

**Lanesboro City Council**  
**Regular Meeting**  
**Monday, May 2, 2022**

**Meeting held in the Lanesboro Community Center Meeting Room and via Zoom**

**Present:** Jason Resseman, Mitchell Walbridge, Mindy Albrecht-Benson, and Chase Bakke

**Absent:** Joe Goetzke

**Visitors:** Attorney Joseph O’Koren, Jeff Sanders, Kim Berekvam, Wanda Hanson, Scott & Angie Taylor, Jon & Sarah Pieper, Lori Rakosnik, Ceil Allen, Lu Hamman, Lori Bakke, Michael Seiler, Jerry Ritter, Liz Bucheit, Andrew Forliti, Hal Cropp, Patricia Capua, Pat Shanahan, Jon Buggs, Ryan & Alissa Palmer, Don Bell, Drew Darling, Mike Bubany, Sandy Webb, Fred Kiel, Mimi Abell, Stacey Schultz, Eric Bothun.

**Zoom Participants:** Deane Benson, Bonita Underbakke, Ame Putman, Tyler Shipton, Brian Malm, Lester Dunn, Joe Deden, Joe Goetzke, Roger Bothun, Jeff Lepper, Jon Willford, Bill Grindland, Andrzej Zalasinski, Michael Willford, Phil Dybing, John Dahle, Caleb Lauritsen-Norby, Jonathan Lavine, Judy Kingsbury, Barb Campbell, Eric Gehrke, ShanaLee Knight, Michon Rogers, Kelsey O’Koren, Cara Bothun, Adriene Sweeney, Susan Riggott, and 5 other participants without first and last names available.

**Public Hearing - Ordinance 113.11 Food Trucks:** Mayor Resseman called the Public Hearing to order at 6:00 p.m. The following comments were heard:

- Jon Pieper: Concern for fairness, current fee schedule does not capture revenue compared to property taxes. Suggestion was made to take average property tax and divide by the number of average operational business days to determine a fair fee. Most businesses are not open 365 days a year.
- Hal Cropp: Concern for the elimination of the 50’ distance and total # of allowable units provisions in ordinance.
- Scott Taylor: Providing an industry perspective, local economies can generally support two restaurants, in Lanesboro the tourism helps to support several more. How much capacity is there in the local economy to support a higher capacity?
- Allie Palmer: Feels it is important to have healthy eating options, feels that the addition of food trucks could have a negative impact on existing businesses. We should be supporting our local businesses.
- Sarah Pieper: Shared a list of existing restaurant businesses. Also shared concern for fee schedule when Buffalo Bill Days charges \$300. Feels that Food trucks would have a negative impact on the Historic District. Also shared concerns for the removal of the provisions for distance from another restaurant and total number allowable.
- Pat Shannahan: Noted the history of the idea of protecting the historic district downtown, and feels that we should continue to do so. Shannahan suggested that a committee of restaurant owners should have been put together to review the possibilities of food trucks in Lanesboro.
- Caleb Lauritsen-Norby: The insurance requirement in the draft ordinance seems low, a requirement of a \$1,000,000 floor seems like a reasonable amount.

- Patricia (Trish) Capua: Consideration should be given for the utility costs for brick and mortar businesses. Suggested a small trial period during the off peak restaurant hours to see the impact of food trucks.
- Lou Hamman: Disappointed in the amended ordinance with the removal of the provisions suggested previously. Also shared a concern for the Historic District preservation. Existing businesses should work together to help cover shortages. Hamman also shared concern for established restaurants with outdoor seating, and that patrons of the food trucks may try to utilize those public spaces.
- Kim Berekvam: The discussion about food trucks began in the height of the pandemic, when businesses were dealing with the impacts of the guidelines due to the pandemic. Businesses are just now starting to recover. Her building has sold, and the new owners are looking to be open 7 days a week. Also concerned about the impact to the Historic District, and feels we should support the local businesses.
- Tyler Shipton: It has been a tough beginning to his business, numbers will need to improve to be able to sustain. Shipton shared concern that the proposed ordinance wouldn't help support the existing local businesses.

With no further comments being heard, Member Bakke motioned to close the Public Hearing at 6:40 p.m. Member Albrecht-Benson seconded the motion. Motion carried with all in favor.

### **Regular Meeting:**

Mayor Resseman called the Regular Meeting to order at 6:40 p.m.

- A. Agenda:** Member Albrecht-Benson motioned to approve the agenda with the following additions to Miscellaneous: Resolution 2022-23, Seasonal Employees, and Office Closures. Member Bakke seconded the motion. Motion carried with all in favor.
- B. Public Comments:** No comments were shared.
- C. Approval of Minutes:**
  - ❖ Minutes of the Regular Meeting, April 4, 2022: Member Bakke motioned to approve the minutes with clerical amendments. Member Walbridge seconded the motion. Motion carried with all in favor.
  - ❖ Minutes of the Local Board of Appeal and Equalization Meeting, April 13, 2022: Member Bakke motioned to approve the minutes with clerical amendments. Member Albrecht-Benson seconded the motion. Motion carried with all in favor.
- D. Consent Agenda:**
  1. Accounts Payable
  2. Ambulance Lease Agreement
  3. NWTF Gambling Permit
  4. NWTF Temporary Liquor License Application
  5. Lanesboro Arts Temporary Liquor License Applications (6/14, 6/18, 7/16, 8/13)
  6. LRS Service Contract
  7. Resolution 2022-21 Policy for Public Comments

Member Walbridge motioned to approve Consent Agenda items 1-6 as presented. Member Bakke seconded the motion. Motion carried with all in favor. Member Walbridge motioned to amend Resolution 2022-21 to include all Public boards and commissions. Mayor Resseman seconded the motion. Motion carried with all in favor.

**E. Project Reports:**

**a. Wastewater Treatment Facility**

- i. Pay Request #17:** Brian Malm shared that the project is approximately 62 % complete at this time. There is a retainage amount being withheld from the contract until substantial completion is achieved. Member Albrecht-Benson motioned to approve the pay request in the amount of \$525,779.28. Member Walbridge seconded the motion. Motion carried with all in favor.

**b. Emergency Services Building**

- i. Resolution 2022-22 Authorizing the Transfer of Funds:** Member Albrecht-Benson motioned to approve the transfer of \$39,500 from fund 230 to fund 220. Member Bakke seconded the motion. Motion carried with all in favor.
- ii. Flooring:** Mayor Resseman motioned to approve the expenditure for an Epoxy flooring in the building at a cost of \$26,850. Member Walbridge seconded the motion. Motion carried with all in favor.
- iii. Documentation for the purchase and sale of property:** Mike Bubany with David Drown Associates, provided the cash flow statement for the project noting the total financed would be \$818,000 to include all origination, attorney, and interest fees. He explained the mechanism for funding would be a lease to purchase agreement with Merchants Bank. The lease would be for 20 years, with semi-annual payments averaging a total of \$60,000. This amount is already included in the annual budget, so there will be no additional impact to the tax levy. Additionally Bubany noted that there are two bonds within the next three years that will be paid in full, his recommendation was to maintain the levy amounts.
  - 1. Resolution 2022-23:** Member Walbridge motioned to approve the resolution as presented. Member Bakke seconded the motion. Motion carried with all in favor.
  - 2. Officers' Certificate:** Member Walbridge motioned to approve. Member Albrecht-Benson seconded the motion. It was noted that there would be no adverse effect with current City business. Motion carried with all in favor.
  - 3. Non Arbitrage Certificate:** Member Walbridge motioned to approve. Member Albrecht-Benson seconded the motion. Motion carried with all in favor.
  - 4. Certificate of the Purchaser:** Member Walbridge motioned to approve. Member Albrecht-Benson seconded the motion. Motion carried with all in favor.
  - 5. Certificate of Municipal Advisor:** Member Walbridge motioned to approve. Member Albrecht-Benson seconded the motion. Motion carried with all in favor.
  - 6. Ground Lease Agreement:** Mayor Resseman motioned to approve the agreement as recommended by Attorney O'Koren. Member Bakke seconded the motion. Motion carried with all in favor.
  - 7. Lease-Purchase Agreement:** Member Bakke motioned to approve the agreement as recommended by Attorney O'Koren. Member Albrecht-Benson seconded the motion. Motion carried with all in favor.

- 8. Amendment to Purchase Agreement:** Mayor Resseman motioned to extend the closing date to May 31, 2022 with an option to close sooner. Member Bakke seconded the motion. Motion carried with all in favor.

- F. 2021 Audit Review:** Andrew Forliti with Smith Schafer presented a review of the 2021 City and Public Utility Audit. A handout was provided to the Council.

Mayor Resseman motioned to recess the public meeting for five minutes at 7:17 p.m. Member Walbridge seconded the motion. Motion carried with all in favor.

Mayor Resseman reopened the meeting at 7:22 p.m.

**G. Department Reports:**

- a. EDA:** Administrator Peterson noted that the EDA had recently approved a loan to the new owner's of Clara's restaurant.

**H. New Business:**

- a. Bothun Land Discussion:** Mayor Resseman shared a summary of the discussion noting the land is adjacent to the Bass Pond Parking area, and was previously used as a skate park. After the death of Mrs. Bothun, the estate was probated, and at that time it was discovered that the two parcels had never been transferred to her name. The two parcels remain in the sole name of her husband Noris Bothun. Attorney O'Koren recommended that a Decree of Descent along with other probate documents be prepared with the ultimate goal of transferring title via deeds to the City. A cost estimate of \$2,500 was given for this, although it was noted that the actual cost may differ depending on the tasks needed to be completed. Mayor Resseman motioned to submit a request for proposals for legal services. Member Albrecht-Benson seconded the motion. Motion carried with all in favor.
- b. MN Energy Easement Documentation:** Mayor Resseman motioned to approve the documentation for the easement with the note that MN Energy would pay the filing fee. Member Bakke seconded the motion. Motion carried with all in favor.
- c. Public Utilities Easement - Zenith Street:** Attorney O'Koren noted the easement was necessary to connect water and sewer services to the proposed new development south of town. Mayor Resseman motioned to approve the easement agreement. Member Albrecht-Benson seconded the motion. Motion carried with all in favor.

**I. Continued Business:**

- a. Street Closure Policy:** Mayor Resseman motioned to table the discussion indefinitely. Member Albrecht-Benson seconded the motion. Mayor Resseman noted that each request would be taken into consideration on a case by case basis. Motion carried with all in favor.
- b. Ordinance 113.11 Mobile Food Unit:** Member Albrecht-Benson motioned to table the discussion until the June meeting. Member Walbridge seconded the motion. Attorney O'Koren will verify the need to hold another hearing should recommendations be made to amend the ordinance. Motion carried with all in favor.
- c. Ordinance 30.111 City Fee Schedule:** Member Walbridge motioned to table the Fee Schedule as well until the June meeting. Member Albrecht-Benson seconded the motion. Motion carried with all in favor.

**d. American Recovery Act Funding:** Mayor Resseman motioned to use some of the ARPA funding to replace the boiler in the Community Center. Member Walbridge seconded the motion. Motion carried with all in favor. It was noted that the lowest bidder was Drazkowski Heating and Cooling at \$42, 500. Due to lead times, Drazkowski recommended a higher efficiency unit at a cost of \$49,800. Member Bakke motioned to approve the recommendation at \$49,800. Member Albrecht-Benson seconded the motion. Motion carried with all in favor.

**J. Miscellaneous:**

- a. Resolution 2022-23 Appointing Election Judges:** Mayor Resseman motioned to approve the resolution 2022-23 adding Mindy Albrecht-Benson to the list of appointed election judges. Member Bakke seconded the motion. Motion carried with all in favor.
- b. Office Closures:** Administrator Peterson noted that the City Office would be closing May 10th at 11:00 a.m., with the potential for additional closings throughout May and June. Should the office need to be closed the Council will be notified, as well as posted notice on the door, and posted notice on the City Website and Calendar. Mayor Resseman motioned to approve the request. Member Bakke seconded the motion. Motion carried with all in favor.
- c. Seasonal Employment:** Member Bakke motioned to approve the appointment of Logan Jenson and Jacob Peterson for the 2022 Season. Member Albrecht-Benson seconded the motion. Motion carried with all in favor.

**Next Meeting: Monday, June 6, 2022 6:00 p.m.**

**ADJOURN:** Member Albrecht-Benson moved to adjourn at 7:41 p.m. Motion seconded by Member Bakke. Motion carried with all in favor.

Respectfully Submitted,

Michele Peterson  
City Administrator/Clerk