

**MINUTES  
CITY OF LONSDALE  
REGULAR CITY COUNCIL MEETING  
September 29, 2011**

**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, Furrer, and Pelava

Absent: None

Staff Present: City Administrator Joel Erickson, City Planner Benjamin Baker, City Engineer Kevin Kawlewski, Public Works Director Russ Vlasak, Police Chief Jason Schmitz, and Consulting Engineer John Stewart

**4. AGENDA**

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

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

**5. APPROVAL OF MINUTES**

A motion was made by Kodada and seconded by Pelava to approve the Minutes from the August 23, 2011 Special Meeting, the August 25, 2011 Regular Meeting, and the September 8, 2011 Regular Meeting. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Against: None. Vote: 5-0. Motion carried.

**6. PUBLIC HEARINGS**

- a. Ordinance 2011-246, an Ordinance Amending City Code Chapter 70: Traffic  
Rud read the notice and opened the public hearing. Erickson said that the City has received complaints about Jake Braking noise, which produces a “sharp popping or crackling sound”. He further explained Jake Braking and the City’s enforcement and penalty procedure. He mentioned that the City does currently have noise warning signage at the entrances to town but the proposed ordinance language will further help with enforcement. He said that the City Attorney and Police Chief helped him write the proposed ordinance language. Rud asked if anyone off the floor wanted to speak on the matter. No one responded to the invitation. Erickson read through a letter received from John Duban, 800 8<sup>th</sup> Avenue NW, stating his support of the proposed ordinance. Duban’s letter also encouraged the City to impose greater enforcement for all noise nuisances

within the city. Erickson stated that he also received a phone call in support of the proposed ordinance.

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

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

Northfield Ambulance President Fritz Duban provided the Council with a brief update on the last Northfield Ambulance Association meeting. He stated that their next meeting will be on November 30<sup>th</sup>.

## **8. APPROVAL OF THE CONSENT AGENDA**

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

a. Monthly Bills

In reference to two accidents/damage items listed on the monthly bills, Furrer asked about the deductible for the League of Minnesota Cities insurance. Erickson said that that it is \$1,000.00 per occurrence.

b. Treasurer's Report

c. Board and Commission Minutes

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

## **9. OLD BUSINESS**

- a. None

## **10. NEW BUSINESS**

a. Consider Approval to Accept Joyce Skluzacek's Letter of Resignation as City Treasurer

Erickson read through a letter of resignation from City Treasurer Joyce Skluzacek. He said that she currently holds the status of longest tenure at the City. Rud thanked Skluzacek for doing an absolute good job and getting the City through some tough turmoil in the past. Erickson said that he will be working along with the Human Resources Committee to come up with a plan for filling in the soon-to-be vacant position at City Hall.

A motion was made by Pelava and seconded by Furrer to accept a letter of resignation from City Treasurer Joyce Skluzacek. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Against: None. Vote: 5-0. Motion carried.

b. Consider Approval of Ordinance 2011-246, an Ordinance Amending City Code Chapter 70: Traffic

Erickson stated that a public hearing was held earlier in the meeting. He said that the main point of the ordinance is to provide the Police Department with more detailed language to help enforce and deter excessive and unusual noises, such as sharp and crackling sounds coming from Jake Braking trucks. Pelava explained the difficulties with enforcing such an ordinance. Daleiden asked about enforcement for other loud vehicle noises. Erickson referred to the City's current nuisance ordinance. Police Chief Schmitz explained his plan for enforcement of the proposed ordinance.

A motion was made by Kodada and seconded by Pelava to approve Ordinance 2011-246, an ordinance amending City Code Chapter 70, Traffic. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Against: None. Vote: 5-0. Motion carried.

c. Consider Approval of Partial Pay Request No. 3 in the Amount of \$143,472.80 for the Water Treatment Plant Project – John Stewart, BDM

BDM Consulting Engineer John Stewart summarized a few minor changes to the water treatment plant project with the Council. He asked the Council to consider approval of the changes.

A motion was made by Daleiden and seconded by Furrer to approve Partial Pay Request No. 3 in the amount of \$143,472.80 for the Water Treatment Plant Project. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Against: None. Vote: 5-0. Motion carried.

d. Consider Approval of Change Order No. 2 in the Deduct Amount of \$2,095.76 for the Water Treatment Plant Project – John Stewart, BDM

Stewart reviewed concerns that the City has had with the finishing work that was done on the concrete floor of the water treatment plant. He went through the contractor's (MBI) action plan for correcting the issues. He asked the Council to consider Change Order No. 3 to resolve the floor issues and get ready for the filter vessels that are expected to arrive within a few weeks. The Council directed BDM to keep the project under control. Rud questioned Stewart on the status of DBE (Disadvantaged Business Enterprise) for the project.

A motion was made by Daleiden and seconded by Kodada to approve Change Order No. 2 in the deduct amount of \$2,095.76 for the Water Treatment Plant Project. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Against: None. Vote: 5-0. Motion carried.

d. Consider Approval of Change Order No. 3 for the Water Treatment Plant Project – John Stewart, BDM

Stewart reviewed the details of Change Order No. 3 with the Council, and he listed the changes: 1) remove and re-pour the filter room floor, 2) provide epoxy/urethane finish for the office and the chemical room, 3) provide chemical resistant rubber mat in the chlorine closet, and 4) substitute fly ash concrete mix design for the mix design specified. The Council relayed their dissatisfaction with the poor workmanship on the finishing job of the floor. Stewart stated that they hope to get the structure enclosed by Thanksgiving. Rud stated that everyone wants to see a good project.

A motion was made by Kodada and seconded by Furrer to approve Change Order No. 3 for the Water Treatment Plant Project. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Against: None. Vote: 5-0. Motion carried.

- e. Consider Approval of Resolution 2011-30, a Resolution Proclaiming the Month of October Domestic Violence Awareness Month

Pastor Howard White read through Resolution 2011-30 in its entirety from the front podium. The resolution proclaimed the month of October as Domestic Violence Awareness Month. He relayed some staggering statistics about domestic violence. He encouraged everyone to spread the word about domestic violence so that the cycle can be broken. The Council thanked Pastor White and Hope Center of Rice County.

A motion was made by Kodada and seconded by Pelava to approve Resolution 2011-30, a resolution proclaiming the month of October as Domestic Violence Awareness Month. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Against: None. Vote: 5-0. Motion carried.

- f. Consider Approval of Resolution 2011-31, a Resolution Approving Execution of an Amended and Restated Assessment Agreement with Lonsdale Senior Housing, LLC – Village of Lonsdale Senior Housing Project

Erickson briefly explained the City's partnership with Lonsdale Senior Housing LLC (Villages of Lonsdale). He also provided an example of how tax increment financing works. He explained the need for a minimum assessment amount and 3% value inflation rate to make the project cash flow. He said that the 3% inflation factor was not included in the development agreement and therefore needs to be readjusted. Erickson said that the City negotiated the agreement with Lonsdale Senior Housing LLC to fix the issue. Mike Schoenecker of Winkelman Building Corporation / Lonsdale Senior Housing LLC stated that he was agreeable to the amended assessment agreement. Erickson said that the agreement will put the City in a better position as to not rely as heavily on the annual letter credit provided by Lonsdale Senior Housing LLC. Rud stated that the public-private partnership between the Villages of Lonsdale and the City has been a tremendous success for the community, including the new public library and its programming.

A motion was made by Daleiden and seconded by Furrer to approve Resolution 2011-31, a resolution approving execution of an amended and restated assessment agreement with Lonsdale Senior Housing, LLC – Village of Lonsdale Senior Housing Project. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Against: None. Vote: 5-0. Motion carried.

- g. Consider Approval of a Proposal Submitted by Dixon Engineering, Inc. in the Hourly Not to Exceed Amount of \$2,321.00 for Water Tower Inspection and Evaluation Services

Erickson stated that three proposals were received for the water tower inspection and evaluation services: 1) Dixon Engineering, \$2,321.00; 2) KLM Engineering, \$3,998.40; and 3) Bolton & Menk, \$6,500.00. He said that City staff did review the proposals, and it was found that Dixon Engineering met the qualifications of the RFP and was the lowest bidder. He said that they will evaluate the inside and outside of the tank and create a report that will layout a maintenance plan for the next 20 years.

A motion was made by Kodada and seconded by Pelava to approve a proposal submitted by Dixon Engineering, Inc. in the hourly not to exceed amount of \$2,321.00 for Water Tower Inspection and Evaluation Services. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Against: None. Vote: 5-0. Motion carried.

h. Consider Approval of Resolution 2011-32, a Resolution Entering Into a Joint Snow Removal Agreement Between the City of Lonsdale and the Minnesota Department of Transportation

Erickson recommended approval of an annual resolution adopted by the City Council to get reimbursed by MnDOT for accumulating and loading the snow from Highway 19 between 1<sup>st</sup> Avenue East and 2<sup>nd</sup> Avenue West. He said that the City is responsible for the cost of hauling and disposal of the snow, and the City charges a rate of \$135.00/hour. Erickson mentioned that the County Engineer is also satisfied with the snow removal agreement between the City and Rice County for County Roads 33 and 4.

A motion was made by Daleiden and seconded by Furrer to approve Resolution 2011-32, a resolution entering into a joint snow removal agreement between the City of Lonsdale and the Minnesota Department of Transportation. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Against: None. Vote: 5-0. Motion carried.

i. Consider Approval of Resolution 2011-33, a Resolution Establishing and Appointing Representatives to the Absentee Ballot Board

Erickson provided an update on voting/elections for 2011. He said that Evelyn Duban and himself have been through the Absentee Ballot Board training and will be handling the absentee balloting this year. He also mentioned that three new members recently completed their election certification training.

A motion was made by Kodada and seconded by Furrer to approve Resolution 2011-33, a resolution establishing and appointing representatives to the Absentee Ballot Board. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Against: None. Vote: 5-0. Motion carried.

j. Consider Approval of Resolution 2011-34, a Resolution Approving the Issuance of General Obligation Crossover Refunding Improvement Bonds – Series 2011A

Erickson relayed an option suggested by Paul Donna of Northland Securities to refinance the City's 2005A bonds that were used to finance the construction of Idaho Street and associated infrastructure to provide utility access to the new school. He mentioned that by refinancing the 2005A bonds, the City would realize a net savings of \$37,000.00. Erickson explained that Northland Securities reviews the City's bonds on a regular basis, and they contact the City when they think refinancing should be considered.

A motion was made by Daleiden and seconded by Pelava to approve Resolution 2011-34, a resolution approving the issuance of General Obligation Crossover Refunding Improvement Bonds – Series 2011A. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Against: None. Vote: 5-0. Motion carried.

k. Consider Approval to Accept Tony Stano's Letter of Resignation as Part Time Liquor Store Clerk

Erickson provided the Council with Tony Stano's letter of resignation as a Part-Time Liquor Store Clerk. He mentioned that Stano was hired in January 2011, but due to circumstances out of his control, he was forced to move out of town and is no longer able to work.

A motion was made by Daleiden and seconded by Furrer to accept Tony Stano's Letter of Resignation as Part Time Liquor Store Clerk. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Against: None. Vote: 5-0. Motion carried.

l. Consider Approval to Advertise for Two Part-Time Liquor Store Clerks at Grade 2 / Step 1 (\$10.42/hr)

Erickson said that in consideration of Mr. Stano's resignation and Luke Rezac's unavailability to work anymore, City staff is recommending advertisement for two Part-Time Liquor Store Clerks. Erickson provided the Council with a job announcement and hiring timeline to review. He said that the Liquor Store Committee also discussed the clerk positions at their last meeting, and they recommended approval for two Part-Time Clerks.

A motion was made by Kodada and seconded by Furrer to advertise for two Part-Time Liquor Store Clerks at Grade 2 / Step 1 (\$10.42/hr). Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Against: None. Vote: 5-0. Motion carried.

m. Consider Approval to Advertise for Two Seasonal Public Works Department Employees at Grade 2 / Step 1 (\$10.42/hr)

Erickson said that the two seasonal workers that the City hired earlier in the year have worked out well. He said that the seasonal workers can only work for 186-days before a 30-day separation from employment is required. He stated that advertising for the two seasonal positions will provide the City with more options to rotate staff during the snow plowing seasonal and reduce the amount of comp-time or emergency overtime.

A motion was made by Daleiden and seconded by Furrer to advertise for two Seasonal Public Works Department Employees at Grade 2 / Step 1 (\$10.42/hr). Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Against: None. Vote: 5-0. Motion carried.

n. Consider Approval to Schedule a Public Hearing on November 10, 2011 at 7:00 pm or Shortly Thereafter to Consider Adopting Assessments for Delinquent Accounts for Abatement of Violations Relating to City Code § 91.04 (K) – Nuisances, Water and Sewer and Fire Calls

Erickson explained that by Minnesota State Statute, the City is required to certify special assessments to the County Auditor/Treasurer by November 15<sup>th</sup> of each year. He said that City staff is currently calculating the delinquent accounts for nuisance abatements, water/sewer bills, and fire calls. He mentioned that the public hearing should be scheduled for November 10<sup>th</sup> at 7:00 pm.

A motion was made by Pelava and seconded by Furrer to schedule a public hearing on November 10, 2011 at 7:00 pm or shortly thereafter to consider adopting assessments for delinquent accounts for abatement of violations relating to City Code § 91.04 (K) – Nuisances, Water and Sewer and Fire Calls. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Against: None. Vote: 5-0. Motion carried.

- o. Consider Approval of the Montgomery/Lonsdale East Elementary School K-4 Grade Students as the October, November and December 2011 Youth Recycling Green Team  
Baker provided the City Council with all the Green Team applications currently on file at the City. He said that the K-4 Students @ Montgomery-Lonsdale East Elementary identified “October-November-December” as their first choice, and he mentioned that the group has not yet served as the Green Team. Baker said that the Park Board recommended approval of the students as the next green team at their meeting on September 13<sup>th</sup>.

A motion was made by Kodada and seconded by Pelava to approve the Montgomery / Lonsdale East Elementary School K-4 Grade Students as the October, November and December 2011 Youth Recycling Green Team. Vote for: Daleiden, Kodada, Rud, Furrer, and Pelava. Against: None. Vote: 5-0. Motion carried.

- p. Update on Park Board 2011 Park Boulevard Tree Planting Project  
Baker stated that the Park Board accepted a donation of 32 trees, valued at \$3,880.00, and ranging from 7 – 15 ft. in height, from Knecht’s Nursery & Landscaping. He said that 29 trees will be planted in the boulevard of 8<sup>th</sup> Avenue NE and the remaining 3 trees will be planted at the intersection of Idaho Street SW and Main Street South. He said that the Park Board did budget \$3,000.00 for trees in 2011, which will cover the cost of installing the trees. Baker also listed the locations/roadways where the Park Board plans to plant more trees in the future. He mentioned that the Tree City USA program has been very successful over the last few years. The Council thanked Knecht’s for the generous donation.

## 11. OTHER BUSINESS

- a. Department Reports:

*Council Member Daleiden*

Daleiden stated that the members of the Liquor Store Committee have been watching the store’s numbers closely. He mentioned that profits were up in September.

*Council Member Kodada*

Kodada said that most of the Park Board items were discussed earlier in the meeting.

*Council Member Furrer*

Furrer stated that the Library Board has been discussing issues with the meeting rooms. She mentioned that the Friends of the Library program is getting stronger. She said that

the EDA is continuing to pursue a sign along I-35, and she mentioned that the Lonsdale First Program will starting soon.

*Council Member Pelava*

Pelava reported that the Planning Commission hosted a Joint GTS Workshop at the Public Library on September 24<sup>th</sup> along with Montgomery, Elko New Market, and Prior Lake.

*Council Member Rud*

Rud stated that Meeting with the Mayor will be on October 22, 2011. He mentioned that AMCON has been meeting with some viable businesses to try to entice them to relocate to the Lonsdale Industrial Park.

**12. ADJOURNMENT**

A motion was made by Daleiden 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 closed at 8:38 pm.

Respectfully Submitted:

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Joel A. Erickson, City Administrator