

**MINUTES
CITY OF LONSDALE
REGULAR CITY COUNCIL MEETING
November 13, 2008**

1. CALL TO ORDER

Mayor Rud called a meeting of the Lonsdale City Council to order at 7:00 pm in the Council Chambers at 415 Central Street West.

2. PLEDGE OF ALLEGIANCE

Everyone stood and recited the Pledge of Allegiance.

3. ROLL CALL

Present: Daleiden, Kodada, Rud, Smith, and Furrer

Absent: None

Staff Present: City Administrator Joel Erickson, City Planner Benjamin Baker, and Public Works Director Russ Vlasak

4. AGENDA

Mayor Rud asked if anyone had any additions, deletions, or corrections to the Agenda.

A motion was made by Kodada and seconded by Daleiden to approve the agenda as presented. Vote for: Daleiden, Kodada, Rud, Smith, and Furrer. Against: None. Vote 5-0. Motion carried.

5. APPROVAL OF MINUTES

A motion was made by Kodada and seconded by Smith to approve the minutes from the October 9, 2008 Closed Session Meeting. Vote for: Daleiden, Kodada, Rud, Smith, and Furrer. Against: None. Vote 5-0. Motion carried.

6. PUBLIC HEARINGS

- a. Special Assessment Hearing for Delinquent Accounts Totaling \$48,542.15 for Abatement of Violations Relating to City Code §91.04 (K) – Nuisances and Water and Sewer Accounts

Mayor Rud read the public hearing notice and opened the public hearing. Baker read through the staff report. He said that the assessments are being proposed to be levied against properties that have delinquent accounts for abatement of noxious weeds/tall grass and water/sewer accounts. He said that a total of 240 properties were being proposed to be assessed. Baker said that staff received one comment letter and one formal objection letter. Staff provided a copy of the letter sent to the property owners regarding tall grass/weeds, the proposed assessment role, and the two objection letters for the Council to review. Baker reviewed the tall weed enforcement procedure that took place over the past growing season.

Baker mentioned that Sakkal LLC submitted an objection letter and was present at the meeting. He also mentioned that County Joe Inc. submitted a comment letter, but the invoice was paid in full earlier that day.

Fedel Sakkal, 6 Bluejay Ln., North Oaks, MN, approached the podium and presented his objection regarding the tall weed cutting on his vacant home lots in the Legacy Meadows Subdivision. He stated that he did receive a violation letter dated June 4th with an attachment showing three lots in violation. Sakkal said that he also received an invoice in September for seven lots that were cut by the City's contractor. He said that some of the lots that he was billed for were not mentioned on the original violation letter. Baker explained that it was the City's policy to only send out one warning letter to a particular property owner regardless of how many lots were originally in violation. Baker said that the initial warning letter referenced the City Code and specifically stated that the letter of noncompliance would stay in effect for the entire growing season. Sakkal also argued that the excess dirt left as mounds on his lots should not be cut due to erosion concerns. Sakkal asked Baker why he was not contacted after he asked Mr. Baker to email him with any lots in violation. Baker stated that it was too late for an email because Sakkal's lots were already cut by the contractor. Kodada mentioned that Sakkal acknowledged that he received the warning letter citing the City Code. He stated that it is not up to the City to keep contacting the property owner over-and-over throughout the growing season.

Lynne Lovetinsky, 610 4th Avenue SW, approached the podium to object to unpaid water bill charges. Lovetinsky stated that she recently purchased the home at 610 4th Avenue SW and assumed a \$525.71 water bill along with the home. She said that an assessment search was completed as part of the closing process. She explained that the unpaid water bill for 610 4th Avenue SW was the responsibility of the previous owner, Angela Thompson. Lovetinsky said that she has been to City Hall to visit with staff regarding the unpaid bill. She said that she has kept current with her water bills thus far. She asked the Council to hold the responsible party accountable.

Rud asked if anyone cared to speak on the assessment issue, and no one else came forward.

A motion was made by Kodada and seconded by Furrer to close the public hearing. Vote for: Daleiden, Kodada, Rud, Smith, and Furrer. Against: None. Vote 5-0. Motion carried. The hearing closed at 7:27 pm.

7. PRESENTATION OF CITIZEN PETITIONS AND COMMENTS

John Duban, 800 8th Avenue NW, asked when the City was going to come and pick up the leaves on the streets. He said that in some areas of town, the leaves are really pilling up.

8. APPROVAL OF THE CONSENT AGENDA

None

9. OLD BUSINESS

None

10. NEW BUSINESS

- a. Presentation of a Community Partnership Grant in the Amount of \$2,500.00 from CenterPoint Energy for Fire Department Pagers

Neol Hibbard or CenterPoint Energy presented the City of Lonsdale with a check in the amount of \$2,500 for new Fire Department pagers. Fire Chief Yetzer stated that 20 out of 26 of their current fire pagers are 15 years old. He said that the department was no longer able to purchase parts for the pagers because of their age. He said the Fire Department will be able to purchase the new pagers due to the grant money. The Council thanked CenterPoint Energy.

- b. Consider Approval of Resolution 2008-51, a Resolution Adopting Special Assessments for Delinquent Accounts for Abatement of Violations Relating to City Code §91.04 (K) – Nuisances and Water and Sewer Accounts

The Council first discussed the objection brought up by Sakkal. Kodada stated that the charges should not be dropped. The rest of the Council agreed. Rud said that the mowing services provided throughout the 2008 growing season kept the City looking cut and clean.

The council then discussed the objection brought up by Lynne Lovetinsky, 410 4th Avenue SW. Erickson said that Lovetinsky does have a valid argument. He suggested that the title company could be held partially responsible because they charged for an assessment search. He mentioned that the City may have been skipped during the search process and that Rice County may have been the only governmental unit contacted. The Council stated that in the future water bills should be associated with property owner's names and not renters. The Council suggested going after Angela Thompson, the previous property owner and responsible party for the unpaid water bill. Rud suggested turning the issue over to a collection agency to get the money.

A motion was made by Kodada and seconded by Smith to approve Resolution 2008-51, a resolution adopting special assessments for delinquent accounts for abatement of violations Relating to City Code §91.04 (K) – Nuisances and Water and Sewer Accounts and deleting the assessment for 610 4th Avenue SW from the list. Vote for: Daleiden, Kodada, Rud, Smith, and Furrer. Against: None. Vote 5-0. Motion carried.

Kodada asked about unpaid garbage bills. Erickson stated that it was the responsibility of Waste Management and not the City to chase down delinquent bills.

11. OTHER BUSINESS

- a. Project Updates

Rud asked staff to place barriers up on the roadway for the length of the CSAH 33 Trail Project. Kodada suggested placing a fence at both ends of the trail too. Vlasak said that construction on the unfinished Willow Creek Commons 3rd Addition work should start soon. He mentioned that the City will also be reviewing the Co.Rd. # 4 sanitary sewer video. Vlasak said that WSB Engineering is working on as-builts for the Idaho and Fig Street Projects.

Erickson mentioned that the City will be having a special budget meeting on November 17th, a regular meeting on the November 24th, and a truth-in-taxation meeting on December 1st.

b. Department Reports

Council Member Daleiden

Daleiden said that he has been tracking movement at the liquor store, and he is encouraged by the activity generated by sale events so far.

Council Member Kodada

Kodada mentioned that he has been meeting with the Jaycees and the Hockey Association to fund and construct a warming house at Jaycee Park. Vlasak said that street sweeper demos will be in town on the 17th and 18th.

Council Member Smith

Said that the EDA will be meeting on the 20th at 7:00 am.

Council Member Furrer

None

Mayor Rud

Rud said that the Salvation Army will be starting their annual fundraiser again. He thanked Janet Jirik for her help with the local food shelf. In light of Veterans' Day, Rud thanked all the veterans for their service to the country. He said that Trondhjem Lutheran Church will be hosting a community Thanksgiving Dinner on November 27th from 11:00 am – 1:30 pm. He mentioned that the next Meeting with the Mayor will be on November 22nd from 8:30 am -10:30 am. Rud stated that the EDA and the City Council should jointly discuss initiatives to attract and retain business to the downtown area.

A motion was made by Kodada and seconded by Daleiden to schedule a work session meeting for 6:00 pm on November 24th. Vote for: Daleiden, Kodada, Rud, Smith, and Furrer. Against: None. Vote 5-0. Motion carried.

Erickson mentioned that staff held a meeting with Stonebrook Engineering regarding plans for the Hwy 19 & Garfield Avenue Business-Industrial Park. He said that staff also held a meeting with representatives from Three Links, Northfield Hospital, Three Rivers Action Council, and Rice County regarding a proposed Lonsdale Meals-On-Wheels program. He said that the new Villages of Lonsdale/Three Links facility will have congregate dining and will eventually be able to host the program, but the project will not be completed until next Fall.

12. ADJOURNMENT

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

Respectfully Submitted:

Joel A. Erickson, City Administrator