

# LAUDERDALE CITY COUNCIL MEETING AGENDA

## TUESDAY, JANUARY 13, 2004

### CITY HALL, 5:00 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 5:00 P. M.

2. ROLL:

*Councilmembers:*

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

*Staff:*

Getschow \_\_\_\_\_ Walsh \_\_\_\_\_ Bownik \_\_\_\_\_  
Hughes \_\_\_\_\_

3. SPECIAL ORDER OF BUSINESS – OATHS OF OFFICE

- A. Mayor Dains
- B. Council member Giannetti
- C. Council member Gill-Gerbig

4. APPROVAL OF THE AGENDA

5. 2004 GOAL SETTING SESSION (5:00 p.m. to 7:00 p.m.)

6. APPROVAL

- A. Approval of minutes of 12/9/03 City Council Meeting
- B. Approval of claims totaling \$338,953.51

**7. 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.

**8. CONSENT**

- A. Approval of 2004 Investment Policy
- B. Resolution 011304A: Approval of Investment Institutions for 2004
- C. Approval of 2004 Licenses
- D. Approval of the Mileage Reimbursement Amount for 2004

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

**10. INFORMATIONAL PRESENTATIONS**

**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.

**12. ACTION**

- A. Resolution 011304B: Resolution Adopting the 2004 Fee Schedule
- B. 2004 Appointments
- C. Accept Petition and Set a Public Hearing to Vacate a Utility Easement at  
2337 Summer Street

**13. DISCUSSION**

- A. Union Contract

**14. ITEMS REMOVED FROM THE CONSENT AGENDA**

**15. ADDITIONAL ITEMS**

**16. SET AGENDA FOR NEXT MEETING**

**17. ADJOURNMENT**

## **Lauderdale City Council Memorandum**

---

Council Meeting Date: January 13, 2004     **5:00 p.m.**  
To: Mayor and City Council  
From: Rick Getschow, City Administrator  
Agenda Item: 2004 Goal Setting Session

---

### **BACKGROUND:**

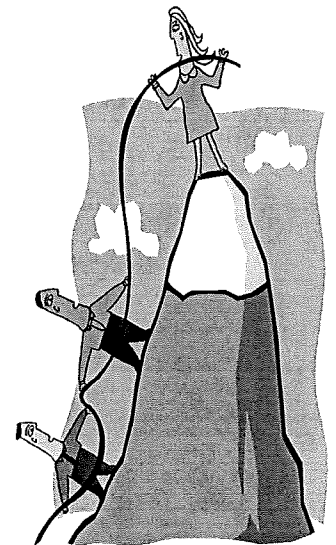
Included in the packet is a list and summary of the 2003 Goals.

These goals were discussed at the December 9, 2003 Council meeting.

# CITY OF LAUDERDALE 2003 GOALS

---

- ✓ COMPLETE AND/OR UNDERTAKE THE 2002 AND 2003 STREET AND UTILITY IMPROVEMENT PROJECTS
- ✓ MONITOR AND RESPOND TO EFFECTS OF THE STATE FISCAL ISSUES THAT AFFECT LAUDERDALE THROUGH POTENTIAL STATE AID CUTS
- ✓ CONTINUED NEGOTIATION OF COUNTY TURNBACK ROADS (FULHAM, ROSELAWN, AND EUSTIS)
- ✓ ONGOING VIGILANCE AND INTERACTION ON THE HIGHWAY 280 RECONSTRUCTION PROJECT WITH MNDOT AND OTHER AFFECTED MUNICIPALITIES
- ✓ PARTNER WITH THE REFUSE COLLECTION TASK FORCE IN THE MOVEMENT TOWARD ORGANIZED COLLECTION
- ✓ BEGIN WORKING ON THE COMPLIANCE PROCESS FOR THE GOVERNMENT ACCOUNTING STANDARDS BOARD (GASB) STATEMENT 34
- ✓ COMPLETION OF A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) AND ITS RELATED ELEMENTS FOR THE NPDES PHASE 2 PERMIT REQUIREMENTS
- ✓ HOUSING IMPROVEMENT INITIATIVES
  - Rental property licensing program
  - Truth-In-Housing Report
- ✓ PARK AND OPEN SPACE IMPROVEMENT AND DEVELOPMENT
  - Nature Area
  - Park/Open Space at Walnut and Ione
  - Walsh Lake
- ✓ TAKE A PROACTIVE ROLE IN EMERGENCY MANAGEMENT
  - City and County Emergency Management Plan Update
  - Conduct a City-Wide Informational Meeting on Emergency Management
- ✓ EXPLORE CREATING A TASK FORCE ON LARPENTEUR AVENUE REDEVELOPMENT
- ✓ EXAMINE METHODS OF GENERATING ALTERNATIVE SOURCES OF REVENUE
- ✓ EXAMINE CHANGING THE START OF CITY COUNCIL MEETINGS TO AN EARLIER TIME



**Lauderdale City Council  
Meeting Minutes  
December 9, 2003**

1. Meeting called to order at 7:00 P.M.

2. ROLL

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

Staff present: City Administrator Getschow

3. APPROVAL OF THE AGENDA

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

4. APPROVAL

*A. Approval of Minutes.* Motion by Giannetti, second by Gill-Gerbig to approve the minutes of the regular City Council meeting of the November 25, 2003. Motion carried unanimously.

*B. Approval of Claims totaling \$20,302.36.* Motion by Gill-Gerbig, second by Giannetti to approve the claims totaling \$20,302.36. 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

*B. 2003 Lauderdale Budget and Property Tax Levy.* The City Administrator gave an overview of the budget process, the 2004 Budget, and the property tax levy and impacts for 2004.

In discussing the tax levy, the City Administrator stressed that the proposal is for the no increase in the levy with the general fund budget being decreased by approximately 1%. A Lauderdale median valued home will see an 11% decrease in city taxes for 2004 as compared to 2003, property values being equal. But, property values do not normally remain equal and any tax increase can be attributed to property value increases. The property value increases and tax impacts are also affected by the limited market value phase-outs. Less property is being shielded from value increases for tax purposes as a result of State legislation that is phasing out the limited market value program.

In discussing the budget, the City Administrator stated that service levels are being maintained in the 2004 Budget. There are not any cuts in services provided, even though the budget itself is slightly being cut. Also, in terms of the capital budgets, the focus of activity is moving from the capital project funds to the debt service funds. Finally, the only utility rate increase in 2004 is for the recycling program- the sanitary and storm sewer rates are being kept the same for 2004.

10. ACTION

*A. Approval of Resolution 120903A: A Resolution Adopting the City of Lauderdale 2004 Budget and 2004 Tax Levy.* At the September 9, 2003 meeting, the Council approved a preliminary levy \$488,000 for 2004, which is a 0% increase from the 2003 levy. This preliminary levy amount is now being considered as a final levy amount for approval.

The Mayor stated that he was very pleased with where this budget ended up considering the state aid cutbacks and other concerns with local budgets and tax levies.

Motion by Gill-Gerbig, second by McCloskey to approve Resolution 120903A:  
A Resolution adopting the City of Lauderdale Budget for 2004 and certifying the  
2004 payable property tax levy to Ramsey County. Roll: Yes: all. Motion carried.

*B. 2003 Budget Transfers.* The City Administrator stated that the 2003 fiscal year is almost complete and now is the time to complete the budgeted transfers for the year based upon earlier budgeting, year-end projections, and capital projects. Also, there has been recent discussion at the last two City Council meetings regarding the excess profits in the Sanitary Sewer Fund (601) due to the MCES treatment cost error. Those transfers are also included and would require a separate motion for approval.

The regular recommended 2003 transfers are:

\$ 25,000	from	101-45400-710	to	302-47200	<i>2001 Street/Utility Debt Fund</i>
\$ 100,000	from	101-45400-710	to	303-47300	<i>2002 Street/Utility Debt Fund</i>
\$ 60,000	from	101-45400-710	to	304-47400	<i>2003 Street/Utility Debt Fund</i>
\$ 6,750	from	401-48401-710	to	412-48410	<i>2002 Street/Utility Project Fund</i>
\$ 3,750	from	403-48403-710	to	412-48410	
\$ 3,750	from	405-48500-710	to	412-48410	
\$ 750	from	407-48407-710	to	412-48410	
\$382,500	from	401-48401-710	to	413-48410	<i>2003 Street/Utility Project Fund</i>
\$212,500	from	403-48403-710	to	413-48410	
\$212,500	from	405-48500-710	to	413-48410	
\$ 42,500	from	407-48407-710	to	413-48410	

The recommended transfers as they relate to excess profits in the Sanitary Sewer Fund (601) are:

\$ 30,000	from	601-49000-710	to	302-47200	<i>2001 Street/Utility Debt Fund</i>
\$ 30,000	from	601-49000-710	to	303-47300	<i>2002 Street/Utility Debt Fund</i>
\$ 30,000	from	601-49000-710	to	304-47400	<i>2003 Street/Utility Debt Fund</i>
\$ 20,000	from	601-49000-710	to	101-39200	<i>General Fund- LCDA Grant</i>
\$ 10,000	from	601-49000-710	to	401-48401	<i>Street Improvement Fund- Trees</i>
\$128,227	from	601-49000-710	to	402-48000	<i>General Capital Improv. Fund</i>

Motion by Christensen, second by McCloskey to approve the regular recommended 2003 transfers as indicated on page 47 of the Council packet.  
Roll: Yes: all. Motion carried.

Motion by Christensen, second by Giannetti to proclaim excess profits in the Sanitary Sewer Fund (601) and approve the aforementioned transfers.  
Roll: Yes: all. Motion carried.

*C. City Code Revision to Title 3-Business Regulations, Chapter 2- Liquor Control.* The Administrator stated that the City Council has been discussing amending the liquor control ordinance since September 2003. The main reason for the revisions would be to include a specific and detailed schedule of violation penalties. The goal is to have a penalty schedule that is consistent with the Saint Anthony and Falcon Heights liquor control ordinances and the Lauderdale tobacco ordinance, even if the penalties schedules are different.

Getschow stated that the City Attorney has reviewed the draft revisions and proposes two changes. First, the definitions of "intoxicating and non-intoxicating liquor" have changed in State Statute language, so the City Code definitions should also change to match that language. Second, the penalty schedule should be adopted by resolution on annual basis as opposed to having the penalties be specifically adopted in the Code. Therefore, when changes are made to the penalty amounts in the future a City Code revision will not be necessary. This is similar to how license fees, permit fees, and charges for services are adopted and revised.

The draft ordinance revision also incorporates the penalty schedule that the Council has discussed adopting. This schedule would now be adopted within the 2004 fee schedule resolution planned for Council consideration at the January 13, 2004 meeting.

Motion by Gill-Gerbig, second by Christensen to approve the included revisions to City Code Title 3- Business Regulations, Chapter 2- Liquor Control.

Roll: Yes: all. Motion carried.

*D. Set a Date and Time for the 2004 Goal Setting Session.* Motion by Gill-Gerbig, second by Giannetti to set Tuesday, January 13, 2004 as the date for the Goal setting session (This is also the evening of the first regular City Council meeting for January) at 5:00 p.m. at Lauderdale City Hall. Roll: Yes: all. Motion carried.

## 12. ITEMS REMOVED FROM THE CONSENT AGENDA

13. ADDITIONAL ITEMS

A. *Staff Holiday.* Motion by Christensen, second by Gill-Gerbig to grant an additional paid holiday to City Staff, upon the condition that it is used between December 20, 2003 and January 5, 2004 with the approval of the City Administrator. Roll: Yes: all. Motion carried.

14. SET AGENDA FOR NEXT MEETING

1. Oaths of Office
2. Goal Setting Session
3. Investment Policy and Institutions
4. 2004 Appointments
5. 2004 Licenses
6. 2004 Fees
7. Union Contract

A break was taken at 8:00 p.m. to transition into a work session discussion.

15. WORK SESSION DISCUSSION

The meeting resumed at 8:05 p.m.

A. *2003 Goal Review.* The City Council discussed and reviewed the progress made on the 2003 Goals that were adopted in January 2003. This was done in anticipation of the 2004 Goal setting session that is planned for January of 2004.

16. ADJOURNMENT

Motion by Gill-Gerbig, second by Christensen to adjourn at 8:25 P.M. Ayes: All.

**CITY OF LAUDERDALE**

**Claims for Approval**

**January 13, 2004 City Council Meeting**

Payroll

12/19/03 Payroll:	Check # 7482-7486	\$6,523.88
12/19/03 Payroll:	EFT: Federal Withholding Taxes/FICA	\$2,582.89
12/19/03 Payroll:	EFT: PERA	\$1,055.67
12/19/03 Payroll:	EFT: ICMA Retirement Fund	\$950.43
12/19/03 Payroll:	EFT: State Withholding Taxes	\$1,079.40
01/02/04 Payroll:	Check # 7497-7504	\$7,398.42
01/02/04 Payroll:	EFT: Federal Withholding Taxes/FICA	\$2,803.39
01/02/04 Payroll:	EFT: PERA	\$1,075.91
01/02/04 Payroll:	EFT: ICMA Retirement Fund	\$1,020.56

Vendor Claims

12/23/03 Claims:	Check # 16668-16687	\$21,745.91
01/13/04 Claims:	Check # 16689-16709	\$292,717.05

**Subtotal of Claims From Above**

**\$338,953.51**

**Total Claims for Approval**

**\$338,953.51**

## CITY OF LAUDERDALE

12/23/03 12:12 PM

Page 1

## Vendor Transactions

CHECK Nbr	Check Date	Batch Name Invoice	Amount	Comments
<b>Search Name AFSCME</b>				
016668	12/23/03	decclaims2 dec03-2	\$76.24	12/03 union dues
<i>Search Name AFSCME</i>			\$76.24	
<b>Search Name AT &amp; T</b>				
016669	12/23/03	decclaims2 1227402695	\$12.77	11/03 long distance
<i>Search Name AT &amp; T</i>			\$12.77	
<b>Search Name BFI</b>				
016670	12/23/03	decclaims2 dec03-2	\$2,415.00	11/03 recycling services
<i>Search Name BFI</i>			\$2,415.00	
<b>Search Name BONESTROO, ROSENE, ANDERLIK</b>				
016671	12/23/03	decclaims2 104242	\$96.00	11/03 general engineering
016671	12/23/03	decclaims2 104243	\$336.00	11/03 '02 street/utility imp
016671	12/23/03	decclaims2 104244	\$3,228.39	11/03 '03 street/utility imp
<i>Search Name BONESTROO, ROSENE, ANDERLIK</i>			\$3,660.39	
<b>Search Name BUSINESS FORMS AND ACCOUNTING</b>				
016672	12/23/03	decclaims2 dec03-2	\$61.77	end of year financial forms
<i>Search Name BUSINESS FORMS AND ACCOUNTING</i>			\$61.77	
<b>Search Name CINTAS</b>				
016673	12/23/03	decclaims2 dec03-2	\$74.46	12/11, 12/18 pw uniforms
<i>Search Name CINTAS</i>			\$74.46	
<b>Search Name CITY OF FALCON HEIGHTS</b>				
016674	12/23/03	decclaims2 dec03-2	\$2,872.00	11/03 false fire calls
016674	12/23/03	decclaims2 dec03-2	\$1,077.00	11/03 fire calls
016674	12/23/03	decclaims2 dec03-2	\$718.00	10/03 fire calls
<i>Search Name CITY OF FALCON HEIGHTS</i>			\$4,667.00	
<b>Search Name CITY OF ST PAUL</b>				
016675	12/23/03	decclaims2 81733	\$64.73	election supplies
016675	12/23/03	decclaims2 81693	\$20.51	2003 street lighting
<i>Search Name CITY OF ST PAUL</i>			\$85.24	
<b>Search Name ESCHOLON TELECOM, INC</b>				
016676	12/23/03	decclaims2 580684	\$235.68	12/03 city hall phone
<i>Search Name ESCHOLON TELECOM, INC</i>			\$235.68	
<b>Search Name KENNEDY &amp; GRAVEN</b>				
016677	12/23/03	decclaims2 59542	\$331.25	11/03 legal services
<i>Search Name KENNEDY &amp; GRAVEN</i>			\$331.25	
<b>Search Name LILLIE SUBURBAN NEWS</b>				
016678	12/23/03	decclaims2 dec03-2	\$578.00	11/03 delivery rv review
<i>Search Name LILLIE SUBURBAN NEWS</i>			\$578.00	
<b>Search Name MET-COUNCIL ENVIRONMENTAL SER.</b>				
016679	12/23/03	decclaims2 766209	\$6,370.00	01/04 wastewater services
<i>Search Name MET-COUNCIL ENVIRONMENTAL SER.</i>			\$6,370.00	
<b>Search Name MN POLLUTION CONTROL AGENCY</b>				

## CITY OF LAUDERDALE

12/23/03 12:12 PM

Page 2

## Vendor Transactions

CHECK Nbr	Check Date	Batch Name Invoice	Amount	Comments
016680	12/23/03	decclaims2 dec03-2	\$540.00	dave/joe annual conference
Search Name MN POLLUTION CONTROL AGENCY			\$540.00	
Search Name POSTMASTER				
016681	12/23/03	decclaims2 dec2-03	\$111.00	stamps for city hall
Search Name POSTMASTER			\$111.00	
Search Name RAMSEY COUNTY, PROP REC & REV				
016682	12/23/03	decclaims2 risk648	\$936.97	12/03 employee benefits
Search Name RAMSEY COUNTY, PROP REC & REV			\$936.97	
Search Name SAM'S CLUB				
016683	12/23/03	decclaims2 1238	\$132.41	floodlight, trash bags, etc
Search Name SAM'S CLUB			\$132.41	
Search Name SPRINT PCS				
016684	12/23/03	decclaims2 dec03-2	\$10.88	11/03 pw cell phone
016684	12/23/03	decclaims2 dec03-2	\$10.87	11/03 pw cell phone
Search Name SPRINT PCS			\$21.75	
Search Name TRUCK UTILITIES				
016685	12/23/03	decclaims2 121214	\$79.23	plow lights for truck
016685	12/23/03	decclaims2 121214	\$79.22	plow lights for truck
Search Name TRUCK UTILITIES			\$158.45	
Search Name WALTER'S RUBBISH				
016686	12/23/03	decclaims2 2413488	\$38.93	12/03 garbage service
016686	12/23/03	decclaims2 2413488	\$38.92	12/03 garbage service
Search Name WALTER'S RUBBISH			\$77.85	
Search Name XCEL ENERGY				
016687	12/23/03	decclaims2 dec03-2	\$421.84	11/03 street lighting
016687	12/23/03	decclaims2 dec03-2	\$88.34	11/03 city hall utilities
016687	12/23/03	decclaims2 dec03-2	\$124.35	11/03 city hall utilities
016687	12/23/03	decclaims2 dec03-2	\$41.45	11/03 city hall utilities
016687	12/23/03	decclaims2 dec03-2	\$48.57	11/03 garage utilities
016687	12/23/03	decclaims2 dec03-2	\$48.58	11/03 garage utilities
016687	12/23/03	decclaims2 dec03-2	\$8.70	11/03 garage utilities
016687	12/23/03	decclaims2 dec03-2	\$8.70	11/03 garage utilities
016687	12/23/03	decclaims2 dec03-2	\$9.04	11/03 park utilities
016687	12/23/03	decclaims2 dec03-2	\$265.03	11/03 city hall utilities
016687	12/23/03	decclaims2 dec03-2	\$135.08	11/03 park utilities
Search Name XCEL ENERGY			\$1,199.68	
Grand Total			\$21,745.91	

# CITY OF LAUDERDALE

## Vendor Transactions

01/09/04 9:51 AM

Page 1

CHECK Nbr	Check Date	Batch Name Invoice	Amount	Comments
<b>Search Name AT &amp; T</b>				
016689	1/13/04	011304claims 1/13	\$14.44	sep, oct long distance
<i>Search Name AT &amp; T</i>			\$14.44	
<b>Search Name AVENET, LLC</b>				
016690	1/13/04	011304claims 5901	\$90.00	1q04 website hosting
<i>Search Name AVENET, LLC</i>			\$90.00	
<b>Search Name CINTAS</b>				
016691	1/13/04	011304claims 1/13	\$113.23	12/25, 1/1, 1/8 pw uniforms
<i>Search Name CINTAS</i>			\$113.23	
<b>Search Name CITY OF ROSEVILLE</b>				
016692	1/13/04	011304claims 1/13	\$106.49	software for ch 16 bulletin board
<i>Search Name CITY OF ROSEVILLE</i>			\$106.49	
<b>Search Name CITY OF ST ANTHONY</b>				
016693	1/13/04	011304claims 1/13	\$20,068.17	1/04 police services
<i>Search Name CITY OF ST ANTHONY</i>			\$20,068.17	
<b>Search Name GLENWOOD INGLEWOOD</b>				
016694	1/13/04	011304claims 1/13	\$58.47	12/03 water delivery
<i>Search Name GLENWOOD INGLEWOOD</i>			\$58.47	
<b>Search Name HUGHES &amp; COSTELLO</b>				
016695	1/13/04	011304claims 1/13	\$850.00	01/04 legal retainer
016695	1/13/04	011304claims 1/13	\$61.25	01/04 print/process
<i>Search Name HUGHES &amp; COSTELLO</i>			\$911.25	
<b>Search Name MAMA</b>				
016696	1/13/04	011304claims 763	\$60.00	12/04 meeting
<i>Search Name MAMA</i>			\$60.00	
<b>Search Name MIKE MC PHILLIPS</b>				
016697	1/13/04	011304claims 25190	\$2,529.50	fall street sweeping
<i>Search Name MIKE MC PHILLIPS</i>			\$2,529.50	
<b>Search Name MPELRA</b>				
016698	1/13/04	011304claims 1/13	\$45.00	conference kevin
<i>Search Name MPELRA</i>			\$45.00	
<b>Search Name NORTH STAR BANK, PETTY</b>				
016699	1/13/04	011304claims 1/13	\$11.52	mileage
016699	1/13/04	011304claims 1/13	\$6.09	election judges breakfast
016699	1/13/04	011304claims 1/13	\$18.72	mileage
016699	1/13/04	011304claims 1/13	\$16.77	coffee
016699	1/13/04	011304claims 1/13	\$40.68	mileage
016699	1/13/04	011304claims 1/13	\$20.00	pcic pizza
<i>Search Name NORTH STAR BANK, PETTY</i>			\$113.78	
<b>Search Name OFFICE MAX</b>				
016700	1/13/04	011304claims 622j344	\$24.88	general office supplies
<i>Search Name OFFICE MAX</i>			\$24.88	

# CITY OF LAUDERDALE

## Vendor Transactions

01/09/04 9:51 AM  
Page 2


CHECK Nbr	Check Date	Batch Name Invoice	Amount	Comments
<b>Search Name PARK HARDWARE HANK</b>				
016701	1/13/04	011304claims 1/13	\$15.92	batteries
016701	1/13/04	011304claims 1/13	\$14.96	alley maintenance
<i>Search Name PARK HARDWARE HANK</i>			<u>\$30.88</u>	
<b>Search Name PARK SERVICE</b>				
016702	1/13/04	011304claims 1/13	\$89.43	12/03 truck fuel
016702	1/13/04	011304claims 1/13	\$89.42	12/03 truck fuel
<i>Search Name PARK SERVICE</i>			<u>\$178.85</u>	
<b>Search Name RAMSEY COUNTY PUBLIC HEALTH</b>				
016703	1/13/04	011304claims 1/13	\$39.00	'04 food license
016703	1/13/04	011304claims 1/13	\$39.00	'04 food license
016703	1/13/04	011304claims 1/13	\$39.00	'04 food license
<i>Search Name RAMSEY COUNTY PUBLIC HEALTH</i>			<u>\$117.00</u>	
<b>Search Name RAMSEY COUNTY, PROP REC &amp; REV</b>				
016704	1/13/04	011304claims prrv340	\$158.50	truth in taxation notices
<i>Search Name RAMSEY COUNTY, PROP REC &amp; REV</i>			<u>\$158.50</u>	
<b>Search Name SPRINT PCS</b>				
016705	1/13/04	011304claims 1/13	\$15.05	12/03 pw cell phone
016705	1/13/04	011304claims 1/13	\$15.05	12/03 pw cell phone
<i>Search Name SPRINT PCS</i>			<u>\$30.10</u>	
<b>Search Name US BANK, DEBT SERVICES</b>				
016706	1/13/04	011304claims 1/13	\$75,000.00	2000 street/util imp bonds
016706	1/13/04	011304claims 1/13	\$23,597.50	2000 street/util imp bonds
016706	1/13/04	011304claims 1/13	\$23,820.00	2002 street/util imp bonds
<i>Search Name US BANK, DEBT SERVICES</i>			<u>\$122,417.50</u>	
<b>Search Name WAGERS BUSINESS SYSTEMS</b>				
016707	1/13/04	011304claims arin21343	\$212.42	toner for copier
<i>Search Name WAGERS BUSINESS SYSTEMS</i>			<u>\$212.42</u>	
<b>Search Name WELLS FARGO BANK MINNESOTA, NA</b>				
016708	1/13/04	011304claims 1/13	\$4,025.00	tif bond
016708	1/13/04	011304claims 1/13	\$140,000.00	tif bond
<i>Search Name WELLS FARGO BANK MINNESOTA, NA</i>			<u>\$144,025.00</u>	
<b>Search Name XCEL ENERGY</b>				
016709	1/13/04	011304claims 1/13	\$423.87	12/03 street lighting
016709	1/13/04	011304claims 1/13	\$115.06	12/03 city hall utilities
016709	1/13/04	011304claims 1/13	\$117.84	12/03 city hall utilities
016709	1/13/04	011304claims 1/13	\$39.28	12/03 city hall utilities
016709	1/13/04	011304claims 1/13	\$72.81	12/03 garage utilities
016709	1/13/04	011304claims 1/13	\$72.82	12/03 garage utilities
016709	1/13/04	011304claims 1/13	\$9.98	12/03 garage utilities
016709	1/13/04	011304claims 1/13	\$9.98	12/03 garage utilities
016709	1/13/04	011304claims 1/13	\$204.75	12/03 park utilities

CITY OF LAUDERDALE  
Vendor Transactions

01/09/04 9:51 AM  
Page 3

CHECK Nbr	Check Date	Batch Name Invoice	Amount	Comments
016709	1/13/04	011304claims 1/13	\$345.20	12/03 city hall utilities
Search Name XCEL ENERGY			\$1,411.59	
Grand Total			\$292,717.05	

# Memos by James

**DATE:** JANUARY 13, 2004  
**TO:** HONORABLE MAYOR AND COUNCIL  
**FROM:** JAMES BOWNIK, A2CA   
**RE:** APPROVAL OF THE 2004 LAUDERDALE INVESTMENT POLICY

---

## **BACKGROUND**

Within the first quarter of the year, the City Council reviews the City's Investment Policy in order to keep the Investment Policy current and applicable to the City's needs. I have attached the proposed 2004 Investment Policy for your review.

## **COUNCIL ACTION REQUESTED**

Motion to approve the 2004 Lauderdale Investment Policy.

# City of Lauderdale

2004

## Investment Policy

### 1.0 Policy:

It is the policy of the City of Lauderdale to invest public funds in a manner which will provide the highest investment return with the maximum security - while meeting the daily cash flow demands of the City in accordance with all state and local statutes governing the investment of public funds.

### 2.0 Definitions:

Investment Designee - the investment designee is an employee of the City designated by the City Administrator to perform the investment function within the provisions set forth in this policy and in Minnesota State Statutes.

### 3.0 Scope:

This investment policy applies to all financial assets of Lauderdale. These funds are accounted for in the City's Comprehensive Annual Financial Report and include:

101	General Fund
201-203	Special Revenue Funds
301-304	Debt Service Funds
401-413	Capital Improvement Funds
601	Sewer Fund

### 4.0 Objectives:

**1. Liquidity:** The City Administrator or investment designee shall assure that funds are constantly available to meet immediate payment requirements including payroll, accounts payable and debt service.

**2. Safety:** Investments shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required. Speculation is prohibited.

**3. Return:** The investment portfolio shall be designated to attain a market average rate of return throughout budgetary and economic cycles, taking into account investment risk constraints and the cash flow characteristics of the portfolio.

## **5.0 Prudence:**

All investment transactions shall be made with a degree of judgment and care. The standard of prudence, meaning not for speculation and with consideration of the probable safety of the capital as well as the probable investment return derived from assets, will be applied in all investment transactions.

## **6.0 Cash Management Procedures:**

Cash management is essential to a good investment program. The City Administrator has responsibility to organize and establish procedures for effective cash management, based on the following guidelines:

1. Cash flow projections will be prepared at the beginning of each budget year.
2. At a minimum the checking account balance of the City shall always be kept at the amount necessary to cover outstanding checks.
3. All investments will be made with the intent they will be held to maturity.
4. At least three bids will be sought for each security purchased.
5. Each morning a cash balance will be prepared based on cash received the previous day, warrants paid the previous day, and sizable checks or wire transfers which present investment opportunity.
6. Each morning, the investment records will be reviewed and updated as investments mature or are purchased.
7. Each month the investment records will be balanced to the financial records.
8. Each month, the investment designee shall submit an investment report to the City Administrator.
9. Interest Earnings will be allocated to the various City funds quarterly (see section 9).
10. The General Fund will be allocated a management fee equal to five percent of the investment earnings.
11. Within 30 days of the end of each quarter, the City Administrator or investment designee shall submit an investment report to the City Council that summarizes recent market conditions, economic developments, and anticipated investment conditions. The report shall summarize the investment strategies employed in the most recent quarter, and describe the portfolio in terms of investment securities, maturities, risk characteristics, and other features. The report shall explain the quarter's total investment return and compare the return with budgetary expectations. The report will include an appendix that discloses all transactions during the past quarter.

12. Each quarterly report shall indicate areas of policy concern and suggested or planned revision of investment strategies. Copies shall be transmitted to the independent auditor.

13. Within 40 days of the end of the fiscal year, the City Administrator or investment designee shall present a comprehensive annual report to the City Council on the investment program and investment activity. The annual report shall include 12 months and separate quarterly comparisons of return and shall suggest policies and improvements that might be made in the investment program.

**7.0 Authorized and Suitable Investments:** - See Appendix A for Complete Definitions

1. It is the policy of the City of Lauderdale that available funds be invested at the best rates obtainable at the time of investment in conformance with the legal and administrative guideline outlined herein. U.S. Treasury Obligations and Federal Agency Securities will be given preference when the yields are equal to or greater than alternative investments.

2. The City of Lauderdale shall exclude mortgage derivative products that are "high risk" per Minnesota Statute 118A.04. Documentation of compliance (the results of three separate independent statutory (Impact) tests all indicating that the security is not "High Risk") will be kept on file for auditing and review purposes.

3. The investments of the City of Lauderdale will be made in accordance with Minnesota statutes and be further restricted to the following:

**a. United States Treasury Obligations**

**b. Federal Agencies Securities**

**c. Repurchase Agreements (Repo's) - Repo transactions are restricted to:**

1. A primary reporting dealer in U.S. government securities who reports to the Federal Reserve Bank of New York, or

2. National or state banks in the U.S. which is a member of the Federal Reserve system and whose combined capital and surplus equals or exceeds \$10,000,000.

3. A securities broker-dealer having its primary executive office in Minnesota and licensed pursuant to Chapter 80A, or an affiliate of it, registered by the SEC and maintaining a combined capital and surplus of \$40,000,000 or more, exclusive of subordinated debt.

4. The City of Lauderdale shall receive a confirmation/safekeeping receipt with a complete description of the collateral on the Repo.

#### **d. Certificates of Deposit**

1. All Certificates of Deposit purchased by the City of Lauderdale are secured by FDIC Insurance. Amounts in excess of \$100,000 (maximum insured) shall be secured in accordance with Minnesota Statutes.

#### **e. Bankers Acceptances**

1. Banker's Acceptances shall be restricted to the 50 largest banks in the United States (as measured by deposits). Investments in banker's acceptances shall not be made if news leads offer concerns over the financial condition of these banks.
2. The broker, dealer, or bank shall verify that the banker's acceptance is eligible for purchase by the Federal Reserve System.

#### **f. Commercial Paper**

1. Commercial Paper shall be restricted to issues that mature in 270 days or less with a rating of A-1 (Moody's), P-1 (Standard & Poors), or F-1 (Fitch) among at least two of these three rating agencies.

#### **g. Money Market Funds**

1. The fund shall consist of United States Treasury obligations and federal agency issues and be consistent with the City of Lauderdale's objective of preservation of capital.

### **3. Safekeeping - Investments may be held with:**

1. Any Federal Reserve bank.
2. Any bank authorized under the laws of the United States or any State to exercise corporate trust powers, including but not limited to the bank from which the investment is purchased.
3. A primary reporting dealer in United States government securities whom reports to the Federal Reserve Bank of New York.
4. A securities broker-dealer as described in section 7.2, subpart c: 3.

The City's ownership of all securities in which the fund is invested shall be evidenced by a written acknowledgment identifying the securities by name of issue, maturing date, interest rate, and serial number or other distinguishing mark.

## **8.0 Diversification:**

The City Administrator or investment designee shall diversify use of investment instruments to avoid incurring unreasonable risks inherent in over-investing in specific investments, individual financial institutions, or maturities. Diversification strategies shall be determined and revised periodically by the City Council for all funds.

### **1. Institutions - Diversity between financial institutions used.**

a. No more than 60% of the investment portfolio, or \$2,000,000 (whichever is less) shall be invested with any one investment company.

b. No funds may be invested in any one investment company in excess of the amount insured by it.

### **2. Maturities - Diversity in length of maturities.**

a. Investments shall be made to assure that funds are constantly available to meet immediate payment requirements including payroll, accounts payable, debt service, and planned projects.

b. No investments shall be made with a term over 10 years unless with prior approval from the City Council.

### **3. Investments - The City should maintain a diversity of investments.**

a. With the exception of U.S. Treasury securities, authorized pools, and Federal Agencies (backed by the full faith and credit of the U.S. Government) - no more than 50% of the entity's total investment portfolio may be invested any one of the following: Repurchase Agreements, Certificates of Deposit, Banker's Acceptances, or Commercial Paper.

## **9.0 Pooling of Investments:**

For the purposes of making the maximum amount of funds available for investment, the cash for all City funds is pooled in an investment account. Interest earnings are allocated among the various funds based upon their average cash balance.

## **10.0 Authorized Financial Dealers & Institutions:**

1. At the beginning of each year, the City Council approves depositories and investment firms.

2. All dealers and institutions must qualify as set out in Section 7.3, subpart c.

3. A current annual statement shall be kept on file for each bank, broker, or dealer with whom business is done.

4. All dealers and institutions must have at least \$500,000 of Securities Investor Protection Corporation (SIPC) insurance.

5. Before engaging in investment transactions with the City of Lauderdale, the supervising officer at the securities broker/dealer shall submit a certification of "Notification to Broker and Certification by Broker Pursuant To Minnesota Statute 118A.04". Said certification will state that the broker/dealer has reviewed the investment policies and objectives, as well as applicable state law, and agrees to disclose potential conflicts or risk to public funds that might arise out of business transactions between the securities broker/dealer firm and the City of Lauderdale. All financial institutions shall agree to undertake reasonable efforts to preclude imprudent transactions involving the City of Lauderdale's funds.

#### **11.0 Ethics and Conflicts of Interest:**

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the City Administrator and City Council any material financial interests in financial institutions that conduct business within this jurisdiction, and they shall further disclose any large personal financial/investment positions over \$50,000 that could be related to the performance of this jurisdiction's portfolio. Employees and officers shall subordinate their personal investment transactions to those of this jurisdiction, particularly with regard to timing of purchases and sales.

#### **12.0 Annual Review:**

In order to keep this policy current and applicable to the City's needs, it will be the practice of the City Council to review and approve the investment policy within the first quarter of each year.

# Appendix A

## Eligible Instruments For City Investment

“All investments must comply with the City’s investment policy and Minnesota Statutes”

**1. United States Treasury Obligations** constitute the largest segment of the market for fixed income securities. In general, treasury securities are the safest and most marketable securities and yield the lowest return for a given maturity of all instruments.

**U.S. Treasury Bills** carry the full faith and credit guarantee of the U.S. Government are issued at a discount from par and mature in one year or less. (\$10,000 minimum).

**U.S. Treasury Notes & Bonds** are also guaranteed by the U.S. Government, and have a semi-annual interest coupon and original maturities 2 to 30 years. Maturities under four years (\$5,000 minimum): 4 years or longer (\$1,000 minimum).

**U.S. Treasury STRIPS** and Treasury Receipts are zero coupon securities, with maturities ranging from 6 months to 30 years. (\$1,000 minimum).

**2. Federal Agency Securities** are obligations of various agencies and corporations chartered by the federal government and guaranteed by the agency issuing the security.

**FHLB - Federal Home Loan Bank** borrows funds in the securities markets in order to provide savings and loans with an adequate flow of funds for the home mortgage market. Maturities range from 1 to 30 years. (\$10,000 minimum).

**FNMA - Federal National Mortgage Association** (Fannie Mae) is the largest single holder of residential mortgages, and finances its purchases through sales of debentures ranging from 1 to 30 years. (\$10,000 minimum).

**FFCB - Federal Farm Credit Consolidated Bonds** are joint obligations of the 37 Farm Credit Banks (12 Federal Land Banks, 12 Federal Intermediate Credit Banks and 13 Banks for Cooperatives). They come to market each month with 3 month, 6 month, and 1 year maturities - and occasionally a longer maturity. (\$5,000 minimum).

**FHLMC - Federal Home Loan Mortgage Corporation** (Freddie Mac) increases the availability of mortgage credit by maintaining an active, nation-wide secondary market for mortgages. Maturities range from 1 to 30 years. (\$10,000 minimum).

**SLMA - Student Loan Marketing Association** (Sallie Mae) provides liquidity for lenders engaged in the Federal Guaranteed Student Loan Program. Sallie Mae offers fixed rate and floating rate securities with maturities from 6 months to 30 years. (\$10,000 minimum).

**GNMA - Government National Mortgage Association Notes** (Ginnie Mae) is the only U.S Treasury Guarantee Backed Agency. They issue mortgage securities and pay back both interest and principle. They offer 6 month to 30 year maturities. (\$25,000 minimum).

**REFCORP Strips - Resolution Funding Corporation** provides financing for the Resolution Trust Corporation, which was created to help the government in the sale and disposition of failed thrifts and their assets. Refcorp Strips and zero coupon securities rang in maturity from 6 months to 30 years. (\$1,000 minimum).

**TVA - Tennessee Valley Authority** issues primarily long-term securities for the power creation arm of the TVA.

**Agency Discount Notes** are issued by the Federal Farm Credit, Federal Home Loan, Fannie Mae, Freddie Mac, and Sallie Mae. These are issued at a discount and have maturities ranging from 1 to 360 days. (\$100,000 minimum).

**3. Repurchase Agreements (Repo's)** provide for the sale of short-term securities by a securities dealer to investors, such as cities, with an agreement to repurchase the securities at a specified future date. The investor receives a given yield while holding the security and the repurchase price is guaranteed in advance. The length of the holding period is tailored to the investor - usually of very short duration. Rates are related to Treasury Bills, federal funds, and loans to government security dealers by commercial banks.

**4. Certificate of Deposits (CD's)** are the deposit of funds at a commercial bank for a specified period of time and at a specified rate of interest. Yields on Certificates of Deposit tend to be higher than on Treasury Bills of comparable maturity.


**5. Commercial Paper** is an unsecured promissory note with a fixed maturity of no more than 270 days. Commercial Paper is normally sold at a discount from face value.

**6. Banker's Acceptances** are short-term, non-interest-bearing notes sold at discount and redeemed at face value. It is secured by the goods which it finances - the bank accepts the draft, and the issuers promise to pay. These notes trade at a rate equal to, or slightly higher than Certificates of Deposit - depending on market supply and demand.

**7. Money Market Funds** are short term, high quality investments sold by large banks. These instruments include Treasury Bills and notes, Certificates of Deposits, Commercial Paper, Banker's Acceptances, and Federal Agency Securities.

**8. State of Minnesota & it's Agencies** - Bonds that are issued by the State of Minnesota or any of its agencies. The bonds are backed by the full faith of the State of Minnesota or collateralized with mortgages.

# Memos by James

**DATE:** JANUARY 13, 2004  
**TO:** HONORABLE MAYOR AND COUNCIL  
**FROM:** JAMES BOWNIK, A2CA   
**RE:** 2004 INVESTMENT INSTITUTIONS

---

## **BACKGROUND**

At the beginning of the year, the City Council approves depositories and investment institutions for the new year. I have attached the proposed 2004 investment institutions, which are the same as last year.

## **COUNCIL ACTION REQUESTED**

Motion to approve Resolution 011304A relating to the 2004 Investment Institutions.

# RESOLUTION NO. 011304A

**CITY OF LAUDERDALE  
COUNTY OF RAMSEY  
STATE OF MINNESOTA  
DESIGNATION OF INSTITUTIONS FOR INVESTMENT FUNDS**

**BE IT HEREBY RESOLVED** that the following institutions meet all of the requirements set forth in Minnesota State Statutes and in the Lauderdale Investment Policy, and

**BE IT FURTHER RESOLVED** that the following institutions be designated for investing Lauderdale's idle funds:

RBC Dain Rauscher, Minneapolis

Miller Johnson Steichen Kinnard, Minneapolis

Voyageur Asset Management, Minneapolis  
[Minnesota Municipal Money Market (4M)]

Northland Securities, Minneapolis

Smith Barney/Citigroup, St. Paul

US Bancorp Investments, Minneapolis

Wells Fargo Brokerage Services, Minneapolis

Dated this 13th day of January 2004 by the Lauderdale City Council.

(ATTEST)

---

Jeff Dains, Mayor

(SEAL)

---

Rick Getschow, City Administrator

**CITY OF LAUDERDALE**

**MEMORANDUM**

TO: Mayor and Council Members  
FROM: Kevin Walsh, Deputy Clerk  
SUBJECT: 2004 License Applications  
DATE: January 13, 2004

---

**BACKGROUND**

The City of Lauderdale requires tobacco vendors, gas stations, alcohol vendors, and garbage haulers to have an annual license in order to operate within City limits.

The City has received the following license applications to operate in 2004:

Walters Recycling and Refuse,  
Rosehill Service Station,  
Vasko Solid Waste,  
BFI Waste Services,  
Waste Management of MN,  
Armor Waste Systems,  
Super USA &  
J.A.L. Amoco

Attached are copies of the license applications.

**COUNCIL ACTION REQUESTED**

Consider issuing 2004 licenses for the above businesses.

**City of Lauderdale**  
**Application for Municipal Gasoline Station Operator's License**

**Applicant:**

Company Name: Rose Hill Service

Address: 2430 W. LARPEL AVE  
LAUDERDALE, MN. 55113

Phone: 651-646-0463

Fax: \_\_\_\_\_

Contact Person: Art Peterson

MN Business Tax ID Number: \_\_\_\_\_

**Gasoline Storage Tanks:**

Total Number: 2

Size: PremUL  
RegUL

Gallons: 2000  
4000

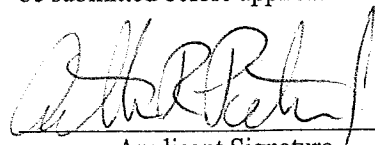
Anticipated hours of operation during 2001:

Weekdays: 7-6 Friday: 7-6 Saturday: 9-1 Sunday: —

**Fee:**

\$20.00 first pump	\$20.00
\$10.00 each additional pump x <u>1</u>	\$ <u>10.00</u>
	total: \$ <u>30.00</u>

The City Council of the City of Lauderdale may revoke, suspend or not re-new any license issued if this application does not comply with the City Code. Licenses are valid for one year. Proof of insurance must be submitted before application can be considered for a license.

  
Applicant Signature

12-10-03  
Date

To complete this application please enclose the following:

- ✓ Check for the appropriate fee
- ✓ Worker's Compensation form
- ✓ Proof of Worker's Compensation insurance

City of Lauderdale  
Application for Municipal Garbage Hauler's License

---

Applicant

Company Name: VASKO Solid Waste  
Address: 309 Como Ave  
ST. Paul, Mn 55103  
Phone: 651-774-0916  
Fax: 651-489-9504  
Contact Person: Paul Leding  
MN Business Tax ID Number: 099 5517924

Vehicles used in work are insured with:

Company: Nautilus Insurance Co.  
Agents Name: Richard Baumgartner  
Address: 4651 Nicols Rd. Eagan - Suite 104 55122  
Telephone Number: 1-800-450-2330 Fax: 951-831-5877  
Insurance Policy Number(s): NC 234242

Annual per year unit fee	# of units	Amount Due
\$65.00/truck	<u>1</u>	\$ <u>65.00</u>
		Total Remitted: \$ <u>65.00</u>

The City Council of the City of Lauderdale may revoke, suspend, or not re-new any license issued if application does not comply with the City Code. Licenses are valid for the period of one year. Proof of insurance must be submitted before application can be considered for a license. All licenses are subject to final approval of the inspector.

Paul Leding 12-11-03  
Applicant Signature Date

Completed application and paperwork should be sent to:

City of Lauderdale  
License Department  
1891 Walnut Street  
Lauderdale, MN 55113  
Phone: 631-0300, Fax: 631-2066

Please enclose the following:

- Proof of vehicle Insurance covering all vehicles used by applicant
- Insurance Policy showing personal injury coverage of at least to \$100,00
- Insurance Policy showing coverage of each accident at least to \$300,000
- Completed Worker's Compensation Form
- Insurance Policy showing property damage coverage of at least to \$25,000
- Certified bond in the sum of \$1,000 On File
- Proof of Worker's Compensation Insurance

City of Lauderdale  
Application for Municipal Garbage Hauler's License

---

Applicant

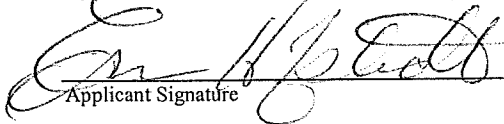
Company Name: Waste Management of Minnesota Inc.  
Address: 10050 Naples St NE  
Blaine MN 55449  
Phone: 952-890-1100  
Fax: 763-783-5477  
Contact Person: Ervin C. Hofstedt  
MN Business Tax ID Number: 7590065

Vehicles used in work are insured with:

Company: ACE American Insurance Company  
Agents Name: Lockton Insurance Agency of Houston Inc.  
Address: 5847 San Felipe Suite 320 Houston TX 77057  
Telephone Number: 866-260-3538 Fax: 866-492-1055  
Insurance Policy Number(s): ISA H07840263

Annual per year unit fee	# of units	Amount Due
\$65.00/truck	<u>9</u>	\$ <u>585.00</u>
		Total Remitted: \$ <u>585.00</u>

The City Council of the City of Lauderdale may revoke, suspend, or not re-new any license issued if application does not comply with the City Code. Licenses are valid for the period of one year. Proof of insurance must be submitted before application can be considered for a license. All licenses are subject to final approval of the inspector.

  
Applicant Signature

12-31-03  
Date

Completed application and paperwork should be sent to:

City of Lauderdale  
License Department  
1891 Walnut Street  
Lauderdale, MN 55113  
Phone: 631-0300, Fax: 631-2066

Please enclose the following:

- Proof of vehicle Insurance covering all vehicles used by applicant
- Insurance Policy showing personal injury coverage of at least to \$100,00
- Insurance Policy showing coverage of each accident at least to \$300,000
- Completed Worker's Compensation Form
- Insurance Policy showing property damage coverage of at least to \$25,000
- Certified bond in the sum of \$1,000
- Proof of Worker's Compensation Insurance

City of Lauderdale  
Application for Municipal Garbage Hauler's License

---

Applicant

Company Name:

BFI Waste Services of the Twin Cities

Address:

4325 E. 66th Street

Inver Grove Heights, MN 55076

Phone:

651-455-8134

Fax:

651-286-4547

Contact Person:

DENISE SKAAR

MN Business Tax ID Number:

1759508

Vehicles used in work are insured with:

Company:

SEE Attached

Agents Name:

Address:

Telephone Number:

Fax:

Insurance Policy Number(s):

Annual per year unit fee

\$65.00/truck

# of units

7

Amount Due

\$ 455.00

Total Remitted:

\$ 455.00

The City Council of the City of Lauderdale may revoke, suspend, or not re-new any license issued if application does not comply with the City Code. Licenses are valid for the period of one year. Proof of insurance must be submitted before application can be considered for a license. All licenses are subject to final approval of the inspector.

Applicant Signature

*Denise Skaar*

Date

12/11/03

Completed application and paperwork should be sent to:

City of Lauderdale  
License Department  
1891 Walnut Street  
Lauderdale, MN 55113  
Phone: 631-0300, Fax: 631-2066

Please enclose the following:

- X • Proof of vehicle Insurance covering all vehicles used by applicant
- ✓ • Insurance Policy showing personal injury coverage of at least to \$100,00
- x • Insurance Policy showing coverage of each accident at least to \$300,000
- X • Completed Worker's Compensation Form
- x • Insurance Policy showing property damage coverage of at least to \$25,000
- < • Certified bond in the sum of \$1,000 - Already Sent 10/03
- X • Proof of Worker's Compensation Insurance

City of Lauderdale  
Application for Municipal Garbage Hauler's License

---

Applicant

Company Name: ARMOR WASTE SYSTEMS  
Address: 3291 TERMINAL DR  
EAGAN MN 55121  
Phone: 651-686-5275  
Fax: 651-686-9936  
Contact Person: WAYNE SCHMIDT  
MN Business Tax ID Number: 4286204

Vehicles used in work are insured with:

Company: NORTHERN CAPITAL  
Agents Name: REYNOLDS FISHER  
Address: P.O. BOX 9396 MPLS MN  
Telephone Number: 952-496-8818 Fax: 952-829-0482  
Insurance Policy Number(s): F76492

Annual per year unit fee	# of units	Amount Due
\$65.00/truck	<u>1</u>	\$ <u>65.00</u>
		Total Remitted: \$ <u>65.00</u>

The City Council of the City of Lauderdale may revoke, suspend, or not re-new any license issued if application does not comply with the City Code. Licenses are valid for the period of one year. Proof of insurance must be submitted before application can be considered for a license. All licenses are subject to final approval of the inspector.

Wayne Schmidt  
Applicant Signature

12/23/03  
Date

Completed application and paperwork should be sent to:

City of Lauderdale  
License Department  
1891 Walnut Street  
Lauderdale, MN 55113  
Phone: 631-0300, Fax: 631-2066

Please enclose the following:

- Proof of vehicle Insurance covering all vehicles used by applicant
- Insurance Policy showing personal injury coverage of at least to \$100,00
- Insurance Policy showing coverage of each accident at least to \$300,000
- Completed Worker's Compensation Form
- Insurance Policy showing property damage coverage of at least to \$25,000
- Certified bond in the sum of \$1,000
- Proof of Worker's Compensation Insurance Policy # F83879

**City of Lauderdale**  
**Application for 3.2 and Cigarette Municipal License**

---

Applicant:

Company Name: J.A.L. BP

Address: 2421 W. Harpenteur Ave.  
Lauderdale, MN 55113

Phone: (651) 645-5971

Fax: (651) 646-3789

Contact Person: Shawn A. Meyeraan

MN Business Tax ID Number: 6234700

All City Code provisions related to the sale of non-intoxicating malt liquor and tobacco products must be strictly adhered to at all times. Licenses are not transferable.

The City Council of the City of Lauderdale may revoke, suspend or not re-new any license issued if this application does not comply with the City Code. Licenses are valid for one year. Proof of insurance must be submitted before application can be considered for a license.

Shawn A. Meyeraan

Applicant Signature

12/29/03  
Date

To complete this application please enclose the following:

- ☒ ✓ Check for the appropriate fee (\$40 - Cigarettes, \$60 - 3.2, \$100 - both)
- ☒ ✓ Worker's Compensation form
- ☒ ✓ Proof of Worker's Compensation insurance

**City of Lauderdale**  
**Application for Municipal Gasoline Station Operator's License**

**Applicant:**

Company Name: J.A.L. BP  
Address: 2421 W. Lampen Turner Ave.  
Lauderdale, MN 55113  
Phone: (651) 645-5971  
Fax: (651) 646-3789  
Contact Person: Shawn A. Meyeraan  
MN Business Tax ID Number: 6234700

**Gasoline Storage Tanks:**

Total Number: 3

Size:

Gallons:

_____	<u>12,000</u>
_____	<u>12,000</u>
_____	<u>12,000</u>

Anticipated hours of operation during 2004:

Weekdays: 6am-12 Mid. Friday: 6-12 Saturday: 6-12 Sunday: 6am-12 Mid.

**Fee:**

\$20.00 first pump

\$20.00

\$10.00 each additional pump x 3

\$30.00

total: \$ 50.00

The City Council of the City of Lauderdale may revoke, suspend or not re-new any license issued if this application does not comply with the City Code. Licenses are valid for one year. Proof of insurance must be submitted before application can be considered for a license.

Charles W. Mason

Applicant Signature

12/29/03

Date

To complete this application please enclose the following:

- ☒ Check for the appropriate fee
- ☒ Worker's Compensation form
- ☒ Proof of Worker's Compensation insurance

**City of Lauderdale**  
**Application for 3.2 and Cigarette Municipal License**

---

Applicant:

Company Name: Super USA  
Address: 6249 134<sup>th</sup> St W  
Apple Valley, mn 55124  
Phone: 612-250-5569  
Fax: 952-953-3246  
Contact Person: Tek Hammett  
MN Business Tax ID Number: 662 4638

All City Code provisions related to the sale of non-intoxicating malt liquor and tobacco products must be strictly adhered to at all times. Licenses are not transferable.

The City Council of the City of Lauderdale may revoke, suspend or not re-new any license issued if this application does not comply with the City Code. Licenses are valid for one year. Proof of insurance must be submitted before application can be considered for a license.

Tek Hammett  
Applicant Signature

12/18/03  
Date

To complete this application please enclose the following:

- ✓ Check for the appropriate fee (\$40 -Cigarettes, \$60 - 3.2, \$100 - both)
- ✓ Worker's Compensation form
- ✓ Proof of Worker's Compensation insurance

## **Lauderdale City Council Memorandum**

---

Council Meeting Date: January 13, 2004  
To: Mayor and City Council  
From: Rick Getschow, City Administrator  
Agenda Item: 2004 Mileage Rate

---

### **BACKGROUND:**

The personnel policy states that vehicle expenses (mileage reimbursement) will be reimbursed at rates set under federal guidelines. The Lauderdale mileage reimbursement was 36 cents per mile in 2003.

For 2004, the IRS has stated that the standard mileage rate will be 37.5 cents per mile, this an increase of 1½ cent from the 36 cent rate from 2003.

### **ENCLOSURES:**

1. IRS Press Release "2004 Standard Mileage Rates Set"

### **COUNCIL ACTION REQUESTED:**

Motion to approve the City Mileage Reimbursement Rate at 37.5 cents per mile for 2004, matching the IRS rate.



[Home](#) > [The Newsroom](#)

## The Newsroom

### 2004 Standard Mileage Rates Set — 800,000 More Businesses Eligible

IR-2003-121, Oct. 15, 2003

WASHINGTON — The Internal Revenue Service today released the optional standard mileage rates to use for 2004 in computing the deductible costs of operating an automobile for business, charitable, medical or moving expense purposes.

To reduce a recordkeeping burden, the IRS also announced that taxpayers who use no more than four vehicles at the same time for business purposes may use the standard mileage rate, starting in 2004. Currently, those using more than one vehicle at a time cannot use the standard rate at all, leaving them to track the actual expenses for each vehicle.

"With this change, more than 800,000 businesses will become eligible to use the standard mileage rate," said IRS Commissioner Mark W. Everson. "This reflects our ongoing interest in reducing the burden for businesses to comply with the tax laws."

Although many taxpayers may still claim actual vehicle expenses for various reasons, the IRS estimates that small businesses will save 8-10 million hours a year in recordkeeping with this expansion of the standard rate option.

A taxpayer may not use the standard mileage rate for a vehicle after using any depreciation method under the Modified Accelerated Cost Recovery System (MACRS), after claiming a Section 179 deduction for that vehicle, or for any vehicle used for hire.

Beginning Jan. 1, 2004, the standard mileage rates for the use of a car (including vans, pickups, or panel trucks) will be:

- 37.5 cents a mile for all business miles driven, up from 36 cents a mile in 2003;
- 14 cents a mile when computing deductible medical or moving expenses, up from 12 cents a mile in 2003; and
- 14 cents a mile when giving services to a charitable organization.

Members of Congress welcomed the change.

Senator Olympia J. Snowe of Maine, chair of the Senate Committee on Small Business and Entrepreneurship, said, "I applaud the IRS for adopting this simplification measure for small businesses. This change will allow certain small businesses to put a stop to the time-consuming, costly and inconvenient practice of maintaining detailed paper records and, instead, use a simpler, standard mileage rate for business travel expenses when preparing their taxes. The IRS is providing the kind of relief that small business owners critically need: relief that allows them to cut the time spent complying with tax laws while expanding the time left over to do what they do best, namely running their businesses and creating critical jobs for this economy."

Rep. Don Manzullo of Illinois, chairman of the House Small Business Committee, said, "These changes by the Internal Revenue Service will provide additional needed tax relief to our struggling small businesses so they can once again lead us to recovery. More than 800,000 small businesses will benefit from these changes. In addition to the tax reductions, they will save eight to 10 million hours a year in record-keeping burdens so that they can now focus on their businesses. I congratulate IRS Commissioner Everson for his leadership in making these changes and helping America's small businesses."

Rep. Doug Ose of California, Chairman of the House Government Reform Subcommittee on Energy Policy, Natural Resources and Regulatory Affairs, which has principal oversight over

paperwork reduction, said, "I applaud Commissioner Everson's initiative, which will result in a 8-10 million hour burden reduction for small businesses. The paperwork burden on small business is enormous. This reduction in tax recordkeeping is a step in the right direction."

The standard mileage rates for business, medical and moving purposes are based on an annual study of the fixed and variable costs of operating an automobile. The primary reason for the mileage rate increases is the rise in fuel prices during the study period, which ended on June 30. An independent contractor, Runzheimer International, conducted the study on behalf of the IRS. The charitable standard mileage rate is set by law.

Revenue Procedure 2003-76 contains additional information on these standard mileage rates. It will appear in Internal Revenue Bulletin 2003-43, dated October 27, 2003.

**Related Item:** [Rev. Proc. 2003-76 \(PDF 151K\)](#)

[Subscribe to IRS Newswire](#)

---

# Lauderdale City Council Memorandum

---

Council Meeting Date: January 13, 2004  
To: Mayor and City Council  
From: Rick Getschow, City Administrator  
Agenda Item: Resolution 011304B: A Resolution Adopting the  
2004 Fee Schedule

---

## BACKGROUND:

The City has annually adopted fees for City licenses, permits, and administrative services at the first meeting of the year.

Enclosed for discussion and approval are proposed fees for 2004, along with a resolution approving those fees.

There are (2) two changes proposed for 2004 that include:

1. Service Availability Charge. As is evidenced by the enclosed memo, the Met Council sets this fee for what the City will pay for service connection charges. The City's practice is to match the fee charged to resident's/developers with the Met Council fee.
2. Civil Penalties for the Violation of the Liquor Control Ordinance. These are the new fees that have been established with the revision to the Liquor Control Chapter of the City Code that establishes civil penalties for licensees that violate the liquor control ordinance.

Also, the Council should discuss whether or not to increase the social room rental fee for 2004. This had been discussed at City Council work sessions in the past, and in light of the planed improvements to the windows and the lighting in 2004, now may be the prudent time to discuss a rate increase. I could not find any history to the increase in the room rental rate. It appears that the rate has remained the same (\$25 resident, \$50 non-resident) for the last ten years.

**ENCLOSURES:**

1. 2004 Proposed Fee Schedule for License, Administrative, Permit Fees and Penalties
2. Metropolitan Council Memo regarding 2004 Service Availability Charges (SAC) Fees
3. Resolution 011304B: A Resolution Establishing 2004 License, Administrative Services and Permit Fees.

**COUNCIL ACTION REQUESTED:**

Discuss the 2004 Fee Schedule.

Motion to approve Resolution 011304B: A Resolution Establishing 2004 License, Administrative Services and Permit Fees.

## 2004 LICENSE, ADMINISTRATIVE, AND PERMIT FEES

	<u>CURRENT</u>	<u>PROPOSED 2004</u>
<b>LICENSE FEES:</b>		
3.2 On-Sale	\$60.00	\$60.00
3.2 On-Sale	\$250.00	\$250.00
3.2 Temporary On-Sale	\$30.00	\$30.00
Cigarettes	\$40.00	\$40.00
Animal License	\$10.00	\$10.00
Kennel License	\$50.00	\$50.00
Tree Service License	\$35.00	\$35.00
Mechanical (HVAC) License	\$35.00	\$35.00
Refuse Hauling License	\$65.00/truck	\$65.00/truck
Gas Station License	\$20.00/first pump \$10.00 addit. pump	\$20.00/first pump \$10.00 addit. pump
<b>ADMINISTRATIVE FEES:</b>		
Community Room		
Resident	\$25.00	\$25.00
	\$50.00 set-up fee	\$50.00 set-up fee
	\$75.00 refundable deposit	\$75.00 refundable deposit
Non-Resident	\$50.00	\$50.00
	\$50.00 set-up fee	\$50.00 set-up fee
	\$100.00 refundable deposit	\$100.00 refundable deposit
Copies	\$0.10/page	\$0.10/page
Copies of Minutes	No cost to those that attend \$0.25/page plus postage	No cost to those that attend \$0.25/page plus postage
Copies of Agendas	No cost to those that attend \$0.25/page plus postage	No cost to those that attend \$0.25/page plus postage

	<u>CURRENT</u>	<u>PROPOSED 2004</u>
Copy of Zoning Ordinance	\$15.00	\$15.00
Filing of Affidavit for Office	\$5.00	\$5.00
NSF Check Return	\$25.00	\$25.00
Notary Public Service	No cost to residents \$3.00	No cost to residents \$3.00

#### **ADMINISTRATIVE FEES:**

Assessment Search	\$20.00/Address	\$20.00/Address
Copy of Public Meeting Videotape	\$50.00	\$50.00
Replacement Recycling Container	\$12.00	\$12.00
False Fire Alarms	Cost plus \$15.00 adm. fee	Cost plus \$15.00 adm. fee
False Security Alarms	\$75.00 plus \$15.00 adm. fee	\$75.00 plus \$15.00 adm. fee
Fire Prevention Inspection	\$25.00 plus \$15.00 adm. fee	\$25.00 per hour plus \$15.00 adm. fee

#### **PERMIT FEES:**

Gambling	\$10.00/ < five events \$300.00/ ≥ five events	\$10.00/ < five events \$300.00/ ≥ five events
Right-Of-Way		
Excavation	\$50.00	\$50.00
Obstruction	\$25.00	\$25.00
Variance Application	\$75.00	\$75.00
Conditional Use Application	\$165.00	\$165.00
Zoning Amendment	\$100.00	\$100.00
Service Availability Charge (SAC)	\$1,275.00	\$1,350.00 *

\* The Met Council sets this sewer connection fee annually. The City usually adopts the fee set by the Met Council.

The following fees are set through the, the Universal Building Code, the Minnesota Plumbing Code, and the Universal Mechanical Code:

- Mechanical (HVAC) Permit
- Plumbing Permit
- Building Permit
- Demolition Permit
- UST Removal Fee

## 2004 Proposed Civil Penalty Fee Schedule for Alcohol Violations

Type of Violation	1 <sup>st</sup>	2 <sup>nd</sup>	3 <sup>rd</sup>	4 <sup>th</sup>
1. Commission of a felony related to the licensed activity	Revocation	N/A	N/A	N/A
2. Sale of alcoholic beverages while license is under suspension	Revocation	N/A	N/A	N/A
3. Sale of alcoholic beverages to under-age persons	\$1000 +6 days	18 days	30 days	Revocation
4. After hours sale of alcoholic beverages	\$1000 +6 days	18 days	30 days	Revocation
5. After hours display or consumption of alcoholic beverages	\$1000 +6 days	18 days	30 days	Revocation
6. Refusal to allow city officials to inspect premises	\$1000 +18 days	30 days	Revocation	
7. Failure to take reasonable steps to stop person from leaving premises with alcohol beverages	\$1000 +6 days	18 days	30 days	Revocation

October 9, 2003

TO: CITY MANAGERS AND ADMINISTRATORS

SUBJECT: SERVICE AVAILABILITY CHARGE (SAC) RATE

---

The Metropolitan Council has adopted a \$75 increase in the MCES SAC rate effective January 1, 2004. The new MCES SAC rate will be \$1,350 for all communities.

Discounts are available, with prior MCES approval, when multi-family developments include water conservation features such as a central laundry, or if they are publicly subsidized low income units with no dishwashers or garbage disposals.

*The Inclusionary Housing Incentive Program, through which MCES SAC waivers have been granted for affordable housing units in inclusionary housing developments, will not be available in 2004. SAC waivers already issued will still be honored until their expiration dates.*

Your community collects a local (or retail) SAC as users connect to the metropolitan wastewater system for the first time or as a user's potential or peak sewage increases. The MCES (or wholesale) SAC is paid to the Council on the same basis. The SAC funds we collect pay for the reserve capacity (unused) portion of the capital costs of the metropolitan wastewater system as specified in Minn. Statutes section 473.517 (3).

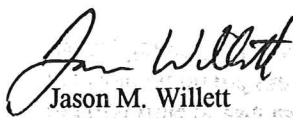
Notes: The MCES SAC rate to be paid by your community to MCES is the rate in effect at the time of payment on the building or sewer connection permit regardless when the permitting process began.

Your community is allowed to retain 1% of the SAC collected for MCES for your administrative costs and any additional retail SAC fees that your Council approves.

If you have any financial questions, please feel free to contact me at (651) 602-1196. For SAC procedural questions, please contact Sandra Selby at (651) 602-1118 or read the SAC procedure manual on our web site at: [www.metrocouncil.org/environment/RatesBilling/2003-SAC-procedures-manual.pdf](http://www.metrocouncil.org/environment/RatesBilling/2003-SAC-procedures-manual.pdf).

Your cooperation is greatly appreciated.

Sincerely,

  
Jason M. Willett  
MCES Finance Manager

cc: Building Inspections Department

**RESOLUTION NO. 011304B**

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

**RESOLUTION ESTABLISHING 2004 LICENSE, ADMINISTRATIVE  
SERVICES, PERMIT, AND PENALTY FEES**

**WHEREAS**, the City Council of the City of Lauderdale recognizes the need to review the fees charged by the City for licenses, permits, administrative services and penalties on an annual basis; and

**WHEREAS**, any changes to these fees must be set by resolution, pursuant to City of Lauderdale City Code;

**NOW, THEREFORE BE IT RESOLVED**, by the City Council of the City of Lauderdale, Minnesota that the fees for licenses, permits, administrative services and penalties that are attached to this resolution be approved.

Adopted by the City Council of the City of Lauderdale, Minnesota on this 13<sup>th</sup> day of January, 2004.

(ATTEST)

\_\_\_\_\_  
Jeffrey Dains, Mayor

(SEAL)

\_\_\_\_\_  
Rick Getschow, City Administrator

# **Lauderdale City Council Memorandum**

---

Council Meeting Date: January 13, 2004  
To: Mayor and City Council  
From: Rick Getschow, City Administrator  
Agenda Item: 2004 Appointments

---

## **BACKGROUND:**

On an annual basis, City Council must make certain annual appointments. The majority of the required appointments include those such as designating a legal newspaper and official depositories.

At this time it has also been customary to appoint the acting Mayor and Council/staff representatives to various committees, commissions and organizations.

Attached is the detailed list of appointments and committee/organization names that need to be made for 2004.

Included in the list are some proposed appointments for 2004, based on the 2003 appointments.

## **ENCLOSURES:**

1. 2004 Appointments List

## **COUNCIL ACTION REQUESTED:**

Discuss the appointments for 2004.

Motion to approve the 2004 appointments as agreed upon by City Council.

APPOINTMENT ORGANIZATION	2002 APPOINTMENTS	2003 APPOINTMENTS	2004 APPOINTMENTS (PROPOSED)
PRIMARY LEGAL NEWSPAPER	ROSEVILLE REVIEW	ROSEVILLE REVIEW	ROSEVILLE REVIEW
SECONDARY LEGAL NEWSPAPER	ST. PAUL PIONEER PRESS LAUDERDALE NEWSLETTER	ST. PAUL PIONEER PRESS LAUDERDALE NEWSLETTER	ST. PAUL PIONEER PRESS LAUDERDALE NEWSLETTER
OFFICIAL DEPOSITORY	NORTH STAR BANK	NORTH STAR BANK	NORTH STAR BANK
ACTING MAYOR	CLAY CHRISTENSEN	JEFF MCCLOSKEY	KAREN GILL-GERBIG
PARK/CIC	STAFF - JAMES BOWNIK ALT.- RICK GETSCHOW COUNCIL - GOWER ALT. - GILL-GERBIG	STAFF - JAMES BOWNIK ALT.- RICK GETSCHOW COUNCIL - GIANNETTI ALT. - GILL-GERBIG	STAFF - KEVIN WALSH ALT.- JAMES BOWNIK COUNCIL - GIANNETTI ALT. - GILL-GERBIG
NORTH SUBURBAN COMMUNICATIONS COMMISSION (NSCC)	COUNCIL-MAYOR ALTERNATE -MCCLOSKEY	COUNCIL-MAYOR ALTERNATE -MCCLOSKEY	COUNCIL-MAYOR ALTERNATE -MCCLOSKEY
PLANNING COMMISSION	STAFF - BOWNIK COUNCIL - CHRISTENSEN ALT- MAYOR	STAFF - BOWNIK COUNCIL - CHRISTENSEN ALT- MAYOR	STAFF - BOWNIK COUNCIL - CHRISTENSEN ALT- MAYOR

RAMSEY COUNTY LEAGUE OF LOCAL GOVERNMENTS (RCLLG)	STAFF – GETSCHOW COUNCIL - MAYOR ALT. – CHRISTENSEN	STAFF – GETSCHOW COUNCIL - MAYOR ALT. – CHRISTENSEN	STAFF – GETSCHOW COUNCIL - MAYOR ALT. – CHRISTENSEN
MISSISSIPPI WATERSHED MANAGEMENT ORGANIZATION (MWMO)	COUNCIL – GILL-GERBIG ALT. - RICK GETSCHOW	COUNCIL – GILL-GERBIG ALT. - RICK GETSCHOW	COUNCIL – GILL-GERBIG ALT. - RICK GETSCHOW
RICE CREEK WATERSHED	BRAA	BRAA	BRAA
SRA	RICK GETSCHOW ALT. – CLAY CHRISTENSEN	RICK GETSCHOW ALT. – CLAY CHRISTENSEN	RICK GETSCHOW ALT. – CLAY CHRISTENSEN
LMC	RICK GETSCHOW	RICK GETSCHOW	RICK GETSCHOW
QUARTERLY POLICE MEETINGS	RICK GETSCHOW MAYOR	RICK GETSCHOW MAYOR	RICK GETSCHOW MAYOR
CITY ENGINEER	BONESTROO, ROSENE, ANDERLIK	BONESTROO, ROSENE, ANDERLIK	BONESTROO, ROSENE, ANDERLIK
CITY ATTORNEY	KENNEDY AND GRAVEN - RON BATTY	KENNEDY AND GRAVEN - RON BATTY	KENNEDY AND GRAVEN - RON BATTY
TREE COMMISSION	STAFF- SHANNON GOYETTE COUNCIL – GILL-GERBIG ALT. – MAYOR	STAFF- RICK GETSCHOW COUNCIL – GILL-GERBIG ALT. – MAYOR	STAFF-KEVIN WALSH COUNCIL – GILL-GERBIG ALT. – MAYOR

## Lauderdale City Council Memorandum

---

Council Meeting Date: January 13, 2004  
To: Mayor and City Council  
From: Rick Getschow, City Administrator  
Agenda Item: Petition Requesting the Vacation of a Utility Easement  
(Former City Park Lift Station)

---

### BACKGROUND:

Marliyn Salovich, 2337 Summer Street, has presented the City with a petition requesting that the city vacate the public utility easement that exists on her private property. This is due to the fact that the easement was for the operation of a sewer lift station that no longer exists. The city replaced the lift station with a gravity sanitary sewer line in 2000 that runs through the Community Park to Pleasant Street. It should be noted that the new sanitary sewer line is now entirely located within the Community Park property and not in the easement area where the former lift station was located.

The statutory process for vacating a public utility easement is same as for vacating public rights-of-way such as streets or alleys. Following the acceptance of the petition, a public hearing needs to be scheduled following ten (10) days mailed notice and fourteen (14) days published notice. Following the public hearing, the Council would base their consideration on the overall "public interest" in vacating the easement.

Since the utility easement exists solely on the Salovich property, the Salovich's are only affected property owner. They would be the only party to receive mailed public notice of the public hearing. Also, staff would publish official notice of the hearing in the Roseville Review.

I have included background information on the vacation process from Minnesota State Statutes and the LMC Handbook. I have also included a map of the affected area along with the Salovich petition.

## **ENCLOSURES:**

1. Petition from Marliyn Salovich, 2337 Summer Street, requesting the utility easement vacation
2. Map of the affected area- 2337 Summer Street
3. Handbook for Minnesota Cities, Chapter 16, pages 33-34- "Vacating Publicly-Owned Utility Easements..."
4. State Statute Chapter 412.851 – "Vacation of Streets"  
*(also applies to easements)*

## **COUNCIL ACTION REQUESTED:**

If Council wishes to proceed with the easement vacation process, a motion would be needed to accept the utility easement vacation petition from Marilyn Salovich, 2337 Summer Street, and schedule a public hearing for the February 10, 2004 Council meeting.

Marilyn Salovich  
2337 Summer Street  
Lauderdale, MN. 55113

November 21, 2003

Re: SE corner of property used by  
city as lift station until sewer  
finished. Request easement ended.

To Whom it may concern:

the Southeast corner of the  
property bordering the park on  
Summer Street was used for a  
sanitary lift station by the  
City of Lauderdale until the  
sewer was completed, by an  
easement from the owners of  
2337 Summer Street.

We request a formal notice  
that this easement is ended,  
and request this action be sent  
to us by mail in an official letter

Thank you,

Sincerely,

Marilyn Salovich, owner  
2337 Summer Street  
Lauderdale, MN. 55113



Ag. Op. 469-A-15 (May 15, 1967).

Unless a bond issue is involved in a real property purchase, the council has complete discretion in decisions involving the purchase of real property. The statutes do not require the council to submit the question to voters. Cities may use contracts for deed for both buying and selling real property.

## **A. Vacating publicly-owned utility easements and land dedicated to streets and alleys**

Minn. Stat. § 412.851 (statutory cities).

Minn. Stat. § 440.13 (home rule charter cities of the fourth class).

Minn. Stat. § 440.135 (home rule charter cities of the third class).

See also § 505.14 (for plat vacations).

*Sampson Properties LP v. City of Mendota Heights*, C9-99-1015 (Minn. App. Jan. 25, 2000).

*Hoskin v. City of Eagan*, 632 N.W. 2d 256 (Minn. App. 2001).

Minn. Stat. § 412.851 (statutory cities).

Minn. Stat. § 440.13 (home rule charter cities of the fourth class).

Minn. Stat. § 440.135 (home rule charter cities of the third class).

Minn. Stat. § 462.358, subd. 7.

Statutory cities and home rule cities of the third and fourth class may abandon ownership or control over all or any part of land they have set aside, dedicated, or used as streets or alleys. In statutory cities, the resolution ordering the vacation must pass by a four-fifths vote of all the members of the council. Vacation is a legislative act, and the city has wide discretion. The city must have a rational basis for denying a petition to vacate, however. Vacating a street or alley must be in the public interest.

When a resolution vacating a street or other public grounds is passed by a statutory city a notice of its passage must be filed with the county recorder. When a resolution is passed by a home rule charter city of the third class, a copy of the resolution must be submitted to the county recorder. There seems to be no similar requirement when a resolution is passed by a home rule charter city of the fourth class.

A statutory city may also vacate any publicly-owned utility easement or boulevard reserve in the same way streets or alleys are vacated by the type of city involved.

The steps for a statutory city to vacate a street or alley are as follows:

- The council may initiate the action by resolution or a majority of property owners who abut the land to be vacated may petition for this action. Such petitions probably need signatures from a majority of landowners and from the owners of at least 50 percent of the land area.

*Krebs v. Town of Northern Beltrami County*, 213 Minn. 344, 6 N.W.2d 803 (1942). See also, 13A Dunnell Minn. Digest Municipal Corporations § 58.01.

A.G. OP. 59A-53 (Jan. 13, 1977).

Minn. Stat. § 160.29.

*In re Hull*, 163 Minn. 439, 204 N.W. 534 (1925).

Minn. Stat. § 505.14.

*In re Petition of Verbick to Vacate*, 607 N.W.2d 148 (Minn. App. 2000).

- The council must hold a public hearing on the proposal, following two weeks published and posted notice. The city must provide written notice to each affected property owner at least 10 days before the hearing.
- If the land to be vacated abuts or terminates on any public water, the city must give written notice to the commissioner of Natural Resources.
- If, after completing the above steps, the council decides the action is in the public interest, it may vacate the land by passing a resolution. Vacating a street or alley must be in the public interest.
- After adopting the resolution, the clerk must prepare and present to the county auditor and the county recorder a notice that the council has completed the vacation proceedings.

When a city lawfully vacates a street, the owner of the abutting property holds title to the land in the former street (presumably to the centerline) free of easements either in favor of the public or owners of other property abutting on the street. Cities may specify the extent to which a proposed vacation affects existing utility easements, including the right to maintain and continue utility easements.

If the city actually owns the dedicated street, the resolution vacating the street does not divest the city of its rights to the property. It still may dispose of the property on which the street was located. It is unusual that a city would own a street; a city does not gain ownership by plat dedication.

An abutting property owner who suffers peculiar damages from the vacation of the street may be entitled to compensation, but not if the only complaint is that the person must travel further or over a poorer road when going to and from the property.

For streets in private and in certain platted territories, there is also a district court procedure for vacation. The street may be vacated only if it is useless for its original purpose. The courts broadly construe the terms “useless” and “purpose.” Merely showing the street is not presently used is insufficient to show uselessness. Before a court may grant an application, the mayor of the city must receive personal notification of the application at least 10 days before the court intends to hear the application.

Minnesota Statutes 2003, Table of ChaptersTable of contents for Chapter 412**412.851 Vacation of streets.**

The council may by resolution vacate any street, alley, public grounds, public way, or any part thereof, on its own motion or on petition of a majority of the owners of land abutting on the street, alley, public grounds, public way, or part thereof to be vacated. When there has been no petition, the resolution may be adopted only by a vote of four-fifths of all members of the council. No such vacation shall be made unless it appears in the interest of the public to do so after a hearing preceded by two weeks' published and posted notice. The council shall cause written notice of the hearing to be mailed to each property owner affected by the proposed vacation at least ten days before the hearing. The notice must contain, at minimum, a copy of the petition or proposed resolution as well as the time, place, and date of the hearing. In addition, if the street, alley, public grounds, public way, or any part thereof terminates at or abuts upon any public water, no vacation shall be made unless written notice of the petition or proposed resolution is served by certified mail upon the commissioner of natural resources at least 30 days before the hearing on the matter. The notice to the commissioner of natural resources is for notification purposes only and does not create a right of intervention by the commissioner. After a resolution of vacation is adopted, the clerk shall prepare a notice of completion of the proceedings which shall contain the name of the city, an identification of the vacation, a statement of the time of completion thereof and a description of the real estate and lands affected thereby. The notice shall be presented to the county auditor who shall enter the same in the transfer records and note upon the instrument, over official signature, the words "entered in the transfer record." The notice shall then be filed with the county recorder. Any failure to file the notice shall not invalidate any such vacation proceedings.

HIST: 1949 c 119 s 102; 1953 c 735 s 12; 1957 c 383 s 1; 1967 c 289 s 15; 1969 c 9 s 85; 1973 c 123 art 2 s 1 subd 2; 1973 c 494 s 11; 1976 c 181 s 2; 1986 c 444; 1989 c 183 s 4; 1990 c 433 s 2

Copyright 2003 by the Office of Revisor of Statutes, State of Minnesota.



## **Lauderdale City Council Memorandum**

---

Council Meeting Date: January 13, 2004  
To: Mayor and City Council  
From: Rick Getschow, City Administrator  
Agenda Item: Union Contract

---

### **BACKGROUND:**

The Lauderdale union contract is up for renewal in 2004.

Enclosed under separate confidential cover is a copy of the draft contract proposal from the union. Included with the proposal is a copy of the 2001-2003 union contract for your reference.

This agenda item will be discussed in closed session at the meeting.