

**Lake City Common Council
Regular Meeting
Monday, March 11, 2013 6:00 p.m.
City Hall Council Chambers**

Members Present: Mayor Joel Beckman, Andru Peters, Phil Gartner, Mark Spence, Matt Powers

Members Absent: Mary Lou Waltman, Gene Durand

Staff Present: City Administrator Ron Johnson, Planning and Community Development Director Rob Keehn, City Clerk Kari Schreck, , City Attorney Scott Riggs

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.

Public Forum

None

Review and Adopt Agenda

Gartner requested that consent agenda items 6n, Approve 2013 billboard permit application for Fairway Outdoor Funding LLC for discussion, and City Attorney requested that 6 i. Approve seasonal/temporary replacement policy be pulled and tabled until the next council meeting.

Motion Gartner, second Peters to adopt the agenda as amended. All ayes 5-0-0.

Conduct public hearing, and second reading of Ordinance No. 518 vacating portion of former Chestnut Street right of way and portion of alley in Block 18 and 19 of Central Point Map of 1855 and set public hearing and adoption of

Planning and Community Development Director Rob Keehn read aloud Ordinance 518.

Motion Spence, second Gartner to open the public hearing on a petition to vacate a portion of an alley in Block 18 and 19, and a portion of Chestnut Street, all as shown on the Central Point Map of 1855. All ayes 5-0-0.

No one from the public spoke.

Motion Gartner, second Spence to close the public hearing. All ayes 5-0-0.

Adoption of this ordinance will vacate a portion of Chestnut Street, and a portion of an alley in Block 18 and 19 that were part of a plat from 1855 (Central Point Map). This area was later replatted as part of the Auditor's Subdivision of Central Point without vacating the rights-of-way from the original plat. The vacation will affect only the two properties which are part of the petition to vacate, legally described in the ordinance.

Motion Peters (from February 11, 2013 council meeting), second Gartner to adopt Ordinance No 518. All ayes 5-0-0.

Initiate rezoning of City-owned property in the 1600 block of North Oak Street

Mayo Clinic – Lake City has submitted a request to rezone property they have purchased in the 1600 block of North Oak Street. The City owns one lot in the middle of the Mayo property, which the Clinic will need to acquire in order to develop the other properties. The development is contingent upon the rezoning request. In order to assist with the development timeline, staff is requesting that the City initiate the rezoning of the one lot it owns in order to coincide with the Clinic's application, which will go before the Planning Commission in April.

Motion Powers, second Gartner to direct staff to initiate the rezoning of City-owned property in the 1600 block of North Oak Street from MDR, Medium Density Residential, to MC, Medical Campus. All ayes 5-0-0.

Conduct the first reading of Ordinance No 520 amending the Lake City Zoning Ordinance allowing limited specialty dining as a conditional, accessory use in the RD District

An application for a text amendment has been submitted to the city by Norm and Mary Erickson, owners of a hazelnut farm at 1186 West Lakewood Avenue. The applicants, along with partner Mark Dupre, have requested the City consider allowing limited specialty dining in the City's RD Zoning District as an accessory use, regulated through the issuance of a conditional use permit. The Erickson's specific proposal is for an outdoor pizza farm type operation, but the text amendment would be broad enough to allow for future food service uses for wineries, vineyard, and orchards as examples. The City Attorney has drafted the ordinance, which the Planning Commission considered at its March 5, 2013, meeting and held a public hearing.

Motion Powers, second Gartner to conduct the first reading of Ordinance No 520 amending the Lake City Zoning Ordinance allowing limited specialty dining as a conditional, accessory use in the Rural Development Transitional (RD) Zoning District. All ayes 5-0-0.

Approve the status change of Ryan Marking to full time Administrative EMT effective April 1, 2013.

The full time position has been budgeted for 2013.

Motion Spence, second Gartner to approve the status change of Ryan Marking from ¾ time to full time Administrative EMT at Grade 8, step C effective April 1, 2013.

All ayes 5-0-0.

Waive second reading of, and adopt Ordinance 519, an ordinance amending Ordinance 498 relating to the sale and consumption of alcohol, and repealing Chapter 117

Motion Peters second Powers to waive the second reading of Ordinance 519, amending Ordinance No. 498 and repealing Chapter 117. All ayes 5-0-0.

The Council directed staff to amend the City's current Alcohol Ordinance No. 498 to allow for 2:00 a.m. closings. This Ordinance makes the change to Ordinance No. 498 (which are the City's current liquor regulations) to allow for 2:00 a.m. closings (see Section 117.021). Upon review of Ordinance No. 498, several other issues became apparent that also needed to be addressed. A summary of the other issues that were addressed in this Ordinance were presented to council for review. At the February 11th council meeting, concerns were raised about the language in 117.006 Consumption in Public Places of Ordinance 519. Council requested that Chief Majchrzak address this section. The Chief stated his concern with striking the language from the Ordinance as it is important to enforcement in the city. After a lengthy discussion, council directed that 117.006 be stricken from Ordinance 519.

Motion Peters to adopt Ordinance 519, amending Ordinance 498 and repealing Chapter 117 Motion fails for lack of a second.

Motion Gartner, second Spence to adopt Ordinance 519 excluding section 117.006 and amending Ordinance 498 and repealing Chapter 117. All ayes 5-0-0.

Weber vs Lake City closed session 6:45 p.m.

Motion Spence, second Gartner to close the meeting to engage in attorney client privilege communications with the League of Minnesota Cities attorney Paul Merwin, and City Attorney Scott Riggs. All ayes 5-0-0.

Meeting opened and recessed at 7:33 p.m.

Meeting called back to order at 7:37 p.m.

6. Consent Agenda

- a. Approve February 11, 2013 special council minutes
- b. Approve February 11, 2013 regular Council meeting minutes
- c. Approve February 26, 2013 special Council minutes
- d. Approve expense claims
- e. Adopt Resolution 13-020 accepting donation from Pass It On in the amount of \$10,000.00 and amending 2013 Police Department budget
- f. Adopt Resolution 13-021 accepting donation of \$150.00 from Mavis and Elmer Sprick for the purchase of paperback shelving attachments and amending the 2013 library budget
- g. Approve hiring of Amanda Jacob as 3/4 time Bookkeeper pay grade 8 step A.
- h. Approve request for Consumption & Display permit for the Lake City Yacht Club.
- i. ~~Approve seasonal/temporary employee replacement policy~~
- j. Confirm appointment of Duane Sprick to the Streets & Parks Commission
- k. Confirm appointment of Steven M. Swan to the Public Safety Board
- l. Confirm appointment of Jerry Pfeilsticker to the Planning Commission.
- m. Approve trail easement agreement between The Jewel: A Golf Community Master Association, Inc. and City of Lake City
- n. ~~Approve 2013 billboard permit application for Fairway Outdoor Funding, LLC~~
- o. Approve pay certificate #4F for 2012 water main improvements to SL Contracting for \$6,795.83 pending Utility Board approval at its March 20, 2013 meeting

Motion Powers, second Spence to approve the consent agenda as amended.

All ayes 5-0-0.

6n. Approve 2013 billboard permit application for Fairway Outdoor Funding, LLC

Gartner pulled this item for clarification. After discussion it was agreed that this would be tabled until the April meeting.

Motion Gartner, second Peters to table the 2013 billboard permit application for Fairway Outdoor Funding LLC. All ayes 5-0-0.

7. Communication Updates

- a. Civil Service Commission - 11.15.12 meeting
- b. Marina Board - 02.05.13 meeting cancelled

- c. Planning Commission - 02.05.13 meeting
- d. Public Safety Board - 02.06.13 meeting
- e. EDA - 02.07.13 meeting
- f. Ambulance Commission Special - 02.07.13 meeting
- g. Ambulance Commission - 02.19.13 meeting cancelled
- h. Heritage Preservation Commission - 02.13.13 meeting
- i. Street & Parks Commission - 02.19.13 meeting
- j. Utility Board - 02.20.13 meeting cancelled
- k. Personnel Committee - 02.26.13 meeting
- l. Library Board - 02.25.13 meeting
- m. Fire Department - 01.31.13 meeting
- n. Charter Commission - 02.26.13 meeting
- o. Board of Adjustments - 02.13.13 meeting cancelled

8. Miscellaneous Discussion

The Library roof has several serious leaks at this time. Council stated that the City Administrator and Library Administrator have the approval to do the necessary repairs to the roof. The needs analysis by the Library subcommittee will be presented in April to council. At that time, with the review of the funding, status of Crescendo Consulting, building concept plans etc, determinations will be made on where the next steps are to keep the process moving forward.

Mayor Beckman stated that there are openings on several openings on boards and commissions. If interested please contact City Hall.

9. Informational Reports- as presented

10. Future Meeting Dates- as presented

Motion Powers, second Peters to adjourn at 7:50 p.m. All ayes 5-0-0.

Joel T. Beckman, Mayor

ATTEST:

Kari Schreck, City Clerk