

**LAUDERDALE CITY COUNCIL MEETING AGENDA
7:30 P.M. TUESDAY, APRIL 27, 2010
LAUDERDALE CITY HALL, 1891 WALNUT STREET**

FILE

1. ROLL CALL
2. APPROVAL OF THE AGENDA
3. APPROVALS
 - a. Minutes of the April 13, 2010, City Council Meeting
 - b. Claims totaling \$21,505.47
4. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COUNCIL
5. CONSENT
 - a. First Quarter 2010 Investment Report
 - b. Acknowledge March Finances
 - c. Installation of Pet Waste Signage
6. SPECIAL ORDER OF BUSINESS/RECOGNITION/PROCLAMATIONS
 - a. Recognition of Girl Scout Gold Award Recipients – Samantha & Danielle Nelson
7. PUBLIC HEARINGS Public hearings are conducted so that the public affected by a proposal can have input into the decision.
8. REPORTS
 - a. Garage Sale – May 15
9. DISCUSSION / ACTION
 - a. Dog Park Maintenance Discussion
 - b. Resolution 042710A – A Resolution Depositing the Excess Unreserved Fund Balance in the General Fund
 - c. Follow up to April 13 meeting with Twin City Die Casting
 - d. Weed Control Options for Community Park, City Hall, and Public Works Garage
 - e. Resignation of Colleen Callahan, Deputy City Clerk
 - f. Filling the Open Deputy City Clerk Position
10. ITEMS REMOVED FROM THE CONSENT AGENDA
11. ADDITIONAL ITEMS
12. SET AGENDA FOR NEXT MEETING
 - a. Purchasing Policy Revisions
 - b. Citizen's Academy Graduation
13. WORK SESSION
 - a. Nuisance Ordinance Enforcement, Discussion with City Attorney
14. ADJOURN

April 13, 2010

Councillors Gaasch, Hawkison, and Mac Lean and Mayor Dains met with Doug Harmon, CEO Twin City Die Castings Company; Mark Mayville, architect with Truman Howell & Associates; and Mike Burton, Plant General Contractor, Twin City Die Castings Company at 5:30 p.m. Also present: city staff Heather Butkowski and Dave Hinrichs and city engineer Tom Kellogg.

The purpose of the meeting was to allow the City Council to view the easement area Twin City Die Castings Company would like to build over to connect two existing buildings. They said this would allow for increased productivity and better work flow. The group discussed the proposed height of the structure, emergency access, and sewer pipe capacity. Following the discussion, councillors Gaasch, Hawkison, and Mac Lean toured the factory.

At 6:30 p.m. began the zoning ordinance update open house at Lauderdale City Hall. The city's planning consultant Tina Goodroad and Butkowski discussed zoning ordinance changes the City Council is considering in light of the Comprehensive Plan update completed in 2009. The City will host another open house or public hearing prior to the adoption of a revised zoning ordinance.

The Mayor called the regularly scheduled meeting to order at 7:40 p.m.

Councillors present: Mary Gaasch, Roxanne Grove, Denise Hawkison, Lara Mac Lean, and Mayor Jeff Dains. Councillors absent: none.

Staff present: Heather Butkowski, City Administrator; Jim Bownik, Assistant to the City Administrator; Dave Hinrichs, Public Works Coordinator.

Mayor Dains asked for changes to the meeting agenda. Dains added a report on the Day on the Hill event organized by the League of Minnesota Cities. Councillor Mac Lean moved to approve the agenda as amended. Councillor Hawkison seconded the motion and it passed unanimously.

Councillor Gaasch moved to approve the March 23, 2010, City Council meeting minutes. Councillor Mac Lean seconded the motion and it passed unanimously.

Councillor Mac Lean moved approval of the claims totaling \$76,678.29. Councillor Hawkison seconded the motion and it passed unanimously.

Mayor Dains asked if members of the public wished to address the Council. No one present wished to do so.

Mayor Dains asked if councilors wished to remove items from the consent agenda. Councilor Hawkinson removed item 6C, installation of pet waste signage. Councilor Mac Lean removed item 6B, park use request. Councilor Hawkinson moved the remaining consent agenda items approving 2010 business licenses and acknowledging the February 2010 finances. Councilor Mac Lean seconded the motion and it passed unanimously.

Butkowski said the City annually must hold a public hearing to give residents and business owners an opportunity to address the Council regarding its Stormwater Pollution Prevention Program (SWPPP), which is part of the City's Municipal Separate Storm Sewer System (MS4) Permit. Throughout the year, city staff works to meet the 55 best management practice (BMPs) identified in the SWPPP. In 2009, the city updated the existing stormwater management ordinance and adopted an illicit discharge detection and elimination ordinance in addition to having the city engineer complete an Impaired Waters Review to determine what impaired waters Lauderdale stormwater enters.

Mayor Dains opened the public hearing at 7:52 p.m. No one present wished to speak to the issue. The public hearing closed at 7:53 p.m.

Butkowski said the zoning ordinance update open house was well attended by residents interested in learning more about the goals and vision of the City. There will be another open house prior to the adoption of an updated zoning ordinance.

Butkowski also noted that the governor and legislature recently enacted another cut to local government aid. Lauderdale will lose an additional \$40,699 bringing this years total cut to \$128,895. A 2011 cut was included in that legislation; Lauderdale's portion will be \$45,891. Mayor Dains said he attended the League of Minnesota's Day on the Hill event with councilor Gaasch and Butkowski. The tone of the day and the sentiment of the speakers was that things were going to be difficult for cities for some time to come.

Andrew Berg, audit manager at Abdo, Eick, and Meyers, addressed the Council. He said the city audit was completed and they produced an unqualified or clean opinion. The only finding continues to be that city staff does not prepare the financial statements, which is common in small cities. For the first time, segregation of duties was no longer a report finding. Berg reviewed the management report with the Council.

Councilor Hawkinson moved to accept the 2009 audit findings as prepared by Abdo, Eick, and Meyers. Councilor Mac Lean seconded the motion and it passed unanimously.

Butkowski said staff annually solicits street sweeping quotes. Four vendors were contacted and two responded. Reliakor Services quoted \$4,800; Mike McPhillip's quoted \$5,075. Public works staff recommended selecting Mike McPhillips, in spite of the higher price. They felt Mike McPhillips has proved to be a better value due to their attention to detail, especially in the sweeping of the alleys.

Councilor Hawkinson moved to approve Mike McPhillips to perform the 2010 spring and fall street sweeping at a cost of \$5,075. Councilor Mac Lean seconded the motion and it passed unanimously.

Butkowski said the City purchased its current copier in April 2000 and a replacement is necessary. Instead of purchasing a unit, staff prepared specs whereby the City would lease a unit for four years.

Councilor Hawkinson moved to allow staff to solicit quotes for a new office copier. Councilor Mac Lean seconded the motion and it passed unanimously.

Councilor Mac Lean removed item 6B regarding a park shelter reservation from the consent agenda. She asked whether notice of the reservations could be posted at the shelter. Butkowski said staff posts notice for park reservations at the picnic shelter and at the ball fields.

Councilor Hawkinson moved to approve use of Lauderdale City Park by the Children's Home Society on June 26. Councilor Mac Lean seconded the motion and it passed unanimously.

Councilor Hawkinson removed item 6C regarding park signage from the consent agenda. She suggested finding alternative language for the signs. Staff said they would revise the sign and bring it to the next council meeting for consideration.

Butkowski reviewed the preliminary agenda for the next meeting, which included purchasing policy revisions, dog park maintenance, and a discussion with the city attorney regarding nuisance code enforcement.

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

LAUDERDALE CITY COUNCIL
MEETING MINUTES

Lauderdale City Hall
1891 Walnut Street
Lauderdale, MN 55113

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Sherman Associates met with staff regarding the construction of 57 rental housing units and an office building on the New Mech site. They requested financial assistance from the City to make the project viable. Stacie Kvilvang, the City's financial advisor, explained the financing tools available to the City and how projects like this are negotiated so the City can ensure that other city goals are met in the process, such as improving pedestrian safety along Bustis Street south of Larpenteur Avenue. Butkowski said Sherman Associates needs a letter of support from the Council within a couple of weeks in order to apply for grants from the Minnesota Housing Finance Agency. Councilors expressed the opinion that the City already has a significant percentage of rented units and it would be in the best interest of the City to try to keep a commercial use on the New Mech site. Kvilvang was directed to let Sherman Associates know the Council was not interested in pursuing the project if it required financing from the City.

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 8:30 p.m.

Respectfully submitted,



Heather Butkowski
City Administrator

**CITY OF LAUDERDALE
CLAIMS FOR APPROVAL
April 27, 2010 City Council Meeting**

Payroll	04/16/10 Payroll: Direct Deposit # 500948-500952	\$6,773.15
	04/16/10 Payroll: Payroll Liabilities, e-payments 443E-445E	\$5,856.67
Vendor Claims	04/27/10: Check #'s 20157-20174	\$8,875.65
SUBTOTAL		\$21,505.47

Total Claims for Approval \$21,505.47

CITY OF LAUDERDALE
Payments

Current Period: APRIL 2010

Batch Name 041610payrol Payment Computer Dollar Amt \$5,856.67 Posted

Refer 1392 ICMA RETIREMENT TRUST - 457 CK# 000443E 4/16/2010

Cash Payment G 101-21705 ICMA RETIREMENT 4/16/10 Payroll \$1,875.58

Transaction Date 4/16/2010 Due 0 NORTH STAR CHEC 10100 Total \$1,875.58

Refer 1393 NORTH STAR BANK CHECKING S CK# 000444E 4/16/2010

Cash Payment G 101-21703 FICA WITHHOLDING 04/16/10 Payroll \$1,758.32

Transaction Date 4/16/2010 Due 0 NORTH STAR CHEC 10100 Total \$2,560.22

Refer 1394 PERA CK# 000445E 4/16/2010

Cash Payment G 101-21704 PERA 04/16/10 Payroll \$1,420.87

Transaction Date 4/16/2010 Due 0 NORTH STAR CHEC 10100 Total \$1,420.87

Refer 10100 NORTH STAR CHECKING

Cash Payment G 101-21704 PERA 04/16/10 Payroll \$5,856.67

Transaction Date 4/16/2010 Due 0 NORTH STAR CHEC 10100 Total \$5,856.67

Fund Summary

101 \$5,856.67
\$5,856.67

Pre-Written Checks	\$5,856.67
Checks to be Generated by the Computer	\$0.00
Total	\$5,856.67

CITY OF LAUDERDALE

*Check Detail Register©

APRIL 2010

Check Amt Invoice Comment

10100 NORTH STAR CHECKING	
Paid Chk# 020157	4/27/2010 APMF OF MN
E 101-41200-438	DUES & SUBSCRIPTIONS
\$30.00	Total APMF OF MN
jB - '10 Membership Renewal	
Paid Chk# 020158	4/27/2010 BONESTROO, ROSENE, ANDERLIK
E 101-43400-306	CONSULTING FEES
\$677.25	Total BONESTROO, ROSENE, ANDERLIK
3/10 Planning Services - Zoning Update	
Paid Chk# 020159	4/27/2010 BUTKOWSKI, HEATHER
E 202-49500-530	FURNITURE & EQUIPMENT
\$51.48	Total BUTKOWSKI, HEATHER
Battery Backup for Switch	
Paid Chk# 020160	4/27/2010 CINTAS
E 602-49100-425	CLOTHING
\$57.28	PW Clothing
E 601-49000-425	CLOTHING
\$57.29	PW Clothing
Total CINTAS	\$114.57
EHLERS & ASSOCIATES	
Paid Chk# 020161	4/27/2010 EHLERS & ASSOCIATES
E 405-48500-327	OTHER SERV- SEWER/NPDES I
\$712.50	Total EHLERS & ASSOCIATES
3/10 TIF Dist. Consulting Fees	
Paid Chk# 020162	4/27/2010 GOVERNMENT TRAINING SERVICE
E 101-41200-308	TRAINING/CONFERENCES
\$60.00	Total GOVERNMENT TRAINING SERVICE
JB Zoning Workshop	
Paid Chk# 020163	4/27/2010 ICMA
E 101-41200-438	DUES & SUBSCRIPTIONS
\$401.98	Total ICMA
hb - '10 Membership Dues	
Paid Chk# 020164	4/27/2010 INTEGRA
E 101-41200-391	TELEPHONE/PAGERS
\$44.88	Total INTEGRA
3/10 Fax Line	
Paid Chk# 020165	4/27/2010 KENNEDY & GRAVEN
E 101-41500-355	MISC PRINTING/PROCESS SER
\$1.04	Total KENNEDY & GRAVEN
3/10 Legal Services	
E 101-41500-305	LEGAL FEES - CIVIL
\$2,760.00	Total KENNEDY & GRAVEN
3/10 Legal Services	
Paid Chk# 020166	4/27/2010 NORTH STAR BANK, PETTY
E 101-41200-308	TRAINING/CONFERENCES
\$15.00	GENERAL SUPPLIES
jB - APMF luncheon mtg	
E 101-41200-201	POSTAGE
\$5.54	Office Max - laminating #2
Postmaster - cert ltr #1	
E 101-43400-203	POSTAGE
\$5.54	Postmaster - cert ltr #2
Postmaster - cert ltr #3	
E 101-41200-442	MISC
\$6.25	City of Falcon Heights - color copies
Postmaster - stamps	
E 101-41200-203	POSTAGE
\$6.80	Postmaster - stamps
Cub Foods - zoning meeting food	
E 101-43400-442	MISC
\$10.47	Postmaster - stamps
Postmaster - stamps	
E 101-41200-203	POSTAGE
\$29.80	Postmaster - stamps

CITY OF LAUDERDALE

Check Detail Register

APRIL 2010

Check Amt	Invoice	Comment
\$3.54	E 101-41200-201	GENERAL SUPPLIES
\$25.70	E 101-41200-201	GENERAL SUPPLIES
\$20.00	E 101-41200-308	TRAINING/CONFERENCES
\$14.00	E 201-45600-440	MEETING EXPENSES
\$151.72	Total	NORTH STAR BANK, PETTY
\$282.54	E 202-49500-530	FURNITURE & EQUIPMENT
\$282.54	Total	NORTH SUBURBAN ACCESS CORP
\$1,394.03	G 101-21706	HEALTH INSURANCE
\$1,394.03	Total	PUBLIC EMPLOYEES INS PROGRAM
\$618.45	E 101-42100-442	MISC
\$618.45	Total	RAMSEY COUNTY, PROP REC & REV
\$601.00	E 101-41200-353	NEWSLETTER PRINTING
\$601.00	Total	RAPIT PRINTING
\$17.65	E 602-49100-391	TELEPHONE/PAGERS
\$35.32	E 101-43000-391	TELEPHONE/PAGERS
\$17.65	E 601-49000-391	TELEPHONE/PAGERS
\$70.62	Total	SPRINT PCS
\$260.00	E 101-41200-308	TRAINING/CONFERENCES
\$260.00	Total	ST CLOUD STATE UNIVERSITY
\$18.97	E 101-43000-381	ELECTRIC
\$49.66	E 101-45200-383	GAS UTILITIES
\$18.97	E 101-45200-381	ELECTRIC
\$49.65	E 101-43000-383	GAS UTILITIES
\$137.25	Total	XCEL ENERGY, PARK & GARAGE
\$506.34	E 101-43000-380	STREET LIGHT UTILITY
\$506.34	Total	XCEL ENERGY, STREET LIGHTING
\$8,875.65	10100	NORTH STAR CHECKING

CITY OF LAUDERDALE

*Check Detail Register©

APRIL 2010

Check Amt Invoice Comment

Fund Summary

10100 NORTH STAR CHECKING	\$7,665.26	101 GENERAL
	\$14.00	201 COMMUNITY EVENTS
	\$334.02	202 COMMUNICATIONS
	\$712.50	405 TIF-PROJECTS
	\$74.94	601 SEWER UTILITIES
	\$74.93	602 STORM SEWER ENTERPRISE FUND
	\$8,875.65	

**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested	_____
Consent	<input checked="" type="checkbox"/>
Public Hearing	_____
Discussion	_____
Action	_____
Resolution	_____
Work Session	_____

Meeting Date	April 27, 2010
ITEM NUMBER	1010 Investment Report
STAFF INITIAL	HAB
APPROVED BY ADMINISTRATOR	_____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:
 The attached report and spreadsheet reflect the City's investment activity from January through March 2010. Please let me know if you have any questions.

OPTIONS:

STAFF RECOMMENDATION:
 By approving the consent agenda, the Council acknowledges the First Quarter 2010 Investment Report.

COUNCIL ACTION:

**City of Lauderdale
First Quarter Investment Report
April 27, 2010**

The quarter ended with a general fund balance of \$396,721.19 and cash and investments totaling \$2,819,164.97. That is the total of all fund balances including the 601 and 602 sewer enterprise funds. Since the City pools the fund balances for investment purposes, at quarter end \$2,655,836.48 was invested. \$1,109,793.17 was invested in money market funds and \$1,546,043.31 in certificates of deposit (CDs).

The City did not purchase any CDs this quarter; three CDs matured.

The money market rates are still just terrible. Some brokers no longer offer interest on money market accounts. The month by month rates for the money market accounts follow.

Table 1: Average Money Market Rates: October 2009 – March 2010

	October	November	December
4M Fund	0.14%	0.10%	0.12%
4M Plus Fund	0.30%	0.30%	0.26%
SB Inst. MM	0.14%	0.10%	0.10%

	January	February	March
4M Fund	0.12%	0.11%	0.07%
4M Plus Fund	0.23%	0.27%	0.20%
SB Inst. MM	0.08%	0.05%	0.05%

This quarter, the City earned \$19,666.85 from investments compared to \$20,110.11 last quarter. Additionally, the checkbook earned \$372.16. The checkbook interest is deposited into the general fund and is not distributed among the other funds. This brings 2010 investment interest earnings to \$20,039.01; the City earned \$73,727.90 in 2009. Total interest budgeted for 2010 is \$55,100.00.

Table 2 shows how the interest was divided between the funds and compares interest earned to the adopted budget. The funds with the biggest balances get the greatest interest distributions. The TIF fund has the largest balance and continues to grow with the infusion of investment interest.

Table 2: Investment Earning Distribution by Fund

Fund	2010 Budget	As of March 31
101 – General Fund	\$7,000.00	\$3,547.60
201 – Community Events	\$100.00	\$33.41
202 – Communication	\$1,000.00	\$197.22
203 – Recycling	\$1,000.00	\$518.53
303 – 2002 Street Improve	\$5,000.00	\$266.17

Staff provides councilors the spreadsheet as an internal control procedure required by the auditor. As always, staff is available to answer questions and provide the Council with research related to the City's investments.

Staff continues to ladder investments. At the end of the quarter, the average security was held 655 days or about 22 months. Currently, investment maturity dates are staggered through mid 2011. One-half of the CDs maturing in 2010 still will earn more than 4.0%. The other half will earn 1.0-2.0%. Unless rates improve, the maturities in 2011 and beyond will earn between 1.0% and 2.5%. Laddering is a strategy designed to help weather rough times and it has paid off as the City is still seeing good returns on CDs.

304 - 2003 Street Improve	\$8,000.00	\$1,802.48
401 - Capital Improve, Street	\$8,000.00	\$2,739.01
402 - Capital Improve, Gen	\$2,000.00	\$587.80
403 - Capital Improve, Storm Sewer	\$4,000.00	\$1,206.42
404 - Capital Improve, Parks	\$3,000.00	\$1,016.76
405 - TIF Projects	\$5,000.00	\$3,670.48
407 - Sewer Improvements	\$7,000.00	\$2,910.48
601 - Sewer Enterprise Fund	\$3,000.00	\$1,298.07
602 - Storm Sewer Enterprise Fund	\$1,000.00	\$244.58

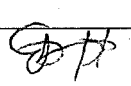
2010 City of Lauderdale Investments

Investment	FDIC	CUSIP	% Rate	Approx. Holding In Days	Maturity Date	Purch Date	Balance 12/31/2009	Purchases	Sales	Transfers In	Transfers out	Interest/Dividends	Balance 1/31/2009	Purchases	Sales	Transfers In	Transfers out	
Smith Barney																		
Inst Govt Money Market	57529	087984	2.550	731	2/25/2011	2/25/2009	162,234.27	-	-	175.19	-	9.50	\$162,418.96	-	-	1,427.38	-	
CD CapMark (semi-ann int)	23360	17312Q	2.250	365	5/21/2010	5/21/2009	96,000.00	-	175.19	-	-	175.19	96,000.00	-	134.06	-	-	
CD Citibank, NY (monthly int)							98,000.00	-	-	-	-	-	98,000.00	-	193.32	-	-	
Future purchases								-	-	-	-	-		-	-	-	-	
							356,234.27	-	175.19	175.19	-	184.69	356,418.96	-	1,427.38	1,427.38	-	
Northland																		
Money Market																		
CD Orange Bank of Florida (Mo Int)	57960	68407A	2.200	915	1/30/2012	7/29/2009	179.01	-	-	100,184.98	100,179.01	-	184.98	-	-	-	-	
CD Bank of New Jersey	58175	063931	1.200	547	6/29/2011	12/30/2009	99,000.00	-	184.98	-	-	184.98	99,005.00	-	-	-	-	
CD Keybank National Association, Cleveland OH	17534	493933	4.174	1096	1/24/2011	1/24/2008	98,241.59	-	-	-	-	-	98,241.59	-	-	-	-	
CD Centennial Bank	32707	151931	1.300	365	12/29/2010	12/30/2009	88,334.82	-	-	-	-	-	88,334.82	-	-	-	-	
CD Greystone Bank, Raleigh, NC	58094	398807	2.183	365	1/6/2010	1/6/2009	97,568.13	-	100,000.00	-	-	2,141.87	98,725.16	-	-	-	-	
Future purchases								-	-	-	-	-	0.00	-	-	-	-	
							482,343.71	-	100,184.98	100,184.98	100,179.01	2,326.85	384,491.55	-	-	-	-	
RBC Dain Rauscher																		
Money Market																		
CD Parkway Bank & Trust (Mo. Int)	19008	70153R	1.000	457	3/30/2011	12/30/2009	99,000.00	-	-	2,102.64	2,102.64	-	99,000.00	-	-	224.04	224.04	
CD Michigan Commerce Bank, MI	33134	035416	1.600	518	12/30/2010	7/30/2009	99,000.00	-	-	-	-	-	99,000.00	-	89.51	-	-	
CD Provident Bank, Baltimore, MD	15951	743849	4.300	728	7/23/2010	7/25/2008	97,000.00	-	2,102.64	-	-	2,102.64	97,000.00	-	134.53	-	-	
CD Ally/GMAC, Midvale, UT (Int Apr. Oct 31)	57803	36185A	4.103	546	4/30/2010	10/31/2008	97,000.00	-	-	-	-	-	97,000.00	-	-	-	-	
Future purchases								-	-	-	-	-		-	-	-	-	
							392,000.00	-	2,102.64	2,102.64	2,102.64	2,102.64	392,000.00	-	224.04	224.04	224.04	
Piper Jaffrey																		
Money Market																		
Future purchases								-	-	-	-	-		-	-	-	-	
							-	-	-	-	-	-		-	-	-	-	
Financial Northeastern Companies																		
Money Market																		
CD Community Bank, Pickens County, GA	35513	2035731	2.000	821	11/10/2011	8/11/2009	99,000.00	-	168.17	99,409.22	99,409.22	168.17	99,000.00	-	-	382.57	-	
CD Tennessee Commerce Bank, Franklin, TN (Mo. Int)	35296	090511	2.550	730	5/11/2011	5/11/2009	99,000.00	-	214.41	-	-	214.41	99,000.00	-	214.41	-	-	
CD Royal Bank America, Nantebeth, PA	18962	780995	4.100	551	1/25/2010	7/23/2008	97,000.00	-	99,026.64	-	-	2,026.64	-	-	-	-	-	
Future purchases								-	-	-	-	-		-	-	-	-	
							295,000.00	-	99,409.22	99,409.22	99,409.22	2,408.22	198,000.00	-	382.57	382.57	-	
ICD Securities																		
Money Market																		
CD Discover Bank, DE	5649		2.000	825	10/26/2011	7/23/2009	95,674.97	-	-	-	-	-	95,674.97	-	-	-	-	
CD Ftm Third Bank, Cincinnati, OH	6672		4.400	730	10/27/2010	10/27/2008	91,911.77	-	-	-	-	-	91,911.77	-	-	-	-	
CD Settler's Bank, Deforest, WI	58651		4.350	732	10/12/2010	10/10/2008	91,976.16	-	-	-	-	-	91,976.16	-	-	-	-	
CD Woodlands Bank, SC	32571		1.850	367	7/19/2010	7/17/2009	98,173.84	-	-	-	-	-	98,173.84	-	-	-	-	
CD National City Bank, Cleveland, OH	6557		4.700	759	2/22/2010	1/25/2008	91,096.73	-	-	-	-	-	91,096.73	-	-	-	-	
Future purchases								-	-	-	-	-		-	-	-	-	
							468,833.47	-	-	-	-	-	468,833.47	-	-	-	-	
4M Funds																		
Invest Fund																		
Plus Fund							361,043.62	-	-	101,129.28	200,000.00	32.53	262,205.43	-	-	224.04	200,000.00	
Future purchases							680,714.56	-	-	100,561.59	-	150.06	781,426.21	-	-	-	-	
Total Account							1,041,758.18	-	-	201,690.87	200,000.00	182.59	1,043,631.64	-	-	224.04	200,000.00	
TOTAL INVESTMENTS AND CDS:																		
							3,036,169.63	-	2,277.83	203,968.70	202,102.64	7,208.99	2,843,375.62	-	1,651.42	1,875.46	200,224.04	
** Average holding of Current CDS/Agencies in days																		
																	654.6	

From "Cash Balances"
 101-10400 Invest
 Actual Bal. 101-10100
 2,836,169.63
 2,278,032.56
 568,137.07
 Inv Bal BS
 Interest
 New Balance
 2,836,169.63
 7,208.99
 2,843,375.62

**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested	_____
Consent	<input checked="" type="checkbox"/>
Public Hearing	_____
Discussion	_____
Action	_____
Resolution	_____
Work Session	_____

Meeting Date	April 27, 2010
ITEM NUMBER	5B - March Finances
STAFF INITIAL	
APPROVED BY ADMINISTRATOR	_____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:
 Every month I provide the Council with an updated copy of the city's finances. These are the numbers for March.

OPTIONS:

STAFF RECOMMENDATION:
 By approving the consent agenda, the Council acknowledges the city's March 2010 fi-
 nances.

COUNCIL ACTION:

GENERAL FUND REVENUE

	2008	2009	2010	As of Mar. 31	2011
	Actual	Actual	Adopted	Proposed	
CITY LEVIED TAXES					
31010 Current Ad Valorem	416,219	425,397	458,584	150	150
31020 Delinquent Ad Valorem	679	3,534	-	-	-
31040 Fiscal Disparities	96,437	101,843	113,154	-	-
SUB TOTAL PROPERTY TAXES	513,335	530,775	571,738	150	150
STATE AIDE					
33401 Local Government Aide	421,827	557,218	527,174	-	-
33405 PERA Rate Increase Aide	1,198	1,198	1,198	-	-
33406 Market Value Home Credit	29,086	28,839	-	-	-
TOTAL STATE AIDE	452,111	587,255	528,372	-	-
LICENSES AND FEES					
32110 3.2 Alcohol License	65	150	150	-	-
32120 Cigarette License	200	200	400	200	200
32130 Garbage Hauler Licenses	1,270	1,170	750	1,125	1,125
32140 HVAC Licenses	875	890	550	600	600
32150 Tree Company License	360	140	200	350	350
32160 Gas Station License	55	-	55	-	-
32180 Rental License Fee	4,495	3,366	3,000	134	134
32240 Animal Licenses	330	290	250	80	80
34101 City Hall Rental	2,805	3,945	2,500	1,175	1,175
43103 Administrative Fee	650	83	200	-	-
34105 Sale of Publications	-	-	-	-	-
34109 Copies	47	61	45	-	-
34114 Advertising sales	50	-	-	-	-
34115 Miscellaneous Revenue	-	-	-	-	-
TOTAL LICENSES AND FEES	11,202	10,295	8,100	3,664	3,664
REVENUE OTHER					
36100 Special Assessments	1,940	9,677	-	-	-
36101 Principal	-	-	-	-	-
36102 Penalties and Interest	155	2,182	-	-	-
36103 Tree Removal	-	-	-	-	-
36200 Miscellaneous Revenue	63	-	-	-	-
36211 Investment Interest	13,852	11,018	7,000	3,548	3,548
36230 Donations	1,500	-	-	1,500	1,500
36231 Dog Park Donations	431	50	250	41	41
36240 State Surcharge - Construction Permits	431	539	250	41	41
36250 Refunds and Reimbursements	-	3,511	-	-	-
36252 LMCT Insurance Dividend	1,366	2,905	500	-	-
36255 Miscellaneous	-	-	-	-	-
39101 Sales Fixed Assets	-	1	-	-	-
TOTAL OTHER REVENUE	19,307	29,882	7,750	5,089	5,089
PUBLIC SAFETY					
42,076	40,547	36,500	7,052	7,052	
PLANNING & INSPECTIONS					
16,277	20,487	10,550	2,415	2,415	
TRANSFERS FROM OTHER FUNDS					
-	-	-	-	-	
TOTAL GENERAL FUND REVENUE	1,054,308	1,219,241	1,163,010	18,369	18,369

GENERAL FUND REVENUE

GENERAL FUND EXPENDITURES

	2008	2009	2010	2010	2011
	Actual	Actual	Adopted	As of Mar. 31	Proposed
Legislative	22,711	22,634	26,410	4,931	
Administrative	206,035	168,728	155,731	31,050	
Audit, Elections, and Legal Services	11,404	6,234	68,804	14,672	
Public Safety	553,100	582,567	591,095	145,886	
Police	32,872	35,529	35,500	20,020	
Fire	13,379	11,545	-	-	
Prosecution	94,453	92,877	108,402	18,020	
Public Works	27,856	22,568	81,299	8,314	
Planning & Inspections	65,662	71,716	68,269	17,236	
Parks and Recreation	1,665	1,235	7,500	-	
Development	1,029,138	1,015,633	1,143,010	260,129	
Contingency	-	-	20,000	-	
Transfers Out	14,660	31,000	-	-	
TOTAL GENERAL FUND EXPENDITURES	1,043,798	1,046,633	1,163,010	260,129	

LEGISLATIVE (41100)

EXPENDITURES

	2008 Actual	2009 Actual	2010 Adopted	2010 As of Mar. 31	2011 Proposed
Personnel					
103 Part-time employees	13,200	13,200	13,200	13,200	3,300
122 FICA	1,010	1,010	1,010	1,010	252
151 Workers Comp	-	59	50	50	-
Subtotal Personnel	14,210	14,269	14,260	14,260	3,552
General Operations					
201 General Supplies	63	-	-	-	39
202 Permanent Supplies	-	-	-	-	-
203 Postage	-	84	-	-	-
305 Legal Fees	-	-	-	-	-
308 Training and Conferences	285	-	500	500	570
331 Travel	12	24	50	50	-
352 Publishing	-	292	500	500	303
361 General Liability	5,285	5,228	6,000	6,000	-
438 Dues and Subscriptions	2,646	2,671	2,800	2,800	325
439 Special Events	-	-	100	100	-
440 Meeting Expenses	210	66	200	200	141
442 Miscellaneous Expenses	-	-	-	-	-
Subtotal General Operations	8,501	8,365	10,150	10,150	1,378
Capital Equipment					
530 Furniture and Equipment	-	-	2,000	2,000	-
538 Computer software and Equipment	-	-	-	-	-
Subtotal Capital Equipment	-	-	2,000	2,000	-
TOTAL LEGISLATIVE EXPENSES	22,711	22,634	26,410	26,410	4,931

ADMINISTRATION & FINANCE (41200)

	2008	2009	2010	As of Mar. 31	2010	Proposed
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EXPENDITURES

	101	Full-time employees	108,289	102,536	94,127	19,496
	104	Temp. employees	-	-	-	-
	121	PERA	6,494	6,836	6,589	1,480
	122	FICA	8,472	8,004	7,200	1,668
	131	Benefits (health, dental, etc)	9,876	9,272	10,500	2,265
	151	Workers Compensation	1,243	559	715	57
		Subtotal Personnel	134,374	127,206	119,131	24,966
		General Operations				
	201	General Supplies	1,808	1,731	2,200	551
	203	Postage	5,060	1,817	2,500	1,332
	208	Water cooler water	245	303	450	46
	301	Auditing	12,700	12,904	-	-
	305	Legal contract - Civil	12,934	3,567	-	-
	306	Consulting fees (IT Support)	3,160	5,440	6,000	1,360
	307	Computer Services (Banyon)	1,560	1,560	1,600	-
	308	Training and conferences	1,407	1,004	2,200	45
	309	Newspaper - Roseville Review	8,415	-	-	-
	331	Travel Expenses	887	929	1,200	2
	352	Public information and notices	-	726	2,000	96
	353	Newletter Printing	3,968	2,469	4,050	626
	354	Phonebook Printing	3,561	-	-	-
	355	Miscellaneous printing & process	1,595	285	-	436
	361	General liability	4,599	4,652	4,800	-
	391	Telephones/Fax (City Hall)	1,995	1,769	2,000	376
	401	Copier	1,466	379	4,000	-
	404	Computer Repair/Maintenance	-	-	-	-
	409	Other equipment repair	-	-	-	-
	438	Dues and Subscriptions	2,765	1,474	3,000	1,129
	440	Meeting Expenses	15	85	100	16
	442	Miscellaneous expenses	2,417	78	500	70
		Subtotal General Operations	70,558	41,172	36,600	6,084
		Capital Expenditures				
	530	Furniture and equipment	-	-	-	-
	531	Office equipment	-	-	-	-
	534	Office furniture	-	-	-	-
	538	Computers and technology	1,103	351	-	-
		Subtotal Capital	1,103	351	-	-
		TOTAL EXPENSES	206,035	168,728	155,731	31,050

* Auditing & legal services were moved to the Audit, Elections, and Legal Services Fund at the end of 2009.

**AUDITING, ELECTIONS,
AND LEGAL SERVICES (\$1500)**

EXPENDITURES

	2008 Actual	2009 Actual	2010 Adopted	2010 As of Mar. 31	2010 Proposed
Personnel					
101 Full-time employees	6,842	3,724	13,152	13,152	2,867
104 Temp. employees	2,477	968	1,700	1,700	-
121 PERA	329	239	921	921	204
122 FICA	518	296	1,006	1,006	231
131 Benefits (health, dental, etc)	671	198	1,500	1,500	349
151 Workers Compensation	-	35	100	100	-
Subtotal Personnel	10,837	5,461	18,379	18,379	3,650

201 General Supplies	408	-	200	200	-
300 Legal Services - Prosecution	-	-	12,000	12,000	1,700
301 Auditing	-	-	14,000	14,000	9,200
306 Legal Services - Civil	-	-	14,000	14,000	80
327 Other Services	159	586	700	700	-
331 Travel Expenses	-	-	75	75	-
352 Public Information & Notices	-	96	2,000	2,000	-
355 Miscellaneous Fees	-	-	5,200	5,200	42
409 Other equipment and repair	-	-	-	-	-
440 Meeting expenses	-	91	250	250	-
442 Miscellaneous expenses	-	-	-	-	-
Subtotal General Operations	567	774	48,425	48,425	11,022

Capital Expenditures					
530 Furniture and equipment	-	-	2,000	2,000	-
531 Office equipment	-	-	-	-	-
534 Office furniture	-	-	-	-	-
538 Computers and technology	-	-	2,000	2,000	-
Subtotal Capital	-	-	2,000	2,000	-
TOTAL EXPENSES	11,404	6,234	68,804	68,804	14,672

* Auditing & legal services were moved to this fund at the end of 2009.

		PUBLIC SAFETY (42100)			
		2008	2009	2010	As of Mar. 31
		Actual	Actual	Adopted	2010
					Proposed
					2011
REVENUE					
34202	False Fire Alarm	794	424	1,000	-
34203	Fire Inspection Fee	1,050	-	3,500	-
34205	Fire Call Reimbursement	-	1,252	-	-
35101	Court Fines (including traffic tickets)	40,233	38,872	32,000	7,052
TOTAL REVENUE		42,076	40,547	36,500	7,052
EXPENDITURES					
General Operations					
305	Legal Fees - Prosecution	10,326	10,152	-	-
355	Miscellaneous fees - Printing	3,053	1,392	-	-
Subtotal Prosecution		13,379	11,545	-	-
319	Police Contract	548,100	578,250	578,595	144,649
360	General Liability	-	-	5,000	-
442	Miscellaneous Exp. & 911 Dispatch	5,000	4,317	7,500	1,237
Subtotal Police		553,100	582,567	591,095	145,886
320	Fire Contract	19,097	18,630	18,000	17,826
321	Fire Calls	9,922	16,475	13,000	1,755
322	False Fire Alarms	2,778	424	1,000	439
323	Fire Inspections	1,075	-	3,500	-
Subtotal Fire		32,872	35,529	35,500	20,020
TOTAL EXPENSES		599,351	629,641	626,595	165,905

EXPENDITURES				
PUBLIC WORKS (43000)				
2008	2009	2010	As of Mar. 31	2011
Actual	Actual	Adopted	Proposed	
35,366	44,294	30,400	6,462	101
1,283	2,191	2,000	491	102
2,940	3,004	2,268	661	121
3,661	3,516	2,479	744	122
3,720	4,702	4,125	1,062	131
4,032	2,097	2,650	185	151
51,002	59,804	43,922	9,605	Subtotal Personnel
-	-	200	-	202
2,219	1,587	2,500	384	212
-	-	-	-	213
-	-	-	-	225
-	15	-	-	226
5	-	-	-	227
-	-	200	-	228
1,852	1,008	2,000	35	304
2,990	-	3,000	193	308
165	165	400	165	313
11,677	5,207	15,000	4,104	314
4,098	5,062	6,500	-	317
3,654	3,214	15,000	-	324
1,195	-	1,000	-	327
569	356	500	328	328
500	-	500	-	380
5,726	6,168	6,000	1,038	381
2,820	2,457	3,000	653	382
69	69	80	-	383
3,887	3,075	4,500	1,042	384
1,202	1,189	1,300	340	391
455	534	500	70	402
113	2,968	2,000	63	426
-	-	-	-	442
257	-	300	-	Subtotal General Operations
43,451	33,073	64,480	8,415	Capital Expenditures
-	-	-	-	530
-	-	-	-	538
-	-	-	-	Subtotal Capital
94,453	92,877	108,402	18,020	TOTAL EXPENSES

		PLANNING & INSPECTIONS (43400)			
		2008	2009	2010	2011
		Actual	Actual	Adopted	As of Mar. 31 Proposed
REVENUE					
32210	Building Permits	10,364	11,688	7,000	1,456
32211	Zoning Permit Applications	345	1,210	200	-
32225	Plan Review	3,658	4,692	2,000	353
32230	Plumbing Permits	641	1,236	600	392
32270	HVAC Permits	1,045	1,410	750	214
32280	Street Excavation	-	100	-	-
34110	Variance Fee	225	150	-	-
34112	Conditional Use Permit	-	-	-	-
34113	Zoning Amendment	-	-	-	-
TOTAL REVENUE		16,277	20,487	10,550	2,415
EXPENDITURES					
Personnel					
101	Full-time employees	19,304	14,686	28,809	6,286
121	PERA	1,071	963	2,017	456
122	FICA	1,552	1,169	2,204	535
131	Benefits (health, dental, etc)	1,918	1,110	3,750	681
151	Workers Compensation	-	207	1,314	-
Subtotal Personnel		23,844	18,136	38,094	7,958
General Operations					
201	General Supplies	-	-	-	-
202	Permanent Supplies	46	-	-	-
203	Postage	268	173	300	13
306	Consulting Fees	-	452	38,905	210
308	Training and conferences	425	450	500	-
312	Building Inspector	2,504	2,408	2,500	-
327	Other Services	-	-	-	-
331	Travel Expenses	-	-	-	-
355	Miscellaneous Printing	-	-	-	-
386	Gopher State One Call	421	531	700	132
442	Miscellaneous expenses	25	-	-	-
443	Surcharge Report	324	419	300	-
Subtotal General Operations		4,012	4,432	43,205	356
Capital Expenditures					
530	Furniture and equipment	-	-	-	-
531	Office equipment	-	-	-	-
534	Office furniture	-	-	-	-
538	Computers and technology	-	-	-	-
Subtotal Capital		-	-	-	-
TOTAL EXPENSES		27,856	22,568	81,299	8,314

PARKS AND RECREATION (45200)
 2008 Actual 2009 Actual 2010 Adopted 2010 As of Mar. 31 2010 Proposed

EXPENDITURES

Personnel	2008 Actual	2009 Actual	2010 Adopted	2010 As of Mar. 31	2010 Proposed
101 Full-time employees	41,244	51,253	42,425	8,681	
104 Temp. employees	5,963	3,555	6,000	3,769	
121 PERA	3,193	3,431	2,970	677	
122 FICA	4,388	4,322	3,705	1,084	
131 Benefits (health, dental, etc)	4,027	5,102	5,813	1,058	
151 Workers Compensation	2,096	260	1,256	96	
Subtotal Personnel	60,911	67,923	62,169	15,364	
General Operations					
201 General Supplies	103	127	500	45	
202 Permanent Supplies	212	89	500	32	
225 Landscaping Materials	64	-	500	-	
228 Miscellaneous Repairs & Maintenance	211	191	250	-	
317 Tree Service	742	-	-	-	
370 Park and Rec Expenses	700	700	-	-	
371 Non-Resident Reimbursement	32	429	200	-	
381 Electric	626	439	700	254	
382 Water	196	172	300	-	
383 Gas Utility	1,090	801	1,300	247	
384 Refuse	-	-	-	-	
391 Telephones and Pagers	21	-	100	20	
403 Mower repair	-	-	-	1,275	
412 Warming House Repair	10	-	500	-	
427 Porta Potty Rental	1,145	767	750	-	
442 Miscellaneous	300	78	500	-	
Subtotal General Operations	4,751	3,793	6,100	1,872	
Capital Expenditures					
550 Other Improvements	-	-	-	-	
Subtotal Capital	-	-	-	-	
TOTAL EXPENSES	65,662	71,716	68,269	17,236	

	2008	2009	2010	As of Mar. 31	2011
	Actual	Actual	Adopted	2010	Proposed
REVENUE					
Other	-	-	-	-	-
TOTAL REVENUE	-	-	-	-	-
EXPENDITURES					
General Operations					
306 Consulting Fees	1,665	1,235	7,500	-	-
442 Miscellaneous expenses	-	-	-	-	-
Subtotal General Operations	1,665	1,235	7,500	-	-
TOTAL EXPENSES	1,665	1,235	7,500	-	-
DEVELOPMENT (48100)					

	2008	2009	2010	As of Mar. 31	2011
	Actual	Actual	Adopted	2010	Proposed
REVENUE					
Other	-	-	-	-	-
TOTAL REVENUE	-	-	-	-	-
EXPENDITURES					
General Operations					
444 CONTINGENCY FUNDS	-	-	20,000	-	-
710 OPERATING TRANSFERS	-	-	-	-	-
Subtotal General Operations	-	-	20,000	-	-
TOTAL EXPENSES	-	-	20,000	-	-
CONTINGENCY (45300)					

	2008	2009	2010	2010	2011
	Actual	Actual	Adopted	As of Mar 31	Proposed
REVENUE					
Other	-	-	-	-	-
TOTAL REVENUE	-	-	-	-	-
EXPENDITURES					
Transfers to 302	732	-	-	-	-
Transfers to 303	733	-	-	-	-
Transfers to 304	734	-	-	-	-
Transfers to 401	741	-	-	-	-
Transfers to 402	742	-	-	-	-
Transfers to 403	743	-	-	-	-
Transfers to 404	744	-	-	-	-
Transfers to 405	745	-	-	-	-
Total Transfers		14,660	14,660	14,660	14,660
		31,000	31,000	31,000	31,000
TRANSFERS OUT (45400)					

**2010 LAUDERDALE BUDGET
SUMMARY OF FUNDS 201 - 602**

	2007	2008	2009	2010	As of Mar. 31	2010	2011
	Actual	Actual	Actual	Adopted	Proposed	Proposed	Proposed
Total Revenues	3,994	3,642	4,874	2,700	2,700	90	197
201 Community Events Fund	21,600	22,431	22,837	20,000	20,000	197	197
202 Communications Fund	41,074	41,362	41,967	38,926	38,926	2,982	2,982
301 TIF Debt Service Fund	54,816	48,013	20,524	-	-	-	-
302 2000 Imp Debt Fund	52,749	41,424	35,459	32,026	32,026	266	266
303 2002 Imp Debt Fund	75,041	64,834	59,143	50,411	50,411	1,802	1,802
304 2003 Imp Debt Fund	18,902	14,760	10,331	8,000	8,000	2,739	2,739
401 Street Improvement Fund	8,330	4,320	2,184	2,000	2,000	588	588
402 General Capital Impr. Fund	58,670	6,048	4,473	4,000	4,000	1,206	1,206
403 Storm Water Impr. Fund	2,834	108,725	3,946	3,000	3,000	1,017	1,017
404 Park Improvement Fund	169,990	162,370	165,052	140,000	140,000	3,670	3,670
405 TIF Project Fund	8,003	11,277	81,628	7,000	7,000	2,910	2,910
407 Sewer Improvement Fund	2,201	-	-	-	-	-	-
601 Sewer Utility Fund	236,090	229,104	234,715	245,000	245,000	59,253	59,253
602 Storm Water Utility Fund	-	69,192	49,142	51,000	51,000	12,821	12,821
Revenue Before Transfers	831,245	827,502	736,274	604,063	604,063	89,542	89,542
Transfers	-	-	291,329	600,000	600,000	-	-
Total Revenues	831,245	827,502	1,027,603	1,204,063	1,204,063	89,542	89,542
Total Expenditures	5,160	4,329	3,616	3,250	3,250	210	210
201 Community Events Fund	5,160	4,329	3,616	3,250	3,250	210	210
202 Communications Fund	25,576	15,374	29,278	25,821	25,821	10,575	10,575
203 Recycling Fund	29,018	23,391	32,079	34,298	34,298	5,705	5,705
301 TIF Debt Service Fund	-	-	-	-	-	-	-
302 2000 Impr. Debt Fund	122,186	122,080	455,481	-	-	-	-
303 2002 Impr. Debt Fund	149,356	150,256	145,798	146,163	146,163	134,358	134,358
304 2003 Impr. Debt Fund	120,646	118,608	116,350	114,011	114,011	105,190	105,190
401 Street Improvement Fund	-	69,213	12,189	-	-	-	-
402 General Capital Impr. Fund	9,657	90,000	-	31,000	31,000	-	-
403 Storm Water Impr. Fund	43,367	32,316	-	-	-	-	-
404 Park Improvement Fund	117,670	81,110	6,735	54,000	54,000	1,500	1,500
405 TIF Project Fund	713	738	747	-	-	-	-
407 Sewer Improvement Fund	-	-	-	-	-	-	-
601 Sewer Utility Fund	233,999	212,687	228,570	247,051	247,051	51,417	51,417
602 Storm Water Utility Fund	-	36,424	43,293	53,405	53,405	5,130	5,130
Expenditures Before Transfers	857,349	956,526	1,074,136	708,999	708,999	314,084	314,084
Transfers	-	-	260,329	600,000	600,000	-	-
Total Expenditures	857,349	956,526	1,334,466	1,308,999	1,308,999	314,084	314,084
Swaps/(deficit)	(26,103)	(129,025)	(306,862)	(104,936)	(104,936)	(224,542)	-

Community Events Fund 201

DEPT. 45600	2007	2008	2009	2010	As of Mar. 31	2011
	Actual	Actual	Actual	Adopted	Proposed	
BEGINNING BALANCE	5,573	4,407	3,721	4,979	4,979	4,429
REVENUES:						
34785 Fun Run / Walk	9	-	-	100	100	-
34786 Winter Event	798	609	396	100	100	33
34787 Garage Sale	50	50	50	50	50	-
34788 Day in the Park	1,595	1,683	1,904	1,400	1,400	-
34789 Music under the trees	34	-	448	-	-	-
34790 Other Events - March Dance	-	-	-	-	-	-
34791 Pop Sales	-	-	-	-	-	-
34792 T-Shirt Sales	210	150	330	100	100	-
34795 Halloween Donations	779	779	825	700	700	-
36211 Investment Interest	199	129	121	100	100	33
36230 Donations	-	30	30	-	-	-
36255 Misc.	319	293	769	150	150	23
Total Revenues	3,994	3,642	4,874	2,700	90	
EXPENDITURES:						
201 General Supplies	5	-	-	-	-	-
202 Permanent Supplies	176	43	100	-	-	-
369 Music Under the Trees	252	535	200	600	-	-
370 Other Events - March Dance	-	-	-	-	-	-
373 T-Shirts	2,201	353	-	-	-	-
375 Winter Event	857	1,011	192	250	181	-
376 Garage Sale	-	34	-	-	-	-
377 Day in the Park	1,112	1,500	1,800	1,400	-	-
378 Night Out	99	103	119	150	-	-
379 Halloween Event	252	496	518	450	7	-
380 Fun Run / Walk	-	-	-	100	-	-
437 Sales Tax	-	-	-	-	-	-
430 Misc.	-	-	491	-	-	-
440 Meeting Expenses	212	254	191	300	21	-
Total Expenditures	5,160	4,329	3,616	3,250	210	
Fund Balance Gain/Loss	(1,166)	(686)	1,258	(550)	(120)	
39200 Transfers In	-	-	-	-	-	-
710 Transfers Out	-	-	-	-	-	-
Ending Fund Balance	4,407	3,721	4,979	4,429	4,859	

Communications Fund 202

DEPT. 49500	2007	2008	2009	2010	2010	2011
	Actual	Actual	Actual	Adopted	As of Mar. 31	Proposed
BEGINNING BALANCE	36,227	32,251	39,308	32,867	32,867	27,046
REVENUES:						
Franchise Fees	19,987	21,278	21,632	19,000	-	-
Refunds & Reimbursements	-	-	262	-	-	-
Investment Interest	1,613	1,153	942	1,000	197	-
Grants	-	-	-	-	-	-
Total Revenues	21,600	22,431	22,837	20,000	197	
EXPENDITURES:						
Reg. Full Time Employees	14,815	6,230	6,308	10,924	2,373	
FICA Contributions	865	473	426	765	172	
PERA Contributions	1,098	593	510	836	198	
Group Insurance	1,193	618	576	1,313	255	
Workers Comp	-	-	27	83	-	
Personnel costs	17,971	7,913	7,847	13,921	2,998	
General Supplies	-	-	5	-	-	
Permanent Supplies	420	444	444	600	444	
Web Hosting	2,410	1,993	3,501	2,800	-	
Other Service	4,774	5,023	5,069	5,200	5,214	
Cable Franchise Fee	-	-	12,411	3,300	1,919	
Furniture and Equipment	7,604	7,460	21,431	11,900	7,576	
Operating Costs	7,604	7,460	21,431	11,900	7,576	
Total Expenditures	25,576	15,374	29,278	25,821	10,575	
Fund Balance Gain/Loss	(3,976)	7,057	(6,441)	(5,821)	(10,377)	
Transfers In	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-
Ending Fund Balance	32,251	39,308	32,867	27,046	22,490	

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Recycling Fund 203

DEPT. 50000	2007	2008	2009	2010	As of Mar. 31	2010	2011
	Actual	Actual	Actual	Adopted	Proposed		
BEGINNING BALANCE	39,791	51,847	69,818	79,706	79,706	84,334	84,334
REVENUES:							
Recycling Fee	34,734	34,698	35,215	33,000	-	-	-
Penalties & Interest	-	71	62	-	-	-	-
SCORE Grant	4,378	4,758	4,866	4,926	2,463	2,463	2,463
Investment Interest	1,898	1,811	1,824	1,000	519	519	519
Other	64	24	-	-	-	-	-
Total Revenues	41,074	41,362	41,967	38,926	2,982	2,982	2,982
EXPENDITURES:							
Reg. FT Employees	8,664	3,545	2,949	5,718	1,268	1,268	1,268
PERA Contributions	495	283	201	400	91	91	91
FICA Contributions	647	356	244	437	107	107	107
Group Insurance	626	362	256	750	123	123	123
Workers Comp	-	-	8	43	-	-	-
Personnel costs	10,432	4,546	3,658	7,348	1,588	1,588	1,588
Permanent Supplies	500	-	-	100	-	-	-
Other Service	339	339	339	350	-	-	-
Recycling Contract	17,747	18,506	28,082	26,500	4,117	4,117	4,117
Operating Costs	18,586	18,845	28,421	26,950	4,117	4,117	4,117
Total Expenditures	29,018	23,391	32,079	34,298	5,705	5,705	5,705
Fund Balance Gain/Loss	12,056	17,971	9,888	4,628	(2,724)	(2,724)	(2,724)
Transfers In	-	-	-	-	-	-	-
Transfers Out	-	-	-	-	-	-	-
Ending Fund Balance	51,847	69,818	79,706	84,334	76,982	76,982	76,982

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2002 Improvements Debt Service Fund 303

	2007	2008	2009	2010	As of Mar. 31	2011
DEPT. 47300	Actual	Actual	Actual	Adopted	As of Mar. 31	Proposed
BEGINNING BALANCE	438,324	391,717	282,886	172,547	172,547	38,456
REVENUES:						
Penalties & Interest	5,484	7,839	6,587	5,000	-	-
Investment Interest	16,869	8,670	4,063	5,000	266	266
Special Assessments	30,396	24,916	24,809	22,026	-	-
Total Revenue	52,749	41,424	35,459	32,026	266	266
EXPENDITURES:						
Bond Principal	110,000	115,000	115,000	120,000	120,000	120,000
Bond Interest	38,690	34,609	30,153	25,363	13,926	13,926
File Maintenance Charges	666	647	645	800	431	431
Total Expenditures	149,356	150,256	145,798	146,163	134,358	134,358
Fund Balance Gain/Loss	(96,607)	(108,831)	(110,338)	(114,137)	(134,091)	(134,091)
Transfers In	50,000	-	-	400,000	-	-
Transfers Out	-	-	-	-	-	-
Ending Fund Balance	391,717	282,886	172,547	458,410	38,456	38,456
39200						
710						

2003 Improvements Debt Service Fund 304

DEPT. 47400	2007	2008	2009	2010	2010	2011
	Actual	Actual	Actual	Adopted	As of Mar. 31	Proposed
BEGINNING BALANCE	473,681	478,075	424,300	367,093	367,093	263,706
REVENUES:						
Penalties & Interest	10,745	12,852	10,458	8,000	-	-
Investment Interest	20,243	12,784	8,690	8,000	1,802	1,802
Special Assessments	44,053	39,197	39,995	34,411	-	-
Total Revenues	75,041	64,834	59,143	50,411	1,802	
EXPENDITURES:						
Bond Principal	95,000	95,000	95,000	95,000	95,000	95,000
Bond Interest	24,980	22,961	20,705	18,211	9,759	9,759
File Maintenance Charges	666	647	645	800	431	431
Total Expenditures	120,646	118,608	116,350	114,011	105,190	
Fund Balance Gain/Loss	(45,606)	(53,775)	(57,207)	(63,600)	(103,388)	
Transfers In	50,000	-	-	200,000	-	-
Transfers Out	-	-	-	-	-	-
Ending Fund Balance	478,075	424,300	367,093	503,493	263,706	

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Street Improvement Fund 401

DEPT. 48401	2007	2008	2009	2010	2010	2011
BEGINNING BALANCE	Actual	Actual	Actual	Adopted	As of Mar. 31	Proposed
36211	18,902	14,243	10,232	8,000	2,739	-
36200	-	517	99	-	-	-
36102	-	-	-	-	-	-
36100	-	-	-	-	-	-
REVENUES:	18,902	14,760	10,331	8,000	2,739	
Total Revenue	18,902	14,760	10,331	8,000	2,739	
EXPENDITURES:						
328	-	49,712	4,320	-	-	-
Street Repair	-	49,712	4,320	-	-	-
Street Reconstruction	-	-	-	-	-	-
Streetscaping	-	-	-	-	-	-
Engineering	-	19,502	7,869	-	-	-
Trees	-	-	-	-	-	-
Total Expenditures	-	69,213	12,189	-	-	-
Fund Balance Gain/Loss	18,902	(54,454)	(1,858)	8,000	2,739	
39200	18,902	(54,454)	(1,858)	8,000	2,739	
Transfers In	79,871	-	-	-	-	-
Transfers Out	-	-	-	-	-	-
Ending Fund Balance	454,662	400,208	398,350	406,350	401,089	

General Capital Improvement Fund 402

DEPT. 48000	2007	2008	2009	2010	2010	2011
BEGINNING BALANCE	Actual	Actual	Actual	Adopted	As of Mar. 31	Proposed
REVENUES:	170,308	168,981	83,301	85,485	85,485	56,485
Investment Interest	8,330	4,320	2,184	2,000	588	
Depreciation	-	-	-	-	-	-
Other	-	-	-	-	-	-
Total Revenue	8,330	4,320	2,184	2,000	588	
EXPENDITURES:						
Land	-	-	-	-	-	-
Buildings	9,657	-	-	1,000	-	-
City Garage	-	-	-	-	-	-
Warming House	-	-	-	-	-	-
Furniture & Equipment	-	-	-	-	-	-
Office Equipment	-	-	-	-	-	-
Copier	-	-	-	-	-	-
HVAC	-	-	-	-	-	-
Computers	-	-	-	-	-	-
Machinery & Equipment	-	-	-	-	-	-
Tractor	-	-	-	30,000	-	-
Other Improvements	-	-	-	-	-	-
Vehicle	-	-	-	-	-	-
Truck	-	-	-	-	-	-
Total Expenditures	9,657	-	-	31,000	-	-
Fund Balance Gain/Loss	(1,327)	4,320	2,184	(29,000)	588	
Transfers In	-	-	-	-	-	-
Transfers Out	-	90,000	-	-	-	-
Ending Fund Balance	168,981	83,301	85,485	56,485	86,073	
39200						
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Storm Sewer Improvement Fund 403

DEPT. 48403	2007	2008	2009	2010	2010	2011
BEGINNING BALANCE	Actual	Actual	Actual	Adopted	As of Mar. 31	Proposed
REVENUES:	181,946	197,249	170,981	175,454	175,454	179,454
Storm Sewer Fee	49,668					
Investment Interest	9,002	6,048	4,473	4,000	4,000	1,206
Other						
Total Revenues	58,670	6,048	4,473	4,000	1,206	
EXPENDITURES:						
Reg. FT Employees	30,557					
On-Call Pay	-					
PERA Contributions	1,683					
FICA Contributions	2,112					
Group Insurance	2,584					
Workers Compensation	-					
Personnel Costs	36,935					
Engineering	6,303	11,816				
Other Services	129					
Misc	-	500				
Contingency Funds	-					
Storm System Repairs	-					
Operating Costs	6,432	12,316				
Total Expenditures	43,367	12,316	-	-	-	-
Fund Balance Gain/Loss	15,303	(6,268)	4,473	4,000	1,206	
Transfers In	-	-	-	-	-	-
Transfers Out	-	20,000	-	-	-	-
Ending Fund Balance	197,249	170,981	175,454	179,454	176,660	

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Park Improvement Fund 404

DEPT. 48404	2007	2008	2009	2010	As of Mar. 31	2011
BEGINNING BALANCE	44,059	123,844	151,458	148,669	148,669	97,669
REVENUES:						
33130 Grants	-	-	-	-	-	-
36230 Donations	-	-	-	-	-	-
36211 Investment Interest	2,834	4,065	3,946	3,000	3,000	1,017
Total Revenues	2,834	4,065	3,946	3,000	3,000	1,017
EXPENDITURES:						
304 Engineering	10,716	17,718	382	-	-	-
510 Land	-	-	-	-	-	-
524 Picnic Shelter	-	-	-	-	-	-
525 Playground	151	-	-	35,000	35,000	1,500
526 Park Path	-	-	-	-	-	-
527 Gen. Park Improvements	1,369	63,392	6,353	19,000	19,000	-
528 Court Improvements	105,434	-	-	-	-	-
Total Expenditures	117,670	81,110	6,735	54,000	54,000	1,500
Fund Balance Gain/Loss	(114,836)	(77,046)	(2,789)	(51,000)	(483)	
39200 Transfers In	194,621	104,660	-	-	-	-
710 Transfers Out	-	-	-	-	-	-
Ending Fund Balance	123,844	151,458	148,669	97,669	148,186	

TIF Project Fund 405

DEPT. 48500	2007	2008	2009	2010	2010	2011
	Actual	Actual	Actual	Adopted	As of Mar. 31	Proposed
BEGINNING BALANCE	448,440	468,208	629,840	533,815	533,815	73,815
REVENUES:						
36211 Investment Interest	19,927	17,471	15,800	5,000	5,000	3,670
31050 Tax Increment	148,354	137,953	141,815	135,000		
31051 Delinquent Tax Increment	855	1,959	1,879			
33406 TIF Mkt Value Homestead Crdt	855	4,987	5,558			
Total Revenues	169,990	162,370	165,052	140,000	140,000	3,670
EXPENDITURES:						
101 FT Employees	-	-	-	-	-	-
121 PERA Contribution	-	-	-	-	-	-
122 FICA Contribution	-	-	-	-	-	-
131 Group Insurance	-	-	-	-	-	-
133 Life Insurance	-	-	-	-	-	-
Total Personnel Costs	-	-	-	-	-	-
304 Engineering	-	-	-	-	-	-
305 Legal Fees	-	-	-	-	-	-
327 Other Services	713	738	747	-	-	-
325 Other Imp. (Larpeneur)	-	-	-	-	-	-
General Operating Costs	713	738	747	-	-	-
Total Expenditures	713	738	747	-	-	-
Fund Balance Gain/Loss	169,278	161,632	164,304	140,000	140,000	3,670
39200 Transfers In	5,203	-	-	-	-	-
710 Transfers Out	154,713	-	260,329	600,000	260,329	
Ending Fund Balance	468,208	629,840	533,815	73,815	277,156	

Sewer Improvement Fund 407

DEPT. 48407		2007	2008	2009	2010	2010	2011
BEGINNING BALANCE		Actual	Actual	Actual	Adopted	As of Mar. 31	Proposed
36211	Investment Interest	8,003	11,277	9,128	7,000	2,910	
36100	Special Assessments	-	-	72,500	-	-	
37240	Sewer Connections	-	-	-	-	-	
REVENUES:							
Total Revenues		8,003	11,277	81,628	7,000	2,910	
EXPENDITURES:							
304	Engineering	-	-	-	-	-	
544	Other	-	-	-	-	-	
Total Expenditures		-	-	-	-	-	
39200	Fund Balance Gain/Loss	8,003	11,277	81,628	7,000	2,910	
	Transfers In	235,195	-	-	-	-	
710	Transfers Out	-	-	-	-	-	
Ending Fund Balance		330,380	341,656	423,284	430,284	426,195	

Sanitary Sewer Enterprise Fund 601

DEPT. 49000	2007	2008	2009	2010	2010	2011
REVENUES:	Actual	Actual	Actual	Adopted	As of Mar. 31	Proposed
BEGINNING BALANCE	407,688	174,584	191,001	197,146	197,146	195,095
REVENUES:						
37210 Sewer Charges	223,878	224,682	226,671	242,000	242,000	57,955
36211 Investment Interest	12,212	4,422	4,369	3,000	3,000	1,298
36250 Refunds/Reimbursements	-	-	-	-	-	-
37230 Penalties	-	-	-	-	-	-
36255 Miscellaneous	-	-	-	-	-	-
37240 Sewer Connections	-	-	3,675	-	-	-
39101 Sale of Assets	-	-	-	-	-	-
Total Revenues	236,090	229,104	234,715	245,000	245,000	59,253
EXPENDITURES:						
101 Reg. FT Employees	42,136	17,451	22,169	23,465	23,465	(408)
102 On-Call Pay	15,053	11,822	13,193	13,000	13,000	2,548
121 PERA Contributions	3,287	1,981	2,286	2,553	2,553	555
122 FICA Contributions	4,110	2,469	2,683	2,790	2,790	625
131 Group Insurance	5,116	2,536	3,577	3,000	3,000	816
151 Worker's Comp.	3,955	858	1,932	877	877	39
Personnel Costs	73,657	37,117	45,841	45,685	45,685	4,175
201 General Supplies	-	-	-	-	-	-
212 Motor Fuels	450	394	369	500	500	82
227 Tools & Equipment	-	289	-	300	300	-
228 Misc. Repairs/Maint/Supply	-	-	-	250	250	-
301 Auditing	2,716	1,350	1,613	1,700	1,700	1,150
304 Engineering	7,711	2,997	3,211	3,000	3,000	-
308 Training/Conferences	580	560	300	600	600	-
315 Sewer Jetting	42	1,444	-	1,500	1,500	-
316 Sewer Televising	-	11,018	-	-	-	-
327 Other Services	8,541	6,040	11,408	5,000	5,000	1,559
331 Travel Expenses	49	-	119	200	200	-
361 General Liability	3,699	1,520	1,539	1,700	1,700	-
382 Water	62	66	69	75	75	-
387 Met Council Sewer Charges	100,641	115,587	128,590	147,000	147,000	44,203
391 Telephones/Pagers	459	228	263	250	250	35
402 City Truck Repair/Maint.	-	-	333	-	-	4
425 Clothing	1,460	786	933	1,000	1,000	208
442 Misc.	641	-	23	-	-	-
444 Contingency Funds	-	-	-	-	-	-
501 Depreciation	33,291	33,291	33,959	33,291	33,291	-
540 Machinery & Equipment	-	-	-	-	-	-
554 System Repairs (I/I)	-	-	-	5,000	5,000	-
Operating Costs	160,342	175,570	182,730	201,366	201,366	47,242
Total Expenses	233,999	212,687	228,570	247,051	247,051	51,417
Fund Balance Gain/Loss	2,091	16,417	6,144	(2,051)	(2,051)	7,837
39200 Transfers In	-	-	-	-	-	-
710 Transfers Out	235,195	-	-	-	-	-
Ending Fund Balance	174,584	191,001	197,146	195,095	195,095	204,982

Storm Sewer Enterprise Fund 602

DEPT. 49100	2007	2008	2009	2010	2010	2011
	Actual	Actual	Actual	Adopted	As of Mar. 31	Proposed
BEGINNING BALANCE	(3,299)	(3,299)	29,468	35,317	35,317	32,912
REVENUES:						
Storm Sewer Fee	-	48,763	48,351	50,000	12,576	37300
Investment Interest	-	429	791	1,000	245	36211
Other	-	-	-	-	-	39999
Total Revenues	-	49,192	49,142	51,000	12,821	
EXPENDITURES:						
Reg. FT Employees	-	16,112	19,898	23,465	226	101
On-Call Pay	-	3,792	2,768	5,000	980	102
PERA Contributions	-	1,318	1,431	1,993	446	121
FICA Contributions	-	1,644	1,693	2,178	502	122
Group Insurance	-	1,737	2,220	3,000	663	131
Workers Compensation	-	858	1,045	669	39	151
Personnel Costs	-	25,461	29,054	36,305	2,855	
General Supplies	-	-	-	-	-	201
Motor Fuels	-	394	340	500	82	212
Tools & Equipment	-	51	-	100	-	227
Misc. Repairs/Maint/Supply	-	-	26	-	-	228
Auditing	-	1,350	1,613	1,700	1,150	301
Engineering	-	-	7,281	3,000	-	304
Training/Conferences	-	-	-	500	20	308
Other Services	-	5,759	1,454	7,000	275	327
Public Information Notice	-	1,520	1,539	1,700	-	352
General Liability	-	228	263	300	-	361
Telephones/Faxers	-	-	-	-	-	391
City Truck Repair/Maint.	-	-	333	800	4	402
Clothing	-	786	933	800	208	425
Dues & Subscriptions	-	875	375	500	500	438
Misc. (Public Education)	-	-	-	1,000	-	442
Contingency Funds	-	-	-	-	-	444
Depreciation	-	-	-	-	-	501
Machinery & Equipment	-	-	-	-	-	540
Storm System Repairs	-	-	-	-	-	554
Operating Costs	-	10,963	14,238	17,100	2,274	
Total Expenditures	-	36,424	43,293	53,405	5,130	
Fund Balance Gain/Loss	-	12,768	5,849	(2,405)	7,691	39200
Transfers In	-	20,000	-	-	-	710
Transfers Out	-	-	-	-	-	-
Ending Fund Balance	(3,299)	29,468	35,317	32,912	43,008	

LAUDERDALE COUNCIL

ACTION REQUESTED

Consent

Special

Public Hearing

Report

Discussion/Action

Resolution

Work session

BACKGROUND:

Lauderdale's Storm Water Pollution Prevention Plan lists a best management practice that says we have signs posted in parks and open spaces to inform the public that city ordinance requires pet waste to be cleaned up and disposed of properly. However, we need to acquire and install signs to be in compliance. The image on the sign will be similar to the one I have included. Staff recommends placing two signs at the community park, one in the nature area, and one at Walnut & Ione. 12" X 18" aluminum signs are about \$45 each. Sign-A-Rama estimates the total cost of four signs at about \$225. The storm sewer enterprise fund has \$1000 budgeted for public education.

OPTIONS:

- 1) Approve signs as proposed.
- 2) Approve signs with changes.
- 3) Do not approve signs.

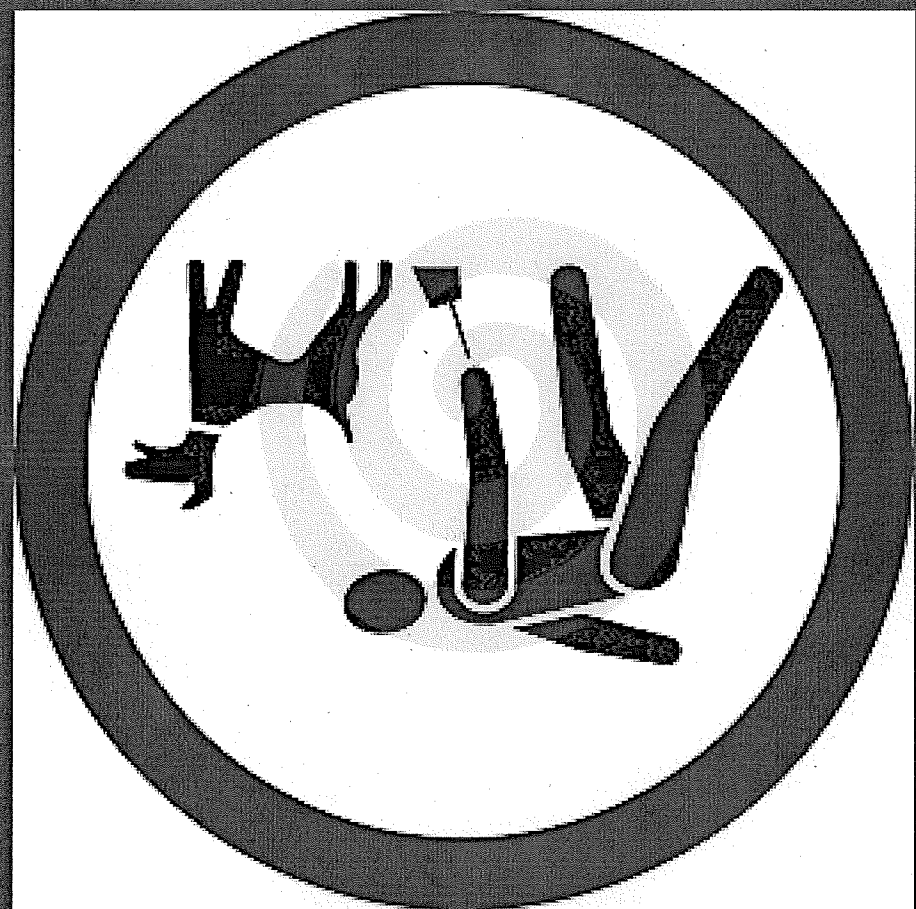
STAFF RECOMMENDATION:

Approve signs as proposed, not to exceed \$300.

COUNCIL ACTION:

Pets must be licensed
and leashed.

Clean up after your pet.



Per city code.

COUNCIL ACTION:

STAFF RECOMMENDATION:
Recognize Danielle and Samantha for their accomplishment; hand out certificates.

OPTIONS:

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:
Sarah Nelson, mother of Samantha and Danielle Nelson, asked whether the City Council recognized Boy Scouts that achieve Eagle Scout status or Girl Scouts that achieve Gold Award status as other local Councils do. I told her the Council hasn't always known about these achievements in the past, but likes to recognize residents that do great things. Colleen prepared two certificates that can be handed out to Samantha and Danielle. I told Sarah the Council would ask her daughters to describe their project and what they learned from it. Also attached is the article from the Roseville Review highlighting their accomplishment.

Meeting Date April 27, 2010
ITEM NUMBER 6A - Girl Scout Awards
STAFF INITIAL *HS*
APPROVED BY ADMINISTRATOR

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

**LAUDERDALE COUNCIL
ACTION FORM**

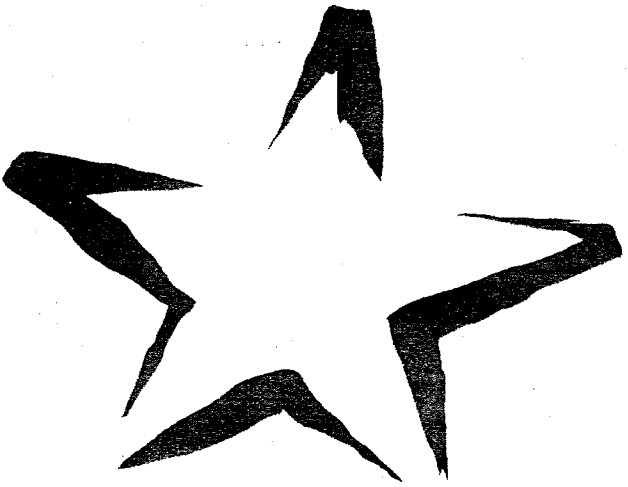


submitted photo

Local Girl Scouts earn Gold Star awards

From left to right, bottom to top: Lauren Gamber, Kayla Gastecki, Becca Shuman, Abbey Roemer, Sam Nelson, Vanessa Lebens, Danielle Nelson, Alice Robertson-Smith, and leaders Lynette Roemer, Karen Gastecki, Sara Nelson. All the girls are from the Minnesota River Valleys Troop 51611 except for Sam Nelson and Danielle Nelson, who are from Troop 52026. Vanessa Lebens gold award project consisted of spreading information about cancer treatment centers around the Twin Cities and Duluth. Alice Robertson-Smith and Lauren Gamber wrote and directed a play about teen issues. They performed it for young audiences to help inform them about these issues. Abbey Roemer and Becca Shuman brought local music groups to perform for an after-school music program for kids at a school in north Minneapolis. Sam Nelson, Danielle Nelson and Kayla Gastecki taught a swim clinic for underprivileged kids and visited a local school to educate students on water safety.

CERTIFICATE OF RECOGNITION



This certificate is awarded to

Samantha Nelson

By the City of Eau Claire

In recognition of achieving the Girl Scout's highest award, the Gold Award

For developing and facilitating a swim camp to teach Karen Refugees to swim and about water safety and for leading workshops in water safety in the elementary schools after school program.

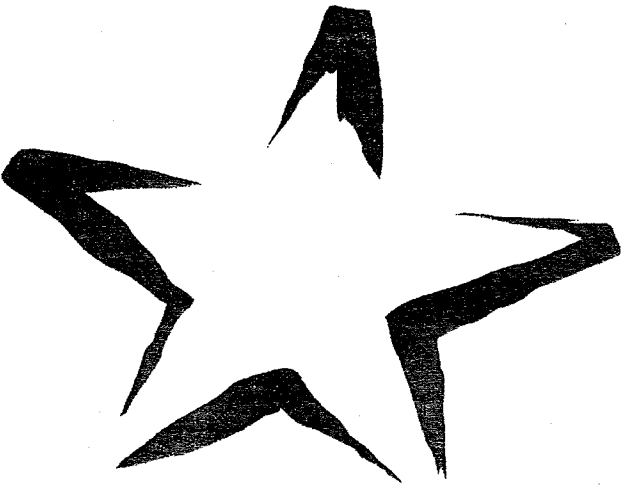
Mayor Signature

Date

City Administrator Signature

Date

CERTIFICATE OF RECOGNITION



This certificate is awarded to

Danielle Nelson

By the City of Lauderdale

In recognition of achieving the Girl Scout's highest award, the Gold Award

For developing and facilitating a swim camp to teach Karen Refugees to swim and about water safety and for leading workshops in water safety in the elementary schools after school program.


Mayor Signature _____

Date _____

City Administrator Signature _____

Date _____

LAUDERDALE COUNCIL ACTION FORM

Meeting Date	April 27, 2010	ITEM NUMBER	9 -Dog Park Maintenance
STAFF INITIAL		APPROVED BY ADMINISTRATOR	

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

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

I thought the dog park discussion last month was great. It started a conversation about when and how the dog park is used and offered staff an opportunity to respond publicly to come of the concerns and complaints we receive.

The Council mentioned discussing the dog park again and maybe have an advisory committee so there is a more organized method to responding to issues regarding the dog park and to help them initiate fundraising efforts. Since that meeting, staff received a number of discussion items from dog park users. Some of them sound like good ideas but would have repercussions for other users. It seems they should be considered by a more representative group of users.

As little staff time as we have to take on new projects, providing residents an outlet for addressing their dog park ideas is also important. I don't think the City needs a standing dog park committee, but more of an advisory group. The advisory group could be organized like the Comp Plan Committee, whereby interested residents applied to be on the committee and they were appointed by the Council. Five members seems appropriate.

Ultimately, if the users of the dog park are going to be fundraising for improvements, the City will need to be involved. I reiterate to those I talk to that any money raised for the dog park have to be deposited into the city's general fund and can only be spent at the discretion of the Council.

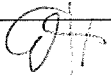
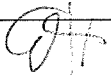
OPTIONS:

Staff is open to all ideas.

STAFF RECOMMENDATION:

COUNCIL ACTION:

**LAUDERDALE COUNCIL
ACTION FORM**

Meeting Date	April 27, 2010
ITEM NUMBER	9 - Fund Balance Res.
STAFF INITIAL	
APPROVED BY ADMINISTRATOR	

Action Requested	Consent	_____
	Public Hearing	_____
	Discussion	<input checked="" type="checkbox"/>
	Action	<input checked="" type="checkbox"/>
	Resolution	_____
	Work Session	_____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

At the last meeting, the auditor mentioned the City had "excess" funds in the general fund at year-end relative to the 2010 operating budget. This is typical; the City generally spends a little less than what is budgeted. Historically, the City Council transferred this money to capital improvement funds. This has been the primary method the City Council has used to save for future capital projects.

The excess balance was about \$93,510, which has almost been entirely consumed by the recent cuts to state aid. For that reason, staff recommends adopting the following resolution. The resolution states the City Council recognizes the excess funds and its past practices but is choosing to deviate from them.

OPTIONS:

STAFF RECOMMENDATION:

Motion to adopt Resolution 042710A - A Resolution Depositing the Excess Unreserved Fund Balance in the General Fund.

COUNCIL ACTION:

RESOLUTION NO. 042710A

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

**A RESOLUTION DEPOSITING THE EXCESS
UNRESERVED FUND BALANCE IN THE GENERAL FUND**

WHEREAS, the City Council made significant spending cuts between 2008 and 2010, which created a General Fund balance at the end of 2009 in excess of 50% of the 2010 operating budget; and

WHEREAS, the City Council historically transferred funds in excess of 50% of next year's operating budget to the Park Improvement and Street Improvement Funds; and

WHEREAS, the City Council received notice that an additional \$40,699 would be cut from the City's 2010 state aid payments; and

WHEREAS, the City Council received notice that the 2011 state aid will be reduced by \$45,891; and

WHEREAS, the City Council anticipates further state aid cuts in 2011 and 2012 as the State Government cuts spending to reduce the State's forecasted budget deficit.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Lauderdale, that the unreserved fund balance at the end of 2009 in excess of 50% of the 2010 operating budget, totaling \$93,510, remain in the General Fund to meet on-going shortfalls in state aid.

CITY OF LAUDERDALE)
COUNTY OF RAMSEY)
STATE OF MINNESOTA)

ss

I, Heather Butkowski, being duly qualified and City Administrator for the City of Lauderdale, Ramsey County, Minnesota, do hereby certify that the attached and foregoing is a true and correct copy of a Resolution duly adopted by the City Council of the City of Lauderdale on Tuesday, April 27, 2010, as the same appears in the minutes of said meeting on file and of record in City Offices.

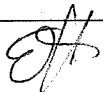
ADOPTED by the City Council of Lauderdale this 27th day of April, 2010.

Jeff Dains, Mayor

ATTEST:

Heather Butkowski, City Administrator

LAUDERDALE COUNCIL ACTION FORM

Meeting Date	April 27, 2010	ITEM NUMBER	9 - TC Die Casting Sewer	STAFF INITIAL		APPROVED BY ADMINISTRATOR

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

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

City staff met with the city engineer to process what we learned during the meeting with TC Die Casting. As was discussed two weeks ago, there is a lot of risk for the City in allowing them to build over the easement if the City is not thorough in evaluating the situation and putting measures into place to ensure the long-term operation of this trunk sewer line. Before discussing any further, the city engineer recommended televising the sewer line. That will let the Council know what the condition of the sewer is and where service lines enter the sewer (from TC Die Casting and the Rapit Print building) as those factors play a role in what options are available to the Council.

Public works had been planning to have the sumps jetter-vactored and the "new" manhole found during the bridge project televised this summer. In response to TC Die's request, staff can arrange for Infratech to do this in the next few weeks under the same terms and conditions as they did the smoke testing which was \$210/per hour. If warranted, Infratech will prepare a quote for lining the sewer so the Council has more accurate information about the cost to improve the structure before talking again with TC Die's architects.


OPTIONS:

STAFF RECOMMENDATION:

Motion to direct staff to contract with Infratech to televise the sections of sewer noted above and clean the sumps at a cost not to exceed \$210/per hour.

COUNCIL ACTION:

LAUDERDALE COUNCIL ACTION FORM

Meeting Date	April 27, 2010	ITEM NUMBER	9 - Weeds	STAFF INITIAL	
APPROVED BY ADMINISTRATOR					

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

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

The long periods of dry whether we have had over the last couple of years gave dandelions and other weeds a strong foothold in the park. A couple of residents that live along the park have asked over the years if the City planned to do anything about them. It is my understanding that the City hasn't sprayed for weeds in many, many years, if ever.

Attacking the park weeds came up at the last goal setting session. Councilor Hawkinson asked me recently if that had been given any more thought. Since last year, I checked with Rice Creek Watershed District to see if they knew of any natural methods to attacking the weeds. They said they didn't have any suggestions for such a large area.

The more traditional option is to have the area fertilized and sprayed for broadleaf weeds and crabgrass. Public works met with the company that sprays Roseville's parks. They said a couple of applications of weed killer this year might take care of the weeds for a couple of years or the City might be able to do one application each year after this to keep them in check. The application dries in about one hour on a sunny day; that is how long park users would have to stay off the grass.

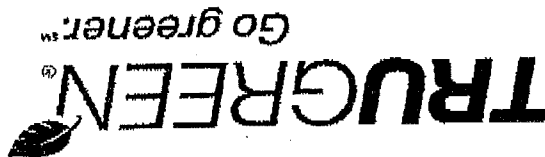
The following quotes will provide the Council an idea of the options available and costs.

OPTIONS:

- Do nothing; public works will continue to mow the grass in the park and at City Hall a couple of times a week to keep the weeds down.
- Have TruGreen do some or all of the work listed in the quote.
- Have staff solicit quotes from other vendors.

STAFF RECOMMENDATION:

COUNCIL ACTION:



TRUGREEN LIMITED PARTNERSHIP
4240 CENTERVILLE RD
VADNAIS HEIGHTS, MN 55127-1090
OFFICE: 651-653-1200
FAX: 651-407-6456
800-293-9312
COMMERCIAL SERVICES

FAX COVER SHEET

DATE 4/21/2010

TO JOSEPH HUGES COMPANY CITY OF LAUDERDALE

FAX# 651-631-2066 PHONE 651-792-7662

FROM PATTY ASHER SKIP KALSTABAKKEN CAROL

Pages 4 (includes cover sheet)

RE 2010 LAWN CARE PROPOSAL

THERE ARE 3 PROPOSAL 2 FOR THE PARK 1 HAS WEED CONTROL AND FERTILIZER THE OTHER WITH WEED CONTROL ONLY AND THE OTHER PROPOSAL IS FOR CITY HALL AND THE PUBLIC WORKS BUILDING. ANY QUESTIONS PLEASE CALL ME THANKS

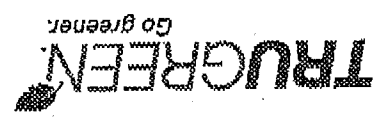
URGENT REVIEW X REPLY RECYCLE

IF YOU HAVE QUESTIONS PLEASE CALL ME AT 651-653-1200.

PLEASE INCLUDE YOUR E-MAIL ADDRESS

****PLEASE RETURN SIGNED & DATED SERVICE AGREEMENT ALONG WITH A COPY OF THE "GUARANTEE" SIGNED OR INITIALED AT THE BOTTOM****

Our Phone# (651) 653-1200 Our Fax# (651) 407-6456



2010

COMMERCIAL SERVICE AGREEMENT

4240 Centerville RD
 Vadnais Heights, MN 55127
 Office: 651-653-1200
 Fax: 651-407-6456
 800-293-9312

Property: LAUDERDALE COMMUNITY PARK
 Address: FULHAM & ROSELAWN
 City/Zip: LAUDERDALE, MN 55113
 Contact: JOSEPH HUGES
 Phone: 651-792-7662

City of LAUDERDALE
 1891 WALNUT STREET
 LAUDERDALE, MN 55113
 Phone: 651-792-7662
 Fax: 651-631-2066
 Email Address:

LAWN CARE SERVICES

TREE AND SHRUB CARE SERVICES

TREATMENT	DESCRIPTION	COST	TREATMENT	DESCRIPTION	COST
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Round 1	Fertilization Broadleaf Weed Control Pre-Emergent for Crabgrass Control	\$ 511.00	Round 1	Horticulture Oil Insect Control	
Round 2	Broadleaf Weed Control	\$ 451.00	Round 2	Fertilization Root Zone Fertilization	
Round 3	Fertilization Broadleaf Weed Control		Round 3	Insect Control Disease Control	
Round 4	Fertilization Broadleaf Weed Control		Round 4	Insect Control Disease Control	
Round 5	Fertilization Broadleaf Weed Control		Round 5	Insect Control Disease Control	
Round 6	Fertilization Broadleaf Weed Control		Round 6	Fertilization Root Zone Fertilization	

ANNUAL LAWN CARE COST	\$ 962.00	ANNUAL TREE & SHRUB CARE COST	\$ -
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BENEFICIAL SERVICES

ANNUAL BENEFICIAL SERVICES COST	\$ -
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Aeration	
Aeration/Overseding	
Vegetation Control	
Weed Control only	
Pruning	
Omnamental Bed Weed Control	
Omnamental Bed Weed Control	
Annual Beneficial Services Cost	\$ -
Total Annual Tree & Shrub Care Cost	\$ -
Total Annual Lawn Care Cost	\$ 1,028.14

Annual Beneficial Services Cost	\$ -	Annual Tree & Shrub Care Cost	\$ -	Total Annual Lawn Care Cost	\$ 1,028.14
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TERM OF AGREEMENT: 1 YEAR 2 YEARS 3 YEARS

CALL AHEAD YES NO SPRINKLER SYSTEM YES NO

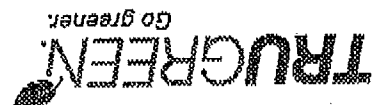
Comments: NOTE... DO ENTIRE PARK (EXCEPT THE DOG PARK DO NOT DO)

AUTHORIZED SIGNATURE _____ DATE _____

Signature: *Steph K...*
 Title: Skip Kalstadakken
 Commercial Account Manager
 Call 651-248-7434
 DATE: 4/21/10

By signing I acknowledge that I have agreed to the accompanying "Terms and Conditions."
 Additional Special Instructions:

Branch Manager _____ DATE _____



2010

COMMERCIAL SERVICE AGREEMENT

4240 Centerville RD
 Vadnais Heights, MN 55127
 Office: 651-653-1200
 Fax: 651-407-6456
 800-293-9312

Property: LAUDERDALE COMMUNITY PARK
 Address: FULLHAM & ROSELAWN
 City/SVZ/Zip: LAUDERDALE, MN 55113
 Contact: JOSEPH HUGES
 Phone: 651-792-7662
 Act #

Bill To: CITY OF LAUDERDALE
 1891 WALNUT STREET
 LAUDERDALE, MN 55113
 Phone: 651-792-7662
 Fax: 651-631-2088
 Email Address:

LAWN CARE SERVICES		TREE AND SHRUB CARE SERVICES	
TREATMENT	DESCRIPTION	TREATMENT	DESCRIPTION
Round 1	Broadleaf Weed Control Pre-Emergent for Crabgrass Control	Round 1	Horticulture Oil Insect Control
	\$ 482.00	Round 2	Fertilization Root Zone Fertilization
Round 2	Broadleaf Weed Control	Round 3	Insect Control Disease Control
	\$ 451.00	Round 4	Insect Control Disease Control
Round 3	Fertilization Broadleaf Weed Control	Round 5	Insect Control Disease Control
Round 4	Fertilization Broadleaf Weed Control	Round 6	Fertilization Root Zone Fertilization
Round 5	Fertilization Broadleaf Weed Control		
Round 6	Fertilization Broadleaf Weed Control		
ANNUAL LAWN CARE COST		ANNUAL TREE & SHRUB CARE COST	
\$ 933.00		\$ -	
BENEFICIAL SERVICES		BENEFICIAL SERVICES	
Aeration		Pruning	
Aeration/Overseeding		Ornamental Bed Weed Control	
Vegetation Control		Ornamental Bed Weed Control	
Weed Control only			
ANNUAL BENEFICIAL SERVICES COST		ANNUAL BENEFICIAL SERVICES COST	
\$ -		\$ -	
TOTAL SALES TAX 6.875%		TOTAL SALES TAX 6.875%	
\$ 64.14		\$ -	
TOTAL ANNUAL LAWN CARE COST		TOTAL ANNUAL TREE & SHRUB CARE COST	
\$ 933.00		\$ -	
CALL AHEAD YES NO		CALL AHEAD YES NO	
SPRINKLER SYSTEM YES NO		SPRINKLER SYSTEM YES NO	
TERM OF AGREEMENT: <input type="checkbox"/> 1 YEAR <input type="checkbox"/> 2 YEARS <input type="checkbox"/> 3 YEARS		TOTAL ANNUAL SERVICE COST	
		\$ 997.14	

AUTHORIZED SIGNATURE: _____ DATE: _____
 TITLE: _____
 Commercial Account Manager
 Call 651-248-7434
 \$kip Kalstabakken
 DATE: 4/21/10

By signing I acknowledge that I have agreed to the accompanying "Terms and Conditions."
 Additional Special Instructions:

Branch Manager _____ DATE _____



2010

4240 Centerville RD
 Vadnais Heights, MN 55127
 Office: 651-653-1200
 Fax: 651-407-6456
 800-293-9312

COMMERCIAL SERVICE AGREEMENT

Bill To: CITY OF LAUDERDALE
 1891 WALNUT STREET
 LAUDERDALE, MN 55113
 Phone: 651-792-7662 Fax: 651-831-2068
 Email Address:

Property: LAUDERDALE COMMUNITY PARK
 Address: 1891 & 1917 WALNUT STREET
 City/State/Zip: LAUDERDALE, MN 55113
 Contact: JOSEPH HUGES
 Phone: 651-792-7662
 Act #

LAWN CARE SERVICES		TREE AND SHRUB CARE SERVICES	
TREATMENT	DESCRIPTION	TREATMENT	DESCRIPTION
Round 1	Fertilization Broadleaf Weed Control Pre-Emergent for Crabgrass Control	Round 1	Horticulture Oil Insect Control
	\$ 72.00		
Round 2	Fertilization Broadleaf Weed Control	Round 2	Fertilization Root Zone Fertilization
	\$ 72.00		
Round 3	Fertilization Broadleaf Weed Control	Round 3	Insect Control Disease Control
Round 4	Fertilization Broadleaf Weed Control	Round 4	Insect Control Disease Control
Round 5	Fertilization Broadleaf Weed Control	Round 5	Insect Control Disease Control
Round 6	Fertilization Broadleaf Weed Control	Round 6	Fertilization Root Zone Fertilization
ANNUAL LAWN CARE COST		ANNUAL TREE & SHRUB CARE COST	
\$ 144.00		\$ -	
BENEFICIAL SERVICES			
Aeration		Pruning	
Aeration/Overseeding		Ornamental Bed Weed Control	
Vegetation Control		Ornamental Bed Weed Control	
Weed Control only			
ANNUAL BENEFICIAL SERVICES COST		ANNUAL BENEFICIAL SERVICES COST	
\$ -		\$ -	
TOTAL SALES TAX 6.875%		TOTAL SALES TAX 6.875%	
\$ 9.90		\$ -	
TOTAL ANNUAL LAWN CARE COST		TOTAL ANNUAL TREE & SHRUB CARE COST	
\$ 153.90		\$ -	
Comments:			
CALL AHEAD YES NO		SPRINKLER SYSTEM YES NO	
TERM OF AGREEMENT: <input type="checkbox"/> 1 YEAR <input type="checkbox"/> 2 YEARS <input type="checkbox"/> 3 YEARS		TOTAL ANNUAL SERVICE COST	
		\$ 153.90	

AUTHORIZED SIGNATURE: SKIP KALSTABAKKEN DATE: 4/21/10
 TITLE: Commercial Account Manager
 Cell 651-248-7434

By signing I acknowledge that I have agreed to the accompanying "Terms and Conditions."
 Branch Manager DATE

Additional Special Instructions:

TRUGREEN® QUALITY GUARANTEE

TRUGREEN® IS COMMITTED TO PROVIDING THE HIGHEST QUALITY SERVICE. OUR AGRONOMIC AND HORTICULTURE PROGRAMS ARE CAREFULLY DESIGNED TO PROVIDE YOUR PROPERTY WITH ALL OF THE COMPONENTS NECESSARY TO PRODUCE HEALTHY, BEAUTIFUL LAWNS, TREES AND SHRUBS. IF YOU ARE NOT SATISFIED WITH THE RESULTS OF OUR APPLICATION AND NOTIFICATION WITHIN 15 DAYS AFTER THE TREATMENT, WE WILL RETREAT THE PROBLEM AREA FREE OF CHARGE. IN ADDITION TO RETREATING THE AREAS, WE WILL ANALYZE THE AREA AND MAKE SPECIFIC RECOMMENDATIONS TO REMEDY THE PROBLEM.

TRUGREEN SERVICES
This program consists of lawn care and/or tree and shrub care as indicated on the front of this agreement. Specific products, rates of application and method of application will vary with the season, weather conditions, and the needs of your lawn as determined by your TRUGREEN Specialist.

TIMING OF TREATMENTS
TRUGREEN is responsible for scheduling your landscape for timely treatment. Treatments are generally made at 4 to 7 week intervals for lawn care and shrub care. You will be notified if there is any variation on this schedule or regular and additional services.

WEATHER AND CULTURAL PRACTICES
These regularly scheduled programs may be modified depending on the weather and the condition of your landscape. Your TRUGREEN Specialist will keep you informed on any modifications to the schedule. The success of this program depends on proper watering, mowing and cultural practices. If you need assistance, please consult your TRUGREEN Specialist.

SERVICE CALLS
TRUGREEN is committed to working with you in every way we can to achieve

the lush, well kept lawns, trees and shrubs you'll be proud of. Should you ever have a question about our service or the treatment program, please call us. We have a full-time Customer Service Representative in each TRUGREEN branch who will work with you to oversee your landscape care program. If you have a question or request, we will respond quickly and effectively within 48 hours.

INSECT PROBLEMS
Total insect elimination is not desirable with any program because beneficial insects will be lost along with the targeted pests. Acceptable levels of activity and targeted applications combine to give enhanced plant sustainability.

BORING INSECT PROBLEMS
Plants invaded by borers have a high probability of death or decline. Sound cultural practices and control applications may extend the life of some plant species. Treatment for boring insects may include additional cost.

DISEASE PROBLEMS
Climate conditions, type of disease and plant material affected will impact response. Results for difficult to control diseases will vary depending on environment, culture and agronomic programs used or treatment applied. Treatment for diseases may include additional cost.

1. TRUGREEN AGREES TO FURNISH LABOR AND MATERIALS AND IS AUTHORIZED BY YOU TO TREAT THE PROPERTY AT THE ADDRESS SHOWN ON THE FRONT OF THIS AGREEMENT. YOU REPRESENT AND WARRANT TO TRUGREEN THAT THE PERSON SIGNING THIS AGREEMENT ON YOUR BEHALF HAS THE AUTHORITY TO GRANT TRUGREEN THE RIGHT TO TREAT THE PROPERTY IN ACCORDANCE WITH THIS AGREEMENT. THE PROCEDURES USED WILL BE DETERMINED SOLELY BY TRUGREEN.

2. SOME PRODUCTS USED BY TRUGREEN MAY INCLUDE LABEL DIRECTIONS REQUIRING THE WATERING OF THE MATERIAL AFTER APPLICATION. IF ANY OF THESE PRODUCTS ARE USED ON THE PROPERTY, TRUGREEN WILL PROVIDE CUSTOMER WITH WATERING INSTRUCTIONS FOLLOWING THE APPLICATION AND YOU AGREE TO ASSUME THE WATERING RESPONSIBILITY.

3. BECAUSE THE SIZE OF YOUR PROPERTY IS A SIGNIFICANT FACTOR IN DETERMINING THE COST OF TRUGREEN'S SERVICES, TRUGREEN MAY INCREASE THE SPECIFIED CHARGES PROPORTIONALLY TO REFLECT ANY ADDITIONAL COSTS INCURRED SHOULD YOU ADD ADDITIONAL PROPERTY UNDER THIS AGREEMENT. IF YOU DO NOT AGREE TO PAY SUCH ADDITIONAL COSTS, TRUGREEN MAY TERMINATE THIS AGREEMENT BY PROVIDING YOU WITH THIRTY(30) DAYS ADVANCE WRITTEN NOTICE. TRUGREEN SHALL NOT BE OBLIGATED TO TREAT ANY ADDITIONAL PROPERTY UNDER THIS AGREEMENT UNTIL ADDITIONAL COSTS HAVE BEEN AGREED UPON.

4. IN THE EVENT THAT YOU FAIL TO MAKE PAYMENT WHEN DUE, TRUGREEN RESERVES THE RIGHT TO TERMINATE THIS AGREEMENT. A LATE SERVICE FEE EQUAL TO THE LESSER OF 1.5% PER MONTH (18% A.P.R.) OR THE MAXIMUM INTEREST RATE ALL OWED BY LAW WILL BE CHARGED ON ANY BALANCE UNPAID OVER THIRTY(30) DAYS. A SERVICE CHARGE OF \$25.00 WILL BE CHARGED FOR ANY RETURNED CHECK SHOULD IT BECOME NECESSARY TO BRING AN ACTION TO COLLECT AMOUNTS DUE UNDER THIS AGREEMENT. YOU AGREE TO PAY ALL COSTS OF SUCH COLLECTION INCLUDING REASONABLE ATTORNEYS FEES AND COURT COSTS.

5. IN THE EVENT YOU ARE ON A PAYMENT PLAN AND THIS AGREEMENT IS TERMINATED FOR ANY REASON OTHER THAN TRUGREEN'S BREACH PRIOR TO THE EXPIRATION OF ITS FULL TERM, YOU AGREE TO PAY THE ACTUAL COST OF THE SERVICES RENDERED UP TO AND INCLUDING THE DATE OF TERMINATION RATHER THAN THE AMOUNTS BILLED TO YOU PURSUANT TO THE PAYMENT PLAN.

6. YOU AGREE TO NOTIFY TRUGREEN IN WRITING IN THE EVENT THAT THIS AGREEMENT SHALL BE TERMINATED UPON RECEIPT BY TRUGREEN OF YOUR WRITTEN NOTICE THAT YOU HAVE SOLD THE PROPERTY.

7. TRUGREEN IS RESPONSIBLE FOR DIRECT DAMAGE BUT IS NOT RESPONSIBLE FOR INCIDENTAL, CONSEQUENTIAL, OR SPECIAL DAMAGES ARISING OR RESULTING FROM THE PERFORMANCE OR NONPERFORMANCE OF ANY OBLIGATION UNDER THIS AGREEMENT.

8. IF ANY CONFLICTS EXIST IN THIS AGREEMENT BETWEEN TERMS WHICH ARE PRINTED AND THOSE WHICH ARE TYPED OR WRITTEN, THE TYPED OR WRITTEN TERMS SHALL GOVERN.

9. THIS CUSTOMER SERVICE AGREEMENT IS ONLY VALID IF ACCEPTED BY THE CUSTOMER WITHIN 30 DAYS OF THE DATE SUBMITTED TO CUSTOMER.

10. UPON EXPIRATION OF THE TERM OF AGREEMENT, THE AGREEMENT SHALL AUTOMATICALLY RENEW FOR THE SAME PERIOD UNLESS TERMINATED BY EITHER PARTY 30 DAYS PRIOR TO THE EXPIRATION OF THE TERM.

11. NOTWITHSTANDING ANYTHING TO THE CONTRARY HEREIN, EITHER PARTY RESERVES THE RIGHT TO TERMINATE THIS AGREEMENT FOR CAUSE, CONVENIENCE OR ANY REASON WHATSOEVER BY PROVIDING THIRTY(30) DAYS WRITTEN NOTICE.


12. BECAUSE THE PRODUCT COST, LABOR AND FUEL COST CONSTITUTE A SIGNIFICANT PORTION OF TRUGREEN'S SERVICES, TRUGREEN MAY INCREASE THE RATES HERE UNDER IN THE EVENT OF THESE COST INCREASES. TRUGREEN SHALL PROVIDE YOU NOTICE OF ANY PRICE ADJUSTMENT THIRTY(30) DAYS PRIOR TO ANY PRICE INCREASE. IF YOU DO NOT OBJECT TO THE PRICE ADJUSTMENT IN WRITING WITHIN THIRTY(30) DAYS, THE AGREEMENT SHALL CONTINUE AT THE ADJUSTED PRICE UNLESS TERMINATED BY YOU IN ACCORDANCE WITH THE PROVISIONS HEREIN.

13. YOU HAVE A DUTY TO INSPECT THE PROPERTY WITHIN FIFTEEN(15) DAYS AFTER SERVICE HAS BEEN PERFORMED BY TRUGREEN. IF YOU BELIEVE TRUGREEN PROVIDED DEFICIENT WORK, YOU AGREE TO NOTIFY TRUGREEN IN WRITING. IF WRITTEN NOTICE IS NOT RECEIVED BY TRUGREEN WITHIN FIFTEEN(15) DAYS OF THE DATE OF SERVICE, YOU AGREE THAT ANY AND ALL CLAIMS TO RECOVER PAST PAYMENTS AND/OR RIGHTS TO WITHHOLD FUTURE PAYMENTS DUE UNDER THIS AGREEMENT ARE WAIVED.

14. TO THE EXTENT NECESSARY, YOU HAVE A DUTY TO NOTIFY ALL TENANTS, EMPLOYEES, VISITORS AND ANY OTHER INVITEE ON THE PREMISES OF A SCHEDULED SERVICE BY TRUGREEN.

15. IN THE EVENT THAT YOU ARE NOT THE OWNER OF THE PROPERTY TO WHICH THIS AGREEMENT APPLIES, YOU REPRESENT AND WARRANT THAT YOU HAVE THE LEGAL AUTHORITY TO EXECUTE AND BIND THE OWNER OF THE PROPERTY TO THIS AGREEMENT.

**LAUDERDALE COUNCIL
ACTION FORM**

Meeting Date	April 27, 2010
ITEM NUMBER	9 - Colleen's Resignation
STAFF INITIAL	
APPROVED BY ADMINISTRATOR	_____

Action Requested	_____
Consent	_____
Public Hearing	_____
Discussion	<input checked="" type="checkbox"/>
Action	<input checked="" type="checkbox"/>
Resolution	_____
Work Session	_____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Colleen joined us shortly after Brian Heck left in August 2008. She moved from a temporary position to being the permanent part-time deputy city clerk one year ago. Her flexibility helped us greatly as we learned to adjust to a part-time employee in the deputy clerk position. Staff will plan a way to recognize Colleen for all of her hard work for the June 8 council meeting. Her letter of resignation follows.

OPTIONS:

STAFF RECOMMENDATION:

Motion to accept Colleen Callahan's resignation effective June 10, 2010.

COUNCIL ACTION:

Colleen Callahan
1276 Dennis Street
Maplewood, MN 55119
(651) 779-9248

April 14, 2010

City of Lauderdale
c/o Heather Butkowski
1891 Walnut Street
Lauderdale, MN 55113

Dear Heather, Jim, Dave, Joe, and Lauderdale City Council,

As you know, my school journey is coming to an end this May and as such I will need to locate full time employment. Prior to my search I have decided to take some time off to enjoy the summer. My last day will be June 10, 2010.

I want to thank you for allowing me to become part of your team. It has been a fun and interesting experience. I have especially enjoyed getting to know everyone. I wish you all the best.

Warm regards,



Colleen Callahan

LAUDERDALE COUNCIL ACTION FORM

Meeting Date	April 27, 2010	Item Number	9 - Deputy Clerk Hire
Staff Initial	<i>HB</i>	Approved by Administrator	

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

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Colleen worked approximately 48 hours every two weeks. We had a great arrangement because her schedule was very flexible and she was accommodating. However, having a part-time deputy clerk was more difficult than expected, in no small part to the ever increasing number of election, auditing, and storm water mandates which have arisen over the last two years. Staff has discussed whether increasing the deputy clerk hours from 24 to 28 would help. We think it would as the new deputy clerk could work 8:00 a.m. to 3:30 p.m. four days a week, which would feel more like they work full-time.

If the new hire were employed by July 1 at step 1, the additional cost for those four hours per week would be less than \$500 from what was budgeted for the deputy clerk for 2010. There is no difference in the cost for employee benefits at 24 versus 28 hours.

Staff is also suggesting small revisions to the deputy clerk job description; recommended changes are stricken and underlined.

OPTIONS:

STAFF RECOMMENDATION:

Motion to direct staff to advertise for the open deputy clerk position at _____ hours per week and adopt the revised deputy city clerk job description as presented.

COUNCIL ACTION:

**CITY OF LAUDERDALE
POSITION DESCRIPTION**

Position Title: DEPUTY CITY CLERK
HOURLY, PART-TIME (24 28 HOURS PER WEEK)
CITY ADMINISTRATOR
Reports to:

POSITION SUMMARY

Under limited supervision, this position performs skilled clerical and paraprofessional work and assists the City Administrator in the general operation of the City. Duties include customer service, election administration, purchasing, accounts payable and receivable, communications, permits and licensing, and general office support. Due to the changing nature of the position, the deputy city clerk may be assigned duties in addition to those listed below.

ESSENTIAL DUTIES AND RESPONSIBILITIES

1. Task: Customer Service and General Office Support

Percent of Time: 30%

Description: is the first contact for citizens, vendors and others coming to City Hall for information and services; maintains city records system; purchases office supplies.

- Primary contact for the public whether by phone or in person. Determines nature of business, provides information/research, answers questions, and/or refers as appropriate.
- Creates memos, reports, resolutions, ordinances, forms, and applications.
- Maintains office filing system and files.
- Retains agendas, minutes, resolutions, ordinances and other information in conformance with the data retention schedule.
- Prepares, posts, and publishes public notices as appropriate.
- Assists in preparing and delivering Council agenda and packet.
- Maintains master office calendar.
- Sorts and distributes mail; mail projects as assigned.
- Manages social room and park reservations.
- Monitors and maintains inventory of office supplies.
- Registers council and staff for conferences and trainings as necessary; this may include arranging for transportation and lodging.
- Keeps up to date on purchasing cooperatives to ensure lowest possible price for equipment and supplies.

2. Task: Accounts Receivable & Payable

Percent of time: 20%

Description: processes accounts payable and accounts receivable including utility billing.

- Advises the administrator of significant issues regarding accounts.

- Codes receipts and promptly enters into the accounting system.
- Codes payments, prints checks, and creates claims list for the council packets.
- Prepares quarterly utility billing and other invoices as needed. Tracks payments and notifies the city administrator of delinquencies.
- Prepares monthly budget information for the council as directed by the city administrator.
- Prepares information for annual audit and assist auditors during audit as necessary.

3. Task: Administer License and Permit Programs

Percent of Time: 20%

Description: processes applications for building and construction permits; administers rental housing, business, and animal licensing programs.

- Processes building and other permit applications. Ensures applications are completed and all supporting documents are attached.
- Corresponds with residents and contractors who have outstanding permits to monitor progress on projects.
- Processes Gopher State One Call tickets in the National Ticket Management System with the cooperation of public works staff.
- Maintains property files.
- Prepares and mails applications for the various business licenses.
- Processes animal licenses.
- Coordinates annual rental housing license renewals and bi-annual inspections.
- Enforces rental housing ordinance by tracking and notifying owners of violations.

4. Task: Election Administration

Percent of time: 15%

Description: responsible for all aspects of the city's general and special elections.

- Recruits, trains, and manages election judges.
- Assists candidates in filing for election.
- Operates and maintains voting equipment.
- Posts and publishes election notices as required.
- Maintains inventory of election supplies.
- Delivers election results to county facility.
- Serves as resource for answering voter and/or election judge questions.
- Registers voters.
- Serves as city representative on county and/or state election committees.

5. Task: Communications

Percent of time: 15%

Description: responsible for preparing the city's communication materials.

- Coordinates the creation of the city newsletter.
- Creates the city's residents' guide (generally bi-annually).
- Creates promotional materials for community events.

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually quiet.

WORK ENVIRONMENT

The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus.

While performing the duties of this job, the employee is frequently required to sit and talk or hear. The employee is occasionally required to walk; use hands to finger, handle, or feel objects, tools, or controls; and reach with hands and arms.

The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus.

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

PHYSICAL DEMANDS

Phone; personal computer; computer software for word processing, spreadsheets, databases, publications, and presentations; copy machine; election equipment; fax machine; and calculator.

TOOLS AND EQUIPMENT USED

- Working knowledge of standard office computer programs (e-mail, web browsers, word processing, spreadsheets, etc.) and modern office practices and procedures.
- Some knowledge of accounting principles and practices.
- Ability to perform mathematical computations and maintain accurate records.
- Working knowledge of utility billing issues and procedures.
- Ability to effectively meet and deal with the public; ability to handle stressful situations.
- Ability to communicate effectively verbally and in writing.
- Working knowledge of Council procedures and requirements.
- Working knowledge of city operations, practices, and procedures.
- Ability to type and enter data with speed and accuracy.
- Working knowledge of the state records retention schedule.
- Working knowledge of state and federal data practices laws.
- Ability to prioritize work and work independently.

KNOWLEDGE, SKILLS AND ABILITIES

- Maintains the information screens for the CTV channel.
- Coordinates park programming with Roseville and Falcon Heights and promotes the programs.

MINIMUM QUALIFICATIONS

Education and Experience:

- (A) Degree from a 2 year technical school with course work in general office practices, and or
- (B) 2 years of experience working in an office environment, experience using personal computer, or
- (C) Any equivalent combination of related education and experience.

DESIRED QUALIFICATIONS

Education and Experience:

- (A) Four year degree in public or business administration
- (B) Experience managing elections or as an election judge
- (C) Accounting / bookkeeping training or experience (accounts receivable/payable, funding accounting, payroll)
- (D) Customer service experience
- (E) Proficiency with Microsoft Office products
- (F) Proficiency with Banyon Software
- (G) Municipal government experience

LAUDERDALE COUNCIL ACTION FORM

Meeting Date	April 27, 2010	ITEM NUMBER	13A - Nuisance Discussion	STAFF INITIAL	_____
APPROVED BY ADMINISTRATOR					

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

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

In 2007, the Council updated the nuisance ordinance. The impetus was the growing number of complaints from residents about things that weren't in the nuisance ordinance such as peeling paint, decaying fences, broken doors and windows, etc.

Around the same time, staff talked with Katrina about how best to enforce the ordinance. The practice at the time had been to send violation notices after the spring clean up until residents corrected the problem or snow fell. A number of residents seemed accustomed to the annual barrage of letters but knew only the most egregious nuisances were abated because it was a long process for staff and council to complete.

Katrina said she could summons residents into court for nuisance ordinance violations if staff could show city efforts failed to get cooperation from owners. This generally meant a violator received a "nice" letter notifying them of the issue and asking that the problem be corrected. If they didn't comply, another letter was sent demanding compliance with a note that non-compliant individuals would be turned over to the city attorney. The third letter said their file was being turned over to the city attorney unless they took immediate action. If they didn't comply, Katrina would send them a letter demanding compliance. In 2008, Katrina brought one person into court for failure to clean up her yard.

Beyond the usual nuisance letters, last year staff tried to get residents with dilapidated fences to make repairs. By the time staff had been through the battery of letters, Katrina and I talked about how to take action on an issue like this under the new ordinance because the fences had been in disrepair for so long. We decided to wait we could have a discussion with the Council.

OPTIONS:

STAFF RECOMMENDATION:

COUNCIL ACTION:

The Council has many options for nuisance enforcement; all of them start with advertising April as clean up month with May inspections. (Having a spring clean up with May inspections is also a Stormwater BMP the City committed to). After that options include:

1. Citations
2. Abatement
3. Court Action

Citations:

The issue that jumps out at me as citation worthy is discarded couches, furniture, bikes, and other "tree" items on the curb. Currently, staff calls the owners and asks them to remove the items. When they refuse, we have been sending them letters. This seems fairly fruitless because it lets the owners know how many days they can leave junk at the curb before the city takes the next step. There are very few things that create such a poor image for the city as junk at the curb.

City staff doesn't have the ability to write citations. Staff could discuss the issue with Chief Ohl and maybe have the officers issue tickets in the cases where residents refuse to move the items.

Abatement:

Abatement has typically been used for diseased trees and rank growth. The ordinance sets out procedures whereby after the battery of nuisance violation letters, the Council can follow the abatement process found in City Code (page 14 of the ordinance). This is a very long, time-consuming process with lots of notices and public hearings. It also requires the Council to act as the judge and jury, which is never easy.

Court Action:

As I noted above, Katrina can take court action against non-compliance renters and property owners. After the cycle of compliance letters, she sends a letter putting the violator on final notice. If they don't comply within the timeframe given, she summons them into court. A judge then hears the case. The council doesn't have to take action to allow this to happen. The key to making the court action work is having documentation that the city did all it could to get compliance. That is why Katrina asks us to send multiple letters and give owners a reasonable amount of time to comply. Katrina also has said that ordinances have to be enforced universally or equally under this method. If the violator can demonstrate that someone else in the city has a similar situation that the city isn't taking the same action on, then the judges will dismiss the case.

There is a lot of gray area in code enforcement. Dave and I have taken a number of photos over the last year to highlight some of the issues. I will show them during the meeting. One of the newer issues is residents trying to use City Code to harass their neighbors. They complain about petty issues on their neighbors' property and demand something be done. Surprisingly, we receive very few complaints about some of the worst offenders. I also attached the nuisance ordinance highlighting the nuisances staff most frequently address or receive complaints about.

In the end, I hope the discussion gets everyone on the same page. As I mentioned, I am not sure how aware the Council is of the options available or what past practice has been. I can answer questions prior to the meeting, should the council have any.

HEALTH AND SAFETY; NUISANCES

CHAPTER 6:

Section

General Provisions

4-6-1 Assessable current services
4-6-2 Tree diseases

Nuisances

4-6-10 Definitions
4-6-11 Public nuisance
4-6-12 Public nuisances affecting health
4-6-13 Public nuisances affecting morals and decency
4-6-14 Public nuisances affecting peace and safety
4-6-15 Nuisance parking and storage
4-6-16 Inoperable motor vehicles
4-6-17 Building maintenance and appearance
4-6-18 Duties of city officers
4-6-19 Abatement
4-6-20 Recovery of cost

Enforcement and Penalties

4-6-30 Penalties
4-6-31 Enforcement
4-6-32 General Penalty

Weeds

4-6-40 Jurisdiction
4-6-41 Definitions; Exclusions
4-6-42 Owners responsible for trimming and removal
4-6-43 Filing complaint
4-6-44 Notice of violations
4-6-45 Non-compliance letter
4-6-46 Appeals
4-6-47 Destruction Order; Liability for costs
4-6-48 Effective Date

GENERAL PROVISIONS

4-6-01 ASSESSABLE CURRENT SERVICES.

A. Definition. For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

CURRENT SERVICE: Shall mean one or more of the following: snow, ice, or rubbish removal from sidewalks; weed elimination from street grass plots adjacent to sidewalks in the public right-of-way or from private property; removal or elimination of public health or safety hazards from private property, excluding any hazardous building included in Minnesota Statute sections 463.15 through 463.26 as they may be amended from time to time; installation or repair of water service lines; street sprinkling, street flushing, light street oiling, or other dust treatment of streets; repair of sidewalks and alleys; trimming and care of trees and removal of unsound and insect-infected trees from the public streets or private property; and the operation of a street lighting system.

B. Snow, ice, dirt and rubbish.

1. Duty of owners and occupants. The owner and the occupant of any property adjacent to a public sidewalk shall use diligence to keep the walk safe for pedestrians. No owner or occupant shall allow snow, ice, dirt or rubbish to remain on the walk longer than 12 hours after its deposit thereon. Failure to comply with this section shall constitute a violation.

2. Removal by City. The City Administrator or other person designated by the City Council may cause removal from all public sidewalks all snow, ice, dirt and rubbish as soon as possible beginning 12 hours after any matter has been deposited thereon or after the snow has ceased to fall. The City Administrator or other designated person shall keep a record showing the cost of removal adjacent to each separate lot and parcel.

C. Public health and safety hazards. When the City removes or eliminates public health or safety hazards from private property under the following provisions of this chapter, the administrative officer responsible for doing the work shall keep a record of the cost of the removal or elimination against each parcel of property affected and annually deliver that information to the City Administrator.

D. Personal liability. The owner of property on which or adjacent to which a current service has been performed shall be personally liable for the cost of the service. As soon as the service has been completed and the cost determined, the City Administrator, or other designated official, shall prepare a bill and mail it to the owner and thereupon the amount shall be immediately due and payable at the office of the City Administrator.

E. Damage to public property. Any person driving any vehicle, equipment, object or contrivance upon any street, road, highway or structure shall be liable for all damages which the surface or structure thereof may sustain as a result of any illegal operation, or driving or moving

B. Abatement of nuisance. It is unlawful for any person to permit any public nuisance as defined in subdivision A of this section to remain on any premises the person owns or controls within the city. The nuisance may be abated as provided in 4-6-17 and 4-6-18.

5. Any other shade tree with an epidemic disease.

4. Any dead oak tree or part thereof which in the opinion of the designated officer constitutes a hazard, including but not limited to logs, branches, stumps, firewood or other oak material which has not been stripped of its bark and burned or sprayed with an effective fungicide;

3. Any living or standing oak tree or part thereof infected to any degree with the Oak Wilt fungus *Ceratocystis fagacearum*;

2. Any dead elm tree or part thereof, including branches, stumps, firewood or other elm material from which the bark has not been removed and burned or sprayed with an effective elm bark beetle insecticide;

1. Any living or standing elm tree or part thereof infected to any degree with the Dutch Elm disease fungus *Ceratocystis Ulmi* (Buisman) Moreau or which harbors any of the elm bark beetles *Scolytus Multistriatus* (Eichh.) or *Hylurgopinus Rufipes* (Marsh);

A. Trees constituting nuisance declared. The following are public nuisances whenever they may be found within the city:

4-6-2 TREE DISEASES.

F. Assessment. On or before November 1 of each year, the City Administrator shall list the total unpaid charges for each type of current service and charges under this section against each separate lot or parcel to which they are attributable under this section. The City Council may then spread the charges against property benefited as a special assessment under the authority of Minnesota Statute section 429.101 as it may be amended from time to time and other pertinent statutes for certification to the County Auditor and collection along with current taxes the following year or in annual installments, not exceeding ten, as the City Council may determine in each case.

of the vehicle, equipment or object or contrivance; or as a result of operating, driving or moving any vehicle, equipment, object or contrivance weighing in excess of the maximum weight permitted by statute or this code. When the driver is not the owner of the vehicle, equipment, object or contrivance, but is operating, driving or moving it with the express or implied permission of the owner, then the owner and the driver shall be jointly and severally liable for any such damage. Any person who willfully acts or fails to exercise due care and by that act damages any public property shall be liable for the amount thereof, which amount shall be collectable by action or as a lien under Minnesota Statute section 514.67, as it may be amended from time to time.

The following are hereby declared to be nuisances affecting health:

4-6-12 PUBLIC NUISANCES AFFECTING HEALTH.

C. Is guilty of any other act or omission declared by law or 4-6-11, 4-6-12, or 4-6-13, or any other part of this code to be a public nuisance and for which no sentence is specifically provided.

B. Interferes with, obstructs or renders dangerous for passage any public highway or right-of-way, or waters used by the public; or

A. Maintains or permits a condition which unreasonably annoys, injures or endangers the safety, health, morals, comfort or repose of any considerable number of members of the public;

Whoever by his or her act or failure to perform a legal duty intentionally does any of the following is guilty of maintaining a public nuisance, which is a misdemeanor:

4-6-11 PUBLIC NUISANCE.

PRIZE FIGHTING: May include any activity or event, regardless of how named or described, or any other form of entertainment, where the primary practice involves individuals engaged in physical contact by striking an opponent with the hands, feet, head, or body. This shall include, but not be limited to, any event or contest where kicking, punching, martial arts, submission holds, knockouts, technical knockouts, and/or cage fighting are permitted.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

4-6-10 DEFINITIONS.

NUISANCES

D. Unpaid charges. On or before November 1 of each year, the City Administrator shall list the total unpaid charges for each abatement against each separate lot or parcel to which they are attributable under this section. The City Council may then spread the charges or any portion thereof against the property involved as a special assessment as authorized by Minnesota Statute section 429.101 as it may be amended from time to time and other pertinent statutes for certification to the County Auditor and collection the following year along with the current taxes.

C. Record of costs. The City Administrator shall keep a record of the costs of abatement done under this section for all work done for which assessments are to be made, stating and certifying the description of the land, lots, parcels involved, and the amount chargeable to each.

d. Compost containers and piles must be maintained in a manner to prevent them

degradation.

c. Composted yard waste must be periodically mixed to promote rapid biological

waste or other material beyond the pile or container.

b. Composted yard waste must be managed so as to prevent the scattering of yard

structure to the nearest edge of the proposed compost pile location.

a. Notwithstanding the provisions of 4-2-9 relating to Private Composting, compost piles and containers shall be located in rear yards only and at least two feet from the hard surface of an alley. Compost piles and containers may be no closer than 40 feet from any residential dwelling located on an adjacent property. Said 40 feet is to be measured horizontally to the foundation of the nearest living space within the

1. Requirements for properly managed private compost operations.

L. Yard Waste Composting: Purpose. Properly managed yard waste composting provides valuable nutrients for gardens. Improperly managed operations can cause objectionable odors, rodent harborage, and unsightly waste piles. The purpose of this section is to describe acceptable composting operations.

K. Any offensive trade or business as defined by statute not operating under local license;

J. All public exposure of people having a contagious disease;

I. Dense smoke, noxious fumes, gas and soot, or cinders, in unreasonable quantities;

H. All noxious weeds and other rank growths of vegetation upon public or private property;

G. The pollution of any public well or cistern, stream or lake, canal or body of water by sewage, industrial waste or other substances;

F. Privy vaults and garbage cans which are not rodent-free or fly-tight or which are so maintained as to constitute a health hazard or to emit foul and disagreeable odors;

E. Accumulations of manure, refuse or other debris;

D. Carcasses of animals not buried or destroyed within 24 hours after death;

C. All ponds or pools of stagnant water;

B. All diseased animals running at large;

A. Exposed accumulation of decayed or unwholesome food or vegetable matter;

1. Uninvited Soliciting: The practice of going in and upon private residence properties in the City by solicitors, peddlers, hawkers, itinerant merchants, transient vendors of

A. Peddling, Canvassing And Soliciting:

The following are declared to be nuisances affecting public peace and safety:

4-6-14 PUBLIC NUISANCES AFFECTING PEACE AND SAFETY.

E. Any vehicle used for the unlawful transportation of intoxicating liquor, or for promiscuous sexual intercourse, or any other immoral or illegal purpose.

D. All places where intoxicating liquor is manufactured or disposed of in violation of law or where, in violation of law, people are permitted to resort for the purpose of drinking intoxicating liquor, or where intoxicating liquor is kept for sale or other disposition in violation of law, and all liquor and other property used for maintaining that place;

C. All houses kept for the purpose of prostitution or promiscuous sexual intercourse, gambling houses, houses of ill fame and bawdy houses;

B. Betting, bookmaking, and prize fighting, and all apparatus used in those occupations;

A. All gambling devices, slot machines and punch boards, except as otherwise authorized by federal, state or local law;

The following are hereby declared to be nuisances affecting public morals and decency:

4-6-13 PUBLIC NUISANCES AFFECTING MORALS AND DECENCY.

3. Violations. It is unlawful to carry out composting operations in violation of the requirements of this section and section 4-2-9. Violation may be abated as a public nuisance under section 4-6-18 of this code.

2. Informational materials. The city shall offer technical assistance and informational materials on the proper operation and maintenance of a composting operation.

f. Only the yard waste and vegetable matter which are produced on the premises can be composted on the premises. Property owner must have a demonstrated use for the compost.

e. Only yard waste that will readily decompose within one year may be composted. Unmanaged piles of leaves do not inherently meet the composting requirements of this section.

from becoming habitat for rodents.



merchandise or services, not having been requested or invited to do so by the owner or occupant of said private residences, for the purpose of soliciting orders, for the sale of goods, ware, merchandise, or services, or for the purpose of disposing of or peddling or hawking;

2. Enforcement: All peace officers employed or whose services are contracted for by the City are hereby required and directed to suppress the same and to abate any such nuisances as are described in subdivision (A)(1) above.

3. Exceptions: The provisions of this subsection A shall not apply to any nonprofit organization who wishes to solicit house to house within the City who has provided the City with the following information:

- a. Documentation from the Attorney General's office of the State that their office has received and reviewed an annual report which was filed stating the organization is a charitable organization and is recognized pursuant to Minnesota Statutes chapter 309, the Charitable Solicitation Act;
- b. The name, address and telephone number of the contact person of the nonprofit organization; and
- c. Information advising when and where the soliciting by the nonprofit organization will take place.

Upon receipt of all of the above information, a permit will be issued for a period of time not to exceed thirty (30) days from the date of approval.

B. All snow and ice not removed from public sidewalks 2412 hours after the snow or other precipitation causing the condition has ceased to fall;

C. All trees, hedges, billboards or other obstructions which prevent people from having a clear view of all traffic approaching an intersection;

D. All wires and limbs of trees which are so close to the surface of a sidewalk or street as to constitute a danger to pedestrians or vehicles including, but not limited to, all limbs of trees which are less than eight feet (8') above the surface of any public sidewalk or nine feet (9') above the surface of any street, and all wires across public streets, alleys or sidewalks which are strung less than fifteen feet (15') above the surface of the ground;

E. All obnoxious noises in violation of Minn. Rules Chapter 7030, as they may be amended from time to time which are hereby incorporated by reference into this code;

F. The discharging of the exhaust or permitting the discharging of the exhaust of any stationary internal combustion engine, motor boat, motor vehicle, motorcycle, all terrain vehicle, snowmobile or any recreational device except through a muffler or other device that effectively prevents loud or explosive noises there from and complies with all applicable state laws and regulations;

G. No person shall participate in any party or other gathering of people giving rise to noise, unreasonably disturbing the peace, quiet, or repose of another person. When a peace officer determines that a gathering is creating such a noise disturbance, the officer may order all persons present, other than the owner or tenant of the premises where the disturbance is occurring, to disperse immediately. No person shall refuse to leave after being ordered by a peace officer to do so. Every owner or tenant of such premises who has knowledge of the disturbance shall make every reasonable effort to see that the disturbance is stopped;

H. Obstructions and excavations affecting the ordinary public use of streets, alleys, sidewalks or public grounds except under conditions as are permitted by this code or other applicable law;

I. Radio aerials, satellite signal receivers, or television antennae erected or maintained in a dangerous manner;

J. Any use of property abutting on a public street or sidewalk or any use of a public street or sidewalk which causes large crowds of people to gather, obstructing traffic and the free use of the street or sidewalk;

K. All hanging signs, awnings and other similar structures over streets and sidewalks, so situated so as to endanger public safety, or not constructed and maintained as provided by ordinance;

L. The allowing of rain water, ice or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk or onto adjacent private property;

M. Any barbed wire fence less than six feet above the ground and within three feet of a public sidewalk or way;

N. All dangerous, unguarded machinery in any public place, or so situated or operated on private property as to attract the public;

O. Waste water or sanitary sewage, as defined in 8-2-2-1, cast upon or permitted to flow upon streets or other public or private properties;

P. Accumulations in the open of discarded or disused machinery, household appliances, furniture, refuse, automobile bodies or other material in a manner conducive to the harboring of rats, mice, snakes or vermin, or the rank growth of vegetation among the items so accumulated, or in a manner creating fire, health or safety hazards from accumulation;

Q. Any well, hole or similar excavation which is left uncovered or in another condition as to constitute a hazard to any child or other person coming on the premises where it is located;

R. Obstruction to the free flow of water in a natural waterway or a public street drain, gutter or ditch with trash or other materials;

S. The placing or throwing on any street, sidewalk or other public property of any glass, tacks, nails, bottles or other substance which may injure any person or animal or damage any pneumatic tire when passing over the substance;

T. Discharge of Consumer Fireworks

1. Prohibited Acts. The use, display, possession, discharge or sale of any fireworks not expressly permitted by M. S. Section 624.21 is strictly prohibited.

2. Permitted Acts; Limitations. The use, display or discharge of permitted Consumer Fireworks must be conducted in a manner that minimizes the risk of fire or injury to other persons or property. The use, display, or discharge of those non-explosive, non-aerial pyrotechnic entertainment devices only containing the limited amounts of pyrotechnic chemical compositions described in and permitted by Minnesota Statute section 624.20, Subdivision 1(c), hereinafter "Consumer Fireworks," is strictly prohibited in the area on, below, above or within or in close proximity to:

a. Public property, including schools, parks, sidewalks, roadways, streets, rights of way, highways, alleys, bicycle and pedestrian paths, schools, lakes, rivers, and waterways located in whole or in part within the City limits.

b. Private property within the City limits that has conspicuously posted a written sign or notice that no fireworks discharge is allowed.

c. Within five hundred (500) feet of any premises on which Consumer Fireworks are held for sale, display, distribution or storage.

d. Any property, area, structure or material that by its physical condition or the physical conditions in which it is set would constitute a fire or personal safety hazard;

U. The depositing of garbage or refuse, including leaves, branches, and other yard waste, on a public street, alley, right-of-way, fountain, body of water, or on adjacent private property;

V. The posting or affixing of any notice, poster or sign to any street sign, lamppost, tree, utility pole, public structure or building, except as authorized by law;

W. Dumping, plowing, or otherwise depositing snow from private premises onto any public alley, street, or highway right of way in the City;

X. Accumulating and storing building material, lumber, or firewood in such a manner as to become infested with rodents.

1. Stored items must be stored on an impervious surface, such as a poured concrete slab, or must be elevated above the ground.

2. Firewood piles and other materials may only be located in the rear yards and side yards. Such wood piles and other materials may not encroach on any required rear or side yard set backs and must be a minimum of one foot from buildings used for habitation;

Y. All other conditions or things which are likely to cause injury to the person or property of anyone.

Z. Noises prohibited.

1. General prohibition. No person shall make or cause to be made any distinctly and loudly audible noise that unreasonably annoys, disturbs, injures, or endangers the comfort, repose, health, peace, safety, or welfare of any person or precludes their enjoyment of property or affects their property's value. Any noise plainly audible at the property line of the structure or building in which it is located, in the hallway or apartment adjacent, or at a distance of 50 feet if the source is located outside a structure or building, that is observed by at least two people, one of whom is a peace officer, shall be prima facie evidence of a violation of this section. This general prohibition is not limited by the specific restrictions of this section.

2. Defective vehicles or loads. No person shall use any vehicle so out of repair or so loaded as to create loud and unnecessary grating, grinding, rattling, or other noise.

3. Loading, unloading, unpacking. No person shall create loud or excessive noise in loading, unloading, or unpacking any vehicle.

4. Radios, phonographs, paging systems, and the like. No person shall use or operate or permit the use or operation of any radio receiving set, musical instrument, phonograph, paging system, machine or other device for the production or reproduction of sound in a distinct and loudly audible manner as to unreasonably disturb the peace, quiet, and comfort of any person nearby. Operation of any such set, instrument, phonograph, machine or other device between the hours of 10:00 p.m. and 7:00 a.m. in such a manner as to be plainly audible at the property line of the structure or building in which it is located, in the hallway or apartment adjacent, or at a distance of 50 feet if the source is located outside a structure or building, shall be prima facie evidence of a violation of this section.

5. Schools, churches, hospitals, and the like. No person shall create any excessive noise on a street, alley or public grounds adjacent to any school, institution of learning, church or hospital when the noise unreasonably interferes with the working of the institution or disturbs or unduly annoys its occupants or residents and when conspicuous signs indicate the presence of such institution.

Hourly restriction of certain operations.

1. Domestic power equipment. No person shall operate a power lawn mower, power hedge clipper, chain saw, mulcher, garden tiller, edger, drill or other similar domestic power maintenance equipment except between the hours of 7:00 a.m. and 10:00 p.m. on any weekday

2. A person must not store dumpsters on private property or in the public right-of-way for longer than three (3) months without the written permission of the City Administrator.

1. A person must not place, store, or allow the placement or storage of ice fish houses, skateboard ramps, playhouses, trampolines, tree houses, or other similar structures in the front-yard area of residential property.

B. Unlawful storage.

A. Declaration of nuisance. The outside parking and storage on residentially-zoned property of large numbers of vehicles, materials, supplies or equipment not customarily used for residential purposes in violation of the requirements set forth below is declared to be a public nuisance because it (a) obstructs views on streets and private property, (b) creates cluttered and otherwise unsightly areas, (c) prevents the full use of residential streets for residential parking, (d) introduces commercial advertising signs into areas where commercial advertising signs are otherwise prohibited, (e) decreases adjoining landowners' and occupants' enjoyment of their property and neighborhood, and (f) otherwise adversely affects property values and neighborhood patterns.

4-6-15 NUISANCE PARKING AND STORAGE.

AA. Reflected glare or light from private exterior lighting exceeding 0.5 footcandles as measured on the property line of the property where the lighting is located when abutting any residential parcel, and one footcandle when abutting any commercial or industrial parcel.

Noise impact statements. The Council may require any person applying for a change in zoning classification or a permit or license for any structure, operation, process, installation or alteration or project that may be considered a potential noise source to submit a noise impact statement on a form prescribed by the Council. It shall evaluate each such statement and take its evaluation into account in approving or disapproving the license or permit applied for or the zoning change requested.

hours of 9:00 a.m. and 10:00 p.m. on any weekend or holiday.

3. Construction activities. No person shall engage in or permit construction activities involving the use of any kind of electric, diesel, or gas-powered machine or other power equipment except between the hours of 7:00 a.m. and 10:00 p.m. on any weekday or between the

2. Refuse hauling. No person shall collect or remove garbage or refuse in any residential district except between the hours of 7:00 a.m. and 8:30 p.m. on Mondays. When Monday is a legal holiday, residential garbage collection shall occur on the Tuesday immediately following the holiday.

or between the hours of 9:00 a.m. and 10:00 p.m. on any weekend or holiday. Snow removal equipment is exempt from this provision.

- b. All door and window moldings, eaves, gutters, and similar projections on any one side or surface.
- a. Any one wall or other flat surface; or

2. Every exterior surface that has had a surface finish such as paint applied must be maintained to avoid noticeable deterioration of the finish. No wall or other exterior surface may have peeling, cracked, chipped or otherwise deteriorated surface finish on more than 20% of:

- 1. No part of any exterior surface may have deterioration, holes, breaks, gaps, loose or rotting boards or timbers.

B. Standards. A building, fence or other structure is a public nuisance if it does not comply with the following requirements:

A. Declaration of nuisance. Buildings, fences and other structures that have been so poorly maintained that their physical condition and appearance detract from the surrounding neighborhood are declared to be public nuisances because they (a) are unsightly, (b) decrease adjoining landowners and occupants' enjoyment of their property and neighborhood, and (c) adversely affect property values and neighborhood patterns.

4-6-17 BUILDING MAINTENANCE AND APPEARANCE.

C. Any motor vehicles described in this section constitute a hazard to the health and welfare of the residents of the community in that such vehicles can harbor noxious diseases, furnish a shelter and breeding place for vermin and present physical danger to the safety and well-being of children and citizens; and vehicles containing fluids which, if released into the environment, can and do cause significant health risks to the community.

B. This section does not apply to a motor vehicle enclosed in a building and/or kept out of view from any street, road or alley.

A. It shall be unlawful to keep, park, store or abandon any motor vehicle which is not in operating condition, partially dismantled, used for repair of parts or as a source of repair or replacement parts for other vehicles, kept for scrapping, dismantling or salvage of any kind, or which is not properly licensed for operation with the state, pursuant to Minnesota Statute section 168B.011, Subdivision 3, as it may be amended from time to time.

4-6-16 INOPERABLE MOTOR VEHICLES.

3. In addition to the unlawful storage provisions of 10-4-4-B, a person must not place, store, or allow the placement or storage of pipe, lumber, forms, steel, machinery, or similar materials, including all materials used in connection with a business, outside on residential property, unless shielded from public view.

3. No glass, including windows and exterior light fixtures, may be broken or cracked, and no screens may be torn or separated from moldings.

4. Exterior doors and shutters must be hung properly and have an operable mechanism to keep them securely shut or in place.

5. Cornices, moldings, lintels, sills, bay or dormer windows and similar projections must be kept in good repair and free from cracks and defects that make them hazardous or unsightly.

6. Roof surfaces must be tight and have no defects that admit water. All roof drainage systems must be secured and hung properly.

7. Chimneys, antennae, air vents, and other similar projections must be structurally sound and in good repair. These projections must be secured properly, where applicable, to an exterior wall or exterior roof.

8. Foundations must be structurally sound and in good repair.

4-6-18 DUTIES OF CITY OFFICERS.

For purposes of 4-6-17 and 4-6-18, the City Police Department or Police Department whose services are contracted for by the City or person designated by the City Council, may enforce the provisions relating to nuisances. Any peace officer or designated person shall have the power to inspect private premises and take all reasonable precautions to prevent the commission and maintenance of public nuisances. Except in emergency situations of imminent danger to human life and safety, no peace officer or designated person shall enter private property for the purpose of inspecting or preventing public nuisances without the permission of the owner, resident or other person in control of the property, unless the officer or person designated has obtained a warrant or order from a court of competent jurisdiction authorizing the entry, as provided in 4-6-30.

4-6-19 ABATEMENT.

A. Notice. Written notice of violation; notice of the time, date, place and subject of any hearing before the City Council; notice of City Council order; and notice of motion for summary enforcement hearing shall be given as set forth in this section.

1. Notice of violation. Written notice of violation shall be served by a peace officer or designated person on the owner of record or occupant of the premises either in person or by certified or registered mail. If the premises is not occupied, the owner of record is unknown, or the owner of record or occupant refuses to accept notice of violation, notice of violation shall be served by posting it on the premises.

C. Emergency procedure; summary enforcement. In cases of emergency, where delay in abatement required to complete the notice and procedure requirements set forth in divisions (A) and (B) of this section will permit a continuing nuisance to unreasonably endanger public health safety or welfare, the City Council may order summary enforcement and abate the nuisance. To proceed with summary enforcement, the officer or designated person shall determine that a public nuisance exists or is being maintained on premises in the city and that delay in abatement of the nuisance will unreasonably endanger public health, safety or welfare. The officer or designated person shall notify in writing the occupant or owner of the premises of the nature of the nuisance and of the city's intention to seek summary enforcement and the time and place of the City Council meeting to consider the question of summary enforcement. The City Council shall determine whether or not the condition identified in the notice to the owner or occupant is a nuisance, whether public health, safety or welfare will be unreasonably endangered by delay in abatement required to complete the procedure set forth in division (A) of this section, and may order that the nuisance be immediately terminated or abated. If the nuisance is not immediately terminated or abated, the City Council may order summary enforcement and abate the nuisance.

B. Procedure. Whenever a peace officer or designated person determines that a public nuisance is being maintained or exists on the premises in the city, the officer or person designated shall notify in writing the owner or occupant of the premises of such fact and order that the nuisance be terminated or abated. The notice of violation shall specify the steps to be taken to abate the nuisance and the time within which the nuisance is to be abated. If the notice of violation is not complied with within the time specified, the officer or designated person shall report that fact forthwith to the City Council. Thereafter, the City Council may, after notice to the owner or occupant and an opportunity to be heard, determine that the condition identified in the notice of violation is a nuisance and further order that if the nuisance is not abated within the time prescribed by the City Council, the city may seek injunctive relief by serving a copy of the City Council order and notice of motion for summary enforcement or obtain an administrative search and seizure warrant and abate the nuisance.

4. Notice of motion for summary enforcement. Written notice of any motion for summary enforcement shall be made as provided for in Minnesota Statute section 463.17 (Hazardous and Substandard Building Act), as it may be amended from time to time.

3. Notice of City Council order. Except for those cases determined by the city to require summary enforcement, written notice of any City Council order shall be made as provided in Minnesota Statute section 463.17 (Hazardous and Substandard Building Act), as it may be amended from time to time.

2. Notice of City Council hearing. Written notice of any City Council hearing to determine or abate a nuisance shall be served on the owner of record and occupant of the premises either in person or by certified or registered mail. If the premises is not occupied, the owner of record is unknown, or the owner of record or occupant refuses to accept notice of the City Council hearing, notice of City Council hearing shall be served by posting it on the premises.

B. As permitted by Minnesota Statute section 626.862, as it may be amended from time to time, the City Administrator shall have the authority to administer and enforce this code. In addition, under that statutory authority, certain individuals designated within the code or by the City Administrator or City Council shall have the authority to administer and enforce the provisions specified. All and any person or persons designated may issue a citation in lieu of

A. Any licensed peace officer employed or whose services are contracted for by the City, the County Sheriff, any Deputy County Sheriff, or the Minnesota State Patrol (MSP), shall have the authority to enforce any provision of this chapter.

4-6-31 ENFORCEMENT.

Violation of any provision of this chapter, including maintaining a nuisance after being notified in writing by first class mail of a violation of any provision of this chapter, shall be a misdemeanor and punished as provided in 4-6-33.

4-6-30 PENALTY.

ENFORCEMENT AND PENALTIES

B. Assessment. After notice and hearing as provided in Minnesota Statute section 429.061, as it may be amended from time to time, if the nuisance is a public health or safety hazard on private property, the accumulation of snow and ice on public sidewalks, the growth of weeds on private property or outside the traveled portion of streets, or unsound or insect-infected trees, the City Administrator shall, on or before November 1 following abatement of the nuisance, list the total unpaid charges along with all other charges as well as other charges for current services to be assessed under Minnesota Statute section 429.101 against each separate lot or parcel to which the charges are attributable. The City Council may then spread the charges against the property under that statute and other pertinent statutes for certification to the County Auditor and collection along with current taxes the following year or in annual installments, not exceeding ten, as the City Council may determine in each case.

A. Personal liability. The owner of premises on which a nuisance has been abated by the city shall be personally liable for the cost to the city of the abatement, including administrative costs. As soon as the work has been completed and the cost determined, the City Administrator or other official shall prepare a bill for the cost and mail it to the owner. Thereupon the amount shall be immediately due and payable at the office of the City Administrator.

4-6-20 RECOVERY OF COST.

D. Immediate abatement. Nothing in this section shall prevent the city, without notice or other process, from immediately abating any condition which poses an imminent and serious hazard to human life or safety.

C. In either the case of a misdemeanor or a petty misdemeanor, the costs of prosecution

B. Any person, firm or corporation who violates any provision of this code, including Minnesota Statutes specifically adopted by reference, which is designated to be a petty misdemeanor shall, upon conviction, be guilty of a petty misdemeanor. The penalty for any petty offense is defined by Minnesota Statute section 609.0331, as it may be amended from time to time by the Minnesota Legislature.

A. Any person, firm, or corporation who violates any provision of this code for which another penalty is not specifically provided, shall, upon conviction, be guilty of a misdemeanor under Minnesota Statute section 609.03, as it may be amended from time to time by the Minnesota Legislature.

4-6-32 GENERAL PENALTY.

F. Nothing in this section shall be construed to limit the authority of the City to enter private property in urgent emergency situations where there is an imminent danger in order to protect the public health, safety and welfare.

E. Every licensee, owner, resident or other person in control of property within the city shall permit at reasonable times inspections of or entrance to the property by the City Administrator or any other authorized city officer or employee only to enforce these code provisions. Unreasonable refusal to permit the inspection of or entrance to the property shall be grounds for termination of any and all permits, licenses or city service to the property. Mailed notice shall be given to the licensee, owner, resident or other person in control of the property, stating the grounds for the termination, and the licensee, owner, resident or other person in control of the property shall be given an opportunity to appear before the City Administrator to object to the termination before it occurs, subject to appeal of the Administrator decision to the City Council at a regularly scheduled or special meeting.

D. If the licensee, owner, resident, or other person in control of a premises objects to the inspection of or entrance to the property, the City Administrator, peace officer, or any employee or official charged with the duty of enforcing the provisions of this code may, upon showing that probable cause exists for the issuance of a valid search warrant from a court of competent jurisdiction, petition and obtain a search warrant before conducting the inspection or otherwise entering the property. This warrant shall be only to determine whether the provisions of this code enacted to protect the health, safety and welfare of the people are being complied with and to enforce these provisions only, and no criminal charges shall be made as a result of the warrant.

C. The City Administrator and any city official or employee designated by this code who has the responsibility to perform a duty under this code may with the permission of a licensee of a business or owner of any property or resident of a dwelling, or other person in control of any premises, inspect or otherwise enter any property to enforce compliance with this code.

arrest or continued detention to enforce any provision of the code.

3. Bushes of the species of tall, common, or European barberry, further known as *berberis vulgaris* or its horticultural varieties;

2. Grapevines when growing in groups of 100 or more and not pruned, sprayed, cultivated, or otherwise maintained for two consecutive years;

1. Noxious weeds and rank vegetation shall include but not be limited to: alum Mustard, Wild Onion, Wild Parsnip; Russian Thistle, Serrated Tussock, Shatter Cane, Sorghum, Wild Carrot, Wild Garlic, Wild Perennial Sowthistle, Poison Hemlock, Purple Loosestrife, Quackgrass, Russian Knapweed, Horsetail, Johnsongrass, Leafy Spurge, Mile-A-Minute Weed, Musk Thistle, Oxeye Daisy, Dock, Dodder, Field Bindweed, French Weed, Hairy Whitetop, Hedge Bindweed, Hoary Cress, (allium), Buckhorn, Bur Cucumber, Canada Thistle, Corncockle, Cressleaf Groundsel, Curly

WEEDS, GRASSES and RANK VEGETATION. Includes but is not limited to the following:

PROPERTY OWNER. The person occupying the property, the holder of legal title or a person having control over the property of another, such as a right-of-way, easement, license or lease.

INSPECTOR. The person designated by the City Council to inspect properties located within the corporate limits of the city and to file the notices and letters required by this subchapter.

A. For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

4-6-41 DEFINITIONS; EXCLUSIONS.

This subchapter shall be in addition to any state statute or county ordinance presently in effect, subsequently added, amended or repealed.

4-6-40 JURISDICTION.

WEEDS

abate the violation.

E. In addition to any penalties provided for in this section or in 4-5-31, if any person, firm or corporation fails to comply with any provision of this code, the Council or any city official designated by it, may institute appropriate proceedings at law or at equity to restrain, correct or

D. The failure of any officer or employee of the city to perform any official duty imposed by this code shall not subject the officer or employee to the penalty imposed for a violation.

may be added. A separate offense shall be deemed committed upon each day during which a violation occurs or continues.

B. Certified mailings to the City Administrator or others is deemed filed on the date of posting to the United States Postal Service.

A. Upon receiving a complaint as described in 4-6-43, the Inspector shall inspect the subject property. If pursuant to this inspection a violation of this subchapter is observed, the Inspector shall send the Property Owner or the occupant of the subject property a Notice describing the violations under this subchapter and directing the Property Owner or the occupant to remove the violation within two (2) weeks. This Notice of Violations shall be served in writing by certified mail and filed with the City Administrator.

4-6-44 NOTICE OF VIOLATIONS.

Any person, including the city, who believes there is property located within the corporate limits of the city which has growing plant matter in violation of this subchapter shall make a written complaint signed, dated and filed with the City Administrator.

4-6-43 FILING COMPLAINT.

All property owners shall be responsible for the removal, cutting, or disposal and elimination of weeds, grasses and rank vegetation or other uncontrolled plant growth on their property, which at the time of notice, is in excess of 8 inches in height.

4-6-42 OWNERS RESPONSIBLE FOR TRIMMING AND REMOVAL

B. In no event shall cultivated plants or crops include plants which have been defined by state statute or administrative rule as being noxious or detrimental plants.

6. The term *weeds* does not include shrubs, trees, cultivated plants or crops.

5. Rank vegetation includes the uncontrolled, uncultivated growth of annuals and perennial plants;

4. Any weeds, grass, or plants, other than trees, bushes, flowers, or other ornamental plants, growing to a height exceeding 8 inches;

4-6-45 NON-COMPLIANCE LETTER.

A. If the Property Owner or occupant does not comply with the Notice of Violations, the Inspector shall send the Property Owner and occupant of the subject property a Non-Compliance Letter notifying the Property Owner and occupant that the City Council will consider the violations described in the Non-Compliance Letter and that the City Council has the authority to approve a Destruction Order directing a designated city staff person, its agents, representatives, or designees to remove the violations at the Property Owner's expense. The Non-Compliance Letter shall also notify the Property Owner of its right to appeal. This Non-Compliance Letter shall be served in writing by certified mail and filed with the City Administrator.

B. This Destruction Order may be approved by the City Council two (2) weeks after the Non-Compliance Letter was filed.

4-6-46 APPEALS.

A. The Property Owner has the right to appeal the Inspector's findings as described in the Notice of Violations or the Non-Compliance Letter.

B. Appeals by the Property Owner must be received in writing by the City Administrator no later than seven (7) days after the Non-Compliance Letter was filed. The Property Owner has the burden of demonstrating compliance with this subchapter.

C. Appeals by the Property Owner shall be considered by the City Council prior to approving a Destruction Order.

4-6-47 DESTRUCTION ORDER; LIABILITY FOR COSTS.

A. If after considering the violations described in the Notice of Violations and the Non-Compliance Letter and any appeals by the Property Owner, the City Council may approve a Destruction Order directing a designated city staff person, its agents, representatives, or designees to remove the violations to conform to this subchapter by all lawful means. The city may seek injunctive relief by serving a notice of motion for summary enforcement or obtain an administrative search and seizure warrant to remove the violation.

B. The Property Owner is liable for all costs of removal, cutting, or destruction of Weeds, Grasses, and Rank Vegetation.

C. The Property Owner is responsible for all collection costs associated with the Destruction Order, including but not limited to court costs, attorneys' fees, and interest on any unpaid amounts incurred by the city pursuant to this subchapter. If the city uses its municipal employees to remove the violations, it shall set and assign a reasonable per hour rate for employees, equipment, supplies, and chemicals that may be used.

D. All sums payable by the Property Owner are to be paid to the City Administrator and shall be deposited in a general fund as compensation for expenses and costs incurred by the city.

E. All sums payable by the Property Owner may be collected as a special assessment pursuant to Minnesota Statute Chapter 429, as amended from time to time.

F. The Property Owner or other responsible party in control of the property, upon the request of the designated city staff person, its agents, representatives, or designees, shall provide access to the property for the purpose of enforcing and assuring compliance with this subchapter after the procedures set forth in this subchapter have been followed.

4-6-48 EFFECTIVE DATE.

This ordinance shall be effective upon its adoption and publication.