

City of Loretto
Minutes of Regular City Council Meeting
279 N. Medina Street, Council Chambers
March 10, 2015

1. CALL TO ORDER/SET AGENDA

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

Members present: Mayor Kent Koch, Council Members Cari Girk and John Neumann.

Members excused: Council Members Brenda Daniels and Henry Pepin

Also present: Public Works Director Jeff Leuer, City Attorney Paula Callies, Medina Police Officer Chris McGill, Code Enforcement Officer Loren Kohnen and City Clerk Treasurer Mary Schneider.

There were three people in the audience.

The agenda was approved with the following changes:

- Action item f., Pioneer-Sarah Creek Watershed Commission Update, was removed from the agenda.

2. APPROVE MINUTES

On a motion by Koch, seconded by Girk, to approve the February 10, 2015 City Council Meeting Minutes as submitted.

Motion carried unanimously.

3. MEDINA POLICE REPORT

Officer Chris McGill gave the police report, stating seasonal road restrictions are currently being enforced. McGill stated calls were slow in February, possibly due to the cold weather.

4. CONSENT AGENDA

a. Resolution 2015-05, Court Data Services

b. Wellhouse Security Fencing

On a motion by Koch, seconded by Girk, to approve the CONSENT AGENDA as submitted.

Motion carried unanimously.

5. ACTION/PLANNING

a. 2014 Audit Report

Mark Ebensteiner of Abdo, Eick & Meyers presented the 2014 Audit, reviewing the Management Letter with Council.

On a motion by Neumann, seconded by Girk, to accept the City of Loretto 2014 Audit as prepared by Abdo, Eick, & Meyers.

Motion carried unanimously.

b. A to Z Auto

Council Member Neumann reported on the code compliance check of A to Z Auto that was completed on February 18, 2015 by Code Enforcement Officer Kohnen and himself. Neumann stated Mr. Miller, owner of A to Z Auto, was present during the compliance check. Neumann went through a PowerPoint presentation of photos of the premises that were taken during the compliance check, noting multiple vehicles with expired tags, numerous items of debris, fencing material, car parts, overflowing garbage cans and a rusty oil storage container. Neumann also noted a street sweeper that hasn't been moved for at least a year and a tractor that Miller had admitted isn't operable. Neumann also noted the three-foot fence in front of the building is broken down and could possibly be a safety hazard to pedestrians.

Neumann stated he sent a letter dated February 24, 2015 to Mr. Miller documenting the compliance check, summarizing the findings and listing ten recommendations that Neumann would be making to the Council. The letter also invited Mr. Miller to attend the council meeting. Mr. Miller did not attend.

Kohnen stated he agreed with the findings and recommendations documented in the letter to Mr. Miller. Kohnen noted many of the vehicles mentioned do not appear to be road worthy. Kohnen stated that in order for a vehicle to be considered road worthy it must have current registration and license, current insurance and is in working order with functioning turn signals, lights, etc.

Neumann presented the ten recommendations detailed in the letter to Mr. Miller:

1. Remove all the vehicles that are not owned by Mr. Miller and that have been stored on the premises for more than thirty days. Remove all vehicles that are not licensed properly and that are not road worthy or operable. A to Z Auto is zoned as an auto repair business and not a storage, junk, or salvage yard. Many of the same vehicles have been parked in the same location for nearly ten months. Please note, none of the vehicles on the premises are "within a building" or "screened from public view". Remove all these vehicles by March 31, 2015. Additionally, in mid-March, 2015 at a specified time, each vehicle on your premises will be checked for vehicle ownership, license plates, current tabs, insurance, and whether or not the vehicle is roadworthy or operable. Per the SETTLEMENT AGREEMENT (dated March 26, 2004), "Miller further agrees and authorizes the City to tow and store any such cars kept on the Premises for more than 30 days at Millers sole expense."
2. Remove from public view all debris, car parts, junk, metal barrels, shopping cart, storage containers, material, multiple garbage containers by March 31st, 2015.
3. Remove from public view the rusty oil storage tank, currently stored on the north side of the premises and facing CR 19, by March 31st, 2015. Please note, this could be stored behind the six-foot high solid privacy fence where the tow truck and white sedan are currently parked. (The fence was to be erected by April 30, 2004; however, it was never erected.)
4. Install the six-foot high fence that was agreed upon in the SETTLEMENT AGREEMENT, page 3, #5.
5. As noted, the three-foot fence facing CR 19 is badly damaged and is not repairable. Per the SETTLEMENT AGREEMENT #2, "Miller agrees to bring the Premises into compliance with City Code and to maintain the premises in a clean, safe, and orderly condition ..." The fence is not safe and not orderly. The fence must be removed from the premises and out of public view. A new fence that is to be erected must be approved by the City Council. Once the plan is acceptable, the City Council will give Mr. Miller a reasonable amount of time to complete the fence and have it approved by the Code Enforcement Officer.
6. The siding of the building is faded and needs to be stained or painted in an acceptable color. This should be completed by May 31, 2015.
7. From CR 19 and the sidewalk, pedestrians and motorists can see the piles of debris, junk, and piles of books, manuals, signs, and paperwork through the building windows. The amount of debris may be a fire hazard. The debris should be removed as soon as possible, but no later than May 31, 2015. The Code Enforcement Officer can determine code enforcement checks as needed.
8. A to Z Auto must work with the City on establishing acceptable parking spaces on the premises. The premises is cluttered with vehicles. It is not "orderly" as specified in the SETTLEMENT AGREEMENT. How many acceptable parking spaces should be allotted for the premises? Should the white sedan and tow truck be jammed in a space within a foot or two of the north property line and only feet from CR 19?
9. The red tractor has been parked in public view in the same space for ten months. Mr. Miller advised Kohnen and Neumann that the tractor needs a hydraulic pump. This tractor must be moved out of public view by March 31, 2015.
10. The street sweeper has remained in the same location for at least ten months and appears to be inoperable and is in public view. Remove from public view, or off the premises no later than March 31, 2015.

Council consensus was to proceed with Neumann's recommendations and have Neumann and Kohnen meet with Mr. Miller to advise him of the actions he needs to take to come into compliance with city code. Neumann stated he would arrange for a meeting with Mr. Miller during the week of March 16th through the 20th, at which time specific vehicle information would be gathered, including VIN numbers and license information. A compliance inspection will be performed after March 31st and the findings will be brought back to the April 14th council meeting for further action. Neumann stressed the Council is interested in working with Mr. Miller in giving him reasonable time to come into compliance.

c. Loretto Fire Contract/West Hennepin Fire Group

Council Member Neumann reported on a meeting he attended on March 4th, 2015 at the West Hennepin Fire Group (WHFG). The WHFG consists of four fire departments (Loretto, Hamel, Long Lake and Maple Plain) serving eight cities (Loretto, Greenfield, Independence, Corcoran, Medina, Long Lake, Orono and Maple Plain.) Neumann stated the WHFG was formed to cooperatively purchase Lexipol, which is a system of policies and procedures for fire departments. Having consistent policies and procedures amongst the four fire departments increases efficiency and the ability to work together at fire calls.

Public Works Director/Loretto Fire Chief Leuer stated the four fire departments are working towards forming a partnership or possibly a joint powers agreement. Leuer stated there are many hurdles to get over to make this work, but the consensus at the March 4th meeting was that there is interest in moving forward.

Mayor Koch noted the Loretto Fire Department requested each city it contracts with review the current fire contract and give feedback.

Leuer noted the contract automatically renews at the end of the current term (December 31, 2015) unless a city gives written notice at least one year before the termination date. Leuer stated none of the cities the Fire Department contracts with has given such notice.

Council consensus was to table this discussion until the April 14th council meeting so Council Members Daniels and Pepin would have the opportunity to participate in the discussion.

d. Utility Bill Request for Relief, 120 Railway Street West

Council reviewed a written request from Kathy Taylor, owner of 120 Railway Street West, for relief of utility bill charges that were high due to equipment failure in the basement of her building.

On a motion by Koch, seconded by Neumann, to deny the request for relief of utility bill charges for 120 Railway Street West.

Motion carried unanimously.

e. Medina CUP Notice, 3985 County Road 19

Council reviewed a notice of public hearing from the City of Medina for a Condition Use Permit (CUP) for Jeff Varney at 3985 County Road 19. Council also reviewed a memo from City Planner Bob Kirmis recommending an increased set-back for the proposed building, landscaping and an alternative to the current plans for relocation of an existing building. Mayor Koch noted Kirmis' recommendations were sent on to the City of Medina for consideration at the public hearing, which is being held at the same time as this council meeting.

~~**f. Pioneer-Sarah Creek Watershed Commission Update**~~

g. RAC Update

Council Member Girk reported the Redevelopment Advisory Committee (RAC) is proposing the City hire a realtor to assist the City in purchasing the property at 150 Medina Street North. Council consensus was to have Girk investigate more detailed information of the property, including the listing price, and bring the information back to the April 14th city council meeting.

h. 2015 LMCC Survey

Council reviewed and indicated priorities for each item of the survey. Council directed Clerk Treasurer Schneider to return the completed survey to the LMCC.

6. INFORMATIONAL ITEMS

a. Delano Area Senior Center

Council reviewed a request from the Delano Area Senior Center for a three percent increase of support of the programs the Center offers local seniors. Mayor Koch noted the City budgeted \$1,500 for the support of the Center for 2015. Council Member Neumann noted the Council could consider an increase to the budget for 2016 at the August budget planning workshop.

On a motion by Koch, seconded by Neumann, to process a payment of support to the Delano Area Senior Center in the amount budgeted for 2015, \$1,500.

Motion carried unanimously.

b. Gov Office/Website Information

Council reviewed a letter from Gov Office outlining opportunities for upgrades to the City's website. Clerk Treasurer Schneider stated she could investigate costs for any of the services the Council is interested in. Council directed Schneider to investigate the cost of custom graphic design and bring the information to the April 14th council meeting.

c. Willette Liquor License Update

Clerk Treasurer Schneider reported to Council that the liquor license for Willette Companies, Inc., which was approved by Resolution 2014-30, has not been issued due to the applicant's failure to complete the process.

7. MONTHLY REPORTS

a. City Hall

1) Staff Performance Reviews

Utility Clerk

Clerk Treasurer Schneider reported a performance evaluation was completed for Utility Clerk Scheibe. Schneider stated Scheibe is doing exceptional work, is very reliable, and a valuable asset to the City. Schneider recommended the budgeted three percent increase in Scheibe's wages, effective at the next pay period.

On a motion by Koch, seconded by Neumann, to approve a three percent increase in wages for Utility Clerk Scheibe, effective at the next pay period.

Motion carried unanimously.

Clerk Treasurer and Public Works Director

Mayor Koch stated the Personnel Committee completed performance evaluations for Clerk Treasurer Schneider and Public Works Director Leuer and noted both received "Exceeds Expectations" on all aspects of their job descriptions that are graded. Koch stated the Personnel Committee recommends the budgeted three percent increase in wages for both Schneider and Leuer.

On a motion by Neumann, seconded by Girk, to approve a three percent increase in wages for Clerk Treasurer Schneider and Public Works Director Leuer.

Motion carried unanimously.

2) Complaints

There were no complaints to report.

b. Streets

No items brought forward.

c. Water

No items brought forward.

d. Wastewater

1) 2015 NPDES Permit Compliance Summary

Council reviewed and thanked Public Works Director Leuer for his good work.

Mayor Koch reported he received an email from Met Council Representative Rodriguez in which Rodriguez stated the feasibility study the City has been waiting for is still in the process of being refined and should be completed within the next few weeks.

e. Parks

Mayor Koch reported the LCAA is looking into purchasing a portable storage unit, as previously approved by Council and allowed through the LCAA Operations and Maintenance Agreement. The purchase price of the unit ranges from \$10,000 – 15,000.

On a motion by Koch, seconded by Girk, to give Public Works Director Leuer authority to purchase the portable storage unit up to \$15,000.

Motion carried unanimously.

f. Stormwater

Public Works Director Leuer reported he contacted the residents on Chippewa Road regarding the project to alleviate the problem of sump pump water draining onto Chippewa Road. Leuer stated he only received one response so far.

8. FINANCIAL

a. March Bills

On a motion by Koch, seconded by Girk, to approve electronic check numbers 1956E-1978E and paper check numbers 21050-21076 for a grand total of \$67,044.96.

Motion carried unanimously.

b. Monthly Balance Sheet

Council reviewed.

No action taken.

c. Quarterly Financial Reports

Council reviewed.

No action taken.

9. OTHER

LCAA Breakfast Fundraiser

Mayor Koch noted there will be a LCAA Breakfast Fundraiser at Dobo's on Sunday, March 15th from 8:30 a.m. till noon.

Goal Setting Exercise

Mayor Koch proposed a goal setting exercise, asking Council and staff to prepare and bring to the next council meeting three goals each member would like to see completed by the end of 2015, and three goals each member would like to see completed over the next five years.

10. ADJOURN

On a motion by Neumann, seconded by Girk, to adjourn at 8:27 p.m.

Motion carried unanimously.

ATTEST:

Mary K. Schneider, City Clerk Treasurer

Kent Koch, Mayor