

**MINUTES
CITY OF LONSDALE
REGULAR CITY COUNCIL MEETING
July 30, 2009**

1. CALL TO ORDER

Mayor Rud called a meeting of the Lonsdale City Council to order at 7:00 pm in the Council Chambers at 415 Central Street West.

2. PLEDGE OF ALLEGIANCE

Everyone stood and recited the Pledge of Allegiance.

3. ROLL CALL

Present: Daleiden, Kodada, Rud, and Furrer

Absent: Smith

Staff Present: City Administrator Joel Erickson, City Planner Benjamin Baker, City Treasurer Joyce Skluzacek, Public Works Director Russ Vlasak, and City Engineer Kevin Kawlewski.

4. AGENDA

Mayor Rud asked if anyone had any additions, deletions, or corrections to the Agenda.

A motion was made by Kodada and seconded by Furrer to approve the agenda as presented. Vote for: Daleiden, Kodada, Rud, and Furrer. Against: None. Vote: 4-0. Motion carried.

5. APPROVAL OF MINUTES

A motion was made by Daleiden and seconded by Kodada to approve the minutes from the June 25, 2009 Regular Meeting, the July 9, 2009 Regular Meeting and the July 20, 2009 Special Meeting. Vote for: Daleiden, Kodada, Rud, and Furrer. Against: None. Vote: 4-0. Motion carried.

6. PUBLIC HEARINGS

None

7. PRESENTATION OF CITIZEN PETITIONS AND COMMENTS

None

8. APPROVAL OF THE CONSENT AGENDA

A motion was made by Kodada and seconded by Furrer to approve the consent agenda as follows:

a. Monthly Bills

b. Treasurer's Report

- c. Board and Commission Minutes
- d. Consider Approval to Not Waive the Monetary Limits on Municipal Tort Established by Minnesota Statutes 466.04
- e. Consider Approval of a Temporary On-Sale Liquor License for the I.C. Church on August 2, 2009 – Annual Parish Festival
- f. Consider Approval of a Temporary On-Sale Liquor License for Whistle Stop Tavern & Grill for August 8, 2009 – Community Days Volleyball Tournament
- g. Consider Approval of a Temporary On-Sale Liquor License for Whistle Stop Tavern & Grill for September 12, 2009 – Wrestling / Cancer Fundraiser
- h. Consider Approval of an Offer in the Amount of \$1,500.00 for a 1997 Chrysler Minivan Forfeited by the Lonsdale Police Department

Vote for: Daleiden, Kodada, Rud, and Furrer. Against: None. Vote: 4-0. Motion carried.

9. OLD BUSINESS

- a. Discuss Options for Sewer Rate Billing for Non-Typical Users

Erickson reminded the Council that at their previous meeting, the owners of the Lonsdale Car and Pet Wash requested a different billing process for sewer/water than is currently in place. At that meeting the Council directed staff to obtain more information on water usage for commercial businesses in town. Erickson provided the Council with a spreadsheet listing each business and the associated sewer usage billed in 2008. The spreadsheet showed a total of 69 businesses and the results of actual water usage compared to averaging of the first three months of the year. He said that based on the proposed spreadsheet, 28 businesses would see an annual decrease in their sewer rate (ranging from \$3 - \$718) and the remaining 41 businesses would see an increase in their annual bill (ranging from \$3 - \$2,100). Erickson provided four different options for the Council to consider: 1) keep the policy the same, 2) bill the sewer rate based on actual usage, 3) bill the sewer rate based on actual usage and allow/require a second water meter, and 4) review each request on a case-by-case basis. Erickson recommended keeping the policy the same at this point. He suggested that the Council wait until the annual meeting before any action is taken on amending the policy, so that it can be discussed along with the annual fee schedule. Kodada also stated that the time to adjust the policy is at the annual meeting. Daleiden stated that he was mainly concerned about fairness in usage. He stated that he would like to be further educated on the issue before making a decision. Vlasak informed the Council about second water meters and MXUs. Rud said that the issue should be discussed further at the annual meeting.

10. NEW BUSINESS

a. Consider Approval of a Request by Gordon Parker, 897 Colorado St. NW for a Reduced Sewer Rate Due to a Leak

Erickson presented a request letter from Gordon Parker, 897 Colorado Street NW, for a reduction to the sewer rate due to a leak. He briefly described the situation, and he provided a breakdown of past water usage for 897 Colorado Street NW for the Council to review. He said that the Council has approved similar requests in the past due to leaks. He mentioned that the savings for Parker would be \$46.08, and he recommended adjusting the billing rate to 4,333 gallons per month. Kodada mentioned that this would not be the first time the Council has approved this type of request. Erickson said that the current balance would need to be paid in full.

A motion was made by Kodada and seconded by Furrer to approve a sewer rate adjustment for 897 Colorado Street NW to 4,333 gallons per month effective for the June billing conditioned upon full payment of the outstanding water bill. Vote for: Daleiden, Kodada, Rud, and Furrer. Against: None. Vote: 4-0. Motion carried.

b. Consider Approval of the Proposed City Red Flag Policy

Erickson explained that all creditors, including utilities, are required by the Federal Reserve, FDIC, the Federal Trade Commission, the Office of the Comptroller of the Currency and the Office of Thrift Supervision to adopt a Red Flag Policy. He stated that the reason for the policy is to develop and identify a theft prevention program where there is a risk of identity theft. He read through the risks, summarized the established "Red Flags", listed the City's response to such red flags, and stated what the City will be doing for security purposes. Daleiden stated his concern with protecting citizens and employees, and he asked what was currently being done to protect everyone. Erickson said that the law should deter people from using people's private data, and he said that the City does use a shredding machine to ensure data privacy.

A motion was made by Kodada and seconded by Daleiden to approve the Red Flag Policy as presented. Vote for: Daleiden, Kodada, Rud, and Furrer. Against: None. Vote: 4-0. Motion carried.

c. Consider Approval of Resolution 2009-24, a Resolution Prohibiting Sell-Propelled Roller Devices at the DRS Grandstand, Concession Stand Area, View Deck and Other Specific Equipment in Park Areas

Baker stated that City staff was recently asked what could be done to eliminate or reduce loitering by users of roller devices near the DRS Field. He stated that it is necessary to approve Resolution 2009-24 to have a legal basis to prohibit loitering and the defacing of property by roller device users. He said that the goal of the resolution is to reduce loitering, property damage, and vandalism that has been experienced over the last several years. Baker read through the proposed resolution, and he provided a map of prohibited areas for self-propelled roller devices for the Council to review. Baker mentioned that the Park Board recommended approval of the Resolution at their meeting on July 14, 2009.

Rud asked if the Park Board is still considering constructing a skate park in the future. Kodada said that if adequate funds become available, then the Park Board would work towards finding a permanent place for roller devices. In light of more restrictions on permitted roller device areas, Rud encouraged the Board to continue exploring the skate park idea.

A motion was made by Kodada and seconded by Furrer to approve Resolution 2009-24, a resolution prohibiting sell-propelled roller devices at the DRS grandstand, concession stand area, viewing deck and near other specific equipment in park areas. Vote for: Kodada, Rud, and Furrer. Against: Daleiden. Vote: 3-1. Motion carried.

d. Consider Approval of Ordinance 2009-230, an Ordinance Amending City Code Chapter 30 and Tile V, Establishing a Tree Board and Tree Care Regulations

Baker stated that the Park Board has been working over the past year to gain the status of Tree City USA. He mentioned that 2 of the 4 requirements to becoming a Tree City USA comprise of the establishment of a “Tree Board” and the adoption of a “Tree Care Ordinance”. Baker said that Ordinance 2009-230, includes both requirements. He mentioned that the ordinance was reviewed by the City Attorney and the DNR Forestry Office. Baker went through the tree ordinance, and he said that the Park Board recommended approval of Ordinance 2009-230 at their July 14, 2009 meeting. Kodada stated the he is excited for the City to become a Tree City USA. Furrer suggested placing the permitted and prohibited tree species on the City’s website.

A motion was made by Kodada and seconded by Furrer to approve Ordinance 2009-230, an ordinance amending City Code Chapter 30 and Tile V, establishing a tree board and tree care regulations. Vote for: Daleiden, Kodada, Rud, and Furrer. Against: None. Vote: 4-0. Motion carried.

e. Consider Approval of Ordinance 2009-231, an Ordinance Creating a Park & Open Space, Public Facilities and Government Zoning District

Baker stated that the Planning Commission has been in the process of updating and clarifying the official zoning map including any unzoned areas. He said that after much discussion by the Planning Commission, they came to a resolution and they are proposing to add two new zoning districts: “(P) Parks & Open Space” and “(PF) Public Facilities & Government”. He said that a “(W) Wetlands Zoning District” was proposed, but it was decided that wetland uses be incorporated into the Park District and dictated on the zoning map as the exact delineated boundary line. Baker went through both the proposed text and map amendment with the Council. Furrer pointed out that the Pumphouse along Delaware Street was not labeled as “Public Facilities”. Baker stated that the Planning Commission held a public hearing and recommended approval of Ordinance 2009-231 at their meeting on July 16, 2009. Baker also provided the Council with a few examples on why it is good to establish a “Park & Open Space” district.

A motion was made by Daleiden and seconded by Furrer to approve Ordinance 2009-231, an ordinance creating a Park & Open Space and Public Facilities & Government

Zoning District and amending the official zoning map. Vote for: Daleiden, Kodada, Rud, and Furrer. Against: None. Vote: 4-0. Motion carried.

f. Consider Approval of Resolution 2009-25, a Resolution Approving the 2010 Salary and Wage Plan and Implementing a Wage Freeze for Employee's in 2010

Erickson presented the Council with the same salary and wage table as adopted in 2009. The proposed spreadsheet table showed all the different pay step increments. He said that the Council has talked about enacting an employee wage freeze for 2010 at all the past budget meetings. He also mentioned that employee insurance costs will not exceed a increase of 15 % and that dental insurance will not increase at all.

A motion was made by Kodada and seconded by Daleiden to approve Resolution 2009-25, a resolution approving the 2010 Salary and Wage Plan and implementing a wage freeze for employees in 2010. Vote for: Daleiden, Kodada, and Rud. Against: None. Abstained: Furrer. Vote: 3-0. Motion carried.

Rud stated that the City of Lonsdale has terrific employees, but wages need to be addressed due to the recent LGA cuts. He said that the wage freeze is strictly a budget issue.

11. OTHER BUSINESS

Council Member Daleiden

Daleiden said that the liquor store showed an 8% - 9% increase, and he said that sales are still up. Erickson mentioned that the final June numbers showed a \$2,000 profit.

Council Member Kodada

None

Council Member Smith

Absent

Council Member Furrer

None

Council Member Rud

Rud reminded everyone about upcoming events including the I.C. Church Festival and Lonsdale Community Days. He asked staff to work with the Villages of Lonsdale to start organizing a grand opening event. He also encouraged people to volunteer to help out Jeff Heller at correcting the ball field grades at Jaycee Park. He mentioned that the next Meeting with the Mayor will be scheduled on August 22, 2009.

12. ADJOURNMENT

A motion was made by Furrer and seconded by Kodada to adjourn the meeting. Vote for: Daleiden, Kodada, Rud, and Furrer. Against: None. Vote: 4-0. Motion carried. The meeting closed at 7:55 pm.

Respectfully Submitted:

Joel A. Erickson, City Administrator