

City of Loretto
Minutes of Regular City Council Meeting
279 N. Medina Street, Council Chambers
January 9, 2018

1. CALL TO ORDER

Mayor Koch called the meeting to order at 7:00 p.m.

Members present: Mayor Kent Koch, Council Members Brenda Daniels, Melissa Markham, John Neumann and Brian Sevigny.

Also present: City Attorney Paula Callies, Medina Police Sergeant Jason Nelson, Public Works Director Jeff Leuer, City Clerk Treasurer Mary Schneider.

There were five people in the audience.

2. PLEDGE OF ALLEGIANCE

3. SET AGENDA

The agenda was approved with the following changes:

- Add **Action f, Municipal Delegation Agreement Application**

4. APPROVE MINUTES

On a motion by Koch, seconded by Daniels, to approve the December 12, 2017 City Council Meeting Minutes as submitted.

Motion carried unanimously.

5. MEDINA POLICE REPORT

Medina Police Sergeant Jason Nelson presented the December Police Report noting two hundred five contacts, one hundred sixty-three of which were general patrols. Nelson reported there were twenty-seven traffic related crimes, two theft cases, one where the suspect was caught on camera pawning stolen batteries at a recycling business. The other theft was a purse stolen from a patron at a local bar. Nelson stated there was also a fraud investigation regarding an online dating scheme where the person requested money be sent to them and they ended up being out of the country and not who they said they were.

6. OPEN FORUM

*Anyone wishing to address the Council during Open Forum should complete an **Open Forum Comment Form** and present it to the Clerk **prior to the meeting**. Forms can be found on the city website and at the entrance to the Council Chambers. Open Forum is for issues not on this current agenda.*

Justin Bettinger, Thrivent Financial, 201 Medina Street North, addressed the Council requesting a change to the one hour parking limit in front of his new business. Bettinger explained that he will often have appointments that run for one to two hours and requested the parking limit be changed to two hours in front of his building.

On a motion by Markham, seconded by Neumann, to change the parking limit in front of 201 and 239 Medina Street North from one hour parking to two hour parking.

Motion carried unanimously.

Eric Reilly, owner of Empire Cycle, 200 Medina Street North, addressed the Council requesting they initiate an amendment to his Interim Use Permit or amend the city code to allow motorcycle repair in the General Commercial zone. Reilly explained that forty percent of his business is retail sales, which is a permitted use in the General Commercial zone, and another part of his business is service, which is listed as a permitted use. Reilly stated he believes this would justify his business being included as a permitted use in

this zoning district. Reilly stated he would like to purchase the property, but the current Interim Use Permit expires if the property sells. Reilly stated he would like to keep his business in Loretto.

Council directed staff to bring the current Interim Use Permit to the February meeting for Council to review and bring options on how to proceed.

Matt Rohman, 250 St. John Street, addressed the Council and expressed disappointment that the City is still considering a zoning change for his property. Rohman stated the City's actions to rezone are detrimental to him and his family and are not beneficial to the community. Rohman stated he has put his family's life savings into purchasing and revitalizing the neglected property. Within six months of the purchase, his assessed value was increased and the Council was considering rezoning to Mixed Use designation. Rohman went on to explain how he believes the City is trying to take his property and give a good deal to a waiting developer. Rohman stated that he believes the City's actions to try to take his property are illegal and threatened a lawsuit.

Mayor Koch stated the Comprehensive Plan update and the Metropolitan Council's population density requirements were the driving forces for the change in designation of Rohman's property from Industrial to Mixed Use. Koch stated he believes there is some misinterpretation of the process of the Comprehensive Plan update and noted part of the process of the Plan update is to put out a draft plan and solicit input from affected land owners and the community. Koch stated the Council heard Rohman's concerns from the December council meeting, which is why the issue is on the agenda.

Council Member Neumann assured Rohman there is no malicious intent by the Council and no conspiracy to try to take his property.

City Attorney Callies stated there is no constitutional right to a particular zoning and stated that since Rohman is threatening litigation, Callies recommended limiting back and forth discussion on this matter.

7. CONSENT AGENDA

- a. Resolution 2018-01, Accepting Lions Donation for Holiday Trees
- b. Resolution 2018-02, Accepting Lions Donation for Lions Park Building Preliminary Engineering
- c. Resolution 2018-03, WeCAN Funding Support
- d. Resolution 2018-04, Approving MS4 General Stormwater Permit Application Part 1

On a motion by Neumann, seconded by Markham, to approve the CONSENT AGENDA as submitted. Motion carried unanimously.

8. ACTION/PLANNING

- a. 2040 Comp Plan Update - Land Use Plan - 250 St. John Street
Clerk Treasurer Schneider reported that, as Mayor Koch noted during the Open Forum, the driving force to change the designation of 250 St. John Street Street from Industrial to Mixed Use in the 2040 Comprehensive Plan Update was the density requirement put in place by the Metropolitan Council. Schneider reported that Planner Kirmis requested a calculation evaluation from Sector Representative Thamman and it was determined that Loretto would be able to meet its density requirement if the land use designation for 250 St. John Street was changed back to Industrial in the draft plan.

On a motion by Neumann, seconded by Daniels, to change the designation of 250 St. John Street from Mixed Use to Industrial in the draft 2040 Land Use Plan. Motion carried unanimously.

- b. 2040 Comprehensive Plan Update - Transportation Plan Chapter
On a motion by Sevigny, seconded by Daniels, to approve the draft Transportation Plan Chapter of the 2040 Comprehensive Plan Update as submitted. Motion carried unanimously.

c. Approving Lions Park Building Architect

Council reviewed a memo from Engineer Kent Torve and a quote from Timothy O'Brien & Associates Architects for architectural services for the Lions Park Community Building.

On a motion by Neumann, seconded by Daniels, to approve the proposal from Timothy O'Brien & Associates Architects for \$18,600 and increase the budget for the project by \$3,800 through an Interfund loan from the Capital Account.

Motion carried unanimously.

Council directed staff to bring back a resolution for the interfund loan to the February council meeting.

Council Member Sevigny expressed concerns about the project costs considering other projects that the City has ongoing and invites community members to come forward with feedback as the project moves forward.

d. Setting Date for Comp Plan Open House and Architect Design Workshop

On a motion by Neumann, seconded by Markham, to approve an Architect Design Workshop from 6:00 - 7:00 p.m. and the 2040 Comp Plan Open House from 7:00 - 8:30 p.m. on Wednesday, January 24th, 2018.

Motion carried unanimously.

e. Resolution 2018-05, Annual Appointments

The Council went through each item in the Resolution appointing members to various commissions. Clerk Treasurer Schneider reported the Identity Theft Prevention Program is working well, noting there have been no incidents of identity theft and that staff has completed their annual review of the program.

On a motion by Neumann, seconded by Daniels, to approve Resolution 2018-05, A RESOLUTION RELATING TO THE ORGANIZATION AND ANNUAL APPOINTMENTS FOR THE CITY OF LORETTO FOR 2018.

Motion carried unanimously.

f. Municipal Delegation Agreement Application

On a motion by Koch, seconded by Markham, to approve the Municipal Delegation Agreement Application as submitted.

Motion carried unanimously.

9. INFORMATIONAL ITEMS

a. Hennepin County District Courthouse Locations

Council reviewed. No action taken.

b. Hennepin County Jurisdictional Transfer Policy

Council reviewed. No action taken.

c. LMCIT 2017 Property/Casualty Dividend

Council reviewed a letter from the LMCIT notifying the City of a dividend in the amount of \$1,562.

d. Holiday Train Update

Clerk Treasurer Schneider reported the total donations to the food shelves came in at \$27,027.52 and 1,100 pounds of food. Schneider noted there will be additional food donations that come from the Saints Peter and Paul and Saint Thomas the Apostle donation collections, so the total food donations

will be somewhat higher. Schneider stated the City used approximately \$1,300 of the \$1,500 budgeted funds for this event.

10. MONTHLY REPORTS

a. City Hall

No items were brought forward.

b. Streets

Council Member Neumann questioned if there will be a street sweeping in the spring. Public Works Director Leuer stated there will be.

c. Water

1) Well Pump Maintenance

Council reviewed a quote from Keys Well Drilling to service the pump for Well #3. Public Works Director Leuer stated it's likely the actual work will come in at less than the quote, noting the quote is "worse case scenario".

Public Works Director Leuer stated that, in order to test the system, he will need to shut down Well #3 and run the system off Well #2 from February 8-12th. Leuer noted this is a necessary step in the process and the actual well maintenance would occur during the end of February or beginning of March. Leuer noted Well #2 is run once a month during warm weather when hydrant flushing takes place.

On a motion by Sevigny, seconded by Markham, to approve the quote from Keys Well Drilling in the amount of \$17,364 and use funds from the Water Capital Fund.

No vote was taken. Motion failed.

On a motion by Sevigny, seconded by Markham, amending his previous motion to approve the quote from Keys Well Drilling up to \$17,364 and use funds from the Water Capital Fund.

Motion carried unanimously.

2) Utility Bill Relief for Frozen Pipe Prevention

On a motion by Sevigny, seconded by Markham, to authorize staff to give utility bill relief to those instructed by the Public Works Director to run their water continuously to avoid frozen pipes by billing their average water usage, not actuals.

Motion carried unanimously.

Public Works Director Leuer reported he met with Highlands of Loretto representatives about ideas for water quality improvements and will bring updates to future council meetings.

d. Wastewater

Public Works Director Leuer reported the draft wastewater facilities plan was sent out to the cities of Medina, Greenfield and Independence for review. Comments were received back and there was a meeting earlier today with representatives from the Met Council and the cities of Medina, Greenfield and Independence at which further comments were received. Leuer noted there is further work to be done on the plan and it will be brought to the Council for approval at the February council meeting. The deadline to submit to the MPCA is March first.

e. Parks

1) Hennepin County Youth Sports Facility Grant

Mayor Koch stated he received official word that the City has been awarded a facilities grant from the County with a match of \$54,500. Koch noted the bulk of the project will be dugout and fencing upgrades at the Arnold Klaers Baseball Field. The Bob Koch field renovation is a smaller part of the project. Koch stated he will bring further information to the February council meeting.

LCAA Treasurer Herb Koch, 275 Lorenz Street, Loretto, addressed the Council, reporting the Loretto Lions have agreed to donate \$30,910 to replace the scoreboard at the Arnold Klaers Field. Koch stated the old scoreboard was installed in 1987 and is shot. The Lions donated the original scoreboard and paid to have it rehabbed about fifteen years ago.

Council directed staff to bring a resolution accepting the donation to the February council meeting.

f. Stormwater

Mayor Koch inquired if there is any ditch cleaning planned for the new ditch along the north side of the parks property. Public Works Director Leuer stated there is work that needs to be done and the project costs would be shared with the city of Medina. Leuer noted the ditch on the south side of the parks property was cleaned out about twelve years ago. Koch inquired if there was any review done on the ditch by the railroad tracks. Leuer stated he had not.

Leuer stated the public works department staff would soon be doing work on the frozen stormwater ponds in the City to determine depths of the ponds and a cleanup schedule. Leuer stated efforts would be made to keep disturbance of the skating rinks to a minimum.

11. MAYOR AND COUNCIL REPORTS

Mayor Koch reported he attended a Northwest Hennepin League of Municipalities meeting in which city updates were given. Koch noted the new chairperson of the Metropolitan Council will be coming to speak at the meeting on January 10th.

12. FINANCIAL

a. 2017 Year-end Bills

On a motion by Koch, seconded by Sevigny, to approve paper check numbers 22442-22460 totaling \$32,769.67.

Motion carried unanimously.

b. January Bills

On a motion by Sevigny, seconded by Markham, to approve electronic check numbers 2795E-2816E and paper check numbers 22461-22483 for a grand total of \$31,469.96.

Motion carried unanimously.

c. Monthly Balance Sheet

Council reviewed. No action taken.

13. ADJOURN

On a motion by Neumann, seconded by Daniels, to adjourn at 8:46 p.m.

Motion carried unanimously.

ATTEST:

Mary K. Schneider, City Clerk Treasurer

Kent Koch, Mayor