

**Lake City Common Council
Regular Meeting
Monday, September 9, 2013 6:00 p.m.
City Hall Council Chambers**

Members Present: Mayor Joel Beckman, Andru Peters, Phil Gartner, Mark Spence, Matt Powers, Mary Lou Waltman, Gene Durand

Members Absent: None

Staff Present: City Administrator Ron Johnson, City Attorney Sarah Sonsalla, Planning and Community Development Director Rob Keehn, City Clerk Kari Schreck, Public Works Director Scott Jensen, Police Chief Cory Kubista, Officer Bill Weist, Officer Kevin Dather

Mayor Beckman called the meeting to order at approximately 6:00 p.m. in the Council chambers of city hall with a quorum present.

Pledge of Allegiance

Mayor Beckman led the Pledge of Allegiance.

Introductions

Introductions were made.

Mr. Gartner noted that his is on the board for Mayo Medical Lake City, appointed as recommended by the City Council. He does not feel that it would preclude him from voting on the upcoming agenda item.

Review and adopt/amend agenda

Peters pulled for discussion item 7a. approve expense claims 8.7.13-9.4.13.

Motion by Powers, second by Gartner to approve the agenda as amended. All ayes 7-0-0

Public Forum

Jim McIlrath, a board supervisor for Florence Township and a member of Save the Bluffs organization, requested council consideration of a resolution supporting setbacks from the Mississippi River for industrial mining activities in Goodhue County and consider doing the same for Wabasha County. Staff was directed to place this item on the October agenda.

Driver Safety Program- Wabasha County Attorney Jim Nordstrom and Sheriff Rodney Bartsch

The class began in 2003 and a lawsuit recently filed against the city and the county states that the class is illegal. The County Attorney and the Sheriff believe in the merits of the class, and that the class has a positive impact on the residents of Wabasha County. The funds that the class generates support many activities such as Wabasha County Drug court and squad cars, equipment and training that the County does not budget for. There are 20 other counties that are running similar programs.

Adopt Resolution 13-054 amending 2013 Public Works line item budgets

Line items in Electric and Pool have exceeded budget and must be amended by resolution. Expense in Electric Contractual increased due to moving conservation improvement program charges, imposed by the Minnesota Department of Commerce, from Professional Services. This amounts to approximately \$8,900 in 2013. Uniform services were also moved to Professional Services from Supplies at approximately \$1,500. The balance of the amendment is spread among increases in billing and payment system charges. All amendments are being made within the current year's budget and will have no net effect to the funds.

Motion Gartner, second Spence to adopt Resolution 13-054 amending 2013 Public Works line item budgets. All Ayes 7-0-0.

Approve elimination of Sergeant/ Investigator position and approve the separate position descriptions of Sergeant and Investigator

The request being made is to eliminate the current Sergeant/Investigator position and create 2 separate positions. The split would not require the addition of another officer but, rather, assign sole investigative powers to a patrol officer, who is still able to cover shifts and assume investigative services for the department. There would also be a significant savings on overtime according to the Chief. This was approved by Civil Service Commission on July 9th, 2013; approved by Personnel Committee on August 15th, 2013; and discussed at earlier Council meeting. The positions would be effective January 1, 2014. It was requested that the Chief provide an update to the Personnel committee at a later date.

Motion Waltman, second Spence to approve the elimination of the Sergeant/ Investigator position and approve the separate position descriptions of Sergeant and Investigator effective January 1, 2014. All ayes 7-0-0.

By consensus, staff was directed to provide a resolution of support for the Wabasha County Safe Driving program for the October meeting.

Introduce Ordinance 526 repealing Chapter 74 of City Code and adopting new Chapter 74 relating to Regulation of Recreational Vehicles, and waive first reading thereof

Adopt Resolution 13-056 authorizing publication of Ordinance 526 by title and summary

Due to recent changes in state law regarding all-terrain vehicles, the City Attorney and the Chief of Police reviewed the City Code provisions relating to ATVs and snowmobiles. These provisions are in Chapter 74 of the City Code. Resolution 13-056 will be published and posted in accordance with the City Charter.

Motion Waltman to introduce Ordinance 526 and waive first reading.

Motion Peters, second Waltman to adopt Resolution 13-056 authorizing publication of Ordinance 526 by title and summary. All ayes 7-0-0.

Adopt Resolution 13-051 denying conveyance of land for sum of \$39,500 to City of Lake City for public use

At the September 10, 2012, meeting, the City Council indicated its interest in the property that had been forfeited to the State for nonpayment of taxes. The DNR had the first opportunity to acquire the property, and if they chose not to the City would then have an opportunity. In the interim, the County set the price for the property at \$39,500. The DNR indicated it would no longer pursue the property therefore the County is requesting that the City take action to either approve or deny its conveyance to the City for public use.

There have been concepts with a trail shown through this area but with a cost of \$40k it makes the adjacent DNR property, which covers more area from west to east, a more likely route. Staff has determined that there is no imminent public use for the land, and that the price is prohibitive, and so recommends denying the conveyance.

Beckman wants to know if it is a conservation property. Staff will look into this.

Motion Gartner, second Peters to adopt Resolution 13-051 denying the conveyance of land for the sum of \$39,500 to the City of Lake City for public use. All ayes 7-0-0.

Adopt Resolution 13-052 approving the 2014 proposed General Fund total revenues and expenditures

The City of Lake City is required by Minnesota Statute 275.0065, on or before September 16, 2013 to adopt a proposed General Fund budget for the following year. The resolution will establish the 2014 proposed General Fund total revenues and expenditures.

Motion Gartner, second Powers to adopt Resolution 13-052 adopting the proposed General Fund revenue budget for 2014 at \$5,238,254 and the proposed General Fund expenditure budget for 2014 at \$5,238,254. Roll call vote: Durand, Spence Beckman, Waltman, Powers, Gartner voting aye, Peters voting nay Motion carried 6-1-0.

Adopt Resolution 13-053 adopting the proposed property tax levy collectible in 2014 The City of Lake City is required by Minnesota Statute 275.0065, on or before September 16, 2013 to certify to the home county auditor the proposed taxes payable in the following year.

Adopting Resolution 12-053 will establish the maximum levy collectible in 2014 thereby establishing the maximum amount of revenues to be collected from property taxes in 2014.

Motion Gartner, second Spence to adopt Resolution 13-053 adopting the proposed levy collectible in 2014 at \$2,904,153. Durand, Spence Beckman, Waltman, Powers, Gartner voting aye, Peters voting nay Motion carried 6-1-0.

Approve planning services agreement with TSP related to planning for new public safety facility On 8/5/13 Council considered proposals to provide some additional planning services. TSP submitted the updated proposal for Council consideration. Funds were not budgeted for the proposed planning services. Council would like to know estimated construction costs.

Motion Gartner, second Powers to approve the planning services agreement with TSP related to planning for new public safety facility to include the base amount of \$7,750 and the following options: 1, 2, 3. All ayes 7-0-0.

Consent Agenda

- a. ~~Approve expense claims 8.7.13-9.4.13~~
- b. Approve August 5, 2013 special City Council meeting minutes
- c. Approve August 12, 2013 City Council regular meeting minutes
- d. Approve August 12, 2013 City Council budget retreat meeting minutes
- e. Approve August 26, 2013 special City Council meeting minutes
- f. Close 100, and 200 blocks of W. Center St. for Johnny Appleseed Festival
- g. Approve parade permit and no parking on east side of 100 & 200 Blocks of S. Washington Street for parade

- h. Hire Jesse Vold as full-time Patrol Officer
- i. Adopt Resolution 13-055 accepting donation of \$25.00 from Hearth & Home Technologies to apply toward purchase of an enclosed emergency trailer
- j. Approve hiring Matthew Klevgard and Phillip Grodevant as casual paramedics
- k. Approve pay certificate #3 to Monarch Paving, Inc. for 2013 street reconstruction for \$189,768.07
- l. Approve hiring Mary Pat Horen as Hok-Si-La regular part-time employee
- m. Approve ambulance staff temporary use of house adjacent to city hall for crew quarters
- n. Appoint Rob Keehn as city's representative to applicable committee(s) related to frac sand issue

Council consensus was to have the City Administrator appoint an alternate for consent agenda item n appoint Rob Keehn as city's representative to applicable committee(s) related to frac sand issue so the city will have representation in the event he is unavailable.

Motion Waltman, second Peters to approve the consent agenda. All ayes 7-0-0.

a. Approve expense claims 8.7.13-9.4.13

Peters wanted clarification on a couple of expense claim items.

Motion Waltman, second Peters to approve the expense claims 8.7.13-9.4.13. All ayes 7-0-0.

Communication Updates

Wabasha County request re: public works facility

City Administrator and Public Works director by consensus of council were directed to meet with County staff only. The council directed the city staff to enter into discussions with county staff only, not county commissioners.

Miscellaneous Discussion

None

Informational Reports- as presented

Future Meeting Dates- as presented

Determine asking price for sale of City parcel on 1500-1600 block of North Oak Street (may be closed pursuant to MN Statutes Section 13D.05, subdivision 3)

After discussion, this item was left open.

Council earlier requested a property appraisal for the city-owned parcel on the 1500-1600 block of North Oak Street adjacent to Mayo Clinic Health Systems – Lake City. The sale of this parcel by the city is necessary to facilitate an expansion project. An offer for the purchase of the parcel has been submitted. The appraisal has been completed.

Motion Gartner, second Powers to approve the sale of the city parcel on the 1500-1600 block of North Oak Street to Mayo Clinic Health Systems – Lake City for 64.5% of the appraised value of the property of \$39000.00 taxes and closing costs should be negotiated at the time of closing. All ayes 7-0-0.

Close meeting to discuss labor negotiation strategies

Pursuant to MN Statute 13d. 03 the City Council is requesting to close the meeting to discuss labor negotiation strategies.

Motion Gartner, second Powers to close the meeting at 7:24 p.m. 7-0-0.

The meeting was reopened at 7:59 p.m.

Motion Powers, second Spence to adjourn at 8:02 p.m. All Ayes 7-0-0.

ATTEST:

Joel T. Beckman, Mayor

Kari Schreck, City Clerk