

**MINUTES
CITY OF LONSDALE
CITY COUNCIL MEETING
JULY 12, 2012**

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: Daleiden, Kodada, Rud, Furrer, and Pelava

Members Absent: None

City Staff Present: City Administrator Joel Erickson, City Planner Ben Baker,
City Engineer Kevin Kawlewski, and City Attorney Annette Margarit

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 Pelava to approve the agenda as presented.

Vote for: Daleiden, 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

None

9. OLD BUSINESS

None

10. NEW BUSINESS

- a. Consider Approval of a Separation Agreement and General Release Between the City of Lonsdale, Paul Christiansen and Law Enforcement Labor Services – Annette Margarit, City Attorney

City Attorney Annette Margarit reviewed, explained, and summarized the main points of a proposed Separation Agreement and General Release between the City of Lonsdale, Paul Christiansen, and Law Enforcement Labor Services. Margarit explained the differences between public and private sector employment law, including details related to Veterans Preference Points. Margarit said that the Council approved an “intent to terminate” resolution back in January which initiated the termination process. She reviewed the requirements and associated schedule that goes into terminating a public sector veteran. She stated that the parties have reached a settlement in mediation. Margarit highlighted the terms of the settlement, including the resignation of Mr. Christiansen, resolution of workers compensation issues, payout of comp and vacation time accrued, and buyout details. She stated that the League of Minnesota Cities will pay approximately \$60,000 and the City of Lonsdale will pay approximately \$80,000 to Mr. Christiansen to settle the matter. She also provided the Council with proposed legal cost estimates if the issue was to go through the trial process.

The Council members agreed that a settlement would be the best option for the City and the Police Department to move forward. Rud mentioned that a settlement will greatly help the Police Chief in scheduling regular hours for on-duty officers.

A motion was made by Kodada and seconded by Furrer to approve a Separation Agreement and General Release between the City of Lonsdale, Paul Christiansen and Law Enforcement Labor Services. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

A press release on the subject was provided to the Lonsdale Area News Review and Montgomery Messenger newspaper representatives at the meeting.

- b. Consider Approval of an Amended Parade Route for 2012 Lonsdale Community Days
Lonsdale Area Chamber of Commerce (LACC) President Devin Reyes presented a revised Community Days Parade Route to the Council for review. She explained the proposed route and staging areas changes. Pelava asked if temporary “No Parking” signs would be placed along the route.

A motion was made by Daleiden and seconded by Pelava to approve an amended parade route for Lonsdale Community Days 2012. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

Reyes provided the Council with a summary of what to expect at Community Days 2012. Rud mentioned that it is neat to see community members working together in organizing Community Days.

- c. Consider Approval of the 2012 Street and Utility Improvement Project Pay Request No. 1 in the Amount of \$84,815.86 to Heselton Construction, LLC – Kevin Kawlewski, WSB & Associates, Inc.

Kawlewski provided the Council with a detailed memo and a project progress update. He said that the construction project is moving along on schedule, even with some encountered delays related to location issues with Centerpoint Energy's natural gas lines. He said that the watermain work should be completed by the end of July. Erickson mentioned that the City has not received any complaints on the project.

A motion was made by Daleiden and seconded by Kodada to approve the 2012 Street and Utility Improvement Project Pay Request No. 1 in the amount of \$84,815.86 to Heselton Construction, LLC. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- d. Consider Approval of Resolution 2012-31, a Resolution Approving the City's Finding of Fact, Conclusions of Law and Order for Abatement for the Property Located at 514 3rd Ave NW

Erickson provided the City Council with pictures and an update on the nuisance property at 514 3rd Avenue NW. He asked the Council to consider a resolution approving findings of fact and to order abatement of the property. He read through the associated findings. Erickson said that he recently discussed the issue with property owner Wade Brelje, 13102 Parkwood Drive, Burnsville, MN, (present at the meeting), and they agreed to go down a dual path, where Brelje would work to significantly improve the property by the end of July, and where the City would continue with the abatement process in case Brelje did not make substantial headway on the project.

Rud stated that the City has received a lot of complaints concerning the nuisance property at 514 3rd Avenue NW. Daleiden stated that the weather has been nice and there shouldn't be any excuses on the part of the property owner for the lack of progress on the project. Rud agreed, and he stated that the property needs to be cleaned up. Furrer mentioned that the cleanup process has drag on way too long.

A motion was made by Kodada and seconded by Furrer to approve Resolution 2012-31, a resolution approving the City's Finding of Fact, Conclusions of Law and Order for Abatement for the Property Located at 514 3rd Ave NW. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- e. Consider Approval of Resolution 2012-32, a Resolution Authorizing Issuance, Awarding Sale, Prescribing the Form and Details and Providing for the Payment of \$1,385,000 General Obligation Improvement Bonds, Series 2012A – Paul Donna, Northland Securities

Paul Donna of Northland Securities provided the Council with a improvement bond tabulation bids sheet for review. The sheet showed three bidders: 1) Robert Baird & Co. (interest rate of 2.352%), 2) United Bankers' Bank (interest rate of 2.442%), and 3) Hutchinson, Shockey, Erley, & Co. (interest rate of 3.326%). Donna recommended

approving Robert Baird which came in 6 basis bids lower than projected. Donna also commented on the latest credit rating from Standard & Poor's pertaining to the bond sale. He said the City's rating was reaffirmed at A+, and he mentioned that an A+ rating is terrific for a community of Lonsdale's size. At the request of the Mayor, Donna briefly discussed financial funding strategies for future construction projects.

A motion was made by Kodada and seconded by Furrer to approve Resolution 2012-32, a resolution authorizing issuance, awarding sale, prescribing the form and details and providing for the payment of \$1,385,000 General Obligation Improvement Bonds, Series 2012A. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

11. OTHER BUSINESS

a. Project Updates

- Erickson provided an update on the new Water Treatment Plant. He explained that the subcontractors are still trying to fix the leaking roof.
- Erickson also provided an overview of the proposed 2012 Jaycee Park Improvement Project.

b. Council / Department Reports

Council Member Daleiden

Daleiden stated that the Liquor Store made a profit and surpassed previous numbers by 10 percent.

Council Member Kodada

Kodada said that the Park & Recreation Commission discussed park bench locations, future improvement projects, and the Sticha Park shelter project at their last meeting. He said that the Council should consider passing a resolution at their next meeting, thanking MNDOT for the \$23,000.00 worth of grant funding the City has received for landscape plantings and materials along Hwy 19 in 2010 and 2012.

Council Member Furrer

Furrer stated that the EDA is scheduled to meet on July 19th.

Council Member Pelava

Pelava stated that the Planning & Zoning Commission will be meeting on July 19th.

Mayor Rud

Rud announced that the Immaculate Conception Church will be hosting their annual Parish Festival on August 5th. He mentioned that the Lions Annual Picnic was coming up. He asked City staff to contact Lonsdale's State Representatives to lobby support for a DEED funding grant.

12. ADJOURNMENT

A motion was made by Daleiden and seconded by Pelava to adjourn the meeting. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Against: None Vote 5-0. Motion carried. The meeting ended at 8:02 pm.

Respectfully Submitted:

Joel A. Erickson, City Administrator