

**City of Loretto
Minutes of Regular City Council Meeting
August 13, 2013**

CALL TO ORDER

Mayor Koch called the meeting to order at 7:00 p.m. Members present: Mayor Kent Koch, Council members Cari Girk, Hank Pepin, John Neumann, and Tom Pedersen. Also present: City Clerk Travis Rosin, Public Works Director Jeff Leuer, City Attorney Paula Callies, and Medina Police Officer Sgt. Jason Nelson.

There was one person in the audience.

SET AGENDA

The agenda was approved with the following addition:

- under Action item number 10. Renter's Liability Insurance for Dogs

APPROVE MINUTES

On a motion by Koch, seconded by Neumann, to approve the July 9, 2013 Minutes as submitted.

Motion carried unanimously.

MEDINA POLICE REPORT

Officer Jason Nelson informed the Council of activities in July activities.

No action taken.

Woodstove Ordinance Review

Paula Callies took wood burning out of the draft ordinance. Current woodstoves within the city can continue as long as they have a permit. Any woodstoves creating a public nuisance will be subject to enforcement of the city code. Any requirements in the ordinance would be subject to a misdemeanor by the City of Loretto. The city could also go through civil action or an injunction to stop the nuisance violation from occurring. Council member Cari Girk had questions about how this nuisance could be stopped if the violator keeps on creating the nuisance. Evidence needs to be collected in order for a continued nuisance violation to hold weight in court. Councilmember Girk asked about requiring an existing Outdoor Furnace to extend its smoke stack. City Clerk Rosin commented on an update from Gary Kocheleor about an added burner. This will help make his Outdoor Woodstove more efficient and create less smoke. Shirley Koechler commented that this added burner has been bought. It is currently not hooked up. Council members Pedersen and Neumann agreed that what Attorney Callies had as draft currently would be an effective ordinance. Council members Girk and Pepin

wanted to make sure this ordinance is effective in stopping smoke nuisance calls from the public. Councilman Neumann stated that any addition of the smoke stack would constitute a fire hazard as discussed with Gary Koechler last year.

On a motion by Pedersen, seconded by Neumann, to go forward with the current ordinance draft that Attorney Callies had drafted and have a public hearing at the September Council meeting.
Motion carried unanimously.

Charging for Fire Calls was discussed in relation to smoke nuisances with the city of Loretto. The City can charge for fire calls but residents may feel that this service is already covered under their property taxes. An ordinance would need to be passed by Council in order to charge for fire calls. Councilwoman Girk stated that if the new woodstove ordinance is approved, it should be upheld if a business or resident violates the woodstove ordinance. Council wanted to wait and see how this topic progresses. Councilmember Girk is concerned that Mr. Tim Pivec could take action against the city if he feels the City of Loretto is not addressing smoke nuisances. Attorney Callies advised that this is gray line in terms of private versus public nuisance.

Stormwater Ordinance Review

Council wanted to make sure the language was correct and take action on this ordinance.

On a motion by Pedersen, seconded by Neumann, to APPROVE STORMWATER ORDINANCE 2013-01 WITH MINOR GRAMMER CHANGES.
Motion carried unanimously.

RESOLUTION 2013-18 THROUGH 2013-21

Resolution 2013-18 Fun Fest Street Dance

This is a regular Fun fest Resolution approving the Street Dance between Axel's Tavern and Bistro 11.

On a motion by Neumann, seconded by Pedersen, to APPROVE RESOLUTION 2013-18, A RESOLUTION FOR DISPENSING AND CONSUMTION OF ALCHOLIC BEVERAGES AT A COMMUNITY FESTIVAL.
Motion carried unanimously.

Resolution 2013-19 Donations for Fun Fest

Council stated this is another standard resolution for donations to Fun Fest. The amounts have been updated with current donations to the City of Loretto.

On a motion by Koch, seconded by Pedersen, to APPROVE RESOLUTION 2013-19, A RESOLUTION APPROVING DONATIONS FROM RESIDENTS TO FUN FEST.
Motion carried unanimously.

RESOLUTION 2013-20 Donations for City Beautification

On a motion by Koch, seconded by Girk, to approve Resolution 2013-20, A RESOLUTION ACCEPTING A DONATION FROM Hank & Katie Pepin and ReMAX FOR CITY BEAUTIFICATION.
Motion carried.

Resolution 2013-21 Donation of Limestone

The City of Loretto is accepting Limestone from Peter & Melissa Markham at a value of \$50.00 dollars.
On a motion by Koch, seconded by Pepin, to APPROVE RESOLUTION 2013-21, A RESOLUTION APPROVING A DONATION OF LIMESTONE.
Motion carried unanimously.

Fun Fest Update

Council reviewed the Fun Fest meeting minutes that were submitted by Treasurer Mary Schneider. Mayor Koch commented that buttons are on sale and signs for Fun Fest are up throughout the city.

Loram Contract for Generators

Council member Pedersen asked if we had bought a generator for Fun Fest. Public Works Director Leuer said we had bought one generator, however three total are needed to run all the equipment.

On a motion by Koch, seconded by Neumann to APPROVE A CONTRACT AGREEMENT WITH LORAM FOR THE USE OF TWO GENERATORS.
Motion carried unanimously.

My Little Ponies Contract

On a motion by Koch, seconded by Girk, to APPROVE A CONTRACT AGREEMENT WITH MY LITTLE PONY RIDES FOR THE USE OF PONY RIDES AT LORETTO FUN FEST.
Motion carried unanimously.

Truth in Taxation Hearing Date

Mayor Koch asked City Clerk Rosin to explain when this hearing was to be held. City Clerk Rosin explained the city of Loretto can't hold this hearing until after November 24 and no earlier than 6 PM. City Clerk Rosin suggested the December 10th Council meeting. This is when Council has held the hearing in the past. Council consensus was to hold the hearing at the December 10th Council Meeting.

2014 Budget Depreciation Discussion

City Clerk explained to Council about how depreciation costs are in the enterprise funds of Water, Wastewater and Stormwater. The general fund is not affected by depreciation costs. Councilmember Neumann wanted to look at a potential increase in water rates to compensate for depreciation costs. Public Works Director Leuer recommended not adding depreciation costs in the Wastewater and Stormwater Enterprise Funds. Public Works Director Leuer stated that he would analyze a rate increase for the water fund. Mr. Leuer will do a rate study and report back to Council on what type of an increase could be possible. Council wanted to receive the code explanation for different codes in the Revenue and Expenditure funds. Council agreed with the general levy amount to be set at the September Meeting.

Renter Dog Liability Insurance

Councilman Pedersen Commented on a pit bull he had seen near the Apartments located along Loretto Street. Councilman Pedersen questioned whether if the dog was licensed and if the owner should be able to show proof of liability insurance. Attorney Callies was going to inquire about this question and report back to Council at the September meeting. Other Council members questioned if we could determine a dangerous dog by type of breed.

******* The Attorney was dismissed at 8:22 p.m. *******

INFORMATIONAL ITEMS

DNR Park Inspection Letter

The DNR or Department of Natural Resources sent a letter to the City of Loretto following an inspection of our City Parks. There are some minor signs to be bought and upgrades to the playground equipment, water fountain and restrooms at Loretto Athletic Park need to meet American with Disabilities Act Accessibility Guidelines. Council recommended buying the necessary signs and updating restrooms, water fountain and playground equipment ramp. Public Works Director Leuer will follow up on this informational item.

Hennepin County Elections Agreement

This is a new agreement with Hennepin County for leasing elections equipment. City Clerk Rosin stated the only costs with this equipment are maintenance. These machines are used two times a year every two years an election is held. Councilwoman Girk questioned how election equipment is obtained and costs associated with this equipment.

Orono LMCC Letter

The City of Orono has chosen to work directly with Mediacom and leave the LMCC. Mayor Hackbarth from Maple Plain called Mayor Koch to ask for a commissioner to be present at the quarterly LMCC meeting. Councilwoman Girk will be attending the LMCC quarterly meeting.

RAC Update

RAC committee met in July and brochures are being sent out to different developers. Councilwoman Girk commented on the changes made to the Loretto City Website. She was very happy with the new look as was the rest of Council. Councilman Pepin asked if the Phase One site testing had been completed yet. Councilwoman Girk said that Clark Lohr is still waiting on the fourth property owner to approve Phase One site analysis.

MONTHLY REPORTS

City Hall

City Hall Policies

1. City Clerk Rosin updated Council on a complaint at 150 Medina Street regarding the long grass. Code Enforcement Officer Loren Kohlen was notified and the grass has been mowed by the property owner.

The first City Hall policy discussed was regarding complaints how this process is carried out. City Clerk addressed this problem by placing the complaint form on the City Website. The compliant form needs to be more user friendly as indicated by Councilman Pedersen. Councilman Pepin wanted complaints received by the city clerk to be sent to Council for review. Privacy will still be maintained by keeping the name private when sent to Council.

2. Vacation Notification Policy

City Clerk Rosin wanted to clarify what the notification policy is between our City Clerk and Public Works Director. Council wanted there to be a notice given between staff. Via text message.

3. Council directives

City Clerk Rosin wanted to clarify how Council directs staff in the future. Council consensus was to direct staff with a majority opinion at Council meetings.

Council members Koch and Neumann wanted the other Council members to submit performance reviews. Paper form dropped off at City Hall would be best for Council to communicate. Reviews will be done as schedules permit.

Streets

No were items brought forward.

Water

No were items brought forward.

Wastewater

Wenck Letter to the MPCA

This was a letter sent by Wenck to the MPCA regarding the Wastewater Treatment Facility. Council had no questions regarding this letter.

Parks

Present at Parks meeting on 7/17/2013: Jeff Leuer, Herb Koch, John Neumann, and Hank Pepin

Summary: On 7/17/2013, the two Park representatives Neumann and Pepin, Public Works/Parks Director Jeff Leuer and LCAA Representative Herb Koch met to discuss the 2013 budget and other park issues. This document will outline the discussion topics and will be presented and included in the August Council meeting.

At the August Council meeting Neumann and Pepin informed the Council of discussion points from the parks meeting.

Retaining wall discussion: Herb Koch requested funding from the city for the retaining wall behind home plate at the Larks field. He stated that this was the number one priority item because it was a project that has been put off for years. Additionally, it is the right time to work on this project with the addition to the backstop that was awarded to the city as part of a grant from Hennepin County. Herb stated that the number two project should be the overlay at the softball complex. Hank and I agreed to fund the the retaining wall with 7,000.00 that has already been funded and approved in the budget. At the 7/17/2013, meeting were told that this project could be in excess of \$20,000 dollars. Herb said that the Larks would be willing to contribute \$3000.00 and that the Lions could be approached about contributing. For the council meeting, a prepared invoice was prepared by Doug Doboszenski and the total estimated cost of the project was 39,550.00. This was the only bid that was prepared.

Providence Academy: 1. There was discussion about the possibility of Providence Academy getting into a long term contract (10 years) with Loretto for the use of the baseball and softball complex. Hank and I would like to see a written contract, and would like to have it discussed with the City Council. The City wants representation for any negotiation regarding the contract. There was discussion about the contract fees covering all the costs the city incurs. If the city is losing money by renting fields, it's not a good financial decision. We need to look at overall costs and decide if it is financially responsible to have the city pick up the costs of maintenance, preparation, liability, whether or not it is fiscally sound. Also, the softball complex and the baseball complex should have a breakdown of who is using the facility and how much we charging.

2. Per Herb, If Providence does consider a long term contract, a facility may be required for a locker room and a storage room. LCAA had Greg Ebert take a look at the

baseball complex and assess the area for a locker/storage facility. At this time it was stated that the majority of the structure cost would have to be through a grant or a private donation and would have to have minimal cost to the city. The cost of the grant would be a matching fund not to exceed our annual parks capital budget for the cities portion. It was also discussed that the maintenance for the facility would also have to be funded and considered. At the City Council meeting it was discussed that this is just an exploration of ideas. Nothing has been put on paper at this point.

Revenue/Expenses:

The operation, maintenance, and capital is based on a joint effort, The city and the LCAA. The LCAA has been successful in acquiring donations from the Lions. Hank and I are requesting more data from the LCAA to make a better assessment of revenues and expenses. We are requesting a breakdown of expenses and income from the LCAA.. The data is needed to provide proper funding for future projects and capital expenses. Because of rising costs, **more transparency and accountability** must be reviewed to make proper decisions in regards to spending and considering expensive upgrades to the baseball and softball complex. It was discussed that there was a substantial amount of undocumented expenses. Questions need to be answered. Who would pay for the undocumented volunteer hours on maintenance and upgrades if there was no longer volunteers? How is this money being spent? Herb noted that all revenue from LCAA, player fees, banners, fundraisers, concessions are funneled back to the baseball complex. The breakdown of expenses and revenues could be from the LCAA and then the Larks. Residents of Loretto would like to keep all the LCAA funds in that program. The LCAA funds should remain separate from the Larks. It was suggested that the LCAA/Larks get an information booth at Fun Fest to spark interest in fundraising and raising money for the parks.

Also discussed was that Loretto should be consistent with other cities and townships regarding their overall park expenditure. Hank did some preliminary research and saw that numerous cities contribute about 10% of their annual budget to the parks. Our estimated contribution to the parks was 12% or more. We believe that our park expenditure should be adjusted to match other cities of similar population and size.

Personnel: Discussion a part-time baseball/ softball complex employee that would get paid 8.00 per hour for a set amount of hours. Jeff stated that Dave could possibly shift his hours toward the equipment time share program. Questions need to be asked about who would be hired? What about liability insurance? What if the set hours are exceeded? Is this an employee of the city or the LCAA? Before consideration of hiring someone, we need to see who will be utilizing the fields, how often, how much money will be generated. This is why transparency is so important. What were the statistics in 2013?, 2012?

Capital Expense: It was discussed that record keeping should separate capital expense from maintenance cost. It was also discussed that we set a maintenance "maximum" percentage for each park. This would include watering, electricity, mowing, dragging, and chalking.

Fund Raising: Neumann suggested that the Larks get an information booth at Fun Fest to spark interest in fundraising and raising interest in the Larks. **An Organized and well-advertised Capital Improvement** fund drive over the course of several months could be a successful venture for donations and contributions. Once a capital improvement fund is established interested parties can see a goal in place and will be more interested in donating towards a specific project.

Recommendations/questions/suggestions:

1. The LCAA must provide the city council with **more transparency** regarding their revenue and expenses.
2. The LCAA/Larks should document all volunteer hours for maintenance, upgrades, and projects.
3. After the Parks Wenck study is completed, The LCAA and the Larks should establish a Capital Fund drive.
4. The Parks grant should be discussed in the near future and matching funds should be discussed.
5. Should the LCAA explore other sports than baseball and softball? Soccer, Lacrosse, volleyball, flag football.
6. How can we better utilize existing parks? (Horseshoe Pits, Grills, covered picnic shelters)
7. How can the city recover electricity and water costs at the concession stands? (Coolers, ect.)
8. The City welcomes all comments, suggestions, and recommendations on how to use the parks more efficiently.

Storm water

Public Works Director Leuer informed Council about the Stormwater project being completed by August 14th.

FINANCIAL

December Bills

On a motion by Girk, seconded by Neumann, to approve check #'s 1482E-1513E and 20315-20356 in the amount of \$138,870.26.

Motion carried unanimously.

OTHER

The Loretto Larks are in the State Tournament this Saturday August 17th at 7:00 PM in Delano.

ADJOURN

On a motion by Pepin, seconded by Girk, to adjourn at 10:16 p.m.
Motion carried unanimously

ATTEST:

Mary K. Schneider, City Clerk

Kent Koch, Mayor