

**LAUDERDALE CITY COUNCIL MEETING AGENDA**  
**TUESDAY, OCTOBER 25, 2005**  
**CITY HALL, 7:30 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.

**FILE**

1. ROLL:

*Council members:*

Gill-Gerbig \_\_\_\_\_ Doherty \_\_\_\_\_  
Christensen \_\_\_\_\_ Giannetti \_\_\_\_\_  
Mayor Dains \_\_\_\_\_

*Staff:* Bakken-Heck \_\_\_\_\_

2. APPROVAL OF THE AGENDA

3. APPROVAL

- A. Approve minutes for 10/11/05 City Council Meeting
- B. Approve claims totaling \$28,148.34

4. 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.

5. CONSENT

6. SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS

7. INFORMATIONAL PRESENTATIONS

- A) Martin Costello, Prosecution

**8. 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.

**9. REPORTS**

- A) Budget report and update

**10. DISCUSSION**

**11. ACTION**

- A) Open Burning ordinance
- B) Establish meeting dates for November
- C) Ehlers Agreement Amendment
- D) SCORE Grant Resolution

**12. ITEMS REMOVED FROM THE CONSENT AGENDA**

**13. ADDITIONAL ITEMS**

**14. SET AGENDA FOR NEXT MEETING**

**15. WORK SESSION**

- B) Rental dwelling licensing and regulation
- A) Administrator Six Month Review

**16. ADJOURNMENT**

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.

LAUDERDALE CITY COUNCIL  
MEETING MINUTES  
OCTOBER 11, 2005

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.

LAUDERDALE CITY COUNCIL  
MEETING MINUTES  
OCTOBER 11, 2005

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.

LAUDERDALE CITY COUNCIL  
MEETING MINUTES  
OCTOBER 11, 2005

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.

**CITY OF LAUDERDALE**  
**Claims for Approval**  
**October 25, 2005 City Council Meeting**

<u>Payroll</u>		
10/21/05 Payroll:	Direct Deposit # 500031-500035	\$6,024.43
10/21/05 Payroll:	EFT: Federal Withholding & FICA	\$2,501.25
10/21/05 Payroll:	EFT: P.E.R.A	\$1,074.47
10/21/05 Payroll:	EFT: ICMA Retirement Fund	\$1,560.38
10/21/05 Payroll:	EFT: State Payroll Taxes	\$815.71
<u>Vendor Claims</u>		
10/25/05 Claims:	Check # 17761-17781	\$16,172.10

**Subtotal of Claims From Above** **\$28,148.34**

Total Claims for Approval	\$28,148.34
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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
500031	000000001	BAKKEN-HECK, BRIAN	21	BI-WEEKLY	\$1,495.31	10/21/2005	Outstanding
500032	000000011	BOWNIK, JAMES	21	BI-WEEKLY	\$1,255.24	10/21/2005	Outstanding
500033	000000007	BUTKOWSKI, HEATHER	21	BI-WEEKLY	\$975.70	10/21/2005	Outstanding
500034	000000002	HINRICHS, DAVID C	21	BI-WEEKLY	\$1,076.00	10/21/2005	Outstanding
500035	000000005	HUGHES, JOSEPH A	21	BI-WEEKLY	\$1,222.18	10/21/2005	Outstanding
					\$6,024.43		



## Vendor Transactions

CHECK Nbr	Check Date	Batch Name Invoice	Amount	Comments
<b>Search Name AFSCME</b>				
		102505claims	<u>\$81.22</u>	10/05 union dues
Search Name AFSCME			\$81.22	
<b>Search Name ALLEN ANDERSON</b>				
		102505claims 5100417	<u>\$164.95</u>	garage door repair
Search Name ALLEN ANDERSON			\$164.95	
<b>Search Name ARCADE ELECTRIC</b>				
		102505claims 1501	<u>\$437.50</u>	light install on sports field
Search Name ARCADE ELECTRIC			\$437.50	
<b>Search Name AT &amp; T</b>				
		102505claims 1234370055	<u>\$0.57</u>	09/05 long distance
Search Name AT & T			\$0.57	
<b>Search Name BLUE CHIP TREE CO., INC.</b>				
		102505claims	<u>\$793.43</u>	tree trimming
Search Name BLUE CHIP TREE CO., INC.			\$793.43	
<b>Search Name CINTAS</b>				
		102505claims 470364035	\$26.63	pw clothing
		102505claims 470360426	<u>\$26.63</u>	pw clothing
Search Name CINTAS			\$53.26	
<b>Search Name CITY OF FALCON HEIGHTS</b>				
		102505claims	<u>\$718.00</u>	9/05 fire calls
Search Name CITY OF FALCON HEIGHTS			\$718.00	
<b>Search Name CITY OF ROSEVILLE</b>				
		102505claims 5052	<u>\$164.08</u>	joint powers agreement
Search Name CITY OF ROSEVILLE			\$164.08	
<b>Search Name EHLERS &amp; ASSOCIATES</b>				
		102505claims 331448	<u>\$2,400.00</u>	larpenteur corridor
Search Name EHLERS & ASSOCIATES			\$2,400.00	
<b>Search Name ESCHELON TELECOM, INC</b>				
		102505claims	<u>\$237.29</u>	09/05 city hall phones
Search Name ESCHELON TELECOM, INC			\$237.29	
<b>Search Name EUREKA RECYCLING</b>				
		102505claims 838	<u>\$1,495.46</u>	09/05 recycling service
Search Name EUREKA RECYCLING			\$1,495.46	
<b>Search Name GOPHER STATE ONE-CALL</b>				
		102505claims 5090535	<u>\$10.80</u>	september calls (8)
Search Name GOPHER STATE ONE-CALL			\$10.80	

CITY OF LAUDERDALE

Vendor Transactions

CHECK Nbr	Check Date	Batch Name Invoice	Amount	Comments
<b>Search Name MET-COUNCIL ENVIRONMENTAL SER.</b>				
		102505claims 808545	\$8,262.57	9/05 wastewater service
<b>Search Name MET-COUNCIL ENVIRONMENTAL SER.</b>				
			\$8,262.57	
<b>Search Name MN STATE TREASUER</b>				
		102505claims	\$190.05	3rd qtr 05 building surcharges
<b>Search Name MN STATE TREASUER</b>				
			\$190.05	
<b>Search Name NAPA AUTO PARTS</b>				
		102505claims	\$28.30	truck maintenance supplies
<b>Search Name NAPA AUTO PARTS</b>				
			\$28.30	
<b>Search Name RAMSEY COUNTY, PROP REC &amp; REV</b>				
		102505claims risk872	\$98.02	9/05 benefits
<b>Search Name RAMSEY COUNTY, PROP REC &amp; REV</b>				
			\$98.02	
<b>Search Name RAPIT PRINTING</b>				
		102505claims 106982	\$46.86	heather's biz cards
		102505claims 106982	\$173.63	oct-dec newsletter
<b>Search Name RAPIT PRINTING</b>				
			\$220.49	
<b>Search Name SPRINT PCS</b>				
		102505claims	\$36.99	09/05 pw phone
		102505claims	\$36.99	09/05 pw phone
<b>Search Name SPRINT PCS</b>				
			\$73.98	
<b>Search Name TOSHIBA BUSINESS SOLUTIONS</b>				
		102505claims 1134618	\$240.09	copier contract
<b>Search Name TOSHIBA BUSINESS SOLUTIONS</b>				
			\$240.09	
<b>Search Name XCEL ENERGY, PARK &amp; GARAGE</b>				
		102505claims	\$15.62	warming house gas
		102505claims	\$11.75	garage electric
		102505claims	\$8.26	warming house electric
		102505claims	\$18.07	garage gas
<b>Search Name XCEL ENERGY, PARK &amp; GARAGE</b>				
			\$53.70	
<b>Search Name XCEL ENERGY, STREET LIGHTING</b>				
		102505claims	\$448.34	51-5524331-5 9/05 street lights
<b>Search Name XCEL ENERGY, STREET LIGHTING</b>				
			\$448.34	
			\$16,172.10	

FILTER: ( ( ([Period] in(10) and [Act Year] = '2005') and [Tran Nbr] in(20,21,22,23,25) and ([Vendor Nbr]>0) ) ) and ((([Batch Name]="102505claims")))

## **Council Memo**

**To:** City Council  
**From:** Brian W. Bakken-Heck, City Administrator *BWBH*  
**CC:** Staff  
**Date:** October 19, 2005  
**Re:** September, 2005 Budget Update

*Item 9 A*

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Attached is the Budget update for the end of September, 2005. At this point in the budget cycle, the City should be at 75% of revenue and expenditure. The City is behind this target in both revenue and expenditure.

The revenue, although it is only at 62% of the year, is actually running ahead of projections. The city will not receive the second half tax settlement until October/November. This second half settlement will carry the city through the first six months of 2006.

Expenditures are at 58% of the anticipated amount for 2005. Continuing on this current path will result in a larger than anticipated fund balance. The only glaring overage in the budget at this time is legal fees. At this point, the City is running at 144% of budget. This is due to the current litigation involving the Community Park.

**2005 LAUDERDALE BUDGET  
SUMMARY OF ALL FUNDS 101 - 601**

As of September 30, 2005		2005	2005	2005	2005	2005	YTD
		Adopted	Actual	Balance	Over/(under)	Percent Over/(under)	Target
<b>Total Revenues</b>							
101 General Fund	\$	865,462	\$ 463,855	401,607	(401,607)	53.6%	75.0%
201 Community Events Fund	\$	2,150	\$ 2,392	(242)	242	111.3%	75.0%
202 Cable T.V. Fund	\$	13,100	\$ 13,814	(714)	714	105.4%	75.0%
203 Recycling Fund	\$	38,630	\$ 22,674	15,956	(15,956)	58.7%	75.0%
301 TIF Debt Service Fund	\$	-	\$ 78,478	(78,478)	78,478	#DIV/0!	75.0%
302 2000 Imp Debt Fund	\$	90,000	\$ 30,038	59,962	(59,962)	33.4%	75.0%
303 2002 Imp Debt Fund	\$	127,900	\$ 22,500	105,400	(105,400)	17.6%	75.0%
304 2003 Imp Debt Fund	\$	100,000	\$ 53,653	46,348	(46,348)	53.7%	75.0%
401 Street Improvement Fund	\$	6,000	\$ 32,251	(26,251)	26,251	537.5%	75.0%
402 General Capital Impr. Fund	\$	11,000	\$ 2,995	8,005	(8,005)	27.2%	75.0%
403 Storm Water Impr. Fund	\$	48,000	\$ 36,670	11,330	(11,330)	76.4%	75.0%
404 Park Improvement Fund	\$	1,200	\$ 1,755	(555)	555	146.2%	75.0%
407 Sewer Improvement Fund	\$	700	\$ 1,227	(527)	527	175.2%	75.0%
409 Water Utility Fund	\$	7,700	\$ 5,824	1,876	(1,876)	75.6%	75.0%
412 2002 Street/Utility Impr. Fund	\$	-	\$ 3,340	(3,340)	3,340	#DIV/0!	75.0%
413 2003 Street/Utility Impr. Fund	\$	-	\$ 450	(450)	450	#DIV/0!	75.0%
601 Sewer Utility Fund	\$	226,000	\$ 174,636	51,364	(51,364)	77.3%	75.0%
801 Investment Trust Fund	\$	-	\$ 0	(0)	0	#DIV/0!	75.0%
<i>Total Revenues</i>		<b>1,537,842</b>	<b>946,550</b>	<b>591,292</b>	<b>(591,292)</b>	<b>61.6%</b>	<b>75.0%</b>

**Total Expenditures**

		2005	2005	2005	2005	2005	YTD
		Adopted	Actual	Balance	Over/(under)	Percent Over/(under)	Target
101 General Fund		861,117	526,047	335,070	(335,070)	61.1%	75.0%
201 Community Events Fund		2,150	2,004	146	(146)	93.2%	75.0%
202 Cable T.V. Fund		15,923	11,401	4,522	(4,522)	71.6%	75.0%
203 Recycling Fund		39,779	25,257	14,522	(14,522)	63.5%	75.0%
301 TIF Debt Service Fund		54,598	-	54,598	(54,598)	0.0%	75.0%
302 2000 Impr. Debt Fund		121,045	121,453	(408)	408	100.3%	75.0%
303 2002 Impr. Debt Fund		161,915	161,555	360	(360)	99.8%	75.0%
304 2003 Impr. Debt Fund		27,890	28,599	(709)	709	102.5%	75.0%
401 Street Improvement Fund		20,000	-	20,000	(20,000)	0.0%	75.0%
402 General Capital Impr. Fund		28,000	2,185	25,815	(25,815)	7.8%	75.0%
403 Storm Water Impr. Fund		41,633	25,059	16,574	(16,574)	60.2%	75.0%
404 Park Improvement Fund		10,000	-	10,000	(10,000)	0.0%	75.0%
405 TIF Project Fund		7,205	4,610	2,595	(2,595)	64.0%	75.0%
412 2002 Street/Utility Impr. Fund		203,000	1,830	201,170	(201,170)	0.9%	75.0%
413 2003 Street/Utility Impr. Fund		37,749	886	36,863	(36,863)	2.3%	75.0%
601 Sewer Utility Fund		201,037	143,701	57,336	(57,336)	71.5%	75.0%
<i>Total Expenditures</i>		<b>1,833,041</b>	<b>1,054,589</b>	<b>778,452</b>	<b>(778,452)</b>	<b>57.5%</b>	<b>75.0%</b>

As of September 30, 2005	2005	2005	2005	2005	2005	YTD
GENERAL FUND SUMMARY	Adopted	Actual	Balance	Over/(under)	Percent	YTD
						Target
<b>GENERAL FUND REVENUE</b>						
*Property Tax	487,260	248,599	238,661	(238,661)	51%	75.0%
Intergovernmental Revenue	311,112	148,955	162,157	(162,157)	48%	75.0%
Licenses & Permits	7,280	17,278	(9,998)	9,998	237%	75.0%
Public Safety	32,100	27,209	4,891	(4,891)	85%	75.0%
Other	27,710	21,815	5,895	(5,895)	79%	75.0%
<b>TOTAL G.F. REVENUES</b>	<b>865,462</b>	<b>463,856</b>	<b>401,606</b>	<b>(401,606)</b>	<b>54%</b>	<b>75.0%</b>
* Includes Fiscal Disparities						
<b>GENERAL FUND EXPENDITURES</b>						
Legislative	23,060	18,434	4,626	(4,626)	80%	75.0%
Administrative	70,252	53,520	16,732	(16,732)	76%	75.0%
Finance	56,765	44,459	12,306	(12,306)	78%	75.0%
Legal - General	10,500	15,154	(4,654)	4,654	144%	75.0%
Elections	14,779	8,497	6,282	(6,282)	57%	75.0%
Communications	27,847	18,307	9,540	(9,540)	66%	75.0%
Police	252,219	206,016	46,203	(46,203)	82%	75.0%
Fire	42,500	30,404	12,096	(12,096)	72%	75.0%
Legal - Prosecution	11,700	8,552	3,148	(3,148)	73%	75.0%
Buildings & Grounds	25,741	16,072	9,669	(9,669)	62%	75.0%
Streets	33,982	25,816	8,166	(8,166)	76%	75.0%
Engineering	5,400	1,036	4,364	(4,364)	19%	75.0%
Planning/Zoning/Insp.	36,237	23,109	13,128	(13,128)	64%	75.0%
Trees	3,650	2,870	780	(780)	79%	75.0%
Park Administration	12,238	7,114	5,124	(5,124)	58%	75.0%
Park Maintenance	40,877	30,446	10,431	(10,431)	74%	75.0%
Contingency	10,000	-	10,000	(10,000)	0%	75.0%
Transfers	140,000	-	140,000	(140,000)	0%	75.0%
Other - Livable comm. Larp. Ave	40,000	16,150	23,850	(23,850)	40%	75.0%
Corrections to match audit	-	-	-	-	#DIV/0!	75.0%
<b>TOTAL G. F. EXPENDITURES</b>	<b>857,747</b>	<b>525,956</b>	<b>331,791</b>	<b>(331,791)</b>	<b>61%</b>	<b>75.0%</b>
<b>G.F. SURPLUS/(DEFICIT)</b>	<b>7,715</b>	<b>(62,100)</b>	<b>69,815</b>	<b>(69,815)</b>	<b>-805%</b>	<b>75.0%</b>
<hr/>						
Beginning Fund Balance	334,689					
Surplus/(Deficit)	7,715	(62,100)		(69,815)	-805%	75.0%
Transfers In	-	-		-	0%	
Transfers Out	345,612					
Ending Fund Balance	(3,208)	(62,100)		(69,815)	-805%	75.0%

**CITY OF LAUDERDALE**  
**\*Expenditure Guideline Summary©**

Current Period: SEPTEMBER 2005

Descr	YTD Budget	YTD Amount	MTD Amount	Enc Current	Balance	% of Budget
<b>FUND 101 GENERAL</b>						
DEPT 41100 LEGISLATIVE	\$23,060.00	\$18,434.03	\$5,987.10	\$0.00	\$4,625.97	79.94%
DEPT 41200 ADMINISTRATIVE	\$71,480.00	\$53,519.90	\$7,631.68	\$0.00	\$17,960.10	74.87%
DEPT 41300 FINANCE	\$58,267.00	\$44,549.54	\$4,120.63	\$0.00	\$13,717.46	76.46%
DEPT 41400 LEGAL GENERAL	\$10,500.00	\$15,154.08	\$0.00	\$0.00	-\$4,654.08	144.32%
DEPT 41500 ELECTIONS	\$14,283.00	\$8,496.72	\$768.90	\$0.00	\$5,786.28	59.49%
DEPT 41600 COMMUNICATIONS	\$27,801.00	\$18,306.63	\$1,521.73	\$0.00	\$9,494.37	65.85%
DEPT 42100 POLICE	\$252,219.00	\$206,015.82	\$41,203.18	\$0.00	\$46,203.18	81.68%
DEPT 42200 FIRE PROTECTION	\$42,500.00	\$30,404.01	\$1,664.50	\$0.00	\$12,095.99	71.54%
DEPT 42300 PROSECUTION	\$11,700.00	\$8,552.95	\$1,083.20	\$0.00	\$3,147.05	73.10%
DEPT 43100 BUILDING & GROUNDS	\$25,556.00	\$16,071.71	\$1,386.68	\$0.00	\$9,484.29	62.89%
DEPT 43200 STREETS	\$34,216.00	\$25,816.89	\$1,395.44	\$0.00	\$8,399.11	75.45%
DEPT 43300 ENGINEERING	\$5,400.00	\$1,036.00	\$219.00	\$0.00	\$4,364.00	19.19%
DEPT 43400 PLANNING, ZONING & INSPECTIONS	\$36,814.00	\$23,108.71	\$2,213.09	\$0.00	\$13,705.29	62.77%
DEPT 43500 TREES	\$3,650.00	\$2,870.38	\$1,459.05	\$0.00	\$779.62	78.64%
DEPT 45100 PARK ADMINISTRATION	\$12,221.00	\$7,113.95	\$484.12	\$0.00	\$5,107.05	58.21%
DEPT 45200 PARK MAINTENANCE	\$41,450.00	\$30,446.08	\$2,451.17	\$0.00	\$11,003.92	73.45%
DEPT 45300 CONTINGENCY	\$10,000.00	\$0.00	\$0.00	\$0.00	\$10,000.00	0.00%
DEPT 45400 TRANSFERS OUT	\$140,000.00	\$0.00	\$0.00	\$0.00	\$140,000.00	0.00%
DEPT 48411 LIV COM LTRI	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 48412 LIV COM LARPENTEUR AVE REDEVEL	\$40,000.00	\$16,150.00	\$3,890.00	\$0.00	\$23,850.00	40.38%
<b>FUND 101 GENERAL</b>	<b>\$861,117.00</b>	<b>\$526,047.40</b>	<b>\$77,479.47</b>	<b>\$0.00</b>	<b>\$335,069.60</b>	<b>61.09%</b>
<b>FUND 201 COMMUNITY EVENTS</b>						
DEPT 45600 COMMUNITY EVENTS	\$2,150.00	\$2,004.05	\$192.05	\$0.00	\$145.95	93.21%
<b>FUND 201 COMMUNITY EVENTS</b>	<b>\$2,150.00</b>	<b>\$2,004.05</b>	<b>\$192.05</b>	<b>\$0.00</b>	<b>\$145.95</b>	<b>93.21%</b>
<b>FUND 202 COMMUNICATIONS</b>						
DEPT 49500 CABLE T.V.	\$15,923.00	\$11,400.57	\$400.32	\$0.00	\$4,522.43	71.60%
<b>FUND 202 COMMUNICATIONS</b>	<b>\$15,923.00</b>	<b>\$11,400.57</b>	<b>\$400.32</b>	<b>\$0.00</b>	<b>\$4,522.43</b>	<b>71.60%</b>
<b>FUND 203 RECYCLING</b>						
DEPT 50000 RECYCLING	\$39,779.00	\$25,256.86	\$2,112.50	\$0.00	\$14,522.14	63.49%
<b>FUND 203 RECYCLING</b>	<b>\$39,779.00</b>	<b>\$25,256.86</b>	<b>\$2,112.50</b>	<b>\$0.00</b>	<b>\$14,522.14</b>	<b>63.49%</b>
<b>FUND 301 TAX INCREMENT DEBT SERVICE</b>						



**CITY OF LAUDERDALE**  
**\*Expenditure Guideline Summary©**

Current Period: SEPTEMBER 2005

Descr	YTD Budget	YTD Amount	MTD Amount	Enc Current	Balance	% of Budget
FUND 408 33RD AVE PROJECT						
DEPT 48408 CDBG NBRHD UTIL IMPROVE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 408 33RD AVE PROJECT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 409 WATER UTILITY						
DEPT 48409 WATER IMPROVEMENTS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 409 WATER UTILITY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 410 '00 ST/UTIL CONSTRUCTION						
DEPT 48410 STREET & UTILITY CONSTRUCTION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 410 '00 ST/UTIL CONSTRUCTION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 411 '01 ST/UTIL CONSTRUCTION						
DEPT 48410 STREET & UTILITY CONSTRUCTION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 48411 LIV COM LTRI	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 411 '01 ST/UTIL CONSTRUCTION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 412 '02 ST/UTIL CONSTRUCTION						
DEPT 48410 STREET & UTILITY CONSTRUCTION	\$203,000.00	\$1,830.30	\$1,188.00	\$0.00	\$201,169.70	0.90%
FUND 412 '02 ST/UTIL CONSTRUCTION	\$203,000.00	\$1,830.30	\$1,188.00	\$0.00	\$201,169.70	0.90%
FUND 413 '03 ST/UTIL CONSTRUCTION						
DEPT 48410 STREET & UTILITY CONSTRUCTION	\$37,749.00	\$886.43	\$81.00	\$0.00	\$36,862.57	2.35%
FUND 413 '03 ST/UTIL CONSTRUCTION	\$37,749.00	\$886.43	\$81.00	\$0.00	\$36,862.57	2.35%
FUND 601 SEWER UTILITIES						
DEPT 49000 SEWER	\$201,037.00	\$143,700.83	\$14,842.31	\$0.00	\$57,336.17	71.48%
FUND 601 SEWER UTILITIES	\$201,037.00	\$143,700.83	\$14,842.31	\$0.00	\$57,336.17	71.48%
FUND 999 GASB34						
DEPT 41000 GENERAL GOVERNMENT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 43000 PUBLIC WORKS	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 45000 PARK & RECREATION	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
DEPT 47000 DEBT SERVICE	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
FUND 999 GASB34	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
<b>Report Total</b>	<b>\$1,833,041.00</b>	<b>\$1,054,588.95</b>	<b>\$101,000.71</b>	<b>\$0.00</b>	<b>\$778,452.05</b>	<b>57.53%</b>



**LAUDERDALE COUNCIL  
ACTION FORM**

**ACTION REQUESTED**

Consent \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Discussion \_\_\_\_\_  
Action  \_\_\_\_\_  
Resolution \_\_\_\_\_  
Work session \_\_\_\_\_

Meeting Date Tuesday, October 25, 2005

ITEM NUMBER 11-A - FIRE ORDINANCE

STAFF INITIAL BWSH

APPROVED BY ADMINISTRATOR



**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:** the council passed an amended open burning ordinance in August 2005. Since the amendments were completed, we were informed our ordinance may not be in compliance with the International fire code with respect to distance from combustible materials.

**OPTIONS:** Amend the existing ordinance to reflect the requirements of the International Fire Code.

**STAFF RECOMMENDATION:** adopt a motion to adopt Title 5, Chapter 7 Open Burning as amended.

**COUNCIL ACTION:**

## CHAPTER 7

OPEN BURNING<sup>1</sup>

## SECTION:

- 5-7-1: Purpose
- 5-7-2: Definitions
- 5-7-3: Prohibited Acts
- 5-7-4: Conditions
- 5-7-5: Penalty

## 5-7-1: PURPOSE:

The purpose of this ordinance is to provide regulation to the burning of a camp or recreational fire so that such activity does not pose a nuisance or safety concern to the homeowner or neighbors and is in compliance with the International Fire Code as may be amended from time to time.

## 5-7-2 DEFINITIONS:

Approved Material: approved material means dried trees, twigs, branches, presto-logs, duraflam logs, charcoal, cord wood and untreated dimensional lumber, including clean pallets.

Prohibited Material: prohibited material includes, but is not limited to the following items: treated wood, garbage, waste products, vegetable matter, plastic, construction material, leaves, grass clippings, particle board, chip board, treated or stained cardboard or paper, and green timber.

Recreational or Campfire: as used herein, the term 'Recreational' or 'Campfire' means a small fire that is no more than three (3') feet in diameter and does not exceed three (~~3~~<sup>2</sup>) feet in height contained in an area of non-combustible, non-smoke and non-odor producing materials such as natural rock, cement, brick, tile, or block resting on the ground at least 6" deep or on a raised bed at least 6" high. Commercial purchased fire pits shall satisfy the contained area requirement of this Ordinance. The contained area shall not be located closer than ~~10~~<sup>25</sup> feet to any structure or combustible material.

## 5-7-3: PROHIBITED ACTS:

A. No person shall permit or have an outdoor fire that does not meet the requirements of this ordinance. Other than recreational or campfires, no other open fires or outdoor burning shall be permitted. Only one recreational or campfire shall be burning in one location on a property at one time.

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1. M.S.A. § 412.221, subd. 6.

B. No person shall negligently or carelessly permit a recreational or campfire on premises owned, occupied or controlled by him to get out of control so as to require assistance of fire fighting equipment in the extinguishing of such fire. (Ord. 46, 5-1-1969)

C. Apartment Balconies: It is unlawful for any person to set, kindle, maintain, or permit any fire or open flame on any balcony of a multiple dwelling or apartment building in any barbecue or similar heating, cooking, burning or lighting equipment or device, regardless of the source of energy for said equipment or device, except in buildings of all masonry construction where the equipment or device is permanently affixed to the balcony and has a permanently affixed hood. (Ord. 70, 6-17-1980; 1996 Code)

#### 5-7-4 Conditions

A) A recreational or campfires ~~are~~is not permitted between the hours of 12:00 a.m. and 7:00 a.m.

B) A recreational or campfire shall not burn when the Minnesota Pollution Control Agency (MPCA) issues an air quality warning.

C) The recreational or campfire must have extinguishing equipment such as a garden hose, fire extinguisher, sand, etc., within 10' of the fire.

D) The fire must be tended to at all times by an unimpaired responsible adult 18 years of age or older.

#### 5-7-5: PENALTY:

Any person violating any provision of this Chapter shall, upon conviction therefore, be subject to penalty as provided in Section 1-4-1 of this Code. (Ord. 46, 5-1-1969; 1996 Code)

#### 5-7-6: Effective Date:

This Ordinance shall be effective upon publication in the city's official newspaper.

Mayor Jeffrey Dains, ATTST: Brian W. Bakken-Heck, City Administrator



**LAUDERDALE COUNCIL  
ACTION FORM**

**ACTION REQUESTED**

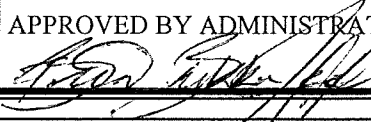
Consent \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Discussion \_\_\_\_\_  
Action  \_\_\_\_\_  
Resolution \_\_\_\_\_  
Work session \_\_\_\_\_

Meeting Date Tuesday, October 25, 2005

ITEM NUMBER 11-3 MEETING DATES

STAFF INITIAL BWRH

APPROVED BY ADMINISTRATOR



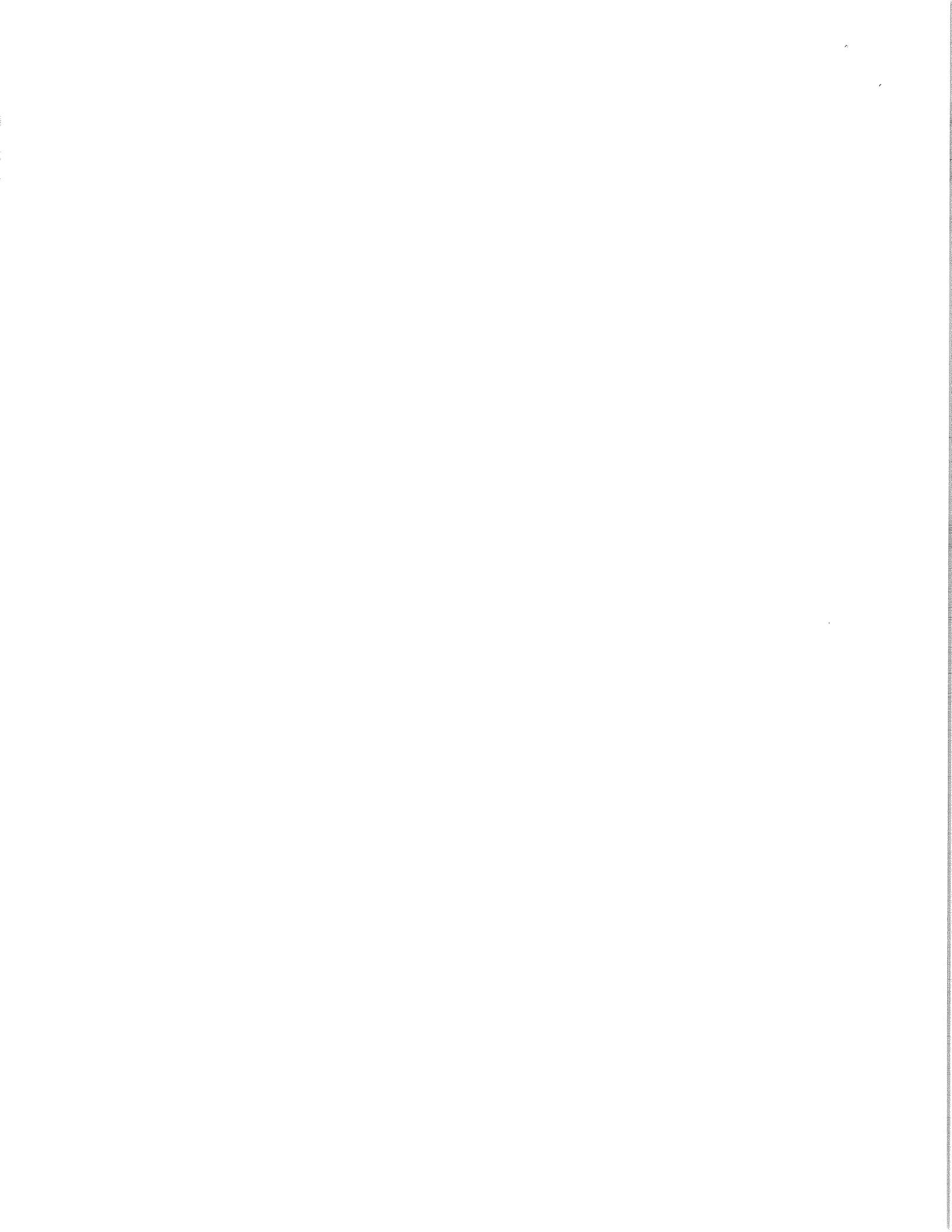
**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:** establish the meeting dates for the month of November. The first Tuesday falls on November 8, election day. Any meeting on this day needs to start after the polls close at 8:00 p.m. The council expressed interest in moving the council meetings to different days due to this conflict.

**OPTIONS:**

- 1) Hold meeting at 8:30 p.m. on Tuesday, November 8.
- 2) Reschedule meetings to the third and fifth Tuesday.

**STAFF RECOMMENDATION:** it is the recommendation of staff to move the meetings to the third and fifth Tuesday of the month.

**COUNCIL ACTION:**



**LAUDERDALE COUNCIL  
ACTION FORM**

**ACTION REQUESTED**

Consent \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Discussion \_\_\_\_\_  
Action \_\_\_\_\_   
Resolution \_\_\_\_\_  
Work session \_\_\_\_\_

Meeting Date Tuesday, October 25, 2005

ITEM NUMBER 11-C EHLERS AGREEMENT

STAFF INITIAL EWB

APPROVED BY ADMINISTRATOR

*[Signature]*

**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:** addendum to the City's contract with Ehlers for the Larpenteur Avenue study. The addendum provides for a different payment schedule due to the grant expiring December 31, 2005. The payment alteration results in a percentage payment each month rather than billing by the hour. Ehlers will still track hours and adjustment will be made based on these hours. The addendum allows for final payment in January, 2006.

**OPTIONS:**

**STAFF RECOMMENDATION:** staff recommends the Council approve the attached contract addendum with Ehlers for the Larpenteur Avenue study project.

**COUNCIL ACTION:**

**Addendum No. 1 to Contract for Services  
Between  
The City of Lauderdale  
And  
Ehlers & Associates, Inc.**

The City of Lauderdale has previously completed a planning process related to potential redevelopment in the Larpenteur Corridor. The City has received an "Implementation" grant from the Metropolitan Council. Subsequently the City Council approved a contract with Ehlers & Associates, Inc. on August 31, 2004, for services related to implementing a redevelopment process for the Larpenteur Corridor.

This Amendment No. 1 to the original contract converts the original agreed upon hourly fee payment plan to the following flat fee payment schedule:

<b>Due Date</b>	<b>Dollar Amount Payable</b>
50% due October 31, 2005 (less amounts paid for services to date)	\$20,982.50
20% due November 30, 2005	8,393.00
20% due December 31, 2005	8,393.00
10% due Upon Completion of Project	4,196.50
<b>Total Amount of Contract</b>	<b>\$41,965.00</b>

The original hourly rates set forth for Ehlers' staff and the total project cost estimated not to exceed \$41,965 as well as all other elements of the contract remain unchanged.

The undersigned hereby agree to the above Amendment No. 1 on \_\_\_\_\_, 2005.

**For the City of Lauderdale:**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Title

**For Ehlers & Associates, Inc.:**

\_\_\_\_\_  
Financial Advisor



**LAUDERDALE COUNCIL  
ACTION FORM**

**ACTION REQUESTED**

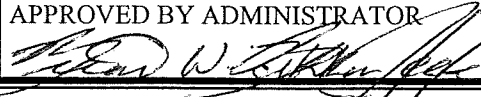
Consent \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Discussion \_\_\_\_\_  
Action \_\_\_\_\_  
Resolution   X    
Work session \_\_\_\_\_

Meeting Date 10-25-05

ITEM NUMBER 11-E SCORE GRANT

STAFF INITIAL SB

APPROVED BY ADMINISTRATOR



**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:**

SCORE funding grants are provided to municipalities in Ramsey County on an annual basis. In 2005, Lauderdale received \$4,525 to help cover expenses related to the City's recycling program such as administration, promotion, equipment, and collection. The amount of the grant available for Lauderdale in 2006 is \$4,378. A resolution is required as part of the grant application.

**OPTIONS:**

**STAFF RECOMMENDATION:**

Adopt Resolution No. 102505A requesting a SCORE grant from Ramsey County for recycling.

**COUNCIL ACTION:**

## 2006 Municipal SCORE Grant Availability

Municipality	2004 pop. (Met Council Estimates)	% of Total	Grant Available
Arden Hills	9,620	1.9%	\$ 18,076
Falcon Heights	5,560	1.1%	\$ 10,447
Gem Lake	442	0.1%	\$ 831
Lauderdale	2,330	0.5%	\$ 4,378
Little Canada	9,890	1.9%	\$ 18,584
Maplewood	35,892	7.0%	\$ 67,442
Mounds View	12,865	2.5%	\$ 24,174
New Brighton	22,333	4.3%	\$ 41,964
North Oaks	4,200	0.8%	\$ 7,892
North Saint Paul	12,273	2.4%	\$ 23,061
Roseville	34,080	6.6%	\$ 64,037
St. Anthony (part)	2,430	0.5%	\$ 4,566
Saint Paul	287,410	55.8%	\$ 540,052
Shoreview	26,381	5.1%	\$ 49,571
Vadnais Heights	13,270	2.6%	\$ 24,935
White Bear Twp	11,800	2.3%	\$ 22,173
White Bear Lake (part)	24,530	4.8%	\$ 46,093
<b>Total</b>	<b>515,306</b>		<b>\$ 968,276</b>

**RESOLUTION NO. 102505A**

**CITY OF LAUDERDALE  
COUNTY OF RAMSEY  
STATE OF MINNESOTA**

**RESOLUTION ACCEPTING 2006 SCORE FUNDING FROM RAMSEY  
COUNTY FOR THE LAUDERDALE RECYCLING PROGRAM**

WHEREAS, SCORE Funding Grants are available to municipalities in Ramsey County for reimbursement of expenses related to administration, promotion, and collection of, recycling materials; and,

WHEREAS, the City of Lauderdale has a comprehensive curbside residential recycling program currently in use; and,

WHEREAS, these funds will provide Lauderdale with a method of paying for some incurred costs related to the administration of this program, thus aiding in keeping the cost to the residents low;

NOW THEREFORE, BE IT RESOLVED that the Lauderdale City Council does hereby authorize staff to submit an application to the St. Paul - Ramsey County Department of Public Health - Environmental Health Section for allocation of 2006 SCORE Funding Grant Monies in the amount of \$4,378.00.

I CERTIFY THAT the above resolution was adopted by the City Council of the City of Lauderdale on this 25th day of October, 2005.

---

Jeffrey Dains, Mayor

(ATTEST)

(SEAL)

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Brian Bakken-Heck, City Administrator



**LAUDERDALE COUNCIL  
ACTION FORM**

**ACTION REQUESTED**

Consent \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Discussion \_\_\_\_\_  
Action \_\_\_\_\_  
Resolution \_\_\_\_\_  
Work session

Meeting Date Tuesday, October 25, 2005

ITEM NUMBER 15-A Rental Ord

STAFF INITIAL BUBH

APPROVED BY ADMINISTRATOR



**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:** attached is a draft ordinance relating to licensing rental property. The Council discussed this issue at the meeting on October 11, 2005 and at other meetings previously. The intent of the ordinance is to provide regulatory control and requirements regarding building standards for all residential rental property in the city. I included the licensing provisions in the existing housing maintenance ordinance.

**OPTIONS:** discussion of ordinance and provide direction to staff.

**STAFF RECOMMENDATION:**

**COUNCIL ACTION:**



## CHAPTER 3

RENTAL HOUSING LICENSING AND MAINTENANCE CODE<sup>1</sup>

## SECTION:

- 9-3--1: Title
- 9-3--2: Purpose
- 9-3--3: Applicability; Scope
- 9-3--4: Definitions
- 9-3--5: Interpretation; Enforcement
- 9-3--6: Enforcement Officer
- 9-3--7: Responsibility Of Owner
- 9-3--8: Responsibility Of Occupant
- 9-3--9: Substandard Building Declared Nuisance
- 9-3-10: Exterior Property Areas
  - 9-3-10-1: Sanitation
  - 9-3-10-2: Grading And Drainage
  - 9-3-10-3: Noxious Weeds; Cutting Grass
  - 9-3-10-4: Insect And Rodent Harborage
  - 9-3-10-5: Accessory Structures
  - 9-3-10-6: Snow And Ice Removal
- 9-3-11: Exterior Of Structures
  - 9-3-11-1: Foundations, Walls And Roofs
  - 9-3-11-2: Stairs, Porches And Railings
  - 9-3-11-3: Windows, Doors And Hatchways
  - 9-3-11-4: Chimneys
- 9-3-12: Interior Of Structures
  - 9-3-12-1: Moisture
  - 9-3-12-2: Structural Members
  - 9-3-12-3: Interior Stairs And Railings
  - 9-3-12-4: Bathroom Floors
  - 9-3-12-5: Sanitation
  - 9-3-12-6: Insect And Rodent Harborage
  - 9-3-12-7: Interior Walls, Floors, Ceilings And Woodwork
- 9-3-13: Basic Facilities
  - 9-3-13-1: Water And Sewer System
  - 9-3-13-2: Water Heating Facilities
  - 9-3-13-3: Heating Facilities
  - 9-3-13-4: Minimum Heating Requirement
- 9-3-14: Installation; Maintenance
  - 9-3-14-1: Plumbing Fixtures
  - 9-3-14-2: Plumbing Systems
  - 9-3-14-3: Heating Equipment
  - 9-3-14-4: Electrical Service, Outlets And Fixtures
  - 9-3-14-5: All Facilities And Equipment
- 9-3-15: Lighting
- 9-3-16: Security
- 9-3-17: Appeal
- 9-3-18: Violation; Penalty !2R!

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1. M.S.A. § 471.62.

## 9-3-1: TITLE:

This Chapter shall be known as the LAUDERDALE RENTAL HOUSING LICENSING AND MAINTENANCE CODE and may be cited as such. (Ord. 85, 9-29-1986)

## 9-3-2: PURPOSE:

The purpose of this Chapter is to provide minimum standards to safeguard life and limb, health, property and the public welfare by regulating and controlling the use, occupancy and maintenance of all multiple-family-residential rental structures within the City. (Ord. 85, 9-29-1986)

## 9-3-3: APPLICABILITY; SCOPE:

Every portion of a building or premises used or intended to be used for multiple-family-residential rental purposes (except rest homes, convalescent homes, licensed group homes, -nursing homes, hotels and motels) shall comply with the provisions of this Chapter, regardless of when such building was constructed, altered or repaired. (Ord. 85, 9-29-1986)

## 9-3-4: DEFINITIONS:

As used in this Chapter, the following words and terms shall have the meanings ascribed to them in this Section:

~~+DEF+~~ BUILDING OFFICIAL: The Building Inspector or a designated agent authorized by the City Council to administer and enforce or other designated authority charged with the administration and enforcement of this Chapter.

COMMON AREAS: Those portions of a multiple-family-residential rental building or premises which are not rented or leased to individual tenants on a regular basis.

DWELLING: a building or portion thereof designed predominantly for residential occupation of a continued nature and includes 1-family (single family) dwellings, 2-family dwelling (duplex), apartment buildings, and rooming units. (amend 10/05)

DWELLING UNIT: A single residential accommodation which is arranged, designed, used or intended for use exclusively as a domicile for one family. Where a private garage is structurally attached, it shall be considered as part of the building in which the dwelling unit is located.



FAMILY: Any of the following definitions shall apply:

A. An individual or any number of persons related by blood, marriage, or adoption, together with domestic servants or temporary gratuitous guests, maintaining a common household in a single dwelling unit;

B. Persons living in a State-licensed residential facility serving six (6) or fewer persons and the authorized person or persons in charge thereof, together with domestic servants or temporary gratuitous guests, all maintaining a common household in a single dwelling unit; or

C. A group of not more than three (3) persons not related by blood, marriage or adoption maintaining a common household in a single dwelling unit.

HABITABLE ROOM: A room or enclosed floor space used or intended to be used for living, sleeping, cooking, or eating purposes, excluding bathrooms, water closet compartments, laundries, furnace rooms, unfinished basements (those without required ventilation, required electric outlets and required exit facilities), pantries, utility rooms of less than fifty (50) square feet of floor space, foyers, communicating corridors, stairways, closets, storage spaces, and workshops, hobby and recreation areas in parts of the structure below ground level or in attics.

HOUSEHOLD: All persons residing within a single dwelling unit whose relationship includes a substantial amount of social interaction, including the sharing of housekeeping responsibilities or expenses or the taking of meals together.

MULTIPLE FAMILY DWELLING OR STRUCTURE: A dwelling or portion thereof containing three (3) or more dwelling units.

NOXIOUS WEEDS: Those plants which are defined as noxious by the Minnesota Department of Agriculture.

OCCUPANT: any person, including the owner or operator, living, sleeping, cooking or eating within a dwelling unit. (amend 10/05)

OWNER: any person, firm or corporation who, alone, jointly or severally with others, shall be in actual possession or, have charge, care of control of any dwelling, dwelling unit or rooming unit within the city as owner, employee or agent of the owner, or as trustee or guardian of the estate or person of the title holder. Also, any person, firm or corporation who has the right to determine who occupies a rental structure or a person,

firm or corporation who shall have the power to rent or let premises to another for purposes of this code. (amend 10/05)

RENTAL DWELLING: any dwelling, dwelling or rooming unit let for rent or lease including an apartment building. (amend 10/05)

ROOMING UNIT: Any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping, but not for cooking and eating purposes. (Ord. 85, 9-29-1986) !DEFEND!

9-3-5: INTERPRETATION; ENFORCEMENT:

The City Council shall interpret and enforce the provisions of this Chapter in accord with the procedures outlined in Section 9-3-17. Appeal of any decision or interpretation of this Chapter made by the Building Official shall be to the City Council in accordance with the provisions of Section 9-3-17 of this Chapter. Copies of all rules and regulations adopted by the City Council regarding housing maintenance shall be delivered to the Building Official and shall be made available for public inspection by the City Administrator. (Ord. 85, 9-29-1986)

9-3-6: ENFORCEMENT OFFICER:

A. Building Official: The Building Official or other designated agent authorized by the City Council is hereby authorized and directed to enforce all provisions of this Chapter, subject to review by the City Council. For such purposes, he or she shall have the powers of a law enforcement officer.

B. Compliance Tags: The Building Official is hereby empowered to issue compliance tags for the repair or razing of buildings which do not comply with the provisions of this Chapter.

C. Right Of Entry:

1. Inspections: Whenever necessary to make an inspection to enforce any of the provisions of this Chapter, or whenever the Building Official has reasonable cause to believe that there exists in any building or upon any premises any condition or code violation which makes such building or premises unsafe, dangerous or hazardous, the Building Official may enter such building or premises at any reasonable time to inspect the same or to perform any duty imposed upon him or her by this Chapter.

2. Occupied Building Or Premises: If such building or premises is occupied, the Building Official shall first present proper credentials and request entry.

3. Unoccupied Building Or Premises: If such building or premises is unoccupied, he or she shall first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry.

4. Refusal To Allow Entry: If such entry is refused, the Building Official shall have recourse to every remedy provided by law to secure entry.

5. Inspection Warrant: When the Building Official shall have first obtained a proper inspection warrant or other remedy provided by law to secure entry, no owner or occupant or any other persons having charge, care or control of any building or premises shall fail, after proper request is made as herein provided, to promptly permit entry by the Building Official for the purpose of inspection and examination pursuant to this Chapter. (Ord. 85, 9-29-1986)

9-3-7: RESPONSIBILITY OF OWNER:

A. Every owner of a dwelling, dwelling unit or rooming unit, shall remain liable for violations of duties imposed upon him or her by this Chapter even though an obligation is also imposed on the occupants of the building, and even though the owner has, by agreement, imposed on the occupant the duty of furnishing required equipment or of complying with this Chapter.

B. Every owner, or agent, in addition to being responsible for maintaining the building in a sound structural condition, shall be responsible for keeping that part of the building or premises which he or she occupies or controls in a clean, sanitary and safe condition, including the shared or public areas in a multiple family dwelling.

C. Access By Owner: Every occupant of a dwelling unit or rooming unit shall give the owner or managing agent access to any part of such dwelling unit, rooming unit, or premises, at reasonable times for the purpose of effecting such inspection and maintenance, making such repairs, or making such alterations as are necessary to comply with the provisions of this Chapter.  
(Ord. 85, 9-29-1986)

D. The owner or authorized agent shall ensure the dwelling, dwelling unit or rooming unit possesses the appropriate license and all fees are paid before the dwelling, dwelling unit or rooming unit is rented or leased. (amend 10/05)

9-3-8: RESPONSIBILITY OF OCCUPANT:

A. Cleanliness: Every occupant of a ~~multiple family rental~~ dwelling shall keep in a clean and sanitary condition that part of the building which he or she occupies, controls or uses.

B. Disposal Of Rubbish: Every occupant of a ~~multiple familyrental~~ -dwelling unit shall dispose of all his or her rubbish in a clean and sanitary manner.

C. Plumbing Fixtures:

1. Furnished Fixtures: Every occupant of a ~~multiple familyrental~~ dwelling shall keep the supplied plumbing fixtures therein clean and sanitary and shall be responsible for the exercise of reasonable care in their proper use and operation.

2. Fixtures Furnished By Occupant: Every plumbing fixture furnished by the occupant shall be properly installed and shall be maintained in good working condition, shall be clean and sanitary, and free from defects, leaks or obstructions.

D. Noise: Every occupant of a ~~multiple familyrental~~ dwelling shall refrain from, and shall prevent his or her guests from making excessive noise which disturbs the peace and quiet of other occupants in the building and other persons residing in the neighborhood. (Ord. 85, 9-29-1986)

9-3-9: SUBSTANDARD BUILDING DECLARED NUISANCE:

All buildings or portions thereof which are not in compliance with the minimum standards of this Chapter (Sections 9-3-10 through 9-3-16) are hereby declared to be substandard and public nuisances, and shall be abated by repair, rehabilitation, demolition or removal in accordance with the procedure specified in Section 9-3-17 of this Chapter. (Ord. 85, 9-29-1986)

9-3-10-1: GENERAL LICENSING PROVISIONS:

- A. License Required: no person shall rent a dwelling unit to another for occupancy unless the owner obtains a license issued by the City for the dwelling unit.
- B. License Application: the owner of a dwelling unit shall submit an application for a rental license on forms and in the format provided by the City of Lauderdale. A person who received a rental license shall give notice, in writing, to the City within five (5) business days of any changes to the information contained in the license application.
- C. License fees: the fee for a rental license shall be determined from time to time by the City Council by resolution and be maintained at the City of Lauderdale City Hall. The required fees shall be submitted along

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with the application for a new or renewal license. Applications for renewal license submitted after the license term expiration are subject to a penalty fee.

- D. License Term. All rental licenses shall expire one calendar year from date the license was issued by the City except as otherwise provided herein or in cases of suspension or revocation.
- E. License Issuance. The City shall issue a rental license for a rental dwelling if the licensed location is in compliance with the provisions of this Chapter, the real estate taxes are paid and current and the municipal utilities are paid and current.
- F. Posting of License. Rental dwellings shall post a copy of the license in a conspicuous place such as a public corridor, hallway or lobby of the building in which the dwelling unit is located. The license shall be framed with a glass covering.
- G. Renewal of License. A licensee may continue to rent a dwelling unit after the expiration date of the rental license provided the Owner or the Agent has filed with the City on or before the expiration date, the appropriate renewal license application and license fee. Allowing the licensee to continue to rent does not obligate the City to renew the license if the licensee application is not complete or there are compliance issues.
- H. Transfer of License. The license of a single family rental dwelling or rooming unit is not transferable. All other licensed rental dwellings may transfer license upon sale and closure of sale of the rental dwelling. The new owner shall provide to the City a transfer of ownership application and related fee. Failure to submit the transfer application and fee shall result in proceedings to terminate the license.
- I. Resident Agent Required. Owners of rental dwellings with more than five (5) individual rental units shall appoint an agent who resides within the rental dwelling to be responsible for the maintenance and up keep of the dwelling and units within and to handle licensing issues with the City. Owners of rental dwelling units of less than five (5) units who do not reside in the seven county metropolitan area shall appoint an agent responsible for the maintenance and up keep of the building and respond to licensing issues. (amend 10/05)

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9-3-10-2: CONDITIONS OF LICENSE: dwelling unit rental licenses shall be issued subject to the following conditions:

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- (A) The rental dwelling unit and grounds meet the minimum requirements contained in this Chapter.
- (B) The rental dwelling and the premises conform to all applicable ordinances of the city, including

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Chapter 5 and any applicable state and federal laws.

(C) The owner or its agent shall keep or cause to be kept, a current register of occupancy for each dwelling unit which shall be available for viewing or copying by officials of the City as requested. Said register shall provide, at a minimum, the following information:

- 1. Address of the rental dwelling
- 2. Number of bedrooms or rental units in the dwelling
- 3. Number of adults and children (under 18) currently occupying the dwelling unit.

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9-3-10-3: CONDUCT ON LICENSED PREMISES

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1. It shall be the responsibility of the licensee or its authorized agent to take appropriate action following conduct by occupant(s) or guests of the occupant(s), which is in violation of any of the following statutes or ordinances. Violation of the below may result in the City of Lauderdale initiating licensing action.

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- A. MN Stat. §609.75 through §609.76 as may be amended from time to time, relating to gambling;
- B. MN Stat. §609.321 through §609.324 as may be amended from time to time, which prohibit prostitution and acts related thereto;
- C. MN Stat. §152.01 through §152.027 and §152.027, subdivisions 1 and 2 as may be amended from time to time, which prohibit unlawful sale or possession of controlled substances;
- D. MN Stat. §340A.401 as may be amended from time to time, which regulates the unlawful sale of alcoholic beverages;
- E. MN Stat. §609.33 as may be amended from time to time which prohibits owning, leasing, operating, managing, maintaining or conducting a disorderly house, or inviting or attempting to invite others to visit or remain in a disorderly house;
- F. MN Stat. §97B.021, §97B.045, §609.66 through §609.67 and §624.712 through §624.716 as may be amended from time to time which prohibit the unlawful possession, transportation, sale or use of a weapon;
- G. MN Stat. §609.72 as may be amended from time to time which prohibits disorderly conduct;

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- H. City of Lauderdale City Code, Chapter 5-7 relating to recreational fires;
- I. City of Lauderdale City Code Chapter 5-8 relating to clandestine drug labs; and
- J. City of Lauderdale City Code Chapter 4-1.
- K. The licensed rental dwelling receives 'X' or more police calls for service in a six month period.

2. The City of Lauderdale's contracted law enforcement agency is charged with authority and responsibility for the enforcement of this section. ← Formatted: Bullets and Numbering
3. Upon determination by law enforcement officials that a licensed premises or dwelling is in violation of section 1 above, the law enforcement department shall notify the City of Lauderdale and the City shall cause to be sent to the licensee or authorized agent notification of the violation and direct the licensee or authorized agent to take steps to prevent further violations. A copy of said notice shall be sent to the occupant in violation of Section 1. ← Formatted: Bullets and Numbering
4. Upon a second violation within twelve (12) months of section 1 involving an occupant(s) or guest(s) of the occupant(s) of a dwelling unit, the notice provided under Section 3 of this Chapter shall require the licensee or authorized agent to submit to the city a written report of the action taken to prevent further violations on the premises. The written report shall be submitted to the city within five (5) business days of the request and shall detail all actions taken by the licensee in response to all notices regarding violations to section 1 within the preceding twelve (12) months. If the licensee fails to comply with the requirements of this section, the rental dwelling license for the dwelling may be denied, suspended, revoked or not renewed. An action to deny, revoke, suspend or not renew a license under this section shall be initiated by the City Council at the request of the City Administrator in the manner described in Section 9-3-18. ← Formatted: Bullets and Numbering
5. If a third or subsequent violation of section 1 involving a guest or an occupant of a dwelling unit occurs within twelve (12) months after any two (2) previous instances for which notices pursuant to this section were sent to the licensee regarding the same dwelling unit, the rental dwelling license may be denied, revoked, suspended or not renewed. An ← Formatted: Bullets and Numbering

action to deny, revoke, suspend or not renew a license under this section shall be initiated by the City Council at the request of the City Administrator in the manner described in Section 9-11-8.

6. No adverse license action shall be imposed if the violations to section 1 occurred during the pendency of eviction proceedings or within thirty (30) days of notice given by the licensee to an occupant to vacate the premises, where the violation was related to conduct by that occupant, other occupants, or the occupant's guests. Eviction proceedings shall not be a bar to adverse license action, however, unless they are diligently pursued by the licensee. Further, an action to deny, revoke, suspend or not renew a license based upon violations of this section may be postponed or discontinued at any time if it appears that the licensee has taken appropriate measures which will prevent further violations to section 1.

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9-3-10-4: MINIMUM RENTAL DWELLING STANDARDS: every dwelling to be used or considered for rental in the City of Lauderdale must, prior to issuance of any license, comply with the requirements outlined in 9-3-11 through 9-3-17.

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9-3-~~10~~11: EXTERIOR PROPERTY AREAS:

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9-3-~~10~~11-1: SANITATION:

All exterior property areas shall be maintained in a clean and sanitary condition free from any accumulation of rubbish or garbage. (Ord. 85, 9-29-1986)

9-3-~~10~~11-2: GRADING AND DRAINAGE:

All premises shall be graded and maintained to prevent the accumulation of stagnant water on the premises or within any building or structure located thereon. (Ord. 85, 9-29-1986)

9-3-~~10~~11-3: NOXIOUS WEEDS; CUTTING GRASS:

All exterior property areas shall be kept free from weeds or plants which are noxious or detrimental to the public health. All exterior property areas which are planted with grass shall be mowed regularly to prevent excessive growth. Grass which is allowed to grow above the height of eight inches (8") may be cut



by the City and the cost thereof assessed against the owner of the property. (Ord. 85, 9-29-1986)

| 9-3-~~1011~~-4: INSECT AND RODENT HARBORAGE:

Every owner of a multiple family structure shall be responsible for the extermination of insects, rodents, vermin, or other pests in all exterior and common areas of the premises. (Ord. 85, 9-29-1986)

| 9-3-~~1011~~-5: ACCESSORY STRUCTURES:

All accessory structures including detached garages shall be structurally sound and maintained in good repair and appearance. The exterior of such structures shall be made weather resistant by the use of decay-resistant materials or by the application of paint or other preservatives. (Ord. 85, 9-29-1986)

| 9-3-~~1011~~-6: SNOW AND ICE REMOVAL:

The owner of a multiple family dwelling shall be responsible for the removal of snow and ice from parking lots, driveways, steps and walkways on the premises.

A. Two Inch Snowfalls: Individual snowfalls of two inches (2") or more, or successive snowfalls accumulating to a depth of two inches (2"), shall be removed from parking lots and driveways within twenty four (24) hours after cessation of the snowfall.

B. One Inch Snowfalls: Individual snowfalls of one inch (1") or more, or successive snowfalls accumulating to a depth of one inch (1"), shall be removed from steps and walkways within sixteen (16) hours after cessation of the snowfall. (Ord. 85, 9-29-1986)

| 9-3-~~1112~~: EXTERIOR OF STRUCTURES:

| 9-3-~~1112~~-1: FOUNDATIONS, WALLS AND ROOFS:

Every foundation, exterior wall, roof, and all other exterior surfaces shall be maintained in good repair and appearance, including the following:

A. Foundation Elements: The foundation elements shall adequately support the building at all points;

B. Exterior Wall: Every exterior wall shall be free of holes, breaks, loose or rotting boards or timbers, falling or loose

stucco or brick, and any other condition which might admit rodents, rain or dampness to the interior portions of the walls;

C. Roof: The roof shall be tight and have no defects which admit rain, and roof drainage shall be adequate to prevent rain water from causing dampness in the walls;

D. Wood Surfaces: All exterior wood surfaces, other than decay resistant woods, shall be protected from the elements and decay by paint or other protective covering or treatment. If twenty five percent (25%) or more of the exterior surface is unpainted or determined by the Building Official to be paint blistered, the surface shall be painted; and

E. Brick, Block Or Stone: If twenty five percent (25%) or more of the exterior surface of the pointing of any brick, block or stone wall is loose or has fallen out, the surface shall be repaired. (Ord. 85, 9-29-1986)

| 9-3-~~1112~~-2: STAIRS, PORCHES AND RAILINGS:

Every outside stair, porch and appurtenance attached thereto shall be constructed to be safe to use and capable of supporting the load determined in the Building Code, and shall be kept in sound condition and good repair, including the following:

A. Stairs: Every flight of stairs which is more than four (4) risers high shall have handrails which are to be so located as determined by the Building Code;

B. Porch: Every porch which is more than eighteen inches (18") above grade shall have rails capable of restraining the horizontal pressure determined by the provisions of the Building Code; and

C. Rails And Balustrades: Every rail and balustrade shall be firmly fastened and shall be maintained in good condition. (Ord. 85, 9-29-1986)

| 9-3-~~1112~~-3: WINDOWS, DOORS AND HATCHWAYS:

Every window, exterior door, and basement hatchway shall fit tightly and shall be kept in sound condition and repair, including the following:

A. Windows:

1. Panes; Screens: Every window shall be fully supplied with window panes which are without open cracks or holes and windows which can be opened shall be supplied with tight fitting screens;

2. Sash: Every window sash shall be in good condition and fit tightly within its frame;

3. Easily Opened: Every window, other than a fixed window, shall be capable of being easily opened and held in an open or closed position by window hardware;

B. Exterior Doors:

1. Condition: Every exterior door, door hinge, and door latch shall be in good condition;

2. Fit: Every exterior door, when closed, shall fit tightly within its frame;

C. Rodents, Rain And Wind: Every window, door, and frame shall be constructed and maintained to exclude rodents, rain, and substantially to exclude wind from entering the dwelling;

D. Basement Hatchway: Every basement hatchway shall be constructed and maintained to prevent the entrance of rodents, rain, and surface drainage water into the dwelling or structure; and

E. Exit Doors: Every door available as an exit shall be capable of being opened easily and without the use of a key from the inside. (Ord. 85, 9-29-1986)

| 9-3-~~11~~12-4: CHIMNEYS:

Every chimney and flue shall be maintained to function in a safe and efficient manner. (Ord. 85, 9-29-1986)

| 9-3-~~12~~13: INTERIOR OF STRUCTURES:

| 9-3-~~12~~13-1: MOISTURE:

All cellars, basements and crawl spaces shall be maintained reasonably free from dampness. (Ord. 85, 9-29-1986)

| 9-3-~~12~~13-2: STRUCTURAL MEMBERS:

The supporting members of every building shall be structurally sound and shall be capable of bearing imposed loads in accordance with the provisions of the Building Code. (Ord. 85, 9-29-1986)

| 9-3-~~12~~13-3: INTERIOR STAIRS AND RAILINGS:

All interior stairs shall be maintained in sound condition and good repair, including the following:

A. Treads And Risers: All treads and risers that evidence excessive wear or which are broken, warped or loose shall be replaced promptly. Every inside stair shall be constructed and maintained to be safe to use and capable of supporting the load determined by the provisions of the Building Code;

B. Stairwells: Every stairwell and every flight of stairs, which is more than four (4) risers high, shall have handrails or railings located in accordance with the provisions of the Building Code; and

C. Handrails: Every handrail or railing shall be firmly fastened and maintained in good condition. Properly balustraded railings capable of bearing normally imposed loads as determined by the Building Code shall be placed in the open portions of the stairs, balconies, landings, and stairwells. (Ord. 85, 9-29-1986)

| 9-3-~~12~~13-4: BATHROOM FLOORS:

Every toilet room floor surface and bathroom floor surface shall be constructed and maintained to be substantially impervious to water and to permit such floor to be easily kept in a clean and sanitary condition. (Ord. 85, 9-29-1986)

| 9-3-~~12~~13-5: SANITATION:

The interior of each dwelling unit and the common areas within each multiple family dwelling shall be maintained in a clean and sanitary condition, free from accumulation of rubbish or garbage. (Ord. 85, 9-29-1986)

| 9-3-~~12~~13-6: INSECT AND RODENT HARBORAGE:

A. Responsibility Of Owner: Every owner of a multiple family structure shall be responsible for the extermination of insects, rodents, vermin, or other pests wherever infestation exists in more than one dwelling unit, or in the shared or public parts of the structure;

B. Responsibility Of Occupant: The occupant of each unit within a multiple family dwelling shall be responsible for extermination within the unit whenever his or her dwelling unit is the only one infested; and

C. Failure To Maintain; Owner Responsibility: Notwithstanding the foregoing provisions of this Section, whenever infestation of pests is caused or permitted by failure of the owner to maintain any multiple family structure in a pestproof condition, extermination of such pests shall be the responsibility of the owner. (Ord. 85, 9-29-1986)

| 9-3-~~12~~13-7: INTERIOR WALLS, FLOORS, CEILINGS AND WOODWORK:

All interior walls, floors, ceilings and associated woodwork or trim must be maintained in sound condition and good repair. (Ord. 85, 9-29-1986)

| 9-3-~~13~~14: BASIC FACILITIES:

| 9-3-~~13~~14-1: WATER AND SEWER SYSTEM:

Every kitchen sink, lavatory basin, bathtub, or shower and water closet required under the provisions of this Chapter or any other code shall be properly connected to either a public water and sewer system or to an approved private water and public sewer system and shall be supplied with hot and cold running water, except that water closets need have only cold running water. (Ord. 85, 9-29-1986; 1996 Code)

| 9-3-~~13~~14-2: WATER HEATING FACILITIES:

Every dwelling unit shall have supplied water heating facilities which are installed in an approved manner, properly maintained, and properly connected with hot water lines and which are capable of heating and delivering water to such a temperature to permit an adequate amount of water to be drawn at every required kitchen sink, lavatory basin, bathtub, shower, and laundry facilities or other similar units at a temperature of not less than one hundred fifteen degrees Fahrenheit (115°F) at any time needed. (Ord. 85, 9-29-1986; 1996 Code)

| 9-3-~~13~~14-3: HEATING FACILITIES:

Every multiple family dwelling shall have heating facilities which are properly installed, safely maintained in good working condition, and which are capable of safely and adequately heating all habitable rooms, bathrooms and toilet rooms located therein to a temperature of at least seventy degrees Fahrenheit (70°F) at three feet (3') above the floor with an outside temperature of minus twenty degrees Fahrenheit (-20°F). (Ord. 85, 9-29-1986)

| 9-3-~~1314~~-4: MINIMUM HEATING REQUIREMENT:

In every dwelling unit where the control of the supplied heat is the responsibility of a person other than the occupant, a temperature of at least sixty eight degrees Fahrenheit (68°F) shall be maintained at a distance of three feet (3') above the floor and three feet (3') from exterior walls in all habitable rooms from September 1 through June 15. (Ord. 85, 9-29-1986)

| 9-3-~~1415~~: INSTALLATION; MAINTENANCE:

| 9-3-~~1415~~-1: PLUMBING FIXTURES:

Every water line, plumbing fixture and drain shall be properly installed, connected and maintained in working order, be capable of performing the function for which it was designed and be kept free from obstructions, leaks and defects. (Ord. 85, 9-29-1986)

| 9-3-~~1415~~-2: PLUMBING SYSTEMS:

Every stack, waste and sewer line shall be installed and maintained to function properly and kept free from obstructions, leaks and defects to prevent structural deterioration or a health hazard. (Ord. 85, 9-29-1986)

| 9-3-~~1415~~-3: HEATING EQUIPMENT:

Every space heating, cooking and water heating device located in a dwelling or multiple family dwelling shall be properly installed, connected, maintained and capable of performing the function for which it was designed. (Ord. 85, 9-29-1986)

| 9-3-~~1415~~-4: ELECTRICAL SERVICE, OUTLETS AND FIXTURES:

A. Electrical Service: All multiple family structures and dwelling units shall be supplied with electrical service that is adequate to safely meet the electrical needs of the structure and dwelling units in accordance with the provisions of the National Electric Code as revised by ordinance.

B. Electrical Outlets And Fixtures: Every electrical outlet and fixture shall be installed, maintained and connected to the source of electrical power in accordance with the provisions of the National Electric Code as revised by ordinance. (Ord. 85, 9-29-1986)

| 9-3-~~14~~15-5: ALL FACILITIES AND EQUIPMENT:

All required equipment and all building space and parts in every multiple family structure shall be constructed and maintained to properly and safely perform their intended function. All housing facilities shall be maintained in a clean and sanitary condition so as not to breed insects and rodents or produce dangerous or offensive gases or odors. (Ord. 85, 9-29-1986)

| 9-3-~~15~~16: LIGHTING:

A. Nonhabitable Work Space: Every laundry, furnace room, and similar nonhabitable work space shall have a minimum of one electric light fixture available at all times.

B. Hallways And Stairways: Every hallway and inside stairway shall be adequately lighted at all times with an illumination of at least five (5) lumens per square foot in the darkest portion of the normally traveled stairs and passageways. (Ord. 85, 9-29-1986)

| 9-3-~~16~~17: SECURITY:

A. Security Systems: All multiple family structures shall have an approved security system. The security system shall consist of locked building entrance or foyer doors, and locked doors leading from hallways into individual dwelling units. Deadbolt type door locks shall be provided with lever knobs or doorknobs on the inside of building entrance doors and with key cylinders on the outside of building entrance doors. Building entrance door latches shall be of a type that are permanently locked from the outside and permanently unlocked from the inside.

B. Door Locks: Every door that is designed to provide ingress or egress to an individual dwelling unit within a multiple family structure shall be equipped with an approved lock that has a deadlocking bolt which cannot be retracted by end pressure; provided, however, that such door shall be openable from the inside without the use of a key or any special knowledge or effort. (Ord. 85, 9-29-1986)

## | 9-3-18: LICENSE SUSPENSION OR REVOCATION:

A) A rental dwelling unit license is subject to suspension or revocation by the City Council for violations specified herein. Prior to suspension or revocation of a rental dwelling license, the owner or authorized agent shall be notified in writing at least five (5) business

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days in advance of the City Council's consideration of such action.

The notice shall include, at a minimum, the following information:

1. The address where the violation occurred; ← Formatted: Bullets and Numbering
  2. A description of the violation(s);
  3. The notifications as provided in Section 9-11-7 provided to the owner along with the owner's responses to such notifications; and
  4. Other information as the City determines necessary to support the proposed action.
- B) The City Council shall cause a public hearing to be held regarding the licensing action at a regular City Council meeting at which time the owner and/or its authorized agent may address the Council to provide evidence and other information as to why the license should not be suspended or revoked. ← Formatted: Bullets and Numbering
- C) If the City Council finds cause and evidence to suspend or revoke a rental dwelling license, the Council shall pass a resolution stating such. Upon suspension or revocation of the rental dwelling license, the owner or its authorized agent shall not permit any new occupancy for vacant or thereafter vacated dwelling units until the rental dwelling license is reinstated. The procedure and process for obtaining a license following suspension or revocation shall be the same as for obtaining an initial license. ← Formatted: Bullets and Numbering
- D) Whenever any dwelling or dwelling unit has not obtained the required license, or has been denied a license or has had its rental dwelling license suspended or revoked or is deemed unfit for human habitation, the owner or its authorized agent shall post the dwelling with a placard to prevent further occupancy. (amend 10/05) ← Formatted: Bullets and Numbering

9-3-1719: APPEAL:

A. Request For Informal Hearing:

1. Required Information: Any person who receives a compliance tag from the Building Official to repair or raze a structure may request a hearing before the City Council by filing with the City Administrator a written request containing the following:

- a. The name and address of the party and the address of the subject property;



b. A brief statement of the legal interest in the subject building or land of each party;

c. A brief statement in ordinary and concise language of the order or action protested, together with any material facts claimed to support the contentions of that party;

d. A brief statement in ordinary and concise language of the relief sought and the reasons why it is claimed the order or action should be reversed, modified, or otherwise set aside;

e. The signatures of all parties submitting the request for a hearing and their official mailing addresses; and

f. The verification (by declaration under penalty of perjury) of at least one party as to the truth of the matters stated in the hearing request.

2. Time Restriction: The hearing request shall be filed within thirty (30) days from the date of the service of the compliance tag of the Building Official; provided, however, that if the building or structure is in such condition as to make it, in the opinion of the Building Official, an imminent danger to the life, limb, property, health, or safety of the public or adjacent property, and is ordered vacated, such hearing request shall be filed within ten (10) days from the date of the service of the compliance tag of the Building Official.

B. Process Of Request: Upon receipt of any request for a hearing filed pursuant to this Section, the City Administrator shall notify the Building Official and shall schedule the matter for a regular meeting of the City Council not less than ten (10) days nor more than sixty (60) days from the date the hearing request was filed with the City Administrator.

C. Scheduling And Notice Of Hearing: Notice of the time and place of the hearing shall be given at least ten (10) days prior to the date of the hearing to each party by the City Administrator either by causing a copy of such notice to be delivered to the party personally or by mailing a copy thereof, postage prepaid, addressed to the party at his or her address shown on the written request for hearing.

D. Decision Of City Council: At the hearing the City Council shall hear the evidence and arguments of the parties and the Building Official and may reverse, modify, or affirm, in whole or in part, the compliance tag. The City Council may also issue a formal order to the party or parties. This order shall comply with the provisions of Minnesota Statutes section 463.17, and the matter shall thereafter be governed by the provisions of Minnesota Statutes sections 463.15 through 463.261, inclusive, which are hereby incorporated into this Chapter.

E. Failure To Request Hearing: Failure of any party to request a hearing in accordance with the provisions of this Section shall constitute a waiver of his or her right to a hearing. The Council may then issue a formal order which complies with Minnesota Statutes section 463.17, and the matter shall thereafter be governed by the procedure set forth in Minnesota Statutes sections 463.15 through 463.261, inclusive. (Ord. 85, 9-29-1986)

| 9-3-~~1820~~: VIOLATION; PENALTY:

It shall be unlawful for any person to rent or let to another for the purpose of living therein any dwelling unit which does not comply with the provisions of this Chapter. Any person who violates, fails to comply with or assists, directs or permits the violation of any provision of this Chapter shall be guilty of a misdemeanor. (Ord. 85, 9-29-1986)

**LAUDERDALE COUNCIL  
ACTION FORM**

**ACTION REQUESTED**

Consent \_\_\_\_\_  
Public Hearing \_\_\_\_\_  
Discussion \_\_\_\_\_  
Action \_\_\_\_\_  
Resolution \_\_\_\_\_  
Work session

Meeting Date Tuesday, October 25, 2005

ITEM NUMBER 15-B Appraisal

STAFF INITIAL AWB

APPROVED BY ADMINISTRATOR

*[Signature]*

**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:** I have been with the city for six months and am looking for feedback on how I am doing and what I can do to improve. I also would like to discuss council goals for City over the next several months.

*Attached is my self-appraisal.*

**OPTIONS:**

**STAFF RECOMMENDATION:**

**COUNCIL ACTION:**

**CITY OF LAUDERDALE  
PERFORMANCE EVALUATION**

Date: September 2004

Employee Name: Brian Bakken-Heck

Dept: Administration

Position Title: City Administrator

Evaluation Period From: May 1, 2005 to October 1, 2005

**SELF - APPRAISAL**

<b>CRITERIA # 1 : KNOWLEDGE OF WORK</b>
---

*Does the employee understand the aspects of the job requirements?*

**COMMENTS**

I am continuing to learn more about the city and the history. There are more things to assimilate and files to review. I see this as a continuous learning process.

**RATING**

Outstanding

Occasionally Meets  
Requirements

Consistently Exceeds Requirements

Consistently Does Not Meet  
Requirements

Meets Requirements (Satisfactory)

Unsatisfactory

<b>CRITERIA # 2 : QUALITY OF WORK</b>
---------------------------------------

*How skillfully does the employee perform the duties and tasks of the position? To what extent does the employee's performance meet the standards of the position?*

**COMMENTS**

I believe I am meeting the requirements of this task. I work hard to ensure the materials I provide to Council are complete, well researched and presented in an understandable manner.

**RATING**

Outstanding

Occasionally Meets Requirements

Consistently Exceeds Requirements

Consistently Does Not Meet Requirements

Meets Requirements (Satisfactory)

Unsatisfactory

**CRITERIA # 3 : PLANNING/ORGANIZATION OF WORK, PRODUCTIVITY**

*Does the employee meet schedules and deadlines in a timely manner? Evaluate the employee's accomplishment of workload in order of established priority. How well does the employee communicate what needs to be done and establish reasonable timelines?*

**COMMENTS**

I am still learning the priorities of the city as well as some of the processes used in the past. Generally, I feel I have met the timelines established by the Council for the projects and issues I have dealt with to this point. Evaluating this is difficult as the Council has not been able to go through a formal goal setting and prioritization process.

**RATING**

Outstanding

Occasionally Meets Requirements

Consistently Exceeds Requirements

Consistently Does Not Meet Requirements

Meets Requirements (Satisfactory)

Unsatisfactory

**CRITERIA # 4 : INITIATIVE AND JUDGMENT**

*Appraise the employee's ability and readiness to accept responsibility in assignment of duties. Does the employee reach sound opinions and decisions? Consider the employees ability to work independently. Does the employee apply abilities to resolve issues and problems?*

**COMMENTS**

I believe the issues I have faced thus far have been adequately addressed and solutions to most issues resolved. I work very well independently and feel the decisions I have made thus far are supported by the city code and/or state statute.

**RATING**

Outstanding

Occasionally Meets Requirements

Consistently Exceeds Requirements

Consistently Does Not Meet Requirements

Meets Requirements (Satisfactory)

Unsatisfactory

**CRITERIA # 5 : DEPENDABILITY, PUNCTUALITY AND PERSONAL NEATNESS**

*Is the employee punctual? Evaluate attendance record. Is the employees dress and personal grooming compatible with job requirements? Does the employee project an image of professionalism relative to assigned responsibilities?*

**COMMENTS**

I don't believe I have ever had an issue in this area. I always attempt to present a professional image in demeanor and appearance.

**RATING**

Outstanding

Occasionally Meets Requirements

Consistently Exceeds Requirements

Consistently Does Not Meet Requirements

Meets Requirements (Satisfactory)

Unsatisfactory

**CRITERIA # 6: INTERPERSONAL RELATIONS**

*How well does the employee work with others? Does the employee demonstrate cooperation in accomplishing individual and team goals?*

**COMMENTS**

I continue to work on this area focusing on listening and working to understand the issue and concerns being communicated. I do need to conduct staff meetings more frequently.

I try to provide assignments to staff so they can learn and expand their knowledge and experience.

**RATING**

Outstanding

Occasionally Meets Requirements

Consistently Exceeds Requirements

Consistently Does Not Meet Requirements

Meets Requirements (Satisfactory)

Unsatisfactory

**CRITERIA # 7 : COMMUNICATION**

*Appraise the extent to which the employee informs others as to problems, issues, methods, results and other aspects of position responsibilities, so that high levels of productivity are encouraged through interchange of information and knowledge.*

**COMMENTS**

I consistently strive to ensure I am being clear about the projects that require attention and provide clear direction to staff regarding completing these projects and try to do so in a way so that they have some flexibility in how to accomplish a given task. I believe my memos to council are clear and understandable and that my communication with the public and other stakeholders is done with consideration and care.

**RATING**

Outstanding

Occasionally Meets Requirements

Consistently Exceeds Requirements

Consistently Does Not Meet Requirements

Meets Requirements (Satisfactory)

Unsatisfactory

**CRITERIA # 8 : ADHERENCE TO QUALITY CUSTOMER SERVICE**

*Consider the degree to which the employee performs the job responsibilities and duties with attention to providing a high level of awareness of service satisfaction to the citizens of the City. Does the employee respond to citizen requests and inquires in a timely and courteous manner? Does the employee exemplify the organizational commitment to quality customer service?*

**COMMENTS**

Customer service and constituent relations is a top priority and I strive to ensure each contact is completed in this manner.

**RATING**

Outstanding

Occasionally Meets Requirements

Consistently Exceeds Requirements

Consistently Does Not Meet Requirements

Meets Requirements (Satisfactory)

Unsatisfactory

**REMEDIAL ACTIVITIES**

Actions which supervisor and employee have agreed upon to correct performance evaluation rated unsatisfactory or below expectations.

- 1.
- 2.
- 3.

**DEVELOPMENT ACTIVITIES**

Action which supervisor and employee agreed upon to further employee professional development.

- 1.
- 2.
- 3.

**GOALS**

<b>OVERALL PERFORMANCE RATING</b>
-----------------------------------

**COMMENTS**



**RATING**

Outstanding

Occasionally Meets Requirements

Consistently Exceeds Requirements

Consistently Does Not Meet Requirements

Meets Requirements (Satisfactory)

Unsatisfactory

Was the position description reviewed during the conference?

Yes  No

Position description is current \_\_\_\_\_ Needs revision \_\_\_\_\_

This form was reviewed by \_\_\_\_\_ and \_\_\_\_\_  
(Employee Initials) (Appraisers Signature/Title)

Acknowledged \_\_\_\_\_  
(City Administrator Initials) (Date)

Due to my short tenure here, I thought it would be more fitting to highlight Brian's key skills as opposed to completing the questionnaire I received.

**Visionary:** To improve internal efficiency and to meet resident needs, Brian is looking *beyond* the box. As an office, we are assessing how and why things are done so that we do not miss out on opportunities to make our processes more efficient. We are also investigating technology advancements that will free up time to work on more projects that directly impact our residents' quality of life. For me, the opportunity to work with a visionary city administrator is an exciting aspect of working for the City of Lauderdale.

**Knowledgeable:** Brian offers residents options, ideas, and solutions based upon his range of experiences. It is readily evident that Brian is knowledgeable about public management at many levels from his experience working for the State and Pine County before coming here. Brian's network of contacts is also a valuable asset to the city.

**Responsive to residents:** Brian takes pride in being very responsive and helpful to our residents. He considers all residents when making decisions - not just those who have reached voting age. We have talked a number of times about how to involve the youth in community decision making; we have also discussed getting other groups that may be overlooked involved.

**Challenges staff:** I feel challenged to find ways to make the office better. Brian has encouraged and empowered me to make changes as I see fit. Brian delegates responsibilities well, and I look forward to continuing to work with him.



2335 West Highway 36 ▪ St. Paul, MN 55113  
Office: 651-636-4600 ▪ Fax: 651-636-1311  
www.bonestroo.com

October 14, 2005

Brian Bakken-Heck  
Administrator  
City of Lauderdale  
1891 Walnut Street  
Lauderdale, MN 55113-5137

Re: Bonestroo 2005 Performance Review

Dear Brian:

As part of our ongoing commitment to continually improve our service to you, I am seeking your feedback on Bonestroo's performance on your projects this year.

The enclosed evaluation form is intended to solicit your candid feedback on all aspects of our service delivery. I encourage you to make copies of the evaluation and share it with other City officials. I would also be happy to send you an electronic copy of the form. Please feel free to keep individual comments anonymous if you desire.

Once you have completed the evaluation, Mark Norgaard will meet with you to discuss the results in person and determine what improvements we can make as we continue to serve your community.

We sincerely appreciate your feedback and look forward to improving our service to you on future projects.

Sincerely,

BONESTROO, ROSENE, ANDERLIK AND ASSOCIATES

  
Tom Kellogg

Enclosure: Evaluations



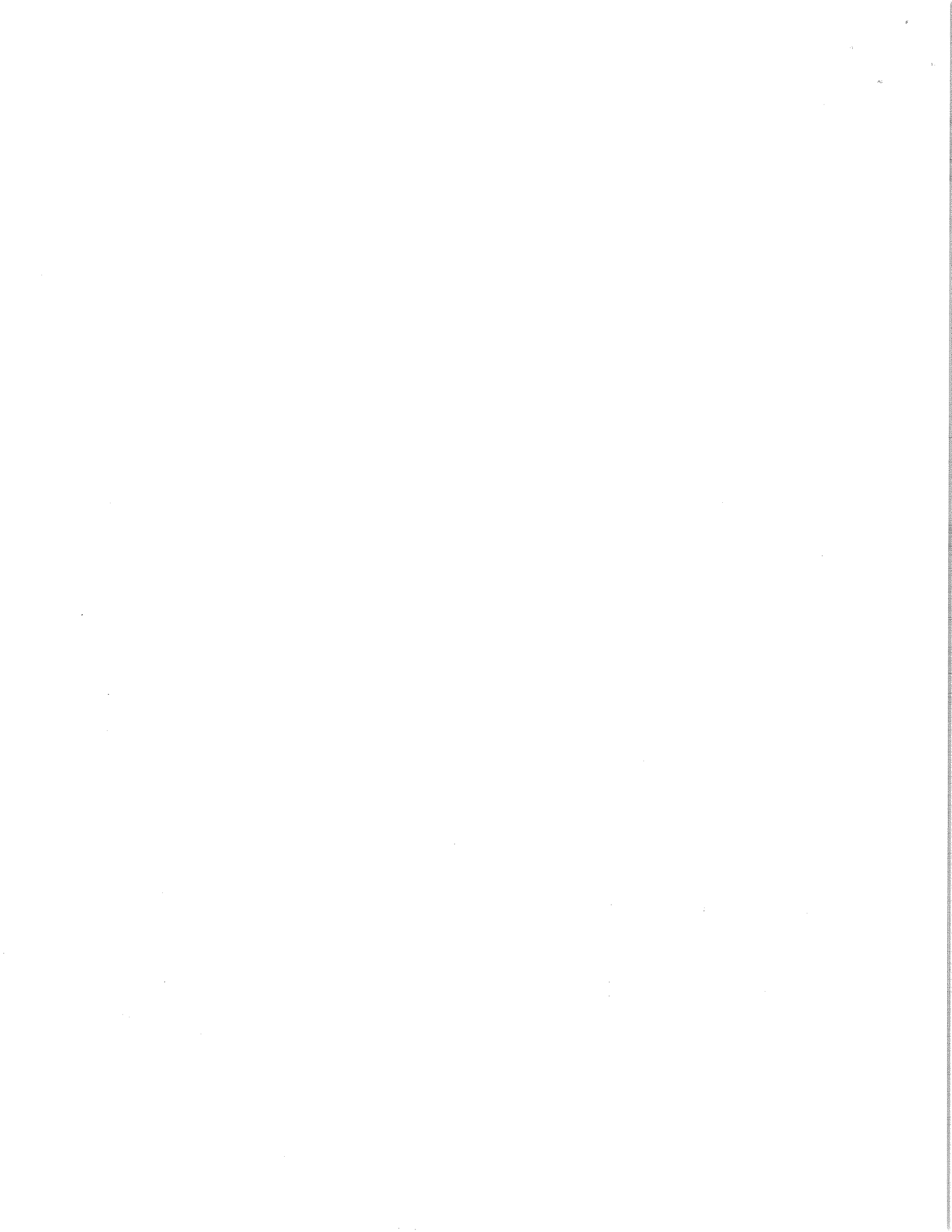




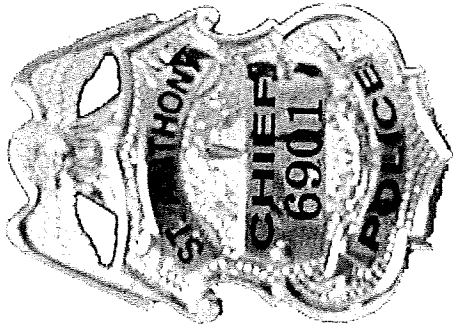
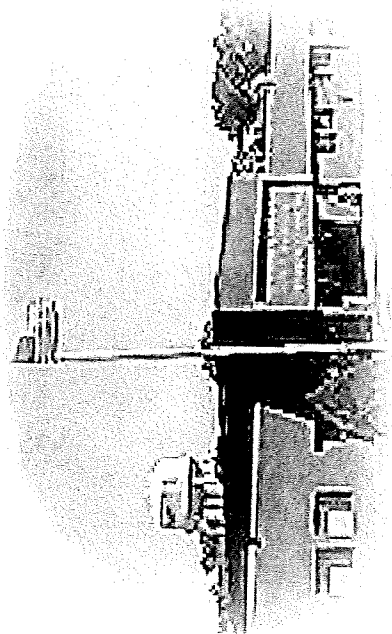
▪ **Benchmark Grades**

Please provide a benchmark score for our performance in the following areas. (A rating of 1 is poor, 5 is average and 10 is excellent). Additional comments may be added on reverse side of page if desired).

Score	Service	Comments
	General Engineering (feasibility reports, plans and specifications, public improvement projects)	
	<b>Specialty Services</b>	
	Water Resources, Storm Water Reviews and Wetland Assistance	
	Mapping/Exhibits/GIS/Record Plan Books	
	Construction Services Public	
	Construction Services Private	
	Billings	
	Overall Service Rating	







**The St. Anthony Police Department  
invites you to honor Chief Engstrom  
by joining in the celebration  
of his retirement**

**Thursday, November 10, 2005  
5:30pm - 6:30pm Social Hour  
6:30pm Dinner**

**Midland Hills Golf Club  
1111 Roselawn Ave  
Roseville, MN**

**Enter at the furthestmost east doors**

**Menu Choices** (All meals include Caesar Salad, chef's choice of starch and vegetable, rolls, milk, tea, or coffee)

**New York Strip Steak** \$37.44 per person

Served with a bordelaise sauce.

**Walleye Pike** \$33.57 per person

Lightly breaded and baked. Served w/ sliced almonds, fresh lemon & tartar sauce

**Chicken Tuscany** \$30.98 per person

Grilled marinated chicken breast topped w/ roma tomato, fresh basil and garlic, cannelloni

**CASH BAR WILL BE AVAILABLE**

NAME: \_\_\_\_\_

Please RSVP with your order, and send payment, to the St. Anthony Police Department, Attention Kim Dultz, 3301 Silver Lake Road, St. Anthony, MN 55418 by November 1, 2005. Any questions, call 612-782-3350

Make all checks payable to Dominic Catroneo.

