

**LAUDERDALE CITY COUNCIL MEETING AGENDA  
TUESDAY, NOVEMBER 29, 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 – 7:30 p.m.**

*Council members:*

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

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

**2. APPROVAL OF THE AGENDA - 7:32 p.m.**

**3. APPROVALS – 7:35 p.m.**

- A. Approve minutes for 11/15/05 City Council Meeting
- B. Approve claims totaling \$24,632.86

**4. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE COUNCIL ON ITEMS NOT ON THE AGENDA – 7:37 p.m.**

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) Council Member John Pontrelli North St. Paul, St. Paul Regional Water Service

**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**

**10. DISCUSSION – 7:40 p.m.**

- A) Walkable Community Workshop
- B) Solid Waste Ordinance
- C) Metropolitan Environmental Services Program
- D) 2006 Fee Schedule
- E) House on Eustis

**11. ACTION**

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

**13. ADDITIONAL ITEMS**

**14. SET AGENDA FOR NEXT MEETING**

**15. WORK SESSION**

- A) Rental Housing Licensing
- B) Larpenteur Avenue Project

**16. ADJOURNMENT**

LAUDERDALE CITY COUNCIL  
MEETING MINUTES  
November 15, 2005  
7:30 p.m. Lauderdale Council Chambers

Mayor Jeffrey Dains called the meeting to order at 7:45 p.m. and asked the Administrator to call the roll.

Council members Karen Gill-Gerbig, Karen Doherty, Moose Giannetti, Clay Christensen and Mayor Jeffrey Dains were present. Also present were Administrator Brian Bakken Heck and Deputy City Clerk Heather Butkowski.

Mayor Dains asked for any additions or deletions from the agenda. Mayor Dains requested addition of the following items: Halloween party update and municipal elections to the special orders of business and the addition of property on the 1700 block of Eustis to the work session. There being no further additions or deletions, council member Christensen moved approval. Motion carried on a second by council member Doherty.

Council minutes of October 25, 2005 were approved on a motion by council member Gill-Gerbig and a second by council member Doherty.

Claims in the amount of \$48,819.08 were approved on a motion by council member Gill-Gerbig and a second by council member Doherty.

Council member Christensen moved the consent item approving final payment in the amount of \$16,000 to Northdale Construction for completion of the 2002 Street improvement project. Motion second by council member Gill-Gerbig and carried.

#### SPECIAL ORDER OF BUSINESS

Mayor Dains thanked all who participated and volunteered for the community Halloween party and expressed thanks to the committee in particular for doing an excellent job. He stated the event fills an important community need.

Mayor Dains then thanked the election judges for the job they did in the recent municipal elections.

Council member Giannetti announced she will be resigning from the council effective January 1, 2006 as she is moving to Arden Hills.

LAUDERDALE CITY COUNCIL  
MEETING MINUTES  
November 15, 2005  
7:30 p.m. Lauderdale Council Chambers

DISCUSSION ITEMS

- A) The Animal Control Ordinance was introduced by Mayor Dains. Administrator Bakken Heck provided a brief background on the status and history of this item. The Mayor opened the floor for discussion.

Council member Gill-Gerbig started the discussion by addressing the need to look at alternatives to dealing with a dangerous dog. She stated the city should consider requiring the owner to take the offending animal to an animal behavioral program for an assessment as to its likelihood of being reformed. She said such a program exists at the University of Minnesota Veterinary School. This assessment would be at the owners expense and if the animal can be rehabilitated, the owner should be required to take the animal to training. If the animal's personality is such that reformation is not possible, the animal should be removed from the city.

The Mayor asked about fines against the owner of the offending animal. Bakken Heck stated there is a provision in the ordinance calling for special licensing of potentially dangerous and dangerous dogs but such a fee has not been set by the council.

After further discussion, staff was directed to look into adding the behavioral component to the ordinance including finding potential costs associated with the assessment.

- B) The Mayor introduced the draft Rental Ordinance and asked the administrator to provide information. Bakken Heck thanked Heather Butkowski, Deputy City Clerk for conducting the research and assembling the information for the council. He went over the main questions the council raised from the previous meeting. The mayor then opened the floor for discussion.

The mayor commented on the inspection process and wanted to know if inspections are also complaint driven. Staff responded tenant complaints regarding unit conditions would prompt an inspection.

Council member Gill-Gerbig addressed the issue of the seminary units indicating these units should also be part of the complaint process. She used the example where a tenant may contact Seminary staff to fix a problem and if it is not addressed, the tenant should have the ability to contact the city for an inspection and compel the seminary to correct the problem if one exists.

LAUDERDALE CITY COUNCIL  
MEETING MINUTES  
November 15, 2005  
7:30 p.m. Lauderdale Council Chambers

The mayor said he wants the ordinance to address the issues of nuisance units as well as to ensure that units (houses, apartments, etc.) are in habitable condition. He is concerned the city could get caught in the middle of a tenant / landlord dispute.

Council member Giannetti stated she sees two issues, the quality of the property and the quality of the tenant. She said building owners need to be educated on renting and tenant selection. She stated she feels the purpose of the ordinance is to make sure property is safe and habitable.

Following additional discussion, staff was directed to look into the issue of a board to handle complaints, how to avoid getting the city in the middle of a dispute between owner and tenant and to gather more information on other cities experience with this process.

- C) The council discussed the appointment to the St. Paul Regional Water Service. Bakken Heck stated a council member from North St. Paul who is currently on the commission has asked the city to reappoint him to this seat. Council member Gill-Gerbig stated she would like to hear from the individual before deciding upon potential reappointment.

ACTION ITEMS

- A) On a motion by council member Gill-Gerbig and a second by council member Giannetti, the council adopted resolution 111505A "A Resolution Certifying the Election Returns of the November 8, 2005 General Municipal Election". Motion carried on a roll call vote with members Gill-Gerbig, Doherty, Giannetti, Christensen and Dains voting yes.
- B) On a motion by council member Christensen and a second by council member Doherty, the council adopted resolution 111505B "A Resolution to Participate in the Countywide All-Hazard Mitigation Plan". Motion carried with members Gill-Gerbig, Doherty, Giannetti, Christensen and Dains voting yes.
- C) On an motion by council member Gill-Gerbig and a second by council member Giannetti, the council adopted resolution 111505 C "A Resolution to Participate in the Countywide Emergency Operations Plan". Motion carried with members Gill-Gerbig, Doherty, Giannetti, Christensen and Dains voting yes.

LAUDERDALE CITY COUNCIL  
MEETING MINUTES  
November 15, 2005  
7:30 p.m. Lauderdale Council Chambers

- D) The council discussed the appointment process to fill the council vacancy. It was the consensus of the council to post notification of the vacancy on the city's web site, cable channel and in the Roseville Review and to accept letters of interest and qualifications until December 30, 2005. The council will review and interview, if necessary, candidates at the first meeting in January and make the appointment at that meeting.

WORK SESSION

Jessica Cook of Ehlers and Associates presented the council additional options regarding the southeast quadrant of Eustis and Larpenteur. She outlined three (3) options involving different concepts for rehabilitating the existing buildings. She indicated doing a rehab project, while redevelopment, meet only a few secondary goals. This type of project will not create local shopping opportunities or community gathering space.

Ms. Cook then discussed with the council the proposal for an open house to share the items with the public. It was decided that if an open house were to happen, it needs to be in February or March due to the pending appointment of a new council member.

Discussion continued on the process of an open house and what would be covered as well as other potential areas of possible development in the city.

Jessica and the Administrator will work together to discuss the next meeting with the council.

Mayor Dains brought up discussion regarding a rental-housing unit on the 1700 block of Eustis. He indicated neighbors told him there were several problems with the house. He would like staff to see what the city can do to compel the owner to clean up the property.

There being no further discussion, the meeting adjourned at 10:11 p.m. on a motion by council member Christensen and a second by council member Gill-Gerbig.

Respectfully submitted,

Brian Bakken Heck  
City Administrator

**CITY OF LAUDERDALE**  
**Claims for Approval**  
**November 28, 2005 City Council Meeting**

Payroll

11/18/05 Payroll:	Direct Deposit # 500041-500045	\$6,175.79
11/18/05 Payroll:	EFT: Federal Withholding & FICA	\$2,568.75
11/18/05 Payroll:	EFT: P.E.R.A	\$1,098.67
11/18/05 Payroll:	EFT: ICMA Retirement Fund	\$1,560.38
11/18/05 Payroll:	State Withholding	\$828.88
11/18/05 Payroll:	Elections Judges Check #s 7857-7865	\$593.78

Vendor Claims

11/28/05 Claims:	Check # 17815-17820, 17823-17827, 17829-17836	\$11,806.61
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**Subtotal of Claims From Above** **\$24,632.86**

Total Claims for Approval	\$24,632.86
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**CITY OF LAUDERDALE**  
**\*Check Detail Register©**

NOVEMBER 2005

		Check Amt	Invoice	Comment
<b>10100 NORTH STAR CHECKING</b>				
Paid Chk#	017815	11/28/2005	<b>AFSCME</b>	
	G 101-21709	UNION DUES	\$81.54	11/05 union dues
	<b>Total AFSCME</b>		<b>\$81.54</b>	
Paid Chk#	017816	11/28/2005	<b>AT &amp; T</b>	
	E 101-41200-391	TELEPHONE/PAGERS	\$3.91	1234658605 10/05 long distance
	<b>Total AT &amp; T</b>		<b>\$3.91</b>	
Paid Chk#	017817	11/28/2005	<b>BEVLOR UTILITIES, INC</b>	
	E 601-49000-327	OTHER SERV- SEWER/NPDES I	\$2,110.00	656 2349 summer st sewer break
	<b>Total BEVLOR UTILITIES, INC</b>		<b>\$2,110.00</b>	
Paid Chk#	017818	11/28/2005	<b>BONESTROO, ROSENE, ANDERLIK</b>	
	E 412-48410-304	ENGINEERING	\$232.50	124138 phase 3, '02 street improvemen
	E 101-43300-304	ENGINEERING	\$627.00	124138 luther seminary drainage
	<b>Total BONESTROO, ROSENE, ANDERLIK</b>		<b>\$859.50</b>	
Paid Chk#	017819	11/28/2005	<b>CARL BOLANDER &amp; SONS, CO.</b>	
	E 101-43100-228	MISC REPAIRS MAINT SUPPLIE	\$27.86	concrete & blacktop disposal
	<b>Total CARL BOLANDER &amp; SONS, CO.</b>		<b>\$27.86</b>	
Paid Chk#	017820	11/28/2005	<b>CINTAS</b>	
	E 601-49000-425	CLOTHING	\$26.63	470378333
	E 601-49000-425	CLOTHING	\$26.63	470374739
	<b>Total CINTAS</b>		<b>\$53.26</b>	
Paid Chk#	017823	11/28/2005	<b>CITY OF FALCON HEIGHTS</b>	
	E 101-41200-308	TRAINING\CONFERENCES	\$25.00	Heather - Difficult Persons Tr
	E 101-42200-321	FIRE CALLS	\$718.00	fire calls
	E 101-42200-322	FIRE FALSE ALARMS	\$718.00	331571 false fire alarms
	<b>Total CITY OF FALCON HEIGHTS</b>		<b>\$1,461.00</b>	
Paid Chk#	017824	11/28/2005	<b>ESCHELON TELECOM, INC</b>	
	E 101-41200-391	TELEPHONE/PAGERS	\$239.48	10/05 city hall phones
	<b>Total ESCHELON TELECOM, INC</b>		<b>\$239.48</b>	
Paid Chk#	017825	11/28/2005	<b>EUREKA RECYCLING</b>	
	E 203-50000-389	RECYCLING CONTRACTOR	\$1,445.00	10/05 recycling
	<b>Total EUREKA RECYCLING</b>		<b>\$1,445.00</b>	
Paid Chk#	017826	11/28/2005	<b>GOPHER STATE ONE-CALL</b>	
	E 101-43400-386	GOPHER STATE ONE CALL	\$27.00	5100540 10/05 gopher state one-calls
	<b>Total GOPHER STATE ONE-CALL</b>		<b>\$27.00</b>	
Paid Chk#	017827	11/28/2005	<b>IDCSERVCO BUSINESS SERVICES</b>	
	E 101-41200-201	GENERAL SUPPLIES	\$394.37	carton of toner for toshiba co
	<b>Total IDCSERVCO BUSINESS SERVICES</b>		<b>\$394.37</b>	

**CITY OF LAUDERDALE**  
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NOVEMBER 2005

		Check Amt	Invoice	Comment
<b>Paid Chk# 017829    11/28/2005    LILLIE SUBURBAN NEWS</b>				
E 101-41600-309	DELIVERY	\$799.70		10/05 roseville review
<b>Total LILLIE SUBURBAN NEWS</b>		<b>\$799.70</b>		
<b>Paid Chk# 017830    11/28/2005    LMCIT</b>				
E 601-49000-151	WORKERS' COMP PREMIUM	\$212.40		final 05 work comp payment
E 101-41200-151	WORKERS' COMP PREMIUM	\$188.80		final 05 work comp payment
E 101-41200-151	WORKERS' COMP PREMIUM	\$47.20		final 05 work comp payment
E 101-45200-151	WORKERS' COMP PREMIUM	\$23.60		final 05 work comp payment
<b>Total LMCIT</b>		<b>\$472.00</b>		
<b>Paid Chk# 017831    11/28/2005    MIKE MC PHILLIPS</b>				
E 101-43200-314	STREET SWEEPING	\$1,928.00	29192	fall '05 street sweeping
<b>Total MIKE MC PHILLIPS</b>		<b>\$1,928.00</b>		
<b>Paid Chk# 017832    11/28/2005    NELSON CHEESE AND DELI</b>				
E 101-41500-201	GENERAL SUPPLIES	\$84.42		election judge dinner
<b>Total NELSON CHEESE AND DELI</b>		<b>\$84.42</b>		
<b>Paid Chk# 017833    11/28/2005    OFFICE MAX</b>				
E 201-45600-379	HALLOWEEN EVENT	\$21.38		halloween event
<b>Total OFFICE MAX</b>		<b>\$21.38</b>		
<b>Paid Chk# 017834    11/28/2005    POSTMASTER</b>				
E 101-41200-203	POSTAGE	\$74.00		2 rolls of stamps
<b>Total POSTMASTER</b>		<b>\$74.00</b>		
<b>Paid Chk# 017835    11/28/2005    RAMSEY COUNTY, PROP REC &amp; REV</b>				
G 101-21706	HEALTH INSURANCE	\$1,675.24		11/05 health benefits
<b>Total RAMSEY COUNTY, PROP REC &amp; REV</b>		<b>\$1,675.24</b>		
<b>Paid Chk# 017836    11/28/2005    XCEL ENERGY, PARK &amp; GARAGE</b>				
E 101-45200-381	ELECTRIC	\$2.35		10/05 warming house & 1917 wal
E 101-45200-383	GAS UTILITIES	\$5.29		10/05 warming house & 1917 wal
E 101-45200-383	GAS UTILITIES	\$6.71		10/05 warming house & 1917 wal
E 101-43100-381	ELECTRIC	\$7.04		10/05 warming house & 1917 wal
E 101-45200-381	ELECTRIC	\$7.43		10/05 warming house & 1917 wal
E 101-43100-383	GAS UTILITIES	\$20.13		10/05 warming house & 1917 wal
<b>Total XCEL ENERGY, PARK &amp; GARAGE</b>		<b>\$48.95</b>		
<b>10100 NORTH STAR CHECKING</b>		<b>\$11,806.61</b>		

**CITY OF LAUDERDALE**  
**\*Check Detail Register©**

NOVEMBER 2005

	Check Amt	Invoice	Comment
<b>Fund Summary</b>			
		10100	NORTH STAR CHECKING
101 GENERAL	\$7,732.07		
201 COMMUNITY EVENTS	\$21.38		
203 RECYCLING	\$1,445.00		
412 '02 ST/UTIL CONSTRUCTION	\$232.50		
601 SEWER UTILITIES	\$2,375.66		
	<hr/>		
	\$11,806.61		

CITY OF LAUDERDALE

Paid Register

Check Number	Employee Number	Employee Name	Pay Period	Pay Group Description	Check Amount	Check Date	Status
500041	00000001	BAKKEN-HECK, BRIAN	23	BI-WEEKLY	\$1,495.31	11/18/2005	Outstanding
500042	00000011	BOWNIK, JAMES	23	BI-WEEKLY	\$1,255.24	11/18/2005	Outstanding
500043	00000007	BUTKOWSKI, HEATHER	23	BI-WEEKLY	\$975.70	11/18/2005	Outstanding
500044	00000002	HINRICHS, DAVID C	23	BI-WEEKLY	\$1,141.32	11/18/2005	Outstanding
500045	00000005	HUGHES, JOSEPH A	23	BI-WEEKLY	\$1,308.22	11/18/2005	Outstanding
007857	00000042	BARLOW, EVELYN	23.1	BI-WEEKLY	\$49.00	11/18/2005	Outstanding
007858	00000038	BOWE, DONNA	23.1	BI-WEEKLY	\$56.00	11/18/2005	Outstanding
007859	00000039	GORDEN, ELEANOR	23.1	BI-WEEKLY	\$56.00	11/18/2005	Outstanding
007860	00000052	JAMES, VIRGINIA	23.1	BI-WEEKLY	\$56.00	11/18/2005	Outstanding
007861	00000032	KVALBEIN, JULIANE	23.1	BI-WEEKLY	\$120.00	11/18/2005	Outstanding
007862	00000034	RUSCHMEYER, GLORIA	23.1	BI-WEEKLY	\$56.00	11/18/2005	Outstanding
007863	00000033	SCHMIDT, MAE	23.1	BI-WEEKLY	\$102.78	11/18/2005	Outstanding
007864	00000043	SVENTEK, MARY JANE	23.1	BI-WEEKLY	\$49.00	11/18/2005	Outstanding
007865	00000035	WISEN, CRYSTAL	23.1	BI-WEEKLY	\$49.00	11/18/2005	Outstanding
007856		VOID	23.1		\$0.00	11/18/2005	Void
					\$6,769.57		

**LAUDERDALE COUNCIL  
ACTION FORM**

**ACTION REQUESTED**

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

Meeting Date Tuesday, November 29, 2005

ITEM NUMBER 10-A Walkette Comm.

STAFF INITIAL \_\_\_\_\_

APPROVED BY ADMINISTRATOR



**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:** I received the attached e-mail and application seeking host communities for a workshop focused on finding ways a community can become a more pedestrian and bicycle friendly place. Council member Gill-Gerbig asked for this item to be placed on the agenda.

**OPTIONS:**

**STAFF RECOMMENDATION:** staff does not have a recommendation on this issue.

**COUNCIL ACTION:**

**Brian Bakken-Heck**

**From:** Kivela, Patricia J. [Patricia.J.Kivela@CO.RAMSEY.MN.US] on behalf of Parker, Jan [Jan.Parker@CO.RAMSEY.MN.US]  
**Sent:** Monday, November 21, 2005 3:53 PM  
**To:** Brian Bakken-Heck; Barbara\_Allan; mmills@ci.north-sait-paul.mn.us; thomas.paschke@ci.roseville; bcarlson@ci.sprng-lake-park.mn.us; marc.johannsen@cityvadnaaisheights.com; dwiski@cityvadnaaisheights.com  
**Subject:** Walkable Community Workshop  
**Attachments:** WCW application for cities.doc

I'm forwarding the email from Commissioner Parker's office after correcting mistakes in the original email addresses.

Pat

Patricia Kivela

Administrative Secretary to

Commissioners Jan Parker and Victoria Reinhardt

Tel. 651-266-8351 / Fax 651-266-8370

patricia.j.kivela@co.ramsey.mn.us

-----Original Message-----

**From:** Kivela, Patricia J. On Behalf Of Parker, Jan

**Sent:** Monday, November 21, 2005 2:59 PM

**To:** 'MPWD Fursman'; 'AH Aplikowski'; 'AH Clark'; 'AH Grant'; 'AH Holden'; 'AH Larson'; 'AH Reim'; 'AH Wolfe'; 'Blaine Bourke'; 'Blaine Clark'; 'Blaine Herbst'; 'Blaine Hovland'; 'Blaine Kolb'; 'Blaine Ryan'; 'Blaine Swanson'; 'Blaine Wood'; 'FH Gehrz'; 'FH Kuettel'; 'FH Lamb'; 'FH Lindstrom'; 'FH Talbot'; 'FH Worthington'; 'GL Bosak'; 'GL Emeott'; Magnuson, Fritz; 'GL Rasmussen'; 'GL Schilling'; 'GL Watson'; 'Lauderdale Bakken-Heck'; 'Lauderdale Christensen'; 'LC Allan'; 'LC Blesener'; 'LC Hanson'; 'LC Keis'; 'LC LaValle'; 'LC Montour'; 'MPWD Cardinal'; 'MPWD Ekstrand'; 'MPWD Juenemann'; 'MPWD Koppen'; 'MPWD Monahan-Junek'; 'MPWD Rossbach'; 'MV Ericson'; 'MV Flaherty'; 'MV Gunn'; 'MV Marty'; 'MV Stigney'; 'MV Thomas'; 'MV Ulrich'; 'NB Burg'; 'NB Doffing'; 'NB Fernelius'; 'NB Fulton'; 'NB Hoffman'; 'NB Larson'; 'NB Moore-Sykes'; 'NO Cliffe'; 'NO Dunleavy'; 'NO March'; 'NO Owens-Kurtz'; 'NO Rux'; 'NO Watson'; 'NSP Councilmembers'; 'NSP Wysopal'; 'RSVL Beets'; 'RSVL Ihlan'; 'RSVL Klausung'; 'RSVL Kough'; 'RSVL Maschka'; 'RSVL Paschke'; 'RSVL Schroeder'; 'SAV Faust'; 'SAV Gray'; 'SAV Horst'; 'SAV Mornson'; 'SAV Stille'; 'SAV Thuesen'; 'Shoreveiw Quigley'; 'Shoreview Huffman'; 'Shoreview Martin'; 'Shoreview Morrisette'; 'Shoreview Schwerm'; 'Shoreview Simonson'; 'Shoreview Wickstrom'; 'SLP Carlson'; 'SLP Coyle'; 'SLP Loesch'; 'SLP Mason'; 'SLP Wells'; 'St. Paul Benanav'; 'St. Paul Bostrom'; Harris, Patrick; 'St. Paul Helgen'; 'St. Paul Kelly'; 'St. Paul Kimberly'; Lantry, Kathy; 'St. Paul Montgomery'; 'St. Paul Thune'; 'VH Banovetz'; 'VH Benetti'; 'VH Bigelbach'; 'VH Dobozenski'; 'VH Gaston'; 'VH Johannsen'; 'VH Urban'; 'WBL Mayor and Council'; 'WBL Robinson'; 'White Bear Township'

**Subject:**

<<WCW application for cities.doc>>

**\*Please share this with staff in planning, parks & recreation, & public works\***

To City Officials & Staff in Ramsey County:

I'm writing to invite you to apply to host a Walkable Community Workshop in your community. Attached are application materials.

We are very fortunate to have been selected to host a series of Walkable Community Workshops this spring, the week of May 8-12, 2006. This will consist of 8 separate 4-hour workshops, led by trainers from the National Center for Bicycling & Walking.

Hosting one of the Walkable Community Workshops would be a great way for your community to engage a group of elected officials, staff, and residents AND to address specific barriers that make it unsafe or inconvenient for people to walk or bike in your community.

As you may know, a planning process has been ongoing for an initiative called Active Living Ramsey County (ALRC). This is a collaborative effort—not a “county” project—with participation of staff and elected officials from many cities within the county. ALRC’s mission is to create and promote environments that make it safe and convenient for people to integrate physical activity into their daily routines.

Please don't be intimidated by the application process, and feel free to contact me if you have any questions. Thank you.

Sara Merz

Aide to Ramsey County Commissioner Jan Parker

220 Court House

15 W. Kellogg Blvd.

St. Paul, MN 55102

ph: 651-266-8359

fax: 651-266-8370

Patricia Kivela

Administrative Secretary to

Commissioners Jan Parker and Victoria Reinhardt

Tel. 651-266-8351 / Fax 651-266-8370

[patricia.j.kivela@co.ramsey.mn.us](mailto:patricia.j.kivela@co.ramsey.mn.us)



**Application Questions**  
**Active Living Ramsey County (ALRC) Walkable Community Workshop**

1. Name and contact information for a local coordinator. Capable local coordinators are a key to overall success. They must be able to coordinate with a number of people and oversee many details related to the delivery of the workshops. This person has to have personal skills and abilities, and they must be able to commit to doing the legwork necessary to get people to come to the workshops. I will assist and support local coordinators. Please describe coordinator's role in local government and indicate whether you have the mayor's/city manager's support to take on this project.
2. Identify a study area that you want to examine. The study area should be small enough to be walkable by the group in 45 minutes.
3. Explain how you think a Walkable Communities Workshop will help accomplish your community's goals and objectives. Focus especially on the problems of the study area.
4. Successful workshops have representatives from three key stakeholder groups: elected officials, professionals (both agency and non-agency), and citizen stakeholders (organized groups and individuals). Demonstrate some involvement from these groups, or explain how you plan to get their involvement.
5. Letters from local community officials committing to host workshops do get noticed. This shows genuine interest and indicates that they may be more willing to commit to specific actions coming out of the workshops.
6. Make special note of planning efforts that are upcoming or in progress that might get a boost from the workshops. Tell us how the Walkable Community Workshops will aid and abet these efforts.
7. A number of groups have provided funding for this effort and no local match is required. A minimal amount of funding has been contributed for beverages and snacks for each workshop. Hosts are responsible for additional costs if you would like to provide anything more substantial for participants.

Submit applications electronically by January 6, 2006  
to Sara Merz, Aide to Ramsey County Commissioner Jan Parker:  
[sara.merz@co.ramsey.mn.us](mailto:sara.merz@co.ramsey.mn.us)  
Questions: 651-266-8359

**LAUDERDALE COUNCIL  
ACTION FORM**

**ACTION REQUESTED**

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

Meeting Date 11/29/05 \_\_\_\_\_

ITEM NUMBER 10-B Solid Waste

STAFF INITIAL \_\_\_\_\_ JB \_\_\_\_\_

APPROVED BY ADMINISTRATOR



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

At the September 13, 2005 Council meeting, the Council directed staff to begin drafting the ordinance and license application revisions needed to invoke changes resulting from the organized collection process.

**OPTIONS :**

**STAFF RECOMMENDATION:**

- 1) Discuss proposed changes to ordinance and license application.
- 2) Provide feedback and direction to staff on proposed changes to ordinance and license application.

**COUNCIL ACTION:**



*City of Lauderdale*  
*The Island in the Metro*

CITY HALL  
1891 WALNUT STREET  
LAUDERDALE, MN 55113  
651-631-0300  
FAX 651-631-2066  
WWW.CI.LAUDERDALE.MN.US

Municipal Garbage Hauler License Application

---

<i>Annual per year unit fee</i>	<i># of units</i>	<i>Amount Due</i>
\$65.00/truck	_____	\$ _____

**Applicant:**

Company Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

Contact Person: \_\_\_\_\_

MN Business Tax ID Number: \_\_\_\_\_

**Vehicles used in work are insured with:**

Company: \_\_\_\_\_

Agents Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Fax: \_\_\_\_\_

Insurance Policy Number(s): \_\_\_\_\_

**Solid waste collection will be provided to (check all that apply):**

Residential

Commercial/Industrial

**Name and address of disposal facility to which waste will be hauled:**

\_\_\_\_\_  
\_\_\_\_\_

Residential Customer Rates

<u>Service</u>	<u>Cost</u>
30-38 Gallon Service	_____ (per month)
60-68 Gallon Service	_____ (per month)
90-98 Gallon Service	_____ (per month)
Appliances	_____
Carpet and or padding	_____
Christmas Trees	_____
Electronics	_____
Furniture	_____
Mattresses and Box Springs	_____
Tires (each)	_____
Yard Waste	_____

**By signing below, the company agrees to the following:**

- **Collection days shall be on Mondays, unless Monday is a legal holiday. When Monday is a legal holiday, collection shall be on the Tuesday immediately following the holiday.**
- Licenses are valid for the period of one year.
- Proof of insurance must be submitted before application can be considered for a license.
- All licenses are subject to final approval of the ~~inspector~~ **City Council.**

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Date

**Completed application and paperwork should be sent to:**

City of Lauderdale  
License Department  
1891 Walnut Street  
Lauderdale, MN 55113  
Phone: (651) 631-0300  
Fax: (651) 631-2066

**Please enclose the following:**

- **License application fee.**
- Proof of vehicle insurance covering all vehicles used by applicant.
- Insurance policy showing personal injury coverage of at least ~~to \$100,000~~ **\$250,000.**
- Insurance policy showing coverage of each accident at least ~~to \$300,000~~ **\$500,000.**
- Insurance policy showing property damage coverage of at least ~~to \$25,000~~ **\$100,000.**
- Certified bond in the sum of \$1,000.
- Proof of worker's compensation insurance.

## CHAPTER 2

GARBAGE AND REFUSE<sup>1</sup>

## SECTION:

- 4-2--1: Definitions
- 4-2--2: Disposal Of Garbage And Refuse
- 4-2--3: Collection, Supervision And Control
- 4-2--4: Precollection Practices
- 4-2--5: Containers
- 4-2--6: Multiple Residence Units
- 4-2--7: Commercial Establishments
- 4-2--8: Air Pollution Control Regulations
- 4-2--9: ~~Burning Private Composting~~
- 4-2-10: Vehicles For Hauling Garbage And Refuse
- 4-2-11: Garbage And Refuse Collectors
- 4-2-12: Disposal At ~~Landfill~~ Facility
- ~~4-2-13: Incinerators~~
- ~~4-2-14: 4-2-13: Penalty~~
- 4-2-14: Revocation

## 4-2-1: DEFINITIONS:

For the purpose of this Chapter, the following terms, phrases, words, and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word shall is always mandatory and not merely directory:

**COMMERCIAL ESTABLISHMENT:** Any premises where a commercial or industrial enterprise of any kind is carried on, and shall include clubs, churches and establishments of nonprofit organizations where food is prepared or served or goods are sold.

**GARBAGE:** All putrescible animal and vegetable wastes resulting from the handling, preparation, cooking, service and consumption of food and ~~shall also include all other animal wastes including containers or wrappers wasted along with such materials, but not including recyclable materials.~~

**INCINERATOR:** Any device used for the destruction of refuse, rubbish, or waste materials by fire.

**LICENSED PRIVATE GARBAGE AND REFUSE COLLECTOR:** Any person holding a valid license from the City for the collection of garbage and refuse.

**MIXED MUNICIPAL SOLID WASTE:** Shall have the meaning given it in Minnesota Statutes Section 115A.03, Subdivision 21.

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1. M.S.A. § 412.221, subd. 22.

**OPEN BURNING:** Burning of any matter whereby the resultant combustion products are emitted directly to the open atmosphere without passing through an adequate stack, duct, or chimney.

**PUTRESCIBLE:** Decayable: liable to decay or spoil or become putrid.

**RUBBISH:** Nonputrescible solid wastes such as wood, leaves, trimmings from shrubs, dead trees or branches thereof, shavings, sawdust, excelsior, wood waste, printed matter, paper, paper board, paste board, grass, rags, straw, boots, shoes, hats, and all other combustibles not included under the term garbage, but not including recyclable materials.

**RECYCLABLE MATERIALS:** Shall have the meaning given it in Minnesota Statute Section 115A.03, Subdivision 25A.

~~REFUSE: All wastes which normally result from the operation of a household, except body wastes and garbage, including but not limited to rubbish, tin cans, paper, cardboard, glass jars, bottles, wood, grass clippings, Christmas trees, ashes, sod, dirt, tires, rocks, household construction material, cement, bricks, trees, leaves, hedge or tree trimmings, burning barrels and mesh backyard burners, household appliances and furniture or any other household refuse or materials small enough for one man to handle. The term refuse shall not include construction material or other waste or debris resulting from construction or reconstruction of buildings and other improvements by contractors, or trees in excess of six inches (6") in diameter.~~

**REFUSE:** Garbage, rubbish and all other putrescible and nonputrescible wastes, except sewage and water-carried trade wastes, but not including recyclable materials.

**RESIDENTIAL DWELLING UNIT:** Any single building consisting of four (4) or less separate dwelling ~~places~~ **units** with individual kitchen facilities for each. It also includes any boarding house in a residential district. (Ord. 11, 7-7-1970)

**YARD WASTE:** Shall have the meaning given it in Minnesota Statutes Section 115A.03, subdivision 38.

#### 4-2-2: DISPOSAL OF GARBAGE AND REFUSE:

A. Disposal Required: Every tenant, lessee, owner, or occupant of every private dwelling, house, multiple residence, store, motel, restaurant, and every other type of property in the City shall dispose of such garbage and refuse as provided in this Chapter.

#### B. Minimum Disposal Requirements:

1. Residential Dwelling Units: Garbage and refuse shall be disposed of at least once each week from residential dwelling

unit properties.

2. Commercial Establishments: Garbage and refuse in outside storage at any commercial establishment shall be disposed of at least once each week and as often as once each day if necessary to protect the public health.

C. Accumulation Prohibited: No person shall accumulate or permit to accumulate any refuse on any property in the City which might constitute a nuisance by reason of appearance, odor, sanitation, possible littering of neighboring properties, littering of the property on which the refuse is accumulated, or a fire hazard. (Ord. 11, 7-7-1970)

#### 4-2-3: COLLECTION, SUPERVISION AND CONTROL:

A. Authority To Regulate: The City Council shall have the authority to make regulations concerning the days of collection, **number of licenses in the city**, type and location of waste containers and such other matters pertaining to the collection, conveyance, and disposal as ~~they~~ **it** shall find necessary, and to change and modify the same.

B. Right To Appeal: Any person aggrieved by a regulation of the City Council shall have the right of appeal to the City Council which shall have the authority to confirm, modify, or revoke any such regulation. (Ord. 11, 7-7-1970)

#### 4-2-4: PRECOLLECTION PRACTICES:

A. Preparation Of Garbage Or Refuse: Grass clippings, leaves, and other similar refuse shall be placed in bags or bundles not exceeding three feet (3') in any dimension and securely fastened to avoid spillage. Household appliances and furniture falling within the definition of refuse need not be so packaged.

B. Placement For Pickup: Refuse shall be deposited at one place, at ground level, on each property. Refuse and garbage shall not be deposited on the traveled roadway of any street.

C. Time Of Placement; Removal: Refuse and garbage shall not be deposited next to streets for collection prior to six o'clock (6:00) P.M. on the day preceding the day of collection, and containers and any garbage or refuse which is not picked up shall be removed from any such location on the day of collection.

D. Containers, Wrapping Or Bagging Required: Except as otherwise provided in subsections A, B and C, all garbage and refuse as accumulated on any premises shall be placed and maintained in containers and shall have drained from it all free liquids before being deposited for collection and shall be wrapped or bagged.

E. Explosive Or Highly ~~Inflammable~~ **Flammable** Material: No



explosive or highly ~~inflammable~~ **flammable** material shall be so deposited. Such material shall be disposed of as directed by the Fire Inspector at the expense of the owner or possessor thereof.

F. Contagious Disease Refuse: Refuse such as, but not limited to, bedding, wearing apparel, or utensils from residential dwelling units or other units where highly infectious or contagious diseases are present shall not be deposited for regular collection but shall be disposed of as directed by the Health Officer at the expense of the owner or possessor thereof. (Ord. 11, 7-7-1970)

#### 4-2-5: CONTAINERS:

A. Provided By User: Garbage and refuse containers shall be provided by the owner, tenant, lessee, or occupant of the premises located in such a manner so as to prevent them from being overturned.

B. Sanitary Condition: Such containers shall be kept in a clean and sanitary condition and kept free from any substance which will attract or breed flies, mosquitoes, or other insects.

C. Size: No garbage or refuse container shall exceed ~~thirty-two (32)~~ **ninety (90)** gallons in capacity or have ragged or sharp edges or any other defect liable to hamper or injure the person collecting the contents thereof.

D. Nonconforming Containers: Containers not complying with the requirements of this Chapter shall be promptly replaced upon notice.

E. Garbage Containers: Garbage containers shall be made of metal, or other suitable material, which is rodent, fire, and waterproof and which will not easily corrode and is equipped with suitable handles and tight-fitting covers and shall be kept tightly covered when there is garbage therein.

F. Refuse Containers: Refuse containers shall be of a kind suitable for collection purposes, and shall be of such size and weight that they can be handled by one ~~man~~ **person**, and kept tightly covered when there is refuse therein.

G. Storage Of Containers: Garbage cans and other garbage and refuse containers shall be so located as to be out of the public view, insofar as possible, except on the day of pickup. (Ord. 11, 7-7-1970)

#### 4-2-6: MULTIPLE RESIDENCE UNITS:

A. Pickup Service Or Commercial Incinerator Required: Multiple residence units having more than four (4) family units shall either be equipped with refuse containers and refuse pickup

service as provided in this Chapter or be equipped with a commercial incinerator complying with the requirements of the Minnesota Pollution Control Agency and licensed by the City as provided in this Chapter.

B. Containers: Refuse containers provided as an alternative to or in addition to such incineration shall be at least one cubic yard in capacity, shall be conveniently located in relationship to the residence units for which they are provided, shall be watertight and rodentproof with self-closing lids and shall be kept in an enclosing structure concealing them from public view. ~~Such structure shall have a raised concrete floor and shall be surrounded by a concrete barrier curb.~~ Such structure shall be kept in a state of good repair at all times. ~~The refuse containers shall be located so that their contents are inaccessible to at least three feet (3') above the base of the enclosing structure.~~

C. ~~Daily Pickup: The owner or operator of such multiple residence property shall provide for garbage pickup from such containers each day.~~ Refuse, debris, garbage and other waste materials shall not be permitted to be accumulated in or near the enclosing **enclosed** structures (except in the containers). There shall be daily cleanup in and around each such enclosing **enclosed** structure. (Ord. 11, 7-7-1970)

#### 4-2-7: COMMERCIAL ESTABLISHMENTS:

The owner or occupant of any commercial establishment or any other property which produces a volume of garbage or refuse or both, which requires garbage and refuse pickup more frequently than once each week, shall also comply with the provisions of Section 4-2-6 of this Chapter. (Ord. 11, 7-7-1970)

#### 4-2-8: MINNESOTA AIR POLLUTION CONTROL AGENCY REGULATIONS ADOPTED:

**A. Regulation Adopted: Pursuant to Minnesota Statute Section 471.62, subject to specific modifications and additions contained herein, the City hereby adopts by reference Minnesota Rules Chapter 7009 (Ambient Air Quality Standards).**

~~A. Standards Adopted: Pursuant to Minnesota Statutes, section 471.62, Air Pollution Controls and Regulations and Ambient Air Quality Standards 1-15, inclusive, of the Minnesota Pollution Control Agency are hereby adopted by reference.~~

~~B. Copies On File: The City Administrator shall mark and keep on file in his office three (3) copies of said regulations, marked "official copies," for use and examination by the public and shall furnish a copy of this Chapter and said regulations at cost to any person upon request. The effective date of such regulations, however, shall be the effective date of the~~

~~Ordinance codified in this Chapter. (Ord. 11, 7 7 1970)~~

~~4-2-9: BURNING:~~

~~A. Permit Required: No person shall willfully burn or set fire to any grass, weeds, or other natural ground cover, or any building, fixture or appurtenance of real property unless a permit therefor has been secured from the Fire Inspector.~~

~~B. Containment: No person shall negligently or carelessly set on fire or cause to be set on fire any woods, prairie, grass or other combustible material, whether on his own land or not, by means whereof the property of another will be endangered, and no person shall willfully allow any fire on his own land, or land occupied by him, to extend beyond the limits thereof.~~

~~C. Conditions Of Permit: If a permit is required by the terms of this Chapter for any burning, the Fire Inspector may condition the granting of such permit in such a manner as he shall deem appropriate.~~

~~D. Allowable Conditions: Permits shall be issued only under such circumstances as may be allowed by the Air Pollution Regulations adopted in this Chapter and as may be allowed by the other ordinances of the City.~~

~~E. Violation: A violation of such conditions shall be a violation of this Chapter. (Ord. 11, 7 7 1970)~~

**4-2-9: PRIVATE COMPOSTING**

The private composting of yard wastes and food wastes is permitted if the following conditions are met:

A. The compost pile shall not be placed closer than five (5) feet from a property line. It shall be located in the rear yard of a residential lot and in the rear of commercial and industrial properties. The compost pile shall be screened from view of the public right-of-way and adjacent properties at all times.

B. The compost pile shall be managed so as to prevent the scattering of yard wastes or other material.

C. The compost pile shall be managed in a manner to prevent odor, harborage of animals, and the stockpiling of material which does not readily decompose within a calendar year including but not limited to refuse, fibrous materials, and prunings.

D. Only the yard waste and food wastes which are produced on the premises can be composted on the premises.

**4-2-10: VEHICLES FOR HAULING GARBAGE AND REFUSE:**

A. Cover Required: All persons hauling or conveying garbage or refuse over the streets of the City shall use a vehicle provided with a tight cover and so operated and maintained as to prevent offensive odors escaping therefrom and garbage or refuse from being blown, dropped or spilled from the vehicle.

B. Cleanliness: Any such vehicles shall be kept clean and as free from offensive odors as possible.

C. Standing On Streets: Any such vehicle customarily used for the hauling of garbage or refuse shall not be allowed to stand in any street, alley, or other place longer than is reasonably necessary to collect garbage and refuse.

D. Disinfection: Any vehicle customarily used for such purposes shall be kept in a clean and sanitary condition and shall be thoroughly disinfected at least once each week unless the same has not been used since the last disinfection thereof. (Ord. 11, 7-7-1970)

#### 4-2-11: GARBAGE AND REFUSE COLLECTORS:

A. License Required: No person shall engage in the business of garbage or refuse collection in the City unless he **or she** shall first pay the license fee as prescribed from time to time by resolution of the City Council and secure a license from the City to do so in accordance with the provisions of this Section. **A license shall be valid for a period of one (1) year. All licenses shall be subject to the review and approval of the City Council.**

B. Application: Any person desiring a license shall make application to the City Administrator. The application shall accurately state:

1. The name of the owner or the licensee;
2. The proposed charges for the hauling;
3. A description of the kind of services to be rendered;
4. A description of each motor vehicle to be used for hauling, including the license number thereof; and
5. The manner and kind of service proposed to customers and the schedule of pickups.

C. Insurance:

1. Policy Of Insurance: No license shall be issued until the applicant files with the City Administrator a current certificate of insurance covering all vehicles to be used by the applicant in his business.

2. Minimum Limits: The minimum limits of coverage for such insurance are:

a. Each person injured, ~~at least one hundred thousand dollars (\$100,000.00)~~, **two hundred fifty thousand dollars (\$250,000)**;

b. Each accident, at least ~~three hundred thousand dollars (\$300,000.00)~~ **five hundred thousand dollars (\$500,000)**;

c. Property damage at least ~~twenty five thousand dollars (\$25,000.00)~~ **one hundred thousand dollars (\$100,000)**.

3. Notice Of Termination: Such insurance shall be kept in force during the term of the license and shall provide for notification of the City prior to termination or cancellation.

4. Revocation Of License: Any license issued shall automatically be revoked at the time of termination or cancellation of such insurance unless and until other insurance is provided as required by this subsection.

D. Bond: Before a license is granted, the applicant shall furnish to the City and deposit with the City Administrator a certified bond in the sum one thousand dollars (\$1,000.00) for each vehicle licensed, to be conditioned upon the faithful performance by the licensee for all work entered into or contracted for by said licensee and conditioned upon compliance with all the provisions and requirements of this Chapter and all applicable sanitary rules and regulations.

E. License Fee: The annual license fee is for the first vehicle and for each additional vehicle in the business of garbage and refuse hauling within the City.

F. Hours: No person engaged in hauling refuse or garbage for hire within the City shall do so after eight thirty o'clock (8:30) P.M. or before six thirty o'clock (6:30) A.M. of any day. ~~There shall be no garbage or refuse pickup from residential dwelling units on Sundays.~~

G. Days: Residential garbage or refuse collection shall only occur on Mondays. When the Monday is designated a legal holiday, residential garbage or refuse collection shall occur on the Tuesday immediately following the holiday.

G. H. Inspection<sup>1</sup>: Each vehicle for which a license is applied for or which is licensed shall be subject to inspection by the City at all reasonable times.

H. I. Vehicles<sup>2</sup>:

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1. See also subsection 2-4-2B2 of this Code.

2. See also Section 4-2-10 of this Chapter.

1. Name Of Licensee: Any such vehicle, while it is used by the licensee in the City, shall have the name of the licensee clearly printed on both sides of the vehicle.

2. License To Be Kept In Vehicle: The license for the vehicle shall be kept in the vehicle at all times while it is being so used.

~~I.~~ J. No Vested Right: No person licensed pursuant to this Section shall gain a vested right in said license. The City may, upon finding that public necessity requires, determine to establish another means of refuse collection.

~~J.~~ K. Obligation Of Licensed Collectors: A licensed garbage and refuse collector shall pick up any garbage and refuse of his customers which has been deposited for collection in the manner provided by this Chapter. (Ord. 11, 7-7-1970; 1996 Code)

#### 4-2-12: ~~DISPOSAL AT LANDFILL FACILITY:~~

No person shall dispose of garbage or refuse upon any property in the City except at an approved landfill site. An approved landfill site is a site for disposal of refuse operated in accordance with the rules and regulations of the Minnesota Pollution Control Agency. **waste facility permitted by the Minnesota Pollution Control Agency.** (Ord. 11, 7-7-1970)

#### ~~4-2-13: INCINERATORS:~~

~~A. Compliance Required: No person shall operate an incinerator within the City for the burning of garbage or refuse unless such incinerator complies with the requirements of the Minnesota Pollution Control Agency.~~

~~B. License Required; Exceptions: No incinerator, except an incinerator for a residential dwelling unit, shall be operated within the City unless the operation of such incinerator has been licensed by the City as provided in this Section.~~

~~C. Application: Application for a license shall be made to the City Administrator. The application shall state the name and address of the owner of the property on which the incinerator is located, a description of the type of incinerator, and, except in renewal applications, a plan showing that the incinerator will comply with applicable rules and regulations.~~

~~D. License Fee: The application shall be accompanied by the annual license fee in such sum as determined from time to time by resolution of the City Council.~~

#### ~~E. Approval/Denial Of Application:~~

~~1. Issuance By Building Inspector: Applications for incinerator~~

~~licenses may be granted by the City Building Inspector if he ascertains that the incinerator meets the requirements of the Minnesota Pollution Control Agency and the ordinances of the City.~~

~~2. Referral To City Council: The Building Inspector may, however, refer any such application to the City Council. In the event of such referral to the City Council, the Council may grant or deny the application.~~

~~3. Grounds For Denial: It shall be grounds for denial of the application that applicant, or other persons occupying the premises at which the incinerator is or would be located, have not complied with regulations of the City relating to health, safety, building or zoning or any regulations applicable to such incinerator. (Ord. 11, 7 7 1970; 1996 Code)~~

~~4-2-14~~ 4-2-13: PENALTY:

Any person violating any of the provisions of this Chapter shall be subject to the penalties provided for in Section 1-4-1 of this Code. (Ord. 11, 7-7-1970)

4-2-14: REVOCATION:

A garbage or refuse collector's license may be terminated by the City upon occurrence of any of the following:

A. The licensee fails to comply with the provisions of this ordinance or other city ordinances, or is in violation of county ordinances, and/or state or federal laws, rules or regulations;  
or

B. The City determines that the licensee's performance of refuse collection, hauling or disposal is unsatisfactory based on complaints received about the licensee.

Nothing in this section shall be construed to limit the City's other available legal remedies for any violation of the law, which may constitute a violation of the ordinance including criminal, civil, injunctive or others.

**LAUDERDALE COUNCIL  
ACTION FORM**

**ACTION REQUESTED**

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

Meeting Date Tuesday, November 29, 2005

ITEM NUMBER 10-6 Met Council ESSP

STAFF INITIAL \_\_\_\_\_

APPROVED BY ADMINISTRATOR



**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:** the Metropolitan Council Environmental Services Division completed a study and assessment of communities inflow and infiltration in the regional sanitary sewer system. This report and study indicated clear water (I/I) is entering the system during storm events and causing significant problems in the systems resulting in overflows and back-ups. Lauderdale contributes approximately .31 million gallons per day during storm events over peak flow. This equates to a surcharge of \$108,500 or \$21,700 per year surcharge. The clear water is believed to come from homes with sump pumps or drain tile connected to the sanitary sewer system. The city will continue to be assessed the surcharge based on peak flow until 2012. Beginning in 2013, the surcharge program ends and a new method of assessing communities that exceed the peak flow will be instituted and will result in higher costs for the city and residents.

**OPTIONS:**

See attached

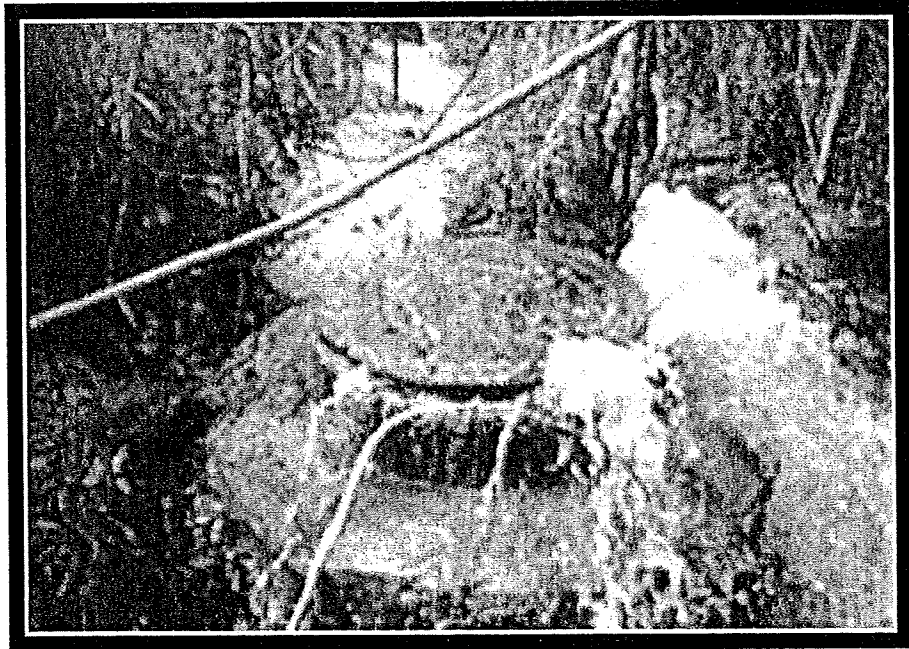
**STAFF RECOMMENDATION:** no decision is necessary at this time. There are several informational sessions in the next few weeks (see attached) addressing this issue. Additional information will be provided following attendance at the meeting. Also, if desired, a copy of the report can be provided to council.

**COUNCIL ACTION:**





**Metropolitan Council Environmental Services**



***PRELIMINARY***  
**INFLOW/INFILTRATION**  
**SURCHARGE PROGRAM**

October 24, 2005

 **Metropolitan Council**  
*Environmental Services*

230 East Fifth Street ■ St. Paul, Minnesota 55101-1626 ■ (651) 602-1005 ■ Fax 602-1138 ■ TTY 291-0904

# Metropolitan Council Members

## Chair:

Peter Bell

## Council Members:

Roger Scherer	District 1	Natalie Steffen	District 9
Tony Pistilli	District 2	Vacant	District 10
Mary H. Smith	District 3	Georgeanne Hilker	District 11
Julius C. (Jules) Smith	District 4	Chris Georgacas	District 12
Russ Susag	District 5	Richard Aguilar	District 13
Peggy Leppik	District 6	Song Lo Fawcett	District 14
Annette Meeks	District 7	Daniel Wolter	District 15
Lynette Wittsack	District 8	Brian McDaniel	District 16

## Council Regional Administrator

Thomas Weaver

## General Manager, Environmental Services Division

William G. Moore

The mission of the Metropolitan Council is to develop, in cooperation with local communities, a comprehensive regional planning framework, focusing on transportation, wastewater, parks and aviation systems, that guides the efficient growth of the metropolitan area. The Council operates transit and wastewater services and administers housing and other grant programs.

**Cover Photo:** Overflow out of a manhole as a result of excessive Inflow/Infiltration overloading an interceptor.



# Section One

## Introduction

The Metropolitan Council, through its Environmental Services Division (MCES), owns and operates extensive interceptor systems, as shown in Figure 1. The largest system conveys wastewater flow to the Metro Wastewater Treatment Plant (WWTP) and serves 65 communities. Smaller systems convey flow to the Council's plants in Shakopee (Blue Lake), Eagan (Seneca), Empire, Cottage Grove (Eagles Point), Rosemount and Oak Park Heights (St. Croix Valley). There is no interceptor system for the Hastings plant.

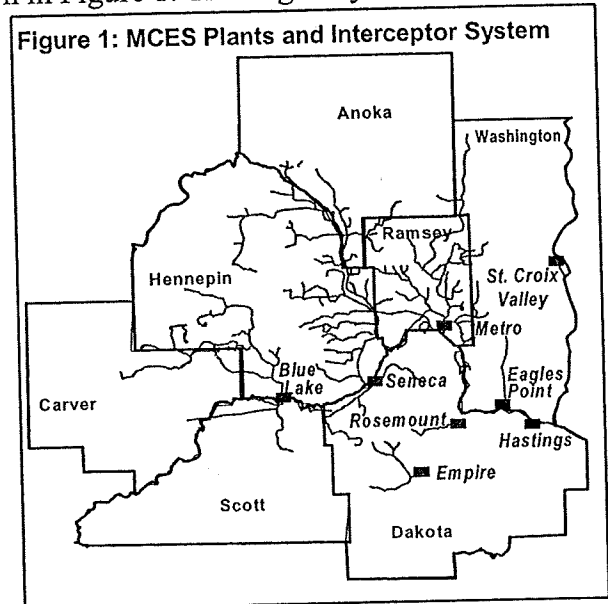
More than 100 communities own and operate local sewer systems that are connected to the MCES regional interceptor system. Through these local systems, wastewater service is extended to residents, commercial establishments, industry, and public agencies. These end users are charged for this service by the local community, which typically

charges for wastewater on the basis of metered water use. MCES, as a wholesaler of the regional services, bills each community on the basis of its metered wastewater flow in the interceptor system. Industries with high strength waste are billed individually by MCES for the strength charge portion of their charges.

Each community bills its customers to recapture the cost charged by MCES and the costs to maintain and operate the local sewers. Because MCES bases its charge for service on the volume of wastewater received, these charges include any clear water entering the sewer system as well as the wastewater generated by the customers. Clear water includes rain water that enters the local sewer system through leaks in the publicly owned sewer and manholes and from private property sources such as rain leaders, sump pumps, foundation drains, and leaking house laterals. MCES flow records show a direct correlation between precipitation and the volume of flow from many communities served by the regional wastewater system.

The addition of clear water into the local sewer systems creates two problems.

- First, the additional flow uses system capacity that was originally designed for growth. For this reason, MCES charges communities the same rate for a community's clear water as it does for its wastewater.
- Second, in some cases the additional flow may exceed the available sewer system capacity. When the capacity of the sewer is exceeded, the wastewater may back up into basements or spill out of manholes. These occurrences may result in problems for MCES under federal and state regulations.



term service of the region are either 1) to eliminate excessive I/I flows at the source, or 2) to store excessive I/I near its source in order to eliminate peaking and then treat the flow. The practical limitations to expanding the system, the high cost of relief sewers, larger pump stations and larger treatment facilities, and the impending federal requirements (Capacity, Management Operations, and Maintenance or CMOM, etc.) on elimination of overflows supported this conclusion. As discussed later in this program document, the former option (i.e., eliminating excessive I/I flows at the source) is the preferred option from an economic standpoint.

With this background in mind, staff recommended the formation of an I/I Task Force.

## **I/I Task Force Conclusions and Recommendations**

On April 8, 2003, the Metropolitan Council appointed the Infiltration and Inflow Task Force headed by Council Member Russ Susag, District 5. The Task Force included representatives from 15 communities from across the region as well as the Association of Metropolitan Municipalities. Individuals on the Task Force from the different communities serve "at large." The I/I Task Force membership, charter and full process and findings can be found in the May 2004 Inflow/Infiltration Task Force Report at

<http://www.metrocouncil.org/environment/ProjectTeams/I-I-Home.htm>

The Task Force concluded and recommended that the Metropolitan Council adopt an I/I policy and corresponding implementation strategies to reduce excessive I/I from the Metropolitan Disposal System (MDS).

### **Notice Letters**

Since the beginning of June 2004, MCES has been sending letters to the public works departments of municipalities for

- 1) actual excessive I/I events, or
- 2) potential peaking events that would have exceeded the allowable I/I limits had they occurred at the normal high flow point in the daily (diurnal) cycle.

MCES will continue this practice throughout this program.



## Section Two

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### I/I Policy

#### **I/I Policy and Corresponding Financial Implementation Strategies**

Based on direction from the I/I Task Force recommendations and statutory authority (Minnesota Statutes, Section 473.145), the Metropolitan Council—as part of the 2030 Development Framework and the Water Resources Management Policy Plan—adopted the following policy and fiscal implementation strategy associated with the reduction of excessive I/I in the metropolitan disposal system.

#### ***Policy***

The Council will not provide additional capacity within its interceptor system to serve excessive inflow and infiltration.

The Council will establish inflow and infiltration goals for all communities discharging wastewater to the Metropolitan disposal System based on the designed peak-hour capacity of the interceptor(s) serving the community. Communities that have excessive inflow and infiltration in their sanitary sewer systems will be required to eliminate the excessive inflow and infiltration within a reasonable time period.

#### ***Fiscal Implementation Strategies***

In order to address this problem, the Council will take a twofold financial approach to the excessive I/I problem. In the first place, the Council will plan and prepare for a future where sufficient I/I has not been removed from the system, resulting in a need to build storage facilities and provide treatment for excess I/I. In such a case, substantial capital improvements would be necessary to ensure system integrity and the ability to meet growing demand. This planning and preparation will include the establishment of a reserve/contingency fund to make available funds, which may be necessary to carry out capital improvements in the MDS. These funds would address the effects of excessive community inflow and infiltration should community efforts be insufficient. Second, the Council will establish financial incentives to encourage and assist those communities with excessive I/I in their systems to eliminate the sources of I/I.

Accordingly, the Council will initiate an inflow and infiltration removal program commencing in 2007. This program will consist of four elements:

- **Element 1—Imposition of Inflow/Infiltration Surcharge.** The first element will be the immediate imposition of an inflow and infiltration surcharge for communities experiencing high I/I commencing in 2007 and extending through 2012. The process by which communities will be designated to have excessive I/I and the amount of the surcharge is described in greater detail later in this program document. Funds raised by the inflow and infiltration surcharge program will be placed in a reserve contingency fund to be used for future capital improvements to address the capital improvements necessary to address the impacts of excessive I/I on the system and for treatment works costs associated with excessive I/I, should that become necessary.

providing attenuation within the MDS to avoid overloading downstream facilities. MCES will continue to review communities' progress and work with them on a case-by-case basis. The Council will design the needed storage and capacity improvements to avoid overloading downstream facilities. Funds remaining in the surcharge reserve/contingency fund will be available to defray the costs of these improvements. Any additional costs to MCES to control, convey and treat the peak flow will be charged to the community as demand charge(s).



## Section Three

### I/I Costs in the MDS

#### Key Assumptions

The following assumptions address the costs of managing excessive I/I throughout the MDS. Costs to store and treat excessive I/I were estimated, as were costs to reduce I/I at the community level. Several key assumptions are needed to estimate these costs until more information is available. These assumptions are as follows:

- Excessive I/I that causes peak flows to exceed the basis of design of the interceptor system would be stored underground at each point of connection to the interceptor system rather than conveyed in larger sewers and pump stations.
- The primary impact of high levels of I/I at the treatment plants is the increase of the monthly average flow. Within the MDS, the peak monthly I/I flows at Seneca, Empire, and Hastings are calculated to be about 30 gallons per capita per day (gpcd). For purposes of estimating the cost of treating excessive I/I, monthly I/I flows exceeding 30 gpcd are deemed excessive.
- The capital cost of storage is estimated at \$2 to \$3 per gallon, depending on the size of the storage basin required. Duluth recently constructed 2 million gallons (MG) of storage for approximately \$2 per gallon, but this did not include the engineering, legal and administrative costs. In addition, the facility is near the ground surface and land costs were not included.
- The capital cost of treating I/I is estimated at \$2 to \$3 per gallon per day (gpd), based on actual costs of \$3.50 to \$5.00/gpd to expand large MCES treatment plants, and estimating that 40% of the cost is associated with solids management and the strength of the wastewater.
- Most communities have addressed I/I in the publicly-owned system but have not implemented effective programs to reduce I/I from private property (sump pumps, foundation drains and leaky house laterals). For those properties contributing I/I, it is estimated that, on average, the peak hour flow is increased about 6 gallons per minute (gpm) per connection.

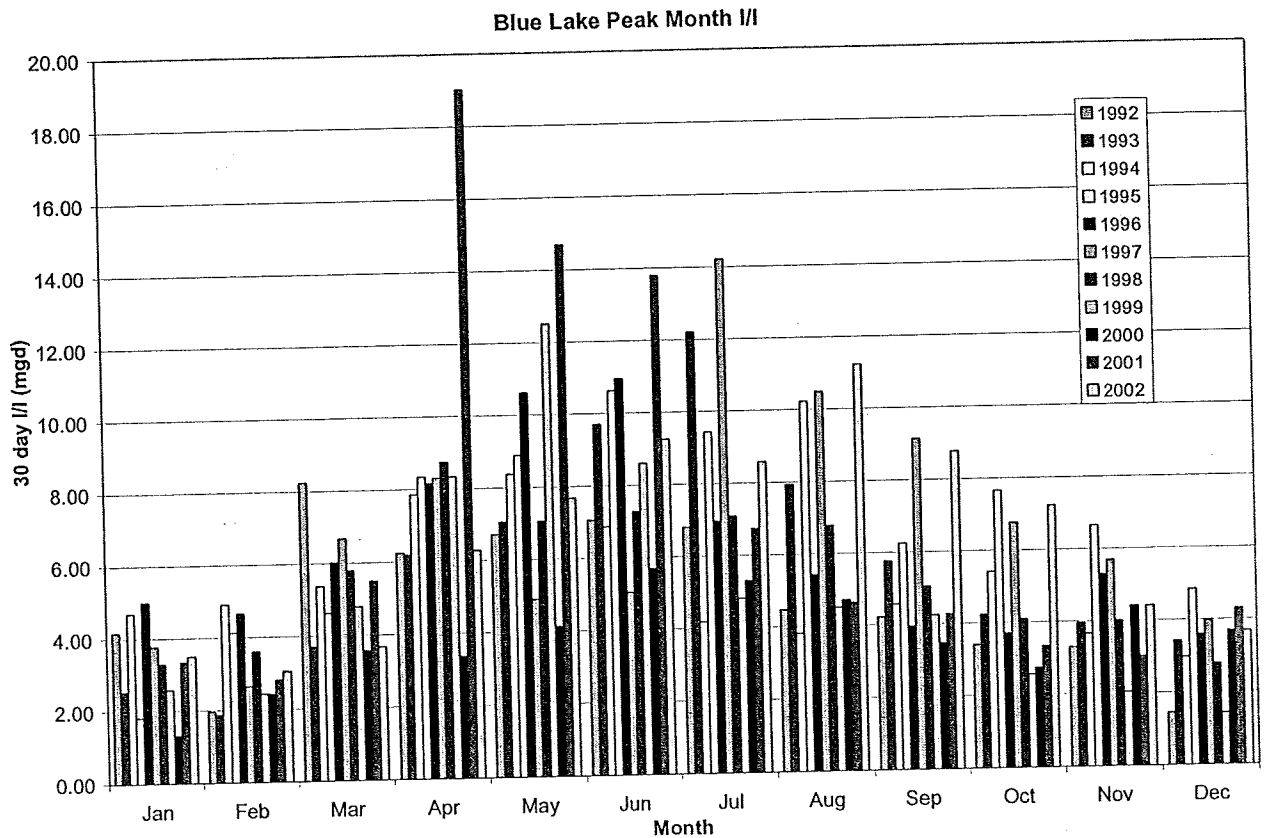
#### Procedure for Estimating I/I Storage Volumes

The Interceptor Master Plan for MCES included characterizations of the sewersheds tributary to the interceptor system relative to rainfall dependent I/I. These characterizations were used as part of a hydrologic model to generate wet weather flow hydrographs for different design storms. When added to the dry weather base flow, the combined hydrograph represents the total flow entering the interceptor system. If the peak flow exceeds the peak flow allowed by applying the correct MCES peaking factor, the difference is deemed “excessive”. For purposes of estimating the cost to manage the “excessive” I/I, the excess flow is assumed to be diverted to below ground storage and subsequently pumped back into the interceptor after the flows recede.



below, the peak month I/I at Blue Lake WWTP reached 19 mgd in 2001. This was approximately 80 gpd/capita. At the Metro Plant, the peak month I/I is estimated to have reached 70 gpd/capita and at the St. Croix Valley WWTP, the value is near 60 gpd/capita. For areas that do not have excessive I/I, the peak month I/I is approximately 30 gpd/capita. Currently, systemwide excess I/I requiring treatment is approximately 80 million gallons per day (mgd).

Inflow/Infiltration becomes part of the wastewater to be fully treated. Most of the liquid treatment process in a wastewater treatment plant is sized based on hydraulics (flow rate), and comprises approximately 60% of the capital cost of a wastewater treatment plant, or \$2-3 per gallon per day of capacity. Estimated capital costs for treatment is approximately \$200 million (in addition to the costs for collection and storage of excess I/I).



### Procedure to Estimate Local Cost for I/I Reduction

The cost to eliminate I/I from a foundation drain can range from several hundred dollars (disconnect the discharge from the sump pump) to \$8,000 for installing a new outside sump pump, curb side receiver, and yard restoration. For purposes of estimating the total cost of eliminating I/I from private property, an average cost of \$3,000 is assumed. The number of private property sources within the MDS is largely unknown, but has been estimated from the I/I characterization work done for the Interceptor Master Plan. The peak hour flow for a 25-year rain event was simulated using a hydraulic model calibrated with MCES meter data. Excessive peak hour I/I is estimated at 400 mgd, which is equivalent to 300,000 gpm. If each connection is contributing 6 gpm to the peak hour flow (based on observed results in a



## Section Four

### The Surcharge Program

#### Costs and Implementation

It has been estimated that if excessive I/I is not eliminated at its source it will cost the Region approximately \$900 million to construct storage facilities and expand wastewater treatment plants to contain and treat the excessive I/I. MCES intends to begin collecting reserve/contingency funds that will allow management of I/I within the MDS, beginning with the Surcharge program.

The modeling efforts of the Council show that during a 25-year wet weather event the projected peak hourly rate of I/I exceeds the allowable rate by approximately 300,000 gpm. Staff has estimated that it will cost approximately \$150 million for the communities and private parties to eliminate the excessive I/I at its source or about 15% of what MCES would have to pay to collect and treat it. Thus, MCES contingency fund raising can be targeted to \$150 million in the 2007–2011 time frame. Should the Surcharge and other I/I programs not succeed by 2012, the higher amount (adjusted by mitigation efforts to date) will need to be raised through a Demand Charge that will be instituted in 2013.

#### The Surcharge Program

Using the \$3000/connection average cost and the estimate of a 6 gallon per minute (gpm) average reduction in peak flow for an average disconnection (see section 3), the estimated exceedance cost of \$500 per gpm was developed. Converted to million gallons per day (mgd) this is approximately \$350,000 per mgd of exceedance. \$350,000 per mgd of excess I/I will be the "Exceedance Rate" for 2007. This same rate will be applied to each municipality that has one or more I/I exceedance events recorded for them since the measurement and notice program began June 1, 2004.

#### 2007 Surcharges

The 2007 Surcharge for each community will be equal monthly charges based on the following:

$$\text{Municipal 2007 Surcharge} = \text{Community's I/I Total Cost (IITC) Estimate} / 60 \text{ months}$$

Where:

$$\text{Community's IITC Estimate} = (\text{Max Excess I/I Peak Flow Event}) \times (\text{Exceedance Rate})$$

$$\text{Max Excess I/I Peak Flow Event} = \text{Maximum Exceedance measured in the program through June 30, 2006}$$

$$\text{Exceedance Rate for 2007} = \$350,000 \text{ per mgd}$$

The 2007 Surcharge will be imposed for 5 full billing years (2007-2011) and will not be changed unless:

- 1) the municipality demonstrates to MCES, through the appeal process, that the amount is not necessary to fix *all* the I/I problems in the municipality, or
- 2) that the full 2007 IITC has been spent earlier than 2011.

These surcharges will appear on the monthly wastewater bills for 2007-2011 as “2007 I/I Surcharge” unless offset by credits as described below.

### **2008 – 2011 Surcharges**

New Surcharges will be initiated in subsequent years of the program if higher I/I peak events occur in the intervening flow years (e.g. Billing year 2008 corresponds to flow from July 1, 2006 to June 30, 2007). The same Surcharge formula (as for 2007, above) will be applied with the following changes:

- Instead of 60 months, the number of months remaining in the program for which the municipality may be surcharged will be used. For a Surcharge imposed in 2008 this will be 48 months; for 2009, 36 months; for 2010, 24 months; and for 2011, 12 months.
- The Exceedance Rate will be increased by inflation each year, using the most recently available CPI-U for the Region per the federal Bureau of Labor Statistics. In addition, the Council may increase or decrease the rate if subsequent engineering analysis determines a materially different average cost.
- The Max Excess I/I Peak Flow Event will be the *increment* over the Max used to previously assess Surcharges, if any. If there were no prior Surcharges, then the entire peak flow event will be used.

Municipalities should understand that the Surcharges will be based on actual wet weather events. If little wet weather occurs in a particular municipality they may have little or no Surcharges. However, a serious I/I problem may exist that will incur substantial expense once the Demand Charges begin in 2013. The responsibility to fix the problems and avoid such Demand charges resides entirely with the municipalities.

### **Surcharge Example**

City X has had three I/I events occur since June 1, 2004 and to date, as follows:

June 9, 2004	.139 mgd
July 11, 2004	.120 mgd
July 23, 2005	.130 mgd

If no other I/I events occur before the close of the initial flow period (June 30, 2006), the maximum event will be the .139 mgd event. This peak exceedance times the Exceedance Rate (\$350,000 per mgd for 2007) equals this city’s IITC of \$48,650. This implies a “2007 surcharge” of \$9,730 per year for each year 2007 – 2011. Thus in 2007, in addition to the municipal wastewater charge, the city will see an additional “2007 Surcharge” line item for \$810.83 on its monthly bill.

If in the flow period for 2008 billing (July 1, 2006 – June 30, 2007), the only additional I/I event(s) that occur are less than .139 mgd, then the 2008 billing will continue to include only the “2007 Surcharge” of \$810.83/month.

If during the flow period for the 2009 billing (July 1, 2007 – June 30, 2008), additional I/I event(s) occur which exceed the prior max (of .139) then an additional surcharge will occur, as follows:

New I/I events:	August 1, 2007	.202 mgd
	August 2, 2007	.215 mgd

The new maximum event is the .215 mgd number which is .076 mgd higher (the increment) than the prior max (which has already been surcharged). This incremental peak will be multiplied by the then current Exceedance Rate. If the Exceedance rate is \$370,000 (because it inflated), the incremental IITC estimate is \$28,120. As there would be only 3 years remaining, the additional monthly surcharge would be \$781.11. So on a monthly bill in 2009 there will be three line items: the municipal wastewater charge, the "2007 Surcharge" of \$810.83, and the "2009 Surcharge of \$781.11.

If during the flow period for the 2010 and 2011 billings there are no I/I events higher than the .215 mgd event, there will be no additional surcharges added. The 2007 and 2009 Surcharges will be applied each month until the end of 2011.

### ***Surcharge Reserve/Contingency Fund***

All funds received by the Council under the Surcharge Program will be placed in a Surcharge Reserve/Contingency Fund to be used for the purpose of managing I/I within the MDS system if local efforts to remove I/I are unsuccessful. The Council will maintain separate bookkeeping accounts for each community making surcharge payments. Each account shall include any amounts paid by the community and a proportionate share of any interest earned by the Surcharge Reserve/Contingency Fund.

### ***Rebate or Avoidance of Surcharges***

Communities subject to the Council's surcharges may recover or avoid all or a portion of their allocated surcharge in two ways.

#### **Option A (Rebates)**

Municipalities may receive rebates of funds, including interest, in their bookkeeping account in two situations:

- 1) Municipalities may receive a rebate of funds equal to the amount of eligible expenditures made by the community. Eligibility requirements will be the same as for Option B described below. Each municipality may apply at any time during a program year (but only once a year) for a rebate from their community's bookkeeping account.
- 2) In the fall of 2012, 2013 or 2014, if no excess I/I events have been recorded for the municipality in the three prior years, the full amount of any funds, including interest, remaining in a community's bookkeeping account will be rebated to the municipality.

NOTE: The Council intends to begin a "Demand Charge" for excess I/I in 2013. Surcharge accounts and rebates will not be altered by the initiation of the Demand Charges.

#### **Option B (Credits)**

MCES will prepare a standard I/I mitigation agreement that municipalities (that have been surcharged) may sign to offset each Surcharge. This agreement will provide a credit against the Surcharge amount for the coming year(s) and may entirely eliminate the billing. It will require that municipalities spend other funds and/or require private party spending in an amount equal to the credit. Eligible spending shall include budgeted direct staff costs for I/I inspection or engineering (but not administrative overheads) as well as the cost of loans or grants to private parties. Private party costs will be eligible based on standard costs

determined by MCES (e.g. \$5000 for a foundation drain or \$500 for a sump pump connection).

### **Appeals**

Municipalities may appeal their Surcharges to the Regional Administrator of the Council, within 90 days of being notified of the charges, in the following circumstances:

- community expenditures (after June 2004, and before June 30, 2006) have fixed some problems and should be taken into account,
- extenuating circumstances caused the I/I event(s) and the event(s) should not be counted or should be reduced,
- the Exceedance Rate is more than needed to fix the community's IITC, because the specific fixes needed in the municipality, per an engineering study, will cost less than the exceedance rate, or
- the determination by MCES that some costs are ineligible costs, (if the community believes these expenditures will contribute to the reduction of their IITC).

### **Community Exceedance Costs**

In the I/I Task Force Report the Council provided a list of communities whose measured peak flows during major wet weather events in 2001 and 2003 would have exceeded the established I/I goals for their communities. Since June 2004, MCES has been monitoring specific wet weather events and notifying those communities whose peak hour flows have exceeded their I/I goals. The following table is a list of all communities whose peak hour flows have exceeded the allowable I/I in either of these periods. Those communities that have exceeded their I/I goals and received at least one letter from the Council since June 2004 are shown with the preliminary proposed surcharge listed. As wet weather events occur the Council will continue to monitor the flows from all the communities within the Metropolitan Disposal System and update the list through June of 2006 for the 2007 surcharge billing.

**Table 1. Preliminary IITC and 2007 Surcharge: Based on data through October 5, 2005**

Municipalities not appearing on this list may also have excessive I/I; it is recommended that all municipalities adopt control strategies as discussed in Appendix B.

City	Actual Max Flow Event(1) (mgd)	IITC at \$350,000 per Excess mgd	2007 Preliminary Surcharge(1)	2007 Potential % Inc. due to Surchrg.(1)	High Risk of Inc.
Apple Valley	2.94	\$ 1,029,000	\$ 205,800	9.7%	
Arden Hills	1.43	500,500	100,100	17.2%	✓
Bayport	0.28	98,000	19,600	6.5%	✓
Bloomington	0.72	252,000	50,400	0.9%	
Burnsville	0.26	91,000	18,200	0.6%	✓
Chanhausen	4.46	1,559,600	311,920	21.7%	
Chaska	0.82	287,000	57,400	4.5%	
Columbia Heights	1.17	409,500	81,900	9.9%	✓
Eagan	6.03	2,110,500	422,100	11.9%	
Eden Prairie	3.95	1,382,500	276,500	10.2%	✓
Edina	1.49	521,500	104,300	2.9%	
Excelsior	0.79	277,900	55,580	42.6%	
Farmington	0.80	280,000	56,000	6.9%	
Forest Lake (2)	0	0	0	0.0%	✓
Fridley	0.27	95,900	19,180	0.7%	
Golden Valley	5.43	1,900,500	380,100	27.0%	✓
Greenwood	0.24	84,000	16,800	44.2%	
Hopkins	1.28	448,000	89,600	9.0%	
Lakeville	3.09	1,081,500	216,300	9.5%	
Lauderdale	0.31	108,500	21,700	20.5%	
Lexington (2)	0	0	0	0.0%	✓
Lilydale	0.36	126,000	25,200	58.6%	✓
Little Canada (2)	0	0	0	0.0%	✓
Long Lake	1.30	455,000	91,000	58.4%	✓
Maple Grove	1.22	427,000	85,400	2.8%	
Maple Plain	0.25	87,500	17,500	8.8%	
Maplewood	3.36	1,176,000	235,200	9.5%	
Medicine Lake	0.13	45,500	9,100	29.3%	✓
Medina	0.43	151,550	30,310	25.4%	
Mendota	0.04	15,400	3,080	30.9%	
Minneapolis	103.00	36,050,000	7,210,000	24.7%	
Mnetonka	4.90	1,715,000	343,000	10.0%	

✓Analytical modeling shows a good chance for substantial increases.

Table continued on next page

Table 1. Continued

City	Actual Max Flow Event(1) (mgd)	IITC at \$350,000 per Excess mgd	2007 Preliminary Surcharge(1)	2007 Potential % Inc. due to Surchrg.(1)	High Risk of Inc.
Minnetonka Beach	0.38	\$ 134,400	\$ 26,880	73.9%	
Mound	0.16	56,000	11,200	2.0%	✓
New Brighton	0.39	136,500	27,300	2.3%	
New Hope	0.14	49,000	9,800	0.8%	✓
Newport	1.64	574,000	114,800	89.8%	
North St. Paul (2)	0	0	0	0.0%	✓
Oakdale	2.77	969,500	193,900	12.9%	✓
Orono	1.28	448,000	89,600	29.3%	
Plymouth	0.98	343,000	68,600	1.6%	
Roseville (2)	0	0	0	0.0%	✓
Savage	0.82	287,000	57,400	4.5%	
Shoreview	1.23	430,500	86,100	5.6%	
Shorewood	4.78	1,673,000	334,600	69.6%	
South St. Paul	5.67	1,984,500	396,900	19.2%	
St. Anthony	3.42	1,197,000	239,400	55.1%	
St. Bonifacius	0.26	92,050	18,410	14.5%	
St. Paul	93.70	32,795,000	6,559,000	50.8%	
Stillwater	1.20	420,000	84,000	7.1%	
Tonka Bay	0.13	45,500	9,100	6.4%	✓
Vadnais Heights	0.84	294,000	58,800	7.9%	✓
Waconia	2.14	749,000	149,800	31.4%	
Wayzata (2)	0	0	0	0.0%	✓
West St. Paul	1.89	661,500	132,300	10.4%	
White Bear Lake (2)	0	0	0	0.0%	✓
White Bear Township	0.09	31,500	6,300	1.1%	
Woodbury	0.14	49,000	9,800	0.4%	
<b>Total</b>	<b>275</b>	<b>\$96,186,300</b>	<b>\$19,237,260</b>		

Notes: (1) These 2007 surcharge amounts will be increased if excessive I/I events occur after October 5, 2005 and before July 1, 2006.

(2) Municipalities that appear on the list with no actual flow event numbers, have exceeded their I/I goals in 2001 or 2003 and, therefore, MCES believes they are vulnerable to excessive I/I events.

✓Analytical modeling shows a good chance for substantial increases.



## Appendix A

### Definitions and Acronyms

**CMOM:** Capacity, Management, Operations, and Maintenance federal regulations.

Regulates Sanitary Sewer Overflows (SSOs). Will become part of NPDES permit requirements. Will require creation and maintenance of a plan to demonstrate a governmental unit's ability to plan and manage its sewer system effectively, and maintain its integrity so that it has adequate capacity and stays in good condition over the years.

**Demand Charge:** A demand charge is the amount that MCES will charge a community (starting in 2013) for the cost of excess capacity paid by MCES, because of the community's excessive I/I. The charge is not a penalty; it is based on MCES' cost of service for providing improvements that were the community's responsibility.

**Design Average Flow:** The design average flow is calculated as the product of the developable area of the long-term service area times 800 gallons per acre per day. This value represents an annual average flow from a service area at long-term development.

**Design Peak to Average Flow Ratio:** The ratio of the peak hour flow used for hydraulic design divided by the design average flow. MCES has adopted a table (Attachment No. 1) that identifies the Design Peak to Average Ratio to be used for ranges of design average flows.

**Exceedance Rate:** The charge per mgd of excessive I/I (per Section 4 of this report).

**Excessive I/I:** a) I/I that results in the community's wet weather flows to exceed the Metropolitan Council's established I/I goals for the community.

b) I/I that causes the peak hourly flow to exceed the value determined by multiplying the average flow by the value of the peak to average ratio used by MCES to design interceptors and pump stations.

c) I/I that exceeds 25 gallons per day per capita on a maximum monthly basis (MPCA).

**gpm:** Gallons per minute

**gpcd:** Gallons per capita per day

**I/I:** Infiltration and Inflow is that component of sanitary sewage flow that originates from clear water connections, i.e., sump pumps and foundation drains, stormwater entering manholes and groundwater entering through pipe joints and cracks. It is water that would normally not require any type of treatment. However, once it is co-mingled with sanitary wastewater it cannot be separated, and must be treated along with the sanitary wastewater.

**I/I Event:** An hour when excessive I/I occurs as determined by MCES.

**IITP:** The Inflow/Infiltration Total Cost for each community.

**Infiltration:** The seepage of groundwater into sewer pipes through cracks or joints in the pipes.





## **Appendix B**

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### **Possible Control Strategies**

#### **Options for Reduction of I/I in Local Collection Systems**

##### ***New Facilities***

The design and construction of new sewers and the connection of new buildings to the sewer system should meet the industry standards for tightness and minimize the entry of I/I into the collection system.

The state of Minnesota requires that new sewers be designed and installed so leakage into the sewer is less than 100 gallons per day per inch-diameter per mile of sewer. For one mile of 12-inch diameter sewer, the leakage into the new sewer must be less than 1,200 gallons per day (less than 1 gallon per minute). Adherence to this standard depends on inspection during construction and verification testing prior to acceptance by the owner. The task force agreed that the Metropolitan Council should require certification by a professional engineer that new facilities are installed in accordance with all specifications. Each community must retain records of these certifications so that MCES can audit them.

The connection of a building lateral to the local sewer system is usually permitted by the local building department. The steps taken to confirm that the connection is done correctly vary among communities. Some communities require that a licensed plumber certify that the connection was made in accordance with the building code.

##### ***Ordinances***

All communities must have adopted ordinances that prohibit the connection of roof leaders, foundation drain tiles, and sump pumps from new construction to the sanitary sewer system. Cities should have ordinances that require the disconnection of any roof leaders, foundation drain tile, or sump pumps currently connected to the sanitary sewer system.

##### ***Municipal Authority***

M.S. 471.342 gives specific authority to Minnesota cities (but not to townships) to establish I/I programs, including loans or grants to property owners. City and township funding can come from Council Surcharge refunds as described in Section 4.

##### ***Disconnection of Foundation Drains and Sump Pumps***

The disconnection of foundation drains and sump pumps from the sanitary sewer system is one of the most difficult I/I reduction measures for a community to undertake. The identification of the locations that should be disconnected is a major step and a difficult one for most communities. Generally, the house to house inspection of the plumbing in the basement does not cause much public concern if the program is well explained to the public and they understand the reason for the inspections. These inspection programs take time and a concerted communications effort. The inspection for connected gravity drains often requires some form of dye testing around the foundation of a building. Dye is sprinkled around a foundation and water is added to flush the dye down the wall of the foundation. Concurrently, a TV camera is placed to observe the building lateral to see if dye is discharged. The local ordinance must be written to allow for this type of testing.

There are a range of options to address this and examples from other communities to follow. Options to consider include the following.

- **Voluntary disconnection and reimbursement:** Building owner is notified of connection and offered some form of reimbursement for disconnection if performed within a specified time frame. No penalty for remaining connected.
- **Point of sale:** Seller must provide community proof that code is met prior to building sale.
- **Age of structure:** Some communities require new building lateral and confirmation of disconnection if building permit is issued for building that is a certain age (40 years old, for example).
- **Mandatory disconnection with reimbursement:** Building owner is notified of connection and offered some form of reimbursement for disconnection if performed within a specified time frame. The owner is fined if remaining non-compliant after a certain period.

In all cases the disconnection should be certified by community staff or a licensed plumber. These certifications should be on file and accessible for audit by the Metropolitan Council.

### ***I/I Reduction in Local Sewers***

The investigation of I/I sources in publicly owned sewer systems is fairly well developed and the standard practices well documented on the basis of the sewer system evaluation surveys. The basic steps included the following.

- **Flow monitoring and analysis:** Locate areas generating high I/I and estimate I/I rates.
- **Smoke testing:** Locate inflow sources.
- **Dye water flooding:** Locate cross connections between drainage system and sanitary sewer system.
- **Closed circuit TV inspection:** Often conducted during the dye water flooding tests, the TV inspection locates specific I/I sources and structural defects that should be rehabilitated or replaced. Manhole inspections are usually done concurrently with sewer inspections.

Most communities have ongoing sewer cleaning and inspection programs as part of the routine maintenance of the collection system. I/I sources are often identified during inspection and include open and leaking sewer joints, cracked pipes, missing joint gaskets, broken house lateral connections, running services (problem likely on private property), pick holes in manhole covers, and offset manhole frames. Many communities address these I/I sources as part of their infrastructure rehabilitation program.

### ***Relief Sewers***

Relief Sewers to convey excessive I/I to the MCES interceptor system are not permitted.

### ***MCES Toolbox Assistance***

Additional information and resources on reduction actions/practices can be found in the MCES I/I Reduction Toolbox located at:

<http://www.metrocouncil.org/environment/ProjectTeams/I-I-Home.htm>



## Appendix C

### Case Studies of I/I Related Costs

#### City of Milwaukee Case Study

The Milwaukee Metropolitan Sewerage District began a \$2.3 billion sewer improvement program in 1986 to store and treat I/I to comply with stricter federal water quality standards. This program included a \$716 million Deep Tunnel, put in operation in 1994, with a storage capacity of 405 million gallons (this is \$2.40 per gallon in 2005 dollars), and an interceptor system of 153 overflow points from which untreated wastewater may be discharged into local waterways during heavy rain. The District estimates that the Deep Tunnel has captured more than 40 billion gallons of wastewater and prevented 240 sewer overflows since 1994, with the average annual volume of sewer overflows reduced by 7.2 billion gallons annually, or 81.3% from estimated pre-tunnel levels.

However, the Deep Tunnel, which was expected to virtually eliminate sewer overflows, has not been as successful as planned, resulting in untreated wastewater overflows of 13.2 billion gallons since 1994 (partly because capacity was exceeded during five large storms). The District plans to address limitations of its sewer system by spending an additional \$786.4 million to increase capacity through projects that include:

Project	Cost
Improvements to the District's conveyance system	\$458.4m
Construction of 116 million gallons of additional storage capacity for sanitary sewage	\$175.5m (or \$1.50 per gallon)
Redesign siphons	\$ 96.2m
Purchase of enhanced storm tracking and real-time flow monitoring equipment to improve the prediction of storage capacity needs	\$ 16.5m
Increase treatment plant capacity	\$ 5.8m
Other (e.g. property acquisition, levee construction, contaminated soil removal)	\$ 34.0m
Total	\$786.4m

Furthermore, in part to reduce the amount of stormwater entering the District's sewer system, the Deep Tunnel, and treatment plants, the District has:

- adopted new inflow and infiltration limits and funded \$2.1 million in local demonstration projects, in an effort to reduce I&I by 5% district-wide through 2010,
- adopted rules that require municipalities to include runoff management systems as part of any development plans, and



## Appendix D

# Inflow/Infiltration Surcharge Program 2007 Option B Agreement

### Draft of 9/27/05 (Conceptual)

Whereas, Excess Inflow and Infiltration (I/I) of clear water into the Metropolitan Disposal System (MDS) is projected to cost the Metropolitan Council (Council) over \$900 million for extra capacity over the next 25 years, and

Whereas, local efforts to mitigate this excessive I/I are projected to cost approximately \$150 million, and

Whereas, the Council has instituted an I/I Surcharge Program, pursuant to M.S. 473.517, to encourage local governments to solve this problem at the local level, and

Whereas, the municipality of \_\_\_\_\_ (Municipality) has had excessive I/I event(s) and thus has been allocated a "2007 Surcharge" for each year 2007 to 2011 of \$ \_\_\_\_\_ per year, and

Whereas, the Council allows municipalities credit against this Surcharge by entering into this Option B agreement, and

Whereas, Municipality prefers to mitigate I/I within the municipality using other funds of Municipality or through local regulation rather than paying the Surcharge,

Now, Therefore, Municipality and Council hereby enter the following agreement:

- 1.0 Municipality agrees to spend or cause to be spent on eligible I/I mitigation costs, (as defined in section 3.0) funds at least in the amount of \$ \_\_\_\_\_ during calendar years 2007-2011.
- 2.0 Council agrees to credit Municipality and thereby reduce the Surcharge by up to the amount listed in section 1.0, but no more than the full amount of the Surcharge assessed to the Municipality for each year.
- 3.0 Municipality agrees that it will work to mitigate I/I, as follows:
  - 3.1 Municipality will spend its own funds on eligible I/I projects and costs. I/I projects shall be those projects that are intended in whole or in part to reduce clear water entering the MDS. If part of a project is I/I mitigation then only the portion of the costs for I/I work will be eligible. Eligible labor costs for municipal staff will include only direct labor costs for inspection, engineering or construction support on I/I mitigation projects. Fringe benefits for these employees may be included. No administrative overhead shall be included. All contract services for I/I mitigation shall be eligible. The Municipality's plan for I/I projects and costs is identified in Attachment A.
  - 3.2 Private party costs incurred within the municipal borders as a result of the Municipality's I/I project(s), for disconnections from the sewer, may be included on a standard cost basis for the completion of disconnections on private properties as identified in Attachment A. Any municipal costs for loans or grants to private parties, counted under section 3.1, must be subtracted from these standard private party costs, such that the local spending is counted only once.
  - 3.3 Municipality may once each fall modify the plan in Attachment A, subject to the review and approval of the Council. Such approval shall not be unreasonably withheld. In addition, failure of the Council to object, in writing, within 30 days constitutes approval of the Plan modifications.
  - 3.4 Municipality agrees to certify to the Council on a quarterly basis the "actual local funds spent" (i.e. the expenditure of municipal funds on eligible I/I costs and the number of private party disconnections actually accomplished).
  - 3.5 Municipality agrees that if actual local funds spent on I/I projects on a cumulative basis are less than the plan as described in Attachment A, at the end of each calendar year, the net reduction in local I/I

## Appendix D: Attachment A

The municipality plan to spend funds on I/I mitigation projects and costs is described below:

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### ***I. Calendar Year = 2007***

#### **a) Municipal Costs:**

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(attach additional sheets as necessary)

#### **b) Private Party cost credits for work within the Municipal borders:**

_____ Sump Pump Disconnections @ \$100 per dwelling =	\$ _____
_____ Foundation drain disconnections @ \$3,000 per building =	\$ _____
_____ Rain Leader disconnections @ \$100 per single family dwelling	\$ _____
_____ Rain Leader disconnections @ \$3,000 per commercial or multi-family dwelling	\$ _____
_____ Service Lateral Repairs @ \$5,000	\$ _____

Other: (describe below)

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Total to be spent by the end of 2007: \$ \_\_\_\_\_

### ***II. Calendar Year = 2008***

#### **a) Municipal Costs:**

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(attach additional sheets as necessary)

#### **b) Private Party cost credits for work within the Municipal borders:**

_____ Sump Pump Disconnections @ \$100 per dwelling =	\$ _____
_____ Foundation drain disconnections @ \$3,000 per building =	\$ _____
_____ Rain Leader disconnections @ \$100 per single family dwelling	\$ _____
_____ Rain Leader disconnections @ \$3,000 per commercial or multi-family dwelling	\$ _____
_____ Service Lateral Repairs @ \$5,000	\$ _____

**b) Private Party cost credits for work within the Municipal borders:**

_____ Sump Pump Disconnections @ \$100 per dwelling =	\$ _____
_____ Foundation drain disconnections @ \$3,000 per building =	\$ _____
_____ Rain Leader disconnections @ \$100 per single family dwelling	\$ _____
_____ Rain Leader disconnections @ \$3,000 per commercial or multi-family dwelling	\$ _____
_____ Service Lateral Repairs @ \$5,000	\$ _____

Other: (describe below)

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Cumulative Total to be spent by the end of 2010: \$ \_\_\_\_\_

**V. Calendar Year = 2011**

**a) Municipal Costs:**

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(attach additional sheets as necessary)

**b) Private Party cost credits for work within the Municipal borders:**

_____ Sump Pump Disconnections @ \$100 per dwelling =	\$ _____
_____ Foundation drain disconnections @ \$3,000 per building =	\$ _____
_____ Rain Leader disconnections @ \$100 per single family dwelling	\$ _____
_____ Rain Leader disconnections @ \$3,000 per commercial or multi-family dwelling	\$ _____
_____ Service Lateral Repairs @ \$5,000	\$ _____

Other: (describe below)

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Cumulative Total to be spent by the end of 2011: \$ \_\_\_\_\_

**LAUDERDALE COUNCIL  
ACTION FORM**

**ACTION REQUESTED**

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

Meeting Date November 29, 2005

ITEM NUMBER 10-D FEES \_\_\_\_\_

STAFF INITIAL \_\_\_\_\_

APPROVED BY ADMINISTRATOR



**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:** Annually the city reviews the fees for service and sets the schedule for the coming year. Staff researched fees from surrounding cities and compared them to ours. This survey is attached.

**OPTIONS:**

1. Do not increase the fees in 2006
2. Do not increase the fees in 2006 but establish an increase factor for future years.
3. Provide for a modest increase in fees.

**STAFF RECOMMENDATION:**

Staff recommends the council adjust the fees as provided on the attached fee schedule.

**COUNCIL ACTION:**

2006 Proposed License and Fee Schedule

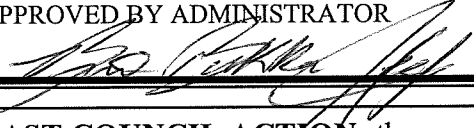
Note: other cities include Falcon Heights, St. Anthony  
Arden Hills, Little Canada and Shoreview

License / Fee Description	2005 Amount	2006 Amount	Avg other cities
3.2 Off-sale license	\$ 60.00	\$ 65.00	\$ 85.50
3.2 On-sale license	\$ 250.00	\$ 250.00	\$ 281.25
3.2 Temp On-Sale	\$ 30.00	\$ 30.00	\$ 17.50
Tobacco / Cigarettes	\$ 40.00	\$ 50.00	\$ 267.00
Animal (dog/cat) license	\$ 10.00	\$ 10.00	\$ 10.00
<b>Potentially Dangerous Dog</b>	\$ -	\$ 50.00	\$ -
<b>Dangerous Dog</b>	\$ -	\$ 150.00	\$ -
Kennel License	\$ 50.00	\$ 50.00	\$ 16.00
Tree Service License	\$ 35.00	\$ 40.00	\$ 50.00
Mechanical License	\$ 35.00	\$ 35.00	\$ 35.00
Refuse Hauling / Truck	\$ 65.00	\$ 65.00	\$ -
Gas Station / 1st pump	\$ 20.00	\$ 25.00	\$ 65.00
Gas Station / 2 + pumps	\$ 10.00	\$ 10.00	\$ 8.50
Agenda (cost per page)	\$ 0.25	\$ 0.15	\$ 14.00 per year
Council minutes (per page)	\$ 0.25	\$ 0.15	\$ 50.50 per year
Copy of meeting tape	\$ 50.00	\$ 50.00	\$ -
Copies per page	\$ 0.10	\$ 0.15	\$ 0.22 cost to cover copier, supplies and staff time
Fax per page	\$ 0.50	\$ 0.50	\$ -
Assessment Search / per address	\$ 20.00	\$ 20.00	\$ 20.00
File affidavit for office	\$ 5.00	\$ 5.00	\$ -
NSF Check	\$ 25.00	\$ 25.00	\$ -
Notary service resident	\$ -	\$ -	\$ -
Notary service non-resident	\$ 3.00	\$ 3.00	\$ -
Recycling Container replacement	\$ 12.00	\$ 12.00	\$ 5.85 Covers cost of new container and administrative fee
False alarm 1st in calendar year	cost + \$15.00	cost + \$15.00	\$ -
False alarm 2nd in calendar year	cost + \$15.00	cost + \$15.00	\$ 92.00
False alarm 3rd in calendar year	cost + \$15.00	cost + \$15.00	\$ 175.00
False security alarm 1st in calendar year	\$ 85.00	\$ 85.00	\$ -
False security alarm 2nd in calendar year	\$ 85.00	\$ 90.00	\$ -
False security alarm 3rd in calendar year	\$ 85.00	\$ 95.00	\$ -
Fire prevention inspection	\$25/hr + \$15	\$25/hr + \$15	\$ 150.00
Gambling less than five events	\$ 10.00	\$ 15.00	
Gambling more than five events	\$ 300.00	\$ 300.00	\$ -
Right of Way excavation	\$ 50.00	\$ 50.00	\$ 125.00
Right of Way obstruction	\$ 25.00	\$ 25.00	\$50 +.05 per lineal foot
Variance Application	\$ 75.00	\$ 75.00	\$ 125.00
Conditional use permit	\$ 165.00	\$ 165.00	\$ 198.00
Zoning Amendment	\$ 100.00	\$ 125.00	\$ 342.00
Service Available Charge (SAC) Met Council	\$ 1,450.00		
Facility rental Resident	\$ 40.00	\$ 40.00	\$65 3 hrs
Facility rental non-resident	\$ 100.00	\$ 100.00	\$65 3 hrs
Damage deposit resident	\$ 75.00	\$ 75.00	\$ 150.00
Damage deposit non-resident	\$ 100.00	\$ 100.00	\$ 150.00
Set up charge	\$ 50.00	\$ 50.00	\$ 35.00
History Book	\$ 25.00	\$ 25.00	
Video	\$ 8.00	\$ 8.00	
T-Shirt	\$ 10.00	\$ 10.00	



**LAUDERDALE COUNCIL  
ACTION FORM**

<b>ACTION REQUESTED</b>	
Consent	_____
Public Hearing	_____
Discussion	<u>  X  </u>
Action	_____
Resolution	_____
Work session	_____

Meeting Date Tuesday, November 29, 2005
ITEM NUMBER <u>10- E 1768 Eustis</u>
STAFF INITIAL <u>BWBH</u>
APPROVED BY ADMINISTRATOR 

**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:** the mayor mentioned a home on Eustis that concerned the neighbors. The mayor indicated the house is in very poor repair and the neighbors are wondering if something can be done to get the property cleaned up. See attachments

**OPTIONS:** for discussion

**STAFF RECOMMENDATION:**

**COUNCIL ACTION:**

# Council Memo

**To:** City Council  
**From:** Brian W. Bakken-Heck, City Administrator  
**CC:** Dave H, Heather B  
**Date:** November 23, 2005  
**Re:** Property Located at 1768 Eustis Street

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I drove past this property Tuesday afternoon and noticed the front screen door to the porch in disrepair along with several paint cans sitting on the porch ledge. The shingles appear to be quite old and in very poor shape and the paint is peeling off. I then proceeded down the alley to view the building from the back. The garage has siding missing, there are several, what look to be automobile bumpers and an old van parked in the back. There is a piece of plywood leaned up against the front of the vehicle concealing the license plate. I can not tell if the building is occupied.

The listed owner according to Ramsey County Property Tax records lists only a P.O. Box. Efforts to find the owner using other methods has not produced any results. We will continue our attempts to locate the owner so proper notice on deficiencies can be delivered.

## **History:**

The current owner purchased the property in 2000 for \$74,000. The property is listed as non-homestead and is therefore presumed to be rental. The property has seven (7) documented calls to the police in the past 4 years (see attached printout). Of the seven calls, three occurred in 2005.

## **City's Authority**

There are several statutes dealing with condemnation and eminent domain. The most pertinent statute to look at is 463.21 et. seq (copy attached). This statute outlines the process a municipality can use to compel a hazardous property owner to clean up the property or remove the offending structure. The process is completed in a civil court procedure with the city first issuing a notice to the owner, occupants, and lien holders of the City's findings the structure is a hazardous building, outlining what must be done and when the issues are to be corrected. If the owner fails to respond or fix the problem, the city can file notice with the district court to enforce the demand. Following the court process, the city can have the building fixed or removed at the expense of the owner.



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**Minnesota Statutes 2005, Chapter 463.**

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==463.01

**463.01 Building lines, easements; existing structures.**

The council of any city, including any city of this state operating under a home rule charter adopted pursuant to the Constitution of the state of Minnesota, article 4, section 36, article XI, section 4, or article XII, section 5, may establish along any street or highway within such city a building line upon the land adjoining such street or highway, or any portion thereof, and distant not more than 50 feet from the margin of such street or highway, and may, in behalf of the city, acquire an easement in the land between such line and exterior street line, such that no buildings or structures shall be erected or maintained upon this land. Such easement shall be known as a building line easement. The governing body may, at the time they designate the easement to be acquired and define the line by which it is bounded, provide in the resolution designating such easement that buildings or structures or any portions of buildings or structures existing within the boundaries of the easement at that time may remain thereon for stated periods of time or remain thereon during the life of such buildings or structures or portions thereof, but no alteration of any such buildings or structures or portions thereof upon such easement shall be permitted after the designation of such easements, and when such buildings are removed no other buildings or structures shall be erected thereon. Such permission to maintain existing structures upon such easement shall be clearly defined as to time in such resolution and shall confer the right upon the owner of such buildings or structures or portions thereof to maintain the same as defined in such resolution.

HIST: (1321-1) 1903 c 194 s 1; 1923 c 193 s 1; 1997 c 7 art 4  
s 5

==463.02

**463.02 Grant, condemnation or dedication.**

Such easement may be acquired by the council by purchase, by grant, or by condemnation. It may also be created by dedication by indicating such building line upon any plat hereafter recorded in the office of the county recorder of the county where the land lies; and the council shall have power to refuse to accept or approve plats of lands unless building lines are shown thereon.

HIST: (1321-2) 1903 c 194 s 2; 1919 c 504 s 1; 1976 c 181 s 2

==463.03

**463.03 Along parks and parkways.**

Any board of park commissioners having control of any park or parkway may in like manner acquire building line easements along the same, or any portion thereof.

HIST: (1321-3) 1903 c 194 s 3

==463.04

**463.04 Condemnation proceedings for building line easements.**

The easement above specified may be acquired by proceedings to be conducted in accordance with chapter 117 by the board of park commissioners, in case of parks and parkways controlled by a board of park commissioners, and by the city council in other cases.

The term "governing body" is used in sections 463.04 to 463.07 to designate the appropriate body in any given case, whether the city council, or board of park commissioners. The governing body shall first designate the easement to be acquired and define the lines by which it is bounded, and shall have power to condemn for the use of the public a building line easement as defined above, and when such condemnation shall have been completed, as in this section provided, the title to such easement shall pass to and be vested in the city for the public use. For the purpose of making the condemnation all the tracts of land required for any improvement may be included in the same proceeding.

No such easement shall include or take in any portion of a private residence existing at the time of the passage of sections 463.01 to 463.07 excepting by purchase or grant.

HIST: (1321-4) 1903 c 194 s 4; 1976 c 44 s 64

==463.05

**463.05 Repealed, 1976 c 44 s 70**

==463.06

**463.06 Plats; assessment copy to auditor; collection, payment.**

As soon as such condemnation proceedings have been completed, it shall be the duty of such governing body to cause plats of such improvement to be made, which shall be copies of the original plat on file, with a list of the parcels of land taken and the amount paid on account of each parcel, and to file

one of such plats and list duly certified by the president of the governing body and the clerk or secretary, as the case may be, in each of the following offices: The office of the city engineer, the office of the county recorder of the county, and the office of the city clerk or secretary of the park board, as the case may be; and the same shall be prima facie evidence of the full and complete condemnation and appropriation of such easement for the public use. As soon as the assessments are confirmed, the secretary of the board of park commissioners or the city clerk, or the court administrator of the district court, as the case may be, shall transmit a copy thereof duly certified, to the county auditor of the county in which the lands lie. The county auditor shall include the same in the next general tax list for the collection of state, county and city taxes, against the several tracts or parcels of land, and the assessments shall be collected with and as a part of, and shall be subject to the same penalties, costs and interest, as the general taxes. Such assessments shall be set down in the tax books in an appropriate column to be headed, "Building Line Assessments," and when collected a separate account thereof shall be kept by the county auditor, and the same shall be transmitted to the treasurer of the city, and placed to the credit of the proper fund.

HIST: (1321-6) 1903 c 194 s 6; 1919 c 504 s 8; 1976 c 181 s 2;  
1Sp1986 c 3 art 1 s 82

==463.07

**463.07 Vacation of easement.**

The governing body shall have power at any time to vacate such building line easement or any portion thereof.

HIST: (1321-7) 1903 c 194 s 7

==463.08

**463.08 Repealed, 1949 c 119 s 110**

==463.09

**463.09 Repealed, 1976 c 44 s 70**

==463.10

**463.10 Repealed, 1976 c 44 s 70**

==463.11

**463.11 Repealed, 1976 c 44 s 70**

==463.12

463.12 Repealed, 1976 c 44 s 70

==463.13

463.13 Repealed, 1976 c 44 s 70

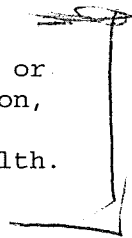
==463.15

463.15 Definitions.

Subdivision 1. Coverage. For purposes of sections 463.15 to 463.26 the terms defined in this section have the meanings given them.

Subd. 2. Building. "Building" includes any structure or part of a structure.

Subd. 3. Hazardous building or hazardous property. "Hazardous building or hazardous property" means any building or property, which because of inadequate maintenance, dilapidation, physical damage, unsanitary condition, or abandonment, constitutes a fire hazard or a hazard to public safety or health.



Subd. 3a. Municipality. "Municipality" means a county, city, or town.

Subd. 4. Owner, owner of record, and lien holder of record. "Owner," "owner of record," and "lien holder of record" means a person having a right or interest in property described in subdivision 3 and evidence of which is recorded in the office of the county recorder or registrar of titles in the county in which the property is situated.

HIST: 1965 c 393 s 1; 1967 c 324 s 1; 1976 c 181 s 2; 1989 c 328 art 6 s 5,6; 2004 c 147 s 1; 2005 c 4 s 113

==463.16

463.16 Repair or remove hazardous property condition.

The governing body of any municipality may order the owner of any hazardous building or property within the municipality to correct or remove the hazardous condition of the building or property or to raze or remove the building.

*City has Right to  
Require UNSAFE  
Buildings Be made  
SAFE.*

HIST: 1965 c 393 s 2; 1973 c 123 art 5 s 7; 1989 c 328 art 6 s 7; 2004 c 147 s 4

==463.17

463.17 The order.

Subdivision 1. Contents. The order shall be in writing; recite the grounds therefor; specify the necessary repairs, if any, and provide a reasonable time for compliance; and shall state that a motion for summary enforcement of the

order will be made to the district court of the county in which the hazardous building or property is situated unless corrective action is taken, or unless an answer is filed within the time specified in section 463.18.

- MUST PROCEED  
VIA DIST. COURT

Subd. 2. **Service.** The order shall be served upon the owner of record, or the owner's agent if an agent is in charge of the building or property, and upon the occupying tenant, if there is one, and upon all lien holders of record, in the manner provided for service of a summons in a civil action. If the owner cannot be found, the order shall be served upon the owner by posting it at the main entrance to the building or, if there is no building, in a conspicuous place on the property, and by four weeks' publication in the official newspaper of the municipality if it has one, otherwise in a legal newspaper in the county.

Notify ALL PARTIES

Subd. 3. **Filing.** A copy of the order with proof of service shall be filed with the court administrator of district court of the county in which the hazardous building or property is located not less than five days prior to the filing of a motion pursuant to section 463.19 to enforce the order. At the time of filing such order the municipality shall file for record with the county recorder or registrar of titles a notice of the pendency of the proceeding, describing with reasonable certainty the lands affected and the nature of the order. If the proceeding be abandoned the municipality shall within ten days thereafter file with the county recorder a notice to that effect.

FILE ORDER W/  
DIST. COURT TO  
ENFORCE ORDER

HIST: 1965 c 393 s 3; 1976 c 181 s 2; 1986 c 444; 1Sp1986 c 3 art 1 s 82; 1989 c 328 art 6 s 9

==463.18

**463.18 Answer.**

Within 20 days from the date of service, any person upon whom the order is served may serve an answer in the manner provided for the service of an answer in a civil action, specifically denying such facts in the order as are in dispute.

OWNER CAN ANSWER  
W/IN 20 TO 30 DAYS

HIST: 1965 c 393 s 4

==463.19

**463.19 Default cases.**

If no answer is served, the governing body may move the court for the enforcement of the order. If such a motion is made the court may, upon the presentation of such evidence as it may require, affirm or modify the order and enter judgment accordingly, fixing a time after which the governing body may proceed with the enforcement of the order. The court administrator shall cause a copy of the judgment to be mailed forthwith to persons upon whom the original order was served.

IF NO ANSWER  
IS RECEIVED IN TIME  
GIVEN, MAY MOVE COURT  
TO

HIST: 1965 c 393 s 5; 1Sp1986 c 3 art 1 s 82

==463.20

**463.20 Contested cases.**

If an answer is filed and served as provided in section 463.18, further proceedings in the action shall be governed by the Rules of Civil Procedure for the District Courts, except that the action has priority over all pending civil actions and shall be tried forthwith. If the order is sustained following the trial, the court shall enter judgment and shall fix a time after which the building must be destroyed or repaired or the hazardous condition removed or corrected, as the case may be, in compliance with the order as originally filed or modified by the court. If the order is not sustained, it shall be annulled and set aside. The court administrator of the court shall cause a copy of the judgment to be mailed forthwith to the persons upon whom the original order was served.

HIST: 1965 c 393 s 6; 1Sp1986 c 3 art 1 s 82; 1989 c 328 art 6 s 10

==463.21

**463.21 Enforcement of judgment.**

If a judgment is not complied with in the time prescribed, the governing body may cause the building to be repaired, razed, or removed or the hazardous condition to be removed or corrected as set forth in the judgment, or acquire the building, if any, and real estate on which the building or hazardous condition is located by eminent domain as provided in section 463.152. The cost of the repairs, razing, correction, or removal may be: a lien against the real estate on which the building is located or the hazardous condition exists, or recovered by obtaining a judgment against the owner of the real estate on which the building is located or the hazardous condition exists. A lien may be levied and collected only as a special assessment in the manner provided by Minnesota Statutes 1961, sections 429.061 to 429.081, but the assessment is payable in a single installment. When the building is razed or removed by the municipality, the governing body may sell the salvage and valuable materials at public auction upon three days' posted notice.

*Allows The City to Correct The Problem and Assess Costs to The HOME OWNER*

HIST: 1965 c 393 s 7; 1974 c 341 s 4; 1989 c 328 art 3 s 3

==463.22

**463.22 Statement of moneys received.**

The municipality shall keep an accurate account of the expenses incurred in carrying out the order and of all other expenses theretofore incurred in connection with its enforcement, including specifically, but not exclusively, filing fees, service fees, publication fees, attorney's fees, appraisers' fees, witness fees, including expert witness fees, and traveling expenses incurred by the municipality from the time the order was originally made, and shall credit thereon the

*maintain an accounting of All Costs Associated with PROCESS Also TRACK REVENUE*



amount, if any, received from the sale of the salvage, or building or structure, and shall report its action under the order, with a statement of moneys received and expenses incurred to the court for approval and allowance. Thereupon the court shall examine, correct, if necessary, and allow the expense account, and, if the amount received from the sale of the salvage, or of the building or structure, does not equal or exceed the amount of expenses as allowed, the court shall by its judgment certify the deficiency in the amount so allowed to the municipal clerk for collection. The owner or other party in interest shall pay the same, without penalty added thereon, and in default of payment by October 1, the clerk shall certify the amount of the expense to the county auditor for entry on the tax lists of the county as a special charge against the real estate on which the building or hazardous condition is or was situated and the same shall be collected in the same manner as other taxes and the amount so collected shall be paid into the municipal treasury. If the amount received for the sale of the salvage or of the building or structure exceeds the expense incurred by the municipality as allowed by the court, and if there are no delinquent taxes, the court shall direct the payment of the surplus to the owner or the payment of the same into court, as provided in sections 463.15 to 463.26. If there are delinquent taxes against the property, the court shall direct the payment of the surplus to the county treasurer to be applied on such taxes.

HIST: 1965 c 393 s 8; 1974 c 329 s 1; 1989 c 328 art 6 s 11

==463.23

**463.23 Payment, tender, deposit in court.**

The net proceeds of a sale under section 463.21 or section 463.24 shall be paid to persons designated in the judgment in the proportions as their interests shall appear therein. Acceptance of such payment shall be taken as a waiver of all objections to the payment and to the proceedings leading thereto on the part of the payee and of all persons for whom the payee is lawfully empowered to act. In case any party to whom a payment of damages is made be not a resident of the state, or the place of residence be unknown, or the party be an infant or other person under legal disability, or, being legally capable, refuses to accept payment, or if for any reason it be doubtful to whom any payment should be paid, the municipality may pay the same to the clerk, to be paid out under the direction of the court; and, unless an appeal be taken such deposit with the clerk shall be deemed a payment of the award.

HIST: 1965 c 393 s 9; 1986 c 444

==463.24

**463.24 Personal property or fixtures.**

If any building ordered razed, removed, or made safe and sanitary by repairs contains personal property or fixtures which will unreasonably interfere with the razing, removal, or repair

of such building, or if the razing or removal of the building makes necessary the removal of such personal property or fixtures, the original order of the governing body may direct the removal of such personal property or fixtures within a reasonable time. If the property or fixtures are not removed by the time specified, and the governing body subsequently desires to enforce a judgment under sections 463.15 to 463.26, it may sell the same at public auction as provided in section 463.21, or if without appreciable value, the governing body may destroy the same.

HIST: 1965 c 393 s 10

==463.25

**463.25 Hazardous excavations.**

If in any municipality, an excavation for building purposes is left open for more than six months without proceeding with the erection of a building thereon, whether or not completed, or if any excavation or basement is not filled to grade or otherwise protected after a building is destroyed, demolished or removed, the governing body may order such excavation to be filled or protected or in the alternative that erection of a building begin forthwith if the excavation is for building purposes. The order shall be served upon the owner or the owner's agent in the manner provided by section 463.17. If the owner of the land fails to comply with the order within 15 days after the order is served, the governing body shall cause the excavation to be filled to grade or protected and the cost shall be charged against the real estate as provided in section 463.21.

HIST: 1965 c 393 s 11; 1973 c 123 art 5 s 7; 1986 c 444; 2004 c 147 s 6

==463.26

**463.26 Local acts and charter provisions.**

Sections 463.15 to 463.26 are supplementary to other statutory and charter provisions and do not limit the authority of any city to enact and enforce ordinances on the same subject.

HIST: 1965 c 393 s 12; 1973 c 123 art 5 s 7

==463.151

**463.151 Removal by municipality; consent; cost.**

The governing body of any municipality may remove or raze any hazardous building or remove or correct any hazardous condition of real estate upon obtaining the consent in writing of all owners of record, occupying tenants, ~~and all~~ lien holders of record; the cost shall be charged against the real estate as provided in section 463.21, except the governing body may provide that the cost so assessed may be paid in not to exceed five equal annual installments with interest thereon, at eight

*CITY CAN REMOVE IF ASKED AND CAN CHANGE COSTS BACK TO OWNER*

percent per annum.

HIST: 1967 c 324 s 2; 1974 c 341 s 1; 2004 c 147 s 2

==463.152

**463.152 Exercise of eminent domain.**

Subdivision 1. **Purpose, public interest.** In order to maintain a sufficient supply of adequate, safe, and sanitary housing and buildings used for living, commercial, industrial, or other purposes or any combination of purposes, it is found that the public interest requires that municipalities be authorized to acquire buildings, real estate on which buildings are located, or vacant or undeveloped real estate which are found to be hazardous within the meaning of section 463.15, subdivision 3, and the acquisition of such buildings and real estate is hereby declared to be a public purpose.

Subd. 2. **Acquisition; procedure.** In furtherance of the public policy declared in subdivision 1, the governing body of any municipality may acquire any hazardous building, real estate on which any such building is located, or vacant or undeveloped real estate by eminent domain in the manner provided by chapter 117.

HIST: 1974 c 341 s 3; 1976 c 2 s 140; 2004 c 147 s 3

==463.161

**463.161 Abatement.**

In the manner prescribed in section 463.21 the governing body of any municipality may correct or remove the hazardous condition of any hazardous building or property; the cost of which shall be charged against the real estate as provided in section 463.21 except the governing body may provide that the cost so assessed may be paid in not to exceed five equal annual installments with interest therein, at eight percent per annum.

HIST: 1974 c 341 s 2; 1989 c 328 art 6 s 8; 2004 c 147 s 5

==463.251

**463.251 Securing vacant buildings.**

Subdivision 1. **Definitions.** The following terms have the meanings given them for the purposes of this section.

- (a) "City" means a statutory or home rule charter city.
- (b) "Neighborhood association" means an organization recognized by the city as representing a neighborhood within the city.
- (c) "Secure" may include, but is not limited to, installing locks, repairing windows and doors, boarding windows and doors,

*Procedures for  
Eminent  
Domain*

posting "no-trespassing" signs, installing exterior lighting or motion-detecting lights, fencing the property, and installing a monitored alarm or other security system.

Subd. 2. **Order; notice.** If in any city a building becomes vacant or unoccupied and is deemed hazardous due to the fact that the building is open to trespass and has not been secured and the building could be made safe by securing the building, the governing body may order the building secured and shall cause notice of the order to be served upon the owner of record of the premises or the owner's agent, the taxpayer identified in the property tax records for that parcel, the holder of the mortgage or sheriff's certificate, and any neighborhood association for the neighborhood in which the building is located that has requested notice, by delivering or mailing a copy to the owner or agent, the identified taxpayer, the holder of the mortgage or sheriff's certificate, and the neighborhood association, at the last known address. Service by mail is complete upon mailing.

Subd. 3. **Securing building by city; lien.** If the owner of the building fails to either comply or provide to the governing body a reasonable plan and schedule to comply with an order issued under subdivision 2 within six days after the order is served, the governing body shall cause the building to be properly secured and the cost of securing the building may be charged against the real estate as provided in section 463.21. In the metropolitan area, as defined in section 473.121, subdivision 2, the governing body may work with neighborhood associations to develop and implement plans to secure vacant buildings in a timely and cost-effective fashion. The city may use rehabilitation and revitalization funds in implementing this section.

Subd. 4. **Emergency securing.** A city may provide by ordinance for emergency securing of a building that presents an immediate danger to the health and safety of persons in the community.

HIST: 1973 c 123 art 5 s 7; 1973 c 520 s 1; 1986 c 444; 1996 c 286 s 1

==463.261

**463.261 Relocation benefits.**

Notwithstanding the provisions of section 117.56, or any other law to the contrary, all acquisitions of buildings and real estate upon which buildings are located by governmental subdivisions pursuant to the exercise of the power of eminent domain as provided in section 463.152 shall be acquisitions for the purposes of sections 117.50 to 117.56.

HIST: 1974 c 341 s 5; 1976 c 2 s 141

==463.misc

463.05 Repealed, 1976 c 44 s 70

463.08 Repealed, 1949 c 119 s 110

463.09 Repealed, 1976 c 44 s 70

463.10 Repealed, 1976 c 44 s 70

463.11 Repealed, 1976 c 44 s 70

463.12 Repealed, 1976 c 44 s 70

463.13 Repealed, 1976 c 44 s 70

---

Please direct all comments concerning issues or legislation  
to your House Member or State Senator.

For Legislative Staff or for directions to the Capitol, visit the Contact Us page.

General questions or comments.

**St Anthony Police Department**

**Incident NCIC=MN062030X  
and Scene House Number=1768  
and Scene Street=Eustis Street**

**Location Report**

**Printed On: Tuesday, November 22, 2005**

*Address:*

*Location:*

*Place Committed:*

*Street:* Eustis Street

*Nb. Low:* 1768

*Suffix:*

*Nb. High:*

*Unit Nbr/Type:*

*City:* Lauderdale

*State:* MN

*Zip Code:* 55113

*Intersection:*

<u>Date Reported</u>	<u>Case Number</u>	<u>Offense Code</u>	<u>Literal</u>
09/15/2001	2001007637	9819	Disturbance call
05/14/2002	2002003610	9952	911 hang up call
09/08/2003	2003006411	TC059	THEFT-501-2500-FE-YARDS-OTH PROP
10/26/2003	2003007590	9933	Suspicious Activity/Person/Vehicle
10/13/2005	2005007523	9951	Other incidents
10/13/2005	2005007675	AL352	ASLT-DOMESTIC-MS-INFLT BODLY HRM-HNDS-ADLT-AC
10/13/2005	2005007725	A5352	ASLT 5-MS-INFLICT BD HRM-HANDS-ASLT-AC

**Total: 7**

**Offenses Grand Total: 7**

**Location Grand Total: 1**

## Parcels

<b>Ramsey County Property (RRINFO) Search</b>	<u>Search by Parcel ID</u>
<b>Parcel ID</b>	172923340074
<b>Street Number</b>	1768
<b>Unit</b>	
<b>Street</b>	EUSTIS ST
<b>City</b>	LAUDERDALE
<b>ZIP</b>	55113-5218
<b>Owner Name 1</b>	DANIEL J BUSSE
<b>Owner Name 2</b>	
<b>Owner Street Address</b>	P O BOX 18672
<b>Owner City/State/Zip</b>	MINNEAPOLIS MN 55418-0672
<b>Homesteader Name 1</b>	
<b>Homesteader Name 2</b>	
<b>Homesteader Street Address</b>	
<b>Homesteader City/State/Zip</b>	-
<b>Deeded Acres</b>	0.12
<b>Deeded Area (sq.ft.)</b>	5227.2
<b>Approximate Lot Frontage (ft)</b>	40
<b>Tax Description</b>	ROSE HILL ADDITION LOT 22 BLK 2
<b>Plat Name</b>	ROSE HILL ADDITION
<b>Date Plat Recorded</b>	11/6/13
<b>Abstract ID</b>	454392
<b>Torrens ID</b>	
<b>County Land Use Code (CAMA)</b>	SINGLE FAMILY DWELLING, PLATTED LOT
<b>County Land Use Code (PR&amp;R)</b>	RES 1 UNIT
<b>Market Value Land 2006</b>	50200
<b>Market Value Bldg 2006</b>	145000
<b>Market Value Total 2006</b>	195200
<b>Market Value Land 2005</b>	40200
<b>Market Value Bldg 2005</b>	134500
<b>Market Value Total 2005</b>	174700
<b>Total Tax Payable 2005</b>	1430
<b>Date of Last Sale</b>	Tue, 15 Feb 2000 00:00:00
<b>Sale Price</b>	72000
<b>Homestead Description</b>	Non-homestead
<b>Number of Residential Units</b>	1
<b>Year Residence Built</b>	1924
<b>Total Residential Living Area</b>	1481
<b>Residence Exterior</b>	ASBESTOS
<b>Residence Style</b>	RAMBLER
<b>Residence Number of Stories</b>	2
<b>Residence Number of Rooms</b>	5
<b>Residence Number of Bedrooms</b>	3
<b>Commercial Structure Type</b>	
<b>Commercial Year Built</b>	0
<b>Topography</b>	Level
<b>Utilities</b>	All Public
<b>School District</b>	Roseville Area
<b>Watershed District</b>	Rice Creek



Ramsey County  
Property Records and Revenue  
50 West Kellogg Blvd, Suite 800  
Saint Paul, MN 55102

Daniel J Busse  
P O Box 18672  
Minneapolis MN 55418-0672

Web: www.co.ramsey.mn.us  
Email: PropertyTaxInfo@co.ramsey.mn.us  
Phone: 651.266.2000

**PROPERTY ADDRESS / ABBREVIATED TAX DESCRIPTION**

1768 Eustis St

ROSEHILL ADDITION  
LOT 22 BLK 2

17.29.23.34.0074

4737

For taxes Payable in 2004	For taxes Payable in 2005
\$ 0.00	\$ 0.00
2,449.12	2,714.79
1,172.52	1,314.19
1,276.60	1,400.60
548.48	594.06
5.12	5.73
300.92	328.06
267.54	257.33
97.82	144.99
38.74	40.72
17.98	29.71
1,276.60	1,400.60
29.40	29.40
<b>\$ 1,306.00</b>	<b>\$ 1,430.00</b>

**2005 Property Tax Statement**

- Use this amount on Form M1PR to see if you're eligible for a property tax refund. File by August 15.  **If box is checked, you owe delinquent taxes and are not eligible.**
- Use this amount for the special property tax refund on schedule 1 of Form M1PR

**Your property tax and how it is reduced by the State of Minnesota**

- Your property tax before reduction by state-paid aids and credits
- Aid paid by the State of Minnesota to reduce your property tax
- Homestead and Agricultural credits paid by the State of Minnesota to reduce your property tax
- Your property tax after reduction by state-paid aids and credits

**Where your property tax dollars go**

- Ramsey County
  - Public Safety Radio System
- City or Town – Lauderdale
- State General Tax
- School District
  - Voter approved levies
  - Other local levies
- Special taxing districts
  - Metropolitan special taxing districts
  - Other special taxing districts
  - Tax increment
  - Fiscal disparity
- Non-school voter approved referenda levies
- Total property tax before special assessments
- Special assessments/service charges added to this property tax statement for taxes payable in 2005
  - Recycle 47009996 29.40
  - 
  - 
  - 
  - Contamination Tax
- Total Property Tax and Special Assessments**

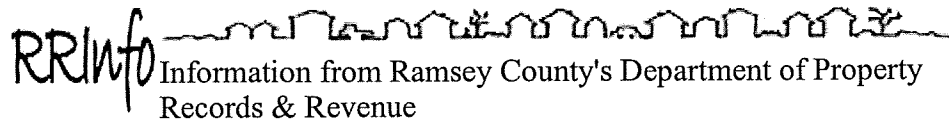
**2005 Valuation Notice for Taxes Payable in 2006**

The following section is your **2005 Valuation Notice** which is the estimated market value of this property and the basis used for determining your property taxes payable in 2006. Prior year comparisons are shown for your convenience. **If you do not believe you could sell your property for the Estimated Market Value shown for January 2, 2005 / payable 2006 (line 17), you may appeal this proposed value by attending the Open Book meeting indicated below.** For tips on how to prepare for this meeting and other important appeal information see the back of this statement.

16. Assessment Date / Tax payable year	January 2, 2003 / payable 2004	January 2, 2004 / payable 2005	January 2, 2005 / payable 2006
17. <b>Estimated Market Value</b>	\$ 165,600	\$ 174,700	\$ 195,200
18. Limited Market Value		121,800	140,200
19. Value of New Improvements & Expired Exclusions			
20. Green Acres Value			
21. Plat Deferment			
22. This Old House Exclusion			
23. <b>Taxable Market Value</b>	104,100	121,800	140,200
24. Property Classification	Res Non-hmstd	Res Non-hmstd	Res Non-hmstd

► **Open Book/Preliminary Market Value Review Meeting**





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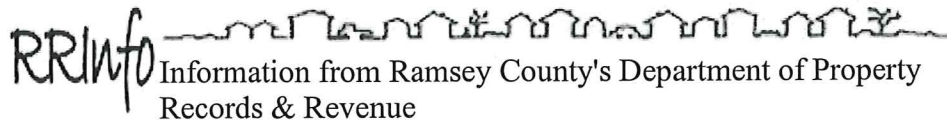
[2004 Property Tax Statement/Value Notice](#)

[Payment Stubs](#)

[Truth in Taxation Statement](#)

[Minnesota State Form M1PR](#)

<b>Property Identification Number (PIN)</b>	17.29.23.34.0074		
<b>Property Address</b>	1768 Eustis St Lauderdale 55113-5218		
<b>MP Link</b>			
<b>Assessment Date</b>	<b>01-02-2004</b>	<b>01-02-2005</b>	
<b>Tax Payable Year</b>	<b>2005</b>	<b>2006</b>	
<b>Total Estimated Market Value</b>	\$174,700	\$195,200	
<b>Total Taxable Market Value</b>	\$121,800	\$140,200	
<b>Property Class Description</b>	<b>Res Non-hmstd</b>	<b>Res Non-hmstd</b>	
<b>Estimated Land Value</b>	\$40,200	\$50,200	
<b>Estimated Building Value</b>	\$134,500	\$145,000	
<b>Estimated Market Value</b>	\$174,700	\$195,200	
<b>Taxable Market Value</b>	\$121,800	\$140,200	
<b>Limited Market Value</b>	\$121,800	\$140,200	
<b>This Old House Exclusion</b>			
<b>Value of New Improvements</b>			
<b>Green Acres Value</b>			
<b>Plat Deferment</b>			



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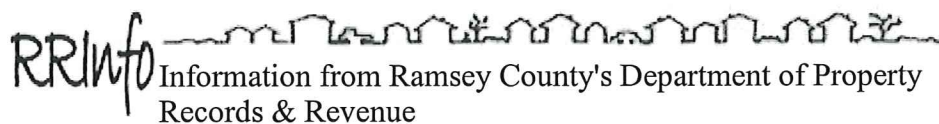
**Property Identification Number (PIN)** 17.29.23.34.0074  
**Property Address** 1768 Eustis St  
 Lauderdale 55113-5218  
**Delinquent Taxes Due** No  
**First Half Due 05-16-2005**  
**Original Amount Due** \$715.00  
**Payments Made** \$715.00  
**Balance Due** \$0.00

**Second Half Due 10-17-2005**  
**Original Amount Due** \$715.00  
**Payments Made** \$715.00  
**Balance Due** \$0.00

**Total Balance Due \$0.00**

**Payments** [How to make a payment](#)  
**Pay electronically:** [E-Pay](#)





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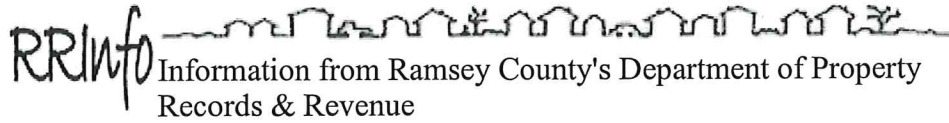
**Property Identification** 17.29.23.34.0074  
**Number (PIN)**

**Property Address** 1768 Eustis St  
Lauderdale 55113-  
5218

**Sale Date** 02-15-2000

**Price** \$72,000

**Deed Transfer Number** 276802



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**Property Identification Number (PIN)** 17.29.23.34.0074

**Property Address** 1768 Eustis St  
Lauderdale 55113-5218

**Assessments for the current tax payable year**

Assessment	Description	Amount	Paid?
47009996	Recycle	\$29.40	No

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# M E M O R A N D U M

---

**DATE:** November 28, 2005  
**TO:** Honorable Mayor and Council  
**FROM:** Heather Butkowski, Deputy City Clerk  
**RE:** Rental Housing License  
**CC:** Brian Bakken-Heck and Dave Hinrichs

---

This memo addresses questions proposed by council members at the November 15, 2005 city council meeting.

*What complaint process may be implemented to minimize the city's involvement in landlord/renter disputes?*

The staff suggests a hybrid of some of the cities' models we researched. In these models, the tenant must notify the property manager in writing about the specific complaint or request and give the manager a reasonable timeline in which to follow through. Only after the time period has passed and the tenant is able to show proof of their efforts to reconcile the grievance with the property manager would the city make an inspection to determine if there is reason for complaint. The exception to this would be in an emergency situation whereby the city administrator or building inspection would determine the appropriate course of action. In either case, if the city finds that the tenant's inspection request was made in bad faith, the city may impose the inspection fee on the tenant.


*Do Falcon Heights and Roseville have rental property ordinances?*

I spoke with Deb Jones, the Zoning and Planning Coordinate in Falcon Heights. She said they are slowly assessing the need for a rental property ordinance, as there have not been incidents elevating the perceived need for one. Their intern found they have between 30 and 40 non-homesteaded properties within the city. At the next zoning and planning committee meeting they will introduce the concept and their research for the first time. They do not have a timeframe for implementing a rental property ordinance or licensure program or if they will at all.

The Roseville HRA is also meeting tonight (November 28<sup>th</sup>) to discuss an ordinance for 1-4 rental unit dwellings. They had a series of neighborhood meeting over the course of the last year to garner community input. The community was concerned about the increase in single-family rental property and overall housing maintenance. In short, they propose adopting the 2003 International Property Maintenance Code (which we are reviewing) and a rental housing licensure program for properties with 4 rental units or less. Some ideas worth considering from their proposal include an appeals process for rental property owners, an exemption for on-campus college housing, and charging tenants for inspection requests made in bad faith.



## **Council Memo**

**To:** City Council  
**From:** Brian W. Bakken-Heck, City Administrator   
**CC:** Heather Butkowski, Deputy City Clerk  
**Date:** November 23, 2005  
**Re:** Larpenteur Avenue Livable Communities Grant

---

At the last council meeting the Mayor asked about the grant for this project specifically how much the city spent thus far and whether or not we satisfied the grant.

The city has spent and been reimbursed by the Metropolitan Council just over \$16,000 to date. The terms of the grant award require a dollar for dollar match from the city.

The grant proposal (copy attached) states the city is seeking funds to develop a master plan for redevelopment of the stretch of Larpenteur Avenue between Eustis Street and Pleasant Street. The project summary states "This is a proposal seeking predevelopment funds to assist in the creation of a master plan, along with implementation tools and design guidelines, for the future redevelopment of an area on Larpenteur Avenue in Lauderdale that would exemplify the Metropolitan Council's definition of "livable communities". This area has the potential to be a vibrant center utilizing smart growth principles that would produce several affordable housing choices, open public spaces and small-scale neighborhood commercial uses with excellent transit linkages (both pedestrian and bus) to the greater immediate metropolitan area."

At this point, the council focused on the south east corner of the Larpenteur and Eustis intersection. The discussion focused on whether the redevelopment of this area with mixed use housing and retail is financially feasible. The outcome of this discussion and research is that a complete redevelopment of the site is, at this time, not financially feasible. The discussion has since turned to other ways to revitalize this specific area. Looking at the grant proposal and the project summary, the council needs to refocus its efforts away from a specific "project" and begin to discuss and work on developing a long range master plan for the area, including the area to the west of Eustis and to the North of Larpenteur between 33 rd Avenue and Pleasant Street.





**LIVABLE COMMUNITIES DEMONSTRATION ACCOUNT**  
**OPPORTUNITY GRANT APPLICATION FORM 2003**

**CITY OF LAUDERDALE**  
**LARPENTEUR AVENUE CORRIDOR REDEVELOPMENT**

<b>Project Name</b>	Larpenteur Avenue Corridor Redevelopment
<b>Applicant</b>	City of Lauderdale
<b>City Project Located In:</b>	City of Lauderdale
<b>Project Location:</b>	Larpenteur Avenue, between Eustis Street and Pleasant Street
<b>Contact Person and Authorized Official:</b>	Rick Getschow, City Administrator 1891 Walnut Street Phone: 651-631-0300 Fax: 651-631-2066

---

**PROJECT SUMMARY**

This is a proposal seeking predevelopment funds to assist in the creation of master plan, along with implementation tools and design guidelines, for the future redevelopment of an area on Larpenteur Avenue in Lauderdale that would exemplify the Metropolitan Council's definition of "livable communities". This area has the potential to be a vibrant center utilizing smart growth principles that would produce several affordable housing choices, open public spaces, and small-scale neighborhood commercial uses with excellent transit linkages (both pedestrian and bus) to the greater immediate metropolitan area.

## 2. PROJECT STATUS

*A. A Comprehensive Plan Amendment* is not needed. This project is for the purpose of implementing elements of the Comprehensive Plan as it relates to this corridor. Attached is a highlighted page 16 of the Lauderdale Comprehensive Plan that addresses this issue. At this time, there are not any anticipated **zoning changes or variances** that are needed.

*B. Master Plans, Market Studies, and Design Standards* will all be developed as part of this project.

## 3. PLANNED OUTCOMES OF THE PROJECT

### *A. Existing and Future Land Use.*

The current land uses on the project site consist primarily of high-density multiple-family housing. There are also single-family residential and commercial uses in the project area.

Adjacent land uses within the Larpenteur Avenue area consist of single-family residential, multiple-family residential, commercial, industrial, and park uses.

The proposed project would involve the potential demolition of substandard housing and would result in a development would include new and additional housing choices, community gathering spaces, and adjacent commercial neighborhood uses.

### *B. Connected or Walkable Places.*

The proposed project would create more pedestrian walkways and connections to some adjacent land uses in the Larpenteur Avenue area that consist of other single-family residential, multiple-family residential, commercial, industrial, and park uses that are currently not accessible. For example, there is currently a Lauderdale Nature Area to the southeast of this proposed development where pedestrian access needs to be improved.

### *C. Balance of Residential, Commercial, and Green Space.*

The goal of this project is to create a master plan or redevelopment plan for an area of Larpenteur Avenue that would possess an excellent balanced mix of uses. This current low-moderate income area has the potential to be a vibrant area based on smart growth principles that include several affordable housing choices, open public spaces, and small-scale neighborhood commercial uses with excellent transit linkages (both pedestrian and bus) to the greater immediate metropolitan area.

### *D. Transit Linkages.*

This area of Larpenteur Avenue is a major service line for Met Transit. The master plan and market studies for this redevelopment project would build upon the excellent transit access that currently serves this area.

### *E. Expand Housing Choices.*

This project could greatly expand the housing choices available in the area. Currently, the main choice of housing in the multiple-family residential area is one and two bedroom apartment units all within a certain rental range. This redevelopment would create more types of housing choices serving more different populations of persons with varying incomes in the area.

### *F. Environmental Potential.*

This project would provide an opportunity to improve the environmental management shortcomings of the area. First, this project could reduce the high amount of impervious surface that currently exists. Also, the City would explore implementing low impact development techniques that are a part of the Met Council's Best Management Practices Handbook to manage stormwater.

#### **4. COMMUNITY PARTICIPATION, SUPPORT AND PARTNERSHIP**

##### ***A. Local Commitment and Public Participation.***

During the city comprehensive planning process, a task force composed of Lauderdale residents and city officials approved the goal of creating a Larpenteur Avenue redevelopment plan following years of research and discussion. Following the completion of this latest Comprehensive Plan in 1997 and during subsequent strategic planning meetings, the City Council approved and established as a city goal in 2000, 2001, 2002 and 2003 the desire to explore the redevelopment of a portion of the Larpenteur Avenue Corridor.

The City Council feels that this area has a more than sufficient base of population and activities in an environment that is very accessible to transit but can be vastly improved through a redevelopment that increases jobs, provides neighborhood commercial/retail options, while also creating a more walkable environment. Previous research has led city staff to conclude that feasibility and market studies are needed for the development of a master plan. The City Council felt that the Metropolitan Council's Livable Communities Demonstration Account Grant Program was the opportunity and impetus needed to move this project forward.

The City Council and several residents, through their contributions on the Comprehensive Plan Task Force, possess a strong commitment to plan for this Larpenteur Avenue redevelopment based on smart growth principles and to ultimately implement that redevelopment. All city staff, including the City Administrator, will be involved in all aspects of the predevelopment.

Lauderdale is a small inner-ring suburb where there is a high degree of interaction between the residents and city officials. Most community residents will be fully involved in the process because the visibility and impact of this project is very high since Larpenteur Avenue is the only commercial corridor and main thoroughfare in the entire City.

##### ***B. Partnerships.***

The City would partner with all other governmental agencies that have a property or infrastructure interest in the project area. These agencies include, but are not necessarily limited to, Ramsey County and the State of Minnesota Housing Finance Agency.

The City would place a high degree of importance on partnering with all private, for-profit, or non-profit entities that may ultimately be involved in the predevelopment and subsequent redevelopment of the Larpenteur Avenue corridor.

#### **5. OTHER EVALUATION CRITERIA**

##### ***A. Replicability.***

This project would serve as a model for redevelopment in other areas of the city. There are other portions of Larpenteur Avenue and Eustis Street that possess similar uses to the ones in this project area. This redevelopment model could then be replicated to these other areas upon a successful completion of this project.

##### ***B. Timeliness.***

The project would begin immediately upon receipt of the grant. The scope of work to be completed in this grant would occur between September 2003-September 2004. The estimated completion date of the project is in September of 2004.

The goals of the City are in place following this planning process to move toward actual implementation and redevelopment.

## **6. ATTACHMENTS**

- Vicinity and Site Location Map (Project Area)
- City of Lauderdale Comprehensive Plan material
- City Council Resolution 052703A: A Resolution Authorizing Application for the Livable Communities Demonstration Program

## **Council Memo**

**To:** City Council  
**From:** Brian W. Bakken-Heck, City Administrator  
**Date:** November 28, 2005  
**Re:** Medical Health Insurance Results

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Jim Aalt, representative for Blue Cross and Blue Shield, stopped by today to go over the quotes for health insurance.

The monthly cost for health coverage from BC/BS for the family with comparable benefits to the current plan is \$1,077. The rate from the county for 2006 is \$1,235.11 a difference of \$158.11.

The single rate came back at \$218.00 per month. The county rate is \$518 for a \$300 per month savings.

We are recommending staying with the current program and doing more research in 2006 on possible alternatives.

**LAUDERDALE COUNCIL  
ACTION FORM**

**ACTION REQUESTED**

Consent                      X    
Public Hearing                   
Discussion                       
Action                             
Resolution                       
Work session                   

Meeting Date: Tuesday, November 29, 2005

ITEM NUMBER   5A- Fire Contract  

STAFF INITIAL                           

APPROVED BY ADMINISTRATOR

**DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:** the city contracts with the City of Falcon Heights for fire services. The agreement is essentially the same as the past agreements. The changes include an increase in the cost per call and an additional cost to cover the purchase of fire trucks. Lauderdale is assessed 25% of the cost of the trucks amortized over 10 years.

**OPTIONS:**

1. Accept the agreement with Falcon Heights for Fire Services
2. Work with a different city for fire services

**STAFF RECOMMENDATION:** staff recommends continuing the agreement with Falcon Heights for fire services.

**COUNCIL ACTION:**

**AGREEMENT FOR FIRE SERVICE BETWEEN  
THE CITY OF FALCON HEIGHTS AND  
THE CITY OF LAUDERDALE**

This agreement is made between the City of Falcon Heights, a Minnesota municipal corporation, and the City of Lauderdale, a Minnesota municipal corporation, on the \_\_\_\_ day of \_\_\_\_\_, 2005.

WHEREAS, the parties hereto are parties to a previous agreement dated February 9, 1996, relating to the furnishing of fire service by the City of Falcon Heights to the City of Lauderdale; and

WHEREAS, the parties wish to make this agreement for the continued provision of fire service by the City of Falcon Heights to the City of Lauderdale in accordance with the terms and provisions hereinafter set forth; and

WHEREAS, the City of Falcon Heights is authorized by prior action of the city council pursuant to MSA Section 438.08 to provide fire service outside the limits of Falcon Heights; and

WHEREAS, MSA Section 438.09 authorizes municipalities to contract with other municipalities providing fire services as authorized under MSA 438.08 to contract for compensation for services rendered; and

WHEREAS, Falcon Heights and Lauderdale are adjacent communities and Falcon Heights has the means and ability to provide fire protection services for Lauderdale while at the same time providing adequate fire services within the City of Falcon Heights.

NOW, THEREFORE, the parties hereto agree as follows:

1. Services. Falcon Heights shall provide the following services to Lauderdale:

- a. Fire Services. Falcon Heights shall furnish fire protection services to all property located within Lauderdale. Falcon Heights shall respond to all fires in Lauderdale with the same level of service and effort as it does in Falcon Heights whenever Falcon Heights is notified of such fire.
- b. Routine Fire Inspection Services. Falcon Heights shall provide routine fire inspection services. The services shall include routine annual inspections of all day care facilities, multi-family residential structures with three or more units, and commercial and industrial structures, and one follow-up inspection per structure.

3. Effective Date and Term. This agreement shall apply to services rendered and shall continue in force until modified or terminated by agreement of the parties or until termination by either party. The agreement may be severed by either party by notifying the other party's city administrator with a written notice of termination on or before July 15 of the calendar year of the party's intent to terminate the contract no earlier than midnight, December 31 of that same calendar year or after December 31 of that calendar year as identified in the notification of termination.
4. Liability. Falcon Heights shall not be liable to Lauderdale or any other person or party for loss or damage of any kind whatever resulting from any failure to prevent, control or extinguish any fire, or prevent any personal injury, unless such loss or damage or injury is caused by the gross negligence of Falcon Heights.
5. State Aid. Pursuant to the authority granted in MSA Section 69.011, et.seq. and in particular MSA Section 69.021, Subd. 7, Falcon Heights shall, for the purposes of calculating fire state aid, be entitled to include the population and net tax capacity of Lauderdale in the area for which it furnishes fire protection service and two duly executed copies of this contract shall be filed by Falcon Heights with the Minnesota Commissioner of Revenue, who will in turn, forward one copy of the contract to the Ramsey County Auditor.
6. Fire Incident Inspections. Fire inspections carried out by the fire chief or his or her authorized personnel, including the fire inspector, as part of a fire incident shall be considered as part of over-all fire department services covered by this contract and no separate charge shall be made for these inspections.
7. Monthly Reports. Falcon Heights shall provide monthly fire report summaries within thirty days after the end of the month. Falcon Heights shall provide special fire reports upon Lauderdale's request.
8. Communication. Falcon Heights shall make every reasonable effort to notify Lauderdale of a major fire or related incident in a timely way on the first business day following the incident.
9. Mutual Aid. Falcon Heights shall, in providing the services under this agreement, utilize the mutual aid assistance available to it pursuant to various mutual aid agreements with other governmental units while serving Lauderdale including the authority to request assistance from a HAZMAT unit when the situation warrants it.



APPENDIX A

AGREEMENT FOR FIRE SERVICE BETWEEN  
THE CITY OF FALCON HEIGHTS AND  
THE CITY OF LAUDERDALE

Fee Schedule for response to fire calls and false alarms:

	<i>0-45 Minutes</i>	<i>46-120 Minutes</i>	<i>121-360 Minutes</i>	<i>Over 360 Minutes (Extreme)</i>
<b>Fire Call (per truck)</b>	\$370.12	\$370.12	\$740.25	\$1,110.38
<b>Identified False Alarm (per call)</b>	\$185.06	370.12	<i>Not Applicable</i>	<i>Not Applicable</i>