

**MINUTES
CITY OF LONSDALE
CITY COUNCIL MEETING
JULY 26, 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, and Fire Chief Mike Yetzer

4. APPROVAL OF AGENDA

Mayor Rud asked if there were any corrections, additions, or deletions to the agenda. Rud asked if Creagg & Peggy Steinhouse could be added to the agenda.

A motion was made by Kodada and seconded by Cherney to approve the agenda with the noted addition. 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 Pelava and seconded by Furrer to approve the Minutes from the June 28, 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. Monthly Bills
- b. Treasurers' Report
- c. Board and Commission Minutes

A motion was made by Kodada and seconded by Cherney 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. Review Concerns from Residents Creagg & Peggy Steinhouse, 320 Arizona Street SE
Creagg & Peggy Steinhouse, 320 Arizona Street SE, stated their concerns with encroaching plant roots, suckers, and trees extending into their property from the property at 326 Arizona Street SE. Mr. Steinhouse said that the City should enforce its ordinances regarding rank growth and prohibited trees. They invited the Council members over to their house to see the issue firsthand. They also provided the Council with pictures of the encroaching plants. Mr. Steinhouse said that they did hire an arborist to identify the trees, but he said that the plants/trees were identified by pictures and not by an on-site inspection. The Steinhouse's explained that they erected a privacy fence back in 2011 to help lessen issues with the neighbor. Becky Steinhouse, daughter, stated that she doesn't want to have her parents dealing with this issue any longer, and she wants them to be able to enjoy their backyard. Many of the Councilmembers asked questions about the issue. Rud suggested that the City Attorney investigate the issue and draft a letter that includes deadlines for removal of any found Code violations.

A motion was made by Cherney and seconded by Kodada to authorize the City Attorney to investigate and send a letter on the issue(s) at 320 & 326 Arizona Street SE. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- b. Consider Approval to Authorize Staff to Advertise for Two (2) Volunteer Fire Fighters – Mike Yetzer, Fire Chief
Yetzer stated that due to recent retirements, there are now 24 active members on the Fire Department. He explained that the Department needs to be at 26 per the By-Laws, and Yetzer said that another retirement may be coming soon. Cherney asked Yetzer for the justification to have 26 members. Yetzer explained that the Department is on pace for over 400 calls this year, and he said the frequency of calls is growing by 30%. He stated that he is comfortable with 26 members, as long as the roster is kept full. Kodada complemented Yetzer for his work running an efficient and on-budget department.

A motion was made by Kodada and seconded by Cherney to authorize staff to advertise for two (2) volunteer fire fighters. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

c. Consider Approval of Conditional Use Permit No. 2018-01 – Tri City United Lonsdale Elementary School Expansion – Ben Baker, City Planner

Baker highlighted the main points of a detailed Staff Report regarding the proposed 8-classroom, 11,000 sq. ft. addition to Lonsdale Elementary School. He said that the Planning Commission held a public hearing, and they recommended approval of CUP 2018-01 at their meeting on July 25th. TCU Schools Superintendent Teri Preisler stated that the addition is a long-time coming and she said that the school district and community are excited to see 5th & 6th Grade come to Lonsdale. She went through the project timeline. Rud said that the City is very excited as well, and he commented on the tremendous school that is in town. He stated that extra parking should be taken into account for future additions.

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

d. Consider Approval of Resolution 2018-32, a Resolution Selling “Parcel A” to Michael Real Estate Investment, Inc. – Joel Erickson, City Administrator

Erickson explained that Chris Michael needs to purchase a 15 ft. wide strip of land, located north of 109 2nd Avenue NE, to meet the required setbacks on his preferred site layout. He said that Michael plans to tear down and remove the two existing blighted buildings to make room for a new 60' x 100' building that will house an ice resurfacing repair shop. Erickson stated that the two parties agreed to a \$1.25/sq. ft. price, totaling \$2,624.63 for the 15' x 140' property. Erickson said that the small corner of parkland is currently not used for anything and is being mowed on a regular basis. Pelava said that it is great that the 2nd Avenue NE area of town is being revitalized and that unused City land will be put onto the tax roll. Cherney asked Erickson about setting precedence for future land sale deals. He said that the City should strive towards taking any arbitrariness out of the equation. Rud said that the land deal prices should be dependent upon individual projects such as: tax base, jobs, revitalizing blighted areas, and providing community needs such as senior living or a public library. Erickson stated that the Planning Commission recommended approval of the property sale.

A motion was made by Pelava and seconded by Cherney to approve Resolution 2018-32. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- e. Consider Approval of Resolution 2018-33, a Resolution Approving a Parcel Split and Combination at 109 2nd Ave NE – Ben Baker, City Planner

Baker highlighted the main points of the detailed Staff Report, and he asked the Council to consider approval of three items, including: 1) parcel split/combination, 2) an ordinance amendment and rezone, and 3) a conditional use permit. Baker said that the Planning Commission held a public hearing, and recommended approval of all three items.

A motion was made by Pelava and seconded by Kodada to approve Resolution 2018-33, a resolution approving a parcel split/combination. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- f. Consider Approval of Ordinance 2018-289, an Ordinance Amending the Official Zoning Map and Allowing “Auto Repair – Major” as a Conditional Use in the B-2 (Highway & Business Service District) at 109 2nd Ave NE – Ben Baker, City Planner

Baker explained the proposed ordinance amendment and rezone while the City Council reviewed Ordinance 2018-289.

A motion was made by Kodada and seconded by Cherney to approve Ordinance 2018-289, an ordinance amending the Official Zoning Map and B-2 Zoning District. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- g. Consider Approval of Conditional Use Permit No. 2018-02 Allowing “Automobile Repair – Major” at the Property Located at 109 2nd Ave NE – Ben Baker, City Planner
Baker read through the list of conditions associated with the proposed conditional use permit while the City Council reviewed CUP 2018-02.

A motion was made by Cherney and seconded by Furrer to approved CUP 2018-02. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- h. Consider Approval to Sign Elm St. NW “No Park” on Both Sides of the Street – Joel Erickson, City Administrator

Erickson provided background information on a safety and access issue taking place on Elm Street NW. He said that unfortunately the City has had to get involved in a neighborhood parking problem and was forced to make the recommendation to post the entire block of Elm Street NW as “No Parking” along both curblines. Erickson stated that the Planning Commission listened to the four affected property owners at their July 25th meeting, and they recommended posting the street as no parking. Erickson said that each of the four properties are all corner lots and have adjacent street access either along Main Street North or 2nd Avenue NW.

Ryan Jirik, 532 2nd Avenue NW, explained that he has lived at the property for three years. He said that he has talked with his neighbor across the street multiple times about blocking access to his driveway. Jirik said that he is trying to be a good neighbor and

unfortunately it has come to this. In regard to setting precedence, Rud wondered if further research on other similar narrow streets in town should be conducted before marking Elm Street as no parking. Cherney agreed, and he recommended using the comprehensive/transportation plan to help guide decision making. Pelava asked why Elm Street NW was reconstructed at such a narrow width. Vlasak said that there is a narrow section of right-of-way along that stretch. Powell provided insight on typical and suggested safe road widths for emergency vehicles.

A motion was made by Cherney and seconded by Pelava to authorize City Staff to: 1) post and enforce no parking along Elm Street NW, and 2) research other similar narrow roadways in town to see if no parking is appropriate along those street as well. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- i. Consider a Request by Nathan Preston of 327 3rd Avenue NE to Not Pay for the Curb Stop Repair Required Per City Code §51.01 – Tapping Into Watermain (C) – Joel Erickson, City Administrator

The Council reviewed a request to waive the costs for repairing a curb stop at 327 3rd Avenue NE from Nathan Preston. Preston explained that a utility inspection passed at 10:00 am on October 27, 2017, then he closed on the property at 1:00 pm, then at 3:00 pm that same day, the Public Works Department came back to the property, to turn on the water, and they discovered that the curb stop did not work properly so the inspection failed. Preston said that the previous owner would have paid for the repair, if the inspection would have failed earlier that morning. Rud said that City Staff has taken a firm stance that the property owner should have to pay the full cost of the repair. Kodada said that the Public Works Department made a mistake, and he suggested that the City take some responsibility in the matter. Rud suggested cost sharing for the repair. The Council reviewed the bids to repair the curb stop.

A motion was made by Kodada and seconded by Cherney to have Nathan Preston pay the first \$1,000.00 for the curb stop repair work needed at 327 3rd Avenue NE. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- j. Consider Approval of Craig Vlasak’s Letter of Resignation as Full Time Public Works Employee – Joel Erickson, City Administrator

The Council reviewed Craig Vlasak’s Letter of Resignation from the Public Works Department. Erickson said that Vlasak has been a hard worker and a team player. He said that Vlasak’s last day of employment with the City will be Friday, July 27, 2018.

A motion was made by Pelava and seconded by Furrer to accept Craig Vlasak’s Letter of Resignation from the Public Works Department. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

k. Consider Approval to Advertise for Two (2) Full Time Public Works Employees – Joel Erickson, City Administrator

Erickson said that the Public Works Department is down two full-time employees. He said that only 2 applications were received for the previous opening, and he suggested readvertising the opening with a more enticing pay range, dependent on qualifications. He said that the positions are accounted for in the 2018 Budget. Cherney questioned Erickson and Vlasak about the pay range and hourly pay for existing workers. Erickson explained that he used the state job match and point system to determine the range. He said that the Human Resources Committee met last week and committed to addressing the pay for existing Public Works workers, but not Public Works management.

A motion was made by Kodada and seconded by Cherney to authorize Staff to advertise for two (2) Full Time Public Works Employees. 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. 7 in the Amount of \$55,707.82 to BCM Construction, Inc. for the Area No. 5 Phase 3 Street and Utility Improvement Project – John Powell, City Engineer

Powell asked the Council to consider a payment in the amount of \$55,707.82 to BCM Construction, Inc. for work completed in June in the Area No. 5 – Phase III Project. He said that the payment reflects the standard 5% retainage. Powell said that the project came in on budget. Rud asked if the issues at 126 1st Ave NE and 133 1st Ave SE have been resolved. Powell said yes, and he noted that BCM was typically prompt to solve issues that came up.

A motion was made by Furrer and seconded by Pelava to approve Payment No. 7 in the amount of \$55,707.82 to BCM Construction, Inc. for the Area No. 5 Phase 3 Street and Utility Improvement Project. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

m. Consider Approval of Change Order No. 1 in the Amount of \$95,354.60 to the Area No. 5 / Phase 4 Street and Utility Improvement Project Contract – John Powell, City Engineer

Powell asked the Council to consider Change Order No. 1 in the amount of \$95,354.60 to Holtmeier Construction for water line and parking lot construction at Trcka Park.

Kodada said that it is important to get the park up and rolling.

A motion was made by Kodada and seconded by Furrer to approve Change Order No. 1 in the amount of \$95,354.60. Vote for: Cherney, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

11. OTHER BUSINESS

- a. August 6, 2018 Special City Council Meeting at 6:00 pm to Discuss the 2019 Budget
Rud reminded everyone of the upcoming budget meeting on August 6th.

- a. Staff Reports

Public Works Director

Vlasak said that Well No. 5 is up and running. He said that Public Works is doing all that they can do running 2 full-time employees down.

City Engineer

Powell provided updates on the Area 5 – Phase IV Project. He explained that they will be paving a 1” wear course lift this year and another 1” final wear course next year.

City Administrator

Erickson went through a list of items he has been working on and meetings he has been involved with, including election training, future Hwy 19 paving, Community Education, the 2019 Budget, and drainage issues.

City Planner

Baker said that development within the community is going well with the revitalization of 109 2nd Avenue NE, expansion to the school, and the filling of vacant lots with many new homes being constructed.

- b. Council Reports

Council Member Cherney

Cherney stated that he has scheduled a ride along with the Police Department on August 3rd.

Council Member Kodada

Kodada said that the Park Board met with the City Council back on July 9th to discuss 2019 Budget items.

Council Member Furrer

Furrer provided an update on the Library’s Summer Reading Program. She stated that the Library is currently conducting a stakeholder survey.

Council Member Pelava

Pelava provided an overview on the previous night’s Planning Commission meeting.

Mayor Rud

Mayor Rud announced upcoming events such as Kolacky Days, the I.C. Parish Festival, and Community Days. He said that Harold & Betty Vosejka are the Grand Marshals of the parade.

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 8:44 pm.

Respectfully Submitted:

Joel A. Erickson, City Administrator