

LAUDERDALE CITY COUNCIL MEETING AGENDA 7:30 P.M. TUESDAY, JULY 9, 2013 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 25, 2013 City Council Meeting
 - c. Claims Totaling \$99,241.25
- 4. CONSENT
 - a. City Park Application
- 5. SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS
- 6. INFORMATIONAL PRESENTATIONS / REPORTS
- 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. Workers Compensation Insurance Renewal and Tort Liability Waiver
- b. Tree Inventory Intern Position
- 9. ITEMS REMOVED FROM THE CONSENT AGENDA
- 10. ADDITIONAL ITEMS
- 11. SET AGENDA FOR NEXT MEETING
 - a. Larpenteur Avenue Pedestrian Improvement Project
- 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. 2014 Budget Discussion

13. ADJOURNMENT

Page 1 of 4

June 25, 2013

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

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

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

Mayor Dains asked for changes to the meeting agenda. Butkowski added the storm damage and the cost of cleanup to the agenda. Councilor Hawkinson moved to approve the amended agenda. Councilor Gaasch seconded the motion and it passed unanimously.

Councilor Grove moved to approve the June 11, 2013 City Council meeting minutes. Councilor Hawkinson seconded the motion and it passed unanimously.

Councilor Mac Lean moved approval of the claims totaling \$33,291.53. Councilor Grove seconded the motion and it passed unanimously.

Councilor Gaasch moved adoption of the Consent Agenda acknowledging the financial report from May and the PCIC minutes; approving Resolution 062513A for the variance request for 1728 Malvern Street; and authorizing staff to contract for a survey to delineate property lines at Skyview Park. Councilor Hawkinson seconded the motion and it passed unanimously.

Discussion/ Action Items:

Larpenteur Avenue Pedestrian Improvement Project

Butkowski stated she spoke to about half of the residents along the north side of Larpenteur Avenue about the proposed improvements. A number of residents were supportive of the project if the City assisted with maintenance and snow removal. The other residents said they were not in favor of the project largely because of the limited sizes of their front yards.

Mayor Dains explained that a tax increment financing (TIF) district would fund the improvements and there would be no assessments to the homeowners. The TIF district expires at the end of 2013 and the small balance can be used for infrastructure. The TIF funds are also being spent on a sewer lining project which will be completed this summer.

Geoff Martin of Stantec presented concepts for the pedestrian improvements for the north side of Larpenteur Avenue from TH280 to Fulham Street. Martin produced drawings of what the proposed sidewalk could look like. Martin noted that the approval process would need to move

Page 2 of 4 June 25, 2013

quickly to complete the project this year. Martin stated surveying of the area from Eustis to Fulham would also need to be authorized by the City Council.

Mayor Dains said he supported the City paying for future sidewalk replacement and taking care of sidewalk snow removal.

Councilor Gaasch commented that a walkable community was a goal of the City's Comprehensive Plan. This project moves the City in that direction.

Mayor Dains opened up the meeting for public comments.

Ilza Bakuzis of 1927 Malvern Street stated the addition of the sidewalks was wonderful but she is still generally concerned about the safety of pedestrians in the City.

Barb Eggers of 2379 Larpenteur Avenue didn't think there was enough room in the lots between Carl and Pleasant Streets to place a sidewalk. She also was concerned about the speed of vehicles along Larpenteur Avenue and would like the crosswalk at Fulham Street and Larpenteur to be improved.

Randie Krabbenhoft of 2371 Larpenteur stated he was worried for the safety of pedestrians along Larpenteur Avenue if there was a sidewalk. Krabbenhoft stated residents currently use the alley behind the houses on Larpenteur Avenue which he feels is a better alternative than a sidewalk on Larpenteur Avenue.

Luke McGregor of 1721 Fulham Street Unit C is the President of the Brandychase Condominiums Homeowners Association. He questioned whether a sidewalk would make the Brandychase Homeowners Association liable for injuries which happen on the sidewalk. McGregor said that many residents of the City walk their dogs through Brandychase even though dogs are not allowed. He doesn't believe a sidewalk along Larpenteur will increase property values for Brandychase property owners.

Paul Roufs of 2383 Larpenteur Avenue also was concerned about his liability if people trip on a sidewalk in front of his home. He felt the lots on Larpenteur Avenue were too small for sidewalks. He is not in favor of sidewalks and didn't feel the City needed to "keep up" with Falcon Heights or Roseville through the addition of sidewalks.

Mayor Dains closed the comment period and addressed the Council and audience. He said he has heard from many residents over the years who have expressed interest in more sidewalks in the City. He said he has also heard from many residents who walk through Brandychase because there is no other walking option in that area.

Page 3 of 4 June 25, 2013

Gaasch suggested the sidewalk and other pedestrian improvements may attract new businesses along the Larpenteur corridor. Residents will then want the additional sidewalks to reach these businesses.

Mac Lean said the Larpenteur Avenue corridor is not attractive and the City needs to do things to attract businesses and tax revenue as the City is highly dependent on Local Government Aid. Grove stated she is sympathetic about the comments of the speeding cars and is interested in the proposed improvements that are designed to slow down traffic along Larpenteur Avenue.

Mayor Dains reiterated the City will research snow removal and sidewalk replacement options along Larpenteur Avenue.

Butkowski mentioned that she spoke to three of the four property owners of the north side of Larpenteur Avenue between Eustis Street and Carl Street. She said they were in favor of a sidewalk. To continue exploring the feasibility of a sidewalk, Butkowski said the city engineer quoted \$3,450.00 to complete a survey from Eustis Street to Fulham Street.

Councilor Hawkinson moved to approve Stantec to complete the survey of Larpenteur Avenue from Eustis Street to Fulham Street for no more than \$3,450.00. Councilor Grove seconded the motion and it passed unanimously.

Mayor Dains said the Council was going to take a short break at 8:31 p.m. The council meeting resumed at 8:43 p.m.

Additional Items:

Storm Damage in the City

A number of trees and large branches came down on the evening of Friday, June 21. Butkowski stated the City did not lose a boulevard tree but public works staff removed tree debris blocking city streets to allow for cars to pass. The City's tree contractor came through the City on Monday to pick up the debris lining the roads and along boulevards. The cost to the City for this service was \$7,285.00.

The Mayor and Council discussed and agreed to have the tree contractor come out one more time to pick up debris caused by the storm. The Mayor stated that this cleanup will not be a regular response to storms as the City does not have the equipment to handle this amount of damage and it is expensive to contract for.

Page 4 of 4

June 25, 2013

Councilor Grove moved to hire the City's tree contractor to clean up debris from the June 21 storm at a cost of \$500.00/hour but it does not set a precedent for future storms. Councilor Gaasch seconded the motion and it passed unanimously.

Amended Agreement with MT Properties

The Council had previously approved the permit language with MT Properties. Butkowski explained that the City's insurer noted a small error in the coverage amount approved. On page 2, the insurance amount per person should be \$500,000 not \$1,500,000. MT Properties already agreed to the change.

Councilor Gaasch moved approval of the Amended Agreement with MT Properties. Councilor Hawkinson seconded the motion and it passed unanimously.

Right of Entry Agreement with Twin City Die Casting

The sewer lining project may involve setting up equipment on Twin City Die Casting's property if the easement area isn't large enough. In order to ensure this was agreeable to Twin City Die Casting, staff worked with them on a Right of Entry Agreement.

Councilor Mac Lean moved to approve the agreement with Twin City Die Casting as presented. Councilor Gaasch seconded the motion and it passed unanimously.

Agenda items for the July 9 Council Meeting may include a discussion of the planned unit development agreement with Croix Oil and the Larpenteur Avenue project.

Mayor Dains explained that the Council was moving into the work session. Work sessions are a continuation of the meeting but not aired on community television.

Mayor Dains asked if anyone wished to address the Council. No one came forward.

There being no further business on the council agenda, Councilor Hawkinson moved to adjourn the meeting. Councilor Mac Lean seconded the motion and it carried. The meeting adjourned at 9:03 p.m.

Respectfully submitted,

Kevin Kelly

Deputy City Clerk

CLAIMS FOR APPROVAL

July 9, 2013 City Council Meeting

<u>Payroll</u>

07/05/13 Payroll: Direct Deposit # 501610-501614

\$7,734.26

07/05/13 Payroll: Payroll Liabilities, e-payments #791E-793E

\$6,272.64

Vendor Claims

07/09/13 Claims: Check #'s 21790-21811

\$85,234.35

SUBTOTAL \$99,241.25

Total Claims for Approval

\$99,241.25

*Claim Register©

7513payroll

(SA) ASSESSA CONTRACTOR OF A CALL		and the last section of th			and the second second
Claim Type Direct					
Claim# 3404 NORTH STAR BANK, CHECKI	NGS Ck	# 000791E 7/5/2013			
Cash Payment G 101-21703 FICA WITHHOLDI	NG.	7/5/2013 Payroll			\$1,979.60
Invoice					
Cash Payment G 101-21701 FEDERAL TAXES		7/5/2013 Payroll			\$1,219.59
Invoice					
Transaction Date 7/5/2013	Due 0	NORTH STAR CHE	10100	Total	\$3,199.19
Claim# 3405 ICMA RETIREMENT TRUST -	<i>457</i> Ck	# 000792E 7/5/2013	222200000000000000000000000000000000000		
Cash Payment G 101-21705 ICMA RETIREMEN	NT	7/5/2013 Payroll			\$1,413.92
Invoice					
Transaction Date 7/5/2013	Due 0	NORTH STAR CHE	10100	Total	\$1,413.92
Claim# 3406 PERA	Ck	# 000793E 7/5/2013			
Cash Payment G 101-21704 PERA		7/5/2013 Payroll			\$1,659.53
Invoice					
Transaction Date 7/5/2013	Due 0	NORTH STAR CHE	10100	Total	\$1,659.53
Claim Type Dire	ect			Tota	\$6,272.64
Pre-Written Check	\$6.2	272.64			
Checks to be Generated by the Compute		\$0.00			
Total	\$6,2	272.64			

*Check Detail Register©

		Check Amt In	voice Comment
10100 NORTH STAR	CHECKING		
Paid Chk# 021790	7/9/2013 BLUE CHIP TREE CO.	INC.	
E 101-43000-317		\$7,284.50	6/21 Storm Damage Cleanup
	otal BLUE CHIP TREE CO., INC.	\$7,284.50	
		CUTO	
Paid Chk# 021791	7/9/2013 CITY OF FALCON HEI		CM2 Fire Celle
E 101-42100-321		\$1,830.72	6/13 Fire Calls
10	otal CITY OF FALCON HEIGHTS	\$1,830.72	
Paid Chk# 021792	7/9/2013 CITY OF ROSEVILLE		
E 101-41200-327	OTHER SERV- SEWER/NPDES I	\$95.40	7/13 Phone and IT Services
E 101-41200-306	CONSULTING FEES	\$787.00	7/13 Phone and IT Services
	Total CITY OF ROSEVILLE	\$882.40	
Paid Chk# 021793	7/9/2013 CITY OF ST ANTHON	**************************************	Construction of the Constr
E 101-42100-319	POLICE CONTRACT	\$50,169.17	7/13 Police Contract
_ ,, ,_,,,	Total CITY OF ST ANTHONY	\$50,169.17	
Paid Chk# 021794	7/9/2013 CROIX OIL		
E 602-49100-212		\$19.54	6/13 Motor Fuels
E 602-49100-212		\$19.54	6/13 Motor Fuels
E 101-43000-212		\$91.19	6/13 Motor Fuels
2 101 10000 2.12	Total CROIX OIL	\$130.27	
Paid Chk# 021795	7/9/2013 GLTC PREMIUM PAY	MENTS	
G 101-21706 HE	ALTH INSURANCE	\$50.90	7/13 Long Term Care Plan
	tal GLTC PREMIUM PAYMENTS	\$50.90	
Paid Chk# 021796	7/9/2013 GOPHER STATE ONE	E-CALL	
	GOPHER STATE ONE CALL	\$36.35	6/13 Locates
	otal GOPHER STATE ONE-CALL	\$36.35	• · · · · · · · · · · · · · · · · · · ·
Paid Chk# 021797	7/9/2013 HOME DEPOT CRC		D. J. J. and J. Corogo
	MISC REPAIRS MAINT SUPPLIE	\$74.94	Paint and supplies for Warming House and PW Garage Paint and supplies for Warming House and PW Garage
E 101-45200-228	MISC REPAIRS MAINT SUPPLIE Total HOME DEPOT CRC	\$116.33 \$191.27	Paint and supplies for Warming House and T W Garage
	TOTAL HOWE DEFOT CRC	Ψ191.2 <i>1</i>	
Paid Chk# 021798	7/9/2013 KELLY, KEVIN		
E 101-41200-331	TRAVEL EXPENSE	\$112.83	2Q2013 Expenses
	Total KELLY, KEVIN	\$112.83	
Paid Chk# 021799	7/9/2013 KONICA MINOLTA	ant to an entransisti Anna Shina (Au 1904), in agus an an an an an an ann an an an an an an	
E 101-41200-401	COPIER CONTRACT	\$275.44	7/13 Copier Contract
	Total KONICA MINOLTA	\$275.44	
Paid Chk# 021800	7/9/2013 MAMA		
	TRAINING\CONFERENCES	\$15.00	6/13 Luncheon - HB
	Total MAMA	\$15.00	

*Check Detail Register©

	Check Amt	Invoice	Comment
Paid Chk# 021801 7/9/2013 MARKERTEK VIDEO	SUPPLY		and the second s
E 202-49500-409 OTHER EQUIPMENT REPAIR/M	\$39.99		Speaker USB Interface
Total MARKERTEK VIDEO SUPPLY	\$39.99		
Paid Chk# 021802 7/9/2013 MCFOA			
E 101-41200-438 DUES & SUBSCRIPTIONS	\$35.00		2013 Annual Membership MCFOA - HB
Total MCFOA	\$35.00		2010 / William Monisoromp Mon C/V
Paid Chk# 021803 7/9/2013 MET-COUNCIL ENV	IRONMENTAL SER.		
E 601-49000-387 WATER TREATMENT SERVICE	\$9,859.25		8/13 waste water treatment
otal MET-COUNCIL ENVIRONMENTAL SER.	\$9,859.25		
Paid Chk# 021804 7/9/2013 MN DEPT OF LABOR	R AND INDUSTRY		
E 101-43400-443 SURCHARGE REPORT	\$258.76		2Q2013 Surcharge Report
Total MN DEPT OF LABOR AND INDUSTRY	\$258.76		
Paid Chk# 021805 7/9/2013 ON SITE SANITATIO	N		85-000-egu/horozonozi ci 3 go fili falla listi novi 464 petiti di yoso egupta gennunta neti vyota ameren sollegili vili a za asa ana ana ana de
E 101-45200-427 PORTA POTTY RENTAL	\$122.91		6/13 Portable Restroom
Total ON SITE SANITATION	\$122.91		
	V		
Paid Chk# 021806 7/9/2013 PARK SERVICE			
E 601-49000-402 CITY TRUCK REPAIR/MAINTEN	\$46.62		2006 Ford Truck Repair
E 101-43000-402 CITY TRUCK REPAIR/MAINTEN	\$372.93 \$46.62		2006 Ford Truck Repair 2006 Ford Truck Repair
E 602-49100-402 CITY TRUCK REPAIR/MAINTEN Total PARK SERVICE	\$466.17		2000 Ford Truck Nepali
	,	promoty supplies there are served	THE PROPERTY OF THE PROPERTY O
Paid Chk# 021807 7/9/2013 RAMSEY COUNTY,	PROP REC & REV		
E 101-41200-355 MISC PRINTING/PROCESS SER	\$25.00		7/13 Employee Insurance
G 101-21706 HEALTH INSURANCE	\$453.31		7/13 Employee Insurance
E 101-42100-318 911 Dispatch	\$1,097.65		6/13 800 911 Dispatch 6/13 800 MHz radio licenses
E 101-42100-442 MISC	\$6.24 \$1,582.20		6/13 600 MINZ fault licerises
Total RAMSEY COUNTY, PROP REC & REV	Φ1,302.20	na kadalah karangan kalangan kangan kang	
Paid Chk# 021808 7/9/2013 STANTEC			
E 101-48100-306 CONSULTING FEES	\$9,997.96		Larpenteur Ave Ped Improvements
E 101-48100-306 CONSULTING FEES	\$1,056.80		Consulting Planner
E 405-48500-304 ENGINEERING	\$403.50		Sewer Lining Project
Total STANTEC	\$11,458.26		
Paid Chk# 021809 7/9/2013 WASTE MANAGEMI	ENT		
E 101-43000-384 REFUSE DISPOSAL	\$201.78		7/13 PW Waste Refuse
Total WASTE MANAGEMENT	\$201.78		
Paid Chk# 021810 7/9/2013 XCEL ENERGY, CIT	Y HALL	# 15 Activities in court of property of the Pr	
E 101-43000-383 GAS UTILITIES	\$32.76		6/13 City Utilities
E 101-43000-381 ELECTRIC	\$156.05		6/13 City Utilities
Total XCEL ENERGY, CITY HALL	\$188.81		
Paid Chk# 021811 7/9/2013 XCEL ENERGY, STI	REET LIGHTING		ORANGO EN TINOSTO SENTIMENTO A O PROSESSO E E COMPARAMENTO EN DISTORIO DE CARROLLO DE CONTRACTORIO DE CONTRACT
I did Other Office Trouble 700 Month Entertory Offi			

*Check Detail Register©

	Check Amt	Invoice	Comment
E 101-43000-380 STREET LIGHT UTILITY	\$42.37	MAN A	6/13 Bridge Lights
Total XCEL ENERGY, STREET LIGHTING	\$42.37		
10100 NORTH STAR CHECKING	\$85,234.35		
Fund Summary			
10100 NORTH STAR CHECKING			
101 GENERAL	\$74,799.29		
202 COMMUNICATIONS	\$39.99		
405 TIF-PROJECTS	\$403.50		
601 SEWER UTILITIES	\$9,925.41		
602 STORM SEWER ENTERPRISE FUND	\$66.16		
	\$85,234.35		

*Check Detail Register©

	Check Amt	Invoice	Comment	Claim Nbr
10100 NORTH STAR CHECKING		•		
Paid Chk# 021812 7/9/2013 POSTMASTER - NEWSL	ETTER	<u> Lagrandia de la constitución d</u>	. Bagaran skina kenangala adalah menjaka samenta dengan terbahan dan kepanyai kenangan kenangan Asima.	Vocabentalistic City-about an externa arministra populari professional del
E 101-41200-203 POSTAGE	\$500.00		3Q13 Newsletter Po	ostage 3408
Total POSTMASTER - NEWSLETTER	\$500.00			
10100 NORTH STAR CHECKING	\$500.00			

LAUDERDALE COUNCIL ACTION FORM

Action Requested	Meeting Date	July 9, 2013
Consent X	ITEM NUMBER	City Park Application
Discussion	STAFF INITIAL	KK
Action Resolution Work Session	APPROVED BY ADM	IINISTRATOR

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

The City received an application for use of the Park for a group larger than 30 people.

The application is from Twin Cities Chinese Christian Church which expects 50 attendees and would like to reserve the Park Shelter from 3:00-9:00 p.m. and the Basketball Court, Tennis Court and Ball Field from 4:00-8:00 on Saturday, July 13. Per city ordinance, council approval is required. The application is attached for your review

The group has been notified they are expected to share Park facilities with other users when they are not using them.

OPTIONS:

- A) Approve the requests to use the park.
- B) Do not approve the requests.

STAFF RECOMMENDATION:

By approving the consent agenda, the Council approves use of Lauderdale City Park by the Twin City Chinese Christian Church and Rosehill Alliance Church.

COUNCIL ACTION:

City of Lauderdale
1891 Walnut Street • Lauderdale • Minnesota 55113 Phone: (651) 792-7650 Fax: (651) 631-2066

RESIDENT APPLICATION FOR LISE OF COMMUNITY PARK

RESIDENT ATTLICATION FOR USE OF COMMUNICATION	1 /XIXIX
APPLICANT INFORMATION:	
Name: Linda Tsai Address: 1795 Eustis St	
City: <u>Lauderdale</u> State: <u>MN</u> Zip: <u>5513</u> Telephone No.: <u>651-486</u>	
Name of Organization (if applicable): Twin City Chinese Christian Che	erch (T4c
PARK USE INFORMATION: Date of Picnic Shelter Use: July 13, 2013 Hours Used: 3-9pm	
* Number attending:* Note: Groups of 30 or more must receive council ap	pproval
Other park facilities may be reserved (circle all that apply):	1
Ball Field/East of West Tennis Court / East or West Basketball Court / Hours Used:	4-8 pm
Volleyball Court / Paved Hockey Rink (Summer) / Ice Skating Rink (Winter) Hours Used	
(Winter Skating Rinks can only be reserved from 9-10 p.m. when open skating ends at 9 p.	o.m.)
 The applicant will clean up the area after the event has occurred. Please bring your or bags and take garbage with you when you go. The park facilities may not be used for advertisement of products, goods, or services, or for The proposed event may not unreasonably interfere with the general public use of the park, and orderly movement of traffic on streets surrounding the park. The applicant is aware of a parking lot on Roselawn Avenue which includes spaces for peoplic disabilities. The applicant understands that the park opens at 8 a.m. and closes at 10 p.m. The applicant understands that no intoxicating liquor may be present or consumed at the part of the applicant agrees to carry a copy of the approved application form with them as proof of the applicant experiences problems with the facilities, the applicant shall contact City Hall hours, or Ramsey County Dispatch after hours at 651-767-0640. The applicant understands that the renter/users of Lauderdale park facilities at all times independent and hold harmless the City of Lauderdale, Minnesota, its officers, employees, and contractor against any and all claims, damages, losses, and expenses of whatever nature, including atternation and another than the contractor of the park of the p	r personal profit. or with the safe ple with rk. f reservation. Il during office emnify, defend, ors from and orney fees, in with the usage of
Post Office USE ONLY: Date Application Received: 7-3-20/3 Approved By: UCC	
Fees Received: Check #: Damage Deposit Check #:	

LAUDERDALE COUNCIL ACTION FORM

Action Requested	Meeting Date July 9, 2013
Consent	ITEM NUMBER Insurance Renewal
Public Hearing	MA
Discussion X X	STAFF INITIAL
Resolution	APPROVED BY ADMINISTRATOR
Work Session	AFFROVED BY ADMINISTRATOR
DESCRIPTION OF ISSUE ANI	PAST COUNCIL ACTION:
determine whether or not to waive The city has not waived them in th	rom August to August. Annually, the city council must the municipal tort liability limits established by statute. e past as it opens the city to greater financial liability and tional insurance. I attached a League memo that offers
many years, the City has selected a Premium Options available to the	kers compensation insurance for the upcoming year. For a \$2,500 deductible. The second page has the Deductible City. The second page has the Deductible City.
OPTIONS.	
OPTIONS:	*
STAFF RECOMMENDATION:	
1. A motion <u>not</u> to waive the mor 466.04 and purchase workers'	netary limits on municipal tort liability established by MS compensation insurance from the League of MN Cities and quote based on a deductible.
COUNCIL ACTION:	

League of Minnesota Cities Insurance Trust

Group Self-Insured Workers' Compensation Plan 145 University Avenue West St. Paul, MN 55103-2044 Phone (651)215-4173

Notice of Premium Options for Standard Premiums up to \$25,000

LAUDERDALE, CITY OF 1891 WALNUT STREET LAUDERDALE

MN 55113-5137

Agreement No.: 0200047428

Agreement Period: From: 8/01/2013

To: 8/01/2014

Enclosed is a quotation for workers' compensation deposit premium.

PAYROLL DESCRIPTION

CODE

RATE

ESTIMATED PAYROLL

DEPOSIT PREMIUM

SEE ATTACHED SCHEDULE FOR DETAILS

Manual Premium	9929.
Experience Modification .88	0.700
' Standard Premium	8738.
Deductible Credit 0%	•
Premium Discount	355.
Net Deposit Premium	8383.

OPTIONS

Please indicate below the premium option you wish to select. You may choose only one option and you cannot change options during the agreement period.

1. ___ Regular Premium Option

NET DEPOSIT PREMIUM 8383.

League of Minnesota Cities Insurance Trust Group Self-Insured Workers' Compensation Plan

145 University Avenue West St. Paul, MN 55103-2044 (651)215-4173

The "City"

Agreement No.:

0200047428

Agreement Period From: 8/01/2013 To: 8/01/2014

LAUDERDALE, CITY OF

1891 WALNUT STREET LAUDERDALE

MN 55113-5137

CONTINUATION SCHEDULE FOR QUOTATION PAGE

REMUNERATION	RATE	CODE	DESCRIPTION	EST. PREM
182170. 33348. 6000. 33348. 18200. 66697.	.67 4.94 5.39 3.75 .32 8.14	8810 9015 9016 9102 9411 5506	CLERICAL OFFICE EMPLOYEES NOC BUILDINGS-OPER BY OWNER SKATING RINK OPERATION PARKS ELECTED OR APPOINTED OFFICIALS GENERAL MAINTENANCE	1221. 1647. 323. 1251. 58. 5429.
			Manual Premium	9929.

Agent: 411938086 00790: NCI-BIB

ESW INSURANCE AGENCY INC

8200 HIGHWOOD DR

PO BOX 9396

MINNEAPOLIS

MN 55440-9396

	Deductible	Premium	Credit	Net Deposit
	per Occurrence	Credit	Amount	Premium
	\$250	1.50%	131.	8252.
	\$500	2.50%	218.	8165.
	\$1,000	3.50%	306.	8077.
	\$2,500	6.50%	568.	7815.
	\$5,000	9.50%	830.	7553.
	\$10,000	14.00%	1223.	7160.
	\$25,000	21.50%	1879.	6504.
	\$50,000	27.50%	2403.	5980.
ual premium will to will be subject to LMCIT workers'	be computed after an audrevisions in rates, payro	dit of payroll subs olls and experiend of will be eligible (sequent to the clo ce modification. V to participate in d	elected options. Your final se of your agreement year While you are a member of ividend distributions from
Trust based upon				

Title

This quotation should be signed by an authorized representative of the city requesting coverage.

Signature

Date



CONNECTING & INNOVATING

SINCE 1913

RISK MANAGEMENT INFORMATION

LMCIT LIABILITY COVERAGE OPTIONS

Liability Limits, Coverage Limits, and Waivers

LMCIT gives cities several options for structuring their liability coverage. The city can choose either to waive or not to waive the monetary limits the statutes provide; and the city can select from among several liability coverage limits. This memo discusses these options and identifies some issues to consider in deciding which of the options best meets the city's needs.

Statutory Limits on Municipal Tort Liability

The statutes limit a city's tort liability to a maximum of \$500,000 per claimant and \$1,500,000 per occurrence. These limits apply whether the claim is against the city, against the individual officer or employee, or against both.

Coverage Limits for LMCIT's Basic Primary Liability Coverage

LMCIT's liability coverage provides a limit of \$1,500,000 per occurrence, matching the peroccurrence part of the statutory municipal tort liability limit. Beside the overall coverage limit of \$1,500,000 per occurrence, there are also annual aggregate limits (that is, limits on the total amount of coverage for the year regardless of the number of claims), for certain specific risks. Aggregate limits apply to the following:

Products	\$2,000,000 annually
Failure to supply utilities	\$2,000,000 annually
Data security breaches	\$2,000,000 annually
EMF	\$2,000,000 annually
Limited pollution*	\$2,000,000 annually
Mold	\$2,000,000 annually
Land use litigation**	\$1,000,000 annually
Employers liability (work comp)	\$1,500,000 annually

^{*} Includes sudden and accidental releases of pollutants; herbicide and pesticide application; sewer ruptures, overflows and backups; and lead and asbestos claims. Dredging or excavation claims are subject to a \$250,000 sublimit. These limits apply to both damages and defense costs.

More Information

For more information about land use litigation coverage, please see the memo LMCIT Coverage for Litigation Relating to Land Use.

^{**} Coverage is provided on a sliding scale percentage basis, which is based on participation in LMCIT's online land use training. Coverage applies to both damages and litigation costs.

If the Statute Limits our Liability, Why Purchase Higher Coverage Limits?

There are several different reasons why cities should strongly consider carrying higher limits of liability coverage.

The Statutory Tort Limits Either Do Not or May Not Apply to Several Types of Claims Some examples include:

- Claims under federal civil rights laws. These include Section 1983, the Americans with Disabilities Act, etc.
- Claims for tort liability that the city has assumed by contract. This occurs when a city agrees in a contract to defend and indemnify a private party.
- Claims for actions in another state. This might occur in border cities that have mutual aid agreements with adjoining states, or when a city official attends a national conference or goes to Washington to lobby, etc.
- Claims based on liquor sales. This mostly affects cities with municipal liquor stores, but it could also arise in connection with beer sales at a fire relief association fund-raiser, for example.
- Claims based on a "taking" theory. Suits challenging land use regulations frequently include an "inverse condemnation" claim, alleging that the regulation amounts to a "taking" of the property.

LMCIT's Primary Liability Coverage has Annual Limits on Coverage for a few Specific Risks

The table on page one lists the liability risks to which aggregate coverage limits apply. If the city has a loss or claim in one of these areas, there might not be enough limits remaining to cover the city's full exposure if there is a second loss of the same sort during the year. Excess liability coverage gives the city additional protection against this risk as well.

However, there are a couple important restrictions on how the excess coverage applies to risks that are subject to aggregate limits:

- The excess coverage does not apply to three risks: failure to supply utilities; mold; and "limited pollution" claims if either the pollutant release or the damage is below ground or in a body of water; and
- The excess coverage *does not automatically apply to liquor liability* unless the city specifically requests it.

The City may be Required by Contract to Carry Higher Coverage Limits

Occasionally, a contract might include a requirement the city carry more than \$1,500,000 of coverage limits. Carrying excess coverage is a way to meet these requirements. (There's also another option

for cities in this situation. LMCIT can issue an endorsement to increase the city's coverage limit only for claims relating to that particular contract. There's a small charge for these "laser" endorsements.)

There may be more than One Political Subdivision Covered Under the City's Coverage

An HRA, EDA, or port authority is itself a separate political subdivision. If the city EDA, for example, is named as a covered party on the city's coverage and a claim were made that involved both the city and the EDA, theoretically the claimant might be able to recover up to \$1,500,000 from both the city and the EDA, since there are two political subdivisions involved. Excess coverage is one way to provide enough coverage limits to address this situation. Another solution is for the HRA, EDA, or port authority to carry separate liability coverage in its own name.

This issue of multiple covered parties can also arise is if the city has agreed by contract to name another entity as a covered party, or to defend and indemnify another entity.

Cities Sometimes Carry Higher Coverage Limits Because of a Concern the Courts Might Overturn the Statutory Liability Limits

However, those limits have now been tested and upheld several times in Minnesota. While it's always possible that a future court might decide to throw out the statutory limits, this is now less of a concern.

Available Excess Liability Coverage Limits

Excess coverage is available in \$1 million increments, up to a maximum of \$5 million.

Does the Optional Excess Coverage Apply to All Types of Claims?

No. The excess liability coverage does not apply to the following types of claims: certain limited pollution claims; mold claims; claims for failure to supply utilities; auto no-fault claims; uninsured / underinsured motorist claims; workers' compensation, disability, or unemployment claims; or claims under the medical payments coverage.

Who Needs Excess Liability Coverage?

If anything, excess liability coverage is even more important to a small city rather than to a large city.

If a city ends up with more liability than it has coverage, the city will have to either draw on existing funds or go to its taxpayers to pay that judgment. A large city faced with, say, a million dollars of liability over and above what its LMCIT coverage pays might be able to spread that \$1 million cost over several thousand taxpayers. The small city by contrast might be dividing that same \$1 million cost among only a couple hundred taxpayers. \$1 million divided among 5,000 taxpayers is \$200 apiece — annoying but probably at least manageable for most taxpayers. \$1 million divided among 200 taxpayers is \$5,000 apiece — enough to be a real problem for many.

What's the Effect of Waiving the Per Claimant Statutory Liability Limit?

If the city chooses the "waiver" option, the city and LMCIT no longer can use the statutory limit of \$500,000 per claimant as a defense. Because the waiver increases the exposure, the premium is roughly 3% higher for coverage under the waiver option.

If the city waives the statutory limit, an individual claimant could therefore recover up to \$1,500,000 in damages on a claim. Of course, the individual would still have to prove to the court or jury that s/he really does have that amount of damages. Also, the statutory limit of \$1,500,000 per occurrence would still apply; that would limit the individual's recovery to a lesser amount if there were multiple claimants.

Why Would the City Choose to Pay More to Get Waiver-Option Coverage?

The statutory liability limit only comes into play in a case where

- The city is in fact liable.
- The injured party's actual proven damages are greater than the statutory limit.

Very literally, applying the statutory liability limit means an injured party won't be fully compensated for his/her

Highlight

The waiver option coverage does not give the city better protection. The benefit is to the injured party.

actual, proven damages that were caused by city negligence. Some cities as a matter of public policy may want to have more assets available to compensate their citizens for injuries caused by the city's negligence. Waiving the statutory liability limits is a way to do that.

Other cities may feel that the appropriate policy is to minimize the expenditure of the taxpayers' funds by taking full advantage of every protection the legislature has decided to provide. There's no right or wrong answer on this point. It's a discretionary question of city policy that each city council needs to decide for itself.

For claims the statutory tort liability limits don't apply to, it doesn't affect how the city's coverage or risk on those claims. Waiving the statutory tort limits has no effect on claims the statutory limits don't apply to.

Effects of Waiving the Statutory Limits if there is Excess Coverage

If the city has \$1 million of excess coverage and chooses to waive the statutory tort limits, the claimants (whether it's one claimant or several) could then potentially recover up to \$2.5 million in damages in a single occurrence. If the city carries higher excess coverage limits, the potential maximum recovery per occurrence is correspondingly higher.

Carrying excess coverage under the waiver option is a way to address an issue that some cities find troubling: the case where many people are injured in a single occurrence caused by city negligence. Suppose, for example, that a city vehicle negligently runs into a school bus full of kids, causing multiple serious injuries. \$1,500,000 divided 50 ways may not go far toward compensating for those

injuries. Excess coverage under the waiver option makes more funds available to compensate the victims in that kind of situation.

The cost of the excess liability coverage is about 25% greater if the city waives the statutory tort limits. The cost difference is proportionally greater than the cost difference at the primary level because for a city that carries excess coverage, waiving the statutory tort limits increases both the perclaimant exposure and the per-occurrence exposure.

Waiving Statutory Tort Liability Limits: Increase in Risk?

There is no increase in risk for the city to end up with liability if LMCIT doesn't cover it. The waiver form specifically says the city is waiving the statutory tort liability limits only to the extent of the city's coverage.

Of course, that's not to say there is no risk the city's liability could exceed its coverage limits. We listed earlier a number of ways that could happen to any city. But the waiver doesn't increase that risk.

Can we Waive the Statutory Tort Limits for the Primary Coverage but not for the Excess Coverage?

No. If the city decides to waive the statutory tort limits, that waiver applies to the full extent of the coverage limits the city has. The city cannot partially waive the statutory limits.

Is there a Simple way to Summarize the Options?

It's not necessarily simple, but the table on the following page is a shorthand summary of what the effect would be of the various coverage structure options in different circumstances.

Your League Resource

Feel free to call the Underwriting Department at 651-281-1200 or 800-925-1122 with any questions.

Pete Tritz 2/12



CONNECTING & INNOVATING SINCE 1913

LMCIT Liability Coverage Options

	On a liabi the statı	n a liability claim to which the statutory limits apply	On a liability claim to which the statutory limits do not apply
Coverage structure If the city:	This is the maximum amount a single claimant could recover on an occurrence.	This is the maximum total amount that all claimants could recover on a single occurrence.	This is the maximum amount of damages which LMCIT would pay on the city's behalf for a single occurrence, regardless of the number of claimants.
Does not have excess coverage $\&$ Does not waive the statutory limits	\$500,000	\$1,500,000	\$1,500,000
Does not have excess coverage & Waives the statutory limits	\$1,500,000	\$1,500,000	\$1,500,000
Has \$1,000,000 of excess coverage & Does not waive the statutory limits	\$500,000	\$1,500,000	\$2,500,000
Has \$1,000,000 of excess coverage & Waives the statutory limits	\$2,500,000	\$2,500,000	\$2,500,000

ACTION REQUESTED	LAUDERDALE COUNCIL ACTION FORM
Consent Special	MEETING DATE July 9, 2013
Public Hearing	ITEM NUMBER Tree Inventory Intern
Report Discussion/ActionX	STAFF INITIAL KK
Resolution Work session	APPROVED BY ADMINISTRATOR
BACKGROUND:	
Based on feedback from the League, we have hiring the intern as an independent contract then make a decision based upon the applitude months. I have spoken to the GIS protively engaged in helping them. Staff projections of the project in the project in the council approve the jet in the council approve the je	illing to pay up to \$15.00/ hour for a tree inventory intern. ave prepared a job description for the position (as opposed to etor). Staff will publish notice of the position for a week and ications we receive. Working full time, the job could take about ofessor at the U of M who teaches these students and he is acposes a pay rate of \$13.50/hour for the position. Ob description and authorize staff to evaluate candidates for the ion to hire the best qualified candidate will be on the next agen-
OPTIONS:	
,	
STAFF RECOMMENDATION: Motion to approve the job description and tern position.	authorize staff to evaluate candidates for the tree inventory in-
COUNCIL ACTION:	

JOB DESCRIPTION

Tree Inventory Intern (Seasonal/Temporary)

Date: July 9, 2013

Salary Range: \$13.50/Hour FLSA Status: Non-exempt

POSITION OBJECTIVE: To assist in the establishment of a complete inventory of trees located on public land within the City of Lauderdale by conducting field inspections, collecting information and entering data, analyzing data, and preparing reports.

ESSENTIAL JOB FUNCTIONS:

- 1. Plan and organize information and records of assigned areas for survey.
- 2. Perform field inspections of trees in assigned areas.
- 3. Observe and collect information to include: identify location, types and age of trees, perform counts of varieties, measure or estimate size, canopy coverage, diameter and height of trees and assess condition of trees.
- 4. Accurately compile and enter data into a mobile recording device and computer equipment.
- 5. Research tree varieties, tree conditions and diseases, as necessary.
- 6. Tabulate and analyze results, print reports and notify supervisor of any concerns, hazards or necessary follow up.
- 7. Prepare a final analysis and final written report to be given to the City Administrator along with outside agencies as required.
- 8. Safely operates assigned city vehicles, mobile devices and computer equipment.
- 9. Perform excellent customer service by responding to questions or inquiries from the public, providing guidance, and directing questions to the appropriate personnel.
- 10. Work positively and effectively with the general public, staff members and outside agencies.

OTHER JOB FUNCTIONS:

- 1. Assist other personnel in identifying and reporting plant species, hazards and code enforcement concerns.
- 2. Other duties as assigned.

JOB KNOWLEDGE, SKILLS AND ABILITIES:

- 1. Knowledge of trees (native and non-native) commonly planted in this region.
- 2. Knowledge of tree conditions and diseases common to region.
- 3. Knowledge of occupational hazards, safety precautions and practices used in the tree care industry preferred.
- 4. Knowledge of high voltage electrical power lines and hazards.
- 5. Ability to communicate both verbally and in writing.
- 6. Ability to read and interpret data, information, documents.
- 7. Ability to perform research on the internet and in records systems and analyze and solve problems.
- 8. Ability to perform mathematical calculations involving fractions, decimals and percentages.
- 7. Ability to read site plans and maps.
- 8. Ability to input, retrieve, and access information on a computer and other mobile devices (e.g. GIS, GPS, Davy Tree software, Excel spreadsheets, data bases, Microsoft Office Suite, etc.)
- 9. Ability to be organized, prioritize work assignments, and carry out detailed written and verbal instructions independently.
- 10. Ability to establish and maintain effective working relationships and deal tactfully with internal and external customers, co-workers, and partnering agencies, etc.
- 11. Ability to safely and effectively operate all assigned equipment, including driving a city-issued motor vehicle.
- 12. Ability to work independently with minimal supervision or direction.

MINIMUM QUALIFICATIONS:

- 1. 18 years of age or older.
- 2. Possess high school diploma or GED equivalent.
- 3. Currently enrolled in or a recent graduate of an accredited college or university, with coursework emphasis in urban forestry, arboriculture, horticulture or a related field.
- 4. Previous experience or coursework in tree identification techniques for locally planted and native tree species.
- 5. Good academic record.

- 6. Must possess a valid Minnesota driver's license and a good driving history.
- 7. Proficient at operating a personal computer and Microsoft Office Suite, including Access, Word, Excel, Outlook, and Power Point.
- 8. Final candidate must satisfactorily complete a thorough criminal background and reference check process.

DESIRED QUALIFICATIONS:

- 1. Geographic Information Systems (GIS) mapping and data input experience
- 2. Experience working with mobile devices and online mapping systems.

WORK ENVIRONMENT:

The work environment characteristics are representative of those an employee encounters while performing the essential functions of a Tree Inventory Intern. Reasonable accommodations may be made to enable a person with disabilities to perform the essential job functions.

COMPENSATION AND BENEFITS:

This is a temporary position and is scheduled for up to 40 hours per week Monday through Friday 8:00 a.m. to 4:30 p.m. (hours may vary). This position is expected to begin immediately and continue for up to two months in duration or until the project is completed, whichever is first. Hourly wage is \$13.50 per hour, depending on qualifications.

Note: this position is partially funded through the Mississippi Watershed Management Organization.

APPLICATION PROCEDURE:

Send a cover letter and resume to the City of Lauderdale at 1891 Walnut Street, Lauderdale, MN 55113 or by email to admin@ci.lauderdale.mn.us. Call (651) 792-7650 with questions. Applications must be received by 4:30 p.m., Wednesday, July 17, 2013.

July 2013

The City of Lauderdale will not discriminate against or harass any employee or applicant for employment because of race, color, creed, religion, national origin, sex, disability, age, marital status, sexual orientation, participation in local commission, or status with regard to public assistance.

LAUDERDALE COUNCIL **ACTION FORM**

ction Requested	Meeting Date	July 9, 2013
nt Hearing	ITEM NUMBER	2014 Budget
1	STAFF INITIAL	_\$
n ssionX	APPROVED BY AL	OMINISTRATOR

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Amazingly, it is time to start discussing the 2014 budget and levy. 2014 will be the first year since the mid-1980s that the market value from the Rosehill Townhomes and City Gables will be included in the total market value of the City and not be a part of a TIF district. In a nutshell, the City will no longer receive about \$160,000 in tax increment but about \$40,000 in general levy taxes from the TIF area (if the levy remains about the same.) The Council has a couple of policy options that I wanted to discuss before looking at the hard numbers for next year.

- 1. Holding the levy at approximately the same level will have the effect of spreading out the market value from the TIF district and lowering the City's tax rate. This will have the effect of lowering taxes around the community by approximately \$40,000.
- 2. The Council can increase the levy by approximately \$40,000 and hold the tax rate the same. This will have the effect of holding taxes at about the same level as they are now. The City could then dedicate the \$40,000 to a City need. æ
- 3. Some combination of the two.

The Council has talked about future improvements to Larpenteur (median improvements, signage at City entry point) and having money available to buy property (dilapidated homes or property key for redevelopment). The Council could dedicate this money to those purposes and have enough available in a few years to accomplish a council priority.

goals of the City Council for 2014, we can begin discussing those as

well. We also can establish a goal setting session with staff if the Council desired.				
OPTIONS:				
STAFF RECOMMENDATION:				