

**Lanesboro City Council
Regular Meeting Minutes
Monday, May 6, 2024 – 6:00 p.m.
Lanesboro Community Center Meeting Room & Zoom**

Present:

Members: X Jason Resseman X Chase Bakke X Joe Goetzke
 X Mindy Albrecht-Benson X Kathryn Wade
Staff: X Mitchell Walbridge X Darla Taylor David Haugen
 Mark Lawstuen X Jerod Wagner X Tara Johnson
 X Joseph O’Koren

Guests: Michael Boho, Greg Petrie, Alison Leathers, Andrew Bunge, Eliza Mitchell, Liza Bucheit, Michael Seiler, Phil Holtegaard, Linda Hennessey, Hannah Wingert, David Hennessey, Tamara DeGarmo, Kay Wold, Steve Harris, Brian Malm, Mary Bell, Kara Maloney, Frank Douma, Don Bell, Anna Loney, Jon Buggs, John Nicol, Delia Bell, Cindy Morgan (MnDOT), Kayla Dean (MnDOT), Jeanne Aamodt (MnDOT), Ceil Allen, Heidi Dybing, Peter Torkelson, Phil Dybing, Mike Bubany, Jason Harvey, Jane Peck, Betsy Holbrook, Kay Taylor, Linda Tacke, Stacey Schultz; *Via Zoom*: Alissa Sindelar, Bonita Underbakke, Cheryl, Chris Goetzke, Colleen F., iPhone, Jerod, Lacc-Jonathan, Lester Dunn, Deane Benson, Sheila Walbridge, Shirley Mulder, Stela Burdt, Tami Solum, TiAnna DeGarmo, Tracey Lambrecht, Gabrielle Kreidemacher

Regular Meeting

Member Resseman called to order the Regular Meeting at 6:00 p.m.

A. Agenda: City Administrator Mitchell Walbridge requested the following changes to the agenda:

- Add Wastewater Treatment Facility Pay Request #33 to the Public Utilities department report.
- Remove Hire of John Babin, Seasonal Park Maintenance Employee from the Consent Agenda.

Member Wade entered a motion to approve the agenda with the requested changes; Member Albrecht-Benson seconded the motion. Motion carried with all in favor.

B. Public Comment:

- Anna Loney shared information on Lanesboro Public Library programs.
- Kay Wold referenced the mural at the entrance to the Lanesboro Public Library and how it expresses a sense of community.
- Andrew Bunge spoke in support of the building permit for Driftless Trading Post, LLC.
- Jane Peck spoke in support of the Lanesboro Public Library and referenced various Minnesota state statutes regarding library governance.
- Phil Dybing shared comments encouraging the issues of the library to be resolved quickly. Dybing also stated the library is a wonderful resource.
- Alison Leathers read a letter of support for Driftless Trading Post, LLC’s building permit application. Leathers stated additional dining options are needed in town and that the Minnesota Food Code addresses concerns in a recent petition that was circulated.
- Michael Seiler explained the petition was to have regulations for a new type of business – a permanent seasonal food stand. Seiler stated the Planning and Zoning Commission should formulate some sort of regulations.
- Jason Harvey, owner of the High Court Pub, stated he was not against the Driftless Trading Post, LLC business proposal. However, it is two doors down and there are no proposed restroom facilities for Driftless Trading Post, LLC.
- Jeff Lepper stated he was an active writer of the food truck ordinance as a member of the Planning and Zoning Commission. Lepper referenced the 50’ setback require in the mobile food unit ordinance and questioned whether the definition of mobile food unit applied to the building permit request. Lepper also stated a permanent seasonal food stand can only operate 21 days in a calendar

year unless a variance from the state is obtained. Lepper stated that putting ordinances in place at the city level is needed.

- Liz Bucheit, Crown Trout Jewelers, stated she lives next to the lot where Driftless Trading Post, LLC intends to operate. Bucheit stated that rules and regulations are needed for new concepts.
- Don Bell shared that Gordy Tindall had a diner car on the lot where Driftless Trading Post, LLC would like to operate. Bell stated that Tindall went through the appropriate process and had a restroom. Bell also stated that there are utilities available on the lot.

C. Approval of Minutes:

1. Member Albrecht-Benson entered a motion to approve the minutes of the April 1, 2024 Regular Meeting; Member Wade seconded the motion. Motion carried with all in favor.
2. Member Goetzke entered a motion to approve the minutes of the Local Board of Appeal and Equalization meeting of April 16, 2024; Member Bakke seconded the motion. Motion carried with all in favor.

D. Consent Agenda:

1. Accounts Payable
2. Lanesboro "Light Up the Park" Fiscal Agent
3. Hire of Bryn Pfeffer, Library Substitute
4. Lanesboro EDA Board Resignation, Jason Resseman

Member Goetzke entered a motion to approve the Consent Agenda; Member Bakke seconded the motion. Motion carried with all in favor.

Highway 250 Project Capital Improvement Plan:

Mike Bubany, from David Drown & Associates, discussed the financial implications of the Highway 250 Project on city finances. He outlined potential funding sources including a USDA Facilities Loan, General Obligation Bonds, state-appropriated bonding monies, and PFA loans. Bubany highlighted the current elevated debt-per-capita and presented various debt payment scenarios, illustrating how they would impact Lanesboro Public Utilities' cash balances for water, sewer, and electric services. He noted that while the city's tax rate aligns with others in Fillmore County, additional debt would significantly affect the city's finances. Bubany stressed the importance of securing grant funding and low-interest financing, suggesting outreach to state and federal legislators for support.

City of Lanesboro and Lanesboro Public Utilities 2023 Audit Summaries: Kali Lentz, Smith Schafer & Associates, presented the audit findings for 2023. Both the City of Lanesboro and Lanesboro Public Utilities received an unmodified clean opinion for 2023.

Department Reports

- A. Planning & Zoning Commission: Member Resseman listed various permits issued by the Planning and Zoning Commission, stated the commission is working on a draft of a discharge of firearms ordinance as well as land use regulation ordinance revisions.
- B. Public Utilities: Utilities Supervisor Jerod Wagner shared that there are only six electric meters yet to be deployed as part of the meter replacement project. Public utilities staff continues to work on resolving issues with the wastewater treatment facility.
Brian Malm, Bolton & Menk Engineer, stated that Pay Request #33 is authorizing payment on the items the change order that was approved in April 2024. Also, an email was sent to Wapasha Construction regarding the required target dates for punch list item completion. Member Goetzke entered a motion to approve Pay Request #33; Member Bakke seconded the motion. Motion carried with all in favor.
- C. Heritage Preservation Commission: Member Albrecht-Benson shared the commission changed its meeting frequency to monthly and the commission now meets on the second Monday of each month at 5:00 p.m. Member Albrecht-Benson explained this works better with conveying recommendations to the Planning and Zoning Commission. The commission is also still discussing chapters of the Heritage Preservation Training Manual.

Continued Business

- A. Downtown Commercial Land Use – Interim Ordinance: Member Resseman entered a motion to table the business item; Member Goetzke seconded the motion. Motion carried with all in favor.
- B. Highway 250 Project Letter of Intent: Administrator Walbridge reported reaching out to communities coordinating road improvement projects with the Minnesota Department of Transportation (MnDOT). These communities preferred taking on the design lead role for their projects. Members raised concerns about the language of the drafted letter, particularly regarding the \$6 million state funding cap and timeline requirements. Brian Malm noted that the MnDOT project manager agreed to revise the letter to eliminate confusion. Members requested a revised Letter of Intent for review at the June 3, 2024 city council meeting, where a final contract may also be available. Member Resseman moved to table the consideration of the letter and requested a revised version for the June 3, 2024 meeting; Member Bakke seconded the motion. Motion carried with all in favor.

New Business

- A. Highway 250 Project Arts & Mitigation Team: MnDOT representatives as well as staff from the University of Minnesota were present to share information about a research project that will be part of the Highway 250 road improvement project. The research project will analyze whether arts and culture activities can help overcome and mitigate the negative impacts on communities. Research methods and potential benefits were explained in the presentation.
- B. Lanesboro Economic Development Authority Board Appointment: Following Member Resseman's resignation from the Lanesboro Economic Development Authority Board, Member Albrecht-Benson entered a motion to appoint Member Kathryn Wade to the Lanesboro EDA; Member Bakke seconded the motion. Motion carried with all in favor.
- C. Sylvan Park Cabin – Kate O'Neary, a member of the Heritage Preservation Commission, presented the history of the cabin located in Sylvan Park and expressed the commission's desire to have it locally recognized as a historic place. O'Neary outlined future plans, including installing informational signage, replacing the roof, and improving the windows. She also suggested the possibility of leasing the space to generate rental revenue for the city. Member Resseman proposed that the Heritage Preservation Commission draft a decree acknowledging the cabin's historical significance.
- D. Parking Closure Application – Fall Into Lanesboro – October 5, 2024: Member Goetzke entered a motion to accept the parking closure application for two parking spaces in front of the vacant Parkway Place lots from 6:30 a.m. to 3:00 p.m. on Saturday, October 5, 2024; Member Albecht-Benson seconded the motion. Motion carried with all in favor.
- E. 2024 John Deere X758 Lawn Mower Purchase: Members reviewed the quote and the vehicle replacement schedule budget document. Member Goetzke entered a motion to approve purchase of the 2024 John Deere X758 Lawn Mower; Member Wade seconded the motion. Motion carried with all in favor.
- F. Van Meter Variance Application – 111 Kenilworth Avenue North (Parcel ID 190158000): Members considered Resolution 2024-20 to grant a variance to Jeremy Van Meter and Catherine Glynn to allow a garage to be constructed within the rear yard and side yard required setbacks of the R-3 District. The Lanesboro Planning and Zoning Commission recommended approving the variance application based on the findings of fact to the practical difficulties tests. Member Goetzke entered a motion to approve Resolution 2024-20; Member Bakke seconded the motion. Motion carried with all in favor. Member Goetzke entered a motion to approve the Van Meter building permit application to construct the garage; Member Albrecht-Benson seconded the motion. Motion carried with all in favor.
- G. Gibbs Variance Application – 109 Elmwood Street East (Parcel ID 19025000): Members considered Resolution 2024-21 to grant a variance to Alana Gibbs to allow a staircase to be constructed within the side yard required setback of the R-2 District. The Lanesboro Planning and Zoning Commission recommended approving the variance application based on the findings of fact to the practical difficulties tests. Member Goetzke entered a motion to approve Resolution 2024-21; Member Wade

Approved 06/03/2024

seconded the motion. Motion carried with all in favor. Member Goetzke entered a motion to approve the building permit application for the staircase; Member Bakke seconded the motion. Motion carried with all in favor.

- H. Lind Building Permit Application – 105-3/4 Parkway Avenue North (Parcel ID 190186000): Members reviewed Zach Lind's building permit application for Driftless Trading Post, LLC. Administrator Walbridge recommended approval after reviewing relevant zoning ordinances, which Attorney O'Koren confirmed didn't pose any violations. Although there was discussion about potential future regulations for permanent seasonal food stands, it was concluded that the proposed structure complied with current ordinances. Administrator Walbridge also presented correspondence from the Minnesota Department of Health regarding food code regulations and site plan review. Member Albrecht-Benson entered a motion to approve the building permit application; Member Wade seconded the motion. The motion passed with Members Resseman, Bakke, Wade, and Albrecht-Benson voting in favor, and Member Goetzke abstaining.

Member Resseman put the meeting in recess at 8:06 p.m.

Member Resseman resumed the meeting at 8:11 p.m.

Miscellaneous

- A. Closed Session – Member Resseman closed the meeting due to Attorney-Client privilege to discuss potential and threatened litigation per Minnesota Statute 13D.05, Subd. 3(b). The subject has threatened litigation regarding Employment and Personnel Concerns.
Member Resseman entered a motion to put the meeting back into open session; Member Goetzke seconded the motion. Motion carried with all in favor.
Member Resseman entered a motion that it is the determination of the city council at this time that there is no clear indication as to whether the library board is governing or advisory, thus the Lanesboro City Council redirects the submitted grievance to the Lanesboro Public Library Board; Member Albrecht-Benson seconded the motion. Motion carried with all in favor.

Member Resseman adjourned the meeting at 9:19 p.m.

Next Meeting: Monday, June 3, 2024 at 6:00 p.m.

Respectfully submitted,

Mitchell Walbridge
City Administrator/Clerk