



City of Northfield

City Hall
801 Washington Street
Northfield, MN 55057
ci.northfield.mn.us

Meeting Minutes City Council

Tuesday, February 2, 2016

7:00 PM

Council Chambers

7:00 PM - REGULAR AGENDA CALL TO ORDER

Mayor Graham called the meeting to order at 7:00 pm.

Present: 7 - Mayor Dana Graham, Council Member David DeLong, Council Member David Ludescher, Council Member Erica Zweifel, Council Member Suzie Nakasian, Council Member Rhonda Pownell, and Council Member Jessica Peterson White

APPROVAL OF AGENDA

Mayor Graham noted items on the green sheet, including the addition to the consent agenda.

A motion was made by Council Member DeLong, seconded by Council Member Zweifel, to approve the agenda. The motion carried by the following vote:

Yes: 6 - Mayor Graham, C. DeLong, C. Ludescher, C. Zweifel, C. Pownell, and C. Peterson White

APPROVAL OF MINUTES

A motion was made by Council Member Pownell, seconded by Council Member Peterson White, to approve the January 19, 2016 City Council meeting minutes. The motion carried by the following vote:

Yes: 6 - Mayor Graham, C. DeLong, C. Ludescher, C. Zweifel, C. Pownell, and C. Peterson White

1. [16-062](#) January 19, 2016 City Council Meeting Minutes

CONSENT AGENDA

Councilor Nakasian arrived at 7:02 pm.

Interim City Administrator Linstroth introduced the items on the Consent Agenda.

A motion was made by Council Member Pownell, seconded by Council Member Nakasian, to approve the items on the Consent Agenda. The motion carried by the following vote:

Yes: 7 - Mayor Graham, C. DeLong, C. Ludescher, C. Zweifel, C. Nakasian, C. Pownell, and C. Peterson White

2. [16-063](#) Approve Temporary Liquor License for St. Dominics School for April 16, 2016
Enactment No: M2016-025
 3. [16-064](#) Approving disbursements
Enactment No: M2016-026
 4. [Res. 2016-012](#) Approve the MPCA Stipulation Agreement relating to the Stormwater Audit
 5. [Res. 2016-013](#) Approve Plans and Specifications and Authorize Ad for Bid for the Waste Water Treatment Plant (WWTP) Piping Replacement Project & Rescind Resolution 2016-011
 6. [16-065](#) Approve Board/Commission Appointments
Enactment No: M2016-027
- [TMP-1751](#) Authorize Mayor to Sign Documents Related to Northfield Hospital Lease Agreement in Lakeville
Enactment No: M2016-028

OPEN PUBLIC COMMENTS

None

PUBLIC HEARINGS AND RELATED ACTION

Public Works Director/City Engineer Bennett introduced this item and answered questions posed by Council. John Peterson, Bolton and Menk, Inc., reviewed the plan. Finance Director Lammers reviewed the finances related to the plan and answered questions posed by Council.

A motion was made by Council Member Peterson White, seconded by Council Member Pownell, to close the public hearing at 7:22 pm. The motion carried by the following vote:

Yes: 7 - Mayor Graham, C. DeLong, C. Ludescher, C. Zweifel, C. Nakasian, C. Pownell, and C. Peterson White

7. [16-066](#) Wastewater Treatment Plant Facility Plan Public Hearing

REGULAR AGENDA

8. [Res. 2016-014](#) Liquor License Penalty Hearing & Proposed Penalties - Chapati, Inc.

Police Chief Nelson introduced the item and answered questions posed by Council. The Appeal hearing opened at 7:23 pm.

Mr. Norm Butler, owner of Chapati, Inc., spoke regarding the appeal and asked for a postponement until he is able to meet with the Police Chief. Police Chief Nelson spoke regarding the questions listed in the e-mail. City Attorney Hood answered questions posed by Council. Chief Nelson responded to questions related to process on compliance checks.

A motion was made by Council Member Ludescher, seconded by Council Member Nakasian, to continue the appeal hearing for 30 days. The motion carried by the following vote:

Yes: 7 - Mayor Graham, C. DeLong, C. Ludescher, C. Zweifel, C. Nakasian, C. Pownell, and C. Peterson White

9. [16-067](#) Consideration of Request for a Permit to Keep More than Three Animals

Councilor David Ludescher recused himself from this item.

Police Chief Nelson introduced this item and answered questions posed by Council. David Ludescher, representing Ms. Helen Edell, addressed the Council regarding this issue. Stated that the animals are being well cared for with no concern of animal cruelty. Noted that fourth animal was placed in a kennel for a period of time and that this was costly and hard on the animal. Ms. Edell brought dog back and wants to keep it. Spoke regarding the lack of a variance process. Stated that if the permit is denied again, he will appeal to the District Court.

A motion was made by Council Member Pownell, seconded by Council Member Peterson White, to deny the permit to allow Helen Edell to keep more than three animals over six months of age in her home at 304 Linden Place South.

A motion was made by Council Member Peterson White, seconded by Council Member Nakasian, to adopt the findings contained in the staff memorandum as follows: the condition of the kennels and animals as they were found on July 9, 2015, the on-going concerns for the welfare of the dogs currently housed at the address, and the fact that Ms. Edell knowingly housed four adult dogs in her home after the City Council denied her permit to have more than three adult animals. Vote on amendment: Yes: 6-C. DeLong, C. Nakasian, C. Peterson White, C. Pownell, C. Zweifel and Mayor Graham.

Vote on the motion as amended carried by the following vote:

Yes: 6 - Mayor Graham, C. DeLong, C. Zweifel, C. Nakasian, C. Pownell, and C. Peterson White

Recused: 1 - C. Ludescher

Enactment No: M2016-022

[16-071](#)

Direct Staff to Amend Animal Ordinance

A motion was made by Council Member Pownell, seconded by Council Member Nakasian, to direct staff to update or amend the animal ordinance in its entirety. The motion carried by the following vote:

Yes: 6 - Mayor Graham, C. DeLong, C. Zweifel, C. Nakasian, C. Pownell, and C. Peterson White

No: 1 - C. Ludescher

Enactment No: M2016-023

10. [16-068](#)

Consideration of Purchase of the Northfield Armory

Director of Planning & Community Development Heineman answered questions posed by Council. City Attorney Hood answered questions posed by Council.

Don McGee, 710 Highland Ave., spoke regarding good presentation from developers at the Work Session. Noted developers decided to withdraw. Stated there is an event center in Northfield that used no tax payer money. Expressed concern with City money being used for a new business, when there is an existing business providing the same service. Believes that the City's role should be to step back and let free market take its course.

Randy Clay and Jonathan Reppe responded to questions posed by Council. Noted the process was informative and helped develop the route to take. Noted they feel supported by City whether decision is made to buy or not buy. They do not feel the City buying would speed up the process. The way the City could be most supportive of plan is to pass on the purchase of the armory. If any influence that the military sell to them would be appreciated.

A motion was made by Council Member DeLong, seconded by Council Member Ludescher, the Northfield City Council directs staff and the City Attorney to send a response to the Department of Military Affairs indicating no interest in purchasing the Northfield Armory.

A motion was made by C. Ludescher, seconded by C. DeLong, to call the question. The motion failed by the following vote:

Yes: 1- C. Ludescher.

No: 6 - C. DeLong, C. Nakasian, C. Peterson White, C. Pownell, C. Zweifel and Mayor Graham.

The motion carried by the following vote:

Yes: 4 - Mayor Graham, C. DeLong, C. Ludescher, and C. Zweifel

No: 3 - C. Nakasian, C. Pownell, and C. Peterson White

Enactment No: M2016-024

11. Res. 2016-015 **Discuss Waterford Annexation Agreement and Consider Payment Resolution**

Council Member Ludescher introduced this item and reviewed his proposed resolution. Council Member Zweifel provided information as part of the subcommittee and reviewed her proposal as part of the green sheet. Noted this was discussed at a meeting as a possible path forward.

Don McGee, 710 Highland Ave., echoed what has been said. Stated that the objective should be to make the township whole financially, and then approach with questions on the agreement to update going forward.

City Attorney Hood responded to questions posed by Council.

At 9:03 pm, a Point of Order was called by C. Pownell related to C. Ludescher not allowing City Attorney Hood to answer a question posed to him. C. Pownell stated it is confusing when someone asks a question and then doesn't allow the other person to answer. Mayor ruled the point in order and asked City Attorney Hood to finish answering C. Ludescher's question.

A motion was made by Council Member Ludescher, seconded by Council Member DeLong, to approve Resolution 2016-015 - Waterford Township Payments as modified and presented in the green sheet.

The motion failed by the following vote:

Yes: 1 - C. Ludescher

No: 6 - Mayor Graham, C. DeLong, C. Zweifel, C. Nakasian, C. Pownell, and C. Peterson White

16-094 **Direction on Waterford Annexation Agreement**

A motion was made by Council Member Zweifel, seconded by Council Member Peterson White, to direct Mayor Graham and City Staff to negotiate a settlement and release agreement between the City and Waterford Township as outlined in Council Member Zweifel's stated motion dated February 1, 2016. The motion carried by the following vote:

Yes: 6 - Mayor Graham, C. DeLong, C. Ludescher, C. Zweifel, C. Nakasian, and C. Peterson White

No: 1 - C. Pownell

Enactment No: M2016-029

REPORTS FROM THE MAYOR AND COUNCILMEMBERS

C. Nakasian - Participated in public telephone calls regarding the passenger rail planning and ZIP line at the State level. MnDOT has shelved the planning for Rochester to St. Paul ZIP line. Funding for alternatives analysis has been included in MnDOT's budget for passenger rail.

C. Peterson White - none

C. DeLong - attended the Hospital Board meeting. Noted that the Hospital won't be changing its name and will be working on being more uniform in branding and signage. The Hospital has tracked community benefits number of \$6 million in 2014 which includes charity care, unreimbursed costs, donations, community health improvements and gifts in kind. Attended intergovernmental meeting in Waterford. Noted recent watermain break and power outage by tree falling on power line.

C. Zweifel - Attended HRA Special Meeting with new Housing Coordinator. Approved CDBG request for a portion of North and South Oaks Redevelopment and new program that would assist with renovation of rentals within historic district. Attended Soup & Cycles event. Noted CROCT will be coming to Council for Memorandum of Understanding for work that they do in our parks.

C. Ludescher - Attended Charter Commission meeting. They have begun to review Charter for possible changes to recommend to the Council. Attended EDA meeting. Discussion about Riverwalk Market Fair funding from the EDA and whether they should become self sustaining. EDA will eventually end funding. Discussion on opinion of EDA regarding the armory. The EDA has asked that Council defer more often to the EDA regarding economic development issues.

C. Pownell - none

Mayor Graham - Attended first awards ceremony for the Explorer program. Noted that there are 20 new Explorers and 5 from previous program. Attended the Chamber annual banquet. Presented the Arts & Culture Commission Living Treasure Award to Jan Shoger. Reported on the EDA meeting, noted Fred Rogers and Todd Bornhauser have been named President and Vice President respectively. Reported on the NAFRS meeting. Discussed Standard Operating Guidelines and hiring of a part time administrator. NAFRS board will be coming to the work session on February 23.

ADMINISTRATORS UPDATE

Interim City Administrator Linstroth reported on upcoming work session items.

Mayor Graham noted City Administrator interviews will be held on Wednesday and Thursday.

12. [16-069](#)

Upcoming Agenda Items list

ADJOURN

A motion was made by Council Member DeLong, seconded by Council Member Pownell, to adjourn the meeting at 10:00 pm. The motion carried by the following vote:

Yes: 7 - Mayor Graham, C. DeLong, C. Ludescher, C. Zweifel, C. Nakasian, C. Pownell, and C. Peterson White