

City of Loretto
Minutes of Regular City Council Meeting
279 N. Medina Street, Council Chambers
October 8, 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, John Neumann, Henry Pepin and Tom Pedersen. Also present: Public Works Director Jeff Leuer, City Attorney Paula Callies, and City Clerk Treasurer Mary Schneider.

There were 2 people in the audience.

SET AGENDA

The agenda was approved as submitted.

APPROVE MINUTES

On a motion by Koch, seconded by Neumann, to approve the September 10, 2013 City Council Meeting Minutes as submitted.

Motion carried unanimously.

MEDINA POLICE REPORT

There was no officer present.

KATIE RODRIGUEZ, METROPOLITAN COUNCIL DISTRICT 1

Metropolitan Council Member Katie Rodriguez, newly representing District 1, was present to introduce herself to Council. One of her goals in beginning this new post is to improve communication between local communities and the Met Council. Rodriguez explained the roles of the Met Council, which include planning of transportation, aviation, wastewater collection and treatment, and regional parks. A major undertaking of the Met Council right now is the Thrive MSP forecast. The Met Council meets as a whole twice a month. Each member also serves on two standing committees. Rodriguez serves on the Transportation and Management Committees.

Council Member Pedersen questioned how goals are determined, how members are appointed and who oversees the Met Council. Rodriguez explained that while the members are appointed by the Governor, the seventeen members (sixteen representing the geographic districts and one chairperson who serves at large) are the governing body of the Met Council. She stated that goals are set by the Met Council through research and feedback from efforts such as the Thrive MSP initiative.

Council Member Pepin noted that from the outside looking in, the Met Council has a lot of power and little representation.

Council Member Neumann questioned the City's preliminary forecasted numbers on the Thrive MSP report for population and household growth and how those numbers were derived. Rodriguez stated she was unclear about the details of how the numbers were derived but noted the Met Council is putting these numbers out and will refine the forecasts with feedback from local government.

Council thanked Rodriguez for taking the time to come to the council meeting.

RESOLUTIONS 2013-27 – 2013-29

Resolution 2013-27, Approving Fun Fest Donations

On a motion by Neumann, seconded by Pepin, to approve Resolution 2013-27, A RESOLUTION ACCEPTING DONATIONS FROM AREA RESIDENTS AND BUSINESSES FOR FUN FEST FIREWORKS.

Motion carried unanimously.

Resolution 2013-28, Approving Choo Choo Restaurant & Bar as Gambling Site for Loretto Volunteer Fire Department

Mayor Koch stated the Loretto Volunteer Fire Department is applying for a gambling permit from the Gambling Control Board. As part of the permit application they also need to apply for a premises permit for each location at which they are seeking to conduct the charitable gambling. The Fire Relief Association had been conducting charitable gambling at this location and at Axel's Tavern. He noted the only change is that the Fire Department will be conducting the gambling instead of the Fire Relief Association. City Attorney Callies stated she saw no problems with this resolution or resolution 2013-29 and noted that the Fire Relief Association is not the correct entity to be conducting charitable gambling.

On a motion by Koch, seconded by Pepin, to approve Resolution 2013-28, A RESOLUTION APPROVING A NEW LAWFUL GAMBLING SITE FOR THE LORETTO VOLUNTEER FIRE DEPARTMENT FOR CHARITABLE GAMBLING ACTIVITIES.

Motion carried unanimously.

Resolution 2013-29, Approving Axel's Tavern as Gambling Site for Loretto Volunteer Fire Department

On a motion by Koch, seconded by Pepin, to approve Resolution 2013-29, A RESOLUTION APPROVING A NEW LAWFUL GAMBLING SITE FOR THE LORETTO VOLUNTEER FIRE DEPARTMENT FOR CHARITABLE GAMBLING ACTIVITIES.

Motion carried unanimously.

LMCC BUDGET AND JOINT POWERS AGREEMENT REVIEW

Mayor Koch noted the submission to Council from the Lake Minnetonka Communications Commission (LMCC) of a proposed budget and an amended Joint Powers Agreement (JPA) for member cities' approval. Council Member Girk stated that member cities are in the process of trying to change the JPA. As part of the process, member cities are submitting withdrawal letters to the LMCC, in an effort to force the changes that are desired. The withdrawal would become effective on December 31, 2013. The City can rescind the

withdrawal at any point before that date. Girk recommended the City submit a letter of withdrawal, which is due by October 15, 2013.

Council Member Neumann reported that some cities, not including Medina and Orono, who have already made direct franchise agreements with Mediacom, are interested in rejoining the LMCC if it were to be restructured. That restructuring would include reducing the amount of overhead in running the operations. Right now residents of Loretto who have Mediacom are paying about \$5 per month in Public, Educational or Governmental Programming (PEG) fees to receive 4 channels and the use of LMCC equipment, which is somewhat outdated. Neumann questioned whether the money is being spent wisely. If the City were to decide to piggy-back off of Medina, the City would be able to offer residents the same public channels as Medina offers, but at this point Medina doesn't have those details figured out.

Neumann expressed his support of sending the letter of withdrawal. Over the next months, if the restructuring looks good, the City can decide to go back to the LMCC. If not, entering into a direct franchise agreement through an extension permit would be an alternative.

Girk noted one of the drawbacks of direct franchising may be the work involved for city staff and noted the amount of hours this would take is not known at this time.

Girk also reported that Orono Mayor Lili McMillan drafted a resolution which she will submit to the LMCC at the October 15th meeting. The resolution states that member cities who are leaving the LMCC would be able to receive their portion of the cash reserves of the LMCC (split evenly among the seventeen member cities). It also states that member cities who choose to stay with the LMCC would be free to designate their share of the distribution for future operations of the LMCC.

Council discussed whether any vote should take place regarding the proposed budget and amended JPA that were submitted by the LMCC for review. Council tabled these items for discussion at a later time.

On a motion by Koch, seconded by Pedersen, to move forward with a notice of withdrawal to the LMCC similar to Greenwood's, directing City Clerk Treasurer Schneider to put together the letter and Mayor Koch to sign.
Motion carried unanimously.

APPROVAL FOR HENNEPIN YOUTH SPORTS PROGRAM EQUIPMENT GRANT

Mayor Koch presented an application for the Hennepin Youth Sports Program Equipment Grant. The application is due October 14, 2013. Two items are requested on the application: a field drag (\$4,909.00) and a portable batting cage (\$4,576.39). Koch stated that in the past the City has received \$10,000 for a Toro lawnmower and \$1,550 for pitching screens. Council Member Pepin questioned how the items are prioritized on the current application. Koch explained that the board reviewing the applications make all decisions on what portions of the application are granted.

On a motion by Neumann, seconded by Pepin, to approve the Hennepin Youth Sports Program Equipment grant application as submitted.
Motion passed unanimously.

PROVIDENCE ACADEMY AGREEMENT

Council Members Pepin and Neumann reported on a meeting with Providence Academy Athletic Director Kurt Jaeger, Parks Coordinator Herb Koch and Providence Academy Assistant Baseball Coach Doug Doboszinski in which an agreement between the City and Providence Academy for the use of the Arnold Klaers Baseball Field was discussed. The intent of the meeting was to determine preliminary goals for a long term agreement between Providence Academy and the City. Providence Academy has been renting Arnold Klaers Baseball Field for its high school baseball practices and games since the 2012 season. The following preliminary terms were discussed at the meeting:

- Providence Academy would pay a flat rate fee of \$3,500 for ten years.
- Providence Academy would make a one-time capital improvement contribution of \$50,000.
- The City would provide/agree to the installation of a changing area.
- Providence Academy would have the right to participate in the preparation of grant applications along with the City and the Loretto Community Athletic Association (LCAA).

Pepin stated he would like to see an escalator in the yearly fee instead of a flat rate. Regarding the changing area, it was suggested at the meeting with Providence Academy that the portable storage unit that was approved as a donation at an earlier city council meeting, but which was never installed, could possibly be modified to be used as a changing area. If that were done, there would be no capital improvement or maintenance costs for the City.

Neumann pointed out that in 2013 Providence Academy paid \$2,200 in baseball field rentals to the City. The yearly fee of \$3,500 would be an increase of \$1,300. He also pointed out that the \$50,000 capital improvement contribution could possibly be paid up-front to aid the funding of the retaining wall project. Providence Academy also stated at the meeting that they would continue to donate equipment, as they've done in the past. This would not be included in the agreement, but it was stated they would donate approximately \$1,500 in equipment each year.

Neumann noted Providence Academy would like to see the retaining wall replaced before the frost sets in this year. He proposed that the City could use available funds from the parks capital account, contributions from the LCAA, and contributions from Providence Academy to pay for this project. Neumann stated \$7,500 has been approved by Council to be used towards this project.

Council Member Pedersen inquired on the costs to the City of preparing and maintaining the facilities for Providence Academy's use of the field. Mayor Koch stated that much of the day

to day maintenance (mowing, dragging, chalking the fields) is accomplished through donated labor by LCAA members. Pepin and Neumann pointed out that if the donated labor would cease and the City would have to take over those duties, it would mean an increased cost to the City. Council consensus was that these costs need to be compiled before a final agreement were to be made with Providence Academy.

Pedersen inquired whether the retaining wall project went out for bids. City Attorney Callies noted that if the work is estimated to cost more than \$25,000 but less than \$50,000 the City is required to get two bids. Council directed Public Works Director Leuer to contact Wenck to see what they would charge to put together the specs for the project.

On a motion by Neumann, seconded by Girk, directing City Attorney Callies to draw up a preliminary contract between the City of Loretto and Providence Academy for the use of the Arnold Klaers Baseball Field.
Motion carried unanimously.

INFORMATIONAL ITEMS

PIONEER-SARAH CREEK WATERSHED MANAGEMENT COMMISSION LETTER

Mayor Koch referenced a letter from the Pioneer-Sarah Creek Watershed Management Commission in which the Commission states it is investigating possible ways to reduce administrative expenses. The Commission is seeking interested persons to help with: minute-taking and transcription, bookkeeping, and website maintenance. Council consensus was that city staff would not be available to help with these duties.

Council moved to Monthly Reports, City Hall on the agenda so that City Attorney Callies would be present for these items.

MONTHLY REPORTS

City Hall

Resolution 2013-30, A Resolution Appointing Mary Kaye Schneider as City Clerk Treasurer
City Attorney Callies reminded Council that at the last city council meeting Council approved an ordinance combining the offices of City Clerk and City Treasurer. Mary Schneider was appointed Interim City Clerk at the same meeting.

On a motion by Pedersen, seconded by Pepin, to approve Resolution 2013-30, A RESOLUTION APPOINTING MARY KAYE SCHNEIDER AS CITY CLERK TREASURER, with the rate of pay at \$19 per hour.

Motion carried unanimously.

City Email Accounts

City Attorney Callies discussed with Council and staff the importance of deleting emails that do not constitute a government record.

Summary of Council discussion:

What constitutes a government record and what emails would need to be saved; the amount of space available through our current web-based email accounts; using gmail accounts for council members; what other options are available; what email services do other cities use; possible policies for paper council meeting packets. Council directed City

Clerk Treasurer Schneider to look into possible email account options and bring to next council meeting.

******* The Attorney was dismissed at 8:30 p.m. *******

Council moved back to Informational Items on the agenda at this point.

CENTERPOINT ENERGY RATE INCREASE LETTER

Mayor Koch referenced a letter from CenterPoint Energy in which they notify the City of a request filed by them with the Minnesota Public Utilities Commission to increase their rates by 5 percent. They received an interim rate increase approval for 4.88 percent, which took effect on October 1, 2013 and continues until a final order has been issued. CenterPoint Energy states in the letter that they will be sending notices of public hearings with details of dates, times and locations once those are scheduled.

PRELIMINARY METROPOLITAN COUNCIL FORECASTS FOR THRIVE MSP

Mayor Koch presented the preliminary forecasts for the City from the Thrive MSP report. Loretto's forecasts:

<u>Population</u>			<u>Households</u>			<u>Employment</u>		
2000	2010	2040	2000	2010	2040	2000	2010	2040
570	650	790	225	269	350	661	366	340

Koch noted before the Met Council adopts these forecasts they are providing the opportunity for local comment. Council consensus was that the numbers presented are not unreasonable for the City.

FUN FEST UPDATE

City Clerk Treasurer Schneider reported that the final amount of City funds used for the Fun Fest was \$532.43 out of the \$3,000 budgeted. She reported the planning committee would like to book Shane Martin for the 2014 Fun Fest. Shane Martin is a country/rock performer from St. Michael who is becoming popular and has a good following in our area. Schneider also brought up the issue of what to do with the planters for the winter season. Public Works Director Leuer expressed concerns about keeping some of the planters along County Road 19 due to the chemicals used by the County. Leuer and Schneider presented options and recommended to Council filling five planters with spruce tips/lights with the help of residents Tom Van Beusekom and Susan Rae, who agreed to do the work of purchasing the spruce tips and volunteer their time to put them together. The total estimated cost quoted was \$250 for all five planters.

On a motion by Koch, seconded by Pedersen, approving the use of \$250 from the budgeted Fun Fest expense account to fill planters for winter decoration.

Motion passed unanimously.

Mayor Koch thanked Schneider for her work on the Fun Fest and asked that she pass on the thanks to the planning committee. Schneider stated that the planning committee is a very dedicated team, with each group represented (Fire Department, Lions, Knight of Columbus, 21st Century Bank, RE/Max, Hanover Food Shelf, CAS Tax Accounting, West Hennepin Auto,

Medina Police and Reserves, Loretto residents) really working hard together to make the event possible.

HOLIDAY TRAIN UPDATE

Mayor Koch noted the date for the Holiday Train has been set for Sunday, December 15th with the train pulling into Loretto at approximately 4:15 p.m. This will be the 15th anniversary of the Holiday Train. Canadian Pacific Railway stated in an email to Koch that they will be bringing back popular performers. Council discussed how the date being scheduled for a Sunday will make it much more convenient for people to come to the event, which is good for the City and its efforts to bring in donations for the local food shelves.

MONTHLY REPORTS

City Hall

Utility Clerk Recommendation

City Clerk Treasurer Schneider reported that three applicants were interviewed for the utility clerk position and recommended hiring Connie Scheibe for the position. Schneider inquired whether Council would be willing to revisit the starting pay. Mayor Koch noted that the Personnel Committee recommended \$10 per hour for 10 hours per week leaving room for future increases based on performance.

Summary of Council discussion:

In 2008 and 2011, similar positions were offered at \$11.50 per hour; difference of \$15 per week would add up to \$780 for the year.

On a motion by Koch, seconded by Neumann, to approve the hiring of Connie Scheibe for the utility clerk position with a starting wage of \$11.50 per hour for 10 hours per week. Motion carried unanimously.

Schneider requested approval from Council to work up to 40 hours per week during the training period of Utility Clerk Scheibe. Council directed Schneider to work up to 40 hours per week for the next month and report back to Council at the November meeting.

Streets

Public Works Director Leuer stated there are some people who are abusing the overnight parking in the city lots, particularly the gravel lot across from the Lions Park. Leuer recommended to Council that an ordinance restricting parking be enacted for the City, perhaps 24 hour parking. Council directed City Clerk Treasurer Schneider to include this issue on the November 12th agenda when City Attorney Callies would be present to advise.

Water

Sanitary Survey Report

Public Works Director Leuer reported on the Sanitary Survey Report, which refers to an annual inspection of the City's water system. There were a couple recommendations in the report. One recommendation was regarding the security around the water reservoir and well house. In response to this recommendation in the past, Leuer had a blue dog house built around the water reservoir. The report recommends replacing this with an AWWA

approved security enclosure. Leuer noted this is an item the City can budget for in the coming years.

Final Approval of Wellhead Protection Plan (Amendment)

Public Works Director Leuer reported the City received a letter from the Minnesota Department of Health (MDH) commending the City on its efforts to amend the Wellhead Protection Plan (WPP) and notifying the City that the MDH approves the plan with one correction. He stated Robyn Hoerr from Minnesota Rural Water Association has been contacted and she will be making the needed correction. The corrected WPP needs to be submitted to MDH within 30 days of the date of the letter.

Wastewater

No items brought forward.

Parks

No items brought forward.

Stormwater

Discontinuance of Hennepin Soil and Water Conservation District

Mayor Koch referenced a letter from the Pioneer-Sarah Creek Watershed Management Commission in which the Commission requests a letter of support from member cities to the Minnesota Board of Water and Soil Resources supporting the discontinuance of Hennepin Soil and Water Conservation District (HCD) and transfer of duties to the Hennepin County Board of Commissioners. Council Member Girk explained that there would really be no change in services for the City. While it's not necessary for the City to send a similar letter of support, it would be helpful in their efforts to move this along.

On a motion by Pedersen, seconded by Neumann, directing Council Member Girk to write a letter of support for the discontinuance of Hennepin Soil and Water Conservation District. Motion carried unanimously.

FINANCIAL

October Bills

On a motion by Koch, seconded by Girk, to approve check numbers 1535E-1557E and 20387-20419 in the amount of \$60,974.53.

Motion carried unanimously.

Monthly Balance Sheet

Council reviewed.

No action taken.

OTHER

Northwest Hennepin League of Municipalities

Mayor Koch reported on the monthly Northwest Hennepin League of Municipalities meeting which he attended. The guest speaker was Hennepin County Chief Public Defender Bill Ward. A packet of information was made available to Council regarding the services and

responsibilities of the office of public defender, which is to provide legal defense services to those who need them and can't afford them. Koch also reported that of the eight cities represented at the meeting, Loretto is only one of three who kept its preliminary budget at zero percent. Koch stated that with other cities increasing their budgets, this is a credit to Council and staff for holding that line.

Koch noted the guest speaker at the next meeting is Hennepin County Transportation Director Jim Grube. Koch offered to bring any transportation related issues to the meeting. Council Member Pedersen requested information on what is happening with the Luce Line Trail where it crosses Xenium Lane in Plymouth. Another issue that Koch will be inquiring about with Grube is if there would be anything the City can do to get on a project list to improve the intersection of County Roads 19 and 11. When there is a backup due to trains or heavy traffic in the mornings, the intersection becomes dangerous as drivers are trying get past the backup. Koch noted another transportation issue that Grube has advised the City about in the past is the Quiet Zone for the railroad crossing. The major cost of this project is the upgrade of the signals, which would be approximately \$160,000. If the City incurred these costs to move forward with the project there are no guarantees that the Quiet Zone standing wouldn't be revoked. If this were to happen, the City would have up to one year to come into compliance after being notified. Koch emphasized that the key to this project would be if Canadian Pacific Railway were to make the improvements to the signals of their own accord.

Vehicle on Chippewa Road

Council Member Neumann inquired about a vehicle that has been parked on Chippewa Road. Public Works Director Leuer informed Council that the vehicle is owned by a security company providing security for a resident.

Recognition for Police Force

Council Member Pepin requested a resolution at the November council meeting recognizing all the officers who responded so quickly and effectively to the kidnapping that happened in the City on September 11th.

ADJOURN

On a motion by Pedersen, seconded by Pepin, to adjourn at 9:20 p.m.
Motion carried unanimously.

ATTEST:

Mary K. Schneider, City Clerk Treasurer

Kent Koch, Mayor