

LAUDERDALE CITY COUNCIL MEETING AGENDA
7:30 P.M. TUESDAY, JULY 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 June 24, 2014 City Council Meeting
 - c. Claims Totaling \$23,483.12
 4. **CONSENT**
 - a. 2014 Election Judge Appointments
 - b. Larpenteur Avenue Sidewalk Project Easement Agreements
 - c. PCIC Minutes
 5. **SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS**
 6. **INFORMATIONAL PRESENTATIONS / REPORTS**
 - a. Farmers Market and Music under the Trees
 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. 2015-2019 Police Contract
 - b. August 12 City Council Meeting
 - c. Private Activity Revenue Bond Financing Policy
 - d. MS4 Permit Implementation Services – Stantec
 - e. Larpenteur Avenue Sidewalk Project – Authorize Bidding
 9. **ITEMS REMOVED FROM THE CONSENT AGENDA**
 10. **ADDITIONAL ITEMS**
 11. **SET AGENDA FOR NEXT MEETING**
 - a. Inflow and Infiltration Grant Payments
 - b. 2015 Budget
 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. Retaining Wall Replacement, Owners of 1773 Fulham
- c. Community Development Update

13. ADJOURNMENT

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

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June 24, 2014

Mayor Dains called the City Council meeting to order at 7:30 p.m.

Councilors present: Mary Gaasch, Denise Hawkinson, Lara Mac Lean, and Mayor Jeff Dains.

Councilor Absent: Roxanne Grove.

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. There being no changes, Councilor Mac Lean moved to approve the agenda. Councilor Gaasch seconded the motion and it passed unanimously.

Councilor Hawkinson moved to approve the June 10, 2014 City Council meeting minutes. Councilor Mac Lean seconded the motion and it passed unanimously.

Councilor Mac Lean moved approval of the claims totaling \$38,698.48. Councilor Gaasch seconded the motion and it passed unanimously.

Mayor Dains asked if anyone wished to remove items from the Consent Agenda. The Mayor removed the June / July staffing proposal. Councilor Hawkinson moved approval of the remaining items including Resolution 062414A regarding fines for payable offenses, the May Financial Report, and City Park applications. Councilor Gaasch seconded the motion and it passed unanimously.

The Mayor mentioned that two staff members might have overlapping leave due to the additions of new members to their families. Staff requested authorization to make short term hires to ensure better coverage of the office, if necessary.

Councilor Hawkinson moved to permit the city administrator to hire temporary help in June and July at a rate not to exceed \$25/hour. Councilor Gaasch seconded the motion and it passed unanimously.

Discussion Items

Amendment to the Garbage and Refuse Ordinance

Butkowski explained that she felt the clarity of the garbage ordinance could be improved. It requires weekly garbage service for obvious public health reasons but the ordinance doesn't clearly explain that the service has to be by one of the licensed haulers. In addition to that clarification, the amendment would allow residents to opt out of the weekly service requirement

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if they demonstrate that they have another viable way to dispose of their garbage. This arrangement will help small and elderly households that have expressed an interest in sharing services with another household.

Mayor Dains opened the public hearing at 7:40 p.m. No one addressed the Council and the public hearing closed at 7:41 p.m.

The Council had no further questions or discussion.

Councilor Hawkinson moved to adopt Ordinance 14-04 amending the Code of Ordinances regarding Garbage and Refuse. Councilor Gaasch seconded the motion and it passed unanimously.

Butkowski explained that annually the Council must decide whether to waive the monetary limits on municipal tort liability and purchase workers compensation insurance. Historically, the Council has not waived the tort liability limit and has saved money by selecting a \$2,500 deductible for workers compensation insurance.

Councilor Gaasch moved not to waive the monetary limits on municipal tort liability established by MS 466.04 and purchase workers' compensation insurance from the League of Minnesota Cities Insurance Trust based on a \$2,500 deductible. Councilor Mac Lean seconded the motion and it passed unanimously.

Agenda items for the June 24 Council Meeting may include a discussion of the Larpenteur Avenue Sidewalk Project; the police contract renewal; and 2014 election judge appointments.

Work Session:

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.

Historic Stone

Frank Langer, owner of Historic Stone, addressed the Council. He stated his interest in putting a billboard on his property on the west side of TH280. As billboards currently aren't allowed in the City, the Council would need to amend the zoning ordinance to allow for that. Prior to making a formal zoning amendment change request, Langer asked for Council feedback on the concept of a 250 square foot digital sign. After further discussion with Langer, the general consensus of the Council was that they would not approve a digital sign but some expressed that they wouldn't oppose a static sign.

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Bank Qualified Conduit Debt

Butkowski introduced Julie Eddington, Bond Counsel at Kennedy and Graven. She presented the Council information regarding bank qualified conduit debt as neighboring cities are looking for opportunities to partner with cities that don't use their annual \$10,000,000 allowance. Eddington further explained to the Council that the City would be under no condition to repay the debt in case of default but cities receive compensation (in the neighborhood of 1%) for assisting in projects. After answering the Council's questions, Eddington said she would prepare a draft policy for Council consideration at the next council meeting.

Ramsey County Economic Prosperity Report, Ryan O'Connor

County Commissioner Mary Jo McGuire introduced Ryan O'Connor, Policy and Planning Director for Ramsey County. She explained that the County Board had been ambitiously learning about and working towards policies to eliminate concentrated areas of poverty and cultivate economic prosperity. O'Connor continued on these talking points by addressing the ways in which Ramsey County was addressing challenges unique to the most diverse county in the state.

Sidewalk Maintenance Policy

Butkowski said staff is beginning to look at snow removal options for Larpenteur Avenue after the sidewalk is completed this fall. Based on feedback from the single family homeowners on Larpenteur Avenue, the Council expressed interest in removing snow from the front of those homes. In the long run, staff said the Council could consider working with the rest of the corridor on a unified snow removal option but that would take additional time to coordinate as a special service district would need to be created.

Staff drafted a sidewalk maintenance policy for Council consideration. The policy indicates that the City will take care of aspects of snow removal. This will be done by staff, when possible, with the rest performed by a contractor.

Councilor Gaasch moved to adopt the Sidewalk Maintenance Policy as presented. Councilor Hawkinson seconded the motion and it passed unanimously.

Community Development Update

Staff has been spending a significant amount of time working on the Luther Seminary platting process. It is anticipated that it will come before the Council in August.

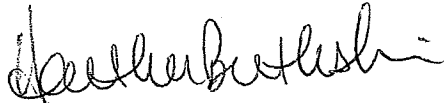
There being no further business on the council agenda, Councilor Hawkinson moved to adjourn the meeting. Councilor Grove seconded the motion and it carried. The meeting adjourned at 8:25 p.m.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read "Heather Butkowski". The signature is written in a cursive style with a horizontal line at the end.

Heather Butkowski
City Administrator

CITY OF LAUDERDALE

CLAIMS FOR APPROVAL

July 8, 2014 City Council Meeting

Payroll

07/04/14 Payroll: Direct Deposit # 501828-501832	\$7,653.42
07/04/14 Payroll: Payroll Liabilities, e-payments 900E-902E	\$7,613.43

Vendor Claims

07/08/14 Claims: Check #'s 22291-22304, e-payment 903E	\$8,216.27
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SUBTOTAL \$23,483.12

Total Claims for Approval

\$23,483.12

CITY OF LAUDERDALE

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*Claim Register©

070414pyroll

JULY 2014

Claim Type	Direct					
Claim#	4026	ICMA RETIREMENT TRUST - 457	Ck# 000900E	7/4/2014		
Cash Payment	G 101-21705	ICMA RETIREMENT	7/4/14	payroll		\$2,513.63
		Invoice				
Transaction Date	7/2/2014	Due 0	NORTH STAR CHE	10100	Total	\$2,513.63
Claim#	4027	PERA	Ck# 000901E	7/4/2014		
Cash Payment	G 101-21704	PERA	7/04/14	payroll		\$1,735.68
		Invoice				
Transaction Date	7/2/2014	Due 0	NORTH STAR CHE	10100	Total	\$1,735.68
Claim#	4028	NORTH STAR BANK, CHECKING S	Ck# 000902E	7/3/2014		
Cash Payment	G 101-21703	FICA WITHHOLDING.	7/04/14	payroll		\$2,131.58
		Invoice				
Cash Payment	G 101-21701	FEDERAL TAXES	7/04/14	payroll		\$1,232.54
		Invoice				
Transaction Date	7/2/2014	Due 0	NORTH STAR CHE	10100	Total	\$3,364.12
	Claim Type	Direct			Tota	\$7,613.43

Pre-Written Check	\$7,613.43
Checks to be Generated by the Compute	\$0.00
Total	\$7,613.43

CITY OF LAUDERDALE

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***Check Detail Register©**

JULY 2014

			Check Amt	Invoice	Comment
10100 NORTH STAR CHECKING					
Paid Chk#	000903E	7/3/2014	US BANK, DEBT SERVICES		
E 304-47400-611	BOND INTEREST		\$1,890.00		2003A bond interest
	Total US BANK, DEBT SERVICES		\$1,890.00		
Paid Chk#	022291	7/8/2014	1744 LAKE ST		
E 201-45600-369	MUSIC UNDER THE TREES		\$400.00		MUTT music - Victorsen
	Total 1744 LAKE ST		\$400.00		
Paid Chk#	022292	7/8/2014	1803 MALVERN STREET		
E 101-41200-442	MISC		\$105.00		social room reservation cancellation - Goodmanson
	Total 1803 MALVERN STREET		\$105.00		
Paid Chk#	022293	7/8/2014	CROIX OIL		
E 101-43000-212	MOTOR FUELS		\$250.82		motor fuel
E 601-49000-212	MOTOR FUELS		\$53.75		motor fuel
E 602-49100-212	MOTOR FUELS		\$53.75		motor fuel
	Total CROIX OIL		\$358.32		
Paid Chk#	022294	7/8/2014	EUREKA RECYCLING		
E 203-50000-389	RECYCLING CONTRACTOR		\$2,318.76		6/14 recycling services
	Total EUREKA RECYCLING		\$2,318.76		
Paid Chk#	022295	7/8/2014	GLTC PREMIUM PAYMENTS		
G 101-21706	HEALTH INSURANCE		\$50.90		7/14 long term care
	Total GLTC PREMIUM PAYMENTS		\$50.90		
Paid Chk#	022296	7/8/2014	GOPHER STATE ONE-CALL		
E 101-43400-386	GOPHER STATE ONE CALL		\$81.60		6/14 locate calls
	Total GOPHER STATE ONE-CALL		\$81.60		
Paid Chk#	022297	7/8/2014	HOME DEPOT CRC		
E 101-43000-228	MISC REPAIRS MAINT SUPPLIE		\$18.95		lighting parts
	Total HOME DEPOT CRC		\$18.95		
Paid Chk#	022298	7/8/2014	KENNEDY & GRAVEN		
E 101-41500-305	LEGAL FEES - CIVIL		\$132.00		5/14 legal fees
	Total KENNEDY & GRAVEN		\$132.00		
Paid Chk#	022299	7/8/2014	KONICA MINOLTA		
E 101-41200-401	COPIER CONTRACT		\$282.91		6/14 copier contract
	Total KONICA MINOLTA		\$282.91		
Paid Chk#	022300	7/8/2014	ON SITE SANITATION		
E 101-45200-427	PORTA POTTY RENTAL		\$190.00		6/14 portable restroom
	Total ON SITE SANITATION		\$190.00		
Paid Chk#	022301	7/8/2014	RAMSEY COUNTY, PROP REC & REV		
E 101-42100-318	911 Dispatch		\$1,172.88		6/14 dispatch

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***Check Detail Register©**

JULY 2014

			Check Amt	Invoice	Comment
E 101-42100-355	MISC PRINTING/PROCESS SER		\$6.24		6/14 radio license
Total RAMSEY COUNTY, PROP REC & REV			\$1,179.12		
<hr/>					
Paid Chk#	022302	7/8/2014		STANTEC	
E 602-49100-304	ENGINEERING		\$59.00		5/14 engineering - storm water
E 405-48500-327	OTHER SERV- SEWER/NPDES I		\$296.00		5/14 engineering - sewer lining
E 405-48500-325	LARPENTEUR AVE IMPROVEM		\$111.00		5/14 engineering - LA sidewalk
Total STANTEC			\$466.00		
<hr/>					
Paid Chk#	022303	7/8/2014		TEE SQUARED SCREENPRINTING & D	
E 201-45600-373	T-SHIRTS		\$524.50		city shirts
otal TEE SQUARED SCREENPRINTING & D			\$524.50		
<hr/>					
Paid Chk#	022304	7/8/2014		WASTE MANAGEMENT	
E 101-43000-384	REFUSE DISPOSAL		\$218.21		7/14 PW dumpster
Total WASTE MANAGEMENT			\$218.21		
10100 NORTH STAR CHECKING			\$8,216.27		

Fund Summary

10100 NORTH STAR CHECKING	
101 GENERAL	\$2,509.51
201 COMMUNITY EVENTS	\$924.50
203 RECYCLING	\$2,318.76
304 03 ST/UTIL IMP DEBT SERVICE	\$1,890.00
405 TIF-PROJECTS	\$407.00
601 SEWER UTILITIES	\$53.75
602 STORM SEWER ENTERPRISE FUND	\$112.75
	\$8,216.27

LAUDERDALE COUNCIL ACTION FORM

Action Requested

Consent X

Public Hearing

Discussion

Action

Resolution

Work Session

Meeting Date July 8, 2014

ITEM NUMBER Appoint Election Judges

STAFF INITIAL KK

APPROVED BY ADMINISTRATOR

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Below are individuals willing to be appointed by the City Council to serve as election judges for the 2014 Primary and General elections. Many of these election judges have performed election judge duties for many years including Karen Doherty who will be the Head Election Judge again this year. Judges new to the City are also listed.

Returning Judges

Ahlgren, Cynthia	Bowe, Donna	Cierzan, Lisa	Doherty, Karen
James, Ginny	Mennie, Bernette	Mieloch, Tony	Picard, Peiju
Sventek, Mary Jane	Simons, Hans	Stewart, Chuck	Wisn, Crystal

New Judges

Borner, Wally Sisel, Ann

Applicants don't need to declare party affiliation to be a judge but the City must follow rules for maintaining party balance. Party affiliation is not public information. The City has the required party representation for the 2014 election season.

Judges must attend a two-hour in person or on-line training session every two years as required by State Law. The judges are paid \$8.00 per hour for training and on election day (\$9.00 for the head judge) and the City supplies breakfast, lunch, and dinner on election day. The pay is in conformance with the new minimum wage laws but that will need to change for next year.

The City will also be using some of the elections judges to serve on the Absentee Ballot Board as well.

STAFF RECOMMENDATION:

By approving the consent agenda, the City Council approves the 2014 election judges listed above for the 2014 primary and general elections.

COUNCIL ACTION:

**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested	
Consent	<u> X </u>
Public Hearing	<u> </u>
Discussion	<u> </u>
Action	<u> </u>
Resolution	<u> </u>
Work Session	<u> </u>

Meeting Date	<u> July 8, 2014 </u>
ITEM NUMBER	<u> Sidewalk Easements </u>
STAFF INITIAL	<u> HB </u>
APPROVED BY ADMINISTRATOR	

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

To complete the Larpenteur Avenue 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 one more from the owners of 2371 Larpenteur Avenue. There are two outstanding that I expect to be coming in soon. I am also seeking "pre-execution" of those agreements so they don't need to come back before the Council. The addresses are 2401 Larpenteur Avenue and 2367 Larpenteur Avenue.

OPTIONS:

STAFF RECOMMENDATION:

By approving the Consent Agenda, the Council executes the Temporary Easement for Construction Agreements with the owners presented.

COUNCIL ACTION:

TEMPORARY EASEMENT FOR CONSTRUCTION

THIS INSTRUMENT is made by Randie L. Krabbenhoft and Shauna L. Krabbenhoft, husband and wife, 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 Manuel's Subdivision, Ramsey County, Minnesota as depicted on Exhibit A attached hereto and known by Property Identification Number 17.29.23.34.0115.

Said temporary easement expires on July 15, 2015.

STATE DEED TAX DUE HEREON: NONE

Dated this 20 day of June, 2014.

ACTION REQUESTED	LAUDERDALE COUNCIL
Consent <u> X </u>	MEETING DATE <u> July 8, 2014 </u>
Special <u> </u>	ITEM NUMBER <u> PCIC Minutes </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:

Attached are the minutes from the Park & Community Involvement Committee meeting of June 2, 2014.

OPTIONS:

- 1) Approve as consent item.
- 2) Remove from consent for discussion.

STAFF RECOMMENDATION:

By approving the consent agenda, the Council acknowledges receipt of and placing on file the attached minutes of the Park & Community Involvement Committee.

COUNCIL ACTION:



MINUTES
MONDAY, JUNE 2, 2014
PARK & COMMUNITY INVOLVEMENT COMMITTEE

1. CALL TO ORDER

Eisenschenk called the meeting to order at 6:34 p.m.

2. ROLL CALL

Members Present: Matt Eisenschenk, Susie Zahratka
Members Absent: Monica Gallagher, April Brandt, Annie Downing,
Nate Downing, Dan Murphy, Marilyn Smith,
Staff & Council Present: Jim Bownik
Others Present:

3. APPROVAL OF THE AGENDA

The agenda was not approved due to the lack of a quorum.

4. APPROVAL OF MINUTES OF APRIL 14, 2014 MEETING

The minutes were not approved due to the lack of a quorum.

5. REPORTS

A. City-Wide Garage Sale Wrap Up

Bownik reported 21 registered sales this year, compared to 18 last year. There was no rain this year. Moose Giannetti advertised on the back of the flyer again for a \$75 fee. Information was provided to residents that they could arrange for the Salvation Army to collect their unsold items the following Monday.

B. PCIC Facebook Page

Bownik reported the City has many ways we try to communicate with residents. Staff has debated for a while if Lauderdale should have a Facebook page and how to manage it. Since staff resources are scarce, sometimes it helps when a volunteer steps forward to help create and manage it. Zahratka inquired about the possibility to help get the word out about the farmers markets and other events. Thus, we recently created a Social Media Policy, which was adopted by the Council in May. Zahratka recently set up a Facebook site for the PCIC and will help manage it. Twelve people have "liked" the site already.

6. DISCUSSION/ACTION

- A. Farmers Market (July 17, August 21, September 18, 4-7 p.m.)
& Music Under the Trees Planning (2 of 2) (Thursday, July 17, 630-8 p.m.)

The Council authorized the farmers markets as City-sanctioned events for this year. Thus, we are planning three of them for the 3rd Thursdays in July, August, and September. The July farmers market will be in conjunction with Music Under the Trees, which will include music and a food truck. Eisenshenk volunteered to help Susie and other volunteers deliver the flyer door-to-door in July. The Social Room at City Hall has been reserved in case of rain for the farmers market and the music.

- B. Day in the Park Planning (Saturday, August 16, 12-3 p.m.)

The committee discussed plans for the event. The time will be the same as last year, 12-3 p.m. Bownik has arranged for the Lazy Does It Dixie Land Band. Bownik has contacted Wraps & Apps again but has not heard back. The Lions have also been approached about the sponsoring the music again. Bownik will work on other details such as a bounce house, letters to local businesses, and volunteers.

- C. Elect Chair & Vice-Chair

This item was postponed to a future meeting due to a lack of attendance.

7. OTHER BUSINESS

8. SET PRELIMINARY AGENDA FOR NEXT MEETING

Bownik read the preliminary agenda for the next meeting.

9. SET DATE FOR NEXT MEETING

The committee meets on Mondays at 6:30 p.m. The next meeting will be Monday, August 4 at 6:30 p.m.

10. ADJOURNMENT

Eisenshenk adjourned the meeting at 7:12 p.m.

Respectfully submitted,

Jim Bownik
Assistant City Administrator / PCIC Staff Liaison

**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested

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

Meeting Date July 8, 2014

ITEM NUMBER St. Anthony Police Contract

STAFF INITIAL *AS*

APPROVED BY ADMINISTRATOR

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

I waited to put this back on the agenda until the changes were discussed by the Falcon Heights City Council. They proposed no additional changes either. As we discussed, the contract is being termed a five-year contract but it is really written as five one-year contracts. Each city has until July 15 to notify the other of the intent to not continue the contract for the upcoming year. If that doesn't happen the contract would continue. That arrangement provides for some administrative streamlining and continuity.

The variety of contract reopeners we discussed previously were removed. I think everyone agreed they were somewhat hard to define and conceive of implementing in practice. They were replaced with one reopener which would allow the Council to reopen the contract if the cost of police services rose by more than 3% in any given year.

OPTIONS:

STAFF RECOMMENDATION:

Motion to approve the 2015-2019 Contract Agreement for Police Services with the City of St. Anthony.

COUNCIL ACTION:

CONTRACT AGREEMENT
FOR POLICE SERVICES

This Agreement is made and entered into as of _____, 2014 between the CITY OF ST. ANTHONY, a municipal corporation under the laws of the State of Minnesota ("St. Anthony") and the CITY OF LAUDERDALE, a municipal corporation under the laws of the State of Minnesota ("Lauderdale"). The services to be performed under this Agreement will commence January 1, 2015.

I. PURPOSE

St. Anthony and Lauderdale have the power within their respective cities to provide for the prevention of crime and for police protection. Under Minnesota Statutes, Section 471.59, the cities may, by agreement, provide for the exercise of the police power by one city on behalf of the other city.

This Agreement sets forth the terms and conditions under which St. Anthony will provide police services for Lauderdale. St. Anthony will have full authority and responsibility to provide services in accordance with all enabling legislation under the laws of the State of Minnesota and the ordinances of Lauderdale. St. Anthony will provide feedback to the Lauderdale City Administrator and City Council on a regular and timely basis, and will actively support the creation of a Joint Advisory Committee pursuant to Section IX of this Agreement, whose members come from both cities, and whose purpose is to review, monitor, and ensure a successful relationship between the two cities under this Agreement.

II. INTERPRETATION

This Agreement is entered following the approval by the Lauderdale and St. Anthony City Councils. This Agreement shall be governed by and interpreted in accordance with the laws of the State of Minnesota

III. SERVICES

St. Anthony will provide Lauderdale with 24 hour police service, and will physically place a certified officer within the boundaries of Lauderdale 24 hours each day, except in those instances when the officer makes an arrest and transports a prisoner, during mutual aid situations, when providing a backup for another officer, or when called away for a court appearance, booking or similar police matter. Subject to these exceptions and in normal circumstances, St. Anthony will provide 24-hour police protection and police presence each day within the City of Lauderdale. In those instances stated above when an officer is not physically present in Lauderdale, St. Anthony will respond to emergency police calls with other officers.

IV. LEVEL OF SERVICES

During the term of this Agreement, St. Anthony will provide to Lauderdale the same police service extended to persons and property within St. Anthony, which will include, but not be limited to, the following:

- A. Patrol services, with random patrolling of all residential, business and public property areas during all shifts;
- B. Police presence within the boundaries of Lauderdale 24 hours each day, subject only to the exceptions noted above;
- C. Animal control services as provided within the City of St. Anthony by the animal control service employed by St. Anthony;

- D. Dispatching services are to be paid directly by the municipality served by Ramsey County Dispatch;
- E. Enforcement of all ordinances of Lauderdale which are intended to be enforced by police officers, with special attention being given to parking, winter and nuisance ordinances;
- F. Ticketing for traffic violations will be done routinely during normal shifts;
- G. Crime prevention programs that encourage community involvement and investment in the City of Lauderdale; in appropriate cases, referrals will be made to the Northwest Youth and Family Services Youth Diversion Program;
- H. Criminal investigations;
- I. Reports on police services and activities, including weekly, monthly and annual police reports;
- J. Responses to medical emergencies, fires and other emergencies; responses shall include, where appropriate, securing the scene for fire/rescue personnel, accompanying fire/rescue personnel to the hospital upon request of such personnel, and providing follow-up information to fire/rescue personnel upon request of such personnel;
- K. Officers will be available at Lauderdale City Hall to answer questions from, and provide information regarding police activities to Lauderdale residents, business owners and staff on an as-needed basis;
- L. License inspections, background investigations and license enforcement services as called for under applicable state law or city ordinances;
- M. Review and comment, upon request, of proposed Lauderdale ordinances affecting police services or enforcement;
- N. Follow-up on reported crimes with the person(s) who reported the crime, including routine notification by telephone or mail as to the status of the investigation; and
- O. Special event traffic patrol services.

V. PAYMENT FOR SERVICES

In consideration of the services to be provided under this Agreement, Lauderdale will pay St. Anthony an annual fee of \$634,386 for the year 2015, for the police service under this Agreement. St. Anthony and Lauderdale shall establish the fee for the services for each subsequent year by each preceding June 15.

VI. METHOD OF PAYMENT

St. Anthony will bill Lauderdale monthly for 1/12 of the annual fee, and Lauderdale will promptly remit payments to St. Anthony within 30 days after receiving each billing from St. Anthony.

VII. LIABILITY

St. Anthony will be responsible for all liability incurred as a result of the actions of its employees, volunteers and agents under this Agreement, and will hold Lauderdale, its officers and employees harmless for any liability resulting from actions of a St. Anthony employee, volunteer or agent and shall defend Lauderdale, its officers and employees, against any claim for damages arising out of St. Anthony's performance or failure to perform its obligation under this Agreement. St. Anthony will bear the expense to defend itself and Lauderdale in the event of a claim, action or liability including attorney's fees and any deductible amount if the matter is covered by St. Anthony's insurer. This Agreement is a "cooperative activity," and it is the intent of the parties that they each shall be deemed a "single governmental unit" for the purposes of liability, as set forth in Minnesota Statutes, Section 471.59, Subd. 1a(a); provided further that for purposes of that statute, each party to this Agreement expressly declines responsibility for the acts or omissions of the other party.

VIII. ADMINISTRATIVE RESPONSIBILITY

The law enforcement and police services rendered to Lauderdale will be under the sole direction of St. Anthony. The standards of performance, the hiring and discipline of officers assigned, and other matters relating to regulations and policies related to police employment, services and activities, will be within the exclusive control of St. Anthony. The parties hereto expressly affirm the importance of work force diversity and St. Anthony agrees to use reasonable efforts, within applicable departmental budgetary limits, to recruit qualified female and minority police officers.

IX. JOINT ADVISORY COMMITTEE

Both cities will appoint members to a Joint Advisory Committee. The committee will meet at least once a year to ensure that this Agreement and the services performed pursuant to this Agreement are meeting the expectations of both cities. Any recommendations of the committee will be strictly advisory.

X. COMMUNICATIONS, EQUIPMENT AND SUPPLIES

St. Anthony will furnish all communication equipment and any necessary supplies required to perform the services, which are to be rendered under this Agreement.

XI. COOPERATION AND ASSISTANCE AGREEMENTS

Lauderdale will be included in all Cooperative Agreements entered into by the St. Anthony Police Department with other police services units.

XII. HEADQUARTERS

Headquarters for services rendered to Lauderdale under this Agreement will be located at offices owned or leased by St. Anthony. The citizens of Lauderdale may notify headquarters or Ramsey County radio dispatch for police services requested either in person or by some other means of communication. St. Anthony officers may take routine telephone calls and complete routine reports for Lauderdale at the Lauderdale City Hall, and Lauderdale will have facilities available to the officers at Lauderdale City Hall for this purpose. The facilities will include a desk, telephone, fax and copier.

XIII. EMPLOYEES OF ST. ANTHONY

Officers assigned to duty in Lauderdale will at all times be employees of St. Anthony. All obligations with regard to workers compensation, PERA, withholding tax, insurance and similar personnel and employment matters will be the obligation of St. Anthony. Lauderdale will not be required to furnish any fringe benefits or

assume any other liability of employment to any officer assigned to duty within Lauderdale.

XIV. ENFORCEMENT POLICIES

Enforcement policies of St. Anthony will prevail as the enforcement policies within Lauderdale. A written statement of the current enforcement policies of St. Anthony will be provided in writing to Lauderdale.

XV. ENFORCEMENT OF ORDINANCES OF THE CITY OF LAUDERDALE

St. Anthony officers assigned to duty within Lauderdale will enforce Lauderdale' ordinances to the extent appropriate for enforcement by police officers.

XVI. OFFICERS OF LAUDERDALE

The officer's assigned duty within Lauderdale will be provided with authority to enforce the laws of the City of Lauderdale by proper action to be taken by the Lauderdale City Council, and while performing services under this Agreement will be considered police officers of Lauderdale. The Chief of Police of St. Anthony will furnish to the Lauderdale City Administrator the names of all St. Anthony police officers assigned to Lauderdale, and all such officers will be appointed officers of the City of Lauderdale.

XVII. OFFENSES

All offenses within Lauderdale charged by police officers under this Agreement will be charged in accordance with Lauderdale' ordinances when possible; otherwise, the charge will be made in accordance with the laws of the State of Minnesota or the laws of the United States of America.

XVIII. COMMUNICATIONS

St. Anthony agrees to provide the Lauderdale Administrator with weekly, monthly and annual police reports, in a format as is mutually agreed to by the St. Anthony Police Chief and the Lauderdale City Administrator.

The St. Anthony Police Chief will regularly communicate with the Lauderdale City Administrator in order to ensure that Lauderdale is knowledgeable about any police activity in the City, and at the request of the Administrator the Police Chief will make presentations to the Lauderdale City Council.

XIX. PROSECUTION AND REVENUES

Lauderdale will pay all costs of prosecution for all offenses charged within its boundaries or under its ordinances. LEAA funds and confiscated drug funds will be retained by St. Anthony. Fine revenues will be paid to Lauderdale. P.O.S.T. training funds will be used for officer training.

XX. CONTINUATION OF AGREEMENT

This Agreement will be effective January 1, 2015 and will continue for a term of five years (until December 31, 2019), or until terminated as described in Paragraph XXI below. In consideration for services provided under this Agreement, St. Anthony and Lauderdale shall establish the fee for police services for each subsequent year by each preceding June 15. If such fee reflects an increase of 3 percent (3%) or more from the prior year's fee, then the contract in its entirety may be re-opened for negotiation at the election of either St. Anthony or Lauderdale. Such election must be made in writing and noticed to the other contracting party by July 15. If such negotiations do not result in a newly entered contract by January 1 of the subsequent year, then this contract shall terminate effective as of that same January 1.

XXI. TERMINATION OF AGREEMENT

Either St. Anthony or Lauderdale may terminate the Agreement by submitting a written notification to terminate to the City Administrator of Lauderdale and the City Manager of St. Anthony by July 15. Termination of this Agreement shall be effective at 11:59 p.m. on December 31 of the same year such written notification is provided.

XXII. REVIEW OF AGREEMENT

From time to time the terms and conditions of this Agreement shall be reviewed and revised, as St. Anthony and Lauderdale deem necessary.

XXIII. ASSIGNMENT

The rights and obligations of the parties under this Agreement will not be assigned, and St. Anthony will not subcontract for any services to be furnished to Lauderdale (except as otherwise provided in this Agreement), without the prior written consent of the other party.

The parties hereto have executed this Agreement as of the date first above stated.

CITY OF LAUDERDALE

CITY OF ST. ANTHONY

By: _____
Mayor

By: _____
Mayor

By: _____
City Administrator

By: _____
City Manager

Date: _____

Date: _____

**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested

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

Meeting Date July 8, 2014

ITEM NUMBER August 12 Council Meeting

STAFF INITIAL _____

APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

This year's primary election is August 12, the same day as a regularly scheduled city council meeting. The Council can meet starting at 8:00 p.m. but that is generally difficult as the election judges will be moving around City Hall to get the tallies off and staff are helping them.

To add some complication, the first meeting in August is tentatively scheduled to be the meeting at which Luther Seminary's preliminary plat will be before the Council. Staff recommend changing the date of the meeting. Ideally, sometime close to August 12 would be best. Staff will provide the proper notice for the change.

OPTIONS:

STAFF RECOMMENDATION:


Motion to move the August 12 city council meeting to _____.

COUNCIL ACTION:

LAUDERDALE COUNCIL ACTION FORM

Action Requested

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

Meeting Date	July 8, 2014
ITEM NUMBER	Conduit Bonds
STAFF INITIAL	
APPROVED BY ADMINISTRATOR	

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Julie Eddington of Kennedy and Graven provided the following Private Activity Revenue Bond Financing Policy for Council consideration. The document spells out the term under which the Council would provide conduit financing to an entity within Lauderdale or within the area.

As discussed during the last meeting, one of the Council's incentive for entering into such agreements is to encourage development within the City and the area. The non-profit groups that apply for such assistance will ultimately save in financing costs over the long run. The City also benefits by recouping any costs incurred and receiving a payment for participation.

Also as discussed, a non-profit in Minneapolis currently is looking for a partner for their senior living project. But, based on the City's location, this could become something that the City is regularly asked to participate in so having a policy in place would be prudent. To complete the policy, the Council must establish an administrative fee and an application fee. As Julie mentioned, the administrative fees generally range from 50 to 100 basis points (.50-1.00%). She also suggests an application fee of \$1,000.

The City's financial consultant said most cities request an administrative fee in the neighborhood of 1.00% and she recommended the City do something similar. As any administrative fees the City receives are unrestricted and can be used to "buy down" the levy or be saved for capital improvement funds, it might be in the interest of the Council to adopt a slightly lower administrative fee than neighboring cities to encourage more interest in the City as a partner in these projects.

STAFF RECOMMENDATION:

After deciding on an administrative and application fee, the motion would be to adopt the Private Activity Revenue Bond Financing Policy.

CITY OF LAUDERDALE, MINNESOTA

PROCEDURE

FOR

**APPLICATION TO
CITY OF LAUDERDALE, MINNESOTA**

FOR

PRIVATE ACTIVITY REVENUE BOND FINANCING

Approved by the Lauderdale City Council
Effective as of July 8, 2014

City of Lauderdale
1891 Walnut Street
Lauderdale, MN 55113

PART I

GENERAL

Under the Minnesota Municipal Industrial Development Act, Minnesota Statutes, Sections 469.152 through 469.1655, as amended (the "Industrial Development Act"), the City of Lauderdale (the "City") has authority to issue revenue bonds or notes to attract or promote economically sound industry and commerce to the City.

Under Minnesota Statutes, Chapter 462C (the "Housing Act"), the City is authorized to issue housing revenue bonds to finance multifamily residential housing projects for low and moderate income persons and elderly persons. Projects must be embodied in a "housing program" as that term is defined in the Housing Act.

The Council is aware that such financing for certain private activities may be of benefit to the City and will consider requests for tax-exempt financing subject to these Guidelines. The Council considers tax-exempt financing to be a privilege, not a right.

It is the judgment of the Council that tax-exempt financing is to be used on a selective basis to encourage certain development that offers a benefit to the City as a whole, including significant employment and housing opportunities. It is the applicant's responsibility to demonstrate the benefit to the City, both in writing and at the required public hearing. The applicant should understand that although approval may have been granted by the City for the issuance of financing for a similar project or a similar debt structure, that is not a basis upon which approval will be granted. Each application will be judged on the merits of the project as it relates to the public purposes of the Housing Act or the Industrial Development Act and the benefit to the City at the time the request for financing is being considered.

(The remainder of this page is intentionally left blank.)

PART II

GUIDELINES

1. The Council will consider tax-exempt financing for commercial, industrial, health care, and any other projects authorized to be financed under the Industrial Development Act (referred to as “non-housing projects”), and housing projects under the Housing Act. An applicant for tax-exempt financing for non-housing projects pursuant to the Industrial Development Act must submit to the City the application contained in Part IV of these Guidelines. An applicant for tax-exempt financing for housing projects pursuant to the Housing Act must submit to the City the application contained in Part V of these Guidelines.
2. Projects must be compatible with the overall development plans and objectives of the City and comply with the zoning and land use regulations of the City.
3. An application will not be considered by the Council until tentative City Code findings and requirements have been made with respect to zoning, concept building plans, platting, streets, and utility services. The application must be accompanied by the addendum contained in Part VI of these Guidelines and must provide information as to the project’s need for municipal services including, but not limited to, street improvements, water and sewer services, and police and fire protection.
4. The project must be a positive benefit to the City. The project must be of a nature that the City wishes to attract, or an existing business which the City wishes to have expand within the City, considering employment opportunities, incentive for further development, impact on City services, and support for the industrial, commercial or health care or educational facilities currently located in the City. A housing project must provide significant housing opportunities for low and moderate income persons or the elderly.
5. The City will also consider financing projects outside its City limits, to the extent allowed by the Housing Act and the Industrial Development Act, with the consent of the municipality in which the project is located.
6. The City will, if requested, grant an applicant a pre-application review. The purpose of the pre-application review is to inform applicants of the possibility of rejection or the possible bases for such rejection. The fact that the project is not rejected at the pre-application stage is not to be construed as approval of the project or as an indication that the project will be approved upon formal request to the Council. Requests for tax-exempt financing may be rejected by the City whether or not the project was submitted to a pre-application review and regardless of the outcome or recommendation of that pre-application review.

A request for pre-application review must be in writing, addressed to the City Administrator, and set forth the name of the project, the type of project intended and the name, address and telephone number of the person who will be representing the applicant at the pre-application review, together with such additional information as the applicant desires to submit and payment of the fee contained in the current fee schedule for a pre-application review for tax-exempt financing.

7. The applicant may select a qualified financial adviser or underwriter to assist the applicant in preparing all necessary application documents and materials. The financial adviser will submit a letter that establishes the financial feasibility of the project. Applications may, in the alternative, include a signed letter from a responsible financial institution that plans on purchasing the tax-

exempt obligations indicating that the project is economically feasible and viable and stating that bonds can be successfully sold for the project or that an individual or institution intends to purchase all of the bonds.

The applicant must receive approval from the appropriate state agencies, secure financing and commence construction within one year of the date of the resolution giving preliminary approval to the project or the housing program. Upon application, the Council may approve an extension of the preliminary approval.

The City will appoint bond counsel for the bond issue, which will normally be the City's regularly retained bond counsel.

8. Pursuant to the Industrial Development Act and the Housing Act, consideration of an application for tax-exempt financing must be done at a public hearing held by the Council. Modifications to the project after the public hearing and preliminary approval must be consistent with the scope of the project as proposed at the time of preliminary approval.
9. The City is to be reimbursed and held harmless for and from any out-of-pocket expenses related to the tax-exempt financing including, but not limited to, legal fees, financial analyst fees, bond counsel fees, the City staff's expenses in connection with the application, and any deposits or application fees required under state law in order to secure allocation of bonding authority. The applicant must execute a letter to the City undertaking to pay all such expenses. A form of the required letter is set forth as Part VII of these Guidelines. A non-refundable application fee in the amount of **\$1,000** must be included with the submission of the application.
10. The City charges an administrative fee for the issuance of tax-exempt obligations. A one-time administrative fee in the amount of [0.50% or 0.75% or 0.80% or 0.90% or 1.00%] shall be due upon closing of the bonds.
11. If the City determines that issuance of the bonds requested by the applicant is reasonably expected to cause governmental bonds issued by the City in that calendar year to be ineligible for designation as "qualified tax-exempt obligations" under Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (also known as "bank qualified"), the applicant will be required to reimburse the City, at the time of issuance of the City's bonds, for any interest rate differential between bank qualified and non-bank qualified bonds.
12. Applications for financing must be made on the forms attached to these Guidelines. In addition, the applicant must furnish a description of the project, a brief description of applicant and the proposed financing in such form as required at the time of application.
13. The Council may, in its sole discretion, impose conditions exceeding those required under the City building code in respect to exterior building materials, landscaping, signage lighting, and such other aspects as the Council may consider appropriate on a case-by-case basis.
14. The Council may, in its sole discretion, withdraw its preliminary approval of a project any time if in its judgment the purposes of the Industrial Development Act or the Housing Act, as the case may be, will not be served by going forward with the project and its financing.

PART III

MISCELLANEOUS MATTERS

1. Ratings. The City will give its most favorable consideration to proposed tax-exempt bond issues that have the same rating as the City's obligations by Moody's Investors Service or Standard & Poor's Corporation. Issues carrying lower ratings or non-rated issues may be sold only to institutional or other investors on a private placement basis and must be in denominations of at least \$100,000. The Council may depart from this guideline when in its judgment the project is of a level of merit and public purpose to justify the departure; and in case of such a departure the Council must state its reasons therefor in the resolution awarding the sale of the bonds.
2. Refundings. The Council will normally approve the refunding of a tax-exempt issue but only upon a showing by the applicant of (i) substantial debt service savings, (ii) the removal of bond covenants significantly impairing the financial feasibility of the project, or (iii) both (i) and (ii). In the case of refundings of bonds for which the administrative fee listed in paragraph 9 of Part II has been paid in full, no new administrative fees are required; but the non-refundable application fee must be paid together with all City expenses in excess of that fee. If the administrative fees for the refunded bonds are not paid in full upon closing on the refunding bonds, such fees must continue to be paid for the refunding bonds.

In the case of refundings of bonds where no administrative fee has been paid, the administrative fees listed in paragraph 9 of Part II must be paid. The application form is to be appropriately modified.

3. Subsequent Proceedings. Where changes to the underlying documents or credit facilities of outstanding bond issues are to be made and require Council action (including changes that are a "deemed reissuance" under Internal Revenue Service regulations), no administrative fee is charged but a non-refundable fee of \$1,000 must be paid to the City to cover administrative costs. No formal application form is required.
4. Issue by another Political Subdivision. The City will consider requests for tax-exempt financing of projects located in the City by other political subdivisions. In these cases the non-refundable application fee of \$1,000 must be paid. No administrative fee is charged, except actual costs incurred by the City must be reimbursed. The City reserves the right to reject such requests for any reason, including without limitation a determination by the City that such issuance by another political subdivision would impair the City's ability to issue governmental bonds as "bank qualified bonds" (as defined in Part II, paragraph 10) in that calendar year.
5. City Contact. Initial contacts about tax-exempt financing are made by contacting:

City Administrator
City of Lauderdale
1891 Walnut Street
Lauderdale, MN 55113

6. Deadlines. The Council conducts all tax-exempt financing matters at regularly scheduled Council meetings held on the second and fourth Tuesday of each month. Documents for Council consideration must be at the City office at least 7 days before the Council meeting at which the matter is to be considered.

7. Post-Issuance Compliance. The City will require that each borrower demonstrate to the City that the borrower will comply with substantially the same procedures for post-issuance compliance that apply to City governmental bonds under a post-issuance debt compliance policy to be approved by the Council following consultation from nationally recognized bond counsel. The City may require that borrowers retain a trustee and/or an independent arbitrage consultant for the term of the bonds.

8. Public Data. The Minnesota Government Data Practices Act (Minnesota Statutes, Chapter 13) governs whether the information that you are providing to the City is public or private. If financial assistance is provided for the project, the information submitted in connection with your application may become public, except information deemed private under the Minnesota Government Data Practices Act.

Adopted by the City Council of the City of Lauderdale on this 8th day of July, 2014.

Mayor

City Clerk - Administrator

(The remainder of this page is intentionally left blank.)

PART IV

APPLICATION FOR
TAX-EXEMPT FINANCING

(Commercial, Industrial, Health Care or Other Non-Housing Projects)

1. APPLICANT

- a. Business Name:
- b. Business Address:
- c. Business Form (corporation, partnership, sole proprietorship, etc.):
- d. Authorized Representative:
- e. Principal contact person and telephone number:

2. PURPOSE OF REQUESTED FINANCING:

- a. New Facility (describe):
- b. Expansion (describe):
- c. Refunding (attach explanatory letter)

3. GIVE BRIEF DESCRIPTION OF NATURE OF BUSINESS, PRINCIPAL PRODUCTS, ETC.:

4. ESTIMATED PROJECT COSTS: (Not required for refunding)

Land	\$ _____
Building	_____
Equipment	_____
Architectural, Engineering	_____
Costs of Issuance	_____
Capitalized Interest, including discount	_____
Other	_____

Total Financing Requested \$ _____

5. AMOUNT OF FINANCING REQUESTED: \$ _____ (____% of project costs)

6. TYPE OF FINANCING PROPOSED:

Bonds _____

Expected Term of Financing _____ Years

Security:

Mortgage _____

Letter of Credit _____

Guaranty (third party) _____

Guaranty (personal) _____

Unsecured _____

Other (specify) _____

7. BUSINESS PROFILE: (Not required for refunding)

- a. Is the business located in the City of Lauderdale now?
- b. Number of employees in City:
 - 1) Before this project:
 - 2) After this project:
- c. Approximate annual sales:
- d. Length of time in business:
Length of time in business in City:
- e. Do you have plants in other locations? If so, where?

8. NAMES OF:

- a. Underwriter (name and contact person):
- b. Corporate Counsel:
- c. Underwriter's Counsel:

9. WHAT IS YOUR TARGET DATE FOR:

- a. Construction start:

b. Construction completion:

10. Attachments:

a. Project description:

b. Draft application to Department of Employment and Economic Development – together with necessary attachments

c. Initial application fee

d. Indemnification Letter of Agreement

I certify that the information provided above contains no misrepresentations, omissions or concealments of material facts and that the information given is true and complete to the best of my knowledge. I have been furnished a copy of the Procedure for Application to the City of Lauderdale for Private Activity Revenue Bond Financing and am aware of its content and agree to be bound by its terms and the terms of the indemnification letter.

Signature

Date

Title

PART V

APPLICATION FOR TAX-EXEMPT FINANCING

(Multifamily Housing)

DATE OF APPLICATION:

APPLICANT:

CONTACT PERSON:

TITLE:

ADDRESS:

TELEPHONE:

PROJECT NAME:

PROJECT LOCATION:

PROJECT INFORMATION

RENT

UNITS

Efficiency	\$ _____	_____
One Bedroom	\$ _____	_____
Two Bedroom	\$ _____	_____
Three Bedroom	\$ _____	_____
Parking (included in rent/ not included in rent)	\$ _____	_____
Laundry	\$ _____	_____

Utilities included in monthly rent: _____

SOURCES AND USES

Please provide a list of the sources of revenues to be used for the Project and the Expenditures association with the Project, including but not limited to land costs, construction costs, equipment and furnishings, developer equity, capitalized interest

CONSTRUCTION AND LEASE-UP SCHEDULE

Anticipated construction commencement date: _____

Anticipated construction completion date: _____

First Year Lease-Up Anticipated Vacancy Rate: _____

Anticipated First Year of Full Lease Up (92% or more units leased): _____

ADDITIONAL INFORMATION:

I certify that the information provided above contains no misrepresentations, omissions or concealments of material facts and that the information given is true and complete to the best of my knowledge. I have been furnished a copy of the Procedure for Application to the City of Lauderdale for Private Activity Revenue Bond Financing and is aware of its content and agree to be bound by its terms and the terms of the indemnification letter.

Signature

Date

Title

PART VI

ADDENDUM TO APPLICATIONS

The following items must be attached to each application:

APPENDIX A

A brief description of the organizational structure of Applicant, including parent subsidiary and affiliate organizations (if applicant is other than an individual).

APPENDIX B

Statement of Applicant's business history, including any multifamily rental projects.

APPENDIX C

The name, address, and telephone number of:

1. The Applicant's accountant
2. The architect of the proposed Project
3. The engineer of the proposed Project
4. The general contractor of the proposed Project

APPENDIX D

1. Present ownership of the proposed Project site and Applicant's interest therein.
2. Present zoning of the Project site and a description of what city land use approvals are needed for this project.
3. The projected number of new employees to be added to the Applicant's permanent work force because of the Project (for Commercial, Industrial or Health Care only).
4. Other financing attempted or available to the Project including any interim financing.
5. Statement regarding whether or not this project has all required city approvals. If the project does not have all of the required approvals, list the approvals still needed and a tentative time schedule.

APPENDIX E

Indemnification Letter of Agreement.

APPENDIX F

Proforma Analysis of the Project

PART VII

INDEMNIFICATION LETTER OF AGREEMENT

The Mayor of the City of Lauderdale
and Members of the City Council
City of Lauderdale
1891 Walnut Street
Lauderdale, MN 55113

RE: Application of _____ for Tax-Exempt Revenue Bond Financing by the City of
Lauderdale

Dear Mayor and Members of the City Council:

This letter of agreement is given by _____, a _____ under the laws of
Minnesota ("Applicant") as required by the City of Lauderdale, Minnesota in connection with its
consideration of an application for tax-exempt revenue bond financing for the project described in the
application.

Applicant agrees as follows:

1. Applicant agrees to pay or reimburse the City for any and all costs and expenses which the City may incur in connection with its consideration of the project and the granting of tax-exempt revenue bond financing therefor, whether or not the project is preliminarily approved by the City, whether or not the project is approved by the State of Minnesota, whether or not revenue bond financing is finally approved by the City, whether or not the bonds are issued and sold, and whether or not the project is carried to completion.
2. Applicant agrees to indemnify and hold the City, its officers, employees and agents harmless against any and all losses, claims, damages, expenses or liabilities, including attorneys fees incurred in their defense, to which the City, its officers, employees and agents may become subject in connection with the City's consideration, issuance or sale of the bonds for Applicant's project and the carrying out of the transactions contemplated by this agreement and any resolutions adopted, or agreements executed by the City in connection with the issuance of its bonds for this project.
3. Applicant hereby releases the City, its officers, agents and employees from any claims, causes of action, losses, damages, or liabilities which it may have against the City, its officers, agents, and employees or which it may incur in connection with: the City's consideration of the application for industrial development revenue bond financing for Applicant's project; the failure of the City, in its discretion, to issue tax-exempt revenue bonds for Applicant's project; the issuance and sale of the bonds; the construction of the project; or any other matter or thing of any type or nature whatsoever which may arise in connection with the foregoing.
4. Applicant is aware of the City's application and administrative fee structure for tax-exempt financing and agrees and covenants that all such fees will be paid in the amount and at the times required.

Dated: _____

[APPLICANT NAME]

By _____

Its _____

LAUDERDALE COUNCIL ACTION FORM

Action Requested

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

Meeting Date July 8, 2014

ITEM NUMBER MS4 Permit Implementation

STAFF INITIAL WJ

APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

You may remember that the City's Municipal Separate Storm Sewer System Permit was renewed in February. From the date of renewal, the City has one year to implement any of the new requirements it currently isn't meeting. For Lauderdale this means that ordinances need to be updated, maps need to be tweaked, and policies put in place.

This work is technical in nature and requires the assistance of the City's storm water engineer, Brad Schleeter. Brad prepared a summary of the work to be completed with an estimate of the costs. The actual work will be billed at the City's agreed upon rate with Stantec. Staff recommends approving Stantec's proposal for services (attached).

OPTIONS:

STAFF RECOMMENDATION:

Motion to approve the MS4 Permit Implementation proposal as prepared by Stantec.

COUNCIL ACTION:



June 27, 2014

Heather Butkowski
1891 Walnut Street
Lauderdale, MN 55113

Dear Heather,

Reference: MS4 Permit Implementation – Tasks to be Completed Prior to February 2015

Lauderdale was granted an extension of Municipal Separate Storm Sewer System (MS4) General Permit coverage by the Minnesota Pollution Control Agency (MPCA) on February 20, 2014. The City has 1-year from the date of MS4 permit coverage extension to complete the implementation items identified in their approved Storm Water Pollution Prevention Program (SWPPP) Document. The purpose of this letter is to provide Lauderdale with a scope and cost for Stantec to assist the City with completing the MS4 Permit implementation items identified in its approved SWPPP Document.

1 .Scope of Services: MS4 Permit Implementation

This scope of services follows the commitments the City made in its approved SWPPP Document. Each commitment, or group of commitments (if multiple commitments can be completed together), will be presented as a separate task. Each detailed task description will outline the task scope, necessary actions of the City, and the Stantec deliverables.

Task 1: Regulatory Mechanism Updates to Meet MS4 Permit Requirements

The City has an adopted Storm Water Illicit Discharge and Illicit Connections Ordinance, Stormwater Management Ordinance, and Local Surface Water Management Plan (LSWMP). We performed a preliminary review of the City's Storm Water Illicit Discharge and Illicit Connection Ordinance, Construction Site Runoff Control Ordinance, and LSWMP (i.e. City regulatory mechanisms) as we prepared the SWPPP Document that was submitted to the MPCA on December 2, 2013.

Upon review of the approved SWPPP Document and in light of the regulatory mechanism guidance documents provided by the MPCA, the City must make some minor modifications to their ordinances and LSWMP to be consistent with the MS4 Permit.

We will redline the City's regulatory mechanisms with the proposed updates and submit to the City for review. We do not propose any face-to-face meetings to complete this task, but will coordinate these updates with City staff via email and phone.

City Responsibilities: Review draft redlines, provide feedback, and adopt the updated regulatory mechanisms.

Stantec Deliverable(s): Regulatory mechanism draft redlines, final updated regulatory mechanisms.



Reference: MS4 Permit Implementation – Tasks to be Completed Prior to February 2015

Task 2: Develop Enforcement Response Procedures

The MS4 Permit requires that the City develop Enforcement Response Procedures (ERPs), which will describe the enforcement, implementation, and documentation procedures related to the City's:

- Storm Water Illicit Discharge and Illicit Connection Ordinance,
- Construction site stormwater runoff control requirements, and
- Pond-construction stormwater management requirements

These three focus areas encompass the City's stormwater related regulatory mechanisms. We will work with the appropriate City staff members to review the City's existing enforcement procedures and provide a list of recommendations for improvements to these procedures to adequately meet the MS4 Permit requirements.

The end product in developing ERPs will be three stand-alone documents, one for each of the regulatory mechanisms mentioned above, that provide the City with a means to track enforcement actions, outlines procedural action steps, and document the tasks performed to address the action.

We propose one meeting with City staff (1 Stantec staff member will attend) to review and discuss the city's existing enforcement procedures in order to prepare the draft ERP documents. The draft ERP documents and final ERP documents will be transferred between Stantec and the City via email, with no face-to-face meetings proposed.

City Responsibilities: Compile and review existing enforcement procedures, review and comment on draft ERP documents, implement ERPs

Stantec Deliverable(s): Draft ERP documents, final ERP documents

Task 3: Stormwater System Map Update and Pond Inventory

The City maintains a stormsewer system map partially meeting the requirements of the MS4 Permit. This map must be updated to be in full compliance with the stormwater system mapping requirements of the MS4 Permit. Our scope for this task includes the following mapping updates:

- Identifying and classifying all waterbodies receiving discharge from the City's MS4
- Confirm the location of all Structural Stormwater Best Management Practices (BMPs), Outfalls, and Ponds in the City's MS4
- Assign a unique ID number and identify geographic coordinates for each MS4 feature
- Identify priority areas and outfalls for potential illicit discharges

In addition to this map update, the MS4 Permit requires the City to complete the Pond Inventory spreadsheet. This Task includes compiling specific pond inventory data from the City's database, and submitting this information in a spreadsheet to the MPCA. We do not propose any face-to-face meetings to complete this task, but will coordinate this task with City staff via email and phone.

City Responsibilities: Review and confirm MS4 feature locations

Stantec Deliverable(s): Updated Stormwater System Map, Completed Pond Inventory spreadsheet



Reference: MS4 Permit Implementation – Tasks to be Completed Prior to February 2015

Task 4: Illicit Discharge Program Development

The City's SWPPP Document indicates the need to develop a more robust illicit discharge program to meet MS4 Permit requirements. This task includes the following elements:

- Update/create City inspection forms to include an illicit discharge inspection component.
- Identify priority areas for illicit discharges.

We do not propose any face-to-face meetings to complete this task, but will coordinate this task with City staff via email and phone.

City Responsibilities: Provide MS4 inspection form (as available)

Stantec Deliverable(s): Updated MS4 inspection forms, list of priority outfalls

Task 5: Construction Inspection Program Development

The City's SWPPP Document indicates the need to improve their construction inspection program, specifically in the process and documentation. This task includes the following elements:

- Create a construction inspection documentation form.
- Update/create plan review checklist to meet the documentation requirements of the MS4 Permit.

We do not propose any face-to-face meetings to complete this task, but will coordinate this task with City staff via email and phone.

City Responsibilities: Provide construction inspection form and plan review checklist (as available)

Stantec Deliverable(s): Construction inspection form and plan review checklist

Task 6: Facilities Inventory

The MS4 Permit requires that the City develop a facilities inventory for all facilities owned or operated by the City. This inventory should include a map of the facility locations, along with a list of inventoried facilities that includes information required by the MS4 Permit. Our scope of services to perform this task includes the following elements:

- Work with the City to identify all facilities owned or operated by the City. Locate these facilities on a map.
- Prepare a matrix identifying the facility type, pollutant(s) of concern potentially generated by the facility, current maintenance practices, and BMPs necessary to prevent or reduce pollutants from these facilities.
- A field evaluation of specific City facilities that warrant a more in-depth review to develop site specific BMPs. The facilities included in this field evaluation will be limited to facilities with a higher potential for pollutant runoff (e.g. stockpile areas, vehicle service locations, outdoor storage yards, etc.). The field evaluation will involve a site inspection, meeting with appropriate City staff to discuss practices, and a site-specific BMP write-up.

In addition to the field assessment, we propose one additional meeting with City staff (2 Stantec staff members to attend) to present a draft facilities inventory and receive input.



Reference: MS4 Permit Implementation – Tasks to be Completed Prior to February 2015

City Responsibilities: Provide Stantec with the location and description of all facilities owned or operated by the City, along with the City's current maintenance practices

Stantec Deliverable(s): Map of City facilities; matrix identifying facilities, pollutants of concern, and necessary BMPs; site-specific BMP write-up

Task 7: Pond Assessment

The MS4 Permit requires that the City "develop procedures and a schedule for the purpose of determining the TSS and TP treatment effectiveness of all permittee owned/operated ponds constructed and used for the collection and treatment of stormwater." We propose to address this requirement by performing a desk analysis to estimate pond treatment effectiveness, and use this analysis to prioritize a field assessment of ponds. The desktop analysis will include an evaluation of parameters such as: pond age, pond size vs. drainage area, pond design drainage area vs. current drainage area, previous pond maintenance actions, and land use tributary to the pond. We do not propose any water quality modeling associated with this task.

We do not propose any field work or face-to-face meetings with City to complete this task, but will coordinate the assessment with City staff via email and phone.

City Responsibilities: Provide available pond information for analysis

Stantec Deliverable(s): Memo summarizing our findings regarding pond treatment effectiveness and a priority order for pond field assessments of ponds.

2. Potential Supplemental Services

MS4 Program Tracking

We recognize that MS4 Permit compliance has many components that require participation from various City departments and staff. As an aid to managing all of these moving parts, we could assist the City by developing a spreadsheet of all City MS4 Program Actions, broken up quarterly. To track progress on the MS4 Program Actions, we would recommend periodic face-to-face meetings between the appropriate City staff and Stantec staff to discuss timelines and program responsibilities.

Staff Training

In addition to the elements identified in Task 4, we could also provide training to City field staff in illicit discharge inspection, recognition, and tracking.

3. Modifications to the Scope of Services

Any additions or reductions to the Scope of Services and associated fee changes, as identified in Tasks 1-7, initiated by either Stantec or the City, must be documented in writing, dated, and acknowledged by both parties prior to commencement of work.



Reference: MS4 Permit Implementation – Tasks to be Completed Prior to February 2015

4. Compensation

Estimated Compensation for Tasks 1-7

The following table presents our proposed fee to complete Tasks 1-7 described above. These Tasks will be billed on an hourly basis in accordance with our current Professional Services Agreement with Lauderdale. An estimated fee amount for these Tasks is outlined in the following table:

Task Number	Task Name	Proposed Task Fee Amount
1	Regulatory Mechanism Updates to Meet MS4 Permit Requirements	\$1,200
2	Develop Enforcement Response Procedures	\$2,000
3	Storm Sewer System Map Update and Pond Inventory	\$1,000
4	Illicit Discharge Program Development	\$700
5	Construction Inspection Program Development	\$900
6	Facilities Inventory	\$2,400
7	Pond Assessment	\$1,200
Total Proposed Task Fee:		\$9,400

Expenses

It is anticipated that our expenses will include mileage to attend proposed meetings and miscellaneous printing and postage costs associated with Tasks 1-7. We estimate a total of \$100 for these expenses, however expenses will be invoiced as they are incurred, based on actual quantities. Electronic versions of information will be included with the deliverables at no additional charge.

Compensation Summary

Item	Description	Proposed Fee Amount
Tasks	Proposed Fee for Tasks 1-7	\$9,400
Expenses	Mileage, printing, and postage	\$100
Total Proposed Fee		\$9,500



Reference: MS4 Permit Implementation – Tasks to be Completed Prior to February 2015

5. Schedule

Tasks 1-7: The City received MS4 permit coverage extension on February 20, 2014 and will have until February 20, 2015 to complete the implementation items identified in the City’s SWPPP Document, which includes Tasks 1-7. To keep these tasks on schedule, we propose the following start dates and estimated schedule lengths:

Task Number	Proposed Start Date	Estimated Time Length
1	August 1, 2014	4 weeks + City approval process
2	October 1, 2014	4 weeks
3	February 1, 2015	2 weeks
4	February 1, 2015	2 weeks
5	December 1, 2014	2 weeks
6	October 1, 2014	4 weeks
7	December 1, 2014	4 weeks

6. Conclusion

We are pleased to have this opportunity to offer our services to Lauderdale for the tasks associated with the implementation of the new MS4 Permit. We are prepared to begin work on the tasks upon authorization as our schedule indicates, and look forward to continuing our working relationship.

The tasks outlined above will be prepared by or under the supervision of Brad Schleeter. If you have questions about any of the information contained in this letter, please contact Brad directly. We appreciate the opportunity to continue to provide MS4 related services to the City of Lauderdale.

Regards,

Stantec Consulting Services Inc.

Bradley P. Schleeter, P.E.
 Project Manager
 Phone: 651-604-4801
 brad.schleeter@stantec.com

c. Darren Amundsen, Stantec

Authorization to Proceed: Signed: _____ Printed Name: _____ Title: _____ Date: _____
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**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested

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

Meeting Date July 8, 2014
ITEM NUMBER Sidewalk Project—Bidding
STAFF INITIAL AB
APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

The Larpenteur Avenue Sidewalk Project plans are ready for Council approval and release for bidding. The City Engineer, Darren Amundsen, provided the most up-to-date cost estimates for your review. I hope to be able to send you a set of the plans before the meeting. The plan is still to bid the project with both a boulevard style design in front of Brandy Chase and the sidewalk behind the curb. Ideally, the Association's Board will change their mind about signing the temporary construction easement agreement before the contract is awarded.

The city engineer is finding it difficult to get the decorative tree grates chosen by the Council. He is looking into alternatives. I told him the Council would like to see something with more "character" than the standard grate.

STAFF RECOMMENDATION:

Motion to approve the construction plans and authorize the city engineer to advertise the project for bids.

LARPENTEUR AVENUE WEST STREETSCAPE IMPROVEMENTS

ENGINEERS ESTIMATE (6/30/2014)

NO.	MAT. NO.	ITEM	UNIT	UNIT PRICE	PARTICIPATING SAP 062-630-061		NON-PARTICIPATING		TOTAL QUANTITY	TOTAL COST
					RAMSEY COUNTY QUANTITY	RAMSEY COUNTY COST	CITY OF LAUDERDALE QUANTITY	CITY OF LAUDERDALE COST		
BASE BID - TH 280 TO PLEASANT STREET										
1	2021.501	MOBILIZATION	LUMP SUM	\$15,000.00			1	\$15,000.00	1	\$15,000.00
2	2101.511	CLEARING AND GRUBBING	LUMP SUM	\$10,000.00			1	\$10,000.00	1	\$10,000.00
3	2104.501	REMOVE CURB AND GUTTER	LIN FT	\$10.00			400	\$4,000.00	400	\$4,000.00
4	2104.503	REMOVE CONCRETE WALK	SQ FT	\$5.00			2,750	\$13,750.00	2,750	\$13,750.00
5	2104.503	REMOVE CONCRETE PAVEMENT	SQ FT	\$10.00			250	\$2,500.00	250	\$2,500.00
6	2104.509	REMOVE HANDHOLE	EACH	\$250.00			7	\$1,750.00	7	\$1,750.00
7	2104.509	REMOVE BENCH	EACH	\$500.00			1	\$500.00	1	\$500.00
8	2104.511	SAWING CONCRETE PAVEMENT	LIN FT	\$10.00			100	\$1,000.00	100	\$1,000.00
9	2104.521	SALVAGE CHAIN LINK FENCE	LIN FT	\$10.00			70	\$700.00	70	\$700.00
10	2104.523	SALVAGE SIGN	EACH	\$100.00			8	\$800.00	8	\$800.00
11	2105.501	COMMON EXCAVATION	CU YD	\$15.00		\$3,000.00	200	\$3,000.00	400	\$6,000.00
12	2123.61	STREET SWEEPER (WITH PICKUP BROOM)	HOUR	\$125.00			6	\$750.00	6	\$750.00
13	2211.501	AGGREGATE BASE CLASS 5	TON	\$15.00		\$1,875.00	125	\$1,875.00	250	\$3,750.00
14	2301.501	CONCRETE PAVEMENT	SQ YD	\$72.00			30	\$2,160.00	30	\$2,160.00
15	2411.603	CONCRETE STEPS - DESIGN SPECIAL	LIN FT	\$50.00			5	\$250.00	5	\$250.00
16	2411.618	MODULAR BLOCK RETAINING WALL	SQ FT	\$40.00			90	\$3,600.00	90	\$3,600.00
17	2504.602	RELOCATE HYDRANT	EACH	\$5,000.00			1	\$5,000.00	1	\$5,000.00
18	2521.501	5" CONCRETE WALK	SQ FT	\$4.50		\$11,081.25	2,463	\$11,081.25	4,925	\$22,162.50
19	2521.618	CONCRETE WALK	SQ FT	\$5.50			400	\$2,200.00	800	\$4,400.00
20	2531.603	CONCRETE CURB & GUTTER	LIN FT	\$25.00			200	\$5,000.00	400	\$10,000.00
21	2531.618	TRUNCATED DOMES	SQ FT	\$50.00			52	\$2,600.00	104	\$5,200.00
22	2545.601	LIGHTING SYSTEM	LUMP SUM	\$80,000.00			1	\$80,000.00	1	\$80,000.00
23	2545.602	INSTALL HANDHOLE	EACH	\$300.00			7	\$2,100.00	7	\$2,100.00
24	2557.603	INSTALL CHAIN LINK FENCE	LIN FT	\$20.00			70	\$1,400.00	70	\$1,400.00
25	2563.601	TRAFFIC CONTROL	LUMP SUM	\$8,000.00			1	\$8,000.00	1	\$8,000.00
26	2564.602	INSTALL SIGN	EACH	\$200.00			8	\$1,600.00	8	\$1,600.00
27	2565.602	REVISE SIGNAL SYSTEM	SYS	\$20,000.00			1	\$20,000.00	1	\$20,000.00
28	2572.501	TEMPORARY FENCE	LIN FT	\$5.00			200	\$1,000.00	200	\$1,000.00

NO.	MAT. NO.	ITEM	UNIT	UNIT PRICE	PARTICIPATING SAP 062-630-061		NON-PARTICIPATING		TOTAL QUANTITY	TOTAL COST
					RAMSEY COUNTY QUANTITY	RAMSEY COUNTY COST	CITY OF LAUDERDALE QUANTITY	CITY OF LAUDERDALE COST		
29	2573.502	SILT FENCE, TYPE MACHINE SLICED	LIN FT	\$3.00			200	\$600.00	200	\$600.00
30	2573.53	STORM DRAIN INLET PROTECTION	EACH	\$300.00			8	\$2,400.00	8	\$2,400.00
31	2575.505	SODDING TYPE SALT RESISTANT	SQ YD	\$4.00			810	\$3,240.00	810	\$3,240.00
32	2582.503	CROSSWALK MARKING-EPOXY	SQ FT	\$6.00		\$1,566.00	261	\$1,566.00	522	\$3,132.00
TOTAL PART 1: BASE BID						\$27,322.25		\$209,422.25		\$236,744.50
ALTERNATE NO. 1: COLORED CONCRETE SIDEWALK - TH 280 TO FULHAM ST.										
33	2521.501	5" CONCRETE WALK	SQ FT	\$4.50			(2,230)	-\$10,035.00	(2,230)	-\$10,035.00
34	2521.501	5" CONCRETE WALK - SPECIAL	SQ FT	\$9.00			2,230	\$20,070.00	2,230	\$20,070.00
TOTAL ALTERNATE NO. 1: COLORED CONCRETE SIDEWALK						\$0.00		\$10,035.00		\$10,035.00
ALTERNATE NO. 2: TREES AND PERVIOUS PAVERS (HWY 280 TO PLEASANT)										
35	2105.501	COMMON EXCAVATION	CU YD	\$15.00			50	\$750.00	50	\$750.00
36	2105.604	GEOTEXTILE FABRIC TYPE V	SQ YD	\$2.00			170	\$340.00	170	\$340.00
37	2105.607	EXCAVATION SPECIAL	CU YD	\$50.00			20	\$1,000.00	20	\$1,000.00
38	2451.601	STRUCTURAL SOIL BORROW (CV)	CU YD	\$40.00			50	\$2,000.00	50	\$2,000.00
39	2521.501	AGGREGATE BEDDING SPECIAL	CU YD	\$35.00			5	\$175.00	5	\$175.00
40	2540.618	5" CONCRETE WALK	SQ FT	\$4.50			-700	-\$3,150.00	-700	-\$3,150.00
41	2571.502	CONCRETE PAVERS	SQ FT	\$12.00			700	\$8,400.00	700	\$8,400.00
42	2571.502	DECIDUOUS TREE 10' HT B&B	TREE	\$500.00			1	\$500.00	1	\$500.00
43	2571.602	DECIDUOUS TREE 2.5' CAL B&B	TREE	\$450.00			6	\$2,700.00	6	\$2,700.00
44	2571.505	DECIDUOUS SHRUB NO 5 CONT	SHRB	\$40.00			14	\$560.00	14	\$560.00
45	2571.507	PERENNIAL	PLANT	\$18.00			5	\$90.00	5	\$90.00
46	2571.602	TREE GRATE & FRAMES	EACH	\$3,000.00			3	\$9,000.00	3	\$9,000.00
TOTAL ALTERNATE NO. 2: TREES AND PERVIOUS PAVERS						\$0.00		\$22,365.00		\$22,365.00
ALTERNATE 3A - PLEASANT ST. TO FULHAM ST. (5' BLVD)										
47	2104.501	REMOVE CURB AND GUTTER	LIN FT	\$10.00			80	\$800.00	80	\$800.00
48	2104.503	REMOVE CONCRETE WALK	SQ FT	\$5.00			600	\$3,000.00	600	\$3,000.00
49	2104.503	REMOVE CONCRETE PAVEMENT	SQ FT	\$10.00			5	\$50.00	5	\$50.00
50	2104.511	SAWING CONCRETE PAVEMENT	LIN FT	\$10.00			20	\$200.00	20	\$200.00
51	2104.523	SALVAGE SIGN	EACH	\$100.00			6	\$600.00	6	\$600.00

NO.	MAT. NO.	ITEM	UNIT	UNIT PRICE	PARTICIPATING SAP 062-630-061		NON-PARTICIPATING		TOTAL QUANTITY	TOTAL COST
					RAMSEY COUNTY QUANTITY	RAMSEY COUNTY COST	CITY OF LAUDERDALE QUANTITY	CITY OF LAUDERDALE COST		
52	2105.501	COMMON EXCAVATION	CU YD	\$15.00	160	\$2,400.00	160	\$2,400.00	320	\$4,800.00
53	2211.501	AGGREGATE BASE CLASS 5	TON	\$15.00	70	\$1,050.00	70	\$1,050.00	140	\$2,100.00
54	2301.501	CONCRETE PAVEMENT	SQ YD	\$72.00			5	\$360.00	5	\$360.00
55	2411.603	CONCRETE STEPS - DESIGN SPECIAL	LIN FT	\$50.00			5	\$250.00	5	\$250.00
56	2411.618	MODULAR BLOCK RETAINING WALL	SQ FT	\$40.00			1,050	\$42,000.00	1,050	\$42,000.00
57	2521.501	5" CONCRETE WALK	SQ FT	\$4.50	1,705	\$7,672.50	1,705	\$7,672.50	3,410	\$15,345.00
58	2521.618	CONCRETE WALK	SQ FT	\$5.50	88	\$481.25	88	\$481.25	175	\$962.50
59	2531.603	CONCRETE CURB & GUTTER	LIN FT	\$25.00	40	\$1,000.00	40	\$1,000.00	80	\$2,000.00
60	2531.618	TRUNCATED DOMES	SQ FT	\$50.00	12	\$600.00	12	\$600.00	24	\$1,200.00
61	2564.602	INSTALL SIGN	EACH	\$200.00			6	\$1,200.00	6	\$1,200.00
62	2573.53	STORM DRAIN INLET PROTECTION	EACH	\$300.00			4	\$1,200.00	4	\$1,200.00
63	2575.505	SODDING TYPE SALT RESISTANT	SQ YD	\$4.00			590	\$2,360.00	590	\$2,360.00
TOTAL ALT: 3A						\$13,203.75		\$65,223.75	0	\$78,427.50
ALTERNATE NO. 3B: TREES AND PERVIOUS PAVERS (PLEASANT ST. TO FULHAM ST.)										
64	2105.501	COMMON EXCAVATION	CU YD	\$15.00			250	\$3,750.00	250	\$3,750.00
65	2105.604	GEOTEXTILE FABRIC TYPE V	SQ YD	\$2.00			360	\$720.00	360	\$720.00
66	2105.607	EXCAVATION SPECIAL	CU YD	\$50.00			20	\$1,000.00	20	\$1,000.00
67	2451.601	STRUCTURAL SOIL BORROW (CV)	CU YD	\$40.00			250	\$10,000.00	250	\$10,000.00
68	2521.501	AGGREGATE BEDDING SPECIAL	CU YD	\$35.00			10	\$350.00	10	\$350.00
69	2540.618	5" CONCRETE WALK	SQ FT	\$4.50			-1,250	-\$5,625.00	-1,250	-\$5,625.00
70	2571.502	CONCRETE PAVERS	SQ FT	\$12.00			1,250	\$15,000.00	1,250	\$15,000.00
71	2571.602	DECIDUOUS TREE 2.5" CAL B&B	TREE	\$450.00			8	\$3,600.00	8	\$3,600.00
TOTAL ALTERNATE NO. 3B: TREES AND PERVIOUS PAVERS						\$0.00		\$28,795.00	0	\$28,795.00
ALTERNATE 4 - PLEASANT ST. TO FULHAM ST. (NO BLVD)										
72	2104.501	REMOVE CURB AND GUTTER	LIN FT	\$10.00			80	\$800.00	80	\$800.00
73	2104.503	REMOVE CONCRETE WALK	SQ FT	\$5.00			600	\$3,000.00	600	\$3,000.00
74	2104.503	REMOVE CONCRETE PAVEMENT	SQ FT	\$5.00			5	\$25.00	5	\$25.00
75	2104.511	SAWING CONCRETE PAVEMENT	LIN FT	\$4.00			20	\$80.00	20	\$80.00
76	2104.523	SALVAGE SIGN	EACH	\$100.00			6	\$600.00	6	\$600.00
77	2105.501	COMMON EXCAVATION	CU YD	\$15.00	180	\$2,700.00	180	\$2,700.00	360	\$5,400.00

NO.	MAT. NO.	ITEM	UNIT	UNIT PRICE	PARTICIPATING SAP 062-630-061		NON-PARTICIPATING		TOTAL COST
					RAMSEY COUNTY QUANTITY	RAMSEY COUNTY COST	CITY OF LAUDERDALE QUANTITY	CITY OF LAUDERDALE COST	
78	2211.501	AGGREGATE BASE CLASS 5	TON	\$13.00	95	\$1,235.00	95	\$1,235.00	\$2,470.00
79	2301.501	CONCRETE PAVEMENT	SQ YD	\$72.00			5	\$360.00	\$360.00
80	2411.603	CONCRETE STEPS - DESIGN SPECIAL	LIN FT	\$50.00			5	\$250.00	\$250.00
81	2411.618	MODULAR BLOCK RETAINING WALL	SQ FT	\$40.00			720	\$28,800.00	\$28,800.00
82	2521.501	5" CONCRETE WALK	SQ FT	\$4.50	2,360	\$10,620.00	2,360	\$10,620.00	\$21,240.00
83	2521.618	CONCRETE WALK	SQ FT	\$5.50	88	\$481.25	88	\$481.25	\$962.50
84	2531.603	CONCRETE CURB & GUTTER	LIN FT	\$25.00	40	\$1,000.00	40	\$1,000.00	\$2,000.00
85	2531.618	TRUNCATED DOMES	SQ FT	\$50.00	12	\$600.00	12	\$600.00	\$1,200.00
86	2564.602	INSTALL SIGN	EACH	\$200.00			6	\$1,200.00	\$1,200.00
87	2573.53	STORM DRAIN INLET PROTECTION	EACH	\$300.00			4	\$1,200.00	\$1,200.00
88	2575.505	SODDING TYPE SALT RESISTANT	SQ YD	\$4.00			340	\$1,360.00	\$1,360.00
TOTAL ALT: 4						\$16,636.25		\$54,311.25	\$70,947.50
SUMMARY									
BASE BID - TH 280 TO PLEASANT STREET									
ALTERNATE NO. 1: COLORED CONCRETE SIDEWALK - TH 280 TO FULHAM ST.									
ALTERNATE NO. 2: TREES AND PERVIOUS PAVERS (HWY 280 TO PLEASANT)									
ALTERNATE 3A - PLEASANT ST. TO FULHAM ST. (5' BLVD)									
ALTERNATE NO. 3B: TREES AND PERVIOUS PAVERS (PLEASANT ST. TO FULHAM ST.)									
ALTERNATE 4 - PLEASANT ST. TO FULHAM ST. (NO BLVD)									

LARPENTEUR AVENUE WEST STREETScape IMPROVEMENTS

ENGINEERS ESTIMATE (6/30/2014)


NO.	MAT. NO.	ITEM	UNIT	UNIT PRICE	PARTICIPATING SAP 062-630-061		NON-PARTICIPATING		TOTAL QUANTITY	TOTAL COST
					RAMSEY COUNTY QUANTITY	RAMSEY COUNTY COST	CITY OF LAUDERDALE QUANTITY	CITY OF LAUDERDALE COST		
BASE BID - TH 280 TO PLEASANT STREET										
1	2021.501	MOBILIZATION	LUMP SUM	\$15,000.00			1	\$15,000.00	1	\$15,000.00
2	2101.511	CLEARING AND GRUBBING	LUMP SUM	\$10,000.00			1	\$10,000.00	1	\$10,000.00
3	2104.501	REMOVE CURB AND GUTTER	LIN FT	\$10.00			400	\$4,000.00	400	\$4,000.00
4	2104.503	REMOVE CONCRETE WALK	SQ FT	\$5.00			2,750	\$13,750.00	2,750	\$13,750.00
5	2104.503	REMOVE CONCRETE PAVEMENT	SQ FT	\$10.00			250	\$2,500.00	250	\$2,500.00
6	2104.509	REMOVE HANDHOLE	EACH	\$250.00			7	\$1,750.00	7	\$1,750.00
7	2104.509	REMOVE BENCH	EACH	\$500.00			1	\$500.00	1	\$500.00
8	2104.511	SAWING CONCRETE PAVEMENT	LIN FT	\$10.00			100	\$1,000.00	100	\$1,000.00
9	2104.521	SALVAGE CHAIN LINK FENCE	LIN FT	\$10.00			70	\$700.00	70	\$700.00
10	2104.523	SALVAGE SIGN	EACH	\$100.00			8	\$800.00	8	\$800.00
11	2105.501	COMMON EXCAVATION	CU YD	\$15.00	200	\$3,000.00	200	\$3,000.00	400	\$6,000.00
12	2123.61	STREET SWEEPER (WITH PICKUP BROOM)	HOUR	\$125.00			6	\$750.00	6	\$750.00
13	2211.501	AGGREGATE BASE CLASS 5	TON	\$15.00	125	\$1,875.00	125	\$1,875.00	250	\$3,750.00
14	2301.501	CONCRETE PAVEMENT	SQ YD	\$72.00			30	\$2,160.00	30	\$2,160.00
15	2411.603	CONCRETE STEPS - DESIGN SPECIAL	LIN FT	\$50.00			5	\$250.00	5	\$250.00
16	2411.618	MODULAR BLOCK RETAINING WALL	SQ FT	\$40.00			90	\$3,600.00	90	\$3,600.00
17	2504.602	RELOCATE HYDRANT	EACH	\$5,000.00			1	\$5,000.00	1	\$5,000.00
18	2521.501	5" CONCRETE WALK	SQ FT	\$4.50	2,463	\$11,081.25	2,463	\$11,081.25	4,926	\$22,162.50
19	2521.618	CONCRETE WALK	SQ FT	\$5.50	400	\$2,200.00	400	\$2,200.00	800	\$4,400.00
20	2531.603	CONCRETE CURB & GUTTER	LIN FT	\$25.00	200	\$5,000.00	200	\$5,000.00	400	\$10,000.00
21	2531.618	TRUNCATED DOMES	SQ FT	\$50.00	52	\$2,600.00	52	\$2,600.00	104	\$5,200.00
22	2545.601	LIGHTING SYSTEM	LUMP SUM	\$80,000.00			1	\$80,000.00	1	\$80,000.00
23	2545.602	INSTALL HANDHOLE	EACH	\$300.00			7	\$2,100.00	7	\$2,100.00
24	2557.603	INSTALL CHAIN LINK FENCE	LIN FT	\$20.00			70	\$1,400.00	70	\$1,400.00
25	2563.601	TRAFFIC CONTROL	LUMP SUM	\$8,000.00			1	\$8,000.00	1	\$8,000.00
26	2564.602	INSTALL SIGN	EACH	\$200.00			8	\$1,600.00	8	\$1,600.00
27	2565.602	REVISE SIGNAL SYSTEM	SYS	\$20,000.00			1	\$20,000.00	1	\$20,000.00
28	2572.501	TEMPORARY FENCE	LIN FT	\$5.00			200	\$1,000.00	200	\$1,000.00
29	2573.502	SILT FENCE, TYPE MACHINE SLICED	LIN FT	\$3.00			200	\$600.00	200	\$600.00
30	2573.53	STORM DRAIN INLET PROTECTION	EACH	\$300.00			8	\$2,400.00	8	\$2,400.00
31	2575.505	SODDING TYPE SALT RESISTANT	SQ YD	\$4.00			810	\$3,240.00	810	\$3,240.00
32	2582.503	CROSSWALK MARKING-EPOXY	SQ FT	\$6.00	261	\$1,566.00	261	\$1,566.00	522	\$3,132.00
TOTAL PART 1: BASE BID						\$27,322.25		\$209,422.25		\$236,744.50
ALTERNATE NO. 1: COLORED CONCRETE SIDEWALK - TH 280 TO FULHAM ST.										
33	2521.501	5" CONCRETE WALK	SQ FT	\$4.50			(2,230)	-\$10,035.00	(2,230)	-\$10,035.00
34	2521.501	5" CONCRETE WALK - SPECIAL	SQ FT	\$9.00			2,230	\$20,070.00	2,230	\$20,070.00
TOTAL ALTERNATE NO. 1: COLORED CONCRETE SIDEWALK						\$0.00		\$10,035.00		\$10,035.00
ALTERNATE NO. 2: TREES AND PERVIOUS PAVERS (HWY 280 TO PLEASANT)										
35	2105.501	COMMON EXCAVATION	CU YD	\$15.00			50	\$750.00	50	\$750.00
36	2105.604	GEOTEXTILE FABRIC TYPE V	SQ YD	\$2.00			170	\$340.00	170	\$340.00
37	2105.607	EXCAVATION SPECIAL	CU YD	\$50.00			20	\$1,000.00	20	\$1,000.00
38	2451.601	STRUCTURAL SOIL BORROW (CV)	CU YD	\$40.00			50	\$2,000.00	50	\$2,000.00
39	2521.501	AGGREGATE BEDDING SPECIAL	CU YD	\$35.00			5	\$175.00	5	\$175.00
40	2540.618	5" CONCRETE WALK	SQ FT	\$4.50			-700	-\$3,150.00	-700	-\$3,150.00
41	2571.502	CONCRETE PAVERS	SQ FT	\$12.00			700	\$8,400.00	700	\$8,400.00
42	2571.502	DECIDUOUS TREE 10' HT B&B	TREE	\$500.00			1	\$500.00	1	\$500.00
43	2571.602	DECIDUOUS TREE 2.5" CAL B&B	TREE	\$450.00			6	\$2,700.00	6	\$2,700.00
44	2571.505	DECIDUOUS SHRUB NO 5 CONT	SHRB	\$40.00			14	\$560.00	14	\$560.00
45	2571.507	PERENNIAL	PLANT	\$18.00			5	\$90.00	5	\$90.00
46	2571.602	TREE GRATE & FRAMES	EACH	\$3,000.00			3	\$9,000.00	3	\$9,000.00
TOTAL ALTERNATE NO. 2: TREES AND PERVIOUS PAVERS						\$0.00		\$22,365.00		\$22,365.00
ALTERNATE 3A - PLEASANT ST. TO FULHAM ST. (5' BLVD)										
47	2104.501	REMOVE CURB AND GUTTER	LIN FT	\$10.00			80	\$800.00	80	\$800.00
48	2104.503	REMOVE CONCRETE WALK	SQ FT	\$5.00			600	\$3,000.00	600	\$3,000.00
49	2104.503	REMOVE CONCRETE PAVEMENT	SQ FT	\$10.00			5	\$50.00	5	\$50.00
50	2104.511	SAWING CONCRETE PAVEMENT	LIN FT	\$10.00			20	\$200.00	20	\$200.00
51	2104.523	SALVAGE SIGN	EACH	\$100.00			6	\$600.00	6	\$600.00

NO.	MAT. NO.	ITEM	UNIT	UNIT PRICE	PARTICIPATING SAP 062-630-061		NON-PARTICIPATING		TOTAL QUANTITY	TOTAL COST
					RAMSEY COUNTY QUANTITY	RAMSEY COUNTY COST	CITY OF LAUDERDALE QUANTITY	CITY OF LAUDERDALE COST		
52	2105.501	COMMON EXCAVATION	CU YD	\$15.00	160	\$2,400.00	160	\$2,400.00	320	\$4,800.00
53	2211.501	AGGREGATE BASE CLASS 5	TON	\$15.00	70	\$1,050.00	70	\$1,050.00	140	\$2,100.00
54	2301.501	CONCRETE PAVEMENT	SQ YD	\$72.00			5	\$360.00	5	\$360.00
55	2411.603	CONCRETE STEPS - DESIGN SPECIAL	LIN FT	\$50.00			5	\$250.00	5	\$250.00
56	2411.618	MODULAR BLOCK RETAINING WALL	SQ FT	\$40.00			1,050	\$42,000.00	1,050	\$42,000.00
57	2521.501	5" CONCRETE WALK	SQ FT	\$4.50	1,705	\$7,672.50	1,705	\$7,672.50	3,410	\$15,345.00
58	2521.618	CONCRETE WALK	SQ FT	\$5.50	88	\$481.25	88	\$481.25	175	\$962.50
59	2531.603	CONCRETE CURB & GUTTER	LIN FT	\$25.00	40	\$1,000.00	40	\$1,000.00	80	\$2,000.00
60	2531.618	TRUNCATED DOMES	SQ FT	\$50.00	12	\$600.00	12	\$600.00	24	\$1,200.00
61	2564.602	INSTALL SIGN	EACH	\$200.00			6	\$1,200.00	6	\$1,200.00
62	2573.53	STORM DRAIN INLET PROTECTION	EACH	\$300.00			4	\$1,200.00	4	\$1,200.00
63	2575.505	SODDING TYPE SALT RESISTANT	SQ YD	\$4.00			590	\$2,360.00	590	\$2,360.00
TOTAL ALT: 3A						\$13,203.75		\$65,223.75	0	\$78,427.50
ALTERNATE NO. 3B: TREES AND PERVIOUS PAVERS (PLEASANT ST. TO FULHAM ST.)										
64	2105.501	COMMON EXCAVATION	CU YD	\$15.00			250	\$3,750.00	250	\$3,750.00
65	2105.604	GEOTEXTILE FABRIC TYPE V	SQ YD	\$2.00			360	\$720.00	360	\$720.00
66	2105.607	EXCAVATION SPECIAL	CU YD	\$50.00			20	\$1,000.00	20	\$1,000.00
67	2451.601	STRUCTURAL SOIL BORROW (CV)	CU YD	\$40.00			250	\$10,000.00	250	\$10,000.00
68	2521.501	AGGREGATE BEDDING SPECIAL	CU YD	\$35.00			10	\$350.00	10	\$350.00
69	2540.618	5" CONCRETE WALK	SQ FT	\$4.50			-1,250	-\$5,625.00	-1,250	-\$5,625.00
70	2571.502	CONCRETE PAVERS	SQ FT	\$12.00			1,250	\$15,000.00	1,250	\$15,000.00
71	2571.602	DECIDUOUS TREE 2.5" CAL B&B	TREE	\$450.00			8	\$3,600.00	8	\$3,600.00
TOTAL ALTERNATE NO. 3B: TREES AND PERVIOUS PAVERS						\$0.00		\$28,795.00	0	\$28,795.00
ALTERNATE 4 - PLEASANT ST. TO FULHAM ST. (NO BLVD)										
72	2104.501	REMOVE CURB AND GUTTER	LIN FT	\$10.00			80	\$800.00	80	\$800.00
73	2104.503	REMOVE CONCRETE WALK	SQ FT	\$5.00			600	\$3,000.00	600	\$3,000.00
74	2104.503	REMOVE CONCRETE PAVEMENT	SQ FT	\$5.00			5	\$25.00	5	\$25.00
75	2104.511	SAWMING CONCRETE PAVEMENT	LIN FT	\$4.00			20	\$80.00	20	\$80.00
76	2104.523	SALVAGE SIGN	EACH	\$100.00			6	\$600.00	6	\$600.00
77	2105.501	COMMON EXCAVATION	CU YD	\$15.00	180	\$2,700.00	180	\$2,700.00	360	\$5,400.00
78	2211.501	AGGREGATE BASE CLASS 5	TON	\$13.00	95	\$1,235.00	95	\$1,235.00	190	\$2,470.00
79	2301.501	CONCRETE PAVEMENT	SQ YD	\$72.00			5	\$360.00	5	\$360.00
80	2411.603	CONCRETE STEPS - DESIGN SPECIAL	LIN FT	\$50.00			5	\$250.00	5	\$250.00
81	2411.618	MODULAR BLOCK RETAINING WALL	SQ FT	\$40.00			720	\$28,800.00	720	\$28,800.00
82	2521.501	5" CONCRETE WALK	SQ FT	\$4.50	2,360	\$10,620.00	2,360	\$10,620.00	4,720	\$21,240.00
83	2521.618	CONCRETE WALK	SQ FT	\$5.50	88	\$481.25	88	\$481.25	175	\$962.50
84	2531.603	CONCRETE CURB & GUTTER	LIN FT	\$25.00	40	\$1,000.00	40	\$1,000.00	80	\$2,000.00
85	2531.618	TRUNCATED DOMES	SQ FT	\$50.00	12	\$600.00	12	\$600.00	24	\$1,200.00
86	2564.602	INSTALL SIGN	EACH	\$200.00			6	\$1,200.00	6	\$1,200.00
87	2573.53	STORM DRAIN INLET PROTECTION	EACH	\$300.00			4	\$1,200.00	4	\$1,200.00
88	2575.505	SODDING TYPE SALT RESISTANT	SQ YD	\$4.00			340	\$1,360.00	340	\$1,360.00
TOTAL ALT: 4						\$16,636.25		\$54,311.25	0	\$70,947.50
SUMMARY										
BASE BID - TH 280 TO PLEASANT STREET						\$27,322.25		\$209,422.25	0	\$236,744.50
ALTERNATE NO. 1: COLORED CONCRETE SIDEWALK - TH 280 TO FULHAM ST.						\$0.00		\$10,035.00	0	\$10,035.00
ALTERNATE NO. 2: TREES AND PERVIOUS PAVERS (HWY 280 TO PLEASANT)						\$0.00		\$22,365.00	0	\$22,365.00
ALTERNATE 3A - PLEASANT ST. TO FULHAM ST. (5' BLVD)						\$13,203.75		\$65,223.75	0	\$78,427.50
ALTERNATE NO. 3B: TREES AND PERVIOUS PAVERS (PLEASANT ST. TO FULHAM ST.)						\$0.00		\$28,795.00	0	\$28,795.00
ALTERNATE 4 - PLEASANT ST. TO FULHAM ST. (NO BLVD)						\$16,636.25		\$54,311.25	0	\$70,947.50

LAUDERDALE COUNCIL ACTION FORM

Action Requested

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

Meeting Date July 8, 2014
 ITEM NUMBER Moffatt's Retaining Wall
 STAFF INITIAL 
 APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Andrea and/or Tom Moffatt plan to attend the Work Session to address the City Council. As you will see from the attached pictures, their property was filled in the back to create flat, usable space behind their garage. From best estimates, this was probably done in the 1970s when the garage was built. The retaining wall and fence that were installed at the time have fallen into disrepair and the Moffatt's want to replace them.

In recognizing that the area in question is over the city's sewer line easement, they are asking whether they can construct the retaining wall and fence on the property line again. As this project requires both a building permit (for the retaining wall) and a fence permit the City has the right to decline to issue permits that would allow them to reconstruction the wall and fence where they are as it impacts access to the sewer line.

Realizing the City Council may want flexibility in the situation, I asked the city attorney for options to allowing the situation to remain but not forgo the City's right to access for the maintenance of the sewer line. He suggested a "license." In a nutshell, this would be a legal, recorded document that recognizes the retaining wall and fence are in the easement area but not diminish the City's rights to the area.

The license would also address maintenance and emergency situations. The biggest risk for the Moffatt's is that if an emergency situation arose, the City's contractor would have to deconstruct the area to access the sewer, and they would have the expense of reconstructing the wall/fence. The risk for the City is the additional cost for the sewer work since it would likely take longer to make the repair and different equipment might need to be brought in. Obviously, if the City needed to do maintenance in the area, the City could give them reasonable notice to remove the wall, if that was ever necessary.

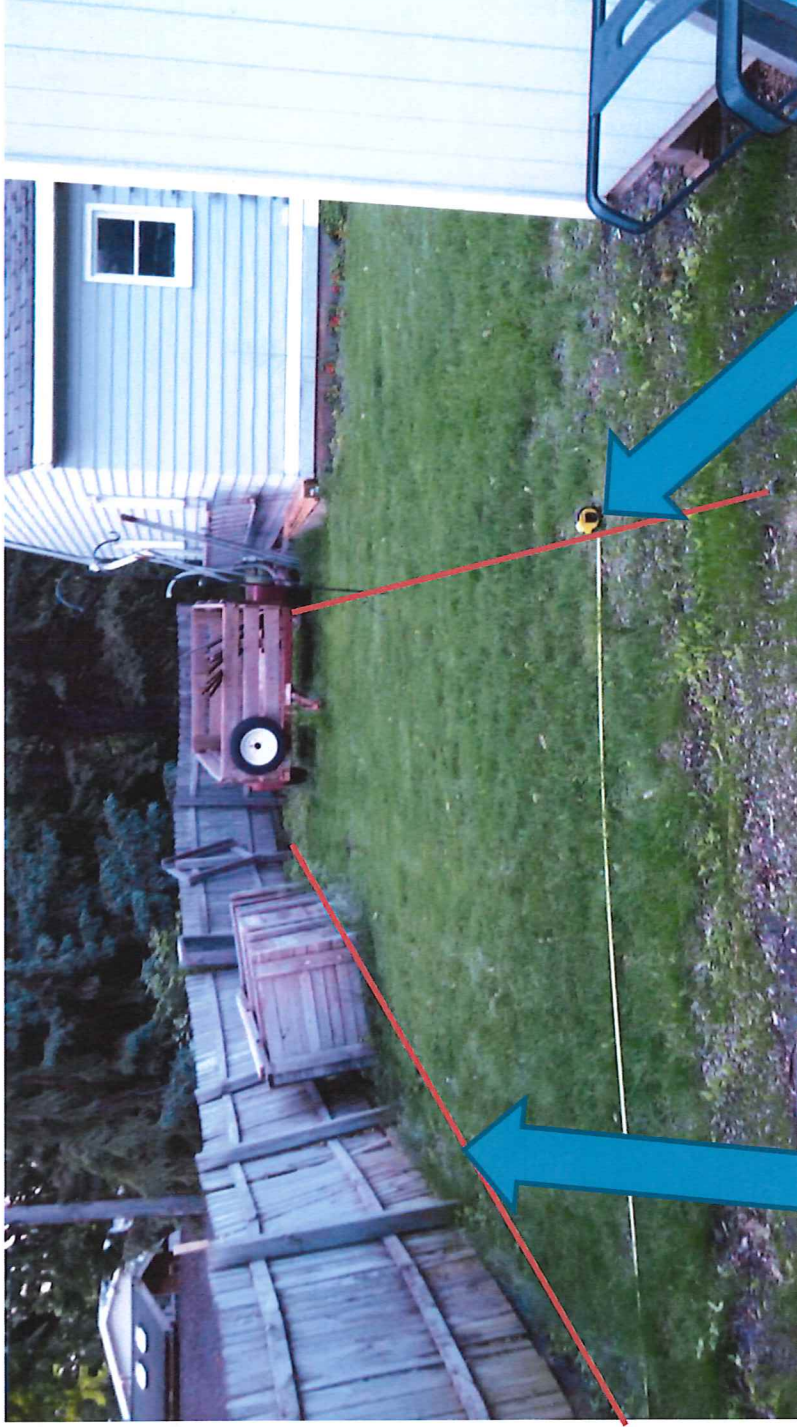
In discussing the matter with the city engineer, he felt that there should be clear access to the manhole for repair work. It is likely that the manhole would need to be repaired or reconstructed in the coming years. He mentioned that five feet might be sufficient but he would need to look at the area again to be sure.

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

In order to pursue the license option, staff would work with the Moffatt's and the city engineer on drafting an agreement with all necessary conditions. This would then be reviewed by the city attorney prior to Council adoption. The Moffatt's could then apply for the building permit for the retaining wall (as it will be over four feet tall) and the fence permit, assuming the Moffatt's plan to put a fence back on top of the wall. The cost to the Moffatt's would be the permits and the city engineer and city attorney's consulting time.

I hope to be at the meeting to be a part of the discussion. If I am not, the first question for the Council is to determine whether you feel the wall and fence should be allowed to be constructed in the area. If you do, the next question is whether you find the city attorney's "license" option appealing.

STAFF RECOMMENDATION:



View facing north. Approximate property line.
Wall has started to lean into neighbors property to the west.

Approximate 10 foot sewer easement.
Facing north

We proposed to replace the wall at the original location along the property line at the same height as existing using stone block. We would lose a significant amount of storage we currently use behind our garage if wall had to be moved off the easement. This area is used for trailer, garden equipment, shed (shed was moved for future wall repair purposes) and compost storage. Removing this area would significantly impact the use of our property based on the available property when we purchased in 1999 and essentially create more perceived yard or garden for western neighbor.



View facing South. Wall is failing behind compost bins.



Wall has started to lean into neighbors property to the west. View facing north.

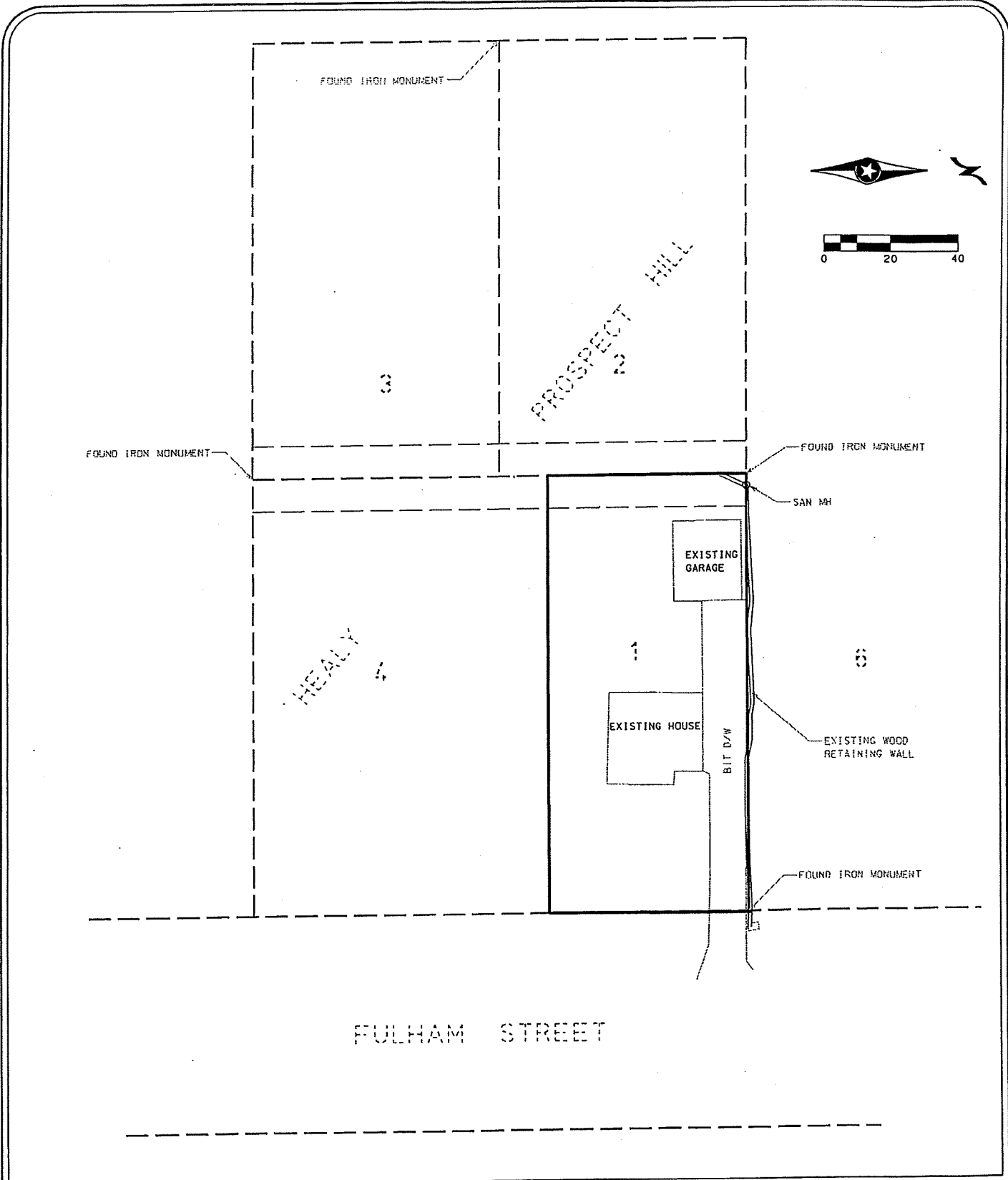
Approximate property line

View of wall facing South in north neighbors yard. This western edge is on our property and begins to lean just south of this point.





This is the wall we replaced on our north boundary in 2002. We propose replacing the west wood wall with similar stone at original location on property line and at same height.



4150 Olson Memorial Highway
 Suite 300
 Minneapolis, MN 55422
 763-541-4800
 FAX 763-541-1700

INFRASTRUCTURE ENGINEERS PLANNERS

Sketch of Property Surveyed
 for:
 Andi Moffatt
 City of Lauderdale, Minnesota

WSB Project No. 00000-000 Date: July 5, 2002

Andi Moffatt
 1747 Fulham Street
 Lauderdale, MN
 LOT 1, BLOCK 1,
 HEALY PROSPECT HILL