

**Lauderdale City Council
Meeting Minutes
November 26, 2002**

1. Meeting called to order at 7:30 P.M.

2. ROLL

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

Staff present: Getschow

3. APPROVAL OF THE AGENDA

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

4. APPROVAL

A. Approval of Minutes. Motion by Giannetti, second by Gill-Gerbig to approve the minutes of the regular City Council meeting of the November 12, 2002. Motion carried unanimously.

B. Approval of Claims totaling \$74,534.39. Motion by Gill-Gerbig, second by Giannetti to approve the claims totaling \$74,534.39. Motion carried unanimously.

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

6. CONSENT

7. SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS

8. INFORMATIONAL PRESENTATIONS

9. PUBLIC HEARINGS

A. MNDOT and the Highway 280 Reconstruction Project. The Mayor introduced Frank Pafko, Regional Area Manager for MNDOT, who provided information on the scope of the proposed T.H. 280 project from immediately north of the Larpenteur/Hennepin interchange to Highway 35W/36. He reported on the receipt and status of grant funds; the proposed layout of the roadway; the access closures from T.H. 280; and the sound wall proposed along T.H. 280.

The Mayor provided a brief history and a background on the issue. He stated that he proposed an alternative option for this project at the November 12, 2002 Council meeting whereby Roselawn Avenue is kept open to traffic exiting off of T.H. 280 only. He feels that the Larpenteur/Hennepin interchange is not safe enough to place additional traffic at that location. The Roselawn exit will be a safe alternative. Also, the Roselawn exit would only be open until such time that the Larpenteur/Hennepin interchange is reconstructed.

Pafko responded to this option and indicated that MNDOT has begun researching this proposal. The State Traffic Department at this time does not support keeping part of Roselawn open, therefore the State Aid Engineer may not support this option either. Pafko also stated that the Council should be aware that under this option most of the traffic previously using Summer, Walnut, and County Road B might now use Roselawn Avenue as an exit off of T.H. 280.

The Mayor opened the public hearing at 7:45 p.m.

Gary Sax, 1935 Walnut Street, stated that the first priority in this project should be the citizens and their safety. He does not feel that this MNDOT project meets that objective. With the access closures, the response time of emergency professionals will be increased. Also, putting more traffic on to the Larpenteur interchange is unsafe and inconvenient. He understands that federal money is in place for this project, but it is not in the best interests of the City. He is also concerned that a future interchange could still appear at Broadway and T.H. 280. Finally, he does not want to see the sun set earlier at his house (He is opposed to the sound wall construction).

Anne Feider, 1698 Eustis Street, stated that she opposed the MNDOT proposal. She favors the Mayor's Roselawn option. With the MNDOT proposal, she fears additional traffic on Eustis Street. She also is concerned about a lack of emergency vehicle access with the proposed closures.

The Mayor closed the public hearing at 7:51 p.m.

The City Administrator read a letter into the public record from *Sherry Mills, 1856 Malvern Street*, supporting the MNDOT proposal and the access closures.

10. ACTION

A. Resolution 112602A: A Resolution Approving Layout #2 for Trunk Highway 280 from 1,000 feet north of Larpenteur Avenue to the South of I-35W. Council member Christensen stated that he could support the Mayor's option, but he is concerned about additional traffic on Roselawn Avenue. One possibility may be to close Roselawn Avenue at a later date if the additional traffic causes a problem.

Council member Gill-Gerbig stated that following this discussion there needs to be a focus placed on the Larpenteur/Hennepin interchange. A task force should be formed to secure the necessary funding to complete this interchange improvement.

Pafko briefly discussed the funding that was secured for this project. He also stated that if the Roselawn option prevails, the gap in the sound wall is something that will have to be evaluated and addressed.

Motion by Christensen, second by Giannetti to approve Resolution 112602A: A Resolution Approving Layout #2 for Trunk Highway 280 from 1,000 feet north of Larpenteur Avenue to the South of I-35W. (*Note: With the Roselawn Avenue partial open option*). Roll: Yes: Giannetti, Christensen, Gill-Gerbig and Mayor Dains. No: McCloskey. Motion carried.

Pafko stated that he now has three options following the passage of this resolution that include: accepting the condition that the City Council has placed upon this project, not accepting the condition and appealing municipal consent or not accepting the condition and not pursuing the highway improvement project.

Council member Gill-Gerbig stated that she would like to change her vote. She did not intend to vote in favor of the last motion. She would like to vote for the resolution of municipal consent without the Roselawn partial open option.

Following some discussion of the procedure for reconsidering a vote, there was consensus to not reconsider the motion and to wait to hear from MNDOT on the T.H. 280 project at a subsequent City Council meeting.

A break was taken at 8:33 p.m.

The meeting resumed at 8:43 p.m.

B. Approval of the 2003 Sanitary Sewer Rates. A budget sheet was presented that illustrated the financial stature of the sanitary sewer fund from 1999-2003. The 2002 and 2003 Budgets represents a stable financial picture, especially as it relates to the now leveled-off sewer charges from MCES. With our current rate scenario, the fund is projecting a \$3,285 surplus in 2002 but a budgeted deficit in 2003 of \$5,086. Even though we could produce a surplus in 2003 by coming in under budget, another increase scenario needs to be presented for 2003 to keep pace with minor potential cost increases.

The City Administrator presented three options for sanitary sewer rates:

Rate Increase - 0%	\$41.00/quarter
Rate Increase - 2.4%	\$42.00/quarter
Rate Increase- 4.9%	\$43.00/quarter

Motion by Giannetti, second by McCloskey to increase the 2003 sanitary sewer rates from \$41.00 for residential service per quarter and \$2.02 per unit for commercial accounts to \$42.00 for residential service per quarter and \$2.07 per unit for commercial accounts. Roll: Yes: all. Motion carried.

C. Approval of the 2002 Storm Sewer Rates. The City Administrator stated that the City Council adopted a Storm Water Utility Ordinance in 1994 that created a funding mechanism to help finance future improvements to the storm water system. At that time, the Council approved a \$2.50 per quarter per residential unit fee rate. Acreage and hard surface area for each property type play a part in determining the fee, which attempts to estimate the storm water contribution to the system.

As part of establishing the Utility, the City Council also approved a rate increase each year for four years of at least \$1.00 to the base residential rate. From 1998-2002, the fee was \$6.50 per quarter per residential unit and has not changed for 4 years

The Administrator stated that a change to the fee may be needed in 2003. Starting next year, the City must comply with new federal and state regulations regarding storm water. In 2002, the City has already committed \$3,000 toward the creation of a Guide Plan that will assist in 50-60% of the work needed in applying for a municipal storm water system permit from the state. But there will be costs involved in the other 40% of the work involved with the permit application in addition to the on-going annual costs of complying with the permit and reporting on its status. It is for this reason alone that the Council should consider raising the storm water fee for the first time since 1998. Most neighboring communities are significantly raising their rates in 2003 as a result of the NPDES permit, but a more moderate approach could work for Lauderdale in 2003.

The City Administrator presented the following three options:

- \$6.50 per quarter for residential units, and the equivalent REF for other property types. (Same rate as 2002.)
- \$7.00 per quarter for residential units, and the equivalent REF for other property types.
- \$7.50 per quarter for residential units, and the equivalent REF for other property types.

Motion by Christensen, second by McCloskey to approve the 2003 storm sewer rate at \$7.50 per household per quarter for residential units and the equivalent REF for other property types. Roll: Yes: all. Motion carried.

D. 2003 Financial Services and Audit Agreement with Abdo, Abdo, Eick and Myers. The Administrator stated that the agreement is the same as the agreement that the City was operating under in 2002 with the exception of a proposed \$300 fee increase. Also, special attention will be given to the need to begin implementing the GASB 34 regulations. With the possible exception of the NPDES Phase 2 Permit; the GASB 34 regulations may be the most significant unfunded city mandate in the last ten years. Even though considerable city staff time will be spent on GASB 34, financial assistance from our consultant will be needed.

Motion by McCloskey, second by Giannetti to approve the 2003 Financial Services and Audit Agreement with Abdo, Abdo, Eick and Myers. Roll: Yes: all. Motion carried.

11. DISCUSSION
12. ITEMS REMOVED FROM THE CONSENT AGENDA
13. ADDITIONAL ITEMS
14. SET AGENDA FOR NEXT MEETING
 1. Pay Request #8 for the 2002 Improvements
 2. Resolution Accepting the Feasibility Report and Setting a Public Hearing on the 2003 Improvements
 3. Resolution Approving and Accepting the 2001 Improvements
 4. Public Hearing and Consideration on the Implementation of Organized Refuse Collection
 5. Approval of the 2003 Budget and 2003 Tax Levy
 6. 2002 Budget Transfers
 7. Set a Date for the 2003 Goal Session
 8. Revision to the City Code regarding Winter Parking Regulations
 9. Ice Rink and Warming House Report
15. ADJOURNMENT

Motion by Christensen, second by Gill-Gerbig to adjourn at 9:27 P.M. Ayes: All.