

**LAUDERDALE CITY COUNCIL MEETING AGENDA
TUESDAY, OCTOBER 8, 2002
CITY HALL, 6:00 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 6:00 P. M.

2. ROLL:

Councilmembers:

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

Staff: Getschow _____ Bownik _____

3. APPROVAL OF THE AGENDA

4. WORK SESSION WITH RAMSEY COUNTY OFFICIALS REGARDING THE COUNTY
TURNBACK ROADS 6:00 p.m. - 7:30 p.m.

5. APPROVAL

A. Approval of minutes of the regular City Council Meeting of 9/24/02
B. Approval of claims totaling \$16,700.73
C. Approval of Pay Request #6 for the 2002 Street and Utility Improvements for \$337,319.02

6. 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.

- 7. CONSENT
- 8. SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS/ CITIZENS ADDRESSING STREET AND UTILITY IMPROVEMENTS
- 9. INFORMATIONAL PRESENTATIONS
- 10. REPORTS
- 11. 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.
 - A. MNDOT Highway 280 Reconstruction: Proposed Layout
 - B. Boyer Ford: Conditional Use Permit Application for an auto sales, service, and repair facility
 - C. Boyer Ford: Height Variance Application
- 12. ACTION
 - A. Consideration of a Conditional Use Permit Application for Boyer Ford an auto sales, service, and repair facility
 - B. Consideration of a Storm Water Management Plan for Boyer Ford
 - C. Consideration of a Height Variance for Boyer Ford
- 13. ITEMS REMOVED FROM THE CONSENT AGENDA
- 14. ADDITIONAL ITEMS
- 15. SET AGENDA FOR NEXT MEETING
- 16. ADJOURNMENT

Lauderdale City Council Memorandum

Council Meeting Date: October 8, 2002

To: Mayor and City Council

From: Rick Getschow, City Administrator

Agenda Item: County Road Turnback Work Session 6:00 p.m.

BACKGROUND:

I had stated in an August Friday Report that I had met with our Ramsey County Commissioner, the County Engineer, and the Falcon Heights City Administrator to discuss the Lauderdale turnback roads. There was a long discussion on Fullham Street and Eustis Street. The major issue that was discussed is the maintenance vs. reconstruction issue. The County has always scheduled these roads as receiving maintenance prior to turnback, while the City has started to feel that reconstruction is needed. Maintenance includes all activities short of reconstruction such as sealcoating, recycling, and mill/overlay. It is very important to note that the County usually only turns back roads to cities that are not scheduled for reconstruction - only those that are scheduled for maintenance. If reconstruction is needed, the road is not turned back and customarily stays on the county's capital improvement plan. The problem with county reconstruction of Fullham and Eustis Streets is that it would appear on a County CIP somewhere between 2010-2015, whereas it would be on a Lauderdale CIP between 2005-2007.

I stated at the meeting that there are three main reasons the City has moved toward the reconstruction opinion since the early to mid-1990's. These reasons are:

- The further deteriorated condition of the county roads;
- The fact that all of other residential streets in Lauderdale have been or are being reconstructed to meet high quality standards; and
- Utility work such as the replacement of water mains and the construction of storm sewer and sanitary sewer do not usually take place with a maintenance project.

It was decided that this issue needs discussion before the City Council, because as we learned at the County Commissioner's update at a recent meeting, the County has continued to schedule maintenance for these turnback roads. The Commissioner and the County Engineer will be in attendance at this work session to discuss the turnback issue.

ENCLOSURES:

1. 2002-2003 Ramsey County Transportation Improvement Program. See Page 6 of the program for Lauderdale turnback road information.

RAMSEY COUNTY PUBLIC WORKS DEPARTMENT

**2002 - 2003 TRANSPORTATION IMPROVEMENT PROGRAM
AND
DEFICIENT BRIDGE PROGRAM**

RAMSEY COUNTY BOARD OF COMMISSIONERS

**Jim McDonough, Chair
Tony Bennett
Susan M. Haigh
Rafael E. Ortega
Victoria Reinhardt
Janice Rettman
Jan Wiessner**

**Prepared by Ramsey County Public Works Department
Kenneth G. Haider, P.E., Director and County Engineer**

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A. Ramsey County Cost Participation Policy

B. Alphabetical Listing of Projects

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INTRODUCTION

The Ramsey County Department of Public Works has responsibility for the provision of a transportation network of County roads within the County. Ramsey County consists of 103,923 acres of land (170.2 square miles) with a 2000 population of 511,000.

There are two types of roads under the jurisdiction of the County: County State Aid Highways, numbered 1 through 79, whose construction and maintenance are funded primarily from the Minnesota Highway User Tax Distribution Fund; and County roads, numbered 80 through 163, which are funded from property taxes. All of these roads and the bridges on them require monitoring and maintenance by the Public Works Department of Ramsey County. The improvements scheduled to be performed to these roads and bridges are contained in this Transportation Improvement Program for 2002 to 2003.

The Transportation Improvement Program is developed by assessing the condition of the existing system and its adequacy to meet needs. Deficiencies are analyzed and alternative actions to correct them are considered. Priorities are established with community involvement. The need for a project is considered along with technical staff capabilities and funding availability. A score was developed for projects by assessing these and other factors to determine how projects should be prioritized for implementation.

The Transportation Improvement Program consists of a two-year schedule of projects proposed to be implemented by the Ramsey County Department of Public Works. The first year of the Transportation Improvement Program includes identified projects that will be implemented upon acceptance of the public involvement process and the availability of funds.

There are five categories of projects included in the Transportation Improvement Program: construction projects for 2002, maintenance projects for 2002, capital improvement projects for 2003, maintenance projects for 2003, and a deficient bridge program. Also included is a schedule of functional consolidation turnback projects.

The estimated costs identified in this program are based on Ramsey County's experience in the reconstruction of similar roadways. The participation shown is in accordance with the Ramsey County cost participation guidelines (Resolution No. 88-265), which was adopted by the Ramsey County Board of Commissioners on May 10, 1988. A copy of the cost participation guidelines is attached.

The Ramsey County Department of Public Works will do an annual review and programming of projects within the Transportation Improvement Program. Funding for the program will also be reviewed annually. Projects will be added to the program based on the annual funding analysis.

DEFINITION OF HEADINGS USED IN TIP

- Location:** Name of road
Rd. #: County number of road
Termini: Beginning and ending of project
City: Abbreviation for city or cities in which project is located
Work Proposed: Type of work to be performed
Priority Score: Score given to a project based on rating factors established by the TIP Technical Advisory Committee
Project Status: Anticipated letting date of the project
Type: The various types of projects are as follows:
CON - A project to be performed by the Construction Division of Ramsey County
MND --A project of the Minnesota Department of Transportation
MNT - A project to be performed by the Maintenance Division of Ramsey County
ENV - A project of the Environmental Division of Ramsey County
- Status:** the progress made on a specific project. Letters A through G represent:
- A - Identify need for project
 - B - Initiate work on a feasibility or federal report
 - C - Final feasibility or federal report approved
 - D - Plan preparation begun
 - E - Plans approved
 - F - Bidding and award of contract complete
 - G - Currently under contract
- (TB) - Roadways to be turned back to local jurisdiction as part of the Functional Consolidation of Roadways program adopted by the Ramsey County Local Government Services Study Commission in 1991.

Funds \$ in 1000's:

CSAH - County State Aid Highway funds; County - County funds; City - City funds;
State - State Funds; Other - Other funds; Total - Total cost of the project.

Implementation of projects contained in this Transportation Improvement Program is dependent upon acceptance via the required public involvement process and the availability of funds. Funds indicated may be requested, but will not necessarily be received. If the funds are not received from all sources, the projects could be delayed. Projects must meet acceptable standards as well as other criteria in order to qualify for the funding as shown.

2002 CONSTRUCTION PROJECTS

Funds in 1000's

Location	Rd#	Termini	City	Proposed	Type	Status	Work				Total	LET	
							CSAH	County	City	State			Other
Prosperity Ave*	64	Johnson Pkwy to Rose	SP	reconst/realign	CON		867	692				1559	
Highway 49	49	Hwy 96 to Birch Ln So	SV/NO	reconstruction	CON	D		1000		4200 (2)		5200	3-02
Highway 10	10	W Co Ln to H	MV	rehab pavement	CON	D				1100 (1)		1100	4-02
Ford Br	42	over Mississippi River	SP	reconstruction	CON	E	2000		2000	15000 (4)		19000	3-02
Edgerton	58	at Roselawn	MW	signals	CON	C		100	50			150	3-02
White Bear Ave	65	at Lydia, Woodlyn	MW	geometrics	CON	C	100	100				200	3-02
McKnight Rd	68	at Holloway	MW/NSP	signals	CON	C	75	75				150	3-02
County Rd I	3	Schutta to Lexington	AH/SV	reconstruction	CON	B	2100	420				2520	8-02
Silver Lk Rd	44	15th to H	NB/MV	reconstruction	CON	B	2600	350				2950	8-02
County Rd F	12	TH 61 to Bellaire	WBL	reconstruction	CON	D	1750	490				2240	4-02
Totals							9492	100	3177	2000	20300	35069	

* CSAH funds Reimbursed to City for MSA funds advanced on the project.

Ramsey County's pavement management system uses general road inventory information, observed pavement conditions and field measurements to determine types of maintenance required on its roads. The pavement management system also establishes priorities and determines costs for the maintenance work. Projects will be completed pending availability of funds.

2002 MAINTENANCE SCHEDULE

Location	RD#	Termini	City	Work			Funds in 1000's		
				Proposed	Type	CSAH	County	City	Total
Century Ave	72	Carver to Courty	MW	recycle	MNT		30		30
County Rd B2	78	Fairview to Hamline	RV	mill/overlay	MNT	87			87
Edgerton St	58	Maryland to Larpenteur	SP	mill/overlay	MNT		58		58
Front St	32	Lexington to Dale	SP	mill/overlay	MNT		65		65
Kent St		Larpenteur to VOA	SP	recycle	MNT		12		12
Lexington Ave	51	Highway 96 to Royal Oaks	AH/SV	mill/overlay	MNT	349			349
Otter Lake Rd	60	Stillwater to Hammond	WBT	recycle	MNT		28		28
Randolph Ave	38	Brimhall to 300'E of 35E	SP	thin overlay	MNT		114		114
White Bear Ave	65	Minnehaha to RR Bridge	SP	mill/overlay	MNT		51		51
Totals							436	358	794

The 1991 Minnesota State Legislature established a Ramsey County Local Government Services Study Commission to review the potential of consolidating certain government services. The Commission's recommendations concerning Public Works include adoption of a plan for functional consolidation of roadways within Ramsey County. The plan calls for the reclassification of roadways and changes in jurisdiction between the State, the County, and the Municipalities. Ramsey County has met with the State and the local units of government and developed a ten year schedule of turnbacks.

Implementation of projects contained in this Transportation Improvement Program is dependent upon acceptance via the required public involvement process and the availability of funds. Funds indicated may be requested, but will not necessarily be received. If the funds are not received from all sources, the projects could be delayed.

2002 TURNBACK PROJECTS

Location	RD#	Termini	City	Funds \$ in 1000's			Proposed Jurisdiction
				Proposec	Type	Total	
				Work	County	City	
TH 61		I-94 to N Co Ln	Various				County
TH 120		Lower Afton to I-94	MW				County
TH 96		TH 61 to E Co Line	WBL\WBT				County
TH 244		TH 61 to TH 120	WBL				County
Kellogg Blvd		Marion to Robert	SP				County
Ruth St		Upper Afton to Minnehaha	SP				County
White Bear Pkwy		Hwy 96 to Otter Lk Rd	WBL				County
Grand Ave		Cleveland to 7th	SP				County
Stinson Blvd	63	E to .2 Mi N	NB	sealcoat	MNT	6	City
Long Ave	152	8th St to WBL\WBT	WBL	recycle	MNT	54	City
Northwest Ave	89	WBL\WBT to 2nd St	WBL				City
Northwest Ave	89	Hwy 96 to WBL\WBT	WBL				City
So Shore Blvd	94	White Bear Ave to WBL\W	WBL	recycle	MNT	133	City
Eagle Ave	152	WBL\WBT to B Eagle Blvd	WBT	recycle	MNT	52	City
Turtle Lake Rd	4	Hodgson to Curve	NO				City
Turtle Lake Rd	4	Hodgson to Curve	SV				City
Turtle Lake Rd	4	Curve\NO to NO\WBT	SV				City
Northwest Ave	89	Hwy 96 to WBL\WBT	WBT				City
Northwest Ave	89	2nd St to Buffalo	WBT				City
So Shore Blvd	94	WBL\WBT to F	WBT	recycle	MNT	117	City

Totals 362 362

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2003 CONSTRUCTION PROJECTS

Location	Rd#	Termini	City	Work Proposed	Type	Status	Funds in 1000's					Total	Let	
							CSAH	County	City	State	Other			
Highway 96	96	TH 10 to Lexington	AH	reconstruction	CON	C		250	3850	(1)			4100	6-03
County Rd C	23	I-35W to TH 51	RV	reconstruction	CON	B	1500	50			3200	(2)	4750	2-03
Shepard Rd	37	Ontario to Jackson	SP	reconstruction	CON	E	6000	3000					9000	1-03
Signal Program		County Wide		signals/gmtrcs	CON	A	500						500	4-03
Koehler Rd	14	at E/Centerville	VH	reconst/realign	CON	C	440	40					480	4-03
Highway 96	96	Old Hwy 8 to TH 10	AH/NB	reconstruction	CON	B		300	7200	(1)			7500	4-03
Totals								8440	3640	11050		3200	26330	

(1) State Turnback Account (2) Fau/STP (3) Environmental Grants (4) Federal (other) (5) State Bridge Bonds (6) County Bonds to St. Paul

Ramsey County's pavement management system uses general road inventory information, observed pavement conditions and field measurements to determine types of maintenance required on its roads. The pavement management system also establishes priorities and determines costs for the maintenance work. Projects will be completed pending availability of funds.

2003 MAINTENANCE SCHEDULE

Location	RD#	Termini	City	Work			Funds in 1000's		
				Proposed	Type	CSAH	County	City	Total
Centerville Rd	59	Edgerton to Horizon	VH	mill/overlay	MNT	205			205
County Rd E	99	555' E Victoria to Soo Street	SV	recycle	MNT	65			65
County Rd J/Ash	1	Highway 49 to Centerville	SV/WBT/NO	thin overlay	MNT	116			116
Dale St	53	Larpenteur to Hwy 36	RV	recycle	MNT	237			237
Marion/Pennsylvania	56	I94 to Rice Street	SP	mill/overlay	MNT	118			118
Maryland Ave	31	Arcade to Johnson Parkway	SP	mill/overlay	MNT	60			60
Totals						355	446		801

The 1991 Minnesota State Legislature established a Ramsey County Local Government Services Study Commission to review the potential of consolidating certain government services. The Commission's recommendations concerning Public Works include adoption of a plan for functional consolidation of roadways within Ramsey County. The plan calls for the reclassification of roadways and changes in jurisdiction between the State, the County, and the Municipalities. Ramsey County has met with the State and the local units of government and developed a ten year schedule of turnbacks.

Implementation of projects contained in this Transportation Improvement Program is dependent upon acceptance via the required public involvement process and the availability of funds. Funds indicated may be requested, but will not necessarily be received. If the funds are not received from all sources, the projects could be delayed.

2003 TURNBACK PROJECTS

Funds \$ in 1000's

Location	RD#	Termini	City	Work			Total	Proposed Jurisdiction
				Proposed	Type	County		
TH 120		I-94 to TH 244	Various					County
TH 52		I-94 to So Co Line	SP					County
TH 149		S Co Line to Fort Rd	SP					County
TH 5		Miss River Blvd to TH 120	SP/MW					County
Shepard/Warni	37/36	Randolph to TH 61	SP					State
Shepard Rd		7th St to Randolph	SP					State
Minnehaha Ave		Edgerton to Arcade	SP					County
Hamline Ave	132	Hoyt to Larpenteur	SP					City
Hoyt Ave	56	Snelling to Hamline	SP					City
Fulham St	128	Larpenteur to Roselawn	FH	recycle	MNT	28	28	City
Hamline Ave	132	Hoyt to Larpenteur	FH	mill/overlay	MNT	46	46	City
Hoyt Ave	56	Snelling to Hamline	FH					City
Roselawn Ave	26	Fulham to Cleveland	FH	sealcoat	MNT	9	9	City
Roselawn Ave	114	Cleveland to Snelling	FH	mill/overlay	MNT	151	151	City
Roselawn Ave	114	Snelling to Hamline	FH					City
Eustis St	127	SPILD to Roselawn	LD	sealcoat	MNT	13	13	City
Fulham St	128	Larpenteur to Roselawn	LD	recycle	MNT	28	28	City
Roselawn Ave	26	TH 280 to Pleasant	LD					City
Roselawn Ave	26	Pleasant to Fulham	LD					City
Holloway Ave	119	N St Paul Rd to MW/NSP	MW	recycle	MNT	74	74	City
Holloway Ave	119	Sterling/Helen to TH 120	MW	recycle	MNT	48	48	City
Holloway Ave	119	N St Paul Rd to MW/NSP	NSP	recycle	MNT	74	74	City
Holloway Ave	119	MW/NSP to Sterling	NSP	recycle	MNT	25	25	City
Holloway Ave	119	Sterling to TH 120	NSP	recycle	MNT	47	47	City
Roselawn Ave	26	Pleasant to Cleveland	RV	sealcoat	MNT	6	6	City
Roselawn Ave	114	Cleveland to Snelling	RV	mill/overlay	MNT	151	151	City
Roselawn Ave	114	Snelling to Hamline	RV					City
Hamline Ave	50	I to Lexington	SV					City

Totals 700 700

	<u>CSAH</u>	<u>COUNTY</u>	<u>CITY</u>	<u>STATE</u>	<u>OTHER</u>	<u>BONDS</u>	<u>TOTAL</u>
TOTAL 2002 CONSTRUCTION	9492	100	3177	2000	20300		35069
TOTAL 2002 MAINTENANCE	436	358				794	794
TOTAL 2002 TURNBACK PROJECTS		362				362	362
TOTAL 2003 CONSTRUCTION	8440		3640	11050	3200		26330
TOTAL 2003 MAINTENANCE	355	446				801	801
TOTAL 2003 TURNBACK PROJECTS		700				700	700
TOTAL	18723	1966	6817	13050	23500		64056

RAMSEY COUNTY PUBLIC WORKS DEPARTMENT 2002-2003 DEFICIENT BRIDGE PRIORITIZATION

LOCATION	RD #	TERMINI	BRIDGE #	SUFF. RTNG.	MN. PRIOR.	FED REPL	ELIGED	REHAB	ELIG	STATE	ELIG	YEAR
Old Highway 8*	77	0.1 mi s. of E	2937									2003
Old Snelling Ave* 76		0.2 mi n. of E	656	99.9	2925				yes			2003
New Brighton Rd* 47		0.3 mi n. of E	90407	99.9	2905				yes			2003
Maryland Ave	31	west of I 35E	6600	62.1	2035			yes				2004
Warner Rd	36	over Childs Rd and RR	5950	46.4	1166		yes					2005
Maryland Ave	31	west of I 35E	6599	59.3	1914			yes				2005
County Rd E	15	at TH 51	62010									2005
Water St	40	over Pickeral Lk Outlet	90401	49.6	1416						yes	2005

*Railroad Jurisdiction - Requires Railroad to initiate construction or transfer of jurisdiction

APPENDIX A

COST PARTICIPATION POLICY

4/1/97

RAMSEY COUNTY PUBLIC WORKS COST PARTICIPATION GUIDELINES FOR IMPLEMENTATION OF COUNTY POLICY AS OUTLINED IN RESOLUTION 9-1272 FOR THE CONSTRUCTION, RECONSTRUCTION AND MAJOR MAINTENANCE OF ROAD IMPROVEMENTS.

CURRENT STANDARDS FOR THE DESIGN AND CONSTRUCTION OF COUNTY STATE AID HIGHWAYS SHALL APPLY FOR THE INTERPRETATION OF THESE POLICIES.

(PERCENT)

CATEGORY	CSAH > 5000 POPULATION	COUNTY ROAD	CSAH <5000 POPULATION & WHITE BEAR TOWNSHIP	COUNTY SHARE OF FEDERAL PROJECT *
Right of Way	0	0	0	100
Removals	100	100	100	100 of nonfederal share eligible for State Aid
Travel Lanes	100	100	100	100 of nonfederal share
Parking Lanes	25	0	100	25 of nonfederal share
Shoulders	25	0	100	25 of nonfederal share
Concrete Curb & Gutter (new)	25	0	25	25 of nonfederal share
Concrete Curb & Gutter (replacement)	100 if in serviceable condition	0	100 if in serviceable condition	100 of nonfederal share
Storm Sewer	% eligible for State Aid	Assessment Policy	% eligible for State Aid	100 of nonfederal share eligible for State Aid
Culverts	100-State Aid	100	100-State Aid	100 of nonfederal share
Watermain Modification	100 if required for travel lane construction	100 if required for travel lane construction	100 if required for travel lane construction	100 of nonfederal share eligible for State Aid if required for travel lane construction
Sanitary Sewer Modification	100 if required for travel lane construction	100 if required for travel lane construction	100 if required for travel lane construction	100 of nonfederal share eligible for State Aid if required for travel lane construction

* Federal participation is estimated to be 50 to 77% of eligible items.

RAMSEY COUNTY PUBLIC WORKS COST PARTICIPATION GUIDELINES FOR IMPLEMENTATION OF COUNTY POLICY AS OUTLINED IN RESOLUTION 9-1272 FOR THE CONSTRUCTION, RECONSTRUCTION AND MAJOR MAINTENANCE OF ROAD IMPROVEMENTS.

CURRENT STANDARDS FOR THE DESIGN AND CONSTRUCTION OF COUNTY STATE AID HIGHWAYS SHALL APPLY FOR THE INTERPRETATION OF THESE POLICIES.

(PERCENT)

CATEGORY	CSAH > 5000 POPULATION	COUNTY ROAD	CSAH <5000 POPULATION & WHITE BEAR TOWNSHIP	COUNTY SHARE OF FEDERAL PROJECT *
Other Utilities (telephone, gas, cable tv, electric, pipelines, etc.)	0 inside existing R/W 100 outside R/W	0	0	0 inside existing R/W; nonfederal share outside R/W
Traffic Signals **	100 of county legs	100 of county legs	100 of county legs	100 of nonfederal share of county legs
Intersecting Streets	ratio of surface participation items	ratio of surface participation items	ratio of surface participation items	ratio of surface participation items of nonfederal share
Retaining Walls	25 ***	0	25 ***	100 of nonfederal share
Grading behind Curb	100	0	100	100 of nonfederal share
Pedestrian Grade Separations	25	25	25	0 of nonfederal share
Sidewalks (new)	25	25	25	0 of nonfederal share
Sidewalks (replacement)	100 if in serviceable condition & required for travel lane construction	0	100 if in serviceable condition & required for travel lane construction	100 of nonfederal share if in serviceable condition & required for travel lane construction
Bituminous Bikepath (new)	25 if on approved system & funds are available	25 if on approved system & funds are available	25 if on approved system & funds are available	0

* Federal participation is estimated to be 50 to 77% of eligible items.

** Traffic signal construction is addressed in a separate policy (County Board Resolution 81-1001).

*** Retaining walls constructed in lieu of right of way acquisition.

COST PARTICIPATION POLICY

RAMSEY COUNTY PUBLIC WORKS COST PARTICIPATION GUIDELINES FOR IMPLEMENTATION OF COUNTY POLICY AS OUTLINED IN RESOLUTION 9-1272 FOR THE CONSTRUCTION, RECONSTRUCTION AND MAJOR MAINTENANCE OF ROAD IMPROVEMENTS.

CURRENT STANDARDS FOR THE DESIGN AND CONSTRUCTION OF COUNTY STATE AID HIGHWAYS SHALL APPLY FOR THE INTERPRETATION OF THESE POLICIES.

(PERCENT)

CATEGORY	CSAH > 5000 POPULATION	COUNTY ROAD	CSAH <5000 POPULATION & WHITE BEAR TOWNSHIP	COUNTY SHARE OF FEDERAL PROJECT *
Bituminous Bikepath (replacement)	100 if in serviceable condition & required for travel lane construction	100 if in serviceable condition & required for travel lane construction	100 if in serviceable condition & required for travel lane construction	100 of nonfederal share if in serviceable condition
Bituminous Overlay	100	100	100	N/A
Replacement or Transplanting Trees	25	0	100	25 of nonfederal share
Replacement Shrubs	0	0	0	0
Fencing Replacement	100 if in serviceable condition; 0 if on county R/W or in poor condition	0	100 if in serviceable condition; 0 if on county R/W or in poor condition	100 of nonfederal share if in serviceable condition; 0 if on county R/W or if in poor condition
Seeding, Sodding, Fertilizer	100	0	100	100 of nonfederal share eligible for State Aid
Driveway Replacement	100	0	100	100 of nonfederal share eligible for State Aid
Preliminary Engineering	% of participation	% of participation	% of participation	% of participation prior to application of federal funds
Construction Engineering	% of participation	% of participation	% of participation	% of participation prior to application of federal funds

*- Federal participation is estimated to be 50 to 77% of eligible items.

APPENDIX B

				Work		
Location	Rd#	Termini	City	Proposed	Type	Year
Centerville Rd	59	Edgerton to Horizon	VH	mill/overlay	MNT	2003
Century Ave	72	Carver to Courty	MW	recycle	MNT	2002
County Rd B2	78	Fairview to Hamline	RV	mill/overlay	MNT	2002
County Rd C	23	I-35W to TH 51	RV	reconstruction	CON	2003
County Rd E	15	555 E Victoria to Soo St	SV	recycle	MNT	2003
County Rd F	12	TH 61 to Bellaire	WBL	reconstruction	CON	2002
County Rd I	3	Schutta to Lexington	AH/SV	reconstruction	CON	2002
County Rd J	1	Hwy 49 to Centerville	SV/WBT/NO	overlay	MNT	2003
Dale St	53	Larpenteur to Hwy 36	RV	recycle	MNT	2003
Eagle Ave	152	WBL\WBT to B Eagle Blvd E	WBT	recycle	MNT	2002
Edgerton St	58	at Roselawn	MW	signals/geomtrcs	CON	2002
Edgerton St	58	Maryland to Larpenteur	SP	mill/overlay	MNT	2002
Eustis St	127	SP\LD to Roselawn	LD	sealcoat	MNT	2003
Ford Br	42	over Mississippi River	SP	reconstruction	CON	2002
Front St	32	Lexington to Dale	SP	mill/overlay	MNT	2002
Fulham St	128	Larpenteur to Roselawn	FH	recycle	MNT	2003
Fulham St	128	Larpenteur to Roselawn	LD	recycle	MNT	2003
Grand Ave		Cleveland to 7th	SP			2002
Hamline Ave	132	Hoyt to Larpenteur	SP			2003
Hamline Ave	132	Hoyt to Larpenteur	FH	mill/overlay	MNT	2003
Hamline Ave	50	I to Lexington	SV			2003
Highway 10	10	W Co Line to H	MV	rehab pvmnt	CON	2002
Highway 49	49	Hwy 96 to Birch Ln S	SV/NO	reconstruction	CON	2002
Highway 96	96	Old Hwy 8 to TH 10	AH/NB	reconstruction	CON	2003
Highway 96	96	TH 10 to Lexington	AH	reconstruction	CON	2003
Holloway Ave	119	N St Paul Rd to MW\NSP	MW	recycle	MNT	2003
Holloway Ave	119	Sterling\Helen to TH 120	MW	recycle	MNT	2003
Holloway Ave	119	N St Paul Rd to MW\NSP	NSP	recycle	MNT	2003

Location	Rd#	Termini	City	Work		
				Proposed	Type	Year
Holloway Ave	119	MW/NSP to Sterling	NSP	recycle	MNT	2003
Holloway Ave	119	Sterling to TH 120	NSP	recycle	MNT	2003
Hoyt Ave	56	Snelling to Hamline	SP			2003
Hoyt Ave	56	Snelling to Hamline	FH			2003
Kellogg Blvd		Marion to Robert	SP			2002
Kent St		Larpenteur to VOA	RV	recycle	MNT	2002
Koehler Rd	14	at E/Centerville	VH	reconst/realign	CON	2003
Lexington Ave	51	Victoria to Hwy 96	AH/SV	reconstruction	CON	2003
Lexington Ave	51	Hwy 96 to Royal Oaks	AH/SV	mill/overlay	MNT	2002
Marion/Pennsylvania	56	I-94 to Rice	SP	mill/overlay	MNT	2003
Long Ave	152	8th St to WBL\WBT	WBL	recycle	MNT	2002
Maryland Ave	31	Arcade to Johnson Pkwy	SP	mill/overlay	MNT	2003
McKnight Rd	68	at Holloway	MW/NSP	signals/geometrics	CON	2002
Minnehaha Ave		Edgerton to Arcade	SP			2003
Northwest Ave	89	WBL\WBT to 2nd St	WBL			2002
Northwest Ave	89	Hwy 96 to WBL\WBT	WBL			2002
Northwest Ave	89	Hwy 96 to WBL\WBT	WBT			2002
Northwest Ave	89	2nd St to Buffalo	WBT			2002
Otter Lk Rd	60	Stillwater to Hammond	WBT	recycle	MNT	2002
Prosperity Ave*	64	Johnson Pkwy to Rose	SP	reconst/realign	CON	2002
Randolph Ave	38	Brimhall to 300' E of I35E	SP	overlay	MNT	2002
Roselawn Ave	26	Fulham to Cleveland	FH	sealcoat	MNT	2003
Roselawn Ave	114	Cleveland to Snelling	FH	mill/overlay	MNT	2003
Roselawn Ave	114	Snelling to Hamline	FH			2003
Roselawn Ave	26	TH 280 to Pleasant	LD			2003
Roselawn Ave	26	Pleasant to Fulham	LD			2003
Roselawn Ave	26	Pleasant to Cleveland	RV	sealcoat	MNT	2003
Roselawn Ave	114	Cleveland to Snelling	RV	mill/overlay	MNT	2003

Location	Rd#	Termini	City	Work		Year
				Proposed	Type	
Roselawn Ave	114	Snelling to Hamline	RV			2003
Ruth St		Upper Afton to Minnehaha	SP			2002
Shepard Rd		7th St to Randolph	SP			2003
Shepard Rd	37	Ontario to Jackson	SP	reconstruction	CON	2003
Shepard\Warner	37/36	Randolph to TH 61	SP	signals/geometrics		2003
Signal Program		County Wide		reconstruction	CON	2003
Silver Lk Rd	44	15th to H	NB/MV	recycle	CON	2002
South Shore Blvd	94	White Bear Ave to WBL\WBT	WBL	recycle	MNT	2002
South Shore Blvd	94	WBL\WBT to F	WBT	sealcoat	MNT	2002
Stinson Blvd	63	E to .2 Mi N	NB		MNT	2002
TH 120		Lower Afton Rd to I-94	MW			2002
TH 120		I-94 to TH 244	Various			2003
TH 149		S Co Line to Fort Rd	SP			2003
TH 244		TH 61 to TH 120	WBL			2002
TH 5		Miss River Blvd to TH 120	SP/MW			2003
TH 52		I-94 to So Co Line	SP			2003
TH 61		I-94 to N Co Ln	Various			2002
TH 96		TH 61 to E Co Line	WBL\WBT			2002
Turtle Lake Rd	4	Hodgson to Curve	NO			2002
Turtle Lake Rd	4	Hodgson to Curve	SV			2002
Turtle Lake Rd	4	Curve\NO to NO\WBT	SV	reconstruction		2002
White Bear Ave	65	Upper Afton to Larpenteur	SP	mill/overlay	CON	2003
White Bear Ave	65	Minnehaha to RR Br	SP	geometrics	MNT	2002
White Bear Ave	65	at Lydia, Woodlyn	MW		CON	2002
White Bear Pkwy		Hwy 96 to Otter Lk Rd	WBL			2002



**Lauderdale City Council
Meeting Minutes
September 24, 2002**

1. Meeting called to order at 7:35 P.M.
2. ROLL
Council present: Giannetti, Christensen, McCloskey, Gill-Gerbig and Mayor Dains
Staff present: Getschow and Bownik
3. APPROVAL OF THE AGENDA
A. *Approval of Agenda.* Motion by Gill-Gerbig, second by McCloskey to approve the agenda. Motion carried unanimously.
4. APPROVAL
A. *Approval of Minutes.* Motion by Christensen, second by McCloskey to approve the minutes of the regular City Council meeting of the September 10, 2002. Motion carried unanimously.
B. *Approval of Claims totaling \$48,545.03.* Motion by Gill-Gerbig, second by Christensen to approve the claims totaling \$48,545.03. Motion carried unanimously.
5. OPPORTUNITY FOR THE PUBLIC TO ADDRESS ITEMS NOT ON THE AGENDA
6. CONSENT
7. SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS
A. *Primary Election.* The Mayor and City Council thanked the election judges and election staff for a job well done with the primary.

8. INFORMATIONAL PRESENTATIONS

9. PUBLIC HEARINGS

A. *2001 Street and Utility Improvements Special Assessment Roll.* The Mayor stated that the Council is considering the assessment roll for the 2001 Street and Utility Improvement project and that the Council, by simple majority, may approve the assessment roll following the public hearing.

Glenn Cook, City Engineer, provided a summary of the construction that occurred for the 2001 Street and Utility Improvements.

The City Administrator then provided a background on the timeline that led to this assessment hearing and the details of the project financing. He then summarized relevant sections of the assessment policy that covered such issues as assessment methods, assessment rates, senior citizen deferments, and payment options.

The Mayor opened the public hearing at 7:52 p.m.

The following residents addressed the Mayor and City Council:

Barbara DeRosier, 1836 Carl, asked if and when her alley would be paved.

Ole Ruschmeyer, 1798 Carl, asked about the process for determining whether sanitary sewer lines are repaired, replaced, or left untouched.

The City Engineer and the City Administrator answered the above questions.

The Mayor closed the public hearing at 7:58 p.m.

The City Council took a break at 7:58 p.m.

The meeting resumed at 8:15 p.m.

B. *Phillips Holdings, L.L.C. (Boyer Ford): Zoning Amendment Application.* Administrative Analyst Bownik stated that 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 in Minneapolis to 2520 Broadway in Lauderdale. The proposed business involves the sale, service, and repair of heavy trucks. 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.

Bownik discussed the process and procedures involved with considering the zoning amendment that is covered under the Lauderdale Zoning Ordinance and Minnesota State Statutes.

Based upon Bownik's submittal of packet information to the Plan Commission members, Wayne Sisel of the Plan Commission submitted a letter to the Council, which Bownik summarized.

The Mayor opened the public hearing at 8:30 p.m.

No one wished to address the City Council

The Mayor closed the public hearing at 8:30 p.m.

10. ACTION

A. *Phillips Holdings, L.L.C. (Boyer Ford): Zoning Amendment Application.* Motion by Giannetti, second by Gill-Gerbig to approve the zoning amendment request for Phillips Holdings, L.L.C. (Boyer Ford). Roll: Yes: all. Motion carried.

B. *Resolution 092402B: A Resolution Authorizing Publication of City Code Title 10, Chapter 6 by Title and Summary.* This resolution allows the publishing of a summary of the zoning amendment as opposed to publishing of the entire ordinance. Motion by Gill-Gerbig, second by Giannetti to approve Resolution 092402B: A Resolution Authorizing Publication of City Code Title 10, Chapter 6 by Title and Summary. Roll: Yes: all. Motion carried.

C. *Resolution 092402A: A Resolution Approving the 2001 Street and Utility Improvements Assessment Roll.* Motion by Christensen, second by McCloskey to approve Resolution 092402A: A Resolution Approving the 2001 Street and Utility Improvements Assessment Roll. Roll: Yes: all. Motion carried.

D. *Consideration of City-Wide Tree Trimming Quotations.* The City Administrator stated that this fall is the time to conduct contracted city-wide tree trimming. The last time this was completed was in 1998, and since that time many of the trees are beginning to be a bit overgrown and are obstructing intersections in the City. There are also few trees in the city park that are dead or dying and could pose a hazard at some point if they are not removed. Two proposals were received for the trimming:

Precision Tree Company. They bid \$180/hour, for a three-person crew with a bucket truck and a chipper.

Northeast Tree and Timber. They bid \$165/hour, for a three-person crew with a chipper. Instead of a bucket truck, they plan on climbing the trees.

Northeast's proposal is lower, but city staff feels that Precision would be able to accomplish more with the overall amount budgeted for tree trimming, as a bucket truck simply makes tree trimming more efficient. Also, Precision conducted the trimming in 1998, and received a positive recommendation.

Motion by Giannetti, second by Gill-Gerbig, to 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. Roll: Yes: all. Motion carried.

E. *Move the Start time of the October 8, 2002 regular City Council meeting.* The City Administrator stated that the City Council has discussed holding a work session with Ramsey County officials regarding the county road turnbacks. Since there would be a field visit on the county roads, it would be more appropriate to hold the work session before the regular part of the meeting and before darkness.

Motion by Christensen, second by McCloskey 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. Roll: Yes: all. Motion carried.

11. EXECUTIVE SESSION RELATING TO ATTORNEY/CLIENT PRIVILEGE TO DISCUSS PENDING LITIGATION AGAINST THE CITY OF LAUDERDALE
The City Council went into executive session at 8:40 p.m. for the purpose of attorney-client privilege to discuss pending litigation against the City of Lauderdale.
The Council came back into open session at 9:53 p.m.
 12. DISCUSSION
 13. ITEMS REMOVED FROM THE CONSENT AGENDA
 14. ADDITIONAL ITEMS
 - A. *Refuse Collection Task Force*. The Mayor stated that the community meeting on organized collection that will be hosted by the Task Force is being rescheduled to either October 28 or October 29.
 15. SET AGENDA FOR NEXT MEETING
 1. County Road Turnback Work Session
 2. MNDOT Highway 280 Public Hearing
 3. Boyer Ford: Conditional Use Permit
 4. Boyer Ford: Storm Water Management Plan 16. ADJOURNMENT
- Motion by Christensen, second by Gill-Gerbig to adjourn at 9:56 P.M. Ayes: All.

**CITY OF LAUDERDALE
 Claims for Approval
 October 8, 2002 City Council Meeting**

Payroll

09/27/02 Payroll: Check # 7238-7242 \$5,761.21
 09/27/02 Payroll: EFT: Federal Withholding Taxes/FICA \$2,390.16
 09/27/02 Payroll: EFT: PERA \$987.20
 09/27/02 Payroll: EFT: ICMA Retirement Fund \$1,185.96
 Sep. '02 Payroll: EFT: State Withholding Taxes \$812.99

Vendor Claims

10/08/02 Claims: Check # 16008-16015, 16017-16024 \$5,563.21

Subtotal of Claims From Above	\$16,700.73
10/08/02 Northdale Construction Check #16016	\$337,319.02

Total Claims for Approval \$354,019.75

**CITY OF LAUDERDALE
Paid Register**

Check Number	Employee Number	Employee Name	Pay Period	Pay Group	Check Amount	Check Date	Status
007242	000000005	HUGHES, JOSEPH A	20	BI-WEEKLY	\$1,096.54	9/27/02	Outstanding
007237		VOID	20		\$0.00	9/27/02	Void
007238	000000011	BOWNIK, JAMES	20	BI-WEEKLY	\$1,001.68	9/27/02	Outstanding
007239	000000003	GETSCHOW, RICK	20	BI-WEEKLY	\$1,730.03	9/27/02	Outstanding
007240	000000030	GOYETTE, SHANNON	20	BI-WEEKLY	\$948.49	9/27/02	Outstanding
007241	000000002	HINRICHS, DAVID C	20	BI-WEEKLY	\$984.47	9/27/02	Outstanding
					<u>\$5,761.21</u>		

CITY OF LAUDERDALE
Vendor Transactions

CHK	Batch	Invoice	Amount	Comments
016008	10/8/02	100802claims 10/8/02	\$2,357.50	recycling 08/02
Search Name BROWNING-FERRIS IND OF MN				
016009	10/8/02	100802claims 10/8/02	\$74.46	9/23, 9/30 pw uniforms
Search Name CINTAS				
016010	10/8/02	100802claims 10/8/02	\$18.00	08/02 fire calls
016010	10/8/02	100802claims 10/8/02	\$359.00	08/02 false fire calls
Search Name CITY OF FALCON HEIGHTS				
016011	10/8/02	100802claims 10/8/02	\$9.07	09/02 truck fuel
016011	10/8/02	100802claims 10/8/02	\$9.08	09/02 truck fuel
Search Name EAST HENNEPIN AUTO SERVICE INC				
016012	10/8/02	100802claims 8010123	\$10.07	garage improvements
Search Name HOME DEPOT CRC				
016013	10/8/02	100802claims 10/8/02	\$67.25	10/02 print/process fees
016013	10/8/02	100802claims 10/8/02	\$850.00	10/02 legal retainer fee
Search Name HUGHES & COSTELLO				
016014	10/8/02	100802claims 10/8/02	\$78.96	09/02 union dues
Search Name MINNESOTA AFSCME				
016015	10/8/02	100802claims 10/8/02	\$11.00	pizza: pcic
016015	10/8/02	100802claims 10/8/02	\$6.00	rv rec nonresi reimb: s kinney
016015	10/8/02	100802claims 10/8/02	\$12.00	rick: parking
016015	10/8/02	100802claims 10/8/02	\$8.84	certified mail
016015	10/8/02	100802claims 10/8/02	\$43.07	rick: mileage
Search Name NORTH STAR BANK, PETTY				
016016	10/8/02	100802claims '02 pay req #6	\$337,319.02	'02 street/utility improvements
Search Name NORTHDALE CONSTRUCTION, INC.				
016017	10/8/02	100802claims 2083j238	\$61.74	general office supplies
Search Name OFFICE MAX				
016018	10/8/02	100802claims 10/8/02	\$1.05	faucet screws
Search Name PARK HARDWARE HANK				
016019	10/8/02	100802claims 10/8/02	\$82.62	09/02 truck fuel
Search Name PARK SERVICE				

CITY OF LAUDERDALE
Vendor Transactions

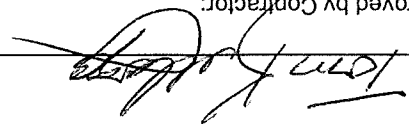
CHECK Nbr	Batch	Check Date	Name Invoice	Amount	Comments
016019		10/8/02	100802claims 10/8/02	\$82.63	09/02 truck fuel
Search Name PARK SERVICE					
016020		10/8/02	100802claims 10/8/02	\$149.91	2nd 1/2 '02 w mgmt fees
016020		10/8/02	100802claims 10/8/02	\$20.00	record petition/waiver agreement
Search Name RAMSEY COUNTY, EXPENDITURES					
016021		10/8/02	100802claims 10/8/02	\$24.00	nonresi reimb: rv rec 12 x 2
Search Name VICTORSEN, CATHERINE					
016022		10/8/02	100802claims sdim003114	\$201.54	copier repair/maintenance
Search Name WAGERS BUSINESS SYSTEMS					
016023		10/8/02	100802claims 10/8/02	\$6.80	09/02 city garage electric
016023		10/8/02	100802claims 10/8/02	\$116.96	09/02 city hall electric
016023		10/8/02	100802claims 10/8/02	\$6.80	09/02 city garage electric
016023		10/8/02	100802claims 10/8/02	\$29.15	09/02 city hall gas
016023		10/8/02	100802claims 10/8/02	\$38.99	09/02 city hall electric
016023		10/8/02	100802claims 10/8/02	\$8.46	09/02 city garage gas
016023		10/8/02	100802claims 10/8/02	\$8.46	09/02 city garage gas
016023		10/8/02	100802claims 10/8/02	\$7.54	09/02 city park electric
016023		10/8/02	100802claims 10/8/02	\$13.83	09/02 city park gas
016023		10/8/02	100802claims 10/8/02	\$9.72	09/02 city hall gas
Search Name XCEL ENERGY					
016024		10/8/02	100802claims 10/8/02	\$53.96	09/02 lift station electric
016024		10/8/02	100802claims 10/8/02	\$24.75	09/02 lift station gas
Search Name XCEL ENERGY, LIFT STATIONS					
Grand Total					
				\$342,882.23	
				\$78.71	

 Date: _____

 Specified Contract Completion Date: June 15, 2003

Approved by Owner:
 CITY OF LAUDERDALE

Approved by Contractor:
 NORTHDALE CONSTRUCTION COMPANY INC



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

12	AMOUNT DUE THIS REQUEST FOR PAYMENT NO. 6	\$ 337,319.02
11	Liquidated damages -	\$ 0.00
10	Less Amount Paid Previously	\$ 733,920.66
9	Subtotal	\$ 1,071,239.68
8	Less Retainage 5%	\$ 56,381.04
7	Amount Earned	\$ 1,127,620.72
6	Material on Hand	\$ 0.00
5	Value Completed to Date	\$ 1,127,620.72
4	Revised Contract Amount	\$ 1,752,869.93
3	Change Order - Deduction	\$ 0.00
2	Change Order - Addition	\$ 18,737.89
1	Original Contract Amount	\$ 1,734,132.04

SUMMARY

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

Owner: City of Lauderdale, 1891 Walnut St., Lauderdale, MN 55113	Date: October 1, 2002
For Period: 8/30/2002 to 10/1/2002	Request No: 6
Contractor: Northdale Construction Company Inc., 14450 Northdale Blvd., Rogers, MN 55374	



No.	Item	Unit	Contract	Quantity	Price	to Date	Quantity	Amount	to Date
1	Mobilization	LS	1	50000.00	0.7		0.7	\$35,000.00	
2	Traffic control	LS	1	9137.50	0.7		0.7	\$6,396.25	
3	Silt fence, regular	LF	700	2.25	180		180	\$405.00	
4	Remove bituminous driveway	SY	950	2.75	410		410	\$1,127.50	
5	Reclaim bituminous pavement	SY	13000	1.80	12350		12350	\$22,230.00	
6	Remove concrete curb and gutter	LF	150	3.00	300		300	\$900.00	
7	Remove concrete driveway pavement	SY	350	7.00	178		178	\$1,246.00	
8	Remove concrete sidewalk	SY	80	6.50	84		84	\$546.00	
9	Remove concrete steps	EA	28	100.00	7		7	\$700.00	
10	Remove CMP culvert	LF	20	5.00	20		20	\$100.00	
11	Clear and grub	Tree	15	525.00	15		15	\$7,875.00	
12	Furnish and install new 27" Sanitary MH casting	EA	4	410.82	1		1	\$410.82	
13	Adjust valve box	EA	12	125.00	2		2	\$250.00	
14	Adjust manhole casting	EA	15	175.00				\$0.00	
15	Topsoil borrow (LV)	CY	1600	0.01				\$0.00	
16	Common excavation (P)	CY	10400	7.95	6000		6000	\$47,700.00	
17	Subgrade excavation (EV)	CY	1100	7.95	13		13	\$103.35	
18	Geotextile fabric, Type IV	SY	15000	1.35	10000		10000	\$13,500.00	
19	4" Perforated polyethylene pipe	LF	700	6.95	200		200	\$1,390.00	
20	Connect drain tile to structure	EA	10	100.00	4		4	\$400.00	
21	Aggregate base, Class 5 (CV)	CY	3500	17.55	2000		2000	\$35,100.00	
22	Select granular borrow (CV)	CY	5000	15.50	3000		3000	\$46,500.00	
23	Bituminous Patching	SY	350	23.88				\$0.00	
24	Bituminous driveway patch	SY	950	19.50				\$0.00	
25	Bituminous base course, Type 31B	TN	1550	28.76				\$0.00	
26	Bituminous wear course, Type 41B	TN	1150	31.98				\$0.00	
27	Bituminous material for tack coat	GAL	625	1.94				\$0.00	
28	B618 concrete curb and gutter	LF	8600	7.53				\$0.00	
29	Concrete valley gutter	SY	45	35.48				\$0.00	
30	7" concrete driveway pavement	SY	850	42.08				\$0.00	
31	7" concrete driveway pavement-colored and patterned - 1933 Malvern	SY	50	103.35				\$0.00	
32	Pedestrian curb ramp	EA	2	215.00				\$0.00	
33	4" concrete sidewalk	SY	200	33.98				\$0.00	
34	Concrete steps	EA	20	107.50				\$0.00	
35	Wood fiber blanket	SY	600	1.77				\$0.00	
36	Sodding, lawn type	SY	11000	2.62				\$0.00	
37	Street name sign (2 blades), incl post and hardware	EA	7	295.63				\$0.00	
Total Part 1 - Streets: \$221,879.92									
38	Motor Grader with operator	HR	50	128.50	9		9	\$1,156.50	
39	Front end loader with operator	HR	20	127.50				\$0.00	
40	Skidsteer (bobcat) with operator	HR	10	75.00	9		9	\$675.00	
41	Adjust frame and ring casting	EA	2	150.00				\$0.00	
42	Bituminous base course, Type 31B (alleys)	TN	475	33.33	110		110	\$3,666.30	
43	Bituminous wear course, Type 41B (alleys)	TN	375	35.48	75		75	\$2,661.00	
44	Aggregate base, Class 5 (CV)	CY	425	27.50				\$0.00	
45	Bituminous material for tack coat	GAL	225	1.94	5		5	\$9.70	
46	Clear and grub	LS	1	4500.00				\$0.00	
Total Part 2 - Alley Improvements: \$8,168.50									
47	Silt fence, regular	LF	200	2.25	100		100	\$225.00	
48	Remove CMP culvert	LF	200	5.50	98		98	\$539.00	
49	Bulkhead existing storm sewer	EA	1	350.00				\$0.00	
50	15" CMP culvert	LF	20	26.42				\$0.00	
51	15" CMP flared end section	EA	2	139.81				\$0.00	
52	24" RCP arch flared end section, incl. trash guard	EA	1	1908.50	1		1	\$1,908.50	
53	24" RCP arch storm sewer	LF	225	59.71	199		199	\$11,882.29	
54	12" RCP storm sewer	LF	125	25.84	72		72	\$1,860.48	
55	12" RCP flared end section	EA	2	478.79	1		1	\$478.79	
56	Class III random riprap	CY	75	83.50				\$0.00	
57	15" RCP storm sewer	LF	370	26.06	348		348	\$9,068.88	
58	18" RCP storm sewer	LF	200	28.14	100		100	\$2,814.00	

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No.	Item	Unit	Contract Quantity	Unit Price	Quantity to Date	Amount to Date
117	Mobilization	LS	1	53125.00	1	\$53,125.00
118	Traffic control	LS	1	2687.50	1	\$2,687.50
119	Silt fence, regular	LF	5000	2.25	2311	\$5,199.75
120	Concrete median barrier design 8337	LF	825	9.14	825	\$7,540.50
121	Abandon lift station	LS	1	4750.00	1	\$0.00
122	Remove pumphouse	LS	1	6500.00	1	\$0.00
123	Remove forcemain pipe	LF	100	5.50	100	\$550.00
124	Remove sanitary sewer pipe	LF	420	5.50	570	\$3,135.00
125	Remove sanitary sewer manhole	EA	1	575.00	3	\$1,725.00
126	Remove concrete curb and gutter	LF	700	3.00	480	\$1,440.00
127	Remove concrete sidewalk	SY	800	6.50	76	\$494.00
128	Remove bituminous pavement	SY	1300	2.50	1056	\$2,640.00
129	Salvage and reinstall guard rail	LF	40	28.50	13	\$370.50
130	Clear and grub	LS	1	4500.00	1	\$4,500.00
131	12" RCP storm sewer	LF	20	28.50	54	\$1,107.00
132	Salvage and reinstall concrete pipe	LF	40	20.50	54	\$1,107.00
133	Connect to existing CBMH	EA	1	450.00	1	\$0.00
134	12" PVC sanitary sewer, SDR 26, 20'-30' deep	LF	170	55.44	182	\$10,090.08
135	12" PVC sanitary sewer, SDR 26, 30'-35' deep	LF	70	55.44	70	\$3,880.80
136	15" PVC sanitary sewer, SDR 26, 0'-10' deep	LF	95	28.64	128	\$3,665.92
137	15" PVC sanitary sewer, SDR 35, 10'-20' deep	LF	1100	28.64	1020	\$29,212.80
138	15" PVC sanitary sewer, SDR 26, 10'-20' deep	LF	600	50.88	626	\$31,850.88
139	15" PVC sanitary sewer, SDR 26, 20'-30' deep	LF	1350	50.88	1343	\$68,331.84
140	15" PVC sanitary sewer, SDR 26, 30'-32' deep	LF	275	50.88	268	\$13,635.84
141	Realign 8" sanitary sewer	LF	40	67.50	175	\$34,111.00
142	12" sanitary sewer, jacked	LF	175	194.92	175	\$34,111.00
143	15" sanitary sewer, jacked	LF	410	210.06	365	\$76,671.90
144	Improved pipe foundation, per 6" increment	LF	3500	0.01	35	\$0.35
145	Construct Manhole Over Existing Pipe	EA	1	3400.94	1	\$3,400.94
146	4' diameter sanitary manholes	EA	15	1737.04	15	\$26,055.60
147	4' diameter sanitary manhole overdepth	LF	192	96.78	161	\$15,581.58
148	8" DIP outside drop inlet pipe	LF	40	175.00	38	\$6,650.00
149	8" DIP sanitary sewer	LF	40	32.07	40	\$1,282.80
150	Connect to existing sanitary sewer pipe	EA	1	1500.00	1	\$1,500.00
151	Bulkhead existing sanitary sewer	EA	4	350.00	1	\$350.00
152	8" PVC sanitary sewer, SDR 35, 10'-20' deep	LF	30	18.82	15	\$282.30
153	Restricted trench	LF	1600	8.00	1000	\$8,000.00
154	B618 concrete curb and gutter	LF	30	12.90	21	\$270.90
155	Bituminous driveway patch	SY	100	20.58	80	\$1,646.40
156	Seeding, incl seed, fertilizer, mulch and disk anchor	AC	4	946.00	4	\$3,784.00
157	Closed circuit TV inspection	LF	4175	0.55	3986	\$2,192.30
Total Part 6 - Trunk Sanitary Sewer: \$426,962.48						
158	Abandon lift station	LS	1	4750.00	1	\$4,750.00
159	Mobilization	LS	1	3500.00	1	\$3,500.00
160	Silt fence, regular	LF	300	2.25	76	\$171.00
161	Remove concrete curb and gutter	LF	325	3.50	487	\$1,704.50
162	Remove concrete sidewalk	SY	10	7.00	1	\$0.00
163	Remove bituminous pavement	SY	275	5.00	646	\$3,230.00
164	Clear and grub	LF	4	350.00	3	\$1,050.00
165	Remove 8" sanitary sewer pipe	LF	30	5.00	1	\$0.00
166	Bulkhead existing sanitary sewer	EA	3	350.00	1	\$350.00
167	Connect to existing manhole	EA	3	750.00	3	\$2,250.00
168	Connect to existing sanitary sewer 8" PVC pipe	EA	1	450.00	1	\$450.00
169	Restricted trench	LF	200	8.00	175	\$1,400.00
170	8" PVC sanitary sewer, SDR 35, 10'-20' deep	LF	365	21.61	381	\$8,233.41
171	4' diameter sanitary manholes	EA	1	1637.00	1	\$1,637.00
172	4' diameter sanitary manhole overdepth	LF	3	96.78	2	\$193.56
173	8" DIP outside drop inlet pipe	LF	8	165.00	8	\$1,320.00
174	8" DIP sanitary sewer	LF	20	29.21	20	\$584.20
175	Common excavation (P)	CY	175	12.50	175	\$2,187.50
176	Aggregate base, Class 5, 100% crushed	CY	100	23.50	121	\$2,843.50
177	Bituminous material for tack coat	GAL	25	1.94	75	\$145.50
178	Bituminous base course, Type 31B	TN	40	75.75	122	\$9,241.50

Part 7 - Carpenter Lift Station Elimination:

Total Part 1 - Streets:	\$221,879.92
Total Part 2 - Alley Improvements:	\$8,168.50
Total Part 3 - Storm Sewer:	\$79,534.05
Total Part 4 - Sanitary Sewer:	\$170,326.19
Total Part 5 - Water Main:	\$102,458.52
Total Part 6 - Trunk Sanitary Sewer:	\$426,962.48
Total Part 7 - Larpenteur Lift Station Elimination:	\$60,365.47
Total Alternate No. 1 - Water Main Jacking at Broadway:	\$32,210.70
Total Alternate No. 2 - Install New 8" Water Main on Roselawn, Walnut St. to T.H. 280:	\$4,477.00
Total Change Order No. 1	\$21,237.89
Total Work Completed To Date	\$1,127,620.72

1	EA	1	475.00	\$475.00
2	LF	20	-125.00	\$0.00
3	EA	1	1484.65	\$1,484.65
4	LF	1	90.30	\$90.30
5	LF	505	19.19	\$9,690.95
6	EA	13	125.00	\$1,625.00
7	LF	390	11.98	\$4,672.20
8	EA	13	53.83	\$699.79
9	EA	1	2500.00	\$2,500.00
				<u>\$21,237.89</u>

191	LF	190	10.00	\$1,900.00
192	LF	190	2.15	\$408.50
193	LF	190	1.50	\$285.00
194	CY	165	8.50	\$1,402.50
195	SY	255	1.85	\$481.00
196	LF	190	3.00	\$0.00
197	TN	50	59.13	\$0.00
198	TN	30	75.25	\$0.00
199	GAL	20	2.12	\$0.00
200	CY	95	23.00	\$0.00
201	LF	190	10.75	\$0.00
202	SY	65	4.23	\$0.00
203	LF	190	12.90	\$0.00
				<u>\$4,477.00</u>

186	LF	190	10.00	\$1,900.00
187	LF	190	2.15	\$408.50
188	LF	190	1.50	\$285.00
189	LF	190	155.88	\$29,617.20
190	SY	450	4.23	\$0.00
				<u>\$32,210.70</u>

179	TN	30	86.00	\$7,482.00
180	LF	325	12.90	\$5,585.70
181	SY	10	33.98	\$0.00
182	EA	1	250.00	\$500.00
183	SY	350	1.77	\$0.00
184	SY	650	1.82	\$1,556.10
185	LF	390	0.55	\$0.00
				<u>\$60,365.47</u>

No.	Item	Unit	Contract Quantity	Price	to Date Quantity	to Date Amount
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PROJECT PAYMENT STATUS

OWNER CITY OF LAUDERDALE

BRA FILE NO. 532-01-102

CONTRACTOR NORTHDALE CONSTRUCTION COMPANY INC

CHANGE ORDERS

No.	Date	Description	Amount
1	8/3/2002	This Change Order provides for replace all sanitary sewer on Carl Street between MH-60 and Roselawn Avenue rather than repairing existing sewer. See Change Order.	\$18,737.89
		Total Change Orders	\$18,737.89

PAYMENT SUMMARY

No.	From	To	Payment	Retainage	Completed
1	04/09/2002	05/07/02	41,502.81	2,184.36	43,687.17
2	05/08/2002	06/03/02	147,063.72	9,924.55	198,491.08
3	06/04/2002	06/27/02	133,075.07	16,928.51	338,570.11
4	06/28/2002	08/01/02	148,649.50	24,752.16	495,043.26
5	08/02/2002	08/29/02	263,629.56	38,627.40	772,548.06
6	08/30/2002	10/01/02	337,319.02	56,381.04	1,127,620.72

Material on Hand

Total Payment to Date	\$1,071,239.68	Original Contract	\$1,734,132.04
Retainage Pay No. 6	56,381.04	Change Orders	\$18,737.89
Total Amount Earned	\$1,127,620.72	Revised Contract	\$1,752,869.93

Lauderdale City Council Memorandum

Council Meeting Date: October 8, 2002

To: Mayor and City Council

From: Rick Getschow, City Administrator

Agenda Item: MNDOT and the Highway 280 Reconstruction Project

BACKGROUND:

At the July 23, 2002 Council meeting MNDOT representatives, including area manager Frank Patko, were in attendance to discuss the overall reconstruction of Highway 280.

There were a list of issues and concerns that were covered at that meeting that included:

- Details on Municipal consent for the 280 Project;
- The power of MNDOT to close access roads;
- The status of funds allocated for the 280 Project;
- The potential construction of a sound wall; and
- The potential layout of the reconstructed highway

At the July meeting, MNDOT stated that they would need to return in the fall for municipal consent on this project. MNDOT has scheduled a community meeting on the layout for this proposed project on Tuesday, with notice provided to city residents north of Larpeur Avenue. MNDOT will present a final layout of the project for review by the City Council and the residents at the meeting on Tuesday. Within 30 days of receiving this final layout, the city must schedule and hold a public hearing. Also, the City must make a decision within 90 days from the date of that public hearing whether or not they wish to grant municipal consent for this highway project to MNDOT.

ENCLOSURES:

1. July 3, 2002 MNDOT Letter from Area Manager Frank Patko
2. Minnesota State Statutes related to Municipal Consent
3. Community Meeting /Public Hearing Notice Flyer



July 3, 2002

To: Rick Getschow
City Administrator
City of Lauderdale
1891 Walnut Street
Lauderdale, MN 55113

Re: Municipal Consent and Authority of the Commissioner
T.H. 280 Reconstruction
S.P. 6241-41

Dear Mr. Getschow:

This letter is in response to questions raised by the Lauderdale City Council at their June 25, 2002 meeting. It is my understanding that questions pertaining to the following issues needed written clarification by the Minnesota Department of Transportation (Mn/DOT):

- 1) Approval needed on a final layout by a governing body of a municipality in which the trunk highway (T.H.) lies before Mn/DOT can proceed with the reconstruction project
- 2) Power of the Commissioner of Transportation to close local road accesses without consent by the municipality
- 3) The status of the funds allocated for the T.H. 280 reconstruction project from north of Larpeur Ave. to I-35W (S.P. 6241-41).

Please refer to Minnesota Session Laws 2001, Chapter 191, enclosed. Minnesota Statutes Chapter 191, Sections 3 to 8 [161.162 to 161.167] describes highway project review, final layout approval process, commissioner action, etc.

Section 4, Subdivision 1 states that the aforementioned sections apply only to projects that alter access, increase or reduce highway traffic capacity, or require acquisition of permanent rights of way. Since the T.H. 280 reconstruction project proposes to close local street accesses to T.H. 280 and acquire right of way, Mn/DOT is required to submit to the Lauderdale City Council the final layout for their approval. Section 5, Subdivision 1 states, "Before proceeding with the construction, reconstruction, or improvement of any route on the trunk highway system lying within any municipality, the commissioner shall submit to its governing body a final layout and project report covering the purpose, route

location, and proposed design of the highway." Subdivision 2 describes the governing body action on this final layout.

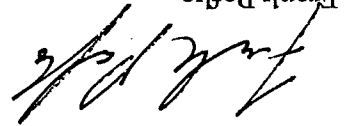
In regards to question 2), Section 4, Subdivision 2 of Chapter 191 states, "Nothing contained in sections 161.162 to 161.167 limits the power of the commissioner to regulate traffic or install traffic control devices or other safety measures on trunk highways located within municipalities regardless of their impact on access or traffic capacity or on the need for additional rights-of-way." Therefore, the commissioner has police power to close a local street access without municipal consent if there is a documented traffic safety problem.

To answer your third question, the funding for this project is from two sources - 80% (\$5.5 million) comes from the Metropolitan Council through their Surface Transportation Program (S.T.P.), the remaining funding (\$2 million) is from Mn/DOT Trunk Highway dollars. The S.T.P. money can only be used for this project as it was defined in the S.T.P. application, and it has to be used by the sunset date of September 30, 2005 (originally set at September 30, 2004 but was pushed out one year). Otherwise, the money is returned to the Metropolitan Council.

The commitment to match the S.T.P. dollars and therefore fund this project is a high priority for Mn/DOT. As we have discussed with you, the letting date for this project was originally scheduled for May of 2004, and has been deferred until state fiscal year 2006 (July 1, 2005 - June 30, 2006). Therefore, at this time, we are scheduled for a September of 2005 letting date with reconstruction beginning in the spring of 2006.

If you have any other questions about this project, or if I can provide further clarification on the project process, please contact me at (651) 582-1481. Thank you.

Sincerely,



Frank Parko

Area Manager

Ramsey, Anoka and Northern Hennepin Counties

Encl

Cc: Marc Goess - Mn/DOT Metro Area Engineer
Nancy Daubenberger - Mn/DOT Metro Design

Minnesota Session Laws



Minnesota Session Laws - 2001

Key: language to be deleted...new language Change language enhancement display.

Legislative history and Authors

CHAPTER 191-H.F.No. 1973

An act relating to transportation; regulating state highways in municipalities; making conforming changes; amending Minnesota Statutes 2000, sections 160.85, subdivision 3; and 161.1245, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 161; repealing Minnesota Statutes 2000, sections 161.17; 161.171; 161.172; 161.173; 161.174; 161.175; 161.176; 161.177; and 473.181, subdivision 1.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

HIGHWAY CONSTRUCTION THROUGH MUNICIPALITIES

Section 1. Minnesota Statutes 2000, section 160.85,

subdivision 3, is amended to read:

Subd. 3. [APPROVAL.] No road authority and private operator may execute a development agreement without the approval of the final agreement by the commissioner. A road authority and private operator in the metropolitan area must obtain the approvals required in sections ~~161.171 to 161.177~~ 161.162 to 161.167 and 473.167, subdivision 1. Except as otherwise provided in sections 161.162 to 161.167, the governing body of a county or municipality through which a facility passes may veto the project within 30 days of approval by the commissioner.

Sec. 2. Minnesota Statutes 2000, section 161.1245,

subdivision 4, is amended to read:

Subd. 4. [ROUTE NO. 396.] Notwithstanding ~~section 161.17~~ ~~or other~~ state law to the contrary, the commissioner of transportation shall extend, without undue delay, the interstate route commonly known as I-35 by construction of Route No. 396 described in section 161.12 in accordance with federal regulations for receiving federal aid made available by the United States to the state of Minnesota for highway purposes.

Sec. 3. [161.162] [DEFINITIONS.]

Subdivision 1. [APPLICABILITY.] The terms in sections 161.162 to 161.167 have the meanings given them in this section and section 160.02.

Subd. 2. [FINAL LAYOUT.] (a) "Final layout" means geometric layouts and supplemental drawings that show the location, character, dimensions, access, and explanatory information about the highway construction or improvement work being proposed. "Final layout" includes, where applicable, traffic lanes, shoulders, trails, intersections, signals, bridges, approximate right-of-way limits, existing ground line and proposed grade line of the highway, turn lanes, access points and closures, sidewalks, speed zones, noise walls, transit considerations, auxiliary lanes, interchange locations, interchange types, sensitive areas, existing right-of-way, traffic volume and turning movements, location of stormwater drainage, location of municipal utilities, project schedule and

estimated cost, and the name of the project manager.
 (b) "Final layout" does not include a cost participation agreement. For purposes of this subdivision "cost participation agreement" means a document signed by the commissioner and the governing body of a municipality that states the costs of a highway construction project that will be paid by the municipality.

Subd. 3. [FINAL CONSTRUCTION PLAN.] "Final construction plan" means the set of technical drawings for the construction or improvement of a trunk highway provided to contractors for bids.

Subd. 4. [GOVERNING BODY.] "Governing body" means the elected council of a municipality.

Subd. 5. [MUNICIPALITY.] "Municipality" means a statutory or home rule charter city.

Sec. 4. [161.163] [HIGHWAY PROJECT REVIEW.] Sections 161.162 to 161.167 apply only to projects that alter access, increase or reduce highway traffic capacity, or require acquisition of permanent rights-of-way.

Subd. 2. [TRAFFIC SAFETY MEASURES.] Nothing contained in sections 161.162 to 161.167 limits the power of the commissioner to regulate traffic or install traffic control devices or other safety measures on trunk highways located within municipalities regardless of their impact on access or traffic capacity or on the need for additional right-of-way.

Subd. 3. [CONSTRUCTION PROGRAM.] Nothing contained in sections 161.162 to 161.167 limits the commissioner's discretion to determine priority and programming of trunk highway projects.

Sec. 5. [161.164] [FINAL LAYOUT APPROVAL PROCESS.] Before Subdivision 1. [SUBMISSION OF FINAL LAYOUT.] improvement proceeding with the construction, reconstruction, or improvement of any route on the trunk highway system lying within any municipality, the commissioner shall submit to its governing body a final layout and proposed design of the highway. The final layout must be submitted as part of a report containing any supporting data that the commissioner deems helpful to the governing body in reviewing the final layout submitted. The supporting data must include a good faith cost estimate of all participating data that the governing body is expected to participate. The final layout must be submitted before final decisions are reached so that meaningful early input can be obtained from the municipality.

Subd. 2. [GOVERNING BODY ACTION.] (a) Within 15 days of receiving a final layout from the commissioner, the governing body shall schedule a public hearing on the final layout. The governing body shall, within 60 days of receiving a final layout from the commissioner, conduct a public hearing at which the department of transportation shall present the final layout for the project. The governing body shall give at least 30 days' notice of the public hearing.
 (b) Within 90 days from the date of the public hearing, the governing body shall approve or disapprove the final layout in writing, as follows:
 (1) If the governing body approves the final layout or does not disapprove the final layout in writing within 90 days, in which case the final layout is deemed to be approved, the commissioner may continue the project development.
 (2) If the final construction plans contain changes in access, traffic capacity, or acquisition of permanent right-of-way from the final layout approved by the governing body, the commissioner shall resubmit the portion of the final construction plans where changes were made to the governing body.



The governing body must approve or disapprove the changes, in writing, within 60 days from the date the commissioner submits them.

(3) If the governing body disapproves the final layout, the commissioner may make modifications requested by the municipality, decide not to proceed with the project, or refer the final layout to an appeal board. The appeal board shall consist of one member appointed by the commissioner, one member appointed by the governing body, and a third member agreed upon by both the commissioner and the governing body. If the commissioner and the governing body cannot agree upon the third member, the chief justice of the supreme court shall appoint a third member within 14 days of the request of the commissioner to appoint the third member.

Subd. 3. [APPEAL BOARD.] Within 30 days after referral of the final layout, the appeal board shall hold a hearing at which the commissioner and the governing body may present the case for or against approval of the final layout referred. Not later than 60 days after the hearing, the appeal board shall recommend approval, recommend approval with modifications, or recommend disapproval of the final layout, making additional recommendations consistent with state and federal requirements as it deems appropriate. It shall submit a written report containing its findings and recommendations to the commissioner and the governing body.

Sec. 6. [161.165] [COMMISSIONER ACTION; INTERSTATE HIGHWAYS.]

Subdivision 1. [APPLICABILITY.] This section applies to interstate highways.

Subd. 2. [ACTION ON APPROVED FINAL LAYOUT.] (a) If the appeal board recommends approval of the final layout or does not submit its findings and recommendations within 60 days of the hearing, in which case the final layout is deemed approved, the commissioner may prepare substantially similar final construction plans and proceed with the project.

(b) If the final construction plans change access, traffic capacity, or acquisition of permanent right-of-way from the final layout approved by the appeal board, the commissioner shall submit the portion of the final construction plans that shows the changes, to the governing body for its approval or disapproval under section 161.164, subdivision 2.

Subd. 3. [ACTION ON FINAL LAYOUT APPROVED WITH CHANGES.] (a) If, within 60 days, the appeal board recommends approval of the final layout with modifications, the commissioner may:

(1) prepare final construction plans with the recommended modifications, notify the governing body, and proceed with the project;

(2) decide not to proceed with the project; or

(3) prepare final construction plans substantially similar to the final layout referred to the appeal board, and proceed with the project. The commissioner shall, before proceeding with the project, file a written report with the governing body and the appeal board stating fully the reasons for doing so.

(b) If the final construction plans contain changes in access or traffic capacity or require additional acquisition of permanent right-of-way from the final layout reviewed by the appeal board or the governing body, the commissioner shall resubmit the portion of the final construction plans that shows the changes, to the governing body for its approval or disapproval under section 161.164, subdivision 2.

Subd. 4. [ACTION ON DISAPPROVED FINAL LAYOUT.] (a) If, within 60 days, the appeal board recommends disapproval of the final layout, the commissioner may either:

(1) decide not to proceed with the project; or

(2) prepare final construction plans substantially similar to the final layout referred to the appeal board, notify the governing body and the appeal board, and proceed with the project. Before proceeding with the project, the commissioner shall file a written report with the governing body and the appeal board stating fully the reasons for doing so.

(b) If the final construction plans contain changes in access or traffic capacity or require additional acquisition of permanent right-of-way from the final layout reviewed by the appeal board or the governing body, the commissioner shall resubmit the portion of the final construction plans that shows the changes, to the governing body for its approval or disapproval under section 161.164, subdivision 2. The commissioner shall send a complete set of final construction plans to the municipality at least 45 days before the bid opening for informational purposes.

Sec. 7. [161.166] [COMMISSIONER ACTION; OTHER HIGHWAYS.] Subdivision 1. [APPLICABILITY.] This section applies to trunk highways that are not interstate highways.

Subd. 2. [ACTION ON APPROVED FINAL LAYOUT.] If the appeal board recommends approval of the final layout or does not submit its findings or recommendations within 60 days of the hearing, in which case the final layout is deemed approved, the commissioner may prepare substantially similar final construction plans and proceed with the project. If the final construction plans change access or traffic capacity or require additional acquisition of right-of-way from the final layout approved by the appeal board, the commissioner shall submit the portion of the final construction plan that shows the changes, to the governing body for its approval or disapproval under section 161.164, subdivision 2.

Subd. 3. [ACTION ON FINAL LAYOUT APPROVED WITH CHANGES.] (a) If the appeal board approves the final layout with modifications, the commissioner may:

(1) prepare final construction plans including the modifications, notify the governing body, and proceed with the project;

(2) decide not to proceed with the project; or

(3) prepare a new final layout and resubmit it to the governing body for approval or disapproval under section 161.164, subdivision 2.

(b) If the final construction plans contain changes in access or traffic capacity or require additional acquisition of permanent right-of-way from the final layout reviewed by the appeal board or the governing body, the commissioner shall resubmit the portion of the final construction plans that shows the changes, to the governing body for its approval or disapproval under section 161.164, subdivision 2.

Subd. 4. [ACTION ON DISAPPROVED FINAL LAYOUT.] If the appeal board disapproves the final layout, the commissioner may:

(1) decide not to proceed with the project; or

(2) prepare a new final layout and submit it to the governing body for approval or disapproval under section 161.164, subdivision 2.

Subd. 5. [FINAL CONSTRUCTION PLANS ISSUED.] The commissioner shall send a complete set of final construction plans to the municipality at least 45 days before the bid opening for informational purposes.

Sec. 8. [161.167] [REIMBURSEMENT OF EXPENSES.] Members of the appeal board shall submit to the commissioner an itemized list of the expenses incurred in disposing of matters presented to them. The appeal board

members shall be reimbursed for all reasonable expenses incurred by them in the performance of their duties. The commissioner shall pay these costs out of the trunk highway fund.

Sec. 9. [REPEALER.]

Minnesota Statutes 2000, sections 161.17; 161.171; 161.172; 161.173; 161.174; 161.175; 161.176; 161.177; and 473.181, subdivision 1, are repealed.

Sec. 10. [EFFECTIVE DATE.]

This act is effective the day following final enactment and applies to highway construction projects for which municipal approval is first sought after that date.

Presented to the governor May 23, 2001

Signed by the governor May 24, 2001, 2:02 p.m.

HIGHWAY 280 PRESENTATION

Notice is hereby given that a public hearing will be held by the Lauderdale City Council
On Tuesday October 8, 2002 at 7:30 p.m. or soon thereafter
In the City of Lauderdale Council Chambers

Lauderdale City Hall
1891 Walnut Street
Lauderdale, MN 55113

**Mn/DOT proposes to reconstruct Highway 280 between Summer Street and
Interstate 35W, including pavement reconstruction, access closures and
noise abatement.**

All persons with reference to this matter will be heard during this City Council meeting
on October 8, 2002 at 7:30 p.m. Representatives from the Minnesota Department of
Transportation will present a proposed layout for the project and will discuss project
details at this meeting.

You may request ADA accommodations, such as an ASL interpreter. Call 651-282-6981
Voice or 651-296-3460 TDD. Adequate notice is required.

Please contact Nancy Daubnerger - Mn/DOT Metro Design, at 651-582-1379 if you have any
questions.



*Moving
Minnesota*

M E M O S B Y J A M E S

DATE: OCTOBER 8, 2002
TO: HONORABLE MAYOR AND COUNCIL
FROM: JAMES BOWNIK, ADMINISTRATIVE ANALYST
RE: CONDITIONAL USE PERMIT APPLICATION FOR PROPOSED BOYER FORD DEVELOPMENT AT TRUNK HIGHWAY 280 AND BROADWAY DR

BACKGROUND

PROPOSAL: Request for a conditional use permit to allow for a truck sales, service, & repair facility. The property in question is zoned I-1 Industrial.

APPLICANT AND PROPERTY OWNER:
Phillips Holdings LLC
2601 Broadway NE
Minneapolis, MN 55413

PROPERTY Trunk Highway 280 and Broadway Drive
LOCATION: Lauderdale, MN 55113

Attached as Exhibit A is Boyer Ford's conditional use permit application.

CONDITIONAL USE PERMIT REQUEST

Phillips Holdings is proposing a Boyer Ford development involving the sale, service, and repair of heavy trucks.

At the last council meeting, Phillips Holdings requested a zoning amendment to allow auto sales, service, and repair facilities as an approved conditional use in the I-1 District. Approval was granted and the zoning amendment was published in the October 1, 2002 edition of the *Roseville Review*, putting the change into effect.

The use of truck sales, service, and repair facilities in the I-1 District are in keeping with the spirit and intent of the zoning ordinance.

PROPERTY INFORMATION

Phillips Holdings currently owns a 3.7 acre site at the corner of Trunk Highway 280 and Broadway. The original 6.8 acre site was subdivided in 2001, and the southern 3.1 acres were purchased by Hamline Auto Body.

Access to the site is from Broadway Drive from a driveway that also provides access to Hamline Auto Body and Enterprise Rent-A-Car to the south.

REQUIREMENTS FOR APPROVAL OF A CONDITIONAL USE PERMIT

Title 10-12-4 & 10-12-5 of the City Code allows the City Council to consider the following for the approval of a conditional use permit:

- 1) Does the use conform to the I-1 District?
- 2) Will the use provide a harmonious relationship with adjacent properties?
- 3) Is the visual impression & environment of the use consistent with the district?
- 4) Does the use organize vehicular access & parking in a way that minimizes traffic congestion in the district?
- 5) Does the use promote the objectives of Title 10 of the City Code: Zoning, and the Land Use & Tax Base section of the Lauderdale Comprehensive Plan?
- 6) Does the use comply with the following performance standards?
 - a. Fire Protection.
 - b. Electrical Disturbance.
 - c. Noise.
 - d. Vibrations.
 - e. Odors.
 - f. Air Pollution.
 - g. Glare.
 - h. Erosion.
 - i. Water Pollution.

STAFF FINDINGS & REVIEW

City Engineer Tom Kelloog has reviewed various issues with the proposed development including sanitary sewer, water main, storm sewer, access/parking/easements, and a financial guarantee. **Attached as Exhibit B** is Tom Kelloog's memo dated September 27, 2002.

As you can see from Tom Kelloog's memo, the proposed development appears to comply with requirements for water, sanitary sewer, and storm sewer. However, a storm water management plan would need to be approved separately.

As mentioned in Tom's memo, the developer should provide the city with a financial guarantee that the work will be completed as specified. With the Hamline development, there was a development agreement that guaranteed the work. A development agreement is not needed for the Boyer Ford site since the subdivision and final plat have already been approved. Thus, it is recommended that in this case the developer provide a letter of credit before the start of work at the site. The estimated cost of the site improvements is \$325,005. The letter of credit would guarantee 150% of the cost, which would be \$487,508.

1) Does the use conform to the I-1 District?

Yes, auto sales, service, and repair facilities are an approved conditional use in the I-1 District.

2) **Will the use provide a harmonious relationship with adjacent properties?**

Another auto related use, Hamline Auto Body, is located directly south of the Boyer Ford site. Here are a few comparisons between the two sites:

Boyer Ford	Hamline Auto Body
Lot size (acres)	3.1
Building size (square feet)	33,000
Height of service areas	22
Height of office areas	28
	32
	23
	24,378

3) **Is the visual impression & environment of the use consistent with the district?**

Phillips Holdings has not submitted visual impressions of the site beyond the site plan, however, they may bring visual impressions to the Council Meeting. The building is proposed to be similar in appearance and the use of design materials to their site at 2811 Broadway Street in Minneapolis.

A 20 foot decorative pyramid is proposed for the top of the second story of the building. It is a stepped pyramid that is a symbol of Boyer Ford's corporate identity. The pyramid would be placed upon the roof of the second story. It is considered an appendage of the building, not part of the structure. However, a variance to the height regulations would be required.

4) **Does the use organize vehicular access & parking in a way that minimizes traffic congestion in the district?**

Traffic congestion and noise should not significantly increase in the surrounding area because Boyer Ford is mostly a destination location for specific clientele.

One possible traffic issue, as addressed in Tom Kellogg's memo could be with the relatively short distance from Broadway to the entrance of the facility. Once traffic has turned south onto the access road from Broadway, vehicles trying to access the facility must turn left (east) about forty feet into the site. This could be a conflict with northbound traffic entering onto Broadway. As mentioned in the memo, a possible solution would be to relocate the entrance to the facility approximately 220 feet to the south, aligning it with the center of the proposed building.

5) **Does the use promote the objectives of Title 10 of the City Code: Zoning, and the Land Use & Tax Base section of the Lauderdale Comprehensive Plan?**

The use appears to promote the objectives of the Zoning Ordinance and the Land Use & Tax Base section of the Comprehensive Plan by encouraging development and/or redevelopment of commercial and industrial properties for the purpose of increasing tax base. It must be noted that a \$750,000 tax base revitalization grant was applied to this site in 1998.

6) Does the use comply with the following performance standards?

- a. Fire Protection.
- b. Electrical Disturbance.
- c. Noise.
- d. Vibrations.
- e. Odors.
- f. Air Pollution.
- g. Glare.
- h. Erosion.
- i. Water Pollution.

Noise, odors, and air pollution could be present when trucks are started, but would probably not occur on a frequent basis. Glare could also be an issue, depending on the type of lighting used in the parking lot and on the building. It may be a good idea to require down cast lighting in the parking lot and possibly on the building.

Attached as Exhibit C is a checklist staff is using during the review process.

SITE PLAN

Attached as Exhibit D is the Site Plan, Landscape Plan, Utilities Plan, Exterior Elevations Plan, Grading/Erosion Control Plan, and Roof Plan for your review.

PLANNING COMMISSION ACTION

The Planning Commission did not meet to discuss the conditional use permit 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 CONDITIONAL USE PERMIT REQUEST

On September 27, 2002, property owners within 350 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 24, 2002 edition of the *Roseville Review*.

CITY COUNCIL ACTION REQUESTED

Approve the request for a conditional use permit for a truck sales, service, and repair facility with the following conditions, and any other conditions deemed necessary for approval:

- 1) The applicant has an approved storm water management plan.
- 2) The applicant provides a financial guarantee in the form of a letter of credit in an amount specified by the City Engineer.
- 3) The applicant will follow all local, regional, and state environmental regulations and will make a reasonable effort to notify the City upon notification of any such violation.

Phillips Holdings Conditional Use Permit Application

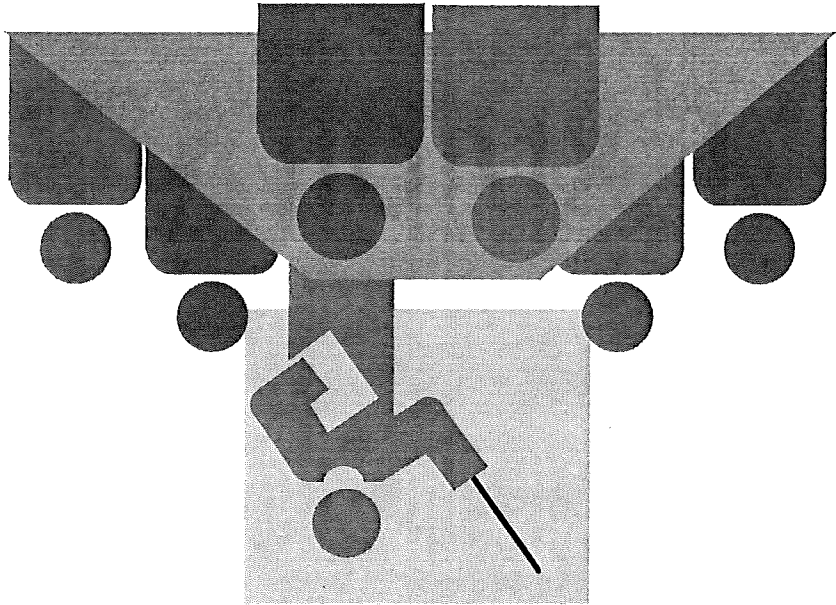


Exhibit A

ZONING APPLICATION

Type of Request	Amount
Variance	\$ 75
Zoning Amendment	\$100
Conditional Use	\$165
PUD	N/A
Other	

Name of Applicant: Goyer Ford Trucks
 Address: 2500 Broadway Drive
 City: Lauderdale State: mn Zip: 55113
 Address of Property: _____
 (if different than above)
 Day Phone: _____
 Evening Phone: _____
 Fax: _____

Please describe why you are applying for this application
PROPOSED USE IS CURRENTLY NOT SPECIFICALLY LISTED
IN THE CODE AS ACCEPTED IN AN "I-1" DISTRICT

Applicant's Signature _____ Date _____

For Office Use Only

Date of Application: 9-13-02 Amount Paid: #165.00 Receipt Number: 6558
 PIN #: 172923230072
 Recommendation of Planning Commission (approve / deny) Meeting Date: _____
 Date of Public Hearing: _____
 City Council Action Taken (approved / denied) Meeting Date: 10-8-02
 Conditions? YES

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.

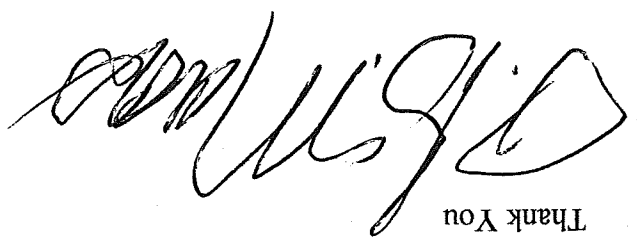
The proposed use will conform to all district and conditional use provisions and special standards as set forth in the City Code. Boyer Trucks Incorporated has set a reputation for having facilities that are safe, clean, environmentally conscious, and customer and client friendly. Within the facility, 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.

Vehicle 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

Tom Kellogg's
Memo Dated
September 27, 2002

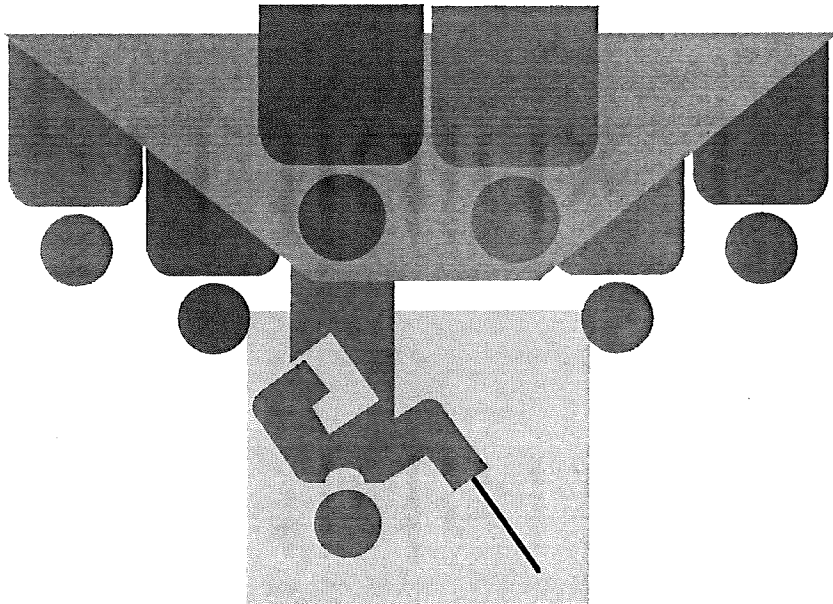


Exhibit B

all other lot lines.

4. **Access/Parking/Easements:** The proposed access to the site is shown approximately 40-feet south of Broadway. The proximity of the access to Broadway may provide inadequate stacking distance for northbound traffic on the private access road. The separation could further be reduced in the future if the proposed MnDOT improvements shown on the plan are constructed. For these reasons we recommend the access to the Boyer Ford site be moved south approximately 220-feet to align with the center of the proposed building. A geotechnical report, R-value recommendation and pavement design should be provided for review. Drainage and utility easements should be provided 15-feet wide along the south lot line and 10-feet wide along

3. **Storm Sewer:** The proposed storm sewer is shown discharging to the existing 30-inch RCP storm sewer stub at the south end of the site. The pipe will convey flows from the Boyer Ford site to the pond south of the Hamline Auto Body site. The pond was sized to accommodate the Boyer Ford site and is in compliance with the City's Storm Water Management Plan. Silt fence and any other erosion control measures should be in place prior to any site grading. Final plans should be submitted to the Rice Creek Watershed District for their review.

2. **Water Main:** The proposed water main will connect to the recently installed stub to the property and appears acceptable. The proposed connection to the existing water main stub should be coordinated with the City and installed in accordance with City standards.

1. **Sanitary Sewer:** The proposed sanitary sewer will connect to the sanitary sewer stub provided to the site as part of the City's 2002 improvement project. The proposed improvements appear to be acceptable and should be installed in accordance with City standards.

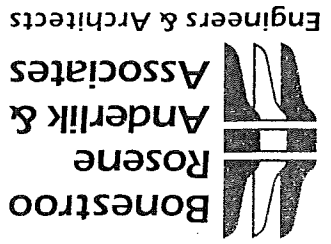
We have reviewed the grading and utility plans for the Boyer Ford site. The site is located in the southwest quadrant of the intersection of Broadway and T.H. 280. The proposed use of the site is for truck sales and repairs. We have the following comments in regards to engineering matters.

Dear Mayor and Council:

Re: Boyer Ford Site Plan
File No. 532-02-000

Honorable Mayor and City Council
City of Lauderdale
1891 Walnut Street
Lauderdale, MN 55113

September 27, 2002



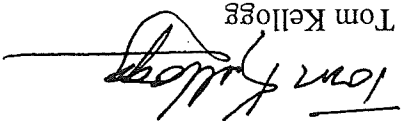
Bonestroo, Rosene, Anderlik and Associates, Inc. is an Affirmative Action/Equal Opportunity Employer and Employee Owned
Principals: Otto G. Bonestroo, PE. • Marvin L. Sorvala, PE. • Glenn R. Cook, PE. • Robert G. Schunicht, PE. • Jerry A. Bourdon, PE.
Senior Consultants: Robert W. Rosene, PE. • Joseph C. Anderlik, PE. • Richard E. Turner, PE. • Susan M. Eberlin, CPA. Associate Principals: Keith A. Gordon, PE. • Robert R. Pfefferle, PE. • Richard W. Foster, PE. • David O. Loskota, PE. • Mark A. Hanson, PE. • Michael T. Rautmann, PE. • Ted K. Field, PE. • Kenneth R. Anderson, PE. • Mark R. Rolfs, PE. • David A. Bonestroo, M.B.A. • Sidney P. Williamson, PE., L.S. • Agnes M. Ring, M.B.A. • Allan Rick Schmidt, PE. • Thomas W. Peterson, PE. • James R. Maland, PE. • Miles B. Jensen, PE. • L. Phillip Gravel III, PE. • Daniel J. Edgerton, PE. • Ismael Martinez, PE. • Thomas A. Sytko, PE. • Sheldon J. Johnson • Dale A. Grove, PE. • Thomas A. Roushar, PE. • Robert J. Devery, PE.
Offices: St. Paul, St. Cloud, Rochester and Willmar, MN • Milwaukee, WI • Chicago, IL
Website: www.bonestroo.com

5. **Financial Guarantee:** We have estimated the total cost for site improvements to be \$325,005. An itemized copy of the cost estimate is attached. The applicant should provide to the City a financial guarantee of 150% of this amount or \$487,508 prior to the start of any work on the site. The financial guarantee should be in the form of a letter of credit and will be reduced periodically as work is accepted. The financial guarantee shall not be reduced to less than \$20,000 until all site work is accepted and approved by the City.

Please contact me at (651) 604-4863 if you have any questions regarding this matter.

Yours very truly,

BONESTROO, ROSENE, ANDERLIK & ASSOCIATES, INC.


Tom Kellogg

Attachment

Cc: Rick Getschow, City of Lauderdale

**CITY OF LAUDERDALE
BOYER FORD
COMMERCIAL SITE DEVELOPMENT
PLAT FILE NO. 532-02-000**

SITE IMPROVEMENT COST ESTIMATE:

ITEM	UNIT	EST. QUANTITY	UNIT PRICE	EST. COST
Mobilization	LS	1	\$5,000.00	\$5,000
Site grading	LS	1	10,000.00	10,000
Common excavation	CY	5300	5.00	26,500
Aggregate base, Cl. 5, 100% crushed	TN	8655	11.00	95,205
Type 31 bit. base course	TN	1720	32.00	55,040
Type 41 bit. wear course	TN	1300	35.00	45,500
Bituminous material for tack	GL	800	1.00	800
Concrete curb and gutter	LF	2100	10.00	21,000
Landscaping	LS	1	10,000.00	10,000
8" DIP	LF	120	25.00	3,000
Connect to existing water main	EA	1	1,000.00	1,000
12" RCP storm sewer	LF	300	25.00	7,500
15" RCP storm sewer	LF	270	30.00	8,100
18" RCP storm sewer	LF	210	35.00	7,350
21" RCP storm sewer	EA	320	40.00	12,800
Storm catch basin MH w/casting	EA	7	1,200.00	8,400
Connect to existing storm sewer	EA	1	1,000.00	1,000
8" PVC sanitary sewer	LF	70	23.00	1,610
Connect to existing sanitary sewer	EA	1	1,000.00	1,000
Silt fence	LF	1400	3.00	4,200
Estimated Construction Cost				\$325,005
+50% Security Deposit				162,503
Total Security Deposit Required				\$487,508

Staff Checklist

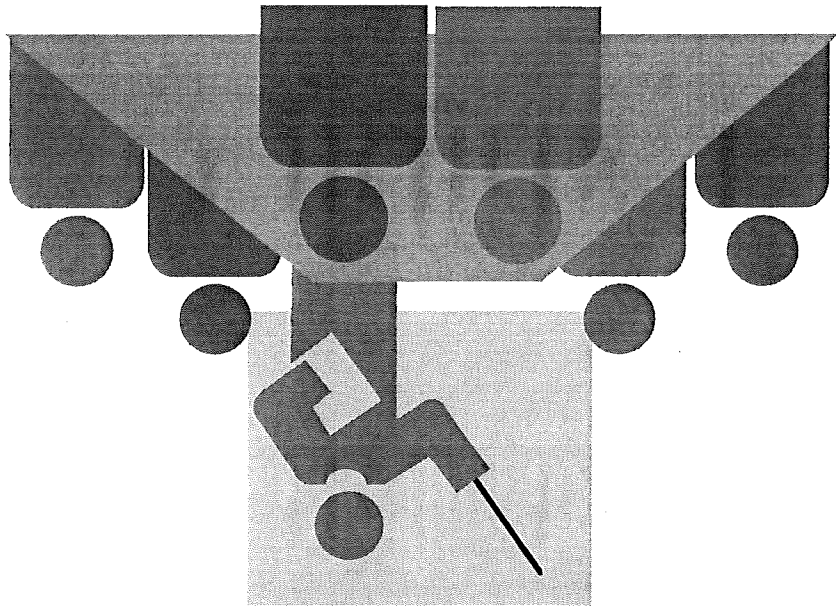


Exhibit C

CHECKLIST - Conditional Use Permit

Application Number: 9/13/02

Answered

Questions

1. Has a pre-application meeting been held with the City Staff ?

Yes

2. What is the current zoning district and in what zoning ordinance section is the conditional use permitted ?

I-1

3. A site plan drawn to scale to include:

a. All existing and proposed buildings, parking areas, adjacent roads, advertising signs, trees, drainage ways and buildings on adjacent properties.

Yes minus signs

b. All lot dimensions, lot area(s), yard dimensions and elevations.

Yes

c. Location of any existing and proposed parking spaces and driveways.

Yes

d. Storm water drainage plan, grading erosion control plan sufficient to drain and dispose of all surface water accumulation within area.

Yes

e. Landscape plan including the size of trees and shrubs, sidewalks, trails, walkways, proposed fences, landscaping and retaining walls.

Yes

f. Plans for storage areas.

Yes

g. Exterior finish and front elevations of buildings.

Yes

4. Three full size site plans and other exhibits at no less than 100 scale are to be submitted with the application. Ten days before the Planning Commission meeting the applicant shall submit a reduced 11 by 17 inch reproducible plan and 8 1/2 by 11 inch transparency.

N/A

5. A short narrative answering the following:

- a. The proposed use conforms to the district and conditional use provisions and all general regulations of the City Code. Yes
- b. The proposed use meets all special standards which may apply to its class of conditional uses as set forth in the City Code. Yes
- c. The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons, and shall comply with the performance standards, below. Yes
- d. The proposed use shall be sited, oriented, and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties. Yes
- e. The proposed use shall produce a total visual impression and environment which is consistent with the environment of the district in which it is located. Yes
- f. The proposed use shall organize vehicular access and parking to minimize traffic congestion in the district. Yes
- g. The proposed use shall promote the objectives of the City Code and shall be considered by the Council in light of the light of the Land Use Plan of the City. Yes
- 6. The following are performance standards that need to be met before a conditional use permit is issued.
 - a. Fire Protection: Fire prevention and fighting equipment required by the Fire Prevention and Building Code shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on. _____
 - b. Electrical Disturbance: No activity associated with the use shall cause electrical or electronic equipment in the vicinity of the use. _____

c. Noise: Noise which is determined to be objectionable because of volume, frequency, or beat shall be muffled or otherwise controlled in accordance with generally accepted noise level standards or State established standards. Fire sirens and related apparatus used solely for public purposes shall be exempt from this requirement.

d. Vibrations: Vibrations detectable without instruments on neighboring property in any district is prohibited.

e. Odors: No malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property. State standards on odor emissions may be used in measuring such odors.

f. Air Pollution: Air pollution shall be subject to the standards established by the Minnesota Pollution Control Agency.

g. Glare: Lighting devices which produce directly reflected glare on adjoining properties or thoroughfares shall not be permitted.

h. Erosion: No offensive erosion by wind or water shall be permitted onto adjacent properties.

i. Water Pollution: Water pollution shall be subject to the standards established by the Minnesota Pollution Control Agency.

Site Plan,
Landscaping, Utilities,
Exterior Elevations,
Grading/Erosion
Control, & Roof Plans

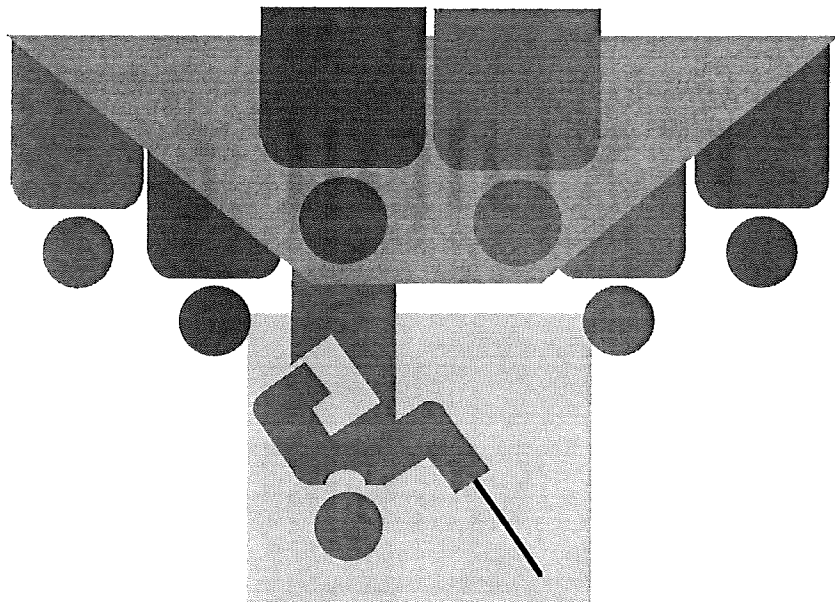



Exhibit C

M E M O S B Y J A M E S

DATE: OCTOBER 8, 2002
TO: HONORABLE MAYOR AND COUNCIL
FROM: JAMES BOWNIK, ADMINISTRATIVE ANALYST 
RE: STORM WATER MANAGEMENT PLAN FOR PROPOSED BOYER FORD
DEVELOPMENT AT TRUNK HIGHWAY 280 AND BROADWAY DR

BACKGROUND

A memo from City Engineer Tom Kellogg was included in the information on the conditional use permit request. Please refer to this memo in regards to approving the storm water management plan.

CITY COUNCIL ACTION REQUESTED

Approve the storm water management plan as recommended by the City Engineer.

M E M O R A N D U M

DATE: OCTOBER 8, 2002
TO: HONORABLE MAYOR AND COUNCIL
FROM: JAMES BOWNIK, ADMINISTRATIVE ANALYST



RE: VARIANCE TO THE ZONING ORDINANCE REQUEST FOR PROPOSED BOYER FORD DEVELOPMENT AT TRUNK HIGHWAY 280 AND BROADWAY DRIVE

BACKGROUND

PROPOSAL: Request for a 17 foot, 6 inch variance to the height regulations to allow for a decorative pyramid on the roof of a proposed Boyer Ford building at Trunk Highway 280 and Broadway. The property in question is zoned I-1 Industrial.

APPLICANT AND PROPERTY OWNER:

Phillips Holdings LLC
2601 Broadway NE
Minneapolis, MN 55413

PROPERTY LOCATION: Trunk Highway 280 and Broadway Drive
Lauderdale, MN 55113

The zoning ordinance regulates height in the I-1 Industrial District to 35 feet. Phillips Holdings is applying for a height variance for a decorative pyramid on a proposed building for Boyer Ford. It is a stepped pyramid structure that is used as the corporate identity of Boyer Ford and is considered an appendage of the building, and not part of the building itself.

Section 10-4-1-C-2 of the Lauderdale Zoning Ordinance (below) states that a variance may be granted for structures similar to ornamental towers and spires. However, in talking to other cities, I discovered that some zoning ordinances just exempt this and other types of structures from their height regulations.

There are no other setback or lot coverage issues associated with this variance application. Front and rear yard setback requirements are 30 feet in this district, and 20 feet for the side yard. However, Phillips Holdings is not intending to encroach into these setback areas. Also, the zoning ordinance does not regulate lot coverage for this type of use in the I-1 District.

Attached is Boyer Ford's variance application.

SITE PLAN AND VARIANCE REQUEST

In the conditional use permit memo, information was provided on the site plan, roof plan, and exterior elevations plan which detail the proposed height and location of the decorative pyramid structure. The proposal is to place a 20 foot tall pyramid on the roof of the second story of the building. The combined height of the building (32 feet, 4 inches) and the pyramid (20 feet, two inches) equals 52 feet, 6 inches. Thus, the applicant is requesting that the 35 foot height regulation be massaged by 17 feet, 6 inches (from 35 feet to 52 feet, 6 inches).

POLICIES AND PROCEDURES FOR VARIANCE APPROVAL

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

- 10-4-1-B "Structures...shall not exceed 35 feet in height above average ground level unless approved by the board of adjustments."
- 10-4-1-C-2 "The Board may authorize a variance to the height regulations in any district if...the structure is among or similar to any of the following: television and radio towers, church spires, belltowers, monuments, tanks, water and fire towers, grain elevators, stage towers and scenery lofts, cooling towers, ornamental towers and spires, chimneys, elevator bulkheads, smokestacks, conveyors, flagpoles, silos, air conditioning and heating units and windmills."
- 10-4-1-C-3 "There is no maximum height to which the board is limited in granting such variances."

PLANNING COMMISSION ACTION

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

PUBLIC HEARING FOR THE VARIANCE REQUEST

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

CITY COUNCIL ACTION REQUESTED

Approve or deny the variances request, attaching any conditions deemed necessary for approval. If the variances are approved, construction and design plans for the new building will be submitted to the City Building Official for approval before the building permit is issued.

For Office Use Only

Date of Application: 9-17-02 Amount Paid: 75.00 Receipt Number: 1111

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

Date of Public Hearing: _____

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

Conditions: _____

Date

Sept. 17. 2002

Applicant's Signature

Please describe why you are applying for this application. Please see attached letter

Day Phone 612-378-1851 Evening Phone 612-378-1851 Fax 612-378-0051

(if different than above)

Address of Property 2520 Broadway Drive

City Minneapolis State MN Zip 55413

Address 2601 Broadway N. E.

Name of Applicant Boyer Ford Trucks, Inc.

Type of Request	Amount
Variance	\$ 75
Zoning Amendment	\$100
Conditional Use	\$165
PUD	N/A
Other	

ZONING APPLICATION

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

The following narrative has been provided to the City of Lauderdale, 1891 Walnut Street, Lauderdale Minnesota 55113, as the narrative for the Variance request regarding building height.

Boyer Trucks
Lauderdale, MN 55113
City Submittal For Height Variance

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, repair, and also house the management function of Boyer Trucks, Inc. The service bays will be symmetrically located to the North and South of a central two-story 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. A portion of the height for the building, and the necessity for two stories, has been brought about by the "small" lot size. With the setbacks, coverage requirements, and easements in place, the design could not utilize a complete one-story building and still provide for the functions required by the owner. The proposed design utilizes a stepped standing seam metal pyramid roof form. This pyramid form is set atop the two-story structure of the building. Such placement, accompanied by constraints brought about by the structure, has made the "roof" height higher than that allowed by City ordinance. The proposed design places the mid-point of the pyramid "roof" at 42'-6".

We are respectfully requesting a variance to the City ordinance based on the fact that the pyramid roof form has become a trademark/symbol that identifies the building as being "Boyer." A person can see this by visiting the other Boyer locations in Roseville and Rogers. The pyramid form is, and will be, a common form on all Boyer facilities. To eliminate this pyramid form, or change its profile, would be to alter the owner's market identity or image. That image has been a large part of the company's marketing campaign, which has been very successful and promoted the growth and development of the company. To alter or omit that image, would definitely impact the marketing campaign for this new facility, and could possibly impact its success as well. To deprive this company of its "pyramid" image, would be much the same as removing the "Golden Arches" from McDonalds. Like other facilities in the district, we feel that we should be allowed to maintain the company "image."

We believe that the proposed design will bridge the physical and visual gap between Hamline Autobody on the south and the Pacal Business Center on the north. Though in different cities, the height difference between these two buildings is very noticeable, as are the building designs. It is our intent, that the proposed design for this facility will create a comfortable visual transition without abrupt changes in roof heights. The combination of flat parapet roof edges and pitched pyramid form will be the happy medium.

Thus we believe that by granting the variance, the City would be able to occupy a currently vacant lot, allow a successful company to maintain its market identity and strategy, and provide a comfortable visual connection between existing buildings.

Your time and patience on reviewing this matter has been greatly appreciated.

Thank You