

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

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April 29, 2009

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

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.

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

Councilor Mac Lean moved approval of the April 14, 2009, City Council meeting minutes. Councilor Doherty seconded the motion and it passed unanimously.

Mayor Dains asked the councilors if they had questions regarding the claims. There being none, **Councilor Hawkinson moved approval of the claims totaling \$39,529.41. Councilor Mac Lean seconded the motion and it passed unanimously.**

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

Councilor Christensen moved the consent agenda accepting planter donations from Sax Antiques and Ornamental Concrete (Gary Sax), approving 2009 rental housing licenses, approving the first quarter investment report, appointing Monica Gallagher to the PCIC, and accepting dog park donations. Councilor Hawkinson seconded the motion and it passed unanimously.

Andrew Berg, from Abdo, Eick, and Meyers, presented on the city's audited financial statements. He said the City received an unqualified opinion but noted two findings that result from the city's size, namely the limited segregation of duties and the auditor's preparation of the financial statements. Berg said these are common in small cities, but something the Council should be aware of. After Berg highlighted aspects of the Management Letter, the Council discussed the audit. Councilor Mac Lean thanked Berg for preparing easy to read audit report.

Councilor Christensen moved to approve the 2008 audited financial statements as prepared and presented by Abdo, Eick, and Meyers. Councilor Mac Lean seconded the motion and it passed unanimously.

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Butkowski explained that Abdo also submitted a quote to calculate the Other Post Employment Benefits (OPEB) as required by GAS 45 for the City at a cost of \$500.

Councilor Hawkinson moved to approve the estimate from Abdo, Eick, and Meyers to calculate and report on the City's OPEB liability. Councilor Doherty seconded the motion and it passed unanimously.

Butkowski updated the Council on the status of the Larpenteur Avenue bridge project. She noted west bound Larpenteur would not be reopened prior to bridge construction. The bridge will be closed starting May 4. The Broadway interchange will be opened as soon as possible to alleviate congestion.

The next agenda item was an appeal by the owners of 1801 Eustis Street regarding their denial of a home occupation permit. Bownik introduced the item to the Council.

Kevin and Don Bumgardner addressed the Council. K. Bumgardner requested the Council permit their home based business for the following reasons:

- Police reports do not show they are violating the noise ordinance.
- They do not park business vehicles overnight.
- They do not have employees on the premises.
- The property is still primarily used as a residence.

Mayor Dains asked K. Bumgardner why they chose this house for their business. He compared their business to Nada Chair, which is operated out of the City's commercially zoned area.

K. Bumgardner responded that the location was convenient for them. Viking Electric is a supplier and just on the other side of TH280. He also mentioned that the property is used to store supplies and not equipment. He told the Council his intent was to live there but his situation changed.

Council members acknowledged that K. Bumgardner originally told the City he planned to live in the home. The Councilors sitting when the ordinance was drafted said the intent was to allow residents to have home based businesses, but the Bumgardners do not as they have chosen not to live there.

Councilor Mac Lean said she appreciated the improvements to the property but said she knows what it is like to live next to a business.

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D. Bumgardner told the Council that they have stopped using the facility for everyday pick ups and they are hardly ever there.

Dave Iverson, the tenant of 1801 Eustis Street, addressed the Council. He said he wanted to live in Lauderdale since moving to Minnesota. He said he helped restore the structure and has a vested interest in maintaining the property.

K. Bumgardner said the residence is not comprised of separate units; all have the ability to move freely between the different parts of the home.

Councilor Christensen moved to adopt Resolution 042809A – Resolution of the Council of the City of Lauderdale Denying the Appeal and Upholding the Zoning Administrator’s Denial of a Home Occupation Permit for an Electrical Contractor Business at 1801 Eustis Street. Councilor Hawkinson seconded the motion and it passed with councilors Hawkinson, Doherty, Christensen, and Mayor Dains voting in the favor of and councilor Mac Lean voting against.

The Councilors asked the Bumgardners what would be a reasonable date by which to stop running the business from 1801 Eustis Street. Councilor Hawkinson proposed sixty days and D. Bumgardner agreed.

Councilor Mac Lean moved to provide Integra Electric sixty days to cease operating a business at 1801 Eustis Street. Councilor Doherty seconded the motion and it passed unanimously.

Annually, the City invites the state representatives to address the Council and residents at a council meeting. State Senator John Marty discussed the competing proposals to balance the budget as well as the potential for a special session. He addressed a number of councilor and resident questions before the Council thanked him for all he does for the City of Lauderdale.

The Council took a break from 9:00 to 9:10 p.m.

Butkowski reported that since the last meeting, staff learned the election schedule could not be changed prior to the upcoming election. Councilors discussed whether to continue with the process and the consensus was to evaluate the issue at the goal setting session.

Since the last meeting, St. Anthony agreed to a reduction in the cost of the police contract totaling approximately \$35,000 over three years. The Council decided to act on the proposal at the next meeting in case any issues arise during Falcon Height’s final discussion of the contract.

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The Mayor acknowledged the list of agenda items for the next meeting which included the stormwater ordinance revisions, Citizen's Academy Graduation, and an agreement with Roseville regarding the sanitary sewer on the west side of TH280.

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.

Staff presented information related to the dog park users' requests made at the previous meeting. They requested a new dog park surface, better means for communicating with the Council, and ways to contribute to the dog park improvements. Butkowski explained that the city engineer and watershed district staff generally said wood chips would not pose issues except the possible delay of drainage through the dog park area. Overall, they felt the investment would be worth trying.

Due to a dog park contribution, staff established a dog park donation line item in the general fund. The Council wanted to make sure that residents contributing to the dog park realize the money is spent at the discretion of the Council before contributing.

Councilor Christensen moved to direct staff to work with Sentence-To-Service to have woodchips laid in the dog park. Councilor Doherty seconded the motion and it passed unanimously.

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 9:53 p.m.

Respectfully submitted,

Heather Butkowski
City Administrator