

Lanesboro City Council
Regular Meeting
Monday, March 3rd, 2014
5:30 p.m.
City Council Chambers

Present: Tom Dybing, Ceil Allen, Keith Eide and Tom Smith

Absent: Steve Rahn

Visitors: Tom Manion, City Attorney

Regular Meeting:

Mayor Pro-Tem Dybing called the Regular Meeting to order at 5:30 p.m.

- A. Agenda:** Administrator Todd stated that he would like to add items to the agenda. These items would be added under miscellaneous and include: Council Approval for seeking bids to replace the City's backhoe with a cost share with the PUC, Council approval to seek bids for telecommunications service, Council approval to purchase a new computer for Deputy Clerk Michele Peterson. Council Member Eide made a motion to adopt the agenda with the additions to be discussed under miscellaneous. The motion was seconded by Council Member Smith. Motion carried all in favor.
- B. Minutes:** Council Member Allen moved to approve the minutes of the February 3rd, 2014 meeting without corrections. Motion seconded by Council Member Smith. Motion carried all in favor.

People with Interest before the Council:

A. Debbie Voeltz: Snow Removal-Peace Disturbance:

Mrs. Voeltz asked to be removed from the agenda and declined to address the Council regarding her issue.

B. Dan Anderson: Parking on Church Hill:

Dan Anderson was on hand to address the Council regarding entering into a joint ownership and maintenance agreement with the Church Hill Condominium Board regarding parking along the eastern edge of the property along Fillmore Street. Mr. Anderson indicated that the issue was brought before the Condominium Board and that they had approved of a joint agreement with the city, however, it was never decided upon by the City Council. His intent, currently, is to seek a decision from the Council on the joint agreement. Administrator Todd stated that according to the developer agreement, the Church Hill Condo development was supposed to abide by current ordinances and laws of the state and City. Further, according to City Ordinance, it is the sole responsibility of the owner/developer to provide for parking and to provide the

upkeep and maintenance of said parking spaces. So the issue of ownership of the spaces is resolved and therefore the parking spaces should have been developed solely on the condominium's property. Thus, there is no benefit to the city by entering into a joint agreement with the developer when the simple solution would be to have the developer move the spaces solely onto the condominium's property. Council Member Smith stated that the City could convene a committee to review the issue and render a judgment at a later time. Administrator Todd reminded the Council that there are ordinances in place that clearly define ownership of the parking spaces and who maintains them. Also, according to the developer agreement, the parking spaces should have been placed entirely on the Church Hill property. Had that occurred, this issue would not need to be addressed. Council Member Dybing agreed, indicating that the simpler solution would be to have the spaces moved solely onto the Church Hill property. Mr. Anderson stated that there are other organizations that utilize the parking spaces as well, including the Catholic Church and the Lutheran Church. He further stated that perhaps the City would be willing to vacate a portion of the roadway at the end of the parking spaces to the Church Hill Board. City Attorney Manion stated that it was premature to talk about a vacation when there has not been a petition filed as of yet. He indicated that the City would and should reserve comment until a petition has been filed. Administrator Todd stated that the public interest requirement would have to be met in order for a vacation to be satisfied and at this point, it seemed there was only interest on behalf of the Church Hill Board and Mr. Anderson. Likewise, if the spaces were moved solely onto the Church Hill property, the issue of parking by the church could be addressed to Mr. Anderson and not involve the City as a third party. No action was taken regarding this issue. Todd advised Mr. Anderson that he would provide him copies of the city ordinances and the language from the developer agreement for his review.

C. Stena Lieb: Farmer's Market Manager Overview:

Mrs. Lieb advised the Council that this is the 13th year of the Farmer's Market and that the board had not made any rule changes this year. She indicated that there is a new board member and her name is Emily Hanson Funk.

Committee/Commission Reports:

- A. Library:** Administrator Todd provided the Council with the Library Board meeting update. The board elected to make a donation to Over the Back Fence in the amount of \$200.00; Circulation for the month was 1,994 items and the door count was low, possibly due to the cold weather. The Board was preparing a grant for the planned Mural and they are attempting to tie into the arts campus concept initiative. Hot Reads for Cold Nights netted 38 people through the door and was considered a success.
- B. Ambulance:** Lee Peterson, Ambulance Director, provided a monthly update to the Council regarding the Ambulance Department. He indicated that the Lanesboro Ambulance Service added a new EMT to their roster and his name was Brent Anderson. Peterson asked the Council for permission to change from a Fiscal Year to a Calendar Year for reporting purposes as it would align better with billing and also payroll. He

stated that he brought the issue up at the last ambulance meeting and all members were in favor. Motion was made by Mayor Pro-Tem Dybing to change the ambulance to a Calendar Year reporting system from a Fiscal Year system. Motion was seconded by Council Member Eide. Motion carried all in favor.

- C. Public Utilities:** Theresa Coleman provided the Council an update of the PUC meeting that took place on February 18th, 2014. She indicated that the PUC opened sealed bids for the well construction in coordination with Davy Engineering. The lowest bid was provided by Mark J. Traut Wells, Inc. in the amount of \$645,525.00. There were only two bids submitted. The reason only two bids were submitted was because there is a timetable mandated by the state and many other contractors have work scheduled that preclude them from working on our well. Similarly, there was other out of state contractors that had trouble with licensing from the State of Minnesota regarding blasting. And lastly, the depth of the well drilling (excess of 1,000 feet) precluded some contractors because they did not have the equipment to go to such depths. Davy Engineering indicated that they do not believe that soliciting more bids is a viable option as the initial bids spanned three states and expanding it would not be cost effective. Similarly, reopening for bids may allow the current bidders to accept other jobs and the city may not end up with any bids. Due to the timeline from the state, this is not a viable option. The PUC also scheduled disconnect for a local business planned for March 3rd, however, the entity found a way to make payment in full so disconnect was avoided.
- D. HPC:** Administrator Todd provided the update of the HPC meeting from February 24th, 2014. The HPC approved two building permits; one for Crown Trout Jewelers and one for the St. Mane Theater. They were also working on historic preservation awards from 2013.
- E. Planning and Zoning:** Administrator Todd provided the Council an update of the P&Z Meeting that took place on February 19th, 2014. The P&Z Commission approved two building permits; one for Crown Trout Jewelers and one for the St. Mane Theater. The Commission also worked on the 330 Zoning Ordinances through the performance standards section.
- F. Park Board:** No Meeting.
- G. Lanesboro Chamber of Commerce:** Administrator Todd provided the Council an update from the Chamber meeting on February 19th, 2014. The Chamber is busy working on agenda items, including their strategic plan for the upcoming retreat scheduled in March. The gathering for Julie Kiehne scheduled for February 20th was cancelled due to the impending bad weather. The hiring committee moved to offer Dee Slind the position of Executive Director at a starting pay of \$45,000 per year, plus three weeks' vacation and end of year bonus. An offer letter will be presented to her on February 19th, 2014.
- H. Fire Department:** Rob Wagner provided the update for the Fire Department. He stated that the Lanesboro Fire Department responded to one accident in February. He stated that they also met with the rural township boards in February to discuss their budget. He also stated that according to new legislation, the Fire Relief Association is no longer required to complete an end of year audit annually; however, his opinion is that we (the city) should continue to do so. Council agreed.

Regular Business:

- A. **Accounts Payable:** Council Member Allen made a motion to accept the payables as presented. Motion was seconded by Council Member Eide. Motion carried all in favor.
- B. **Public Utilities Bid Award for Well-Site Construction-Mark J. Traut Wells, Inc.:** The PUC opened sealed bids for the well construction in coordination with Davy Engineering. The lowest bid was provided by Mark J. Traut Wells, Inc. in the amount of \$645,525.00. There were only two bids submitted. The reason only two bids were submitted was because there is a timetable mandated by the state and many other contractors have work scheduled that preclude them from working on our well. Similarly, there was other out of state contractors that had trouble with licensing from the State of Minnesota regarding blasting. And lastly, the depth of the well drilling (excess of 1,000 feet) precluded some contractors because they did not have the equipment to go to such depths. Davy Engineering indicated that they do not believe that soliciting more bids is a viable option as the initial bids spanned three states and expanding it would not be cost effective. Similarly, reopening for bids may allow the current bidders to accept other jobs and the city may not end up with any bids. Due to the timeline from the state, this is not a viable option. Motion was made by Mayor Pro-Tem Dybing to accept the bid from Mark J. Traut Wells, Inc. for well-site construction and drilling on the recommendation of Davy Engineering. Motion was seconded by Council Member Allen. Motion carried all in favor.
- C. **Standard and Poor's Updated Rating for Lanesboro:** Administrator Todd advised the Council that, after a rigorous survey, the City of Lanesboro's credit rating from Standard and Poor's has been increased to A plus Stable, from an A rating. Todd advised the Council that the credit rating increase was great news for the City as it will improve the interest rates the City receives when borrowing. Likewise, it affirms that the City is doing a good job managing its budget. Council Member Allen thanked Todd for his work on providing accurate information to Standard and Poor and for keeping the City's finances in order.
- D. **Video Commissioned for State Capital Investment Committee-Lanesboro Dam Project:** Administrator Todd provided an update to the Council regarding a video he had commissioned for the State Capital Investment Committee. Todd indicated that he received an e-mail from Logan O'Grady of the Capital Investment Committee indicating that some Cities who have projects before the State have been submitting videos to Build.MN, an information clearinghouse that provides information, including short videos, to the interested parties regarding capital projects. O'Grady indicated that the Capital Investment Committee will also use the site to inform themselves of the Capital Projects they vote on. The e-mail contained an example of a video submitted by the City of Chatfield for their performing arts center project for 2014. The video was a YouTube style video which showed the plans for the building as well as some local testimonials from interested citizens. Todd reached out to Ana Hagedorn from the Commonweal Theatre and asked about producing a short video. She indicated that she could produce a video in a short amount of time that would be similar to the one produced by Chatfield. Due to the time constraint, Todd asked her to produce the video. The cost of the video was \$200.00 to make and will be included on the payables for next month's Council meeting. Todd indicated that the video was well produced and very professional and was worth every penny to develop. Todd indicated that he will e-mail a link to the video for all who want it.

- E. EDA Advertising: Commonweal Theatre:** The Council was advised that the Commonweal Theatre has offered advertising space to the EDA at a discounted price. The ad will be placed in the program for the Commonweal and the program reaches an estimated audience of around 20,000 people. The ad will consist of a photograph and a link to a new resident guide for information about the City, schools, the Chamber of Commerce, and other areas of interest in the region. The advertisement is focused towards attracting people to relocate to Lanesboro in an attempt to grow our community. The cost of the advertisement will be discounted from \$1,300.00 to \$800.00 for the City. The EDA seeks tacit approval from the City to proceed with the advertisement. Funding will come from the EDAs budget. Motion was made by Council Member Smith to proceed with the advertisement. Motion was seconded by Council Member Allen. Motion carried all in favor.
- F. EDA Commission Applicant-Jason Resseman:** Administrator Todd advertised an open commission seat to the EDA in the Fillmore County Journal in January of 2014. Only one application was received. Jason Resseman provided an application to the Administrator for the open seat. Motion was made by Council Member Smith to appoint Jason Resseman to the open EDA seat. Motion was seconded by Mayor Pro-Tem Dybing. Motion carried all in favor.
- G. National Wild Turkey Federation-Gambling Permit:** Motion was made by Council Member Eide to approve the permit application for the National Wild Turkey Federation for lawful gambling in the City of Lanesboro. Motion was seconded by Council Member Smith. Motion carried all in favor.
- H. National Wild Turkey Federation-Temporary Liquor License:** Motion was made by Council Member Eide to approve a temporary liquor license for the National Wild Turkey Federation for an upcoming event in Lanesboro. Motion was seconded by Council Member Smith. Motion carried all in favor.
- I. Fire Relief Association-Temporary Liquor License:** Motion was made by Council Member Smith to approve a temporary liquor license for the Fire Relief Association for an upcoming event in Lanesboro. Motion was seconded by Council Member Allen. Motion carried all in favor.
- J. Lanesboro Arts Center-Temporary Liquor License:** Motion was made by Mayor Pro-Tem Dybing to approve a temporary liquor license for the Lanesboro Arts Center for upcoming events (June-August). Motion was seconded by Council Member Eide. Motion carried all in favor.
- K. Lanesboro Arts Center-Temporary Liquor License:** Motion was made by Council Member Eide to approve a temporary liquor license for the Lanesboro Arts Center for upcoming events (August through October). Motion was seconded by Council Member Smith. Motion carried all in favor.
- L. MN DOT Land Acquisition TH 16 Offer to the City of Lanesboro:** MN DOT has made an offer to the City regarding a portion of a parcel of land along TH 16 south of Lanesboro. The offer was in the amount of \$664.00. Motion was made by Council Member Smith to

accept the offer and to bring this issue to a close. Motion was seconded by Council Member Allen. Motion carried all in favor.

M. LBAE Memo-Meeting Set for Monday, April 14th, 2014 from 5:30 p.m. to 6:00 p.m.:

Information was provided to the Council about the date, time, and location of the Local Board of Adjustment and Equalization. Todd advised that there must be at least a quorum of the Council present and that the trained member of the Council must also be present. The information will be posted to the City's bulletin board starting April 1st, 2014.

Mayor Pro-Tem Dybing Closed the Regular Meeting to Discuss Personnel Matters at 6:15 p.m.

Closed Meeting to Order at 6:15 p.m. (Mayor Pro-Tem Dybing)

N. Personnel Discussion-Close Meeting: Mayor Pro-Tem Dybing called the closed meeting to order to discuss the six month review of the City Administrator, David Todd. He asked if Todd had any questions regarding the five independent evaluations provided by the Council. Todd stated that he did not have any questions and that Mayor Rahn had gone over the evaluation forms with him in February. Todd addressed the Council and thanked them for their feedback and constructive criticism. Todd stated that he was thankful for the positive feedback and comments on the forms. Todd stated the he would continue to provide the best work possible for the Council and stated that he would continue to improve as time moved on. He acknowledged that he was still learning portions of his position and the work it entails but he stated that he will always strive to learn and improve and would continue to work positively with the Council. Mayor Pro-Tem Dybing, Council Member Smith and Council Member Allen expressed their appreciation for the work that Todd continues to do for the City. They expressed their pleasure that Todd is very knowledgeable and continue to do good work. Council Member Smith stated the only thing he would like to see improved was the budget process. Todd stated that he also would like to see better protocol in place for the budget process and he would also like to include the Council and Department Heads in the process. Mayor Pro-Tem Dybing stated that he felt Todd was a very competent Administrator and stated, "We [City] got a good one" and hoped that Todd would stay for a while. Todd stated that he planned on staying as long as the Council would allow him to. Todd thanked the Council once again and stated that he looked forward to a long relationship with the Council and the City of Lanesboro. Motion was made by Council Member Smith to adjust (increase) Administrator Todd's salary to the next pay step (step 2) retroactive to January 1st of 2014. Motion was seconded by Council Member Eide. Motion carried all in favor.

Mayor Pro-Tem Dybing Opened the Regular Meeting at 6:25 p.m.

O. Miscellaneous: Administrator Todd asked the Council for permission to seek bids and/or quotes on replacing the City's backhoe which is nearing the end of its usefulness. Todd advised there will be a cost share with the PUC. Motion was made by Mayor Pro-Tem Dybing to allow the Administrator to seek bids or quotes for the backhoe. Motion was seconded by Council Member Eide. Motion carried all in favor.

Administrator Todd asked the Council for permission to seek bids for telecommunications service. He indicated that he was approached by a Council Member who thought there may be a cost savings by switching carriers. Motion was made by Mayor Pro-Tem Dybing to allow the Administrator to seek bids or quotes for telecommunications service. Motion was seconded by Council Member Eide. Motion carried all in favor.

Administrator Todd advised the Council that the computer utilized by Deputy Clerk Peterson is nearing the end of its usable life. She has been experiencing lock-ups and freezes due to the age of the equipment and operating system. Todd asked the Council to allow him to seek quotes for a new computer. Motion was made by Mayor Pro-Tem Dybing to allow Todd to seek quotes for a new computer. Motion was seconded by Council Member Eide. Motion carried all in favor.

Next Meeting: April 7th, 2014

ADJOURN: Mayor Pro-Tem Dybing moved to adjourn at 6:35 p.m. Motion seconded by Council Member Eide. Motion carried all in favor.

Respectfully Submitted,

David Todd
City Administrator