

**Lake City Common Council  
Regular Meeting  
Monday, January 14, 2013 6:00 p.m.  
City Hall Council Chambers**

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

Members Absent: Matt Powers

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

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.

Oath of Office

Council persons: Marylou Waltman, Mark Spence, and Andru Peters recited the oath of office and accepted the 4 year term 2013-2017.

Mayor: Joel Beckman recited the oath of office and accepted the 4 year term 2013-2017.

Recognition of years of service- Mayor Jerry Dunbar

Introduction- Kennedy & Graven, Chartered civil attorney(s)

Sara Sonsalla City Attorney

Public Forum

None

Review and Adopt Agenda

**Motion Peters, second Waltman to adopt the agenda as presented. All ayes 5-0-0.**

Elect president pro tem

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.” 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.

**Motion Waltman, second Peters to elect Council Member Matt Powers as president pro tem to serve until the first Council meeting of January 2014. All ayes 5-0-0.**

Introduce and conduct the first reading of Ordinance 515 amending motor freight and warehousing uses

Keehn read a summary of Ordinance 515 aloud.

The Planning Commission has reviewed its existing regulations in anticipation of future demand related to the growing silica sand industry. Two principle use categories were reviewed: first being the extraction and processing of the resource, and second the shipment and storage uses. It is the second use, the shipment and storage of materials, defined in the City's Zoning Ordinance as *motor freight as warehousing*, where the Commission is recommending the City strengthen its regulations. The proposed ordinance accomplishes the following: it changes *motor freight and warehousing* uses from a permitted use to a conditional use the City's Light Industrial and Heavy Industrial zoning districts (note: it is already a conditional use in the Highway Commercial district). The draft ordinance includes language detailing specific application requirements for new motor freight and warehousing uses, and includes performance standards for new or expanded sites. The draft ordinance also includes a provision granting the City the option of requiring a transportation study for uses which will significantly increase traffic volumes.

The Planning Commission, at their December 4, 2012, meeting, reviewed and held a public hearing the ordinance, and moved unanimously to forward the ordinance to the City Council for adoption. This ordinance would only affect new uses within the community. Existing uses would not be required to obtain a conditional use permit.

**Motion Spence, second Peters to introduce and conduct the first reading of Ordinance 515 amending motor freight and warehousing uses. All ayes 5-0-0.**

Adopt Resolution 13-003 amending 2012 Ambulance Department budget

Ambulance call volume was higher than anticipated in the 2012 budget. The cost of narrow-banding pagers was higher than the amount included in the 2012 budgets.

**Motion Gartner, second Spence to adopt Resolution 13-003 amending the 2012 Ambulance Department budget. All ayes 5-0-0.**

Adopt Resolution 13-005 amending the 2012 Economic Development Authority budget.

The proposed resolution would increase the EDA budget for Books, Professional Services, and Miscellaneous and decrease the budgets for Operating Supplies, Travel/Meetings/Conferences, and Project Contractual.

**Motion Spence, second Gartner to adopt Resolution 13-005 amending the 2012 Economic Development Authority budget. All ayes 5-0-0.**

Conduct first reading of Ordinance 516 amending Ordinance 273 Gas Franchise with Northern States Power (Xcel Energy)

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 2011 for a two year period. 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". Originally the franchise fee was effective for 5 years. To extend the fee, the city has subsequently adopted ordinances that amend the original franchise Ordinance No. 273 by changing the sunset clause of the fee. Another two year agreement is suggested.

**Motion Waltman, second Spence to introduce and conduct a first reading of Ordinance 516 amending Special Ordinance #273 Gas Franchise to Northern States Power Company (Xcel Energy).** Ordinance 516 was read aloud by Scott Jensen.

Adopt Resolution 13-006 allowing carry-over purchase of security equipment including card identification system funds from 2012 budget to 2013 budget at an amount not to exceed \$26,900  
The purchase was approved at the December 10, 2012 council meeting. This request is to carry over the 2012 approved funds into the 2013 budget. The 2012 budgets were accepted by resolution, and any changes to the budgets must also be done by resolution.

**Motion Spence, second Waltman to adopt Resolution 13-006 allowing carry-over purchase of security equipment from Simplex Grinnell including card identification system for city hall funds from the 2012 budget to the 2013 budget at an amount not to exceed \$26,900. All ayes 5-0-0.**

Adopt Resolution 13-010 amending 2013 Street capital budget to include dump box and related equipment from 2012 at \$17,000

This item was approved in the 2012 Streets capital budget. The new Fire Rescue truck is not expected to be delivered until late spring 2013. This request is to carry over 2012 approved funds into the 2013 budget. The 2012 and 2013 budgets were accepted by resolution, and changes to the budgets must also be done by resolution

**Motion Gartner, second Spence to adopt Resolution 13-010 amending 2013 Street capital budget to include dump box and related equipment from 2012 at \$17,000. All ayes 5-0-0.**

Adopt Resolution 13-011 amending 2012 Public Works line item budgets

Various line items in electric, water, sewer and garbage funds exceeded the 2012 budget. All adjustments in electric, water and sewer will be amended within the existing budgets, having a zero net effect on the overall budgets. Note that Garbage collection revenues are also exceeding budget by more than \$96,000 before final collection of 2012 revenues, offsetting increased expenses.

**Motion Gartner, second Peters to adopt Resolution 13-011 amending 2012 Public Works line item budgets. All ayes 5-0-0.**

Discuss labor negotiations strategies ( may be closed to the public)

Law Enforcement Labor Services (LELS) has agreed to a 2% cost of living increase and applicable step increases for 2013. (There was no need to close the meeting.)

**Motion Gartner, second Waltman to approve Law Enforcement Labor Services wage increase for 2013 consisting of a 2% cost of living increase and applicable step increases retroactive to January 1, 2013. All ayes 5-0-0.**

## 9. Consent Agenda

- a. Approve November 13, 2012 special City Council meeting minutes
- b. Approve November 28, 2012 special City Council meeting minutes

- c. Approve November 29, 2012 special City Council meeting minutes
- d. Approve December 5, 2012 special City Council meeting minutes
- e. Approve December 10, 2012 regular City Council meeting minutes
- f. Approve expense claims 12.7.12-1.9.13
- g. Designate official newspaper and official depositories for 2013
- h. Approve 2013 license applications
- i. Approve Pay Equity Implementation Report and submittal to MN Management and Budget Department
- j. Adopt Resolution 13-001 accepting donation of \$200 from Bonnie Koenigs to library
- k. Adopt Resolution 13-002 authorizing release of temporary construction easement at 1703 North High Street
- l. Approve liquor license application from K-Walk Inc.
- m. Adopt Resolution 13-004 accepting donation of \$1,000 from Knobelsdorff Electric, Inc. to Lake City Ambulance and amending 2013 Ambulance budget
- n. Adopt Resolution 13-007 accepting donation of \$300 from St. Mark's Episcopal Church to be split evenly between Lake City Ambulance, Police and Fire Departments
- o. Adopt Resolution 13-008 accepting donation of \$875 from Horizon Milling to Lake City Fire Department
- p. Adopt Resolution 13-009 accepting \$1,000 grant to Lake City Fire Department from Ag Star Financial Services and amending 2012 budget
- q. Hire Josh Meyer as Parks seasonal part-time at \$9.56/hour, Grade 1, Step F
- r. Hire Denny Barwald as boiler inspector for Lake City Fire Department effective January 1, 2013
- s. Hire Denny Barwald as maintenance person for Lake City Fire Department effective January 1, 2013

**Motion Spence second Peters to adopt the consent agenda as presented. All ayes 5-0-0.**

#### 10. Communication Updates

##### Ambulance facility update

Ambulance Commission member Carl Wirtanen provided a Power Point presentation outlining a potential new facility on the city owned property located next to the Fire Hall. The request is for a stand-alone facility for the Ambulance service. Council thanked them for their efforts and producing the information for review. Council has concerns over cost as well as separation from the Police Department. The Police Department has space needs as well which need to be addressed.

##### Policy for meeting room waiver of fees

Staff is working on the policy, and will have revisions for the February meeting.

#### 11. Miscellaneous Discussion

Gartner requested that the City Attorney review the agreements with the city and Federal Mogul as a result of Federal Mogul's announcement of reduction in the number of employees. Consensus by council to have the City Attorney review the agreements.

##### Request for Performance Evaluations by council

City Attorney Sonsalla outlined several scenarios for the council to consider.

**Motion Spence, second Waltman to have the City Attorney review the process used by the City Administrator for conducting department manager performance reviews in 2010-2012 and provide a report to Council. Roll call vote: Spence, Waltman, Beckman voting aye; Peters, Gartner voting nay. Motion carried 3-2-0.**

12. Informational Reports- as presented

13. Future Meeting Dates- as presented

**Motion Spence, second Gartner to adjourn at 7:30 p.m. All ayes 5-0-0.**

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Joel T. Beckman, Mayor

ATTEST:

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Kari Schreck, City Clerk