

*MINUTES OF THE LAUDERDALE CITY COUNCIL
TUESDAY, SEPTEMBER 26, 2006
7:30 p.m. Lauderdale City Hall, 1891 Walnut Street*

Mayor Dains called the meeting to order at 7:30 p.m. and asked administrator Heck to call the roll. Council members present: Karen Gill-Gerbig, Denise Hawkinson, Karen Doherty, Clay Christensen and Mayor Jeff Dains.

Also present for the meeting: Brian B. Heck, City Administrator; Heather Butkowski, Deputy City Clerk; and Jim Bownik, Assistant to the City Administrator.

Mayor Dains asked if there were any additions or deletions to the agenda. Administrator Heck requested the addition of rental license administrative fees be added to the work session agenda.

Councilmember Gill-Gerbig moved to approve the agenda as amended. The motion was seconded by council member Hawkinson and carried.

Mayor Dains asked if there were any comments or changes to the council meeting minutes of September 6, 2006. There were none.

Council member Christensen moved and council member Doherty seconded approval of the September 6 meeting minutes. The motion carried.

Mayor Dains asked if there were any questions on the claims. There were none.

Council member Gill-Gerbig moved approval of the claims in the amount of \$72,338.59. Council member Doherty seconded the motion and it carried.

The mayor stated it was the time established for members of the public to address the council with issues not present on the agenda. There being none, the meeting continued.

Mayor Dains asked if there were items members of the council wished to remove from the consent agenda. Mayor Dains removed payment to Allied Black Top for seal coating.

Council member Gill-Gerbig moved approval of the consent agenda approving the agreement with city engineering firm to provide assistance in completing the city's renewal permit for storm water discharge at an estimated cost of \$4,000, and approving the step increase for Heather Butkowski, deputy city clerk. Motion seconded by council member Hawkinson and carried.

Alex Stanovich from Eureka Recycling provided the council with an update on the recycling program, the outlook regarding markets and future program costs. Mr. Stanovich said Lauderdale has an excellent program. He said the city is their only customer that provides service to 100% of the multifamily units. He said the city collects

233 pounds of recyclables per year per unit. In St. Paul, 239 pounds per year per unit is collected and in Roseville, the amount is 139 pounds.

The curbside program generates 630 pound per year per household where Roseville collects 640 pounds and St. Paul is at 500 pounds. He said the city has received \$14,711 in revenue sharing, about \$750 per month.

He then discussed with the council how the city might increase the recycling rate. He suggested that more material might be collected if the city provided an additional bin to each household. He indicated that when the bin gets full, some might just toss the material away. He said it would cost the city approximately \$3,000 to provide an additional bin.

Mayor Dains stated residents could purchase or use their own containers as some currently do.

Mr. Stanovich said Eureka is willing to sign a two year extension to the current contract at the same rate and terms. The mayor asked about going to weekly collection and asked for a proposal from Eureka for the additional cost.

Jim Bownik provided information to the council on planning progress for the annual city Halloween party. He said it will go from 5:00 p.m. to 7:00 p.m. There will be candy bags, games, and food for all who attend and the party is free of charge. He said the city is accepting donations of candy and money to cover the costs of the party.

Heather Butkowski provided the council with an update and next steps for the comprehensive plan task force. She said the last meeting focused on the issue of volunteerism at it relates to maintaining and improving the community park. She said there was not much discussion about the land at Walsh Lake or the piece off of Walnut/Ione. There was discussion on issues relating to bike and pedestrian routes. Some members are going to conduct an informal survey.

Council member Karen Gill-Gerbig outlined the vegetation study underway by the University of Minnesota. She wants residents to be aware of the study and the graduate students who are working on the study. She hopes residents will cooperate with the students and let them onto property to view and record data for the study. She feels the study will provide good data which the city might be able to use in the applying for potential grants.

Jim Bownik and Stewart Khran from BRAA provided information on the tennis and basketball court bids. Bownik told the council the city received 8 bids. The low bid came in at \$165,910 for the tennis courts and basketball courts.

The mayor voiced some concern regarding the bid process and asked if there are any concerns with the bidder. Council member Doherty stated the cost quoted for demolition and disposal of the existing fence and structures seems too low. Stewart stated many

bidders miss details in their bids. He stated they caught an addition error in another bid so he didn't feel the oversight by the low bidder was or is a reflection on the bidder's ability to do the work required. He addressed council member Doherty's concern by stating we look at the bottom line total. How a bidder structures the costs is not relevant. The bidder is tied to the overall cost.

The Mayor used the seal coating project as an example in his frustration with low bids. He wants this project, which the city has been saving for for over 10 years, to get done right. He asked who will do project management. Stewart said the engineers will inspect the work to make sure things are done right to the best of their ability, but they do not assume responsibility for project shortcomings.

Council member Gill-Gerbig suggested staff do more work on evaluating the background of the three lowest bidders and bring back a recommendation for the next meeting. Heck stated that generally in a bid situation, the city is required to award to the lowest qualified bidder. The city engineer reviewed the bids and determined this company is the lowest qualified bidder.

Council member Christensen asked if the omission of the first two pages of the bid is a problem. He's concerned about the bidders' attention to detail. Stewart said the failure to provide the two pages is not necessarily an issue. He went on to say the company had delivered the missing pages the same day at just after 4:00.

The Mayor asked about low bidder #2. Bownik stated there were some questions and concerns about this bidder.

Following additional discussion, council member Christensen offered Resolution 092606-A for consideration.

Council member Christensen moved adoption of Resolution 092606-A accepting Nadeau Excavating as the low bidder and awarding the contract to them for the construction of the tennis courts and trail as well as alternate 1, construction of basketball courts. Council member Hawkinson seconded the motion and the resolution passed with council members Gill-Gerbig, Hawkinson, Doherty, Christensen, and Mayor Dains all voting yes.

Mayor Dains began the discussion about his dissatisfaction with the seal coating project. He said that after the discussion regarding doing work on Mondays, the contractor came back and swept the streets on a Monday and didn't post "No Parking" signs. He said the sweeping crew knocked on residents' doors requesting they move their vehicles. He said he doesn't want to do business with this contractor again.

Heck said he spoke to Harlan Olson, inspector from Bonestroo, on Friday before the sweeping and reminded Harlan that the contractor needed to put up "No Parking" signs on Sunday and that the contractor shouldn't come into the city to sweep until late morning early afternoon. Heck stated he also spoke to Harlan on Tuesday and Harlan

reported the contractor was in the city most of the day Monday sweeping and they completed the job.

Council member Gill-Gerbig made a motion to authorize payment to Allied Construction in the amount of \$37,445.20 for seal coating. Motion seconded by council member Christensen. The motion carried with council members Gill-Gerbig, Doherty, and Christensen voting yes and council member Hawkinson and mayor Dains voting no.

The council moved into the work session at 9:14 p.m.

Jessica Cook of Ehlers and Associates was present to discuss Larpenteur Avenue development issues and provided a summary of the meeting with Don Brauer and Pete Musty. She discussed the proposal Don submitted for his firm to provide planning assistance.

Jessica then presented three possible ways the city could proceed with the redevelopment of the area. The options ranged from "hands off," where the city worked with each individual owner on issues related to use and zoning to develop their property, to "hands on" where the city contracted with a development group to acquire the property and redevelop the sites. Jessica said that the risk to the city increases as it moves from one end of the continuum to the other.

Following additional discussion, the council endorsed the concept of working with Don Brauer to help in planning and concept design.

Heck provided background on the findings relating to the issues raised by the resident at 1931 Carl regarding damage he believed was caused during the street, alley, and utility improvements in 2002.

It was the consensus of the council to send a letter to the resident informing him the city would provide retaining wall material but he is responsible for the wall's proper installation, including meeting setbacks and permit requirements.

Bownik discussed the issue of vacant lift station property. He stated that a resident asked if the city were willing to return a segment of their property where a lift station stood. He said the resident has been maintaining the area since the lift station removal. Bownik also stated the removal of the lift station include some removal of the structure below grade.

Mayor Dains asked if there was a written letter requesting the return of the property. Bownik stated at this time the request was just verbal. Bownik added that he is not sure how the property was conveyed to the city, but the small segment has its own PIN. He explained that if it was purchased by the city, there would be requirements for its "sale."

Following additional discussion, the council directed staff to request a written request from the individual and to conduct preliminary investigation as to how the property came into possession of the city.

Council member Gill-Gerbig addressed her desire to work with other agencies to develop a possible cooperative use of the Lauderdale Nature Area. She mentioned the Bell Museum that is relocating to the corner of Cleveland and Larpentour.

Following additional discussion on the nature area, the consensus of the council was to authorize council member Gill-Gerbig to begin to discuss the nature area with other entities.

The Council moved into closed session to discuss labor negotiations at 10:40 p.m.

The Council moved back into regular session at 11:37 p.m.

Council member Gill-Gerbig moved to adjourn. Motion second by council member Christensen and carried.

The council adjourned at 11:38 p.m.

