LAUDERDALE CITY COUNCIL MEETING AGENDA
TUESDAY, JULY 13, 2004
CITY HALL, 7:00 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.

FILE

1. CALL MEETING TO ORDER AT 7:00 P. M.

2. ROLL:

Councilmembers:

McCloskey ____ Christensen ____
Gill-Gerbig ____ Giannetti ____
Mayor Dains____

Staff: Getschow ____

3. APPROVAL OF THE AGENDA

4. APPROVAL

A. Approval of minutes of 6/22/04 City Council Meeting
B. Approval of claims totaling $82,016.31

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

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

6. CONSENT

7. SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS/ CITIZENS ADDRESSING STREET AND UTILITY IMPROVEMENTS

8. PUBLIC HEARINGS

Public hearings are conducted so that the public affected by a proposal may have input into the decision. During hearings, all affected residents will be given an opportunity to speak pursuant to the ROBERT'S RULES OF ORDER AND THE STANDING RULES OF ORDER AND BUSINESS OF THE CITY COUNCIL.

9. INFORMATIONAL PRESENTATIONS

A. City Bond Rating Upgrade *(Terri Heaton, Springsted)*

10. REPORTS

11. ACTION

12. ADDITIONAL ITEMS

13. SET AGENDA FOR NEXT MEETING

14. WORK SESSION DISCUSSION

A. Larpenteur Avenue Redevelopment Services- Springsted Financial Advisors, Inc.
B. Refuse Collection Task Force Update
C. Winter Parking Regulations
D. Abandoned Vehicles
E. Social Room Fees
F. Draft Zoning Ordinance – Chapter 17 (Home Occupations)

15. ADJOURNMENT

Lauderdale City Council
Meeting Minutes
June 22, 2004

1. Mayor Pro-Tem Gill-Gerbig called the meeting to order at 7:00 P.M.

2. ROLL

Council present:	Giannetti, Christensen, McCloskey, and Mayor Pro-tem Gill-Gerbig
Council absent:	Mayor Dains
Staff present:	Administrator Getschow

3. APPROVAL OF THE AGENDA

A. Approval of Agenda. Motion by Giannetti, second by McCloskey to approve the agenda. Roll: Yes: all. Motion carried.

4. APPROVAL

A. Approval of Minutes. Motion by Giannetti, second by Christensen to approve the minutes of the June 8, 2004 City Council meeting. Motion carried unanimously.

B. Approval of Claims totaling $73,593.80. Motion by Christensen, second by McCloskey to approve the claims totaling $73,593.80. 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. PUBLIC HEARINGS

9. INFORMATIONAL PRESENTATIONS

A. Roseville Area School District- Educational Planning Advisory Committee (EPAC). City Council member Gill-Gerbig updated the Council on the activities of the EPAC committee that she serves on as a member of the Lauderdale City Council. The Committee has been focusing on district finances and their effect from federal and state legislative mandates. Gill-Gerbig stated that the committee will be finalizing its work in the near future and reports will be available for dissemination.

10. ACTION

A. 2004-2005 Resident's Guide and Phone Directory. The Administrator stated that the Resident's Guide and Phone Directory for 2004-2005 is almost ready for printing and distribution. The Council has received a draft of the guide, and the action requested at this meeting is to approve the draft and approve the quotation for a firm that would print the guide. The 2004 Budget for printing the guide is $1,500.00

Quotations for printing were submitted by the following three companies:

Insty-Prints (St. Paul): $1,535.53

Insty-Prints (Arden Hills): $1,606.35

Rapit Print (Lauderdale): $1,280.34

Getschow stated that Rapit Print in Lauderdale offers the lowest price and is more than $200.00 below budget. Also, Rapit Print completed the print job for the Guide in 2000 and 2002. They are also the company that prints our city newsletter on a quarterly basis.

In summary, Getschow stated that once the guides are printed, city staff will once again hand deliver the guides to residents. This will occur during the month of July.

Motion by McCloskey, second by Christensen to approve the draft of the 2004-2005 Resident's Guide and City Directory for publication, and authorize City Staff to submit the Resident's Guide and City Directory to Rapit Print for printing. Roll: Yes: all. Motion carried

B. Approve Temporary On-Sale 3.2% Liquor License for August 14, 2004 for 1926 Malvern Street in the Community Park. Getschow stated that the property owner at 1926 Malvern Street is requesting a limited on-sale 3.2 % liquor license for August 14, 2004 at the Lauderdale Community Park.

The City Code states that a limited on sale license may be issued to any person, bona fide club or organization, or for the conduct of an organized activity in a public park. The license permits 3.2% liquor for a period of no more than twelve (12) consecutive hours during one day of any license year.

Motion by Christensen, second by McCloskey to approving a temporary 3.2% liquor license for Karen Doherty, 1926 Malvern Street on August 14th, 2004. Roll: Yes: all. Motion carried

11. REPORTS

12. DISCUSSION

13. ITEMS REMOVED FROM THE CONSENT AGENDA

14. ADDITIONAL ITEMS

15. SET AGENDA FOR NEXT MEETING

A. City Bond Rating Upgrade
B. Roseville Area School District EPAC Report
C. Work Session- Springsted, Inc. Larpenteur Ave Redev't presentation, Driveway ordinance, Social Room Fees, Winter Parking, Draft Zoning Ordinance, Policy on land uses covered by other non-city governmental jurisdictions

16. ADJOURNMENT

Motion by Gill-Gerbig, second by McCloskey to adjourn at 7:30 P.M. Ayes: All.

CITY OF LAUDERDALE

Claims for Approval

July 13, 2004 City Council Meeting

Payroll		
07/2/04 Payroll:	Check # 7617-7621	$6,527.32
07/2/04 Payroll:	EFT: Federal Withholding Taxes/FICA	$2,642.93
07/2/04 Payroll:	EFT: PERA	$1,071.36
07/2/04 Payroll:	EFT: ICMA Retirement Fund	$1,137.52
Vendor Claims		
07/13/04 Claims:	Check # 17019-17042	$70,637.18

Subtotal of Claims From Above **$82,016.31**

Total Claims for Approval	$82,016.31

CITY OF LAUDERDALE

Vendor Transactions

CHECK Nbr	Check Date	Batch Name	Invoice	Amount	Comments
Search Name ABDO ABDO EICK & MEYERS					
017019	7/13/04	071304claims	214806	$228.80	prepare annual report
017019	7/13/04	071304claims	214806	$228.80	prepare annual report
Search Name ABDO ABDO EICK & MEYERS				$457.60	
Search Name BANYON DATA SYSTEM					
017020	7/13/04	071304claims	11651	$298.84	annual fixed asset support
Search Name BANYON DATA SYSTEM				$298.84	
Search Name BONESTROO, ROSENE, ANDERLIK					
017021	7/13/04	071304claims	109532	$431.63	5/04 2003 st/util imp
017021	7/13/04	071304claims	109532	$294.00	5/04 general engineering
Search Name BONESTROO, ROSENE, ANDERLIK				$725.63	
Search Name CARL BOLANDER & SONS, CO.					
017022	7/13/04	071304claims	57901	$6.00	concrete and blacktop disposal
Search Name CARL BOLANDER & SONS, CO.				$6.00	
Search Name CINTAS					
017023	7/13/04	071304claims	7/13/04	$53.26	6/24, 7/1 pw uniforms
Search Name CINTAS				$53.26	
Search Name EAST HENNEPIN AUTO SERVICE INC					
017024	7/13/04	071304claims	7/13	$37.08	6/04 tractor fuel
017024	7/13/04	071304claims	7/13	$4.12	6/04 tractor fuel
Search Name EAST HENNEPIN AUTO SERVICE INC				$41.20	
Search Name GLENWOOD INGLEWOOD					
017025	7/13/04	071304claims	7/13	$53.58	6/04 water delivery
Search Name GLENWOOD INGLEWOOD				$53.58	
Search Name HOME DEPOT CRC					
017026	7/13/04	071304claims	7/13	$263.86	warming house improvements
Search Name HOME DEPOT CRC				$263.86	
Search Name HUGHES & COSTELLO					
017027	7/13/04	071304claims	7/13	$69.75	7/04 print/process
017027	7/13/04	071304claims	7/13	$850.00	7/04 legal retainer
Search Name HUGHES & COSTELLO				$919.75	
Search Name ICMA					
017028	7/13/04	071304claims	7/13	$599.84	annual membership dues
Search Name ICMA				$599.84	
Search Name JUMPIN JAX					
017029	7/13/04	071304claims	7/13	$148.04	daynpk bounce house
Search Name JUMPIN JAX				$148.04	
Search Name KENNEDY & GRAVEN					
017030	7/13/04	071304claims	61520	$546.00	5/04 general legal
017030	7/13/04	071304claims	61520	$19.54	5/04 print/process
017030	7/13/04	071304claims	61520	$2,532.50	4/04 general legal
017030	7/13/04	071304claims	61520	$71.39	4/04 print/process

CITY OF LAUDERDALE

Vendor Transactions

CHECK Nbr	Check Date	Batch Name	Invoice	Amount	Comments
Search Name KENNEDY & GRAVEN				$3,169.43	
Search Name KRUG, MICHELLE					
017031	7/13/04	071304claims	7/13	$93.72	daynpk sun shelters
Search Name KRUG, MICHELLE				$93.72	
Search Name LILLIE SUBURBAN NEWS					
017032	7/13/04	071304claims	7/13	$1,365.75	may, june roseville review delivery
Search Name LILLIE SUBURBAN NEWS				$1,365.75	
Search Name MN STATE TREASUER					
017033	7/13/04	071304claims	7/13	$106.13	2q04 building permit surcharges
Search Name MN STATE TREASUER				$106.13	
Search Name NORTH STAR BANK, PETTY					
017034	7/13/04	071304claims	7/13	$18.00	nonresi reimb rv rec s nelson
017034	7/13/04	071304claims	7/13	$48.84	rg mileage
017034	7/13/04	071304claims	7/13	$10.00	pcic meeting
017034	7/13/04	071304claims	7/13	$22.57	jb mileage
017034	7/13/04	071304claims	7/13	$12.08	electric imp - warm house
017034	7/13/04	071304claims	7/13	$13.35	certified mail
Search Name NORTH STAR BANK, PETTY				$124.84	
Search Name OFFICE MAX					
017035	7/13/04	071304claims	6406j146	$87.47	general office supplies
Search Name OFFICE MAX				$87.47	
Search Name PARK SERVICE					
017036	7/13/04	071304claims	7/13	$14.54	6/04 truck fuel
017036	7/13/04	071304claims	7/13	$130.78	6/04 truck fuel
Search Name PARK SERVICE				$145.32	
Search Name POSTMASTER					
017037	7/13/04	071304claims	7/13	$111.00	stamps for city hall
Search Name POSTMASTER				$111.00	
Search Name RAMSEY COUNTY, PROP REC & REV					
017038	7/13/04	071304claims	prrel133	$1,568.03	ballot machine payment 3/5
017038	7/13/04	071304claims	prrel133	$127.05	voting system fees
Search Name RAMSEY COUNTY, PROP REC & REV				$1,695.08	
Search Name RAPIT PRINTING					
017039	7/13/04	071304claims	104990	$167.30	3q04 newsletter printing
Search Name RAPIT PRINTING				$167.30	
Search Name US BANK, DEBT SERVICES					
017040	7/13/04	071304claims	7/13	$21,515.91	2000 street/util imp bonds int
017040	7/13/04	071304claims	7/13	$13,965.00	2003 street/util imp bonds int
017040	7/13/04	071304claims	7/13	$23,820.00	2002 street/util imp bonds int
Search Name US BANK, DEBT SERVICES				$59,300.91	
Search Name WASTE MANAGEMENT					
017041	7/13/04	071304claims	7/13	$30.54	7/04 garbage service

CITY OF LAUDERDALE

Vendor Transactions

CHECK Nbr	Check Date	Batch Name	Invoice	Amount	Comments
017041	7/13/04	071304claims	7/13	$30.54	7/04 garbage service
Search Name WASTE MANAGEMENT				$61.08	
Search Name XCEL ENERGY					
017042	7/13/04	071304claims	7/13	$6.89	6/04 city hall utilities
017042	7/13/04	071304claims	7/13	$91.03	6/04 city hall utilities
017042	7/13/04	071304claims	7/13	$30.34	6/04 city hall utilities
017042	7/13/04	071304claims	7/13	$13.02	6/04 garage utilities
017042	7/13/04	071304claims	7/13	$4.34	6/04 garage utilities
017042	7/13/04	071304claims	7/13	$12.17	6/04 garage utilities
017042	7/13/04	071304claims	7/13	$4.06	6/04 garage utilities
017042	7/13/04	071304claims	7/13	$20.82	6/04 park utilities
017042	7/13/04	071304claims	7/13	$9.04	6/04 park utilities
017042	7/13/04	071304claims	7/13	$429.16	6/04 street lighting
017042	7/13/04	071304claims	7/13	$20.68	6/04 city hall utilities
Search Name XCEL ENERGY				$641.55	
Grand Total				$70,637.18	

Lauderdale City Council Memorandum

Council Meeting Date:	July 13, 2004
To:	Mayor and City Council
From:	Rick Getschow, City Administrator
Agenda Item:	Bond Rating Upgrade

BACKGROUND:

Terri Heaton, our financial advisor from Springsted, will be at the meeting to announce and recognize the City of Lauderdale for receiving a financial rating upgrade from Baa2 to A3.

Lauderdale City Council Memorandum

Council Meeting Date:	July 13, 2004
To:	Mayor and City Council
From:	Rick Getschow, City Administrator
Agenda Item:	Work Session Discussion Item A

BACKGROUND:

A. Larpenteur Avenue Redevelopment

Terri Heaton and Craig Rapp from our financial advising firm, Springsted, will be present at the meeting to discuss their firm's redevelopment services and how they could assist the city with our Larpenteur Avenue redevelopment project. They will discuss their recent experience with city redevelopment projects and how that experience can be applied to the Lauderdale project.

It is anticipated that the City Council will choose from one of two firms, Ehlers and Associates or Springsted, to assist in undertaking the Larpenteur Avenue redevelopment effort at the late July or early August City Council meeting.

I have included some background material on Springsted's redevelopment services.

Terri Heaton

Senior Vice President

Experience

Ms. Heaton joined Springsted Incorporated in May 2002 as a Senior Vice President, concentrating her efforts as principal advisor to cities and counties. She is serving clients in the Midwest, assisting them in attaining their financial goals through effective public finance and economic development, managing operational and structural challenges and developing strong human resource teams.

Ms. Heaton has over 19 years of experience in local government finance, most recently as the Chief Financial Officer for the City of Bloomington, Minnesota, where she was instrumental in improving the City's credit rating, ultimately earning an Aaa/AAA bond rating with both Moody's and Standard and Poor's. As a result of her efforts, the City's first popular report, the *Corporate Report to the Community,* and its budget document continue to receive GFOA awards annually. Ms. Heaton was also the Chief Financial Officer for the City's economic development arm, the Bloomington Port Authority. She negotiated and administered development contracts, including the Mall of America tax increment financing project. She facilitated bond defeasances and bond refundings, resulting in present value savings in excess of $30 million.

As the City's Treasurer, she had responsibility for the $150+ million combined portfolio of the City, Port Authority and Housing Redevelopment Authority. She developed capital financing plans for over $75 million in municipal public facilities.

Ms. Heaton served as an internal project manager, focusing on technology initiatives, streamlining business processes and conducting several studies. Previously, she worked for the Office of the State Auditor, conducting audits of schools, counties, cities, pension funds, agencies, and non-profit corporations.

Education

University of St. Thomas, Saint Paul, Minnesota
Master of Business Administration

Saint Cloud State University, Saint Cloud, Minnesota
Bachelor of Science in Accounting

Affiliations

Government Finance Officers Association –
National and State Associations

League of Minnesota Cities –
Fiscal Futures Committee

Association of Metropolitan Municipalities

Association of Government Accountants –
Certified Government Financial Manager

Professional

Certified Public Accountant

Certified Government Finance Manager

SPRINGSTED
Advisors to the Public Sector

HOUSING AND ECONOMIC DEVELOPMENT SERVICES

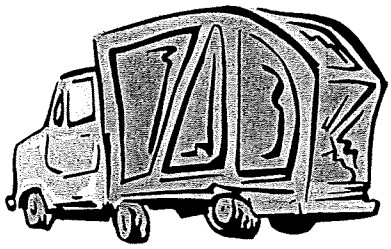
COMMUNITY REDEVELOPMENT PROCESS MANAGEMENT

Redevelopment is a necessary ingredient in maintaining and improving the ongoing health of established communities. Springsted has the knowledge and experience to assist clients in navigating this sometimes difficult but critical process.

SERVICES

Main Street business enhancement programs, strip mall renovations, in-fill housing development, and brownfield reclamations are all examples of community redevelopment. While some initiatives are relatively simple to design and implement, others require considerable expertise in financial tools, process management, developer negotiations, and community relations to reach completion. In public sector positions and as consultants, Springsted professionals have helped numerous communities achieve their redevelopment priorities.

- DEVELOP COMPREHENSIVE REDEVELOPMENT POLICIES
- ANALYZE THE HIGHEST AND BEST USE OF TARGETED SITES
- LEAD FOCUS GROUP DISCUSSIONS TO CLARIFY OPTIONS AND OBJECTIVES
- IDENTIFY THE TOOLS AVAILABLE TO ADDRESS THE CLIENT'S SPECIFIC REDEVELOPMENT NEEDS
- PREPARE PUBLIC/PRIVATE DEVELOPMENT SCENARIOS
- DEVELOP THE COMPONENTS OF REQUESTS FOR PROPOSALS
- EVALUATE DEVELOPER RESPONSES TO REQUESTS FOR PROPOSALS, INCLUDING ANALYSIS OF FINANCIAL CAPABILITIES
- REVIEW DEVELOPER FEASIBILITY STUDIES AND FINANCIAL PROJECTIONS
- CONDUCT DEVELOPER INTERVIEWS
- CONDUCT DEVELOPER NEGOTIATIONS FOR BUSINESS ASSISTANCE
- ANALYZE FINANCING OPTIONS – PUBLIC AND PRIVATE
- IDENTIFY AND ANALYZE PUBLIC RISKS IN PARTICIPATION
- COORDINATE FINANCING FOR PUBLIC PORTIONS OF PROJECTS
- MONITOR THE POST-DEVELOPMENT PHASE OF PROJECT AND PUBLIC FINANCING COMPONENTS



LAUDERDALE REFUSE TASK FORCE MEETING
JULY 13, 2004
CITY HALL, 6:00 P.M.

1. **CALL TO ORDER**

2. **ROLL**

3. **REVIEW AND EVALUATION OF SOLID WASTE AND RECYCLING PROPOSALS**

4. **ADJOURNMENT**

Refuse Collection Task Force

To: Refuse Collection Task Force

From: Kevin Walsh, Deputy Clerk

Minutes of June 8, 2004 Meeting

Present: Denise Hawkinson, Bob James, Bryan Carlson, Council member McCloskey, Mayor Dains, Deputy Clerk Walsh & Administrator Getschow.

The Task Force discussed the proposals from companies A, B, C, & D. It was noted that one of the companies would not dispose of their solid waste at a refuse derived fuel processing facility. The City could not force a hauler to bring their solid waste to the facility but three of the four companies agreed in their proposals to do so.

The Task Force believed company D to have the best proposal. Although, research needed to be conducted due to the unknown factors surrounding company D. Some members stated that the company was untested and unproven in the City. The Task Force wanted to check references, look at operations, and talk to some homeowners with experience with company D.

The Task Force made the decision that company C was not a viable candidate and would not recommend discussing the company in future considerations.

The next step in the process was research by the Task Force members followed by a recommendation to the City Council on what company the Task Force is most satisfied with in order to start negotiations.

Organized Collection Criteria Template

	Walters	BFI	WM	Onyx
Proposed Day of Collection	Tuesday	Friday or any day agreed upon by City	Not specified	Wednesday
Experience	One of the largest haulers in the state, top 100 in the US. 19,000 residential customers	A subsidary of Allied Waste. Serves over 162,000 households in MN.	36 contracts throughout the Twin Cities	Serves over 50,000 residential households in the Twin Cities area.
Holds Organized Collection Account In?	N/A	Little Canada, Bayport, White Bear Township, North St. Paul, & Vadnais Heights	Ham Lake, Stillwater, Circle Pines, Deephaven, Little Canada, Etc.	White Bear Lake, Maplewood, Oak Park Heights
Will Take Solid Waste to NRG?	No	Yes	Yes	Yes
Currently Licensed in Lauderdale?	Yes	Yes	Yes	No
Less Expensive Than Current Prices?	Yes	Yes	Yes	Yes
Plan for Transfer of Service?	Yes	Yes	Yes	Yes
Price (1 lowest- 4 highest)	4	2	2	1
Hiring Plan and Code of Conduct?	Yes	Yes	Yes	Yes
Free Christmas Tree Disposal?	No	Yes	No	Yes
Will Provide Recycling Revenue Sharing?	No	Yes	No	Yes, 25 % after processing fees
Provide Spring Clean-Up Event? (Not Required)	Not Specified	Yes	Not specified	Not specified

Organized Collection Continued.....	Walter's	BFI	WM	Onyx
Meets Recycling Specs?	Yes	Yes	Yes	Yes
Good Standing under the laws of the State?	Yes	Yes	Yes	Yes
Demonstrated Good Credit References?	Yes	Yes	Yes	Yes
Proposer has a Twin Cities Office?	Yes	Yes	Yes	Yes
Proposer Offers White Goods & Bulky Items?	Yes	Yes	Yes	Yes
Proposer Described Collection, Frequency, Costs, Etc?	Yes	Yes	Yes	Yes
Proposer Described Parameters for Resolution of Complaints/Resolutions?	Yes	Yes	Yes	Yes
Proposer Described Public Education That Will Be Provided Under the Contract?	Yes	Yes	Not really	Yes
Proposer Described Customer Notification Procedures?	Yes	Yes	Yes	Yes

Lauderdale City Council Memorandum

Council Meeting Date:	July 13, 2004
To:	Mayor and City Council
From:	Rick Getschow, City Administrator
Agenda Item:	Work Session Discussion Item C

BACKGROUND:

C. Seasonal Winter Parking Regulations

At the last work session, the Council discussed eliminating the odd/even winter parking provisions of the City Code. Subsequently, there was considerable discussion on the snow emergency or 2-inch parking regulations. Staff was asked to research alternatives to the current $25.00 fine that may not be sufficient as a deterrent to parking in the street following a 2" or more snowfall.

The City Code provides the authority to tow vehicles, but Lauderdale and most suburbs, have not normally towed vehicles- we have only ticketed them. The ticket fee of $25.00 therefore has been the typical penalty for snow emergency parking violations in Lauderdale. After discussions with the Police Department and through contact with the Ramsey County Courts, the fine for every Ramsey County city with the exception of Saint Paul is $25.00. The Saint Paul ticket fine is $40.00.

Lauderdale has the ability to increase its fine amount, pursuant to the following conditions:

- The City Code needs to be amended indicating a new fine amount;
- The City Code revision needs to be forwarded to Ramsey County Maplewood Court before September 1, 2004 to be effective January 1, 2005;
- The earliest that the new fine could be in effect is January 1, 2005; and
- A $3.00 surcharge currently is, and would continue to be, added to all fines

The County strongly recommended that if Lauderdale wishes to raise its fee, that it matches the Saint Paul fee of $40.00. Even though the City has the authority to choose its own fine, the Court requests that the City match the Saint Paul fee for continuity purposes.

Lauderdale City Council Memorandum

Council Meeting Date:	July 13, 2004
To:	Mayor and City Council
From:	Rick Getschow, City Administrator
Agenda Item:	Work Session Discussion Item D

BACKGROUND:

D. Abandoned Vehicles

Another discussion item at the last work session dealt with vehicles that are parked on the city streets for long periods of time without being moved. These are vehicles that are not used on a regular basis, and in most cases, do not even register to a Lauderdale resident. The Council agreed that it is not the intent of the city to allow the storage of vehicles on the city streets. Currently, the City Code addresses the issue in general, but does not provide any specific detail or direction on the issue.

The penalty section of the parking regulations in the City Code (6-1-7) states:

> *"If a vehicle is parked or left standing on a street in violation of any resolution adopted by the City Council pursuant to this Chapter or any part of this Chapter not otherwise specified, the vehicle may be removed and impounded by or at the direction of the City and the expense thereof may be charged by the City against the owner of the vehicle. The cost of removing and storing the vehicle, in addition to any fine imposed for violation of this Chapter, shall be paid before the vehicle is restored to the owner. (Ord. 16, 4-27-1993; 1996 Code)."*

The Council may need to specify the "*any resolution adopted by the City Council pursuant to this Chapter*" portion of the paragraph. I cannot find record of a resolution that sets a time period for which a vehicle can be parked on the street. Thus, the current enforcement is that a normal vehicle can be parked on the street without any time limit absent winter parking regulations.

Enclosed in the packet is a copy of the City of St. Anthony ordinance addressing the issue of abandoned vehicles. At the work session, the Council can review the St. Anthony ordinance. While the St. Anthony 48-hour rule may not be appropriate for Lauderdale, a longer time period could be suggested for the Council to consider.

removal of snow, ice or waste, maintenance or improvement or otherwise, evidence of the posting constitutes prima facie evidence of the order of the police and notice of same.

Section 915 - PRIVATE PARKING LOTS

915.01 Regulations. No person may operate a motor vehicle on semi-public property in violation of any official sign, or operate at a speed greater than is safe and reasonable under the conditions then existing, and in no event at a speed in excess of 15 miles per hour. Parking of vehicles on semi-public property must conform to any designated stalls or positions for parking. No vehicles may be parked or allowed to stand in an area designated or used as a lane for moving traffic so as to interfere with the movement of traffic. The Police Department may post signs at any entrance to semi-public property from a roadway to designate one-way traffic for entrance or exit, and the driver of any vehicle entering or leaving the semi-public property must comply with any one-way sign so posted.

Section 920 - REMOVAL OF ABANDONED VEHICLES AND ILLEGALLY PARKED VEHICLES

920.01 Definitions. For purposes of this Section 920, the following terms have the following meanings:

Subd. 1. "Motor Vehicle" or "Vehicle". A vehicle as defined in Minn. Stat. § 169.01, Subd. 1 which is powered all or in part by a motor or engine.

Subd. 2. Abandoned Motor Vehicle. A motor vehicle which (a) has remained for a period of more than 48 hours on public property illegally or without vital operating component parts, or (b) has remained for a period of more than 48 hours on private property without the consent of the person who controls the property, or (c) remains on private property, is not in a garage and is in such an inoperable condition that it has no substantial potential further use consistent with its usual functions, or (d) has been impounded and not reclaimed by its owner within the period prescribed in this Section.

Subd. 3. Vital Component Parts. Those parts of a motor vehicle essential to the mechanical functioning of the vehicle, including but not limited to the motor, drive train and wheels.

Subd. 4. City Impound. The person or company designated by the Manager to be responsible for towing and storage of vehicles impounded by the City.

920.02 Vehicles Impounded. The following motor vehicles may be impounded by the City Impound at the direction of any police officer:

(a) Any unoccupied motor vehicle found in violation of any provision of any traffic or parking provision of this Code or resolution of the City, or any disabled or abandoned motor vehicle.

(b) A motor vehicle tagged by a police officer to be impounded, unless the owner or operator of the vehicle appears before the tagged vehicle has been towed, in which case the vehicle will be released without the payment of any fee, other than towing or service charges already incurred.

(c) A motor vehicle directed by a police officer to be impounded because the officer considers possession of the vehicle necessary in the prosecution of a person for violation of law.

920.03 Storage of Impounded Vehicles. Any vehicle directed to be impounded, from the time it is in possession of the City Impound until the time it is released, will be considered to be in the custody of the law. No work may be done on the vehicle by the City Impound, nor may the City Impound permit anyone to do any work on the vehicle or remove any part, or change or repair any part.

920.04 Disposition of Impounded Vehicles.

Subd. 1. Notice of Impoundment. When a motor vehicle has been impounded, the Police Department will give notice of the impoundment within 10 days after it is taken into custody. The notice will set forth the date and place of the taking, the year, make, model and serial number of the vehicle and the place where the vehicle is being held. The notice will inform the owner and any readily identifiable lienholders of their right to reclaim the vehicle, and state that failure of the owner or lienholders to exercise their right to reclaim the vehicle within the prescribed time period will be deemed a waiver by them of all right, title and interest in the vehicle, and a consent to the sale of the vehicle at public auction or by sealed bid. When a motor vehicle is more than seven model years of age, is lacking vital component parts, and does not display a license plate currently valid in Minnesota or any other state or foreign country, it will immediately be eligible for sale at public auction or by sealed bid, and will not be subject to the notification provided herein.

Subd. 2. Notice Sent By Mail. The notice will be sent by mail to the registered owner, if known, of the impounded vehicle and to all readily identifiable lienholders of record. If it is not reasonably possible to determine the identity

and address of the registered owner and all lienholders or record, the notice will be published once in a newspaper of general circulation in the area where the motor vehicle was abandoned.

Subd. 3. Right to Reclaim. The owner or any lienholder of an impounded motor vehicle has a right to reclaim the vehicle upon payment of all towing, storage, and impounding charges resulting from taking the vehicle into custody. The reclamation must occur within 15 days after the date the notice was given. Reclamation may not occur when the police consider the retention of the vehicle necessary for the prosecution of any person for violation of law. The City Impound will provide to the Manager a schedule of charges acceptable to the Manager for the towing, storage and impounding of vehicles, and the schedule will be kept in the Police Department. Upon receipt of the release payment, the City Impound will release the vehicle by a written release stating the date of the release, together with the enumerated charges and the purpose for which the charges were made. The release must be made in one original and three copies, all of which must be signed by the City Impound and the owner of the vehicle to whom the release is made. The City Impound is to retain the original of the release, deliver one copy to the owner of the vehicle, one copy to the Police Department and one copy to the Clerk.

Subd. 4. Sale of Vehicle. An impounded motor vehicle subject to sale under this Section may be sold to the highest bidder at public auction or sale or by sealed bid, following published notice of the sale. The purchaser will be given a receipt in a form prescribed by law, which will be sufficient title to dispose of the vehicle. The receipt will also entitle the purchaser to register the vehicle and receive a certificate of title, free and clear of all liens and claims of ownership. The proceeds of the sale of a motor vehicle will be used to pay the cost of towing, storage, and impounding the vehicle, all notice and publication costs, and all other costs reasonably incurred by this City with respect to the vehicle. Any remainder from the proceeds of a sale will be held for the owner of the vehicle or entitled lienholder for 90 days, and thereafter will be deposited in the State Treasury. If no bid is received for an abandoned motor vehicle, the vehicle may be disposed of in accordance with Subd. 5 of this Subsection.

Subd. 5. Disposal of Vehicles Not Sold at Public Sale. The City may contract with any person licensed by the Minnesota Pollution Control Agency for the collection, storage, incineration, volume reduction, transportation or other services necessary to prepare abandoned motor vehicles and other scrap metal for recycling or other methods of disposal. Where no bid has been received

for an abandoned motor vehicle, the City may dispose of the vehicle pursuant to such contract.

920.05 Reports of Police Officers and City Impound. Traffic tags will be used by police officers when directing the towing and impounding of a vehicle. The tag is to be in the form prescribed by the Chief of Police and will include the make and license number of the vehicle tagged, the date and time of the offense, the nature of the offense charged, and any further information which the Chief of Police deems necessary and advisable. The police officer will, if possible, await the arrival of a tow truck. When a vehicle is towed and impounded, it is the duty of the City Impound to keep a "tow sheet" on a form furnished by the Manager, on any tows. The tow sheet must give the description of the vehicle, with an inventory of any personal property visible in the vehicle at the time of the arrival of the vehicle at the City Impound. The description and inventory must include the make and license number of the vehicle and the time of arrival at the City Impound, together with a statement of information as may be necessary to describe the vehicle and property. All tow sheets will be consecutively numbered. The original and one copy of each tow sheet must be delivered to the Police Department, which will deliver a copy to the Clerk.

920.06 Authorization. Whenever it is found necessary under any Section of this Code or state law to remove a vehicle illegally parked on a roadway, any police officer is hereby authorized to provide for the removal of the vehicle to the nearest convenient garage, impound lot or other place of safety.

920.07 Parking During Snow Removal.

Subd. 1. During the period commencing November 1 of any year, to and including April 1 of the following year, no person may stop, park or leave standing a vehicle on any street or highway in the City of St. Anthony between the hours of 3:00 a.m. to 7:00 a.m. or in such a manner as to impede the plowing and/or removal of any snow, ice or waste on the street or highway.

Subd. 2. Whenever it is necessary to the proper direction control, regulation of traffic, plowing and/or the removal of snow, ice or waste, or maintenance or improvement of any highway or street to remove any vehicle standing on a highway or street in the City, then any police officer is authorized to provide for the removal of such vehicle and have the same removed to the nearest convenient garage or other place of safety. The cost of removal and storage of the vehicle will be charged to the owner of the vehicle, and to the person causing the violation.

920.08 Parking in Excess of 24 Hours. If any vehicle is left standing for a period in excess of 24 hours, then the vehicle may be deemed a traffic impediment, and a police officer is authorized to provide for the removal of the vehicle.

Section 925 - RESTRICTIONS ON USE

925.01 Motor Vehicles. For purposes of this Section 925, the term "motor vehicle" is deemed to include motorized bicycles, motorcycles, motor scooters, trail bikes, minibikes, all terrain vehicles, and go-carts.

925.02 Places Where Operation is Prohibited. It is unlawful for any person to operate a motor vehicle in the following places:

(a) On private property of another person except with the written permission of the owner or lawful occupant of the property. Such written permission must be carried on the person operating the motor vehicle at all times while operating the motor vehicle on private property.

(b) On public property, including but not limited to parks, playgrounds, school property, sidewalks, recreational areas, golf courses, cemeteries and wild areas, except as provided in Section 925.05.

(c) Public streets and highways, except to the extent permitted by State law.

925.03 Other Restrictions and Prohibitions. No person may operate a motor vehicle:

(a) In a manner so as to create unnecessarily loud or unusual noise which unreasonably disturbs, annoys, or interferes with the peace and quiet of other persons.

(b) Carelessly or heedlessly in disregard of the rights and safety of others, or in a manner so as to endanger any person or property.

(c) While under the influence of alcohol or drugs as defined by State law.

(d) At a speed greater than reasonable or proper under all surrounding conditions and circumstances.

(e) While the motor vehicle has more persons in or on it than it was originally designed by its manufacturer to accommodate.

Lauderdale City Council Memorandum

Council Meeting Date:	July 13, 2004
To:	Mayor and City Council
From:	Rick Getschow, City Administrator
Agenda Item:	Work Session Discussion Items E-F

BACKGROUND:

E. Social Room Fees

The 2004 renovation is complete.

The Council can view the room and discuss potential rate increases.

The current rates are as follows:

Resident

$25.00
$50.00 set-up fee
$75.00 refundable deposit

Non-Resident

$50.00
$50.00 set-up fee
$100.00 refundable deposit

F. Zoning Ordinance Draft

Included under separate cover for use in your own binder is a draft of Chapter 17- *"Home Occupations"* for discussion at the work session.

As always, please come to the meeting with any comments or suggestions that you may have.