

**MINUTES
CITY OF LONSDALE
CITY COUNCIL MEETING
OCTOBER 25, 2018**

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Everyone stood and recited the pledge of allegiance.

3. ROLL CALL

Members Present: Steve Cherney, Kevin Kodada, Tim Rud, Cindy Furrer, Scott Pelava

Members Absent: None

City Staff Present: City Administrator Joel Erickson, City Planner Benjamin Baker,
Public Works Director Russ Vlasak

4. APPROVAL OF AGENDA

Mayor Rud asked if there were any corrections, additions, or deletions to the agenda.

A motion was made by Pelava and seconded by Cherney to approve the agenda as presented.

Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained:

None. Vote: 5-0. Motion carried.

5. APPROVAL OF MINUTES

None

6. PUBLIC HEARINGS

None

7. PRESENTATION OF CITIZEN PETITIONS AND COMMENTS

None

8. APPROVAL OF THE CONSENT AGENDA

a. Monthly Bills

b. Treasurers' Report

c. Board and Commission Minutes

A motion was made by Kodada and seconded by Pelava to approve the Consent Agenda.

Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained:

None. Vote: 5-0. Motion carried.

9. OLD BUSINESS

None

10. NEW BUSINESS

- a. Consider Approval of Kurt Fischer's Letter of Resignation as the City's Criminal Prosecuting Attorney – Joel Erickson, City Administrator

The Council reviewed a resignation letter from current criminal prosecuting attorney Kurt Fischer. The letter explained that after 39 years of representing Minnesota cities, Fisher is giving up his last clients. Erickson said that Fisher has worked with the City's Police Department for nearly 20 years.

A motion was made by Pelava and seconded by Furrer to approve Kurt Fischer's Letter of Resignation as the City's Criminal Prosecuting Attorney. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- b. Consider Approval of a Request for Proposals for Criminal Prosecution Services – Joel Erickson, City Administrator

Erickson said that with the resignation of the City's Criminal Prosecutor, that the City will need to select and contract with a new attorney or firm to represent the City in criminal matters. The Council reviewed a proposed RFP for Criminal Prosecution Services, and Erickson went through the main points of the proposal. Cherney encouraged the City to think about sharing similar services with other area cities. Pelava explained how the current prosecuting situation is shared amongst other area cities.

A motion was made by Kodada and seconded by Cherney to approve a request for proposals for Criminal Prosecution Services. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- c. Consider Approval of Resolution 2018-43, a Resolution to Contract With a Councilmember – Joel Erickson, City Administrator

The Council reviewed Resolution 2018-43, while Erickson explained the details behind emergency sanitary sewer repair work that took place at 532 4th Avenue NE. Erickson explained that the city has a contract with Quam to make the necessary repairs to sanitary sewer lines/wye joint at the main. He said that while Quam was making a repair, the resin used, hardened and made the inside diameter of the service line approximately 1 inch, compared to the normal 4 inches, which made the home inhabitable and required emergency repair. Erickson said that several contractors were contacted, but they were either too busy or did not want to do the work. The Council reviewed the associated invoices. Erickson said that \$90,000 was budget for these types of repairs in 2019. Kodada said that it is great that Rud Construction was able to help out immediately at a fair price.

A motion was made by Cherney and seconded by Furrer to approve Resolution 2018-43, a Resolution to contract with a Councilmember. Vote for: Cherney, Kodada, Furrer, and Pelava. Vote against: None. Abstained: Rud. Vote: 4-0-1. Motion carried.

d. Consider Approval to Schedule Special Meetings to Discuss the City's Final 2019 Budget and Property Tax Levy – Joel Erickson, City Administrator

After reviewing their schedules, the Council decided to hold a meeting on Tuesday, November 20th and Tuesday, November 27th at 6:00 pm to finalize the 2019 Budget & Property Tax Levy.

A motion was made by Kodada and seconded by Furrer to schedule Special Meetings on: 1) Tuesday, November 20, 2018 at 6:00 pm, and 2) Tuesday, November 27, 2018 at 6:00 pm to discuss the City's Final 2019 Budget and Property Tax Levy. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

e. Consider Approval of Revisions to the City's Snow Plowing Policy – Joel Erickson, City Administrator

The Council reviewed the current and proposed changes to the City's Snow Plowing Policy. Erickson said that Staff wants to be on the same page as the Council, and he asked for guidance on whether or not the new western sidewalk, along Main Street South, should be plowed by: 1) the City, or 2) by the adjacent property owners. Rud said that the Public Works Department does such a great job and has new equipment, and he suggested that the City plow the snow along the Main Street South stretch. Furrer asked about the Downtown Business District. Vlasak said that the businesses are already used to removing snow on the sidewalks in Downtown area. Vlasak said that the City may not have enough man power to clear all sidewalks in the Downtown area. After much discussion, the Council members agreed that the new stretch of sidewalk, along the west side of Main Street South, should be plowed by the City, from Alabama Street to Idaho Street, because it was identified as an important trail connection.

A motion was made by Kodada and seconded by Cherney to approve revisions to the City's Snow Plowing Policy. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

f. Consider Approval of Resolution 2018-44, a Resolution Approving a Plat – Ben Baker, City Planner

Baker directed the Council to look at the current and proposed land ownership map, while he went through the detailed Staff Report, which included information on the subject property, current/proposed ownership, future plans, re-alignment of property lines, zoning, land use, and associated maps. Baker stated that N G Properties (NGP) is in the process of severing from the Rolling Ridge Market Place Owners Association (RRMPOA), and he noted that the latest RRMPOA Minutes were attached to the report. Baker said that NGP will take over ownership of both the vacant building pad parcels along with the surrounding vacant common area parcels, similar to the previous Rolling Ridge Market Place 4th Addition plat. He stated that Outlot A and Outlot B, will continue to be owned by the RRMPOA for use as a private road and future re-routed road alignment. Baker noted that at this time, there are no plans to construct either a church building or multi-tenant commercial buildings anytime soon on the western vacant portion of the Market Place. Baker stated that the new plat shows a 60 ft. wide Outlot/private road, which could accommodate a public road right-of-way in the future. However, he said that at this time, there are no plans to reconstruct/upgrade the private road section of Ash Street NE, running from Baldwin Street to 8th Avenue NE.

Randy Stangler, of N G Properties, addressed the City Council from the front podium. Rud stated that there should be an ultimate plan for the private road running through the Rolling Ridge Market Place. Erickson explained that the private road is not a 9-ton road and would need to be brought up to City standards, before the City would accept any transfer in ownership. He also said that not all the owners in the RRMPOA may be on board with the timeline and associated costs. Cherney suggested addressing such a road ownership transfer plan along with any upcoming PUD zoning amendments for the site. Stangler agreed with Rud, stating that he would like to know if the City will take over the private road or not. He also stated that the new private road alignment is being reconfigured to line up with the Baldwin Street right-of-way. Rud suggested that a point in time be determined, such as a specific date or 50% developed, when the road needs to be upgraded to a City street. Erickson said that although the road is only a 7-ton road, that the 14 year-old road is in pretty good shape. He said that the RRMPOA has done a good job maintaining the road over the years. Rud said that it would be good to clean up the mess from 2004. Stangler thanked the Council for consideration of the re-plat. Baker noted that he Planning Commission held a public hearing and recommended approval of the plat at their meeting on October 15, 2018.

The Council briefly discussed the road status and policy for: 1) the 9th Avenue NW driveway easement, and 2) the Upper Arizona Street SE private drive.

A motion was made by Pelava and seconded by Kodada to approve Resolution 2018-44, a resolution approving a the Rolling Ridge Market Place Preliminary & Final Plat. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

g. Consider Approval of Resolution 2018-45, a Resolution Approving a Parcel Combination – Ben Baker, City Planner

The Council reviewed associated maps with a parcel combination request at 601 Parkview Ct SE, while Baker read through a Staff Report. The report detailed a request by home owner Todd Person to combine his two parcels together so that he can erect a moveable shed and boundary fence on the western, rear parcel. Baker explained the City's past policy for combining vacant residential lots, and he said that in order to have any accessory structures on a lot, there must be a principal structure on the same parcel. Baker went through the findings for the land use request. He stated that the City also would like to see a permanent boundary fence be erected instead of the current chicken wire fence used to keep the geese off of the nice rear yard area.

Baker said that the Planning Commission reviewed the request on October 15th, and they agreed that the rear yard lot situation was unique, and they recommended approval of the proposed parcel combination contingent upon conditions listed in the Resolution.

A motion was made by Pelava and seconded by Kodada to approve Resolution 2018-45, a Resolution approving a parcel combination. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

11. OTHER BUSINESS

a. Staff Reports

Public Works Director

Vlasak said that the Public Works Department is working on tree trimming and leaf cleanup around town.

City Engineer

N/A

City Administrator

Since Powell was not present at the meeting, Erickson read through a progress email on the Area No. 5 – Phase IV Project. Rud thanked City Administrator Erickson for going over-and-above on the Main Street Project. Rud said that he is really upset with the workmanship on concrete completed so far on the project and that it is not acceptable. He stated that it shouldn't be the City Administrator's responsibility to monitor the project for workmanship issues and cleanup. Rud said that is why the City pays a consulting company like WSB & Associates. Rud said that it was supposed to be a beautification project. Erickson said that, in July, he brought up concerns of workmanship pertaining to the concrete work done but the contractor/sub-contractor did not follow through on their promise to take correct the problems. He said that the City needs to stick up for its residents and businesses. Rud said that the City needs an engineering firm that can be trusted, and he directed Erickson to relay the Council's displeasure with the project. The City Council agreed with Rud and directed Erickson to draft and present a RFP for Engineering Services at the next City Council meeting.

Erickson went through a long list of items he has been working on and involved with.

City Planner

Baker stated that he recently attended a Czech Heritage Trail Feasibility Study meeting in Montgomery. He said that some new trees will soon be planted along Fig Street NE by Knechts Nurseries.

b. Council Reports

Council Member Cherney

Cherney provided an update on the EDA meeting, including a potential forum event in February 2019.

Council Member Kodada

Kodada said that the Park Board and Liquor Store Committee will meet again in November.

Council Member Furrer

Furrer announced that the Library will be hosting a Halloween party.

Council Member Pelava

Pelava provided an overview on the last Planning Commission meeting.

Mayor Rud

Rud announced area events associated with the Czech-Slovak 100 year milestone. He also said that Staff is working with a contractor/developer to get buy-in on a senior housing building. Rud said that they have also been meeting with a local business owner who is thinking about a potential building expansion.

12. ADJOURNMENT

A motion was made by Kodada and seconded by Furrer to adjourn the meeting. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried. The meeting ended at 8:34 pm.

Respectfully Submitted:

Joel A. Erickson, City Administrator