

**MINUTES  
CITY OF LONSDALE  
CITY COUNCIL MEETING  
APRIL 30, 2015**

**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, Public Works Director Russ Vlasak, and Fire Chief Yetzer

**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 proposed.

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

March 26, 2015 Regular Meeting and the April 9, 2015 Regular Meeting. Vote for:

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

**6. PUBLIC HEARINGS**

- a. Proposed Ordinance 2015-264, an Ordinance Amending City Code 90.02 and 90.03 (Dangerous Dogs)

Rud read the public hearing notice and opened the public hearing. The Council reviewed the proposed ordinance pertaining to dangerous dogs while Erickson explained the ordinance changes. He stated that there has been a trend of increased incidents with dogs, that range from intimidating and chasing to biting other dogs and people. He said that because of this trend, Staff reviewed the current ordinance on dangerous animals and found it to be out of date. He said that City Prosecuting Attorney Kurt Fisher helped City staff create an updated ordinance that is compliant with State Statute.

Rud asked if anyone in the audience wanted to speak on the matter. No one responded to the invitation.

A motion was made by Pelava and seconded by Kodada to close the public hearing.  
Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried. The public hearing closed at 7:07pm.

## **7. PRESENTATION OF CITIZEN PETITIONS AND COMMENTS**

None

## **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**

- a. Update on the Accepted 10<sup>th</sup> Ave NW/Florida St. SW Bid Submitted by Chard Tiling & Excavating, Inc. – Joel Erickson, City Administrator

The Council reviewed an update memorandum from City Engineer Kevin Kawlewski regarding the 10<sup>th</sup> Avenue NW & Heritage Estates Project. Erickson explained that an estimated deduction of \$41,591.00 could potentially reduce the total project construction cost to \$193,846.50, which is substantially closer to the City's budgeted number. He said that the low bidder, Chard Tiling and Excavating, has agreed to complete the reduced scope of work with the previous submitted unit prices. Erickson mentioned that a pre-construction meeting was held earlier in the day with Chard Tiling and that construction should begin in a couple of weeks. The Council thanked Erickson for the project update.

No official Council action was taken on this agenda item.

## **10. NEW BUSINESS**

- a. Consider Approval of Resolution 2015-25, a Resolution Approving a Purchase Agreement Between the City of Lonsdale and NDN Holding, LLC for Lot 1 / Block 1 of the Lonsdale Business Park and Authorizing the Mayor and City Administrator to Sign the Necessary Document – Joel Erickson, City Administrator

Erickson explained that the City and Technical Methods, Inc. (TMI) have come to terms on a Purchase Agreement for Lot 1, Block 1, Lonsdale Business Park. Erickson summarized the terms of the agreement. He said that they have also met with Rice County and Great River Energy to see if there were any business incentives available.

Bruce Rydeen, of CERRON Properties, said that that Lonsdale’s Staff has been awesome to work with. Part-owner Dawn Nelson provided a brief history of TMI and she explained the type of tooling/manufacturing that their business does. Rud welcomed TMI and the Nelson family to Lonsdale, and he said that he is very excited for them to be locating to town. He stated that initial planning for the Business Park took place back in 2008. Erickson said that having the property “shovel ready” really helped speed up the process.

A motion was made by Kodada and seconded by Furrer to approve a purchase agreement between the City of Lonsdale and NDN Holding, LLC for Lot 1 / Block 1 of the Lonsdale Business Park and authorizing the Mayor and City Administrator to sign the necessary document(s). Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- b. Consider Approval of Ordinance 2015-264, an Ordinance Amending City Code 90.02 and 90.03 (Dangerous Dogs) – Joel Erickson, City Administrator

Erickson said that a public hearing was held earlier in the meeting, and that no comments were relayed. He reminded everyone to notify the Police Department right away with dangerous dog issues. Erickson said that the new ordinance will give the Police Department the necessary capability to enforce dog complaints and issues.

A motion was made by Daleiden and seconded by Pelava to approve Ordinance 2015-264, an ordinance amending City Code 90.02 and 90.03 (Dangerous Dogs). Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- c. Consider Approval of a Request From the Property Owner of 118 4<sup>th</sup> Ave NE to Use the Months of January, February and April as the Months Used to Determine the Average Sewer Rate for the Remainder of the Year – Joel Erickson, City Administrator

Erickson stated that Leonard Johnson, property owner of 118 4<sup>th</sup> Avenue NE, is requesting the use of January, February, and April as the months used to determine his monthly sewer rate, because his outside reel broke overnight on March 20<sup>th</sup> resulting in 5,000 gallons of water being used. Erickson said that Johnson fixed the issue last month. He said that the Council has approved similar requests in the past.

A motion was made by Pelava and seconded by Kodada to approve a request from the property owner of 118 4<sup>th</sup> Ave NE to use the months of January, February and April as the months used to determine the average sewer rate for the remainder of the year. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- d. Consider Approval of Resolution 2015-23, a Resolution of Sponsorship of the Lonsdale Sno-Wizards – Joel Erickson, City Administrator

Erickson explained that the Council annually approves a resolution that is necessary for the Lonsdale Sno-Wizards to receive a grant from the MN DNR for trail maintenance. He said that the money goes towards trail grooming, sings, and clearing pathways.

A motion was made by Kodada and seconded by Furrer to approve Resolution 2015-23, a resolution of sponsorship of the Lonsdale Sno-Wizards. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

e. Discuss With the Lonsdale Sno-Wizards a Premise Permit to Conducting Gambling at Whistle Stop – Tony Paggen, Lonsdale Sno-Wizards

Tony Paggen, Lonsdale Sno-Wizards President, asked the Council if they would be receptive to issuing the Sno-Wizards a gambling premise permit at the Whistle Stop Tavern. He explained that the Wizards would like to try electronic gaming, loaded on preprogrammed i-pads, to help raise money for their organization, but he explained that they don't want to start the process to obtain a gambling license from the State if the City is not on board with the idea. Paggen said that the owners of the Whistle Stop are okay with the idea. Furrer asked if the Fire Relief Association was alright with the idea. Paggen said that everyone was okay with the e-gaming idea. Paggen said that the proceeds will go back to the community. The Council agreed that if the owners are okay with it, then they would be open to the idea. Erickson said that no action is needed by the Council at this time, and that the discussion was just to get a general temperature for the idea.

No official Council action was taken on this agenda item.

f. Consider Approval of a Quote Submitted by EMC Fire / Heiman Inc. in the Amount of \$19,000.00 for Fire Department Extrication Equipment – Mike Yetzer, Fire Chief

Yetzer stated that the Lonsdale Fireman's Relief Association has been donating money toward the Fire Budget with the intent of upgrading the Department's extrication equipment and purchasing a new hot water pressure washer. The Council reviewed quotes for the proposed equipment. Kodada said that having time saving equipment available is critical during emergencies.

A motion was made by Kodada and seconded by Pelava to approve a quote submitted by EMC Fire / Heiman Inc. in the amount of \$19,000.00 for Fire Department Extrication Equipment. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- g. Consider Approval of a Quote Submitted by Express Pressure Washers, Inc. in the Amount of \$5,569.95 and Estimated Installation Costs of \$4,000.00 for a Hot Water Pressure Washer System in the Fire Hall – Mike Yetzer, Fire Chief  
Yetzer presented the Council with a quote for an express pressure washer to make life easier and simpler for the Fire Department crews.

A motion was made by Daleiden and seconded by Furrer to approve a quote submitted by Express Pressure Washers, Inc. in the amount of \$5,569.95 and estimated installation costs of \$4,000.00 for a Hot Water Pressure Washer System in the Fire Hall. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- h. Consider Approval of an Application and Permit for a 1 to 4 Day Temporary On-Sale Liquor License Requested by the Lonsdale Firemen’s Relief Association for Their Annual Steak Fry on May 16, 2015 at the Lonsdale Fire Hall – Joel Erickson, City Administrator

Erickson stated that the Lonsdale Fireman’s Relief Association has requested a 1 to 4 day temporary on-sale liquor license for their annual steak fry event being held on Saturday, May 16, 2015 at the Fire Hall. He said that there hasn’t been in any issues in the past, and he recommended approval of the request.

A motion was made by Daleiden and seconded by Pelava to approve an application and permit for a 1 to 4 Day Temporary On-Sale Liquor License requested by the Lonsdale Firemen’s Relief Association for their Annual Steak Fry Event on May 16, 2015 at the Lonsdale Fire Hall. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- i. Consider Approval of the Lonsdale Area Chamber of Commerce’s Requests for Community Days 2015 – Joel Erickson, City Administrator

Erickson provided the Council with a list of 10 requests from the Lonsdale Community Days Committee and a detailed packet of information provided by Lonsdale Community Day Coordinator Karmin Stanley. Stanley stated that they would be notifying neighbors about road closures. She answered questions about the beer garden’s location and security. Furrer suggested that the local businesses be notified of the happenings. Stanley said that the event is only getting bigger and better.

A motion was made by Kodada and seconded by Pelava to approve the Lonsdale Area Chamber of Commerce’s requests for Community Days 2015. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- j. Consider Approval of Resolution 2015-24, a Resolution to Purchase 817 Colorado St. NW from the State of Minnesota and Authorize the Mayor and City Administrator to Sign the Necessary Documents – Joel Erickson, City Administrator

Erickson asked the Council to consider purchasing the property/home at 817 Colorado Street NW, a tax-forfeited property, from the State of Minnesota in effort to clean up that area of town. He said that the Council has an opportunity right now to eliminate a blighted property. Erickson said that the City could purchase the property for \$15,570.50 and could eventually recoup the costs. He said upon purchase of the property, the City would need to decide what to do with the existing trailer home. The Council reviewed pictures of the property, property information from Beacon, and information about purchasing forfeited land. Rud stated that the property is an eyesore and needs to be cleaned up. Furrer wondered who would want to purchase the property from the City. Kodada said that maybe this could be the start to cleaning up that area of town. Daleiden stated that the Council doesn't want to be in the business of purchasing blighted properties, but he said that this property does need to be cleaned up. Rud suggested that in the future, the City should create a policy to direct and advise the City when determining when blighted/strategic located properties should be purchased or not.

A motion was made by Kodada and seconded by Daleiden to approve Resolution 2015-24, a resolution to purchase 817 Colorado St. NW from the State of Minnesota and authorize the Mayor and City Administrator to sign the necessary documents. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- k. Consider Approval of a Proposal Submitted by Common Ground Lawn & Landscape in the Amount of \$15,000.00 for 2015 Mosquito Control Services – Joel Erickson, City Administrator

Erickson said that he received two proposals for mosquito control this year: 1) Common Grounds Lawn & Landscape - \$15,000.00 and 2) Clarke - \$16,000.00. He said that both companies have provided the City with mosquito control services in the past. He said that the Council budgeted funds to spray every week throughout the summer. Erickson said that he would work with the contractor to spray at the most affective times.

A motion was made by Daleiden and seconded by Furrer to approve a proposal submitted by Common Ground Lawn & Landscape in the amount of \$15,000.00 for 2015 Mosquito Control Services. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- l. Consider Approval to Make a Conditional Job Offer to Richard Patch as Seasonal Public Works Employee at Grade 3 / Step 7 (\$16.19/hr.) – Joel Erickson, City Administrator

Erickson explained that City staff came up with an overall seasonal employee plan that included hiring one long-term seasonal (April-October) and one short-term seasonal (June-August). He said that Dick Patch has worked with the City for many years, and Erickson recommended hiring Patch for up to 3 days a week.

A motion was made by Kodada and seconded by Pelava to make a Conditional Job Offer to Richard Patch as Seasonal Public Works Employee at Grade 3 / Step 7 (\$16.19/hr.). Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- m. Consider Approval to Make a Conditional Job Offer to Michael Jirik as Seasonal Public Works Employee at Grade 1 / Step 1 (10.42/hr.) – Joel Erickson, City Administrator  
Erickson recommended hiring Mike Jirik as the Public Works Department's short-term seasonal employee. He said that Jirik will mostly be responsible for mowing and park maintenance.

A motion was made by Daleiden and seconded by Furrer to approve a conditional job Offer to Michael Jirik as Seasonal Public Works Employee at Grade 1 / Step 1 (10.42/hr.). Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- n. Consider Approval to Make a Conditional Job offer to Mitchell Dooley as Seasonal Public Works Employee at Grade 1 / Step 1 (\$10.42/hr.) – Joel Erickson, City Administrator  
Erickson explained that Mitchell Dooley would be available to work for the City on Thursdays and Fridays. He said that Dolley would be responsible for mowing and other duties assigned, such as watering and weeding. Erickson recommended making a conditional job offer to Dooley for up to 2 days a week.

A motion was made by Kodada and seconded by Furrer to make a conditional job offer to Mitchell Dooley as Seasonal Public Works Employee at Grade 1 / 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 Request From the Property Owners of 215 15<sup>th</sup> Ave SE to Use the Months of January, April and May as the Months Used to Determine the Average Sewer Rate for the Remainder of the Year – Joel Erickson, City Administrator  
Erickson explained that the property owners of 215 15<sup>th</sup> Avenue SE are requesting the use of January, February, and May as the months used to determine their average sewer rate for remainder of 2015 due to a leaking toilet. He said that the request is typical, and it would save the owners almost \$800 for the remainder of the year. Furrer asked if the water bill was paid up. Erickson said yes.

A motion was made by Kodada and seconded by Furrer to approve a request from the property owners of 215 15<sup>th</sup> Ave SE to use the months of January, April and May as the months used to determine the average sewer rate for the remainder of the year. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

p. Consider Approval of the Legacy Land Development of Minnesota Mediation Settlement Agreement – Joel Erickson, City Administrator

Erickson explained how a deal was reached between Legacy Land Development and the City of Lonsdale regarding unpaid property taxes and assessments. He said that the City will receive a settlement of \$30,000.00. He said that the City Attorney has reviewed the matter in great detail and determined that it is the best and least expensive agreement. Rud agreed that it is time to take the money and move on to bigger and better things.

A motion was made by Kodada and seconded by Furrer to approve the Legacy Land Development of Minnesota Mediation Settlement Agreement. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

q. Consider Approval to Schedule a Special City Council Meeting on Thursday, May 7, 2015 to Approve Two (2) Site Plans – Joel Erickson, City Administrator

Erickson explained that the City has recently received two Land Use Applications for Site Plan Review from Dollar General and from Technical Methods, Inc. He said that because time is of the essence for these project, Erickson recommended scheduling a Special Meeting to review the two site plans. He noted that the Planning Commission will be reviewing the site plans on the same day at 5:30 pm.

A motion was made by Kodada and seconded by Furrer to schedule a Special City Council Meeting on Thursday, May 7, 2015 to consider approval of two (2) site plans. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

r. Consider Approval of a LG220 Application for Exempt Permit Requested by the Church of the Immaculate Conception for Their Church Festival Sunday, August 2, 2015 With No Waiting Period – Joel Erickson, City Administrator

Erickson said that the Church of the Immaculate Conception submitted a request for an exempt gambling permit for bingo and raffles at their annual Church Festival on August 2, 2015. He said that the City is required to approve the application prior to being submitted to the State.

A motion was made by Kodada and seconded by Pelava to approve a LG220 Application for Exempt Permit requested by the Church of the Immaculate Conception for their Church Festival Sunday, August 2, 2015 with no waiting period. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- s. Consider Approval of Ordinance 2015-265, an Ordinance Allow a Five (5) Feet Interior Sideyard Setback in the R-3 Zoning District (WELCO) – Ben Baker, City Planner  
Baker read through the detailed Staff Report, which included information on location, owner/applicant, request, minimum lot requirements and setbacks, proposed regulations, existing conditions, land use plan, and drainage/utilities. Baker stated that applicant Randy Stangler, 823 Industrial Park Drive SE was requesting: 1) an amendment to City Code §153.040(E) and 2) a Conditional Use Permit. He explained that “single-family detached dwellings” are listed as a Conditional Use in the R-3 Zoning District. He explained that twin home lots would be converted into detached dwelling lots with 5 ft. side yard setbacks instead of 10 ft. setbacks. Baker explained that the reduced setback would allow for at least 10 ft. of space between homes, whereas twin homes have a shared common wall or a 0 ft. setback. He said that at their meeting on April 16<sup>th</sup>, the Planning Commission recommended approval of the ordinance amendment.

Rud allowed WELCO resident and Neighborhood Association President Robert Nelson, 615 4<sup>th</sup> Circle Drive SE, to share his comments and concerns about the project and neighborhood. He expressed his concerns about access to rear yards, existing rental homes, property values, parking, drainage, and issues with a nearby portable food stand vehicle. Pelava and Randy Stangler provided answers to Nelson’s questions/concerns. Nelson thanked the Council for listening and Baker for doing a great job answering his questions and easing his concerns during previous conversations. Nelson said that he is excited to see new homes being built in his neighborhood. Kodada said that the proposed plans look great compared to what could be built today, twin homes with no design standards.

A motion was made by Kodada and seconded by Pelava to approve Ordinance 2015-265, an ordinance allow a five (5) feet interior side yard setback in the R-3 Zoning District (WELCO). Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- t. Consider Approval of Conditional Use Permit 2015-02, a Conditional Use Permit Regulating Design Standards and the Location of Sixteen (16) Single Family Detached Dwellings in WELCO – Ben Baker, City Planner

In regard to the previous Agenda Item and Staff Report, Baker stated that the Planning Commission also recommended approval of a Conditional Use Permit for the WELCO project.

A motion was made by Daleiden and seconded by Pelava to approve Conditional Use Permit 2015-02, a Conditional Use Permit regulating design standards and the location of sixteen (16) Single Family Detached Dwellings in WELCO. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

## 11. OTHER BUSINESS

### a. Department Reports

Vlasak and Erickson provided a brief update on the Water Tower Project, 10<sup>th</sup> Avenue NW/Florida Street SW Project, the Linking Lonsdale Project, and Area No. 5 Project. Erickson also stated that the City will soon be having two new businesses to town.

### b. Council Reports

#### *Council Member Daleiden*

Daleiden announced the upcoming Spring Tasting Event at the liquor store. He said that April's profit numbers exceeded expectations.

#### *Council Member Kodada*

Kodada provided an update from the April Park Board meeting.

#### *Council Member Furrer*

Furrer said that about 60 people attended the Public Library's birthday party event. She said that the EDA will be doing the flower pot contest again.

#### *Council Member Pelava*

Pelava stated that the Planning Commission held a Public Hearing for the WELCO Conditional Use Permit and Ordinance Amendment at their last meeting.

#### *Mayor Rud*

Rud stated that the Firemen's Annual Steak Fry Event will be on May 16<sup>th</sup>. He thanked Baker and the Lonsdale Lions for helping with the 2015 Arbor Day event.

## 12. ADJOURNMENT

A motion was made by Kodada and seconded by Pelava to adjourn the meeting. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried. The meeting ended at 9:01 pm.

Respectfully Submitted:

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Joel A. Erickson, City Administrator