

**MINUTES
CITY OF LONSDALE
CITY COUNCIL MEETING
NOVEMBER 29, 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, City Engineer John Powell, 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 Kodada 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 Pelava and seconded by Kodada 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 to Reappoint Joe Pumper as Captain of Company C of the Lonsdale Fire Department – Mike Yetzer, Fire Chief

Yetzer stated that two Captain's positions were posted at the Fire Hall. He said that the positions are 4-year terms currently held by Joe Pumper and Kevin Hruby that will expire at the end of 2018. He said that the Interview Committee unanimously selected Pumper to be reappointed as Captain of Company C.

A motion was made by Kodada and seconded by Furrer to reappoint Joe Pumper as Captain of Company C of the Lonsdale Fire Department. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- b. Consider Approval to Appoint Casey Gregor as Captain of Company B of the Lonsdale Fire Department – Mike Yetzer, Fire Chief

Yetzer said that the Interview Committee also recommended promoting Casey Gregor to Captain of Company B, because Hruby is planning to move to New Prague soon.

A motion was made by Pelava and seconded by Furrer to appoint Casey Gregor as Captain of Company B of the Lonsdale Fire Department. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- c. Consider Approval of City Council Meeting Dates/Times During the First Quarter of 2019 – Joel Erickson, City Administrator

Erickson stated that with the anticipation of minimal agenda items for two meetings a month during the first quarter of 2019, he proposed that the Council only meet on the last Thursday of the month in January, February, and March 2019. He stated that the annual organizational meeting could be held on January 3rd.

A motion was made by Cherney and seconded by Pelava to approve City Council Meeting dates/times during the First Quarter of 2019. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- d. Consider Approval to Issue Cigarette Licenses for 2019 to: Mackenthun's Fine Foods, Lonsdale Liquor, Casey's General Store #2398, Jessy Food Mart and Dollar General Store #16374 – Joel Erickson, City Administrator

Erickson went through the list of the five current cigarette license holders in town. He said that all five local businesses applied again for the annual license. He said that Staff is not aware of any violations that would prevent the City from approving the requested cigarette licenses.

A motion was made by Kodada and seconded by Furrer to approve issuing Cigarette Licenses for 2019 to: Mackenthun's Fine Foods, Lonsdale Liquor, Casey's General Store #2398, Jessy Food Mart and Dollar General Store #16374. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- e. Consider Approval to Make a Conditional Job Offer to Chris Chandler as Building/Code Enforcement Official at Grade 14 Step 7 \$35.86/hr. – Joel Erickson, City Administrator

Erickson said that out of 19 applicants, 5 interviewed before the HR Interview Committee, and then the Council interviewed the three finalists for the new Building/Code Enforcement Official position. Erickson stated that a tentative agreement was negotiated with candidate Chris Chandler for the position at \$35.86/hr. along with 2-weeks of vacation. He stated that the Council's number one candidate, Joh Phelps, accepted another position with the City of Faribault. Rud said that all three finalists were good candidates and interviewed well, and he said that Chandler is a good choice for the dual roll of both Building and Code enforcement. Erickson said that Chandler is scheduled to start in early-January.

A motion was made by Pelava and seconded by Furrer to approve a conditional job offer to Chris Chandler as Building/Code Enforcement Official at Grade 14 Step 7 \$35.86/hr., and exempt position. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- f. Consider Approval to Set the Hourly Rate Paid for Snow Hauling at \$80.00/Hour – Russ Vlasak, Public Works Director

Vlasak said that the City would like to set the same rate as last year for snow hauling assistance at \$80.00/hour. He said that Tony Trcka and Badger Excavating will be placed on call and used as needed during the winter snow season.

A motion was made by Kodada and seconded by Cherney to approve setting the hourly rate paid for snow hauling at \$80.00/Hour with a three hour minimum. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

g. Consider Approval of Ordinance 2018-290, an Ordinance Amending City Code §153.040(Q), Overlay Districts and Chapter 154 Planned Unit Develop – Ben Baker, City Planner

Baker noted the four PUDs currently in Lonsdale. He said that at their June 18, 2018 meeting, the Planning Commission went through a brief PUD Workshop presented by the City Attorney. He explained that the City Attorney recommended adopting updated language for Chapter 154 that would recognize new stand-alone rezoning PUD ordinances as the preferred method for approving Planned Unit Developments. Baker explained that the new method provides greater legal standing since the terms of the PUD are listed in the actual ordinance and not an agreement. Baker said that many cities are moving away from the traditional PUD/PUD agreement process because that method was not specifically identified by statutory authority. Baker summarized the main points of the proposed ordinance while the Council reviewed the updated PUD Chapter language. Cherney said that he fully supports the updated ordinance. Pelava stated that the Planning Commission recommended approval of the ordinance at their last meeting.

A motion was made by Pelava and seconded by Cherney to approve Ordinance 2018-290, an ordinance amending City Code §153.040(Q), Overlay Districts and Chapter 154 Planned Unit Develop. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

h. Consider Approval of Ordinance 2018-291, a PUD Ordinance for the Rolling Ridge Market Place – Ben Baker, City Planner

Baker went through the proposed new PUD ordinance for the Rolling Ridge Market Place. Baker explained that the PUD ordinance was a requirement of the recently approved Rolling Ridge Market Place 5th Addition Final Plat. Baker went through the proposed new PUD ordinance, which was based on: 1) Ordinance 2007-211, which was the original PUD; and 2) Ordinance 2016-269, which permitted grocery stores and fuel pumps as permitted uses. Baker stated that approval of the new Rolling Ridge Market Place PUD Ordinance: 1) addresses perimeter building setbacks, and 2) would allow the western portion of the site to develop similar to the 2018 Lonsdale Market Place Concept Plan. Pelava said that the new PUD ordinance provides the flexibility for future development to follow the original plan or the latest concept plan, which makes the site more feasible for development by the land owner and future businesses.

A motion was made by Pelava and seconded by Furrer to approve Ordinance 2018-291, a PUD Ordinance for the Rolling Ridge Market Place. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- i. Consider Approval of Ordinance 2018-292, an Ordinance Amending City Code §154.074, Residential Single-Family Dwellings – Ben Baker, City Planner
Baker stated that applicant Randy Stangler, of N G Properties LLC, has requested that the City consider an ordinance amendment to the size requirements for twin home units and associated garages. Baker said that the City did not consider the impact on townhomes/twinhomes when the new single-family home standards were approved over the past year. He said that Stangler is requesting that typical home and garage sizes found in the R-3 Zoning District be allowed. Baker said that although none of Stangler's lots are zoned as R-2A, City Staff is suggesting that Lonsdale's R-2A District be included in the proposed ordinance amendment, because: 1) similar requests are bound to come forward soon as townhome construction picks up, and 2) it makes sense to include both of the districts into one ordinance amendment. The Council reviewed and discussed the proposed changes that would allow similar housing unit/garage sizes within the R-2A and R-3 Districts. Kodada questioned if garage sizes in the R-2A District should remain at 600 sq. ft. Stangler explained that WELCO, which is the R-3 District, wasn't designed for larger homes and garages. After discussing the garage size issue, Staff suggested just allowing the R-3 District to have 440 sq. ft. garages to be consistent with the WELCO neighborhood. Baker noted that the Planning Commission recommended approval of the proposed ordinance at their last meeting.

A motion was made by Kodada and seconded by Pelava to approve Ordinance 2018-292, an ordinance amending City Code §154.074, Residential Single-Family Dwellings. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- j. Discuss Regulating the Installation of Telecommunications Wiring in New Homes – Ben Baker, City Planner
Baker asked the Council to provide feedback and direction concerning a request by Lonsdale Telephone and Video Ventures (LTVV) to require builders to install both Cat-5 and RG-6 cables within each new home. Baker provided a brief history of the issue. The Council reviewed the initial ordinance language created by LTVV, and they invited LTVV President Bonnie Simon to podium to provide an update.

Simon said that Minnesota Telecom Alliance and the techs at LTVV helped create the sample ordinance. Simon said that in the past LTVV has worked successfully with builders to install the latest technology into the new homes, but she said that LGI Homes was not willing to install the Cat-5 wiring into their homes. She admitted that no other cities have ever implemented such an ordinance. Simon also said that wireless technology is not to the point where it is completely reliable yet. Baker said that it would be somewhat of a ground breaking endeavor, if the Council entertained a regulating ordinance.

Erickson asked the Council if it was really government's role to require certain types of private communication lines into a certain number of rooms within each home. He also asked the Council, to what extent they wanted to regulate the wiring if an ordinance was pursued. Overall the Council agreed that these types of issues should be handled privately, but they agreed that if an ordinance was not created that some builders, such as LGI, would not provide future residents easy access to the fiber system installed around Lonsdale. The Council agreed that an ordinance would ultimately allow residents to have multiple service options for high-speed internet technology, whether coax or Cat-5 cable.

The Council directed City Staff and the Planning Commission to review, discuss, and consider creating an ordinance to address the issue once an official application and fees are paid by LTVV.

- k. Consider Approval to Appoint the IC Council of Catholic Women as the Waste Management Green Team for the 1st Quarter of 2019 – Ben Baker, City Planner
Baker stated that the City currently has three applications on file for the Green Team program. He said that the Park Board recommended the IC Council of Catholic Women as the January-February-March Green Team because their application was submitted the earliest.

A motion was made by Kodada and seconded by Pelava to approve the IC Council of Catholic Women as the Waste Management Green Team for the 1st Quarter of 2019. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- l. Consider Approval of Application for Payment No. 5 in the Amount of \$187,697.60 to Holtmeier Construction for the Area No. 5 – Phase 4 Street and Utility Improvement Project – John Powell, City Engineer

The Council reviewed a pay request from Holtmeier Construction. Kodada stated that the concrete work looks subpar, especially for a Main Street Streetscape project. The Council discussed liquidated damages, punch list items, project time delays, and the quality of workmanship. Cherney asked Powell who is going to pay for the concrete subcontractors workmanship issues. Powell explained how actual damages are determined and he assured the Council that the project will get done and get done right. Powell said that WSB will see the project through, whether or not WSB is the City Engineer next year. He suggested reviewing the City specs and inspections process this winter. The Council members agreed that if the work was completed to specification that the payment should be made. Rud reassured everyone that the concrete work will get fixed and that the overall project isn't as bad as it seems. Powell said that there is enough retainage funds to cover the concrete work, and he recommend approval of the pay request.

A motion was made by Kodada and seconded by Cherney to approve an application for Payment No. 5 in the amount of \$187,697.60 to Holtmeier Construction for the Area No. 5 – Phase 4 Street and Utility Improvement Project. 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 the Public Works Department worked late the previous night on a broken water line. The Council, Vlasak, and Powell talked about ways to mitigate future breaks.

City Engineer

Powell provided an update on the Lift Station Decommissioning Project. He said that boring work is slated for after the 1st of the year.

City Administrator

Erickson went through a list of items that he has been involved with, including engineering services RFPs, criminal prosecuting attorney RFPs, and the City Hall Remodel Project.

City Planner

Baker stated that he has been completing eCRV forms for the deeds associated with the transfer of City-owned properties. He also provided an update on new home permits.

b. Council Reports

Council Member Cherney

Cherney stated that he recently attended the Steele-Waseca forum.

Council Member Kodada

None.

Council Member Furrer

None.

Council Member Pelava

Pelava provided an overview on the last Planning Commission meeting.

Mayor Rud

Rud said that there may be some Special Council meeting coming up to talk about a potential senior housing complex project.

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