

**LAUDERDALE CITY COUNCIL MEETING AGENDA  
TUESDAY, SEPTEMBER 24, 2002  
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.

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

**FILE**

*Councilmembers:*

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

*Staff:*

Getshow \_\_\_\_\_  
 Bownik \_\_\_\_\_

3. APPROVAL OF THE AGENDA

4. APPROVAL

- A. Approval of minutes of the regular City Council Meeting of 9/10/02
- B. Approval of claims totaling \$48,545.03

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. 2001 Street and Utility Improvements Special Assessment Roll
  - B. Phillip Holdings L.L.C. (Boyer Ford): Zoning Amendment Application
- 11. EXECUTIVE SESSION RELATING TO ATTORNEY/CLIENT PRIVILEGE TO DISCUSS PENDING LITIGATION AGAINST THE CITY OF LAUDERDALE
  - A. Resolution 092402A: A Resolution Approving the 2001 Street and Utility Improvements Special Assessment Roll
  - B. Phillip Holdings L.L.C. (Boyer Ford): Zoning Amendment Application
  - C. Consideration of Quotations for City-Wide Boulevard Tree Trimming
  - D. Change the Start time of the October 8, 2002 regular City Council meeting
- 12. DISCUSSION
- 13. ITEMS REMOVED FROM THE CONSENT AGENDA
- 14. ADDITIONAL ITEMS
- 15. SET AGENDA FOR NEXT MEETING
- 16. ADJOURNMENT

**Lauderdale City Council  
Meeting Minutes  
September 10, 2002**

1. Meeting called to order at 8:00 P.M.

2. ROLL

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

Staff present: Getschow

3. APPROVAL OF THE AGENDA

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

4. APPROVAL

A. *Approval of Minutes.* Motion by Giannetti, second by Gill-Gerbig to approve the minutes of the regular City Council meeting of the August 27, 2002. Motion carried unanimously.

B. *Approval of Claims totaling \$46,657.64.* Motion by Christensen, second by Gill-Gerbig to approve the claims totaling \$46,657.64. Motion carried unanimously.

C. *Approval of Pay Request #3 for the 2002 Street and Utility Improvements for \$263,629.56.* Motion by Giannetti, second by Gill-Gerbig to approve Pay Request #5 for the 2002 Street and Utility Improvements for \$263,629.56. Motion carried unanimously.

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

6. CONSENT

7. SPECIAL ORDER OF BUSINESS/RECOGNITION/PROCLAMATIONS

8. INFORMATIONAL PRESENTATIONS

A. *2002 Street and Utility Improvements Update.* The City Engineer updated the City Council on the 2002 improvement project. The sanitary sewer and water main work is 80% complete. The storm water work is currently underway on Ryan Avenue, and the street construction work has begun with Eustis Street.

The Engineer and City Council also discussed the 2001 improvement project, which has its final paving scheduled for next week.

9. PUBLIC HEARINGS

10. ACTION

A. *Resolution 091002A: A Resolution Levying Taxes for 2002 Payable in 2003 (2003 Preliminary Levy).* The City Administrator presented the City Council with two options for the 2003 preliminary tax levy that included:

Option A - keeping the tax levy the same as 2002 at \$480,000;  
Option B - keeping the net levy (accounting for fiscal disparities) the same as 2002 with the resulting 2003 levy being \$454,996;

It was stated that the Option A may be the preferred option, especially with the uncertainty of the state's fiscal deficit and the possibility of state aid cuts. Option B does not give the City any room in the budget or the levy if major cuts are made at the state level. Option A also lowers the city tax rate, and subsequently the property tax bills of the residents. For example, with a 0% levy increase for 2003, the owner of a median valued home in Lauderdale (\$112,250) will see a 4.3% decrease in the city portion of their property tax bill.

The Mayor stated that almost every other Ramsey County city that he talked to plans on raising their tax levy in 2003, especially with the uncertainty surrounding the state fiscal situation. The Administrator stated that this is why Option A is receiving more consideration than Option B. We were able to lower the levy last year by approximately \$8,000, but in 2003 this may not be prudent.

Motion by Christensen, second by McCloskey to approve Resolution 091002A: A Resolution Levying Taxes for 2002 Payable in 2003 for \$480,000. Roll: Yes: all. Motion carried.

B. Resolution 091002B: A Resolution of Reconveyance of Tax-Forfeited Lands (PIN#17-29-23-33-0045) To The State Of Minnesota "Trust Exempt" And Approving The Purchase Of Said Land For Use As City Of Lauderdale Park And Recreation Space. The City Administrator stated that the Council previously discussed these use deed parcels on the corner of Ione and Walnut Streets at a July meeting. At that time, Ramsey County had completed a comprehensive analysis of use deed properties throughout the county that are tax-forfeited properties and that were awarded to cities several years ago if they served a public purpose. These use deed parcels near Walnut and Ione in Lauderdale had been identified as a mini-park, but the county tax-forfeited lands division felt that this designation and the current state of the property did not meet their criteria of "recreational use".

The City discussed two options with the County that included the purchase of the property for its current market value or submitting another application for a new use deed with a new public use. The consensus was that even though a good argument could be made for these parcels to retain their recreational use deed designation, the cost and effort of making this argument would outweigh the benefit of the outright control and ownership of the parcels. The purchase price of the parcels would be \$3,200.00. The total cost of this undertaking including reconveyance and deed/recording fees would be \$3,460.85.

Motion by McCloskey, second by Gill-Gerbig to approve Resolution 091002B: A Resolution of Reconveyance of Tax-Forfeited Lands (PIN#17-29-23-33-0045) To The State Of Minnesota "Trust Exempt" And Approving The Purchase Of Said Land For Use As City Of Lauderdale Park And Recreation Space. Roll: Yes: all. Motion carried.

C. Resolution 091002C: A Resolution Of Reconveyance Of Forfeited Lands (PIN # 17-29-23-33-0046) To The State Of Minnesota "Trust Exempt" And Approving The Purchase Of Said Land For Use As City Of Lauderdale Park And Recreation Space.

Motion by Gill-Gerbig, second by Gianetti to approve Resolution 091002C: A Resolution Of Reconveyance Of Forfeited Lands (PIN # 17-29-23-33-0046) To The State Of Minnesota "Trust Exempt" And Approving The Purchase Of Said Land For Use As City Of Lauderdale Park And Recreation Space. Roll: Yes: all. Motion carried.

D. Resolution 091002D: A Resolution Approving The Purchase Of Forfeited Lands (PIN # 17-29-23-32-0047) for use as Part of the Lauderdale City Hall property. The Administrator stated that the county tax forfeited lands division has been approaching land owners that border small or non-buildable parcels requesting that they purchase the parcels. The ultimate goal is to get these tax-forfeited parcels back on the tax roll. The parcel in this case is a 6-foot strip of land that runs across the rear of the City Hall property immediately west of the City Hall parking lot. The County is offering a purchase price of \$50,00, with total costs amounting to \$103,15.

Motion by Giannetti, second by Christensen to approve Resolution 091002D: A Resolution Approving The Purchase Of Forfeited Lands (PIN # 17-29-23-32-0047) for use as Part of the Lauderdale City Hall property. Roll: Yes: all. Motion carried.

E. Resolution 091002E: A Resolution Ordering the Preparation of Feasibility Report on the 2003 Street and Utility Improvements.

Motion by Gill-Gerbig, second by McCloskey to approve Resolution 091002E: A Resolution Ordering the Preparation of Feasibility Report on the 2003 Street and Utility Improvements. Roll: Yes: all. Motion carried.

11. DISCUSSION

12. ITEMS REMOVED FROM THE CONSENT AGENDA

13. ADDITIONAL ITEMS

14. SET AGENDA FOR NEXT MEETING

1. 2001 Street and Utility Improvements Assessment Roll: Public Hearing and Approval of the Assessment Roll
2. Zoning Amendment Request and Public Hearing

15. ADJOURNMENT

Motion by Christensen, second by Gill-Gerbig to adjourn at 8:52 P.M. Ayes: All.

**CITY OF LAUDERDALE  
 Claims for Approval  
 September 24, 2002 City Council Meeting**

Payroll

09/13/02 Payroll: Check # 7222-7236 \$6,527.36  
 09/13/02 Payroll: EFT: Federal Withholding Taxes/FICA \$2,561.35  
 09/13/02 Payroll: EFT: PERA \$1,014.68  
 09/13/02 Payroll: EFT: ICMA Retirement Fund \$1,185.96

Vendor Claims

09/24/02 Claims: Check # 15987-16006 \$37,255.68

<b>\$48,545.03</b>	<b>Subtotal of Claims From Above</b>
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Total Claims for Approval \$48,545.03

**CITY OF LAUDERDALE  
Paid Register**

Check Number	Employee Number	Employee Name	Pay Period	Pay Group	Check Amount	Check Date	Status
007222	00000042	BARLOW, EVELYN	19	BI-WEEKLY	\$56.56	9/13/02	Outstanding
007223	00000011	BOWNIK, JAMES	19	BI-WEEKLY	\$1,001.68	9/13/02	Outstanding
007224	00000003	GETSCHOW, RICK	19	BI-WEEKLY	\$1,730.03	9/13/02	Outstanding
007225	00000039	GORDEN, ELEANOR	19	BI-WEEKLY	\$67.87	9/13/02	Outstanding
007226	00000030	GOYETTE, SHANNON	19	BI-WEEKLY	\$890.05	9/13/02	Outstanding
007227	00000041	HAWKINSON, DENISE	19	BI-WEEKLY	\$9.70	9/13/02	Outstanding
007228	00000002	HINRICHS, DAVID C	19	BI-WEEKLY	\$1,342.01	9/13/02	Outstanding
007229	00000005	HUGHES, JOSEPH A	19	BI-WEEKLY	\$972.91	9/13/02	Outstanding
007230	00000052	JAMES, VIRGINIA	19	BI-WEEKLY	\$63.03	9/13/02	Outstanding
007231	00000048	LAWRENCE, DONNA	19	BI-WEEKLY	\$123.75	9/13/02	Outstanding
007232	00000036	MANGEN, MARIAN	19	BI-WEEKLY	\$56.56	9/13/02	Outstanding
007233	00000021	MATHENY, VIRGINIA	19	BI-WEEKLY	\$22.62	9/13/02	Outstanding
007234	00000034	RUSCHMEYER, GLORIA	19	BI-WEEKLY	\$67.87	9/13/02	Outstanding
007235	00000033	SCHMIDT, MAE	19	BI-WEEKLY	\$61.36	9/13/02	Outstanding
007236	00000050	WATSON, DEBORAH J.	19	BI-WEEKLY	\$61.36	9/13/02	Outstanding
007221		VOID	19		\$0.00	9/13/02	Void
					<u>\$6,527.36</u>		



**CITY OF LAUDERDALE**  
**Vendor Transactions**

CHECK Nbr	CHECK Date	Batch Name Invoice	Amount	Comments
015987	9/24/02	092402claims 1222017478	\$5.45	Search Name AT & T
015988	9/24/02	092402claims w170000	\$70.26	Search Name BIFFS, INC. portable restroom thru 9/3/02
015989	9/24/02	092402claims 9/24/02	\$74.46	Search Name CINTAS 9/10, 9/16 pw uniforms
015990	9/24/02	092402claims 507	\$18,421.09	Search Name CITY OF ST ANTHONY 10/02 police services
015991	9/24/02	092402claims 53308	\$60.46	Search Name KENNEDY & GRAVEN 08/02 '01 st/utill print/process
015991	9/24/02	092402claims 53308	\$68.00	08/02 '01 st/utill improvement
015991	9/24/02	092402claims 53308	\$156.00	08/02 gen legal services
015991	9/24/02	092402claims 53308	\$20.00	08/02 '02 st/utill improvement
015992	9/24/02	092402claims 9/24/02	\$1,783.00	Search Name LEAGUE OF MINNESOTA CITIES member dues thru 8/31/02
015993	9/24/02	092402claims 9/24/02	\$550.52	Search Name LILLIE SUBURBAN NEWS 08/02 delivery: roseville review
015994	9/24/02	092402claims 744186	\$10,155.70	Search Name MET-COUNCIL ENVIRONMENTAL SER. 10/02 wastewater services
015995	9/24/02	092402claims 9/24/02	\$31.75	Search Name NAPA AUTO PARTS truck supplies
015996	9/24/02	092402claims 4115	\$45.21	Search Name NELSON CHEESE AND DELI lunch for election judges
015997	9/24/02	092402claims 9/24/02	\$11.41	Search Name NORTH STAR BANK, PETTY breakfast: election judges
015997	9/24/02	092402claims 9/24/02	\$6.00	rv rec: a bukingolts
015997	9/24/02	092402claims 9/24/02	\$12.00	rv rec: s nelson
015997	9/24/02	092402claims 9/24/02	\$17.00	pizza: election judges
015997	9/24/02	092402claims 9/24/02	\$4.05	certified mail
015997	9/24/02	092402claims 9/24/02	\$15.00	fn rec: s nelson
			\$65.46	Search Name PITNEY BOWES

**CITY OF LAUDERDALE**  
**Vendor Transactions**

CHECK	Nbr	Check Date	Batch	Name Invoice	Amount	Comments
	015998	9/24/02	092402	claims 391165	\$10.64	postage rate chart
	<i>Search Name PITNEY BOWES</i>					
	015999	9/24/02	092402	claims 9/24/02	\$109.80	autodial: malvern/ryan lift stations
	<i>Search Name QWEST</i>					
	016000	9/24/02	092402	claims risks00474	\$1,134.66	09/02 employee benefits
	<i>Search Name RAMSEY COUNTY, EXPENDITURES</i>					
	016001	9/24/02	092402	claims 9/24/02	\$103.15	purchase/convey pin# 172923320047
	016001	9/24/02	092402	claims 9/24/02	\$1,006.95	purchase/convey pin# 172923330045
	016001	9/24/02	092402	claims 9/24/02	\$2,453.90	purchase/convey pin# 172923330046
	<i>Search Name RAMSEY COUNTY, TAX FORFEITED</i>					
	016002	9/24/02	092402	claims 9/24/02	\$9.94	09/02 pw cell phone
	016002	9/24/02	092402	claims 9/24/02	\$9.94	09/02 pw cell phone
	<i>Search Name SPRINT PCS</i>					
	016003	9/24/02	092402	claims 9/24/02	\$26.00	13 week newspaper subscription
	<i>Search Name ST. PAUL PIONEER PRESS</i>					
	016004	9/24/02	092402	claims 128786	\$26.32	09/02 garbage service
	016004	9/24/02	092402	claims 128786	\$26.33	09/02 garbage service
	<i>Search Name WALTERS RUBBISH</i>					
	016005	9/24/02	092402	claims 8/24/02	\$54.46	08/02 city hall gas
	016005	9/24/02	092402	claims 8/24/02	\$128.47	08/02 city hall electric
	016005	9/24/02	092402	claims 8/24/02	\$42.82	08/02 city hall electric
	016005	9/24/02	092402	claims 8/24/02	\$8.63	08/02 city garage gas
	016005	9/24/02	092402	claims 8/24/02	\$8.63	08/02 city garage gas
	016005	9/24/02	092402	claims 8/24/02	\$6.35	08/02 city garage electric
	016005	9/24/02	092402	claims 8/24/02	\$6.35	08/02 city garage electric
	016005	9/24/02	092402	claims 8/24/02	\$14.91	08/02 city park gas
	016005	9/24/02	092402	claims 8/24/02	\$429.22	08/02 city street lighting
	016005	9/24/02	092402	claims 8/24/02	\$16.37	08/02 city hall gas
	016005	9/24/02	092402	claims 8/24/02	\$8.00	08/02 city park electric
	<i>Search Name XCEL ENERGY</i>					
	016006	9/24/02	092402	claims 9/24/02	\$16.84	08/02 lift station gas
	016006	9/24/02	092402	claims 9/24/02	\$138.64	08/02 lift station electric
	<i>Search Name XCEL ENERGY, LIFT STATIONS</i>					
	<i>Grand Total</i>					
					\$37,255.68	

# Lauderdale City Council Memorandum

Council Meeting Date: September 24, 2002

September 24, 2002

To: Mayor and City Council

From: Rick Getschow, City Administrator

Agenda Item: Resolution 092402A: Resolution Approving the 2001 Street and Utility Improvements Assessment Roll

## BACKGROUND:

At the August 13<sup>th</sup> Council meeting, the Council ordered the preparation of proposed assessment rolls for the 2001 Street and Utility Improvements. At the August 27<sup>th</sup> Council meeting, the Council accepted the proposed assessment roll and called a public hearing on the assessment roll. The public hearing was set at that meeting for September 24, 2002.

As a prelude to the public hearing, I will provide information on the Assessment Policy, project financing, and details regarding how payments can be made. Also, the City Engineer will be on hand at the public hearing to provide specific information on the improvement project. In addition to a brief presentation, the City Engineer will be available during the hearing and after his presentation if residents wish to discuss specific items related to the project following any of their statements at the public hearing.

It is suggested that if property owners have individual complaints about the quality of construction or issues regarding project deficiencies, these should be referred to the City Engineer outside of the Council Chambers. If there is significant issues in this area that affect the assessment, action on the assessment roll may need to be delayed. It should be noted that even though the final wear course paving was recently completed, there are minor clean-up and correction items that may still need to be completed and should not affect the assessment roll. The 2001 Improvements are covered under a one-year contract warranty period. Again, these corrections should not affect the adoption of the assessment roll.

**Public Hearing Format:**

The Mayor announces the purpose of the hearing and the format for the meeting.

He states that the Council is considering the assessment roll for the 2001 Street and Utility Improvement project. The Council by simple majority may approve the assessment roll. However, if staff and the City Engineer need time to address major concerns, we may have to wait for final approval on the assessment roll until October 8, 2002

The City Engineer provides a summary of the construction of the 2001 Street and Utility Improvements.

The City Administrator provides a background on statutory procedures, project financing, the assessment policy, senior citizen deferments, and payment options.

The City Administrator then reads written statements, if any, objecting to assessments from affected property owners in regard to each project.

The Mayor opens the public hearing. He asks residents to approach the podium, identify themselves, and provide their street address. (A sign-up sheet may be needed for organizing residents who wish to speak).

The Mayor closes the public hearing.

City Council action on the improvement. The Council should approve Resolution 092402A: A Resolution Adopting the Assessment for the 2001 Street and Utility Improvements.

**Official Appeals:**

It should be noted that a written appeal for an assessment can be made to the Mayor or Administrator, and then to the District Court within 30 days after the adoption of the assessment; however, no appeal on the amount of assessment can be made unless it is made in writing before the meeting or presented to the Mayor during the public hearing. There is an attachment in the packet that explains this in more detail.

**Deferment:**

The senior citizen deferment mechanism that is outlined in the assessment policy manual and included in this packet is available through application at Ramsey County.

**Remaining Schedule:**

- September 25 to October 25      Prepayment of Assessments (30 days)
- October 26 to November 1      Tally of Final Assessment Roll
- November 1      Certification of Final Assessment Roll to Ramsey County

**ENCLOSURES:**

- 1. Proposed Assessment Roll for the 2001 Street and Utility Improvements
- 2. Resolution 092402A: A Resolution Adopting the Assessment for the 2001 Street and Utility Improvements
- 3. Sample Notice mailed to affected residents for the Assessment including the attachment "Frequently Asked Questions Regarding the Assessment" that was provided with the notice.
- 4. Lauderdale Assessment Policy Manual, pages 1-24
- 5. Information Sheet- "Appeals to District Court"

**COUNCIL ACTION REQUESTED:**

- 1. Conduct the Public Hearing.
- AND*
- 2. If no major issues arise at the hearing, the Council will want to approve Resolution 092402A: A Resolution Adopting the Assessment for the 2001 Street and Utility Improvements.

2001 Improvements  
Preliminary Assessment Roll

Property ID No. (PIN)	Address	Front Footage	Assessable Front Footage	Policy Notes	Assess Rate	Total Street Assessment
17-29-23-34-0034	1797 Pleasant	132.2	33.05	2000 Assessment	\$52.67	\$0.00
17-29-23-34-0044	2301 lone	112.06	28.02	2000 Assessment	\$52.67	\$0.00
17-29-23-34-0045	2311 lone	156.56	72.52	Corner lot	\$52.67	\$3,819.63
17-29-23-34-0046	1746 Carl	42.2	42.20		\$52.67	\$2,222.67
17-29-23-34-0047	1752 Carl	40.8	40.80		\$52.67	\$2,148.94
17-29-23-34-0048	1756 Carl	40.1	40.10		\$52.67	\$2,112.07
17-29-23-34-0049	1760 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-34-0050	1762 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-34-0051	1766 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-34-0052	1770 Carl	80	80.00		\$52.67	\$4,213.60
17-29-23-34-0053	1784 Carl	80	80.00		\$52.67	\$4,213.60
17-29-23-34-0054	1788 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-34-0055	1790 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-34-0056	1794 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-34-0057	1798 Carl	171.45	72.31	Corner lot	\$52.67	\$3,808.57
17-29-23-34-0058	1799 Carl	171.45	72.31	Corner lot	\$52.67	\$3,808.57
17-29-23-34-0059	1795 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-34-0060	1789 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-34-0061	1787 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-34-0062	1777 Carl	80	80.00		\$52.67	\$4,213.60
17-29-23-34-0063	1773 Carl	60	60.00		\$52.67	\$3,160.20
17-29-23-34-0064	1765 Carl	60	60.00		\$52.67	\$3,160.20
17-29-23-34-0065	1763 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-34-0066	1759 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-34-0067	1755 Carl	40.02	40.02		\$52.67	\$2,107.85
17-29-23-34-0068	1747 Carl	82.1	80.00		\$52.67	\$4,213.60
17-29-23-34-0069	1743 Carl	192.2	80.00	Corner lot	\$52.67	\$4,213.60
17-29-23-34-0070	1748 Eustis	149.22	37.30	Corner only	\$52.67	\$1,964.59
17-29-23-34-0081	1798 Eustis	132.19	33.05	Corner only	\$52.67	\$1,740.61
17-29-23-34-0082	1729 Carl	189.1	80.00	Corner lot	\$52.67	\$4,213.60
17-29-23-34-0083	2400 lone	60	60.00		\$52.67	\$3,160.20

2001 Improvements  
Preliminary Assessment Roll

Property ID No. (PIN)	Address	Front Footage	Assessable Front Footage	Policy Notes	Assess Rate	Total Assessment Street
17-29-23-34-0084	2402 lone	50	50.00		\$52.67	\$2,633.50
17-29-23-34-0085	2408 lone	60	60.00		\$52.67	\$3,160.20
17-29-23-34-0086	2412 lone	50	50.00		\$52.67	\$2,633.50
17-29-23-34-0087	2418 lone	50	50.00		\$52.67	\$2,633.50
17-29-23-34-0097	2401 Larpenteur	133.9	33.48	Corner only	\$52.67	\$1,763.13
17-29-23-34-0098	1701 Carl	87.78	80.00		\$52.67	\$4,213.60
17-29-23-34-0099	1707 Carl	93.38	80.00		\$52.67	\$4,213.60
17-29-23-34-0100	1715 Carl	72.73	72.73		\$52.67	\$3,830.69
17-29-23-34-0101	1723 Carl	64.22	64.22		\$52.67	\$3,382.47
17-29-23-34-0102	2309 lone	191.29	80.00	Corner lot	\$52.67	\$4,213.60
17-29-23-34-0103	1724 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-34-0104	1722 Carl	72.72	72.72		\$52.67	\$3,830.16
17-29-23-34-0105	1712 Carl	41.52	41.52		\$52.67	\$2,186.86
17-29-23-34-0106	1708 Carl	42.65	42.65		\$52.67	\$2,246.38
17-29-23-34-0107	1704 Carl	43.86	43.86		\$52.67	\$2,310.11
17-29-23-34-0108	1700 Carl	44.19	44.19		\$52.67	\$2,327.49
17-29-23-34-0109	1696 Carl	44.22	44.22		\$52.67	\$2,329.07
17-29-23-34-0110	2395 Larpenteur	134.81	33.70	Corner only	\$52.67	\$1,774.98
17-29-23-34-0121	2307 lone	40	40.00		\$52.67	\$2,106.80
17-29-23-34-0122	2305 lone	40	40.00		\$52.67	\$2,106.80
17-29-23-34-0123	1733 Pleasant	80	80.00		\$52.67	\$2,501.83
17-29-23-34-0123	1847 Pleasant	75	18.75	2000 Assess-32.5 (2001-47.5)	\$52.67	\$2,501.83
17-29-23-31-0047	1807 Pleasant	132.2	33.05	2000 Assessment	\$52.67	\$0.00
17-29-23-31-0055	1804 Carl	172.2	73.05	2000 Assessment	\$52.67	\$0.00
17-29-23-31-0056	1808 Carl	40	40.00	Corner lot	\$52.67	\$3,847.54
17-29-23-31-0057	1812 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-31-0058	1816 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-31-0059	1820 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-31-0060	1822 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-31-0061	1828 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-31-0062	1832 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-31-0063	1836 Carl	80	80.00		\$52.67	\$2,106.80
17-29-23-31-0064	1844 Carl	60	60.00		\$52.67	\$4,213.60
17-29-23-31-0065					\$52.67	\$3,160.20

2001 Improvements  
Preliminary Assessment Roll

Property ID No. (PIN)	Address	Front Footage	Assessable Front Footage	Policy Notes	Assess Rate	Total Street Assessment
17-29-23-31-0066	1852 Carl	60	60.00		\$52.67	\$3,160.20
17-29-23-31-0067	1860 Carl	211.53	80.00		\$52.67	\$4,213.60
17-29-23-31-0068	1855 Carl	211.54	80.00		\$52.67	\$4,213.60
17-29-23-31-0069	1851 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-31-0070	1843 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-31-0071	1841 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-31-0072	1839 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-31-0073	1835 Carl	60	60.00		\$52.67	\$3,160.20
17-29-23-31-0074	1827 Carl	60	60.00		\$52.67	\$3,160.20
17-29-23-31-0075	1823 Carl	40	40.00		\$52.67	\$2,106.80
17-29-23-31-0076	1819 Carl	70	70.00		\$52.67	\$3,686.90
17-29-23-31-0077	1809-11 Carl	47	47.00		\$52.67	\$2,475.49
17-29-23-31-0078	1807 Carl	215.2	80.00	Corner lot	\$52.67	\$4,213.60
17-29-23-31-0079	1804 Eustis	132.2	33.05	Corner only	\$52.67	\$1,740.74
17-29-23-31-0092	1860 Eustis	132.27	33.07	Corner only	\$52.67	\$1,741.80
17-29-23-31-0093	1862 Eustis	140	35.00	Corner only	\$52.67	\$1,843.45
17-29-23-31-0103	1917 Carl	71.6	71.60		\$52.67	\$3,771.17
17-29-23-31-0104	1913 Carl	65	65.00		\$52.67	\$3,423.55
17-29-23-31-0105	1909 Carl	65	65.00		\$52.67	\$3,423.55
17-29-23-31-0106	1905 Carl	65	65.00		\$52.67	\$3,423.55
17-29-23-31-0107	1901 Carl	65	65.00		\$52.67	\$3,423.55
17-29-23-31-0108	1897 Carl	65	65.00		\$52.67	\$3,423.55



2001 Improvements  
Preliminary Assessment Roll

Property ID No. (PIN)	Address	Front Footage	Assessable Front Footage	Policy Notes	Assess Rate	Assessment Street	Total
17-29-23-31-0109	1891 Carl	65	65.00		\$52.67	\$3,423.55	
17-29-23-31-0110	1885 Carl	65	65.00		\$52.67	\$3,423.55	
17-29-23-31-0111	1869 Carl	50	50.00		\$52.67	\$2,633.50	
17-29-23-31-0112	1863 Carl	190.55	80.00	Corner lot	\$52.67	\$4,213.60	
17-29-23-31-0113	2385 Summer	356.45	80.00	2000 Assessment	\$52.67	\$0.00	
17-29-23-31-0114	1886 Carl	69.6	69.60		\$52.67	\$3,665.83	
17-29-23-31-0115	1892 Carl	70	70.00		\$52.67	\$3,686.90	
17-29-23-31-0116	1896 Carl	70	70.00		\$52.67	\$3,686.90	
17-29-23-31-0117	1900 Carl	70	70.00		\$52.67	\$3,686.90	
17-29-23-31-0118	1906 Carl	75	75.00		\$52.67	\$3,950.25	
17-29-23-31-0119	1912 Carl	70	70.00		\$52.67	\$3,686.90	
17-29-23-31-0120	1918 Carl	70	70.00		\$52.67	\$3,686.90	
		7422.34	5369.13				\$270,921.97

**Total cost** **\$707,000**

**Assessable Front Footage** **5369.13**

**\$ Cost/Front Foot** **131.68**

**\$ Cost/Front Foot X 40%** **52.67**

\$52.67

2001 Improvements  
Preliminary Assessment Roll

Property ID No. (PIN)	Address	Front Footage	Assessable Front Footage	Policy Notes	Assess Rate	Total Street Assessment
20-29-23-21-0006	1623, 1267, 1631 Carl	493.75	493.75	Rosehill	\$104.04	\$51,369.75
20-29-23-21-0010	1618 Eustis	484.84	484.84	LD Hollows	\$104.04	\$50,442.75
20-29-23-21-0012	1622 Carl	282.63	282.63	LD Hollows	\$104.04	\$29,404.83
20-29-23-21-0028	1598 Eustis	406.25	406.25	Luther Seminary	\$104.04	\$42,266.25
20-29-23-21-0030	1609-1611 Pleasant	293.23	293.23	City Gables	\$104.04	\$30,507.65
		1960.70	1960.70			\$203,991.23
<b>Total cost</b>			<b>Assessable Front Footage</b>	<b>\$ Cost/Front Foot</b>		
	\$204,000		1960.7	\$104.04		
				\$104.04		

**RESOLUTION NO. 092402A**

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

**RESOLUTION ADOPTING THE ASSESSMENT FOR THE  
2001 STREET AND UTILITY IMPROVEMENTS**

**WHEREAS**, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment of the cost of improving Carl Street between Idaho Avenue and Roselawn Avenue, Lone Street between Eustis Street and Pleasant Street, Spring Street between Eustis Street and Pleasant Street, Summer Street between Eustis Street and Pleasant Street, and all of Idaho Avenue by conducting street reconstruction, sanitary sewer improvements and replacements and water main replacement, storm sewer system improvements, and alley improvements;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF LAUDERDALE, MINNESOTA:**

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof, is hereby accepted and shall constitute the special assessment against the lands named herein, and each tract of land therein included is hereby found to be benefited by the construction of said improvement in the amount of the assessment levied against it.

2. Such assessments shall be payable in equal annual installments extending over a period of ten (10) years, the first of the installments to be payable on or before the first Monday in January 2003, and shall bear an interest rate of 6.5 percent per annum from the date of the adoption of this assessment resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2002. To each subsequent installment when due shall be added interest for one year on all unpaid installments.

3. The owner of any property so assessed may, at any time prior to the certification of the assessment to the County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of the payment, to the City of Lauderdale, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of this resolution; and he may, at any time thereafter, pay to the City of Lauderdale the entire amount of the assessment remaining unpaid, with interest accrued to the December 31 of the year in which the payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the next succeeding year.

4. The City Administrator shall forthwith transmit a certified duplicate of this assessment to the County Auditor to be extended on the property tax lists of the County. Such assessments shall be collected and paid over in the same manner as other municipal taxes.

Adopted by the Lauderdale City Council this 24<sup>th</sup> day of September, 2002.

I CERTIFY THAT the above resolution was adopted by the City Council of Lauderdale this 24<sup>th</sup> day of September, 2002.

(ATTEST)

Jeff Dains, Mayor

(SEAL)

Rick Getschow, City Administrator

*The City of Lauderdale*

1891 Walnut Street • Lauderdale • Minnesota • 55113

Phone: 651.631.0300 • Fax: 651.631.2066

[www.ci.lauderdale.mn.us](http://www.ci.lauderdale.mn.us)

September 9, 2002

RESIDENT  
CARL ST

LAUDERDALE, MN 55113

**CITY OF LAUDERDALE  
NOTICE OF PUBLIC HEARING  
ON THE PROPOSED ASSESSMENT FOR THE LAUDERDALE  
2001 STREET AND UTILITY IMPROVEMENTS**

NOTICE IS HEREBY GIVEN that the City Council will meet at 7:30 p.m. on Tuesday, September 24, 2002 in the Council Chambers at Lauderdale City Hall located at 1891 Walnut Street in said City to consider, and possibly adopt, the proposed assessment for the improvement of Carl Street between Idaho Avenue and Roselawn Avenue, Ione Street between Eustus Street and Pleasant Street, Spring Street between Eustus Street and Pleasant Street, Summer Street between Eustus Street and Pleasant Street, and all of Idaho Avenue by conducting street reconstruction, sanitary sewer improvements and replacement, water main replacement, storm sewer system improvements, and alley improvements. Adoption by the Council of the proposed assessment may occur at the hearing.

The amount to be specially assessed against your particular lot, piece, or parcel of land at xxxx CARL ST is \$ 4,213.60

Such assessment is proposed to be payable in equal annual installments extending over a period of ten years, the first of the installments to be payable on or before the first Monday in January, 2003 and will bear interest at the rate of 6.5 percent per annum from the date of the adoption of the assessment resolution. To the first installment shall be added interest on the entire assessment from the date of the assessment resolution until December 31, 2003. To each subsequent installment when due shall be added interest for one year on all unpaid installments.

You may at any time prior to certification of the assessment to the county auditor, pay the entire assessment on such property, with interest accrued to the date of payment, to the City Administrator. No interest shall be charged if the entire assessment is paid within 30 days from the adoption of this assessment.

You may at any time thereafter, pay to the County Auditor the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year. If you decide not to prepay the assessment before the date given above the rate of interest that will apply is 6.5 percent per year. The right to partially prepay the assessment according to the Lauderdale Assessment Policy Manual is available.

The proposed assessment roll is on file for public inspection at the City Administrator's office. The total amount of the proposed assessment is \$ 474,913.20. Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of an assessment unless a written objection signed by the affected property owner is filed with the City Administrator prior to the assessment hearing or presented to the presiding officer at the hearing. The council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

If an assessment is contested or there is an adjourned hearing, the following procedure will be followed:

1. The City will present its case first by calling witnesses who may testify by narrative or by examination, and by the introduction of exhibits. After each witness has testified, the contesting party will be allowed to ask questions. This procedure will be repeated with each witness until neither side has further questions.

2. After the City has presented all its evidence, the objector may call witnesses or present such testimony as the objector desires. The same procedure for questioning of the City's witnesses will be followed with the objector's witnesses.

3. The objector may be represented by counsel.

4. Minnesota rules of evidence will not be strictly applied; however, they may be considered and argued to the council as to the weight of items of evidence or testimony presented to the Council.

5. The entire proceedings will be tape-recorded (video-taped).

6. At the close of presentation of evidence, the objector may make a final presentation to the Council based on the evidence and the law. No new evidence may be presented at this point.

7. The Council may adopt the proposed assessment at the hearing.

An owner may appeal an assessment to district court pursuant to Minnesota Statutes § 429.081 by serving notice of the appeal upon the Mayor or City Administrator of the City within 30 days after the adoption of the assessment and filing such notice with the district court within ten days after service upon the Mayor or City Administrator.

Under Minnesota Statutes § 435.193 to 435.195, the Council may, in its discretion, defer the payment of this special assessment for any homesteaded property owned by a person 65 years of age or older for whom it would be a hardship to make the payments. When deferment of the special assessment has been granted and is terminated for any reason provided in that law, all amounts accumulated plus applicable interest become due. Any assessed property owner meeting the requirements of this law and the ordinance adopted under it may, within 30 days of the confirmation of the assessment, apply to the City Administrator for the prescribed form for such deferral of payment of this special assessment on his or her property.

**I have also enclosed an information sheet that summarizes the proposed assessment and this assessment notice.**

Please feel free to contact me with any questions or concerns that you may have.

Sincerely,  
**CITY OF LAUDERDALE**

Richard B. Getschow  
City Administrator

**FREQUENTLY ASKED QUESTIONS REGARDING THE STREET AND UTILITY IMPROVEMENT ASSESSMENT**

**• WILL I BE BILLED OR INVOICED FOR THIS SPECIAL ASSESSMENT?**

No. You do not receive a bill or an invoice for the assessment with a due date because it is placed on the property tax statement. This notice would essentially be your invoice. While the special assessment is not a property tax, it is placed on the property tax statement and spread out over a period of ten years with an interest rate of 6.5%.

For example, if your assessment amount were \$3,500.00, your property tax statement in 2003 would show an annual principal amount of \$350.00 along with the annual interest amount that is calculated against the outstanding principal balance. Therefore, the \$350.00 principal amount is the same throughout the ten years while the annual interest amount decreases each year as you lower your principal balance.

**• WHAT IF I WANT TO PAY OFF THE ENTIRE ASSESSMENT BEFORE IT APPEARS ON NEXT YEAR'S PROPERTY TAX STATEMENT?**

Approximately 15-20% of those assessed prepay their assessment before it appears on the property tax statement the following year. This prepayment must be made within (30) thirty days of the approval of the assessment roll to avoid any interest installments.

With this project, the prepayment period is scheduled to be from September 25 to October 25, 2002. During this time frame, payment must be made directly to the City of Lauderdale for the entire amount assessed. Following this date, the City certifies the remaining assessment amounts and sends the assessment roll to Ramsey County. After October 25, any pre-payment arrangements must be made through Ramsey County. Under no circumstances can full prepayment occur after November 15, 2002.

**• WHAT IF I WANT TO PAY JUST PART OF THE ASSESSMENT BEFORE IT APPEARS ON NEXT YEAR'S TAX STATEMENT?**

The City of Lauderdale does allow this. The same rules apply as above, except that whatever remaining balance is not pre-paid is spread over a ten-year period on the property tax statement with interest.

(over)



**• WHAT IF I DO NOT WANT TO PAY DURING THE PREPAYMENT PERIOD?**

You are not required to pay anything at this time. As stated above, if the assessment is not prepaid in the 30-day period it is placed on the property tax statement over a ten-year period and collected through the property tax statement or your mortgage escrow. It is your choice.

**• WHAT IF I DO NOT PAY DURING THE PREPAYMENT PERIOD, BUT WANT TO PAY OFF THE BALANCE AT A FUTURE DATE?**

In any given year, you can pay off the remaining principal balance of the assessment with interest accrued through the year in which you pay. There would be no payment due for interest in future years. This must always occur by November 15 for interest not to be charged for the following year. All arrangements for payment are made through Ramsey County.

For example, if in the Summer of 2003 you wish to pay off the original \$3,500.00 assessment, you would need to pay Ramsey County \$3,150 by November 15, 2003. The amount is \$3,150 because the first \$350.00 installment and applicable interest was placed on your 2003 tax statement following November 15, 2002. (i.e., \$3,500.00-\$350.00=\$3,150)

**• WHO DO I CONTACT AT RAMSEY COUNTY REGARDING THE SPECIAL ASSESSMENT AFTER THE CITY CERTIFIES IT TO THE COUNTY?**

The Ramsey County Property Records and Revenue Department deals with special assessment inquiries and payment issues. Their number is 651-266-2000.

## SECTION 1: GENERAL POLICY STATEMENT

The purpose of this assessment policy manual is to set forth a guide of policies and procedures to be followed by the City of Lauderdale in making improvements and charging special assessments to finance such improvements.

Minnesota State Statutes, Chapter 429, provides that a municipality shall have the power to make public improvements such as sanitary sewers, storm sewers, water source and distribution facilities, street improvements including grading, curb & gutter, surfacing, sidewalks and street lighting. The various procedures that a municipality must follow in regards to financing public improvements are well defined within the law. The special assessment is a device used to finance these public improvements desired by a particular neighborhood or area. The beginnings of use of the special assessment dates back over three hundred years. It has now grown to be an essential and reliable source of municipal revenue.

### A. CHARACTERISTICS AND APPLICATIONS

Special assessments are defined by three distinct characteristics:

1. They are compulsory charges used to finance particular public improvement programs.
2. The special assessments are charged only against those particular parcels of property deemed to receive some special benefit from the program.
3. The amount of the assessment bears some relationship to the value of the benefits received:
  - (a) the assessment must be confined to property specially benefited; and
  - (b) the amount of the assessments must not exceed the special benefits.

In theory, special assessments are frequently regarded as more equitable than property taxes because a more direct benefit is received from the improvements undertaken. Also, special assessments are only imposed on real estate, and they are never levied upon personal and/or movable property.

Special Assessments have three important applications:

1. *Financing New Improvements.* The assessments are frequently used to finance the opening and surfacing of streets, installation of utility lines, construction of curb and gutter, and the provision of street lighting.
2. *Financing Redevelopment.* When commercial and residential neighborhoods are confronted with deterioration, special assessments can be utilized in a variety of ways to good advantage to redevelop and revitalize an area.
3. *Financing Major Infrastructure Maintenance Programs.* Large-scale repairs and maintenance operations on streets, sidewalks, sewers and similar facilities can and often should be financed with special assessments.

## SECTION 2: INTENT

The policies contained in this document establish and delineate a procedure for undertaking public improvements and levying special assessments pursuant to Minnesota State Statutes. This policy should be viewed as a starting point for conducting assessments for public improvement projects. When an improvement conveys special benefit to properties in a definable area, the City intends to levy special assessments on those benefited properties to finance such improvements. It shall be the policy of the City of Lauderdale that the amount of the assessment for public improvements should not exceed the special benefit to the property. The City will use the assessment policy to insure that assessments have a reasonable relationship to benefits. Public improvements include the construction and reconstruction of streets, sidewalks, storm sewer, sanitary sewer, water works, street lighting, or any other public improvements allowed by State law.

When applying this assessment policy manual the City Council reserves the right to adjust the policy so as to achieve a more equitable distribution. This may occur in the event that the literal application of the provisions outlined herein would result in an inadequate distribution of special assessments.

The City maintains the right to apply this policy differently for the purposes of fairness and equity. It should also be noted that any errors or omissions in this policy are not to be held against the City of Lauderdale.

### SECTION 3: GENERAL ASSESSMENT POLICY

#### A. TYPES OF IMPROVEMENTS

This policy shall relate only to those public improvements allowable under Minnesota State Statutes, Chapter 429. Those public improvements include, but are not limited to, the following:

- Street Improvements; including curb, gutter, grading, graveling, and surfacing

- Sanitary sewer system improvements

- Water utility system improvements

- Storm sewer and drainage systems

- Planting, trimming, care and removal of trees

- Sidewalks

- Street lighting systems

- Service charges that are unpaid for the cost of rubbish removal from sidewalks, weed elimination, and the elimination of public health or safety hazards, upon passage of appropriate ordinances.

#### B. INITIATION OF IMPROVEMENTS

The initiation of public improvement projects may occur in one of three ways:

1. *Petition of not less than 35% of property owners.* An improvement project can begin with a signed petition by the owners of not less than 35% of the frontage of the real property about the proposed improvements. This improvement can only be ordered after a public hearing.

2. *Petition of 100% of property owners.* An improvement project can begin with a signed petition by the owners of 100% of the frontage of the real property about the proposed improvements. This improvement does not require a public hearing, and may be ordered by the City Council by a simple majority vote if the petitioning property owners agree to pay 100% of the costs of the improvements.

3. *City Council Initiation.* No petition is needed. This improvement can only be ordered after a public hearing. The resolution ordering the improvement must be adopted by four-fifths (4/5) vote of the City Council. A complete outline of the public improvement process is provided in Section 9.

**C. GENERAL DEFINITIONS**

1. *Project Cost.* The "project cost" of an improvement shall be deemed to include the costs of all necessary construction work required to accomplish the improvement, including expenses incurred or to be incurred in making the improvement that includes engineering, consulting, legal, administration, financing, easements, right-of-way acquisition, and other contingent costs.
  2. *City Cost.* Where the project cost of an improvement is entirely attributable to the need for service to the areas served by said improvement, or whereas unusual conditions beyond the control of the property owners in the area served by the improvement would result in inequitable distribution of special assessments, the City, through the use of other funds, may negotiate such "city costs" which, in the opinion of the City Council, represents those costs not directly attributable to the area served.
  3. *Assessable Cost.* The "assessable cost" of an improvement shall be defined as those costs which, in the opinion of the City Council, are attributable to the need for service in the areas served by the improvement and are not in excess of the special benefit conveyed to the property by the improvements.
  4. *Use of Other Funds.* If financial assistance is received from the federal government, from the State of Minnesota, or from any other source to defray a portion of the cost of a given improvement, such aid will first be used to reduce the city cost of the improvement.
- Project Cost – City Cost – Use of Other Funds = Assessable Cost**
5. *City Property.* City-owned property, including municipal building sites, park, nature areas, but not including public streets and alleys shall be regarded as being assessable on the same basis as if such property was privately owned.

6. *Application of Policy.* In the event the literal application of the provisions outlined herein would result in an inadequate distribution of special assessments in the opinion of the City Council, the Council reserves the right to adjust the policy so as to achieve a more equitable distribution. Such adjustment may be based on current or anticipated land use.

## SECTION 4: METHOD OF ASSESSMENT

### A. DEFINITIONS

The assessable costs of the improvement shall be distributed among the affected property owners according to the methods outlined in this section. The following shall apply in determining assessable costs:

1. Adjusted Front Footage shall be expressed to the nearest foot.
2. Measures of dimension, distance, or size shall be based on recorded platting data, wherever possible.

### B. FRONT FOOT METHOD

Improvement costs are commonly distributed according to the "adjusted front footage" of a parcel or lot. In this method, the city determines a rate of assessment per front foot. The result is an assessment that applies to each parcel as follows:

$$\text{Assessment} = \text{Assessment rate per front foot} \times \text{parcel's adjusted front footage}$$

Because individual parcels can differ considerably in shape and area, the following procedures will be used to calculate what the adjusted front footage is for particular parcels.

1. *Rectangular Interior (Standard) Lots.* For rectangular interior lots, the footage equals the dimension of the side of the lot abutting the improvement.

2. *Cul-de-sac Lots.* For cul-de-sac lots, footage equals the lot width at the building setback requirement line.
3. *Curved Frontage Lots.* For other lots with curved frontage, footage equals the dimension of the side of the lot abutting the improvement.
4. *Corner Lots.* When improvements are made to both sides of a corner lot, in the case of a street improvement project which abuts both sides of a corner lot, 100 percent (100%) of the adjusted front footage of the short side will be assessed and 25 percent (25%) of the adjusted front footage of the long side will be assessed for improvement benefiting the respective sides.  
The length of the property sides and not the orientation of the principal building shall determine the adjusted front footage in this case. The short property side shall be considered the principal side.

When improvements are made to only one side of a corner lot where the long side of the lot is affected, 25 percent (25%) of the adjusted front footage of the long side will be assessed for improvement.

A series of lots (two or more) under common ownership shall be considered as one parcel or lot for determining which is the short or long side of a property.

5. *Double Frontage Lots.* If a parcel comprises frontage on two streets and is eligible for subdivision, then an adjusted front footage assessment will be charged along each street. For double frontage lots lacking the necessary depth for subdivision, the property will be assessed on the basis of the average of the two frontages.

If the double frontage lot is a corner lot, the entire short side shall be treated as one side to be assessed at 25%.



**C. AREA METHOD**

Assessments may be distributed according to the gross area of the benefited lot or parcel. The assessable area shall be expressed in terms of the number of acres or the number of square feet subject to assessment.

$$\text{Assessment} = \text{Assessment rate per acre or sq. ft.} \times \text{area to be assessed (acres or sq. ft.)}$$

Where appropriate, an allowance will be made for streets. When the area is platted, a deduction will be made for the actual and proposed street right-of-way. For unplatted land with no streets platted or proposed, a deduction of 20% of the gross acreage applies as a street credit.

**D. UNIT/WEIGHTED LOT METHOD**

When the City Council determines that the assessable cost would be more equitably distributed on a unit basis, all lots will be reviewed for conformity and a standard lot size will be determined. Any lot that could be divided to form more than one lot shall be given a weighted lot or residential equivalent unit. Each residential equivalent unit shall be charged with one assessment charge.

New subdivisions will generally use the unit/weighted lot method for all improvements.

**SECTION 5: STREET IMPROVEMENTS**

**A. NEW STREET CONSTRUCTION**

Street construction is defined as the initial installation of a permanent street into an area, consisting of the necessary grading, base, hard surfacing (bituminous or concrete), and curb and gutter.

1. **Policy.** Street construction will occur only after all utilities and utility service lines have been installed to serve each known and assumed location. No street construction shall be approved for less than both sides of a street except as necessary to complete the improvement of a block that has previous partial completion.

2. **Method of Assessment.** The assessable costs for street construction shall be distributed among benefited properties on an adjusted front footage or unit basis.

3. *Assessable Cost.* The assessable cost equals 100 percent (100%) of the entire project cost for the street construction including intersections, alley openings, and street openings.

## B. STREET RECONSTRUCTION AND RESURFACING

Street reconstruction and resurfacing is defined as the rehabilitation of an existing street. Street reconstruction and resurfacing projects shall include but are not limited to the following:

- *Rehabilitation of an existing street:* Reconstruction of an existing street including but not limited to grading, necessary drainage, curb and gutter and hard surfacing.
- *Cold in place recycling and repaving (CIR/Repaving):* Recycling of existing deteriorated pavements by pulverizing, mixing with new asphaltic oils and compacting in place. New paving materials are then placed over the cold recycled pavement similar to a standard overlay.
- *Bituminous Overlay:* Placement of an additional bituminous layer, generally one to two inches thick, over an existing bituminous surfaced street.
- *Concrete Pavement Restoration:* Replacement of existing concrete panels which have deteriorated, mud jacking panel to improve rideability, and the filling of joints and cracks with a petroleum-based material to eliminate flow of water to the base below the surface.

1. *Method of Assessment.* The assessable costs for street construction shall be distributed among benefited properties on an adjusted front footage basis.
2. *Assessable Cost.* The front footage assessment rate shall be determined by dividing the project cost by the total number of adjusted front feet in the project area x the individual adjusted front footage x 40 percent (2/5 or 0.40). The assessments per adjusted front foot may vary depending on the underlying zoning of a parcel.
3. *Front Foot Maximum.* For single-family residential units and duplexes, the maximum amount of footage to be assessed for individual adjusted front footage for each parcel or lot shall be eighty (80) feet.

### C. MAINTENANCE

Maintenance is a cost-effective measure to extend the useful street life of a particular roadway and to delay street reconstruction needs. Maintenance projects shall include but are not limited to the following:

- *Crack Sealing* - Placement of petroleum-based material in the cracks of a bituminous surfaced street for the purpose of eliminating the flow of water from the surface to the aggregate base material below.
- *Bituminous Seal Coating* - Placement of petroleum-based material and aggregate on an existing bituminous surfaced street for the purpose of filling cracks and covering mild wear.
- *Bituminous Surfacing Patching* - Repair or replacement of existing bituminous surfacing or portions of surfacing which has deteriorated.

1. *Assessable Costs.* Maintenance improvements are not assessable costs.

### D. APPURTENANCES

Appurtenances are items such as sidewalks, street lighting, or trees that are often encountered during street improvement projects.

1. *Policy.* Appurtenances to new street construction, street reconstruction or resurfacing projects shall be included in the cost of the street improvement project and assessed according to those methods and policies. Appurtenances constructed or provided separate from new street construction; street reconstruction or resurfacing projects shall be assessed 100% of the entire project cost.

## SECTION 6: SANITARY SEWER AND WATER IMPROVEMENTS

### A. SANITARY SEWER AND WATER - MAINS AND TRUNKS

Repair and replacement of sanitary sewer or water mains are usually done in conjunction with a street improvement project, when needed.

1. *Assessable Costs.* New Sanitary sewer and water main improvements are 100 percent assessed to benefiting properties. Replacement sanitary sewer and water main improvements are not assessable costs.

**B. SANITARY SEWER AND WATER - INDIVIDUAL SERVICES**

For individual services, the City shall maintain and improve, if necessary, all service lines between the individual property line and the city main in the public right-of-way. All service lines from buildings to the property line are the responsibility of the benefited property.

1. *Assessable Cost.* Individual sanitary and water individual services are not assessable costs.

**SECTION 7: STORM SEWER SYSTEM IMPROVEMENTS**

Storm drainage and ponding/basin systems are usually constructed to serve a specific drainage or "watershed" area. The cost of storm system and drainage improvements shall not be assessed pursuant to this policy. In 1994, the City established a Storm Water Drainage Utility (City Code 8-3-1) in the City of Lauderdale. The revenues collected for this Utility are intended to fund the general operating costs of the storm and drainage system, along with capital improvements associated with this overall system.

**SECTION 8: SUPPLEMENTAL ASSESSMENT GUIDELINES**

**A. SUPPLEMENTAL ASSESSMENT AND REASSESSMENT**

The City Council may, subject to legal notice and hearing requirements, make supplemental assessments to correct omissions, errors, or mistakes in the relating to the total cost of the improvement or any other particular item. If an assessment is set aside by a court for any reason or if the Council finds that the assessment or any part of it is excessive or determines on the advice of the City Attorney that it is or may be invalid for any reason, the Council may upon notice and hearing as required for the original assessment, make a reassessment or a new assessment as to such parcel or parcels.

## B. PRELIMINARY PLAT CONSIDERATION

Land could be considered for assessment based on preliminary plat consideration. The consideration will occur only when the following scenario exists:

The City Council has approved the preliminary plat; and  
A public hearing ordering the improvement project has not yet occurred.

In the event this exists, assessment frontages may be calculated based upon the proposed lot configuration within the preliminary plat. Road right-of-way within the proposed street alignment will not be subject to assessment

## C. TAX-EXEMPT PROPERTY

Other than land under city ownership, there are three categories of tax exempt property. Said properties are to be assessed as follows:

1. All aspects of this policy apply to tax-exempt property with the exception of Section 5 (B) entitled street reconstruction and resurfacing. The front footage assessment rate for tax-exempt shall be determined by dividing the project cost by the total number of adjusted front feet in the project area x the individual adjusted front footage. It is important to note that the assessments should not exceed the special benefits conferred.
2. State land is subject to assessment based upon procedures set forth in Minnesota State Statutes, Section 435.19, subd.2.
3. County land and land owned by all other local taxing jurisdictions is subject to assessment and shall be assessed in the same manner as if it were privately owned, subject to the limitations set forth in Minnesota State Statutes, Section 435.19, subd.1, as long as the assessments do not exceed the special benefits conferred.

## D. COMMERCIAL PROPERTY

All aspects of this policy apply to commercial property with the exception of Section 5 (B) entitled street reconstruction and resurfacing. The front footage assessment rate for commercial property shall be determined by dividing the project cost by the total number of adjusted front feet in the project area x the individual adjusted front footage.

#### **E. MULTIPLE DWELLING UNITS**

Multiple dwelling units are defined for the purposes of this policy as those that consist of three or more dwelling units. All aspects of this policy apply to multiple dwelling units with the exception of Section 5 (B) entitled street reconstruction and resurfacing. The front footage assessment rate for multiple dwelling units shall be determined by dividing the project cost by the total number of adjusted front feet in the project area x the individual adjusted front footage. It is important to note that the assessments should not exceed the special benefits conferred.

#### **F. TOWNHOUSES AND CONDOMINIUMS**

All aspects of this policy apply to townhouses and condominiums with the exception of Section 5 (B) entitled street reconstruction and resurfacing. The front footage assessment rate for townhouses and condominiums shall be determined by dividing the project cost by the total number of adjusted front feet in the project area x the individual adjusted front footage. It is important to note that the assessments should not exceed the special benefits conferred.

#### **G. TAX FORFEITURE ASSESSMENTS**

When a parcel of tax forfeited land is returned to private ownership, and the parcel is benefited by an improvement for which special assessments were canceled because of the forfeiture, the City may, upon notice and hearing as provided for the original assessment, make a reassessment or a new assessment as to the parcel in an amount equal to the remaining unpaid on the original assessment.

#### **H. NEW DEVELOPMENTS AND SUBDIVISIONS**

The improvement costs of new subdivisions shall be the sole responsibility of the property developer except consideration shall be given for assessing any other properties that receive special benefit from the improvements.

#### **I. ASSESSMENT OF NON-CITY ROADS**

The City reserves the right to assess its share of county road projects to properties along county roads in the same manner as city streets are assessed.

## SECTION 9: LOCAL IMPROVEMENT PROCESS

### A. INITIATION OF PROCEEDINGS

Improvement project proceedings may be initiated in any one of the three (3) following ways:

- Petition by not less than thirty five percent (35%) of the affected property owners determined by front footage.
- Petition by 100% of the affected property owners.
- By order of the City Council.

### B. PROCEDURAL STEPS FOR PROJECTS WHICH ARE NOT 100% PETITIONED

An improvement project that is initiated by action of the City Council or by a 35% petition may be ordered only after a public hearing. The following are the procedural steps that must be followed by the City Council prior to the ordering of an improvement if it is not initiated by a 100% petition.

1. *Feasibility Report.* Prior to adopting a resolution calling a public hearing on an improvement, the City Council must secure from the City Engineer a report advising it in a preliminary way:
  - a.) as to whether the proposed improvement is feasible;
  - b.) as to whether it should be made as proposed or in connection with some other improvement; and
  - c.) the estimated cost of the improvement.[See "Resolution Ordering a Preparation of Report on the Improvement" attached in the Appendix as Form 4A]
2. *Resolution Calling Public Hearing.* The City Council must adopt a resolution calling a public hearing on the improvement project. Mailed and published notice of the hearing must be given as described in the next paragraph below. The notice of public hearing must include the following information:
  - a.) the time and place of the public hearing;
  - b.) the general nature of the improvements;
  - c.) the estimated costs; and
  - d.) the area proposed to be assessed

[See "Resolution Receiving Report and Calling Hearing on Improvement" attached in the Appendix as Form 5]

3. *Mailed Notice of Hearing to Property Owners Proposed to be Assessed.* Not less than ten (10) days before the hearing, the notice of hearing must be mailed to the owner of each parcel in the area proposed to be assessed. For purposes of determining who is to receive notice, the owners of the property are those shown on the records of the county auditor, or in any county where the City Treasurer mails tax statements. The owners of property that is tax exempt or subject to taxation on a gross earnings basis shall be as certified by any practicable means.

[See "Notice of Hearing on Improvement" attached in the Appendix as Form 6]

4. *Published Notice of Hearing.* The notice of public hearing must be published in the city's legal newspaper at least twice, each publication being at least one week apart, with the last publication occurring at least three days prior to the hearing.

5. *Resolution Ordering the Improvement.* The resolution ordering the improvement must be adopted within six months of the date of the public hearing by a four-fifths vote of the City Council, unless the improvement was initiated by a thirty-five percent (35%) petition, in which event it may be adopted by a majority vote. The resolution may reduce, but not increase, the extent of the improvement as stated in the notice.

[See "Resolution Ordering Improvement and Preparation of Plans" attached in the Appendix as Form 7]

### C. PROCEDURAL STEPS FOR 100% PETITIONED PROJECTS

Improvement projects, which are initiated by a 100% petition, may be ordered by the City Council without a public hearing if the petitioning property owners agree to pay 100% of the costs of the improvements. If any portion of the cost of the improvements including issuance costs of the bonds, such as discount, capitalized interest and legal fees, are not included in the amount assessed, but are to be repaid by an ad valorem property tax levy, a public hearing must be held.

The following are the procedural steps for a 100% petitioned project:

1. *Petition.* The City Council must receive a petition which is both signed by all of the owners of the real property abutting any street named as the location of the improvement, and states that they agree to pay 100% of the cost of the improvements.



[See "100% Petition for Improvements" attached in the Appendix as Form 1]

2. *Resolution Determining Sufficiency of Petition and Ordering Improvement.* Upon receipt of the 100% petition, the City Council must determine that it has been signed by 100% of the owners of the affected property, and that they have agreed to pay 100% of the costs of the improvements. After making this determination, the project may be ordered without a public hearing.

#### D. ISSUANCE OF BONDS

At any time after the City Council has ordered the improvements, the City Council may issue its general obligation bonds to finance the cost of the improvements. In the event of any omission, error or mistake in any of the proceedings precedent to the ordering of the improvements, state law provides that the validity of the bonds will not be affected by such deficiencies. However, deficiencies in these proceedings may result in property owners successfully appealing the special assessments levied against their property. The resolution authorizing the issuance of the bonds will contain covenants by the City Council that at least 20% of the cost of each improvement project will be specially assessed against the benefited property, and the City Council will take all further actions and proceedings necessary in order for the final and valid levy of special assessments. These two covenants are necessary in order for the bonds to be issued without an election.

#### E. LETTING CONTRACTS

1. *Ordering Plans and Specifications.* After the ordering of an improvement project, the City Council must order the preparation of plans and specifications. This may be included as part of the resolution ordering the improvement.

[See "Resolution Ordering Improvements and Preparation of Plans" attached in the Appendix as Forms 7 and 7A]

2. *Advertisement for Bids.* If the estimated cost of the improvement exceeds \$25,000, bids must be advertised for in the legal newspaper and such other papers and for such length of time as the City Council deems desirable. If the estimated cost of the improvement exceeds \$100,000, the advertisement must be in a paper published in a first class city or in a trade paper not less than three (3) weeks before the last date of the submission of the bids. The notice must contain the following information:
- a.) the work to be done;
  - b.) the time when the bids will be publicly opened, which must not be less than ten (10) days after the first publication of the advertisement when the estimated cost is less than \$100,000, and not less than three (3) weeks after publication in all other cases; and
  - c.) a statement that no bids will be considered unless they are sealed and accompanied by cash, a cashier's check, bid bond, or certified check for such percentage of the bid as specified by the City Council.
- [See "Resolution Approving Plans and Specifications and Ordering Advertisement for Bids" attached in the Appendix as Form 9]
3. *Award of Contracts.* The City Council must either award the contract to the lowest responsible bidder or reject all bids. The contract must be awarded no later than one year after the adoption of the resolution ordering the improvement, unless the resolution ordering improvement specifies a different time limit.
- [See "Resolution Accepting Bid" attached in the Appendix as Form 12]  
[See "Sample Contract" attached in the Appendix as Form 13]
- If :
- a.) the initial cost of the entire work does not exceed \$25,000;
  - b.) if no bid is submitted after advertisement; or
  - c.) if the only bids are higher than the engineer's estimate;
- the City Council may purchase the materials and order the work done by day labor or in any manner it deems proper. If the estimated cost exceeds \$10,000, the work must be supervised by the City Engineer or some other qualified person.

**F. SPECIAL ASSESSMENT PROCEDURES**

The cost of any improvement undertaken in accordance with the procedures set forth in Chapter 429 may be specially assessed, in whole or in part, upon property benefited by the improvement, whether or not the property abuts on the improvement. The area to be assessed may be less than, but not more than, the area proposed to be assessed as stated in the notice of public hearing on the improvement.

1. *Resolution Determining Amount to be Specially Assessed.* After the expense incurred or to be incurred in the completion of an improvement has been calculated, the City Council must determine the amount it will pay and the amount to be specially assessed.

[See "Resolution Declaring Cost to be Assessed and Ordering the Preparation of the Proposed Assessment" attached in the Appendix as Form 22]

The City Clerk, with the assistance of the engineer or other qualified person, must calculate the amount to be specially assessed against every parcel of land. The assessment roll must be filed with the City Clerk and available for public inspection.

2. *Resolution Calling Public Hearing on Assessments.* A public hearing on the special assessments must be held following published and mailed notice thereof as described below. The notice of public hearing must include the following information:

- a.) date, time, and place of the meeting;
- b.) the general nature of the improvement;
- c.) the area proposed to be assessed;
- d.) the total amount of the proposed assessment;
- e.) that the assessment roll is on file with the City Clerk;
- f.) that written or oral objections will be considered;
- g.) that no appeal may be taken as to the amount of the assessments unless a written objection signed by the affected property owner is filed with the City Clerk prior to the hearing or presented to the presiding officer at the hearing;
- h.) that the owner may appeal the assessment to the district court by serving notice on the Mayor or City Clerk within three (3) working days after the adoption of the assessment and filing notice with the court within ten (10) days after such appeal to the Mayor or City Clerk; and
- i.) any deferment procedures established by the City Council for senior citizens.

[See "Resolution Calling for Hearing on Proposed Assessments" attached in the Appendix as Form 24]

3. *Published Notice.* The notice of the assessment hearing must be published in the legal newspaper at least once, not less than two weeks prior to the hearing.

4. *Mailed Notice.* The City Clerk must mail notice of the assessment hearing to the owner of each parcel described in the assessment roll at least two weeks prior to the hearing. For purposes of giving mailed notice, the owners shall be those shown on the records of the county auditor, or in any city where tax records are mailed by the City Treasurer. The mailed notice must also include, in addition to the information required to be in the published notice, the following information:

- a.) the amount to be specially assessed against that particular lot, piece, or parcel of land;
- b.) adoption by the City Council of the proposed assessment may be taken at the hearing;
- c.) the right of the property owner to prepay the entire assessment and the person to whom the prepayment must be made;
- d.) whether partial prepayment of the assessment has been authorized by ordinance;
- e.) the time within which prepayment may be made without the assessment of interest; and
- f.) the rate of interest to accrue if the assessment is not prepaid within the required time period.

[See " Affidavit of Mailing of Assessment Hearing Notice" attached in the Appendix as Form 25A]

5. *Adoption of Assessments.* At the hearing or any adjournment thereof, the City Council may adopt the assessments as proposed or adopt the assessments with amendments. If the adopted assessment differs from the proposed assessment, the City Clerk must mail the owner a notice stating the amount of the adopted assessment. Owners must also be notified by mail of any changes in interest rates or prepayment provisions from those contained in the notice of the proposed assessment.

[See "Resolution Adopting Assessment" attached in the Appendix as Form 26]

6. *Transmittal of Assessments to the County Auditor.* After the adoption of the assessment, the City Clerk must transmit a certified duplicate copy of the assessment roll to the county auditor.

[See "Certificate to the County Auditor" attached in the Appendix as Forms 28 and 28A]

In the alternative, the City Council may direct the City Clerk to file the assessment roll in the Clerk's office and to certify annually to the county auditor, on or before October 10<sup>th</sup> in each year, the total installments of principal and interest thereon to become due in the following year. With the certification of the assessments to the county auditor, the procedures under Minnesota State Statutes, Chapter 429 are complete.

## **SECTION 10: SPECIAL ASSESSMENTS FOR CURRENT SERVICES**

The City Council may provide for the collection of certain service charges as a special assessment against the property benefiting from the service. Special charges that may be assessed include, but are not limited to, those as defined by State Statutes.

## **SECTION 11: CONDITIONS OF PAYMENT OF ASSESSMENTS**

Minnesota State Statutes, Chapter 429, provide the City with considerable discretion in establishing the terms and conditions of payment of special assessment by property owners. Chapter 429 does establish two precise requirements regarding payment. First, the property owner has thirty (30) days from the date of adoption of the assessment roll to pay the assessment in full without interest charge (429.061, subd. 3). Second, all assessments shall be payable in equal annual installments extending over a period not exceeding thirty (30) years from the date of adoption of the assessment roll (429.061, subd. 2). The conditions of payment established in this section follow the requirements of Chapter 429 and seek to balance the burden of payment of the property owner with the financing requirements imposed by debt issuance.

**A. TERMS OF ASSESSMENT**

The City shall collect payment of special assessments in equal annual installments of principal for the period of years indicated from the year of adoption of the assessment roll by the following types of improvements:

- Sanitary Sewer System Improvements 10-25 years
- Water System Improvements 10-25 years
- Street System Improvements (street, alley, curb and gutter) 10-25 years
- Appurtenances 10-25 years
- Improvement District 5-10 years

In some cases, improvements that are undertaken could warrant longer or shorter terms. For example, a separate sidewalk improvement may be assessed over a five (5) year period because the costs may be nominal. Also, some major reconstruction projects with several types of improvements could lead to a very high assessment that could create a financial hardship if assessed over a ten (10) year term. A thirty (30) year term could be appropriate in this case. In any event, the assessment term should never exceed the potential life of the improvement.

**B. INTEREST RATE**

The City most often finds itself required to issue debt in order to finance improvements. Such debt requires that the City pay an interest cost to the holders of the debt with such interest cost varying on the timing, bond rating, size and type of bond issue. In addition, the City experiences problems with delinquencies in the payment of assessment by property owners or the inability to invest prepayments of assessments at an interest rate sufficient to meet the interest cost of the debt. These situations create immediate cash flow problems in the timing and ability to make scheduled bond payments.

Therefore, for all projects financed by debt issuance, the interest rate charged on assessments shall be 2.0% greater than the new interest on the bonds issued, or 2% greater than the current investment rate if the project is funded internally.

**C. PREPAYMENT AND ASSESSMENT CERTIFICATION**

1. *Partial Prepayment.* After the adoption by the City Council of the assessment roll in any local improvement proceeding, the owner of any property specially assessed in the proceeding may, prior, to the certification of the assessment of the first installment to the County Auditor, pay to the City any portion of the assessment. The remaining unpaid balance shall be spread over the period of time established by the Council for installment payment of the assessment.

## SECTION 12: HARDSHIP DEFERRALS

2. *Certification of Assessments.* After the adoption of any special assessment by the City Council, the City Clerk shall transmit a certified duplicate of the assessment roll with each installment, including interest, set forth separately to the County Auditor on an annual basis to be extended on the proper tax lists to the County.

### A. POLICY

In determining whether or not a senior citizen is eligible for deferral of special assessment installment payments, the following criteria are established:

1. *Effective Date.* Senior citizen special assessment hardship deferral applies to special assessments levied after the date of the Policy.
2. *Application.* Senior citizen special assessment hardship deferral applies to qualifying special assessments against all properties classified as "homestead" pursuant to Minnesota State Statutes Chapter 273, where one or more owners of such a property is 65 years of age or older and it would create a hardship for the owner or owners of the property to pay the special assessment installments as they become due.

3. *Hardship Defined.* It shall be presumed that a hardship exists if:
  - (a) the annual assessment installment exceeds 1 percent (1%) of the previous year's total adjusted gross incomes, for Federal Income Tax purposes, for all owners of the property. In no event shall "total adjusted gross income" include Social Security benefits, railroad retirement benefits, retirement benefits attributable to employee contributions, disability benefits, personal injury awards or workmen's compensation payments; and
  - (b) all owners of the property verify, under oath, that they meet the criteria for establishing a hardship by completing an application provided by the City;

4. *Exceptional Cases.* In cases where exceptional and unusual circumstances exist, the City Council may determine that a hardship exists despite the fact that the minimum income requirements as defined in this section do not exist. Such cases shall be decided by the City Council on a case-by-case basis.

#### B. INTEREST

Interest will be charged on any assessment deferred pursuant to this policy at a rate equal to the rate charged on other assessments for the particular public improvement project that the assessment is financing.

#### C. TERMINATION OF DEFERMENT

The option to defer the payment of special assessments pursuant to this Ordinance shall terminate and all installment amounts previously deferred, plus applicable interest, shall become due upon the occurrence of any of the following events:

- Request of the property owner
- Death of the property owner 65 years of age and older, providing the surviving owner is otherwise not eligible for the deferral
- Sale, transfer, or subdivision of the property or any part thereof
- The City determines that the hardship no longer exists
- The property, for any reason, loses its homestead status

### SECTION 13: FINANCING

#### A. AUTHORITY

At any time after one or more improvements are ordered, the City Council may issue obligations in such amount as it deems necessary to defray in whole or in part the costs incurred and estimated to be incurred in making the improvements.



## **B. TYPES OF OBLIGATIONS**

Obligations used to finance public improvement projects are called improvement bonds. The proceeds from the sale of the improvement bonds are used to fund project costs. The improvement bonds are then paid off as the funds become available through collection of special assessments and any taxes levied for that purpose. Improvement bonds carry the City's general obligation pledge.

## **C. METHOD OF ISSUANCE**

All improvement bonds shall be issued in accordance with the provisions of Minnesota State Statutes, Chapter 475. If twenty percent (20%) or more of the cost of the improvement or improvements is to be assessed against benefited properties, no election is required prior to issuing the improvement bonds and the improvement bonds do not count against the City's statutory debt limit.

## **D. CONSOLIDATING PROJECT FINANCING**

If several public improvements are being carried out at the same time, the City Council reserves the right to consolidate all necessary financings into one improvement project for the purpose of issuing improvement bonds. This election will be made at the time of the public hearing on the improvements.

## 27. Appeals to District Court

Within 30 days after the adoption of the assessment, any person aggrieved may appeal to the district court by serving a notice upon the mayor or clerk; however, no appeal may be taken on the amount of the assessment unless a written objection signed by the property owner is filed with the city clerk prior to the assessment hearing or is presented to the presiding officer at the hearing. (Minn. Stat. 429.061, subd. 1.) The notice of appeal must be filed with the clerk of the district court within ten days after the service on the city.

The city clerk is required to furnish the person appealing a certified copy of objections filed in the assessment proceedings, the assessment roll or part complained of, and all papers necessary to present the appeal.

The appeal is placed upon the calendar of the next general term of the district court commencing more than five days after the date of serving the notice and is tried like other appeals in such cases. If the person appealing does not win his case, the costs of the appeal are taxed by the court and judgment entered for them. All objections to the assessment are waived unless presented on such appeal (Minn. Stat. 429.081) except the defense of payment or exemption of the property from assessment. (*State v. Roselawn Cemetery Association*, 259 Minn. 479, 108 N.W.2d 305 (1961)). On appeal the district court must either affirm the assessment or set it aside and order a reassessment.

These provisions for appeals to the district court are the exclusive method of appeal from a special assessment levied under the local improvement code. (Minn. Stat. 429.081.) Thus, it is not possible to contest such an assessment under the statute providing for contesting property tax levies. (Minn. Stat. 278.01, subd. 3.)

As stated earlier, the statute does not require notification of affected landowners, either by publication or personally, of the final approval of the assessment. While the Minnesota Supreme Court held in *Imperial Refineries of Minnesota, Inc. v. City Rochester*, 282 Minn. 481, 165 N.W.2d 699 (1969), that the notices of hearing on the improvement and on the assessment satisfied the requirement of due process without the constitutional need for a notice of the final approval of the assessment, the council may wish to provide for such notice on grounds of fairness to the property owner as well as to avoid the possibility of judicial challenge in the future if the courts continue to expand the concept of due process in such cases. As pointed out earlier, the notice of the assessment hearing must now state that the owner may appeal his assessment to the district court within 30 days after the adoption of the assessment; however, property owners may easily miss the deadline if they are not informed directly when the 30-day period begins.

**M E M O S   B Y   J A M E S**

**DATE:** SEPTEMBER 24, 200  
**TO:** HONORABLE MAYOR AND COUNCIL  
**FROM:** JAMES BOWNIK, ADMINISTRATIVE ANALYST  
**RE:** ZONING AMENDMENT APPLICATION FOR TRUNK HIGHWAY 280 & BROADWAY DRIVE

**BACKGROUND**

**PROPOSAL:** Request to amend the Zoning Ordinance to allow for auto sales, service and repair as a conditional use in an I-1 Industrial District.

**APPLICANT AND PROPERTY OWNER:**

Phillips Holdings LLC  
2601 Broadway NE  
Minneapolis, MN 55413  
  
PROPERTY      Trunk Highway 280 & Broadway Drive  
LOCATION:      Lauderdale, MN 55113

**Attached as Exhibit A** is the zoning amendment application from Phillips Holdings for your review.

**ZONING AMENDMENT REQUEST**

The applicant and owner of the property, Phillips Holdings, is proposing to relocate their own Boyer Ford Sterling Trucks business from its current location at 2811 Broadway Street to this location. This business involves the sale, service, and repair of heavy trucks. **Attached as Exhibit B** is a map and other information about Boyer Ford from their website [www.boyeronline.com](http://www.boyeronline.com).

According to Title 10-6-1 of the Lauderdale City Code, auto sales, service & repair facilities are not specifically listed as a permitted use or as an approved conditional use in the I-1 District. Thus, this use is currently not allowed in this district.

However, auto sales, service, and repair is specifically listed as an approved conditional use in the B-1 District. Phillips Holdings is requesting that auto sales, service, and repair also be specifically listed as an approved conditional use in the I-1 District.

**PROPERTY INFORMATION**

Phillips Holdings currently owns a 3.7 acre site at the corner of Highway 280 & Broadway. The company sold 3.1 of the original 6.8 acre site to Hamline Auto Body in 2001.

**REQUIREMENTS FOR APPROVAL OF A ZONING AMENDMENT REQUEST**

Title 10-3-5 Amendments:

- "The City Council may by two-thirds (2/3) vote of all its members amend this Title as proposed by the City Council, by the Planning Commission or by a petition of a person owning property within Lauderdale..."

**PLANNING COMMISSION ACTION**

The Planning Commission did not meet to discuss the zoning amendment application 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.

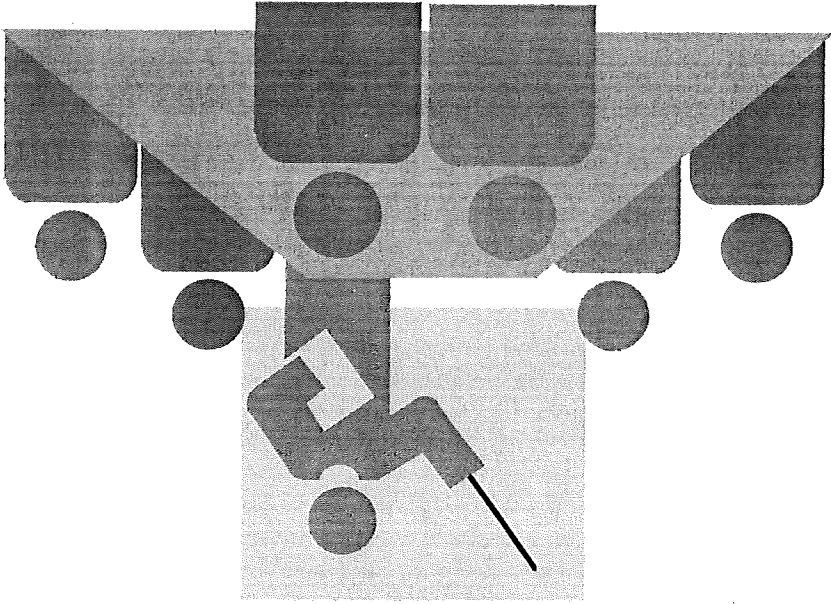
**PUBLIC HEARING FOR THE ZONING AMENDMENT REQUEST**

On September 13, 2002, property owners within 300 feet from the perimeter of the subject property were sent notice of tonight's public hearing. A Public Notice was also published in the September 10, 2002 edition of the *Roseville Review*.

**CITY COUNCIL ACTION REQUESTED**

Approve or deny the zoning amendment request. If approved, the amendment to the zoning ordinance will be published in the *Roseville Review*.

# Phillips Holdings Zoning Amendment Application



**Exhibit A**

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

# ZONING APPLICATION

Type of Request \_\_\_\_\_  
Amount \_\_\_\_\_

- Variance
  - Zoning Amendment
  - Conditional Use
  - PUD
  - Other
- \$ 75  
\$ 100  
\$ 165  
N/A

Name of Applicant \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Address of Property \_\_\_\_\_  
(if different than above)

Day Phone \_\_\_\_\_ Evening Phone \_\_\_\_\_ Fax \_\_\_\_\_

Please describe why you are applying for this application \_\_\_\_\_

PROPOSED PROPERTY IN "I-1" DISTRICT WHICH HAS  
NO PROVISION FOR AUTOMOBILE SALES, SERVICE AND REPAIR  
AS AN ACCEPTED USE YET "B-1" DOES.

Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

**For Office Use Only**

Date of Application: 4-13-02 Amount Paid: 100.00 Receipt Number: 4338

Recommendation of Planning Commission: (approve / deny) Meeting Date \_\_\_\_\_

Date of Public Hearing \_\_\_\_\_

City Council Action Taken: (approved / denied) Meeting Date \_\_\_\_\_

Conditions: \_\_\_\_\_

Boyer Trucks  
Lauderdale, MN 55113  
City Submittal For Conditional Use Application and Zoning Amendment

The following narrative has been provided to the City of Lauderdale, 1891 Walnut Street, Lauderdale Minnesota 55113, as part of the request for Variance Amendment and Conditional Use.

Boyer Trucks, Inc. has proposed to construct a new facility on the southwest corner of the intersection of State Highway 280 and Broadway Avenue. The use of the building is to provide vehicle sales, service, and repair. These services will be provided and/or performed in the vehicle sales lot and two mechanical service bays. The facility shall also house the management function of Boyer Trucks, Inc. in a two story central core area. The service bays will be symmetrically located to the North and South of this central core. There will also be a small showroom on the lower level of the two-story structure for the secondary sale of accessories and parts for walk-in customers.

The proposed site is currently zoned "I-1 Industrial." Within this classification, there is no current provision for the proposed use as stated above. There is however an approved conditional use for "Auto sales, service, and repair" in the "B-1 Community Business." On this matter, we have submitted an application for zoning amendment to include such verbiage as "Auto sales, service, and repair" under the "I-1" classification. It should be noted, that directly south of the proposed location is an auto-body repair facility, which previously acquired conditional use approval.

The proposed use will conform to all district and conditional use provisions and special standards as set forth in the City Code. Boyer Trucks Incorporated has set a reputation for having facilities that are safe, clean, environmentally conscious, and customer and client friendly. Within the facility, a fire sprinkler / smoke detection system shall be utilized as well as all other required fire prevention and life safety equipment.

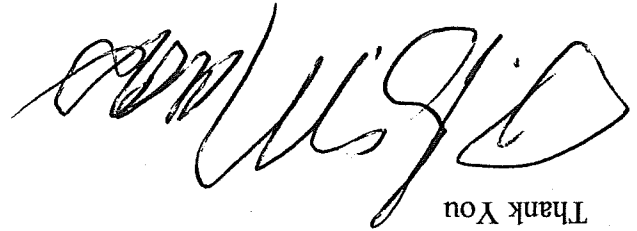
The visual presentation of the building will place the front of the building parallel with State Highway 280. This will place the service entry overhead doors opposite 280, thus facing west. This will also provide for the more dramatic viewing of the stepped pyramid roof structure (which has come to be the Boyer Truck "signature") from 280. This orientation will follow that of the adjacent properties and allow for consistent and understandable sightlines. The visual impact of the building will be similar to that of the adjacent properties. The building shall utilize painted pre-cast panels, EIFS, and color-clad metal to bring about a refreshing change to the now vacant lot.

Vehicular access to the building will provide for both entering and exiting along Broadway Avenue. This is the same as what is currently in place for the auto-body repair facility to the South. Traffic around the building will allow for full two-lane movement along the entire perimeter. This will also be of benefit to emergency service vehicles, which will be afforded easier movement about the building. Parking shall be laid out such that new vehicles will be shown along Broadway and 280, and vehicles for service parked behind the building on the South and West.

In as much as the performance standards required for the conditional use are concerned, it is safe to say that the proposed use in this facility will be similar to that of the auto-body repair facility next door. Therefore, one can expect that the conditions of noise, vibration, odors, air and water pollution will be much the same since a majority of the same equipment will be present in both facilities – just in different quantities. There shall be no use in the facility that will interfere with local electronic, radio, or special communication systems. And of course, all fire and life safety provisions as required will be set in place.

Your time and patience on reviewing this matter has been greatly appreciated. It is hoped that if any issues have not been identified, or issues unresolved, Boyer Trucks Inc. will have the opportunity to work with the City of Lauderdale toward a mutually beneficial partnership.

Thank You





**PROPOSED NEW CONSTRUCTION FOR  
BOYER TRUCKS  
LAUDERDALE, MINNESOTA  
SITE PLAN**

DATE	REVISIONS
1	DATE: _____
2	DATE: _____
3	DATE: _____

DATE ISSUED AS CONTRACT DOCUMENT: \_\_\_\_\_  
 DRAWN BY: \_\_\_\_\_  
 CHECKED BY: \_\_\_\_\_  
 DATE: \_\_\_\_\_

REG. NO. 11389

CITY SUBMITTAL  
09-11-02



**SMUCKLER ARCHITECTS**  
 ARCHITECTS AND INTERIORS  
 200 WASHINGTON AVENUE SOUTH  
 DENVER, MINNESOTA, 55004  
 TEL: 763.424.8247  
 FAX: 763.424.8247

TITLE SHEET  
**A0**

**PROPERTY DESCRIPTION:**

**PARKING REQUIREMENTS AS PER LAUDERDALE ZONING ORDINANCE**

USE DESCRIPTION	REQUIREMENT	QUANTITY
AUTO SERVICE	4 SPACES PER SERVICE STALL	144 ± ± 25 SPACES
OFFICE	1 PARKING SPACE PER 300 S.F.	600 S.F. ± 300 ± 25 SPACES
RETAIL SERVICE	1 PARKING SPACE PER 150 S.F.	3227 S.F. ± 150 ± 31.5 SPACES
STORAGE/INDUSTRY	1 SPACE PER 1000 S.F. ON INDIVIDUAL LOT	14 ± ± 14 SPACES

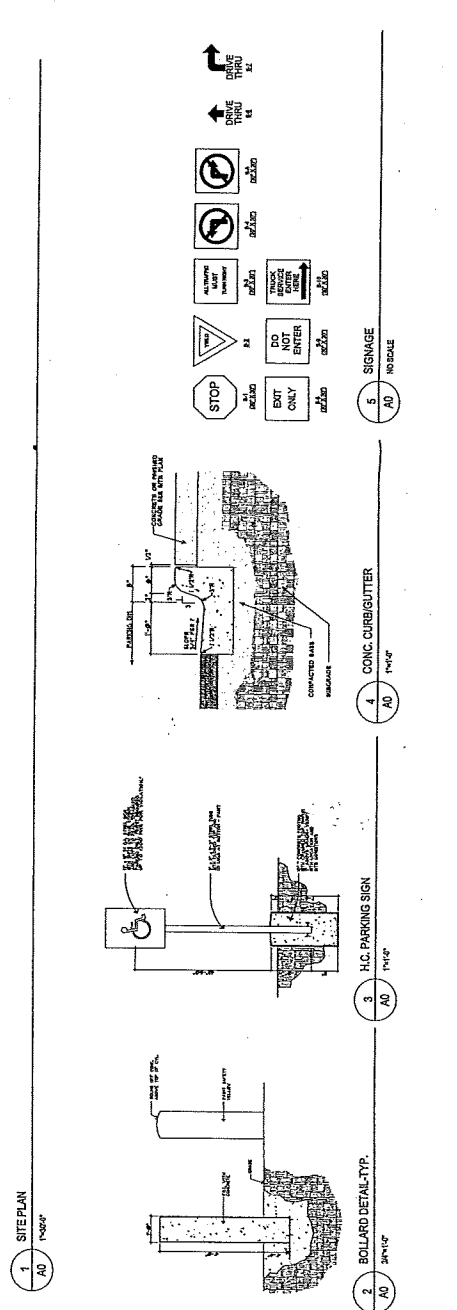
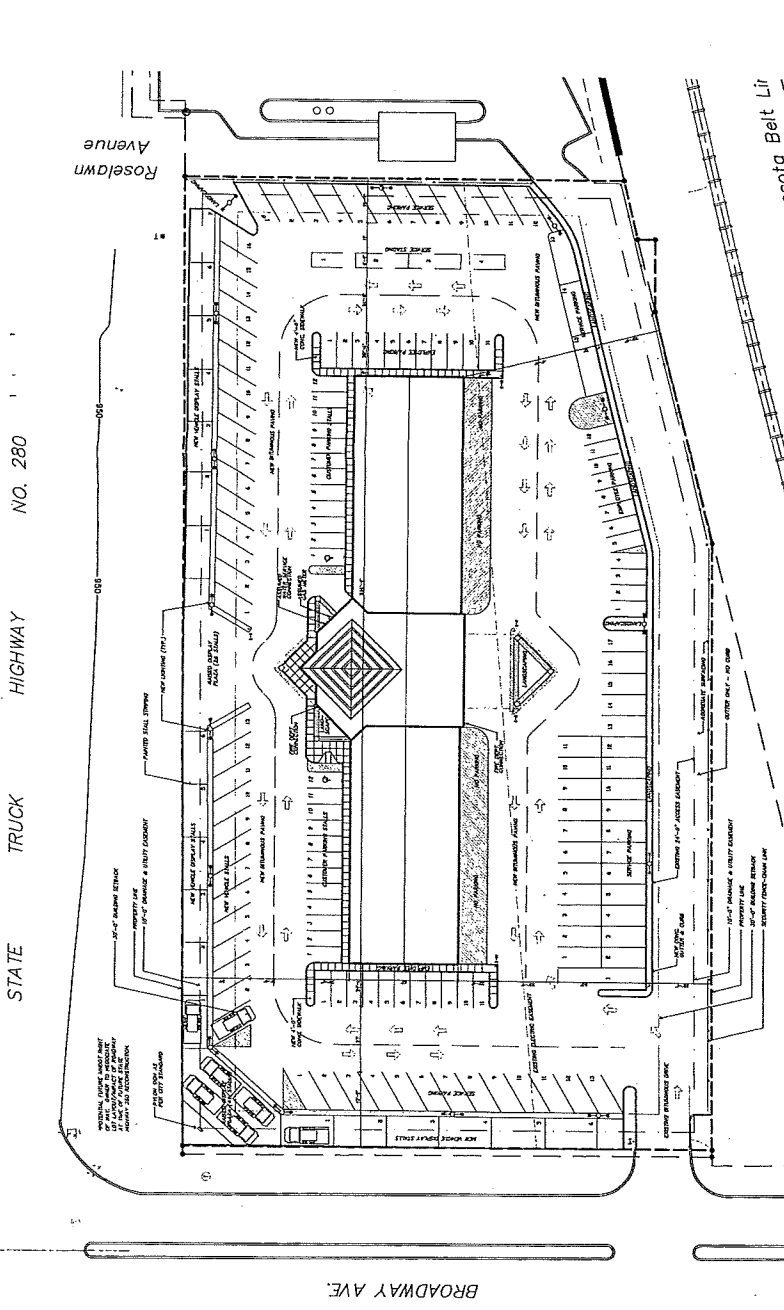
**PARKING STALLS PROVIDED:**

USE DESCRIPTION	REQUIREMENT	QUANTITY
AUTO SERVICE	57 SPACES INCLUDING 4 TRUCKING	
STORAGE & OFFICE	34 SPACES (IMPAVED)	
RETAIL SERVICE	24 SPACES INCLUDING 2 H.C. ACCESSIBLE	
NEW VEHICLE IMPORTS	23 SPACES	
NEW VEHICLE EXPORTS	23	
TOTAL	139 SPACES	

**SQUARE FOOTAGE**

PROPERTY AREA	AREA	PERCENTAGE
TOTAL BUILDING AREA	16,648 S.F.	13.1%
RETAIL/INDUSTRY	24,371 S.F.	19.3%
LANDSCAPING	128,745 S.F.	102.0%
TOTAL CONC. WALKS	4,233 S.F.	3.3%
NET IMPERVIOUS SURFACING	132,029 S.F.	100%

**LIGHTING NOTE:**  
 SITE LIGHTING SHALL BE PROVIDED IN ACCORDANCE WITH THE CITY ORDINANCE AND REGULATED WITH THE CITY OF LAUDERDALE.



**GENERAL NOTES:**

- THESE PLANS SHALL BE USED IN ACCORDANCE WITH THE CITY OF LAUDERDALE ZONING ORDINANCE AND REGULATED WITH THE CITY OF LAUDERDALE.
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Call 48 Hours before digging  
**SOPHER STATE ONE CALL**  
 Their Office Area 651-454-0002  
 MN. Toll Free 1-800-252-1166

PRELIMINARY PLAT OF:  
**BROADWAY BUSINESS PARK**  
 Lauderdale, Minnesota  
 FOR:  
**Ancon Construction Company**

**John Oliver & Associates, Inc.**  
 Civil Engineering, Land Surveying, Land Planning  
 201 E. Trouters Trail, Suite 200  
 Burnsville, MN 55337  
 (763) 441-7212 (FAX) 441-3675  
 (612) 898-0685 (TOLL FREE) 898-5049

I hereby certify that this plan was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer in the State of Minnesota.  
 Date: 7/17/01 License No. 21401  
 Signed: *Robert L. Nelson*  
 DMS: 1358P11  
 GEM: 1358P11  
 CHECKED BY: GEM  
 DRAWN BY: GEM  
 BR/PQ: X  
 NO. 1  
 DATE: 7/17/01  
 REVISIONS:

NO.	DATE	DESCRIPTION
1	7/30/01	Width of proposed access easement.

Scale in feet  
 0 50 100 150  
 SCALE: 1 INCH = 50 FEET

**LEGEND:**  
 ○ REMOTE HIGH PIPE SET WITH A  
 DELETED HIGH PIPE FOUND  
 --- EXISTING CONTOURS (10' INTERVAL)  
 --- EXISTING CONTOURS (2' INTERVAL)  
 --- EXISTING FENCE  
 --- OVERHEAD ELECTRIC  
 --- EXISTING SANITARY  
 --- EXISTING HYDRANT  
 --- EXISTING WATER VALVE  
 --- EXISTING CATCH BASIN  
 --- REDEFINE STORM INLET  
 --- SANITARY SEWER MANHOLE  
 --- ELECTRICAL TRANSFORMER BOX  
 --- TELEPHONE MANHOLE  
 --- GAS MANHOLE  
 --- TELEPHONE SERVICE BOX  
 --- LIGHT POLE  
 --- TRAFFIC LIGHT  
 --- GAS VALVE

**PROPOSED AREAS:**  
 Lot 1, Block 1 = 180,458 Square feet or 4.18 acres  
 Lot 2, Block 1 = 138,110 Square feet or 3.12 acres = 4-3-800  
 Total = 318,568 Square feet or 7.30 acres

**NOTES TO PRELIMINARY PLAT:**  
 Readings shown are on an assumed datum.  
 This survey has been prepared based on a legal description provided by the client. No title research in respect to ownership of the subject property or easements has been completed as a part of this survey.  
 Underground utilities shown as located. For information: One call, phone: 651-454-0002.  
 Contour interval shown is 2 feet. All elevations are based on the city of Newport vertical datum.  
 Benchmark: Top nut of hydrant at Rosekram Avenue and Pleasant Street. Elevation= 946.61  
 Elevation for marker at Rosekram Avenue and Pleasant Street. Elevation= 947.07

**OWNER/DEVELOPER:**  
 Ancon Construction Company  
 201 E. Trouters Trail, Suite 200  
 Burnsville, MN 55337  
 Phone: 651-880-1217

**ENGINEER/SURVEYOR:**  
 John Berthel/Robert Nelson  
 John Oliver & Associates, Inc.  
 201 E. Trouters Trail, Suite 200  
 Burnsville, MN 55337  
 Phone: 651-880-1217

**DESCRIPTION PROVIDED BY CLIENT:**  
 Lots 3, 4, 5 and 6, Block 4, Lauderdale's East Side Addition to Minneapolis, Ramsey County, Minnesota.  
 Lot 7 through 23 inclusive, Block 4, Lauderdale's East Side Addition to Minneapolis, Ramsey County, Minnesota.  
 The west 1/2 of the North 1/4 of the Northeast Quarter of the Northwest Quarter of Section 17, Township 29, Range 23, being Eastern of the right of way of the Minnesota Belt Line Railway and Transfer Company, excepting the North 33 feet of the same, and being a part of vacated Rosekram Avenue, Ramsey County, Minnesota.  
 The vacated alley in Block 4, Lauderdale's East Side Addition to Minneapolis, according to the plat of the Regular and Irregular Lots of the Rosekram Avenue Addition to Minneapolis, Ramsey County, Minnesota, lying within the limits of the Village of Lauderdale and West of the right of way line of the Minnesota Belt Line Railway and Transfer Company, and all that part of said vacated street lying North of the right of way line of the Minnesota Belt Line Railway and Transfer Company, which bears no name on any plat or record in the office of the County Auditor of Ramsey County, Minnesota, and all that part of said vacated street lying North of the right of way line of the Minnesota Belt Line Railway and Transfer Company, which bears no name on any plat or record in the office of the County Auditor of Ramsey County, Minnesota.

**PROPOSED ACCESS EASEMENT DESCRIPTION:**  
 An easement for ingress and egress to and from the west 1/2 of Lot 1, Block 1, Broadway Business Park, according to the recorded plat thereof, Ramsey County, Minnesota.

**LOCATION MAP:**  
 SECTION 17, TOWNSHIP 29, RANGE 23, RAMSEY COUNTY, MINNESOTA  
 NO SCALE

Call 48 Hours before digging  
**SOPHER STATE ONE CALL**  
 Their Office Area 651-454-0002  
 MN. Toll Free 1-800-252-1166

PRELIMINARY PLAT OF:  
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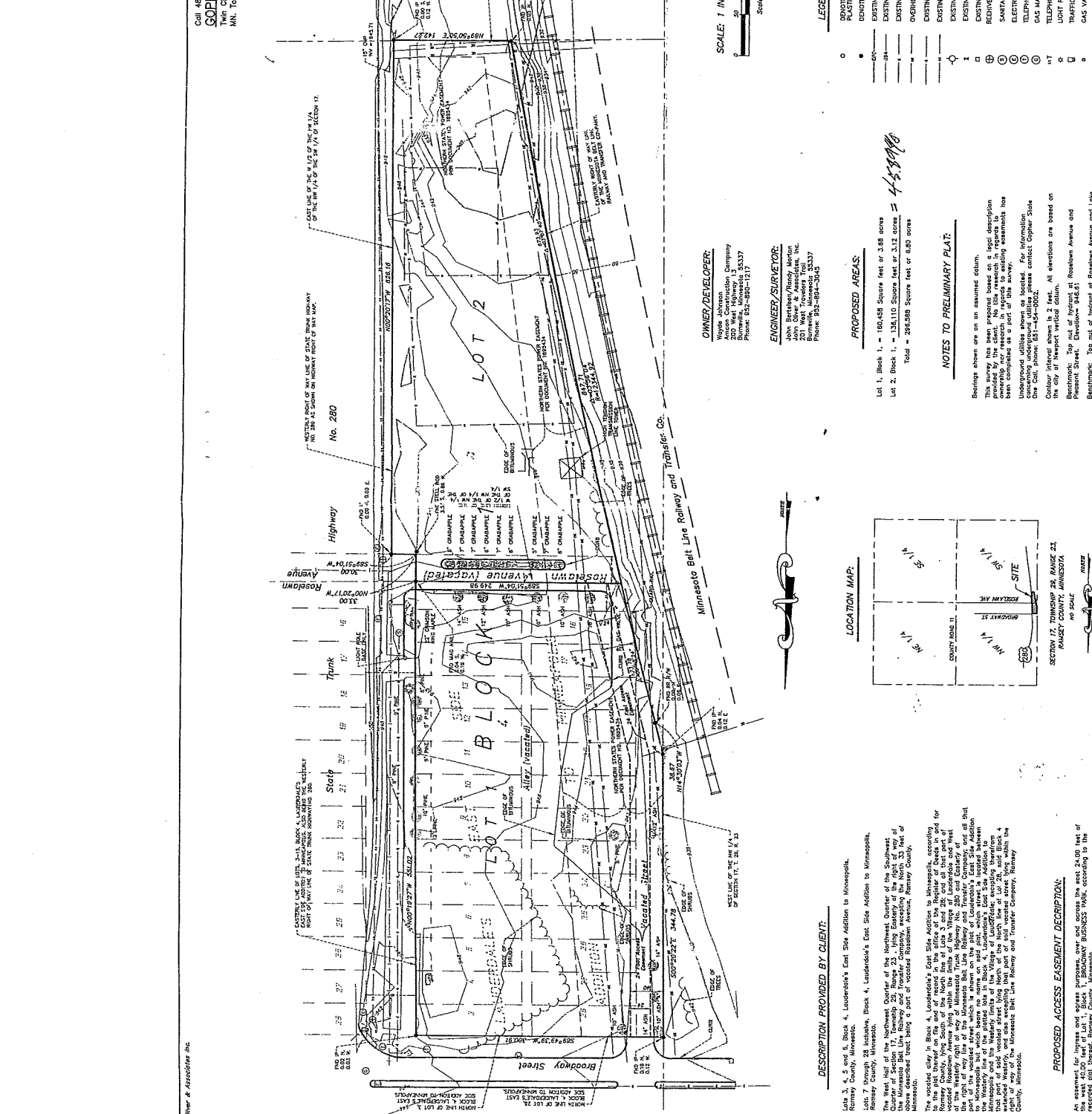
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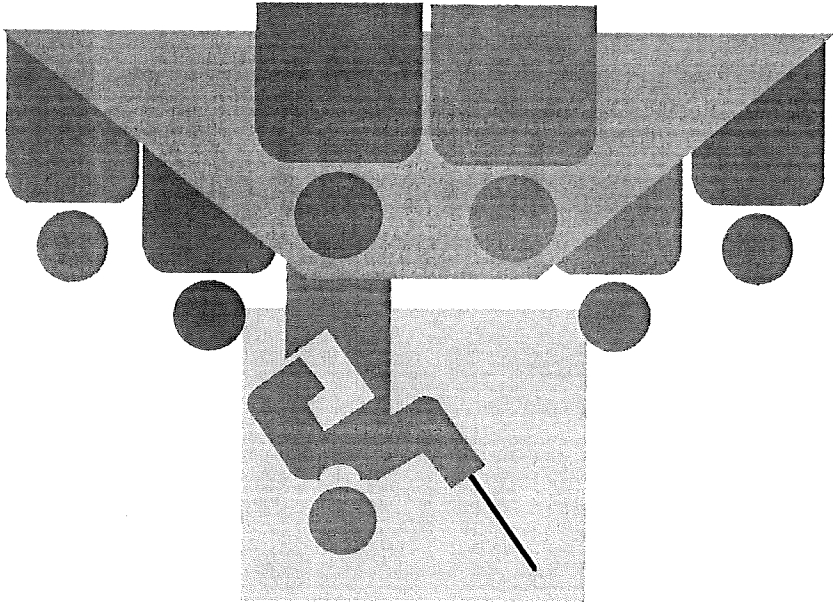
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 NO SCALE



# Map & Other Information From Boyer Website

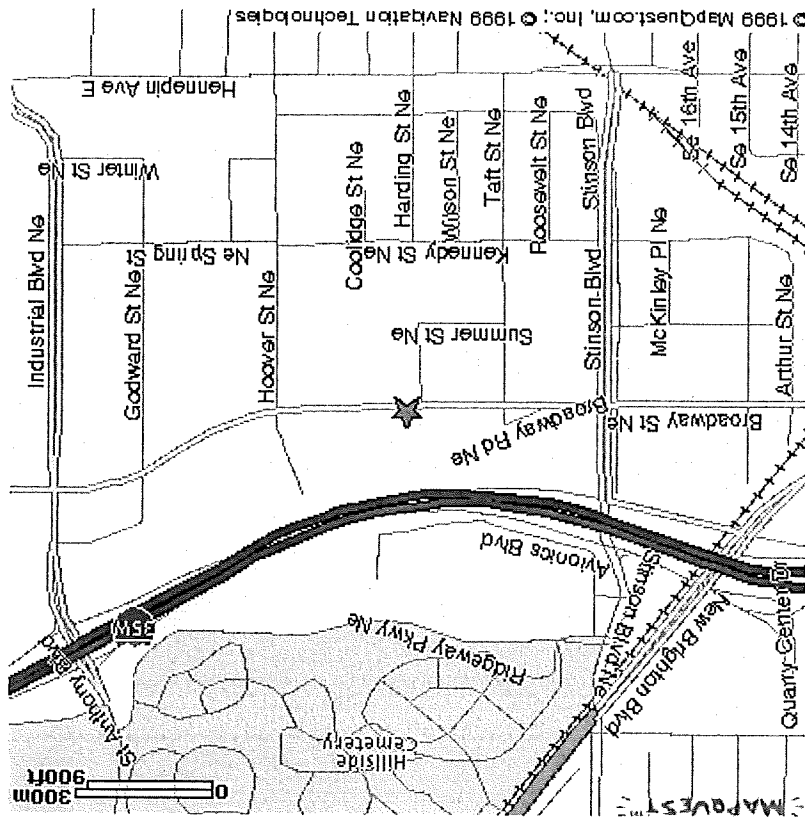


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## Exhibit B

# LOCATION OF BOYER FORD-STERLING TRUCKS 2811 BROADWAY RD N.E. MINNEAPOLIS MN 55413

ZOOM OUT      NORMAL      ZOOM IN



BACK TO MAIN PAGE

		Light Trucks	Bus & Coach	Quick Quote	Service	Hours
Heavy Trucks		Vans	E-Mail Us	Parts	Location	

# BOYER FORD-STERLING TRUCKS

MINNEAPOLIS MN  
612-378-6000 or 800-570-8453

SIoux FALLS, S.D  
605-336-6100 or 888-269-3773

ROGERS MN  
763-428-8660 or 800-220-8495

**QUICK QUOTE**

HEAVY USED TRUCKS

FORD TRUCKS

STERLING TRUCKS

BUS AND COACH

PARTS

G S A  
GOVERNMENT SALES

SERVICE

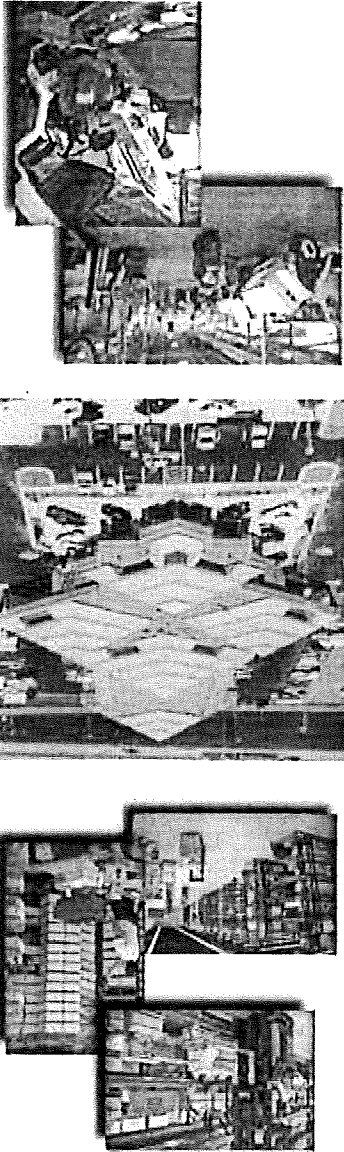
LOCATIONS

Welcome to Boyer Ford-Sterling Trucks, located in Minneapolis - St. Paul, Sioux Falls South Dakota, and Rogers Minnesota. Boyer has been a leader in the sales of light, medium and heavy duty Ford and Sterling trucks since 1934.

From our site, you can view our entire inventory of used light trucks, and used heavy trucks, or you can use our Quick Quote forms on the Ford Truck page, and the Sterling Truck page, to request a quote on a new truck.

Selling the complete line of Ford trucks, from the Windstar to the new F-750, the new state of the art heavy duty Sterling trucks, and the new Acterra line of medium duty trucks, Boyer Trucks is dedicated to meeting you truck needs.

E-mail



# BOYER STERLING TRUCKS

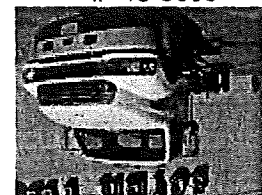
FOR MORE INFORMATION, CONTACT ONE OF OUR THREE LOCATIONS:

Boyer Trucks Sioux Falls  
Phone: 605-336-6100  
Toll Free: 888-269-3773  
E-Mail

Boyer Trucks Rogers  
Phone: 612-676-3800  
Toll Free: 800-220-8495  
E-Mail

Boyer Trucks Minneapolis  
Phone: 612-378-1851  
Toll Free: 800-570-8453  
E-mail

CLICK BELOW TO VIEW LARGER PICTURE AND SPECS.



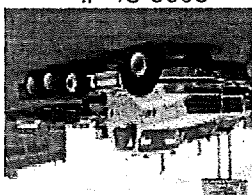
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M7500  
Stock# S24086



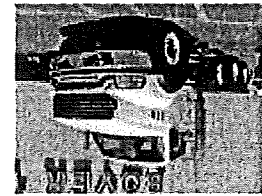
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M7500  
Stock# S24380



2002 Sterling  
LT9513  
Stock# S24416



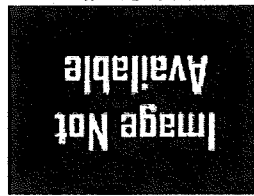
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LT9513  
Stock# S24569



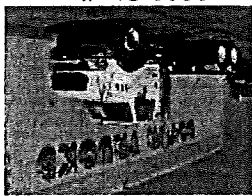
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LT9511  
Stock# S34058



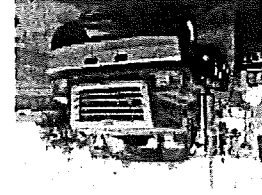
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Stock# S34072



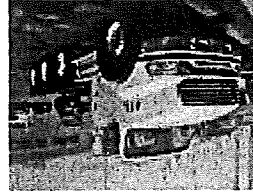
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M8500  
Stock# S34074



2003 Sterling  
LT9513  
Stock# S34076



2003 Sterling  
LT9511  
Stock# S34212



2003 Sterling  
LT9513  
Stock# S34282



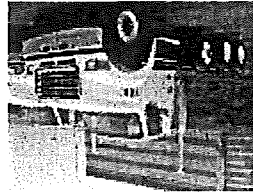
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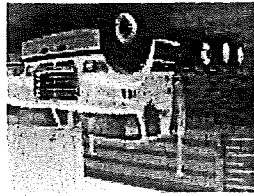
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Stock# S34461



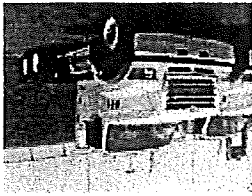
2003 Sterling  
LT9511  
Stock# S34336



2003 Sterling  
LT9511  
Stock# S34344



2003 Sterling  
LT9511  
Stock# S34345



2003 Sterling  
LT9511  
Stock# S34348

# LOCATIONS

Click on the link for a map to our facilities

Boyer Ford Trucks - Minneapolis  
 2425 Broadway Rd N E  
 Minneapolis, MN 55413  
 Phone: 612-378-6000  
 Toll Free: 800-570-8453  
 Fax: 612-627-5551

Boyer Trucks Rogers  
 21701 Industrial Blvd E  
 Rogers, MN 55374  
 Phone: 612-676-3800  
 Toll Free: 800-220-8495  
 Fax: 612-676-3805

Boyer Trucks Sioux Falls  
 2101 Benson Rd.  
 Sioux Falls, SD 57104  
 Phone: 605-336-6100  
 Toll Free: 888-269-3773  
 Fax: 605-334-4855

Boyer Sterling Trucks - Minneapolis  
 2811 Broadway St N E  
 Minneapolis, MN 55413  
 Phone: 612-378-1851  
 Toll Free: 800-570-8453  
 Fax: 612-627-5550

Boyer Truck Parts  
 2601 Broadway Rd N E  
 Minneapolis, MN 55413  
 Phone: 612-378-0460  
 Toll Free: 800-677-3673  
 Fax: 612-378-0051

	Light Trucks	Bus & Coach	Quick Quote	Service		
	Heavy Trucks	Vans	E-Mail Us	Parts		Location
						Hours





To: Honorable Mayor and City Council  
From: Shannon Goyette, Deputy Clerk  
Re: Tree Trimming

**Memo**

Lauderdale has not conducted city-wide tree-trimming since 1998, so many of the trees are beginning to be a bit overgrown and obstructing intersections in the City.

A total of \$7,000 was budgeted towards tree-trimming in this year's budget, and as winter is drawing near, the process needs to begin soon, or the trimming will be much more difficult to conduct.

Early this month, I sent out a Request for Proposal to seven local tree-trimming companies. Unfortunately, despite further attempts to garner proposals, we only received two responses. In 1998, we also only received two responses. Details on these two proposals follow:

The first proposal was from **Precision Tree Company**. They bid \$180/hour, for a **three-person crew with a bucket truck and a chipper**.

The second proposal was from **Northeast Tree and Timber**. They bid \$165/hour, for a **three-person crew with a chipper**. Instead of a bucket truck, they claim that their employees are **expert tree-climbers**.

Although Northeast's overall proposal is lower, Public Works staff is confident that Precision would be able to accomplish more with the overall amount budgeted for tree-trimming, as a bucket truck simply makes tree-trimming much faster. Precision also did the trimming in 1998, and Public Works felt that they did a good job.

This year we will also be creating door-hangers to distribute to houses where work will be occurring in the boulevard. The door-hangers will inform the residents of the upcoming tree work, and will also provide information about proper tree-trimming methods.

**Council Action Requested:**

Approve Precision to do the tree-trimming for 2002, for the quoted amount of \$180/hour for a three-person crew with a bucket truck and chipper. Part of the budgeted funds would also go to remove a few trees in the City Park that are dead or dying and could pose a hazard at some point in the future if not removed.



# Lauderdale City Council Memorandum

Council Meeting Date:

September 24, 2002

To:

Mayor and City Council

From:

Rick Getschow, City Administrator

Agenda Item:

Change the Start Time of the October 8, 2002 Meeting

## BACKGROUND:

The City Council has discussed holding a work session with Ramsey County officials regarding the county road turnbacks. Since the Council would like to make a field visit on the county roads, it would be more appropriate to hold the work session before the regular part of the meeting as opposed to after the regular part of the meeting.

Council action could be taken to move the start time of the October 8, 2002 City Council meeting from 7:30 p.m. to 6:00 p.m. to accommodate this work session with Ramsey County.

## COUNCIL ACTION REQUESTED:

Motion to approve moving the start time of the October 8, 2002 City Council meeting from 7:30 p.m. to 6:00 p.m. to accommodate a work session with Ramsey County for the purpose of county road turnbacks.