

**Lake City Common Council
Regular Meeting
Monday, August 22, 2011
Council Chambers 6:30 p.m.
City Hall**

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

Members Absent: Mary Lou Waltman

Staff Present: City Administrator Ron Johnson, City Clerk Kari Schreck, Planning &
Community Director Rob Keehn, Public Works Director Scott Jensen

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

City Administrator Johnson requested that at the end of the meeting that council conduct a closed session for the discussion of labor negotiations strategy.

Motion Beckman, seconded Peters to adopt the agenda as amended 5-1-0 motion carried Roll call vote Beckman, Spence, Peters, Dunbar, Powers, voting aye; Gartner voting nay.

Council member Gartner stated that he had a conflict with item 3e on the agenda and requested that it be pulled for separate action.

Motion Beckman, seconded Peters to adopt the agenda as amended. All ayes 6-0-0.

Public Forum

None

New Business

Appoint ad hoc task force to discuss Block 25 parking lot

Mark and Cathy Nichols, Lake Pepin Development, LLC, have provided the community downtown parking space on Block 25 (on corner of TH61 and Marion St) since March, 2005 through a parking lot agreement with the City of Lake City. The agreement states "The lease and use of the Parking Lot herein provided for may be terminated by either Lake Pepin or the City by giving ten (10) calendar days written notice thereof to the other party." On July 29, Lake Pepin Development provided notice of termination to the City, but stated in the termination letter that

they are open to renting it to the city for a minimal lease rate. Mayor Dunbar is requesting this task force be appointed to discuss the parking lot.

Motion Powers, seconded Peters to appoint an ad hoc task force consisting of Council member Waltman, Public Works Director Jensen and City Administrator Johnson to discuss the Block 25 parking lot and report back to council. Roll call vote Beckman, Spence, Peters, Powers, Dunbar voting aye; Gartner abstained from the vote. 5-0-1.

Unfinished Business:

Update on Ordinance No. 500, an Ordinance amending the City's shoreland regulations
No further update is available at this time.

Award 2011 mill & overlay project to Monarch Paving Company

Bill Anderson, Yaggy Colby Associates, presented the alternatives to the council for consideration.

Phase 1 consists of Monroe St. from TH61 to N. 7th St. This segment can be milled & overlaid this year for \$171,193.80 and would be expected to last 15+ years. Staff has also considered reconstructing this segment in 2012 to improve grades and drainage. Reconstruction is estimated at \$475,000.00, would be an assessed project similar to N. 7th and would be expected to last 30+ years. Phase 2 is the Marina Point and would be constructed as bid. Phase 3 is the balance of the streets bid. It is recommended to remove Dwelle Street from the award to keep the project within budget. Phase 1: State aid funds (or state aid and assessments if reconstructed in 2012); Phase 2: Designated Marina Point improvement funds; Phase 3: 2011 General Fund budget. Two options were presented to the council for consideration.

Motion Powers seconded Gartner to award 2011 mill & overlay project to Monarch Paving Company as follows: Phase 1: Monroe St. \$171,193.80; Phase 2: Marina \$178,539.45; Phase 3 less Dwelle St.: \$229,229.30. Total = \$578,962.55. Roll call vote Beckman, Spence, Peters, Dunbar voting nay; Powers, Gartner voting aye 2-4-0. Motion failed.

Motion Beckman, seconded Peters to award 2011 mill & overlay project to Monarch Paving Company as follows: Phase 1: Monroe St. removed; Phase 2: Marina \$178,539.45; Phase 3 less Dwelle St.: \$229,229.30. Total = \$407,768.75. Roll call vote Beckman, Spence, Peters, Dunbar, Powers, Gartner voting aye. Motion carried 6-0-0.

Discuss citizen complaint/concern policy

A draft was presented to council for review. Council members are encouraged to forward comments to City Administrator. Mayor requested that action on this policy occur at the September 12, 2011 meeting.

Council meeting procedures/Public Forum agenda item update

A draft was presented to council for review. Council members are encouraged to forward comments to City Administrator. Mayor requested that action on this policy occur at the September 12, 2011 meeting.

Update on Board and Commission and liaison duties

Boards and Commissions are continuing to forward comments and requested changes to the City Administrator. Council would like this process finished by year's end.

Frac/silica sand mining

Goodhue County Commissioner Jim Bryant and Wabasha County Commissioner Dave Harms attended the July 25 Council meeting to update Council on county activities related to this issue. The Goodhue County Board of Commissioners has placed the item on their September 6 agenda; Wabasha County Board has approved a one-year moratorium. Council requested additional information on this topic. Jim McIlrath, a representative from Save-the-Bluffs action group presented a Power Point presentation on the subject. They are requesting a draft resolution of support for a one-year moratorium to forward to the Goodhue County Board of Commissioners for their September 6 meeting.

Motion Gartner, seconded Powers to support Resolution 11-045 a moratorium on the Silica Sand Mining in Goodhue County for the period of one year. All ayes 6-0-0.

City facilities project update

Staff is working with a consultant to determine if the proposed site for a new Public Safety building will be adequate to accommodate ambulance and police needs.

Gilbert Creek bridge and Hok-Si-La trail update

A meeting was held at MnDOT District 6 in Rochester on Friday, August 12th including Councilmember Peters, Administrator Johnson and Public Works Director Jensen from Lake City. Three staff members from Yaggy Colby Associates and six from MnDOT were also in attendance. The next step is likely the City's application for a limited use permit that would approve the trail concept and set certain indemnification and maintenance requirements. Concurrently a meeting will be set to include the Soil Conservation Service, Corps of Engineers, Department of Natural Resources, County Soil and Water Conservation and Lake City to discuss future impacts on the wetlands and permitting for such. The immediate goal is to keep the bypass lane in place at the lowest reasonable cost.

Adopt Resolution 11-041 adopting the proposed General Fund revenue and expenditure budget for 2012

The City of Lake City is required by Minnesota Statute 275.065, on or before September 15, 2011, to adopt a proposed budget for the following year. Councilmember Gartner wanted it noted in the minutes that he will support the resolution as long as the council will give further consideration to all city departments' capital improvements and regular budgets for 2012.

Motion Beckman, seconded Peters to adopt Resolution 11-041 adopting the proposed General Fund revenue budget for 2012 at \$4,636,330 and the proposed General Fund expenditure budget for 2012 at \$4,633,100. All ayes 6-0-0.

Adopt Resolution 11-042 adopting the proposed property tax levy collectible in 2012

The Department Heads prepared the proposed 2012 revenue and expenditure budget that was reviewed by the Special Council acting as the Capital and Finance Committee at its August 17, 2011. The City of Lake City is required by Minnesota Statute 275.065 to certify to the home county auditor the proposed taxes payable in the following year by September 15, 2011. Councilmember Gartner wanted it noted in the minutes that he will support the resolution as long as the council will give further consideration to all city departments' capital improvements and regular budgets for 2012.

Motion Peters, seconded Powers to adopt Resolution 11-042 adopting the proposed levy collectible in 2012 at \$2,821,860. All ayes 6-0-0.

3. Consent Agenda:

- a. Approve expense claims
- b. Approve August 8, 2011 Council regular meeting minutes
- c. Approve August 11, 2011 Council CIP workshop meeting minutes
- d. Adopt Resolution 11-043 accepting grant of \$23,000 from the Minnesota Dept. of Public Safety
- e. ~~Adopt Resolution No. 11-044 approving a minor subdivision for Hagedorn Enterprises, Inc.~~

Motion Beckman, seconded Peters to approve the consent agenda. All ayes 6-0-0.

Adopt Resolution No. 11-044 approving a minor subdivision for Hagedorn Enterprises, Inc

The City Council has previously acted on this item in May of 2011, however staff erroneously left out of the Council packet a draft resolution which would document the subdivision's approval; therefore a resolution was never recorded documenting Council's action.

Staff is now requesting Council take action on formally adopting a resolution documenting the approval of the minor subdivision.

Motion Powers, seconded Spence to authorize the execution of Resolution No. 011-44 which documents the City's approval of a subdivision of land, located at 101 North 8th Street and 800 W Lyon Ave. All ayes 5-0-1. Councilmember Gartner abstaining.

Miscellaneous Discussion

Mayor Dunbar requested an update on the status of the 7th Street assessments from the City Attorney for the September 12th meeting.

Mayor Dunbar requested a Comp plan update item be added to unfinished business for the 2nd meeting of each month as a progress update.

Council encouraged review of the City Charter and should forward any comments to the City Administrator for the inclusion in the Charter Commission's September meeting.

Gartner left the meeting at 8:03 p.m.

Informational Reports:

As presented.

Future Meeting Dates:

As presented.

Close meeting to discuss labor negotiations strategy

Motion Beckman second Spence to close the meeting to discuss labor negotiations strategy at 8:12 p.m. All ayes 5-0-0.

Gartner returned to the meeting at 8:13 p.m.

Motion Beckman, second Waltman to open the meeting at 8:40 p.m. All ayes 6-0-0.

Motion Beckman, seconded by Peters to amend the motion to approve the IUOE, IBEW and LELS made at the May 23, 2011 regular Council meeting by stating approval of the IUOE and LELS agreements only. On roll call vote motion carried 6-0-0.

Adjourn

Motion Beckman, seconded by Powers to adjourn the meeting at 8:47 p.m. All ayes 6-0-0.

Jerry M. Dunbar, Mayor

ATTEST:

Kari Schreck, City Clerk