

**LAUDERDALE CITY COUNCIL MEETING AGENDA
TUESDAY, APRIL 14, 2009
7:30 P.M. CITY HALL
1891 WALNUT STREET**

FILE

1. ROLL CALL
2. APPROVAL OF THE AGENDA
3. APPROVALS
 - a. Minutes of the March 24, 2009, City Council Meeting
 - b. Claims totaling \$90,841.35
4. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COUNCIL
5. CONSENT
 - a. Rental Housing Licenses
 - b. Park Use Application
 - c. Cancellation of Copier Maintenance Contract
6. SPECIAL ORDER OF BUSINESS/RECOGNITION/PROCLAMATIONS
7. PUBLIC HEARINGS Public hearings are conducted so that the public affected by a proposal can have input in to the decision.
 - a. Annual Stormwater Prevention Program Presentation and Public Hearing
8. REPORTS
 - a. Update on Road Construction Projects
 - b. Report on MWMO Activities by Karen Gill-Gerbig
9. DISCUSSION / ACTION
 - a. Presentation by Katrina Joseph on Hughes and Costello's Reorganization
 - b. Appeal of Home Occupation Permit Decision for 1801 Eustis Street
 - c. Bonestroo Agreements for Erosion Control and Illicit Discharge Ordinances and Impaired Waters Review
10. ITEMS REMOVED FROM THE CONSENT AGENDA
11. ADDITIONAL ITEMS
12. SET AGENDA FOR NEXT MEETING
 - a. Audit Presentation by Abdo, Bick, and Meyers
 - b. Quote from Abdo to Calculate the Other Postemployment Benefits (OPEB) per GASB 45
 - c. Discussion with Rep. Mindy Greiling and Senator John Marty
 - d. Erosion Control & Illicit Discharge Ordinances
 - e. 2010 – 2012 Police Contract
 - f. Roseville Sanitary Sewer Agreement
13. WORK SESSION
 - a. Election Schedule & Issues
 - b. 2010 – 2012 Police Contract
14. ADJOURN

March 24, 2009

Mayor Dains called the meeting to order at 7:32 p.m.

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

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

Mayor Dains asked for changes to the meeting agenda. There being none, Councillor Hawkinson moved to approve the agenda. Councillor Christensen seconded the motion and it passed unanimously.

Councillor Doherty moved approval of the March 10, 2009, City Council meeting minutes. Councillor Mac Lean seconded the motion and it passed unanimously.

Mayor Dains asked the councillors if they had questions regarding the claims. There being none, Councillor Hawkinson moved approval of the claims totaling \$25,113.90. Councillor Mac Lean 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 address the Council.

Mayor Dains asked if councillors wished to remove items from the consent agenda. There being none, Councillor Christensen moved the consent agenda approving the PCIC minutes from March 16, 2009. Councillor Mac Lean seconded the motion and it passed unanimously.

Butkowski updated the Council on the status of area road projects. Xcel Energy expects the duct line work in the Malvern alley to be completed in a week. They will then begin pulling cable. Boring under TH280 began on the west side this week. The project is expected to end by the May 1 deadline.

Butkowski reminded the Council of the open sanitary sewer manhole near Twin City Die Casting that was identified through smoke testing last fall. With the arrival of spring, the manhole can be rehabilitated and capped to prevent further inflow. Infratech provided a quote for the work in the amount of \$3,907.50. If Infratech finds excessive infiltration that requires an additional application of polyurethane chemical grout, that would be done at the rate of \$210/hour plus \$50.00 per gallon of grout. Additionally, the City requested the area be smoke tested again and that was quoted at \$210/hour.

Councilor Christensen moved to approve the Intratech quote for sanitary sewer manhole structural modifications and smoke testing as presented. Councilor Mac Lean seconded the motion and it passed unanimously.

Lauderdale public works has borrowed Falcon Heights' sewer jetter for many years. The last couple of years, this has been free of charge. Falcon Heights plans to sell the jetter since they do not use it. A dealer offered them \$15,000 for the machine so that is their asking price. Instead of purchasing Falcon Heights' jetter, the City can contract for the service or get pricing on other jetter models. Butkowski explained a company like Intratech charges \$210 per hour for labor and equipment. In the calculation presented, she said the jetter at \$15,000 would pay for itself in a year. She noted the advantage to purchasing the Falcon Heights' jetter is staff's familiarity with it as Lauderdale public works has largely been the only user of the machine.

The storage of the machine was discussed. Councilors asked whether Falcon Heights would be willing to store the machine during the winter. Staff said they would try to negotiate for that.

Councilor Mac Lean moved to approve purchase of Falcon Heights' sewer jetter in the amount of \$15,000. Councilor Doherty seconded the motion and it passed unanimously.

The Council discussed the spring and fall street sweeping quotes. Two companies provided quotes. Public works recommended hiring Mike McPhillips, Inc. due to the quality of their work.

Councilors said the cleaning should be done late enough to minimize the chance of a late spring storm that results in more ice and sand on the roads.

Councilor Hawkinson moved to approve the street sweeping quote from Mike McPhillips, Inc. in the amount of \$5,100 for 2009. Councilor Mac Lean seconded the motion and it passed unanimously.

The Council discussed dates for the annual goal setting meeting. The Council is considering the first June meeting as the City should know the impact of local government aid cuts by then. The discussion was tabled until the next meeting.

The Mayor acknowledged the list of agenda items for the next meeting which include a sanitary sewer agreement with the City of Roseville, the annual stormwater prevention program presentation and public hearing, and quotes from the city engineer for erosion control and illicit discharge ordinances and an impaired waters review.

LAUDERDALE CITY COUNCIL
MEETING MINUTES

Lauderdale City Hall
1891 Walnut Street
Lauderdale, MN 55113

Page 3 of 3

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.

The City Council discussed the proposed police contract and brainstormed options to reduce the cost. Among the ideas were contracting for an alternative animal control service, additional use of community service officers, less patrol hours, creating a larger police and fire service district, and seeking proposals from other law enforcement agencies. Overall, the Council was reluctant to issue an RFP for police services. They would like to retain St. Anthony in spite of aid cuts. The Council asked staff to address the option for one year contract with Chief Ohl. Falcon Heights City Council will discuss the contract at their April 1 meeting. Staff will bring back information from the Falcon Heights discussion to a future meeting.

Mayor Dains announced the City Council was moving into a closed session to discuss Virginia Matheny's request to purchase the former lift station property adjacent to 1974 Walnut Street.

Councilors present: Karen Doherty, Clay Christensen, Lara Mac Lean, Denise Hawkinson, and Mayor Jeff Dains. Staff present: Heather Butkowski, City Administrator, Jim Bownik, Assistant to the City Administrator.

Butkowski read to the Council the requirements of the closed session as detailed in the *League of Minnesota Cities Handbook*. The City Council may close a meeting to determine the asking price for real or personal property to be sold by the public body. Matheny made a request to purchase the former lift station site and the Council closed the meeting to discuss whether to sell the property and at what price.

The Council determined under what conditions they would sell the property and voted upon a sale price. They directed staff to make the offer to Matheny.

The Council moved back into the regular meeting session.

There being no further business on the council agenda, Councilor Hawkinson moved to adjourn the meeting. Councilor Christensen seconded the motion and it carried. The meeting adjourned at 8:43 p.m.

Respectfully submitted,

Heather Butkowski
City Administrator

**CITY OF LAUDERDALE
CLAIMS FOR APPROVAL**

April 14, 2009 City Council Meeting

<p>Total Claims for Approval \$90,841.35</p>		
<table border="0"> <tr> <td data-bbox="196 924 568 1753"> <p>Payroll 4/03/09 Payroll: Direct Deposit # 500734-500738 4/03/09 Payroll: Payroll Liabilities, e-payments 345E-347E \$7,082.42</p> </td> <td data-bbox="568 924 1409 1753"> <p>Vendor Claims 4/14/09: Check #s 19643-19669 \$78,547.82</p> </td> </tr> </table>	<p>Payroll 4/03/09 Payroll: Direct Deposit # 500734-500738 4/03/09 Payroll: Payroll Liabilities, e-payments 345E-347E \$7,082.42</p>	<p>Vendor Claims 4/14/09: Check #s 19643-19669 \$78,547.82</p>
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CITY OF LAUDERDALE

Paid Register

Check Number	Employee Number	Employee Name	Pay Period	Pay Group	Description	Check Amount	Check Date	Status
500737	000000002	HINRICHS, DAVID C	7	BI-WEEKLY		\$1,141.15		Outstanding
500738	000000005	HUGHES, JOSEPH A	7	BI-WEEKLY		\$1,723.79		Outstanding
500734	000000011	BOWNIK, JAMES	7	BI-WEEKLY		\$1,494.42		Outstanding
500735	000000007	BUTKOWSKI-HINRICHS, HE	7	BI-WEEKLY		\$1,708.38		Outstanding
500736	000000017	CALLAHAN, COLLEEN	7	BI-WEEKLY		\$1,014.68		Outstanding
						<u>\$7,082.42</u>		

Check
Number
Employee
Number
Employee
Name
Pay
Period
Pay
Group
Description
Check
Amount
Check
Date
Status

CITY OF LAUDERDALE

Payments

Current Period: APRIL 2009

Batch Name 040309pyroll Payment Computer Dollar Amt \$5,211.11 Posted

Refer 797 ICMA RETIREMENT TRUST - 457 Ck# 000345E 4/3/2009

Cash Payment G 101-21705 ICMA RETIREMENT 4/03/09 Payroll

Transaction Date 4/3/2009 Due 0 NORTH STAR CHEC 10100 Total \$1,303.08

Refer 798 PERA Ck# 000346E 4/3/2009

Cash Payment G 101-21704 PERA 4/03/09 Payroll

Transaction Date 4/3/2009 Due 0 NORTH STAR CHEC 10100 Total \$1,380.81

Refer 799 NORTH STAR BANK, CHECKING S Ck# 000347E 4/3/2009

Cash Payment G 101-21703 FICA WITHHOLDING 4/03/09 Payroll

Cash Payment G 101-21701 FEDERAL TAXES 4/03/09 Payroll

Invoice

Transaction Date 4/3/2009 Due 0 NORTH STAR CHEC 10100 Total \$2,527.22

Batch Name 040309pyroll

Fund Summary
10100 NORTH STAR CHECKING \$5,211.11
Pre-Written Checks \$5,211.11
Checks to be Generated by the Computer \$0.00
Total \$5,211.11

Pre-Written Checks	\$5,211.11
Checks to be Generated by the Computer	\$0.00
Total	\$5,211.11

***Check Detail Register®**

CITY OF LAUDERDALE

APRIL 2009

Check Amt Invoice Comment

10100 NORTH STAR CHECKING		Paid Chk# 019643	
ABDO EICK & MEYERS LLP	4/14/2009	\$7,520.00	08 Financial Audit
AUDITING	E 101-41200-301	\$940.00	08 Financial Audit
AUDITING	E 602-49100-301	\$940.00	08 Financial Audit
AUDITING	E 601-49000-301	\$940.00	08 Financial Audit
Total ABDO EICK & MEYERS LLP		\$9,400.00	
Paid Chk# 019644		4/14/2009 AMERICAN MESSAGING	
TELEPHONE/PAGERS	E 602-49100-391	\$53.17	4/09-3/10-pw pager
TELEPHONE/PAGERS	E 601-49000-391	\$53.17	4/09-3/10-pw pager
Total AMERICAN MESSAGING		\$106.34	
Paid Chk# 019645		4/14/2009 BUTKOWSKI, HEATHER	
TRAVEL EXPENSE	E 101-41200-331	\$47.03	hb - MCFOA conference mileage
TRAVEL EXPENSE	E 101-41200-331	\$107.04	hb - MCFOA conference lodging
Total BUTKOWSKI, HEATHER		\$154.07	
Paid Chk# 019646		4/14/2009 CDW GOVERNMENT, INC	
FURNITURE & EQUIPMENT	E 202-49500-530	\$610.75	IT equipment - WAP
FURNITURE & EQUIPMENT	E 202-49500-530	\$2,758.49	IT equipment - switch
Total CDW GOVERNMENT, INC		\$3,369.24	
Paid Chk# 019647		4/14/2009 CINTAS	
CLOTHING	E 602-49100-425	\$50.52	PW Clothing
CLOTHING	E 601-49000-425	\$50.52	PW Clothing
Total CINTAS		\$101.04	
Paid Chk# 019648		4/14/2009 CITY OF FALCON HEIGHTS	
FIRE CALLS	E 101-42100-321	\$396.86	3/09 Fire Calls
Total CITY OF FALCON HEIGHTS		\$396.86	
Paid Chk# 019649		4/14/2009 CITY OF ROSEVILLE	
TELEPHONE/PAGERS	E 101-41200-391	\$95.40	4/09 phone services
CONSULTING FEES	E 101-41200-306	\$453.33	4/09 IT services
Total CITY OF ROSEVILLE		\$548.73	
Paid Chk# 019650		4/14/2009 CITY OF ST ANTHONY	
POLICE CONTRACT	E 101-42100-319	\$48,187.50	4/09 Police Services
Total CITY OF ST ANTHONY		\$48,187.50	
Paid Chk# 019651		4/14/2009 EUREKA RECYCLING	
GENERAL SUPPLIES	E 101-41200-201	\$136.94	3-cartons of paper
Total EUREKA RECYCLING		\$136.94	
Paid Chk# 019652		4/14/2009 GLENWOOD INGLEWOOD	
WATER DELIVERY	E 101-41200-208	\$4.79	3/09 Water cooler rental
Total GLENWOOD INGLEWOOD		\$4.79	
Paid Chk# 019653		4/14/2009 HUGHES & COSTELLO	

CITY OF LAUDERDALE

*Check Detail Register®

APRIL 2009

Check Amt	Invoice	Comment
E 101-42100-355	MISC PRINTING/PROCESS SER	4/09 Legal Services
E 101-42100-305	LEGAL FEES	4/09 Legal Services
Total HUGHES & COSTELLO		\$1,196.28
Paid Chk# 019654	4/14/2009	LILLIE SUBURBAN NEWS
E 602-49100-352	PUBLIC INFO NOTICES	legal notice - stormwater mtg
Total LILLIE SUBURBAN NEWS		\$23.80
Paid Chk# 019655	4/14/2009	MAMA
E 101-41200-438	DUES & SUBSCRIPTIONS	hb 09 Membership Dues
Total MAMA		\$45.00
Paid Chk# 019656	4/14/2009	MET-COUNCIL ENVIRONMENTAL SER.
E 601-49000-387	WATER TREATMENT SERVICE	5/09 Waste Water Services
Total MET-COUNCIL ENVIRONMENTAL SER.		\$10,715.82
Paid Chk# 019657	4/14/2009	MN DEPT OF LABOR AND INDUSTRY
E 101-43400-443	SURCHARGE REPORT	1q09 state surcharge report
Total MN DEPT OF LABOR AND INDUSTRY		\$4.03
Paid Chk# 019658	4/14/2009	NAPA AUTO PARTS
E 101-43000-402	CITY TRUCK REPAIR/MAINTEN	3/09 truck parts
Total NAPA AUTO PARTS		\$25.48
Paid Chk# 019659	4/14/2009	ONE CALL CONCEPTS
E 101-43400-386	GOPHER STATE ONE CALL	3/09 locate tickets
Total ONE CALL CONCEPTS		\$17.40
Paid Chk# 019660	4/14/2009	PARK SERVICE
E 601-49000-212	MOTOR FUELS	3/09 motor fuels
E 101-43000-212	MOTOR FUELS	3/09 motor fuels
E 602-49100-212	MOTOR FUELS	3/09 motor fuels
Total PARK SERVICE		\$15.58
Total		\$103.87
Paid Chk# 019661	4/14/2009	POSTMASTER - STAMPS
E 101-41200-203	POSTAGE	postage
E 101-43400-203	POSTAGE	postage
Total POSTMASTER - STAMPS		\$294.00
Paid Chk# 019662	4/14/2009	PUBLIC EMPLOYEES INS PROGRAM
G 101-21706	HEALTH INSURANCE	4/09 Employee Insurance
Total PUBLIC EMPLOYEES INS PROGRAM		\$1,102.16
Paid Chk# 019663	4/14/2009	RAMSEY COUNTY, PROP REC & REV
E 101-42100-442	MISC	3/09 Dispatch Services
E 101-41200-355	MISC PRINTING/PROCESS SER	4/09 health insurance
E 101-21706	HEALTH INSURANCE	4/09 health insurance
Total RAMSEY COUNTY, PROP REC & REV		\$872.12

CITY OF LAUDERDALE

*Check Detail Register©

APRIL 2009

Check Amt Invoice Comment

Paid Chk# 019664	4/14/2009	RAPIT PRINTING			
E 101-41200-353		NEWSLETTER PRINTING	\$616.78		2q09 Newsletter
Total RAPIT PRINTING			\$616.78		
Paid Chk# 019665	4/14/2009	SPRINT PCS			
E 602-49100-391		TELEPHONE/PAGERS	\$16.91		3/09 PW Pager
E 101-43000-391		TELEPHONE/PAGERS	\$33.82		3/09 PW Pager
E 601-49000-391		TELEPHONE/PAGERS	\$16.91		3/09 PW Pager
Total SPRINT PCS			\$67.64		
Paid Chk# 019666	4/14/2009	SUBURBAN ACE HARDWARE			
E 202-49500-201		GENERAL SUPPLIES	\$5.10		wall jack repair
Total SUBURBAN ACE HARDWARE			\$5.10		
Paid Chk# 019667	4/14/2009	WASTE MANAGEMENT			
E 101-43000-384		REFUSE DISPOSAL	\$103.58		4/09 Waste Pick Up
Total WASTE MANAGEMENT			\$103.58		
Paid Chk# 019668	4/14/2009	XCEL ENERGY, CITY HALL			
E 101-43000-381		ELECTRIC	\$185.60		3/09 CH electric
E 101-43000-383		GAS UTILITIES	\$245.99		3/09 CH gas
Total XCEL ENERGY, CITY HALL			\$431.59		
Paid Chk# 019669	4/14/2009	XCEL ENERGY, STREET LIGHTING			
E 101-43000-380		STREET LIGHT UTILITY	\$517.66		3/09 Street Lighting
Total XCEL ENERGY, STREET LIGHTING			\$517.66		
Fund Summary					
10100 NORTH STAR CHECKING			\$78,547.82		
101 GENERAL			\$62,281.50		
202 COMMUNICATIONS			\$3,374.34		
601 SEWER UTILITIES			\$11,792.00		
602 STORM SEWER ENTERPRISE FUND			\$1,099.98		
			\$78,547.82		

LAUDERDALE COUNCIL ACTION FORM

- TYPE OF REQUEST**
- Consent
 - Action
 - Resolution
 - Information
 - Work session

MEETING DATE April 14, 2009	AGENDA NUMBER 5A	DESCRIPTION 2009 Rental License

BACKGROUND OR PAST COUNCIL ACTION

The property owners listed below have successfully completed the rental housing inspection and renewal process for a 2009 rental license.

Rand and Barbara Claussen, 2345 Summer Street
Eric Shin, 1888 Eustis Street and 1853 Walnut Street

OPTIONS

STAFF RECOMMENDATION

Approve license for January 1 – December 31, 2009.

COUNCIL ACTION

STAFF ACTION

MOTION BY

SECOND

**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested

Consent

Public Hearing

Discussion

Action

Resolution

Work Session

Meeting Date April 14, 2009

ITEM NUMBER 5B City Park Applications

STAFF INITIAL CC

APPROVED BY ADMINISTRATOR

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

The City received application(s) for use of the park by groups of more than 30 people. The application(s) are attached for your review.

OPTIONS:

- A) Approve all the requests to use the park.
- B) Approve some of the requests and provide explanation to staff for those not approved.
- C) Do not approve the requests.

STAFF RECOMMENDATION:

The staff recommends allowing these groups to use the park.

COUNCIL ACTION:

City of Lauderdale
 1891 Walnut Street • Lauderdale • Minnesota 55113
 Phone: 651.631.0300 Fax: 651.631.2066

Call after approval
 give copy

Needs Council Approval

APPLICATION FOR USE OF COMMUNITY PARK

APPLICANT INFORMATION:

Name: Hitemi Isomura Address: 1913 Pleasant St
 City: Lauderdale State: MN Zip: 55113
 Telephone No.: 651-636-4152 Name of Organization (if applicable): JSC (Japanese Student Connection)

PARK USE INFORMATION:

Date(s) of Park Use: 5/2/09 Hours Used: 3:00 ~ 7:00 pm
 * Number attending: 40 * Note: Groups of 30 or more must receive council approval
 Part of Park to be reserved (circle all that apply):

Picnic shelter Ballfield Hockey rink / Ice skating rink (winter only) Other: Basketball & Tennis courts
 Please note: the hockey rink is only available for reservation from the hours of 8 - 10 pm.

By signing this application, the applicant agrees to the following:

- The park facilities will not be used for advertisement of any product, goods, or services, nor for personal profit.
- The applicant will clean up the area after the event has occurred.
- The proposed event will not unreasonably interfere with the general public use of the park, or with the safe and orderly movement of traffic on streets surrounding the park.
- The applicant is aware that there is a parking lot on Roselawn Avenue, including spaces for the handicapped.
- The applicant understands that the park opens at 8:00 am and closes at 10:00 pm.
- The applicant understands that no intoxicating liquor may be present or consumed at the park.

Applicant's Signature: Hitemi Isomura
 Please Print Applicant's Name: Hitemi Isomura
 Date: 4-6-09

FOR OFFICE USE ONLY:

Date Application Received: 4-6-09
 Temporary Non-Intoxicating Liquor License Granted? If so, date Council granted: _____
 Approved By: _____

**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested

Consent _____

Public Hearing _____

Discussion _____

Action _____

Resolution _____

Work Session _____

Meeting Date April 14, 2009

Item Number 5C - Copier Contract

Staff Initial AAA

Approved by Administrator _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

While reviewing the claims on Friday, I noticed our quarterly copier maintenance price jumped \$100 raising the rate to \$2,000 per year. I called Toshiba to find out why and they said our contract renewed automatically in March and that was the new rate. She further said that if we didn't cancel the contract within the 30 day renewal period, we are responsible to pay for maintenance for the entire year whether we use the system or not. We are still in the cancellations window and I will send the cancellation ASAP as we have budgeted to purchase a new machine and this one won't last another year.

OPTIONS:

STAFF RECOMMENDATION:

By approving the consent agenda, the City Council agrees to terminate the copier maintenance agreement with Stringer Business Systems.

COUNCIL ACTION:

**LAUDERDALE COUNCIL
ACTION FORM**

Action Requested

Consent _____

Public Hearing X

Discussion _____

Action _____

Resolution _____

Work Session _____

Meeting Date April 14, 2009

ITEM NUMBER 7A - SWPPP Annual Rpt

STAFF INITIAL HGP

APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Annually, the City must present on its efforts to eliminate stormwater pollution through its Stormwater Pollution Prevention Program (SWPPP) and allow residents the opportunity to address the Council through a public hearing. This is our night to do that. Attached is a copy of the agenda I plan to follow. Additionally, you will find two articles explaining the acronym soup that is the current state of stormwater management. Finally, I have attached a copy of our 2007 SWPPP report. The 2008 report is due the end of June 2009. Prior to submitting the report, the City needs to complete the stormwater ordinances that will be discussed later in the meeting. I will also have a copy of the City's SWPPP best management practices available. It is about 75 pages long so I didn't include it in your packet.

I imagine Karen Gill-Gerbig will touch on many of the same topics when she presents.

OPTIONS:

STAFF RECOMMENDATION:

COUNCIL ACTION:

The City of Lauderdale

1891 Walnut Street • Lauderdale • Minnesota • 55113
Phone: 651.792.7650 • Fax: 651.631.2066

www.ci.lauderdale.mn.us

**LAUDERDALE ANNUAL STORM WATER MEETING
APRIL 14, 2009 AGENDA**

WELCOME

SUMMARIES

1. NPDES MS4 Phase II Permit Overview
2. Storm Water Pollution Prevention Plan (SWPPP) Overview
3. Status of Compliance with the Permit Conditions – Annual Report
4. Appropriateness of the Best Management Practices (BMP's) in the SWPPP
5. Progress in Achieving Measurable Goals

OPEN FORUM FOR PUBLIC COMMENT

1. SWPPP Annual Report
2. Adequacy of the SWPPP

ATTACHMENTS:

1. EPA's Stormwater Phase II Final Rule: Small MS4 Stormwater Program Overview
2. MPCA: Stormwater Program for Municipal Separate Storm Sewer Systems (MS4) Overview
3. 2007 Small MS4 Annual Report Form
4. SWPPP/Best Management Practices available for viewing

Stormwater Phase II Final Rule

Small MS4 Stormwater Program Overview

Polluted storm water runoff is often transported to municipal separate storm sewer systems (MS4s) and ultimately discharged into local rivers and streams without treatment. EPA's Stormwater Phase II Rule establishes an MS4 stormwater management program that is intended to improve the Nation's waterways by reducing the quantity of pollutants that stormwater picks up and carries into storm sewer systems during storm events. Common pollutants include oil and grease from roadways, pesticides from lawns, sediment from construction sites, and carelessly discarded trash, such as cigarette butts, paper wrappers, and plastic bottles. When deposited into nearby waterways through MS4 discharges, these pollutants can impair the waterways, thereby discouraging recreational use of the resource, contaminating drinking water supplies, and interfering with the habitat for fish, other aquatic organisms, and wildlife.

In 1990, EPA promulgated rules establishing Phase I of the National Pollutant Discharge Elimination System (NPDES) stormwater program. The Phase I program for MS4s requires operators of "medium" and "large" MS4s, that is, those that generally serve populations of 100,000 or greater, to implement a stormwater management program as a means to control polluted discharges from these MS4s. The Stormwater Phase II Rule extends coverage of the NPDES stormwater program to certain "small" MS4s but takes a slightly different approach to how the stormwater management program is developed and implemented.

What Is a Phase II Small MS4?

A small MS4 is any MS4 not already covered by the Phase I program as a medium or large MS4. The Phase II Rule automatically covers on a nationwide basis all small MS4s located in "urbanized areas" (UAs) as defined by the Bureau of the Census (unless waived by the NPDES permitting authority), and on a case-by-case basis those small MS4s located outside of UAs that the NPDES permitting authority designates. For more information on Phase II small MS4 coverage, see Fact Sheets 2.1 and 2.2.

What Are the Phase II Small MS4 Program Requirements?

Operators of regulated small MS4s are required to design their programs to:

- Reduce the discharge of pollutants to the "maximum extent practicable" (MEP);
- Protect water quality; and
- Satisfy the appropriate water quality requirements of the Clean Water Act.

Implementation of the MEP standard will typically require the development and implementation of BMPs and the achievement of measurable goals to satisfy each of the six minimum control measures.

The Phase II Rule defines a small MS4 stormwater management program as a program comprising six elements that, when implemented in concert, are expected to result in significant reductions of pollutants discharged into receiving waterbodies.

Stormwater Phase II Final Rule Fact Sheet Series Overview

- 1.0 - Stormwater Phase II Final Rule: An Overview
- Small MS4 Program
- 2.0 - Small MS4 Stormwater Program Overview
- 2.1 - Who's Covered? Designation and Waivers of Regulated Small MS4s
- 2.2 - Urbanized Areas: Definition and Description

Minimum Control Measures

- 2.3 - Public Education and Outreach
- 2.4 - Public Participation/Involvement
- 2.5 - Illicit Discharge Detection and Elimination
- 2.6 - Construction Site Runoff Control
- 2.7 - Post-Construction Runoff Control
- 2.8 - Pollution Prevention/Good Housekeeping

- 2.9 - Permitting and Reporting: The Process and Requirements
- 2.10 - Federal and State-Operated MS4s: Program Implementation

Construction Program

- 3.0 - Construction Program Overview
- 3.1 - Construction Rainfall Erosivity Waiver
- Industrial "No Exposure"

- 4.0 - Conditional No Exposure Exclusion for Industrial Activity



What Information Must the NPDES Permit

Application Include?

The Phase II program for MS4s is designed to accommodate a general permit approach using a Notice of Intent (NOI) as the permit application. The operator of a regulated small MS4 must include in its permit application, or NOI, its chosen BMPs and measurable goals for each minimum control measure. To help permittees identify the most appropriate BMPs for their programs, EPA issued a Menu of BMPs to serve as guidance. NPDES permitting authorities can modify the EPA menu or develop their own list. For more information on application requirements, see Fact Sheet 2.9.

What Are the Implementation Options?

The rule identifies a number of implementation options for regulated small MS4 operators. These include sharing responsibility for program development with a nearby regulated small MS4, taking advantage of existing local or State programs, or participating in the implementation of an existing Phase I MS4's stormwater program as a co-permittee. These options are intended to promote a regional approach to stormwater management coordinated on a watershed basis.

What Kind of Program Evaluation/Assessment Is

Required?

Permittees need to evaluate the effectiveness of their chosen BMPs to determine whether the BMPs are reducing the discharge of pollutants from their systems to the "maximum extent practicable" and to determine if the BMP mix is satisfying the water quality requirements of the Clean Water Act. Permittees also are required to assess their progress in achieving their program's measurable goals. While monitoring is not required under the rule, the NPDES permitting authority has the discretion to require monitoring if deemed necessary. If there is an indication of a need for improved controls, permittees can revise their mix of BMPs to create a more effective program. For more information on program evaluation/assessment, see Fact Sheet 2.9.

The six MS4 program elements, termed "minimum control measures," are outlined below. For more information on each of these required control measures, see Fact Sheets 2.3 - 2.8.

- 1 **Public Education and Outreach**
Distributing educational materials and performing outreach to inform citizens about the impacts polluted stormwater runoff discharges can have on water quality.
- 2 **Public Participation/Involvement**
Providing opportunities for citizens to participate in program development and implementation, including effectively publicizing public hearings and/or encouraging citizen representatives on a stormwater management panel.
- 3 **Illicit Discharge Detection and Elimination**
Developing and implementing a plan to detect and eliminate illicit discharges to the storm sewer system (includes developing a system map and informing the community about hazards associated with illegal discharges and improper disposal of waste).
- 4 **Construction Site Runoff Control**
Developing, implementing, and enforcing an erosion and sediment control program for construction activities that disturb 1 or more acres of land (controls could include silt fences and temporary stormwater detention ponds).
- 5 **Post-Construction Runoff Control**
Developing, implementing, and enforcing a program to address discharges of post-construction stormwater runoff from new development and redevelopment areas. Applicable controls could include preventative actions such as protecting sensitive areas (e.g., wetlands) or the use of structural BMPs such as grassed swales or porous pavement.
- 6 **Pollution Prevention/Good Housekeeping**
Developing and implementing a program with the goal of preventing or reducing pollutant runoff from municipal operations. The program must include municipal staff training on pollution prevention measures and techniques (e.g., regular street sweeping, reduction in the use of pesticides or street salt, or frequent catch-basin cleaning).

For Additional Information

Contacts

U.S. EPA Office of Wastewater Management

<http://www.epa.gov/npdes/stormwater>

Phone: 202-564-9545

Your NPDES Permitting Authority. Most States and Territories are authorized to administer the NPDES Program, except the following, for which EPA is the permitting authority:

- Alaska
- District of Columbia
- Idaho
- Massachusetts
- New Hampshire
- New Mexico
- Puerto Rico
- Trust Territories
- American Samoa

A list of names and telephone numbers for each EPA Region and State is located at <http://www.epa.gov/npdes/stormwater> (click on "Contacts").

Reference Documents

EPA's Stormwater Web Site

<http://www.epa.gov/npdes/stormwater>

- Stormwater Phase II Final Rule Fact Sheet Series (64 FR 68722)
- National Menu of Best Management Practices for Stormwater Phase II
- Measurable Goals Guidance for Phase II Small MS4s
- Stormwater Case Studies
- And many others



Stormwater Program for Municipal Separate Storm Sewer Systems (MS4)

MS4 Workshop Documents, November 6, 2008

- MS4 Guidance: SWPPP Evaluation
- Nondegradation Summary
- Stormwater Pond Testing

Program Update - What's New

- Annual Report forms due June 30, 2008
- Updated status of MS4 permit applications



Overview

According to the 1996 National Water Quality Inventory, stormwater runoff is a leading source of water pollution. Stormwater runoff can harm surface waters such as rivers, lakes, and streams which in turn cause or contribute to water quality standards being exceeded.

Stormwater runoff can change natural hydrologic patterns, accelerate stream flows, destroy aquatic habitats, and elevate pollutant concentrations and loadings. Development substantially increases impervious surfaces thereby increasing runoff from city streets, driveways, parking lots, and sidewalks, on which pollutants from human activities settle.

Common pollutants in runoff include pesticides, fertilizers, oils, metals, pathogens, salt, sediment, litter and other debris are transported via stormwater and discharged – untreated – to water resources through storm sewer systems.

The Stormwater Program for MS4s is designed to reduce the amount of sediment and pollution that enters surface and ground water from storm sewer systems to the maximum extent practicable. Stormwater discharges associated with MS4s are regulated through the use of National Pollutant Discharge Elimination System (NPDES) permits. NPDES permits are legal documents. Through this permit, the owner or operator is required to develop a stormwater

[What is a MS4](#)

[Maps of MS4s](#)

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[Stormwater Manual](#)

[Stormwater Steering Committee](#)

[Research and Assessment](#)

[Stormwater Rulemaking](#)

[Sign up for e-mail notices of stormwater updates](#)

Related Pages:

[Impaired Waters](#)

[Low Impact Development](#)

[Quarterly Enforcement Summary](#)

This Web site contains PDF documents that require Adobe Acrobat for viewing.

pollution prevention program (SWPPP) that incorporates best management practices (BMPs) applicable to their MS4. See the following fact sheet for additional information:

- [MS4 Stormwater Program Overview](#)

What is a MS4

A municipal separate storm sewer system is a conveyance or system of conveyances (roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, storm drains):

- Owned or operated by a state, city, town, borough, county, parish, district, association, or other public body (created by or pursuant to State law) having jurisdiction over disposal of sewage, industrial wastes, stormwater, or other wastes, including special districts under State law such as a sewer district, flood control district or drainage districts, or similar entity, or an Indian tribe or an authorized Indian tribal organization, or a designated and approved management agency under section 208 of the Clean Water Act that discharges to waters of the United States;
- Designed or used for collecting or conveying stormwater;
- Which is not a combined sewer; and
- Which is not part of a publicly owned treatment works.

Types of Small MS4s

There are three categories of regulated small MS4s: mandatory, designated and petition. Small MS4s include municipalities, townships, counties, military bases, hospitals, prison complexes, highway departments, and universities.

1. Mandatory MS4s: MS4s in urbanized areas as defined by the 2000

Census are required to obtain a NPDES/SDS stormwater permit. An "urbanized area" is defined as a land area comprising one or more places ("central places") and the adjacent densely settled surrounding area ("urban fringe") that together have a residential population of at least 50,000 and a density of at least 1,000 people per square mile. The definition also includes any other public storm sewer system located fully or partially within an urbanized area.

The following list identifies Minnesota's mandatory small MS4 cities, townships, and counties. The list also includes non-traditional

mandatory MS4s identified by MPCA staff as requiring permit coverage. Non-traditional MS4s are publicly owned systems at military bases, hospitals, prisons, universities, highways and other thoroughfares.

- [List of Minnesota's mandatory small MS4s](#)

Note: The cities of Minneapolis and St. Paul received individual stormwater permits in 2000.

2. **Designated MS4s:** MS4s outside of urbanized areas that have been designated by the MPCA for permit coverage under Minn. R. ch 7090 are required to obtain a NPDES/SDS stormwater permit. MS4s designated by rule are cities and townships with a population of at least 10,000; and cities and townships with a population of at least 5,000 and discharging or the potential to discharge to valuable or polluted waters. These designated MS4s are required to obtain permit coverage by February 15, 2007.
 - List of MS4s population 10,000 or more designated by rule
 - List of MS4s population 5,000 to 10,000 designated by rule

The rules also establish criteria that can be applied to designate future MS4s under a designation process identified in the rule. Visit the Stormwater Program Rulemaking Web page for details.

3. **Petition MS4s:** MS4s that are designated through the petition process under Minn. R. ch. 7090 are required to obtain a NPDES/SDS stormwater permit. The public can petition the Commissioner for the designation of an MS4 based on the designation criteria established in the rules. Visit the Stormwater Program Rulemaking Web page for details.

Maps of MS4s

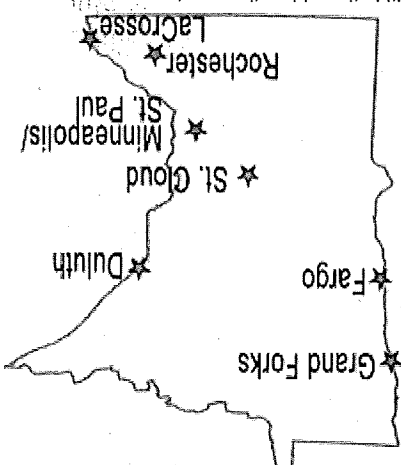
MS4 Mapping Tool

- MS4 mapping tool: This is an electronic map tool using Geographic Information Systems (GIS) technology.

Note: This is best viewed using Internet Explorer 5.0 or higher or Netscape 6.0 or higher, with pop-up blockers disabled and screen resolution set to 1024x768 or higher.

Mandatory MS4s

- Duluth Area
- Fargo/Moorhead Area
- Grand Forks Area
- LaCrosse/LaCrescent Area
- Minneapolis/St. Paul Area
- Rochester Area
- St. Cloud Area



Note: The maps above for Duluth, Minneapolis/St. Paul and St. Cloud areas are interactive. Once you've opened one of those maps, click on a numbered area within the grid on the map to open a new map showing details of the grid area.

Designated MS4s

Maps of MS4s designated under the Minnesota Rules Chapter 7090 are available on the Stormwater Program Rulemaking Web page.

Special Waters and Impaired Waters

The MS4 General Permit for MS4s near specially-protected waters require additional controls, conditions or an individual permit:

- MS4s that discharge near waters with qualities that warrant extra protection (special waters) must use additional best management practices and enhanced runoff controls (see permit Part IX).
- MS4s that discharge near an "impaired water" for which there is a total maximum daily load (TMDL) allocation for stormwater sources must meet special conditions (see permit Part IV.D).

The MPCA has several documents and an interactive map called Special Waters Search to help owners and operators of MS4s identify those waters near their MS4 that may require extra protections or an individual permit. The specific requirements are outlined in the MS4 General Permit.

- Special Waters List
- Stormwater and Impaired Waters
- Known Calcareous Fens List
- Final TMDLs and Implementation Plans
- Special and Impaired Waters Search: This is an electronic map tool using Geographic Information Systems (GIS) technology. Find the city boundary or site location of specific interest, draw the site boundaries and create a list of special waters.

MS4 Permit Requirements

MS4s are required to develop and implement a stormwater pollution prevention program (SWPPP) to reduce the discharge of pollutants from their storm sewer system to the maximum extent practicable. The SWPPP must cover six minimum control measures.

The MS4 must identify best management practices (BMPs) and measurable goals associated with each minimum control measure. An annual report on the implementation of the SWPPP must be submitted each year.

Public Process for SWPPPs

The MPCA will provide public notice and opportunity for public comment and hearing on each MS4s proposed SWPPP. Information on the public notice process is available at the MPCA Web page [Public Notice Process for MS4 General Permit Applications](#).

Revised Permit and Program Forms

Permit/Application	Summary	Fact Sheets and Instructions
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<p><input checked="" type="checkbox"/> New MS4 General Permit: Overview of Changes</p> <p><input checked="" type="checkbox"/> Nondegradation Reporting for Non-ORVW Waters</p>	<p>The new permit (MNR04000) becomes effective on June 1, 2006.</p> <p>Regulated municipalities should continue operating under the terms of the old permit until the new permit becomes effective.</p>	<p><input checked="" type="checkbox"/> General NPDES/SDS Permit MNR04000 for Municipal Separate Storm Sewer Systems (MS4s)</p>
<p><input checked="" type="checkbox"/> Milestones under 2006 MS4 Permit</p>	<p>Identifies dates for MPCA and MS4 action items.</p>	<p>Action Items</p>
<p><input checked="" type="checkbox"/> BMP Summary Sheets: Clarifications and Supplemental Guidance</p> <p><input checked="" type="checkbox"/> Example BMP Summary Sheets</p> <p><input checked="" type="checkbox"/> Impaired Waters BMP Summary Sheet</p>	<p>The BMP Summary Sheets are a required attachment to your permit application.</p>	<p><input checked="" type="checkbox"/> Application Instructions and Application for General Stormwater Permit MNR04000 for Small Municipal Separate Storm Sewer Systems (MS4s)</p>
<p><input checked="" type="checkbox"/> MS4 Inspection and Recordkeeping</p>	<p>Annual Reports are due June 30 of each year.</p>	<p><input checked="" type="checkbox"/> BMP Summary Sheet Instructions and BMP Summary Sheets for General Stormwater Permit MNR04000 for Small MS4s</p> <p><input checked="" type="checkbox"/> BMPs for Outstanding Resource Value Waters (ORVW) Guidance Summary Sheets</p> <p><input checked="" type="checkbox"/> Additional BMP Summary Sheets</p> <p>MS4 Annual Reports</p>

Guidance and Fact Sheets

Staff continues to draft revisions to the Guidance Manual for Small Municipal Separate Storm Sewer Systems. An updated copy of this "work in progress" is provided here. Please send any suggestions to Lou Flynn.

- Draft Guidance Manual for Small Municipal Separate Storm Sewer Systems (MS4)
- Minnesota Rules Chapter 7090 **WFB**
- Minnesota Rules Chapter 7050 **WFB**
- MS4 Stormwater Program Overview
- MS4 Inspection and Recordkeeping
- Nondegradation Reporting for Non-ORVW Waters
- Stormwater and Wetlands: Planning and Evaluation Guidelines

- [Summary of Stormwater Pond Sediment Testing Results](#)

Best Management Practices

General

- [Minnesota Stormwater Manual](#)
- [National Stormwater Best Management Practices \(BMP\) Database](#)
- [EPA National Menu of Best Management Practices for Stormwater](#)
- [Phase II](#)
- [Protecting Water Quality in Urban Areas - MPCA Stormwater Best Management Practices Manual](#)
- [Plants for Stormwater Design](#)
- [Metropolitan Council Environmental Services - "Urban Small Sites Best Management Practices Manual"](#)
- [Center for Watershed Protection - "Stormwater Practices For Cold Climates"](#)
- [Water Resources Center - Assessment of Stormwater Best Management Practices Manual](#)
- [Public education and outreach](#)
- [Public participation/involvement](#)
- [Construction site runoff control](#)
- [Post-construction site runoff control](#)
- [Pollution prevention/good housekeeping](#)

Illicit discharge, detection and elimination

- [U.S. EPA Guidance](#)
- [Center for Watershed Protection IDDE Manual \(2004\)](#)

Stormwater Financial Assistance






The MPCA has various opportunities for receiving grants or loans for stormwater projects in Minnesota. Visit the following MPCA Web pages for information on water-related financial assistance:

- [Funding for Wastewater and Stormwater](#)
- [Other Financial Assistance Opportunities — Grants and Loans](#)
- [Minnesota Stormwater Utility Survey](#)
- [New MS4 General Permit: Overview of Changes](#)
- [Guidance for Municipal Stormwater Funding](#)





Links to Additional Information

Information for MS4s

- [EPA Stormwater Phase II Final Rule - Fact Sheet Series](#)
- [National Pollutant Discharge Elimination System \(NPDES\) Stormwater Phase II Final Rule](#)

- National Service Center for Environmental Publications (NSCEP) 
- Stormwater Managers Resource Center 
- Center for Global Environmental Education 
- Stormwater Program for Construction Activity
- Stormwater Program for Industrial Activity
- University of Minnesota Impervious Cover and Updated Land Cover
- (2000) interactive maps 
- Watershed Partners Public Education Tools 
- NPDES Phase II Stormwater Program
- Environmental Stress from Urban Stormwater

Information for Citizens

- Duluth 
- Twin Cities 
- Rochester 
- Water for Life 

Staff Contacts

For more information regarding the MS4 Stormwater Program, please contact the following staff. If outside the metro area, please call 1-800-657-3864.

Supervisor:

Dale
Thompson,
651-757-2776

Permit Writer:

Louis Flynn,
651-757-2364

Technical Assistance:

Keith
Cherryholmes,
651-757-2270
Scott Fox,
651-757-2368
Joyce Cieluch,
218-846-7387
Anna Kerr,
651-757-2488

Compliance/Enforcement:

Katie
Koellig, 651-
757-2499

Application Processing:

Wendy
Gardner-
Pritchard,
651-757-2090

MS4 Permit History

Minnesota's new MS4 General Permit (MNR040000) became effective June 1, 2006.

The MPCA issued the original MS4 General Permit in June 2002. In July 2002, Minnesota Center for Environmental Advocacy (MCEA) filed an appeal of the permit. MCEA alleged several deficiencies, including: the inappropriate use of general versus individual permits, failure to address non-degradation issues, and the lack of adequate public participation and monitoring requirements.

In March 2003, over 200 owners and operators of small MS4s in urbanized areas applied for general permits, and began or expanded existing programs and practices to reduce stormwater runoff.

On May 6, 2003, the Minnesota Court of Appeals ruled that the use of general permits and best management practices was appropriate, and that the monitoring required in the permit was adequate. The court ruled that the use of general permits and best management practices was appropriate, and that the monitoring required in the permit was adequate. The court also called for the opportunity for public comment and public hearing on each permittee's proposed stormwater pollution prevention program, required the MPCA to determine if additional control measures are necessary if the permittee has new or expanded discharges, and ruled that the language of Minnesota's permit must follow federal language and require permittees to "reduce" (instead of "minimize") pollutants. The complete opinion is available on the Minnesota Court of Appeals Web site.

Revisions were made to the permit to address the courts' ruling. A draft permit was placed on a 30-day public notice comment period that began February 28, 2005. The comment period was extended until April 15, 2005. Two public information meetings on the draft permit were held during the comment period.

Numerous written comments were received during the comment period. After reviewing and considering all comments received, the MPCA made additional revisions to the draft permit to clarify permit requirements.

On February 28, 2006, the MPCA Citizens' Board denied a request for a contested case hearing and approved the revised permit. The new permit became effective June 1, 2006.

- New MS4 General Permit: Overview of Changes
- Guidance for Municipal Stormwater Funding ~~WEB~~

The new permit addresses the requirements of the courts' ruling and provides public notice and opportunity for hearing on each SWPPP, addresses nondegradation for all waters (permit Parts X and XI), and follows federal language to "reduce" pollutants. The signed permit and other Board related documents are provided below.

- General NPDES/SDS Permit MNR040000 for Municipal Separate Storm Sewer Systems (MS4s)

- Findings of Fact, Conclusions of Law, and Order
- Board Item for February 28, 2006
- MP&A Response to Comments on the Draft General NPDES/SDS Permit for Municipal Separate Storm Sewer Systems (MS4s)
- Draft General NPDES/SDS Permit MNR040000 for Municipal Separate Storm Sewer Systems (MS4s) with revisions identified (since 2/28/05 draft permit)
- General NPDES Permit for MS4s Fact Sheet

This page was last updated November 20, 2008

If you have suggestions on how we can improve this site, or if you have questions or problems, please contact us. If you have questions or problems with this Web site, contact webmaster@pca.state.mn.us. Minnesota Pollution Control Agency, 520 Lafayette Road, St. Paul, MN 55155-4194
Phone: 651-296-6300, 800-657-3864; 24-hour emergency number: 651-649-5451 or 800-422-0798; TTY: 651-282-5332.
TTY 24-hour emergency number: 651-297-5353 or 800-627-3529
MPCA Web Site Policies

ANNUAL REPORT for 2007
MUNICIPAL SEWER SYSTEMS (MS4s)
For Calendar Year 2007
Due June 30, 2008

USE OF THIS FORM IS MANDATORY By completing this Annual Report form, you are providing the Minimum Pollution Control Agency (MPCA) with a summary of your status of compliance with permit conditions, including assessment of the appropriateness of your identified best management practices (BMPs) and progress towards achieving your identified measurable goals for each of the minimum control measures as required by part VI D. of the MS4 Permit.

Submit your annual report by June 30, 2008 to:

Minnesota Pollution Control Agency
 Municipal Division
 520 Lafayette Road North
 St. Paul, MN 55155-4194

If you would like to obtain an electronic copy of the MS4 Annual Report for 2007 form, please visit:
www.pca.state.mn.us/water/stormwater/stormwater-ms4.html

If you have further questions, please contact one of these MPCA staff members (call toll-free 800-657-3864):

- Keith Cherryholmes 651-296-6945
- Joyce Cieluch 218-846-7387
- Scott Fox 651-296-9433

Lauderdale City MS4

Name of MS4

Heather Butkowski

Name of Contact Person

651-792-7657

Telephone (including area code)

1891 Walnut St

Mailing Address

Lauderdale MN 55113

City

State

ZIP code

Minimum Control Measure 1: Public Education and Outreach [V.G.1]

A. The permit requires each MS4 to implement a public education program to distribute educational materials to the community or conduct equivalent outreach activities about the impacts of stormwater discharges on water bodies and the steps that the public can take to reduce pollutants in stormwater runoff. [Part V.G.1.a] **NOTE:** Please indicate which of the following distribution methods you used during the 2007 calendar year. Indicate the number distributed in 2007 in the spaces provided (enter "0" if the method was not used or "NA" if the data does not exist):

Media type	Number of media published	Number of times published	Circulation/Audience
<i>Example: Brochures:</i>	3 different brochures	published 5 times	about 10,000
Brochures:	Material from watershed districts made available.		
Newsletter:	2 articles	Published 2 times	Entire City of 2,400
Posters:	0	0	0
Newspaper articles:	0	0	0
Web sites:*	1 website	Continuous	See Below
Utility bill inserts:	NA	NA	NA
Radio ads:	As a member of MN Water: Let's Keep It Clean Program		
Television ads:	As a member of MN Water: Let's Keep It Clean Program		
Other: Storm Water Kiosk	1 kiosk	Available Nov - Dec 2007	Entire Community
Other:			
If you use your website as a tool to distribute stormwater educational materials, indicate the number of hits to the stormwater page during 2007 in the space above and provide the URL reference here: # of hits is unknown: http://www.ci.lauderdale.mn.us/			

<p>B. What stage of development would you assign to each area of your stormwater education program? (If there are multiple components for a Minimum Control Measure (MCM) providing the average stage of the most significant components - check the one box that most accurately reflects the overall stage for that MCM).</p> <p>MCM 1: <input type="checkbox"/> Not started <input checked="" type="checkbox"/> Research <input type="checkbox"/> Development <input type="checkbox"/> Implementation <input type="checkbox"/> Program fully in place</p> <p>MCM 2: <input type="checkbox"/> Not started <input checked="" type="checkbox"/> Research <input type="checkbox"/> Development <input type="checkbox"/> Implementation <input type="checkbox"/> Program fully in place</p> <p>MCM 3: <input type="checkbox"/> Not started <input checked="" type="checkbox"/> Research <input type="checkbox"/> Development <input type="checkbox"/> Implementation <input type="checkbox"/> Program fully in place</p> <p>MCM 4: <input type="checkbox"/> Not started <input checked="" type="checkbox"/> Research <input type="checkbox"/> Development <input type="checkbox"/> Implementation <input type="checkbox"/> Program fully in place</p> <p>MCM 5: <input type="checkbox"/> Not started <input checked="" type="checkbox"/> Research <input type="checkbox"/> Development <input type="checkbox"/> Implementation <input type="checkbox"/> Program fully in place</p> <p>MCM 6: <input type="checkbox"/> Not started <input checked="" type="checkbox"/> Research <input type="checkbox"/> Development <input type="checkbox"/> Implementation <input type="checkbox"/> Program fully in place</p>	
<p>C. Have you developed partnerships with other MS4s, watershed districts, local or state governments, educational institutions, etc. to assist you in fulfilling the requirements for Minimum Control Measure 1?</p>	<p>Yes</p>
<p>D. List those entities with which you have a partnership agreement to meet the requirements of this MCM and describe the nature of the agreement(s) (list if level of effort exceeded 10 hours): Member of MN Water. Let's Keep It Clean. City provides financial assistance in exchange for public education assistance.</p>	
<p>Minimum Control Measure 2: Public Participation/Involvement [V.G.2]</p>	
<p>A. Did you hold a public meeting for calendar year 2007 and discuss your Stormwater Pollution Prevention Program (SWPPP)? [Part V.G.1.e.]</p>	<p>Yes</p>
<p>B. What was the date of the public meeting?</p>	<p>March 13, 2007</p>
<p>C. How many citizens attended specifically for stormwater (excluding board/council members and staff)?</p>	<p>0</p>
<p>D. Was the public meeting a stand-alone meeting for stormwater or was it combined with some other function such as a City Council meeting?</p>	<p>Combined</p>
<p>E. If you did not hold a public meeting on your SWPPP in 2007, explain why:</p>	<p>NA</p>
<p>F. Each MS4 must receive and consider input from the public. Input must be considered prior to submittal of your annual report. During your public meeting, did you receive written and/or oral input on your SWPPP? [Part V.G.2.b.1-3].</p>	<p>Council held public hearing but received no input.</p>
<p>G. Do you plan to or have you already incorporated any comments into your next SWPPP update? [Part V.G.2.c.] If yes, list items:</p>	<p>No changes will be made per public comment.</p>
<p>H. If you answered "Yes" to part F above but no SWPPP changes will be made check here: _____</p>	

Minimum Control Measure 3: Illicit Discharge Detection and Elimination [V.G.3]

The permit requires MS4s to develop, implement and enforce a program to detect and eliminate illicit discharges as defined in 40 CFR 122.26(b)(2) in your SWPPP. You must also select and implement a program of appropriate BMPs and measurable goals for this minimum control measure.

A. Have you completed a storm sewer system map by June 30, 2008 in accordance with the requirements of the permit?
If yes, describe how it was completed:
 Hardcopy only GIS system CAD Other "digital" system:
 If *No to A. above*, please:
NOTE: The complete storm sewer system map must be finished by June 30, 2008. [Part V.G.3.a]

B. Has an ordinance or other regulatory mechanism been adopted to prohibit illicit discharges or other non-stormwater discharges from entering your system? If *yes*, provide the date the regulatory mechanism was adopted: **October 1997**. If *no*, provide an estimated date of adoption:

C. Have you completed the tasks according to the schedule listed in your BMP program for illicit discharge detection and elimination?
 Yes - with ongoing ordinance revision.

D. Describe any changes in development status or the timeline/implementation schedule provided in your SWPPP?

Minimum Control Measure 4: Construction Site Stormwater Runoff Control [V.G.4]

The permit requires that each MS4 develop, implement, and enforce a program to reduce pollutants in any stormwater runoff to your small MS4 from construction activities within your jurisdiction that result in a land disturbance of greater than or equal to one acre or less than one acre but is part of a common plan of development that will be one acre or greater. [Part V.G.4.]

A. Have you adopted an ordinance or other regulatory mechanism that regulates stormwater runoff from construction activities that result in a land disturbance of greater than or equal to one acre or less than one acre which are a part of a common plan of development or sale that will ultimately disturb one acre or more? **NOTE:** Your regulatory mechanism must be fully developed and implemented within six months from the extension of permit coverage.

B. The BMPs you listed in 2006 are checked below. Which of the following BMPs and pollution prevention management measures have been incorporated into your regulatory mechanism during 2007? Check all that apply:
 - Temporary erosion controls
 Added in 2007

<p>Yes</p>	<p>A. Have you developed and implemented strategies which include requirements for a combination of structural and/or non-structural BMPs appropriate for your community?</p>
<p>The permit requires each MS4 to develop, implement, and enforce a program to address stormwater runoff from new development and redevelopment projects within your jurisdiction that disturb an area greater than or equal to one acre, including projects less than one acre that are part of a larger common plan of development or sale that discharge into your small MS4. Your program must ensure that controls are in place that would prevent or reduce water quality impacts. You must also select and implement a program of appropriate BMPs and measurable goals for this minimum control measure. NOTE: The MS4 permit requirements associated with this Minimum Control Measure must be fully developed and implemented by 6/30/08.</p>	
<p>Minimum Control Measure 5: Post-construction Stormwater Management in New Development and Redevelopment [V.G.5]</p>	
<p>2007</p>	<p>C. The regulatory mechanism sanctions included to ensure compliance and enforcement component are in 2006 are checked below. Which of the following actions does your MS4 use? Also, check all additional sanctions added in 2007:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Added in 2007 Y - Verbal warnings <input type="checkbox"/> Added in 2007 Y - Written warnings <input type="checkbox"/> Added in 2007 Y - Stop-work orders <input type="checkbox"/> Added in 2007 Y - Fines <input type="checkbox"/> Added in 2007 N - Forfeit of security bond money <input type="checkbox"/> Added in 2007 N - Withholding of certificate of occupancy <input type="checkbox"/> Added in 2007 N - Other:
<p>2007</p>	<ul style="list-style-type: none"> <input type="checkbox"/> Added in 2007 Y - Record keeping for rainfall and inspections <input type="checkbox"/> Added in 2007 Y - Permanent erosion controls <input type="checkbox"/> Added in 2007 N - Waste controls for hazardous waste <input type="checkbox"/> Added in 2007 N - Waste controls for solid waste <input type="checkbox"/> Added in 2007 Y - Dewatering and basin draining <input type="checkbox"/> Added in 2007 Y - Regular inspections by site operators <input type="checkbox"/> Added in 2007 Y - Site plan submittal including erosion and sediment control BMPs <input type="checkbox"/> Added in 2007 Y - BMP maintenance <input type="checkbox"/> Added in 2007 Y - Site plan review and approval prior to activity on site <input type="checkbox"/> Added in 2007 N - Permanent stormwater management facility approval <input type="checkbox"/> Added in 2007 N - Other:

<p>B. Is an ordinance or other regulatory mechanism currently in place to address post-construction runoff from new development and redevelopment projects to the extent allowable under law? If yes, provide the date the regulatory mechanism was adopted: <u>1997</u>. If no, provide an estimated date of adoption:</p>	<p>Yes</p>																
<p>C. Is a plan in place to ensure adequate long-term operation and maintenance of BMPs installed as a result of these requirements?</p>	<p>Yes</p>																
<p>D. How are you funding the long-term operation and maintenance of your stormwater management system?</p> <p> <input type="checkbox"/> Grants <input checked="" type="checkbox"/> Stormwater utility fee <input type="checkbox"/> Taxes <input type="checkbox"/> Other: </p>																	
<p>Minimum Control Measure 6: Pollution Prevention/Good Housekeeping for Municipal Operations [V.G.6]</p>																	
<p>The permit requires each MS4 to develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations. Your program must include employee training to prevent and reduce stormwater pollution from activities such as park and open space maintenance, fleet and building maintenance, new construction and land disturbances, and stormwater system maintenance.</p>																	
<p>A. Is your MS4 current on development of all the elements listed to the timeline/implementation schedule listed in your BMPs for this MCM?</p>	<p>Yes</p>																
<p>B. Did you complete all the tasks in the SWPPP scheduled for implementation in 2007?</p>	<p>Yes</p>																
<p>C. Indicate the total number of structural pollution control devices (manholes, grit chambers, sumps, floatable skimmers, etc) within your MS4, how many were inspected, and calculate the percentage:</p>																	
<table border="1"> <tr> <td></td> <td>Total Number</td> <td>Number Inspected</td> <td>Percentage</td> </tr> <tr> <td>Largely catch basins</td> <td>184</td> <td>184</td> <td>100%</td> </tr> </table>		Total Number	Number Inspected	Percentage	Largely catch basins	184	184	100%	<table border="1"> <tr> <td>Structural Pollution Control Devices:</td> <td>Total Number</td> <td>Number Inspected</td> <td>Percentage</td> </tr> <tr> <td></td> <td>184</td> <td>184</td> <td>100%</td> </tr> </table>	Structural Pollution Control Devices:	Total Number	Number Inspected	Percentage		184	184	100%
	Total Number	Number Inspected	Percentage														
Largely catch basins	184	184	100%														
Structural Pollution Control Devices:	Total Number	Number Inspected	Percentage														
	184	184	100%														
<p>D. As a result of your inspections, did you repair, replace, or maintain any structural pollution control devices?</p>																	
<p>E. For each BMP below, indicate the total number within your MS4, how many of each BMP type were inspected, and calculate the percentage:</p>																	
<table border="1"> <tr> <td>BMP Type</td> <td>Total Number</td> <td>Number Inspected</td> <td>Percentage</td> </tr> <tr> <td>Outfalls*</td> <td>5</td> <td>5</td> <td>100%</td> </tr> <tr> <td>Sediment basins/ponds</td> <td>3</td> <td>3</td> <td>100%</td> </tr> <tr> <td>TOTAL</td> <td>8</td> <td>8</td> <td>100%</td> </tr> </table>	BMP Type	Total Number	Number Inspected	Percentage	Outfalls*	5	5	100%	Sediment basins/ponds	3	3	100%	TOTAL	8	8	100%	
BMP Type	Total Number	Number Inspected	Percentage														
Outfalls*	5	5	100%														
Sediment basins/ponds	3	3	100%														
TOTAL	8	8	100%														

* outfalls as defined in the permit and guidance

Impaired Waters Review	
<p>The permit requires that any MS4 that discharges to a Water of the State which appears on the current U.S. EPA approved list of impaired waters under Section 303(d) of the Clean Water Act review whether changes to your SWPPP may be warranted to reduce the impact of your discharge [IV.D]</p>	
<p>A. Have you identified all impaired waters within your jurisdiction, based on the 2006 303(d) listing, which receive stormwater discharge from your MS4? <i>Check here if your MS4 has no impaired waters:</i> <input checked="" type="checkbox"/></p>	<p>Landerdale has no impaired waters.</p>
<p>B. Do you have a process in place to identify and update your SWPPP based on the list of impaired waters which receive discharges from your MS4 as new waters are added to the 303(d) list?</p>	<p>Yes</p>
<p>C. Have you determined that any stormwater discharges from your MS4 are negatively impacting any impaired water(s); for which you have or plan to revise to your SWPPP to address the loading?</p>	<p>No</p>
<p>D. Provide the following information of the individual responsible for conducting the review of discharges to impaired waters and any associated BMP modifications: Name: Title: Phone: Email:</p>	<p>NA</p>
Additional SWPPP Issues	
<p>A. Did you make a change to any identified BMPs or measurable goals that were submitted with your permit application? [Part V.H.] If yes, explain:</p>	<p>No</p>
<p>B. Briefly list the BMPs using their unique SWPPP identification numbers you used in your SWPPP or any measurable goals that will be changed in your updated SWPPP, and why they have changed: <i>(Attach a separate sheet if necessary)</i></p>	
<p>C. Did you rely on any other entities (MS4s, consultants or contractors) to satisfy any portion of your SWPPP? If yes, please identify below the entity and for what activities: Bonestroo for consulting (the city's engineering firm).</p>	<p>Yes</p>

Owner or Operator Certification

The person with overall administrative responsibility for SWPPP implementation must sign the annual report. This person must be duly authorized and should be the person who signed the MS4 permit application or a successor.

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete (Minn. R. 7001.0070). I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment (Minn. R. 7001.0540).

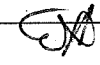
X

Authorized Signature (This person must be duly authorized to sign the annual report for the MS4)		Date
Butkowski	Heather	November 24, 2008
Last Name		Title
1891 Walnut Street	First Name	City Administrator
Mailing Address		
Lauderdale	MN	55113
City		State
651-792-7650	ZIP code	
Telephone (include area code)		E-mail Address
		Heather.butkowski@ci.lauderdale.mn.us

LAUDERDALE COUNCIL ACTION FORM

Meeting Date April 14, 2009

ITEM NUMBER 8B - MWMO Report

STAFF INITIAL 

APPROVED BY ADMINISTRATOR _____

Action Requested

Consent _____

Public Hearing _____

Discussion _____

Action _____

Resolution _____

Work Session _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

The City is comprised of three watershed management areas. The Mississippi Watershed Management Organization (MWMO) has authority over the southwest corner of the City (from Eustis west and Larpenteur south). Karen Gill-Gerbig has been the city's representative to the Mississippi Watershed Management Organization (MWMO) for many years. It was mentioned that the Council and staff should be updated annually on the MWMO's activities so Karen is here tonight to present. (She might be a bit late, however.) Karen provided materials on the activities of the MWMO and grant funding they have available. She also provided an activity report and a copy of their financial statement for review. I will have them available at the meeting.

I am sure Karen will mention TMDL - Total Maximum Daily Loads, which is a hot topic right now. This term from the US Clean Water Act describes the maximum amount of a pollutant a water body had receive and still meet water quality standards. The watershed districts are grappling with how to keep pollutants out of lakes and streams to meet these TMDLs. These TMDLs will have a significant impact on the City in years to come. I attached a handout that explains more.

OPTIONS:

STAFF RECOMMENDATION:

COUNCIL ACTION:



Minnesota
Pollution
Control
Agency

Background on Total Maximum Daily Loads

General Public # gp5.13 • August 2008

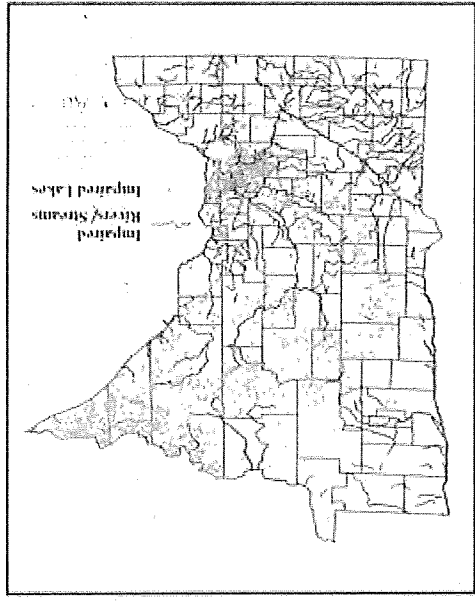
A water body is "impaired" or polluted if it fails to meet one or more water quality standards.

Federal standards exist for basic pollutants such as sediment, bacteria, nutrients and mercury. The Clean Water Act (CWA) requires the Minnesota Pollution Control Agency (MPCA) to identify and restore impaired waters. Minnesota's Impaired Waters list (updated every two years) identifies assessed waters that do not meet water quality standards. The 2008 Impaired Waters list contains 1,475 total impairments on 336 rivers and 510 lakes. Water quality assessments are complete on a small percentage of Minnesota's river miles and lakes.

What is a TMDL?

For each impairment on the list, the CWA requires completion of a Total Maximum Daily Load (TMDL). The term "TMDL" describes both a process and a number. The process typically involves two to four years of technical study and intensive stakeholder and public input. The number is a calculation of the maximum amount of pollutant the water body can receive and still meet water quality standards.

A TMDL results in a pollution reduction plan. The pollution reduction plan identifies all the sources of the pollutant in the watershed and allocates needed reductions among them. The plan also includes a margin of safety to account for uncertainties in the calculations and seasonal variability in water quality. In addition, the plan may factor in a reserve capacity to allow potential future expansions in discharge.



The TMDL Process

- Assess the state's waters
- List those that do not meet standards
- Identify sources and reductions needed (TMDL study)
- Implement restoration activities (Implementation Plan)
- Evaluate water quality

Related information Impaired waters
Background paper available on-line at:
<http://www.pca.state.mn.us/newsceniter/background.html>

Minnesota's Impaired Waters list available at:
<http://www.pca.state.mn.us/water/tmdl/tmdl303dlist.html>

View the list of TMDL project underway in Minnesota at:
<http://www.pca.state.mn.us/water/tmdl/index.html#projects>

What is the process for completing TMDLs?

States must develop a TMDL within 15 years of listing a specific impairment. Developing a TMDL study requires an average of four years and includes extensive stakeholder and public involvement throughout the process.

The process for completing a TMDL study is complex and varies significantly from project to project. Some of the many variables include:

- number of pollutant sources
- type of pollutant and size of the watershed
- amount of existing data
- relationship of one impairment to others that may exist in the same or nearby water bodies
- extent of stakeholder involvement and number of stakeholders
- availability of necessary resources

Following a formal public comment period, the MPCA submits the TMDL report to the U.S. Environmental Protection Agency (EPA) for final approval.

The MPCA is ultimately responsible for completing and submitting TMDLs to the EPA. However, stakeholders play a critical role in the development and implementation of TMDLs. In addition, scientific and technical experts provide valuable information and insight. In many cases, consultants assist with data collection, modeling and development of draft reports. Through contracts with the MPCA, local governments and watershed organizations will likely lead over two-thirds of Minnesota's TMDLs. The MPCA will direct the remaining projects. The contracts cover staffing, equipment, lab costs, and other project expenses. Nearly 95 percent of all the state's TMDL funding passes through the MPCA to local governments and contractors.

The MPCA provides oversight, technical assistance, and training to ensure regulatory and scientific requirements are met. The MPCA submits final TMDL reports to the EPA for approval.

What happens after the TMDL is approved?

After the EPA approves a TMDL, a detailed implementation plan is finalized to meet the TMDLs pollutant load allocation and achieve the needed reductions in point and non-point sources to restore water quality. Depending on the severity and scale of the

What is the current TMDL workload?

impairment, restoration may require decades and several million dollars.

The MPCA's current TMDL workload includes more than 300 projects (covering all listings on the 2008 Impaired Waters list). A workload of this magnitude presents considerable challenges for meeting federal TMDL requirements and implementing restoration efforts in a timely manner. The program requires significant coordination and extensive resources throughout the state.

What are the consequences of not completing TMDLs?

The CWA prohibits new or expanded discharge to an impaired water, if the discharge would "cause or contribute to the violation of water quality standards." Until a TMDL is completed, there can be no new or expanded discharge affecting the impairment. Once the study is complete, all proposed discharges must meet the requirements of the TMDL.

If TMDLs do not move ahead, communities and businesses may find themselves unable to expand. The resulting constraints on economic development and growth could be considerable. In addition, if impairments are not addressed, many prized lakes and rivers will remain polluted, a detriment to the quality of life in Minnesota.

Concern over resource needs for impaired waters led to passage of the Clean Water Legacy Act in 2006. The Act provided initial funding of \$24.95 million, including more than \$3 million for TMDL development. The legislature approved an additional \$31 million for Clean Water Legacy funding in 2008 and 2009. Completing Minnesota's growing number of TMDL projects will require continued, substantial resources.

Need more information?

For more information on TMDLs, e-mail Jeff Risberg, at: jeff.risberg@pca.state.mn.us. For more information on the 2008 Impaired Waters List, e-mail Howard Markus at: howard.markus@pca.state.mn.us. You may also contact the MPCA at 651-296-6300 or 800-657-3864 and ask for TMDL staff.

FORTIN CONSULTING, INC.
serving the environment



[About Us](#) [Our Work](#) [Calendar of Events](#) [Writing and Publications](#) [GSA Contract](#) [Contact Us](#)

Winter parking lot training

Did you know that 7.5% of the chlorides entering our water are from parking lot and sidewalk maintenance. In addition, sediment and other pollutants are linked to parking lot maintenance. It is possible to do excellent parking lot maintenance and reduce environmental impact!

Fortin Consulting received a pollution prevention grant from the Minnesota Pollution Control Agency to develop a training class to reduce the environmental impacts of winter parking lot maintenance. With the expert assistance of Wendy Frederickson of MnDOT, Kathleen Schaefer of the Circuit Training and Assistance Program, and Tom Broadbent of Envirotech Services the first round of classes will be offered in the fall of 2005.

This class is designed for the privately run company that does parking lot maintenance. Public works professionals may also take this class but some of the information you may have already heard in your winter road maintenance training classes.

Contact Fortin Consulting for more information or to schedule a training class for your staff.



Over-application on sidewalk



Over-application on parking lot

215 Hamel Road, Hamel, Minnesota 55340 ~ phone 763-478-3606 ~ fax 763-478-3612
info@fortinconsulting.com



Stewardship Fund Program
MISSISSIPPI WATERSHED MANAGEMENT ORGANIZATION

MINI GRANTS

Please see www.mwmo.org/stewardshipfund.html for more information.

Water pollution comes from many different sources, including our everyday activities. Washing and maintaining our cars, caring for our yards, and the kinds of materials we use for driveways, sidewalks, and pathways can contribute to water pollution in the Mississippi River. Become a partner organization with the Mississippi Watershed Management Organization (MWMO) by applying for a Stewardship Fund grant to work together to improve water quality in our watershed.

Overview

- Grants of up to \$2,000 are available for short-term or small water quality projects
- Apply by submitting a three-page Letter of Interest
- Letters of Interest will be reviewed by staff on a quarterly basis
- See the Mini Grant Timeline on our website for deadlines

Program Goals

Mini Grants of up to \$2,000 are available for short-term projects or small projects completed by community groups. Projects funded through a Mini Grant should accomplish one, or, ideally both of these goals:

- 1) **Improve water quality or improve water and natural resource management**
Examples include projects that reduce pollution (both point and non-point source) entering surface and groundwater, and projects that prevent flooding, lessen the effects of drought, increase the capacity of the watershed to store water, and/or restore or maintain habitat and native plant communities.

- 2) **Build community understanding, knowledge, and initiative related to water and natural resource issues and solutions**
Projects should educate and engage people in the watershed regarding watershed issues, resulting in awareness and changed behaviors. Organizations receiving grants will increase their capacity to lead and promote water quality efforts.

Geographic Location of Projects

Projects should educate and engage people who live, learn, and/or work in or near the MWMO watershed. If physical improvements are planned as part of the project, the improvements must take place within the boundaries of the MWMO watershed (see MWMO Watershed on our website).

Project Examples

The following are examples of projects that could receive a Mini Grant. Additional projects that fit the goals of this program are also encouraged.

- Community events, such as clean-ups, festivals, invasive plant removal/restoration
- Leadership programs for young people or underserved communities
- Educational and technical training (including workshops) for all ages
- Art or media projects depicting water and natural resource issues
- Installation of small Best Management Practices demonstrations (e.g., rain barrels, rain gardens, pervious pavers)
- Processes to identify water and natural resource issues of concern to a community
- Educational signs or brochures to explain water quality improvement projects

Eligible Applicants

The following groups are eligible to receive a grant:

- Non-profit organizations
- Neighborhood groups
- Schools
- Local units of government
- Business associations and professional associations

Individuals and private businesses may partner with eligible applicants in order to apply.

Mini grants are not intended to provide permanent or on-going funding for projects. Please see Funding for Past Partners in the Administrative Reference Information document on our website for more information.

Available Funds and Selection Process

Up to \$20,000 will be available to fund Mini Grant projects each quarter. Mini Grant applications will be reviewed and selected by MWMO staff. The following criteria will be used to select projects for funding:

- Project purpose is clear and well aligned with program goals
- Project activities and work tasks are clearly stated and will lead to successful outcomes
- Project timeline and budget are reasonable and cost effective

- 6. How will you know if the project is successful? Describe your plans for evaluating the project.
- 5. How will this project build community understanding, knowledge, and initiative related to water and natural resource issues and solutions?
- 4. How will this project improve water quality or improve water and natural resource management? If applicable, please quantify the benefit for water quality. *Examples: How much impervious surface will drain to the project site? How many properties will be affected? How many rain gardens will be installed?*

- P. A description of the project, including:
 - ✓ who (who is involved, who is affected, and who is leading it)
 - ✓ what (what activities will take place)
 - ✓ where (list the specific geographic areas involved), and
 - ✓ when (provide a brief timeline)

2. Short description of the applicant organization (and any partners), and why they are interested in this project.

- 1. Contact Information
 - ✓ The primary applicant organization's name
 - ✓ Project Manager's name and address, phone, fax, email
 - ✓ Name of contract signatory and title and address (the person authorized to sign contracts on behalf of the organization or school)
 - ✓ Primary address (if applicable)
 - ✓ Names of additional partners, if applicable

Submit a Letter of Interest on your organization or school letterhead, if possible. Please use a font size of at least 12-point and use at least one-inch margins. The letter should be no more than three pages. Please submit the following:

How to Apply for a Mini Grant

See the Mini Grant Timeline on our website for an up-to-date timeline of the Mini Grant program.

Timeline

- The MWMO is particularly interested in supporting projects that will reach underserved populations (neighborhoods or residents not previously involved in MWMO projects) and projects located in environmentally sensitive areas as defined by the MWMO Watershed Management Plan (see MWMO Watershed Management Plan on our website) or the MWMO Board.
- Project educates, engages and inspires people in the MWMO watershed
- The project could lead to lasting changes, actions or improvements

7. How much are you requesting (up to \$2,000) and what will be purchased? Please list the items you plan to purchase with grant funds, giving as much detail as possible. Eligible Project Expenses may be reviewed in the Administrative Reference Information document on our website.

Email your Letter of Interest to Nancy Dilts at ndilts@mwmno.org by the deadline (see Mini Grant Timeline on our website). You will receive an email confirmation that your Letter of Interest was received. If you do not receive a confirmation, please call (651) 287-0948, ext. 208. If you are unable to send your Letter of Interest by email, you may mail or submit it in person to:

Nancy Dilts
 Mississippi Watershed Management Organization
 2520 Larpenteur Avenue West
 Lauderdale, Minnesota 55113

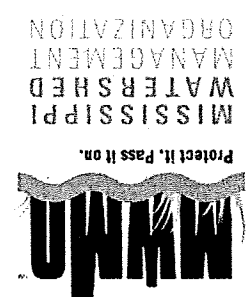
For Help or More Information

Applicants are strongly encouraged to contact Nancy Dilts, Grant Specialist, to discuss ideas and ask questions in advance of submitting a Letter of Interest. Nancy can be reached at ndilts@mwmno.org or (651) 287-0948, ext. 208.

Administrative Reference Information

The following additional information is available in the Administrative Reference Information document on our website:

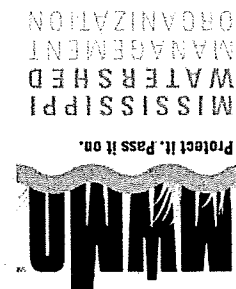
- Eligible Project Expenses
- Meetings
- Project Evaluation, Reporting, and Other Expectations
- Contracting and Disbursement of Funds
- Funding for Past Partners
- Insurance Requirements



Stewardship Fund Program
MISSISSIPPI WATERSHED MANAGEMENT ORGANIZATION

Mini Grant Timeline

- July 2008**
Release of new grant guidelines
- August 21, 2008 (5-6 pm)**
Stewardship Fund Partner Information Meeting
- September 8, 2008 (Noon-1pm)**
Stewardship Fund Partner Information Meeting
- September 22, 2008 (by 8 am)**
First day of Autumn. Letters of Interest due.
- December 22, 2008 (by 3 pm)**
Winter Solstice. Letters of Interest due.
- March 23, 2009 (by 3 pm)**
Spring Equinox. Letters of Interest due.
- June 22, 2009 (by 3 pm)**
Summer Solstice. Letters of Interest due.



Stewardship Fund Program
MISSISSIPPI WATERSHED MANAGEMENT ORGANIZATION

PLANNING GRANTS

Please see www.mwmo.org/stewardshipfund.html for more information.

Water pollution comes from many different sources, including our everyday activities. Washing and maintaining our cars, caring for our yards, and the kinds of materials we use for driveways, sidewalks, and pathways can contribute to water pollution in the Mississippi River. Become a partner organization with the Mississippi Watershed Management Organization (MWMO) by applying for a Stewardship Fund grant to work together to improve water quality in our watershed.

Overview

- Grants of up to \$10,000 are available to complete planning in order to develop a full application for a Stewardship Fund Action Grant or a significant project with another funder
- Begin by submitting a three-page Letter of Interest
- Applications will be reviewed on an annual basis
- Select applicants will be invited to submit a full proposal
- See the Planning and Action Grants Timeline on our website for deadlines

Planning Grants assist organizations to prepare for eventual implementation of more complex projects through an Action Grant or through using other funding sources.

Participation in a Planning Grant is not a required step prior to application for an Action Grant. However, applicants are encouraged to plan large and complex Action Grant projects in partnership with the MWMO with the assistance of a Planning Grant, or close communication with MWMO staff. Completing a Planning Grant will not automatically result in receipt of an Action Grant; a competitive application process must be completed to receive an Action Grant.

The planning process should include the development of accurate cost estimates, so that budgeting for project implementation will be realistic. Any permissions needed from landowners for project implementation will be secured during the Planning Grant. The Planning Grant also allows an applicant to grow the organizational capacity needed to successfully implement a complex project and to become familiar with MWMO requirements and procedures.

Program Goals

Planning grants of up to \$10,000 are available for planning significant watershed stewardship projects completed by community groups.

Resulting projects of a Planning Grant should achieve both of the following:

- 1) **Improve water quality or improve water and natural resource management**
Projects may reduce pollution (both point and non-point source) entering surface and groundwater, prevent flooding, lessen the effects of drought, increase the capacity of the watershed to store water, and/or restore or maintain habitat and native plant communities.
- 2) **Build community understanding, knowledge, and initiative related to water and natural resource issues and solutions**
Projects should educate and engage people in the watershed regarding watershed issues, resulting in awareness and changed behaviors. Organizations receiving grants will increase their capacity to lead and promote water quality efforts.

Geographic Location of Projects

Projects should educate and engage people who live, learn, and/or work in or near the MWMO watershed. Any physical improvements that are planned as part of the project *and* that will seek funding from an Action Grant must take place within the boundaries of the MWMO watershed (see MWMO Watershed on our website). Planning Grants may be used to plan projects outside of the MWMO watershed only when physical projects are funded by other sources *and* there is demonstrated benefit to water quality in the MWMO.

Project Examples

The following are examples of projects that could be planned with a Planning Grant. These examples are provided simply as general ideas and are not meant to limit the possibilities or creativity of applicants.

- Erosion control practices, planting native plant buffers around water bodies, and ecological restoration (e.g., removal of invasive species and establishment of native species), combined with public education and training of grassroots leaders
- Programs designed to change community attitudes and behavior over the long-term, such as programs that discourage wasting water and using polluting agents such as road salt and lawn chemicals, and encourage use of rain barrels, rainwater cisterns, and rain gardens
- Installation of grit chambers, filtration areas, and other practices to reduce pollution, combined with reporting on the effectiveness of new technologies and approaches

10%	Overall proposal quality, including completeness, clarity, and key project personnel
15%	Project timeline and budget are reasonable and cost effective implementation
45%	Planning activities are clearly stated and will produce a high-quality plan ready for
30%	Project purpose is clear and well aligned with Stewardship Fund program goals

Full proposals will be reviewed by MWMO staff and the CAC, and their recommendations for funding must be approved by the MWMO Board. The following criteria will be used to select projects for funding:

\$210,000 is available to fund both Planning and Action Grants in 2008. Letters of Interest will be reviewed by MWMO staff and the MWMO Citizen Advisory Committee (CAC). Once the letters are reviewed, some applicants will then be asked to submit a full proposal to be considered for funding (see Planning Grants: How to Complete a Full Proposal on our website).

Available Funds and Selection Process

The MWMO is particularly interested in supporting projects that will reach underserved populations (neighborhoods or residents not previously involved in MWMO projects) and projects located in environmentally sensitive areas as defined by the MWMO Watershed Management Plan (see MWMO Watershed Management Plan on our website) or the MWMO Board.

Applications that include improvements on private lands will be considered, but issues such as public access and the environmental benefits of the project will influence decisions.

Individuals and private businesses may partner with eligible applicants in order to apply.

- Non-profit organizations
 - Neighborhood groups
 - Schools
 - Local units of government
 - Business associations and professional associations
- The following groups are eligible to receive a grant:

Eligible Applicants

- Replacement of impervious surfaces with high-capacity pervious materials, combined with publicly-accessible demonstrations and high-quality community outreach efforts
- Projects that reach people who are not already engaged in water-quality efforts and increase long-term community commitment to working on these issues

Timeline

See the Planning and Action Grants Timeline for an up-to-date timeline of the Planning Grant program.

How to Apply for a Planning Grant

Submit a Letter of Interest on your organization or school letterhead, if possible. Please use a font size of at least 12-point and use at least one-inch margins. The letter should be no more than three pages. Please submit the following:

1. Briefly describe the applicant organization (and any partners, if applicable).
2. List the staff responsible for the project, including a key contact person. Please include phone numbers and email addresses.
3. Describe the eventual project you would like to complete after your Planning Grant. If you are considering more than one way of completing your project, include alternatives or options you are considering.
4. What activities do you hope to complete during the Planning Grant? Include a preliminary Work Plan that lists key activities and a timeline.
5. Why is the project of interest to your organization?
6. If you have received funds from the MWMO in the past, describe how your new project will complement and extend your past projects.
7. How much funding do you plan to request (up to \$10,000), and, in general, how will you use the funds during your planning process? Provide reviewers detail about how you arrived at your cost estimates. Provide broad categories of costs (e.g., rates of pay for staff and consultants, overhead expenses, materials, etc.)

Email your Letter of Interest to Nancy Dilts at ndilts@mwmno.org by the deadline (see Planning and Action Grants Timeline on our website). You will receive an email confirmation that your Letter of Interest was received. If you do not receive a confirmation, please call (651) 287-0948, ext. 208. If you are unable to send your Letter of Interest by email, you may mail or submit it in person to:

Nancy Dilts
Mississippi Watershed Management Organization
2520 Larpenteur Avenue West
Lauderdale, Minnesota 55113

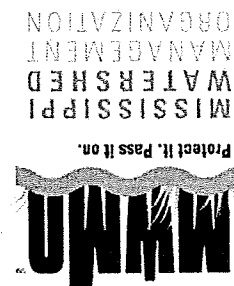
For Help or More Information

Applicants are strongly encouraged to contact Nancy Dilts, Grants Specialist, to discuss ideas and ask questions in advance of submitting a Letter of Interest. Nancy can help you determine, for example, if you should first apply for a Planning Grant before applying for an Action Grant. Nancy can be reached at ndilts@mwmwmo.org or (651) 287-0948, ext. 208.

Administrative Reference Information

The following important information is available in the Administrative Reference Information document on our website:

- Eligible Project Expenses
- Meetings
- Project Evaluation, Reporting, and Other Expectations
- Contracting and Disbursement of Funds
- Funding for Past Partners
- Insurance Requirements



Stewardship Fund Program MISSISSIPPI WATERSHED MANAGEMENT ORGANIZATION

ACTION GRANTS

Please see www.mwmo.org/stewardshipfund.html for more information.

Water pollution comes from many different sources, including our everyday activities. Washing and maintaining our cars, caring for our yards, and the kinds of materials we use for driveways, sidewalks, and pathways can contribute to water pollution in the Mississippi River. Become a partner organization with the Mississippi Watershed Management Organization (MWMO) by applying for a Stewardship Fund grant to work together to improve water quality in our watershed.

Overview

- Grants of up to \$50,000 are available to complete a significant watershed stewardship project
- Begin by submitting a three-page Letter of Interest
- Applications will be reviewed on an annual basis
- Select applicants will be invited to submit a full proposal
- See the Planning and Action Grants Timeline on our website for deadlines

An application for an Action Grant should demonstrate that thorough planning for the proposed project has already taken place. It should include a realistic budget for project implementation, secured permissions from landowners for project implementation, design plans, and plant lists (if applicable). If these steps are not already complete, consider applying for a Planning Grant (see Planning Grant Guidelines on our website).

Program Goals

Action grants of up to \$50,000 are available for significant watershed stewardship projects completed by community groups. Projects funded through an Action Grant should achieve *both* of the following:

- 1) Improve water quality or improve water and natural resource management
Projects may reduce pollution (both point and non-point source) entering surface and groundwater, prevent flooding, lessen the effects of drought, increase the capacity of the watershed to store water, and/or restore or maintain habitat and native plant communities.

Individuals and private businesses may partner with eligible applicants in order to apply.

- Non-profit organizations
- Neighborhood groups
- Schools
- Local units of government
- Business associations and professional associations

The following groups are eligible to receive a grant:

Eligible Applicants

- Erosion control practices, planting native plant buffers around water bodies, and ecological restoration (e.g., removal of invasive species and establishment of native species), combined with public education and training of grassroots leaders
 - Programs designed to change community attitudes and behavior over the long-term, such as programs that discourage wasting water and using polluting agents such as road salt and lawn chemicals, and encourage use of rain barrels, rainwater cisterns, and rain gardens
 - Installation of grit chambers, filtration areas, and other practices to reduce pollution, combined with reporting on the effectiveness of new technologies and approaches
 - Replacement of impervious surfaces with high-capacity pervious materials, combined with publicly-accessible demonstrations and high-quality community outreach efforts
 - Projects that reach people who are not already engaged in water quality efforts and increase long-term community commitment to working on these issues
- The following examples are provided simply as general ideas and are not meant to limit the possibilities or creativity of applicants.

Project Examples

Projects should educate and engage people who live, learn, and/or work in or near the MWMO watershed. If physical improvements are planned as part of the project, the improvements must take place within the boundaries of the MWMO watershed (see MWMO Watershed on our website).

Geographic Location of Projects

- 2) Build community understanding, knowledge, and initiative related to water and natural resource issues and solutions
 - Projects should educate and engage people in the watershed regarding watershed issues, resulting in awareness and changed behaviors. Organizations receiving grants will increase their capacity to lead and promote water quality efforts.

Applications that include improvements on private lands will be considered, but issues such as public access and the environmental benefits of the project will influence decisions.

Action Grants are not intended to provide permanent or on-going funding for projects. Please see Funding for Past Partners in the Administrative Reference Information document on our website for more information.

The WWMO is particularly interested in supporting projects that will reach underserved populations (neighborhoods or residents not previously involved in WWMO projects) and projects located in environmentally sensitive areas as defined by the WWMO Watershed Management Plan (see WWMO Watershed Management Plan on our website) or the WWMO Board.

Available Funds and Selection Process

\$210,000 is available to fund both Planning and Action Grants in 2008. Letters of Interest will be reviewed by WWMO staff and the WWMO Citizen Advisory Committee (CAC). Once the letters are reviewed, some applicants will then be asked to submit a full proposal to be considered for funding (see Action Grants: How to Complete a Full Proposal on our website).

Full proposals will be reviewed by WWMO staff and the CAC, and their recommendations for funding must be approved by the WWMO Board. The following criteria will be used to select projects for funding:

- 30% Project purpose is clear and well aligned with Stewardship Fund program goals
- 45% Project activities are clearly stated and will lead to successful outcomes
- 15% Project timeline and budget are reasonable and cost effective (Projects with a cash or in-kind match will be given greater consideration)
- 10% Overall proposal quality, including completeness, clarity, and key project personnel

Timeline

See the Planning and Action Grants Timeline for an up-to-date timeline of the Action Grant program.

How to Apply for an Action Grant

Submit a Letter of Interest on your organization or school letterhead, if possible. Please use a font size of at least 12-point and use at least one-inch margins. The letter should be no more than three pages. Please submit the following:

1. Briefly describe the applicant organization (and any partners, if applicable).

2. List the staff responsible for the project, including a key contact person. Please include phone numbers, email, and a short description of qualifications for the key staff person.

3. Describe the project you would like to complete. Include:

- ✓ who (who is involved, who is affected, and who is leading it)
- ✓ what (what activities will take place)
- ✓ where (list the specific geographic areas involved), and
- ✓ when (provide a brief timeline)

4. How will the project achieve the two goals of the Action Grant program? In discussing Goal 1, please quantify the benefit for water quality. *Examples: How much impervious surface will drain to the project site? How many properties will be affected? How many rain gardens will be installed?*

5. Why is this project of interest to your organization?

6. If you have received funds from the MWMO in the past, describe how this project complements and extends your past projects.

7. How much funding do you expect to request, and, in general, how will the funding be used? Provide reviewers detail about how you arrived at your cost estimates. Provide broad categories of costs (e.g., rates of pay for staff and consultants, overhead expenses, materials, etc.) Please review the list of Eligible Project Expenses in the Administrative Reference Information document on our website.

Email your Letter of Interest to Nancy Dilts at ndilts@mwmo.org by the deadline (see Planning and Action Grants Timeline on our website). You will receive an email confirmation that your Letter of Interest was received. If you do not receive a confirmation, please call (651) 287-0948, ext. 208. If you are unable to send your Letter of Interest by email, you may mail or submit it in person to:

Nancy Dilts
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Lauderdale, Minnesota 55113

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- Meetings
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- Contracting and Disbursement of Funds
- Funding for Past Partners
- Insurance Requirements

LAUDERDALE COUNCIL ACTION FORM

Meeting Date	April 14, 2009	
ITEM NUMBER	9A - Hughes & Costello	
STAFF INITIAL		
APPROVED BY ADMINISTRATOR		

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

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Recently, Martin Costello and Katrina Joseph, the city's prosecuting attorneys, stop by to explain changes within the Hughes & Costello Law Firm. In short, the Costello portion of Hughes & Costello will be merging with the firm of Anderson, Helgen, Davis & Nissen. As Katrina notes in her letter, this will result in no substantial changes to the services provided to the City.

OPTIONS:

1. Approve changing to Anderson, Helgen, Davis & Nissen for prosecuting services as presented.
2. Do not approve changing to Anderson, Helgen, Davis & Nissen for prosecuting services and provide staff direction on how the Council would like to proceed.

STAFF RECOMMENDATION:

Motion to approve changing to Anderson, Helgen, Davis & Nissen for prosecuting services as presented.

COUNCIL ACTION:

HUGHES & COSTELLO

ATTORNEYS AT LAW

1230 LANDMARK TOWERS

345 ST. PETER STREET

ST. PAUL, MINNESOTA 55102-1216

TELEPHONE (651) 227-8427

FAX (651) 227-8428

Reply to: KATRINA E. JOSEPH
Voice Mail: (651) 268-3206
e-mail: kjoseph@hughesandcostello.com

April 6, 2009

VIA FAX & U.S. MAIL

Heather Burkowski

Lauderdale City Manager

1891 Walnut Street

Lauderdale, MN 55113

RE: Lauderdale City Prosecutions, File No. 2062.1

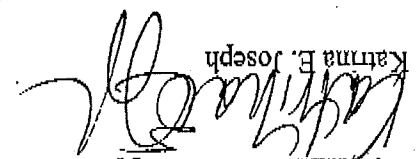
Dear Heather:

This is a follow-up to our meeting on Friday, April 3, 2009. As we discussed, we propose that effective April 30, 2009, Lauderdale City prosecutions be done by us at the firm of Anderson, Helgen, Davis & Nissen, at 150 South Fifth Street, Suite 3100, Minneapolis, Minnesota 55402. This will result in no substantive change to the prosecution services provided to Lauderdale; the monthly retainer fee will remain unchanged, Katrina E. Joseph will continue to provide the day-to-day prosecution work, and the level of service provided to the City will continue to be excellent. New contact information is the only change this presents to the City. We have also spoken with Chief John Ohl about this matter, and he has provided us with his wholehearted support. Based upon our Friday discussion, we believe that you support this move as well.

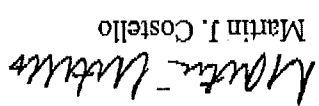
It is our understanding that this matter will be placed on the City Council's April 14, 2009, agenda for the Council's approval. Per your request, one of us will be present at that meeting to answer any questions from the Council. In the meantime, if you have any questions or need additional information, please call. Thank you.

Sincerely,

HUGHES & COSTELLO



KATRINA E. JOSEPH



Martin J. Costello

cc: Chief John Ohl, St. Anthony Police Department, 3301 Silver Lake Road, St. Anthony, MN 55418

DATE: April 14, 2009
TO: Mayor and Council
FROM: Jim Bownik
RE: Appeal of Home Occupation Permit for 1801 Eustis Street

BACKGROUND

Kevin Bumgardner & Donald Bumgardner applied for a home occupation permit to operate a home-based business described as an electrical contracting business. Notification letters went to property owners and residents within 150 feet of the perimeter of the subject property. Three written responses were received—one supporting and two against the proposed use.

According to the Ordinance, the Zoning Administrator makes their final determination on approval or denial of the permit application after a written comment period for those notified of the proposed home-based business. After an extended review, my decision was to deny the permit application for the following reason:

- The occupant of the dwelling is not the applicant for the home occupation, which is the intent of the ordinance.

The applicants have appealed my decision to deny the permit application. In this case, the city council makes the final determination. The same group that received the first notice received notification of the appeal. However, the Ordinance does not say a public hearing is required, so the council does not need to allow for public comment. I would suggest the Mayor decide if the council will hear public comments from anyone other than the applicants.

LEGAL OPINION

Here is City Attorney Ron Batty's legal opinion:

"I believe the applicant for a home occupation permit should be a resident of the property which is the subject of the application. As we have discussed, there is nothing in the city's ordinance (section 10-13-1 et seq.) which requires this but it seems to be an implied condition. It is also consistent with the notion that the occupation be secondary to the principal use, which is residential. If the applicant need not live in the structure, it would be possible to utilize a vacant dwelling for a "home occupation", which would amount to little more than using residential property for commercial purposes. Nor does it seem consistent with the intent to allow occupancy of the home by one party and an application for a home occupation by a non-resident party. That seems to involve some sort of dual use of the structure not intended by the ordinance. The clear intent is that the building be used primarily as a residence and secondarily, and with numerous limitations, for a business purpose not inconsistent with the residential character of the neighborhood. Not requiring occupancy of the dwelling by the person applying for the home occupation permit would simply open up the potential for too much abuse. I do not believe the applicant needs to be a fee owner. He or she could be a renter but needs to reside in the property which is the subject of the application and be the person having the home occupation."

OPTIONS

The council has the following three options:

- Deny the permit application, stating the rationale for the denial.
- Approve the permit as presented.
- Approve the permit, attaching any conditions deemed appropriate.

If the council decides to approve the permit with conditions. Here are some possible conditions that could be considered:

- The occupant should be the applicant for the permit.
- The use as a home occupation must be clearly secondary to the use as a dwelling.
- Limit the hours of operation to between 7 a.m. and 10 p.m. on weekdays, and between 9 a.m. and 10 p.m. on weekends and major holidays.
- No more than 25% of the principle structure can be used for the home-based business.
- Must provide off-street parking for occupants of the dwelling and for vehicles used in conjunction with the home occupation.
- No more than 1 commercial vehicle no larger than a van or three-quarter-ton truck may be used in connection with a home occupation.
- In the event outside persons are employed to perform functions of this business away from the premises, parking or storage of employees' vehicles in the neighborhood is prohibited.
- No delivery or commercial pick-up shall be by vehicles larger than a typical delivery van (Fed Ex, UPS, etc.).
- The home occupation permit shall not be transferable.

ENCLOSURES

Home Occupation Ordinance
Home Occupation Application for 1801 Eustis Street
Written Responses
Denial Letter

COUNCIL ACTION REQUESTED

1) Hear the appeal, then motion to direct staff to prepare a resolution of denial, approval, or approval with conditions for the next council meeting based on the final determination made by the council; or

2) Hear the appeal, then motion to table to the next meeting for further discussion.

CHAPTER 13

HOME OCCUPATIONS

SECTION:

- 10-13-1: General Provision
- 10-13-2: Application For Permit
- 10-13-3: Standards
- 10-13-4: Decision; Appeal
- 10-13-5: Additional Conditions
- 10-13-6: Revocation

10-13-1: GENERAL PROVISION:

A home occupation will be allowed when carried out as a secondary use and conducted within a dwelling unit. It must clearly be secondary to the main use of the premises as a dwelling, and may not change the character thereof nor have any exterior evidence of such secondary use. (Zoning Ord. as amd.)

10-13-2: APPLICATION FOR PERMIT:

An applicant for a home occupation permit shall provide the following information to the Zoning Administrator:

A. Nature of business;

B. Number, type, and frequency of visitors to the business;

C. Number and type of suppliers, frequency of deliveries;

D. Access plan to the occupation;

E. Working hours;

F. Site plan depicting parking availability; and

G. Number and type of vehicles used in conjunction with the business. (Zoning Ord. as amd.)

10-13-3: STANDARDS:

In order to be compatible with the residential neighborhood, home occupations must meet the following criteria:

A. No signs shall be permitted on the property.

B. No outdoor storage or display of materials shall be permitted.

C. No home occupation shall have an adverse effect on adjacent properties due to excessive traffic or offensive noise, light, odor, dust, etc.

D. Adequate off-street parking must be provided for patrons of residential neighborhood.

E. Employment of more than one person, employed but not residing on the premises, is not permitted.

F. Storage of commercial vehicles must comply with subsection 6-1-6A4 of this code. (Zoning Ord. as amd.)

10-13-4: DECISION; APPEAL:

A. Denial; Approval: The Zoning Administrator shall deny or accept the application based upon a statement of findings relative to the above standards.

B. Notice To Property Owners: If the decision is to accept, a notice of intent shall be sent to all neighbors within one hundred fifty feet (150') from the perimeter of the property. Written comments will be requested within ten (10) days, reviewed and a final determination made by the Zoning Administrator. C. Appeal: The applicant or other aggrieved party may appeal the decision within ten (10) days to the City Council which shall make the final determination.

D. Failure To Notify; Defective Notice: Failure to give mailed notice or defects in the notice shall not invalidate the proceedings provided a bona fide attempt has been made to contact the neighbors. (Zoning Ord. as amd.)

10-13-5: ADDITIONAL CONDITIONS:

The City has the right to attach conditions when approving a home occupation permit. (Zoning Ord. as amd.)

10-13-6: REVOCATION:

The City Council may revoke a home occupation permit if the criteria and conditions under which the permit was granted are violated. (Zoning Ord. as amd.)

City of Lauderdale

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

Home Occupation Permit (\$50.00)

Name Donald & Kevin Bumgardner

Address 1801 Eustis St.

Phone 612-386-8773 or 612-369-0311

1) Nature of the Business: *Kevin cell* Electrical Contractors

2) Number, type, and frequency of visitors to the business: Our contractors visit here maybe 2-3 x/week for 10-15 minutes each time. Usually not at the same time and we only have 3 contractors we use.

3) Number and type of suppliers, frequency of deliveries: We receive delivers from electrical companies maybe 1-2 times a week. Contractors MAINLY pick supplies up from the suppliers direct. We ask all delivers to come later in the day when we may be home.

4) Where would visitors enter to access your business? On the infrequent occasion that this does happen, they usually park in our driveway and come to our back door.

5) Working hours: No set "hours" at our home office. We are in our home office 5-10 hours a week (usually less). We don't have customers come to our house so there are no hours. As contractors, we are usually at their homes or job sites. However, no one works Fridays or weekends (unless emergency)

6) Site plan depicting parking availability (attach): We use our driveway...no other parking necessary. (none attached)

7) Number and type of vehicles used in conjunction with the business, if any: Our contractors drive their vans to their homes, so we don't have vans on site except Donny's, and that one is usually parked elsewhere.

Standards: In order to be compatible with the residential neighborhood, home occupations must meet the following criteria:

- A) No signs shall be permitted on the property.
- B) No outdoor storage or display of materials shall be permitted.
- C) No home occupation shall have an adverse effect on adjacent properties due to excessive traffic or offensive noise, light, odor, dust, etc.
- D) Adequate off-street parking must be provided for patrons of the home occupation, which is in character with the surrounding residential neighborhood.
- E) Employment of more than one person, employed but not residing on the premises is not permitted.
- F) Storage of commercial vehicles must comply with the City Code.

Jim Bownik

From: Larry Lambert [larry.lambert@Minvalco.com]
Sent: Thursday, January 15, 2009 1:45 PM
To: Debbie Lambert; Jim Bownik; Heather Butkowski
Cc: Larry Lambert
Subject: 1801 Eustis Street

Dear City Council,

Pursuant to your letter dated 01/09/2009 I have serious

doubts as to the compliance of Integra Electric with the

Village's criteria.

1. Trucks with signage are park on warehouse drive way.

2. In the past Electrical debris has accumulated on the

north side of warehouse.

3. Noise at 6:15 AM Monday thru Thursday (see Police

Reports 11/6/2008, 11/10/2008, 11/11/2008, 11/12/2008, etc.

Still continuing. Lights out side 24/7. During remodel no

concrete dust abatement during cutting of said concrete.

Frequent 10ton trucks delivering with hi-tide power tailgate

use, causing excessive noise and diesel exhaust odor.

4. Sufficient off-street parking not available.

5. Four trucks equal 3 employees none lives there.

As you can see these fellows have no respect for our Village

or any of the residents there in.

I respectfully request the application for a Home Occupation

Permit for Integra Electric (Donald Bungardner & Kevin Bungardner)

be Denied!

Thank you,
Larry Lambert
Minvalco Inc.
4749 Old Highway 8 Suite 110
Mounds View MN 55112
phone 763-786-5030 fax 763-786-5052
888-637-3148

Jim Bownik

From: Kyle [canus_mynx@yahoo.com]
Sent: Tuesday, January 20, 2009 7:54 AM
To: Jim Bownik; Heather Butkowski
Subject: 1801 Eustis Street

Dear City Council,

Regarding your letter dated 01/09/2009:

1. I seriously doubt that all 4 trucks will fit on their 2-car parking space. Should they attempt to use the patio area on the east side of their garage, that would violate the maximum driveway width statute as no variances were requested during construction.

2. Unless the police intend to enforce the '30 accumulated overnites' statute regarding on street parking, we citizens and the church-goers will be forced to constantly navigate around them.

3. The clause regarding no signage is moot when they will have vehicles with signage parked on site and quite likely in the street. How long before the company buys an 'occasional use' enclosed trailer with logo that will be left in the driveway? What if they decide they only need 3 of their 4 trucks for a couple days?

4. Their yard maintenance is far below par. 2 falls ago, they layed sod. The following summer, they did not water it at all and it died, surrendering their lot to weeds. They have installed a watering system, now, but it is never adjusted properly and sprays water all over other lots, the road, etc.

5. I live some distance away, yet I am often awake by delivery trucks and them hollering back and forth as they prepare to go to jobs. Now I know lauderdale does not have actual noise ordinances, but I oft wonder how quickly they would if this were happening next door to a council member.

6. If I recall correctly, before the electrical guys bought the building, someone wanted to open a coffee shop or ice cream or something similar. They were denied. Somehow, a service to the local community and owned by a citizen (much like that grocery store was) was denied, yet a business that does NOT serve our community is being considered?

I am against this. They will NOT follow the agreements as dictated in the letter you sent me. Businesses rarely do. And why should the citizens have to be bothered to call the police or city and complain about a situation that should not have been allowed to begin with? How many violations before the city would kick them out? I doubt the city would want the legal expenses. Let them buy Art's Service Station and use that. Put up a sign if they want.

Sincerely,
Kyle Roggenbuck
1806 Malvern Street
34 Year Lauderdale Resident

PS Several of the neighbors have considered taking the City to court to prevent this. I don't want to, but I would sign on if approached. This is not a proper use of the property.

Dear Mr. Bownik,

I am the owner of 1811/1813 Eustis, and wanted to express my full support for the Home Occupation Permit, for the home-based business at 1801 Eustis.

I can still remember in the mid 1970's, shopping at the small

corner grocery store there.

For us to have a vibrant new business at that corner, would be a very positive sign, that Lauderdale is a progressive city, that welcomes this well done new development.

All of us who live on Eustis, have been thrilled at the beauty of the extensive remodeling, that has been done to the building at 1801 Eustis. We would welcome a small business, that many neighbors in Lauderdale, may even be using for electrical work, on our own homes.

Please feel free to contact me if you have any questions.

Thanks You,

Michael Tracy

651 288 5665

mike@bellhr.com

March 18, 2009

Donald Bumgardner & Kevin Bumgardner
1801 Eustis Street
Lauderdale, MN 55113

RE: DENIAL OF HOME OCCUPATION PERMIT

We have completed review of your home occupation permit application. Your home occupation permit is being denied for the following reason:

- The occupant of the dwelling is not the applicant for the home occupation, which is the intent of the ordinance.

The applicant or other aggrieved party may appeal this decision in writing within ten days. Appeals will be heard by the City Council, which shall make the final determination.

Feel free to contact me should you have any questions or concerns.

Jim Bownik

Assistant to the City Administrator
Zoning Administrator
City of Lauderdale

LAUDERDALE COUNCIL ACTION FORM

Action Requested

Consent _____

Public Hearing _____

Discussion _____

Action _____

Resolution _____

Work Session _____

Meeting Date April 14, 2009

ITEM NUMBER 9C - Stormwater Quotes

STAFF INITIAL

MB

APPROVED BY ADMINISTRATOR

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

The quote prepared by Bonestroo addresses three things the City has to do as part of its Stormwater Pollution Prevention Program (SWPPP). These items need to be completed/ adopted by the SWPPP annual report deadline of June 30, 2009.

1. *Impaired Water Review (BMP 7-2)*. As the City is within 5 miles of an impaired water body, steps 2-5 of page 1 of the quote must be completed to determine if Lauderdale is contributing to the impairment of the waters. If so, the SWPPP would need to be updated to show how the City is remedying the issues.
2. *Illicit Discharge Detection and Elimination Ordinance (BMP 3-2)*. This ordinance prohibits non-storm water discharge into storm sewers and has provisions for enforcement. Bonestroo was under the impression that the City had adopted this ordinance already. It may have been confused with the ordinance prohibiting illegal discharge into the sanitary sewer system.
3. *Stormwater Management & Erosion Control Ordinance (BMP 4-3)*. The City has a stormwater management ordinance but it needs to be updated to reflect the new stormwater and erosion control standards. The ordinance will adopt by reference the standards of the MPCA, the watershed districts, and the City's SWPPP so the ordinance won't have to be modified every time those documents are updated.

OPTIONS:

(Approve/Do not approve) the memorandum/quote from Bonestroo for the drafting of an impaired waters review and illicit discharge detection and elimination ordinance and updating the stormwater management ordinance.

STAFF RECOMMENDATION:

Approve the memorandum/quote from Bonestroo for the drafting of an impaired waters review and illicit discharge detection and elimination ordinance and updating the stormwater management ordinance.

COUNCIL ACTION:

Memorandum



To: Heather Butkowski
Project: MS4 Program
Date: 03/20/09

From: Jesse Carlson
Client: City of Lauderdale

Re: Impaired Waters Review and Ordinances
File No: 532-06003-0
www.bonestroo.com

The Implementation Section of Lauderdale's Local Surface Water Management Plan (LSWMP) identifies activities that must be completed to comply with the City's Municipal Separate Storm Sewer System (MS4) permit. These activities include:

- Prepare an impaired waters review(s).
- Develop a new illicit discharge detection and elimination ordinance.
- Review and update City Code to meet the content requirements for stormwater management and construction site erosion control ordinances.

Each of these activities will be discussed in detail below. The information below summarizes the tasks to complete this work as well as the associated costs.

Impaired Waters Review

The most recent round of revisions required by the Minnesota Pollution Control Agency (MPCA) in 2006 and completed in 2008 required Cities to include a BMP to address discharges from the City to impaired waters. In response to their comments, we integrated a BMP that was developed by the Minnesota Cities Stormwater Coalition (MSCC) and Bonestroo into the City's Stormwater Pollution Prevention Program (SWPPP) that required the City to review all water bodies within 5 miles of the City boundary that receive discharge from Lauderdale.

The BMP includes the following steps:

1. Review the Impaired Waters List to determine whether there are any impaired waters located within 5 miles of the City's boundaries that receive discharge from the City's MS4.
2. Identify the drainage area and location(s) of discharge(s) from the City's MS4 to the impaired waters. Discharges may include pipes, outlets, ditches, swales, street gutters, or other discrete conveyances for stormwater runoff.
3. Prepare an impaired waters evaluation addressing the hydrology, land use, and other characteristics of each delineated watershed area.
4. Prepare an impaired waters report. This report will address the results of the steps listed above along with a determination of whether changes to the City's SWPPP are warranted to reduce the impact from the City's MS4 stormwater discharge to each impaired water of concern.
5. Incorporate the changes identified in the impaired waters report into the City's SWPPP, as per the provisions of the MS4 General Permit regarding SWPPP modifications. The changes to the SWPPP will be reported in the subsequent Annual Report.

In order to complete the remainder of the steps described above, Lauderdale has already completed Step 1 above in the City's LSWMP, (Table 5.3) where impaired waters within 5 miles of the City are identified. In addition, the LSWMP also identifies

The cost to help the City review and revise its stormwater management and erosion control ordinance will be \$3,000. The cost to help the City review and revise the requirements of the most restrictive agency. The cost to help the City review and revise the requirements of the state and local permit and local Watershed Management Organization requirements. Areas where the ordinance does not meet the most restrictive requirements of the state and local permit and local Watershed Management Organization requirements. Areas where the ordinance should be reviewed for its consistency with the MPCA MS4 construction site however it should be reviewed for its consistency with the MPCA MS4 construction site. The City has an existing stormwater management and erosion control ordinance; however it should be reviewed for its consistency with the MPCA MS4 construction site permit and local Watershed Management Organization requirements. Areas where the ordinance does not meet the most restrictive requirements of the state and local agencies will be revised to reflect the requirements of the most restrictive agency.

Stormwater Management and Erosion Control Ordinance

The cost to help the City develop and adopt an Illicit Discharge Ordinance will be based on the following, one staff meeting to discuss the IDDE requirements and obtain feedback from City staff, revisions to the model ordinance based on feedback received from the City and attendance at one City Council meeting to present the ordinance for adoption. The total cost to assist the City with the adoption of the IDDE ordinance will be \$1,150.

We propose to work with the City to develop an IDDE ordinance that limits the dumping of wastes, prevents illicit connections, and has enforcement provision to eliminate illicit discharges as required in the MS4 permit. We will work with a model ordinance that we have used in other Cities, but refine it to meet the needs of the City of Lauderdale.

Illicit Discharge Detection and Elimination Ordinance

The City is required to develop an Illicit Discharge Detection and Elimination (IDDE) Ordinance. This City currently does not have an ordinance for Illicit Discharge Detection and Elimination and as defined in the City's SWPPP was scheduled to be completed in 2008.

The impaired waters review process is required to be completed with 6 months of the MS4 receiving extension of coverage and or within 6 months of the water body being listed as impaired on the 303(d) Total Maximum Daily Load (TMDL) list; therefore this will need to be completed and submitted with the annual report that is due on June 30th, 2009.

Task	Description	Cost	Total
1	Based on the information available in the LSWMP, create two figures showing the drainage areas and discharge points to the impaired waters identified in the LSWMP.	\$800.00	
2	Create a table summarizing the hydrology, land use, and other characteristics of the delineated watersheds.	\$400.00	
3	Create a report summarizing the results of the steps listed above, identify existing BMPs that address the impairments, and any recommendations for new BMPs.	\$1000.00	
4	Modify existing BMPs and create additional BMPs as recommended in the impaired waters report.	\$200.00	
			\$2400.00

Table 1. Impaired Waters Review Tasks

drainage areas and storm sewer discharges from Lauderdale. Specific tasks are described in the Table below.

Costs
The total proposed cost for the services described above is \$6,550. If additional time is needed to address concerns brought forward by the City Council it will be billed on an hourly basis, however additional work will not be completed until an authorization to proceed is given. An email will be considered as sufficient to proceed with the tasks described above. Please feel free to contact me with any concerns or comments.

**LAUDERDALE COUNCIL
ACTION FORM**

Meeting Date	April 14, 2009
ITEM NUMBER	13A - Election Issues
STAFF INITIAL	<i>HAB</i>
APPROVED BY ADMINISTRATOR	

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

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

There are two election related issues to discuss tonight.

First, staff plans to draft a resolution establishing an absentee ballot board. The role of the board is to review absentee ballots prior to election day to cut down on the time it takes to evaluate absentee ballots on election night. Generally, we don't have many and evaluating them on election day isn't a big deal. However, without a ballot board, mail voters cannot be notified if their materials are out of order or incomplete because staff are not allowed to act as election judges.

Second, the Mayor asked how much the City would save by moving elections to even years (so city elections would be the same year as presidential and gubernatorial elections.) I attached the election budget which gives some indication of what an election costs. This does not reflect the publishing costs the city will incur now or the costs for the city attorney to review the ballots. A part of the deputy clerk's salary was also allocated to the election budget. After doing it for a couple of years, I estimate each primary and general election takes about 120 hours to prepare for and run (three full weeks.) Changing to even year elections would save upwards of \$5,000-\$7,000 and free up deputy clerk time for other duties.

Changing to even year elections has been a cost-savings trend. Ramsey County cities with odd year election are: St Paul, Maplewood, White Bear Lake, New Brighton, St Anthony, Falcon Heights, and Lauderdale. Cities with even year elections are Arden Hills, Gem Lake, Little Canada, Mounds View, North Oaks, North St. Paul, Roseville, Shoreview, Vadnais Heights, and White Bear Township.

I asked Joe Mansky, Ramsey County Elections Manager, about the process to change to even year elections. He wrote the following: "If the council contemplates moving to the even-year election schedule, they would need to pass an ordinance doing so no later than June 1. The ordinance would specify the transition schedule. The simplest method would be to extend all terms expiring in January 2010 and January 2012 by one year to get on the even-year schedule. As a result, there would be no election this year (see section 205.07, subd 1)."

Staff is simply asking the Council if they would like staff to investigate this further.

		ELECTIONS (\$1500)				
		2006	2007	2008	As of Mar. 31	2009
		Actual	Actual	Actual	Adopted	2009
EXPENDITURES						
Personnel						
101	Full-time employees	9,797	10,972	6,842	1,038	5,901
104	Temp. employees	1,788	1,503	2,477	-	2,000
121	PERA	588	686	329	61	553
122	FICA	749	839	518	84	604
131	Benefits (health, dental, etc)	1,183	1,394	671	-	864
151	Workers Compensation	-	-	-	-	47
	Subtotal Personnel	14,106	15,394	10,837	1,183	9,969
General Operations						
201	General Supplies	33	143	408	-	275
327	Other Services	131	153	159	-	150
331	Travel Expenses	161	69	-	-	75
352	Public Information & Notices	-	-	-	-	-
409	Other equipment and repair	16	-	-	-	-
440	Meeting expenses	154	74	-	-	300
442	Miscellaneous expenses	-	20	-	-	50
	Subtotal General Operations	494	459	567	-	850
Capital Expenditures						
530	Furniture and equipment	-	-	-	-	-
531	Office equipment	-	-	-	-	-
534	Office furniture	-	-	-	-	-
538	Computers and technology	1,232	-	-	-	-
	Subtotal Capital	1,232	-	-	-	-
	TOTAL EXPENSES	15,832	15,853	11,404	1,183	10,819

LAUDERDALE COUNCIL ACTION FORM

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

Meeting Date	April 14, 2009		
ITEM NUMBER	13B - Police Contract	STAFF INITIAL	_____
APPROVED BY ADMINISTRATOR			

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

The Falcon Heights City Council met since our last meeting. They plan to take animal control out of their contract. Additionally, they questioned the budgeted insurance premium increases, contingency expenditures, and proceeds from LEAA and confiscated drugs. Following is St. Anthony's response:

- St. Anthony continues to expect large (16%) insurance increases through 2010.
- They are not inclined to change the budgeted contingency amount as they assume the risks for unexpected costs like expensive criminal cases and fluctuations in prices (oil).
- Finally, they see little proceeds from LEAA and confiscated drugs, and it has to be used for law enforcement, so they are not interested in changing that contract language.

The last I heard, Falcon Heights plans to approve the contract at their next meeting. Per the contract, new contracts are to be finalized by May 15.

At the last meeting, the Council discussed who other cities use for police services. Jim found information on the State Auditor's website that broke out the information and ranked cities on a per capita cost. The Auditor separated cities of populations greater or less than 2,500, which is why some cities are ranked out of 221 but we are ranked out of 440. As discussed, it is hard to compare apples to apples because each of these cities has a different policing arrangement to match their unique needs.

OPTIONS:

I anticipate bringing the contract to the Council for approval at the next meeting unless councilors have further recommendations.

STAFF RECOMMENDATION:

COUNCIL ACTION:

Ramsey County Police Department Information from the State Auditor's Office

City	Population	Year	Police & Ambulance	Per Capita	Rank	Police Dept
Shoreview	26,159	2007	\$1,495,567	\$57.17	202 of 221	Ramsey County
Vadnais Heights	13,038	2007	\$834,399	\$64.00	195 of 221	Ramsey County
Arden Hills	9,985	2007	\$820,608	\$82.18	187 of 221	Ramsey County
Little Canada	10,157	2007	\$882,665	\$86.90	185 of 221	Ramsey County
Falcon Heights	5,709	2007	\$507,095	\$88.82	184 of 221	City of St. Anthony
North Oaks	4,554	2007	\$508,225	\$111.60	178 of 221	Ramsey County
White Bear Lake	24,776	2007	\$3,304,518	\$133.38	159 of 221	City of White Bear Lake
Gem Lake	485	2007	\$69,107	\$142.49	153 of 440	Ramsey County
Roseville	34,099	2007	\$5,318,133	\$155.96	122 of 221	City of Roseville
New Brighton	22,391	2007	\$3,538,644	\$158.04	118 of 221	City of New Brighton
Mounds View	12,634	2007	\$2,141,200	\$169.48	100 of 221	City of Mounds View
North Saint Paul	11,695	2007	\$2,039,181	\$174.36	89 of 221	City of North St. Paul
Maplewood	36,663	2007	\$7,503,165	\$204.65	48 of 221	City of Maplewood
Lauderdale	2,316	2007	\$519,500	\$224.31	51 of 440	City of St. Anthony
Saint Paul	287,669	2007	\$80,722,744	\$280.61	9 of 221	City of St. Paul