

**LAUDERDALE CITY COUNCIL MEETING AGENDA  
7:30 P.M. TUESDAY, SEPTEMBER 25, 2012  
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 September 11, 2012, City Council Meeting
    - c. Minutes of the September 13, 2012, Special City Council Meeting
    - d. Claims Totaling \$34,734.60
  4. **CONSENT**
    - a. Rental Housing Licenses
    - b. Resolution 092512A – A Resolution Regarding the Rental Housing License for the Property at 1954 Malvern Street
  5. **SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS**
  6. **INFORMATIONAL PRESENTATIONS / REPORTS**
    - a. Presentation by University of Minnesota Sustainability Class
  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. Skyview Park Improvements
  9. **ITEMS REMOVED FROM THE CONSENT AGENDA**
  10. **ADDITIONAL ITEMS**
  11. **SET AGENDA FOR NEXT MEETING**
    - a. Open Burning Ordinance
    - b. 1843 Malvern – Retaining Wall Agreement
    - c. City Logo
  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. 2013 – 2022 Capital Improvement Plan

**13. ADJOURNMENT**

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

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September 11, 2012

Mayor Dains called the City Council meeting to order at 7:33 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, Kevin Kelly, Deputy City Clerk.

**Mayor Dains asked for changes to the meeting agenda. Butkowski added park committee applications to the agenda. Councilor Grove moved to approve the agenda as amended. Councilor Mac Lean seconded the motion and it passed unanimously.**

**Councilor Grove moved to approve the August 28, 2012, City Council meeting minutes. Councilor Mac Lean seconded the motion and it passed unanimously.**

**Councilor Hawkinson moved approval of the claims totaling \$85,807.71. Councilor Gaasch seconded the motion and it passed unanimously.**

**Councilor Grove moved to approve the consent agenda acknowledging the rental housing licenses and PCIC minutes. Councilor Mac Lean seconded the motion and it passed unanimously.**

*Informational Presentations/Reports:*

Ramsey County Sheriff Matt Bostrom addressed the Council. Sheriff Bostrom stated his goal is to meet with policy makers in the county annually to provide information on county policing initiatives.

Bostrom stated his department has five core responsibilities defined by statute: detention services, managing the courts, highway patrol, water patrol, and administrative support and investigations.

Bostrom highlighted the new computer aided dispatch system being implemented to improve communication with the 911 dispatch center. The new system will allow for texted service requests and better handle cell phone calls.

Bostrom also explained the Ramsey County Sheriffs Foundation is raising funds for training and equipment of officers in the K9 unit and youth initiatives.

The Council took a break after the presentation from 8:04 p.m. to 8:07 p.m.

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September 11, 2012

*Discussion Items:*

*2013 Budget and Preliminary Levy*

The Council reviewed the proposed budget and discussed the levy needed to fund city operations for 2013. The Council generally agreed in a 2% levy increase. Due to the increase in anticipated fiscal disparities revenue for 2013, the 2% increase would result in an \$8,790 decrease in the tax amount to be spread among property owners. The Truth in Taxation Hearing was scheduled for December 11 at 7:30 p.m. to allow public input into the budgeting process.

**Councilor Grove moved to adopt Resolution 091112A – A Resolution Levying Taxes for 2012 Payable in 2013 and Establishing the Date of the Truth in Taxation Hearing. Councilor Mac Lean seconded the motion and it passed unanimously.**

*Draft Agreement for Consideration of a Concrete Barrier for 1843 Malvern Street*

Ralph Mikel was present to address the Council regarding compensation for a retaining wall off of his alley. Staff presented the Council with a draft agreement for consideration. Mikel and the City Attorney will review the agreement before it comes to Council for a vote.

*City Logo*

The Council looked over the images prepared by the designer based on the recommendations made by the Council. The Council suggested further changes to the design. An updated version will be brought to the Council at a future meeting.

*Additional Items*

Butkowski said that current Park and Community Involvement Committee (PCIC) members Monica Gallagher and Trygve Hanson would like to be reappointed and Matt Eisenschenk would like to join the committee. With the approval of the listed members, the PCIC will have four citizens on the committee.

**Councilor Hawkinson moved to approve the members to the PCIC. Councilor Mac Lean seconded the motion and it passed unanimously.**

Agenda items for the September 25 Council Meeting are a discussion regarding the Capital Improvement Plan and use of remaining TIF funds, presentation by Sustainability Minor students from the University of Minnesota, and consideration of changes to the Open Burning Ordinance.

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September 11, 2012

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

The Mayor asked if anyone present wished to address the Council. No one present wished to address the Council.

*Special Donations for the Halloween Party*

A Lauderdale family donated children's gifts, money, and other items for the annual Halloween Party. Bownik stated the PCIC recommended distributing the gifts during the Halloween Party. City Hall is generally crowded during the event and the Council felt it would be difficult to fairly distribute such a large number of gifts. The Council expressed its appreciation for the items but suggested finding another means of disseminating them. Councilor Grove will meet with police and fire representatives to determine the best way to distribute the items.

**There being no further business on the council agenda, Councilor Grove moved to adjourn the meeting. Councilor Mac Lean seconded the motion and it carried. The meeting adjourned at 8:56 p.m.**

Respectfully submitted,

Kevin Kelly  
Deputy City Clerk

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MEETING MINUTES  
Lauderdale City Hall  
1891 Walnut Street  
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September 13, 2012

Mayor Dains called the Special City Council Meeting to order at 6:05 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.

**Mayor Dains asked for changes to the meeting agenda. The Council offered no changes to the agenda. Councilor Grove moved to approve the agenda. Councilor Mac Lean seconded the motion and it passed unanimously.**

The meeting continued the hearing that began on August 16 to discuss the rental housing license held by Allan Giese, owner of 1954 Malvern Street.

The Mayor noted that city attorneys Ron Batty and Katrina Joseph would be addressing the Council on the matter. Batty said the council packet contained a memo providing guidance on how the meeting should continue procedurally. He also provided a resolution with the findings of fact known from the previous meeting that the Council could either use or disregard. At this meeting the Council would take further testimony and then made a decision regarding the facts.

Joseph addressed the Council. She noted the tenant of the lower unit, Orasa Mehrete, would be appearing in court on September 25 on the noise complaint. After the August hearing, there were two additional police calls. Joseph charged Mehrete for the noise complaint that occurred on August 20. She said the call from August 31 regarding the upper unit is not the type of violation she would normally charge. The call did, however, meet the criteria to be a violation of the rental housing ordinance.

The Mayor opened the floor for public comments at 6:12 p.m.

Jodi Glauvitz, tenant of the upper unit, addressed the Council. She said she was shocked when the police responded to a noise complain at her unit. She believes the caller heard a visitor to her unit who has a loud laugh. She felt the call was retaliatory.

Doug Turner, attorney for Allan Giese, Giese Rice Creek, LLC addressed the Council. Turner asked the Council not to revoke the license. He asked the Council not to revoke the license before the leases expire.

The Mayor closed the hearing at 6:17 p.m.

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September 13, 2012

Councilor Grove asked whether the property was in foreclosure. Batty said the sheriff sale happened on August 31. Turner and the tenants confirmed they were aware of the sheriff's sale.

Councilor Gaasch expressed frustration with the additional police calls. She said at a minimum the license should not be renewed or the license should be revoked sooner. Councilor Mac Lean reiterated the frustration with the additional police calls since the last meeting. Councilor Hawkinson piggy backed on the concern.

The Mayor said he too was disappointed by the additional police calls. He asked Batty to clarify whether the Council can still revoke the license if there are future violations if the Council decides to not renew the license in 2013. He said they could but should hold another hearing before making that decision.

The Council discussed the upper unit. They opted not to take action against this unit at this time.

Councilor Grove suggested not renewing the license for the lower unit effective January 1, 2013. Councilor Hawkinson agreed. Councilor Mac Lean suggested revoking the license effective on November 1, 2012.

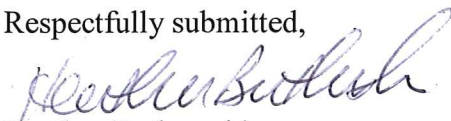
Batty addressed the issue of the pending foreclosure. He said the sheriff sale resulted in a change in ownership. Since licenses are not transferable, the City will have to address the issue of ownership should someone apply for a license in 2013.

The Council continued discussing whether to revoke or not renew the license for 1954 Malvern Street. The general consensus was not to renew the license.

**Councilor Gaasch moved to direct staff to revise the resolution to reflect comments made during the meeting. Councilor Grove seconded the motion and it carried with all voting in the affirmative.**

**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 7:00 p.m.**

Respectfully submitted,



Heather Butkowski  
City Administrator

**CITY OF LAUDERDALE**

**CLAIMS FOR APPROVAL**

**September 25, 2012 City Council Meeting**

Payroll

09/14/12 Payroll: Direct Deposit # 501436-501440	\$7,355.38
09/14/12 Payroll: Payroll Liabilities, e-payments #702E-704E	\$5,800.44

Vendor Claims

09/25/12 Claims: Check #'s 21402-21417	\$21,578.78
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**SUBTOTAL \$34,734.60**

**Total Claims for Approval**

**\$34,734.60**



CITY OF LAUDERDALE

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**\*Claim Register©**

091412pyrll

SEPTEMBER 2012

Claim Type	Direct				
Claim#	2883	NORTH STAR BANK, CHECKING S	Ck# 000702E	9/13/2012	
Cash Payment	G 101-21703	FICA WITHHOLDING.	9/14/12	Payroll	\$1,626.70
		Invoice			
Cash Payment	G 101-21701	FEDERAL TAXES	9/14/12	Payroll	\$1,130.57
		Invoice			
Transaction Date	9/13/2012	Due 0	NORTH STAR CHE	10100	<b>Total</b> \$2,757.27
Claim#	2884	ICMA	Ck# 000703E	9/13/2012	
Cash Payment	G 101-21705	ICMA RETIREMENT	9/14/12	Payroll	\$1,474.18
		Invoice			
Transaction Date	9/13/2012	Due 0	NORTH STAR CHE	10100	<b>Total</b> \$1,474.18
Claim#	2885	PERA	Ck# 000704E	9/13/2012	
Cash Payment	G 101-21704	PERA	9/14/12	Payroll	\$1,568.99
		Invoice			
Transaction Date	9/13/2012	Due 0	NORTH STAR CHE	10100	<b>Total</b> \$1,568.99
	<b>Claim Type</b>	<b>Direct</b>		<b>Tota</b>	<b>\$5,800.44</b>

Pre-Written Check	\$5,800.44
Checks to be Generated by the Compute	\$0.00
<b>Total</b>	<b>\$5,800.44</b>

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SEPTEMBER 2012

Claim Type	Direct					
Claim#	2886	PREMIUM WATERS, INC	Ck# 021411	9/25/2012		
Cash Payment	E 101-41200-208	WATER DELIVERY	8/12	Water Delivery		\$23.53
		Invoice				
Transaction Date	9/13/2012	Due 0	NORTH STAR CHE	10100	<b>Total</b>	\$23.53
Claim#	2888	RAMSEY COUNTY, PROP REC & R	Ck# 021412	9/25/2012		
Cash Payment	E 405-48500-327	OTHER SERV- SEWER/N	2011 TIF	Administrative Expenses		\$749.32
		Invoice				
Transaction Date	9/13/2012	Due 0	NORTH STAR CHE	10100	<b>Total</b>	\$749.32
Claim#	2889	XCEL ENERGY, PARK & GARAGE	Ck# 021416	9/25/2012		
Cash Payment	E 101-43000-383	GAS UTILITIES	8/12	PW and Warming House		\$28.71
		Invoice				
Cash Payment	E 101-45200-383	GAS UTILITIES	8/12	PW and Warming House		\$28.71
		Invoice				
Cash Payment	E 101-43000-381	ELECTRIC	8/12	PW and Warming House		\$16.23
		Invoice				
Cash Payment	E 101-45200-381	ELECTRIC	8/12	PW and Warming House		\$16.24
		Invoice				
Transaction Date	9/13/2012	Due 0	NORTH STAR CHE	10100	<b>Total</b>	\$89.89
Claim#	2890	SPRINT PCS	Ck# 021413	9/25/2012		
Cash Payment	E 602-49100-391	TELEPHONE/PAGERS	8/12	PW Cell Phones		\$18.13
		Invoice				
Cash Payment	E 601-49000-391	TELEPHONE/PAGERS	8/12	PW Cell Phones		\$18.13
		Invoice				
Cash Payment	E 101-43000-391	TELEPHONE/PAGERS	8/12	PW Cell Phones		\$36.25
		Invoice				
Transaction Date	9/13/2012	Due 0	NORTH STAR CHE	10100	<b>Total</b>	\$72.51
Claim#	2891	XCEL ENERGY, STREET LIGHTING	Ck# 021417	9/25/2012		
Cash Payment	E 101-43000-380	STREET LIGHT UTILITY	8/12	Street Lights		\$519.21
		Invoice				
Transaction Date	9/13/2012	Due 0	NORTH STAR CHE	10100	<b>Total</b>	\$519.21
Claim#	2892	MAMA	Ck# 021409	9/25/2012		
Cash Payment	E 101-41200-308	TRAINING\CONFERENCE	June, Aug. & Sep.	Luncheon - HB		\$60.00
		Invoice				
Transaction Date	9/13/2012	Due 0	NORTH STAR CHE	10100	<b>Total</b>	\$60.00
Claim#	2893	NORTH STAR BANK, CHECKING S	Ck# 021410	9/25/2012		
Cash Payment	E 101-41200-201	GENERAL SUPPLIES		office supplies		\$55.49
		Invoice				
Cash Payment	E 101-41500-201	GENERAL SUPPLIES		Blue Tape for Election		\$3.96
		Invoice				
Cash Payment	E 201-45600-377	DAY IN THE PARK		DIP - Party City Potato Sacks		\$42.80
		Invoice				
Cash Payment	E 201-45600-377	DAY IN THE PARK		DIP Art Supplies - Michael's		\$27.28
		Invoice				
Cash Payment	E 201-45600-377	DAY IN THE PARK		Party City Games Supplies		\$58.84
		Invoice				
Cash Payment	E 101-41200-308	TRAINING\CONFERENCE	APMP	Conference - JB		\$25.00
		Invoice				

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SEPTEMBER 2012

Cash Payment	E 101-41200-203 POSTAGE	Certified Mail		\$5.75
Invoice				
Cash Payment	E 101-41200-442 MISC	Coffee Filters and Vinegar		\$3.41
Invoice				
Cash Payment	E 101-41500-440 MEETING EXPENSES	Election Judge Food		\$51.67
Invoice				
Cash Payment	E 201-45600-440 MEETING EXPENSES	PCIC Meeting - Pizza Hut		\$28.00
Invoice				
Transaction Date	9/13/2012	Due 0	NORTH STAR CHE 10100	<b>Total</b> \$302.20
Claim#	2894 <i>INTEGRA</i>	Ck#	021407 9/25/2012	
Cash Payment	E 101-41200-391 TELEPHONE/PAGERS	8/12 Fax Line		\$47.11
Invoice				
Transaction Date	9/17/2012	Due 0	NORTH STAR CHE 10100	<b>Total</b> \$47.11
Claim#	2895 <i>LMCIT</i>	Ck#	021408 9/25/2012	
Cash Payment	E 101-41100-361 GENERAL LIABILITY	8/1/12-8/1/13 Liability/auto/property/bonds		\$4,978.00
Invoice				
Cash Payment	E 101-41200-361 GENERAL LIABILITY	8/1/12-8/1/13 Liability/auto/property/bonds		\$4,355.75
Invoice				
Cash Payment	E 601-49000-361 GENERAL LIABILITY	8/1/12-8/1/13 Liability/auto/property/bonds		\$1,555.62
Invoice				
Cash Payment	E 602-49100-361 GENERAL LIABILITY	8/1/12-8/1/13 Liability/auto/property/bonds		\$1,555.63
Invoice				
Transaction Date	9/17/2012	Due 0	NORTH STAR CHE 10100	<b>Total</b> \$12,445.00
Claim#	2896 <i>HOME DEPOT CRC</i>	Ck#	021406 9/25/2012	
Cash Payment	E 201-45600-377 DAY IN THE PARK	Tarp for DIP slide		\$92.06
Invoice				
Cash Payment	E 101-43000-228 MISC REPAIRS MAINT S	Weathershield for Warming House		\$21.49
Invoice				
Cash Payment	E 101-43400-442 MISC	Tape Measure		\$19.97
Invoice				
Cash Payment	E 101-41500-442 MISC	Tape Measure for Election		\$16.97
Invoice				
Transaction Date	9/17/2012	Due 0	NORTH STAR CHE 10100	<b>Total</b> \$150.49
Claim#	2897 <i>TEE SQUARED SCREENPRINTING</i>	Ck#	021415 9/25/2012	
Cash Payment	E 201-45600-368 FUN RUN/WALK	5K t-shirts		\$467.50
Invoice				
Transaction Date	9/17/2012	Due 0	NORTH STAR CHE 10100	<b>Total</b> \$467.50
Claim#	2898 <i>EUREKA RECYCLING</i>	Ck#	021404 9/25/2012	
Cash Payment	E 203-50000-389 RECYCLING CONTRACT	9/12 Recycling Contract		\$2,216.16
Invoice				
Transaction Date	9/20/2012	Due 0	NORTH STAR CHE 10100	<b>Total</b> \$2,216.16
Claim#	2899 <i>STANTEC</i>	Ck#	021414 9/25/2012	
Cash Payment	E 101-48100-306 CONSULTING FEES	Council Meeting, Storm Water Planning, communication with developers		\$600.00
Invoice				
Cash Payment	E 602-49100-304 ENGINEERING	Council Meeting, Storm Water Planning, communication with developers		\$300.00
Invoice				

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\*Claim Register©

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SEPTEMBER 2012

Transaction Date	9/20/2012	Due 0	NORTH STAR CHE	10100	Total	\$900.00
Claim#	2900 G & K SERVICES		Ck# 021405	9/25/2012		
Cash Payment	E 601-49000-425 CLOTHING		8/12 PW Clothing			\$52.34
	Invoice					
Cash Payment	E 602-49100-425 CLOTHING		8/12 PW Clothing			\$52.34
	Invoice					
Transaction Date	9/20/2012	Due 0	NORTH STAR CHE	10100	Total	\$104.68
Claim#	2901 CITY OF FALCON HEIGHTS		Ck# 021402	9/25/2012		
Cash Payment	E 101-42100-321 FIRE CALLS		8/12 Fire Calls			\$2,386.18
	Invoice					
Transaction Date	9/21/2012	Due 0	NORTH STAR CHE	10100	Total	\$2,386.18
Claim#	2902 ENGBERG-SHABER AGENCY, INC.		Ck# 021403	9/25/2012		
Cash Payment	E 602-49100-361 GENERAL LIABILITY		2012-2013 Insurance Agent Fee			\$130.62
	Invoice					
Cash Payment	E 101-41100-361 GENERAL LIABILITY		2012-2013 Insurance Agent Fee			\$418.00
	Invoice					
Cash Payment	E 101-41200-361 GENERAL LIABILITY		2012-2013 Insurance Agent Fee			\$365.75
	Invoice					
Cash Payment	E 601-49000-361 GENERAL LIABILITY		2012-2013 Insurance Agent Fee			\$130.63
	Invoice					
Transaction Date	9/21/2012	Due 0	NORTH STAR CHE	10100	Total	\$1,045.00
	Claim Type	Direct			Tota	\$21,578.78

Pre-Written Check	\$21,578.78
Checks to be Generated by the Compute	\$0.00
Total	\$21,578.78

**LAUDERDALE COUNCIL  
ACTION FORM**

**Action Requested**

Consent              X    
Public Hearing            
Discussion               
Action                    
Resolution               
Work Session          

Meeting Date    September 25, 2012

ITEM NUMBER:    2012 Rental &  
Business Licenses

STAFF INITIAL:    KK

**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:**

A list of rental property and business owners who have completed the rental housing inspections and/or renewed their application for licensure for 2012.

2391 Larpenteur —Rental Housing  
1806 Malvern—Rental Housing

**OPTIONS:**

1. Motion to approve listed licenses for 2012.
2. Motion to deny all or some of the listed license applications for 2012.

**STAFF RECOMMENDATION:**

By approving the consent agenda, the Council approves the completed 2012 Licenses on the attached list.

**COUNCIL ACTION:**

**LAUDERDALE COUNCIL  
ACTION FORM**

**Action Requested**

Consent   X    
Public Hearing \_\_\_\_\_  
Discussion \_\_\_\_\_  
Action \_\_\_\_\_  
Resolution \_\_\_\_\_  
Work Session \_\_\_\_\_

Meeting Date September 25, 2012

ITEM NUMBER 1954 Malvern

STAFF INITIAL   *JB*  

APPROVED BY ADMINISTRATOR \_\_\_\_\_

**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:**

On September 13, the Council continued the hearing regarding the rental housing license of Allan Giese, owner of 1954 Malvern Street. After taking testimony, the Council directed staff and the City Attorney to draft a resolution summarizing the hearings and articulating the Council's desire not to renew Allan Giese's license in 2013.

You may remove the item from the Consent Agenda to discuss or amend the resolution prior to adoption.

**OPTIONS:**

**STAFF RECOMMENDATION:**

By approving the Consent Agenda, the Council adopts Resolution 092512A— A Resolution Regarding the Rental Housing License for the Property at 1954 Malvern Street.

**COUNCIL ACTION:**

**RESOLUTION NO. 092512A**

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

**A RESOLUTION REGARDING THE RENTAL HOUSING LICENSE FOR THE  
PROPERTY AT 1954 MALVERN STREET**

WHEREAS, on July 25, 2006, the city council of the city of Lauderdale (the "City") adopted an ordinance regarding rental housing licensing within the community which was codified as Chapter 11 of the Lauderdale city code (the "Ordinance"); and

WHEREAS, section 9-11-1 of the Ordinance states that its purpose is to protect the public health, safety and welfare of the community at large and the residents of rental dwellings to ensure that such housing is decent, safe and sanitary and to ensure that it is operated and maintained so as not to become a nuisance to the neighborhood, an influence that fosters blight and deterioration or creates a disincentive to reinvestment in the community; and

WHEREAS, section 9-11-1 of the Ordinance also states that owners and operators of rental housing are engaged in a business enterprise that entails certain responsibilities, including taking reasonable steps to ensure that the citizens of the city who occupy such units may pursue the quiet enjoyment of the normal activities of life in surroundings that are safe, secure and sanitary; free from noise, nuisance or annoyance; and free from unreasonable fears about the safety of persons and security of property; and

WHEREAS, in order to accomplish those purposes, the Ordinance makes it unlawful to operate a rental dwelling within the community without first obtaining a license from the City; and

WHEREAS, the property located at 1954 Malvern Street (the "Property") is a duplex which is operated as a two-unit rental dwelling; and

WHEREAS, the Property is owned in fee by Giese Rice Creek, LLC (the "Owner"), whose business address is 9551 Marshall Road, Eden Prairie, Minnesota; and

WHEREAS, for calendar years 2010 and 2011, the rental dwelling license (the "License") for the Property was held by the Owner; and

WHEREAS, for calendar year 2012 the License has been in the name of Allan Giese; and

WHEREAS, the License provides for two rental units (the "Upper Unit" and the "Lower Unit") on the first and second floors of the dwelling, respectively; and

WHEREAS, section 9-11-6 A of the Ordinance makes the Owner responsible for violations of the duties and obligations of the Ordinance regarding rental dwellings even if the duty or obligation is also imposed by the Ordinance on the tenant or even if the Owner, by agreement, has imposed the duty or obligation on the tenant; and

WHEREAS, section 9-11-10 A of the Ordinance requires that the Owner ensure that tenants conduct themselves in a manner so as not to cause a property to be disorderly; and

WHEREAS, a property is considered disorderly under the Ordinance if the conduct of a tenant violates any of 11 specified provisions of state statute or city ordinance; and

WHEREAS, sections 9-11-10 C, D and E of the Ordinance provide for formal notice from the City to the Owner for first, second and third violations, respectively, of the prohibition against use of a property in a disorderly manner; and

WHEREAS, on January 14, 2012, officers of the St. Anthony police department (the "Police") under an agreement for police services between the cities of Lauderdale and St. Anthony, responded to a radio call regarding a loud party in the Lower Unit which resulted in the arrest of two visitors on outstanding warrants, the details of which incident are contained in Police incident report no. 12000370; and

WHEREAS, on March 20, 2012, the Police responded to a radio call concerning a loud argument between occupants of two vehicles near the Property and persons in the Lower Unit, the details of which incident are contained in Police incident report no. 12002382; and

WHEREAS, on May 10, 2012, the Police responded to a call from a neighbor regarding an assault at the Property which resulted in taking a victim to the hospital, the details of which incident are contained in Police incident report no. 12003805 (the "First Violation"); and

WHEREAS, the First Violation involves disorderly conduct in violation of Ordinance sections 9-11-10 A 7 and 10; and

WHEREAS, by letter dated May 10, 2012, Heather Butkowski, the Lauderdale city administrator (the "City Administrator"), notified the Owner that this incident constituted the First Violation of the Ordinance; and

WHEREAS, in response to a previous notice from the City Administrator regarding a second violation and as required by Ordinance section 9-11-10 D, the Owner submitted a written report dated May 16, 2012 (the "Management Plan") detailing the actions taken and proposed to be taken by the Owner to prevent further disorderly use of the Property; and

WHEREAS, on June 16, 2012, the Police responded to a radio call regarding a heated argument outside near the Property, the details of which incident are contained in Police incident report no. 12005202; and



WHEREAS, on June 24, 2012, the Police responded to a radio call regarding a disturbance in the front yard of the Property, the details of which incident are contained in Police incident report no. 12005442 (the "Second Violation"); and

WHEREAS, the Second Violation involves disorderly conduct in violation of Ordinance sections 9-11-10 A 7 and 10; and

WHEREAS, by letter dated July 16, 2012, the City Administrator notified the Owner that this incident constituted the Second Violation of the Ordinance; and

WHEREAS, on July 15, 2012, the Police responded to a radio call regarding loud music from the Property which resulted in a citation of the tenant of the Lower Unit and observation by the Police of the possession of illegal drugs in the Lower Unit, the details of which incident are contained in Police incident report no. 12006091 (the "Third Violation"); and

WHEREAS, the Third Violation involves disorderly conduct in violations of Ordinance sections 9-11-10 A 3, 7 and 10; and

WHEREAS, by letter dated August 3, 2012, the City Administrator notified the Owner of the Third Violation and of a hearing to be held by the city council pursuant to section 9-11-10 E of the Ordinance; and

WHEREAS, pursuant to section 9-11-10 E 2 of the Ordinance, the City is authorized to revoke, suspend or decline to renew the License for all or any part or parts of the Property; and

WHEREAS, on August 16, 2012, the city council opened a hearing (the "Hearing") to consider whether the License for all or any part or parts of the Property should be suspended, revoked or not renewed; and

WHEREAS, at the Hearing, the city council considered the written materials in the council meeting packet, which included copies of the Police incident reports for the First, Second and Third Violations; Police incident reports regarding three additional incidents which occurred at the Property on January 14, 2012, March 20, 2012 and June 16, 2012; a memorandum from the city attorney; the City Administrator's letters to the Owner regarding the First, Second and Third Violations; the Owner's May 16, 2012 Management Plan; and a copy of the Ordinance; and

WHEREAS, at the Hearing, the city council heard testimony from the Owner's representatives, including the Owner's attorney and the manager of the Property, from the tenants of the Lower and Upper Units, and members of the public and considered the comments of the City Administrator and city attorney; and

WHEREAS, following dialogue with the Owner's representatives and the City Administrator and city attorney and discussion among themselves, the city council continued the Hearing to September 13, 2012; and

WHEREAS, at the continued Hearing on September 13, 2012, the city council heard additional testimony from the tenant of the Upper Unit and from the Owner's attorney and reviewed additional written material including information about a Police call to the Property on August 20, 2012 involving loud music from the Lower Unit and contact with a male who identified himself as a resident, the details of which incident are contained in Police incident report no. 12007427 and which has subsequently resulted in a criminal complaint against the tenant of the Lower Unit, and a Police call to the Property on August 31, 2012 regarding loud noise, the details of which incident are contained in Police incident report no. 12007991.

NOW, THEREFORE, after careful consideration of all written materials submitted and the oral testimony offered at the Hearing, the city council makes the following findings:

1. The Owner has obtained a License and operates the Property as a two-unit rental dwelling under the License and pursuant to the Ordinance;
2. The Owner has no legal authority to operate the Property as a rental dwelling except under the License issued by the City pursuant to the Ordinance;
3. Conduct has occurred which has resulted in the Property being used in a disorderly manner in violation of the Ordinance, including the First, Second and Third Violations as well as the additional incidents which occurred on January 14, 2012, March 20, 2012, June 16, 2012 and August 20, 2012;
4. The Police incident reports show a consistent lack of willingness by residents and visitors to cooperate with the Police when called to the Property, which lack of cooperation impedes effective police work and endangers all residents of the Property and of the community as a whole;
5. The Police incident reports regarding the First, Second and Third Violations as well as those concerning the additional four incidents at the Property since January 14, 2012 are credible and have not been impeached in any substantive manner by any written evidence or oral testimony presented at the Hearing;
6. The Owner has failed in its duty under the Ordinance and in spite of the promises and representations made in the Management Plan to ensure that the Property is not used in a disorderly manner;
7. Conduct has repeatedly occurred on the Property which causes it to be a nuisance to the neighborhood and which may foster blight, deterioration and a disincentive to reinvest in the community;
8. The City council, having conducted the Hearing and considered all evidence and testimony presented, hereby acts in a quasi-judicial capacity in this matter.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the city council of the city of Lauderdale as follows:

1. The Owner is hereby notified that the License for the Lower Unit of the Property will not be renewed beginning January 1, 2013.
2. The Owner is further notified that additional incidents of disorderly conduct on the Property, either before or after January 1, 2013, will be regarded as serious violations of the Ordinance and may result in additional adverse action regarding either the Upper Unit or the Lower Unit or both.

NOW, THEREFORE, BE IT FURTHER RESOLVED by the city council of the city of Lauderdale that the City Administrator send the Owner an executed copy of this resolution and that city staff and consultants, including but not limited to the City's criminal and civil attorneys, be authorized and directed to take all actions necessary or convenient to effect the intent and purpose of this resolution.

Dated: September 25, 2012.

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Jeffrey E. Dains, Mayor

ATTEST:

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Heather Butkowski, City Clerk-Administrator

# LAUDERDALE COUNCIL ACTION FORM

### Action Requested

Consent \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Discussion \_\_\_\_\_  
Action \_\_\_\_\_  
Resolution \_\_\_\_\_  
Work Session \_\_\_\_\_

Meeting Date September 25, 2012

ITEM NUMBER U Sustainability Class

STAFF INITIAL 

APPROVED BY ADMINISTRATOR \_\_\_\_\_

### DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Last night I gave a presentation about Lauderdale to the students in the University of Minnesota Sustainability Minor program. They were very interested in the City and looked forward to the opportunity to work with community members. As you already know, there will be two workshops this fall to engage residents from Lauderdale, Falcon Heights, and St. Anthony. You should have received the official invitation to the workshop this week. They were sent out by St. Anthony.

At least two students will be at the meeting to present the class and what they hope to get out of the cooperation with the cities and our residents. I have made them aware of some of the types of projects the city would like to work on through cooperation with them, but they will support projects within Lauderdale that don't involve the city as well.

Feel free to ask any questions you may have for them.

### OPTIONS:

### STAFF RECOMMENDATION:

### COUNCIL ACTION:

ACTION REQUESTED	LAUDERDALE COUNCIL
Consent _____	MEETING DATE <u>September 25, 2012</u>
Special _____	ITEM NUMBER <u>Park Furnishings</u>
Public Hearing _____	STAFF INITIAL <u>Jim</u>
Report _____	APPROVED BY ADMINISTRATOR _____
Discussion/Action <u>X</u>	
Resolution _____	
Work session _____	

**BACKGROUND:**

The Council has discussed adding a picnic table, grill and garbage can at Skyview Park, as well as two more garbage cans at the Community Park. Quotes were received from three companies. It is impossible to compare apples to apples on the garbage cans.

Here's a summary of the quotes (not including freight or tax):

Garbage Cans: The most important thing is that the garbage cans match what we currently have. The only way to do this is to purchase them from the same company as we have in the past. Wausau Tile is the company we've purchased them from in the past, and they are the cheaper quote.

Quote- Wausau Tile \$463 each (\$1,389 total)

Quote- MN/WI Playground \$589 each (\$1,767 total)

Recommendation: Wausau Tile

Picnic Table: We can no longer contact the company we purchased from in the past. Thus, we need to find a similar table from another company. Flanagan Sales and MN/WI Playground have similar tables.

Quote- Flanagan Sales \$607

Quote- MN/WI Playground \$870

Recommendation: Flanagan Sales

Grill: Flanagan Sales and MN/WI Playground have similar grills.

Quote- MN/WI Playground \$138

Quote- Flanagan Sales \$206

Recommendation: MN/WI Playground

**OPTIONS:**

- 1) Approve as recommended below.
- 2) Approve something different.
- 3) Do not approve.

**STAFF RECOMMENDATION:**

Motion to approve purchasing three garbage cans from Wausau Tile, one picnic table from Flanagan Sales, and one grill from MN/WI Playground for \$2,134 + freight and tax.

**COUNCIL ACTION:**



MADE IN  
**WAUSAU**<sup>TM</sup>  
Wausau Tile

**QUOTATION**

Jim Bownick  
City of Lauderdale  
1891 Walnut  
Lauderdale, MN 55113  
Project: Wausau Tile Site Furnishings

Date: 9/7/2012  
Phone: (651) 792-7656  
Fax:  
E-Mail: jim.bownick@ci.lauderdale.mn.us

PER YOUR REQUEST FOR A PRICE QUOTATION ON SITE FURNISHINGS SUPPLIED BY WAUSAU TILE, WE SUBMIT THE FOLLOWING:

QTY	PRODUCT	DESCRIPTION	UNIT PRICE	EXTENSION
3	TF1100:A4,4	Precast Waste Container: 24" dia x 44" 31 gal (420 lbs.) Exposed aggregate brown, Dome top: Brown #4	\$ 463.00	\$ 1,389.00
1	MF1057:96 Blue	Metal, Benched Picnic Table: 96" x 64" x 31" (250 lbs.) Blue metal armor, Black Frame	\$ 1,132.00	\$ 1,132.00
1	TF7198	Grill - (300 lbs.)	\$ 965.00	\$ 965.00
Quotation is in effect for 30 days from issue date, unless otherwise noted			Subtotal	
We quote you as above F.O.B.:Lauderdale, MN 55113 R & L Carriers			Shipping & Handling	\$ 184.00
Shipment Can Be made In: TBD			Sales Tax	Not included
Terms: net 30 days			Total	\$ 3,670.00

**Terms of Site Furnishing Bid:**

1. This is a materials only bid valid for 30 days from date of bid. Prices are based on square footage or units as listed above.
2. Bid is based on standard colors, finishes and sizes; and, subject to change if there is any increase or decrease of quantities for this project.
3. Field measurements, specifications and quantity confirmation are responsibilities of the customer.
4. Freight rates are based on today's rates and are subject to increase due to fuel surcharge. Rates are valid for 30 days from bid.
5. Customer will be notified when product is ready for delivery. Storage charges apply if customer delays shipment more than 30 days after notice.
6. Delivery to one location unless otherwise noted in bid.
7. Both installation and assembly are the responsibility of the customer or its consignee.
8. Materials must be unloaded within 2 hours of arrival or customer will be charged for hold-over at the rate of \$100/hour.
9. Wausau Tile standard purchase and warranty terms apply as stated at <http://www.wausautile.com/support/standardtermsofsale.cfm>.
10. Sales or use tax is customer's responsibility and due as part of the payment to Wausau Tile before shipping occurs unless a properly executed tax exempt certificate is provided to Wausau Tile. Deliver the tax exempt certificate by fax to 715-355-4627 or provide an original by mail if required by state law.

**PURCHASING CONDITONS:**

1. The purchase order and payment should be made out to Wausau Tile.
2. To expedite shipment, please include an address for billing and an address for delivery.

Approved by:

SITE FURNISHINGS DIV OF WAUSAU TILE

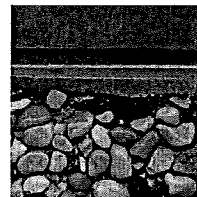
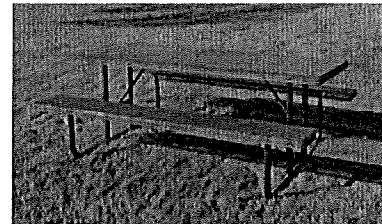
PLEASE APPROVE AND RETURN

**Mark Wagner**

Mark Wagner- Site Furnishings Sales  
8300 Golden Valley Road # 226  
Golden Valley, MN 55427

Cell: 612-889-1530; Fax: 763-521-4714

Email: [wagner.sales@comcast.net](mailto:wagner.sales@comcast.net)



PO Box 1520 • Wausau, WI 54402-1520  
715.359.3121 • 800.388.8728  
Site Furnishings Fax: 715.355.4627 Paving/Terrazzo Fax: 715.359.7456  
[wtile@wausautile.com](mailto:wtile@wausautile.com) • [www.wausautile.com](http://www.wausautile.com)



# F l a n a g a n S a l e s , I n c .



## REVISED QUOTATION

To:	City of Lauderdale 1891 Walnut St Lauderdale, MN 55113	Date:	September 17, 2012
		Contact:	Jim Bownik
		Phone:	651-792-7656
		Cell:	
Project:	Picnic Table & Grill	Fax:	
		Email:	jim.bownik@ci.lauderdale.mn.us

We are pleased to provide the following quotation on items supplied by **Webcoat Products**

<u>Qty.</u>	<u>Item</u>	<u>Description</u>	<u>Unit Price</u>	<u>Extension</u>
1	Table	T8UL 8Ft. Table, 2 Attached 8Ft. Seats, Rounded Corners, Large Hole 11 Gauge Punched Steel , Two 2 3/8" Legs, Portable		\$607.00
1	Grill	GPS20 Campfire Grill, 20" Adjustable Cooking Grate, 2 7/8" Post Inground Mt.		\$206.00

\* Prices supply only - Installation not included

<b>Sub Total</b>	\$ 813.00
<b>Freight</b>	\$ 202.00
<b>Tax 6.875%</b>	\$ 69.78
<b>Total</b>	\$ 1,084.78

**IMPORTANT INFORMATION:**

- ◆ Quotation is valid for: 30 Days
- ◆ Freight based on shipment to Lauderdale, MN 55113
- ◆ Shipment can currently be made in 2 - 3 Weeks upon order entry
- ◆ Terms: 30 Days Net Invoice.
- ◆ Pricing based on above quantities – any changes may require a revised quotation.
- ◆ **Orders will be placed upon receipt of a Purchase Order or your signed acceptance of this quotation.**
- ◆ **Purchase Orders should be made out to Flanagan Sales, Inc.**

Thank You!                      Flanagan Sales, Inc.

*Sue Ayers*  
Project Manager

ACCEPTED BY: \_\_\_\_\_

DATE: \_\_\_\_\_







Minnesota / Wisconsin Playground  
 5101 Highway 55, Suite 6000  
 Golden Valley, Minnesota 55422  
 Ph. 800-622-5425 | 763-546-7787  
 Fax 763-546-5050 | info@mnwiplay.com

QUOTE  
 #6619

09/11/2012

**table, bbq grill & trash receptacle**

City of Lauderdale  
 Attn: Jim Bownik  
 1891 Walnut St.  
 Lauderdale, MN 55113  
 Phone: 651-792-7656

Ship To Zip: 55113

Quantity	Part #	Description	Unit Price	Amount
1	8J2CVP	KayPark - 2 3/8" black tube table frame w/8' vinyl plastisol table & top	\$870.00	\$870.00
1	CTCR30PH	KayPark - 30 Gallon round trash receptacle w/ plastic hood	\$589.00	\$589.00
1	SB16	KayPark - Pedestal Grill, 3/16" thick 15" x 20" w 2 3/8" pedestal & adjustable grate	\$138.00	\$138.00
			SubTotal:	\$1,597.00
			Tax:	\$131.38
			Freight:	\$314.00
			<b>Total Amount:</b>	<b>\$2,042.38</b>

This quotation is subject to polices in the current Gametime Park and Playground catalog and the following terms and conditions. Our quotation is based on shipment of all items at one time to a single destination, unless noted, and changes are subject to price adjustment. Purchases in excess of \$1,000.00 to be supported by your written purchase order made out to Gametime, c/o Minnesota/Wisconsin Playground.

Pricing: f.o.b. factory, firm for 30 days from date of quotation.

Freight charges: Prepaid & added

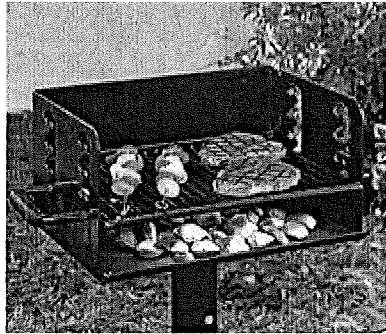
Submittals: our design proposal reflects the spirit and intent of the project plans and specifications. While some variations may exist between our quotation and the project design, the differences do not materially affect the intended use. GameTime designs and specifications are unique and not intended to be identical in all respects to other manufacturers. We shall submit for review and approval by the owner's representative detailed drawings depicting the equipment to be furnished accompanied by specifications describing materials. Once approved, these drawings and specifications shall constitute the final documents for the project and shall take precedence over all other requirements.

Exclusions: unless specifically included, this quotation excludes all site work and landscaping; removal of existing equipment; acceptance of equipment and off-loading; storage of goods prior to installation; equipment assembly and installation; safety surfacing; borders and drainage provisions.

**Kay Park Recreation Corp.**  
 1301 Pine Street, Janesville, IA 50647  
 Toll Free: (800) 553-2476 • Telephone: (319) 987-2313 • Fax: (319) 987-2900  
 E-Mail: [Sales@KayPark.com](mailto:Sales@KayPark.com) • Website: [www.KayPark.com](http://www.KayPark.com)

All Categories > SB16 Pedestal Grills > Item # SB16

**Item # SB16**  
 \$138.00



[larger image](#)

America's Favorite for many years. It is our most vandal-resistant pedestal grill. The 20 W x 15 D x 10 H inch fire box is made of 3/16 inch thick steel with a continuous weld type construction. A formed ash lip provides extra reinforcement and helps retain coals in the box. The 300 sq. in. cooking grill has 1/2 inch steel bars welded on 1 inch centers and adjusts to 4 heights in the anti-theft designed slots. The grill handles have heavy-duty cool spring grips designed for public use. This unit comes standard with rounded corners, drain holes, and 360 degrees rotation on a 41 inch long theft resistant pedestal. The standard finish is non-toxic, heat and rust-resistant black enamel. Two pedestal choices: 2 3/8 inch O.D. or 3 1/2 inch O.D. galvanized.

**Specifications**

<b>Finish</b>	Painted Black w/ Galv. Pedestal
<b>Pedestal O.D.</b>	2 3/8 Inch
<b>Grill Area</b>	300 sq. inch
<b>Weight</b>	79 lbs
<b>Mounting Options<sup>1</sup></b>	In-Ground Surface Mount
<b>Options</b>	UT (Painted Shelf)

<sup>1</sup> In-Ground Pedestal is Standard, Surface Mount is Optional for \$20.00

[Print](#) [Back](#)

# LAUDERDALE COUNCIL ACTION FORM

### Action Requested

Consent \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Discussion \_\_\_\_\_ X \_\_\_\_\_  
Action \_\_\_\_\_ X \_\_\_\_\_  
Resolution \_\_\_\_\_  
Work Session \_\_\_\_\_

Meeting Date September 25, 2012

ITEM NUMBER Skyview Park

STAFF INITIAL HRB

APPROVED BY ADMINISTRATOR

### DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

On Thursday, Earl Peterson, owner of the home on the north side of Skyview Park, dropped off the attached letter at City Hall. He and I discussed the concerns he noted in the letter. He was especially concerned about the noise of the children at play, the smoke a grill would cause, and the location of a fence. He questioned whether the City would allow him to purchase some of the park property and/or whether the fence installed could be a tall privacy fence versus chain link. I told him I would address his concerns with the Council.

### OPTIONS:

### STAFF RECOMMENDATION:

### COUNCIL ACTION:

Regarding fence placement:

1. Could a noise barrier fence be put in , instead of a chain-link fence; with the fence so closeto the house, yelling ,screaming, noises will be substantially louder. At that point, I will have nowhere to go in the house to get away from the noise.
2. Would you put up a sign that says "please play quietly" . this could help a lot and would be grearly appreciated.
3. Please do not put in a grille on the property: because of health issues this would be difficult for me. Once the smoke gets in the house, there is no way to get the smoke out (opening the windows will not help).
4. Is it possible to purchase about 10 feet of land just past the clothesline pole? This would also help with noise abatement.

Sincerely,

Eloper

1738 Walnut St.

Add: A productive use of the land adjacent to a fence would be an urban garden plot ~6-10 feet in width running the length of the fence, This would be maintenance free, and members of the Lutheran Church next door would be eager to build it, I will supply water as needed.

## LAUDERDALE COUNCIL ACTION FORM

### Action Requested

Consent \_\_\_\_\_  
 Public Hearing \_\_\_\_\_  
 Discussion \_\_\_\_\_  
 Action \_\_\_\_\_  
 Resolution \_\_\_\_\_  
 Work Session \_\_\_\_\_ X

Meeting Date September 25, 2012

ITEM NUMBER 2013 Budget Discussion

STAFF INITIAL HB

APPROVED BY ADMINISTRATOR

### DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

#### *Capital Improvement Plan*

Annually, the City Council reviews the Capital Improvement Plan (CIP) to decide what capital purchases to add to the next year's budget. In the past, the plan was a little difficult to budget from because some of the items did not have a funding source or included projects that wouldn't be possible without the cooperation of other entities, like Ramsey County, for improvements to Eustis Street. This year, staff revised the CIP to show the schedule of projects or purchases that have a funding course. All other items were moved to the last page. The budget includes replacing trucks and mowers on a ten year schedule and seal coating every 7 years (recommended every 5-7 years).

If you compare the "Cash Balances" report with "page 8" which summarizes the resources needed to fund the CIP through 2022, you will see the funds are in pretty good health. The only fund that comes up short is the General Capital Improvement Fund (Fund 402). This can either be funded by transfers from other funds or setting aside money each year from the General Fund. In the past, excess General Revenue funds at year end were split between the street and park improvement funds. Because those funds are healthy, the Council could dedicate any excess year-end funds to the General Capital Improvement Fund until it is fully funded.

#### *Rosehill TIF District*

As we have talked about over the last couple of years, the Rosehill TIF District is set to expire at the end of 2013. This doesn't mean the funds have to be spent by December 31, 2013, but the City will have to show a plan for how it intends to use the money beyond this date. Alternatively, the City could return the money to the County and the City would receive a portion back—about 25%. This money would be General Fund money and not have the conditions of the TIF district attached to it.

The City's financial advisor, Stacie Kvilvang, prepared a memo outlining what the TIF money can be used for. This is the same memo you received last year. Currently, the City has \$393,000 in the TIF Fund. We anticipate another \$80,000 in the second half of 2012

**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:**

Approximately, \$200,000 is expected to be used in 2013 to cover the cost of the sewer lining project. This leaves approximately \$433,000 to use for other purposes. We will go through Stacie's memo during the meeting and discuss the options. Included in the packet are the affordable housing guidelines for 2012 established by the Met Council to help you understand the income levels described in her memo.

The TIF money may not be used for any of the park improvements noted in the CIP.

*Other Projects*

Recently, Councilor Mac Lean mentioned saving for a building to replace the warming house. Councilor Grove asked about the possibility to get Legacy grant money to build a walking path on the Lauderdale side of Walsh Lake. Putting aside all of our concerns about the future of state aid, is there a project the Council views as a priority that we should strive towards achieving? For example, if the Council is interested in a pathway around Walsh Lake, staff can bring in folks to sketch out what that would look like and how much it would cost. If the Council then wanted to proceed, we could invite the adjacent neighbors to a meeting to discuss it further. We would then look for grant opportunities, community partners, or put aside money each year to make it happen. Building a new warming house is a bit more complicated but staff would start looking at options for size and location based on the ability to connect it to sewer and water, and meet ADA requirements.

If there are any items on the "Wish List" the Council would like removed, staff will do that as well.

**LAUDERDALE DRAFT  
CAPITAL IMPROVEMENT  
PLAN BUDGETING TOOL  
2013 TO 2022**





# 2013 Capital Improvements & Estimated Costs

**FUND 202 COMMUNICATIONS FUND**

City Hall: Microphone upgrades for council chambers	Fund 202	\$ 1,500
City Hall: Replace council chairs	Fund 202	\$ 1,800
<b>Total Fund 202</b>		<b>\$ 3,300</b>

**FUND 407 SANITARY SEWER IMPROVEMENT FUND**

Eustis/Fulham/280: Sewer lining project	TIF/grant	\$ 250,000
<b>Total Fund 403</b>		<b>\$ 250,000</b>
<b>2013 TOTAL ALL FUNDS</b>		<b>\$ 253,300</b>

# 2014 Capital Improvements & Estimated Costs

**FUND 401 STREET IMPROVEMENT FUND**

All City Streets: Seal coating (7 years)		\$ 140,000
<b>Total Fund 401</b>	<b>Fund 401</b>	<b>\$ 140,000</b>

**FUND 403 STORM WATER IMPROVEMENT FUND**

Seminary Pond: Ravine assessment and stabilization		\$ 80,000
<b>Total Fund 403</b>	<b>Fund 403/grants</b>	<b>\$ 80,000</b>

**FUND 404 PARK IMPROVEMENT FUND**

Community Park: Seal coat surface of hockey rink/basketball courts		\$ 1,500
<b>Total Fund 404</b>	<b>Fund 404</b>	<b>\$ 1,500</b>

**2014 TOTAL ALL FUNDS** **\$ 221,500**



## 2018 Capital Improvements & Estimated Costs

### FUND 402 GENERAL CAPITAL IMPROVEMENT FUND

City Hall: Replace City Hall roof (20 years) Fund 402 \$ 60,000  
Total Fund 402 \$ 60,000

## 2019 Capital Improvements & Estimated Costs

### FUND 202 COMMUNICATIONS FUND

City Hall: Technology in Council Chambers (10 years) Fund 202 \$ 20,000  
Total Fund 202 \$ 20,000

## 2020 Capital Improvements & Estimated Costs

### FUND 402 GENERAL CAPITAL IMPROVEMENT FUND

P.W. Garage: Replace public works garage roof (25 years) Fund 402 \$ 10,000  
Total Fund 402 \$ 10,000

## 2021 Capital Improvements & Estimated Costs

### FUND 401 STREET IMPROVEMENT FUND

All City Streets: Seal Coating (7 years)  
**Total Fund 401**

Fund 401  
 \$ 150,000  
 \$ 150,000

### FUND 402 GENERAL CAPITAL IMPROVEMENT FUND

P.W. Equipment: Replace John Deere mower (10 years)  
**Total Fund 402**

Fund 402  
 \$ 30,000  
 \$ 30,000

**2015 TOTAL ALL FUNDS**

\$ 180,000

## 2022 Capital Improvements & Estimated Costs

### FUND 402 GENERAL CAPITAL IMPROVEMENT FUND

P.W. Equipment: Replaced dump truck & plow (10 Years)  
**Total Fund 402**

Funding Source  
 Fund 402  
 \$ 35,000  
 \$ 35,000



# Unfunded Projects & "Wish List"

## FUND 401 STREET IMPROVEMENT FUND<sup>1</sup>

Eustis Street: Reconstruct street & utilities no. of Larpenteur, w/sidewalks  
 Eustis Street: Reconstruct street & utilities so. of Larpenteur, w/ sidewalks  
 Roselawn Ave.: Mill & overlay  
 Fulham Street: Reconstruct w/curb& gutter north of Larpenteur  
 Alleys: Convert non-vacated dead-end alleys to through alleys  
**Total Fund 401**

\$ 1,310,468  
 \$ 676,183  
 \$ 200,000  
 \$ 200,000  
 \$ 132,000  
**\$ 2,518,651**

## FUND 402 GENERAL CAPITAL IMPROVEMENT FUND

City Hall: 3-tub sink for kitchen  
**Total Fund 402**

\$ 2,000  
**\$ 2,000**

## FUND 403 STORM WATER IMPROVEMENT FUND<sup>2</sup>

Eustis Street: Storm sewer improvements no. of Larpenteur  
 Eustis Street: Storm sewer improvements so. of Larpenteur  
**Total Fund 403**

\$ 210,720  
 \$ 139,412  
**\$ 350,132**

## FUND 404 PARK IMPROVEMENT FUND

Community Park: Permanent Bathrooms  
 Community Park: Comm. bldg w/meeting rm, kitchen, restrooms, park shelter  
 Community Park: Signage  
 Skyview Park: Black top path from Walnut Street  
 Nature Area: Grade trolley path, riprap for erosion  
 Walsh Lake: Signage for west & south property lines  
 Walsh Lake: Walking path Ryan to Pleasant  
 Walsh Lake: Bench for south end of Pleasant  
 Community Park: Construct park shelter #2  
**Total Fund 404**

\$ 40,000  
 \$ 875,000  
 \$ 3,000  
 \$ 2,500  
 \$ 25,000  
 \$ 250  
 \$ 25,000  
 \$ 1,000  
 \$ 22,000  
**\$ 953,565**

## **TOTAL ALL UNFUNDED PROJECTS**

**\$ 3,824,346**

<sup>1</sup> Assumes City taking responsibility for the road (turn back). Based on January 2009 estimate prepared by the City Engineer. Prices not adjusted for inflation.

<sup>2</sup> Assumes City taking responsibility for the road (turn back). Based on January 2009 estimate prepared by the City Engineer. Prices not adjusted for inflation.



CITY OF LAUDERDALE

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Cash Balances

Current Period: SEPTEMBER 2012

FUND Descr	Account	MTD Debit	MTD Credit	Current Balance
<b>CASH</b>				
GENERAL	G 101-10100	\$4,983.37	\$82,227.00	-\$2,412,163.25
COMMUNITY EVENTS	G 201-10100	\$317.00	\$992.70	\$6,723.35
COMMUNICATIONS	G 202-10100	\$0.00	\$798.86	\$20,729.05
RECYCLING	G 203-10100	\$0.00	\$2,508.86	\$103,048.99
03 ST/UTIL IMP DEBT SERVICE	G 304-10100	\$0.00	\$0.00	\$243,215.91
CAPITAL IMPROVEMENT STREETS	G 401-10100	\$0.00	\$0.00	\$532,989.89
CAPITAL IMPROVEMENTS	G 402-10100	\$0.00	\$0.00	\$24,559.50
CAPITAL IMPROVE STORM WATER	G 403-10100	\$0.00	\$0.00	\$179,540.26
PARK IMPROVEMENT	G 404-10100	\$0.00	\$0.00	\$256,955.79
TIF-PROJECTS	G 405-10100	\$0.00	\$920.32	\$393,390.96
SEWER IMPROVEMENT	G 407-10100	\$0.00	\$0.00	\$433,142.13
SEWER UTILITIES	G 601-10100	\$43,219.76	\$15,089.33	\$347,791.32
STORM SEWER ENTERPRISE FUND	G 602-10100	\$8,757.23	\$4,197.71	\$61,610.63
<b>Total CASH</b>		\$57,277.36	\$106,734.78	\$191,534.53
<b>PETTY CASH</b>				
GENERAL	G 101-10200	\$0.00	\$0.00	\$400.00
<b>Total PETTY CASH</b>		\$0.00	\$0.00	\$400.00
<b>INVESTMENTS</b>				
GENERAL	G 101-10400	\$0.00	\$0.00	\$2,963,853.81
<b>Total INVESTMENTS</b>		\$0.00	\$0.00	\$2,963,853.81
<b>Grand Total</b>		\$57,277.36	\$106,734.78	\$3,155,788.34

# Memo

**To:** Heather Butkowski, City Administrator  
**From:** Stacie Kvilvang, Ehlers  
**Date:** June 29, 2011  
**Subject:** Use of TIF 1-1 Funds

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The City has inquired as to the use of funds in the above referenced tax increment district (TIF). TIF District 1-1 is a housing district with a maximum term of 25 years from the receipt of the first increment. The District received its first increment in 1988, so it will terminate on December 31, 2013.

## **Background**

In 1985, the City established TIF District 1-1 to financially assist with the redevelopment of the Rose Hill Nursery into rental apartments and owner occupied town homes. The City issued general obligation bonds and used the tax increment to pay the annual debt service, which was paid in full in 2004.

In 1996 the Development District (the area in which the City could expend TIF) was expanded to include most of the City. In addition, the budget in the TIF Plan was modified to allow tax increment to be spent on street and utility reconstruction in residential neighborhoods.

In 2001 through 2003, the City undertook extensive street and utility reconstruction. The improvements were financed with improvement bonds to be repaid with special assessments and debt levy. Available tax increment was also used to pay capital costs for the reconstruction. In addition, tax increment is authorized to be used for debt service in the TIF Plan, but was not pledged to payment of the bonds at the time the bonds were sold.

## **Opportunities**

The District currently has a balance of approximately \$144,500 and it is anticipated that it will receive approximately \$171,000 in TIF annually in 2011 through 2013. This would provide the City approximately \$657,500 to utilize for projects.

Since this district was created in 1985, the City has flexibility in the use of funds. Following are some opportunities for the City's use of these funds:

1. Development of affordable housing. A housing project is a rental or owner-occupied housing development intended for occupancy by low and moderate income families. The specific guidelines are as follows:

- Rental Housing:** 20% of the units occupied by families at 50% of median income or 40% of the units occupied by families at 60% of median income.
- Owner Occupied:** Purchased by a family with an income up to 100% of the area median income for a family of 2 or less or with an income up to 115% of the area median income for a family of 3 or more.

Typically TIF is utilized for capital expenditures, but may be used for non capital expenditures on a limited basis. Examples of potential rental housing projects would include:

- a) New affordable rental housing as part of redevelopment (20/50 or 40/60 election)
- b) Renovation of an existing rental housing development (20/50 or 40/60 election)
- c) Providing subsidy to an existing project that is earmarked for additional affordability (20/50 or 40/60 election)

Examples of potential owner-occupied projects would include:

- a) Site acquisition and demolition for infill lots that will be sold for new housing construction
  - b) Acquisition of foreclosed homes for resale to income qualified buyers
  - c) Rehabilitation loans for home improvements (including HIA owners)
  - d) Second mortgages to qualified home buyers
2. Land acquisition for housing or commercial development, including acquisition for a City municipal liquor store. Please note that the TIF plan may need to be modified to reflect the property(ies) the City may be interested in purchasing and you will need to obtain an opinion from your TIF attorney as to use of funds to buy land for a city facility (attorney opinions vary).
  3. Development of public improvements such as road reconstruction, utilities, sidewalks, storm water ponds, etc.

### **Recommendations**

The City should come up with an overall plan to expend the dollars in the TIF fund as they become available. The City should then modify the TIF district plan accordingly to reflect the expected use of the funds.

Please contact me at 651-697-8506 with any questions.

## **Livable Communities Act - Ownership and Rent Affordability Limits 2012**

The Council's definition of "affordable housing" represents the upper limit of monthly rents and home-purchase prices for housing referred to in Framework policy as affordable to low- and moderate-income families. These income limits for determining affordability have been a part of the foundation for goals negotiations and monitoring of goals progress with Livable Communities Act (LCA) participating cities since 1995, and have been the basis for counting all new affordable units in the housing stock, i.e., all new publicly-assisted and market rate units affordable to low-and-moderate income households.

For units constructed in 2011 and beyond, the Council is using a consistent income limit of what a family of four with an income at or below 60 percent of area median income (AMI) can afford to pay in monthly housing costs for either rental housing or mortgage costs (including principal, interest, property taxes and home insurance).

This level is also consistent with the preference adopted in 2001 by the Local Housing Incentives Account Additional Metropolitan Housing Implementation Group (MHIG) Funding Criteria for funding homeownership units affordable at 60 percent of area median income.

Through 2010, the Council had identified a purchase price ceiling or target maximum price for owner-occupied homes based on what a family of four with an income at or below 80 percent of AMI could afford at prevailing interest rates. For affordable rental units, the Council had previously used the maximum monthly rents affordable for households at 50 percent of AMI.

### **Area Median Income for a family of four, 2012 Minneapolis-St. Paul Metropolitan Statistical Area**

Area median income	\$83,900
60% of area median income	\$50,340
30% of area median income	\$25,170

U.S. Department of Housing and Urban Development

Applying an interest rate on a 30-year fixed-rate home loan of 3.875 percent for 2012 and other payment factors<sup>1</sup> to the 60 percent of area median income amount adjusted for a family of four (\$50,340), yields an affordable purchase price of \$171,500 in 2012. This compares to a 2010 purchase price limit at 60 percent of area median income of \$179,100 and a 2011 limit of \$160,250. (Changes were made between 2010 and 2011 in the assumptions of debt-to-income ratios and mortgage insurance costs to reflect current standards in Federal Home Administration underwriting.)

To implement the Livable Communities Act in 2012, the Metropolitan Council will use as the upper limit of affordability for ownership purchase price and monthly rents, the following dollar amounts:

<b>Household Income Level:</b>	<b>Affordable Home Price</b>
60% of area median income (\$50,340)	\$171,500
30% of area median income (\$25,170)	\$78,000

<b>2012 RENTAL HOUSING</b>			
<b>Bedroom size:</b>	<b>Monthly gross rent including tenant-paid utilities, affordable at 30 percent of area median income</b>	<b>Monthly gross rent including tenant-paid utilities, affordable at 50 percent of area median income</b>	<b>Monthly gross rent including tenant-paid utilities, affordable at 60 percent of area median income</b>
Efficiency	\$441	\$735	\$882
1 bedroom	\$472	\$787	\$945
2 bedrooms	\$567	\$945	\$1,134
3 bedrooms	\$654	\$1,091	\$1,309
4 bedrooms	\$730	\$1,217	\$1,461

<sup>1</sup> Assumes a 29 percent housing debt to household income ratio, 3.5 percent downpayment, a property tax rate of 1.25 percent of property sales price, mortgage insurance at 1.15 percent of unpaid principal, and \$100 / month for hazard insurance