

**Lake City Common Council
Regular Meeting
Monday, April 8, 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, Public Works Director Scott Jensen, City Clerk Kari Schreck

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.

Swearing in of new council member Gene Durand.

Introductions

Introductions were made.

Public Forum

None

Review and Adopt Agenda

Mayor Beckman pulled agenda item 5c Conduct first reading of Ordinance 523 amending Title III, Chapter 30, Section 30.053 of City Code regarding Library Board powers at the request of the City Attorney and pulled for discussion consent agenda item 7 k. Adopt Resolution 13-023 in support of Rochester Mayo's Destination Medical Center initiative.

Motion Waltman, second Gartner to adopt the agenda as amended. All ayes 7-0-0.

Conduct the first reading of Ordinance No 521 rezoning property in the 1500 and 1600 blocks of North Oak Street from Medium Density Residential to Medical Campus

The request to rezone the aforementioned properties was submitted by Mayo Clinic Health Systems – Lake City and the City of Lake City has initiated a similar request for the one lot it owns. For quite some time the clinic has been purchasing the properties on the southwest side of the street with the intention of further expanding the existing medical and care center facilities, which are adjacent to the subject properties. At this point Mayo holds ownership of the majority of these properties, with the exception of one lot owned by the City. Chris Gulden of Mayo Clinic Health Systems was present.

The Planning Commission conducted public hearings for both the Mayo property and the City property on April 2, 2013, and voted (7-yes, 0-no) to recommend approval of the rezoning request to the City Council for both sets of property.

Motion Waltman, second Spence to conduct the first reading of Ordinance No 521 rezoning property located at 1513, 1517, 1601, 1603, 1605, 1607, and 1609 North Oak Street from Medium Density Residential (MDR) to Medical Campus (MC). All ayes 7-0-0. Keehn read Ordinance 521 aloud.

Adopt Resolution 13-023 in support of Rochester Mayo's Destination Medical Center initiative
Mayo Clinic, the largest private employer in the state, responsible for 70,000 jobs and \$9.5 billion in revenue to the state, is proposing an expansion projected entitled Destination Medical Center (DMC). The Destination Medical Center project will help grow additional traffic to Minnesota and benefit the entire state. It is anticipated that the total economic impact to Minnesota will exceed \$45 billion, and that 35,000 to 45,000 new jobs will be created in Minnesota, of which 25,000 to 30,000 would be direct to expansion in southeast Minnesota.

Motion Spence, second Powers to approve consent agenda item Adopt Resolution 13-023 in support of Rochester Mayo's Destination Medical Center initiative. All ayes 7-0-0.

Community-wide Memorial Committee update; Recognize Committee as independent committee
In November and December of 2012, members were appointed to a Community-wide Memorial Committee. The committee's responsibility was to include, but not be limited to, soliciting public input and recommending to Council a location, design layout, and potential funding sources for consideration of a memorial for all community members whose lives were lost while serving. Further, they would like to be restructured to be an independent committee, no longer subject to the control of the City Council. Pete Mathias, chair of the committee, brought forward the request for the committee to form a 501C3 or to pair up with an existing 501C3 organization. In order for this to happen, the committee needs to be independent of the city.

Motion Spence, second Waltman to the dissolution of the city committee recognize and support the Community-wide Memorial Committee as an independent committee that is no longer subject to the control of the City of Lake City and support the inclusion of a council member on committee. All ayes 7-0-0.

Guard rail project update

Public Works Director Jensen provided the latest correspondence between the City and MnDOT officials. The project has been slow going and council voiced their continued concerns. Staff will provide an update at the May meeting.

Council member Gartner left the meeting at 6:49 p.m.

Introduction and First Reading of Ordinance 522 amending Chapter 117 of City Code relating to consumption of alcoholic beverages in public places.

The City Council at its March 11th, 2013 meeting adopted Ordinance 519 which repealed Chapter 117 of the City Code and replaced it with the contents of Ordinance 498 that was previously adopted approximately a year ago. The Council was concerned about the outright prohibition of consumption of alcohol in public places that was being proposed as a part of Ordinance 519. Council removed this language from Ordinance 519 and the Ordinance was adopted without any restrictions on the consumption of alcohol in public places. City staff and the City Attorney reviewed the consumption of alcohol in public places issue, which included a review of other cities' and counties' ordinances that allow the consumption of alcohol in public

places. They also took into account the various special events and sporting events that occur in public places within the City that include alcohol consumption.

City staff and the City Attorney are proposing Ordinance 522 to amend Chapter 117 of the City Code. It places some time, place, and manner restrictions on the consumption of alcohol in public places in order to ensure the public health, safety, and welfare. These restrictions have been deemed to be enforceable by the Chief of Police. However it should be noted that the Public Safety Board at the April 3rd 2013 vetoed recommendation of this Ordinance.

Motion Waltman, to approve the introduction and first reading of Ordinance 522 amending Chapter 117 of the Lake City Municipal Code relating to the consumption of alcoholic beverages in public places. All ayes 6-0-0.

Ordinance 522 was read aloud by Keehn.

Award 2013 mill and overlay project to Monarch Paving Company for \$1,435,795.67

Bid opening for the 2013 mill and overlay project was held Tuesday, April 2, 2013. The tabulation was prepared by Bill Anderson of Yaggy Colby Associates. One bid was received. Construction bid plus engineering, contingency and bond costs total an estimated \$1,646,626 or \$66,626 over maximum borrowing based on the Council approved 5-year street reconstruction plan. Excess cash required to complete the entire project may be available from 2013 unbudgeted LGA (\$366,208). Staff stated that the Hok-Si-La road section of the project could be eliminated if the council does not wish to use the LGA funds, keeping the amount of the proposed bonds within the estimate approved by the council in 2012.

Mike Bubany, David Drown Associates, will present a bond recommendation at the May regular meeting.

Motion Spence, second Durand to award 2013 mill and overlay project to Monarch Paving Company for \$1,435,795.67. Roll call vote: Durand, Beckman, Peters, Spence voting aye; Waltman, Powers voting nay. Motion carried 4-2-0.

Approve submittal of Corridor Investment Management Strategy funding application for Hok-Si-La trail extension for \$409,500

With the replacement of Gilbert Creek Bridge and inclusion of a pedestrian way on the bridge, the completion of the trail from Central Point Road to the Hok-Si-La Park entrance has been identified as an important connection for the community. The CIMS funding program is a pilot solicitation (new program) with a 2014-2015 budget request of \$30 million. The program requires a 10% local match at minimum, with more points awarded to projects with matching exceeding 10%. Legacy funding is eligible for matching funds and would be pursued if applicable. This trail project meets several of the guiding principles of "Minnesota GO" including:

- Leveraging public investment
- Ensure accessibility
- Build to maintainable scale
- Ensure regional connections (Hok-Si-La is a regional park)
- Integrate Safety

Funding would be sought for construction year 2015 as permits to construct in wetlands would be necessary. Confirmation of program funding and notification of awards is scheduled for June 2013. Total project is estimated at \$455,000- \$409,500 CIMS funding; \$45,500 local match.

The Lake City Chamber of Commerce has approximately \$25000.00 set aside for the river walk extension. Staff has an email commitment from the Chamber for use of these funds for this project.

Motion Spence, second Powers to approve submittal of Corridor Investment Management Strategy funding application for Hok-Si-La trail extension for \$409,500.00. All ayes 6-0-0.

Waive second reading, and adopt Ordinance No 520 amending Lake City Zoning Ordinance allowing limited specialty dining as conditional, accessory use in RD District

Norm and Mary Erickson are the 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. Ordinance 520 would amend the City's Zoning Ordinance by adding a definition for limited specialty dining, and secondly add language allowing the use in the Rural Development Transitional (RD) Zoning District with the approval of a conditional use permit

Motion Powers, second Spence to waive the second reading, and adopt Ordinance No 520 amending the Lake City Zoning Ordinance allowing limited specialty dining as a conditional, accessory use in the RD District. All ayes 6-0-0.

Approve 2013 billboard permit application for Fairway Outdoor Funding, LLC

Billboards are permitted in certain instances pursuant to Section 155.73. A license/permit is required. The permit is issued for one year and expires on January 31st. A bond of \$250 is required for each sign. Location of each billboard: South facing near Hok-Si-La Park (Bushel & Peck, North facing at Triple R Sales, North, facing near Hok-Si-La (Pepin Heights/Wild Wings), North facing near Hok-Si-La (Bella Vista), North facing Hwy 61, SO CR 9 (Golf Alabama). Since all requirements for the issuance of the billboard licenses have been met, the Council should approve them for the 2013 license year.

Motion Powers, second Waltman approving the 2013 billboard permit application for Fairway Outdoor Funding, LLC. All ayes 6-0-0.

Consent Agenda

- a. Approve March 11, 2013 special Council meeting minutes
- b. Approve March 11, 2013 regular Council meeting minutes
- c. Approve expense claims 3.7.13-4.3.13
- d. Approve parade permit application for the Lake City Chamber of Commerce Water Ski Days event on 06-30-13
- e. Approve 1-4 day temporary 3.2 on sale liquor license for Lake City Chamber of Commerce Water Ski Days event from 06-28-13 through 06-30-13
- f. Approve carnival permit application for Lake City Chamber of Commerce Water Ski Days event from 06-27-13 through 06-30-13
- g. Approve 1-4 day temporary intoxicating on-sale liquor license for Lake City VFW bean bag tournament June 22, 2013
- h. Approve 1-4 day temporary on sale liquor license for the Lake City Fire Department Relief Association event held on 7-6-13 through 7-7-13.

- i. Adopt Resolution 13-015 approving fees for use and rental of Lake City- City Hall meeting rooms and repealing Resolution 09-092
- j. Adopt Resolution 13-022 supporting legislation authorizing cities to establish street improvement districts
- k. ~~Adopt Resolution 13-023 in support of Rochester Mayo's Destination Medical Center initiative~~
- l. Approve hiring Cody Thornberg, Justin Carroll and Angela Lehmann as volunteer EMT's
- m. Approve hire of employees for 2013 Marina boat launching
- n. Approve 2013 Fire and Ambulance Contracts
- o. Approve hiring Hok-Si-La seasonal employees for 2013

Motion Waltman, second Spence to approve the consent agenda as presented. All ayes 6-0-0.

Miscellaneous Discussion

Mayor Beckman is requesting a special meeting be called to address the Public Safety and Ambulance facility needs. April 30th at 5:00 has been set. City Administrator will notify the appropriate Department Heads.

Informational Reports- as presented

Future Meeting Dates- as presented

Motion Powers, second Peters to adjourn at 7:25 p.m. All ayes 6-0-0.

Joel T. Beckman, Mayor

ATTEST:

Kari Schreck, City Clerk