

**Lake City Common Council
Regular Meeting
Monday January 13, 2014 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, Police Chief Cory Kubista, Finance Director Barbara Pratt

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.

Sheriff Rodney Bartsch- Monitoring police channel on Wabasha County 800 MHz system

Sheriff Bartsch addressed the council regarding the Lake City Ambulance Commission's and City Council concerns over not being able to monitor the Wabasha County Law Main channel through the ARMER radio system.

After discussion, Sheriff Bartsch re-stated his position, and denied the request for access.

Public Forum

None

Review and adopt/amend agenda

Peters requested that item 7p Approve purchase of 2014 Dodge Ram 1500 Crew Cab SSV for \$20,543, Gartner requested that 7j Approve 2014 billboard permit application for Fairway Outdoor Funding, LLC, 7l Approve City of Lake City Sign Retroreflectivity Evaluation and Maintenance Policy, 7o Approve trade in of 2005 Chevrolet Malibu towards purchase of 2013 Side-by-side ATV. These will be discussed under New Business. Waltman requested that 10 h Ambulance Commission minutes be discussed.

Motion by Waltman, second by Powers to amend the agenda as presented. All ayes 7-0-0.

Elect president pro tem

Should the need arise, the president pro tem steps into the role of mayor. In accordance with the City Emergency Operations Plan, the mayor is responsible for some decision making and other specific tasks during emergencies. Prior presidents pro tem include these: 2005 Matt Powers;

2006 Tom Dwelle; 2007 Joel Beckman; 2008 Ray St. Martin; 2009 Mary Lou Waltman; 2010 Mark Spence; 2011 Andru Peters; 2012 Phil Gartner, 2013 Matt Powers.

The Charter of the City of Lake City requires “that the Council shall choose from its members a president pro tem who shall hold office at the pleasure of the council and shall serve as president in the Mayor’s absence and as Mayor in case of the Mayor’s disability or absence from the City.”

Motion Gartner, second Waltman to elect Council Member Eugene Durand as president pro tem to serve until the first Council meeting of January 2015. All ayes 7-0-0.

Adopt Resolution 14-001 amending the 2013 budget

Review of the December year to date financial information indicated that some line item budgets had exceeded the budgeted amount. Resolution 14-001 amends the 2013 budget to bring line items within budget limits. The 2013 budgets were accepted by resolution. Any changes to the budgets must also be done by resolution.

Motion Spence, second Waltman to adopt Resolution 14-001 amending the 2013 budget. All ayes 7-0-0.

Adopt Resolution 14-003 approving an additional 1% increase in wages for all regular non-union employees retroactive to 1-1-14 and amending 2014 budgets

The original 2014 budgets approved on 12-9-13 included step increases and a 1% increase in wages for all regular employees effective 1-1-14. It is intended to set the 2014 wage for all regular non-union employees at 2% plus steps retroactive to 1-1-14.

Gartner stated that he is concerned about increasing the City Administrator salary prior to his performance review. Gartner went on to state that he is again requesting copies of the department managers performance reviews. City Attorney Sonsalla stated that under certain circumstances this may be permitted but the council must be clear and specific.

Motion Spence, second Powers to adopt Resolution 14-003 approving an additional 1% increase in wages for all regular non-union employees retroactive to 1-1-14 and amending 2014 budgets.

After more discussion on the motion, Mayor Beckman requested that Councilmember Spence table this matter until after the closed session. Spence agreed.

Motion by Gartner, second Waltman that department head evaluations are furnished to council at a closed session for purposes of council determining evaluations for each person have been done. Roll call vote: Beckman N, Durand Y, Gartner Y, Peters Y, Powers Y, Spence N, Waltman Y. Motion carried 5-2-0.

Mayor Beckman will work with the City Administrator and City Attorney to set a date and agenda.

Adopt Resolution 14-004 amending 2013 and 2014 Marina budgets allowing carryover of Marina Wi-Fi upgrade cost from 2013 budget to 2014 budget not to exceed \$4,000

This item was approved at the December 10, 2012 Council meeting. The funds were not spent in 2013. This request is to carryover the 2013 funds into the 2014 budget. The 2013 budgets were accepted by resolution; any changes to the budget must also be done by resolution. The 2013 budget included \$5,500 for this Wi-Fi upgrade. Miracle Computer has been chosen as the vendor.

Motion Gartner, second Spence to adopt Resolution 14-004 allowing carryover of funds to upgrade the Marina Wi-Fi from the 2013 budget to the 2014 budget at an amount not to exceed \$4,000. All ayes 7-0-0.

Adopt Resolution 14-006 amending 2014 General Fund budget to facilitate purchase of 3 mobile data terminals and operating systems for patrol squads

The MDT provides initial information to the officer before he/she exits the squad: if the car is stolen, if the driver's license is valid or suspended, if the registered owner is "wanted" and other important information in a very short period of time. This results in improved officer safety and enhanced communications capabilities. The purchase of this equipment is necessary to comply with the standards set by the Wabasha County Sheriff's office through the CAD system (Computer Aided Dispatch). The MDTs allow communication for the exchange of information/communication with law enforcement sites rather than through dispatch.

The amount of \$17,500 has been approved by Council and was included in 2014 budget. The remaining \$5,840 is being requested from the budget line item in capital outlay, which was to be used for the purchase of a server. The department has tied into the City Hall server eliminating the expense.

Motion Gartner, second Waltman to adopt Resolution 14-006 amending the 2014 General Fund budget to facilitate the purchase of 3 mobile data terminals and operating systems for the patrol squads for a total cost of \$23,340. All ayes 7-0-0.

Approve purchase of 2014 Dodge Ram 1500 Crew Cab SSV for \$20,543

Councilmember Peters pulled this for discussion from the consent agenda. He had several questions about this purchase. This vehicle will replace the 2010 Ford Crown Victoria in the squad rotation, which currently has in excess of 90,000 miles. The 2009 Ford Crown Victoria and 1998 Ford Windstar van will be traded for the amounts of \$4,000 and \$1,000, respectively, toward the purchase of the new vehicle, lowering the price to \$20,543. Current practice is at the end of the third year or beginning of the fourth year, the vehicles are rotated out of service, which allows proper maintenance and good working condition for a primary response vehicle. The 2014 Dodge Ram will be purchased through the State of Minnesota bidding process, which permits purchase of a vehicle at the lowest price possible. The monies for this purchase were approved in the 2014 capital outlay budget. Chief Kubista and Investigator Dather addressed questions from Councilmember Peters regarding the state bidding process and repair costs

Motion Spence second Durand to approve consent agenda item to approve purchase of 2014 Dodge Ram 1500 Crew Cab SSV for Police Department for \$20,543. Roll call vote: Beckman Y, Durand Y, Gartner Y, Peters N, Powers Y, Spence Y, Waltman Y. Motion carried 6-1-0.

Approve trade in of 2005 Chevrolet Malibu towards purchase of 2013 Side-by-side ATV

Councilmember Gartner pulled this for discussion from the consent agenda. His main concern is the cost. The ATV will be used throughout the entire year by the department. Its main purpose will be for the Community Service Officer to patrol the downtown area for parking violations, posting of signage and miscellaneous use, including transportation of dogs. This vehicle will also be used by patrol officers in the summer for special activities and forthcoming new programs.

To offset the cost of the ATV, donations have been requested from three local businesses and Treasure Island. The ATV is electric and gas. An admin car is to be taken from the forfeiture inventory.

Motion Spence, second Waltman to approve Consent Agenda item Approve trade in of 2005 Chevrolet Malibu towards purchase of 2013 Side-by-side ATV. All ayes 7-0-0.

Approve 2014 billboard permit application for Fairway Outdoor Funding, LLC

Councilmember Gartner requested that this be pulled from the consent agenda to inquire of the City Attorney whether or not the city can deny billboard permits, causing them to be removed. Planning/Community Development Director Keehn stated that the city has very specific language in the city ordinance. The city cannot deny the structures that currently exist. The property owner is the only one that can terminate the agreement.

Billboard permits are to be renewed on an annual basis subject to payment of fees and required paperwork. Location of each billboard: South facing near Hok-Si-La Park (Bushel & Peck – changes frequently)

North facing at Triple R Sales

North facing near Hok-Si-La Park (Pepin Heights/Wild Wings)

North facing near Hok-Si-La Park (Bella Vista)

North facing Hwy 61, SO CR 9 (Golf Alabama)

In accordance with the City of Lake City Municipal Code Title XI: Business regulations, the City can accept applications for licenses. The City Council can approve or deny the requests.

Motion Spence second Waltman to approve consent agenda item Approve 2014 billboard permit application for Fairway Outdoor Funding, LLC subject to payment of fees and receipt of required paperwork. Roll call vote: Beckman Y, Durand Y, Gartner N, Peters Y, Powers Y, Spence Y, Waltman Y. Motion carried 6-1-0.

Approve City of Lake City Sign Retroreflectivity Evaluation and Maintenance Policy

Councilmember Gartner requested that this be pulled from the consent agenda for clarification on the timing when the signs need to be replaced and costs of replacement. Recently adopted language requires all agencies, which maintain roadways open to public travel, to adopt a sign maintenance program to maintain traffic sign retroreflectivity at or above specific levels. “Retroreflectivity” describes how light is reflected from a surface and returned to its original source. The Manual of Uniform Traffic Control Devices (MUTCD) published by the US Department of Transportation (FHWA), set standards for basic principles of traffic signs to promote safety on public roads and establishes uniform standards. The MN MUTCD requires a city to establish an assessment or management method that is designed to meet federal standards. The assessment or management method must be established by January 22, 2014. Sign replacements are scheduled to work within current budget and will be spread over several years.

Motion Powers, second Spence to approve consent agenda item Approve City of Lake City Sign Retroreflectivity Evaluation and Maintenance Policy. Roll call vote: Beckman Y, Durand Y, Gartner N, Peters Y, Powers Y, Spence Y, Waltman Y. Motion carried 6-1-0.

Unfinished Business

Waive the second reading and adopt ordinance No. 528 amending Chapter 114 of Lake City Municipal Code Relating to Taxicabs

The City has the authority by ordinance to license or regulate taxicabs or small vehicle passenger service pursuant to Minnesota Statutes Section 412.221, subdivision 20. State law requires that the

ordinance must at least provide for driver qualifications, insurance, vehicle safety, and periodic vehicle inspections. The Ordinance amending Chapter 114 defines a taxicab, provides conditions for the application and issuance of a taxicab license, prohibits the transfer of a taxicab license without the consent of the City Council, requires that taxicab services comply with all applicable laws, sets requirements for taxicab fees, restricts the number of taxicab passengers, makes licensees responsible for driver qualifications and conduct, and vehicle safety and inspections, provides for the return of lost property, increases insurance requirements, allows drivers licensed by other cities to travel in the City, and includes provisions for penalties and license suspension and revocation. The City Attorney has drafted the proposed ordinance in consultation with the City Clerk.

Motion Spence, second Gartner to waive the second reading of Ordinance 528. All ayes 7-0-0.

Second by Spence to an earlier motion by Powers to adopt Ordinance 528 amending Lake City Municipal Code Chapter 114 relating to Taxicabs. All ayes 7-0-0.

Councilmember Durand requested clarification on the section of the ordinance dealing with inspections. City Attorney Sonsalla stated that the council can request different language.

Council is requesting that staff further clarify inspections with regard to MNDOT requirements and perhaps at a later date bring back to council for review.

7. Consent Agenda

- a. Approve City Council special meeting minutes 12.9.13
- b. Approve City Council regular minutes 12.9.13
- c. Approve expense claims 12.5.13-1.8.14
- d. Designate official newspaper and official depositories for 2014
- e. Confirm Eugene Durand appointment to Economic Development Authority
- f. Adopt Resolution 14-002 confirming board/commission re-appointments
- g. Approve hiring Hannah Kennedy and Donna Ohl as part-time Library Aides
- h. Adopt Resolution 14-005 accepting \$300 donation from Bonnie Koenigs to be used for the library renovation
- i. Clarify hourly pay rate for Children's Librarian, Emily Nelson
- j. ~~Approve 2014 billboard permit application for Fairway Outdoor Funding, LLC~~
- k. Adopt Resolution 14-007 in support of 2014 Minnesota Passenger Rail Legislative Initiatives
- l. ~~Approve City of Lake City Sign Retroreflectivity Evaluation and Maintenance Policy~~
- m. Approve 2014 license application
- n. Approve commercial haulers license for AMG Alliance, LLC
- o. ~~Approve trade in of 2005 Chevrolet Malibu towards purchase of 2013 Side by side ATV~~
- p. ~~Approve purchase of 2014 Dodge Ram 1500 Crew Cab SSV for \$20,543~~

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

Communication Updates:

Food Shelf update: Mr. Keehn outlined staff discussions with the Food Shelf board as to the building at the site. It is not advisable to leave the food shelf in the current location during construction of the new facility, as the building may be compromised by the construction process. Staff is looking into a temporary site to relocate during the demo phase of the project and will continue to provide updates to council.

Miscellaneous Discussion

Mayor Beckman noted that Board and Commission liaisons will be on the February agenda.

Councilmember Peters forwarded an email from a County Commissioner to the Mayor regarding the replay of county commission meetings accusing the city of political motivations in the process of the broadcasts. Council requested that a letter from the City Administrator to the County board calling their attention to this matter, requesting clarification on whether it is representative of the County Board as a whole, and asking for a written procedure for delivery of DVDs to the city be drafted and sent.

Councilmember Waltman requested an update on the hazardous structure on Lyon Ave. City Attorney Sonsalla is working with the bank which holds the property.

Councilmember Waltman stated her concerns from the Ambulance Commission meeting minutes where a board member resigned during the meeting. There has been no letter of resignation presented to the Mayor, so she feels that the minutes are incorrect. The Mayor stated that he has met with the board member, and the minutes are a correct account of the meeting proceedings, but that there has been no letter of resignation received at this time.

Councilmember Peters received a data request for information regarding the safe driving course that the city participates in with Wabasha County. The City Attorney is working on the request with staff.

Councilmember Durand inquired where council is at with the process of the proposed new Public Safety Building. The costs including the Fire Station at \$7 million plus is a concern for some council members.

Informational Reports- as presented

Councilmember Waltman requested information from the City Administrator regarding staffing issues with the Ambulance.

Future Meeting Dates- as presented

Mayor Beckman noted that the February meeting date is Tuesday February 18th.
The City Administrator performance review will be on January 27, 2014 at 5:00 p.m.

Motion Waltman, second Powers to close the meeting pursuant to MN Statute 13d.03 (Subd 1b) to discuss labor negotiation strategies at 8:48 p.m. All ayes 7-0-0.

The meeting was reopened at 9:13

The matter was tabled earlier in the meeting, and was requested to be discussed again after the closed session.

Adopt Resolution 14-003 approving an additional 1% increase in wages for all regular non-union employees retroactive to 1-1-14 and amending 2014 budgets

Motion Spence, second Powers to adopt Resolution 14-003 approving an additional 1% increase in wages for all regular non-union employees retroactive to 1-1-14 and amending 2014 budgets. Mayor Beckman noted to Powers, that the motion does include the City Administrator. Powers stated that he is withdrawing his second.

Motion Spence, second Waltman to adopt Resolution 14-003 approving an additional 1% increase in wages for all regular non-union employees retroactive to 1-1-14 and amending 2014 budgets. Roll call vote: Beckman Y, Durand N, Gartner N, Peters N, Powers N, Spence Y, Waltman Y. Motion fails 4-3-0.

After further discussion the following motion was proposed:

Motion Beckman, second Spence to approve a 2% salary increase retroactive to January 1, 2014 and amending the 2014 budgets with step increases subject to a satisfactory performance review for all regular non-union employees. Roll call vote: Beckman Y, Durand Y, Gartner N, Peters N, Powers Y, Spence Y, Waltman Y. Motion carried 5-2-0.

Motion Waltman second Powers to adjourn at 9:35 pm. 7-0-0.

Joel T. Beckman, Mayor

ATTEST:

Kari Schreck, City Clerk