

**Lake City Common Council  
Regular Meeting  
Monday, March 14, 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 6:36 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.

Disclose Conflicts and Relationships

Peters noted that he had involvement with items 1d and 2f on the agenda, but no conflicts.

Review and Adopt Agenda

Dunbar requested item 1d-Consider concern from Cheryl Key regarding dog at library, be moved to public forum.

Gartner requested that items 3b, Approve February 28<sup>th</sup> council workshop minutes and 3i, Approve a quit claim deed between city of Lake City and Kwik Trip Inc. be pulled from the consent agenda.

**Motion Waltman, seconded Powers to adopt the agenda as amended. All ayes 7-0-0.**

Public Forum

Cheryl Key stated that she will attend the March 28 Library board meeting and address her concerns there. Mayor Dunbar encouraged her to fill out a city complaint form.

Eva Dankers spoke specifically on having a dog in the library and her concern over having hot beverages in areas that children can easily get into. Mayor Dunbar encouraged her to fill out a city complaint form.

Billi Hunt wanted to make sure that the donation to the library from the Woman's Club was to be used for outdoor furniture.

Dr. Melissa Schaal stated that she would be happy to help assist with regard to specific concerns over having the dog in the library.

John Yorde, Emergency Management Director, Marina Director Mark Lutjen, Public Works Director Scott Jensen and others have been meeting weekly to discuss and plan for the flood potential here in Lake City. The group has been working on updating elevations within city limits. Approximately 3500 sandbags have been filled to date. The cable channel has information and will continue to be updated as information presents itself. The marina has a plan of action if needed to move trailers off the point.

New Business:

Conduct first reading of Ordinance 502 amending Ordinance 273 Gas Franchise with Northern States Power (Xcel Energy)

The fee amount is listed in the franchise ordinance itself (ordinance no. 273), under Section 8 (lines 3-5) as follows: “...*the franchise fee shall be two percent of Company’s gross revenues, as hereinafter defined; provided, however, notwithstanding the foregoing, with respect to customers of the commercial demand billed, interruptible and transportation customer classes (“competitive classes”), the franchise fee shall be \$0.005 per therm of gas sold or transported by Company*”. In order to allow Northern States Power (Xcel Energy) to continue to collect franchise fees on behalf of the City, the City needs to amend Section 8 of Special Ordinance 273. This was done in 2009 for a two year period. Another two year agreement is suggested.

**Motion Gartner, seconded Powers to conduct a first reading of Ordinance 502 amending Special Ordinance #273 Gas Franchise to Northern States Power Company (Xcel Energy). All ayes 7-0-0.**

Establish committee consisting of a Council member, a staff member and City Attorney to consider an administrative procedure for Council

The City Council by Resolution 07-017, adopted Roberts Rules of Order on January 22, 2007 to conduct the business affairs of the City Council. Other cities, most of who appear to use Roberts Rules of Order, have considered other established Rules or have created their own Rules attempting to simplify administrative procedures for its Council.

**Motion Beckman, seconded Spence to establish a committee consisting of Council member Gartner, the City Clerk and City Attorney to consider an administrative procedure for City Council. All ayes 7-0-0.**

Approve the remodeling of the Lake City Medical Center nursing home

The City owns the hospital building however LCMC is responsible for the operations of the facility and its maintenance. The Lake City Medical Center (LCMC) is preparing to make a significant investment in the nursing home portion of its facility. The agreement between the City and LCMC requires that any changes made to the facility shall have prior consent of the City. There is no direct cost to the City related to the remodeling project

**Motion Gartner, seconded Waltman to approve the remodeling of the Lake City Medical Center nursing home. All ayes 7-0-0.**

Update on Ordinance No. 500, an Ordinance amending the City’s shoreland regulations

Staff is currently in the process of redrafting the ordinance to incorporate some of the feedback received from the Council workshop, as well as from meetings with property owners. Upon completion, the Planning Commission will have a workshop meeting to go over the changes and suggest any further revisions, after which staff will hold a meeting to present the changes to the

public prior to scheduling a public hearing. A complete update will be given at the March 28, 2011 meeting. No action taken at this time.

Lake Pepin neighborhood access points update

City staff is scheduling a meeting with MnDOT staff to discuss possible ADA requirements at the identified lake access points. No action taken at this time.

Consent Agenda

- a. Approve expense claims
- b. ~~Approve February 28, 2011 Council workshop meeting minutes~~
- c. Approve February 28, 2011 Council regular meeting minutes
- d. Approve the Check Acceptance Policy-Karen
- e. Confirm appointment of Farrel Rich to the Library Board
- f. Appoint Waltman as alternate to Personnel Committee
- g. Adopt Resolution 11-012 accepting the donations from the American Legion Auxiliary for \$200, the VFW Auxiliary for \$100 and Alliance Bank for \$100, and amending the 2011 Library Budget
- h. Adopt Resolution 11-013 accepting the donation of \$200 from the Woman's Club of Lake City, and amending the 2011 Library Budget
- i. ~~Approve a Quit Claim Deed between the City of Lake City and Kwik Trip, Inc.~~
- j. Approve Lake City Yacht Club Consumption & Display permit

**Motion Gartner, seconded Waltman to approve the consent agenda as amended.**

**All ayes 7-0-0.**

Approve February 28, 2011 Council workshop meeting minutes

On page 2 of the minutes, Gartner requested the minutes be amended as follows "It was suggested to receive input related to board and commission duties from the appropriate department managers and respective boards and commissions".

**Motion Beckman, seconded Gartner to approve the February 28, 2011 council meeting minutes as amended. All ayes 7-0-0.**

Approve a Quit Claim deed between the City of Lake city and Kwik Trip Inc.

Gartner had questions related to this deed request. Have the titles been checked on this property? Perhaps this warrants more investigation from the attorneys involved to be sure that more than the vacation of Short Street is being requested. When the City signs a deed, the city is giving up title to the property as well, and Council member Gartner is not sure that is really in the cities best interest to do so.

Kwik Trip, Inc. is seeking to clarify the status of Short Street in order to move forward with their redevelopment project. Council is requesting clarification on the title and what specifically the city would be giving up as land by signing the deed.

**Motion Beckman, seconded Waltman to table until the March 28, 2010 meeting the Quit Claim deed between the City of Lake City and Kwik Trip, Inc. All ayes 7-0-0.**

Miscellaneous Discussion

None

Informational

As presented

Councilman Spence requested that the March Personnel Committee meeting include addressing concerns raised by Diane Spence, Library employee.

Future Meeting Dates

As presented

**Motion Peters, second to adjourn the meeting at 8:10 p.m. All ayes 7-0-0.**

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Jerry M. Dunbar, Mayor

ATTEST:

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Kari Schreck, City Clerk