

**MINUTES
CITY OF LONSDALE
CITY COUNCIL MEETING
MARCH 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, Police Chief Jason Schmitz, City Attorney Matt Brokl

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

Mayor Rud asked if there were any corrections to the Minutes.

A motion was made by Kodada and seconded by Furrer to approve the Minutes from the February 22, 2018 Regular Meeting and the March 8, 2018 Regular Meeting. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. 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. Treasurers' Report
- c. Board and Commission Minutes

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. Presentation of a Waste Management Green Team Recycling Check in the Amount of \$796.00 to the Golden Agers for Recycling 53.04 Tons of Cardboard and Mixed Paper – Jason Hartmann, WM

Jason Hartmann, Public Sector Representative for Waste Management, presented Don Rezac, of the Golden Agers, with a check in the amount of \$796.00 for recycling 53.04 tons of cardboard/mixed paper during their term as the Green Team in 2017. Hartmann noted that Waste Management has given over \$14,000.00 to the various Lonsdale Green Teams.

- b. Consider Approval of the Revised Lonsdale Fireman's Relief Association By-Laws – Adam Vycital, Relief Association President

Lonsdale Fireman's Relief Association President Adam Vycital provided the Council with a copy of the Association's updated bylaws. Vycital stated that they worked with a professional to make sure everything was covered in the update. He noted that the Annual Service Benefit level will rise by \$300.00 up to \$2,800.00. Rud thanked the LFRA for being conservative and looking out for the good of the City and its assets in over the past years. Vycital stated that the State of Minnesota has already reviewed and approved the updated by-laws. The Council thanked Vycital for his work as President of the LFRA.

A motion was made by Cherney and seconded by Kodada to approve the revised Lonsdale Fireman's Relief Association By-Laws. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- c. Consider Approval to Authorize Staff to Advertise for Sale by Sealed Bid a Forfeited 1993 Mitsubishi 3000 GT – Jason Schmitz, Chief of Police

Schmitz explained how the City ended up with a forfeited vehicle, and he recommended that the City advertise the vehicle for sale by accepting sealed bids. Cherney asked if there were other options available, such as use by another department. Schmitz and Erickson said that the other City Departments were not interested in the vehicle. Schmitz explained that the vehicle would probable sell for \$500-\$1,500, and that 30% of the proceeds go to the prosecuting attorney.

A motion was made by Cherney and seconded by Pelava to authorize Staff to advertise for sale by sealed bid a forfeited 1993 Mitsubishi 3000 GT. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- d. Update on “Dog Appreciation Day” at the Dog Park on Sunday, May 20, 2018 – Aleisha Holzinger

Event Organizers, Aleisha Holzinger and Lori Kubes, addressed the Council from the front podium. They updated the City Council on their plans to host a Dog Appreciation Day on Sunday, May 20th from 10:00am – 2:00pm, in an effort to promote Lonsdale and provide exposure for the new Lonsdale Dog Park. Holzinger stated that vendors are welcome and that extra leashes will be provided. She said that the event will be fun and include dog celebrities such as Spencer the Goldendoodle. Kubes said that they will clean up the site at the end of the event. Holzinger mentioned that they could hand out dog license applications and collect money for future dog park improvements. The Council thanked Holzinger and Kubes for the event update.

- e. Update on the Proposed Plans for the Property Located at 900 Idaho St. SW – Ben Baker, City Planner

Baker stated that after completing a natural resources inventory of the property at 900 Idaho Street SW, MN DNR Forester Jake Froyum contacted the City to see if Lonsdale was interested in enhancing the property into a natural/nature area. Baker stated that Froyum presented a plan to the Park Board on March 13th which detailed exactly how to enrich the site with new trees, native prairie plantings, and nature trails. Kodada stated that the site will be developed over the next decade with Park Fund money and any available grants. Rud stated that it is an excellent idea, and he thanked the Park Board for all their work in the community.

- f. Consider Approval of the Green Team Recycling Groups for the Remainder of 2018: 2nd Quarter – Girl Scouts Troop 44850; 3rd Quarter – Holy Cross Catholic School Athletes and 4th Quarter – Lonsdale American Legion Post #586 – Ben Baker, City Planner
The Council reviewed 6 Green Team applications currently on file. Baker recommended approving the following Green Teams for the remainder of 2018: 1) Girl Scout Troop 44850, 2) Holy Cross Catholic School Athletes, and 3) Lonsdale American Legion Post 586. He said that the TCU Hockey Association is the current Green Team. Cherney asked for more information on the program. Pelava explained how the program works and where recyclables are dumped.

A motion was made by Kodada and seconded by Pelava to approve: 1) Girl Scout Troop 44850 (2nd Quarter), 2) Holy Cross Catholic School Athletes (3rd Quarter), and 3) Lonsdale American Legion Post 586 (4th Quarter) as the remaining 2018 Green Teams. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- g. Consider Approval of a Site Plan Submitted for the Property Located at 112 Florida St. SE – Ben Baker, City Planner

Baker read through the Staff Report, which described the project location, applicant, land use request, existing conditions/land use, zoning, lot requirements/setbacks, proposed pavement and landscaping, and building details and design. He said that Adam Smisek is proposing to erect a 44' x 84' (3,696 sq. ft.) building addition that would match the materials from the existing 2,800 sq. ft. post-frame metal building. The Council members reviewed the associated maps, pictures, site plan, floor plans, and building elevations. Baker recommended approving the proposed site plan contingent upon the conditions listed on the Staff Report, which included an updated survey, deadlines for driveway pavement, and payment for 3 trees. Cherney asked how the City would be assured that the pavement and landscaping improvements would be made, and he asked if the owner/applicant was aware of penalties if the required improvements were not completed on time. Pelava explained obligations for paving of commercial properties. Baker stated that the City does hold a \$3,000.00 landscape escrow. Kodada mentioned that the property owner has a strong local reputation. Rud stated that it is terrific to see local businesses expanding their buildings and improving their properties.

A motion was made by Kodada and seconded by Cherney to approve a site plan submitted for the property located at 112 Florida St. SE. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

h. Consider Approval of Ordinance 2018-285, an Ordinance Amending City Code Chapter VII – Traffic Codes (Golf Carts) - Ben Baker, City Planner

Baker stated that the Planning Commission has been working with the Police Chief to establish a golf cart ordinance so that golf carts can be regulated and allowed on City streets. Baker explained that the State of Minnesota requires that cities establish and adopt specific regulations for golf carts in order for them to be legally operated on city streets. He said that the nearby cities of New Prague and Montgomery already allow for golf carts in town, but he noted that both cities also have golf courses located in town. Baker said that golf carts are typically used by residents for leisure and running errands. Baker highlighted the main parts of Chapter 73. The Council also reviewed a special vehicle comparison sheet, which showed the differences in regulations between golf carts, ATVs, UTVs, and snowmobiles. Baker said that a public hearing was held by the Planning Commission on March 20th, where they recommended approval of the proposed ordinance. Schmitz addressed questions from the Council regarding insurance, permit display, and permit duration.

A motion was made by Pelava and seconded by Furrer to approve Ordinance 2018-285, an ordinance amending City Code Chapter VII – Traffic Codes, Motorized Golf Carts. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

i. Consider Approval of Ordinance 2018-286, an Ordinance Amending Ordinance 2018-283 (2018 Fee Schedule) – Ben Baker, City Planner

Baker stated that the Planning Commission held a public hearing and recommended approval of a \$25.00 annual golf cart permit fee. He said that the fee was similar to nearby cities.

A motion was made by Pelava and seconded by Cherney to approve Ordinance 2018-286, an ordinance amending Ordinance 2018-283 (2018 Fee Schedule). Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

j. Convene the Board of Appeals and Adjustments (BOAA) to Consider Approval of Interim Use Permit (IUP) 2018-01, Allowing for a Temporary Info/Sales Center at 244/250 16th Ave SE – Ben Baker, City Planner

Baker stated that LGI Homes submitted an interim use permit application for an information/sales center to be located at 244/250 16th Avenue SE. Brokl explained why a BOAA/variance meeting was not required because the proposed parking lot setback adjustment is already encompassed and addressed in IUP 2018-01. Baker went through the Staff Report and IUP, which including information on property size, existing conditions, neighboring properties, zoning, project landscaping/screening, and development details, hours of operation, number of employees, and parking lot size. He stated that both the parking lot and sales center would eventually be converted into residential homes once the majority of LGI's other 74 lots/new homes in town were sold.

The Council reviewed the proposed site plan, sales center pictures, building plans, and Villas of Willow Creek Heights III Design Standards Checklist. Baker stated that on March 20, 2018, the Planning Commission held a public hearing and recommended approval of IUP No. 2018-01.

A motion was made by Pelava and seconded by Kodada to approve Interim Use Permit (IUP) No. 2018-01. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

k. Consider Approval of a Quote in the Amount of \$15,022.00 Submitted by Buscho for Hauling and Applying Bio-Solids – Russ Vlasak, Public Works Director

Vlasak stated that only one bid was received for the hauling/spreading of bio-solids from Buscho Enterprises. He said that the quote is essentially the same as Buscho's Fall 2017 quote except with an increased trucking fee of \$3.00/hr. and decrease in fuel by \$0.01/gallon. Vlasak stated that the job can typically be completed in an 8-12 hour day. Kodada stated that road restrictions should be taken into account. The Council discussed the current bio-solids contract. Erickson said that the City is in year 3-of-5 of the contract to apply bio-solids.

A motion was made by Kodada and seconded by Cherney to approve a quote in the amount of \$15,022.00 submitted by Buscho for hauling and applying bio-solids. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

l. Consider Approval of Resolution 2018-14, a Resolution Approving a Road Turnback and Allocation Agreement Between the City of Lonsdale and Rice County – Joel Erickson, City Administrator

Erickson explained that several years ago, Rice County and the City agreed to reclass this section of Railway Street from Hwy 19 to Main Street from a County State Aid Highway to a regular County Road. He said that that section will be improved with the 2018 Street Project and includes a 2-year warranty. Powell provided a breakdown on road maintenance over time. Furrer asked if the unusual intersection at Co Rd 4 and Hwy 19 will be realigned. Erickson and Powell explained that Rice County did have MNDOT look into the issue, but MNDOT does not have it on their radar because there hasn't been many serious accidents over the years at that particular intersection location.

A motion was made by Kodada and seconded by Furrer to approve Resolution 2018-14, a resolution approving a Road Turnback and Allocation Agreement between the City of Lonsdale and Rice County. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- m. Consider Approval of Resolution 2018-15, a Resolution Accepting Cost Participation for the Area No. 5 Phase 4 Street and Utility Improvement Project – Joel Erickson, City Administrator

Erickson explained that the Rice County Transportation Committee met and approved recommending to the County Board a cost share agreement for the mill and overlay of Co Rd 33/Main Street. He said that City would receive \$120,860.97 in funding from Rice County to pay for the additional cost of the mill and overlay of the pavement section in the 2018 Street Project. Erickson and the other Council members answered questions from Cherney regarding project phasing, project inspectors and City contacts. Based on prior experience, Cherney suggested that hiring someone to water the downtown planters would be a better option than installing an irrigation system. Erickson explained the thinking behind an irrigation system. Kodada suggested that silt flowers may be an option. Rud talked about the importance of City beautification and streetscape improvements.

A motion was made by Cherney and seconded by Pelava to approve Resolution 2018-15, a resolution accepting cost participation 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.

- n. Consider Approval of Resolution 2018-16, a Resolution to Contract With a Councilmember – Joel Erickson, City Administrator

Erickson explained that the proper process for contracting with a Councilmember. He said that two quotes were received for embroidery services from ID Threadz and Five Star Embroidery for Lonsdale Liquor staff shirts. He explained that after taking into account staff time to pick up the items and mileage, the cost associated with ID Threadz quote is slightly more expensive than the quote submitted by Five Star Embroidery.

A motion was made by Kodada and seconded by Cherney to approve Resolution 2018-16, a resolution to contract with a Councilmember. Vote for: Cherney, Kodada, Rud, and Pelava. Vote against: None. Abstained: Furrer. Vote: 4-0-1. Motion carried.

- o. Consider Approval of Resolution 2018-17, a Resolution to Contract With a Councilmember – Joel Erickson, City Administrator

Erickson explained that Lonsdale Auto Works was contacted by Pearl Street Dispatch to provide emergency towing/impounding services for a vehicle. Erickson said that Pearl Street Dispatch uses a revolving list of towing providers.

A motion was made by Kodada and seconded by Furrer to approve Resolution 2018-17, a resolution to contract with a Councilmember. Vote for: Cherney, Kodada, Rud, and Furrer. Vote against: None. Abstained: Pelava. Vote: 4-0-1. Motion carried.

- p. Consider Approval of a Water and Sewer Rate Adjustment for the Property Located at 104 Railway St. NW – Joel Erickson, City Administrator
Erickson explained that a water line froze in February at 104 Railway Street NW. He noted that a similar situation happened back in 2014. He stated that the reason that this happens every 4-5 year is because the water service line for this property is located in the street, where the frost is deepest and was not placed at the proper depth to prevent it from freezing. Erickson explained that the situation will be resolved with the installation of water main on Railway Street along with the 2018 Street Project. The Council reviewed the adjustment request and usage history.

Due to the reoccurring nature of such requests, the Council directed City Staff to place similar water rate adjustment requests on the Consent Agenda in the future.

A motion was made by Kodada and seconded by Cherney to approve a water and sewer rate adjustment for the property located at 104 Railway St. NW. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- q. Consider Approval of a Sewer Rate Adjustment for the Property Located at 520 4th Ave SE – Joel Erickson, City Administrator
The Council reviewed a letter from the renters at 520 4th Ave SE requesting consideration of a sewer rate adjustment due to a faulty toilet switch than ran continuously. Erickson explained that this is a common request for this time of year because the City bills actual usage for January, February, and March and then averages those months' usage to determine the sewer rate for the remainder of the year. He said that the residents would save \$325.20, if the rate adjustment was approved by the Council. Cherney stated that he has been in this situation before as a property owner in a different city, and he explained that he was responsible for the bill. He suggested that the property owner be responsible. He said that he cannot vote for these types of requests moving forward.

A motion was made by Kodada and seconded by Pelava to approve a sewer rate adjustment for the property located at 520 4th Ave SE. Vote for: Kodada, Rud, Furrer, and Pelava. Vote Cherney: None. Abstained: None. Vote: 4-1. Motion carried.

- r. Consider Approval of a Sewer Rate Adjustment for the Property Located at 533 1st Ave NE – Joel Erickson, City Administrator
The Council reviewed a letter from the property owners at 533 1st Avenue NE requesting consideration of a sewer rate adjustment due to a water problem in the house. The Council also reviewed the water usage report. Erickson said that the residents would save \$669.60, if the rate adjustment was approved by the Council. Vlasak stated that problems like this are caught sooner due to switching to monthly water reading.

A motion was made by Kodada and seconded by Pelava to approve a sewer rate adjustment for the property located at 533 1st Ave NE. Vote for: Kodada, Rud, Furrer, and Pelava. Vote Cherney: None. Abstained: None. Vote: 4-1. Motion carried.

- s. Consider Approval of a Sewer Rate Adjustment for the Property Located at 1127 Woodridge Ct. SE – Joel Erickson, City Administrator
The Council reviewed a letter from the property owners at 1127 Woodridge Ct. SE requesting consideration of a sewer rate adjustment due to a leaking toilet. The Council also reviewed the water usage report. Erickson said that the residents would save \$73.06, if the rate adjustment was approved by the Council.

A motion was made by Pelava and seconded by Furrer to approve a sewer rate adjustment for the property Located at 1127 Woodridge Ct. SE. Vote for: Kodada, Rud, Furrer, and Pelava. Vote Cherney: None. Abstained: None. Vote: 4-1. Motion carried.

- t. Consider Approval of the Revised Job Description for Seasonal Public Works – Joel Erickson, City Administrator
Erickson recommended that the Council approve a newly updated job description for the position of Seasonal Public Works. He stated that the description is now more accurate relative to what the actual duties are. He said that employees will still be responsible to perform other work as required/directed by the Public Works Director. Cherney asked Furrer if this update was what she was looking for in terms of flexibility. Furrer said yes. Erickson explained that the City usually has a hard time getting applicants for the seasonal positions.

A motion was made by Cherney and seconded by Pelava to approve a revised job description for Seasonal Public Works. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- u. Consider Acknowledgement of a Minnesota Lawful Gambling LG220 Application for Exempt Permit Submitted by the Lonsdale Knights of Columbus Council 16225 to Conduct a Raffle on August 5, 2018 – Joel Erickson, City Administrator
Erickson stated that the Lonsdale Knights of Columbus Council 16225 have submitted a Minnesota Lawful Gambling Application for Exempt Permit to conduct a Raffle as part of the IC Church's Parish Festival being held at the IC Church grounds on August 5, 2018. He said that this is an annual request and staff is not aware of a reason to not acknowledge the permit without a waiting period.

A motion was made by Kodada and seconded by Furrer to acknowledge a Minnesota Lawful Gambling LG220 Application for Exempt Permit submitted by the Lonsdale Knights of Columbus Council 16225 to conduct a raffle on August 5, 2018 with no waiting period. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- v. Consider Approval of Application for Payment No. 9 in the Amount of \$31,335.75 to E.H. Renner & Sons, Inc. for the Well No. 5 Project (Production Well) – John Powell, City Engineer

Powell recommended approval of Payment No. 9 to E.H. Renner & Sons, Inc. for the Well No. 5 Project. He said that Renner’s portion of the project is on schedule. He said that Pember may not be completed with their portion of the project until later in May. Rud suggested that maybe a something could be worked with Pember to avoid any liquidated damages.

A motion was made by Kodada and seconded by Pelava to approve an application for Payment No. 9 in the amount of \$31,335.75 to E.H. Renner & Sons, Inc. for the Well No. 5 Project (Production Well). Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- w. Consider Approval of Resolution 2018-18, a Resolution Accepting a Bid for the Lift Station No. 1 Decommissioning Project – John Powell, City Engineer

Powell provided background information on the Lift Station No. 1 Decommissioning Project. He explained how they redesigned the project to reduce construction costs. The Council also reviewed the WSB 2015 Lift Station No. 1 Analysis Memorandum. The Council discussed funding, drilling/excavation methods, construction impacts, and costs of curb replacement. Erickson said that the Sewer Fund will cover the cost of the project.

A motion was made by Cherney and seconded by Pelava to approve Resolution 2018-18, a resolution accepting a bid for the Lift Station No. 1 Decommissioning 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 provided an update on the Police Department Garage Project and the Well No. 2 Project. He said that they will be flushing hydrants soon and getting the parks ready for the season.

City Engineer

None.

City Administrator

Erickson went through a list of items he has been working on and meetings he has attended recently.

City Planner

Baker announced that the 2018 National Walk Day event will be on April 4th at 6:30pm. He also stated that he was going to be attending a beekeeping training workshop on March 31st at the University of Minnesota.

b. Council Reports

Council Member Cherney

Cherney wished everyone a happy Easter and Passover.

Council Member Kodada

Kodada provided a recap from the March 13th Park Board meeting.

Council Member Furrer

Furrer provided an update on the EDA and Library Board meetings. She said that the EDA will be working with the Chamber of Commerce to sponsor a new promotional video. She said that the Library will be expanding their hours of operation.

Council Member Pelava

Pelava provided an overview of the March 20th Planning Commission meeting. Rud thanked Pelava for his work on the Commission and on the Human Resources Committee.

Mayor Rud

Mayor Rud gave a shout-out to the Lonsdale Chamber of Commerce for their work in the community, including ribbon-cutting events and the annual Lonsdale Business Expo.

12. ADJOURNMENT

A motion was made by Kodada and seconded by Pelava 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 9:31 pm.

Respectfully Submitted:

Joel A. Erickson, City Administrator