

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

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August 12, 2008

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

Councilors present: Karen Doherty, Clay Christensen, Denise Hawkinson, Lara Mac Lean, and Mayor Jeff Dains.

Staff present: Heather Butkowski, Acting City Administrator; Jim Bownik, Assistant to the City Administrator.

Mayor Dains asked for any additions, deletions, or changes to the meeting agenda. Larpenteur Avenue development, options for a temporary deputy clerk, and council communication were added.

Councilor Hawkinson moved to approve the agenda. Councilor Mac Lean seconded the motion and it carried.

Councilor Christensen moved approval of the July 22, 2008, City Council meeting minutes. Councilor Doherty seconded the motion and it carried.

Councilor Hawkinson moved approval of the claims totaling \$122,462.78. Councilor Mac Lean provided the second and the motion carried.

Mayor Dains asked if members of the public wished to address the Council.

Larry Lambert, 1803 Eustis Street, addressed the Council regarding some of his concerns. They included: dumpings in the unpaved right-of-way behind 1809 Eustis Street; condition of the duplex to his north; and the use of the property to the south of him.

The Mayor asked if anyone wished to remove items from the Consent Agenda. Councilor Christensen removed item E – Appointing Acting City Administrator. Councilor Hawkinson removed items D and F relating to park payments.

Council member Doherty moved the remaining consent agenda items thereby approving the 2008 election judges; appointing Bob Milligan to the Capitol Regions Watershed District Community Group Committee; and approving the purchase of two garbage cans for the Community Park. Hawkinson seconded the motion and it carried.

Next, Bownik provided information on Day in the Park. Activities include a morning fun run and afternoon parade followed by food and family-friendly activities. The band for the day is Denny & the Dawgs.

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Butkowski read to the Council two additional statements for the proposed municipal consent resolution. Marc Goess of Mn/DOT then spoke to the need for municipal consent as the TH280 bridge replacement requires a change of access, namely the change to a standard diamond intersection with traffic signals. Mr. Goess provided the Council with the most recent version of the bridge plan and promised that the City would receive construction updates throughout the project. Mr. Goess also informed the Council that Mn/DOT has been working with St. Paul engineers to guarantee the bridge and St. Paul projects would not be done simultaneously.

Councilor Mac Lean moved to approve Resolution 081208A – A Resolution for Layout Approval of the Larpenteur Avenue over TH280 Bridge Replacement Project with the inclusions presented at the start of the meeting. Councilor Doherty seconded the motion and the resolution passed with all councilors voting yes.

The Council then discussed moving the September 9 City Council meeting to another date so as not to conflict with the primary election. Dates considered were September 8, 10, and 11.

Councilor Christensen moved to change the September 9, 2008, Lauderdale City Council meeting to September 10 at 7:30 p.m. Councilor Hawkinson seconded the motion and it carried.

The Council then discussed items removed from the Consent Agenda.

Councilor Christensen had removed item E relating to the City Administrator appointment. He questioned what would happen if the City or Butkowski did not wish to continue the City Administrator arrangement at the end of November. Who would fill the City Administrator role until a new Administrator was hired?

The Council agreed that Councilors Christensen and Mac Lean would address this situation and bring a contract amendment to the next meeting. In the interim, the Council would act on the agreement presented in the Council packet.

Councilor Christensen moved adoption of the Acting City Administrator contract as presented. Councilor Mac Lean provided the second and the motion carried.

Councilor Hawkinson had removed Item D - the park settlement payment from the Consent Agenda. She asked whether the park settlement payment was in regard to the park improvements. Butkowski said the payment was in respect to the "gap" property issue the City has been trying to resolve. The Council previously authorized the city attorney to offer payment for the gap property to the Nolan; they accepted that offer and the attorney asked the Council to authorize payment so the check may be written once the property line issues are resolved.

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Councilor Doherty moved approval of the park settlement payment in the amount of \$2,000 to be issued to the Nolan family once a judgment has been entered in favor of the City. Councilor Mac Lean provided the second and the motion carried.

Councilor Hawkinson had removed Item F - Dunaway Construction payment request #2 from the Consent Agenda. She questioned whether the final punch list had been created and addressed. Bownik spoke to the issue. He said this was not the final payment for the hockey rink and the punch list items would be taken care of before the final pay request was presented to the Council.

Councilor Hawkinson moved approval of Dunaway Construction payment request #2 in the amount of \$18,879.78. Councilor Christensen provided the second and the motion carried.

Butkowski read the items on the agenda for the next meeting which included: 2009 budget, recycling contract renewal & presentation by Eureka Recycling, change of bank signatories, Larpenteur Avenue Development, variance requests, and lot division request.

The Council then moved into the Work Session.

The Mayor moved the discussion regarding 1953 Carl Street ahead of the Eustis Street Feasibility Study. The Mayor reminded those present that the city attorney said the obligation of the City was to restore the property as best as the City was able after the project. As the project happened in 2002, he is reluctant to offer anything to the Schultz as it may open other obligations.

Councilor Christensen agreed that this could set a precedent for other properties. On the other hand, Councilors Hawkinson and Mac Lean felt the Schultz tried to do the best with what they were given.

Karen Schultz addressed the Council on behalf of herself and her husband. She said they originally wanted a retaining wall as they were unable to grow grass, but as that is not allowed per city ordinance, they worked with a landscaper on a design that includes perennials, ground cover, and boulders. Per city ordinance, plantings in the boulevard require Council approval.

The Council discussed the boulevard planting request and received input from city engineer, Tom Kellogg, regarding erosion control measures and public works input.

Council Mac Lean moved approval of the boulevard plantings contingent upon public works approval and proof that the landscape architect has an erosion control plan. Council Hawkinson provided the second and all voted yes.

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Butkowski said former Administrator Heck prepared part of the council memo regarding the Schultz' and suggested that if the Council considered offering financial assistance that the Council know the price of replacement sod or grass seed as that was what the City originally provided homeowners. The costs presented in the memo were \$577.50 for sod and \$412.50 for seed (to cover approximately 165 square yards).

The Mayor suggested that any offer be contingent upon the Schultz' releasing the City from further liabilities regarding this issue.

Kellogg reminded Councilors that the contractor warranted the grass for 30 days and the sewer for two years; after that it was the homeowners' responsibility to maintain the sod and the City was responsible for the sewer. After further discussion, the Council reached their decision.

Councilor Christensen moved to have staff prepare a proposal offering the Schultz' \$577.50, the equivalent of sod replacement, if they agreed to release the City from further liability. Councilor Hawkinson seconded the motion and it carried.

Kellogg explained the City needs a feasibility study for Eustis Street if the Council wants to assess adjacent property owners for the cost of improvements. Before preparing the report, the engineers need to know the features the Council would like cost estimates for. After some discussion, the Council asked the engineer to provide estimates for the following:

- Decorative lighting versus traditional street lights;
- Additional lighting from what currently exists;
- The cost for new sanitary and storm sewers if the recently televised sewer system warrants;
- Buried overhead utilities;
- Curb and gutter that matches that of the rest of the City roads;
- Cost to expand the road width for 12' driving lanes and 8' parking lanes;
- Streetscaping where warranted; and
- A plan for improved pedestrian mobility south of Larpenteur Avenue.

The Council also asked Kellogg to notify St. Paul Regional Water Service so they can consider replacing the water mains. The engineer expected a draft would be ready in four to six weeks. The engineers will also put together a quote for the price of a mill and overlay of the road surface which the City may need to convince the County to help offset the costs of the road reconstruction.

The discussion then turned to roller hockey nets as the hockey rink paving project is nearly complete.

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Councilor Mac Lean moved to purchase two roller hockey goals. Councilor Doherty provided the second and it carried.

Butkowski provided a brief overview of the budget materials included in the packet. She explained that the City received the certified LGA amount but would not know the fiscal disparities amount for another week. The Council asked about property tax rates and what other cities were doing. Staff said they will get this information at the annual Ramsey County Finance Officers meeting in the upcoming week.

The Mayor spoke about the levy. He asked what the rationale for raising the levy would be. Every one-percent increase in the levy would result in an additional \$4,700. Staff will prepare more budget materials for the August 26 meeting for the Council to consider.

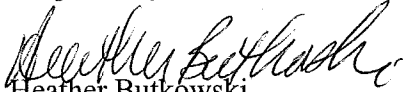
Staff informed the Council on leads for a temporary deputy clerk. The City received one applicant from the clerks' listserv and contacted the temp agency the City had used previously. The Council considered that information and discussed hiring an intern in the future. Ultimately, the Council instructed staff to meet with the prospective hire and if things seemed positive, the Mayor would call a special session regarding the temporary appointment.

Staff then provided an update on Larpenteur Avenue. Staff spoke with the owner of the vacant lot on Larpenteur Avenue. He is working on building plans for his lot. Council suggested bringing the City's consultant to the first meeting in September for further discussion.

The Mayor then told Councilors that he and the Acting City Administrator planned to meet with the police chief to discuss issues such as park patrol, curfew enforcement, 911 dispatch, and ticketing. He will update the Council at the next meeting.

Councilor Christensen moved to adjourn the meeting. Councilor Hawkinson seconded the motion and it carried. The meeting adjourned at 10:20 p.m.

Respectfully submitted,


Heather Butkowski
Acting City Administrator