

**Lake City Common Council
Regular Meeting
Monday, February 28, 2011
Council Chambers 6:30 p.m.
City Hall**

Members Present: Mayor Jerry M. Dunbar, Andru Peters, Mary Lou Waltman
Joel Beckman, Matt Powers, Phil Gartner, Mark Spence

Members Absent: None

Staff Present: City Administrator Ron Johnson, Public Works Director Scott Jensen,
Planning and Community Development Director Rob Keehn, City Clerk
Kari Schreck, City Attorney Karen England

Mayor Dunbar called the meeting to order at approximately 6:30 p.m. in the Council chambers of city hall with a quorum present.

Pledge of Allegiance

Mayor Dunbar led the Pledge of Allegiance.

Introductions

Introductions were made.

Mayor Dunbar read aloud the council rules and procedures.

Disclose Conflicts and Relationships

Peters noted that he had involvement with items 2d and 3i on the agenda, but no conflicts.

Review and Adopt Agenda

Dunbar requested items 3d- Approve the Check Acceptance Policy and item 3m -Confirm appointment to Board of Appeals and Adjustments be pulled from the consent agenda. Gartner requested that 2 items be added for discussion and update- review of the Lyon Ave. mill and overlay project participation agreement with MnDOT and a discussion of administrative procedures.

Motion Beckman, seconded Spence to adopt the agenda as amended. All ayes 7-0-0.

Public Forum

Council member Mark Spence went to the podium to speak as a citizen on his opinion and specific concerns regarding his wife Diane, an employee of the Lake City Library.

Farrel Rich spoke on new programs implemented at the library.

Lisa George -Dwelle stated that she is a registered nurse and has a public health concern with having a therapy dog at the library. She also is concerned about serving hot beverages and the children having access to that area.

Former Library Administrator Kathie Durand stated that she felt that there is confusion on roles and duties at the library. As the past administrator, she recruited Dianne Spence for the position

of Children's librarian, and that Dianne had met her job expectations. Dianne also was given the responsibility of the summer reading program.

Grant Cooper stated that, as a volunteer, he has seen and heard positive changes regarding the Library.

Councilmember Waltman reported that it is important to remember that the council voted to hire the new Library Administrator, and while it is vital to address all concerns, there is a process for this and all involved should follow the process.

New Business:

Approve award of the Hok-Si-La Park dining hall siding project to Willers Construction for \$23,027.00

Re-siding of the Hok-Si-La dining hall building is the second step in a multi-year plan to re-side several buildings and shelters in the park with steel siding. All contractors supplying quotes met on site with staff to review the project prior to submitting a quote.

Quotes received are listed below:

S & J Siding, Inc. - \$23,000.00

Willers Construction - \$23,027.00

The approved 2011 capital budget for the project is \$25,000.

Motion Spence, seconded Peters to award the Hok-Si-La Park dining hall siding project to Willers Construction for \$23,027.00. All ayes 7-0-0.

Approve the purchase of a Gravely mower from Smitty's Marine, Inc. for \$3,414.66

One park mower is scheduled for replacement and is part of the 2011 budget. New public works mowers have historically been purchased for the Parks division. One mower from Parks is then moved to Hok-Si-La for 2 to 4 more years of use. A new mower is then purchased with a trade-in from Hok-Si-La. No mowers have been replaced since 2007.

Peters stated that he is opposed and the city should consider waiting for 2012 to purchase.

New Gravely mower: \$8,695.00

Trade in 2002 John Deere: \$5,500.00

Balance due: \$3,195.00

Tax: \$ 219.66

Total: \$3,414.66

Motion Gartner, seconded by Spence to approve the purchase of a Gravely mower from Smitty's Marine, Inc. for \$3,414.66. Roll call vote: Beckman, Spence, Dunbar, Waltman, Powers, Gartner voting aye; Peters voting nay. Motion passed 6-1-0.

Approve the purchase of a Pelican sweeper from MacQueen Equipment, Inc. for \$138,733.37

The street sweeper is scheduled for replacement and is part of the 2011 budget. The bid received is from the state contract for equipment and includes trade-in and sales tax. The City's street sweeper has been in use for 10 years. The sweeper is not as effective in picking up debris and is allowing more material to drain into the storm water system and eventually Lake Pepin. Each year there is approximately \$10,000 of trade-in value lost on the current sweeper. Recommended trade-in is every 5 to 7 years depending on hours used. Storm budget for 2011 allotted \$165,000 for a sweeper. Peters again stated that he is opposed and the city should consider waiting for 2012 to purchase.

Motion Beckman, seconded Spence to approve the purchase of a Pelican sweeper from MacQueen Equipment, Inc. for \$138,733.37. Roll call vote: Beckman, Spence, Dunbar, Waltman, Powers, Gartner voting aye; Peters voting nay. Motion passed 6-1-0.

Approve the hiring of Beth Breuer as a part time Receptionist at Grade 4, Step A of the 2011 pay scale

The Receptionist position has remained open since March of 2009. Staff analyzed the need for an employee at the Personnel Committee beginning in July of 2010. Council approved a position description and advertising for the position of Receptionist at the November 22, 2010 meeting. The 2011 budget includes the hiring of this position up to 32 hours per week.

Motion Gartner, second Waltman to approve the hiring of Beth Breuer as a part time Receptionist effective March 7, 2011, at Grade 4, Step A of the 2011 pay scale. All ayes 7-0-0.

Approve the hiring of Patricia Morrow as a part time Utilities Cashier at Grade 5, Step A of the 2011 pay scale

The Utilities Cashier position has remained open since the promotion of Rhonda Harkins to Utilities Bookkeeper in 2010. Council approved a position description and advertising for the position of Utilities Cashier at the November 22, 2010 meeting. The 2011 budget includes this position up to 32 hours per week.

Motion Beckman, second Gartner to approve the hiring of Patricia Morrow as a part time Utilities Cashier effective March 7, 2011, at Grade 5, Step A of the 2011 pay scale. All ayes 7-0-0.

Unfinished Business:

Consider the tabling of Ordinance 500, an Ordinance amending the City's shoreland regulations.

In the time since the ordinance was introduced, staff has received numerous letters with questions and concerns about the proposed changes. These issues, in addition to questions raised by meeting with members of the Central Point area, should be addressed prior to adopting the ordinance. Staff is also seeking information from the City Attorney regarding the ordinance, and whether or not the proposed changes would require an additional public hearing.

Motion Gartner, seconded Spence to table Ordinance No. 500, an Ordinance amending the City's shoreland regulations pending further review by staff and the City attorney and an update presented to the City Council no later than the March 28, 2011 meeting. All ayes 7-0-0.

Waive the 2nd reading of, and adopt, Ordinance 501, rezoning 906 W. Marion St. from Medium Density Residential to Light Industrial

The City received a request from Horizon Milling, LLC, on behalf of Cargill, Inc., to consider a request to rezone the property located at 906 W. Marion St. from Medium Density Residential, to Light Industrial. The intent of the re-zoning is to allow the applicant to use the property for enclosed storage, which is not an allowed use under the existing residential zoning. The Planning Commission considered this request, and recommended the City Council adopt an ordinance to rezone the property to Light Industrial.

Motion Beckman, seconded Powers to waive the second reading of, and adopt, Ordinance 501 re-zoning the property at 906 W. Marion St. from Medium Density Residential (MDR) to Light Industrial (LI). All ayes 7-0-0.

Conduct 2nd reading of, and adopt, Ordinance 498 revising City Code Chapter 117 Liquor

The City Clerk, City Attorney and Chief of Police reviewed the current ordinance and found several areas which haven't been kept current with liquor licensing issues. Staff then worked with the City Attorney and drew up the revised ordinance. Public Safety Board reviewed and is recommending approval by the City Council. After the December 13, 2010 City Council meeting, additional changes were made by the City Attorney and are incorporated.

Motion Powers, seconded Peters to conduct the 2nd reading of Ordinance 498 revising City Code Chapter 117, Liquor. All ayes 7-0-0.

Motion Powers, seconded Beckman to adopt Ordinance 498 revising Lake City Code Chapter 117, Liquor. All ayes 7-0-0.

Lake Pepin Neighborhood Access Points

Public Works Director Jensen has been in contact with the City Attorney and MnDOT regarding this issue. A meeting with MnDOT staff will be scheduled to discuss possible ADA requirements at the access points. Updates will be presented to Council as staff proceeds on this issue.

Consent Agenda

- a. Approve expense claims
- b. Approve February 14, 2011 Council meeting minutes
- c. Accept donation of carts from Valley Craft- LDI
- d. ~~Approve the Check Acceptance Policy~~
- e. Approve the 2012 Budget Timeline
- f. Approve the 2011 Fire and Ambulance Contracts
- g. Approve electrical improvements in Patton Park for up to \$10,000
- h. Adopt Resolution 11-009 amending the 2011 Street Department general fund budget
- i. Adopt Resolution 11-010 establishing maintenance of pedestrian trail and lighting facilities on Gilbert Creek bridge
- j. Approve certificate of payment #2 to MP Systems, Inc. for Underwood Substation construction for \$163,138.45
- k. Adopt Resolution 11-011 confirming board & commission reappointments
- l. Confirm appointments to Street/Parks Commission
- m. ~~Confirm appointment to Board of Appeals and Adjustments~~

Motion Beckman, second Powers to approve the consent agenda as amended (removing items 3d, 3m). All ayes 7-0-0.

Miscellaneous Discussion

Mayor Dunbar requested an update for the March 28th meeting from Emergency Management, Marina, and Public Works on the city's plan for the spring flooding.

Dunbar once again thanked the city's public work department for the snow removal job. Budget is holding for now.

A single LED street light has been installed in the parking lot at Underwood Park for comparison with the existing lights. The energy savings using LED lights has proven to be very significant at both signalized intersections that were retrofitted last year. Staff will continue to research this and make future recommendations on LED conversions in other parts of the city.

Informational

As presented

Future Meeting Dates

As presented

Gartner informed Council that the TH63 mill and overlay agreement has been changed to state that snow removal costs are not the responsibility of the city.

There is a resolution adopted by the City stating that Robert's Rules were adopted. Gartner proposed that a member of Council, staff, and City Attorney meet to discuss the council procedure and what direction the council should consider. Gartner was directed to work with the City Administrator to bring back an RCA for the March 14, 2011 meeting.

Close meeting for attorney-client privilege to discuss litigation

Motion Beckman, second Peters to close the meeting at 8:10 p.m. for attorney-client privilege to discuss litigation. All ayes 7-0-0.

Motion Beckman, second Powers to open the meeting at 8:23 p.m. All ayes 7-0-0.

Motion Powers, second Waltman to adjourn the meeting at 8:24 p.m. All ayes 7-0-0.

Jerry M. Dunbar, Mayor

ATTEST:

Kari Schreck, City Clerk