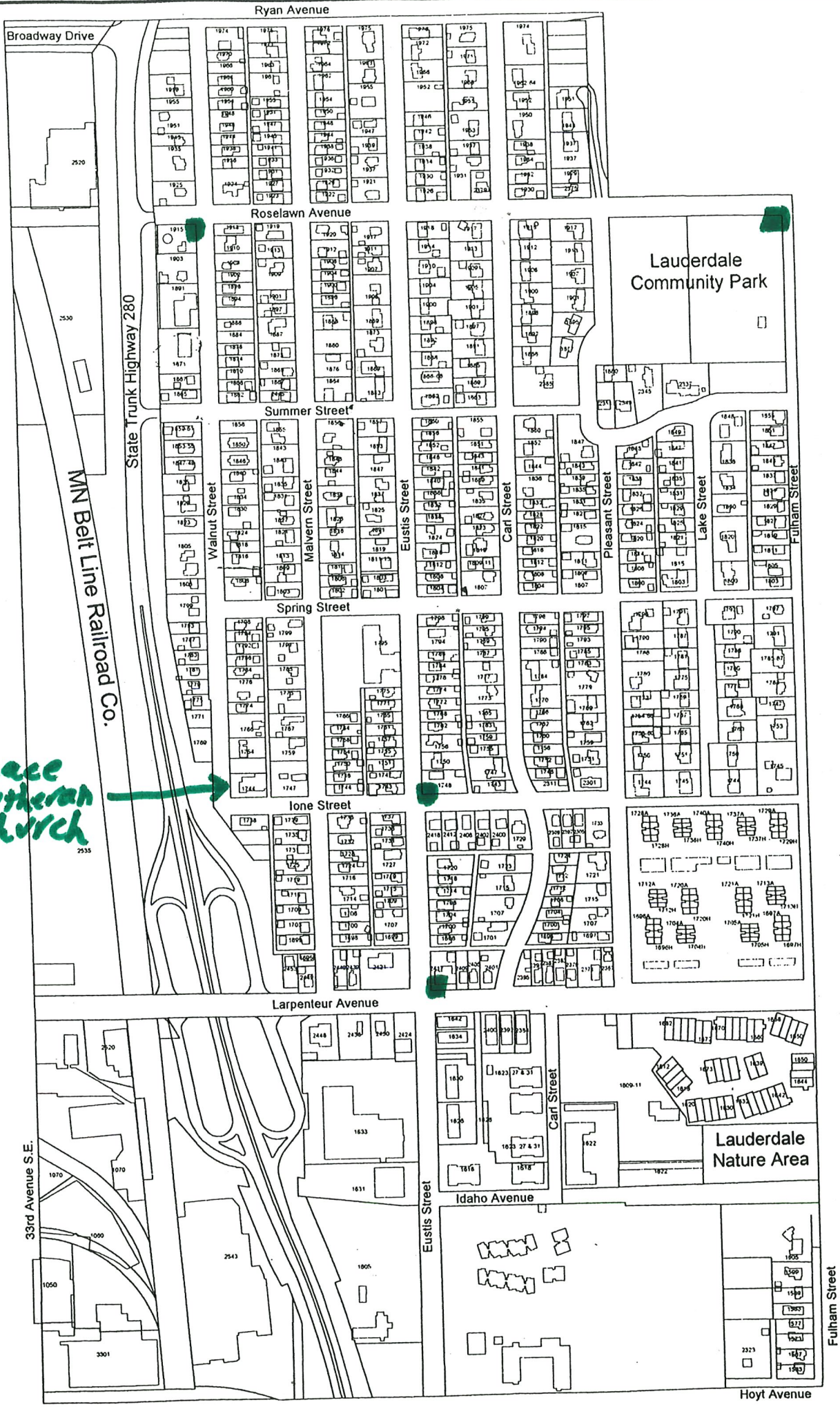


**PEACE
LUTHERAN
CHURCH
WELCOMES YOU**



1744 Walnut St.

Actual size - 19³/₄" x 31¹/₄"



Ryan Avenue

Broadway Drive

Roselawn Avenue

Lauderdale Community Park

Summer Street

Spring Street

Lone Street

Larpen Avenue

Idaho Avenue

Lauderdale Nature Area

MN Belt Line Railroad Co.

State Trunk Highway 280

Peace Lutheran Church

33rd Avenue S.E.

Como Avenue

Hoyt Avenue

Fulham Street

Exhibit B



City of Lauderdale Sign Ordinance

CHAPTER 10

SIGNS

SECTION:

- 10-10-1: General Rule
- 10-10-2: Professional Activity On Premises
- 10-10-3: Bulletin Board
- 10-10-4: Temporary Real Estate
- 10-10-5: Real Estate Development
- 10-10-6: Political
- 10-10-7: Business
- 10-10-8: Directional

10-10-1: **GENERAL RULE:** No sign, billboard, or exterior commercial graphic display shall be permitted in any district except as herein provided. (Zoning Ord. as amd.)

10-10-2: **PROFESSIONAL ACTIVITY ON PREMISES:** In any district a sign not exceeding two (2) square feet in surface size is permitted which announces the name, address, or professional activity of the occupant of the premises on which said sign is located. (Zoning Ord. as amd.)

10-10-3: **BULLETIN BOARD:** A bulletin board not exceeding twenty four (24) square feet is permitted in connection with any church, school or similar public structure. (Zoning Ord. as amd.)

10-10-4: **TEMPORARY REAL ESTATE:** Temporary real estate signs of six (6) square feet per side may be placed in the yard of any residential structure which advertises that particular property for sale, or for rent, or for lease. Such sign will be promptly removed when it has fulfilled its function. (Zoning Ord. as amd.)

10-10-5: **REAL ESTATE DEVELOPMENT:** Real estate development signs may be erected to promote a single family or multiple family residential project of ten (10) or more dwelling units. Such signs will not exceed one hundred (100) square feet in area and shall be removed when the project is ninety percent (90%) completed, sold or leased. (Zoning Ord. as amd.)

10-10-6: **POLITICAL:** Political signs are allowed in any district on private property with the consent of the owner of the property to a maximum size of sixteen (16) square feet. Such signs must be removed within seven (7) days following the date of the election to which they apply. (Zoning Ord. as amd.)

10-10-7: **BUSINESS:** Business signs shall be permitted in connection with any legal business or industry when located on the same premises, and if they meet the following requirements:

- A. Contents: Signs shall not contain information or advertising for any product not sold on the premises.
- B. Size: Signs shall not have a combined aggregate surface size greater than five (5) square feet for each one foot (1') of width of the principal structure on the premises up to a maximum of two hundred fifty (250) square feet.
- C. Projection: Signs shall not project over public rights of way.
- D. Flashing Signs: Flashing signs and those signs giving off an intermittent or rotating beam or ray of light shall be prohibited.
- E. Illuminated Signs: Illuminated signs shall be diffused so as not to direct rays of light into adjacent property or onto any public right of way.
- F. Elevation: Signs shall be limited so as to extend not more than twenty five feet (25') above the average elevation of the public street abutting upon the lot or tract on which such sign is located.
- G. Maintenance: Signs shall be painted at least once every two (2) years including all parts and supports, unless such parts or supports are galvanized or otherwise treated to prevent rust. (Zoning Ord. as amd.)

10-10-8

10-10-8

10-10-8: **DIRECTIONAL:** The Board may permit directional signs of twelve (12) square feet in connection with any legal business or industry provided they contain no information other than instructions for convenience of vehicular traffic in reaching such business or industry. (Zoning Ord. as amd.)

MEMOS BY JAMES

DATE: SEPTEMBER 25, 2001
TO: HONORABLE MAYOR AND COUNCIL
FROM: JAMES BOWNIK, ADMINISTRATIVE ANALYST
RE: CONDITIONAL USE PERMIT APPLICATION FOR HISTORIC STONE: STATE TRUNK HIGHWAY 280, WEST SUMMER STREET (**TABLED FROM 9-11-01**)



BACKGROUND

I have attached the following items:

- 1) My memo from the meeting of September 11.
- 2) The letter from Mn/DOT to the City Administrator dated September 11, which was presented at that meeting.

According to Nancy Daubenberger of Mn/DOT, Historic Stone has not had any communication with them since Friday, September 7. Mn/DOT had requested a written request from Historic Stone regarding an "early acquisition" of their property. A written request has not yet been made.

City Attorney Ron Batty recommends approving the conditional use permit with conditions, of which are listed below. Approving the use with these conditions would be in the best interest of the City because the City would not be preventing Historic Stone from using the land for their proposed use, as long as all of the conditions can be met.

CITY COUNCIL ACTION REQUESTED

Approve Historic Stone's conditional use permit application pursuant to the following conditions:

- 1) The applicant first receives an access permit from Mn/DOT for unrestricted access to the site, as well as Mn/DOT approval to work in Mn/DOT right-of-way to widen the current driveway if needed.
- 2) The applicant construct a right turn lane and an acceleration lane pursuant to state highway construction standards.
- 3) The applicant submits a driveway permit application to the City of Lauderdale to bring the current gravel driveway at the site into compliance with the City's current driveway construction standards for gravel driveways, according to Title 9-10-6-A-3 of the Lauderdale City Code.
- 4) The applicant obtains all necessary permits from applicable agencies such as the Rice Creek Watershed District.
- 5) The applicant grants the City of Lauderdale a 10-foot utility easement along the east property line.
- 6) The applicant includes natural screening as part of the updated screening plan.
- 7) The applicant follow all local, regional, and state environmental regulations, and make reasonable effort to notify the City upon notification of any such violation.



Minnesota Department of Transportation

Metropolitan Division
Waters Edge
1500 West County Road B2
Roseville, MN 55113

September 11, 2001

To: Rick Getschow
City Administrator
City of Lauderdale
1891 Walnut Street
Lauderdale, MN 55113

Re: Historic Stone Property
In the Southwest Quadrant of
TH 280 and Broadway Street

Dear Rick:

Since my recent discussion with you in regards to the restrictions Mn/DOT would put on the TH 280 access to the subject property, this is to inform you that we have not looked any further into the issue of widening the existing access. On September 7, 2001, the owner contacted us about the possibility of Mn/DOT acquiring this property from them in an "early acquisition" process in light of a reconstruction project that would close off this access. We instructed the owner to write a letter to Mn/DOT requesting this.

If you have any further questions regarding this access issue, please feel free to contact me at (651) 582-1379, or send me an e-mail at nancy.daubenberger@dot.state.mn.us. Thank you.

Sincerely,

Nancy Daubenberger

Nancy Daubenberger, P.E.
Project Manager, Metro Design

Cc: Marc Goess
Jim Kirchner
Claudius Toussaint
Keith VanWagner

M E M O S B Y J A M E S

DATE: SEPTEMBER 11, 2001
TO: HONORABLE MAYOR AND COUNCIL
FROM: JAMES BOWNIK, ADMINISTRATIVE ANALYST
RE: CONDITIONAL USE PERMIT APPLICATION FOR STATE TRUNK
 HIGHWAY 280, WEST SUMMER STREET
 (TABLED FROM AUGUST 28, 2001)

BACKGROUND

PROPOSAL: Request for a Conditional Use Permit allowing for a supply yard.
 The property in question is zoned I-1 Industrial.

APPLICANT: Historic Stone
 1345 Summit Avenue
 St. Paul, MN 55105

**PROPERTY
OWNER:** Historic Stone
 1345 Summit Avenue
 St. Paul, MN 55105

**PROPERTY
LOCATION:** State Trunk Highway 280, West Summer Street
 Lauderdale, MN 55113

CONDITIONAL USE PERMIT REQUEST

According to Title 10-6-2-E-6 of the Lauderdale City Code, supply yards are listed as an approved conditional use in the I-1 District.

Attached as Exhibit A is the conditional use permit application for your review.

PROPERTY INFORMATION

Historic Stone acquired the 0.47-acre tax-forfeited site earlier this year. Historic Stone proposes to use the site as a supply yard for recycled natural stone and clay. The materials would consist of granite and marble slabs for patios, sand and limestone blocks for retaining walls, decorative terra cotta used as garden highlight pieces, and brick and cobblestone pavers for driveways and walking paths. No retail sales are proposed for the site, only storage of the above mentioned materials.

At the August 28 meeting, the following information was discussed regarding the entrance to the site:

- Historic Stone has an access from Highway 280 through a shared driveway with the adjacent property to the north.
- Mn/DOT authorized Historic Stone to access the site on a temporary trial basis, but did not grant an access permit.
- Mn/DOT would monitor use of the entrance.
- If the use of the entrance creates safety concerns or the use of the entrance disrupts traffic flows, Mn/DOT might require Historic Stone to construct a right turn lane and acceleration lane.
- When multiple loads are hauled to or from the site, Mn/DOT requires notification.
- Trucks must use the break in traffic due to the stoplight at Broadway Drive when exiting, and be careful not to deposit material onto the roadway. Mn/DOT is also prohibiting hauling from occurring during the morning and afternoon rush hour.

Attached as Exhibit B is a copy of Mn/DOT's letter to Historic Stone dated June 20, 2001 regarding access to the site.

At the August 28 meeting, the City Council expressed concerns regarding safety and traffic disruption. Based on these concerns, staff was directed to do further research. The research produced the following information:

- Since Historic Stone already had legal access to the site, Mn/DOT only required Historic Stone to apply for an access permit because the site would experience a change of use.
- Mn/DOT was going to require Historic Stone to construct a right turn lane and acceleration lane as a condition to granting an access permit. However, a temporary trial access was authorized as a result of a compromise between Mn/DOT and Historic Stone after Historic Stone did not want to invest the estimated \$20,000 to \$50,000 for the improvements.
- Mn/DOT does feel that requiring a right turn lane and acceleration lane would reduce safety concerns and liability.
- If the driveway entrance needed to be widened, Historic Stone would need an access permit from Mn/DOT to work in the right-of-way.
- Mn/DOT would not commit to whether they would grant the permit.
- Mn/DOT requires Historic Stone to contact them when multiple loads are being hauled to or from the site so that they can monitor the site and know how to field possible complaints. Mn/DOT does not plan to place signs by the road, close lanes, etc. The placement of signs or other measures would be the responsibility of Historic Stone.
- Mn/DOT did not clearly answer what they mean by "multiple loads".

I requested a letter from Mn/DOT with the following information: 1) Whether or not they would grant Historic Stone an access permit, 2) If they did grant Historic Stone an access permit, would they require Historic Stone to construct a right turn lane and an acceleration lane, 3) How do they define "multiple loads". We had not received a letter from Mn/DOT as of Friday, September 7, but may have something on Monday or Tuesday.

REQUIREMENTS FOR APPROVAL OF A CONDITIONAL USE PERMIT

Title 10-12-4 & 10-12-5 of the City Code allows the City Council to consider the following for the approval of a conditional use permit:

- 1) Does the use conform to the I-1 District?
- 2) Will the use provide a harmonious relationship with adjacent properties?
- 3) Is the visual impression & environment of the use consistent with the district?
- 4) Does the use organize vehicular access & parking in a way that minimizes traffic congestion in the district?
- 5) Does the use promote the objectives of Title 10 of the City Code: Zoning, and the Land Use & Tax Base section of the Lauderdale Comprehensive Plan?
- 6) Does the use comply with the following performance standards?
 - a. Fire Protection.
 - b. Electrical Disturbance.
 - c. Noise.
 - d. Vibrations.
 - e. Odors.
 - f. Air Pollution.
 - g. Glare.
 - h. Erosion.
 - i. Water Pollution.

STAFF FINDINGS & REVIEW

1) *Does the use conform to the I-1 District?*

The use appears to conform to the approved conditional uses in the I-1 District.

2) *Will the use provide a harmonious relationship with adjacent properties?*

A representative for Hamline Auto Body had expressed some concerns at the August 28 meeting. These concerns include site access, possible sanitary sewer improvements, and storm water/grading/erosion concerns. These are further addressed in a letter from Amcon Construction to the City Administrator dated August 30, 2001.

Attached as Exhibit C is Amcon Construction's letter to the City Administrator dated August 30, 2001.

The City Council may now want to consider granting this conditional use permit on the conditions that the applicant grants the City of Lauderdale a 10-foot utility easement along the east property line and that the applicant obtains all necessary permits from applicable agencies such as the Rice Creek Watershed District. The access concerns are addressed in #4 below.

3) ***Is the visual impression & environment of the use consistent with the district?***

The visual impression and environment of the use would consist of a supply yard of recycled natural stone and clay. The proposed screening consists of using existing trees as natural buffers on the south and west side of the site, and erecting a six-foot tall chain link fence on the east side of the property - running north and south directionally. The applicant stated that this fence would connect to an existing fence on the north side of the property.

The applicant has updated the screening plan to add plastic slats to the cyclone fence, reducing the visibility by 80%. The City Council can still consider requiring the applicant to use natural screening, as suggested by the Chair of the Planning Commission.

Attached as Exhibit D is a visual impression that was submitted.

4) ***Does the use organize vehicular access & parking in a way that minimizes traffic congestion in the district?***

Historic Stone has received authorization from Mn/DOT to access the site on a trial basis with restricted hours and other conditions. An access permit has not been granted at this time. Traffic congestion, noise, and safety concerns could be issues. Additionally, when Highway 280 is reconstructed, Mn/DOT intends to remove Historic Stone's entrance and establish access control. It would be virtually impossible at that point for the applicant to conduct business from this site.

In light of the recent Mn/DOT discussions, the City Council may now want to consider granting this conditional use permit on the conditions that the applicant first receive an access permit from Mn/DOT for unlimited access to the site and that the applicant constructs a right turn lane and an acceleration lane.

5) ***Does the use promote the objectives of Title 10 of the City Code: Zoning, and the Land Use & Tax Base section of the Lauderdale Comprehensive Plan?***

The use does not appear to promote the objectives of the Zoning Ordinance and the Land Use & Tax Base section of the Comprehensive Plan by encouraging development and/or redevelopment of commercial and industrial properties for the purpose of increasing tax base. No building or other improvement of value is proposed to be constructed at the site.

6) ***Does the use comply with the following performance standards?***

- a. ***Fire Protection.***
- b. ***Electrical Disturbance.***
- c. ***Noise.***
- d. ***Vibrations.***
- e. ***Odors.***
- f. ***Air Pollution.***
- g. ***Glare.***

- h. Erosion.*
- i. Water Pollution.*

The use appears to comply with the performance standards mentioned above.

SITE PLAN

Attached as Exhibit E is the Historic Stone's Site Plan and updated Screening Plan for your review.

PLANNING COMMISSION ACTION

The Planning Commission did not meet to discuss the conditional use permit application due to the lack of a quorum. Instead, this action item was placed directly on the council agenda per Title 2-1-10-4:K of the current Zoning Ordinance. The Planning Commission received the information packet and have been invited and encouraged to attend the council meeting in order to provide input to the Council.

PUBLIC HEARING FOR THE CONDITIONAL USE PERMIT REQUEST

The public hearing for the conditional use request was held on August 28, 2001.

CITY COUNCIL ACTION REQUESTED

Approve Historic Stone's conditional use permit application pursuant to the following conditions:

- 1) The applicant first receives an access permit from Mn/DOT for unrestricted access to the site, as well as Mn/DOT approval to widen the current driveway.
- 2) The applicant construct a right turn lane and an acceleration lane.
- 3) The applicant submits a driveway permit application to the City of Lauderdale to bring the current gravel driveway at the site into compliance with the City's current driveway construction standards for gravel driveways, according to Title 9-10-6-A-3 of the Lauderdale City Code.
- 4) The applicant obtains all necessary permits from applicable agencies such as the Rice Creek Watershed District.
- 5) The applicant grants the City of Lauderdale a 10-foot utility easement along the east property line.
- 6) The applicant includes natural screening as part of the updated screening plan.

MEMOS BY JAMES

DATE: SEPTEMBER 25, 2001
TO: HONORABLE MAYOR AND COUNCIL
FROM: JAMES BOWNIK, ADMINISTRATIVE ANALYST
RE: APPOINTMENT OF ELECTION JUDGES



BACKGROUND

Below is a list of residents who have agreed to serve as election judges for the November 6, 2001 General City and School Board Election. The hourly wage is \$6.50, and the City of Lauderdale supplies breakfast, lunch and dinner. Judges must attend a two-hour training session as required by State Law. This training session is scheduled to take place the week of October 22, 2001.

Barlow, Evelyn	1947 Eustis Street	631-1566	DFL
Gordon, Eleanor	2309 Ione Street	645-5637	R
James, Ginny	1825 Lake Street	645-2519	R
Kruger, Regina	2379 Roselawn Avenue	631-1219	DFL
Lawrence, Donna	1815 Lake Street	644-6927	DFL
Mangen, Marian	1959 Walnut Street	631-0312	DFL
Ruscmeyer, Gloria	1798 Carl Street	646-3532	R
Schmidt, Mae	1774 Eustis Street	646-4768	R
Watson, Debbie	1696 Pleasant Street, #F	646-6757	R

Cities are to try to have as equal representation from all parties as possible. Cities are also required to have the list of judges appointed by the City Council.

COUNCIL ACTION REQUESTED

- 1) Motion to approve the attached list of election judges for the November 6, 2001 General City and School Board Election.

ENCLOSURES:

1. Certification Letter form the Metropolitan Council dated August 3, 2001
2. Resolution 092501A: Resolution electing to participate in the Local Housing Incentives Account Program under the Metropolitan Livable Communities Act.

COUNCIL ACTION REQUESTED:

Motion to adopt Resolution Number 092501A, A Resolution electing to participate in the Local Housing Incentives Account Program under the Metropolitan Livable Communities Act.

City Council Memorandum

To: Mayor and City Council
From: Rick Getschow
Council Meeting Date: September 25, 2001
Agenda Item: Resolution 092501A: 2002 LCA Resolution

BACKGROUND:

Beginning in 1995, the Lauderdale City Council elected to participate in a program that was made available by a law enacted by the Legislature called the Metropolitan Livable Communities Act. The Metropolitan Livable Communities Fund is comprised of three accounts that provide monies and other assistance to metropolitan area municipalities. The fund's accounts are:

- Tax Base Revitalization Account
- Livable Communities Demonstration Account
- Local Housing Incentives Account; and the
- Inclusionary Housing Incentive Account

The City is eligible to receive grants or loans under the Metropolitan Livable Communities Fund or eligible to receive certain polluted sites cleanup funding from the Minnesota Department of Trade and Economic Development (DTED) when it is participating in the Local Housing Incentives Program. The City Council may elect to participate in the program on an annual basis. Lauderdale has participated in the tax base revitalization program in past years and as a result has received over \$900,000 in funding to mitigate polluted sites for redevelopment - Bolger Publications and the Lightning Transient Research Institute (LTRI) site.

The Act requires the Metropolitan Council to negotiate with each municipality to establish affordable and life-cycle housing goals for that municipality that are consistent with and promote the policies of the Metropolitan Council as provided in the adopted Metropolitan Development Guide. Because the Lauderdale meets or exceeds the housing goals as defined by the Metropolitan Council's benchmarks, Lauderdale is not required to establish new goals.

In 2000, only (2) two houses in the entire city had a market value that exceeded the Met Council's affordability level of \$175,600. In 2001 that number increased to 12 homes. Despite that increase, the fact remains that less than 2% of all single-family homes in Lauderdale exceed that affordable housing baseline value.

Attached is a letter from the Metropolitan Council explaining 2002 participation.

RESOLUTION NO. 092501A

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

**RESOLUTION ELECTING TO CONTINUE PARTICIPATING IN THE LOCAL HOUSING
INCENTIVES ACCOUNT PROGRAM UNDER THE METROPOLITAN LIVABLE
COMMUNITIES ACT**

WHEREAS, the Metropolitan Livable Communities Act (Minnesota Statutes Section 473.25 to 473.254) establishes a Metropolitan Livable Communities Fund which is intended to address housing and other development issues facing the metropolitan area defined by Minnesota Statutes section 473.121; and

WHEREAS, the Metropolitan Livable Communities Fund, comprising the Tax Base Revitalization Account, the Livable Communities Demonstration Account, Local Housing Incentives Account and the Inclusionary Housing Incentive Account is intended to provide certain funding and other assistance to metropolitan area municipalities; and

WHEREAS, a metropolitan area municipality is not eligible to receive grants or loans under the Metropolitan Livable Communities Fund or eligible to receive certain polluted sites cleanup funding from the Minnesota Department of Trade and Economic Development unless the municipality is participating in the Local Housing Incentives Account Program under Minnesota Statutes section 473.254; and

WHEREAS, the Metropolitan Livable Communities Act requires the Metropolitan Council to negotiate with each municipality to establish affordable and life-cycle housing goals for that municipality that are consistent with and promote the policies of the Metropolitan Council as provided in the adopted Metropolitan Development Guide; and

WHEREAS, each municipality must identify to the Metropolitan Council the actions the municipality plans to take to meet the established housing goals through preparation of the Housing Action Plan; and

WHEREAS, the Metropolitan Council adopted, by resolution after a public hearing, negotiated affordable and life cycle goals for each participating municipality; and

WHEREAS, a metropolitan area municipality which elects to participate in the Local Housing Incentives Account Program must do so by November 15 of each year; and

WHEREAS, for calendar year 2002, a metropolitan area municipality that did not participate in the Local Housing Incentive Account Program during the calendar year 2001, can participate under Minnesota Statutes section 473.254 if (a) the municipality elects to participate in the Local Housing Incentives Program by November 15, 2001; and (b) the Metropolitan Council and the municipality have successfully negotiated affordable and life-cycle housing goals for the municipality:

NOW, THEREFORE, BE IT RESOLVED THAT the City of Lauderdale hereby elects to participate in the Local Housing Incentives Program under the Metropolitan Livable Communities Act during calendar year 2002.

Dated this the 25th day of September, 2001.

(ATTEST)

Jeff Dains, Mayor

(SEAL)

Rick Getschow, City Administrator



DATE: August 3, 2001

TO: City Managers and Administrators

FROM: Elizabeth J. Ryan, Director of Housing & Livable Communities

SUBJECT: Certification of 2001 ALHOA (Expenditures in 2002)

Thank you for your participation in the 2001 *Metropolitan Livable Communities Act* (LCA) Local Housing Incentives Account. Your community's commitment and involvement has contributed to the region's overall economic competitiveness and its tangible progress in providing affordable and life-cycle housing for metro area residents.

Looking ahead to 2002, the Metropolitan Council seeks your community's renewed participation and continued cooperation in Livable Communities efforts. As part of the LCA legislation, the Council provides to each community on an annual basis an "Affordable and Life-cycle Housing Opportunities Amount (ALHOA)". The ALHOA is the minimum amount of local discretionary expenditures to assist the development or preservation of affordable and life-cycle housing. It is not a grant from the LCA. The ALHOA is derived from the formula prescribed in law including market value, tax capacity and tax rates by the county assessor. In order to continue to participate in the program, communities must expend at least 85 percent of their ALHOA obligation for that year.

Communities have some flexibility in determining which local expenditures fulfill the ALHOA contribution. Examples include local dollars contributed to housing assistance, development or rehabilitation efforts, local housing inspection and code enforcement, or local taxes to support a local or county HRA.

Incentives for your community's renewed participation include access to approximately \$15 million for housing development, clean-up of polluted sites for business and housing development, and mixed-use and mixed-income development. Also, your community's ALHOA expenditure will be reported in the Council's Annual Housing Report Card required by the LCA.

Your community's intent to participate in the 2002 LCA Local Housing Incentives Program is needed by Nov. 15. To help you in verifying your community's continued participation, a model resolution is enclosed. Planning assistance for staff or information presentations for elected officials are available by contacting your sector representative (see below). Questions about the ALHOA can be referred to Guy Peterson at 651/602-1418.

We look forward to continuing our mutual commitment to affordable and life-cycle housing. Thank you for your consideration.

Sector Representatives:

Anoka and Ramsey Counties
Dakota and Washington Counties
Scott and Carver Counties
Hennepin County

Sandra Pinel
Michael King
Tom Caswell
Phyllis Hanson

651-602-1513
651-602-1438
651-602-1319
651/602-1566

Memo

Re: Recycling Contract 2002-2003
To: Mayor and City Council
From: Shannon Goyette, Deputy Clerk

The City's recycling contract will be expiring December 31st of this year. While the current contract offers an option to renew, Waste Management is only willing to do so if the city meets two conditions:

1. Changing collection processes to a two-sort method, as opposed to the current source separated method.
2. Increasing the rate from \$1.56 to \$2.25 per resident, per month.

I have attached the letter from Waste Management.

While the renewal of the contract with the stipulated changes remains an option, I have done some research on the current situation.

First, the price quoted in the contract appears to be relatively high in comparison to quotes provided by Waste Management to other local cities in recent months. For a similar two-source collection system, Waste Management has recently proposed in the area of \$1.75 for other cities located in Ramsey County.

Secondly, Lauderdale is now one of very few cities in the metro area currently using the 100% source separation method. Most other cities use either a one-stream or two-stream method. This suggests that finding a company that will be willing to offer a competitive bid on the 100% source separated method Lauderdale currently uses may be difficult. However, the City of St. Paul is still currently using a multi-stream collection system, so it should not be impossible for the City to find a bid for a multi-stream method. If cost is an issue, though, it may be wise to ask for two separate bids, one for multi and one for a two-source method.

Finally, there are not a large number of businesses offering recycling services, so there is not a very high degree of competition. As a guide, our last RFP garnered a total of three bids.

The process for sending out RFP's will likely be fairly short. The RFP's would be sent out immediately after approval, with a deadline of October 15th. The bids and staff recommendation would then be submitted to the Council for the October 23rd meeting.

Action Requested:

First, decide whether to accept the terms of renewal proposed by Waste Management. If the decision is against acceptance, authorize staff to send out RFPs to local area recycling companies.

Attachments:
Updated RFP
Letter from Waste Management

**City of Lauderdale
Comprehensive Recycling Collection Program
Specifications**

I. INTRODUCTION

These specifications define the requirements of the Comprehensive Recycling Collection Program for the City of Lauderdale.

II. DEFINITIONS

1. Recyclables - Defined as newsprint and inserts, unsorted glass (food and beverage containers), unsorted aluminum, steel, bimetal, and "tin" cans (food and beverage containers), unsorted plastic bottles (PETE & HDPE), magazines, boxboard, and corrugated cardboard.

The parties, by separate agreement, may later include the following items as recyclables: other plastic polymers, automobile batteries, yard waste, compostable materials and other materials as mutually agreed upon between the City and the Contractor.

2. Unacceptable Recyclables - Defined as recyclables which have not been prepared and/or located by the resident in compliance with the following standards:

NEWSPAPER: Placed in paper bags or securely tied and bundled, and separated from other materials.

GLASS FOOD & BEVERAGE CONTAINERS: Rinsed, separated from other materials and placed in a paper bag, box or recycling container.

METAL FOOD & BEVERAGE CONTAINERS: Rinsed, separated from other materials and placed in a paper bag, box or recycling container.

PLASTIC BOTTLES: Rinsed, separated from other materials and placed in a clear plastic bag, paper bag, box or recycling container. Acceptable plastics include only bottles containers with the identification of (1) PETE or (2) HDPE on the bottom of the container.

OFFICE PAPER/MAGAZINES/BOXBOARD: Placed in paper bags or securely tied and bundled, and separate from other materials. Magazines do not include large glue bound catalogues or phone books.

PHONE BOOKS: Collected year round. ~~Collected during July and August of each year.~~

CORRUGATED CARDBOARD: Broken down flat into bundles no larger than three feet by three feet in length. Cardboard that is wax or plastic-coated or contaminated by food or grease shall not be accepted.

Preparation standards for other materials will be determined by mutual written agreement between the City and the Contractor.

3. Recycling Containers - Defined as uniform receptacles supplied by the City in which recyclables can be stored and later placed for collection, as specified by the City. The recycling containers remain the property of the City.

4. Recycling Collection - Defined as the collection of all recyclables placed at or near curbside, properly prepared and packaged at certified dwelling units (CDU's) and other collection stops designated by the City.
5. Certified Dwelling Unit (CDU) - Defined as a single family home or residential units in duplexes (and all multiple unit dwellings up to and including eight-plexes), condominiums or townhouses. Residential units in structures not listed here may be designated as CDU's upon mutual agreement by the City and Contractor.
6. Collection District - Defined as a specific geographic area of the City established for the purpose of having recycling collection for all CDU's and other City designated collection stops in the district on the same day.
7. Contractor – Defined as the company performing recycling collection services within the City, operating under a signed agreement with the City.
8. Collection Vehicle - Defined as any vehicle owned or operated by the Contractor for collection of recyclables within the corporate boundaries of the City.
9. Collection Hours - Defined as the time period during which collection of recyclables is authorized in the City.
10. Holidays – Defined as any of the following: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day.
11. Scheduled Collection Day – Defined as the day or days of the week on which recycling collection by the contractor is to occur, as specified in the contract with the City.
12. Curbside – Defined as near the edge of the public or private street from which the CDU gains its access.

III. COLLECTION REQUIREMENTS

A. Residential Collection

1. Frequency of Collection – Collection shall occur every other week for all single family homes, residential units in duplexes, Brandy Chase Condominiums, Rosehill Townhomes, and all multiple unit dwellings up to and including eight-plexes. ~~Collection shall occur twice within each month, but is limited to every other week for single family homes and residential units in duplexes (and all multiple unit dwellings up to and including eight-plexes), Brandy Chase Condominiums and Rosehill Townhomes.~~ Weekly collection will occur for multi-family units (apartments) south of Larpenteur Avenue (except Luther Seminary Apartments). See attachment for those units that require weekly pickup.
2. Collection Hours - Collection shall commence no earlier than 7:00 a.m. The Contractor shall maintain sufficient equipment and personnel to assure that all

collection operations are completed by 6:00 p.m. on the scheduled collection day. Residents will be requested to have their recyclables placed at the collection site before 7:00 a.m. on the scheduled collection day.

3. Compliance with Driving and Hauling Laws - Collection and transportation of all recyclables shall be accomplished in accordance with all existing laws and ordinances, and future amendments thereto, of the State of Minnesota and local governing bodies.

4. Weighing of Loads and Reporting Requirements – The Contractor will keep accurate records consisting of an approved weight slip with the date, time, collections route, driver's name, vehicle number, tare, gross and net weight, and number of recycling stops for each loaded vehicle. Collection vehicles will be weighed after completion of a route or at the end of the day, whichever occurs first. A copy of each weight ticket shall be included as part of the billing sent to the City each month. The Contractor will also include a report of the total tons collected, including amounts of each type of material delivered to each market. The Contractor will also report the amount and location of all materials stored for more than thirty days.

5. Point of Collection - All residential collection will occur at curbside as defined in Section II, paragraph 12 of this Exhibit.

6. Procedure for Unacceptable Recyclable(s) - If the Contractor determines that a resident has set out unacceptable recyclable(s), the driver shall use the following procedure: The Contractor shall leave the unacceptable recyclable(s) and leave an "education tag" indicating acceptable materials and the proper method of preparation.

7. Cleanup Responsibility – The Contractor shall adequately clean up any material spilled or blown during the course of collection and/or hauling operations. All collection vehicles shall be equipped with at least one broom and one shovel for use in cleaning up material spillage. Contractor shall have no responsibility to remove or clean up any items that are not recyclable materials.

8. Missed Collection Policy and Procedures – The Contractor shall have a duty to pick up missed collections. The Contractor agrees to pick up all missed collections on the same day the Contractor receives notice of a missed collection, provided notice is received by the Contractor before 11:00 a.m. on a business day. With respect to all notices of a missed collection received after 11:00 a.m. on a business day, the Contractor agrees to pick up that missed collection before 6:00 p.m. on the following business day.

9. Non-completion of Collection and Extension of Collection Hours – If the Contractor determines that the collection of recyclables will not be completed by 6:00 p.m. on the scheduled collection day, the Contractor shall notify the City Recycling Coordinator by 4:30 p.m. and request an extension of the collection hours. The Contractor shall inform the City of the areas not completed, the reason for non-completion and the expected time of completion. If the Recycling Coordinator cannot be reached, the Contractor will request the City Administrator.

10. The Contractor shall provide the City with a list of all customer complaints received within ten working days, including a description of how each was resolved.

11. Severe Weather - Recycling collections may be postponed due to severe weather at the sole discretion of the Contractor. "Severe Weather" shall include, but shall not be limited to those cases in which the temperature at 6:00 a.m. is minus twenty (-20) degrees Fahrenheit or colder. Upon postponement, collection will be made on a day agreed upon between the Contractor and the City.

12. Holidays - When a scheduled collection falls on a holiday, collection shall take place the following business day or on an alternative collection day scheduled by a mutual agreement. In such case, the Contractor shall assist the City in publicizing the alternative collection day, including delivery of notices to each CDU in the affected collection district.

13. Collection Vehicle Equipment Requirement - Each collection vehicle shall be equipped with the following:

1. Two-way radio.
2. First aid kit.
3. Approved 2A10BC dry chemical fire extinguisher.
4. Warning flashers.
5. Warning alarms to indicate movement in reverse.
6. Sign in rear of vehicle stating, "this vehicle makes frequent stops."
7. Broom and shovel for cleaning up spills.

All of the required equipment must be in proper working order and as clean and free of odors as possible.

All vehicles must be clearly identified on both sides with the Contractor's name and telephone number.

14. Personnel Requirements – The Contractor shall retain sufficient personnel and equipment to fulfill the requirements and specifications of this agreement. The Contractor's personnel shall:

1. Conduct themselves at all times in a courteous manner with the general public.
2. Make a concerted effort to have at all times a presentable appearance and attitude.
3. Perform their work in a neat and quiet manner and clean up all recyclables spilled in collection and hauling operations.
4. Avoid damage to property.
5. Not perform their duties or operate vehicles while consuming alcohol or illegally using controlled substances or while under the influence of alcohol and/or such substances.

15. Ownership - Ownership of the recyclables shall remain with the person placing them for collection until the Contractor's personnel physically touch them for collection, at which time ownership shall transfer to the Contractor.

16. Educational Materials – The Contractor shall be responsible to pay for and distribute one promotional piece of recycling education material each year of the contract with the first publication to be focused on the change of collection service from bi-weekly to every other week.

17. Liquidated Damages – The contract will involve some form of liquidated damages for non-performance of duties.

18. Contract Negotiation - Notice must be given to the City by July 31 of change in service for the following year.

**City of Lauderdale
Recycling Request For Proposal (RFP) Form**

RFP for recycling services for a one-year period: January 1, 2002 through December 31, 2002, with two one-year options for renewal.

Number of households: 1,150

Company Name: _____

Contact Person: _____

Title: _____ Phone: _____

Address: _____

References: _____

(Optional) _____

Option A: Two-stream

Cost per household: \$ _____ X 1,150 = \$ _____

Option B: Multi-stream

Cost per household: \$ _____ X 1,150 = \$ _____

Signature

Bids are due by: 4:30 p.m. Monday, October 15, 2001

Send to: City of Lauderdale
Shannon Goyette, Deputy Clerk
1891 Walnut Street
Lauderdale, MN 55113

Phone: (651) 631-0300

FAX: (651) 631-2066

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Waste Management of Minnesota

September 4, 2001

Mr. Rick Getschow
City Administrator
City of Lauderdale
1891 Walnut Street
Lauderdale, Minnesota 55113

Re: Recycling Contract

Dear Mr. Getschow,

Waste Management of Minnesota would like to thank the City of Lauderdale and all of its officials, staff and residents for the past business of collecting your curbside recycling.

The increase of fuel by over 40% and the low value of the commodity collected is forcing us to inform you that we will not be able to renew your contract that is up the end of December for the current rate.

In order for us to continue to service the City of Lauderdale, two things would have to be addressed:

1. We would require that the commodity be collected in the two sort system in lieu of the source separated method.(this change would increase participation and volume by simplifying the preparation of recyclable products for the residents)
2. The \$1.56 per month would be raised to \$2.25 to bring your rate in line with our other customers.

If you have any solutions or questions please contact me at 952-736-2407.

Sincerely,


Gary Boyum
Municipal Marketing Manager

City Council Memorandum

To:	Mayor and City Council
From:	Rick Getschow
Council Meeting Date:	September 25, 2001
Agenda Item:	Hockey Rink Paving

Background:

A City Council goal for 2001 was to research the paving of the hockey rink. During the 2000 Improvements, which involved significant work in the Community Park, the Council considered completing this work but decided to wait until a future date. This was based on the understanding that paving will be occurring in Lauderdale through 2004.

This past spring, the city applied for a DNR Outdoor Recreation Grant for paving the hockey rink, along with the reconstruction of the tennis courts. Unfortunately, the City was informed in July that we did not receive this grant for 2001. Thus, the discussion to complete this work on our own is now again under consideration.

The City Engineer was asked to provide information on this topic, and has submitted the attached memo on this issue for discussion at the meeting.

Enclosures:

1. City Engineer Memo dated September 19, 2001

MEMO

Lauderdale

TO: *Rick Getschow*
FROM: *Paul Heuer*
RE: *Lauderdale 2001 Improvement Project*
FILE: *BRA File No. 532-00-101*
DATE: *September 19, 2001*



We understand that Council is interested in having the hockey rink paved for in line skating use. The purpose of this memo is to provide information that is relevant to accomplishing this work.

The rink should be paved with a surface pavement, also known as a wear course. We have no more wear course pavement scheduled to be placed in Lauderdale this year. Wear course was placed on the streets of the 2000 project and in the alleys of the 2001 project this summer. Wear course will be placed on the 2001 project during the summer of 2002. Therefore, if the rink is to be paved this year, we don't expect to receive a good price (due to additional mobilization). In order to receive a fair price, we recommend bidding the work in the spring of 2002 for the 2002 project. This work could be specified to be completed in 2002.

At this time, we anticipate that the work would include adding a 6" aggregate base and paving with 3" of bituminous surfacing. We estimate the total cost of this work to be approximately \$13,000.

MEMO

Lauderdale

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FROM: Paul Heuer
RE: Lauderdale 2001 Improvement Project
FILE: BRA File No. 532-00-101
DATE: September 19, 2001



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