

LAUDERDALE CITY COUNCIL MEETING AGENDA
TUESDAY, JULY 9, 2002
CITY HALL, 7:30 P.M.

FILE

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

1. CALL MEETING TO ORDER AT 7:30 P. M.

2. ROLL:

Councilmembers:

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

Staff:

Getshow _____
 Bownik _____

3. APPROVAL OF THE AGENDA

4. APPROVAL

- A. Approval of minutes of the regular City Council Meeting of 6/25/02
- B. Approval of claims totaling \$15,151.33
- C. Approval of Pay Request #3 for the 2002 Street and Utility Improvements for \$133,075.07

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

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

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

Public hearings are conducted so that the public affected by a proposal may have input into the decision. During hearings, all affected residents will be given an opportunity to speak pursuant to the ROBERT'S RULES OF ORDER AND THE STANDING RULES OF ORDER AND BUSINESS OF THE CITY COUNCIL.
10. ACTION
 - A. Side-yard setback and lot coverage variances for the construction of a garage at 1764 Malvern Street
11. REPORTS
 - A. Consideration of side-yard setback and lot coverage variances for the construction of a garage at 1764 Malvern Street
 - B. Approval of a Deputy Clerk Computer Purchase
 - C. 2 Hour Parking Regulation Request on Carl Street
(between Larpenour Ave and Ione Street)
12. ITEMS REMOVED FROM THE CONSENT AGENDA
13. ADDITIONAL ITEMS
14. SET AGENDA FOR NEXT MEETING
15. WORK SESSION DISCUSSION
16. ADJOURNMENT
 - A. Parking Ordinance Revision: City streets south of Larpenour Avenue
 - B. 2002 Goal Items (*Park Improvements, Larpenour Corridor Redevelopment, Housing Policy*)

**Lauderdale City Council
Meeting Minutes
June 25, 2002**

1. Meeting called to order at 7:35 P.M.

2. ROLL

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

Staff present: Getschow and Bownik

3. APPROVAL OF THE AGENDA

A. *Approval of Agenda.* Motion by Christensen, second by Gover to approve the agenda. Motion carried unanimously.

4. APPROVAL

A. *Approval of Minutes.* Motion by Gover, second by McCloskey to approve of the minutes of the regular City Council meeting of June 11, 2002. Motion carried unanimously.

B. *Approval of Claims totaling \$48,222.48.* Motion by Gill-Gerbig, second by McCloskey to approve the claims totaling \$48,222.48. Motion carried unanimously.

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

A. *Gordon Goodrich, 1715 Carl Street,* addressed the Council concerning an issue on his block that involves what he feels is a boarding house. This situation of "too many unrelated people living in one house" at 1712 Carl Street has also raised a concern with the number of cars parked on the block. Goodrich presented a petition signed by two other residents on the block requesting permanent 2-hour parking on the west side of Carl Street between Larpenteur Avenue and Ione Street.

The City Administrator stated that the Zoning Administrator has sent two letters to the property owners at 1712 Carl Street. The second letter requested that the "not more than three unrelated people living in a house" issue be resolved in late May. From conversations with the property owner, he claims that he is in compliance with the zoning ordinance and that there are only three people living in the house. He has also stated that appearance of four or five cars parked near his property are a result of visitors and guests. The Administrator also referred the City Council to a memorandum from the City Attorney on this zoning issue.

The Mayor stated that this item would be placed on the next City Council agenda for discussion and consideration.

6. CONSENT

7. SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS

8. INFORMATIONAL PRESENTATIONS

A. *Ramsey County Library System*. Matt Anderson, President of the Ramsey County Library Board, addressed the City Council on the budget crunch facing the County Library system. All agencies of Ramsey County have been asked to cut their respective budgets by 7%, and the Library Board is seeking the support of the municipalities served by the library system. A resolution was presented for Council consideration that would support the library system in maintaining their current funding and service levels.

Council member Gill-Gerbig expressed concern with this request because it was put before her without prior notification and she has not had an opportunity to understand this request in the context of the entire County Budget. The Mayor understood this concern, but still felt that the support of this resolution was appropriate.

Motion by Christensen, second by McCloskey to approve Resolution 062502B: A Resolution Supporting the Ramsey County Library System. Roll: Yes. All. Motion carried.

B. *2002 Legislative Session Overview.* Representatives Grelling and McGuire were present to discuss the 2002 Legislative session. In particular, McGuire stated that this would be her last time before the City Council since redistricting has put her in a position to not continue to seek office. Representative Grelling's seat would now be the one serving the City of Lauderdale.

On behalf of the City Council, the Mayor thanked McGuire for all of her years of service and offered a resolution for Council consideration commending Representative McGuire on her service to the residents of Lauderdale.

Motion by Gill-Gerbig, second by Gower to approve Resolution 062502A: A Resolution of Proclamation Recognizing the Years of Service of Mary Jo McGuire to the City of Lauderdale. Roll: Yes. All. Motion carried.

9. REPORTS

A. *Sound Wall-MNDOT.* Representatives of MNDOT were in attendance to answer any questions on the sound wall from the City Council. This discussion was in preparation for the July 23, 2002 meeting, when Council action on the sound wall is scheduled. In discussing the details of sound wall construction and maintenance, several questions and concerns arose regarding municipal consent and MNDOT authority to close city roads that enter Highway 280. The Council requested further information on these issues in writing from MNDOT before further consideration on the sound wall construction. The overall discussion on municipal consent and MNDOT authority will be scheduled for the July 23rd meeting.

B. *2002 Street and Utility Improvements Update.* The City Administrator updated the City Council on the improvement project. The trunk sewer work has continued from the Larpeur Avenue ramps to Broadway Avenue. More boring work is scheduled under Highway 280 between Broadway and Ryan Avenue and at Roselawn Avenue. The exact schedule for the start of residential reconstruction north of Roselawn Avenue is still unknown, especially since the start of this work depends on how the boring work proceeds. The current assumption is that this work will still begin in mid-July.

C. *Day In The Park Event.* Administrative Analyst Bownik stated that Day in the Park is set for Saturday, July 20, 2002 from 4:00 p.m. to 8:00 p.m. at the Community Park. There will be a parade, food, beverages, live music and games during the day. Also, the Park and Community Involvement Committee are in discussions with the Falcon Heights-Lauderdale Lion's Club about conducting a bingo event.

10. PUBLIC HEARINGS

11. ACTION

A. *Approval of a Non-Intoxicating Liquor License for "Day in the Park".* Bownik stated that there is a concern this year with the sale of beer at the event that did not arise last year. The Minnesota Licensed Beverage Association, which provides the liquor awareness training is charging more than \$200.00 for their seminar this year. There was not a cost to the City in attending this training last year. In conjunction with the liquor liability insurance, the cost of providing beer at the event may rise to \$500.00. Bownik suggested that the City approve the license under the condition that the City receives liquor awareness training at no cost.

Motion by Gill-Gerbig, second by Gower to approve a Non-Intoxicating Liquor License for "Day in the Park" under the condition that the City receives liquor awareness training at no cost. Roll: Yes. All. Motion carried.

B. *Approval of a Joint Powers Agreement for Suburban Representation Selection Process to the Board of Water Commissioners.* Administrator Getschow stated that the Saint Paul Regional Water Utility completely took over the operations of the water utility system in the City of Lauderdale in 1998. Even though the Water Utility sells water and maintains the water system for several other municipalities, they completely control and own the water utility system in four communities- Lauderdale, Falcon Heights, Maplewood, and West Saint Paul. As part of the agreement that turned over the system to the Water Utility, the St. Paul Charter Commission and the St. Paul City Council authorized that the composition of the Board of Water Commissioners be enlarged and changed to allow for representation by suburban municipalities that have contracted with the Board for all water services.

The agreement in front of the Council at this time provides for a method of rotating suburban membership between the four communities for the two suburban seats. The first Lauderdale seat would need to be filled beginning in 2006.

It was also noted, following a question by Council member Gill-Gerbig that this joint powers agreement acknowledges that other municipalities may enter into similar agreements with the Water Utility in the future. Under that scenario, the other communities would follow the current four communities for future suburban representation.

Motion by Christensen, second by Gill-Gerbig to Approve the Joint Powers Agreement for Suburban Representation Selection Process to the Board of Water Commissioners. Roll: Yes. All. Motion carried.

C. Approval of the Easement Agreements for the 2001 Street and Utility Improvements. Getschow stated that there are two easements required as part of the 2001 Street and Utility Improvements. Both easements are permanent utility easements for the reconstruction of parts of the storm sewer system south of Larpentur Avenue in the multiple-family residential area of the City. The two properties that are providing the easements are Lauderdale Hollows and Luther Seminary. It was noted that the easement agreements were drafted and approved by the City Attorney.

Motion by Gill-Gerbig, second by McCloskey to approve the permanent easement agreements for the 2001 Street and Utility Improvements with Leonard L. Gasparre and Harold B. Dokmo Jr., Trustee (Lauderdale Hollows) and Luther Seminary. Roll: Yes. All. Motion carried.

- 12. DISCUSSION
- 13. ITEMS REMOVED FROM THE CONSENT AGENDA
- 14. ADDITIONAL ITEMS

15. SET AGENDA FOR NEXT MEETING

1. Garage Construction variance at 1764 Malvern
2. 2-Hour Parking Request on Carl Street
3. Deputy Clerk Computer Quotations
4. Work Session: 2002 Goals, and Winter Parking South of Larpentour Avenue

16. ADJOURNMENT

Motion by Gill-Gerbig, second by Christensen to adjourn at 10:45 P.M. Ayes: All.

**CITY OF LAUDERDALE
 Claims for Approval
 July 9, 2002 City Council Meeting**

Payroll

07/05/02 Payroll: Check # 7175-7179 \$5,808.00
 07/05/02 Payroll: EFT: Federal Withholding Taxes/FICA \$2,406.11
 07/05/02 Payroll: EFT: PERA \$994.05
 07/05/02 Payroll: EFT: ICMA Retirement Fund \$1,185.96

Vendor Claims

07/09/02 Claims: Check # 15870-15879 \$4,757.21

Subtotal of Claims From Above	\$15,151.33
07/09/02 Northdale Construction, Check #15880	\$133,075.07

Total Claims for Approval \$148,226.40

CITY OF LAUDERDALE
Paid Register

Check Number	Employee Number	Employee Name	Pay Period	Pay Group	Check Amount	Check Date	Status
007175	000000011	BOWNIK, JAMES	14	BI-WEEKLY	\$1,001.68	7/5/02	Outstanding
007176	000000003	GETSCHOW, RICK	14	BI-WEEKLY	\$1,730.03	7/5/02	Outstanding
007177	000000030	GOYETTE, SHANNON	14	BI-WEEKLY	\$904.44	7/5/02	Outstanding
007178	000000002	HINRICH, DAVID C	14	BI-WEEKLY	\$1,069.12	7/5/02	Outstanding
007179	000000005	HUGHES, JOSEPH A	14	BI-WEEKLY	\$1,102.73	7/5/02	Outstanding
007174		VOID	14		\$0.00	7/5/02	Void
					<u>\$5,808.00</u>		

FILTER: ((year='2002' and [pay period] in ('14')) and [pay group] in ('01'))

CITY OF LAUDERDALE
Vendor Transactions

CHECK	Nbr	Check Date	Batch Name Invoice	Amount	Comments
			Search Name AMERIPRIDE		
	015870	7/9/02	070902claims m069015	\$80.12	paper towels
			Search Name AMERIPRIDE		
	015871	7/9/02	070902claims 9301	\$298.84	annual fixed asset support
			Search Name BANYON DATA SYSTEM		
	015872	7/9/02	070902claims 07/09/02	\$62.78	reimb: mileage '02 lmc annual conference
	015872	7/9/02	070902claims 07/09/02	\$104.86	reimb: lodging '02 lmc annual conference
			Search Name BOWNIK, JAMES		
	015873	7/9/02	070902claims 55952	\$138.32	gravel for alleys
			Search Name CARL BOLANDER & SONS, CO.		
	015874	7/9/02	070902claims 07/09/02	\$111.69	6/18, 6/25, 7/2 pw uniforms
			Search Name CINTAS		
	015875	7/9/02	070902claims 1768	\$478.00	3qtr'02 joint powers 4 tech services
			Search Name CITY OF ROSEVILLE		
	015876	7/9/02	070902claims 07/09/02	\$104.86	reimb: lodging '02 lmc annual conference
			Search Name GETSCHOW, RICK		
	015877	7/9/02	070902claims 1452	\$2,151.50	hamline auto body plan review
			Search Name GRACE, DUANE		
	015878	7/9/02	070902claims 07/09/02	\$1,085.32	refund subdivision plat legal fees
			Search Name HAMLINE AUTO BODY		
	015879	7/9/02	070902claims 1031005	\$11.57	supplies for garage sale signs
	015879	7/9/02	070902claims 3011595	\$37.41	weed/feed spreader
	015879	7/9/02	070902claims 2020688	\$91.94	weed/feed, light bulbs, garbage bags, etc
			Search Name HOME DEPOT CRC		
	015880	7/9/02	070902claims '02 pay req #3	\$133,075.07	'02 street/utility improvements
			Search Name NORTHDALE CONSTRUCTION, INC.		
			Search Name NORTHDALE CONSTRUCTION, INC.		
			Grand Total	\$137,832.28	

 Date:

 Specified Contract Completion Date:
 June 15, 2003

CITY OF LAUDERDALE
 Approved by Owner:

NORTHDALE CONSTRUCTION CO INC
 Approved by Contractor:

Thomas R. K. [Signature]

Recommended for Approval by:
 BONESTROO, ROSENE, ANDERLIK & ASSOCIATES, INC.

12	AMOUNT DUE THIS REQUEST FOR PAYMENT NO. 3	\$ 133,075.07
11	Liquidated damages -	\$ 0.00
10	Less Amount Paid Previously	\$ 188,566.53
9	Subtotal	\$ 321,641.60
8	Less Retainage 5%	\$ 16,928.51
7	Amount Earned	\$ 338,570.10
6	Material on Hand	\$ 0.00
5	Value Completed to Date	\$ 338,570.10
4	Revised Contract Amount	\$ 1,734,132.04
3	Change Order - Deduction	\$ 0.00
2	Change Order - Addition	\$ 0.00
1	Original Contract Amount	\$ 1,734,132.04
		\$ 1,734,132.04

SUMMARY

CONTRACTOR'S REQUEST FOR PAYMENT
 2002 UTILITY AND STREET IMPROVEMENTS, PHASE 3
 BRA FILE NO. 532-01-102

Engineers & Architects



Owner: City of Lauderdale, 1891 Walnut St., Lauderdale, MN 55113	Date: June 27, 2002
Contractor: Northdale Construction Co. Inc., 14450 Northdale Blvd., Rogers, MN 55374	Request No.: 3
For Period: 6/4/2002 to 6/27/2002	

No.	Item	Unit	Contract Quantity	Unit Price	to Date Quantity	to Date Amount
1	Mobilization	LS	1	50000.00		\$0.00
2	Traffic control	LS	1	9137.50		\$0.00
3	Silt fence, regular	LF	700	2.25		\$0.00
4	Remove bituminous driveway	SY	950	2.75		\$0.00
5	Reclaim bituminous pavement	SY	13000	1.80		\$0.00
6	Remove concrete curb and gutter	LF	150	3.00		\$0.00
7	Remove concrete driveway pavement	SY	350	7.00		\$0.00
8	Remove concrete sidewalk	SY	80	6.50		\$0.00
9	Remove concrete steps	EA	28	100.00		\$0.00
10	Remove CMP culvert	LF	20	5.00		\$0.00
11	Clear and grub	Tree	15	525.00	4	\$2,100.00
12	Furnish and install new 27" Sanitary MH casting	EA	4	410.82		\$0.00
13	Adjust valve box	EA	12	125.00		\$0.00
14	Adjust manhole casting	EA	15	175.00		\$0.00
15	Topsoil borrow (LV)	CY	1600	0.01		\$0.00
16	Common excavation (F)	CY	10400	7.95		\$0.00
17	Subgrade excavation (EV)	CY	1100	7.95		\$0.00
18	Geotextile fabric, Type IV	SY	15000	1.35		\$0.00
19	4" Perforated polyethylene pipe	LF	700	6.95		\$0.00
20	Connect drain tile to structure	EA	10	100.00		\$0.00
21	Aggregate base, Class 5 (CV)	CY	3500	17.55		\$0.00
22	Select granular borrow (CV)	CY	5000	15.50		\$0.00
23	Bituminous Patching	SY	350	23.88		\$0.00
24	Bituminous driveway patch	SY	950	19.50		\$0.00
25	Bituminous base course, Type 31B	TN	1550	28.76		\$0.00
26	Bituminous wear course, Type 41B	TN	1150	31.98		\$0.00
27	Bituminous material for tack coat	GAL	625	1.94		\$0.00
28	B618 concrete curb and gutter	LF	8600	7.53		\$0.00
29	Concrete valley gutter	SY	45	35.48		\$0.00
30	7" concrete driveway pavement	SY	850	42.08		\$0.00
31	7" concrete driveway pavement-colored and patterned - 1933 Malvern	SY	50	103.35		\$0.00
32	Pedestrian curb ramp	EA	2	215.00		\$0.00
33	4" concrete sidewalk	SY	200	33.98		\$0.00
34	Concrete steps	EA	20	107.50		\$0.00
35	Wood fiber blanket	SY	600	1.77		\$0.00
36	Sodding, lawn type	SY	11000	2.62		\$0.00
37	Street name sign (2 blades), incl post and hardware	EA	7	295.63		\$0.00
Total Part 1 - Streets: <u>\$2,100.00</u>						
38	Motor Grader with operator	HR	50	128.50		\$0.00
39	Front end loader with operator	HR	20	127.50		\$0.00
40	Skidsteer (bobcat) with operator	HR	10	75.00		\$0.00
41	Adjust frame and ring casting	EA	2	150.00		\$0.00
42	Bituminous base course, Type 31B (alleys)	TN	475	33.33		\$0.00
43	Bituminous wear course, Type 41B (alleys)	TN	375	35.48		\$0.00
44	Aggregate base, Class 5 (CV)	CY	425	27.50		\$0.00
45	Bituminous material for tack coat	GAL	225	1.94		\$0.00
46	Clear and grub	LS	1	4500.00		\$0.00
Total Part 2 - Alley Improvements: <u>\$2,100.00</u>						
Part 2 - Alley Improvements:						
38	Motor Grader with operator	HR	50	128.50		\$0.00
39	Front end loader with operator	HR	20	127.50		\$0.00
40	Skidsteer (bobcat) with operator	HR	10	75.00		\$0.00
41	Adjust frame and ring casting	EA	2	150.00		\$0.00
42	Bituminous base course, Type 31B (alleys)	TN	475	33.33		\$0.00
43	Bituminous wear course, Type 41B (alleys)	TN	375	35.48		\$0.00
44	Aggregate base, Class 5 (CV)	CY	425	27.50		\$0.00
45	Bituminous material for tack coat	GAL	225	1.94		\$0.00
46	Clear and grub	LS	1	4500.00		\$0.00
Total Part 2 - Alley Improvements: <u>\$2,100.00</u>						
Part 3 - Storm Sewer:						
47	Silt fence, regular	LF	200	2.25		\$0.00
48	Remove CMP culvert	LF	200	5.50		\$0.00
49	Bulkhead existing storm sewer	EA	1	350.00		\$0.00
50	15" CMP culvert	LF	20	26.42		\$0.00
51	15" CMP flared end section	EA	2	139.81		\$0.00
52	24" RCP arch flared end section, incl. trash guard	EA	1	1908.50		\$0.00
53	24" RCP arch storm sewer	LF	225	59.71		\$0.00
54	12" RCP storm sewer	LF	125	25.84		\$0.00
55	12" RCP flared end section	EA	2	478.79		\$0.00
56	Class III random riprap	CY	75	83.50		\$0.00
57	15" RCP storm sewer	LF	370	26.06		\$0.00
58	18" RCP storm sewer	LF	200	28.14		\$0.00

No.	Item	Unit	Contract Quantity	Unit Price	Quantity to Date	Amount to Date
59	18" RCP flared end section, incl trash guard	EA	6	580.73		\$0.00
60	21" RCP storm sewer	LF	475	36.55		\$0.00
61	Shallow catch basin	EA	1	816.50		\$0.00
62	2' x 3' catch basin with sump	EA	2	1075.20		\$0.00
63	2' x 3' catch basin	EA	5	990.00		\$0.00
64	4' dia storm sewer MH, inc 2' sump	EA	1	1275.00		\$0.00
65	4' diameter storm CBMH	EA	8	1290.00		\$0.00
66	5' diameter storm CBMH	EA	1	1880.00		\$0.00
67	5' diameter storm sewer MH	EA	1	1790.00		\$0.00
68	5' dia storm sewer MH, inc 2' sump	EA	1	1790.00		\$0.00
69	4' diameter storm sewer MH	EA	1	1195.00		\$0.00
70	Construct MH over existing pipe	EA	1	4175.00		\$0.00
71	4' storm sewer manhole overdepth	LF	20	91.78		\$0.00
72	Aggregate base, Class 5 - trail	CY	350	25.50		\$0.00
73	Common excavation (P)	CY	65	12.50		\$0.00
74	Black Hills Spruce, 6' B&B	EA	2	430.00		\$0.00
75	Wood fiber blanket	SY	150	1.77		\$0.00
76	Fond dredging (P)	CY	600	18.50		\$0.00
Part 3 - Storm Sewer:						
Total Part 3 - Storm Sewer:						
77	Remove sanitary sewer pipe	LF	1750	2.00		\$0.00
78	Remove sanitary sewer service pipe	LF	1500	3.00		\$0.00
79	Remove sanitary sewer manhole	EA	13	475.00		\$0.00
80	Abandon sanitary sewer MH	EA	4	350.00		\$0.00
81	Bulkhead existing sanitary sewer	EA	52	250.00		\$0.00
82	Bypass pumping	LS	1	10500.00		\$0.00
83	Connect to existing manhole	EA	2	2500.00		\$0.00
84	Sanitary sewer repair	LF	20	125.00		\$0.00
85	Connect to existing sanitary sewer pipe	EA	5	1500.00		\$0.00
86	4' diameter sanitary manholes	EA	11	1484.65		\$0.00
87	4' diameter sanitary manhole overdepth	LF	55	90.30		\$0.00
88	8" PVC sanitary sewer, SDR 35, 0'-10' deep	LF	867	19.19		\$0.00
89	8" PVC sanitary sewer, SDR 35, 10'-20' deep	LF	1155	19.19		\$0.00
90	10" PVC sanitary sewer, SDR 35, 0'-10' deep	LF	295	25.40		\$0.00
91	10" PVC sanitary sewer, SDR 35, 10'-20' deep	LF	529	25.40		\$0.00
92	10" PVC sanitary sewer, SDR 26, 10'-20' deep	LF	210	42.43		\$0.00
93	10" PVC sanitary sewer, SDR 26, 20'-30' deep	LF	112	42.43		\$0.00
94	Restricted trench	LF	450	10.00		\$0.00
95	Improved pipe foundation, per 6" increment	LF	3500	0.01		\$0.00
96	8" DIP outside drop inlet pipe	LF	50	155.00		\$0.00
97	8" DIP sanitary sewer	LF	80	29.32		\$0.00
98	Connect to existing sewer service	EA	76	125.00		\$0.00
99	4" PVC, SDR 26 service pipe	LF	1740	11.98		\$0.00
100	4" PVC, SDR 26 riser pipe	LF	90	12.32		\$0.00
101	8" x 4" PVC wye	EA	58	53.83		\$0.00
102	8" x 6" PVC wye, SDR 26	EA	1	76.65		\$0.00
103	6" PVC, SDR 26 service pipe	LF	30	12.64		\$0.00
104	Sodding, lawn type	SY	11000	2.62		\$0.00
105	Closed circuit TV inspection	LF	3100	0.55		\$0.00
Part 4 - Sanitary Sewer:						
Total Part 4 - Sanitary Sewer:						
106	Remove water main	LF	4650	4.75		\$0.00
107	Remove gate valve and box	EA	13	100.00		\$0.00
108	Remove hydrant	EA	7	300.00		\$0.00
109	Improved pipe foundation, per 6" increment	LF	4000	0.01		\$0.00
110	Water main trench	LF	4700	8.25		\$0.00
111	Water service trench	LF	2350	11.50		\$0.00
112	Pipe bedding	LF	4650	2.15		\$0.00
113	Mechanical trench compaction	LF	7050	1.50		\$0.00
114	Insulation, 2" thick	SY	10	16.37		\$0.00
115	Water service trench in easement: 1943, 1951	EA	3	850.00		\$0.00
116	8" water main, jacked	LF	155	155.88		\$0.00
Pleasant, 1952 Car						
Total Part 5 - Water Main:						

No.	Item	Unit	Contract	Quantity	Price	to Date	Amount	to Date
117	Mobilization	LS	1	53125.00	0.5		\$26,562.50	
118	Traffic control	LS	1	2687.50	0.3		\$806.25	
119	Silt fence, regular	LF	5000	2.25	2191		\$4,929.75	
120	Concrete median barrier design 8337	LF	825	9.14	180		\$1,645.20	
121	Abandon lift station	LS	1	4750.00			\$0.00	
122	Remove pump house	LS	1	6500.00			\$0.00	
123	Remove foremain pipe	LF	100	5.50			\$0.00	
124	Remove sanitary sewer pipe	LF	420	5.50			\$0.00	
125	Remove sanitary sewer manhole	EA	1	575.00			\$0.00	
126	Remove concrete curb and gutter	LF	700	3.00	163		\$489.00	
127	Remove concrete sidewalk	SY	800	6.50	76		\$494.00	
128	Remove bituminous pavement	SY	1300	2.50	1056		\$2,640.00	
129	Salvage and reinstall guard rail	LF	40	28.50	13		\$370.50	
130	Clear and grub	LS	1	4500.00	0.8		\$3,600.00	
131	12" RCP storm sewer	LF	20	28.50			\$0.00	
132	Salvage and reinstall concrete pipe	LF	40	20.50	54		\$1,107.00	
133	Connect to existing CBMH	EA	1	450.00			\$0.00	
134	12" PVC sanitary sewer, SDR 26, 20'-30' deep	LF	170	55.44			\$0.00	
135	12" PVC sanitary sewer, SDR 26, 30'-35' deep	LF	70	55.44			\$0.00	
136	15" PVC sanitary sewer, SDR 26, 0'-10' deep	LF	95	28.64	128		\$3,665.92	
137	15" PVC sanitary sewer, SDR 35, 10'-20' deep	LF	1100	28.64	1020		\$29,212.80	
138	15" PVC sanitary sewer, SDR 26, 10'-20' deep	LF	600	50.88	626		\$31,850.88	
139	15" PVC sanitary sewer, SDR 26, 20'-30' deep	LF	1350	50.88	924		\$47,013.12	
140	15" PVC sanitary sewer, SDR 26, 30'-32' deep	LF	275	50.88	121		\$6,156.48	
141	Realign 8" sanitary sewer	LF	40	67.50			\$0.00	
142	12" sanitary sewer, jacked	LF	175	194.92			\$0.00	
143	15" sanitary sewer, jacked	LF	410	210.06	365		\$76,671.90	
144	Improved pipe foundation, per 6" increment	LF	3500	0.01	35		\$0.35	
145	Construct Manhole Over Existing Pipe	EA	1	3400.94	1		\$3,400.94	
146	4' diameter sanitary manholes	EA	15	1737.04	11		\$19,107.44	
147	4' diameter sanitary manhole overdepth	LF	192	96.78	85		\$8,226.30	
148	8" DIP outside drop inlet pipe	LF	40	175.00			\$0.00	
149	8" DIP sanitary sewer	LF	40	32.07			\$0.00	
150	Connect to existing sanitary sewer pipe	EA	1	1500.00			\$0.00	
151	Bulkhead existing sanitary sewer	EA	4	350.00			\$0.00	
152	8" PVC sanitary sewer, SDR 35, 10'-20' deep	LF	30	18.82	15		\$282.30	
153	Restricted trench	LF	1600	8.00	984		\$7,872.00	
154	B618 concrete curb and gutter	LF	30	12.90			\$0.00	
155	Bituminous driveway patch	SY	100	20.58			\$0.00	
156	Seeding, incl seed, fertilizer, mulch and disk anchor	AC	4	946.00			\$0.00	
157	Closed circuit TV inspection	LF	4175	0.55			\$0.00	
Total Part 6 - Trunk Sanitary Sewer:								
							\$276,104.63	
158	Abandon lift station	LS	1	4750.00			\$4,750.00	
159	Mobilization	LS	1	3500.00			\$3,500.00	
160	Silt fence, regular	LF	300	2.25	76		\$171.00	
161	Remove concrete curb and gutter	LF	325	3.50	487		\$1,170.50	
162	Remove concrete sidewalk	SY	10	7.00			\$0.00	
163	Remove bituminous pavement	SY	275	5.00	646		\$3,230.00	
164	Clear and grub	Tree	4	350.00	3		\$1,050.00	
165	Remove 8" sanitary sewer pipe	LF	30	5.00			\$0.00	
166	Bulkhead existing sanitary sewer	EA	3	350.00	1		\$350.00	
167	Connect to existing manhole	EA	3	750.00	3		\$2,250.00	
168	Connect to existing sanitary sewer 8" PVC pipe	EA	1	450.00	1		\$450.00	
169	Restricted trench	LF	200	8.00	175		\$1,400.00	
170	8" PVC sanitary sewer, SDR 35, 10'-20' deep	LF	365	21.61	381		\$8,233.41	
171	4' diameter sanitary manholes	EA	1	1637.00	1		\$1,637.00	
172	4' diameter sanitary manhole overdepth	LF	3	96.78	2		\$193.56	
173	8" DIP outside drop inlet pipe	LF	8	165.00	8		\$1,320.00	
174	8" DIP sanitary sewer	LF	20	29.21	20		\$584.20	
175	Common excavation (P)	CY	175	12.50	175		\$2,187.50	
176	Aggregate base, Class 5, 100% crushed	CY	100	23.50	121		\$2,843.50	
177	Bituminous material for tack coat	GAL	25	1.94	75		\$145.50	

Part 7 - Larpenteur Lift Station Elimination:

M E M O R A N D U M

DATE: JULY 9, 2002
TO: HONORABLE MAYOR AND COUNCIL
FROM: JAMES BOWNIK, ADMINISTRATIVE ANALYST
RE: VARIANCE TO THE ZONING ORDINANCE REQUEST FOR 1764 MALVERN STREET



BACKGROUND

PROPOSAL: Requested variances to the side yard setback requirements - to go from 5 feet to 1-foot from the north property line, and a variance to the lot coverage requirements to go from 30% to 31.49% in constructing a new garage. The property in question is zoned R-1 Residential.

APPLICANT, PROPERTY OWNER, AND LOCATION:

Christopher Title
1764 Malvern Street
Lauderdale, MN 55113

VARIANCE REQUEST AND SITE PLAN

Christopher Title, 1764 Malvern Street, is applying for a variance to the side yard setback requirement along the north property line to go from five feet to one-foot for the construction of a new garage. A lot coverage variance is also needed.

Exhibit A - Original variance application and site plan.
Exhibit B - Survey indicating lot lines and updated site plan.
Exhibit C - Setback Requirements in R-1 District.
Exhibit D - Table of Land and Yard Requirements.

STAFF FINDINGS

When the original site plan was submitted, we did not feel comfortable with the applicant's delineation of the property lines. A survey delineating the lot lines was later received, along with an updated site plan. The new site plan shows the proposed garage of 600 square feet (20' x 30') facing the alley. The following chart provides further details regarding setback distances:

Setback Requirements Proposed by Applicant

8 foot setback from rear property line	23.6 feet
6 feet between detached garage and house	10 feet
5 foot setback from side property line	1 foot

Also, the construction of a garage of the size proposed by the applicant would not be in compliance with the lot coverage requirements of the zoning ordinance. Thus, a lot coverage variance would also be required. The following chart provides further details regarding lot coverage.

Proposed by Applicant

Single Family Dwellings R-1 District Defined by the Exterior Walls of Structures 930.92 House (sq. ft.) 66.74 Utility Shed (sq. ft.) 600.00 Proposed Garage (sq. ft.) Total: 31.49%	Total: 30% (Includes assumed garage coverage of 576 square feet) 1597.66 (sq. ft.) 5074 (sq. ft.) lot size
---	--

POLICIES AND PROCEDURES FOR VARIANCE APPROVAL

In reviewing this variance request, the Council should consider the Zoning Ordinance requirements as well as relevant State Statutes. The following should be considered:

- Chapter 3 of the Zoning Ordinance defines variances as follows:
 "The Board shall hear requests for variances from the literal provisions of this Title in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration, and to grant such variances only when it is demonstrated that such actions will be in keeping with the spirit and intent of this Title. The Board of Appeals and Adjustments may not permit a variance any use that is not permitted under this Title for property in the zone where the affected person's land is located".

- According to State Statute 462.357, Subd. 6, the following regulations apply to variances:

The board of appeals and adjustments has the following powers with respect to the zoning ordinance: "To hear requests for variances from the literal provisions of the ordinance in instances where their strict enforcement would cause undue hardship because of circumstances unique to the individual property under consideration, and to grant such variances only when it is demonstrated that such actions will be in keeping with the spirit and intent of the ordinance. "Undue Hardship" as used in connection with the granting of a variance means the property in question cannot be put to a reasonable use if used under conditions allowed by the official controls, the plight of the landowner is due to circumstances unique to the property not created by the landowner, and the variance, if granted, will not alter the essential character of the locality. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance. Undue hardship also includes, but is not limited to, inadequate access to direct sunlight for solar energy systems".

PLANNING COMMISSION ACTION

The Planning Commission did not meet to discuss the variance request due to the lack of a quorum. Instead, this action item was placed directly on the council agenda per Title 2-1-10-4:K of the current Zoning Ordinance. The Planning Commission received the information packet and have been invited and encouraged to attend the council meeting in order to provide input to the Council.

PUBLIC HEARING FOR THE VARIANCE REQUEST

On June 27, 2002 property owners adjacent to this property were sent notice of tonight's public hearing.

CITY COUNCIL ACTION REQUESTED

Approve or deny the variance requests, attaching any conditions deemed necessary for approval. If the variances are approved, building and other permit applications will be submitted to and approved by the City Building Official before being issued.

Original Variance Application for 1764 Malvern Street

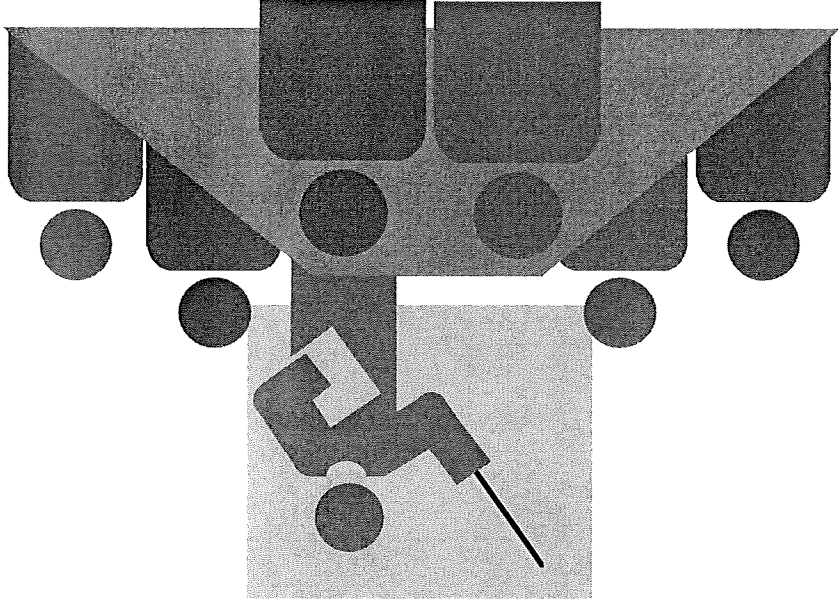


Exhibit A

ZONING APPLICATION

Type of Request	_____
Amount	_____
	Variance <input checked="" type="checkbox"/>
	\$ 75
	Zoning Amendment
	\$100
	Conditional Use
	\$165
	PUD
	N/A
	Other

Name of Applicant Christopher Charles Title

Address 1764 Malvern Street

City Lauderdale State MN Zip 55113

Address of Property _____

(if different than above)

Day Phone 612-352-3361 x234 Evening Phone 651-645-7851 Fax _____

Please describe why you are applying for this application to build a garage with a sidewalk setback of 2 feet.

Applicant's Signature _____

Date _____

Application date submitted 6-24-02 Office Use Only
 Date of Application 6-5-02 Amount Paid 75.00 Receipt Number 6433
 PIN # _____

Recommendation of Planning Commission (approve / deny) Meeting Date _____

Date of Public Hearing _____

City Council Action Taken (approved / denied) Meeting Date _____

Conditions? _____

1764 Malvern Street
Lauderdale, MN 55113
May 30, 2002

City of Lauderdale
1891 Walnut Street
Lauderdale, MN 55113

Esteemed Members of Planning Commission and City Council,

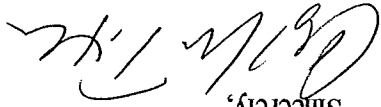
This document shall serve as justification for the granting of a side yard setback variance for the purpose of building a garage in the rear of the property at 1764 Malvern Street. The following paragraphs will provide brief narratives that answer supplemental variance application questions.

The side yard setback ordinance will unduly restrict our ability to develop our property in a reasonable manner. If we were to comply with the five foot side yard setback ordinance, then the structure would be so restricted in square footage as to be overly limited in usage; it would also be uselessly forced over behind a stately and beautiful red leaf maple which we are loathe to destroy; and, it would be aesthetically incongruent with buildings it is near. We are investing in the infrastructure of our property; therefore, we'd like that investment to reflect forethought and planning. The setback would take away space necessary not just now, but also in the future. One reason the setback ordinance was created was to maintain safe distances between structures, this variance will not compromise that safety, and indeed it will protect the arboreal splendor of our environment by allowing a beautiful tree to remain. Without the variance, we are denied the ability to build a structure that is useful and in keeping with the aesthetic of neighboring structures. Without the variance, we are left with no reasonable use of the land.

It is our intention to have a garage like all other properties on our block, save one. By far, the majority of garages on other properties are built directly on property lines or are built without regard to the minimum setback, including the property directly to our south. Even granted the variance, the garage will meet fire code distance restrictions (six-foot minimum separation), and it will have no negative water drainage effects on other properties. Other properties enjoy the benefits of storage and indoor parking that a garage provides. We cannot build a reasonably usable structure if the side yard setback ordinance is strictly enforced.

The spirit and intent of the Zoning Ordinance is to safely and prudently steward the land for which it was created. It was not created to force undue hardship on property owners who wish to develop their land in a logical, safe, and prudent manner. Lauderdale is a neighborhood of families growing together; that means reasonable and thoughtful use of the land is necessary. We would like our roots to run deep here, but it is difficult to imagine a growing family without a place to safely maintain our belongings. Granting this variance will be in keeping with the spirit and intent of the Zoning Ordinance, it will be in keeping with the environmental stewardship of the area, and it will not infringe upon the safety or well being of neighboring property.

Sincerely,



Christopher Title

Property marker

Malvern Street

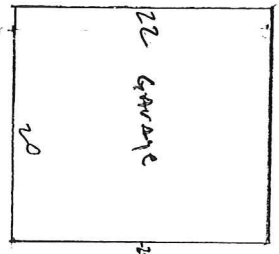
Scale

1/8" = 1 ft

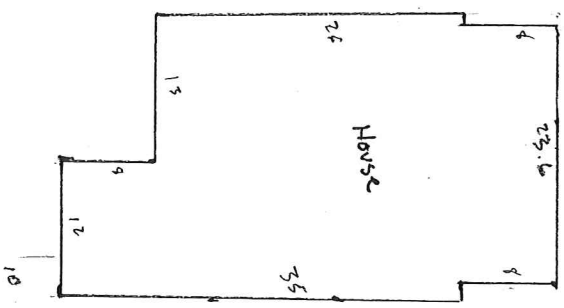
N →

Site Plan drawn
by Christopher Title
651-645-7851

1754 Malvern



1764 Malvern

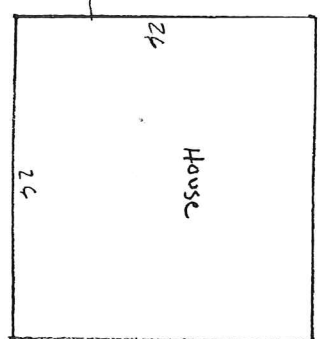


Drainage ←

→ Drainage

Property line

1766 Malvern

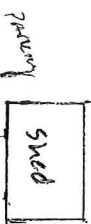


RTIES

ALLEY

ALLEY

Property line



-12.6

25

25

10

41

10

20

25

15

30

10

-12.6

25

10

41

10

20

25

15

30

10

-12.6

25

10

41

10

Survey & Updated Site Plan for 1764 Malvern Street

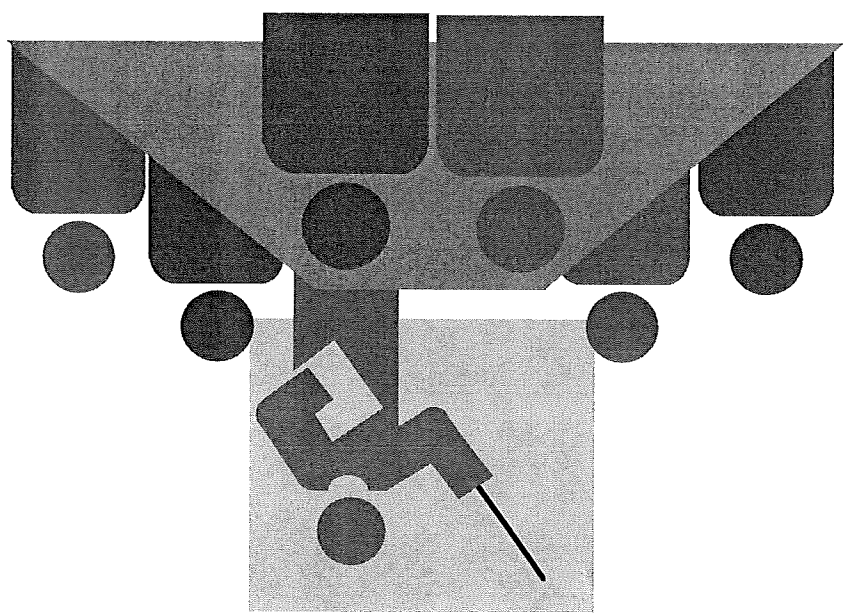


Exhibit B

W. BROWN LAND SURVEYING, INC.

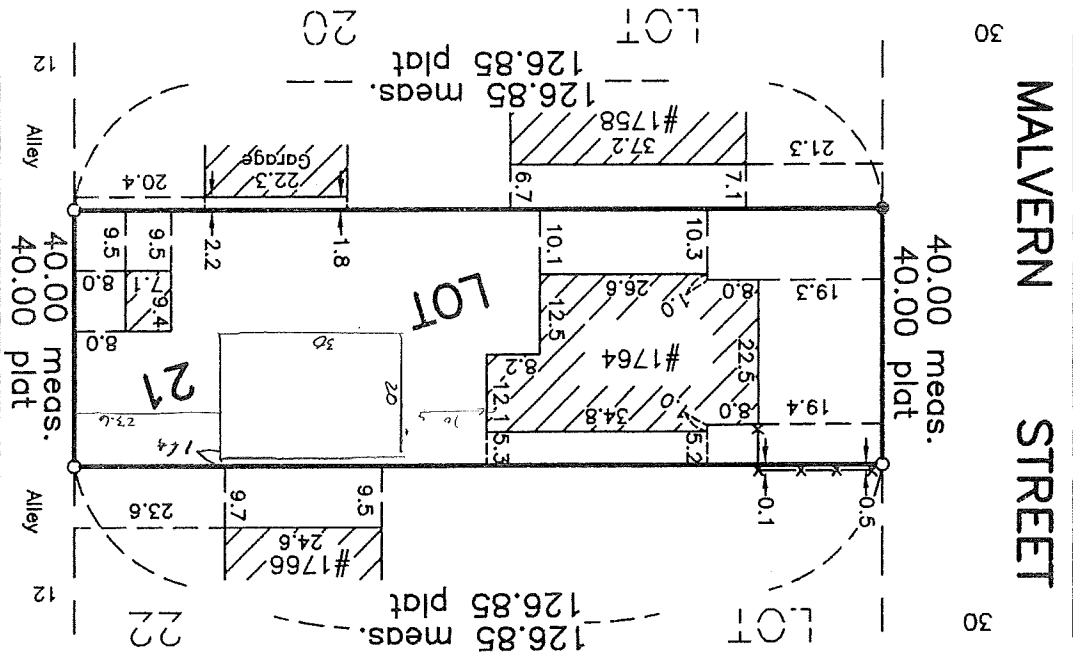
8030 Cedar Avenue South Suite 228

Bloomington, MN 55425
 Phone (612) 854-4055
 Fax (612) 854-4268

Survey For:
 Christopher Title
 (651-645-7851)

- Denotes Iron Monument Found
- Denotes Iron Monument Set

Scale: 1"=30'



NOTE: No Search Was Made For Any Easements.

PROPERTY DESCRIPTION

Lot 21, Block 10, LAUDERDALES EAST SIDE ADDITION, Ramsey County, Minnesota. I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Registered Land Surveyor under the laws of the State of Minnesota.

W. BROWN LAND SURVEYING, INC.

Woodrow A. Brown
 Woodrow A. Brown, R.L.S. NO. 15230

Dated: June 19, 2002

Setback Requirements in R-1 District

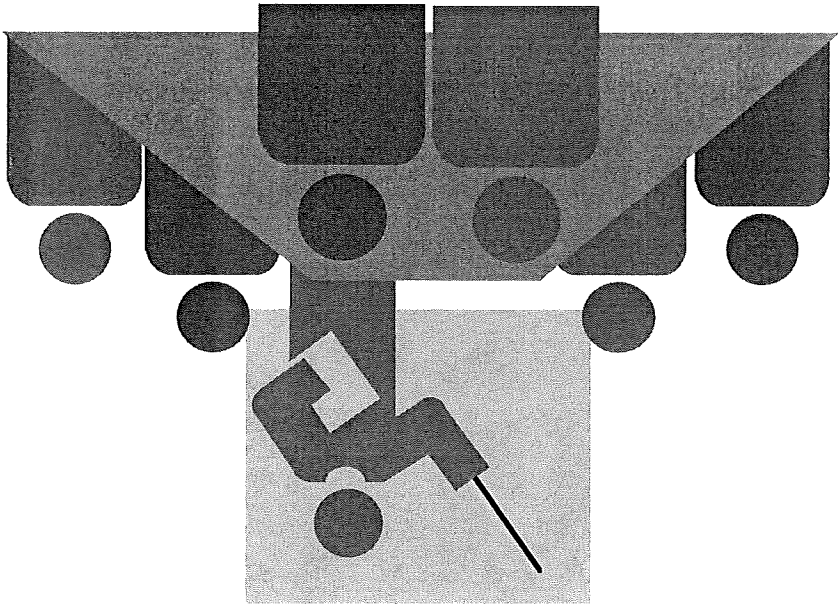


Exhibit C

**SEIBACK REE EMENDS IN R-1
ADOPTED 3/10/98**

TYPE OF SETBACK	REQUIREMENT	NOTES ***
Front Yard:		
Principal building	30 feet	See exception in 10-8-6 *
Attached garage	30 feet	See exception in 10-8-6 *
Detached garage	30 feet	See exception in 10-8-6 *
Setback between detached garage/principal building	6 feet	
Corner lot	30 feet	For Yard defined as "Front Yard", also see exception in 10-8-6 *
Rear Yard:		
Principal building	20 feet	
Principal building on corner lot	20 feet	
Attached garage	20 feet	
Detached garage facing platted alley	8 feet	
Detached garage parallel to platted alley	3 feet	
Detached garage entered from street with no platted alley	3 feet	
Accessory building **	3 feet	
Setback between detached garage/principal building	6 feet	
Setback between accessory/principal building	6 feet	
Fence on platted alley	2 feet	
Fence not on platted alley	0 feet	
Side Yard:		
Principal building	5 feet	
Attached garage	5 feet	
Detached garage entered from street with no platted alley	5 feet	
Detached garage on platted alley	5 feet	
Accessory building **	3 feet	
Setback between detached garage/principal building	6 feet	
Setback between accessory/principal building	6 feet	
If corner lot, building side facing street	5 feet	For yard defined as "Side Yard", requirement is for all buildings on corner lots.
Fence	0 feet	
Driveway	0 feet	

* 10-8-6: Where adjacent structures existing on the effective date of the Ordinance codified in this Title have a front yard setback different from those required by this Title, the minimum front yard setback shall be the average of these existing structures.

** For zoning purposes, accessory building is defined as any building which is not the principal building or garage

*** The following notes apply to all buildings:

- 1). For all buildings, the setback is measured from the building foundation.
- 2). In all cases, no part of the construction (including footings) can encroach onto neighboring properties.
- 3). For all buildings, the overhang shall follow Uniform Building Code (UBC) Section 503.2.1(1), which states that projections shall not extend beyond "a point one third the distance to the property line from an assumed vertical plane located where fire-resistive protection of openings is first required due to location on property".
- 4). No building may be built in an easement area.

Table of Land & Yard Requirements

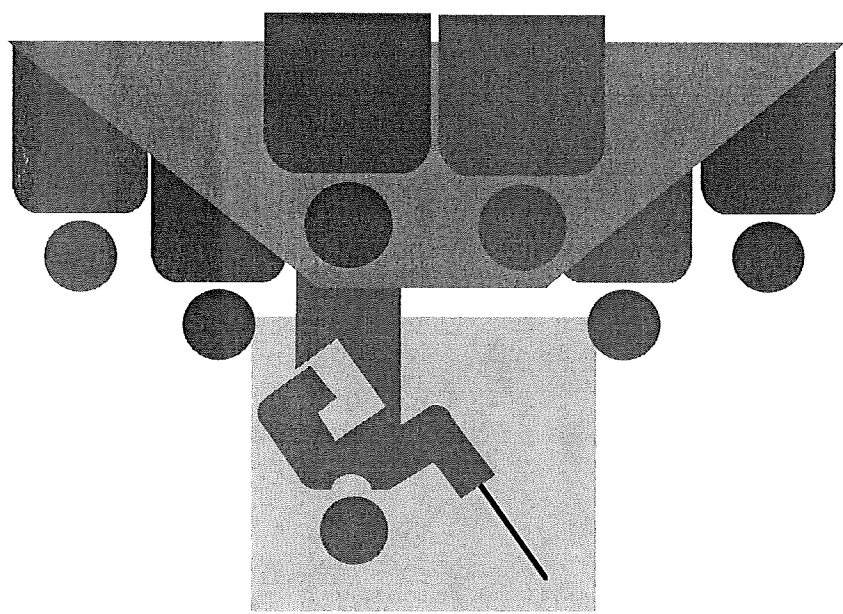


Exhibit D

(Zoning Ord. as amd.)

LAND AND YARD REQUIREMENTS TABLE										
District	Area (sq. ft.)	Width (ft.)	Front (ft.)	Rear (ft.)	Side (ft.)	Site Area Per Dwelling (sq. ft.)	Maximum Coverage* (%)	Usable Open Space (%)	Lot Size	
									Yard Setback	
R-1 Suburban Residential	7,500	60	30	20	5	7,500	**30	-	7,500	60
Single Family Dwellings	7,500	60	30	20	5	7,500	**30	-	7,500	60
Two Family Dwellings	10,000	80	30	20	5	5,000	***30	-	10,000	80
Other Uses	10,000	80	30	20	5	-	-	-	10,000	80
R-2 Urban Residential	5,000	40	25	20	5	5,000	**30	-	5,000	40
Single Family Dwellings	5,000	40	25	20	5	5,000	**30	-	5,000	40
Two Family Dwellings	7,500	60	25	20	5	3,750	***30	-	7,500	60
Townhouses	2,500	20	25	20	-	5,000	20	52	2,500	20
Multi Family Dwellings	7,500	60	25	20	25	1,875	28	44	7,500	60
Other Uses	10,000	75	25	20	10	-	-	-	10,000	75
R-3 Multiple Residential	5,000	40	20	20	10	5,000	**30	-	5,000	40
Single Family Dwellings	5,000	40	20	20	10	5,000	**30	-	5,000	40
Two Family Dwellings	7,500	60	20	20	-	3,750	***30	-	7,500	60
Townhouses	2,500	20	20	20	-	5,000	20	52	2,500	20
Multi Family Dwellings	25,000	100	20	20	15	870	30	40	25,000	100
Other Uses	5,000	50	20	20	10	-	-	-	5,000	50
B-1 Community Business	5,000	50	-	-	15	1,675	28	44	5,000	50
Multi Family Dwellings	5,000	50	-	-	15	1,675	28	44	5,000	50
Other Uses	5,000	50	-	-	15	-	-	-	5,000	50
I-1 Light Industrial	1 acre	150	30	30	20	-	-	-	1 acre	150
All Uses	1 acre	150	30	30	20	-	-	-	1 acre	150
C-1 Conservation	2 acres	300	50	30	30	-	-	-	2 acres	300
All Uses	2 acres	300	50	30	30	-	-	-	2 acres	300

* Maximum coverage shall be the percentage of lot area enclosed by the exterior faces of the exterior walls.
 ** Figure includes assumed garage coverage of 576 sq. ft.
 *** Figure includes assumed garage coverage of 1,252 sq. ft.

TABLE: 10-8-8

Memo

To: Honorable Mayor and City Council
 From: Shannon Goyette, Deputy Clerk
 Re: Computer Replacement

The Deputy Clerk computer is scheduled for replacement this year. It has also been having numerous problems with crashing of either individual programs, or the entire operating system (O/S).

I contacted Terre Heiser at Roseville to obtain information on what would be important features, the appropriate O/S, etc. He stated that the license on the Office 2000 program is transferable to the new computer and that the I-net makes any modem, etc. unnecessary. The important thing was to make sure that the O/S on the new computer was either Windows 2000 Professional or Windows XP Professional. Windows 2000 would be preferable as then two of the three computers would be on the same system. He also recommended a Compaq computer, available at a special price because we are a government agency.

Since the computer will likely be around for at least another five years, it's important to make sure that it is not obsolete immediately after purchase. The computer recommended has a high level of RAM and a fast processor, which should enable it to still function with new software even after a few years have passed.

One possible way to cut the cost of the computer at this point in time would be for me to keep my current monitor. It's currently about 17 months old, much newer than the rest of the computer. This would take between \$150-300 off the price of most of the computers. However, since the current monitor is no longer under warranty, it's possible that it would need replacing at some point in the next 2-3 years. This would simply mean that there should be a slight "cushion" in the budget to account for the risk of replacement.

Below is a spreadsheet comparing the Compaq and two other comparable computers.

Processor	Hard Drive	RAM	Optical Drive	Monitor	Warranty	Total Cost
Pentium 4 1.8	20 GB	256 MB	48x CD-ROM	None	3-year	\$900
Pentium 4 1.6	20 GB	256 MB	48X CD-RW	15" Flat	3-year	\$1,129
Pentium 4 1.7	40 GB	256 MB	40X CD-RW	None	3-year	\$1,049

Council Action Requested:

Approve the purchase of the Compaq computer shown above.

Lauderdale City Council Memorandum

Council Meeting Date: July 9, 2002

To: Mayor and City Council

From: Rick Getschow, City Administrator

Agenda Item: 2-Hour Parking Request (Gordon Goodrich)

BACKGROUND:

Gordon Goodrich, 1715 Carl Street, appeared at the last Council meeting regarding the potential zoning issue of "more than three unrelated persons living in a house" at 1712 Carl Street. Goodrich's concern with this issue was the parking on Carl Street by the cars associated with the property. Whether or not the owner of 1712 Carl Street is in compliance with the zoning code, the parking issue has prompted a request from Goodrich and two neighbors for restricted 2-hour parking at all times on the west side of Carl between Larpenneur Avenue and Ione Street. As I stated at the Council meeting, the owner of 1712 Carl Street states that he is in compliance with the zoning ordinance as of the May 22 deadline and that other cars related to his property parked in the street are his visitors or guests.

The Mayor stated at the meeting that restricted parking existed on this block in the past as a result of the residents of multiple-family units south of Larpenneur Avenue not possessing enough parking spaces. Since this occurred more than 8-10 years ago, I could not find any past documentation on this issue.

I have once again included in this packet the background material related to the zoning issue of unrelated persons living in a single-family house. I have also included a map of the block with the petition indicating the residents that have signed the petition. I would also recommend that the City Council members drive down this block of Carl Street on a few different dates and times to view the parking issue before discussion at the Tuesday meeting.

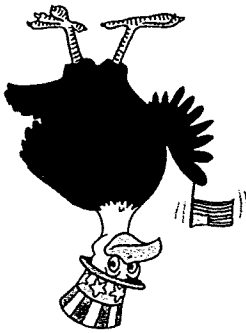
ENCLOSURES

1. April 26, 2002 Friday Report by James
2. April 26, 2002 Letter to 1712 Carl Street
3. June 14, 2002 City Administrator Friday Report
4. June 18, 2002 City Attorney Memorandum
5. Petition presented by Goodrich at the June 25, 2002 Meeting
6. Map of the affected block

Friday Report

by James

To: Honorable Mayor and Council
Date: 04/26/02



Gordy Goodrich, 1715 Carl Street, has brought to our attention that the owner of 1712 Carl Street may be violating the number of non-transient roomers regulated for single-family houses in Section 10-6-3 of the City Code. The number of non-transient roomers is regulated to two (2). Gordy has noticed several cars parked on the street in his block that appear to belong to people living at that address. Police observed 4 cars on March 22, 4 cars on March 25, and 4 cars on April 16. Gordy has suggested installing two-hour parking signs on his block. In an effort to address this issue, a letter was sent to the owner of the property on January 16, 2002. The owner, responding to the letter, stated that there were only three people living there. However, two subsequent checks by the police department – including a report dated April 16, 2002 indicate that four non-transient roomers are apparently living at that address. Based on this information, we are sending another letter to the owner of 1712 Carl Street.

Attached is the letter to the owners of 1712 Carl Street as well as the police report.

Coming up...

- P.C.I.C. – Monday, May 13 at 6:30 p.m.
- City-Wide Garage Sale Saturday, June 1

City of Lauderdale

1891 Walnut Street • Lauderdale • Minnesota 55113

Phone: 651.631.0300 Fax: 651.631.2066

April 26, 2002

Tom Ryan
1712 Carl Street
Lauderdale, MN 55113

Dear Tom:

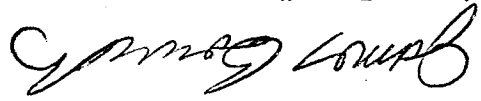
It has come to the City's attention that you may be in violation of Section 10-6-3 of the Lauderdale City Code regarding the number of non-transient roomers living at this address. According to City Code, "not more than two (2) non-transient roomers" are allowed "as an accessory use to a single family house".

According to a report by the St. Anthony Police Department dated April 16, 2002, it appears that four non-transient roomers are living at this address. The Mayor and City Council ask that you take the time and necessary steps to address this situation.

Please correct this violation by Monday, May 20, 2002 or the City will take the necessary steps to address this violation.

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

Sincerely,



James Bownik

Administrative Analyst

Cc: John and Sabrina Ryan

113 East Glencrest Drive

Mankato, MN 56001

Ron Batty, City Attorney

property file

CITY ADMINISTRATOR FRIDAY REPORT JUNE 14, 2002

Gordy Goodrich and the Non-transient Roomers (Carl Street):

Gordy Goodrich came into City Hall this week stating that he feels too many residents are still living in the house across the street from him. He feels that the problem has not been alleviated since the last letter was sent and the University completed its spring semester.

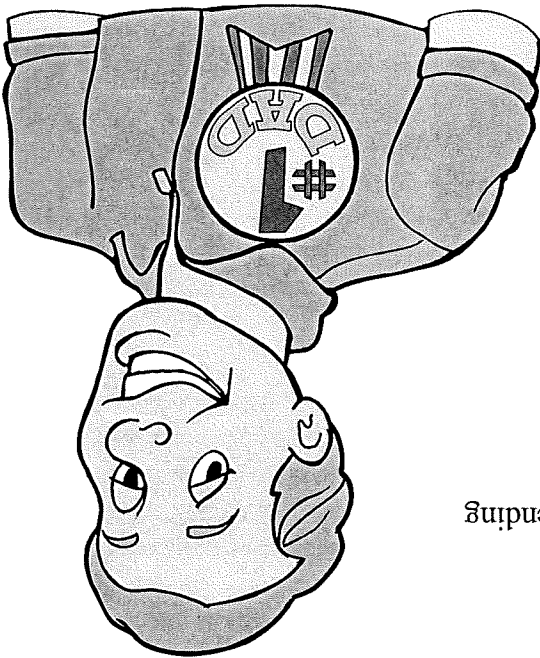
I have included all of the background information on this issue from the Friday Report of April 26, 2002. We have spent a considerable amount of time on this issue, but as you may know this is a very difficult violation to enforce and there may even be legal issues with its application. We have asked the City Attorney to provide an analysis and interpretation of this part of the zoning ordinance. A letter from him should be available next week. Since Goodrich has indicated that he plans on attending the next Council meeting to address this issue, we have provided this information once again.

2002 Improvements (1937 Pleasant Street):

Included in the packet is a letter from a resident of Pleasant Street regarding the improvement project. The Engineer and myself have met with residents from this area several times since the Summer of 2001 regarding the details of the project (i.e., Walsh Lake and the elimination of the lift stations). This resident's letter refers to requesting that we not provide storm water drainage for the empty lot that he owns north of his current residence. The Engineer had planned on placing a catch basin on edge of this lot to drain to Walsh Lake. It is a low spot in the area that collects water from the properties surrounding it. Since this property owner did not want the City to mitigate any storm water ponding at or near his property, we requested that he provide us with a letter stating this.

League of Minnesota Cities (LMC) Annual Conference:

Council member McCloskey, James, and myself will be attending the LMC Annual Conference in Rochester on Wednesday through Friday of next week.



MEMORANDUM

TO: Mayor and Members of the City Council

FROM: Ron Batty, City Attorney

DATE: June 18, 2002

RE: Use of Single Family Dwelling by Unrelated Persons

City staff has been made aware of a situation in which a number of unrelated persons reside together in a single family dwelling. The house is apparently owned by a couple residing outside the Twin Cities area who allow their son to live there while attending college. The son allows several other students to reside there as well. The question is whether this arrangement violates any city ordinance and, if so, whether the ordinance is enforceable.

There are two sections of the city code which may be relevant to the described situation. The property is zoned for single family residential use. "Family" is defined in section 10-2-1 of the code to include a group of not more than three unrelated persons maintaining a common household and using common cooking and kitchen facilities. Section 10-6-3 of the code allows the residence of up to two roomers in a single family house so long as no sign is displayed. The term "roomer" is not defined in the ordinance.

I believe the applicable code provision is section 10-2-1 regarding a group of unrelated persons. Groups of college students are almost always considered under this type of provision. "Maintaining a common household and using common cooking and kitchen facilities" describes the typical living arrangement and is intended to distinguish cases in which dwellings have been fully or partially compartmentalized. I do not believe this is a situation in which there are roomers as that term is generally understood. The prohibition against signs is an indication that taking in boarders is generally a business or at least a way to supplement income.

Assuming the situation is one involving a group of unrelated individuals residing together, is the city's definition of family enforceable? I believe that it is consistent with federal and state law. The U.S. Supreme Court in 1974 upheld an ordinance from a town in New York which limited the number of persons not related by blood or marriage who could reside in a single family house. (That case involved six college students.) The court upheld the ordinance on the grounds that it was reasonable for communities to have regulations designed to protect the essential character of a neighborhood. The court found that it was not unreasonable to conclude that the impact on traffic, noise and other factors was likely to be different between a traditional family and a group of equal size composed of unrelated persons. There is no Minnesota case directly on point but several Minnesota court decisions suggest that state law would not be violated by such a provision so long as there is a rational connection between the local ordinance and public health, safety and welfare.

Assuming the constitutionality of the city's ordinance limiting occupancy to no more than three unrelated persons, what should the city do with regard to enforcement? Enforcement is necessarily fact-specific and it is difficult to offer advice applicable to all situations. It is also true that enforcement of ordinances which involve matters occurring inside a structure are inherently more difficult to enforce than those which may be viewed from the exterior. My general advice is that in enforcement efforts there should be a balance between actual harm and limited public resources. No city can enforce all of its ordinances all of the time. The concept of a limit on the size of unrelated families seems reasonable and legally sanctioned (the city council having some discretion as to where to set the number). Vigorous enforcement efforts would seem best directed at those situations in which the violation goes to the heart of the purpose of the ordinance. For example, if the limit on the number of unrelated persons is intended to preserve the single family character of a neighborhood, enforcement might best be directed against situations in which the offending use has a substantial impact on quality of life factors, such as noise, traffic and parking. Pursuing all situations in which there is a technical (or merely suspected) violation may result in a serious drain on city resources without a substantial public benefit, especially when a violation may be difficult to detect or prove. Ultimately, the city council needs to provide guidance to city staff as to how it wishes municipal resources to be spent.

The following undersigned residents request that two hour parking be installed in front of their property on the west side of Carl Street in Lauderdale, Minnesota.

1701 Carl Street
Dorothy Forester
Dorothy Forester

1707 Carl Street
Lloyd Wickstrom
Lloyd S. Wickstrom

Ginny Wickstrom
Ginny Wickstrom

1715 Carl Street
Gordon Goodrich
Gordon F. Goodrich

Germaine Goodrich
Germaine Goodrich

1723 Carl Street
Jonathan Preus

Mary Preus



CitySight
SnapShot

Enter Map Title
Enter Map Description

Map Legend:

- LABEL ADDRESS
- LABEL ST/PNT
- CITY/LIMA
- CENTLINE
- PAPOLY



Map Scale: 1" = 0'
Map Date: July 2, 2002
Data Date: June 5, 2002



Mapdisclaim

Note: The information provided by this program has been compiled from recorded deeds, plats, taxmaps, surveys, and other public records and data. It is not a legally recorded map or survey and is not intended to be used as one. Users of this data are hereby notified that the information sources mentioned above should be consulted for verification of the information.

Lauderdale City Council Memorandum

Council Meeting Date: July 9, 2002

To: Mayor and City Council

From: Rick Getschow, City Administrator

Agenda Item: Work Session Discussion Items

BACKGROUND:

The following are the items for discussion at the work session that follows the regular meeting:

1. Parking Regulations South of Larpenneur Avenue. Pursuant to City Code, the parking regulations south of Larpenneur Avenue have been different than in other parts of the City. A system similar to odd-even parking is in effect year round while the "2" snow emergency rule does not apply at all. Following the 2001 Improvements and a now wider Carl Street, a change in the City Code for parking in this multiple-family area of the City may be needed.

2. 2002 Goals There are three 2002 Goals of the City of Lauderdale that merit discussion at the work session. I will have updates in the areas of City Park Improvements, Larpenneur Avenue Corridor Redevelopment, and the drafting of a Housing Policy.

NO ENCLOSURES