

**Lake City Common Council
Regular Meeting
Monday, July 11, 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, City Clerk Kari Schreck, Planning &
Community Director Rob Keehn, Public Works Director Scott Jensen,
City Attorney Karen England

Mayor Dunbar called the meeting to order at approximately 6:30 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

None

Review and Adopt Agenda

Dunbar added emergency Ordinance 503 to the agenda.

Gartner requested the addition of update on Bella Vista project status and authority of personnel committee to the agenda.

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

Public Forum

None

New Business

Receive Tourism Bureau annual audit and consider approval of 2012 expense request for MN Explorer advertising

John Hall III presented the Tourism Bureau's 2010 annual audit. In addition, the Bureau would like to advertise in the MN Explorer in 2012 which requires a commitment at this time. The Bureau shall submit to the City its annual operating budget for the Bureau before the beginning of each calendar year for which the budget is to be effective, for approval by the City Council. The budget shall detail the uses to which the proceeds shall be used consistent with the requirements of this subchapter and policies established by the City Council.

Motion Gartner, seconded Spence to approve the Tourism Bureau's 2012 expense request for advertising in the MN Explorer. All ayes 7-0-0.

Motion Waltman, seconded Powers to accept the 2010 annual audit of the Tourism Bureau as presented. All ayes 7-0-0.

Consensus that staff should look into section 110.54 and 110.55 authority of the city to examine records and administration of tax.

Conduct public hearing to consider application for franchise for operating a cable communications system; Adopt Resolution 11-036 regarding findings of fact with respect to HBC proposal for franchise

Brian Grogan of Moss and Barnett presented the HBC application for consideration. Chapter 238 requires that the City conduct a public hearing to review any application(s) submitted. Upon close of the public hearing the City must wait a minimum of seven days before considering the grant of a franchise to a qualified applicant. The council could consider granting a franchise at any time following the seven day waiting period. The hearing will focus generally on the sole application submitted and the qualifications of the applicant. State law allows for the City to be reimbursed for any costs or expenses associated with a new cable franchising process.

Motion Gartner, seconded Powers to continue the public hearing to the July 25, 2011 meeting at 6:30 p.m. regarding findings of fact with respect to the proposal of Hiawatha Broadband Communications, Inc. for a Cable Communications franchise. All ayes 7-0-0.

Approve updated Lake City Utilities Electric Service Rules and Regulations

Lake City Utility's current customer service rules and regulations are very dated and vague in many areas. The proposed updated regulations contain more detail and clarity for staff and our electric customers

Motion Powers, seconded Beckman to approve the updated Lake City Utilities Electric Service Rules and Regulations. All ayes 7-0-0.

Authorize staff to work with Yaggy Colby Associates on proposal to MnDOT to retain Gilbert Creek Bridge bypass lane adjacent to Hok-Si-La Park for future trail segment connecting River Walk to park

City staff, MnDOT field staff, Minnowa Construction representatives, Yaggy Colby Associates and Council Members Gartner and Peters met on site to look at the feasibility of retaining the bypass lane for a future trail. As the bridge is being constructed with a bike/pedestrian section the city deems it is reasonable to keep the bypass versus going to the expense to remove it. Replacement of the Gilbert Creek Bridge offers an opportunity to keep the temporary bypass lane, which would be a significant portion of the trail to Hok-Si-La Park.

Motion Peters seconded Gartner to authorize staff to work with Yaggy Colby Associates on a proposal to MnDOT to retain the Gilbert Creek Bridge bypass lane adjacent to Hok-Si-La Park for a future trail segment connecting the River Walk to the park. All ayes 7-0-0.

Approve emergency Ordinance 503, amending the City Code to allow the City to provide electrical and plumbing permitting and inspections until the State resumes its operations

With the State's current shutdown, all review and inspection for electrical and plumbing work has ceased. The City of Lake City has adopted the International Building Code and requires

permits and inspections for electrical and plumbing, in addition to the general building permit. The permit and inspection process was established to insure that construction was completed in a safe manner, and to protect property owners from potentially life-threatening situations that can result for improper installation of electrical and plumbing systems. The intent of this ordinance is to fill a temporary gap left by the State's failure to adopt a budget, and the sunset for the ordinance is tied to the eventual budget adoption. If adopted, staff would be responsible for issuing and administering both electrical and plumbing permits. This would create an additional workload for staff, but would insure that this work continues during the shutdown.

Motion Beckman, seconded Peters to approve emergency Ordinance 503 amending the City Code to allow the City to provide electrical and plumbing permitting and inspections until the State resumes its operations. All ayes 7-0-0.

Unfinished Business:

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

Staff has submitted the ordinance to the Department of Natural Resources for review, but has heard nothing back from them at the time of writing. No further update is available at this time.

City facilities project update

No update at this time.

Discuss code of conduct

No update at this time. A red-lined update will be provided at the July 25th, 2011 meeting.

Discuss policy regarding citizen complaints

No update at this time. A red-lined update will be provided at the July 25th, 2011 meeting.

Discuss public forum agenda item

No update at this time. A red-lined update will be provided at the July 25th, 2011 meeting.

Update on Board and Commission and liaison duties

A red-lined update will be provided to council. The intent is to get this completed by the end of the year.

Update on Revolving Loan Fund

The committee will be meeting July 14, 2011. An update will be provided at the July 25, 2011 meeting.

Frac/silica sand mining

No update at this time.

Update on SEMMCHRA on the Bella Vista project

Gartner will attend their next meeting to check on the status of the resolution passed by the council at the June 27, 2011 meeting.

3. Consent Agenda:

- a. Approve expense claims
- b. Approve June 27, 2011 Council meeting minutes
- c. Adopt Resolution 11-037, accepting donations for park benches and amending 2011 budget
- d. Approve B & C Plumbing & Heating Inc. plumber & drainlayer license for 2011
- e. Approve transfers from the Marina, General and Electric Utility Funds to the EDA as budgeted

Motion Gartner, seconded Powers to approve the consent agenda as presented.

All ayes 7-0-0.

Miscellaneous Discussion

Thank you to all city staff who continue to work hard in keeping the city looking good.

Waltman inquired on the status of the Sinclair station and other properties that are beginning to need some attention and upkeep. Blighted properties should get attention.

Gartner questioned the role of the personnel committee and the ability of the committee to request legal services outside of England Law firm. Council requested a copy of the England contract be distributed to all council members.

Peters requested an updated timeline and status report on the substation project.

Informational Reports:

As presented.

Future Meeting Dates:

As presented.

Motion Beckman, second Peters to adjourn at 8:00 p.m. All ayes 7-0-0.

Jerry M. Dunbar, Mayor

ATTEST:

Kari Schreck, City Clerk