

Lanesboro City Council
Regular Meeting
Monday, August 4th, 2014
5:30 p.m.
City Council Chambers

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

Absent: None

Visitors: Tom Manion, City Attorney

Regular Meeting:

Mayor Rahn called the Regular Meeting to order at 5:30 p.m.

- A. Agenda:** Mayor Rahn asked if there were any additional items to be added to the agenda. Administrator Todd stated that there were items to be added under miscellaneous and include: Request for alley repair at the Cottage House, Citizen Comment regarding bathrooms during Buffalo Bill Days and a request for temporary signage placement for the Commonwealth Theatre Company from Adrienne Sweeney to be added under “persons with interest” before the Council. Likewise, Council Member Tom Smith wished to add utility pole rent from telecom companies to the City of Lanesboro. Council Member Dybing made a motion to adopt the agenda with the additions to be discussed under miscellaneous. The motion was seconded by Council Member Eide. Motion carried all in favor.
- B. Minutes:** Council Member Allen moved to approve the minutes of the July 7th, 2014 meeting with corrections pointed out by Council Member Smith regarding the presentation by Mike Bubany to change the language to \$20 per month for a property valued at \$100,000. Motion seconded by Council Member Dybing. Motion carried all in favor.

Persons with Interest

- A. Dan Anderson-Church Hill Parking Asphalt Quotes:** Dan Anderson was on hand to address the Council regarding the ongoing blacktop issue on Ridgeview Lane at Church Hill Condominium. Mr. Anderson stated that he has received a quote for blacktop in the amount of \$3,600 dollars. During July’s City Council Meeting, Mayor Rahn indicated that he would like to see an alternate quote from Dunn Blacktop Company prior to making any decisions. Dunn Blacktop was in town working on City streets and there may be a cost savings if they were willing to do the work while in town. Administrator Todd provided the quote from Dunn Blacktop in the amount of \$6,200 dollars for the area at Ridgeview Lane. Mayor Rahn, in light of the recent quotes, questioned whether the City should undertake the project at all. He further indicated that he wished that Mr. Anderson would have followed through with the petition for vacation. Mr. Anderson indicated that he would have followed through with the petition for vacation but that he was under the impression that the public interest component of the petition would

not have been satisfied. Administrator Todd advised that the public hearing requirement is where the public could voice their support or opposition to the vacation and that had Mr. Anderson followed through with the petition, we very well may have moved forward with the petition for vacation. Mr. Anderson stated that he would again bring forth the petition for vacation at the next City Council meeting. No further action at this time.

- B. **Courtney Bergey:** Courtney was on hand to seek Council approval to proceed with plans for an event scheduled for September 13th to kick off the signage for the Art Campus Project. She indicated that she would like to block off a portion of the Bass Pond Parking Lot in order to host the event. Motion was made by Rahn to approve of the event proposed by Ms. Bergey. Motion was seconded by Council Member Dybing. Motion carried all in favor.
- C. **Patrick Danz-Event Request:** Mr. Danz was on hand to request the Council to approve an event scheduled for October 10, 11, and 12. The event will be an outdoor concert with food and beverage vendors (alcoholic). The Council asked about noise and whether Mr. Danz had reached out to the neighbors of the location of the event (Smokey River BBQ). Mr. Danz stated that he had spoken with all of the neighbors with the exception of the Knutson residence. He stated that in the past, noise was not an issue because of the placement of the flatbed trailer the band utilizes. He stated that the speakers would face the river and deflect the noise towards the bluff and ball field area. Motion was made by Council Member Dybing to approve the event pending notification of **all** adjacent residents in the area to inform them of the potential for noise. Motion was seconded by Council Member Allen. Motion carried all in favor.
- D. **Commonweal Theatre-Adrienne Sweeney Request for Temporary Signage:** Adrienne Sweeney of the Commonweal Theatre Company was on hand to request temporary placement of a sandwich board sign to highlight upcoming productions of the theatre. She indicated that the production was an event that draws in a large number of children and she wanted to insure that the public was aware of the event and location. She filled out the forms for a sandwich board and also for sidewalk obstruction and paid the related \$25.00 fee. She indicated that she'd like to place the sandwich board at the intersection of County Road 8 and Parkway Avenue, adjacent to the Ice Cream Shoppe. Motion was made by Mayor Rahn to approve the request for temporary signage and sidewalk obstruction and for the location of the sign placement. Motion was seconded by Council Member Allen. Motion carried all in favor.

Committee/Commission Reports:

- A. **Library:** Administrator Todd provided an update to the Council regarding the Library Board meeting held on July 16th, 2014. The Library Board is looking to find a volunteer coordinator who could assist on a voluntary basis for events hosted by the Library. Likewise, they are looking for a replacement on the Library Board as Krista Flaig is relocating out of the area. Additionally, they will be incorporating children's drawing and art work onto the new mural.

- B. Ambulance:** Ambulance Director Lee Peterson was on hand to address the Council on items related to the Ambulance Department. Peterson advised the Council that a new HIPPA disclosure form was crafted and will be utilized when responding to calls for service. Peterson was requesting Council approval to implement the new form. Motion was made by Mayor Rahn to allow Peterson to investigate a new location and building for the Ambulance Department and funding opportunities. Motion was seconded by Council Member Eide. Motion carried all in favor.
- C. Public Utilities:** PUC Member Theresa Coleman was on hand to advise the Council regarding the meeting on July 21st, 2014. Coleman stated that there is interest from the Ambulance Department to utilize the site that is currently Well-Site #2. The site will be deconstructed and sealed as a well site and could feasibly be utilized as a site to host a new ambulance building. Coleman provided an update to the Council regarding the restructuring of water rates to accommodate PFA financing. The City will be utilizing a Residential Equivalency Unit matrix to provide more equity to the base fees for water. The new structure will more evenly distribute the base fees to the accounts who utilize more water (the structure is based on a combination of usage, meter size, and the potential for expanded use). In the coming months, the PUC will be placing an explanation of the new structure in the utility bills for distribution.
- D. HPC:** Administrator Todd advised the Council on the HPC meeting that took place on July 21st, 2014. The HPC addressed the signage at Merchant's Bank in Lanesboro. The current sign violates the ordinances put in place safeguarding historic preservation in the City. The HPC gave Mr. Graner an additional month to come up with a more historically appropriate sign for the bank. Administrator Todd advised the Council that he reached out to the City Attorney to craft a letter to Merchant's Bank regarding this issue. Likewise, the HPC addressed building permits within the Historic Preservation District.
- E. Planning and Zoning:** Council Member Dybing provided the report of the Planning and Zoning Commission meeting that took place on July 16th, 2014. Council Member Dybing stated that the P&Z Commission approved several building permits for the month; including those from Pat Shanahan, Mike Charlebois, James Haugen, Samantha Keasling, Ruth Garnatz, Wayne and Margaret Lukkason, and Leland Peterson.
- F. Park Board:** Administrator Todd provided the Council with an update of the Park Board meeting that took place on July 8th, 2014. Todd stated that Courtney Bergey was on hand to discuss the signage issue at the Bass Pond. Likewise, the Park Board indicated that they wished to address the parking issue in the Bass Pond Parking Lot and asked that Administrator Todd send out notice to the commercial vendors who utilize the parking lot to come to meeting of the Park Board to discuss it. The board also made motion to sell the unused skate park equipment. Lastly, the new playground equipment has been installed and is ready for use. The remaining item left is to backfill the border with clean fill dirt.
- G. Lanesboro Chamber of Commerce:** Chamber Director Dee Slinde was on hand to provide the monthly update of Chamber Activities to the Council. She indicated that State Senator Kobuchar was on hand to discuss issues with tourism and economic development. Slinde indicated that the agenda was dictated by the Senator's staff and was not very relevant to Lanesboro. Slinde also stated that she had received a very nice compliment regarding the cleanliness of the restroom facilities in and around the City.
- H. Fire Department:** No report.

Regular Business:

- A. Accounts Payable:** Council Member Smith made a motion to accept the payables as presented. Motion was seconded by Council Member Dybing. Motion carried all in favor.
- B. Fire Department-Rob Wagner (Council Approval for Retirement Increase):** Administrator Todd advised the Council that the Fire Chief was requesting the Council approve the increase of the retirement benefits at the state level. Motion was made by Council Member Smith to increase the retirement benefits for the Fire Department allocated at the state level. Motion was seconded by Mayor Rahn. Motion carried all in favor.
- C. Street Blacktop Project-Quote for DuPont Street:** Administrator Todd advised the Council that a quote was received from Dunn Blacktop Company for the asphalt on DuPont Street at \$8,950. The quote will be paid for with the funds allocated for the overall blacktop project and the savings realized by only placing one lift on Kenilworth Avenue. Motion was made by Council member Dybing to approve the quote for blacktop for DuPont Street. Motion was seconded by Council Member Allen. Motion carried all in favor.
- D. Blacktop Quote(s)-Church Hill Condominium Ridgeview Lane:** No action taken at this time. The issue with Church Hill/Ridgeview Lane was addressed under persons with interest before the Council.
- E. Alley Behind Red Hotel-Blacktop/Water Run-Off Repair:** The Council was advised that Dunn Blacktop was consulted regarding repair of the alley to deal with water run-off issues. Dunn advised that the alley was too steep to get a roller or other equipment in that space. Their fear was that the equipment would roll over and cause injury to an employee. Administrator Todd spoke with the Street Superintendent Andy Drake who stated that he would assess the curb and related areas and devise a plan to mitigate the water run-off.
- F. Dunn Blacktop Company-Update on Street Project:** Administrator Todd advised the City Council that the project was nearly complete and that Dunn Blacktop has done an outstanding job thus far. Todd stated that he was impressed with their efficiency and the way in which they treated the City and the public with professionalism.
- G. DNR Lease at the Chamber Building:** The Council was advised that the proposed lease for the DNR was complete and returned to the City. Todd and City Attorney Manion looked it over and added a few addendums to the lease which include modification to the language regarding square footage, monthly rent paid without the need for a formal invoice, janitorial service, and utility payment cost share. Todd advised that he has not yet heard back from Janis Nelson regarding the addendums to the contract. Motion was made by Council Member Dybing to await a response from the DNR and Janis Nelson prior to moving forward. Motion was seconded by Council Member Smith. Motion carried all in favor.
- H. Park Board Recommendation-Sale of Skate Park Equipment:** Administrator Todd advised the Council that he would reach out to Charlie Colvin at Flagship recreation regarding the sale of the equipment because they also deal in skate park equipment as well as playground equipment. Motion was made by Council Member Smith to move

forward with the sale of the skate park equipment. Motion was seconded by Council Member Allen. Motion carried all in favor.

- I. **2015 Preliminary Budget Overview:** Administrator Todd provided a preliminary overview of the 2015 Budget for the City. Todd advised that if the tax capacity information holds at the 2014 level, there would only be a 2.8% (nominal) increase in this year's budget. Todd stated that he expected the tax capacity information to increase due to the sale of houses and lots within the Lanesboro City proper. He indicated that if the tax capacity numbers increase there may be no percentage increase in the budget for 2015. Todd also stated that, in light of the Auditor's concerns regarding out reserve fund status, it was imperative to keep building those reserves by utilizing some fiscal restraint with regards to line item spending. Council Member Smith insisted that the line items be cut down, indicating the need to identify "want vs. need" line item allocations. Todd assured Council Member Smith there was no line item that would be considered a "want" item. Todd stated that each line item was trimmed as far as could be and that projections were based on the past four years of expenditures. Smith indicated that he felt as though the Council should sit down with the department heads to trim the budget. Todd advised Smith that the budget was shared with the department heads and that, together, the 2015 projections were scrutinized responsibly. Council Member Dybing suggested that the budget was simply a frame with which to operate the city with and that even his budget is not trimmed down to bare bones. Dybing indicated that when you pare down the line items so far that if there is an emergency or any excessive money spent, it will come from reserve funds. That is not the way to build reserves. Todd advised that in lieu of a dedicated revenue stream to build reserves, the only logical way to go about it is to practice fiscal restraint and provide enough room in the line items to avoid overspending as well as emergency planning. Todd advised that he will present the 2015 preliminary budget to the Council at the September meeting.
- J. **2015 LGA Increase (\$537 Increase from 2014):** Administrator Todd advised the Council that he received notification that Lanesboro's Local Government Aid will increase in 2015. The increase is very nominal but the City will realize an increase of \$537 from the 2014 LGA.
- K. **Personnel-Park/Street Superintendent Position:** Administrator Todd advised the Council that Andy Drake had turned in an official resignation of his duties as Park Supervisor. Todd advised the Council that Drake was informed of the corresponding salary adjustment once he resigned the park duties and that he was willing to sacrifice the extra pay. Todd also advised the Council that there was an internal candidate for the position and that some administrative work needs to take place prior to moving forward on the appointment. Motion was made by Council Member Dybing to accept the resignation of Drake from the Park Supervisor duties. Motion was seconded by Council Member Smith. Motion carried all in favor.
- L. **Bass Pond Parking Issue-Relocate Outfitters (Park Board Recommendation):** Administrator Todd advised the Council that the Park Board has recommended the

relocation of the commercial users of the Bass Pond parking lot. Todd stated that there have been some concerns raised about the amount of trailers and canoe rental equipment allowed to gather on the lot and that it has become congested as a result of it. Likewise, in light of the new signage and the art campus project, the space within the Bass Pond could be better utilized. Todd advised the Council that he has sent a letter to the commercial users of the Bass Pond as well as the outfitters and tour companies inviting them to a Park Board Meeting to mete out a solution to this issue.

M. Bid Advertisement for WTP-Davy Engineering Combined PUC/City Council Meeting:

The Council was advised that on August 28th at 2:00 p.m. there will be a bid opening at City Hall regarding phase II of the Water Treatment Project. Davy Engineering would like to hold a combined PUC/City Council meeting at 6:00 p.m. the same day at City Council Chambers. Todd wanted to remind the Council that this was not a mandatory meeting for the Council to attend; only those interested were invited to attend the meeting.

N. Water Run-Off Issue (304 Hillcrest) City Attorney Manion Legal Opinion:

Administrator Todd advised the Council that he reached out to City Attorney Manion regarding the recent increase in water run-off complaints within the City of Lanesboro. Todd stated that he felt there should be some consistency regarding the response to these issues and also to address the legitimacy of who is responsible for water run-off resulting in damage to property. In regards to the issue of water run-off at 304 Hillcrest, utilizing Mr. Manion's legal opinion as a guide, it does not appear that the City holds any liability with regard to damage sustained as a result of the natural waterway that flows from the topography of the area. Todd advised the he will speak with the property owner and work through the issue. Todd also stated that having this opinion will simplify the response and also provide accurate and consistent information to the public.

O. Miscellaneous:

Administrator Todd advised the Council that Eric Bunge dba the Cottage House called the office and expressed concern regarding the ingress/egress alley onto the property. He stated that the asphalt is deteriorating and he would like the City to fix it. He indicated that the City owns the portion of the property that used to be an "alley." Administrator Todd advised the Council that he and City Attorney Manion had conducted a visual inspection of the drive way and also some research as to the ownership of the "alley." The Council indicated that ownership must be established prior to any action taken regarding any upgrades to the property.

Council Member Tom Smith wanted to address an issue that appeared to have Fillmore County issuing a temporary liquor license to a service group who is hosting an event in Lanesboro. He stated that he saw the item in the newspaper and wished to have the City Administrator look into it. He indicated that he felt as though if this event is happening in Lanesboro, another jurisdiction shouldn't be issuing a liquor license. Likewise, if there was a need to issue a license, Lanesboro should be the entity to collect the fee. Administrator Todd advised he would look into the issue.

Council Member Smith asked Administrator Todd if he received any bids on the telecommunications services for the City. Todd stated that he had received a quote from Mediacom but, to date, has not received one from ACE Telecom. Smith indicated that he would like to see a fee instituted for rent of the utility poles within the City from the telecommunication companies. Todd advised that he had discussed this issue with other administrators as well as with the City's financial advisor and was told that in the short term, the City would recoup the fee for the poles, however in the long term, the fee would simply become a pass on to the consumer. For example, the fee for services would be adjusted to accommodate for the cost of the pole fee and would ultimately result in higher prices for the consumer. Smith stated that he still believes that the City should look into it.

Next Meeting: Tuesday, September 2nd, 2014 at 5:30 p.m. (Due to the Labor Day Holiday)

ADJOURN: Council Member Eide moved to adjourn at 7:15 p.m. Motion seconded by Council Member Dybing. Motion carried all in favor.

Respectfully Submitted,

David Todd
City Administrator