

**Lake City Common Council
Regular Meeting
Monday, April 25, 2011
Council Chambers 6:30 p.m.
City Hall**

Members Present: Mayor Jerry M. Dunbar, Andru Peters, Mary Lou Waltman
Joel Beckman, Matt Powers, Phil Gartner, Mark Spence

Members Absent: None

Staff Present: City Administrator Ron Johnson, Public Works Director Scott Jensen,
City Clerk Kari Schreck, Planning & Community Director Rob Keehn,
Police Chief Lyle Schumann, EDA Director Erin Sparks, City Attorney
Karen England

Mayor Dunbar called the meeting to order at approximately 6:33 p.m. in the Council chambers of city hall with a quorum present.

Pledge of Allegiance

Mayor Dunbar led the Pledge of Allegiance.

Introductions

Introductions were made.

Disclose Conflicts and Relationships

Spence noted that his wife is an employee at the Railhouse Grill.

Review and Adopt Agenda

Gartner requested that items 1a, 1c, and 2 e be pulled for discussion.

Gartner requested that items 1g, 1h, 3f, 3g, and 3h be pulled for discussion.

Motion Gartner, seconded Waltman to approve the agenda as amended. All ayes 7-0-0.

Employee Service Recognition –

Dave Finley	35 years
Deb Kranz	20 years
Gail Reimersma	5 years

Mayor Dunbar thanked them for their many years of service to the Lake City community.

Reconvene April 13 Board of Appeal and Equalization meeting and approve Wabasha and Goodhue County Assessors' recommendations

The MN Revenue Board of Appeal and Equalization handbook states “All changes or recommendations by the Council must be substantiated by fact. Any value reductions must be justified because they have an effect of shifting the tax burden to other property in the jurisdiction. Further, any changes made by the council must meet statutory guidelines.”

The meeting was called to order at 6:40 p.m. by Mayor Dunbar with a quorum present. Goodhue County recommendations were accepted at the April 13th 2011 meeting. Penny Schmit from Wabasha County was present and presented the recommendations as requested by the Council at their April 13th, 2011 meeting.

Wabasha County

<u>Parcel number</u>	<u>Owner</u>
22.00797.00	Tom & Marcia Holets
22.00866.03	Debra Schmidt
22.01289.00	Christopher & Tammy Peterson
22.01021.00	Chris Schmitz
22.02245.00	Roland Barrett
22.00421.00	David (Jim) Schreck
22.00535.00	David (Jim) Schreck
22.00860.00	David (Jim) Schreck
22.00364.00	Glen Bunkowski
M22.06027.00	Richard DeFrang
22.00268.00	Yotter, Schreck
22.00370.00	John McGinty

**Jewel
Properties**

22.02445.00	James & Marilyn Laudon
22.02020.00	Larry Wiendenheft
22.02394.00	Greg Schreck
22.02393.00	Greg Schreck
22.02384.00	Debra Frazier
22.01935.00	Greg Schreck
22.02629.00	Greg Schreck

Goodhue County

Albert & Janet	P	54.125.0409
Albert & Janet	P	54.125.0405
Bank of Alma	P	54.240.0020
Nicco Corp	P	54.100.0551

**Motion Beckman, seconded Waltman to approve the recommendations from Wabasha County Assessor's office as presented with the following roll call vote:
Beckman aye, Dunbar aye, Spence aye, Waltman aye, Peter's aye, Powers aye, Gartner aye. All ayes 7-0-0.**

**Motion Gartner, seconded Peters to approve the recommendations from Goodhue County Assessor's office as presented with the following roll call vote:
Beckman aye, Dunbar aye, Spence aye, Waltman aye, Peters aye, Powers aye, Gartner aye. All ayes 7-0-0.**

Motion Beckman, seconded Peters to adjourn the Board of Appeal and Equalization at 6:44 p.m. All ayes 7-0-0.

Public Forum

No one from the public spoke.

Department manager 2010 presentations: Ambulance, Planning & Community Development, Police, EDA

The following department managers provided presentations on the status of their department for the 2010 year.

Gail Riemersma- Ambulance

Rob Keehn- Planning & Community Development

Lyle Schumann- Police

Erin Sparks- Economic Development Authority (EDA)

As presented with thanks from the Council.

Flood plain update- City staff

Public Works Director Scott Jensen reported that river levels are continuing to lower and those utilities will be restored to the Central Point area that had been shut off. All departments continue to work together.

Underwood Substation update

Public Works Director Jensen presented the following information to Council along with a cost comparison to budget. Since the award of the construction contract for the Underwood Substation last fall construction has progressed in a timely manner. Work is substantially complete inside the fence. The fence itself and its grounding should be completed in June. The project was scheduled to be completed in May but Xcel Energy's in and out tap from the transmission line will not be completed until the end of July at best. MP Systems, Inc. was able to relocate their workforce to another project until mid-June, which is when installation of underground conduit and conductor will begin. The lack of Xcel Energy's timely design on the project has led to one extra expense that should not exceed \$2,000. When that amount is known Public Works will forward an invoice to Xcel Energy for full reimbursement. To date the larger delays created by Xcel Energy have not resulted in extra expense to the city or its contractors.

Consider approval of pro-rata on-sale liquor license for Railhouse Grill

Council approved an on-sale liquor license for the Railhouse Grill on January 24, 2011 and the fee for a full year was paid at that time. Liquor licenses run from July 1 to June 30. The restaurant opened on April 16th, 2011. The licensee is requesting that 9 months of the license be refunded.

Motion Gartner, seconded Beckman, to approve a pro-rata on-sale liquor license refund for 9 months for the Railhouse Grill in the amount of \$1,087.47 All ayes 7-0-0.

Adopt Resolution 11-021 assessing water and sewer connection fee previously assessed to the common area equally across 34 units of Bella Vista Condominiums.

The Bella Vista Condominium was assessed a water and sewer access fee in 2006 by Resolution 06-011. The Condominium was subdivided and special assessments certified to Goodhue County in 2007. The Common Area was assigned a Parcel Identification Number and assessed 1/35th of the assessment in the amount of \$3,081.15 payable over 5 years starting in 2008. None of the special assessment for the Common Area has been paid. The Common Area should not have been assessed the special assessment. The total amount of the assessment of \$107,840.25 should have been assessed over the 34 livable units. Carolyn Holmsten, Goodhue County Finance Director, recommends the City pay the balance of \$3,697.38 which includes penalty and interest, and reassessing the \$3,081.15 to the 34 parcels which would amount to \$90.63 per unit. The full amount of \$3,697.38 will be received back by the City in the July property tax settlement. Although not recommended by staff, the penalty and interest of \$714.82 could also be assessed. Staff recommends the assessment be payable over three years starting in 2012 at 6% interest.

Motion Powers, seconded Spence to adopt Resolution 11-021 assessing the water and sewer connection fee previously assessed to the common area equally across the 34 units in the Bella Vista Condominiums in the amount of \$90.63 per unit. All ayes 7-0-0.

Abate nuisance conditions at the former Pirates Landing site at 102 E Center St.

Staff has worked with the property owner of 102 E Center St. to repair what damage was left after the Pirates Landing burned and was subsequently demolished, however the owner has failed to complete the work in a manner that meets the City's requirements. The City has the ability to abate the nuisance, and the ability to recoup the costs associated with the repairs either through the court system, or by placing a lien against the property.

After much discussion, Council took no action at this time, however, City Attorney England was to work with Planning and Community Development Director Rob Keehn in obtaining firm cost estimates as well as a report on the structure itself from Construction Management Services who the city hires as building inspector and report back to Council once all documentation is gathered.

Approve Library Aide position description and pay grade

An updated position description for Library Aide was presented to the Library Board for consideration. There are substantive changes in the description that resulted in a higher rating (Grade 5) than what our pay study consultant, Trusight (formerly Employers Association, Inc.), originally had this position rated at (Grade 4) although staff had, apparently erroneously, assigned this position a Grade 6 at the time of adoption of the pay study. Staff suggests that new hires be hired at the newly recommended Grade 5.

Motion Waltman, seconded Peters to approve the updated position description for Library Aide, and place newly hired Library Aides in Grade 5 of the city's pay study. All ayes 7-0-0.

Approve alignment of pay grade for substitute Library Aides at Grade 5 Step A

Substitute Library Aides work as needed to fill in during times of absence of a permanent part-time Library Aide. Currently the library has three substitute workers and the pay varies for each.

The Library Board requests that compensation for substitute Library Aides be consistent and be set at the same rate of pay as permanent part-time library aides.

Motion Gartner, seconded Peters to approve the alignment of pay grade for all substitute Library Aides by setting the pay at Grade 5 Step A (\$11.18 per hour)

Approve hiring Diana Wornson as a substitute library aide

The library currently has three substitute library workers; however due to personal schedules they are not always available when needed. Diana Wornson has been a volunteer at the library for three years. In November of 2010, Ms. Wornson attended SELCO training classes for the use of the library automation system and library cataloging.

Motion Gartner, seconded Peters to approve hiring Diana Wornson as a substitute library aide at Grade 5, Step A (\$11.18 per hour). All ayes 7-0-0.

Approve advertising for two library aide substitutes at the pay rate of Grade 5, Step A

The library currently has three substitute library aides. However, due to personal schedules, they are not always available when needed. The Library Board would like to hire and train two additional workers to allow for coverage when permanent workers are out. Substitutes will be trained to provide the same level of service and perform the same duties as the permanent part-time library aides.

Motion Gartner, seconded Peters to approve advertising for two additional library aide substitutes at pay rate of Grade 5, Step A (\$11.18 per hour). All ayes 7-0-0.

Unfinished Business

Update on Ordinance No. 500, an Ordinance amending the City's shoreland regulations

Staff redrafted the shoreland ordinance to incorporate some of the feedback received from the Council workshop, as well as from meetings with property owners. An open house meeting was held April 12, 2011, from 5:00pm to 6:30pm in the 2nd Floor Conference Room to take any additional questions of the public prior to setting a public hearing schedule. Staff is working to incorporate additional changes from the open house, and will provide it to the Planning Commission for their review.

Lake Pepin Neighborhood Access Points

City staff continues to contact MnDOT staff to schedule a meeting to discuss possible ADA requirements at the identified lake access points. To date, no meeting has been scheduled.

Consent Agenda:

- a) Approve expense claims
- b) Approve April 11, 2011 Council meeting minutes
- c) Adopt Resolution 11-022 accepting a mini grant of \$1,000 from the MN Dept of Public Safety Office of Traffic Safety
- d) Adopt Resolution 11-023 establishing a capital asset and depreciation policy
- e) ~~Approve certificates of payment #4 & #5 to MP Systems, Inc. for Underwood Substation construction for \$97,804.04 and \$20,520.22 respectively (pulled for earlier action Gartner)~~
- f) ~~Approve hiring Diana Wornson as substitute library aid (pulled for earlier action Gartner)~~

- ~~g) Approve advertising for two library aide substitutes at the pay rate of Grade 5, Step A(pulled for earlier action Gartner)~~
- ~~h) Approve advertising for a temporary library aide to serve May 1—August 1, 2011 at pay Grade 5, Step A(pulled for earlier action Gartner)~~
- i) Approve public utility easement and agreement with the Lake City VFW

**Motion Gartner, seconded Powers to approve the consent agenda as amended.
All ayes 7-0-0.**

Miscellaneous Discussion:

Councilmember Gartner requested the following items for consideration and action consensus:

Amending liquor ordinance to allow for prorating licenses.

Amending the RCA form

Policy on scheduling of meetings not to conflict with council meetings

Discussion followed and staff will work with the City Attorney on language for the proration of liquor licenses and bring back at a future date.

The RCA form will be discussed at the May 3rd, 2011 Administrative Procedures Committee meeting.

Staff will work with the various boards and commissions in an attempt to minimize the scheduling of board and commission meetings that conflict with the Council meeting schedule.

It was requested the EDA Director provide a status on the revolving loan fund and progress on outstanding loans which are delinquent.

Informational Reports:

As presented

Future Meeting Dates:

As presented

Adjourn

Motion Beckman, second Waltman to adjourn the meeting at 8:27 p.m. All ayes 7-0-0.

Jerry M. Dunbar, Mayor

ATTEST:

Kari Schreck, City Clerk