

**Lake City Common Council  
Regular Meeting  
Monday, November 12, 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

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.

Review and adopt/amend agenda

**Motion by Gartner, second by Spence to approve the agenda as presented. All ayes 7-0-0.**

Public Forum

None

Adopt Resolution 13-071 amending the 2013 Fire Department budget

The Fire Department communication line item is going to exceed the budget amount by \$700.00 for the 2013 year. The Fire Department repair and maintenance line item budget has sufficient unspent budget to transfer to the communication line item.

**Motion Gartner, second Powers to adopt Resolution 13-071 amending the 2013 Fire Department budget by moving \$700.00 from Fire Maintenance & Repair 101-44120-220 to Fire Communication 101-44120-310. All ayes 7-0-0.**

Adopt Resolution 13-072 amending 2013 Public Works line item budgets

The Contractual line item in Garbage has exceeded budget due to contract increases approved in late 2012. These expenses are equally offset by increases in revenues.

The supplies line item in Parks has exceeded budget and will be amended with an equal reduction in the Maintenance and Repair line item, resulting in no net change in the budget.

**Motion Powers, second Waltman to adopt Resolution 13-072 amending 2013 Public Works line item budgets. All ayes 7-0-0.**

Adopt Resolution 13-076 supporting setback for silica sand operations of one mile from Ordinary High Water Line of designated public waters, and two miles from city limits of City of Lake City

Per the request of the City Council, staff worked with members of the group Save the Bluffs to draft the resolution presented. This resolution contains language that was not part of Resolution 13-066, which was previously adopted by Council at its October 14, 2013, meeting.

The resolution is in support of amendments to both Wabasha and Goodhue County's zoning regulations to establish a one mile setback from designated public waters and a two mile setback from the city limits of the City of Lake City for silica sand operations. Gartner requested that staff work on ordinance changes within city limits on this matter. Council agreed this should be reviewed to protect the city into the future.

**Motion Gartner, second Waltman to adopt Resolution 13-076 establishing a setback for silica sand operations including, but not limited to, mining, processing, Trans loading, and storage (stockpiling) of one mile from the Ordinary High Water Line of designated public waters, and two miles from the city limits of the City of Lake City. All ayes 7-0-0.**

Authorize Kennedy & Graven to provide legal services related to the renewal of the Mediacom cable television franchise

The Mediacom cable television franchise expires on or about November 3, 2014.

Kennedy & Graven is proposing to provide counsel to us regarding this renewal through attorney Bob Vose. He has assisted approximately 50 other cities with Mediacom renewals. Mr. Vose states that renewals in situations like this typically range from \$3,000-\$8,000 but cable operators can be made to reimburse a City's franchise renewal-related costs where the City has not collected a full 5% franchise fee from the company. This is the case with our current franchise agreement as the city is only collecting a 3% franchise fee. Reimbursement of applicable non-retainer fees for said work will be requested of Mediacom as noted above.

**Motion Gartner, second Spence to authorize Kennedy & Graven to provide legal services related to the renewal of the Mediacom cable television franchise at the non-retainer rate of \$155 per hour, directing Kennedy & Graven to include a reimbursement request to Mediacom for said fees. All ayes 7-0-0.**

Waive second reading and adopt Ordinance No. 527 amending Lake City Municipal Code Title V: Public Works, Chapter 52: Water Service, Section 52.07 Rates

As discussed at the October 14<sup>th</sup> 2013 council meeting, fund reserves are decreasing as operating and maintenance costs increase. Mike Bubany, David Drown Associates, worked with the Utility board on the rate recommendation. New rates are based on a 3% increase in base and usage charges. An average residential unit using 5,000 gallons per month would see an increase from \$12.75 to \$13.11, or \$0.36 per month. Base and usage rates combined are reflected in these numbers.

**Motion Gartner, second Powers to waive the second reading of Ordinance 527. All ayes 7-0-0.**

**Second by Peters to an earlier motion by Spence to adopt Ordinance 527 amending Lake City Municipal Code Title V: Public Works, Chapter 52: Water Service, Section 52.07 Rates. All ayes 7-0-0.**

Discuss MSR proposal for provision of architectural services including design, construction documents, bidding, construction administration, and furnishings for library expansion project  
At the October 14, 2013 meeting, Council directed staff to obtain a proposal from MSR for architectural services to complete an expansion of the library. Jack Poling, architect with MSR, submitted a proposal. In addition, noted in the proposal is the need for the city to conduct a site survey, soil borings and a hazardous material assessment. Associated costs would be included as a part of the entire project budget.

**Motion Gartner, second Spence to direct the city attorney to draft an agreement for architectural services with MSR. All ayes 7-0-0.**

**Motion Powers, second Waltman for staff to solicit quotes for site survey (all area) soil borings, and hazardous material assessment and authorize work not to exceed \$10,000.00 each All ayes 7-0-0.**

Discuss R.A. Morton construction management services proposal for library expansion project  
At the October 14<sup>th</sup>, 2013 meeting, Council directed staff to obtain a proposal from R.A. Morton for construction management services to complete an expansion of the library.

Associated costs would be included as a part of the entire project budget. There will be discussion on re-location of the library during construction at future meetings

**Motion Gartner, second Powers to direct the city attorney to draft an agreement for construction management services with R.A. Morton. All ayes 7-0-0.**

#### Consent Agenda

- a. Approve expense claims 10.10.13-11.6.13
- b. Approve City Council minutes 10.14.13
- c. Accept and designate \$800 in miscellaneous donations for replacement of Hok-Si-La Park entrance sign
- d. Adopt Resolution 13-068 approving 2013-2014 state route snow removal equipment rates
- e. Adopt Resolution 13-069 accepting donation of \$1,500 from Thomas and LeeAnn Boemer and amending 2013 Parks budget
- f. Adopt Resolution 13-070 approving assessment of water service line replacement at 213 N. Washington St. for \$1,884.32 (PIN 22.00313.03) and 215 N. Washington St. for \$1,884.32 (PIN 22.00313.00)
- g. Approve hiring Brian Donaldson as volunteer EMT
- h. Adopt Resolution 13-073 accepting grant of \$1,000 from Goodhue County Cooperative Electric for Fire Department turnout gear, and amending 2013 budget
- i. Adopt Resolution 13-074 accepting \$6,000 donation from Pass It On, and amending the 2013 budget, for purchase of trailer by Lake City Emergency Management
- j. Adopt Resolution 13-075 accepting \$100 donation from Acrotech for fire prevention and amending 2013 budget
- k. Adopt Resolution 13-077 accepting donation of \$3,262.50 from Tony Hebert Memorial Fund for turnout gear and amending 2013 budget
- l. Appoint Andru Peters as primary member and Rob Keehn as alternate to MN Dept of Transportation Technical Advisory Committee for Mpls/St. Paul to Milwaukee High Speed Rail Corridor to Chicago Tier 1 Environmental Impact Statement

m. Approve agreement with Library Strategies to provide professional capital campaign consulting services

n. Approve hiring Emily Nelson as part-time Children's Librarian

**Motion Gartner, second Spence to approve the consent agenda as presented.**

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

Communication Updates:

Update- Tax forfeited parcel- Wabasha County auction

No action taken

Food shelf

Since June of 2003, the city has provided a rent-free location and paid the utility costs for the food shelf. The city has received a request for assistance in securing another facility or rehabbing the one they are currently in from director Carole Helgerson.

Council directs city staff to work with the food shelf director and board in options for moving forward.

Miscellaneous Discussion

The Mayor is requesting the use of the ICMA 360 evaluation tool for the annual performance review of Administrator Johnson. A couple of council members did not complete the assessment, but will try to do so. Powers requested an update on last year's review and the goals set at that time. The city administrator should send out to council last year's review, and then the Mayor will call a special meeting to conduct the review.

Gartner requested that staff look into a total and complete ban of silica sand operations, including mining, processing, Trans loading and storage within the city limits of the City of Lake City. Staff should develop a work plan which includes timeframe to get this done and estimated cost from city attorney. Staff will report back at the December meeting.

Informational Reports- as presented

Waltman asked for clarification on appointments to the Charter Commission. Attorney Sonsalla reported that Council may submit names for appointment, and the Charter Commission can also submit names to the District Court for consideration.

Future Meeting Dates- as presented

Police and Ambulance facility presentation will be at the December meeting.

**Motion Waltman, second Powers to adjourn at 7:35 p.m. All Ayes 7-0-0.**

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Joel T. Beckman, Mayor

ATTEST:

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Kari Schreck, City Clerk