

LAUDERDALE CITY COUNCIL MEETING AGENDA
7:30 P.M. TUESDAY, APRIL 8, 2014
LAUDERDALE CITY HALL, 1891 WALNUT STREET

The City Council is meeting as a legislative body to conduct the business of the City according to Robert's Rules of Order and the Standing Rules of Order and Business of the City Council. Unless so ordered by the Mayor, citizen participation is limited to the times indicated and always within the prescribed rules of conduct for public input at meetings.

1. **CALL THE MEETING TO ORDER**
 2. **ROLL CALL**
 3. **APPROVALS**
 - a. Agenda
 - b. Minutes of the March 25, 2014 City Council Meeting
 - c. Claims Totaling \$87,886.28
 4. **CONSENT**
 - a. PCIC Appointment
 5. **SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS**
 6. **INFORMATIONAL PRESENTATIONS / REPORTS**
 - a. Annual Audit Report, Andrew Berg of Abdo, Eick, and Meyers
 7. **PUBLIC HEARINGS**
- Public hearings are conducted so that the public affected by a proposal may have input into the decision. During hearings all affected residents will be given an opportunity to speak pursuant to the Robert's Rules of Order and the standing rules of order and business of the City Council.
8. **DISCUSSION / ACTION ITEMS**
 - a. Use of Interim Ordinance Relating to Pawn Shops
 - b. Easement Agreements for Larpenteur Avenue Pedestrian Improvement Project
 9. **ITEMS REMOVED FROM THE CONSENT AGENDA**
 10. **ADDITIONAL ITEMS**
 11. **SET AGENDA FOR NEXT MEETING**
 - a. PCIC Recommendation for Music under the Trees
 - b. Annual Update by Ramsey County Commissioner McGuire
 - c. Ramsey County Economic Prosperity Report
 - d. Police Contract Discussion with St. Anthony City Manager Mark Casey
 - e. Annual MS4 Public Hearing – May 13
 - f. Owners of Gentleman Scholar Distillery – May 13
 - g. 2430 Larpenteur Avenue Improvements – May 27
 12. **WORK SESSION**

a. Opportunity for the Public to Address the City Council

Any member of the public may speak at this time on any item not on the agenda. In consideration for the public attending the meeting 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 at the end of the agenda. Before addressing the City Council, members of the public are asked to step up to the microphone, give their name, address, and state the subject to be discussed. All remarks shall be addressed to the Council as a whole and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter any discussion without permission of the presiding officer.

Your participation, as prescribed by the Robert's Rules of Order and the standing rules of order and business of the City Council, is welcomed and your cooperation is greatly appreciated.

- b. Proposed Tobacco Ordinance Revisions
- c. Community Development Update

13. ADJOURNMENT

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

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March 25, 2014

Mayor Dains called the City Council meeting to order at 7:32 p.m.

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

Councilors absent: Lara Mac Lean and Denise Hawkinson.

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

Mayor Dains asked for changes to the meeting agenda. Butkowski added the street sweeping contract to the agenda. Councilor Grove moved to approve the amended agenda. Councilor Gaasch seconded the motion and it passed unanimously.

Councilor Gaasch moved to approve the March 11, 2014 City Council meeting minutes. Councilor Grove seconded the motion and it passed unanimously.

Councilor Grove moved approval of the claims totaling \$21,602.65. Councilor Gaasch seconded the motion and it passed unanimously.

Councilor Gaasch moved approval of the Consent Agenda which included the purchase of Laserfische and the February 2014 Financial Report. Councilor Grove seconded the motion and it passed unanimously.

Discussion Items

Proposed Tobacco Ordinance Revisions

Butkowski stated the proposed ordinance amendments were sent to the two vendors in the City which hold tobacco licenses. Prior to adoption of the ordinance a public hearing must be held.

Mayor Dains opened the public hearing on the ordinance at 7:37 p.m.

Mark Ogren of Croix Oil, the owner of the BP station on Larpenteur, addressed the Council. Ogren said he felt the penalties in the ordinance for tobacco compliance check failures were excessive, especially the two year license revocation for a third offense. Ogren stated that some of their stores receive up to 50% of their revenues from tobacco sales. Those customers also purchase other products in the store. He said losing a license for two years would put the store out of business.

The ordinance as currently proposed includes a \$500.00 penalty for a first offense, \$750.00 penalty for a second offense; and a \$250 penalty and two year license revocation for a third offence within 24 months.

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Emily Anderson of the Association for Non-Smokers Minnesota (ANSR) addressed the Council. Anderson stated the State penalty minimums are \$75.00 for a first offense, \$200 for a second offense, and \$250.00 for a third offense with a seven day license suspension. She point out that State law allows cities to imposed higher penalties than the state minimum and the Council was within its authority to do so.

Don Vandenburg, resident of Brandy Chase condominiums, asked whether the loss of a license impacted the ability to sell tobacco or their license to operate the business.

Paul Muilenberg of Croix Oil addressed the Council. Muilenberg explained that Croix Oil is very serious about the training program which employees go through to stop minors from purchasing tobacco products. Employees are trained to question the buyers of tobacco, ask buyers for their ID, physically check the ID, and use the birthday calendar to determine if the buyer is of age to purchase tobacco products. Muilenberg stated the company has a zero tolerance policy regarding sales to minors by employees.

Katie Engman of ANSR addressed the Council. Engman stated her organization believes that three failed compliance checks "are a lot" and the owner should be penalized accordingly. Engman also stated that "99%" of Ramsey County cities have penalties higher than the state minimum.

Mayor Dains closed the public hearing at 7:51 p.m.

Mayor Dains said due to the City's size, the Council, business owners, and ANSR can reach an agreement on the issue of penalties for sales to minors. Councilor Gaasch agreed with the Mayor but shared her first experiences dealing with the negative effects smoking can have on individuals' health and families' economic condition.

Katie Engman of ANSR stated her organization provides vendor training in Ramsey County, and if a vendor fails a compliance check, the vendor can be subjected to additional checks. Engman stated the extra checks can be "educational" in which the vendor is not subject to a penalty.

Chief John Ohl of the St. Anthony Police Department stated that he was not in favor of "educational" checks as it creates situation in which businesses are sometime let "off the hook" for a failed check and at other times not.

The Council directed staff to bring information regarding penalty options to a future meeting.

Informational Presentations:

Annual Police Report by Chief John Ohl of the St. Anthony Police Department (SAPD)

Chief Ohl stressed the good relationship the SAPD has with the residents of Lauderdale.

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He stated the number of calls for service was down but essentially there was little change in the crime statistics over the past few years. Chief Ohl encouraged residents to call in any suspicious activity to the SAPD so officers can check out their concerns.

Chief Ohl reported the number of Part I and Part II crimes recorded in 2013. Part I crimes, accounting for the most serious offenses (such as murder, rape, and theft), were down by 12. The most common crime in this category was theft. Part II crimes which include drug offenses and property damage were also down in 2013.

Chief Ohl said the investigation team cleared 65% of their cases in 2013. This is an exceptional clearance rate. Chief Ohl praised Captain Cotroneo, Tim Briski, and SAPD officers for their work. He especially thanked Lauderdale residents for being engaged and assisting officers to achieve the high clearance rate.

Chief Ohl ended by reiterating the strong relationship the SAPD has built with the residents of Lauderdale. Officers will continue their patrols and be present at community events in 2014.

Additional Items

Street Sweeping Contract

Butkowski reported the City received two bids for street sweeping services in 2014. There was a \$100 difference between the two quotes. Staffs recommended contracting with Mike McPhillips Inc. as they have done quality work for the City over the years.

Councilor Gaasch moved to accept Mike McPhillips Inc.'s quote for street sweeping services in 2014. Councilor Grove seconded the motion and it passed unanimously.

Agenda items for the April 8 Council Meeting may include the annual audit presentation by Andy Berg of Abdo, Eick and Meyer and the Larpentuer Avenue sidewalk project.

Mayor Dains explained that the Council was moving into the work session. Work sessions are a continuation of the meeting but not aired on community television. Mayor Dains asked if anyone wished to address the Council. No one came forward.

Work Session:

Micro Distilleries

Butkowski said the owners of Gentleman Scholar are establishing a distillery in the City's industrial area. They plan to attend a future meeting to introduce themselves. They plan to begin distilling soon and hope to someday sell cocktails from their location. Ron Batty, Lauderdale City Attorney, said the legislature would need to change state law to allow for liquor sales from a distillery as would the City. Additionally, the owners will need to request land use amendments for business activities beyond manufacturing.

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Use of Interim Ordinances

Butkowski stated the City received a land use application from a business which would like to open a Pawn Shop in the City's industrial neighborhood as this currently isn't an allowed use. As this use had not been contemplated before, Butkowski asked the city attorney to attend to answer questions the Council may have.

Ron Batty explained the City must determine by April 4 if the land use application is complete. If it does, the City has 60 days in which to act on the application. If additional time is needed, the City can extend the review time by an additional 60 days.

Batty also stated if the City Council wanted to study the matters further, it could adopt an interim ordinance. An interim ordinance would provide time to study the issues without the pressure of responding to the land use application allowing for pawn shops in the I-1 zoning district.

Chief Ohl added that a business should not be an undue burden on a City and its taxpayers. If the City allows for a pawn shop, a transaction fee should be charged to the business to allow the City to recoup costs associated with the additional policing required.

Since only three Councilors were present at the last meeting, the Council directed staff to bring the item back for discussion and draft an interim ordinance should the Council wish to proceed that way.

Community Development Update

The City will be closing on the 2430 Larpenteur property on Thursday, March 27.

There being no further business on the council agenda, Councilor Grove moved to adjourn the meeting. Councilor Mac Lean seconded the motion and it carried. The meeting adjourned at 9:12 p.m.

Respectfully submitted,


Kevin Kelly
Deputy City Clerk

CITY OF LAUDERDALE

CLAIMS FOR APPROVAL

April 8, 2014 City Council Meeting

Payroll

03/28/14 Payroll: Direct Deposit # 501773-501782	\$8,579.60
03/28/14 Payroll: Payroll Liabilities, e-payments 870E-873E	\$8,710.21

Vendor Claims

04/08/14 Claims: Check #'s 22169-22187	\$70,596.47
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SUBTOTAL \$87,886.28

Total Claims for Approval

\$87,886.28

CITY OF LAUDERDALE

03/26/14 11:30 AM

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*Claim Register©

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MARCH 2014

Claim Type	Direct					
Claim#	3868	NORTH STAR BANK, CHECKING S	Ck# 000870E	3/26/2014		
Cash Payment	G 101-21703	FICA WITHHOLDING.		3/28/2014	Payroll	\$2,274.28
		Invoice				
Cash Payment	G 101-21701	FEDERAL TAXES		3/28/2014	Payroll	\$1,175.48
		Invoice				
Transaction Date	3/26/2014	Due 0	NORTH STAR CHE	10100	Total	\$3,449.76
Claim#	3869	ICMA RETIREMENT TRUST - 457	Ck# 000871E	3/26/2014		
Cash Payment	G 101-21705	ICMA RETIREMENT		3/28/2014	Payroll	\$2,438.63
		Invoice				
Transaction Date	3/26/2014	Due 0	NORTH STAR CHE	10100	Total	\$2,438.63
Claim#	3870	PERA	Ck# 000872E	3/26/2014		
Cash Payment	G 101-21704	PERA		3/28/2014	Payroll	\$1,675.89
		Invoice				
Transaction Date	3/26/2014	Due 0	NORTH STAR CHE	10100	Total	\$1,675.89
Claim#	3871	MN DEPARTMENT OF REVENUE	Ck# 000873E	3/26/2014		
Cash Payment	G 101-21702	STATE WITHHOLDING		3/28/2014	Payroll	\$1,145.93
		Invoice				
Transaction Date	3/26/2014	Due 0	NORTH STAR CHE	10100	Total	\$1,145.93
	Claim Type	Direct			Tota	\$8,710.21

Pre-Written Check	\$8,710.21
Checks to be Generated by the Compute	\$0.00
Total	\$8,710.21

CITY OF LAUDERDALE

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***Check Detail Register©**

APRIL 2014

			Check Amt	Invoice	Comment
10100 NORTH STAR CHECKING					
Paid Chk#	022169	4/8/2014		AFSCME	
	G 101-21709	UNION DUES	\$111.38		3/14 Union Dues
		Total AFSCME	\$111.38		
Paid Chk#	022170	4/8/2014		AMERICAN MESSAGING	
	E 601-49000-391	TELEPHONE/PAGERS	\$45.65		4/14-3/15 PW Pager
	E 602-49100-391	TELEPHONE/PAGERS	\$45.64		4/14-3/15 PW Pager
		Total AMERICAN MESSAGING	\$91.29		
Paid Chk#	022171	4/8/2014		BOYER TRUCKS	
	E 602-49100-402	CITY TRUCK REPAIR/MAINTEN	\$34.13		Mirror Assembly on PW Truck
	E 601-49000-402	CITY TRUCK REPAIR/MAINTEN	\$34.14		Mirror Assembly on PW Truck
	E 101-43000-402	CITY TRUCK REPAIR/MAINTEN	\$273.10		Mirror Assembly on PW Truck
		Total BOYER TRUCKS	\$341.37		
Paid Chk#	022172	4/8/2014		CITY OF FALCON HEIGHTS	
	E 101-42100-321	FIRE CALLS	\$915.36		3/14 Fire Calls
		Total CITY OF FALCON HEIGHTS	\$915.36		
Paid Chk#	022173	4/8/2014		CITY OF ROSEVILLE	
	E 101-41200-306	CONSULTING FEES	\$635.67		4/14 IT Services
	E 101-41200-391	TELEPHONE/PAGERS	\$85.00		4/14 Phone Services
		Total CITY OF ROSEVILLE	\$720.67		
Paid Chk#	022174	4/8/2014		CITY OF ST ANTHONY	
	E 101-42100-319	POLICE CONTRACT	\$51,423.41		4/14 Police Contract
		Total CITY OF ST ANTHONY	\$51,423.41		
Paid Chk#	022175	4/8/2014		GLTC PREMIUM PAYMENTS	
	G 101-21706	HEALTH INSURANCE	\$50.90		4/14 Long Term Care Plan
		Total GLTC PREMIUM PAYMENTS	\$50.90		
Paid Chk#	022176	4/8/2014		GOPHER STATE ONE-CALL	
	E 101-43400-386	GOPHER STATE ONE CALL	\$4.35		3/14 Locates
		Total GOPHER STATE ONE-CALL	\$4.35		
Paid Chk#	022177	4/8/2014		HOME DEPOT CRC	
	E 101-43000-228	MISC REPAIRS MAINT SUPPLIE	\$66.68		Cleaning Supplies
		Total HOME DEPOT CRC	\$66.68		
Paid Chk#	022178	4/8/2014		HUGHES AND JOSEPH	
	E 101-41500-300	LEGAL FEES - PROSECUTING	\$850.00		3/14 Legal Fees
		Total HUGHES AND JOSEPH	\$850.00		
Paid Chk#	022179	4/8/2014		KELLY, KEVIN	
	E 101-41200-331	TRAVEL EXPENSE	\$47.71		1Q2014 Expenses
		Total KELLY, KEVIN	\$47.71		

CITY OF LAUDERDALE

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***Check Detail Register©**

APRIL 2014

			Check Amt	Invoice	Comment
Paid Chk#	022180	4/8/2014			KONICA MINOLTA
E 101-41200-401	COPIER CONTRACT		\$208.92		3/14 Copier Contract
	Total KONICA MINOLTA		\$208.92		
Paid Chk#	022181	4/8/2014			MAMA
E 101-41200-308	TRAINING\CONFERENCES		\$20.00		3/14 Luncheon Mtg. - HB
E 101-41200-438	DUES & SUBSCRIPTIONS		\$45.00		2014 Annual Membership - HB
	Total MAMA		\$65.00		
Paid Chk#	022182	4/8/2014			MET-COUNCIL ENVIRONMENTAL SER.
E 601-49000-387	WATER TREATMENT SERVICE		\$10,281.21		5/14 waste water treatment
	otal MET-COUNCIL ENVIRONMENTAL SER.		\$10,281.21		
Paid Chk#	022183	4/8/2014			MINNESOTA CONWAY
E 101-43000-327	OTHER SERV- SEWER/NPDES I		\$191.24		2014 Fire Extinguisher Inspection
	Total MINNESOTA CONWAY		\$191.24		
Paid Chk#	022184	4/8/2014			MN DEPT OF LABOR AND INDUSTRY
E 101-43400-443	SURCHARGE REPORT		\$53.76		1Q2014 Surcharge Reports
	Total MN DEPT OF LABOR AND INDUSTRY		\$53.76		
Paid Chk#	022185	4/8/2014			RAMSEY COUNTY, PROP REC & REV
E 101-42100-318	911 Dispatch		\$1,172.88		3/14 911 Dispatch
G 101-21706	HEALTH INSURANCE		\$440.96		4/14 Employee Insurance
E 101-41200-355	MISC PRINTING/PROCESS SER		\$25.00		4/14 Employee Insurance
E 101-42100-355	MISC PRINTING/PROCESS SER		\$6.24		3/14 800 MHz radio license
	Total RAMSEY COUNTY, PROP REC & REV		\$1,645.08		
Paid Chk#	022186	4/8/2014			STANTEC
E 405-48500-325	LARPENTEUR AVE IMPROVEM		\$3,138.00		Larp. Sidewalk Project
E 101-48100-306	CONSULTING FEES		\$185.00		Consulting fee
	Total STANTEC		\$3,323.00		
Paid Chk#	022187	4/8/2014			WASTE MANAGEMENT
E 101-43000-384	REFUSE DISPOSAL		\$205.14		4/14 PW Waste Refuse
	Total WASTE MANAGEMENT		\$205.14		
	10100 NORTH STAR CHECKING		\$70,596.47		

Fund Summary

10100 NORTH STAR CHECKING	
101 GENERAL	\$57,017.70
405 TIF-PROJECTS	\$3,138.00
601 SEWER UTILITIES	\$10,361.00
602 STORM SEWER ENTERPRISE FUND	\$79.77
	\$70,596.47

ACTION REQUESTED	LAUDERDALE COUNCIL
Consent <u> X </u>	MEETING DATE <u> April 8, 2014 </u>
Special <u> </u>	ITEM NUMBER <u> PCIC Appointment </u>
Public Hearing <u> </u>	STAFF INITIAL <u> Jim </u>
Report <u> </u>	APPROVED BY ADMINISTRATOR <u> </u>
Discussion/Action <u> </u>	
Resolution <u> </u>	
Work session <u> </u>	

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

The following applicant has applied for appointment to the Committee:

- 1) Susie Zahratka, 1704 Eustis Street.

Susie is interested in returning to the committee. She was a member for part of last year, but resigned because she was unable to attend any of the meetings. Susie plans to attend the April 14 PCIC meeting to share her idea about starting a farmer's market. Appointing Susie would bring the number of members to eight including Matt Eisenschenk (Chair), Monica Gallagher (Vice-Chair), April Brandt, Annie Downing, Nate Downing, Dan Murphy, and Marilyn Smith.

OPTIONS:

- 1) Appoint Susie Zahratka to the Park & Community Involvement Committee.
- 2) Do not appoint Susie Zahratka to the Park & Community Involvement Committee.

STAFF RECOMMENDATION:

By approving the consent agenda, you are appointing Susie Zahratka to the Park & Community Involvement Committee for a two year term.

COUNCIL ACTION:

City of Lauderdale

1891 Walnut Street Lauderdale Minnesota 55113

Phone: 651-792-7650

Fax: 651-631-2066

VOLUNTEER APPLICATION

Name: Susie Zahratka

Phone Number: 651-329-8401

Address: 1704 Eustis St

Cell Number:

City: Lauderdale

State MN Zip: 55113

E-mail: susanna.zahratka@gmail.com

AREAS OF INTEREST

Park and Community Involvement Committee (PCIC)

Garden Club

Special Events : Snow Commotion Day in the Park Music under the Trees

Halloween Community Run City Wide Garage Sale

Neighborhood Watch

Other - any

Please list any special hobbies, skills or talents which you are willing to share

Organizing events; social media, real food, fundraising

If you are seeking an appointment to the PCIC, please provide a short paragraph summarizing why

I would love to see the city become more of a community. ~~and~~ Adding a farmers market, and/or community garden would be great additions to existing events. Personally I'd like to get to know more of my neighbors.

Briefly describe your background, experience and any other information not previously given which you believe should be considered regarding the appointment you are seeking.

Background in education, non profits and organizing community events. Recently ran a fundraiser for a local family that raised \$15K in just over 3 weeks. I am also a part of 2 non profits; one legislative group and one community outreach. Stay-home mom & homeschooler who wants her children involved & participating in their community.

Participation Waiver: I, the undersigned, do hereby agree to participate in the aforementioned activity(ies) and I further agree to indemnify and hold the City harmless from and against any and all liability for any injury which may be suffered by the aforementioned individual(s) rising out of, or in any way connected with, his/her participation in this activity. The City periodically takes pictures or video of participants during meetings, special events and programs. Please be aware that these photos or video may be used in the City's brochures, pamphlets or cable presentations. If you or your family members do not want to be photographed or published you must give us written notice.

Susie Zahratka
Applicant's Signature

Susie Zahratka
Applicant's Name Printed

3-27-2014
Date

LAUDERDALE COUNCIL ACTION FORM

Action Requested

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

Meeting Date April 8, 2014

ITEM NUMBER Interim Ordinance

STAFF INITIAL 

APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

The city attorney attended the last council meeting to discuss matters related to land use planning for pawn shops as the City's current zoning and licensing ordinances don't address them. He mentioned that if the City Council wanted to study the matters further, it could adopt an interim ordinance. An interim ordinance would provide time to study the issues without the pressure of responding to the land use application allowing for pawn shops in the I-1 zoning district. Since only three Councilors were present at the last meeting, the Council directed staff to bring the item back for discussion and draft an interim ordinance should the Council wish to proceed that way.

OPTIONS:

If the Council adopts the interim ordinance and orders a study of pawn shop regulations, staff will bring back proposals from consults with experience studying the issue to the next Council meeting for consideration. Alternatively, the Council can forgo the interim ordinance and staff will continue processing the land use application.

STAFF RECOMMENDATION:

ORDINANCE NO. 14-02

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

AN INTERIM ORDINANCE, ADOPTED PURSUANT TO MINN. STAT. §462.355, SUBD. 4, REGARDING THE REGULATION OF PAWNSHOPS WITHIN THE CITY OF LAUDERDALE.

THE CITY OF LAUDERDALE, MINNESOTA, ORDAINS:

Section 1. Authority and Findings.

- A. Minn. Stat. §462.355, Subd. 4 provides that if a municipality is conducting studies or has authorized a study to be conducted for the purpose of considering adoption or amendment of a comprehensive plan or official control, the City Council may adopt an interim ordinance for the purpose of protecting the planning process and the health, safety and welfare of its citizens. An interim ordinance may regulate, restrict or prohibit any use, development or subdivision within the City for a period not to exceed one year from the effective date of the interim ordinance.
- B. The City has received an application to amend the text of its zoning ordinance to allow pawnshops within the I-1 zoning district. This application is subject to Minn. Stat., section 15.99 and must be reviewed in compliance with the time limits of that statute.
- C. The City's code of ordinances does not currently contain provisions regarding pawnshops. Pawnshops are not a permitted or conditionally permitted use in any zoning district and the City does not have an ordinance regulating the licensing of pawnbrokers as is authorized under Minn. Stat., Chapter 325J.
- D. The City Council believes that regulation of pawnshops deserves careful consideration because of the potential for the presence of stolen goods and questionable lending practices. In addition, the Minnesota courts have determined that pawnshops have the potential to develop into nuisance properties, can create law enforcement problems, and are sometimes linked to stolen property.
- E. The City Council believes that authorizing a study regarding pawnshops is necessary in order to evaluate various regulatory options available to the City, including maintaining current regulations or enacting amended or additional official controls.
- F. The City Council believes declaring a moratorium on all applications regarding pawnshops within the City is necessary and prudent in order to complete the study, to give the Council sufficient time to evaluate various options for pawnshop regulation, and to protect the planning process and the health, safety and welfare of Lauderdale's citizens.

Section 2. Study. The City Council hereby authorizes a study of the issues relating to City regulation of pawnshops and pawn transactions, including but not limited to a review of the following:

- A. Public health, safety, and welfare issues relating to pawnshops, with specific emphasis on risks associated with stolen goods and other criminal activity, demands placed on law enforcement, risks to vulnerable individuals, inappropriate or predatory lending activities, consumer protection issues, and the effect of pawnshops on surrounding properties and neighborhood vitality.
- B. Whether a continuation of the current prohibition against pawnshops within Lauderdale is appropriate.
- C. Whether it would be appropriate to restrict pawnshops to specific zoning districts within the City and, if so, which ones.
- D. The experience of other cities that regulate pawnshops in a manner similar to Lauderdale, or that have used different regulatory approaches, including cities that currently have a pawnshop located within their borders.
- E. The experience and preference of law enforcement personnel regarding pawnshops, including input from the St. Anthony Police Department.
- F. Consideration of a pawnbroker licensing ordinance and any land use ordinance text changes which may be appropriate for inclusion in Lauderdale's city code.

Section 3. Prohibition. In accordance with the above findings, no application for any permit, license or approval of any nature concerning a pawnshop shall be accepted by the City during the term of this interim ordinance. No additional review or other work on any previously accepted application concerning a pawnshop shall be conducted during the term of this interim ordinance. Previously received applications shall be withdrawn by the applicant or the application shall be acted upon by the City in accordance with this interim ordinance.

Section 4. Enforcement. The City may enforce this interim ordinance by injunction or any other appropriate civil remedy in any court of competent jurisdiction.

Section 5. Separability. Every section, provision or part of this interim ordinance is declared separable from every other section, provision or part. If any section, provision or part of this interim ordinance is adjudged to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision or part.

Section 6. Effective Date; Duration. This ordinance shall take effect upon passage and upon publication in the City's official newspaper. This interim ordinance shall be effective until the earlier of the following two dates: (a) one year from the effective date of this ordinance, or (b) the date upon which Lauderdale reaffirms, amends, or repeals its ordinances and official controls relating to pawnshops.

PASSED BY THE CITY COUNCIL OF THE CITY OF LAUDERDALE, MINNESOTA, THIS
8th DAY OF APRIL, 2014.

APPROVED:

Jeffrey Dains
MAYOR

ATTESTED:

Heather Butkowski
CITY CLERK-ADMINISTRATOR

**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested

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

Meeting Date April 8, 2014

ITEM NUMBER Sidewalk Easements

STAFF INITIAL AB

APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

To complete the pedestrian improvement project, the City needs temporary construction easement agreements from each of the property owners along the north side of Larpenteur Avenue. In addition to those you approved at previous meetings, I have two more. If I receive more before the Council Meeting, I will add them to the list of those to be approved.

I have included signed agreements from:

Paul Roufs, 2383 Larpenteur
Korean Service Center, 2417 Larpenteur

The Korean Service Center also agreed to the permanent easement agreement to locate a bus shelter at Eustis and Larpenteur. In lieu of monetary compensation, the project includes replacing the broken / uneven sections of sidewalk on their property and removing trees that have been causing the sidewalk sections to heave up.

OPTIONS:

STAFF RECOMMENDATION:

Motion to execute the Temporary Easement for Construction Agreements with the owners presented and the permanent easement agreement with the Korean Service Center as presented.

COUNCIL ACTION:

TEMPORARY EASEMENT FOR CONSTRUCTION

THIS INSTRUMENT is made by Paul D. Roufs, a single person, Grantor, in favor of the city of Lauderdale, a Minnesota municipal corporation, Grantee.

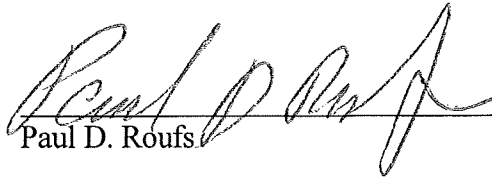
FOR GOOD AND VALUABLE CONSIDERATION, receipt of which is acknowledged by Grantor, Grantor grants and conveys to the Grantee a temporary easement for construction purposes, including the right of the Grantee, its contractors, agents, and employees to enter upon said premises at all reasonable times for the purposes of construction, repairing, grading, sloping, and restoration and all purposes ancillary thereto, together with the right to cut or trim therefrom trees, shrubs, or other vegetation from the easement area, as well as the right to deposit construction materials upon the easement area and to deposit or remove earthen materials from the easement area.

Said easement is granted over, under, across and upon that part of Lot 17, Block 2, Manuel's Subdivision, Ramsey County, Minnesota as depicted on Exhibit A attached hereto and known by Property Identification Number 17.29.23.34.0113.

Said temporary easement expires on July 15, 2015.

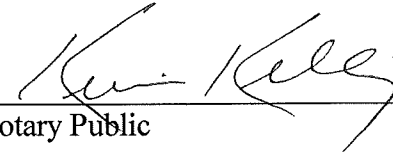
STATE DEED TAX DUE HEREON: NONE

Dated this 31 day of MAR, 2014.


Paul D. Roufs

STATE OF MINNESOTA)
) SS.
COUNTY OF Ramsey)

The foregoing instrument was acknowledged before me this 31 day of MARCH, 2014, by Paul D. Roufs, a single person, grantor.

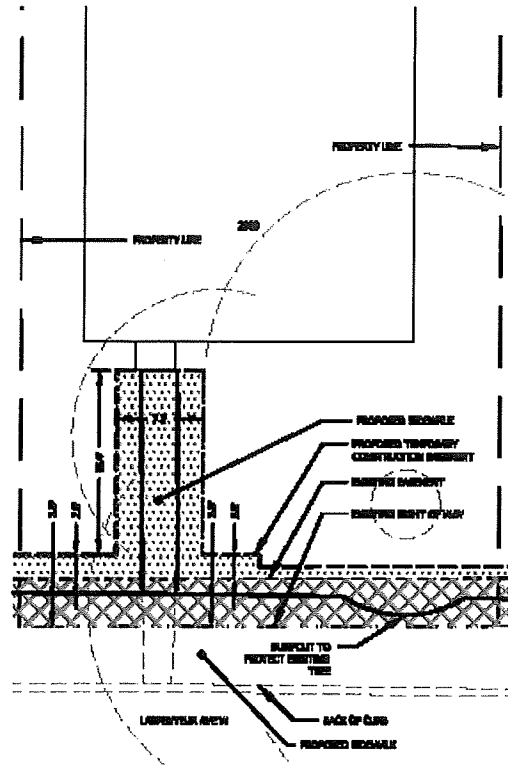

Notary Public



THIS INSTRUMENT DRAFTED BY:

Kennedy & Graven, Chartered (RHB)
470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis, MN 55402
Telephone: (612) 337-9300

EXHIBIT A



- LEGEND**
-  EXISTING PROPERTY
 -  PROPOSED TEMPORARY CONSTRUCTION EASEMENT
 -  PROPOSED PERMANENT EASEMENT



PROPOSED EASEMENTS - 2383 LARPENTEUR

CITY OF LAUDERDALE
2013 LARPENTEUR AVE W STREETScape IMPROVEMENTS

FIGURE 11



DATE: 2/4/2014

PROJECT NO.: 13PBD1872

AGREEMENT

THIS AGREEMENT (the "Agreement") is entered into this 28th day of March, 2014 by and between the city of Lauderdale, a municipal corporation under the laws of Minnesota (the "City"), and Korean Service Center, Inc., a Minnesota corporation (the "Owner").

WITNESSETH:

WHEREAS, the Owner is the fee owner of 2417 Larpenteur Avenue, Lauderdale, Minnesota (the "Property"), which is legally described as Lots 17 and 18, Block 1, Manuel's Subdivision, Ramsey County, Minnesota; and

WHEREAS, the City has initiated a project to construct a sidewalk on Larpenteur Avenue which will require easements over a portion of the Property; and

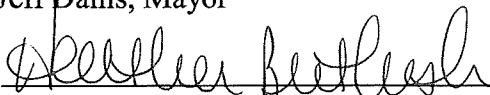
WHEREAS, the Owner is willing to grant easements for sidewalk purposes to the City under the terms and conditions outlined in this Agreement.

NOW, THEREFORE, the City and the Owner agree as follows:

1. The Owner agrees to grant to the City permanent and temporary easements (the "Easements") in the form attached hereto as Exhibit A within 10 days of the date of this Agreement.
2. In consideration for the Owner granting the Easements to the City, the City agrees to remove three trees which are shown as "Existing Tree – to be removed" on the sketch attached hereto as Exhibit B. The City also agrees to replace that portion of the Owner's private sidewalk which is located within the area of the temporary construction easement described and depicted in the form of Easement attached hereto as Exhibit A. The Owner agrees that removal of the trees and replacement of the sidewalk by the City constitutes full and total compensation for granting the Easements.
3. This Agreement shall be interpreted under the laws of Minnesota.

CITY OF LAUDERDALE

By: _____
Jeff Dains, Mayor

By:  _____
Heather Butkowski, City Administrator-Clerk

KOREAN SERVICE CENTER, INC.

By: Yoonji Park

By: _____

EXHIBIT A

Form of Easement

THIS INSTRUMENT is made by Korean Service Center, Inc., a Minnesota corporation, Grantor, in favor of the city of Lauderdale, a municipal corporation under the laws of Minnesota, Grantee.

Recitals

A. Grantor is the fee owner of the property in Ramsey County, Minnesota, legally described as follows:

Lots 17 and 18, Block 1, Manuel's Subdivision

(the "Property")

B. Grantor desires to grant to the Grantee permanent and temporary easements, according to the terms and conditions contained herein.

Terms of Easements

1. Grant of Easements. For good and valuable consideration, receipt of which is acknowledged by Grantor, Grantor grants and conveys to the Grantee the following easements:

A permanent, non-exclusive easement for sidewalk purposes over, under, across and through that portion of the Property legally described as permanent sidewalk easement on Exhibit A and depicted on Exhibit B attached hereto

And

Temporary easements for construction purposes over, under, across and through those portions of the Property legally described as temporary construction easements on Exhibit A and depicted on Exhibit B attached hereto.

2. Scope of Easements. The permanent sidewalk easement granted herein includes the right of the Grantee, its contractors, agents, and employees to enter the premises at all reasonable times for the purpose of locating, constructing, reconstructing, operating, maintaining, inspecting, altering and repairing a public sidewalk in the described easement area.

The temporary easements for construction purposes granted herein include the right of the Grantee, its contractors, agents and employees, to enter the premises at all reasonable times for the purposes of constructing, repairing, grading, sloping and restoration and all purposes

ancillary thereto as well as the right to deposit construction materials upon and to deposit or remove earthen materials from the easement areas.

The temporary construction easements shall expire on July 15, 2015.

The permanent and temporary easements granted herein also include the right to cut, trim, or remove from the easement areas trees, shrubs, or other vegetation that, in the Grantee's judgment, unreasonably interfere with the easements or facilities of the Grantee, its successors or assigns.

3. Warranty of Title. The Grantor warrants it is the owner of the Property and has the right, title and capacity to convey to the Grantee the easements herein.

4. Environmental Matters. The Grantee shall not be responsible for any costs, expenses, damages, demands, obligations, including penalties and reasonable attorney's fees, or losses resulting from any claims, actions, suits or proceedings based upon a release or threat of release of any hazardous substances, pollutants, or contaminants that may have existed on, or that relate to, the easement areas or the Property prior to the date of this instrument.

5. Binding Effect. The terms and conditions of this instrument shall run with the land and be binding on the Grantor, its heirs and assigns.

STATE DEED TAX DUE HEREON: NONE

Dated this ____ day of _____, 2014.

KOREAN SERVICE CENTER, INC.

By: _____

Its: _____

EXHIBIT A TO EASEMENT

Legal Descriptions of Permanent and Temporary Easements

PERMANENT SIDEWALK EASEMENT

A permanent easement for sidewalk purposes over, under, and across that part of Lot 17, Block 1, MANUEL'S SUBDIVISION, according to the recorded plat thereof, Ramsey County, Minnesota, described as follows:

Commencing at the southwest corner of said Lot 17; thence northerly along the west line of said Lot 17, a distance of 5.00 meters to the point of beginning; thence southeasterly 17.64 feet along a line which would intersect a point on the south line of said Lot 17, being 5.00 meters easterly of said point of commencement, to the north line of the South 1.2 meters of said Lot 17; thence easterly 20.04 feet along said north line of the South 1.2 meters to the east line of the West 32.50 feet of said Lot 17; thence northerly 6.00 feet along said east line of the West 32.50 feet to the north line of the South 9.94 feet of said Lot 17; thence westerly along said north line of the South 9.94 feet, a distance of 16.13 feet; thence northwesterly 18.85 feet to the intersection of the east line of the West 3.00 feet and the north line of the South 23.20 feet of said Lot 17; thence westerly 3.00 feet along said north line of the South 23.20 feet of Lot 17 to said west line of said Lot 17; thence southerly along said west line of Lot 17, a distance of 6.80 feet to the point of beginning.

Said sidewalk easement contains \pm 246 square feet.

TEMPORARY CONSTRUCTION EASEMENT

A temporary easement for construction purposes over, under, and across that part of Lot 17, Block 1, MANUEL'S SUBDIVISION, according to the recorded plat thereof, Ramsey County, Minnesota, described as follows:

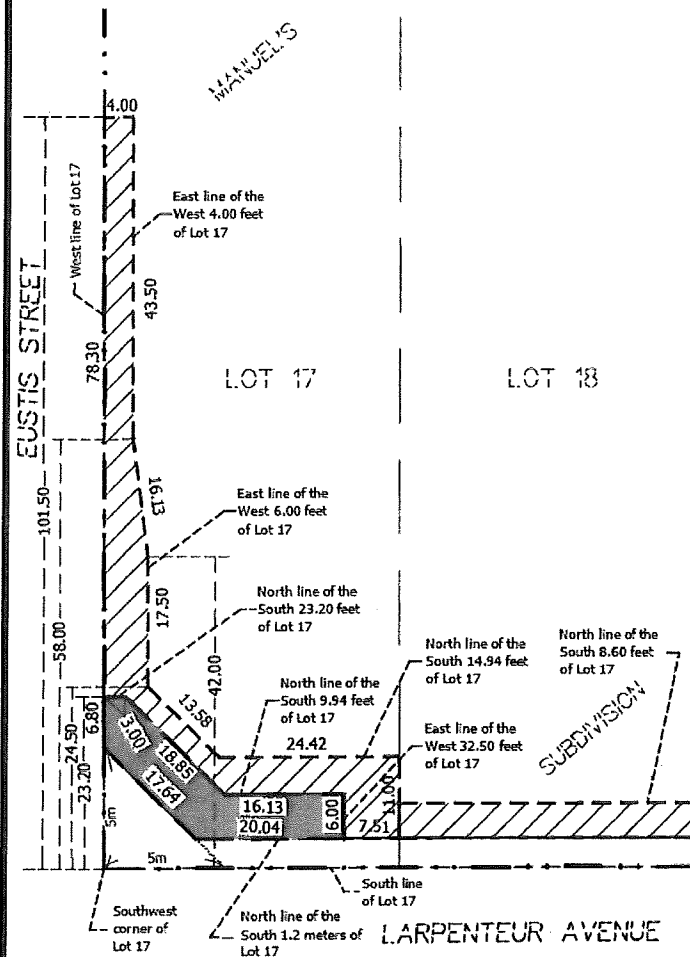
Beginning at the northwest corner of the South 101.50 feet of said Lot 17; thence easterly along the north line of said South 101.50 feet, a distance of 4.00 feet to the east line of the West 4.00 feet thereof; thence southerly 43.50 feet along said East line of the West 4.00 feet to the north line of the South 58.00 feet thereof; thence southeasterly 16.13 to the intersection of the East 6.00 feet of said Lot 17 and the north line of the South 42.00 feet thereof; thence southerly 17.50 feet along said east line of the West 6.00 feet of Lot 17 to the north line of the South 24.50 feet of said Lot 17; thence southeasterly 13.58 feet to the north line of the South 14.94 feet; thence easterly 24.42 feet along said north line of the South 14.94 feet to the east line of said Lot 17; thence southerly 11.00 feet along said east line of Lot 17 to the north line of the South 1.2 meters of said Lot 17; thence westerly 7.51 feet along said north line of the South 1.2 meters of said Lot 17 to the east line of the West 32.50 feet of said Lot 17; thence northerly 6.00 feet along said east line of the West 32.50 feet of Lot 17 to the north line of the South 9.94 feet thereof; thence westerly 16.13 feet along said north line of the South 9.94 feet of Lot 17; thence northwesterly 18.85 feet to the intersection of the east line of the West 3.00 feet and the north line of the South 23.20 feet of said Lot 17; thence westerly 3.00 feet along said north line of the South 23.20 feet of Lot 17 to the west line of said Lot 17; thence northerly 78.30 feet along said west line of Lot 17 to the point of beginning.

Together with a temporary easement for construction purposes over, under, and across the North 4.66 feet of the South 8.60 feet of Lot 18, Block 1, MANUAL'S SUBDIVISION, according to the recorded plat thereof, Ramsey County, Minnesota.

EXHIBIT B TO EASEMENT

Depiction of Easement Areas

CITY OF LAUDERDALE, MINNESOTA LARPENTEUR AVE W STREETScape IMPROVEMENTS



PERMANENT SIDEWALK EASEMENT

A permanent easement for sidewalk purposes over, under, and across that part of Lot 17, Block 1, MANUEL'S SUBDIVISION, according to the recorded plat thereof, Ramsey County, Minnesota, described as follows:
Commencing at the southwest corner of said Lot 17; thence northerly along the west line of said Lot 17, a distance of 5.00 meters to the point of beginning; thence southeasterly 17.64 feet along a line which would intersect a point on the south line of said Lot 17, being 5.00 meters easterly of said point of commencement; to the north line of the South 1.2 meters of said Lot 17; thence easterly 20.04 feet along said north line of the South 1.2 meters to the east line of the West 32.50 feet of said Lot 17; thence northerly 6.00 feet along said east line of the West 32.50 feet to the north line of the South 9.94 feet of said Lot 17; thence westerly along said north line of the South 9.94 feet, a distance of 16.13 feet; thence northwesterly 18.85 feet to the intersection of the east line of the West 3.00 feet and the north line of the South 23.20 feet of said Lot 17; thence westerly 3.00 feet along said north line of the South 23.20 feet of Lot 17 to said west line of said Lot 17; thence southerly along said west line of Lot 17, a distance of 6.80 feet to the point of beginning.



Said sidewalk easement contains ±246 square feet.

TEMPORARY CONSTRUCTION EASEMENT

A temporary easement for construction purposes over, under, and across that part of Lot 17, Block 1, MANUEL'S SUBDIVISION, according to the recorded plat thereof, Ramsey County, Minnesota, described as follows:
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Together with a temporary easement for construction purposes over, under, and across the North 4.66 feet of the South 8.60 feet of Lot 18, Block 1, MANUEL'S SUBDIVISION, according to the recorded plat thereof, Ramsey County, Minnesota.

LEGEND

-  Sidewalk Easement
-  Temporary Construction Easement

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRINT NAME: DANIEL J. ROEBER

SIGNATURE: *Daniel J. Roeber*

DATE: FEBRUARY 27, 2014 P.L.C. NO. 43133



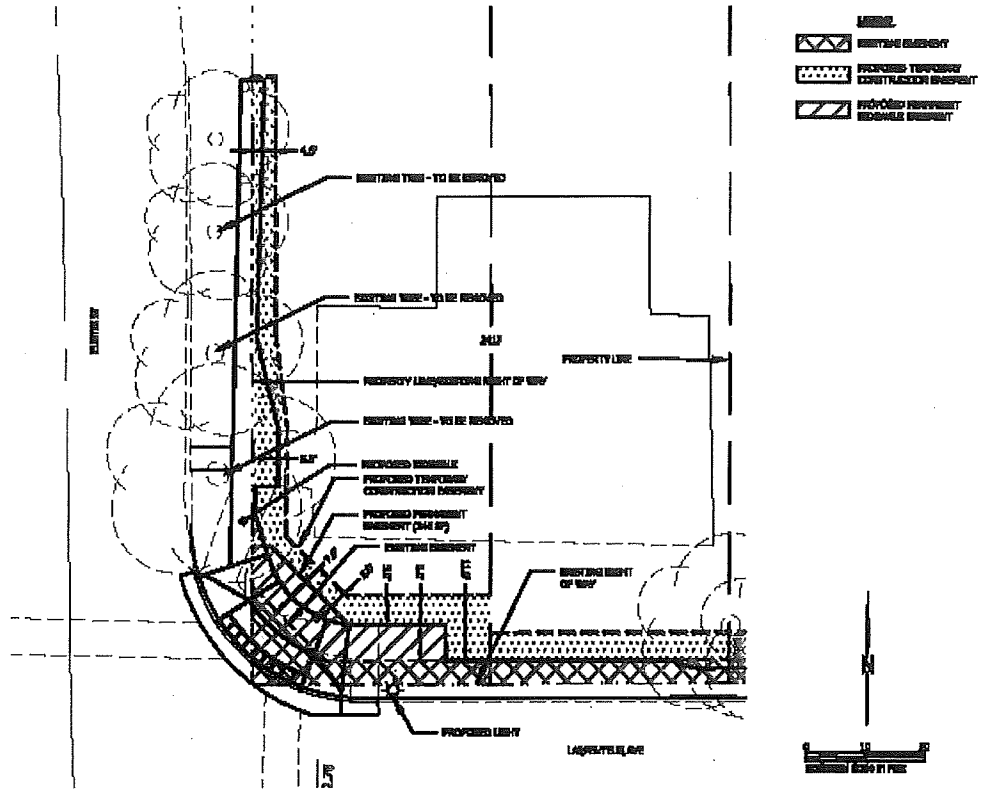
St. Paul Office
2335 West Highway 36
Saint Paul, MN 55113
Phone: 651-636-4600
Fax: 651-636-1311
Website: www.stantec.com

SURVEY	DJR
DRAWN	DJR
PROJ. NO.	193801872

Daniel J. Roeber, P.L.S., No. 43133
 Daniel J. Roeber, P.L.S., No. 43133
 Daniel J. Roeber, P.L.S., No. 43133

EXHIBIT B

Depiction Showing Location of Existing Trees to be Removed



PROPOSED EASEMENTS - 2417 LARPENTEUR

CITY OF LAUDERDALE
2013 LARPENTEUR AVE W STREETScape IMPROVEMENTS

FIGURE 4



DATE: 2/4/2014

PROJ. NO.: 13ESD1072

EXHIBIT A TO EASEMENT

Legal Descriptions of Permanent and Temporary Easements

PERMANENT SIDEWALK EASEMENT

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Said sidewalk easement contains \pm 246 square feet.

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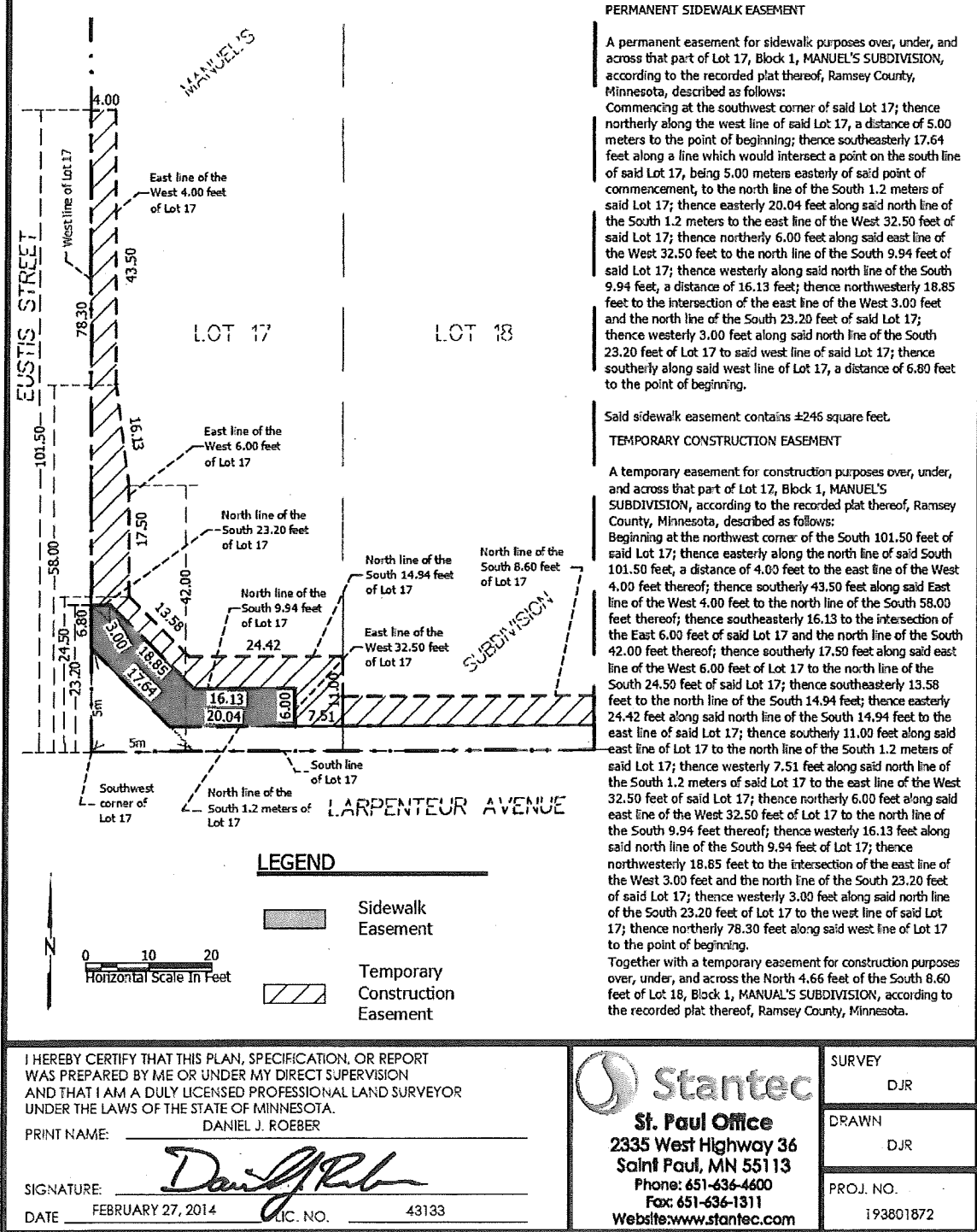
Beginning at the northwest corner of the South 101.50 feet of said Lot 17; thence easterly along the north line of said South 101.50 feet, a distance of 4.00 feet to the east line of the West 4.00 feet thereof; thence southerly 43.50 feet along said East line of the West 4.00 feet to the north line of the South 58.00 feet thereof; thence southeasterly 16.13 to the intersection of the East 6.00 feet of said Lot 17 and the north line of the South 42.00 feet thereof; thence southerly 17.50 feet along said east line of the West 6.00 feet of Lot 17 to the north line of the South 24.50 feet of said Lot 17; thence southeasterly 13.58 feet to the north line of the South 14.94 feet; thence easterly 24.42 feet along said north line of the South 14.94 feet to the east line of said Lot 17; thence southerly 11.00 feet along said east line of Lot 17 to the north line of the South 1.2 meters of said Lot 17; thence westerly 7.51 feet along said north line of the South 1.2 meters of said Lot 17 to the east line of the West 32.50 feet of said Lot 17; thence northerly 6.00 feet along said east line of the West 32.50 feet of Lot 17 to the north line of the South 9.94 feet thereof; thence westerly 16.13 feet along said north line of the South 9.94 feet of Lot 17; thence northwesterly 18.85 feet to the intersection of the east line of the West 3.00 feet and the north line of the South 23.20 feet of said Lot 17; thence westerly 3.00 feet along said north line of the South 23.20 feet of Lot 17 to the west line of said Lot 17; thence northerly 78.30 feet along said west line of Lot 17 to the point of beginning.

Together with a temporary easement for construction purposes over, under, and across the North 4.66 feet of the South 8.60 feet of Lot 18, Block 1, MANUAL'S SUBDIVISION, according to the recorded plat thereof, Ramsey County, Minnesota.

EXHIBIT B TO EASEMENT

Depiction of Easement Areas

CITY OF LAUDERDALE, MINNESOTA LARPENTEUR AVE W STREETScape IMPROVEMENTS



PERMANENT SIDEWALK EASEMENT

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Commencing at the southwest corner of said Lot 17; thence northerly along the west line of said Lot 17, a distance of 5.00 meters to the point of beginning; thence southeasterly 17.64 feet along a line which would intersect a point on the south line of said Lot 17, being 5.00 meters easterly of said point of commencement, to the north line of the South 1.2 meters of said Lot 17; thence easterly 20.04 feet along said north line of the South 1.2 meters to the east line of the West 32.50 feet of said Lot 17; thence northerly 6.00 feet along said east line of the West 32.50 feet to the north line of the South 9.94 feet of said Lot 17; thence westerly along said north line of the South 9.94 feet, a distance of 16.13 feet; thence northwesterly 18.85 feet to the intersection of the east line of the West 3.00 feet and the north line of the South 23.20 feet of said Lot 17; thence westerly 3.00 feet along said north line of the South 23.20 feet of Lot 17 to said west line of said Lot 17; thence southerly along said west line of Lot 17, a distance of 6.80 feet to the point of beginning.

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LEGEND

- Sidewalk Easement
- Temporary Construction Easement

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRINT NAME: DANIEL J. ROEBER

SIGNATURE: *Daniel J. Roeber*

DATE: FEBRUARY 27, 2014 LIC. NO. 43133

Stantec
St. Paul Office
2335 West Highway 36
Saint Paul, MN 55113
Phone: 651-636-4600
Fax: 651-636-1311
Website: www.stantec.com

SURVEY	DJR
DRAWN	DJR
PROJ. NO.	193801872

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 14-03-2014 10:23:11 AM
 14-03-2014 10:23:11 AM
 14-03-2014 10:23:11 AM
 14-03-2014 10:23:11 AM

EASEMENT

THIS INSTRUMENT is made by Korean Service Center, Inc., a Minnesota corporation, Grantor, in favor of the city of Lauderdale, a municipal corporation under the laws of Minnesota, Grantee.

Recitals

A. Grantor is the fee owner of the property in Ramsey County, Minnesota, legally described as follows:

Lots 17 and 18, Block 1, Manuel's Subdivision

(the "Property")

B. Grantor desires to grant to the Grantee permanent and temporary easements, according to the terms and conditions contained herein.

Terms of Easements

1. Grant of Easements. For good and valuable consideration, receipt of which is acknowledged by Grantor, Grantor grants and conveys to the Grantee the following easements:

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And

Temporary easements for construction purposes over, under, across and through those portions of the Property legally described as temporary construction easements on Exhibit A and depicted on Exhibit B attached hereto.

2. Scope of Easements. The permanent sidewalk easement granted herein includes the right of the Grantee, its contractors, agents, and employees to enter the premises at all reasonable times for the purpose of locating, constructing, reconstructing, operating, maintaining, inspecting, altering and repairing a public sidewalk in the described easement area.

The temporary easements for construction purposes granted herein include the right of the Grantee, its contractors, agents and employees, to enter the premises at all reasonable times for the purposes of constructing, repairing, grading, sloping and restoration and all purposes ancillary thereto as well as the right to deposit construction materials upon and to deposit or remove earthen materials from the easement areas.

The temporary construction easements shall expire on July 15, 2015.

The permanent and temporary easements granted herein also include the right to cut, trim, or remove from the easement areas trees, shrubs, or other vegetation that, in the Grantee's judgment, unreasonably interfere with the easements or facilities of the Grantee, its successors or assigns.

3. Warranty of Title. The Grantor warrants it is the owner of the Property and has the right, title and capacity to convey to the Grantee the easements herein.

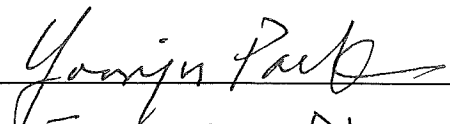
4. Environmental Matters. The Grantee shall not be responsible for any costs, expenses, damages, demands, obligations, including penalties and reasonable attorney's fees, or losses resulting from any claims, actions, suits or proceedings based upon a release or threat of release of any hazardous substances, pollutants, or contaminants that may have existed on, or that relate to, the easement areas or the Property prior to the date of this instrument.

5. Binding Effect. The terms and conditions of this instrument shall run with the land and be binding on the Grantor, its heirs and assigns.

STATE DEED TAX DUE HEREON: NONE

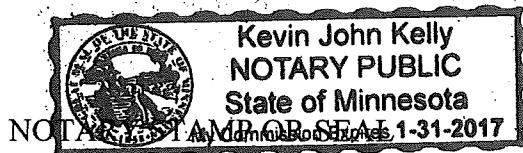
Dated this 28th day of March, 2014.

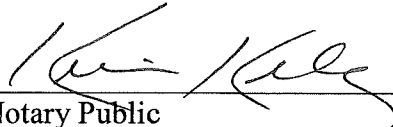
KOREAN SERVICE CENTER, INC.

By: 
Its: Executive Director

STATE OF MINNESOTA)
) ss.
COUNTY OF RAMSEY)

The foregoing instrument was acknowledged before me this 28th day of March, 2014, by Yoonju Park, the Executive Director of Korean Service Center, Inc., a Minnesota corporation, on behalf of the corporation, Grantor.




Notary Public

THIS INSTRUMENT DRAFTED BY:
Kennedy & Graven, Chartered
470 U.S. Bank Plaza
200 South Sixth Street
Minneapolis, MN 55402
612-337-9300 (RHB)

**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested

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

Meeting Date April 8, 2014

ITEM NUMBER Tobacco Ordinance

STAFF INITIAL 

APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

The Association of Non-Smokers provided staff with the penalties for cities in Ramsey County. As we discussed, the penalties are varied. Some cities rely on stiffer monetary penalties (Arden Hills, Little Canada, Shoreview, and Vadnais Heights). Others institute license suspensions after the second failure (Mounds View and Roseville). Some require additional compliance checks (Falcon Heights, Shoreview, and Vadnais Heights). Some have adopted the state minimum (North Oaks and Gem Lake). We previously discussed East Bethel's unique ordinance whereby the length of the license suspension can be "bought down" through community service performed by the licensee's employee. I have some issues with how they handle that but it shows the latitude cities have in coming up with penalties they feel fit the crime. In the end, penalties for the offending business owners fall into a couple of categories: monetary fines, additional compliance checks, mandatory educational programming, and license suspension/revocation.

The Mayor mentioned wanting a penalty structure that everyone felt was fair. From Croix Oil's perspective, I think this means no long term-license suspensions. In lieu of that the Council could implement shorter licensing suspensions starting after the first or second offense. Croix Oil also suggested establishing a suspension penalty minimum that could be increased at the Council's discretion. The Council could do that as well.

While Croix Oil felt the fines were excessive, many cities have a greater third violation fine than what was proposed. So tweaking the fines is an option. There is also nothing precluding the Council from establishing a harsher penalty, like a longer term suspension, after a fourth offense.

I am bringing these ideas before the Council for further discussion. After the meeting, I will get the tobacco licensee's feedback on the new penalty language.

STAFF RECOMMENDATION:

City	County	1st Violation Monetary (\$)	1st Violation Non-Monetary	2nd Violation Monetary (\$)	2nd Violation Non-Monetary	3rd Violation Monetary (\$)
St. Anthony	Ramsey	not indicated in ordinance	Misdemeanor	not indicated in ordinance	Misdemeanor	not indicated in ordinance
Arden Hills	Ramsey	\$105.00		\$525.00		\$1,050.00
Falcon Heights	Ramsey	\$500.00	Additional Check	\$750.00	Additional Check	\$250.00
Little Canada	Ramsey	\$200.00		\$500.00		\$1,000.00
Maplewood	Ramsey	\$250.00		\$500.00		\$750.00
Mounds View	Ramsey	\$150.00		\$400.00	3 day suspension	\$500.00
New Brighton	Ramsey	\$100.00		\$200.00		\$300.00
North St. Paul	Ramsey	\$200.00		\$400.00		\$500.00
Roseville	Ramsey	\$200.00			Minimum 2 day suspension	
St. Paul	Ramsey	\$200.00		\$400.00		
Shoreview	Ramsey	\$250.00	Additional Check	\$500.00	Additional Check	\$1,000.00
Vadnais Heights	Ramsey	\$250.00	Additional Check	\$500.00	Additional Check	\$1,000.00
White Bear Township	Ramsey	\$200.00		\$400.00		\$600.00
Gem Lake	Ramsey	\$75.00		\$200.00		\$250.00
North Oaks	Ramsey	\$75.00		\$200.00		\$250.00
Minneapolis	Hennepin	\$200.00		\$400.00		\$800.00
New Hope	Hennepin	\$250.00	3 day suspension	\$750.00	15 day suspension	\$1,500

3rd Violation Non Monetary	4th violation	Clerk Fine	Offense Window (in months)	License Fee	Compliance Checks Per Year
Misdemeanor		\$50.00		\$300.00	1
7 day suspension			12	\$300.00	2
2 year revocation		\$50.00	24	\$250.00	2
7 day suspension		\$50.00	24	\$250.00	2
Minimum 7 day suspension		\$50.00	24	\$250.00	2
10 day suspension		\$100.00	24	\$230.00	2
			24	\$300.00	2
10 day suspension		\$50.00	24	\$300.00	2
Minimum 5 day suspension		\$200.00		\$300.00	2
30 day suspension		\$50.00	12	\$431.00	* minimum of 1, additional for failures
7 day suspension		\$50.00	24	\$250.00	2
7 day suspension		\$50.00		\$250-\$300	2
		\$50.00		\$100.00	2
		\$50.00	24	\$200.00	2
7 day suspension		\$50.00	24	\$200.00	2
30 day suspension	\$1,600 fine & 1 year suspension	\$50.00	24	\$314	1
30 day suspension	Revocation of license			\$250	1