

City of Loretto
Minutes of Regular City Council Meeting
August 9, 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, Planner Bob Kirmis, Medina Police Officer Dave Hall, and Fun Fest Representative Mary Schneider.

There were three people in the audience besides representatives.

SET AGENDA

The agenda was approved with the following addition:

- under Monthly Reports – City Hall – personnel performance and discussions

APPROVE MINUTES

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

Motion carried unanimously.

MEDINA POLICE REPORT

Officer Hall informed the Council of activities in July stating that there has been increased traffic due to detour on Hwy 55 and people not following the proper route.

General discussion about nuisance complaints followed.

No action taken.

SIGN ORDINANCE UPDATE

Planner Kirmis walked the Council through the steps necessary to change the ordinance as directed at the July meeting to allow electronic graphic display and off-premise signs such as that proposed by the Lion's Club.

There was specific discussion regarding the following:

- The Council expressed concern over the allowance of electronic graphic display signs in all commercial, industrial and public districts vs. only in the public district (to allow for more control).
- Council members indicated that clarification is needed regarding the allowance of off-premise vs. on-premise signs.
- In response to a Councilmember question, the Planner indicated that off-premise advertising signs affixed to ballfield fences (such as that which exists in the City in the park) are typically deemed internal to the park and are exempt from regulation.

- The Planner and City Attorney suggested that the existing "variable message sign" language (Special Provision h.1 in Exhibit B) be removed in order to eliminate "content neutral" concerns. This action would not take away any existing rights.
- In regard to electronic graphic display signs, the Planner advised the Council that a company could possibly come out and do a demonstration for the Council. It was further conveyed that such signs automatically dim and brighten as the weather dictates and are also very expensive.
- Both the City Council and City Staff noted concerns over the condition of the City's current sign ordinance and that it is in need of an update.

Lohr made a motion to approve Exhibits A-D with only allowing the electronic sign in the public zoning district.

This motion failed due to a lack of a second.

Pedersen made a motion schedule a public hearing at the September meeting with the Exhibits A – D as presented.

This motion failed due to a lack of a second.

Kirmis suggested and Council concurred that he revise the exhibits to reflect the discussion points and then bring back to the next Council meeting.

RESOLUTIONS 2012-16 AND 2012-17

Resolution 2012-16, Accepting Donations

On a motion by Neumann, seconded by Lohr, to approve Resolution 2012-16, A RESOLUTION ACCEPTING DONATIONS FROM AREA RESIDENTS AND BUSINESSES FOR THE LORETTO FUN FEST.

Motion carried unanimously.

Resolution 2012-17, Fun Fest Street Dance

On a motion by Neumann, seconded by Lohr, to approve Resolution 2012-17, A RESOLUTION AUTHORIZING DISPENSING AND CONSUMPTION OF ALCOHOLIC BEVERAGES AT A COMMUNITY FESTIVAL

Motion carried, France opposing.

SETTING THE DATE AND TIME FOR THE TRUTH IN TAXATION HEARING

On a motion by Koch, seconded by Neumann, to approve Tuesday, December 11, 2012 at 7 p.m. for the hearing.

Motion carried unanimously.

*** The Planner was dismissed at this time. ***

PERSONNEL POLICY – LIGHT DUTY

At the July Council meeting, the Attorney was directed to get more information regarding Light Duty/Modified Duty Assignment from the League. The League representative stated that this is a way to keep employees engaged in the work environment when on a workman's compensation claim. It keeps employees motivated and around people so that

they hopefully don't fall into a depressed state. She stated it was more up front thinking and that it could reduce the overall cost of a claim.

On a motion by Koch, seconded by France, to approve a light duty/modified duty Assignment as proposed by the League of Minnesota Cities and to incorporate into the City of Loretto Personnel Policy by the City Clerk.

Motion carried unanimously.

REDEVELOPMENT COMMITTEE ITEMS (RAC)

Lohr updated the Council on the progress of the brochure design that will be sent to developers in the hopes of attracting them to the area to take on this redevelopment project. The original idea was to get local sponsors for the brochure but as RAC discussed it further, they felt that this may be better funded by the city. Lohr estimated the cost between \$600-800 but will have firmer numbers at the September meeting and an avenue of where the funds could be drawn from.

ESCROW PAYMENTS

Attorney Callies informed the Council that when an application is before them, the money that is escrowed is then charged back to the applicant. However, once a denial occurs, that is the end of the application and no more fees should be incurred by the applicant even though more work may be done by the consultants.

The Council concurred with the attorney's input.

INFORMATIONAL ITEMS

Recycling Update

June Incentive winners: Recycling –Trujillo family; Organic – Winters family.

Garbage and Recycling Services

At the July meeting, Council direction was for staff and Randy's Sanitation to work on contract details and bring back to the August meeting for review.

Randy's representatives Jim Wollschlager and Deb Gatz were present at the meeting to answer any questions that the Council had in regards to the updated Agreement.

General discussion took place regarding recycling and sanitation practices; mandates that are being discussed at the legislative level; the process of landfill procedures; reasoning behind the ten year contract vs. six year; options in the agreement for opting out and penalties for non-performance; no other vendors bid on neighboring contracts for the organics program; and satisfaction with service from Randy's.

On a motion by Neumann, seconded by Pedersen, to remove the "Annual Donation" portion of the Agreement and award the Agreement for Residential Garbage and Recycling Services to Randy's Sanitation for a term of ten (10) years effective November 1, 2012.

Motion carried, France opposing.

Fire Contract Meeting Update

The Council representatives met twice with the Loretto Fire Department (LFD) regarding a policy of the fire contract of all the cities involved (which there are five). Those representatives had consensus to calculate the full LFD budget to a 50% market value and 50% call value to determine the percentage that each city will pay.

For Loretto, that means an increase of \$9,043.69, with a total payment of \$37,313.69 for 2013. Due to the previous contract being totally based on market value, the city's premium had decreased. When reviewing what Loretto paid the fire department in 2009 to what is being proposed in 2013, the increase amounts to \$542.68.

A concern was brought up regarding no regulation as the budget of the fire department. The new contract will state that a Fire Advisory Board will be instituted with city representation to meet quarterly.

A meeting was held earlier in the day to get feedback on the draft Fire Contract with city staff representatives of the five cities. Another meeting will be held in mid-late September. Council commended Leuer for his work on achieving compliance with all the cities and the time and effort he has spent on this project.

Fence Update

Callies informed the Council that West Hennepin Auto did not reapply for a Conditional Use Permit. She also acknowledged receipt of the neighboring businesses (Koecheler's) letter requesting conditions on the existing fence. She stated that was a private matter and would not be regulated by the city. Koecheler's stated that West Hennepin Auto is currently not in compliance with the city ordinances.

The Council thanked the Koecheler's for their patience. The Council chose not to take action at this time as discussions are ongoing with West Hennepin Auto regarding the fence.

MONTHLY REPORTS

City Hall

Candidate filing update

Cari Girk, Brenda Daniels, and Jeff France have all filed for City Council seats as of 8/9/12.

Personnel performance and discussions

Performance reviews are to be completed on the Clerk and Public Works Director in August by the Personnel Committee. Suggestions were how to best involve the Council for input on those two employees.

Callies informed the Council on the legality of open vs. closed meetings when dealing with private data. Callies will contact the League of Mn Cities and report back to the Personnel Committee.

Council consensus was to have the Personnel Committee perform the reviews and only involve the whole Council if warranted.

Discussion was made on the current performance review template and how to make improvements.

******* The Attorney was dismissed at this time *******

Streets

No items brought forward.

Water

No items brought forward.

Wastewater

MPCA Annual Report

The Council was given a copy the Annual Report that was submitted to the PCA.

No action taken.

Parks

Skating Rink Lights

Leuer informed the Council that lights that are at the ball field park have not been used for a number of years and are not planned for future use in that location. Consideration was given to move the lights to the skating rink area at the Lion's Park since the storm water project will mandate that the poles that the lights are on be removed.

Council direction was to find out how much it would cost to relocate the signs and the annual maintenance that would be incurred and report back to a future Council meeting.

Committee meeting

Lohr informed the Council that a park meeting was held and that Capital Improvement projects will be worked on by the staff and presented at the Budget Workshop.

Koch suggested that the Hennepin County Grant be applied for to offset any projects.

Storm water

Project Update & Approval of Proposed Plans

The storm water grant project plans were reviewed by the Council as prepared by Medina's Engineering firm Hakanson Anderson and further reviewed by Loretto Engineering firm Wenck and city staff. There are a few revisions that staff would suggest and the engineering firm indicated they could be made during final plan review.

On a motion by Lohr, seconded by France, to authorize the Public Works Director to sign the plans on Loretto's behalf for the Loretto Creek Water Quality Improvement Project and any revisions as he approves.

Motion carried unanimously.

Ditch bid update

Leuer informed the Council that he recommends adding an alternate bid onto the storm water project for cleaning the park ditch that runs on the southern and south western property line as a ditch maintenance project. The bid will not obligate the city to complete the cleaning but may take advantage of mobilization costs. The last time the cleaning was completed was approximately 2007/2008 and it is an ongoing maintenance issue that is budgeted for in storm water maintenance.

Council consensus was to take staff recommendation to add the alternate bid onto the project.

Equipment Sharing

Leuer informed the Council that under the Equipment Sharing umbrella, he will be training the Corcoran public works staff in water treatment since they have to work under a certified operator (which Leuer is) for three years. The Equipment Sharing works with staff and equipment and Loretto will benefit by the equipment portion of this arrangement.

Council consensus was to move forward with this plan and tracking that both cities are working together on a fair arrangement.

Council member Pedersen informed the Council that he received a call praising Leuer's calming presence at a recent 911 call and wanted to inform the Council as a whole of the compliment.

FINANCIAL

August Bills

On a motion by France, seconded by Neumann, to approve check #'s 1193E-1221E and 19905-19937 in the amount of \$91,554.09.

Motion carried unanimously.

On a motion by Neumann, seconded by Koch, to allow a \$500 advance in Council payment for Council member Clark Lohr for a donation to the Loretto Fun Fest.

Motion carried unanimously.

Monthly Balance Sheet

Council reviewed the balance sheet dated 8/3/12.

No action taken.

Budget input – cost of living

Council direction was to place items into one category for referencing overall expenditures on certain items. For preliminary budgeting purposes, Council consensus was to set the cost of living increase for the wages at 2.9%.

Brief discussion took place regarding the possibility of placing the Public Works Director on salary due to managing employees and various projects. More discussion can take place at the Budget Workshop set for 8/21/12.

ADJOURN

On a motion by Neumann, seconded by Lohr, to adjourn at 9:25 p.m.

Motion carried unanimously.

ATTEST:

Cynthia J. Patnode, City Clerk

Kent Koch, Mayor