

**MINUTES
CITY OF LONSDALE
CITY COUNCIL MEETING
MARCH 29, 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 Benjamin Baker, and City Engineer Kevin Kawlewski

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

A motion was made by Pelava and seconded by Furrer to approve the Minutes from the February 23, 2012 Regular Meeting and the March 8, 2012 Regular Meeting. Vote for: Daleiden, 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

Fritz Duban, 626 Main Street North, reminded the City that there is a crack in his driveway that was constructed as part of the Fig Street Project. He also mentioned that some dirt could be added in along the trail near his home too.

8. APPROVAL OF THE CONSENT AGENDA

A motion was made by Kodada and seconded by Pelava to approve the consent agenda as follows:

- a. Monthly Bills
- b. Treasurer's Report
- c. Board and Commission Minutes

Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

9. OLD BUSINESS

None

10. NEW BUSINESS

- a. Update on the Water Treatment Plant Project – Bill Chang, BDM Consulting Engineers and Surveyors, PLC
BDM Consulting Engineer Bill Chang provided the Council with a status update on the Water Treatment Plant Project. He mentioned that initial training started in the morning but further training will have to wait until the bacteria test results are deemed acceptable. He explained that different methods are currently being explored in order to get the filter tanks to pass. Rud asked about equipment warranty. Chang stated that the official equipment warranty start date does not begin until there is a successful startup of the plant. Daleiden asked about technical support options. Chang stated that City staff can call Tonka Equipment with questions for up to one year at no charge. The Council directed BDM to keep City staff updated with the status of the plant.
- b. Consider Approval of Requests Submitted by the Lonsdale Area Chamber of Commerce for July 3, 2012 Fireworks – Devin Reyes, Lonsdale Area Chamber of Commerce
Lonsdale Area Chamber of Commerce (LACC) President Devin Reyes asked the Council to consider approval of a fireworks permit for the proposed LACC's public fireworks display, to be held on July 3, 2012. She presented the Council with a request letter, a fireworks application form, and associated map to review. Reyes noted that this year's fireworks display will be launched at a new location, just east of 16th Avenue NE (at the old Ben Rezac Farm). She also asked the Council to consider allowing the City to make payments on behalf of the LACC for the fireworks and associated insurance. Reyes mentioned that the Chamber's requests are similar to those approved by the Council in previous years.

A motion was made by Daleiden and seconded by Kodada to approve the following requests by the LACC for the July 3rd, 2012 Public Fireworks Display Event:

- Approval of the LACC submitted fireworks application form.
- Approval of the City of Lonsdale to make a payment to J & M Displays, on behalf of the LACC, for the July 3rd fireworks; the LACC will make payment to the City no later than April 1, 2012.

- Approval for the City of Lonsdale to obtain and make payment for the required fireworks display insurance; the LACC will make payment to the City no later than April 1, 2012.
- Approval to close 16th Avenue SE, between Connecticut Avenue SE and Overlook Drive SE, between the hours of 8:00 pm and 10:45 pm.

Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Vote against: None.
 Abstained: None. Vote: 5-0. Motion carried.

The Council members congratulated the Chamber of Commerce on their successful “Bailout the Fireworks” fundraising event.

c. Consider Approval of Requests Submitted by the Lonsdale Area Chamber of Commerce for Lonsdale Community Days – Devin Reyes, Lonsdale Area Chamber of Commerce

Reyes explained to the Council that the Lonsdale Chamber of Commerce will be coordinating Community Days this year. She mentioned that Community Days 2012 will be expanding from a 2-day event to a 3-day event. Reyes went through the list of Community Days related requests with the Council. She noted that LACC’s requests were similar to requests made in previous years. The Council reviewed the provided itinerary for the 3-day event along with a temporary on-sale liquor license application form and associated maps. Reyes mentioned that the LACC will be removing the drive-in movie screen poles soon after the event is over. She also stated that the Chamber is working to get enough power to the vacant Main Street South site.

A motion was made by Kodada and seconded by Pelava to approve the following requests by the LACC for the 3-day Lonsdale Community Days 2012 event:

- Approval of extra hours/pay for the Police Department and Public Works Department
- Approval of the use of barricades for proposed road closures
- Approval to use the City’s property located at the intersection of Main Street South and Idaho Street SW
- Approval of an application and permit for a 1-Day to 4-Day Temporary On-Sale Liquor License for August 10, 2012 – August 12, 2012 at:
 - Within the Main Street Right-of-Way, between Railway Street (north) and Alabama Street (south)
 - 1000 Main Street South
- Approval to use available City bleachers and picnic tables; the City will bring the items to the requested sites.
- Approval of road closures:
 - Car Cruise – County Road 33 (Main Street) one block north and south of Highway 19 (Friday, August 10th between the hours of 3:30 pm and 8:30 pm)
 - Kiddie Tractor Pull – County Road 33 (Main Street South) between Hawaii Street SE and Idaho Street SW (Saturday, August 11, 2012 between the hours of 8:00 am to 1:30 pm)
 - Parade – County Road 33 (Main Street) between Birch Street NW and Delaware Street SE (Sunday, August 12, 2012 between the hours of 9:00 am and 3:00 pm)

- Approval of an Administrative Interim Use Permit No. 2012-1 for a drive-in movie located at the Fred's IGA parking lot

Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- d. Consider Approval of Resolution 2012-12, a Resolution Proclaiming April 3, 2012 as "Wear Blue and Teal Day" in the City of Lonsdale in Recognition of April Being National Sexual Assault Awareness / Child Abuse Prevention Month – Renee Thompson, HOPE Center

Erickson read through the proposed proclamation (Resolution 2012-12) in its entirety. The Council thanked Renee Thompson, Pastor Howard White, and the HOPE Center for their work in the community.

A motion was made by Kodada and seconded by Furrer to approve Resolution 2012-12, a resolution proclaiming April 3, 2012 as "Wear Blue and Teal Day" in the City of Lonsdale in recognition of April being National Sexual Assault Awareness / Child Abuse Prevention Month. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- e. Consider Approval of an Application and Permit for a 1 Day to 4 Day Temporary On-Sale Liquor License Submitted by the Lonsdale Fireman's Relief Association for Their Annual Steak Fry – Joel Erickson, City Administrator

Erickson read through the staff report and recommended approval of the proposed temporary on-sale liquor license, requested by the Lonsdale Fireman's Relief Association for their Annual Steak Fry Event.

A motion was made by Daleiden and seconded by Pelava to approve an application and permit for a 1-day to 4-day Temporary On-Sale Liquor License submitted by the Lonsdale Fireman's Relief Association (LFRA) for the LFRA Annual Steak Fry. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- f. Consider Approval of Resolution 2012-13, a Resolution Authorizing the Lonsdale Fire Department to Accept a Fiscal Year 2011 FEMA Assistance to Firefighters Regional Grant for the Purchase of 800 MHz Radio Equipment – Joel Erickson, City Administrator

Erickson explained that the Federal Communications Commission (FCC) has required local emergency service providers to become 800 MHz compliant by January 1, 2013. Erickson mentioned that the City of Lonsdale thought that just under \$200,000 would have to be budgeted for the necessary communication equipment upgrades. However, he stated that a recently announced FEMA - Assistance to Firefighters Grant (AFG), in the amount of \$457,644.00, will soon be awarded to all five fire departments within Rice County, including the Lonsdale Fire Department. He said that the AFG money will significantly reduce the City's planned expenses for the required communication equipment upgrade.

A motion was made by Kodada and seconded by Furrer to approve Resolution 2012-13, a resolution authorizing the Lonsdale Fire Department to accept a Fiscal Year 2011 FEMA Assistance to Firefighters Regional Grant for the purchase of 800 MHz radio equipment. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

g. Consider Approval of Lonsdale Boy Scout Troop # 327 as the April – May – June 2012 Youth Recycling Green Team – Ben Baker, City Planner

Baker mentioned that at their meeting on March 13, 2012, the Lonsdale Park & Recreation Commission recommended approval of the single Green Team application on-file, Lonsdale Boy Scout Troop # 327 (application received 9/21/11). He stated that the group is still interested in being the next Green Team. Baker noted that the City may need to advertise in the newspaper for the Green Team Program, if no applications are received over the next month.

A motion was made by Daleiden and seconded by Pelava to approve Lonsdale Boy Scout Troop # 327 as the April – May – June 2012 Youth Recycling Green Team. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

h. Consider Approval of a Quote Submitted by Caron Fence in the Amount of \$6,196.00 for a Four Foot Tall Perimeter Fence Along the Northern Boundary of the DRS Field – Ben Baker, City Planner

Baker presented the City Council with quotes from Caron Fence and Midwest Fence for two different fencing projects at Trena Memorial Park: 1) DRS Field – 540 ft. (4' tall) chain-link and 2) Rayann Field – 100 ft. (6' tall) chain-link. Caron Fence submitted a bid of \$6,196.00 for the first project, compared to a bid of \$6,245.00 by Midwest Fence. Caron Fence submitted a bid of \$1,862.00 for the second project, compared to a bid of \$2,400.00 by Midwest Fence. The Council reviewed the quotes and associated maps. Baker stated that the Park & Recreation Commission recommended approval of the two low bids from Caron Fence at their meeting on March 13, 2012. Baker noted that the Lonsdale Aces Baseball Club would be paying \$4,196 towards the proposed north-side DRS Field fence.

A motion was made by Kodada and seconded by Furrer to approve both quotes submitted by Caron Fence in the amount of \$6,196.00 for the DRS Field Fencing Project and \$1,862.00 for the Rayann Field Fencing Project. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

The Council thanked the Lonsdale Aces for the help in funding the fencing project.

i. Consider Approval of a Quote Submitted by Caron Fence in the Amount of \$1,862.00 for a Six Foot Tall Field Fence Along the First and Third Base Lines of the Rayann Acres Ballfield – Ben Baker, City Planner

[this agenda item was discussed (above) along with Agenda Item 10-h]

j. Consider Approval of Ordinance 2012-250, an Ordinance Updating Variance Requirements per State Statute – Ben Baker, City Planner

Baker presented the Council with the proposed ordinance amendment language (Ordinance 2012-250), a related article on City variance authority, a League of Minnesota Cities (LMC) handout of the 2011 State variance legislation, and a LMC handout answering comments and questions concerning variances. Baker provided background information and an overview on the proposed ordinance amendment, and he referenced a sample variance application form and an example of variance related findings of fact. He provided examples of the three-factor test for practical difficulties related to 1) reasonableness, 2) uniqueness, and 3) essential character. He stated that at their meeting on March 15, 2012, the Lonsale Planning & Zoning Commission held a public hearing and recommended approval of Ordinance 2012-250. Baker noted that there were no verbal or written comments received on the proposed ordinance amendment.

A motion was made by Kodada and seconded by Pelava to approve Ordinance 2012-250, an ordinance updating variance requirements per State Statute. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

k. Consider Approval of Resolution 2012-14, a Resolution Declaring the Cost to be Assessed and Ordering Preparation of Proposed Assessments for the Area 2 Project of the City's CIP (2nd Ave NW) – Kevin Kawlewski, City Engineer

City Engineer Kawlewski stated that bids for the project were received on March 20th and opened and read aloud. He reviewed the three bids that were received for the project, and he provided a copy of the bid tabulation for the Council to review. He mentioned that the bids were competitive and came in below or near the engineer's estimate. He went through and explained the base bid and the four alternative bids in detail. Kawlewski said that prices on PVC watermain came in great. The Council discussed the five construction options along with a few different ideas for redoing the curbs. The Council members also discussed estimated assessment costs and payment period lengths. Rud stated that the Council could wait until after the assessment hearing before awarding the project to the low bid contractor.

A motion was made by Kodada and seconded by Pelava to approve Resolution 2012-14, a resolution declaring the cost to be assessed and ordering preparation of proposed assessments for the Area 2 Project of the City's CIP (2nd and 3rd Avenue NW) based on the low Base Bid plus Alternate-A. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

l. Consider Approval of Resolution 2012-15, a Resolution Scheduling the Public Hearing on the Proposed Assessments for the Area 2 Project of the City's CIP (2nd Ave NW) – Joel Erickson, City Administrator

Erickson read the proposed resolution to schedule a public hearing on the proposed assessments for the Area 2 Project of the City's CIP.

A motion was made by Daleiden and seconded by Furrer to approve Resolution 2012-15, a resolution scheduling a public hearing for April 26, 2012 at 7:00 pm, or soon thereafter, at the Lonsdale American Legion, on the proposed assessments for the Area 2 Project of the City's CIP (2nd and 3rd Avenue NW). Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- m. Consider Approval of a Quote Submitted by Buscho Enterprises, LLC in the Amount of \$8,525.00 for the Hauling and Spreading of 400,000 Gallons of Bio-Solids – Joel Erickson, City Administrator

Erickson explained that since shutting down one of the aeration basins at the wastewater treatment plant several years ago, the City has had to haul and spread bio-solids every Spring and Fall. Two quotes were presented and reviewed by the City Council for the hauling and spreading of the bio-solids. Erickson recommended going with Buscho Enterprises, LLC based on past experience and a bid of \$8,525, which was considerably lower than Nutri-Ject Systems bid of \$30,000.

A motion was made by Furrer and seconded by Pelava to approve a quote submitted by Buscho Enterprises, LLC in the amount of \$8,525.00 for the hauling and spreading of 400,000 Gallons of bio-solids. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- n. Consider Approval to Authorize Staff to Advertise for One Seasonal Employee for the Public Works Department at Grade 2 / Step 1 (\$10.42/hr.) – Joel Erickson, City Administrator

Erickson provided background and budget information to the City Council concerning the Public Works Department seasonal employees. He recommended that the City advertise for one seasonal Public Works employee at Grade 2 / Step 1 (\$10.42/hr).

A motion was made by Kodada and seconded by Pelava approving/authorizing City staff to advertise for one seasonal employee for the Public Works Department at Grade 2 / Step 1 (\$10.42/hr.). Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- o. Consider Approval of a Minnesota Lawful Gambling LG220 Application for Exempt Permit Submitted by Ducks Unlimited, Inc. and Waiving the 30 Day Waiting Period – Joel Erickson City Administrator

Erickson explained that he received a gambling permit request from Ducks Unlimited (DU) earlier in the week for their annual banquet at the American Legion. He said that the wildlife organization did submit the correct application form along with proper verification of their non-profit status. Erickson recommended approval of the DU application and to waive the 30-day waiting period.

A motion was made by Kodada and seconded by Furrer to approve a Minnesota Lawful Gambling LG220 Application for Exempt Permit submitted by Ducks Unlimited, Inc.

and waiving the 30-day waiting period. Vote for: Daleiden, Kodada, Rud, Furrer and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

11. OTHER BUSINESS

a. Council / Department Reports

Council Member Daleiden

Daleiden provided a brief update on the Liquor Store finances.

Council Member Kodada

Kodada stated that the Park Board is looking to partner with members of the Sticha Family to fund and build a park shelter at Sticha Park. He said that registration for youth ball started yesterday.

Council Member Furrer

Furrer stated that the Library Board did not meet. She mentioned that the EDA is still working to get a Lonsdale sign along I-35. She said that the EDA decided to direct some EDA funds toward a little park along Main Street North.

Council Member Pelava

Pelava stated that the Planning Commission reviewed the variance ordinance update and discussed issues with portable accessory structures and car ports.

Mayor Rud

Rud announced the upcoming Easter Egg Hunt sponsored by the Lonsdale Ambassadors. He said that "Meeting with the Mayor" will be scheduled for April 14th.

Devin Reyes announced details on the upcoming LACC sponsored Citywide Garage Sales.

12. ADJOURNMENT

A motion was made by Furrer 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 8:54 pm.

Respectfully Submitted:

Joel A. Erickson, City Administrator