

**Lake City Common Council  
Regular Meeting  
Monday, November 28, 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, Mary Lou Waltman

Members Absent: None

Staff Present: City Administrator Ron Johnson, City Clerk Kari Schreck, City Attorney Karen England, Planning & Community Development Director Rob Keehn

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

Gartner pulled item 3. Approve Nov 14, 2011 Council regular meeting minutes

**Motion Beckman, seconded Spence to approve agenda as amended. All ayes 7-0-0.**

Public Forum

None

New Business:

Approve Charter Commission City Charter Sections 3.01, 3.05, 3.08

The Charter Commission forwarded recommendations to the council for consideration.

**Motion Spence, seconded Waltman to adopt the recommended changes to the Lake City Charter as presented. Beckman, Spence, Dunbar, Waltman, Powers, Gartner voting aye, Peters voting nay. Motion carried 6-1-0.**

A Summary Ordinance will be drafted and brought forward at the December 12, 2011 council meeting.

Block 25 parking

A Council-appointed committee consisting of Councilmember Waltman, Administrator Johnson and Public Works Director Jensen met on two occasions to discuss the continued leasing of the Block 25 parking area. The property owner(s) have allowed the city to use the 60' x 60' foot lot for approximately 5 years, but in July, opted to terminate the lease. They stated that they were

open to rent this lot to the city plus an additional 60' x 65' area for \$300 per month. The city would be required to continue to maintain the lot and sidewalks. The new requirement would also require maintenance in front of the applicable store fronts.

The committee discussed that it may be in the best interest of the city to put its resources toward completion of the parking lot adjacent to the fire hall instead. The last effective day of the lease was 8-8-11. If, however, council would like to continue the lease, staff will inform the property owners and, if they agree, a new lease will be brought forward for consideration.

Council is requesting that lease agreement for parking be brought forward at the December 12, 2011 meeting for council action.

Approve 800 MHZ Radio upgrade for Lake City EOC (Emergency Operations Center)

All of Wabasha County Emergency Services, Fire, EMS, Law Enforcement and Emergency Management are on the verge of transitioning from the VHF to the 800 MHZ radio system. Emergency Management did not budget for this until 2012 as a Capital outlay item.

This is being brought to the Council at this time due to a \$400.00 per portable radio savings if delivery is taken before 12-31-2011. The order should be placed before December 1 for it to be delivered in time to save the \$4,800.00. Equipment and installation cost is \$42,669.07.

This radio quote is to replace the exact amount of equipment and exchange with 800 MHZ equipment. Existing budgeted capital funds for ambulance and fire are available in 2011. An option would be to pay for these out of the proposed 2012 budget of \$42,000 (just short of amount needed). A budget adjustment would be required to utilize 2011 funds. The City Administrator and Finance Director will work out the financing details.

**Motion Beckman, seconded Waltman to approve the purchase of radio equipment and installation thereof from Motorola for \$42,669.07. All ayes 7-0-0.**

Unfinished Business:

Waive 2<sup>nd</sup> reading and adopt Ordinance 506 amending Ordinance 236 relating to Tobacco chapter 118.

This item was addressed at the November 14, 2011 council meeting.

**Motion Gartner second Spence to waive the second reading of Ordinance 506 amending Ordinance 236 relating to Tobacco chapter 118. All ayes 7-0-0.**

**Motion Gartner (11.14.11), second Beckman to adopt Ordinance 506 amending Ordinance 236 relating to Tobacco chapter 118. All ayes 7-0-0.**

Conduct the first reading of Ordinance No. 500, an Ordinance amending the City's shoreland regulations and approve the publication of a summary ordinance.

The City has been working on an update to its existing shoreland ordinance, resulting in the attached draft ordinance which was approved, and recommended for adoption, by the Planning Commission on June 7, 2011. The City also sent the ordinance and flexibility request to the MN Department of Natural Resources on June 20, 2011, and due to the state-shut down and staff changes at the DNR, the City received notice, and approval, on October 31, 2011, for its request for flexibility. This means the City has the authority to proceed with adopting a shoreland management ordinance that does not meet minimum standards for shoreland areas in MN.

**Motion by Gartner to introduce, and to conduct the first reading of Ordinance No. 500, an Ordinance amending the City's shoreland regulations.**

Ordinance No 500 was read aloud.

**Motion Powers, seconded Waltman to approve the publication of a summary ordinance for an update to the City's Shoreland Management chapter of the City Code, Ordinance No. 500. All ayes 7-0-0.**

Update on Board and Commission duties

City Attorney England presented some of her recommendations on the boards and commissions duties. Council provided some feedback after reviewing the City Attorney's memo. There was discussion on advisory boards versus governing boards.

The City Attorney will continue the review process and this item will be on the December 12, 2011 with a proposed Ordinance amendment. Beckman requests information on how many cities have libraries as governing boards, and how many of those are Charter cities.

Gilbert Creek Bridge and Hok-Si-La Trail update

Mayor Dunbar read a response from MnDOT regarding the bridge project. Council directed the City Administrator and the Public Works Director to respond to the letter, and report back to council.

City facilities project update

Staff will present an update at the December 12, 2011 meeting.

Pirates Landing code enforcement update

CMS inspected the additional work done on the wall, and found that the work suitably addressed existing nuisance conditions; however some additional work has to be done to address the area where the joists near ground level are still exposed.

2012 street projects update

Council directs staff to include a timeline in future informational items.

Update on agreement with West Central Wisconsin Biosolids Commission

City Attorney England has sent legal counsel for WCWBC a letter requesting an extension of the agreement to provide time for negotiations of a new agreement. She has spoken with an attorney for the company regarding the city's concerns and will continue dialogue. They have verbally agreed to a 60 day extension. An update to council will be provided when the written documents are received.

3. Consent Agenda:

- a. ~~Approve Nov 14, 2011 Council regular meeting minutes~~
- b. Adopt Resolution 11-067 certifying special assessment to the Wabasha County Auditor for water service line repairs at 502 S. 7<sup>th</sup>
- c. Approve the hiring of Darin Wallerich as part-time seasonal employee for street/parks department

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

Approve November 14, 2011 Council regular meeting minutes

Gartner requested that the minutes reflect under item 3f some additional language which he read aloud and provided to staff to insert. Council agrees to the additional language.

**Motion Waltman, seconded Powers to adopt the November 14, 2011 council meeting minutes as amended. All ayes 7-0-0.**

Miscellaneous Discussion

Dunbar reminded the public that the Holiday Train is in Lake City on Saturday, Dec. 10 at 8:45 p.m. Dunbar reminded residents that the city has a snow removal policy.

Request that the Public Works Director provide a summary review of the SMMPA announcement about the main source of power shut down, potential impact on Lake City to council at the December 12, 2011 meeting.

Request that the Public Works Director provide report on the odors coming from the treatment plant at the December 12, 2011 meeting and what has or is being done about it.

Spence requested that an item from the Public Safety Board meeting be put on the December 12, 2011 agenda for consideration. It is a traffic warning control device for the area by Bluffview School. Council agreed.

Informational Reports:

As presented.

Future Meeting Dates:

As presented.

Mayor Dunbar called a recess at 8:00 p.m.

Closed Meeting- Consideration of Charges and Job Performance of employee subject to Council authority

**Motion Waltman, seconded Beckman to close the meeting at 8:10 p.m. for consideration of charges and job performance of an employee subject to Council authority. All ayes 7-0-0.**

The meeting was re-opened at 9:15 p.m. and recessed until 9:18 p.m.

New Business (Continued)

Approve expense claims

**Motion Powers, seconded Spence to approve the expense claims. All ayes 7-0-0.**

**Motion Powers, seconded Beckman to direct the City Administrator to provide further detailed information on the current performance evaluation for the Library Administrator and a plan to meet expectations or remediation which will conclude with further evaluation, and in the interim, extend the period of probation for the employee to no later than March 1, 2012. The Library Administrator shall be given a subsequent performance evaluation by the City Administrator prior to the March 1, 2012 date. All ayes 7-0-0.**

Adjourn

**Motion Beckman, seconded Powers to adjourn at 9:20 p.m. All ayes 7-0-0.**

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Jerry M. Dunbar, Mayor

ATTEST:

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Kari Schreck- City Clerk