

**MINUTES
CITY OF LONSDALE
CITY COUNCIL MEETING
AUGUST 25, 2016**

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: Kodada, Daleiden, Rud, Furrer, and Pelava

Members Absent: None

City Staff Present: City Administrator Joel Erickson, City Planner Benjamin Baker, City Engineer Russ Vlasak, Fire Chief Mike Yetzer

4. APPROVAL OF AGENDA

Mayor Rud asked if there were any corrections, additions, or deletions to the agenda.

A motion was made by Pelava and seconded by Furrer to approve the agenda as proposed. Vote for: Kodada, Daleiden, 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, additions, or deletions to the Minutes.

A motion was made by Daleiden and seconded by Kodada to approve the July 28, 2016 Regular Meeting, the August 1, 2016 Special Meeting, the August 11, 2016 Regular Meeting and the August 15, 2016 Special Meeting. Vote for: Kodada, Daleiden, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

6. PUBLIC HEARINGS

- a. Ordinance 2016-270, an Ordinance Opting Out of the Requirements of Minnesota State Statutes, Section §462.3593 Concerning Temporary Family Health Care Dwellings – Ben Baker, City Planner

Rud read the public hearing notice and opened the hearing. Baker read through the detailed Staff Report, which provided an overview of the new State law mandating that cities allow for Temporary Family Health Care Dwellings (TFHCDs) as a permitted use starting on September 1, 2016, unless cities pass an ordinance opting out. Baker explained the reasoning behind the new law, and he also listed multiple reasons why the City should consider opting-out, including: conflicts with current City regulations,

staffing time/cost, enforcement issues, handling of sensitive medical information, vagueness in compliance, aesthetics, property values, and allowing the City more time to discuss and create rules regarding TFHCDs that better suit the needs of Lonsdale residents. The Council reviewed pictures of drop homes to get an idea of what TFHCDs look like. Baker noted that the majority of surrounding cities and suburbs are opting-out of the new State requirement. Baker highlighted comments made by the City Attorney on the subject. Rud asked if anyone off the floor wanted to speak on the matter.

Jeff Smisek, 220 4th Avenue NW, questioned if this new State law would violate the Health Insurance Portability and Accountability Act or other privacy regulations.

Baker stated that no written comments were submitted on the topic.

A motion was made by Pelava and seconded by Furrer to close the public hearing. Vote for: Kodada, Daleiden, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried. The public hearing closed at 7:19 pm.

7. PRESENTATION OF CITIZEN PETITIONS AND COMMENTS

Fritz Duban, 626 Main Street North, stated that he was in the processes of stepping down from the Three Links Foundation Board. He said that he has been trying, unsuccessfully, to push for an expansion to the Villages of Lonsdale, senior housing facility. Rud stated that Duban did a terrific job on the Board for the last 3-4 years. The Council and audience gave Duban a round-of –applause in appreciation for his volunteering work.

8. APPROVAL OF THE CONSENT AGENDA

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

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

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

9. OLD BUSINESS

None

10. NEW BUSINESS

- a. Consider Approval of the Lonsdale Fireman’s Relief Association Revised By-Laws – Shannon Morsching, LFRA Treasurer

Shannon Morsching, Lonsdale Area Fire Relief Association Treasurer, and Jeff Smisek addressed the Council from the podium. Morsching summarized proposed changes to the Association’s By-Laws, including language on voting, Gambling Manager, and increase to service pensions for retired members and officers. He noted that there is a sufficient fund balance to support an increase of \$200 to the annual service pension amount. Kodada noted that “per year” should be added to the language related to pension increases.

Rud thanked Morsching for doing such an excellent job with the Relief Association’s investments.

A motion was made by Kodada and seconded by Furrer to approve the Lonsdale Fireman’s Relief Association Revised By-Laws conditioned upon the following:

“per year” shall be added after the officer compensation amounts under Section 2 of Article 10.

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

The Council thanked Morsching and Smisek.

- b. Consider Approval to Make a Conditional Job Offer to Eric Malecha as Firefighter – Mike Yetzer, Fire Chief

Yetzer stated that an interview committee conducted interviews on August 16th for three new Firefighters. He said that the committee recommended conditional job offers to Eric Malecha, Brett Marschall, and Nicole Smisek. Yetzer stated that he was comfortable with the recommendation. He stated that once the three new members are on board, it will put the Fire Department back at a full roster.

A motion was made by Kodada and seconded by Furrer to approve Eric Malecha as Firefighter. Vote for: Kodada, Daleiden, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

A motion was made by Furrer and seconded by Daleiden to approve Brett Marschall as Firefighter. Vote for: Kodada, Daleiden, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

A motion was made by Pelava and seconded by Daleiden to approve Nicole Smisek as Firefighter. Vote for: Kodada, Daleiden, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- c. Consider Approval of an Amendment to the Whistle Stop Tavern & Grill's Liquor License to Allow the Sale and Consumption of Alcohol on the Westside of the Building Located at 110 Railway St. NW – Joel Erickson, City Administrator

Erickson explained that Whistle Stop Tavern & Grill requested an amendment to their On-Sale Liquor License to allow for the sale of alcohol, within a fenced in area, on the west side of the building. He explained that the Wistle Stop will be hosting a live wrestling match as a fundraiser for Tri-City United Schools. Erickson noted that Rice County approved closing the portion of Railway Street/Co Rd 4, from Hwy 19 – 2nd Avenue.

A motion was made by Daleiden and seconded by Furrer to amendment to the Whistle Stop Tavern & Grill's Liquor License to allow the sale and consumption of alcohol on the westside of the building located at 110 Railway St. NW. Vote for: Kodada, Daleiden, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- d. Consider Approval of a Lonsdale Economic Development Authority Rehabilitation Grant Program Application Submitted by Fredrickson Properties, Inc. – Joel Erickson, City Administrator

Erickson explained that the EDA recommended approval of a rehab grant submitted by Fredrickson Properties, Inc. for improvements to the front of their building at 108 Main Street North, including 1) brick replacement, 2) structural supports, 3) awnings, and 4) new windows, if funds allow. He said that Fredrickson properties tends to at least, if not, exceed the required 1:1 match. Kodada asked when the City's loan payout was due. Erickson stated that it was a reimbursing grant.

A motion was made by Daleiden and seconded by Furrer to approve a Lonsdale Economic Development Authority Rehabilitation Grant Program application submitted by Fredrickson Properties, Inc. Vote for: Kodada, Daleiden, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- e. Consider Approval of Resolution 2016-44, a Resolution Authorizing Adoption of a Purchase Agreement Between the City of Lonsdale and Sahler Properties, LLC – Joel Erickson, City Administrator

The Council reviewed a purchase agreement for land within Outlot E, Lonsdale Business Park. He said that Dispatch Trucking, currently located just east of Elko New Market, is interested in purchasing the property just north of the compost site, along the future Pond View Drive extension. He explained the terms of the agreement. Rud stated that the Council will have to discuss the construction, timing, and financing of the proposed new Pond View Drive extension. He said that it is a definite win-win for both the City and Dispatch Trucking, a company that was looking to relocate to another nearby city. Rud said that it really helps that Lonsdale's Business Park is shovel ready. He said that it is terrific to bring a new business to town that will provide local jobs.

The Council directed WSB & Associates to start the initial process for construction of the Pond View Drive SE Extension, from 16th Avenue SE – Garfield Avenue.

A motion was made by Daleiden and seconded by Kodada to approve Resolution 2016-44, a Resolution authorizing adoption of a Purchase Agreement between the City of Lonsdale and Sahler Properties, LLC. Vote for: Kodada, Daleiden, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- f. Consider Approval of Ordinance 2016-270, an Ordinance Opting Out of the Requirements of Minnesota State Statutes, Section §462.3593 Concerning Temporary Family Health Care Dwellings – Ben Baker, City Planner

Baker stated that a public hearing was held earlier in the meeting. Kodada said that TFHCDs could affect property values and create a lot of problems. Although the Council agreed with the good intention of helping ill seniors/relatives try to find nearby care, they all agreed that it was best for the City to opt-out of the new State law at this time due to the concerns previously mentioned.

A motion was made by Kodada and seconded by Pelava to approve Ordinance 2016-270, an ordinance opting out of the requirements of Minnesota State Statutes §462.3593 Concerning Temporary Family Health Care Dwellings. Vote for: Kodada, Daleiden, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

- g. Consider Approval of a Quote Submitted by BSN Sports in the Amount of \$2,450.00 for Two (2) Sets of Youth Alumagoal Soccer Goals – Ben Baker, City Planner
Baker stated that \$9,000 was budgeted for soccer related items in 2016. He said that three sets of goals were ordered before the 2016 season totaling \$4,500. Baker stated that TCU Soccer President Ryan Phelps recently recommend ordering two additional youth goal sets for the U6 and U10 players. Baker explained that the new goals would allow for two official fields with permanent goals. The Council reviewed two quotes submitted by: 1) BSN Sports - \$2,450.00 and 2) Gopher - \$3,760.02. Baker stated that the Park Board recommended approval of the BSN quote at their meeting on August 16, 2016.

A motion was made by Kodada and seconded by Daleiden to approve a quote submitted by BSN Sports in the amount of \$2,450.00 for two (2) sets of youth Alumagoal Soccer Goals. Vote for: Kodada, Daleiden, Rud, Furrer, and Pelava. Vote against: None. Abstained: None. Vote: 5-0. Motion carried.

The Council invited soccer volunteer Ryan Phelps up to the podium to talk about the 2016 soccer season. Phelps thanked the Council for contributing towards the youth soccer goals this year. He said that around 200 kids participated in the TCU Soccer Program, and that about 100 of the kids were from Lonsdale. He said that there seems to be more interest for next year's season. The Council commended Phelps and the other community volunteers for their efforts.

11. OTHER BUSINESS

- a. Staff Reports

Public Works Director

N/A

City Engineer

Kawlewski provided an update on the Area No. 5 Project. He said that Chard should start paving within the next two weeks. He noted that Malecha Trucking submitted a grading permit to be able to clean up their property.

City Administrator

Erickson stated that he has been working on the 2017 City Budget, health insurance renewal options, and a bond rating call. He said that he also attended the last Fire Board meeting and closed on the EDA loan with PetStop.

City Planner

Baker stated that he would be attending the August 29, 2016 Special City Council Budget Meeting to discuss parks, trails, and recreation priorities.

b. Council Reports

Council Member Daleiden

Daleiden stated that the Liquor Store will be having a tasting event on August 27th.

Council Member Kodada

Kodada provided a recap of the August 16th Park Board meeting.

Council Member Furrer

Furrer said that the new temporary employee is now on board at the Library until early-November, when the Library Director returns from her sabbatical. She said that the EDA selected Lonsdale Country Market as the 2016 flower pot winner.

Council Member Pelava

Pelava provided an update on new home permits, and he announced that there will be a Comprehensive Plan Open House in October.

Mayor Rud

Rud announced the upcoming Family Canoeing Event and Lions Pancake Breakfast.

12. ADJOURNMENT

A motion was made by Kodada and seconded by Daleiden 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 8:05 pm.

Respectfully Submitted:

Joel A. Erickson, City Administrator