

City of Loretto
Minutes of Regular City Council Meeting
279 N. Medina Street, Council Chambers
November 12, 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, City Clerk Treasurer Mary Schneider and Parks Coordinator Herb Koch.

There were 18 people in the audience.

SET AGENDA

The agenda was approved as submitted.

APPROVE MINUTES

On a motion by Neumann, seconded by Pepin, to approve the October 8, 2013 City Council Meeting Minutes as submitted.

Motion carried unanimously.

MEDINA POLICE REPORT

Sergeant Jason Nelson presented the October Police Report, stating there was little activity during the month of October, other than a call reported by the Loretto Fire Department regarding a potential smoke-odor problem.

RESOLUTIONS 2013-31 – 2013-32

Resolution 2013-31, Recognizing Outstanding Service of Local Law Enforcement Agencies
Mayor Koch introduced the resolution to recognize the outstanding service of local law enforcement agencies in their response to the kidnapping incident which occurred in Loretto on September 11, 2013. Sergeant Nelson of the Medina Police Department gave a brief recap of the incident and law enforcement's response. He noted through excellent command communications, multiple law enforcement agencies were able to work together to ensure the safety of the victim and capture the suspects after they fled.

On a motion by Pepin, seconded by Neumann, to approve Resolution 2013-31, A RESOLUTION RECOGNIZING THE OUTSTANDING EFFORTS OF THE MEDINA POLICE, CORCORAN POLICE, WEST HENNEPIN PUBLIC SAFETY, ORONO POLICE, PLYMOUTH POLICE, THREE RIVERS PARKS DISTRICT, NEW HOPE POLICE (K9), HENNEPIN COUNTY SHERIFF'S OFFICE, MINNETRISTA POLICE AND THE MINNESOTA STATE PATROL.

Motion carried unanimously.

Mayor Koch and Council Member Neumann presented certificates of appreciation to the following agencies and their representatives:

- Medina Police Department, represented by Sergeant Jason Nelson and Officer Tom Gregory
- Corcoran Police Department, represented by Chief of Police Sean Gormley, Officer Jesse Olson and Officer Josh Hunter
- West Hennepin Public Safety, represented by Sergeant Gary Kroells, Officer Rick Denneson and Officer Josh Brozek
- Plymouth Police Department, represented by Sergeant Brian Beniek
- Minnesota State Patrol, represented by Lieutenant Matt Nelson, Chief Warrant Officer 3 Gregg Burgess and Trooper Steve Willert
- Three Rivers Park District represented by Officer Chad Dickie, Commissioner Penny Steele and Sergeant Kevin C. Whitlock

Agencies honored but not represented:

- New Hope Police Department
- Orono Police Department
- Minnetrista Police Department
- Hennepin County Sheriff's Office

Mayor Koch called a brief recess to allow for photographs to be taken.

Resolution 2013-32, Approving Rate Increase for Randy's Environmental Services.

Mayor Koch noted the increase in rates is allowed based on the contract the City has with Randy's Environmental Services.

On a motion by Pedersen, seconded by Pepin, to approve Resolution 2013-32, A
RESOLUTION APPROVING RATE INCREASE FOR RANDY'S ENVIRONMENTAL SERVICES.

Motion carried unanimously.

PROVIDENCE ACADEMY AGREEMENT DISCUSSION

Mayor Koch passed the gavel to Council Member/Deputy Mayor Neumann and removed himself to the audience to avoid any conflict of interest due to his involvement with Providence Academy (PA) as an assistant baseball coach.

Neumann pointed out City Attorney Callies drafted a preliminary agreement for Council to work with. Callies stated the preliminary agreement includes general legal structure, but the substance of the agreement will need to be filled in. Callies also questioned who will be doing the negotiations with PA. Parks Coordinator Herb Koch stated he began the discussion with PA, Council Member Pepin was unable to attend. No further discussions have occurred or been scheduled.

Pepin requested input from Koch to explain how the maintenance of the field is handled. Koch stated that while he is employed by the City of Loretto as the Parks Coordinator and

schedules games to be held on the field as part of that position, the work he does to maintain the field is as a volunteer for the Loretto Community Athletic Association (LCAA). He stated that for each game he schedules on the baseball field, he prepares the field by mowing, dragging and lining the field, sweeping the dugouts, making sure there are cups for water in the dugouts, and checking the facility so that it's respectable for those attending games and playing on the field. He also does minor prep work for practices. Koch noted PA teams, as well as all other teams that use the field, do post game work to preserve the field, such as fix the mound, put tarps down and if the gator is available they'll drag the field. Public Works Director Leuer stated Koch provides numerous hours of work that would have to be picked up by the City if these volunteer hours were to cease. Neumann stated he believes one of the reasons PA is interested in an agreement to use the field is due to the meticulous manner in which Koch maintains the field. Pepin stated his concern that the agreement covers the value of Koch's volunteer time in prepping the field.

Neumann questioned how many home games were played by PA during a season and how many of those games were in the evening and required the use of the lights. Koch stated there would be approximately seven to eight home games, of which about two require lights.

Neumann brought up the temporary structure that had been approved as a donation to the City to be used for storage for the baseball field, questioning whether using this container would be feasible as a changing area for the PA team. Pepin stated the idea was suggested to use the same size structure, partitioned off for half storage and half changing area. Koch expressed concerns about the container not looking good on the grounds behind the dugout. Council consensus was to strike the preliminary structure wording from the agreement.

Neumann questioned the timeline of finalizing the agreement. Consensus was that the agreement should be finalized by March, which would ensure an agreement was in place before PA's 2014 baseball season begins in April.

Neumann brought up the term of the agreement, stating he would like to discuss shortening the term to five years, which would give the City more freedom in case Koch would no longer be providing the volunteer hours at the field. In the initial discussions with PA a ten year term was proposed. Koch suggested keeping the term at ten years and add a clause that would state a time frame in which the annual payment would be reviewed. He pointed out that the one-time monetary contribution PA suggested was based on a ten year agreement.

Callies questioned whether the agreement would include the LCAA. Council consensus was that the agreement would be between the City and PA only. Callies also questioned whether PA would have first priority for scheduling. Koch stated he would recommend PA have priority for scheduling during their high school season. Regarding the one-time monetary contribution, Koch suggested a March 1, 2014 deadline.

Council Member Pedersen emphasized there needs to be a proper accounting of all maintenance costs, including water, electric, labor, materials and capital expenses. The total amortized over the number of games and practices would give the break-even point. Labor would need to include a value of Koch's volunteer time. Neumann requested the 2013 field schedule to be used to work on the accounting.

Callies suggested the wording for the one-time monetary contribution include the word "maintenance" so as not to limit the City in how the money would be spent.

Council directed Callies to revise the preliminary agreement for further discussion at the December 10, 2013 council meeting.

Mayor Koch resumed his seat as mayor at the conclusion of this discussion.

RETAINING WALL ENGINEER PROPOSAL

Mayor Koch referred to the memo in the council packet from Public Works Director Leuer. Leuer was directed by Council to obtain a proposal from Wenck for designing the retaining wall at the Arnold Klaers Baseball Field. Council Member Pepin recommended tabling this project stating he had reviewed the condition of the retaining wall with Parks Coordinator Koch and came to the conclusion that it was not in immediate need of replacement. Pepin stated the railing was in need of repair and recommended finding a way to fund that project in the near future. Leuer questioned whether Council intended to budget funds in the Capital Improvement Plan (CIP) so the retaining wall would be funded in five years and recommended work on the overall CIP.

No action was taken.

PARKING RESTRICTION ORDINANCE DISCUSSION

Mayor Koch introduced discussion held over from the October 10, 2013 city council meeting regarding abuse of overnight parking in city lots. Public Works Director Leuer recommended an ordinance restricting parking to 24 hours. Council Member Pedersen stated he would like to see a restriction on commercial vehicles parking in city lots, stating that is where some of the abuse is occurring. Koch suggested "24 Hour Parking Unless Authorized by City Council (or Public Works Director)". Council directed staff to draft an ordinance restricting parking to 24 hours and no commercial parking unless authorized by Public Works Director.

FUN FEST BAND CONTRACT

On a motion by Neumann, seconded by Pedersen, to approve a contract with Shane Martin to perform at the 2014 Fun Fest Street Dance at a cost of \$2,500.

Motion carried unanimously.

CONTRACT RENEWAL – SIREN MAINTENANCE

On a motion by Koch, seconded by Girk, to approve the contract renewal with Embedded Systems, Inc. for siren maintenance in 2014.

Motion carried unanimously.

LMCC UPDATE

Council Member Girk updated Council on activity that had taken place since the last Loretto city council meeting, stating the Lake Minnetonka Communications Commission (LMCC) would not be dissolving as enough member cities are remaining. The LMCC is looking to Loretto to approve their Proposed 2014 Budget and Amended Joint Powers Agreement (JPA), and would like to know if Loretto will be rescinding our withdrawal from the LMCC. Girk pointed out that the amended JPA does allow member cities to withdraw from the LMCC by notifying them by October 1st of any given year, with the withdrawal effective as of December 31st of the following year.

Council directed City Clerk Treasurer Schneider to draft a letter to the LMCC to rescind Loretto's withdrawal and to place an item on the August 2014 city council agenda for Council to revisit the City's membership in the LMCC at that time.

On a motion by Pedersen, seconded by Koch to approve the LMCC's Proposed 2014 Budget and Amended Joint Powers Agreement as submitted.

Motion carried unanimously.

Girk noted there was a proposed resolution at the last LMCC meeting to distribute accumulated cash reserves of the LMCC. If this resolution were to pass, cities who are leaving the LMCC would be allowed to take their portion of these funds with them. Cities remaining with the LMCC would have the right to designate their portion for future LMCC operations. The LMCC made a motion to have their attorney look over the original JPA to determine the legalities involved. Girk pointed out the City of Loretto was not one of the original member cities; the LMCC allowed the City to join at a later date.

Koch referred to a letter from the LMCC requesting a list of possible "live" feed locations. The LMCC would use this information in their franchise negotiations with Mediacom. Council directed Schneider to respond with the following locations: City Hall Council Chambers, Arnold Klaers Baseball Field, the Softball Complex, and the Lions Park.

******* The Attorney was dismissed at 9:05 p.m. *******

INFORMATIONAL ITEMS

HOLIDAY TRAIN UPDATE

City Clerk Treasurer Schneider reported the Holiday Train Planning Committee met on October 24, 2013 to kick-off the planning of the 2013 Holiday Train event. She noted that since the beginning of the Holiday Train events in Loretto, the Hanover Food Shelf has been

a partner in the planning and promotion of the event and has been the main recipient of the donations. For the past two years, the planning committee has voted to give 5% of the total cash donations to each of three local food shelves: Rockford, Delano and Maple Plain. The hope of the planning committee has been that participation from those food shelves would increase. This year the three food shelves have expressed interest in helping with promotion. The planning committee will be discussing if or how the allocation of the cash donations should be handled with this increased participation in mind. The next planning meeting is scheduled for November 14, 2013.

HOLIDAY TREE PLACEMENT

City Clerk Treasurer Schneider stated the placement of the Holiday Tree has been set. Public Works Director Leuer spoke with Mr. Wade Klick, the owner of the property on the corner of West Railway Street and County Road 19, and received permission to use this property for this purpose. Leuer drafted a letter to Mr. Klick which was reviewed by Council.

AWARDING SNOWMOBILE CERTIFICATES

Mayor Koch referred to a letter from the Loretto Sno-Birds in which two gift certificates were awarded to the City. In past years, these certificates have been awarded by the city council to key volunteers for the City. By Council consensus, the gift certificates were awarded to Steve Lundell and Michelle Koch (165 Meadow Drive). Koch noted Steve Lundell has been a key volunteer for the Fun Fest and Holiday Train for many years and recently retired from the Medina Police Reserves after volunteering for 14 years. Michelle Koch is a key volunteer for the Holiday Train and has served on the planning committee for that event for many years. Her dedication has been very instrumental to the success of the Holiday Train event.

HENNEPIN COUNTY PROGRAMMATIC AGREEMENT REVIEW

Mayor Koch referred to a letter from the Hennepin County Department of Housing, Community Works and Transit giving notice of a proposed agreement between Hennepin County and the Minnesota State Historic Preservation Office (SHPO). This notice is given so that interested parties could make comments on the proposed agreement.

MONTHLY REPORTS

City Hall

Email Accounts

City Clerk Treasurer Schneider reported on research of options for City email accounts, stating Microsoft Hosted Exchange looked to be the best fit for the City's needs. The yearly cost would be less than what the City is currently paying for less capacity and flexibility. There would be a cost to have Guidance Point Technologies (the City's information technology specialists) get the new system in place. That estimated cost is about \$560.

On a motion by Pedersen, seconded by Girk, to have Guidance Point Technologies set up email accounts for city staff, council and mayor with Microsoft Hosted Exchange.

Motion carried unanimously.

Minutes

City Clerk Treasurer Schneider requested direction from Council on sending draft minutes to local newspapers. Mayor Koch noted there had been issues in the past where an item had been discussed but not finalized and the newspaper printed the information, giving false alarm to residents. Council consensus was to send a draft of the minutes to local newspapers.

Office

City Clerk Treasurer Schneider requested approval for purchasing ten new chairs for Council Chambers, noting there is often a need for more chairs at meetings and there are budgeted funds available.

On a motion by Neumann, seconded by Pedersen, to purchase ten new chairs for Council Chambers matching the current chairs.

Motion carried unanimously.

Schneider also requested approval for closing City Hall on November 29th, the day after Thanksgiving. Council consensus was to approve Schneider's request.

Streets

Council Member Girk inquired about the status of the City's snow plowing contract. Public Works Director Leuer stated he is still investigating options as directed by Council. The City's contract with Gary Koecheler expires on April 15, 2014.

Water

Public Works Director Leuer presented a water rate study which shows how water rates could be adjusted to cover depreciation of assets. Including depreciation in our budget was recommended by our auditors. Summary of Council discussion: possibility of raising minimum rates and lowering the per-1000 gallons rate; is our minimum gallons of 4000 similar to other cities; equipment costs. Council Member Girk proposed adding a line item on the monthly utility bill, which would spread out the depreciation evenly amongst all accounts. The full depreciation amount is \$22,400 per year. This would come to approximately \$7.49 per account per month.

Council directed staff to determine the fee amount based on the total number of accounts and include it as an additional line item in the fee schedule. Approval of the fee schedule will be on the agenda for the December city council meeting. There is a public hearing for setting the fee schedule each year.

Wastewater

Public Works Director Leuer stated he hired Wenck to complete an application to the Minnesota Public Facilities Authority to stay on their project priority list. By staying on this

list the City may be eligible for a grant when it comes time to hook up to the MCES sewer line.

Parks

No items brought forward.

Stormwater

No items brought forward.

FINANCIAL

November Bills

On a motion by Koch, seconded by Pepin, to approve check numbers 1558E-1580E and 20420-20452 in the amount of \$76,755.10 as submitted.

Motion carried unanimously.

Monthly Balance Sheet

Council reviewed.

No action taken.

Other

Council Member Pepin inquired on the process of cleaning up the City's compost site and brush pile and who pays for this. Public Works Director Leuer stated the public works staff uses Medina's loader and truck to haul the leaf and grass pile down to the sewer pond area to be composted. The City was using the same company as Medina, Maple Plain and Orono to chip the brush pile. Two years ago the City paid \$900 to have the pile chipped. Last year it was free because we had a larger amount. The new company used by the cities we've partnered with requires fifteen semi-loads to do the chipping at no cost. Leuer stated our brush pile isn't big enough. Pepin expressed his concern that there is commercial dumping of brush at the City's site. Mayor Koch stated in the past it has been beneficial to the City for more brush to be dumped as it increased our likelihood of having enough brush to get it chipped at no cost. Leuer noted the site is difficult to control.

Mayor Koch reported on the Northwest Hennepin League of Municipalities (NWHLM) meeting he attended. Koch noted he had mistakenly reported at the October council meeting that Hennepin County Transportation Director Jim Grube would be the next speaker. Grube will be the speaker at the upcoming NWHLM meeting. The last speaker was Metro Cities Executive Director Patty Naumann. Koch stated the tax-exempt status of cities, which goes into effect on January 1, 2014, was discussed. Naumann brought up the issue of Joint Powers Agreements not being included in this legislation and stated this will be brought back to the legislature in the coming year.

Council Member Neumann reminded council members to prepare their list of meetings attended for the year and send them to City Clerk Treasurer Schneider.

Council Member Neumann inquired on the status of the parks study being prepared by Wenck. Mayor Koch stated he will follow up with Kent Torve.

ADJOURN

On a motion by Neumann, seconded by Pedersen, to adjourn at 10:20 p.m.

Motion carried unanimously.

ATTEST:

City Clerk

Kent Koch, Mayor