

**City of Loretto**  
**Minutes of Regular City Council Meeting**  
**May 8, 2012**

**CALL TO ORDER**

Mayor Koch called the meeting to order at 7:00 p.m. Members present: Mayor Kent Koch, Council members Jeff France, Clark Lohr, John Neumann, and Tom Pedersen. Also present: City Clerk Cindy Patnode, Public Works Director Jeff Leuer, City Attorney Paula Callies, Code Enforcement Officer Loren Kohnen, Medina Police Chief Ed Belland, Planners Steve Grittman and Ricky Hoffman.

There were approximately 12 people in the audience.

**SET AGENDA**

The agenda was approved with the following addition:

- under Action/Planning, Item #4 – Resident Marge Klaers water usage issue

**APPROVE MINUTES**

On a motion by Lohr, seconded by Neumann, to approve the April 10, 2012 Minutes as submitted.

Motion carried unanimously.

**MEDINA POLICE REPORT**

Chief Belland informed the Council of activities in April, stating that activity has picked up due to the time of year. He informed the Council that Highway 55 is anticipated to be shut down starting on June 11<sup>th</sup> for the overlay project. The road closure will be from County Road 92 in Greenfield to County Road 19 (which is ½ mile north of Loretto) for the second segment of that project. The first segment is currently underway in Rockford and doesn't affect Loretto. The third segment will be the closure of Hwy 55 from County Road 19 to County Road 116 in Medina. There will be electronic signs on County Road 19 in Loretto informing the drivers to slow the pace due to the increased traffic.

Update on Conditional Use Permit (CUP) at 226 St. John Street

Belland gave an update of calls reported in the business district since the CUP granted in 2009 at 226 St. John Street was established. At that location, there were 17 various calls whereas, most of the other businesses had two calls (except for false alarm calls).

**FENCE CONDITIONAL USE PERMIT (CUP) APPLICATION – WEST HENNEPIN  
AUTO – PUBLIC HEARING**

Steve Grittman and Ricky Hoffman, representatives for the City of Loretto Planning Consultant firm, Northwest Associated Consultants, were at the meeting to lead the discussion of the fence application for a CUP which requires a public hearing.

The fence was constructed prior to the application for a CUP. Fences are common and not in conflict with the Comp Plan for the Industrial District. According to City Code, a CUP is required for a fence more than 6 feet high in a rear or side yard in the Industrial District.

Mayor Koch opened the public hearing at 7:15 p.m.

Those in attendance for the public hearing:

<u>Name</u>	<u>Address</u>
Paul Meisel	250 St. John Street, Loretto
Pat Meisel	250 St. John Street, Loretto
Gary S. Koecheler	226, 230, 240 St. John Street, Loretto
Shirley Koecheler	226, 230, 240 St. John Street, Loretto
Jeff Tepfer	250 Lorenz Street, Loretto
Teri Tepfer	250 Lorenz Street, Loretto
Barry Andersen	157 Chippewa Road, Loretto
Scott Pivec	220 St. John Street, Loretto
Tim Pivec	220 St. John Street, Loretto

Those speaking in regards to the public hearing:

<u>Name</u>	<u>Address</u>
Robert Ofstead	325 Lorenz Street *called prior to meeting
Shirley Koecheler	226, 230, 240 St. John Street
Gary Koecheler	226, 230, 240 St. John Street
Paul Meisel	250 St. John Street
Jeff Tepfer	250 St. John Street, Loretto
Tim Pivec	220 St. John Street, Loretto

### Summary of discussion

Public comment about the fence included: the fence was a hindrance to security issues (views, lighting); blocked the view of the business to the west of the fence and business names; unattractive; concern of a wood fence close to a steel fire escape; the fence seems unfinished and randomly placed; felt there was a total disrespect to the neighbors in regards to placement without prior notification; penalty for placing without permit; general consensus of the majority in attendance is that they would like the fence removed. The applicant addressed the Council stating that the fence is part of a larger landscaping plan and he felt the fence was security for his customers and it also addresses snow issues. He does have security cameras in place and is open for police or Council to review if needed.

On a motion by Neumann, seconded by Lohr to close the public hearing at 7:25 p.m. Motion carried unanimously.

Attorney Callies and Planner Gritman informed the Council that only issue for council decision was whether or not to allow the fence higher than 6 feet. A fence 6 feet high or less is allowed under City Code and can be placed on the property without any type of permit. City Code does not regulate the type of material used for the construction of the fence. The City Code does allow the applicant to apply for a Conditional Use Permit for a fence in excess of 6 feet.

Summary of Council discussion:

The Council felt that it would have been best for the applicant to inform and work with the neighboring businesses in regards to type and placement of the fence to advocate good business relationships. They inquired of the Police Chief regarding the security concern. Belland stated he felt it was not an issue. The Council had concerns regarding the "better face" of the fence not facing the neighboring business as stated in the code book.

On a motion by France, seconded by Pedersen, to approve Resolution 2012-08, A RESOLUTION DENYING CONDITIONAL USE PERMIT (CUP) FOR A FENCE GREATER THAN 6 FEET IN HEIGHT IN THE INDUSTRIAL DISTRICT, FOR THE PROPERTY LOCATED AT 220 ST. JOHN'S STREET, WITHIN THE CITY OF LORETTO.

Council ordered the applicant to bring the fence into compliance with city code within 30 days.

Motion carried unanimously.

A question was raised on the recourse (penalty) for the fence being built prior to here. It was stated that the applicant did apply for a CUP and will have to pay for the fees associated with that process.

**LIQUOR LICENSE RENEWALS – RESOLUTION 2012-09 AND 2012-10**

Resolution 2012-09

On a motion by Lohr, seconded by Neumann, to approve Resolution 2012-09, A RESOLUTION APPROVING BEER AND LIQUOR LICENSES IN THE CITY OF LORETTO, MINNESOTA.

Motion carried unanimously.

Resolution 2012-10

On a motion by Lohr, seconded by Neumann, to approve Resolution 2012-10 , A RESOLUTION APPROVING A BEER LICENSE IN THE CITY OF LORETTO, MINNESOTA.

France opposed that LCAA selling beer.

Motion carried, France opposed.

Koch abstaining.

**RECYCLING GRANT AGREEMENT – RESOLUTION 2012-11**

On a motion by France, seconded by Lohr, to approve Resolution 2012-11, A RESOLUTION APPROVING RESIDENTIAL RECYCLING GRANT AGREEMENT.

Motion carried unanimously.

**RESIDENT MARGE KLAERS WATER USAGE ISSUE**

Long term resident Marge Klaers was present and submitted a letter to the Council requesting help with her water bill (latest reading was approximately 80,000 gallons usage). She has been working on reducing her water consumption since February by replacing different appliances (softener, faucet, toilets) and thought her issues were resolved. Council inquired of a precedent that has been set in the past and conferred with Public Works Director Leuer for that information. An offset of 50% had been done in the past when water leakage occurred in unusual cases.

The Council felt that Klaers had made a good faith effort in controlling the water issues that she had been made aware of during the past months.

On a motion by France, seconded by Pedersen, to reduce the water bill by 50% for the usage for the months February through April since Klaers had been working on resolving the issue.

Motion carried unanimously.

## **INFORMATIONAL ITEMS**

### Lion's Sign request

Dave Nelson, representative for the Lion's, was present to obtain the Council's input regarding the possibility of upgrading the current sign at the softball field entrance to an electronic sign. Nelson showed the Council different variations of what the sign could do and the Council felt it would be an asset to the community. The Planner indicated that these preliminary talks indicated that the sign ordinance was being followed but would need to do a more formal research once the application was submitted.

#### Summary of discussion:

The sign will be on city property but the Lion's would like to run and maintain similar to how they currently run the current sign. Discussion ensued as to what liability and cost to the city this would entail. Also discussed was if the sign would be donated to the city in order to have insurance coverage. Staff will contact the insurance agent and report back to the Council and Lion's. Different types of messages were discussed along with the fundamentals of programming. This information will need to be determined by the time the application is made. The current plan is that the new sign would be smaller and lighter in weight than the current sign.

Nelson stated that the Lion's next step would be to vote on the project and, if approved, submit applications to move forward with a sign permit.

### Sign Ordinance

Staff recommended authorization to work with the Planner to review/revise the current sign ordinance.

On a motion by Lohr, seconded by Neumann, to authorize the City Clerk to meet with the Planner (two hour maximum) to discuss the sign ordinance in order to draft a proposal.

Motion carried unanimously.

### Redevelopment Committee (RAC) Update

#### Minutes

The Council reviewed the Minutes of the 3/15/12. Councilor Lohr also informed them of the meeting that was held on May 7<sup>th</sup>.

Councilor Lohr informed the Council that a replacement for him from the Council would be advantageous as his Council term is up on 12/31/12 and he does not plan on re-filing for his Council position.

### Fun Fest Update

Council authorized the mayor and clerk to sign the contract with the company "Magic Bounce, Inc." for the inflatables.

### A-Z Update

The Council acknowledged the letter that Councilor Neumann wrote to A-Z owner on 4/18/12 regarding the status of the outside of his business. Neumann also gave a verbal report stating he met with Miller on 5/4/12 and invited him to this meeting (*Miller was not in attendance*). Neumann noticed two more vehicles have accumulated on the property since his meeting on 5/4.

### Recycling Update

March Incentive winners: Recycling – Dale Scanlon family; Organic – Dave Kutz family.

### Quiet Zone Update

Koch will continue to work with the County and other state agencies to promote the Quiet Zone in Loretto. Staff made a notation to discuss this at the budget workshop to possibly earmark towards a quiet zone.

## **MONTHLY REPORTS**

### **City Hall**

#### Signage

On a motion by Neumann, seconded by Pedersen, to authorize the Maroon lettering with the black outline for the city hall signs and to place \$400 as the financial limit.

Motion carried, France opposing.

#### Performance Review/Office Assistant

On a motion by Neumann, seconded by Pedersen, to accept the performance review recommendation for the Office Assistant Mary Schneider and approve the wage increase of \$.35/hour effective 4/30/12.

Motion carried unanimously.

### **Streets**

#### Sidewalk Report

On a motion by Lohr, seconded by Koch, to approve replacing the sidewalk/driveway at 420 Sunnyridge Lane to correct the street runoff issues for a total cost of the project to be \$1,920, split evenly with the Townhome Association.

Motion carried unanimously.

#### Asphalt Bids

On a motion by France, seconded by Lohr, to award the asphalt contract to DMJ Asphalt in the amount of \$16,324.

Motion carried unanimously.

### **Water**

No items brought forward.

### **Wastewater**

#### Update on PCA meeting regarding TMDL/Wastewater Permit status

Council reviewed the meeting recap with staff and Councilor Neumann regarding the future of the wastewater ponds and if hooking up to the MUSA line will be the route taken or upgrading the existing sewer ponds. Staff will work to come up with a cost estimates.

### **Parks**

Clarification will need to be made regarding the payment of the current community sign for electrical usage and report back to the Council and Lion's.

**Storm water**

No items were brought forward.

\*\*\*\*\* **The Attorney was dismissed at 8:55 p.m.** \*\*\*\*\*

**FINANCIAL**

May Bills

On a motion by France, seconded by Lohr, to approve check #'s 1127E-1146E (voiding 1133E) and paper check #'s 19793-19828 in the amount of \$71,551.21.

Motion carried unanimously.

Monthly Balance Sheet

The Council reviewed the Monthly Balance Sheet dated 5/4/12.

No action taken.

**ADJOURN**

On a motion by Lohr, seconded by Neumann, to adjourn at 9:04 p.m.

Motion carried unanimously.

**ATTEST:**

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Cynthia J. Patnode, City Clerk

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Kent Koch, Mayor