

**MINUTES  
CITY OF LONSDALE  
REGULAR CITY COUNCIL MEETING  
October 8, 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, Kodad, Rud, Smith, and Furrer

Absent: None

Staff Present: City Administrator Joel Erickson, City Planner Benjamin Baker, 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 Smith to approve the agenda as presented. Vote for: Daleiden, Kodada, Rud, Smith, and Furrer. Against: None. Vote: 5-0. Motion carried.

**5. APPROVAL OF MINUTES**

None

**6. PUBLIC HEARINGS**

a. County Road 96 (Fig Street NE and Halstad Avenue) Street and Utility Improvement Project Final Assessment

Engineer Kawlewski provided detailed background information on the Fig Street Project. He also provided maps showing the improvements that were constructed. He went over the final project costs, including roadway, storm sewer, sanitary sewer, and watermain improvements. Kawlewski explained the proposed funding plan for the improvement project. He also went over the project's total footage, assessable costs, and assessment rate. He mentioned that the proposed assessments are consistent with the City's assessment policy.

Erickson stated that he has talked with Chaska Investments, and they stated that they will sign an agreement for the assessment they owe on the project. Erickson went on to explain the City's assessment policy for residentially zoned parcels. He said that the proposed assessment agreement is similar to past practice for assessing corner lots, in that

only the long side is proposed to be assessed versus both sides. Rud asked if anyone had any public comments. No one responded to the invitation.

A motion was made by Kodada and seconded by Furrer to close the public hearing. Vote for: Daleiden, Kodada, Rud, Smith, and Furrer. Against: None. Vote: 5-0. Motion carried. The hearing closed at 7:10 pm.

## **7. PRESENTATION OF CITIZEN PETITIONS AND COMMENTS**

None

## **8. APPROVAL OF THE CONSENT AGENDA**

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

- a. Consider Approval to Schedule a Board of Appeals and Adjustments Meeting for October 29, 2009 at 6:30 pm to Consider a Variance Application Submitted by Dale and Cindy Furrer for 120 Florida St. SE
- b. Consider Approval to Reschedule the Thursday, November 26, 2009 Regular Meeting to Monday, November 30, 2009 at 7:00 pm
- c. Consider Approval to Schedule a Public Hearing on November 12, 2009 at 7:00 pm for Special Assessments Pertaining to Delinquent Accounts for Abatement of Violations of City Code § 91.04 (K) – Nuisances and Water / Sewer Accounts
- d. Consider Approval to Schedule a Public Hearing on November 12, 2009 at 7:15 pm or Shortly Thereafter to Pertaining to Ordinance 2009-233, an Ordinance Amending City Code § 70: Traffic

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

## **9. OLD BUSINESS**

- a. Update on the Request/Petition for Barricades on 4<sup>th</sup> Ave NW  
Erickson stated that he recently met with the petitioners and a property owner that has been utilizing the Forth Avenue NW unimproved right-of-way. He said that the property owner agreed to limit the amount of access into the unimproved portion of 4<sup>th</sup> Avenue NW and to repair any ruts or damage caused to the grass or ground if access occurs.

The Council did not act on the issue, and they directed City staff to send a letter to the petitioners regarding the verbal agreement from the property owner. The Council noted that barricades would go up if damage continues without improvement.

## **10. NEW BUSINESS**

- a. Consider Approval of Resolution 2009-34, a Resolution Adopting Assessment for the C.S.A.H. 96 (Fig St. NE and Halstad Ave) Street and Utility Project

Erickson provided the Council with the final assessment role and a resolution adopting the assessments for the Fig Street Project. He explained the main parts of the resolution including terms, interest, and process. Erickson recommended approval of the resolution. Kodada asked about the LaFarve-Miller assessment. Erickson said that the City Attorney and LaFarve-Miller's attorney have recently had face time with one another and they are trying to work out an agreement. Erickson said that LaFarve-Miller should end up paying the amount owed to the City sometime soon. Kodada also asked if the proposed assessment was typical procedure. Erickson said yes.

A motion was made by Kodada and seconded by Furrer to approve Resolution 2009-34, a resolution adopting assessment for the C.S.A.H. 96 (Fig St. NE and Halstad Ave) Street and Utility Project. Vote for: Daleiden, Kodada, Rud, Smith, and Furrer. Against: None. Vote: 5-0. Motion carried.

b. Consider Approval of an Assessment Agreement Between the City of Lonsdale and Chaska Investment Limited Partnership Pertaining to the C.S.A.H. 96 (Fig St. NE) Street and Utility Improvement Project

The Chaska Investment assessment was discussed previously along with Resolution 2009-34. Erickson stated that Chaska Investments would be assessed at \$119,891.36 at a 5% interest rate for 15 years. He mentioned that the first payment would be made with the first half of the 2010 property taxes. He also mentioned that Chaska Investments will be waiving their right to an appeal, and he said that they will receive a \$21,332.76 credit upon development of the assessed property. Daleiden asked for clarity on the calculation of assessable frontage. Erickson explained how the City's current assessment policy works with residentially zoned corner lot properties such as Chaska Investment's property.

A motion was made by Furrer and seconded by Smith to approve an Assessment agreement between the City of Lonsdale and Chaska Investment Limited Partnership pertaining to the C.S.A.H. 96 (Fig St. NE) Street and Utility Improvement Project. Vote for: Daleiden, Kodada, Rud, Smith, and Furrer. Against: None. Vote: 5-0. Motion carried.

c. Consider Approval of a Joint Powers Agreement for the City of Elko New Market's Part-Time Utilization of a City of Lonsdale Employee (Planning Service Agreement)

Erickson said that previous to the past year's budget discussions, he had talked with Elko-New Market City Administrator Tom Terry about the possibility of sharing limited planning services between the City of Lonsdale and the City of Elko-New Market. He mentioned that due to recent LGA cuts, the opportunity was discussed again and pursued by both City Councils. Erickson mentioned that the proposed agreement would provide Elko-New Market with 3 hours of planning and zoning service each week, and it would offset the Lonsdale City Planner's wages/benefits by 10%. He said that Elko-New Market is aware that more than 3 hours a week may be required to complete some of the assigned tasks, and they are comfortable with that. Erickson also stated that the majority of work will be checking and responding to voice messages, which can be done by phone or email from Lonsdale City Hall. Rud stated that it is an excellent idea to share services

with other cities. Kodada agreed, and he mentioned that it could be a learning opportunity as well. The Council liked the idea and suggested that other cities and departments may want to consider something similar.

A motion was made by Daleiden and seconded by Kodada to approve a Joint Powers Agreement for the City of Elko New Market's Part-Time Utilization of a City of Lonsdale Employee (Planning Service Agreement). Vote for: Daleiden, Kodada, Rud, Smith, and Furrer. Against: None. Vote: 5-0. Motion carried.

- d. Consider Approval of a Quote Submitted by Buscho Enterprises in the Amount of \$7,425.00 for the Pumping, Transferring and Injecting of 300,000 Gallons of Biosolids  
Vlasak stated that RFPs were sent out to four different companies but only two quotes were received: 1) Buscho Enterprises - \$7,425.00 (\$0.248/gallon) and 2) J & M Waste Applicators, Inc. - \$8,120.00 (\$0.271/gallon). He said that Buscho was the lowest quote received, and he mentioned that Buscho has removed biosolids for the City several times before. Vlasak also said that he was looking into permitting more land.

A motion was made by Daleiden and seconded by Kodada to approve a quote submitted by Buscho Enterprises in the Amount of \$7,425.00 for the pumping, transferring and injecting of 300,000 gallons of biosolids. Vote for: Daleiden, Kodada, Rud, Smith, and Furrer. Against: None. Vote: 5-0. Motion carried.

- e. Discuss Dog Impound Facility Options  
Erickson presented a memo from the Police Chief to the Council for review. He described the City's current dog holding facility, and he said that the facility is currently in compliance with State regulations. Erickson said that Police Chief Schmitz and himself did meet with Critter Getter, a certified dog catching and holding service, to see what they could offer Lonsdale. He described the process that a dog would go through if it was caught and brought to Critter Getter's kennel. He mentioned that the only drawback of a possible contract with Critter Getter is its location in Jordan, but he said that other governmental entities such as New Prague, Belle Plain, Jordan, Elko-New Market, and Le Sueur County also contract with Critter Getter. Rud mentioned that the City has received some complaints regarding its current facility, and he directed staff to add a flap and some new straw to the current holding area. Smith stated that he didn't think that Lonsdale's police officers should be spending their time tending to captured dogs. He recommended going with Critter Getter. Kodada agreed that the police officers should be spending their time patrolling the streets. Furrer questioned the price for a City dog tag. She also asked about services provided by Rice County, but Erickson stated that Rice County doesn't pick up dogs; they only hold the dogs for a period. Smith said that dog tags ensure that dogs are vaccinated and have a dog owner contact.

The Council directed City staff to pursue a contract with Critter Getter.

- f. Request by Stonebrooke Engineering to Collect on Bakken Development's Remaining Letter of Credit Balance Currently Being Held by the City of Lonsdale

Erickson provided the Council with a draft agreement between the City of Lonsdale and Bakken Development. Erickson explained that the City has received numerous calls from Stonebrooke Engineering in regards to collecting the remaining balance from a \$20,000 Bakken Development Letter of Credit. He said that Stonebrooke Engineering performed services for Bakken Development in the past, but they never received full compensation from Bakken Development for the services they provided. Therefore, Stonebrooke has been asking the City to sign an agreement to release the approximate \$40,000 directly from the City of Lonsdale to Stonebrooke Engineering. Kodada asked why the City needs to get involved in the matter. Furrer also warned against signing an agreement in case similar requests come up in the future.

A motion was made by Daleiden and seconded by Kodada to approve sending the remaining balance from the Letter of Credit, minus City Attorney and staff time, back to Bakken Development. Vote for: Daleiden, Kodada, Rud, Smith, and Furrer. Against: None. Vote: 5-0. Motion carried. Stonebrooke Engineering's Request was denied.

## **11. OTHER BUSINESS**

### *Planning & Zoning Report*

City Planner Baker provided the Council with a building permit update through October 2009 including a map showing 2009 permits, a breakdown of home builders, and remaining Mattamy Home lots. He also provided a few maps showing recent action on Haze and Parish Marketing homes in the Legacy Meadows and Willow Creek developments.

### *Council Member Daleiden*

Daleiden said that the Liquor Store is seriously considering coming out with their own gift cards.

### *Council Member Kodada*

He said that the next Park and Recreation meeting will be on October 13, 2009 at 6:00 pm.

### *Council Member Smith*

None.

### *Council Member Furrer*

Furrer mentioned that the EDA will be working on the Lonsdale First program.

### *Council Member Rud*

Rud said that the Lonsdale Lions will be helping out the new library with volunteer labor and a guest presentation. He said that the Villages of Lonsdale will have its Grand Opening on October 25<sup>th</sup> at 1:00 pm. He also mentioned that Trodhjem Lutheran Church will be having their Fall Church Festival this upcoming weekend.

## **12. ADJOURNMENT**

A motion was made by Daleiden and seconded by Smith to adjourn the meeting. Vote for: Daleiden, Kodada, Rud, Smith, and Furrer. Against: None. Vote: 5-0. Motion carried. The meeting closed at 8:05 pm.

Respectfully Submitted:

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Joel A. Erickson, City Administrator