

LAUDERDALE CITY COUNCIL
MEETING MINUTES
OCTOBER 11, 2005

Mayor Dains called the meeting to order at 7:31 p.m. on Tuesday, October 11, 2005 and asked the Administrator to call the roll.

Council Members present: Karen Gill-Gerbig, Karen Doherty, Moose Giannetti, Clay Christensen and Mayor Jeff Dains.

Staff present: City Administrator Brian Bakken-Heck, Assistant to the City Administrator Jim Bownik and Deputy City Clerk Heather Butkowski.

2. Approval of the Agenda. The council approved the agenda with the removal of Item 7 (c) Presentation by Attorney Martin Costello. Motion made by council member Gill-Gerbig and seconded by council member Christensen and carried.
3. Approval of Claims. Council member Christensen moved and council member Giannetti seconded payment of claims in the amount of \$40,445.36. Motion carried.
4. Public comments on items not on the agenda. Marsha Hoffman appeared before the council to express her satisfaction with the councils' action on the recent recreational fire ordinance. She went on to discuss with the council a potential conflict with the International Fire code regarding proximity to combustible material. She indicated that in a conversation with Dave Hinrichs the requirement called for a distance of 15 feet where current Lauderdale ordinance calls for only 10 feet. She encouraged the council to bring the ordinance up to the standard established in the international fire code.

Administrator Bakken-Heck informed the council that he and Dave spoke about this issue following Dave's conversation with Ms. Hoffman, and based on first review, the International fire code seems to indicate a 15 foot buffer. However, there is a provision with regard to barbeque pits where the 15 foot buffer does not apply. There is no definition of barbeque pit in the IFC and we are currently having the commercial building inspector review the ordinance for comment.

Mayor Dains indicated if there is a conflict, the ordinance will be amended to reflect the proper requirement. He and the Council thanked Ms. Hoffman for her attendance and concerns.

5. Consent. Council member Christensen moved the following items on the consent agenda: 1) Authorize purchase of 2006 Ford F-350 for \$21,226 plus applicable taxes and fees. 2) Authorize attendance at the LMC Annual Conference December 1-3 by Council and Staff. 3) Appointment of Election Judges for the November 8, 2005 general election. Motion second by Council member Gill-Gerbig and carried with Gill-Gerbig, Doherty, Giannetti, Christensen and Mayor Dains all voting yes.

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6. No items

7. No items

8. Public Hearing. Jim Bownik, Assistant to the City Administrator, presented an application for a variance for property located at 1902 Walnut Street. The homeowner requested a variance to the front yard setback requirements so he could construct a deck/porch on the front of his property.

Bownik described the requirements of the ordinance and outlined the request. The Mayor then opened the public hearing at 7:46 p.m. and called for interested persons to make comment. There being none, the hearing closed at 7:47 p.m.

Council member Gill-Gerbig moved to grant a five (5) foot variance to the front yard setback requirements for the construction of a deck at 1902 Walnut Street. Motion second by council member Christensen and carried on a roll call vote with Gill-Gerbig, Doherty, Giannetti, Christensen and Mayor Dains all voting yes.

9. No items

10. Discussion. Bakken-Heck provided the council with a brief background and current status of the issue regarding property located at 2301 Ione Street. The issue is the existence of a deck that was constructed without a permit and has now become a potential hazard. To complicate the issue, the structure protrudes into the neighboring property.

Mr. Mike Passeretti appeared before the council and further explained the issue and provided additional information regarding the deck.

Following additional discussion and comments by the council staff was directed to continue to work on this issue and to obtain information from the attorney as to potential courses of action.

11. Action items.

- 1) Bownik provided the Council information on the city's responsibility as it relates to the National Incident Management System (NIMS) as well as the city's use of intrastate mutual aid agreements.

Council member Gill-Gerbig moved Resolution #101105A – Designation of the National Incident Management System as the Basis for all Incident Management in the City of Lauderdale. Motion seconded by council member Doherty and carried with Gill-Gerbig, Doherty, Giannetti, Christensen and Mayor Dains all voting yes.

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Council member Gill-Gerbig moved adoption of Resolution #101105B – Promoting the use of Intrastate Mutual Aide Agreements. Motion second by council member Christensen and carried with Gill-Gerbig, Doherty, Giannetti, Christensen and Mayor Dains all voting yes.

2) Bakken-Heck provided an update on the progress of looking for an alternative to the current health insurance plan. Following discussion, council member Gill-Gerbig moved to lay the item on the table so staff can get answers to a few more questions. Motion second by Doherty and carried with Gill-Gerbig, Doherty, Giannetti, Christensen and Mayor Dains all voting yes.

12. No items

13. No items

14. Set agenda for next meeting. The following items will be considered for placement on the agenda for October 25, 2005.

- A. Establish meeting dates for November due to the Election being held on the regular meeting of November 8.
- B. Amendment to the Agreement with Ehlers on the Larpenteur Avenue Study.
- C. Presentation by Martin Costello, City's prosecuting attorney
- D. Administrator six month review
- E. Budget report and update
- F. Animal Control Ordinance
- G. Fire Ordinance
- H. Rental Dwelling License Ordinance
- I. Health Insurance Issue

15. Work Session. Dave Callister and Jessica Cook were present to discuss with the council the outcome of the meetings with the developers and go over possible options and considerations regarding the Larpenteur Avenue Corridor study.

Ms. Cook told the council all the developers were excited about the site and potential project and indicated the area provides for a good market based on the location. She discussed the issue of financial feasibility and stated the developers all felt the southeast corner of the project area is too expensive to work with as the density would need to be too high and to get the proper density, the construction would be too expensive.

Ms. Cook then went over some of the potential options suggested by the developers. These include working on the southwest corner and "bookending" the original project site; provide for general improvements to the existing buildings such as new roof lines, façade, parking and relocating utilities; condo conversion.

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Mayor Dains provided his input and feels strongly the city needs to focus on the existing apartment buildings due to potential blight and other issues. He would rather have the market drive changes on the southwest part of the area as he is not sold on the bookending prospect.

Council member Gill-Gerbig stated the financial gap is just too big to consider a major project as considered for the southeast corner and feels the council should not discount the possibility of looking at the southwest as an overall view of the project area. She feels at this point the council should work with the existing property owners to get some improvements made as well as to gain some control over the area. She also feels the Council should be more proactive in looking at other opportunities along the corridor, specifically the southwest corner.

Council member Doherty stated the whole corridor needs something but is concerned about the financial considerations involved. She feels the city really needs to get a handle on the rental issues in the city.

Council member Giannetti stated the apartments on the southeast need a face-lift. She indicated she would like to see the financial feasibility in doing a facelift and what a condo rehab might look like.

Council member Christensen stated the city needs to move on something to control rental properties, specifically the conversion of single-family homes to rentals. He felt a \$200,000 condo would be pretty tough for many current residents to afford.

Ms. Cook outlined what she believed to be the consensus of the council regarding this issue and the next steps for proceeding. A) consider the financial feasibility on improvements to the current buildings; B) financial feasibility for condo conversion. She also indicated the need to bring in the residents for an open house or two to explain the issue, process and options.

City staff will continue to work on the rental licensing ordinance.

At 9:36 p.m. the City Council entered closed session to discuss pending litigation.
At 10:09, the city council moved out of closed session.

Motion by council member Christensen to adjourn, second by Gill-Gerbig and carried.
Meeting adjourned at 10:10 p.m.