

**Lanesboro City Council**  
**Regular Meeting**  
**Tuesday, September 6<sup>th</sup>, 2016**  
**City Council Chambers**

**Present:** Autumn Johnson, Robin Krom, Tom Dybing, Jason Resseman and Tom Smith

**Absent:** None

**Visitors:** Lolly Melander, Hal Cropp, Jim Attwood, Sue Betts, Loucinda and Bruce Nash, Michael Charlebois, Pat Schmidt, Tom Kellogg, Nancy Ohnstad, Tom and Karlene Hatleli, Rick Lamon, Bill Swanson, Loren Tufte, David and Laurie Landro, Jon and Barb Willford, Jamie Knutson, Robert Thompson, Tracey Lambrecht, Mary and Gene Mensing, Kirsten Mensing, Therese and Ken Graner, Bridget Harvey, David and Marti Grey, Lester Dunn, Pat Gemlo, Dale Forester, Mike Ask, LuAnn Wilcox, Jane Grevstad, Hascon Harvey, Luther Olson, Val Tindall, Trent Olson, Karen Swanson, Jim Hanson, Rich and Judy Wilhelm, Michael and Char Brown, Brian Malm, Mark and Elaine Edwards, Dan and Maureen Anderson, Bethany Krom, Trish Capua, Julie Charlebois, Bretta Grabau, Shirley Mulder, Phil and Kathie Rogers, Jon Pieper, Ceil Allen, Randi Stier, Darin Johnson, Betty and Everett Johnson, Mary and Gerald Parker, Marge Drake, Hannah Wingert, Liz Bucheit, Michael Seiler, Peggy Hanson, and Frank Wright.

**Public Hearing (5:15):**

Mayor Krom called the Public Hearing to order at 5:15 p.m.

- A. Proposed adoption of an ordinance opting-out of the requirements of Minnesota Statutes, section 462.3593.** Mayor Krom provided an overview of the ordinance and the basis for it, also noting that it is commonly referred to as the “granny pod ordinance.” Resident Michael Brown provided discussion to oppose the passing of the ordinance by pointing out the specific requirements to such a temporary home. Noting they are essentially temporary healthcare dwellings. Brown also noted concern for the out of date Planning & Zoning ordinances. Resident Jon Pieper was also present and stated that he felt the statute was not properly crafted. Pieper hoped that Legislators would revisit this topic next year. Pieper also noted that Planning & Zoning would work on creating their own ordinance.

**Adjourn Public Hearing:** Council members approved all in favor closing the hearing at 5:25 p.m.

**Public Hearing (5:30):**

Mayor Krom called the Public Hearing to order at 5:30 p.m.

- A. Consideration of improvements to streets including: Auburn Avenue South (Between Whittier Street East and Zenith Street), Circle Drive (Between Auburn Avenue South and its eastern terminus), and Zenith Street (Auburn Avenue South and the eastern intersection of Maple Drive):** Administrator Peterson first addressed the room regarding a flier that was being

circulated through town. The flier contained much misinformation, Peterson provided the correct information. Brian Malm with Bolten & Menk was present to give an overview of the proposed project and help answer questions. Malm provided the Council with a handout that showed a couple of different options to consider for the road project. The options showed different scopes of the project as well as different phases. Several residents were present to discuss concerns for the project, below are the issues addressed during the hearing:

1. Depth of Water Lines: Charlebois was concerned how water pipes would be handled if the road was lowered, it was noted that special consideration would be taken to ensure the pipes would not freeze; specifically they may be wrapped in insulation if needed.
2. Circle Drive water runoff concern: Hanson inquired if this would be part of the project. Malm stated that considerations for Circle Drive were part of the initial scope of the project. Haug also expressed concerns for water runoff in front of his property off of Auburn.
3. Weight limit on Auburn / Zenith: Hanson stated concern for placing a weight limit on the roads. Administrator Peterson noted that issue is being considered. Malm also informed the Council that the current design of the roadway provides for up to a 9 ton weight limit. It would not be financially responsible to consider building a road to support heavy commercial equipment.
4. Water Connection: Tufte inquired if is water connection could be made off of Auburn, rather that connecting off of Circle Drive. Peterson noted that Public Utilities had determined that would be an appropriate connection.
5. Finance Concerns: Many concerns were discussed with regard to how this project would be financed. It was noted that currently the City is looking at funding the project through Sales Tax funds, as well as assistance from Public Utilities.
6. Levy question: Thompson inquired if there was a way to levy for the entire amount, providing no special assessments. Malm noted that there is a Street Reconstruction Bond, a 5 year plan, in which there are no special assessments, however no improvements can be done, and it is very limited due to statute. The current financing mechanism requires a 20% assessment. Also noted is that Legislature is currently discussing an option creating a Street Improvement District, however nothing has been passed at this time.
7. Number of homes affected: Pieper asked that given the few properties affected by the water runoff, is there an alternative way to deal with the runoff problems.
8. Condition of infrastructure: Member Dybing noted that the current Sewer lines in Auburn are made of clay.
9. What if we do nothing: Gray inquired what would happen if we chose to do nothing. It was commented that something needs to be done; as well interest rates are currently low. Malm noted that recently the increase in construction costs has increased at a higher rate than that of inflation.
10. Property Tax refund program: Resident and Planning & Zoning member Hanson explained that there is a Property Tax refund program available to the residents of

Minnesota. It is offered through the state; generally application is made in August of each year. This program is available for homeowners as well as renters.

11. **Planning:** Several concerns were heard regarding planning of the City Council. It was noted that the City Council has been working with the Engineer, Financial Advisor, staff, and commissions to ensure that property priority is put on the projects the City is faced with. The City is aware there are several more infrastructure upgrades needed, as well as a new Sewer Treatment facility may be needed, however at this time we do not for sure, we can only plan ahead.
12. **Width of road:** Concern was heard regarding the proposed width of the road from resident Johnson. It was noted that the scope of the project has not been decided on, at which time the width of the road would be considered.
13. **Effect on property taxes:** Several guests also shared concerns for the effect of the project on taxes and fees in the City. The Council will continue to work with the Financial Advisor and Engineer to define the scope of the project, as well consider the effect it will have on our community.

**Adjourn Public Hearing:** Council members approved all in favor closing the hearing at 6:50 p.m.

**Regular Meeting:**

Mayor Krom called the Regular Meeting to order at 6:58 p.m.

**A. Agenda:** Member Resseman made a motion to approve the Agenda as submitted with the addition of: Employee Evaluation. Motion seconded by Council Member Johnson. Motion carried all in favor.

**B. Consent Agenda:**

- Minutes of the Regular Meeting, August 1<sup>st</sup>, 2016
- Accounts Payable
- Coffee Street E closure request for September 14<sup>th</sup>, 2016 from 8 am – 6 pm (Intersection of Parkway Ave N to the Root River Saloon)
- Safety Management Program
- SEMCAC Agreement
- Lodging License for Hillcrest Inn
- Lodging License for High Court Pub
- Electric Utility Ordinance and Summary for printing

Member Johnson requested that the Regular Minutes, Coffee Street Closure, as well as Lodging License for High Court Pub be removed from the consent agenda. Member Resseman motioned to approve the remaining items on the Consent Agenda. Motion seconded by Council member Dybing. Motion carried all in favor.

It was noted that within the minutes from August 1<sup>st</sup>, 2016, under Regular Business item B there were only 6 members of the seven member task force listed. Mark Gorman should also be listed

as a member of the task force. Member Johnson motioned to approve the minutes with the change. Member Resseman seconded the motion. Motion carried all in favor.

Regarding the Coffee Street closure, it was noted that September 14<sup>th</sup> is a Wednesday, which is the incorrect date of this event. The correct date should be Saturday, September 24<sup>th</sup>. Mayor Krom motioned to approve the street closure with the date correction. Member Smith seconded the motion. Motion carried all in favor.

Administrator Peterson noted that the Lodging License for High Court Pub would be contingent on approval from the State of Minnesota. Mayor Krom motioned to approve the license with the contingency. Member Johnson seconded the motion. Motion carried all in favor.

### **Committee/Commission Reports:**

- A. Public Utilities (Tom Dybing):** Member Dybing noted that Public Utilities had held a special meeting on August 29<sup>th</sup> to discuss the possibility of upgrading the electric infrastructure. During this meeting it was noted the added safety the upgrade would provide.
- B. HPC (Jason Resseman):** Member Resseman noted during the regular HPC meeting the group discussed how to recognize historic properties. Item included the details of the property, year built, by whom, as well as a way to catalogue and gained information. Finally there were discussions regarding plaques that a homeowner could purchase in order to recognize their home.

### **Regular Business:**

- A. Ordinance 71.034 Regulating and enforcing parking restrictions on a portion of Kenilworth Avenue:** Administrator Peterson noted that the Ordinance should be amended to read the West side of Kenilworth Avenue North. Member Resseman motioned to approve the ordinance with the amendment. Member Dybing seconded the motion. Motion carried all in favor.
- B. Ordinance 09062016 Opting-out of the requirement of Minnesota statutes, section 462-3593:** Mayor Krom advised sending the information back to Planning & Zoning in order to create an ordinance so that the City did not opt out. Discussion continued on the specifics of the ordinance. Planning & Zoning member Hanson noted that the commission was aware of the need for an ordinance regulating tiny homes in Lanesboro as well. Member Smith motioned to table this discussion until Planning & Zoning could provide more information. Mayor Krom seconded the motion. Members Krom and Smith voting yes, Johnson, Dybing, and Resseman voting no; motion failed. Member Johnson motioned to approve the Ordinance as presented. Member Resseman seconded the motion. Member Dybing noted that Planning & Zoning will look into further specifics to create our own ordinance allowing for these types of homes. Motion carried all in favor.
- C. Resolution 2016-11 Ordering Improvement and Preparation of Plans and Specifications:** Mayor Krom noted that in light of the feedback received during the Public Hearing earlier on it would be best to postpone this resolution. Member Johnson motioned to table this item. Member Resseman seconded the motion. Member Smith inquired if there could be a special meeting to help address the Council's concerns. The other Council members agreed this was a

good idea; they would also like to have the Engineer and the Financial Advisor there if possible. This would be a public meeting. Additionally the Council would like to then hold another Public Hearing, and then be presented with the resolution at the next regular meeting. Motion carried all in favor.

- D. 2017 Preliminary Budget and Resolution 2016-12:** Mayor Krom noted that Administrator Peterson had previously met with all department leads in order to determine the proposed preliminary budget. Mayor Krom motioned to approve Resolution 2016-12 certifying the proposed 2017 budget. Member Johnson seconded the motion. It was also discussed that a member of the Council would also meet with each department lead in further determining the final budget. Member Dybing noted that the levy could be raised if it was voter approved. Motion carried all in favor.
- E. Brush Dump:** Mayor Krom noted that himself and Administrator Peterson had met with the property owners, Raymond and Sandra Prestemon, and discussed the possibility of relocating the brush dump. The Council was provided with a sample of a lease for said property. Member Smith motioned to execute the proposed lease. Member Dybing seconded the motion. Member Smith questioned if the existing pile could be burned this winter in small sections based on our permit. Motion carried all in favor.
- F. City Driving Policy:** After consideration and suggestions, it was recommended that Administrator Peterson revise the policy based on suggestions and submit to the Council next month. Member Resseman motioned to table this discussion item. Member Smith seconded the motion. Motion carried all in favor.
- G. Continued Business:**
  - a) City Engineer Proposal's:** Mayor Krom noted the 6 proposals that were received. Member Smith stated concern for the need of having a City Engineer, as well as concern of over use of the service. Member Johnson motioned to approve the proposal for City Engineer from Bolten & Menk. Member Resseman seconded the motion. Motion carried all in favor.
  - b) Herbicide Task Force:** Member Dybing noted that he had met with Anna Loney; they are planning to meet again to review maps and meet with staff.
  - c) Feasibility Study:** Administrator Peterson stated that she had been told by Health Planning & Management Resources that the Feasibility study would be ready sometime the following week.
  - d) Concept Plan – Task Force:** Member Smith provided a review of the work of the Task Force, noting they had met twice already. They have reviewed the channels of communication, as well as redefined the role of the task force. They are planning to reach out to media and regional groups in September. He also provided a list of project the task force in considering, as well as some that have already been implemented. The group will continue to meet and provide updates to the Council.
- H. Miscellaneous:**
  - a) Fire Truck:** Administrator Peterson noted that the purchase of the fire truck from the City of Chatfield would be taking place shortly, with delivery of the truck around the time of September 15<sup>th</sup>, 2016.

**b) Michael Charlebois:** Mr. Charlebois asked the Council to review what he believed was an ordinance governing the use of “butt bags” for horses in the City of Lanesboro; Administrator Peterson will look into it and provide feedback. Charlebois also noted that he is having a contractor complete the work along the river bank in October, he will come back before Council to determine who would be paying the bill or a portion there of. Finally Mr. Charlebois discussed concerns with Lanesboro Public Utilities, questioning their authority versus the Council. He also asked if the Electric department could be sold to Tri-County Electric. Administrator Peterson will follow up with Mr. Charlebois to provide feedback.

**ADJOURN:** Member Johnson motioned to close the public portion of the regular meeting. Member Resseman seconded the motion. Motion carried all in favor.

**Closed Meeting:** Mayor Krom began the closed portion of the meeting at 8:05 p.m. to consider offers for the purchase of real property pursuant to Minn Stat. 13D.05 Subd. 3 (b) (3), as well to complete an employee evaluations.

**ADJOURN:** Council Member Smith moved to adjourn at 8:36 p.m. Motion seconded by Member Resseman. Motion carried all in favor.

**Next Meeting: Monday, October 3<sup>rd</sup>, 2016 at 5:30 p.m.**

Respectfully Submitted,

Michele Peterson  
City Administrator/Clerk