

LAUDERDALE CITY COUNCIL MEETING AGENDA
7:30 P.M. TUESDAY, FEBRUARY 23, 2016
LAUDERDALE CITY HALL, 1891 WALNUT STREET

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 THE MEETING TO ORDER**
2. **ROLL CALL**
3. **APPROVALS**
 - a. Agenda
 - b. Minutes of the February 9, 2016 City Council Meeting
 - c. Claims Totaling \$26,762.34
4. **CONSENT**
 - a. Technology Purchases
 - b. 2016 Garbage Hauler Licenses
5. **SPECIAL ORDER OF BUSINESS/RECOGNITIONS/PROCLAMATIONS**
6. **INFORMATIONAL PRESENTATIONS / REPORTS**
7. **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.

8. **DISCUSSION / ACTION ITEMS**
 - a. Deputy Clerk-Treasurer Job Description
 - b. Terry Berg Employment Agreement
9. **ITEMS REMOVED FROM THE CONSENT AGENDA**
10. **ADDITIONAL ITEMS**
11. **SET AGENDA FOR NEXT MEETING**
 - a. Ramsey County Commissioner McGuire
 - b. Comcast Cable Franchise Discussion
 - c. Bids and Specs for 2016 Public Works Projects
 - d. Annual Police Report – March 22
 - e. Annual Auditor's Financial Report – April 12
12. **WORK SESSION**
 - a. Opportunity for the Public to Address the City Council

Any member of the public may speak at this time on any item not on the agenda. In consideration for the public attending the meeting, 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 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 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.

- b. Community Events Planning with PCIC
- c. Minnesota Commercial Railway Request for Support
- d. Community Development Update

13. **ADJOURNMENT**

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MEETING MINUTES
Lauderdale City Hall
1891 Walnut Street
Lauderdale, MN 55113

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February 9, 2016

Mayor Dains called the Regular City Council meeting to order at 7:37 p.m.

Councilors present: Mayor Jeff Dains, Mary Gaasch, Roxanne Grove, and Lara Mac Lean.
Councilors absent: Denise Hawkinson.

Staff present: Heather Butkowski, City Administrator and Jim Bownik, Assistant City Administrator.

Approvals

Mayor Dains asked for changes to the meeting agenda. City Administrator Butkowski requested that purchase payment of 1821 Eustis Street be added under Discussion/Action Items. Motion was made by Councilor Gaasch to approve the agenda with the purchase payment of 1821 Eustis Street added under Discussion/Action Items, seconded by Councilor Mac Lean and carried unanimously.

Councilor Mac Lean moved to approve the City Council meeting minutes of January 26, 2016. Councilor Grove seconded the motion and carried unanimously.

Councilor Gaasch moved and seconded by Councilor Grove to approve the claims totaling \$104,085.15. Motion carried unanimously.

Consent

Mayor Dains asked if any Councilors wished to remove items from the Consent Agenda. There being none, Councilor Gaasch moved and seconded by Councilor Mac Lean to approve the Consent Agenda thereby approving Resolution 020916A Approving the Joint Powers Agreement with Ramsey County for New Voting System Acquisition and Operation, Resolution 020916B Government/Municipal/Public Funds Banking Resolution and Recreation Agreement with City of Falcon Heights. Motion carried unanimously.

Discussion / Action Items

A. Hen Chicken Permit Application for 1736 Malvern Street

Mayor Dains introduced the topic with Councilor Gaasch abstaining due to a conflict of interest.

City Administrator Butkowski noted that hen chicken permits were first issued in 2013 with a term of two years. Matthew Koncar has submitted a renewal permit for 24 hens. The City Council must review applications with more than twelve hens.

Matthew Koncar was present to answer any questions. Motion was made by Councilor Grove and seconded by Councilor Mac Lean approve the non-domestic animal permit for Matthew Koncar of 1736 Malvern Street. Motion carried on a roll call vote of 3-0-1(Gaasch).

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Lauderdale City Hall
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February 9, 2016

B. Approve Purchase Payment of 1821 Eustis Street

Administrator Butkowski reviewed the draft closing statement noting that the title insurance was not resolved at the time of the meeting at a cost of \$650.00. Motion was made by Councilor Mac Lean and seconded by Councilor Gaasch approving payment not to exceed \$86,536.93 for the purchase of 1821 Eustis Street. Motion carried unanimously on a roll call vote.

Administrator Butkowski noted that the funds would be wired on Wednesday, February 10 with the closing scheduled for Thursday, February 11.

City administrator noted the next meeting may include the Approval of Plans and Specifications for 2016 Public Works Projects, Community Events Planning with Park and Community Involvement Committee, Ramsey County Commissioner McGuire under Presentations and Cor Wilson of the Cable Commission under Work Session. City Administrator Butkowski noted the Annual Police Report is scheduled for March 22 and Comprehensive Annual Financial Report presentation on April 12 by Abdo, Eick & Meyers, LLP.

Work Session

A. Public Comment

None.

B. Community Update

Administrator Butkowski reported that Roseville Park and Recreation will not be using the Community Park for summer programming due to the development of their facilities. The Puppet Wagon will continue at the Community Park.

A letter was sent to Corval on inflow and infiltration outlining two options for testing on their site with a response requested by February 29.

Mayor Dains inquired as to the date for League of Minnesota Cities Legislative Day.

Mayor Dains stated his conflict of interest with Labor Negotiations due to his employment and left the meeting at 7:54 p.m.

Closed Session

A. Labor Negotiations

Mayor Pro-Tem Gaasch called the closed session of the City Council at 7:55 p.m. The purpose of the closed session was to consider strategies for labor negotiations including negotiation strategies or developments or discussion and review of labor negotiation proposals conducted pursuant to Minnesota Statutes Sections 179A.01 – 179A.025.

Mayor Pro-Tem Gaasch closed the session at 8:23 p.m.

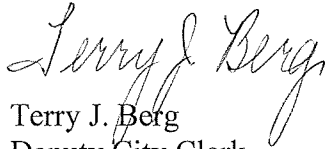
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There being no further business on the council agenda, motion was made by Councilor Grove and seconded by Councilor Mac Lean, carried unanimously, to adjourn the meeting at 8:24 p.m.

Respectfully submitted,



Terry J. Berg
Deputy City Clerk

CITY OF LAUDERDALE

CLAIMS FOR APPROVAL

February 23, 2016 City Council Meeting

Payroll

02/12/16 Payroll: Direct Deposit # 502172-502178	\$8,817.15
02/12/16 Payroll: Payroll Liabilities, E-payments 1076E-1079E	\$7,326.25

Vendor Claims

02/23/16 Claims: Check #'s 23203-23225	\$10,618.94
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SUBTOTAL \$26,762.34

Total Claims for Approval

\$26,762.34

CITY OF LAUDERDALE

02/12/16 9:30 AM

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Payments

Current Period: FEBRUARY 2016

Batch Name 021216PR
 Payment Computer Dollar Amt \$7,326.25 Posted

Refer	5261 ICMA RETIREMENT TRUST - 457	Ck# 001076E 2/12/2016			
Cash Payment	G 101-21705 ICMA RETIREMENT	February 12 2016 Payroll			\$1,476.45
Invoice	102110770	2/12/2016			
Transaction Date	2/12/2016	Due 0	NORTH STAR CHE	10100	Total \$1,476.45
Refer	5262 MN DEPARTMENT OF REVENUE	Ck# 001077E 2/12/2016			
Cash Payment	G 101-21702 STATE WITHHOLDING	February 12 2016			\$556.69
Invoice		2/12/2015			
Transaction Date	2/12/2016	Due 0	NORTH STAR CHE	10100	Total \$556.69
Refer	5263 NORTH STAR BANK, CHECKING S	Ck# 001078E 2/12/2016			
Cash Payment	G 101-21701 FEDERAL TAXES	February 12, 2016			\$1,302.90
Invoice		2/12/2016			
Cash Payment	G 101-21703 FICA WITHHOLDING.	February 12, 2016			\$2,165.86
Invoice		2/12/2016			
Transaction Date	2/12/2016	Due 0	NORTH STAR CHE	10100	Total \$3,468.76
Refer	5264 PERA	Ck# 001079E 2/12/2016			
Cash Payment	G 101-21704 PERA	February 12 2016			\$1,824.35
Invoice		2/12/2016			
Transaction Date	2/12/2016	Due 0	NORTH STAR CHE	10100	Total \$1,824.35

Fund Summary

	10100 NORTH STAR CHECKING	
101 GENERAL		\$7,326.25
		<u>\$7,326.25</u>

Pre-Written Check	\$7,326.25
Checks to be Generated by the Computer	\$0.00
Total	\$7,326.25

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***Check Detail Register©**

FEBRUARY 2016

Check Amt Invoice Comment

10100 NORTH STAR CHECKING

Paid Chk#	Date	Payee	Check Amt	Invoice	Comment
10100 NORTH STAR CHECKING					
Paid Chk# 023203	2/23/2016	BERG, TERRY			
E 101-41200-331		TRAVEL EXPENSE	\$142.02		1Q2016 Mileage Reimbursement
		Total BERG, TERRY	\$142.02		
Paid Chk# 023204 2/23/2016 CITY OF FALCON HEIGHTS					
E 101-42100-321		FIRE CALLS	\$457.68		January Fire Calls
		Total CITY OF FALCON HEIGHTS	\$457.68		
Paid Chk# 023205 2/23/2016 CITY OF ROSEVILLE					
E 101-41200-306		CONSULTING FEES	\$492.33	221086	January IT Services
E 101-41200-391		TELEPHONE/PAGERS	\$90.84	221132	January Telephone Services
		Total CITY OF ROSEVILLE	\$583.17		
Paid Chk# 023206 2/23/2016 CITY OF ST PAUL					
E 101-43000-380		STREET LIGHTING	\$14.64	IN00014234	7/15-12/15 Traffic Light
		Total CITY OF ST PAUL	\$14.64		
Paid Chk# 023207 2/23/2016 CROIX OIL					
E 101-43000-212		MOTOR FUELS	\$28.00	441520	January Fuel
E 601-49000-212		MOTOR FUELS	\$6.00	441520	January Fuel
E 602-49100-212		MOTOR FUELS	\$6.00	441520	January Fuel
		Total CROIX OIL	\$40.00		
Paid Chk# 023208 2/23/2016 GOPHER STATE ONE CALL					
E 101-43400-386		GOPHER STATE ONE CALL	\$10.15	6010502	January Locates
		Total GOPHER STATE ONE CALL	\$10.15		
Paid Chk# 023209 2/23/2016 HUGHES AND JOSEPH					
E 101-41500-300		LEGAL FEES - PROSECUTING	\$925.00	0049	January
		Total HUGHES AND JOSEPH	\$925.00		
Paid Chk# 023210 2/23/2016 INTEGRA					
E 101-41200-391		TELEPHONE/PAGERS	\$51.06	13657260	Fax Line
		Total INTEGRA	\$51.06		
Paid Chk# 023211 2/23/2016 KENNEDY & GRAVEN					
E 101-41500-305		LEGAL FEES - CIVIL	\$313.50	130197	Research City Council Matters
E 101-41500-305		LEGAL FEES - CIVIL	\$280.50	130197	1821 Eustis Street Interfund Loan
E 101-41500-305		LEGAL FEES - CIVIL	\$1,743.00	130197	1821 Eustis Street Purchase
E 101-41500-305		LEGAL FEES - CIVIL	\$429.00	130197	2520 Larpenteur Avenue Enforcement
		Total KENNEDY & GRAVEN	\$2,766.00		
Paid Chk# 023212 2/23/2016 LEAGUE OF MINNESOTA CITIES					
E 602-49100-438		DUES & SUBSCRIPTIONS	\$410.00	230078	2016 Storm Water Coalition Contribution
		Total LEAGUE OF MINNESOTA CITIES	\$410.00		
Paid Chk# 023213 2/23/2016 NORTH STAR BANK, CHECKING STMT					
E 101-41200-442		MISCELLANEOUS	\$38.21		Credit Card Fees

CITY OF LAUDERDALE

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FEBRUARY 2016

			Check Amt	Invoice	Comment
E 101-41200-201	GENERAL SUPPLIES		\$42.83		Year End Tax Forms
otal NORTH STAR BANK, CHECKING STMT			\$81.04		
<hr/>					
Paid Chk# 023214	2/23/2016	PREMIUM WATERS, INC			
E 101-41200-208	WATER DELIVERY		\$8.50	619861-01-16	January
Total PREMIUM WATERS, INC			\$8.50		
<hr/>					
Paid Chk# 023215	2/23/2016	PUBLIC EMPLOYEES INS PROGRAM			
G 101-21706	HEALTH INSURANCE		\$2,581.35	425033	March Insurance Premiums
Total PUBLIC EMPLOYEES INS PROGRAM			\$2,581.35		
<hr/>					
Paid Chk# 023216	2/23/2016	RAMSEY CO LEAGUE OF LOCAL GOVT			
E 101-41100-438	DUES & SUBSCRIPTIONS		\$175.00	1457	2016 Membership Dues
otal RAMSEY CO LEAGUE OF LOCAL GOVT			\$175.00		
<hr/>					
Paid Chk# 023217	2/23/2016	RAMSEY COUNTY, PROP REC & REV			
E 101-42100-442	MISCELLANEOUS		\$80.56	PUBW-015324	7/15-12/15 Emergency Vehicle System
Total RAMSEY COUNTY, PROP REC & REV			\$80.56		
<hr/>					
Paid Chk# 023218	2/23/2016	SAM S CLUB			
E 101-41200-442	MISCELLANEOUS		\$90.00	2016	2016 Membership Fees (2)
Total SAM S CLUB			\$90.00		
<hr/>					
Paid Chk# 023219	2/23/2016	UNIVERSITY OF MINNESOTA			
E 101-43000-308	TRAINING & EDUCATION		\$195.00		Shade Tree Short Course - GB
E 101-43000-308	TRAINING & EDUCATION		\$195.00		Shade Tree Short Course - DH
Total UNIVERSITY OF MINNESOTA			\$390.00		
<hr/>					
Paid Chk# 023220	2/23/2016	US BANK EQUIPMENT FINANCE			
E 101-41200-401	COPIER CONTRACT		\$149.00	297735599	Copier Contract
Total US BANK EQUIPMENT FINANCE			\$149.00		
<hr/>					
Paid Chk# 023221	2/23/2016	VERIZON WIRELESS			
E 602-49100-391	TELEPHONE/PAGERS		\$16.33	9759706231	January
E 101-43000-391	TELEPHONE/PAGERS		\$32.67	9759706231	January
E 601-49000-391	TELEPHONE/PAGERS		\$16.33	9759706231	January
Total VERIZON WIRELESS			\$65.33		
<hr/>					
Paid Chk# 023222	2/23/2016	XCEL ENERGY, 2430 LARPEN TEUR			
E 101-43000-381	ELECTRIC UTILITIES		\$201.29	488468079	2430 Larpenteur Avenue
Total XCEL ENERGY, 2430 LARPEN TEUR			\$201.29		
<hr/>					
Paid Chk# 023223	2/23/2016	XCEL ENERGY, CITY HALL			
E 101-43000-381	ELECTRIC UTILITIES		\$198.97	488381554	City Hall
E 101-43000-383	GAS UTILITIES		\$335.33	488381554	City Hall
Total XCEL ENERGY, CITY HALL			\$534.30		
<hr/>					
Paid Chk# 023224	2/23/2016	XCEL ENERGY, PARK & GARAGE			
E 101-45200-381	ELECTRIC UTILITIES		\$112.78	489044531	1885 Fulham Street - Warming House

CITY OF LAUDERDALE

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FEBRUARY 2016

	Check Amt	Invoice	Comment
E 101-45200-383 GAS UTILITIES	\$91.31	489044531	1885 Fulham Street
E 101-43000-383 GAS UTILITIES	\$128.07	489044531	1917 Walnut Street
E 101-43000-381 ELECTRIC UTILITIES	\$46.82	489044531	1917 Walnut Street
Total XCEL ENERGY, PARK & GARAGE	\$378.98		
Paid Chk# 023225 2/23/2016 XCEL ENERGY, STREET LIGHTING			
E 101-43000-380 STREET LIGHTING	\$42.92	488443058	Lauderdale Bridge Lights
E 101-43000-380 STREET LIGHTING	\$67.05	488465074	Larpenteur Avenue
E 101-43000-380 STREET LIGHTING	\$373.90	488697537	January Street Lighting
Total XCEL ENERGY, STREET LIGHTING	\$483.87		
10100 NORTH STAR CHECKING	\$10,618.94		

Fund Summary

10100 NORTH STAR CHECKING	
101 GENERAL	\$10,164.28
601 SEWER UTILITIES	\$22.33
602 STORM SEWER ENTERPRISE FUND	\$432.33
	\$10,618.94

LAUDERDALE COUNCIL ACTION FORM

Action Requested

Consent X
Public Hearing
Discussion
Action
Resolution
Work Session

Meeting Date February 23, 2016
ITEM NUMBER Technology Upgrades
STAFF INITIAL *HS*
APPROVED BY ADMINISTRATOR

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Terry has done a great job of getting records retention going by scanning documents in the copying machine. This has taken some creativity as odd size documents like receipts and older documents don't scan well that way. As the plan is to continue scanning all of the finance documents going forward, it makes sense to get a scanner that will make this process more efficient. Roseville IT recommends the Canon imageFORMULA DR-C240 at a cost of \$700 to \$750. Since this wasn't included in the budget, staff are requesting Council authorization to purchase.

Additionally, staff is seeking Council approval to purchase a new laptop for the City Administrator. It is in the budget for 2017 but due to the need to have a laptop for staff to take to trainings and work off-site, staff is asking for Council approval to purchase a new laptop as well. Roseville IT said the expected cost is approximately \$1,040.

STAFF RECOMMENDATION:

By approving the Consent Agenda, the Council approves purchase of a document scanner and laptop as described.

ACTION REQUESTED	LAUDERDALE COUNCIL
Consent _____ <u>X</u> _____	MEETING DATE <u>February 23, 2016</u>
Special _____	ITEM NUMBER <u>2016 Garbage Hauler Licenses</u>
Public Hearing _____	STAFF INITIAL <u>Jim</u>
Report _____	APPROVED BY ADMINISTRATOR _____
Discussion/Action _____	
Resolution _____	
Work session _____	

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

2/1/16-1/31/17 Garbage Hauler Licenses

Garbage companies rarely take the initiative to make sure they have their license each year. Thus, I initiate contact with them in December and follow up in January. We finally have complete applications from the following companies:

<u>Company</u>	<u>Residential Trucks)</u>	<u>Commercial Trucks</u>
Waste Management	2	5
Advanced Disposal Services	1	2
Republic Services (was Allied Waste)	2	3
Aspen Waste	0	2
Walter's	1	2

OPTIONS:

- 1) Approve as consent item.
- 2) Do not approve as consent item.

STAFF RECOMMENDATION:

By approving the consent agenda, the council is approving the 2016 garbage hauler licenses.

COUNCIL ACTION:

LAUDERDALE COUNCIL ACTION FORM

Action Requested

Consent	_____
Public Hearing	_____
Discussion	<u> X </u>
Action	<u> X </u>
Resolution	_____
Work Session	_____

Meeting Date February 23, 2016

ITEM NUMBER Deputy Clerk Job Description

STAFF INITIAL 

APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Terry has accepted a position with another company. While we are sad to see her go, she has accomplished so many things during her time here that will make her replacement's job more manageable.

In preparing for the hiring process, I asked her to review the job description and see how it could be improved upon. Attached is the revised job description along with the recommendation to change the title to Deputy City Clerk—Treasurer, in recognition that the position handles many finance functions.

Staff will post notice of the job upon the Council's approval of the revisions.

STAFF RECOMMENDATION:

Motion to approve the Deputy City Clerk—Treasurer as presented.



JOB DESCRIPTION

Job Title: Deputy City Clerk-Treasurer

Department: Administration

Reports to: City Administrator

FLSA Status: Non-Exempt, Full-time

Wage Scale: \$20.53 per hour - \$25.67 per hour

DESCRIPTION:

Under limited supervision, this position performs all Clerk related functions including records management and data practices; preparation of Council agendas and related documents; business and rental housing licenses; election administration; performs all Treasurer related functions including accounts payable, accounts receivable, cash receipting, budget preparation, and audit preparation. This position also provides support to the City Administrator and City Council.

DUTIES INCLUDE:

Clerk

- Prepare and distribute City Council agendas and packets including public meeting notices. Completion of Council meeting minutes. Serve as Notary Public.
- Administer, organize and conduct primary and general elections including election judge recruiting and training, arrange polling place, candidate filing and financial reports, absentee voting, maintain and ballot test voting equipment. Ensure election procedures are in compliance with election laws.
- Assist the public and staff by providing/interpreting policies, procedures, rules and regulations, ordinances, etc. including federal, state and local laws to the public and internal customers.
- Administer the City-wide Records Management Program and Records Retention Schedule. Maintain official City records such as ordinances, resolutions, code books, agenda packets, affidavits of publication, minutes, contracts, etc. including converting paper records to electronic using Laserfiche software, posting and publishing legal notices in conformance with laws.
- Manage the license/permit process for liquor, tobacco, peddler, businesses and rental housing.
- Process building permits, plumbing permits and mechanical permits and schedule inspections; maintaining calendar for inspections.

- Assist the Data Practices Responsible Authority and Compliance Official pursuant to the Minnesota Data Practices Act.

Treasurer

- Performs accounts receivable function including general invoicing, limited utility billing, collections and certification of uncollectable delinquencies.
- Performs accounts payable function including accounts payable payment, vendor records and tax reporting.
- Performs general ledger maintenance, account reconciliation and fund reconciliation.
- Performs accounting and reconciliation for tax receipts and special assessments.
- Reconciles investments monthly and assists the City Administrator in placing or redeeming investments.
- Codes cash receipts and enter into financial management for deposits.
- Prepares journal entries as needed monthly and for year-end process for audit.
- Assists the City Administrator in preparation of the annual budget and ten-year capital improvement plan.
- Responsible for preparing audit work papers and confirmation letters.

General

- Remain current in Clerk and Treasurer matters, evaluate their impact on City and make recommendations. Research information and compose reports, letters and memorandums as directed.
- Other duties and special projects as assigned.

QUALIFICATIONS:

Minimum Qualifications

- High School Diploma or equivalent
- 4 years administrative and/or financial experience in municipal government
- Intermediate level proficiency with Word and Excel
- Valid driver's license and satisfactory motor vehicle record

Desired Qualifications

- Associate degree in business, accounting, office administration or closely related field
- Minnesota Certified Municipal Clerk designation (MCMC) and or/International Institute of Municipal Clerks (IIMC) certified
- Previous experience as Deputy City Clerk, City Clerk, Treasurer or Municipal Accounting position
- Experience working with elections and knowledge of elections laws and procedures
- Experience in records management, data practices and open meeting law

TOOLS AND EQUIPMENT USED:

Computer, copier, scanner, telephone, calculator, fax machine, and election equipment. Computer software includes Microsoft Office Suite and Laserfiche, financial accounting software of Banyon and Springbrook/Accela.

PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to sit at a desk and move around the office; talk/hear; use hands to finger, handle or feel objects, goals to controls; and reach with hands and arms. Specific vision abilities required by this job include close vision and ability to adjust focus.

The employee must occasionally lift and/or move 25 pounds and is able to drive to off-site meetings and trainings.

WORK ENVIRONMENT:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually quiet.


OTHER:

Hours: Typically Monday through Friday, from 8:00 a.m. – 4:30 p.m.; with the exception of council meetings and elections.

LAUDERDALE COUNCIL ACTION FORM

Action Requested

Consent _____
Public Hearing _____
Discussion X
Action X
Resolution _____
Work Session _____

Meeting Date February 23, 2016
ITEM NUMBER T. Berg Employment Agree.
STAFF INITIAL 
APPROVED BY ADMINISTRATOR _____

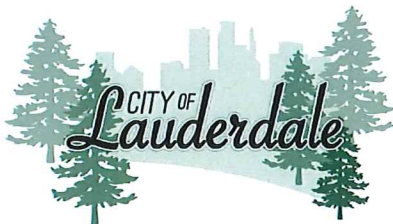
DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Terry has offered to continue her employment on an as needed basis to make the transition easier. Terry is also committed to setting up the new financial software. The software company has us scheduled for a June roll-out. As you may recall, the cost for the software was very reasonable because Terry was going to do the set up and staff training. I think her offer is generous and in the best interest of the City.

Following is an employment agreement that would cover the arrangement. I am recommending a rate of \$31.00 per hour as that is her current rate of pay plus her benefits monetized.

STAFF RECOMMENDATION:

Motion to approve the employment agreement with Terry Berg as presented.



CITY HALL
1891 WALNUT STREET
LAUDERDALE, MN 55113
651-792-7650
FAX 651-631-2066

February 24, 2016

Ms. Terry Berg
903 9th Avenue SW
Faribault, MN 55021

Dear Terry:

At a regular meeting held on Tuesday, February 23, 2016, the City Council for the City of Lauderdale ("City") approved a motion authorizing your continued employment with the City notwithstanding your acceptance of another full time position. The purpose of this letter is to formally advise you of the City Council's action as well as confirm the terms of your continued employment with the City. At this point, the City expects your duties, compensation, and benefits to continue as before subject to the following changes:

- Rather than fully perform the duties of your prior position as Deputy City Clerk, you will be assisting, as needed, other City staff members who have been temporarily assigned your job responsibilities. Your total hours of employment will obviously be reduced subject your availability as well as the City's continued need for your assistance.
- In order to maintain continuity as well as promote efficiency for the City, you will continue to be involved in the following projects, as needed, in which you have invested significant time and can provide invaluable assistance:
 - Completion and approval of Employee Handbook.
 - Scanning documents into Laserfiche.
 - Suburban Rate Authority accounting.
 - Document preparation such as council minutes, resolutions, and packets.
 - Reconciliation of investments.
 - Completion of 2015 audit report.
 - Software conversion project.
- You will be paid an hourly wage of \$31.00 per hour for all work performed for the City subject to standard deductions for all applicable federal and state taxes, PERA, and other customary withholdings for an employee of the City.
- You will be an at-will employee of the City which means that the City has the right to terminate your employment at anytime for any or no reason, except as otherwise prohibited by law. Similarly, you may terminate your employment with the City at any time for any reason.



CITY HALL
1891 WALNUT STREET
LAUDERDALE, MN 55113
651-792-7650
FAX 651-631-2066

Please sign below to confirm your acknowledgment and acceptance of the terms of your continued employment with the City and thank you for your ongoing contributions and efforts on behalf of the City of Lauderdale.

Sincerely,

Jeffrey Dains
Mayor

Heather Butkowski
City Administrator

ACKNOWLEDGMENT

I hereby acknowledge and accept the terms of employment outlined herein.

Dated: February ____, 2016

Terry J. Berg

LAUDERDALE COUNCIL ACTION FORM

Action Requested

Consent _____
Public Hearing _____
Discussion _____
Action _____
Resolution _____
Work Session X

Meeting Date February 23, 2016

ITEM NUMBER Meeting with PCIC

STAFF INITIAL AB

APPROVED BY ADMINISTRATOR

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Most if not all of the PCIC members plan to attend the meeting. Staff prepared a Power-Point presentation to help guide the discussion as there is quite a bit to discuss in a relatively short amount of time. Staff are anticipating that the discussion will happen around the tables in the Council Chambers and will plan accordingly.

Staff have been meeting with Craig Waldron, Hamline professor and previous Oakdale City Administrator, again this year to see how we can work together on a topic of interest to the three cities. This year we have been focusing on volunteerism and community leadership. This is obviously a topic of interest to us but the other cities as well. In St. Anthony, for example, their VillageFest leaders have said the event will end if someone new doesn't come forward to chair it. I anticipate students will be in attendance to listen to the discussion to understand some of the issues involved.

STAFF RECOMMENDATION:

LAUDERDALE COUNCIL ACTION FORM

Action Requested

Consent _____
 Public Hearing _____
 Discussion _____
 Action _____
 Resolution _____
 Work Session X

Meeting Date February 23, 2016
 ITEM NUMBER MN Commercial Rail
 STAFF INITIAL 
 APPROVED BY ADMINISTRATOR _____

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Earlier in 2015, the City Administrator was invited to meet with the City of St. Paul's city engineer and bridge engineer and John Gohmann, owner of Minnesota Commercial Rail (MCR). The meeting was contentious as Gohmann threatened to sue the two cities over the bridge's deteriorated state and was demanding that the cities participate in repairs that were needed to allow them to continue using the bridge. The Cities made it clear that we didn't own the bridge and bore no responsibility for its repairs.

Mn/DOT staff also attended the meeting as they provide loans for repairs like what was needed. Gohmann ultimately pursued the loan and repaired the bridge. In 2015, MCR attempted to get the bridge included with the bonding bill but wasn't successful. Now that the bridge is repaired, Gohmann is pursuing loan forgiveness during the 2016 legislative session. As was discussed in November, MCR is asking the businesses and area chambers served by the line to adopt resolutions of support along with the cities of St. Paul and Lauderdale.

After the Council's preliminary discussion in November, staff researched the issue of orphan bridges and whether state dollars, especially bonding dollars, could be spent on privately owned bridges or bridges where ownership wasn't clear. City staff worked with staff from Metro Cities who discussed the issue with Mn/DOT and League of Minnesota Cities staff. Metro Cities staff learned that Mn/DOT considers the bridge over Como Avenue to be owned by Burlington Northern-Santa Fe (BNSF) railroad and not orphaned. BNSF disputes that ownership. Metro Cities staff couldn't predict what the outcome of any request for loan forgiveness would be but felt the policy implications of railroad bridge replacements and repairs being paid by public funds was worth careful consideration by the City Council. As we all know, transportation dollars are limited. If Busch and Partners estimate that 10% of bridges are orphaned is correct, that would equate to a sizable need for public investment in the years to come.

I also provided my most recent email conversation with John Gohmann. He reiterated that he still is considering legal recourse against the cities of Lauderdale and St. Paul if the legislature does not forgive their loan.

DESCRIPTION OF ISSUE AND PAST COUNCIL ACTION:

Staff drafted a resolution of support for Council consideration. It uses much of the language recommended in the document prepared by Busch and Partners.

The City Council has a couple of options.

1. Adopt the resolution as drafted.
2. Amend the resolution and then adopt.
3. Do not adopt a resolution of support.
4. Provide staff with alternative direction.

RESOLUTION 022316A

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

**RESOLUTION SUPPORTING MINNESOTA COMMERCIAL RAILWAY'S
REQUEST FOR LOAN FORGIVENESS**

WHEREAS, a railroad bridge spans Como Avenue which provides rail service to area businesses; and

WHEREAS, Minnesota Commercial Railway repaired the deteriorated bridge in 2015 with the assistance of a loan from the Minnesota Department of Transportation; and

WHEREAS, Minnesota Commercial Railway is requesting that \$300,000 of the loan it incurred to repair the Como Avenue railroad bridge be forgiven and cancelled by the 2016 Legislature.

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

The City Council of the City of Lauderdale joins with other area businesses and chambers of commerce to support Minnesota Commercial Railway's request for \$300,000 in loan forgiveness in recognition of its unselfish actions as a public-spirited member of the local business community, taking upon itself a financial burden which serves the larger area economy.

Adopted by the City of Lauderdale this 23rd day of February, 2016.

Jeffrey Dains, Mayor

ATTEST:

Heather Butkowski, City Administrator

BUSCH+PARTNERS

Public Relations / Public Affairs / Marketing & Business Development Advisors

November 6, 2015

TO: City Council
Midway Chamber of Commerce

RE: **MINNESOTA COMMERCIAL RAILWAY**
Request for Resolution in Support of Forgiveness of
Como Avenue Bridge Repair Loan

Background & History

The aging railroad bridge spanning Como Avenue just west of Hiway 280 has for many years been a key element in the supply chain serving the many companies with facilities or operations in the Midway area of St. Paul. The short line freight railroad which operates the line crossing the bridge—Minnesota Commercial Railway (MCR)--serves these companies and many others who are trans-shipping through the Midway area, and has done so reliably and economically for many years.

Its Midway area customers include such prominent employers as Rock Tenn, Weekes Forest Products, Wirtz Beverage, Old Dutch Foods, Lubetech, Murphy Warehouse, American Paper Recycling, Weyerhaeuser and dozens of others among Minnesota Commercial's more than 100 Twin Cities metro area customers, each of whom is a major employer. In fact, as unprepossessing as it is, this little bridge carries 75% of Minnesota Commercial's 3,000 to 4,500 cars a month across Como Avenue to the other side, where the railway connects with major national rail carriers and reaches dozens of industries on its lines to, and including, Fridley, Roseville, Little Canada, White Bear Lake and Hugo. Minnesota Commercial has a staff of 120, and despite a serious downturn in rail traffic this year, has made a conscientious effort to avoid employee layoffs.

The Problem

Last year the Como Avenue bridge was determined to be in an advanced state of deterioration, with major repairs needed to its badly rusted supports if Minnesota Commercial were to be allowed to continue to use it to serve its customers reliably and safely.

Like hundreds of other bridges around the state, the Como Avenue bridge was constructed as long as a century ago, before deeds and titles were recorded. As a result, it was impossible to identify with any degree of certainty which jurisdiction or government entity is the legal owner, and therefore responsible for its maintenance and repair. In fact,

2 / MINNESOTA COMMERCIAL RAILWAY

it is estimated that more than 10% of all of the bridges in Minnesota share the same status, with no identifiable legal owner.

Given the Como Avenue bridge's "orphan" status, with no public jurisdiction—city, county or state—or other public entity willing to acknowledge ownership and assume responsibility for the critically needed repairs, it was left to Minnesota Commercial, the primary user of the tracks crossing it, to address the problem.

Faced with the possible loss of service to more than 83% of its customers if the bridge was declared too dangerous for continued use, Minnesota Commercial--a family-owned small business, a longtime Minnesota taxpayer and a key player in the economy of the Midway area--voluntarily stepped up to the plate to address the problem on its own. Unable to use the track as security due to restrictions in its lease, MCR and its owner, John Gohmann, negotiated a \$345,000 loan from the Minnesota Department of Transportation to cover all but \$50,000 of the cost of the repair, using some of its key rolling stock as collateral.

Minnesota Commercial Railway, like most short line freight rail owners around the state, operates on a very slim profit margin, yet provides a service that is essential to the economy of the state, the Twin Cities, and more particularly, the Midway area. The size of the loan and its terms have placed a heavy financial burden on the railroad. Despite the fact that overall rail revenue has declined by almost 30% this year, MCR committed itself to seeing the project through to completion, in order to assure continued service to all of its Midway and metro customers, at the same time preserving the many jobs that could be lost if its daily freight rail service was severely curtailed or stopped even temporarily for safety reasons.

The needed repairs have now been completed, (over the weekend of October 10-11), with all of the heavily rusted and weakened structural members removed and replaced. The bridge trackage was returned to service by Minnesota Commercial late Sunday night, October 11, and is now carrying its usual amount of daily traffic on a "new" bridge that should provide the Midway area and local businesses with many years of safe and reliable service .

Our request to the City Council of the City of Lauderdale:

We ask for your support and assistance in alleviating the financial burden of the repairs on Minnesota Commercial Railway.

Although the repairs have been successful, the problem of carrying the financial burden of the loan remains, and for that reason, Minnesota Commercial Railway is asking the City of Lauderdale to join with the St. Paul Chamber, the City of St. Paul, its key customers, and other business organizations in supporting its request to the 2016

legislature to forgive a portion of the loan, a total of \$300,000, with Minnesota Commercial retaining responsibility for the balance.

PROPOSED RESOLUTION

“The City Council of the City of Lauderdale has voted to join with the St. Paul Chamber of Commerce, other business organizations, as well as the Midway area users of the short line freight rail service provided by Minnesota Commercial Railway in requesting that \$300,000 of the loan it incurred to repair the Como Avenue railroad bridge to a safe and reliable condition be forgiven and cancelled by the 2016 Legislature, in recognition of its unselfish actions as a public-spirited member of the local business community-- taking upon itself a financial burden which serves the larger economy of our city and of the City of Saint Paul and of the State of Minnesota. We believe that relief of a portion of this debt is fair, and rightly acknowledges Minnesota Commercial Railway’s long history of service to our city’s continuing economic growth and vitality.”

For the City Council, City of Lauderdale, Minnesota

Signed

Dated

Heather Butkowski

From: JOHN GOHMANN <johngohmann@msn.com>
Sent: Friday, February 12, 2016 10:33 AM
To: busch+partners; Heather Butkowski
Cc: mon. J s Walsh; Wayne Hall Jr. E-mail; James D. Helenhouse
Subject: RE: MINNESOTA COMMERCIAL RAILWAY

also Heather, we also have an additional option of producing our entire file to the Federal regulators and asking for a rule making on municipal responsibility to carry out there side of roadway and drainage responsibilities. This is a classic case showing the damage caused because that did not happen. Again, we are hoping all involved have learned from this experience and will support our efforts to get reimbursed up to \$300,000 for our cost. Our real cost, including engineering, was over \$450,000 and closer to \$500,000..so we are trying to be fair..

From: johngohmann@msn.com
To: buschptnr@aol.com; heather.butkowski@ci.lauderdale.mn.us
CC: jswalsh@mnnr.net; whall@mnnr.net; jhelenhouse@fletcher-sippel.com
Subject: RE: MINNESOTA COMMERCIAL RAILWAY
Date: Fri, 12 Feb 2016 10:26:58 -0600

ps.. we have many many photos of the improper, insufficient and not properly placed drainage and the two drains there (20 feet east of under the bridge and higher, causing water flowage to go under the bridge) being plowed over with snow by the municipalities that would even preclude partial drainage of the salt laden water.

Again, not our intent to go this way but if this legislation fails, that is our only recourse.. The City of St. Paul knows this and supports our effort.. A judgement in our favor, if we have to go this way, could indeed produce new regulations from the state and federal government (Federal Railroad Administration, who has jurisdiction over bridges) in ensuring municipalities do not self destruct bridges.

John

From: johngohmann@msn.com
To: buschptnr@aol.com; heather.butkowski@ci.lauderdale.mn.us
CC: jswalsh@mnnr.net; whall@mnnr.net; jhelenhouse@fletcher-sippel.com
Subject: RE: MINNESOTA COMMERCIAL RAILWAY
Date: Fri, 12 Feb 2016 10:20:08 -0600

Heather and all

There are lots of issues here.. First, the bridge would have lasted another 75 years or more if the municipalities would have honored their obligation to maintain proper drainage systems in the street - (insufficient drainage, plowing over the two small drains that are not in the correct places, and thus precluding any drainage at all, and the use of road salt under the bridge area on the road to clear ice and snow).. The

bridge failed from rust caused by all these factors and not the actions of our company.

Our hope is to avoid costly and possibly embarrassing litigation and resolve the matter this way. But, we have time left to file litigation against the municipalities involved. We have retained many, many samples of the rusted parts of the bridge and had them tested and they show consistently a content of calcium chloride in the rust.

I hope this is not necessary and we can resolve the matter this way.

John Gohmann,
President

Date: Fri, 12 Feb 2016 11:12:08 -0500
From: buschptnr@aol.com
To: heather.butkowski@ci.lauderdale.mn.us
CC: johngohmann@msn.com; jswalsh@mnnr.net; whall@mnnr.net
Subject: Re: MINNESOTA COMMERCIAL RAILWAY

Hi Heather:

Sorry to hear that it was not on the agenda, although I noticed your website indicated that it would be.

The Mayor, Council President Russ Stark, Public Works Director Kathy Lantry, the St. Paul Chamber, the Midway Chamber, the Port Authority, and Brian McMahon on behalf of the former University United, as well as major employers in the Midway area all support Minnesota Commercial Railway's request for partial forgiveness of the debt incurred to repair the Como Avenue Bridge (which it does not own) -- but the continued operation of which is critical to the many Midway area and beyond shippers it is required to serve.

When your time permits, I'd be happy to meet with you to discuss further. Thanks for considering.

Merrill Busch
Busch+Partners | Public Relations / Business Development & Marketing Advisors
612.716.5664 mobile

-----Original Message-----

From: Heather Butkowski <heather.butkowski@ci.lauderdale.mn.us>
To: busch+partners <buschptnr@aol.com>
Sent: Thu, Feb 11, 2016 4:08 pm
Subject: RE: MINNESOTA COMMERCIAL RAILWAY

Merrill,

It wasn't on the agenda. I am waiting to hear back on some research I have been doing related to the "orphan bridge" issue. As we discussed, your request could have broader implications if railroad bridges started being repaired or replaced by taxpayer dollars. There is already intense competition for the limited transportation dollars available. I am guessing the City of St. Paul would have similar concerns. Have you received a resolution of support from them yet?

Take care,
Heather

From: busch+partners [<mailto:buschptnr@aol.com>]
Sent: Thursday, February 11, 2016 9:45 AM

To: Heather Butkowski

Subject: MINNESOTA COMMERCIAL RAILWAY

Heather:

I noticed MCR's request was on the agenda for this week's meeting. Any action?

Merrill Busch

Busch+Partners | Public Relations / Business Development & Marketing Advisors

612.716.5664 mobile