

**Lake City Common Council  
Regular Meeting  
Monday, October 12 2015 6:00 p.m.  
City Hall Council Chambers**

Members Present: Mayor Joel Beckman, Andru Peters, Mary Lou Waltman, Randy Klipfel, Greg Schreck, Russell Boe, Mark Spence ( arrives 6:07 p.m.)

Members Absent: None

Staff Present: City Clerk Kari Schreck, City Attorney Sarah Sonsalla, Public Works Director Scott Jensen, Planning and Community Development Director Rob Keehn

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.

Review & adopt or amend the agenda as presented

**Motion Waltman, second Peters to adopt the agenda as amended. All ayes 6-0-0.**

Public Forum

Mark Nichols, Chairman of the Lake City Planning Commission gave an overview of what the Planning Commission has been working on and extended an invitation to the Council to attend a work session for strategic planning for the City's downtown and waterfront areas on October 27, 2015.

Hold a public hearing, and introduce and conduct the first reading of Ordinance 555, designating the South Oak Street Historic District as a Local Heritage Preservation Site.

The City's Heritage Preservation Commission (HPC) is recommending the City Council adopt an ordinance designating the South Oak Street Historic District as a Local Heritage Preservation Site, as regulated in Chapter 153 of the City Code. The District would include 39 homes, and would follow South Oak Street, beginning at West Center Street and terminating at West Lakewood Avenue.

**Motion Schreck, second Klipfel to open the public hearing for the consideration of designating a five-block stretch of South Oak Street as a heritage preservation site. All ayes 7-0-0.**

The HPC has found the South Oak Street Historic District worthy of preservation under two primary criteria. Number one is character, interest, and value as part of the development heritage of the City. This character is specifically evident in the intact architecture of the homes, representing a variety of styles that range from some of the City's first homes built in the 1860's in the Greek revival and Italianate style, to some of the elaborate Queen Anne styles representing the financial and economic successes of the turn of the century in Lake City. The District secondly represents a visual and cultural link to the individuals who significantly contributed to the culture and development of the City. Lake City's first merchants, bankers, politicians, and local leaders were the original residents

of this neighborhood, and many of the original owners also were downtown businesses owners. The City will manage the district as it does for any of its existing historic sites, which includes reviewing proposed changes to the exterior of the home through the site alteration permit process. The City was awarded a \$10,000 MN Legacy Grant to develop the nomination materials

**Motion Schreck, second Klipfel to open the public hearing for the consideration of designating a five-block stretch of South Oak Street as a heritage preservation site.**

**All ayes 7-0-0.**

Betty Albright spoke in support of the Ordinance.

**Motion Spence, second Waltman to close the public hearing for the consideration of designating a five-block stretch of South Oak Street as a heritage preservation site.**

**All ayes 7-0-0.**

**Motion Waltman, second Peters to introduce and conduct the first reading of Ordinance 555, designating the South Oak Street Historic District at a local heritage preservation site. All ayes 7-0-0.**

Ordinance 555 read aloud by Rob Keehn.

Gary Weiers of David Drown Associates, Inc. updated the Council on City Administrator hiring process. There are 25 applications that have been received as of the council meeting. The position closes on October 13, 2015. The process timeline was reviewed and a December 5<sup>th</sup>, 2015 interview date was set for council. Gary will attend the council meeting on November 9<sup>th</sup>, to present semifinalists.

Conduct first reading of Ordinance No. 556, an amendment to Title V, Chapters 51 and 52 of the Lake City Municipal Code relating to electric and water services. Approve right of entry agreements for electric and water service line repairs

**Motion Waltman, second Spence to conduct first reading of Ordinance No. 556, an amendment to Title V, Chapters 51 and 52 of the Lake City Municipal Code relating to electric and water services. All ayes 7-0-0.**

Earlier this year the Utility Board began discussing the implementation of an electric and water service repair program. This program would replace failed privately owned underground services for residential properties, as defined by the ordinance. This does not cover sewer service lines. Similar services were reviewed and have proven to be successful in other communities including Rochester, Owatonna and Mounds View. The monthly fee for the service is proposed at \$2 for all eligible properties and will be set annually as part of the city fee resolution. The attached ordinance and right of entry agreements were drafted by the City Attorney and recommended for approval by the Utility Board. Collection of fees and program implementation are scheduled to begin January 1, 2016. Collection of fees estimated to be \$700/month for electric and \$3,100/month for water.

Ordinance 556 aloud by Scott Jensen.

Jensen then presented the right of entry agreements for consideration. These are necessary for the city to access the affected properties in the event of a service request.

**Motion Boe, second Spence to approve right of entry agreements for electric and water service line repairs. All ayes 7-0-0.**

Adopt Res 15-084 decertification of Tax Increment Financing District no.12 of the City of Lake City  
On August 15, 2003, TIF #12 Dennis Courtier an individual was created. All obligations of the district have been paid in full. The TIF district requires a resolution to decertify the district and a confirmation of decertification is required to be filed with the appropriate county.

**Motion Spence, second Schreck to adopt Resolution 15-084 the decertification of Tax Increment Financing District no. 12 of the City of Lake City. All ayes 7-0-0.**

Adopt Resolution 15-090 declaring cost to be assessed and ordering preparation of proposed assessments

Street improvements on the 1100 block of W. Center St. have been completed. Assessment amounts for each property require calculation. Assessment of approximately \$36,336.89 will be spread over the affected properties at 2% for 10 years

**Motion Spence, second Waltman to adopt Resolution 15-090 declaring cost to be assessed and ordering preparation of proposed assessments. All ayes 7-0-0.**

Adopt Resolution 15-091 setting hearing on proposed assessment for 2015 Street Improvements, West Center Street

Property assessments have been calculated and proper notification will be provided to individual property owners including amount to be assessed and public hearing time, date and location (6 p.m., November 9, 2015, City Hall).

**Motion Spence, second Klipfel to adopt Resolution 15-091 setting hearing on proposed assessment for 2015 Street Improvements, West Center Street for November 9 at 6:00 p.m. 2015. All ayes 7-0-0.**

Waive the second reading and adopt Ordinance No. 552 amending Title IX, Chapter 95 of the Lake City Municipal Code related to permitting chickens

**Motion Klipfel, second Spence to waive the second reading of Ordinance 552, an Ordinance amending Title IX, Chapter 95 of the Lake City Municipal Code related to permitting chickens**

The City Council introduced and conducted the first reading of Ordinance 552 at its September 14, 2015, meeting. A friendly amendment was made and approved that would add language to the ordinance that would require the agreement of at least 80% of the neighbors of the applicant that were within a certain distance of the applicant's property, where the distance was to be determined by staff.

In reviewing a distance that would make sense, staff opted for one that would focus on the directly adjoining property owners since they would be the ones affected. A thirty foot distance was established since it would accomplish this. The amended ordinance language states:

§95.04 (B). Up to four female chickens are allowed to be kept on parcels that are less than 10 acres in size that are zoned residential provided that the owner of the parcel obtains a permit from the City and at least 80 percent of all owners of land within 30 feet of the applicant's property sign a written consent stating that they do not object to the permit...

**Council member Peters moved the following amendment to§95.04 (B): Up to four female chickens are allowed to be kept on parcels that are less than 10 acres in size but are at least 1 acre or more that are zoned residential provided that the owner of the parcel obtains a permit from the City and at least 80 percent of all owners of land within 30 feet of the applicant's property sign a written consent stating that they do not object to the permit...**

Motion fails for lack of a second.

**Motion Schreck, second Klipfel to adopt Ordinance 552, an Ordinance amending Title IX, Chapter 95 of the Lake City Municipal Code related to permitting chickens  
Roll call vote: Beckman nay, Schreck aye, Boe nay, Peters nay, Spence aye, Waltman nay, Klipfel aye. Motions fail 3-4-0.**

Waive second reading and adopt Ordinance 553 - An Ordinance Amending Title V, Chapters 52 and 53, and Chapter 150

Due to changes in state law, the City is no longer authorized to issue plumbing licenses (plumbing licenses are issued by the State). If a plumber has a state license, the City must let him or her perform plumbing work in the City without having to obtain any type of additional City license. As part of the State's licensing requirements, it requires plumbers to provide proof of insurance and a code compliance bond that is used to protect consumers in the event the plumber's work does not comply with the Plumbing Code. The City is not authorized to require plumbers to provide the City with any type of bond or additional insurance. The City's current code provisions state that the City licenses plumbers and that they must provide a bond to the City before performing work. The City also does not review plumbing plans for projects within the City or conduct plumbing inspections. These are conducted by the State. The City may and is authorized to be able to require persons that are connecting to the City's sewer or water system to obtain a connection permit. This ordinance amends the City Code so that all of these issues are addressed and the City's current practices are accurately reflected.

**Motion Spence, second Klipfel to waive second reading of Ordinance No. 553- An Ordinance Amending Title V, Chapters 52 and 53 and Chapter 150. All ayes 7-0-0.**

**Motion Spence, second Waltman to adopt Ordinance No. 553 - An Ordinance Amending Title V, Chapters 52 and 53 and Chapter 150. All ayes 7-0-0.**

Waive the second reading and adopt Ordinance 554 - An Ordinance Amending Title VII, Chapter 76 relating to Winter Parking

Winter parking restrictions will now begin on October 1<sup>st</sup> instead of November 1<sup>st</sup>. Instead of towing vehicles that are in violation of the winter parking restrictions, the City will instead ticket these vehicles. The reason for this change is because in previous years, the City was not able to tow all of the vehicles that were in violation of the restrictions which resulted in a number of complaints by persons whose vehicles were towed and had found out that other vehicles had not been towed. This change will allow the City to treat all vehicles that are in violation of the winter parking regulations equally.

**Motion Boe, second Waltman to waive the second reading of Ordinance 554- An Ordinance Amending Title VII, Chapter 76 of the Lake City Municipal Code Relating to Winter Parking. All ayes 7-0-0.**

**Motion Spence second Waltman to adopt Ordinance No. 554 -An Ordinance Amending Title VII, Chapter 76 of the Lake City Municipal Code Relating to Winter Parking. All ayes 7-0-0.**

Accept bids and award contract to MARCO for the City Council Chambers Audio-Visual System Upgrade Project

The City's consultant prepared the necessary specifications for the equipment and services that are needed in order to upgrade the system. Because the estimated costs of the upgrade exceeded \$100,000, the City was required to competitively bid the project pursuant to Minnesota Statutes Section 471.345.

This project was bid in May of this year. For a number of reasons, the City Council rejected all bids at the July 13, 2015 meeting and directed staff to re-bid the project. The project was re-bid in accordance with legal requirements. Three bids were received by September 30, 2015. Bids were opened and read aloud on October 1, 2015. The City Clerk reviewed the bids and attached are the Bid Results. The lowest bid received is from MARCO in the amount of \$113,382.28. This bid is \$20,306.72 lower than the lowest bid that was received when the project was originally bid, which is a significant savings. Therefore, staff recommends that the Council award the contract to MARCO.

**Motion Spence second Waltman to accept the bids and award the contract to MARCO, the lowest bidder for the City Council Chambers Audio-Visual System Upgrade Project in the amount of \$113,382.28.**

**Roll call vote: Beckman aye, Schreck nay, Boe aye, Peters nay, Spence aye, Waltman aye, Klipfel nay. Motion passes 4-3-0.**

City staff is recommending that the Council consider authorizing City staff to retain a consultant to serve as project manager in order to ensure that the equipment is being installed according to the City's specifications and instructions. Staff contacted several consultants for an estimate for these services and they are expected to cost no more than \$4000.00

**Motion Waltman, second Schreck to authorize City staff to retain a consultant ( Digicom) to serve as project manager in order to ensure that the equipment is being installed according to the City's specifications and instructions, not to exceed \$4000.00.**

**All ayes 7-0-0.**

Consent Agenda

- a. Approve expense claims 9.9.15-10.7.15
- b. CC regular meeting minutes September 14, 2015
- c. CC workshop minutes September 14, 2015
- d. CC special retreat workshop minutes September 28, 2015
- e. CC special retreat workshop minutes September 30, 2015
- f. Adopt Resolution 15-076 confirming new board and commission appointment
- g. Adopt Resolution 15-085 accepting donations totaling \$150.00 for the renovation/addition of the Lake City Public Library.
- h. Adopt Resolution 15-086 accepting donation for the purchase of children's electronic games and amending the 2015 library budget.
- i. Adopt Resolution 15-087 approving 2015-2016 state route snow removal equipment rates
- j. Adopt Resolution 15-088 approving assessment of water service line replacement at 910 N. Garden St. (PIN 220120706) for \$9,322.96
- k. Adopt Resolution 15-089 certifying special assessments to County Auditor of Wabasha County for nuisance abatement - \$94.34 Weeds & \$94.43 abatement during the 2015 summer season
- l. Adopt Water/Sewer access fee waiver policy
- m. Approve the request for the Lake City Sportsman's Club to host a raffle
- n. Approve contracts with various contractors for construction of Hok-Si-La cabins
- o. Approve lease between the City of Lake City and the Lake City Yacht Club from April 2, 2016 to November 10, 2020.
- p. Approve the hiring of Matthew Herzig to the Lake City Fire Department
- q. Approve hire of Josh Meyer as Street Maintenance Worker

**Motion Spence, second Klipfel to approve the consent agenda as presented. All ayes 7-0-0.**

Communication Updates:

September Library fundraising summary

Pledges in September \$100.00

Monies received in September \$150.00

Total pledges to date: \$277288.00

Total receipts to date: \$262018.00

Fall Clean Up day was held on October 3, 2015.

Council requested that Staff extend an invitation to Goodhue County Administrator Arneson and Commissioner Majerus to attend a city council meeting yet this year.

Adopt Resolution 15-092 supporting the Upper Pool 4 and Lake Pepin restoration project

This resolution was considered during miscellaneous discussion at the September 14, 2015 regular City Council meeting. Council requested that staff amend the resolution to reflect the importance of Lake Pepin to the economy and character of the City and bring it back to the October meeting.

**Motion Peters, second Schreck to approve Resolution 15-092 supporting the Upper Pool 4 and Lake Pepin restoration project. All ayes 7-0-0.**

Informational Reports

As presented

**Motion Waltman, second Schreck to adjourn at 7:55 p.m. All ayes 7-0-0.**

ATTEST:

\_\_\_\_\_  
Joel T. Beckman, Mayor

\_\_\_\_\_  
Kari Schreck, City Clerk