

**MINUTES
CITY OF LONSDALE
SPECIAL CITY COUNCIL MEETING
DECEMBER 19, 2011**

1. CALL TO ORDER

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

2. PLEDGE OF ALLEGIANCE

Everyone stood and recited the pledge of allegiance.

3. ROLL CALL

Present: Daleiden, Kodada, Rud, Furrer and Pelava

Absent: None

Staff Present: City Administrator Joel Erickson, Public Works Director Russ Vlasak, John Stewart and Bill Chang of BDM Consulting Engineers and Surveyors, PLC and Kevin Kawlewski of WSB & Associates, Inc.

4. AGENDA

Mayor Rud said the agenda went through 10d and asked if there were any additions or deletions to the agenda. A motion was made by Daleiden and seconded by Pelava to approve the agenda. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Against: 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

None

9. OLD BUSINESS

None

10. NEW BUSINESS

- a. Consider Approval of Resolution 2011-50, a Resolution Terminating a Contract Between the City of Lonsdale and BDM Engineers and Surveyors, PLC and Issuing a Stop Work Order for the Area # 2 Street and Utility Improvement Project

Erickson said after the December 8, 2011 City Council meeting, he got the sense from the City Council that they were not comfortable with the service provided by BDM or their understanding of the scope of the project. He said he contacted WSB for a proposal to complete the plan and specifications and provide

construction related services. He said after receiving the proposal a meeting was held with WSB. Erickson recommended approval of Resolution 2011-50. John Stewart of BDM stated he thanked the City Council for the opportunity to work with the City but disagreed with terminating their contract. He said if given the opportunity, they could have addressed and resolved the City's concerns. Stewart said he would be billing the City for \$26,000.00 of design related services completed. Daleiden asked Erickson to explain how the \$26,000.00 affects the contract. Erickson said to date, BDM has billed the City a little over \$26,000.00 and this \$26,000.00 would be on top of what has already been billed. Daleiden asked how terminating this contract will affect the water treatment plant project. Erickson said it does not. Stewart said their role in the water treatment plant project is under advisement. Stewart said at the last meeting a change order for \$400.00 was for denied by the City, which he hoped could have been split. Stewart said the change order for the insulation earlier in the project resulting in the City receiving a deduct in the amount \$5,000.00. Pelava said the \$5,000.00 deduct was good then but the City might not be so luck next time. Mayor Rud asked if there was any more City Council discussion. A motion was made by Daleiden and seconded by Kodada to approve Resolution 2011-50. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Against: None Vote 5-0. Motion carried.

b. Consider Approval of Resolution 2011-51, a Resolution Entering into a Contract Between the City of Lonsdale and WSB & Associates, Inc. for the Area # 2 Street and Utility Improvement Project

Erickson said WSB's proposal was included in the packet and consisted of two options:

1. Street and Storm sewer improvements only: \$ 98,395.00
2. Street and Storm sewer improvements and water main and sanitary sewer repairs: \$122,381.00

Erickson recommended approval of resolution 2011-51. Mayor Rud said he is concerned about the poor soils in the project area and they need to be addressed upfront and not after the fact in the form of a change order. A motion was made by Daleiden and seconded by Kodada to approve Resolution 2011-51. Daleiden asked if the resolution should be amended to take into account any work completed by BDM that would result in a credit towards WSB's contract. Erickson said the language should be incorporated in the resolution. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Against: None Vote 5-0. Motion carried.

c. Consider Approval to Schedule a Special Meeting for Thursday, January 5, 2012 at 7:00 pm as the City Council's Organizational Meeting of 2012

Erickson said the City Council schedules a special meeting for the first Thursday of the year as its Organizational Meeting. He said Kodada contacted him earlier in the day and requested the meeting be scheduled for January 3, 2012. The City Council had no objections to the date change. A motion was made by Daleiden and seconded by Kodada to approve scheduling a special meeting for January 3, 2012 at 7:00 pm as the City Council's Organization Meeting. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Against: None Vote 5-0. Motion carried.

- d. Consider Approval to Schedule a Public Hearing for Ordinance 2012-249, an Ordinance Approving the City's 2012 Fee Schedule on January 5, 2012 at 7:00 pm or Shortly Thereafter

Erickson said the public hearing was required as part of the process to adopt the City's 2012 Fee Schedule. He said with the special meeting scheduled for January 3, 2012 at 7:00 pm, his recommendation was to schedule the public hearing for Tuesday, January 3, 2012 at 7:00 pm or shortly thereafter. Kodada asked if there were any major fee changes proposed for 2012. Erickson said the City Council already discussed not increasing water and sewer rates for 2012 and has to discuss rates with department supervisors to make sure the City's costs to perform a service are covered. He said one fee he will be proposing is for applicants/property owners to reimburse the City the actual cost of the wetland project review and the permitting process. Rud asked if a special assessment rate or calculation should be included in the City's fee schedule. Erickson said he would research formulas used by other cities and the calculation should be in the City Special Assessment Policy. A motion was made by Daleiden and seconded by Pelava to schedule a public hearing on Ordinance 2012-249 (2012 Fee Schedule) for January 3, 2012 at 7:00 pm or shortly thereafter. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Against: None Vote 5-0. Motion carried.

11. OTHER BUSINESS

- a. Kevin Kawlewski of WSB & Associates, Inc. thanked the City Council for the opportunity to work with the City on the Area # 2 Street and Utility Improvement Project. He said he looks forward to the project and will be scheduling a meeting with staff to review the project and address any concerns upfront.

12. ADJOURNMENT

A motion was made by Kodada and seconded by Furrer to adjourn the meeting. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Against: None Vote 5-0. Motion carried. The meeting ended at 7:22 pm.

Respectfully Submitted:

Joel A. Erickson, City Administrator