

FILE COPY

LAUDERDALE CITY COUNCIL MEETING AGENDA
TUESDAY, APRIL 25, 2000
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: Adm. Rick Getschow _____

3. APPROVAL

- A. Approval of agenda
- B. Approval of the minutes of the 4/11/00 City Council Meeting
- C. Approval of claims totaling \$ 41,469.36

4. 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.

5. CONSENT

**6. SPECIAL ORDER OF
BUSINESS/RECOGNITIONS/PROCLAMATIONS/CITIZEN'S
ADDRESSING THE 2000 STREET AND UTILITY IMPROVEMENTS**

7. INFORMATIONAL PRESENTATIONS

- A. 2000 Street and Utility Improvements Update- City Engineer

8. 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. City Code Revisions - Driveway and Parking Ordinances

9. ACTION

- A. Approval of the City Code Revisions - Driveway and Parking Ordinances
B. Set a Price for the City History Book

10. REPORTS

11. DISCUSSION

- A. Land Use Planning Workshop ("Tuesday Night Council Meeting" video)
B. Draft Zoning Ordinance – Remaining Chapter 5 and Chapter 6 Review

12. ITEMS REMOVED FROM THE CONSENT AGENDA

13. ADDITIONAL ITEMS

14. SET AGENDA FOR NEXT MEETING

15. ADJOURNMENT

**Lauderdale City Council
Meeting Minutes
April 11, 2000**

1. Meeting called to order at 7:30 P.M.

2. ROLL

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

Staff present: City Administrator Getschow

Others Present: City Consulting Engineer Paul Heuer

3. APPROVAL

A. Approval of Agenda. Motion by Hawkinson, second by Gower to approve the agenda. Roll: Yes: all. Motion carried.

B. Approval of Minutes. Motion by Christensen, second by Gill-Gerbig to approve the minutes of the March 28, 2000 City Council meeting. Roll: Yes: all. Motion carried.

C. Approval of Claims totaling \$48,434.92. Motion by Gill-Gerbig, second by Christensen to approve the claims totaling \$48,434.92. Roll: Yes: all. Motion carried.

4. OPPORTUNITY FOR THE PUBLIC TO ADDRESS ITEMS NOT ON THE AGENDA

5. CONSENT

6. SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS/
CITIZEN'S ADDRESSING THE 2000 STREET AND UTILITY
IMPROVEMENTS

7. ACTION

A. *Fence in the Community Park.*

Several residents addressed the City Council regarding the fence in the Community Park on the southern border of the park. Below is a summary of those who addressed the Council.

Dennis Dolphin, 1880 Pleasant Street, expressed concern with the possible removal of the fence near the property and park border. He stated that the logic used in placing the fence off of the property line several years ago in the park should still hold today. He questioned the benefits are gained by moving the fence to the property line.

Barbara Claussen, 2345 Summer Street, also expressed concern with the possible removal of the fence near the property and park border. She stated that the fence has been there for many years and does not need to be removed or relocated. If the fence is be moved, she is requesting an easement from the City related to the use of her driveway.

Reid Victorsen, 1744 Lake Street, also expressed concern with the possible removal of the fence near the property and park border. He stated that through contact with the City of Roseville, the City states that all effort to protect privacy is given to residents in Roseville adjacent to city property.

Paul Molitor, 1797 Fulham Street, stated that he does not see a gain to the residents of Lauderdale in gaining 7 feet of parkland, especially with the effect that it will have on the bordering residents.

Mark Salovich, 2337 Summer Street, stated that there is overwhelming support from the residents of Lauderdale to keep the fence where it is. He then presented a signed letter from residents and read a statement from his parents. [The signed documents are a part of the record and attached to these minutes].

Rand Claussen, 2345 Summer Street, stated his concerns with the removal and/or relocation of the fence. He discussed the negative effects a relocated fence would have on his property.

The Mayor stated that this entire fence issue arose and was discovered through the surveying and the planning of the street improvements. Since this recently came to the attention of the Council, a decision now needs to be made with this fence.

Council member Hawkinson stated that she would like to see the fence be removed and not replaced at all.

Council member Christensen read aloud a letter from the City Attorney to the City Council regarding the fence issue. He favored the removal and non-replacement of the fence.

Council member Gower stated that through her involvement and previous membership in the Lauderdale Park and Community Involvement Committee, the need for all of the city's parkland is important. She stated that the privacy argument presented by select residents was not an issue because these residents border a large park and not other residents on small lots, which is predominant in Lauderdale. She also questioned the reliability of the signed letter that was presented by Salovich. She favored the removal and non-replacement of the fence.

Council member Gill-Gerbig favored the removal and non-replacement of the fence. In regards to an easement requested by the Claussens, she stated that the need for an easement is out of convenience, not necessity. Thus, she does not support an easement in this case.

Mayor Dains stated that public property is for public use. He does not support selling this land, nor relinquishing it or its use in any way. He does want to work with the homeowners in the removal of items off the public property.

Motion by Gill-Gerbig, second by Christensen to remove the fence in the park for the entire length from east to west, and not replace the fence, and that the citizens affected be given until October 31, 2000 to remove personal items from the park. A discussion by the Council and residents again occurred prior to roll call.
Roll: Yes: all. Motion carried.

A break was taken at 9:30 p.m. The meeting resumed at 9:45 p.m.

8. DISCUSSION

A. 2000 Street and Utility Improvements. The City Engineer introduced the project inspectors. The Council discussed the street improvements with the engineer and inspectors.

B. Other Work Session items. The Council discussed how to proceed on the following goals and city issues:

1. Draft Zoning Ordinance
2. Housing programs
3. Garbage collection program
4. Larpenteur Avenue corridor redevelopment

9. ADDITIONAL ITEMS

10. SET AGENDA FOR NEXT MEETING

1. 2000 Street and Utility Improvement Update
2. Driveway and Parking Ordinance Public Hearing
3. Approval of Driveway and Parking Ordinance revisions
4. Set a price for the History Book
5. Draft Zoning Ordinance

11. ADJOURNMENT

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

The City of Lauderdale

Claims for Approval

4/25/00 City Council Meeting

April 14, 2000 Payroll # 6663 - 6667	\$4,547.05
April 25, 2000 Claims # 14487 - 14509	\$36,922.31
Total Claims for Approval	\$41,469.36

13 Apr 2000
Thu 11:49 AM

*Paid Register
CITY OF LAUDERDALE
CLAIMS FOR APPROVAL
PAYROLL DATE: APRIL 14, 2000
COUNCIL MEETING DATE: APRIL 25, 2000

Page 1

Check Number	Employee Number	Employee Name	Social Security Number	Pay Period	Pay Group	Pay Group Description	Check Amount	Check Date	Status
006663	000000011	BOWNIK, JAMES		8	01	BI-WEEKLY	846.38	14-Apr-00	Outstanding
006664	000000030	GOYETTE, SHANNON		8	01	BI-WEEKLY	378.72	14-Apr-00	Outstanding
006665	000000003	Getschow, Rick		8	01	BI-WEEKLY	1,372.79	14-Apr-00	Outstanding
006666	000000002	HINRICHS, DAVID C		8	01	BI-WEEKLY	893.06	14-Apr-00	Outstanding
006667	000000005	HUGHES, JOSEPH A		8	01	BI-WEEKLY	1,056.10	14-Apr-00	Outstanding

Grand Total

4,547.05

21 Apr 2000
Fri 10:58 AM

* Paid Check Reg
CITY OF LAUDERDALE
CLAIMS FOR PAYMENT
APRIL 25, 2000
CITY COUNCIL MEETING

Page 1

Check Invoice Number Number	Name	Account Code	Comments	Transaction Amount
Check Number	14487 ABDO ABDO EICK & MEYERS			
14487 100659	ABDO ABDO EICK & MEYERS	101-41300-301	YEAR-END '99 AUDIT SERVIC	507.50
14487 100659	ABDO ABDO EICK & MEYERS	601-49000-301	YEAR-END '99 AUDIT SERVIC	217.50

Totals Check Number	14487 ABDO ABDO EICK & MEYERS			725.00
Check Number	14488 BANYON DATA SYSTEM			
14488 7074	BANYON DATA SYSTEM	101-41300-307	TECHNICAL SUPPORT	1,205.47

Totals Check Number	14488 BANYON DATA SYSTEM			1,205.47
Check Number	14489 BIFFS, INC.			
14489 W91562	BIFFS, INC.	101-45200-427	PARK RESTROOM RENTAL	120.41

Totals Check Number	14489 BIFFS, INC.			120.41
Check Number	14490 BOLGER PUBLICATIONS			
14490 14413	BOLGER PUBLICATIONS	201-45600-327	DESIGN OF HISTORY BOOK	6,949.66
14490 14413	BOLGER PUBLICATIONS	201-45600-327	PRINTING OF HISTORY BOOK	11,382.66

Totals Check Number	14490 BOLGER PUBLICATIONS			18,332.32
Check Number	14491 CINTAS			
14491 754107098	CINTAS	601-49000-425	PUBLIC WORKS UNIFORMS	27.70
14491 754108368	CINTAS	601-49000-425	PUBLIC WORKS UNIFORMS	27.70

Totals Check Number	14491 CINTAS			55.40
Check Number	14492 GOVERNMENT TRAINING SERVICE			
14492 4/25/00	GOVERNMENT TRAINING SERVICE	101-43400-308	GTS WORKSHOPS: JAMES	198.00

Totals Check Number	14492 GOVERNMENT TRAINING SERVICE			198.00
Check Number	14493 ICMA RETIREMENT TRUST - 457			
14493 4/25/00	ICMA RETIREMENT TRUST - 457	101-21705	4/14/00 PAYROLL	745.82

Totals Check Number	14493 ICMA RETIREMENT TRUST - 457			745.82
Check Number	14494 KENNEDY & GRAVEN			

21 Apr 2000
Fri 10:58 AM

* Paid Check Reg
CITY OF LAUDERDALE
CLAIMS FOR PAYMENT
APRIL 25, 2000
CITY COUNCIL MEETING

Page 2

Check Invoice Number Number	Name	Account Code	Comments	Transaction Amount
Check Number	14494 KENNEDY & GRAVEN			
14494 32647	KENNEDY & GRAVEN	101-41400-305	LEGAL SERVICES FEB '00	132.00

Totals Check Number	14494 KENNEDY & GRAVEN			132.00
Check Number	14495 KNOX LUMBER			
14495 0209432738	KNOX LUMBER	101-43100-202	PLIERS, HANDSAW, ETC.	40.01

Totals Check Number	14495 KNOX LUMBER			40.01
Check Number	14496 MET-COUNCIL ENVIRONMENTAL SER.			
14496 701697	MET-COUNCIL ENVIRONMENTAL SER.	601-49000-387	WASTEWATER SERVICE MAY 00	10,920.00

Totals Check Number	14496 MET-COUNCIL ENVIRONMENTAL SER.			10,920.00
Check Number	14497 NAPA			
14497 4/25/00	NAPA	101-43100-402	TRUCK REPAIRS/SUPPLIES	36.67
14497 4/25/00	NAPA	601-49000-402	TRUCK REPAIRS/SUPPLIES	36.67
14497 4/25/00	NAPA	101-43100-213	ANTIFREEZE	10.26
14497 4/25/00	NAPA	101-41200-438	MAY-NOV '00 SUBSCRIPTION	45.50

Totals Check Number	14497 NAPA			129.10
Check Number	14498 NORTH STAR STATE BANK			
14498 4/25/00	NORTH STAR STATE BANK	101-43100-327	TRUCK WASH	3.00
14498 4/25/00	NORTH STAR STATE BANK	201-45600-440	PIZZA: PCIC & 50TH COMMIT	24.00
14498 4/25/00	NORTH STAR STATE BANK	101-43100-202	TOOLS	14.61
14498 4/25/00	NORTH STAR STATE BANK	101-43100-202	TOOL HOLDERS	15.92
14498 4/25/00	NORTH STAR STATE BANK	101-41200-331	PARKING: RICK	2.50
14498 4/25/00	NORTH STAR STATE BANK	101-43100-228	SUPPLIES: GARAGE H2O HEAT	12.11
14498 4/25/00	NORTH STAR STATE BANK	101-43100-228	SUPPLIES: GARAGE H2O HEAT	14.81
14498 4/25/00	NORTH STAR STATE BANK	201-45600-440	PIZZA: PCIC & 50TH COMMIT	23.00
14498 4/25/00	NORTH STAR STATE BANK	101-41200-327	BACKGROUND CHK: DEP CLERK	4.00
14498 4/25/00	NORTH STAR STATE BANK	101-41200-201	COFFEE FOR CITY HALL	5.49
14498 4/25/00	NORTH STAR STATE BANK	101-41200-331	MILEAGE: JAMES	15.12
14498 4/25/00	NORTH STAR STATE BANK	101-41200-331	MILEAGE: RICK	27.72

Totals Check Number	14498 NORTH STAR STATE BANK			162.28
Check Number	14499 PUBLIC EMP RETIREMENT ASSSOC			
14499 4/25/00	PUBLIC EMP RETIREMENT ASSSOC	101-21704	4/14/00 PAYROLL	703.19

21 Apr 2000
Fri 10:58 AM

* Paid Check Reg
CITY OF LAUDERDALE
CLAIMS FOR PAYMENT
APRIL 25, 2000
CITY COUNCIL MEETING

Page 3

Check Invoice Number Number	Name	Account Code	Comments	Transaction Amount
Check Number	14499	PUBLIC EMP RETIREMENT ASSSOC		
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14500 4/25/00	RAMSEY COUNTY	203-50000-327	CO WASTE MAN ASSESS: 1ST	186.05

Totals Check Number	14500	RAMSEY COUNTY		186.05
Check Number	14501	RAMSEY COUNTY PUBLIC WORKS		
14501 PUBW000893	RAMSEY COUNTY PUBLIC WORKS	101-43200-313	MAR '00 PLOWING & SANDING	584.28

Totals Check Number	14501	RAMSEY COUNTY PUBLIC WORKS		584.28
Check Number	14502	RAMSEY COUNTY		
14502 RISK000169	RAMSEY COUNTY	101-21706	APR '00 EMPLOYEE BENEFITS	528.94

Totals Check Number	14502	RAMSEY COUNTY		528.94
Check Number	14503	S & T OFFICE PRODUCTS, INC.		
14503 588792	S & T OFFICE PRODUCTS, INC.	101-41200-201	GEN OFFICE SUPPLIES	60.59

Totals Check Number	14503	S & T OFFICE PRODUCTS, INC.		60.59
Check Number	14504	SPRINT PCS		
14504 4/25/00	SPRINT PCS	101-41200-391	CELL PHONE: CITY ADMINIST	13.77
14504 4/25/00	SPRINT PCS	601-49000-391	CELL PHONE: PUBLIC WORKS	16.85

Totals Check Number	14504	SPRINT PCS		30.62
Check Number	14505	SUPER CYCLE		
14505 175238	SUPER CYCLE	203-50000-389	MAR '00 RECYCLING	1,837.68

Totals Check Number	14505	SUPER CYCLE		1,837.68
Check Number	14506	US WEST COMMUNICATIONS		
14506 4/25/00	US WEST COMMUNICATIONS	601-49000-391	AUTODIAL: MALV ST LIFT ST	58.74

Totals Check Number	14506	US WEST COMMUNICATIONS		58.74

21 Apr 2000
Fri 10:58 AM

* Paid Check Reg
CITY OF LAUDERDALE
CLAIMS FOR PAYMENT
APRIL 25, 2000
CITY COUNCIL MEETING

Check Invoice				Transaction
Number	Number	Name	Account Code	Amount
Check Number 14507 US WEST COMMUNICATIONS				
14507	4/25/00	US WEST COMMUNICATIONS	601-49000-391	AUTODIAL: WALNUT LIFT ST 59.72
Totals Check Number 14507 US WEST COMMUNICATIONS				----- 59.72
Check Number 14508 US WEST COMMUNICATIONS				
14508	4/25/00	US WEST COMMUNICATIONS	601-49000-391	AUTODIAL: SUMMER LIFT ST 58.76
Totals Check Number 14508 US WEST COMMUNICATIONS				----- 58.76
Check Number 14509 WAGERS BUSINESS SYSTEMS				
14509	963691	WAGERS BUSINESS SYSTEMS	101-41200-201	TONER FOR COPIER 47.93
Totals Check Number 14509 WAGERS BUSINESS SYSTEMS				----- 47.93
Grand Total				----- 36,922.31

City Council Memorandum

To: Mayor and City Council
From: Rick Getschow
Council Meeting Date: April 25, 2000
Agenda Item: Driveway and Parking Ordinances

BACKGROUND:

A public hearing is scheduled for the adoption of the revised driveway and parking ordinances.

Following the public hearing the City Council can take action on the approval of the revisions to these ordinances, which are briefly summarize below.

Title 6, Chapter 1 Parking

The only revision to this ordinance is the elimination of all language pertaining to “front yard parking”. All provisions related to what was previously titled “front yard parking” is regulated in the revised driveway ordinance.

This is indicated in the attached ordinance with the strike-through language.

Title 9, Chapter 10 Driveway Requirements

The current driveway ordinance and the proposed ordinance for adoption that has been discussed for the past four months are included in the packet for comparison and review purposes.

Prior to, or following the public hearing, I can briefly address the proposed changes in the ordinance that include: driveway construction standards, driveway widths, driveway length, and the overall enforcement of the provisions of the ordinance itself.

The City Attorney has reviewed the revisions to the City Code and recommends approval.

ENCLOSURES:

1. Proposed Parking Ordinance
2. Proposed Driveway Ordinance
3. Current Driveway Ordinance

COUNCIL ACTION REQUESTED:

Hold a public hearing on these revisions to the City Code.

Motion to approve and adopt the revisions to Title 6, Chapter 1 (Parking) and Title 9, Chapter 10 (Driveway Requirements) of the Lauderdale City Code.

CHAPTER 1
PARKING RESTRICTIONS¹

SECTION:

- 6-1-1: Purpose
- 6-1-2: Definitions
- 6-1-3: Powers Of City Council
- 6-1-4: General Parking Restrictions
- 6-1-5: Special Parking Allowances
- 6-1-6: Seasonal Parking Restrictions
- 6-1-7: Penalty
- 6-1-8: Exhibit

6-1-1: PURPOSE:

- A. To help establish the most efficient, equitable and safe use of the City's roadways, highways, and parking.
- B. To enable the City Council to achieve the above. (Ord. 16, 4-27-1993)

6-1-2: DEFINITIONS: Any term used in this Chapter and defined in Minnesota Statutes section 169.01 has the meaning given to it by that section. The following words shall have the meanings ascribed to them in this Section:

BOULEVARD: The property owned by the City which is between the edge of the roadway and the homeowner's property line.

DRIVEWAY: A private roadway providing access for vehicles to a parking space in the side or rear yard of the property, garage, dwelling or other structure

1. M.S.A. § 412.211, subd. 6.

in the side or rear of the property. (Ord. 16, 4-27-1993)

6-1-3: **POWERS OF CITY COUNCIL:** The City Council may designate, by resolution, no parking or limited parking zones within the City for the purpose of facilitating snow removal or street maintenance, aiding emergency vehicle access or the unimpeded flow of traffic, or promoting any other public purpose. The City Council shall cause signs to be posted at the zones which indicate the applicable limitations on parking. The City Council may include the entire City within a zone, may limit application of the zone regulations to specific times of the year or climatic conditions, and shall provide for placing appropriate signs generally throughout a zone. (Ord. 48, 11-24-1986)

In addition, the City Council may, by resolution, designate certain streets or portions of streets as no parking or as zones for parking by physically handicapped persons and may limit the hours and dates in which the restrictions apply. The City shall mark by appropriate signs each zone so designated. No vehicle shall be parked in a no parking zone during hours when parking is prohibited except as permitted by State law. (Ord. 16, 4-27-1993; 1996 Code)

6-1-4: **GENERAL PARKING RESTRICTIONS:**

- A. Obstruct Pickup And Delivery Of Mail: No person shall park a vehicle upon any street or highway so as to obstruct the pickup and delivery of mail by postal employees.
- B. Prohibited Parking: No person shall park a vehicle upon any street or highway at times when, and in locations where, such parking is prohibited.
- C. Time Limitations For Trucks: No truck with a capacity of over two (2) tons shall be parked on any street for more than ninety (90) minutes, or for the time necessary to load or unload such truck.
- D. Three Day/Thirty Day Maximum: No vehicles hereinafter described may be parked upon any public street within the City for three (3) consecutive days or a total of more than thirty (30) days during any calendar year.

1. House Trailer, Mobile Home, Or Recreational Vehicles: House trailer, mobile home, vacation trailer, vacation bus, boat trailer, or similar recreational vehicle more than twenty feet (20') in length.

2. Construction Equipment And Machinery: Construction equipment or machinery except when such construction equipment or machinery is necessarily located at such place to make road or utility repairs.

E. Permitted Exterior Parking:

1. Front Yards: Exterior parking in front yards shall be limited to the driveway, thereon only currently licensed and operable vehicles twenty feet (20') or under, with a passenger capacity of nine (9) or less, and trucks not exceeding three-quarter ($\frac{3}{4}$) ton, may be parked.

2. Side And Back Yards: Exterior parking for vehicles over twenty feet (20') may only occur in the side and back yards and only if currently licensed and operable.

~~F. Parking On Boulevards: No vehicle shall be parked on any boulevard adjacent to a public street except:~~

~~1. Inventory Of Improved Parking: Boulevard parking spaces listed on the inventory of improved boulevards, dated 6/01/1993, prepared by the Code Enforcement Officer, a copy of which is incorporated herein by reference and is set forth as Section 6-1-8 of this Chapter, may continue to be used until one of the following occurs:~~

~~a. Roadway improvements involving disturbance of or removal of the boulevard area are undertaken.~~

~~b. Substantial improvements to the lot located adjacent to the boulevard parking area are undertaken, such as expansion or construction of house, garage, or driveway.~~

~~2. Variance: Where a variance from the provisions of subsection 6-1-4F is granted, pursuant to the variance procedure of Section 10-4-4 of this Code, based upon the criteria establish by the City Administrator.~~

G. Streets South Of Larpentour Avenue: Parking on City streets south of Larpentour Avenue shall be subject to the following restrictions:

1. Monday Through Thursday: Motor vehicles may not be parked on the south side of Idaho Street or the east side of Carl Street from nine o'clock (9:00) A.M. Monday through six o'clock (6:00) A.M. Thursday of each week.

2. Thursday Through Monday: Motor vehicles may not be parked on the north side of Idaho Street or on the west side of Carl Street from nine o'clock (9:00) A.M. Thursday through six o'clock (6:00) A.M. Monday of each week. (Ord. 16, 4-27-1993)

6-1-5: SPECIAL PARKING ALLOWANCES:

A. Handicapped Parking: No person shall park, obstruct or occupy with a motor vehicle any parking space, on public or private property, designed and posted as parking space for handicapped persons pursuant to the State Building Code, or Rules and Regulations of the State Fire Marshall, or pursuant to Minnesota Statutes section 169.346 unless such vehicle has prominently displayed upon it an insignia or certificate issued by the Division of Vehicles in the State Department of Public Safety pursuant to Minnesota Statutes section 169.345 subdivision (3).

B. Fire Lanes:

1. Authority To Establish: The Fire Chief or his designate is hereby authorized to order the establishment of fire lanes on public or private property as may be necessary in order that the travel of fire equipment may not be interfered with, and that access to fire hydrants or buildings may not be obstructed.

2. Erection Of Signs: When a fire lane has been established, it shall be marked with a sign or signs bearing the words "No Parking - Fire Lane" or similar message.

a. Public Property: When the fire lane is on public property or public right of way, the sign or signs shall be erected by the City.

b. Private Property: When on private property, the signs shall be erected by the owner at his own expense within thirty (30) days after he has been notified of the order. Failure to erect the sign or signs within such period is a misdemeanor. (Ord. 16, 4-27-1993)

3. Obstruction Prohibited: After a sign or signs have been erected in accordance with subsection B2 of this Section, no person shall park a vehicle or otherwise obstruct the fire lane.

4. Fire Hydrant Or Fire Appliance: No person shall keep posts, fences, growth, or other material nor park any vehicle near any fire hydrant or fire appliance that would prevent such hydrant or appliance from being immediately discernible or in any other manner deter or hinder the Fire Department from being able to gain immediate access to a fire hydrant or fire appliance. (Ord. 68, 3-15-1978)

6-1-6: SEASONAL PARKING RESTRICTIONS:

A. Odd/Even Winter Parking: Parking on City streets north of Larpenteur Avenue shall be subject to the following alternate side regulations from December 1 through March 15 of the following year.

1. Even-Numbered Years: Motor vehicles may be parked only on the even side of the street during any winter parking season in which the start of the winter parking season falls on an even number year (east side of north-south streets, south side of east-west streets).

2. Odd-Numbered Years: Motor vehicles may be parked only on the odd side of the street during any winter parking season in which the start of the winter parking season falls on an odd number year (west side of north-south streets, north side of east-west streets).

3. Beginning Of Season: Each winter parking season shall be deemed to begin at nine o'clock (9:00) A.M. on December 1. (Ord. 16, 4-27-1993)

4. Parking Amnesty Zone:

a. Created: The City hereby creates a parking amnesty zone along both sides of Walnut from lone to the end of the Peace Lutheran Church property as it currently exists and along both sides of lone west of Malvern.

b. Hours Of Amnesty: Cars parked within the parking amnesty zone shall not be ticketed due to odd/even parking restrictions on Sunday morning between nine o'clock (9:00) A.M. and one o'clock (1:00) P.M. (Ord. 16, 4-27-1993; amd. 1-9-1996)

5. Handicapped Parking Exempted: The City hereby exempts from odd/even winter parking restrictions any vehicle parked at a handicapped parking space; provided, that the vehicle displays the proper handicapped insignia. (Ord. 16, 4-27-1993; amd. 1-9-1996)

- B. Restrictions After Two-Inch Snowfall: No person shall park any vehicle on any street north of Larpenteur Avenue for a period of forty eight (48) hours, commencing immediately after two inches (2") or more of continuous snowfall, or until snow removal has been completed on that street, whichever occurs first. (Ord. 16, 4-27-1993)

6-1-7: **PENALTY:**

- A. Fine: Any person convicted of violating any provision of this Chapter, not otherwise stated, is guilty of a petty misdemeanor and shall be subject to penalty as provided in Section 1-4-1 of this Code.
- B. Impoundment: If a vehicle is parked or left standing on a street in violation of any resolution adopted by the City Council pursuant to this Chapter or any part of this Chapter not otherwise specified, the vehicle may be removed and impounded by or at the direction of the City and the expense thereof may be charged by the City against the owner of the vehicle. The cost of removing and storing the vehicle, in addition to any fine imposed for violation of this Chapter, shall be paid before the vehicle is restored to the owner. (Ord. 16, 4-27-1993; 1996 Code)
- C. Additional Remedies: Removal of a vehicle by or under the direction of the City pursuant to this Chapter shall not prevent prosecution of the owner thereof for violation of this or any other ordinance.
- D. Violation; Penalty: Any person violating any provision of this Chapter shall be guilty of a misdemeanor. Each day a violation continues shall constitute a separate offense. (Ord. 48, 11-24-1986)

~~6-1-8: **EXHIBIT:**~~

- ~~A. Approved Front Yard Parking.~~

~~1787 Lake Street~~
~~1912 Carl Street~~

~~B. Approved Boulevard Parking:~~

~~1846 Walnut~~
~~1850 Walnut~~
~~1802 Malvern~~
~~1806 Malvern~~

~~C. Improved Front Yard Parking:~~

Carl	Eustis	Fulham	Lake	Malvern	Pleasant	Walnut
1756	1699	1785	1834	1695	1715	1738
1762	1715	1786	1849	1719	1839	1774
1766	1811	1787		1810	1843	1793
1787	1812	1829		1816	1847	1805
1832	1813	1837		1843		1824
	1819			1932		1866
	1821			1936		1870
	1862			1944		1874
	1868					1878
						1884
						1894
						1936
						1974

~~D. Properties with improved front yard parking with conditions imposed through variance, permit, or notification of violation of Title 10, Chapter 11 of this Code, that front yard parking is not allowed since 1984:~~

~~1771 Eustis~~
~~2401 Larpenteur (parking area removed, curb cut remains)~~
~~1884 Walnut~~
~~1936 Walnut~~
~~2975 Roselawn (parking spaces removed with reconstruction of Larpenteur and Fulham). (Ord. 48, 11-24-1986)~~

PROPOSED

CHAPTER 10

DRIVEWAY REQUIREMENTS

SECTION:

- 9-10-1: Purpose
- 9-10-2: Scope
- 9-10-3: Driveway Permit Required
- 9-10-4: Application and Site Plan for Driveway Permit
- 9-10-5: Driveway Permit Fees
- 9-10-6: Driveway Construction Standards
- 9-10-7: Revocation of Permit
- 9-10-8: Enforcement

9-10-1: **Purpose:** The purpose of these requirements is to control the location and construction of driveways and curb cuts in order that traffic hazards be reduced and that adequate street drainage be maintained.

9-10-2: **Scope:** These requirements shall apply to all new driveway construction and to repairs and changes to existing driveways.

9-10-3: **Driveway Permit Required:** No driveway shall be constructed or re-constructed in any location without first obtaining a Driveway Permit.

9-10-4: **Application and Site Plan for Driveway Permit:** Any person desiring a Driveway Permit shall present a written application to the City Building Official describing the improvements to be made. This application shall be accompanied by a site plan drawn to scale showing the location of the driveway with respect to property lines, the width of the driveway, type of construction material used, driveway angle, distance between adjacent driveways, and, if applicable, the driveway's distance from a street intersection.

9-10-5: **Driveway Permit Fees:** The Driveway Permit fee shall be prescribed, from time to time, by City Council resolution on file with the City Administrator.

9-10-6: **Driveway Construction Standards:**

A. Surface: All driveways shall be surfaced with one of the following materials:

1. Bituminous. A plant-mixed machine-laid bituminous material conforming to Minnesota Department of Transportation (MnDOT) Specification No. 2331, Mixed Designation 41WEA5055X, which have been approved by the City Engineer. However, should it subsequently become necessary to repair or replace such bituminous surfacing in the right of way area in whole or in part, the owner of property serviced by such bituminous driveway shall pay all costs of such repairs or replacements.

2. Concrete. Concrete specifications approved by the City Engineer may also be used for such driveway surfacing. However, should it subsequently become necessary to repair or replace such concrete surfacing in the right of way area in whole or in part, the owner of property serviced by such concrete driveway shall pay all costs of such repairs or replacements.

3. Gravel. Driveways existing on the date of the adoption of this Ordinance, may also be constructed of four inches (4") of crushed Class 5 limestone gravel compacted into place after initial excavation. Prior to placing gravel, the driveway shall be excavated to result in the final gravel surface matching the grade of the adjacent yard.

B. Width:

1. Community Business (B-1), Neighborhood Business (B-2), and Industrial (I-1) Zones: Driveway widths, on site and at the curb cut, shall not exceed thirty six feet (36').

2. Multiple Residential (R-3) Zones: Driveway widths, on site and at the curb cut, shall not exceed thirty feet (30').

3. Suburban Residential (R-1) And Urban Residential (R-2) Zones: Driveway widths, on site and at the curb cut, shall not exceed twenty four feet (24').

C. Driveway Length: All street-accessed driveways shall provide access for vehicles to a parking space, carport, garage, dwelling or other structure in the side or rear of the property. Driveways existing on the date of the adoption of this Ordinance need not be directed to the side or rear of the property, but parking shall not be allowed in the public right of way.

D. Distance Between Driveways: The minimum distance between curbs of driveways shall be ten feet (10') in any R-2 and R-3 district, and twenty feet (20') in any B-1, B-2, and I-1 district.

E. Distance From Intersection: No driveway or curb cut shall be less than twenty feet (20') from any street intersection, except that in Industrial (I-1) Zones, the minimum distance shall be fifty feet (50').

F. Driveway Angle: The minimum driveway angle from a two (2) way access shall be ninety (90) degrees. The minimum driveway angle from a one-way street shall be thirty (30) degrees.

G. Setback: Driveways in any R-2, R-3, B-1, B-2, and I-1 district, except driveways which are shared by two (2) or more adjacent property owners, shall not be located within five feet (5') of any side or rear lot line. In the R-1 district, there is no setback requirement for driveways from the side yard lot line, but no part of the driveway may encroach onto neighboring properties.

H. Control Of Traffic: Where commercial land uses are adjacent to residential districts, driveways shall be located, whenever feasible, to reduce the amount of traffic entering residential areas.

I. Street Access: For properties having frontage on two streets, access shall be provided via the street with the least traffic wherever feasible in order to reduce the number of curb cuts on more heavily traveled streets.

J. State And County Highway Requirements: If the proposed driveway is to be constructed so that it opens onto any street designated as a State or County highway or street, all additional specifications of the appropriate highway departments will apply. The applicant must also obtain approval from these other applicable jurisdictions.

K. Shared Driveways: If two (2) or more driveways are shared, the portion of the driveway on each property shall comply with maximum driveway width requirements.

L. Licensed Contractor: All work done within the right of way of the street shall be done by a regularly licensed contractor under the supervision of the proper City employee.

9-10-7: **Revocation of Permit:** The permit issued may be revoked at any time after its issuance for failure to comply with the conditions of this section or the directions of the City relative to the work covered by the permit.

9-10-8: **Enforcement:** The enforcement of this ordinance will occur as the City progresses with its planned street and utility improvements and provides curb cuts throughout the City. These improvements are scheduled to begin in 2000.

CHAPTER 10

DRIVEWAYS

SECTION:

- 9-10-1: Purpose
- 9-10-2: Scope
- 9-10-3: Permit Required
- 9-10-4: Application For Permit
- 9-10-5: Permit Fees
- 9-10-6: General Requirements
- 9-10-7: Standards
- 9-10-8: Revocation Of Permit

9-10-1: **PURPOSE:** The purpose of this Chapter is to control the location and construction of driveways and curb cuts in order that traffic hazards be reduced, adequate street drainage be maintained, and that ingress and egress from properties shall not constitute a hazard or impair the health, safety, or general welfare of the residents of the City. (Ord., 3-23-1993)

9-10-2: **SCOPE:** The requirements of this Chapter apply to all new construction and to repairs and changes to old driveways which do not conform to present requirements. (Ord., 3-23-1993)

9-10-3: **PERMIT REQUIRED:** No driveway shall be constructed in any location where motor vehicles will be provided with access to any public right of way without first obtaining a permit for the construction from the properly designated City employee, who shall require a grade to establish the driveway. Prior to the issuance of the permit, the provisions of this Chapter shall be complied with. (Ord., 3-23-1993)

9-10-4: **APPLICATION FOR PERMIT:** Any person desiring a permit shall present a written application to the City Building Inspector describing the improvements to be made with plans which indicate that the requirements of this Chapter will be met. (Ord., 3-23-1993)

9-10-5: **PERMIT FEES:** The permit fee shall be prescribed, from time to time, by City Council resolution on file with the City Administrator. (Ord., 3-23-1993; 1996 Code)

9-10-6: **GENERAL REQUIREMENTS:**

- A. **Licensed Contractor:** All work done within the right of way of the street shall be done by a regularly licensed contractor under the supervision of the proper City employee, who will see that all regulations are rigidly followed.
- B. **Plot Plan:** Prior to the construction of a driveway, a plot plan must be submitted which shall indicate the location and specifications for driveways and curb cuts in accordance with this Chapter. The plot plan submitted shall be approved prior to the issuance of a permit for a driveway.
- C. **Notification Of Construction:** The City is to be notified at least twenty four (24) hours in advance of the date the construction will start. (Ord., 3-23-1993)

9-10-7: **STANDARDS:**

- A. **Surface:** Whenever a driveway is constructed, all that portion of the boulevard designated as driveway shall be surfaced with a plant-mined machine-laid bituminous material conforming to MHD Specification No. 2331, in accordance with plans approved by the City Engineer. Concrete specification approved by the City Engineer may also be used for such driveway surfacing at the property owner's risk. Should it subsequently become necessary to repair or replace such concrete surfacing in whole or in part, the owner of property serviced by such concrete driveway shall pay all costs of such repairs or replacements.

B. Width:

1. Community Business (B-1) And Industrial (I-1) Zones: In Community Business (B-1) and Industrial (I-1) Zones, driveway widths, on site and at the curb cut, shall not exceed thirty six feet (36').

2. Multiple Residential (R-3) Zones: In Multiple Residential (R-3) Zones, driveway widths on site and at the curb cut, shall not exceed thirty feet (30').

3. Suburban Residential (R-1) And Urban Residential (R-2) Zones: In Suburban Residential (R-1) and Urban Residential (R-2) Zones, driveway widths, within the unimproved portion of the publicly dedicated right of way and at the curb cut, shall not exceed twenty four feet (24').

C. Distance Between Driveways: The minimum distance between curbs of driveways at right of way line shall be ten feet (10') in any residential district. In all other districts, the minimum distance shall be twenty feet (20').

D. Distance From Intersection: No driveway or curb cut shall be less than twenty feet (20') from any right-of-way line of any street intersection, except that in Industrial (I-1) Zones, the minimum distance shall be fifty feet (50').

E. Driveway Angle: The minimum driveway angle from a two (2) way access street shall be ninety degrees (90°). The minimum driveway angle from a one-way street shall be thirty degrees (30°).

F. Setback: Driveways, except driveways which are shared by two (2) or more adjacent property owners, shall not be located within five feet (5') of any side or rear lot line unless a variance has been granted.

G. Control Of Traffic: Where commercial land uses are adjacent to residential districts, ingress and egress from the commercial uses on streets leading to or through the residential districts shall not be permitted unless it can be demonstrated that adequate access to public right of way is thereby denied. In this matter traffic shall be controlled to ensure that the location of driveways shall not constitute a hazard or be injurious to adjacent residential uses.

- H. Access To Thoroughfares: On properties having frontage on both thoroughfares and minor roads, access shall be provided via the minor road wherever feasible in order to reduce the number of curb cuts on thoroughfares.
- I. State And County Highway Requirements: The proposed driveway is to be constructed so that if it opens into any street designated as a State or County highway, all additional specification of the appropriate highway departments will apply.
- J. Shared Driveways: If two (2) or more driveways are shared, the portion of the driveway located within the street right of way shall:
 - 1. Be clearly identified as an access to more than one dwelling.
 - 2. Comply with maximum driveway width requirements set forth in subsection B of this Section. (Ord., 3-23-1993; 1996 Code)

9-10-8: **REVOCATION OF PERMIT:** The permit issued may be revoked at any time after its issuance for failure to comply with the conditions of this Chapter or the directions of the City relative to the work covered by the permit. (Ord., 3-23-1993)

Memos by James

To: Honorable Mayor and Council
From: James Bownik
Date: April 25, 2000
Re: Setting a Price for the Sale of the City History Book

BACKGROUND

The City has received the much-anticipated City History books from Bolger Publications. The 50th Anniversary Committee plans to unveil the book at the 50th Anniversary History Event on Sunday, May 21, 2000. After the book is unveiled, it would be available for purchase by residents or other interested persons. However, a price needs to be set.

At the February 4, 2000 Council meeting, the Council passed a motion to increase the budget for the book to \$17,133.00 to cover an increase in the projected number of pages from 76 to 100. The final cost of the book is as follows:

Design and layout:	\$ 6,495.00
Printing 500 books:	<u>\$10,638.00</u>
Subtotal:	\$17,133.00
Sales Tax:	<u>\$ 1,199.32</u>
	\$18,332.32

The original "at cost" price would be \$ 36.67 per book. However, I have found out that the City needs to collect and pay in sales tax on the book. This would increase the true "at cost" price by 6.5% to \$39.05 per book. The Council has previously discussed the possibility of subsidizing part of the cost of the book to make it more affordable to those that would like to purchase it.

Attached for your review is a copy of the Community Events Fund 201 from the 2000 City Budget.

Council Action Requested

To set a price for the history book.

Community Events Fund 201

DEPT. 45600	1995	1996	1997	1998	1999	1999	2000
	Actual	Actual	Actual	Actual	Adopted	Projected	Proposed
REVENUES:							
34785 Park Events	-	-	-	-	-	-	-
34786 Winter Event	78	471	36	114	500	79	100
34787 Garage Sale	90	91	-	-	-	-	-
34788 Day in the Park	224	162	665	598	1,500	5,152	2,500
34790 Mugs	40	15	-	9	75	28	-
34791 Park Pop Sales	-	-	-	-	-	-	-
34792 T-Shirt Sales	60	40	8	7	150	1,440	150
34793 Day In Park Garage Sales	5	-	-	-	-	-	-
34794 Night Out	-	-	225	-	-	-	-
34795 Halloween Donations	588	728	731	727	500	867	700
36211 Investment Interest	(82)	86	81	85	75	75	75
36230 Donations	50	-	-	-	-	-	-
36255 Misc.	9	-	-	-	1,000	-	3,000
Total Revenue	1,062	1,593	1,746	1,540	3,800	7,641	6,525
EXPENDITURES:							
327 City History	-	-	-	731	8,000	8,000	15,000
201 General Supplies	-	-	-	17	-	-	-
202 Permanent Supplies	-	-	-	-	-	-	-
327 Other Services	-	-	-	-	-	-	-
352 Public Info. Notices	-	-	133	-	-	-	-
372 Mugs	-	-	-	-	100	-	-
373 T-Shirts	-	-	-	-	200	-	-
374 Pop	-	-	-	-	-	-	-
375 Winter Event	133	69	102	256	500	208	250
376 Garage Sale	48	-	-	-	-	25	50
377 Day in the Park	415	508	702	481	6,000	8,336	2,500
378 Night Out	-	-	224	-	-	-	-
379 Halloween Event	292	351	334	165	500	175	200
427 437 Sales Tax	-	-	-	33	-	33	50
428 Misc. Rental	-	-	-	-	-	-	-
440 Meeting Expenses	-	-	102	4	100	-	100
Total Expenses	888	928	1,597	1,687	15,400	16,777	18,150
Surplus (Deficit)	174	665	149	(147)	(11,600)	(9,136)	(11,625)
Beginning Fund Balance	8,075	1,017	1,682	1,831	1,684	1,684	7,548
Surplus (Deficit)	174	665	149	(147)	(11,600)	(9,136)	(11,625)
39201 Transfers In	768	-	-	-	9,500	15,000	5,000
Transfers Out	8,000	-	-	-	-	-	-
Ending Fund Balance	1,017	1,682	1,831	1,684	(416)	7,548	923

City Council Memorandum

To: Mayor and City Council
From: Rick Getschow
Council Meeting Date: April 25, 2000
Agenda Item: Land Use Planning/Zoning Workshop –
"Tuesday Night Council Meeting" Video

BACKGROUND:

I would like to conduct a brief land use planning and zoning exercise at the meeting Tuesday. It involves viewing a video that has just been made available for Council training. Also, other materials for this workshop will be made available at the meeting. The entire exercise should take approximately 30-45 minutes of meeting time.

City Council Memorandum

To:	Mayor and City Council
From:	Rick Getschow
Council Meeting Date:	April 25, 2000
Agenda Item:	Zoning Ordinance Review – Finish Chapter 5, Chapter 6

BACKGROUND:

Now that we have addressed the Driveway section of the draft zoning ordinance, we can continue moving through the remainder of the draft.

The intent at the meeting is to discuss the remainder of Chapter 5, and all of Chapter 6. Our starting position in Chapter 5 is at heading 10-5-6 titled “Nonconforming Land Uses, Buildings and Structures”. This is marked as page 10-5 (18) at the top right corner of the draft ordinance.

Please read this final section of Chapter 5 and all of Chapter 6 before next Tuesday for discussion at the meeting. I can research and address any concerns or issues in these sections prior to the meeting.

