

LAUDERDALE CITY COUNCIL MEETING AGENDA
TUESDAY, APRIL 26, 2005
CITY HALL, 7:00 P.M.

The City Council is meeting as a legislative body to conduct the business of the City according to ROBERT'S RULES OF ORDER AND THE STANDING RULES OF ORDER AND BUSINESS OF THE CITY COUNCIL. Unless so ordered by the Mayor, citizen participation is limited to the times indicated and always within the prescribed rules of conduct for public input at meetings.

1. CALL MEETING TO ORDER AT 7:00 P. M.

2. ROLL:

Councilmembers:

McCloskey _____ Christensen _____
Gill-Gerbig _____ Giannetti _____
Mayor Dains _____

Staff: Bownik _____

FILE

3. APPROVAL OF THE AGENDA

4. APPROVAL

- A. Approval of minutes of 4/12/05 City Council Meeting
- B. Approval of claims totaling \$ 31,099.46

5. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COUNCIL ON ITEMS NOT ON THE AGENDA

Any member of the public may speak at this time on any item NOT on the agenda. In consideration of the public attending the meeting for specific items on the agenda, this portion of the meeting will be limited to fifteen (15) minutes. Individuals are requested to limit their comments to four (4) minutes or less. If the majority of the Council determines that additional time on a specific issue is warranted, then discussion on that issue shall be continued under Additional Items at the end of the agenda. Before addressing the City Council, members of the public are asked to step up to the microphone, give their name, address and state the subject to be discussed. All remarks shall be addressed to the Council as a whole and not to any member thereof. No person other than members of the Council and the person having the floor shall be permitted to enter any discussion without permission of the presiding officer. Your participation, as prescribed by the Council's ROBERT'S RULES OF ORDER AND THE STANDING RULES OF ORDER AND BUSINESS OF THE CITY COUNCIL, is welcomed and your cooperation is greatly appreciated.

6. **CONSENT**
7. **SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS/ CITIZENS ADDRESSING STREET AND UTILITY IMPROVEMENTS**
8. **INFORMATIONAL PRESENTATIONS**
9. **PUBLIC HEARINGS**

Public hearings are conducted so that the public affected by a proposal may have input into the decision. During hearings, all affected residents will be given an opportunity to speak pursuant to the ROBERT'S RULES OF ORDER AND THE STANDING RULES OF ORDER AND BUSINESS OF THE CITY COUNCIL.

10. **REPORTS**
11. **DISCUSSION**
12. **ACTION**
 - A. Consideration of Removing Handicapped Parking Sign at 1840 Eustis Street
13. **ITEMS REMOVED FROM THE CONSENT AGENDA**
14. **ADDITIONAL ITEMS**
15. **SET AGENDA FOR NEXT MEETING**
16. **WORK SESSION DISCUSSION**
 - A. Nature Area
17. **ADJOURNMENT**

**Lauderdale City Council
Meeting Minutes
April 12, 2005**

1. Meeting called to order at 7:05 P.M.

2. ROLL

Council present: Giannetti, Christensen, McCloskey, Gill-Gerbig and Mayor Dains

Staff present: Acting Administrator Bownik

3. APPROVAL OF THE AGENDA

A. Approval of Agenda. Motion by Christensen, second by McCloskey to approve the agenda. Roll: Yes: all. Motion carried.

4. APPROVAL

A. Approval of Minutes. Motion by Giannetti, second by McCloskey to approve the minutes of the March 22, 2005 City Council meeting. Motion carried unanimously.

B. Approval of Claims totaling \$63,328.93. Motion by Christensen, second by McCloskey to approve the claims totaling \$63,328.93. Motion carried unanimously.

5. OPPORTUNITY FOR THE PUBLIC TO ADDRESS ITEMS NOT ON THE AGENDA

6. CONSENT

A. Approval of minutes of 3/21/05 Special City Council Meeting.

B. Approval of minutes of 3/22/05 Special City Council Meeting.

C. Approval of minutes of 3/23/05 Special City Council Meeting.

D. Approval of minutes of 3/30/05 Special City Council Meeting.

Motion by Christensen, second by McCloskey to approve the consent agenda as amended. Motion carried unanimously.

7. SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS

8. INFORMATIONAL PRESENTATIONS

9. PUBLIC HEARINGS

10. REPORTS

A. CERT (Certified Emergency Response Team) Training. Acting Administrator Bownik reported that the City of Falcon Heights is inviting Lauderdale residents to sign up for their CERT training. Falcon Heights has trained fifty people to respond in the case of natural or human-caused disasters. Training consists of several classes beginning May 5 and is open to anyone over the age of twelve. There is a \$15 registration fee. To register, residents should call the City of Falcon Heights at 651-792-7600.

11. ACTION

A. Consideration of Contract Approval for City Administrator. The City Council discussed aspects of the proposed contract language for the city administrator position. Aspects of the proposed contract were modified as a result of the discussion. Motion by Christensen, second by Gill-Gerbig to approve the contract for the city administrator position as modified. Motion carried unanimously.

B. Set a Date for 2005 Lauderdale Spring Clean-Up. Motion by Giannetti, second by McCloskey to set April 25-29 as Spring Clean-up Week and May 2-6 as Inspection Week. Roll: Yes: all. Motion carried.

12. DISCUSSION

13. ITEMS REMOVED FROM THE CONSENT AGENDA

14. ADDITIONAL ITEMS

15. SET AGENDA FOR NEXT MEETING

1. Parking Enforcement.
2. Approval of the 1st Quarter 2004 Financial and Investment Report.
3. Ramsey County Commissioner Jan Weissner.
4. 2004 Financial Statements and Audit: Abdo, Eick and Meyer.

16. EXECUTIVE SESSION RELATING TO ATTORNEY/CLIENT PRIVILEGE TO DISCUSS PENDING LITIGATION AGAINST THE CITY OF LAUDERDALE

The City Council went into executive session at 7:40 p.m. for the purpose of attorney-client privilege to discuss pending litigation against the City of Lauderdale regarding the Community Park property.

The Council came back into open session at 8:23 p.m.

17. WORK SESSION DISCUSSION

A. *Nature Area.* The City Council discussed issues regarding a resident that has been involved with the nature area and other public property. The City Council authorized up to \$1000 for the cleanup of brush piles in the nature area and directed staff to send a letter to the resident as well as review the related Ordinances for possible revisions.

B. *Parking Enforcement.* The City Council discussed the handicapped parking issue at 1840 Eustis Street and directed staff to ask the police department to monitor the situation.

C. *Park Issues.* The City Council discussed the archery and tennis facilities at the park. The City Council directed staff to add signage and improve the backstop at for the archery as well as research costs for tennis courts.

D. *Expressions of Sympathy.* The City Council reviewed a draft policy pertaining to sending cards, flowers, or plants to residents or others involved with the City. The City Council directed staff to modify the policy based on the discussion and represent the policy at a future meeting.

18. ADJOURNMENT

Motion by Gill-Gerbig, second by Christensen, to adjourn at 9:47 P.M. Ayes: All.

CITY OF LAUDERDALE

Claims for Approval

April 26, 2005 City Council Meeting

Payroll

04/22/05 Payroll: Check # 7791-7794	\$4,421.07
04/22/05 Payroll: EFT: Federal Withholding Taxes/FICA	\$1,933.61
04/22/05 Payroll: EFT: PERA	\$845.39
04/22/05 Payroll: EFT: ICMA Retirement Fund	\$1,845.38
Apr 05 Payroll: EFT: State Withholding Taxes	\$598.01

Vendor Claims

04/26/05 Claims: Check # 17439-17456	\$21,456.00
--------------------------------------	-------------

Subtotal of Claims From Above **\$31,099.46**

Total Claims for Approval	\$31,099.46
----------------------------------	--------------------

CITY OF LAUDERDALE

04/21/05 6:30 PM

Page 1

Vendor Transactions

CHECK Nbr	Check Date	Batch Name Invoice	Amount	Comments
Search Name AFSCME				
017439	4/26/05	042605claims 4/26/05	<u>\$80.90</u>	4/05 union dues
Search Name AFSCME			\$80.90	
Search Name AMERIPRIDE				
017440	4/26/05	042605claims 4/26/05	<u>\$101.06</u>	kitchen towels
Search Name AMERIPRIDE			\$101.06	
Search Name APMP OF MN				
017441	4/26/05	042605claims 4/26/05	<u>\$40.00</u>	jb, kw membership dues
Search Name APMP OF MN			\$40.00	
Search Name AT & T				
017442	4/26/05	042605claims 4/26/05	<u>\$0.30</u>	4/05 long distance
Search Name AT & T			\$0.30	
Search Name BLUE CHIP TREE CO., INC.				
017443	4/26/05	042605claims 4/26/05	\$938.97	remove nature area brush
017443	4/26/05	042605claims 4/26/05	<u>\$61.03</u>	remove nature area brush
Search Name BLUE CHIP TREE CO., INC.			\$1,000.00	
Search Name CINTAS				
017444	4/26/05	042605claims 4/26/05	<u>\$53.26</u>	4/14, 4/21 pw uniforms
Search Name CINTAS			\$53.26	
Search Name CITY OF FALCON HEIGHTS				
017445	4/26/05	042605claims 4/26/05	<u>\$1,077.00</u>	3/05 fire calls
Search Name CITY OF FALCON HEIGHTS			\$1,077.00	
Search Name CITY OF ROSEVILLE				
017446	4/26/05	042605claims 4838	<u>\$164.08</u>	4/05 technical services
Search Name CITY OF ROSEVILLE			\$164.08	
Search Name ESCHELON TELECOM, INC				
017447	4/26/05	042605claims 4/26/05	<u>\$238.56</u>	4/05 city hall phone
Search Name ESCHELON TELECOM, INC			\$238.56	
Search Name EUREKA RECYCLING				
017448	4/26/05	042605claims 611	<u>\$1,516.14</u>	4/05 recycling services
Search Name EUREKA RECYCLING			\$1,516.14	
Search Name GLENWOOD INGLEWOOD				
017449	4/26/05	042605claims 4/26/05	<u>\$19.69</u>	3/05 water delivery
Search Name GLENWOOD INGLEWOOD			\$19.69	
Search Name GOPHER STATE ONE-CALL				
017450	4/26/05	042605claims 5030527	<u>\$17.55</u>	3/05 utility locates
Search Name GOPHER STATE ONE-CALL			\$17.55	


CITY OF LAUDERDALE

Vendor Transactions

CHECK Nbr	Check Date	Batch Name Invoice	Amount	Comments
Search Name LMC				
017451	4/26/05	042605claims 4/26/05	\$42.60	mn city officials directory
Search Name LMC			\$42.60	
Search Name MAIN STREET DESIGNS				
017452	4/26/05	042605claims 9449	\$91.46	flag
Search Name MAIN STREET DESIGNS			\$91.46	
Search Name MET-COUNCIL ENVIRONMENTAL SER.				
017453	4/26/05	042605claims 794573	\$8,262.57	5/05 wastewater services
Search Name MET-COUNCIL ENVIRONMENTAL SER.			\$8,262.57	
Search Name MIKE MC PHILLIPS				
017454	4/26/05	042605claims 27502	\$2,472.00	spring street sweeping
Search Name MIKE MC PHILLIPS			\$2,472.00	
Search Name RAMSEY COUNTY, PROP REC & REV				
017455	4/26/05	042605claims 5491	\$1,097.08	4/05 health insurance
017455	4/26/05	042605claims 5491	\$4,177.89	feb, mar plowing/sanding
Search Name RAMSEY COUNTY, PROP REC & REV			\$5,274.97	
Search Name XCEL ENERGY				
017456	4/26/05	042605claims 4/26/05	\$180.50	3/05 city hall utilities
017456	4/26/05	042605claims 4/26/05	\$60.17	3/05 city hall utilities
017456	4/26/05	042605claims 4/26/05	\$106.46	3/05 city hall utilities
017456	4/26/05	042605claims 4/26/05	\$35.49	3/05 city hall utilities
017456	4/26/05	042605claims 4/26/05	\$82.97	3/05 garage utilities
017456	4/26/05	042605claims 4/26/05	\$27.66	3/05 garage utilities
017456	4/26/05	042605claims 4/26/05	\$13.69	3/05 garage utilities
017456	4/26/05	042605claims 4/26/05	\$4.56	3/05 garage utilities
017456	4/26/05	042605claims 4/26/05	\$52.97	3/05 park utilities
017456	4/26/05	042605claims 4/26/05	\$9.42	3/05 park utilities
017456	4/26/05	042605claims 4/26/05	\$429.97	3/05 street lighting utilities
Search Name XCEL ENERGY			\$1,003.86	
			\$21,456.00	

FILTER: ((([Period] in(4) and [Act Year] = '2005') and [Tran Nbr] in(20,21,22,23,25) and ([Vendor Nbr]>0))) and ((([Batch Name]="042605claims")))

Lauderdale City Council Memorandum

Council Meeting Date: April 26, 2005
To: Mayor and City Council
From: Jim Bownik, Acting City Administrator 
Agenda Item: Consideration of Removing Handicapped Parking Sign at
1840 Eustis Street

BACKGROUND:

At the September 28, 2004 City Council Meeting, the City Council granted a request by Gregg Eckert for a handicapped parking sign in front of his residence at 1840 Eustis Street.

Since Eustis Street is a county road, the County furnished and installed the signs. When a request was approved for the handicapped signs on a city street (Walnut Street) in the past, the property owner furnished and installed the signs.

State Statutes do not require cities to grant these types of requests. However, the request was granted on the condition that the resident maintains proper approval and documentation for handicapped parking and as long as the handicapped parking space is used for the intended purpose and the vehicle is not parked elsewhere.

Initially, the sign was located to the north of the sidewalk that leads from the street to the front door of Mr. Eckert's residence. The sign's location north of the sidewalk made it impossible to park a vehicle behind the sign without blocking the sidewalk. Thus, the sign was relocated to the south side of the sidewalk on Friday, March 18, 2005. The location south of the sidewalk provided the shortest distance for someone with a disability to access the sidewalk from the driver's side of the vehicle. A letter was then sent to Mr. Eckert informing him of the change and reminding him of the conditions on which his request was granted.

Since the sign was relocated to the south side of the sidewalk, Mr. Eckert has been in continual noncompliance with the conditions of granting his request for the handicapped parking sign. Mr. Eckert is consistently parking to the north of the sidewalk, which is not in the area of the designated handicapped parking location. At the April 12 City Council Meeting, staff was directed to ask the St. Anthony Police Department to monitor and report on this issue.

ENCLOSURES:

1. March 25, 2005 letter to Mr. Eckert.
2. Reports from the St. Anthony Police Department.

COUNCIL ACTION REQUESTED:

Consider motion to remove the handicapped parking sign at 1840 Eustis Street based on noncompliance with the conditions on which the request was granted.

The City of Lauderdale

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

March 25, 2005

Gregg Eckert
1840 Eustis Street
Lauderdale, MN 55113

SENT VIA CERTIFIED MAIL

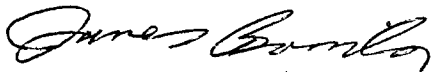
Dear Mr. Eckert:

The handicapped parking sign in front of your residence at 1840 Eustis Street was moved last Friday. Ramsey County relocated it to the south side of the sidewalk. It was brought to our attention that the sign's previous location made it impossible to park a vehicle behind the sign without blocking the sidewalk leading from the street to the front door of your residence. That could be a problem for someone with a disability such as yourself.

Thus, the sign was relocated to the south side of the sidewalk for your benefit. The new location provides for the shortest distance for someone with a disability to access the sidewalk from the driver's side of a vehicle. I'm sure you will want to take advantage of the sign's new location by parking your entire vehicle behind the sign. If for some reason you choose not to park your entire vehicle behind the sign, the City Council may choose to have the sign removed as that was a condition of granting your request for the sign.

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

Sincerely,



Jim Bownik
City of Lauderdale

cc. Dan Soler (via U.S. mail)

St. Anthony Police Department - Uniform Report

Juvenile LDL FH

Offense/Incident: Parking Complaint

ICR Offense Arrest Incident

Date Rpt 04 / 15 / 05 Time Rpt 0700 Time Arr. 0700 Time Clr 0705

Officer(s) Mosby UCS S HRD P

MOC _____ Location Grid # _____ Supervisor Approved: _____

UCS Code	HRD Code
- Pending	R - Phone
C - Exceptionally Cleared	R - Radio
U - Unfounded	A - Alarm
J - CLRD/Arrest Jv.	I - In Person
A - CLRD/Arrest Adult-JUV.	V - Visual
R - Referred Other Agency	M - Mail
G - Asslt / Advised	T - Other
G - OCA / UTI	
T - Other	

Location of Incident: 1840 Eustis Date / Time Occurred: 04-15-05 various times

RP Victim Suspect Witness Arrested Other _____ Race _____ Sex _____ Juv.

Name Lauderdale City Hall DOB ____/____/____ AKA _____

Address _____ H Ph (____) _____

Business / School _____ Wk Ph (____) _____ Other Ph (____) _____

RP Victim Suspect Witness Arrested Other _____ Race _____ Sex _____ Juv.

Name _____ DOB ____/____/____ AKA _____

Address _____ H Ph (____) _____

Business / School _____ Wk Ph (____) _____ Other Ph (____) _____

RP Victim Suspect Witness Arrested Other _____ Race _____ Sex _____ Juv.

Name _____ DOB ____/____/____ AKA _____

Address _____ H Ph (____) _____

Business / School _____ Wk Ph (____) _____ Other Ph (____) _____

Date / Time Arrest _____ Location _____ Booked Yes No

Charge(s) _____ Citation # _____

Loss _____ Value _____

Narrative: City council requested police monitor handicapped parking spot in front of address. Want to know if spot is used, used incorrectly, etc.

Checked approximately 10 times between 0730 and 1300 this date. No vehicle parked. Checked again at 1415 still no vehicle there. Neighbor stated hasn't seen resident's truck for a couple days.

St. Anthony Police Department – Uniform Report



Juvenile LDL FH

CN 05002615

Offense/Incident: **Parking**

ICR Offense Arrest Incident

Date Rpt: 4/16/2005 Time Rpt: 1515 Time Arr: 1515 Time Clr: 1516

Officer(s): Spieess #137

UCS Code	HRD Code
<input type="checkbox"/> - Pending	<input type="checkbox"/> P - Phone
<input type="checkbox"/> C - Exceptionally Cleared	<input type="checkbox"/> R - Radio
<input type="checkbox"/> U - Unfounded	<input type="checkbox"/> A - Alarm
<input type="checkbox"/> J - CLRD/Arrest Jv.	<input checked="" type="checkbox"/> I - In Person
<input type="checkbox"/> A - CLRD/Arrest Adult-Juv.	<input type="checkbox"/> V - Visual
<input type="checkbox"/> R - Referred Other Agency	<input type="checkbox"/> M - Mni
<input type="checkbox"/> S - Assn. / Advised	<input type="checkbox"/> T - Other
<input type="checkbox"/> G - GOA / IITS	
<input checked="" type="checkbox"/> T - Other	

MOC: _____ Location Grid #: _____ Supervisor Approved: _____ Investigator: _____

Location of Incident: 1840 Eustis Street Date/Time Occurred: 04/16/2005 at 1515

RP Victim Suspect Witness Arrested Other: _____ Race: _____ Sex: _____ Juv:

Name: Lauderdale City Hall DOB: _____ AKA: _____

Address: _____ H Ph: _____

Business/School: _____ Wk Ph: _____ Other Ph: _____

RP Victim Suspect Witness Arrested Other: _____ Race: _____ Sex: _____ Juv:

Name: _____ DOB: _____ AKA: _____

Address: _____ H Ph: _____

Business/School: _____ Wk Ph: _____ Other Ph: _____

RP Victim Suspect Witness Arrested Other: _____ Race: _____ Sex: _____ Juv:

Name: _____ DOB: _____ AKA: _____

Address: _____ H Ph: _____

Business/School: _____ Wk Ph: _____ Other Ph: _____

Date/Time Arrest: _____ Location: _____ Booked: Yes No

Charge(s): _____ Citation #: _____

Loss: _____ Value: _____

Narrative:

LDL City Hall wanted police to monitor the handicapped parking space directly in front of above address. I checked the area multiple times between 0630 and 1515 hours and never saw a vehicle parked in the space. Info forwarded to Captain Ohl.

St. Anthony Police Department - Uniform Report

Juvenile **LDL** **PH**

Offense/Incident: PARKING ISSUE

UCS Code	HRD Code
- Pending	P - Phone
C - Exceptionally Cleared	R - Reach
U - Unfounded	A - Alarm
J - CLRD/Arrest Juv.	I - In Person
A - CLRD/Arrest Adult Juv.	V - Visual
R - Referred Other Agency	M - Mail
S - Asst. / Advised	T - Other
G - GOA / UTL	
T - Other	

ICR Offense Arrest Incident

Date Rpt 4.18.05 Time Rpt 0630 Time Arr 0630 Time Clr 0630

Officer(s) 122 UCS T HRD T

MOC _____ Location Grid # _____ Supervisor Approved: _____

Location of Incident: 1840 EUSTIS Date / Time Occurred: _____

RP **Victim** Suspect Witness **Arrested** Other _____

Name LDC city HALL DOB ___/___/___ AKA _____ H Ph (____)

Address _____ Business / School _____ Wk Ph (____) Other Ph (____)

RP **Victim** Suspect Witness **Arrested** Other _____ Race _____ Sex _____ Juv.

Name _____ DOB ___/___/___ AKA _____ H Ph (____)

Address _____ Business / School _____ Wk Ph (____) Other Ph (____)

RP **Victim** Suspect Witness **Arrested** Other _____ Race _____ Sex _____ Juv.

Name _____ DOB ___/___/___ AKA _____ H Ph (____)

Address _____ Business / School _____ Wk Ph (____) Other Ph (____)

Date / Time Arrest _____ Location _____ Booked Yes No

Charge(s) _____ Citation # _____

Loss / \$00 _____ Value _____

Narrative: Request by city HALL to Report on MR POKER'S vehicles re. where they are parked in relation to handicapped sign and MR. MILLER'S property.

0630 - no vehicle present / 0800 no vehicle present /

0930 - still no issue / 1120 no action / 1300 no sign /

1415 - MR. 5662 HG parked with issue to sign - still there

As of 1700 Hours

042519

St. Anthony Police Department - Uniform Report



Juvenile LDL FH

CN 00002562

Offense/Incident: PARKING ISSUE

ICR Offense Arrest Incident

Date Rpd 4/1/19105 Time Rpd 0630 Time Arr. 0630 Time Clr 0630

Officer(s) 122 UCS T HRDT

IOC _____ Location Grid # _____ Supervisor Approved: _____

UCS Code	HRD Code
- Pending	P - Phone
C - Exceptionally Cleared	R - Radio
U - Unfounded	A - Alarm
J - CLRD/Arrest Jv.	I - In Person
A - CLRD/Arrest Adult-Juv.	V - Visual
R - Referred Other Agency	M - Mail
S - Assil. / Advised	T - Other
G - GOA / UTL	
T - Other	

Location of Incident: 1840 EUSTIS Date / Time Occurred: _____

ICR Victim Suspect Witness Arrested Other _____ Race _____ Sex _____ Juv.

Name LDL city HALL DOB ____/____/____ AKA _____

Address _____ H Ph (____) _____

Business / School _____ Wk Ph (____) _____ Other Ph (____) _____

ICR Victim Suspect Witness Arrested Other _____ Race _____ Sex _____ Juv.

Name _____ DOB ____/____/____ AKA _____

Address _____ H Ph (____) _____

Business / School _____ Wk Ph (____) _____ Other Ph (____) _____

ICR Victim Suspect Witness Arrested Other _____ Race _____ Sex _____ Juv.

Name _____ DOB ____/____/____ AKA _____

Address _____ H Ph (____) _____

Business / School _____ Wk Ph (____) _____ Other Ph (____) _____

Date / Time Arrest _____ Location _____ Booked Yes No

Charge(s) _____ Citation # _____

Loss _____ Value _____

Narrative: mv. 5662 HG parked Rear to

sign AT 0630 / 0745 / 0830 -

copy to Jim at LDL city HALL -

officer going home sick at this point.

St. Anthony Police Department - Uniform Report



Juvenile LDL FH

CN 05002665

Offense/Incident: Parking Issue

ICR Offense Arrest Incident

Time Rpd 04 / 21 / 05 Time Rpd 1245 Time Arr. 1245 Time Clr 1248

Officer(s) Mosby UCS S HRD I

DOC _____ Location Grid # _____ Supervisor Approved: _____

UCS Code	HRD Code
- Pending	P - Phone
C - Exceptionally Cleared	R - Radio
U - Unfounded	A - Alarm
J - CLRD/Arrest Jv.	I - In Person
A - CLRD/Arrest Adult-Juv.	V - Visual
R - Referred Other Agency	M - Mail
S - Assit. / Advised	T - Other
G - GOA / UTL	
T - Other	

Location of Incident: 1840 Eustis Date / Time Occurred: 04-21-05 at 1245 hrs

RP Victim Suspect Witness Arrested Other _____ Race _____ Sex _____ Juv.

Name 6902 - LDC City Council DOB ____/____/____ AKA _____

Address _____ H Ph (____) _____

Business / School _____ Wk Ph (____) _____ Other Ph (____) _____

RP Victim Suspect Witness Arrested Other _____ Race _____ Sex _____ Juv.

Name _____ DOB ____/____/____ AKA _____

Address _____ H Ph (____) _____

Business / School _____ Wk Ph (____) _____ Other Ph (____) _____

RP Victim Suspect Witness Arrested Other _____ Race _____ Sex _____ Juv.

Name _____ DOB ____/____/____ AKA _____

Address _____ H Ph (____) _____

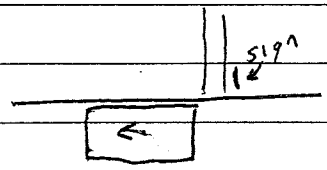
Business / School _____ Wk Ph (____) _____ Other Ph (____) _____

Time / Time Arrest _____ Location _____ Booked Yes No

Charge(s) _____ Citation # _____

SS _____ Value _____

Narrative: Located Eckert's blue Dodge Ram Pick-up parked completely north of handicap sign and sidewalk (see diagram below). Veh facing north. No vehicles parked in handicap spot. Report to 6902



Lauderdale City Council Memorandum

Council Meeting Date: April 12, 2005
To: Mayor and City Council
From: Jim Bownik, Acting City Administrator
Agenda Item: Work Session Discussion Item A



BACKGROUND:

Nature Area

At the April 12 City Council Meeting, the City Council directed staff to contact a tree contractor to remove brush piles in the nature area for an amount up to \$1000. Blue Chip Tree Service performed this service on April 14 and has reached the \$1000 threshold. A large amount of brush remains. The City Council will need to discuss what should be done, if anything, to remove the remaining brush piles.

The City Council also directed staff to send a letter to Mr. Tatge asking him to refrain from any further care and maintenance activities on City property. This letter was sent on April 15 and further received in person on April 21 at City Hall.

The City Council also discussed whether an Ordinance revision is necessary related to cutting of trees on public property, etc. A draft revision of Title 7, Chapter 2: Plantings on Public Property is included for your review.

On April 20, Council member Gill-Gerbig and her husband Bruce had the opportunity to discuss these matters in person with Mr. Tatge. Council member Gill-Gerbig has provided a memo detailing their conversation, which also includes comments and suggestions.

ENCLOSURES:

1. April 15, 2005 letter to Mr. Tatge.
2. Draft Ordinance Title 7, Chapter 2: Plantings on Public Property.
3. Memo from Council member Gill-Gerbig dated April 22, 2005.

The City of Lauderdale

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

April 15, 2005

James L. Tatge
2384 Larpenteur Avenue
Apt. # 3B
Lauderdale, MN 55108

Dear Mr. Tatge:

The City of Lauderdale is appreciative of your concerns regarding public properties in Lauderdale and realizes your efforts are well-meaning. However, for various reasons the City is requesting that you refrain from all care and maintenance of City property immediately.

Thank you for your cooperation. Feel free to contact me at City Hall should you have any questions or concerns.

On behalf of the City Council,



Jim Bownik
City of Lauderdale

cc. Captain John Ohl, St. Anthony Police Department (via fax)

CHAPTER 2

~~PLANTING OF TREES~~PLANTINGS ON PUBLIC PROPERTY¹

SECTION:

7-2-1: Compliance Required

7-2-2: ~~Tree Planting~~Plantings

7-2-3: Nonconforming Plantings

7-2-4: Penalty

7-2-1: COMPLIANCE REQUIRED:

No person shall, except employees of the City in the performance of their duties in connection with the maintenance and improvements of City property, shall trim, cut, remove, pick, injure, mark, deface, disfigure, break, alter, plant, maintain or remove any tree on public property in the City, including boulevard areas, except as provided herein make use of any tree, bush, flower or other plant growth, wild or cultivated, or any rock, mineral or soil on any City property, park, public right-of-way, boulevard or public easement without the express written permission of the City Administrator. (Ord. 67, 11-15-1977)

7-2-2: ~~TREE PLANTING~~PLANTINGS:

The City Council shall, by resolution, determine the ~~tree~~plant species and the locations where ~~tree~~plants may be planted on public property. Adjacent property owners may plant trees in accordance with the Council determination. Any tree so planted becomes the property of the City and may be maintained or removed at the sole discretion of the City Council. (Ord. 67, 11-15-1977)

7-2-3: NONCONFORMING PLANTINGS:

No ~~tree~~plant may shall be planted on City property which is not in conformity with the species and location requirements of the City without prior approval of the City Council. Any nonconforming ~~tree~~plant planted with Council consent becomes the property of the City and may be maintained or removed at the sole discretion of the City Council.

7-2-4: PENALTY

Any person violating the provisions of this Chapter is guilty of a misdemeanor and upon conviction, may be subject to penalty as provided in Section 1-4-1 of this Code.

¹ M.S.A. § 412.221, subd. 8.

Friday, April 22, 2005
To: Jim
From: Karen Gill-Gerbig
Re: Nature Area and Mr. Tatge

This is a memo to reflect our phone conversations in reference to Lauderdale's Nature Area, south of Larpenteur Avenue and north of private lands and Luther Seminary.

On Wednesday, April 20 I took my dog for a walk through the Nature Area in the morning, around 9:30 am. I went down the access path from Larpenteur Avenue, which is adjacent to the Golf Course, and then down the wooden stairs, over the wooden bridge and along the path until its first fork. Along the way I observed numerous brush and trees, which had been cut down. On the right hand fork, I observed a large tree (~6 inches in diameter) and perhaps 10 feet long (with one major forked branch), which was purposely placed across the right hand path, leading to the holding pond (duck pond). I removed the tree from the blocked path by dragging it to the south of the path, entirely away from it, so walkers would have safe and easy access to the walking path.

I continued along the path to the pond and noticed that more trees had been cut. Throughout the area, numerous piles of thin brush as well as more substantially sized limbs and trunks were cut and piled throughout the nature area. Wood duck nesting boxes had been erected on poles near the pond as well. And particularly in this area, numerous trees and large shrubs had been cut down which resulted in the opening of extensive land areas.

Within a short time, my dog and I returned home, by reversing our original entry into the Nature Area.

Since April 1995, when first appointed to City Council, I do not recall the council or staff authorizing this particular work on a spot or on-going basis. I have great concern as to the methodology and the processes used to arrive at decisions and actions that have taken place in the Nature Area. They are not the result of Staff or Council decisions.

That same evening my husband and I returned with our dog to again walk the area. Again, the same tree, which blocked the right hand fork, had been replaced, blocking the path to the duck pond. I again removed the impediment. I observed a person on the far 'trolley car path' to the south of us as I removed the obstruction. We then followed the same path and this time crossed the water just upstream of the duck pond, along the rock 'ford' which separates the stream from the pond. As we were looking at the denuded area around some wood duck houses the person who was on the 'trolley path' caught up with us, eager to engage us in conversation.

Upon his initiation of conversation, I asked if he was Mr. Tatge, who has admitted that he is doing work in the Nature Area. He avoided the question a number of times, but then finally admitted he was Mr. Tatge. I firmly but politely asked him on whose authority he was undertaking the 'work' being done in the Nature Area. He again hesitated, tried to

redirect the conversation, and was unable to hold eye contact with me. He began to look everywhere else but at my eyes or me. He was wearing a billed, baseball type cap; so it became necessary for me to stoop over a bit, look under the bill of his cap to gain eye contact with him. This was at times a 'bob and weave' as he tried to avoid looking at me, and still tried to divert the conversation. I continued to ask the same question in a number of ways: who gave you permission to do this work – how are you authorized to do this work, etc. Finally, Mr. Tatge said his friend Rick Getschow gave him permission to do this work, and that the city staff authorized him to do the work. When I told him Rick no longer works for the City, he stated that Jim and staff gave him permission to do the work. I told him he was mistaken and that he did not have city permission to do work. He then told me city council gave him permission to do the work. I then told him directly that he was lying to me. He was taken aback by this, and repeated that he had council permission. I introduced myself, giving him my full name and indicating that I had been on the city council even prior to our hiring of Mr. Getschow and the council nor the staff had given any permission for him to carry out any of his activities.

He was rattled by this, but continued to evade the issue by trying to discuss the nature area or discuss what a terrible person he had been. I assured him he, while well intended, was not a bad person, but it was not his land to make unilateral decisions about. I informed him that as a citizen he could walk the trails, enjoy the area, listen and observe the wildlife, but he was not authorized to dig, move, cut, pile, pull, rake, plant, etc. and trees, shrubs, rocks, stones, water, etc. He countered by saying he had no idea that a person, especially he, could not do these things in this area. And again he discussed what a bad person he was and how he would never do it again, and that he was moving at the end of the year anyway.

I continued to tell him that he was not a bad person, but was not authorized to do anything to the Nature Area. I made reference to his home, and asked him if it would be proper and acceptable for me to go into his home, redecorate/paint the walls, re-arrange or select new furniture for his home, without his permission. He said that was different than the Nature Area. I said, in my opinion, it was not different; it was a fair analogy.

I reiterated that the Nature Area is public land held by the community and decisions and actions on or about the area must be carried out by accepted public process, which exists in our community now. Anything else is unacceptable, and if he or anyone else did not follow that process, upon witnessing that unauthorized behavior, I would call the police and have the individual arrested or punished to the fullest extent possible of the law.

Mr. Tatge does not seem to take in and process well things that I was saying to him. I found it necessary to frequently, clearly, firmly, assertively, and a bit loudly (as he said he has hearing difficulties) repeat the same 'liturgy' over and over again, while weaving and bobbing' to make eye contact, as he followed us from the stream/pond 'ford' area into the parking lot, around the garages, and onto Carl Street. As we walked north on Carl, Mr. Tatge crossed to the west side of the street, and we stayed on the east side. He assured me he would no longer go into the Nature Area. I again assured him, he was most welcome to be in the Nature Area, as long as all he did was enjoy the sights and

sounds, but did not take it upon himself, unauthorized by the city to make any changes to the Area.

We then walked to the Mayor's home to apprise him of the chance meeting and subsequent discussion. I also called you on Thursday morning to inform you, as I had informed the Mayor.

I have some overall comments and suggestions:

Specifically:

- It is clear that we (as a city) have inadvertently given a message to this gentleman that he was enabled to take the actions and plans which he did.
- We must in the future, make sure this does not happen again, with him or anyone else. We need perhaps to discuss our own processes, etc.
- We must clear away all piles of brush, logs, tree limbs, etc. to clear the area.
- We must contact Mr. Tatge, in writing, certified mail, and arrange for him to retake possession of the wood duck boxes (and any other accoutrements) he has added to the Nature Area. The letter should state that if he does not respond to us within X number of days, the materials he has placed in the Nature Area become the property and responsibility of the City.
- If Mr. Tatge does not want these things returned, we then have the option to keep or dispose of them. If kept, they must be inspected as to their structural integrity, and especially as to their installation safety, as they would now be the City's responsibility.
- We must evaluate any immediate issues resulting from Mr. Tatge's actions in the Nature Area, and determine a time line and process and methodology to correct them, as well as associated costs to do so.

Generally:

- In a review of our legislation, we should consider a monetary fine (e.g. cost of cleanup, restoration to former condition, etc.) to dissuade potential 'helpers' and/or to recoup costs to repair/restore, clean-up, etc public land or right of way, etc.
- The tree commission should look at its legislation to determine if it is all encompassing and functional, based on this experience. E.g., does it say trees, or trees and significant vegetation, or vegetation? Etc.
- The Tree commission and the Park/CIC Committee could hold a joint meeting in the future to discuss this Nature Area, as both hold jurisdictions over it.
- The MWMO may have some insight and/or funding to help us work on this area in the future. It would also be good to coordinate our ecological work (Tree Commission) with them, as it is an integral part of the watershed.

End of memo