

**Lake City Common Council
Regular Meeting
Monday, December 12, 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, 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

Dunbar pulled item 4j. Approve the hiring of Cody Thelen as a substitute library aide-per staff direction- no discussion. Gartner pulled items 4f. Approve city administrator performance evaluation; 4g. Adopt Resolution 11-080 approving deferment of special assessment due to hardship; 4i. Adopt Resolution 11-078 exempting certain sidewalks from snow removal requirements for 2011-2012 winter season for discussion.

Motion Waltman seconded Powers to approve agenda as amended. All ayes 7-0-0.

Public Forum

None

New Business:

Adopt Resolution 11-079, setting regular Council meetings for the 2nd Monday of each month

This action would discontinue the practice of conducting a second regular meeting each month. The Council-appointed administrative procedure task force has discussed this as well as the City Council at its 11/28/11 retreat. City Administrator will provide an email update to council members 2 weeks prior to the meeting via email to members. This process will be reviewed at the June 2012 meeting.

Motion Powers seconded Spence to adopt Resolution 11-079, setting regular Council meetings for 6:00 p.m. on the 2nd Monday of each month, beginning in 2012.

Roll call vote: Beckman, Spence, Dunbar, Powers, Waltman, Gartner voting aye; Peters voting nay. Motion carried 6-1-0.

Presentation of traffic warning/ control device on Lakewood Ave. near Bluff View School

Jim Borgschatz, Bluff View Elementary School Principal, provided information on a potential new traffic warning/ control device on Lakewood Ave. near Bluff View School. The traffic warning/control device being sought by school officials is a proactive effort to enhance safety for children crossing a busier city street. It would increase visibility to motor vehicle traffic traveling in an area where children are present. Currently, there are only sidewalks on the east side of Lakewood Ave, near the school, so children sometimes walk and ride bikes in the street to get to school. This device would serve to complement the existing crosswalk and static traffic signs which are in place to help protect pedestrian/bicycle traffic. School student crossing guards would still be used during school hours. Mr. Borgschatz is requesting consideration for partial funding of said project. The Public Safety Board is supportive of the traffic warning device. City staff will work with the school district in pursuing a Safe Route to School grant.

Approve 2012 license applications

In accordance with the City of Lake City Municipal Code Title XI: Business regulations, the City can accept applications for licenses. Licenses are to be renewed on an annual basis subject to payment of fees and required paperwork. The City Council can approve or deny the requests.

Plumbers & Drain layers

1. Tom Harkins Enterprises – 410 S Oak St. Lake City, MN 55041
2. Braun Plumbing – 808 N Prairie St. Lake City, MN 55041
3. Glander Excavating & Plumbing Inc. – 2115 N Lakeshore Dr. Lake City, MN 55041
4. Ryan Mechanical – 1547 Hay Creek Valley Road, Red Wing, MN 55066
5. DMC Plumbing & Heating, Inc. – PO Box 1085, Pine Island, MN 55963
6. HiMEC, Inc. – 1400 7th ST NW, Rochester, MN 55901
7. Harkins Plumbing & Heating – 1255 N 7th Street, Lake City, MN 55041

Billboards

1. Fairway Outdoor Advertising – 1734 15th St NW Suite 13, Rochester, MN 55901

Games of Skill

1. D & R Star, Inc. – 2207 7th St NW, Rochester, MN 55901
2. Midwest Coin Concepts – 224 33rd Ave S, Waite Park MN 56387-4520
3. Schwartz Music & Games, LLC – N15574 W Prairie Rd, Trempealeau, WI 54661

Junk Dealer

1. Lake City Recycling – 401 S 8th St. Lake City, MN 55041

Tobacco

1. The Jewel LLC – 1900 Clubhouse Drive Lake City, MN 55041
2. Kwik Trip #600 – 119 N Lakeshore Dr. Lake City, MN 55041
3. Kwik Trip #844 – 994 W Lyon Ave. Lake City, MN 55041
4. J & J Liquor Lake City – 211 E Lyon Ave, Lake City, MN 55041
5. Discount Liquor – 719 W Lyon Ave, Lake City, MN 55041
6. Lakeshore US Gas – 1609 N Lakeshore Dr., Lake City, MN 55041
7. Fiesta Foods – 310 S Lakeshore Dr, Lake City, MN 55041
8. Old Bank Bar – 100 S Washington St, Lake City, MN 55041

Tree Trimmers

1. Wabasha Tree Co. – 306 County Rd 10, Wabasha, MN 55981
2. St. Croix Tree Service – 675 Grupe Street, Roberts, WI 54023
3. Maier Forest & Tree, LLC – 3930 Hwy 14 E, Rochester, MN 55904

Motion Gartner, second Spence to approve the issuance of the licenses as provided.

All ayes 7-0-0.

Direct the Design Review Committee to work on a potential decorative lighting project for the City Hall ballroom

Section 155.34-H.1 of the City Code describes the Design Review Committee as follows: A committee with representation as follows shall have the authority to issue a Certificate of Design Review in accordance with design guidelines found in Sections 155.156 and 155.157 of this Ordinance: two (2) members of the Heritage Preservation Commission, two (2) members of the Planning Commission, and one (1) member of the Economic and Development Authority. The committee is in place to review alterations, new construction, etc. for building located in the B-1: Central Business District, as City Hall is. The broad representation on the committee allows for a well-rounded review process, which is already supported by Planning & Community Development staff. Gartner stated that he feels that this request is outside of the scope of the Design Review Committee. This is a committee whose meetings will be open to the public.

**Motion Beckman, seconded Spence to direct the Design Review Committee to work on a potential decorative lighting project for the City Hall ballroom. Roll call vote: Beckman, Spence, Peters, Dunbar, Waltman, Powers voting aye, Gartner voting nay
Motion carried 6-1-0.**

Truth in Taxation

Mayor Dunbar stated that the hearing is strictly related to the city budget and tax levy. City of Lake City Finance Director Barbara Pratt gave a Power Point presentation noting that the 2012 budget, had no cuts to city services.

Mayor Dunbar opened the public hearing at 7:20 p.m.

Dale Franklin stated that he had concerns that his property tax statement increased by 39.1%. The original levy was \$2,821,860.00 and the levy proposed today is \$2,729,860.00. Council member Beckman and Finance Director Pratt will review his statement.

**Motion Gartner, seconded Waltman to close the Truth in Taxation hearing at 7:25 p.m.
All ayes 7-0-0.**

Adopt Resolution 11-070 certifying the 2011 Property Tax Levy payable in 2012

The City of Lake City is required by Minnesota Statute 275.07, on or before December 28, 2011, to certify the levy for the following year.

Motion Gartner seconded Spence to adopt Resolution 11-070 certifying the 2011 Property Tax Levy payable in 2012. All ayes 7-0-0.

Adopt Resolution 11-071 approving the General Fund revenue and expenditure budget for 2012.

The City of Lake City is required by Minnesota Statute 275.7, on or before December 28, 2011, to adopt a budget for the following year. The General Fund department heads prepared the 2012 revenue and expenditure budget for 2012 to be reviewed by the Capital and Finance Committee. The Capital and Finance Committee agreed by consensus to recommend that Council approve the 2012 General Fund revenues and expenditure budgets.

Motion Beckman seconded Waltman to adopt Resolution 11-071 adopting the General Fund revenue budget for 2012 and the General Fund expenditure budget for 2012.

All ayes 7-0-0.

Adopt Resolution 11-072 approving the Enterprise revenue and expenditure budget for 2012.

The Enterprise Fund department heads prepared the 2012 revenue and expenditure budget for 2012 to be reviewed by the Capital and Finance Committee. The Capital and Finance Committee agreed by consensus to recommend that Council approve the 2012 Enterprise Fund revenues and expenditure budgets.

Motion Gartner, seconded Waltman to adopt Resolution 11-072 adopting the Enterprise Fund revenue budgets for 2012 and the Enterprise Fund expenditure budgets for 2012.

All ayes 7-0-0

Adopt Resolution 11-073 approving Library revenue and expenditure budget for 2012.

The City of Lake City is required by Minnesota Statute 275.7, on or before December 28, 2011, to adopt a budget for the following year. The Library Director prepared the 2012 revenue and expenditure budget for 2012 to be reviewed by the Capital and Finance Committee. The Capital and Finance Committee agreed by consensus to recommend that Council approve the 2012 Library Fund revenue and expenditure budget.

Motion Gartner, seconded Peters to adopt Resolution 11-073 adopting the Library revenue budget for 2012 and the Library Fund expenditure budget for 2012. All ayes 7-0-0.

Adopt Resolution 11-074 approving the EDA revenue and expenditure budget for 2012.

The City of Lake City is required by Minnesota Statute 275.7, on or before December 28, 2011, to adopt a budget for the following year. The EDA Director prepared the 2012 revenue and expenditure budget for 2012 to be reviewed by the Capital and Finance Committee. The Capital and Finance Committee agreed by consensus to recommend that Council approve the 2012 EDA Fund revenues and expenditure budgets.

Motion Peters, seconded Spence to adopt Resolution 11-074 adopting the EDA Fund revenue budget for 2012 and the EDA Fund expenditure budgets for 2012. All ayes 7-0-0.

Adopt Resolution 11-075 approving Municipal Building revenue and expenditure budget for 2012.

The City of Lake City is required by Minnesota Statute 275.7, on or before December 28, 2011, to adopt a budget for the following year. The City Administrator and the Finance Director prepared the 2012 revenue and expenditure budget for 2012 to be reviewed by the Capital and Finance Committee. The Capital and Finance Committee agreed by consensus to recommend that Council approve the 2012 Municipal Building Fund revenue and expenditure budget.

Motion Spence, seconded Peters to adopt Resolution 11-075 adopting the Municipal Building Fund revenue budget for 2012 and the Municipal Building Fund expenditure budget for 2012. All ayes 7-0-0.

Adopt Resolution 11-076 approving Marina revenue and expenditure budget for 2012.

The City of Lake City is required by Minnesota Statute 275.7, on or before December 28, 2011, to adopt a budget for the following year. The Marina Director prepared the 2012 revenue and expenditure budget for 2012 to be reviewed by the Capital and Finance Committee. The Capital and Finance Committee agreed by consensus to recommend that Council approve the 2012 Marina Fund revenue and expenditure budget.

Motion Gartner, seconded Peters to adopt Resolution 11-076 adopting the Marina revenue budget for 2012 and the Marina Fund expenditure budget for 2012. All ayes 7-0-0.

Approve {New} On Sale & Sunday liquor license for My Bar, Inc.

Pending a successful closing, My Bar Inc. will operate at 115 South Lakeshore Drive. The new owner has a tentative closing date of December 21, 2011. The license application will be forwarded to the state for consideration at that time. A property address cannot have 2 concurrent liquor licenses.

Motion Gartner, second Peters to approve a new On- Sale & Sunday liquor license for the My Bar, Inc. pending all requirements have been met. All Ayes 7-0-0.

Approve {New} On Sale & Sunday liquor license for Fiesta Jalisco, Inc.

Pending a successful closing, Fiesta Jalisco, Inc. will operate at 117 South Lakeshore Drive. The new owner has a tentative closing date of December 21, 2011. The license application will be forwarded to the state for consideration at that time. A property address cannot have 2 concurrent liquor licenses.

Motion Gartner, second Peters to approve a new On- Sale & Sunday liquor license Fiesta Jalisco, Inc. pending all requirements have been met. All ayes 7-0-0.

City facilities project - library

On July 25, 2011, the City Council approved hiring TRImension Designs to draft plans for the proposed library expansion with a mezzanine included, and to provide construction estimates for the project. Chris Peterson of TRImension Designs worked with staff to determine the library needs, and drafted the plans accordingly. A new roof, mezzanine as well as bumping out the 4 corners of the building was presented. The estimated cost of the expansion is \$1,129,809 was provided by Red Wing Construction; however, putting the project out for bid can provide more favorable cost estimates. The Council is requesting that staff put together a timeline for moving the project forward.

Conduct the first reading of Ordinance No. 507, an Ordinance amending the Lake City Charter section 3.05 & 3.08

The City Council reviewed the suggested language changes at its November 28, 2011 meeting and adoption of Ordinance #507 is the next step in getting changes to the Lake City Charter.

Motion Waltman to introduce, and to conduct the first reading of Ordinance No. 507, an Ordinance amending the City of Lake City Charter.

Waive the second reading, and adopt Ordinance No. 500, an Ordinance amending the City's shoreland regulations.

The Council conducted the first reading of the ordinance at the regular November 28, 2011, meeting.

Motion Beckman, seconded Spence to waive the second reading of Ordinance No. 500. All ayes 7-0-0.

Second Waltman to a previous motion by Gartner to adopt Ordinance No. 500, an Ordinance amending the City's shoreland regulations. All ayes 7-0-0.

Block 25 parking lot lease

A Council-appointed committee consisting of Councilmember Waltman, Administrator Johnson and Public Works Director Jensen met to discuss the continued leasing of the Block 25 parking area.

While the downtown parking is of concern, the committee does not recommend continuing the lease, but rather using available city owned space to service the Mayo parking needs freeing up the downtown city owned lot. Staff will work with Mayo and recommend changes.

Motion Powers seconded Spence to not pursue an expanded lease for parking space on Block 25 in downtown Lake City. Roll call vote: Beckman, Spence, Peters, Dunbar, Waltman, Powers voting aye; Gartner voting nay Motion carried 6-1-0.

Update on Board and Commission duties

The City Attorney will continue the review process and present a redline copy for the January 9th 2012 council meeting. Council would like to have standardization of duties as much as possible.

Verbal updates were provided to council by staff on the following topics:

- a. Gilbert Creek Bridge and Hok-Si-La Park trail update

- b. Pirates Landing code enforcement update
- c. City facilities project update – Police and Ambulance
- d. 2012 street project update
- e. Update on agreement with West Central Wisconsin Biosolids Commission
- f. Local Results and Innovations Performance Measurement Survey
- g. WWTF odor issues update
- h. Sherco 3 damage update
- i. Status of delinquent revolving fund loans

3. Consent Agenda:

- a. Approve Nov 28, 2011 Council retreat meeting minutes
- b. Approve Nov 28, 2011 Council regular meeting minutes
- c. Approve expense claims
- d. Adopt Resolution 11-068 authorizing payment of December, 2011 expenditures
- e. Adopt Resolution 11-069 approving a joint snow removal agreement with MN/DOT
- f. Approve city administrator performance evaluation
- g. Adopt Resolution 11-080 approving deferment of special assessment due to hardship
- h. Adopt Resolution 11-077 amending Resolution 11-066 by modifying 2012 library fees
- i. Adopt Resolution 11-078 exempting certain sidewalks from snow removal requirements for 2011-2012 Winter season
- ~~j. Approve the hiring of Cody Thelen as a substitute library aide- pulled – no action~~

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

3f. Approve city administrator performance evaluation

Gartner pulled for discussion. He is requesting a wording change from annual performance review as successful, to annual performance review as acceptable.

Motion Waltman, seconded Powers to approve City Administrator Ron Johnson's annual performance review as being an acceptable performance review as amended. All ayes 7-0-0.

3g. Adopt Resolution 11-080 approving deferment of special assessment due to hardship

Gartner is requesting that the resolution should contain some additional language.

Motion Gartner, seconded Spence to adopt Resolution 11-080 approving the deferment of assessment of \$650.00 for parcel 22.01090.00 for the 2010 street improvement project due to hardship, and authorizes staff to forward said deferment approval to Wabasha County with the proposed language changes. All ayes 7-0-0.

3.i Adopt Resolution 11-078 exempting certain sidewalks from snow removal requirements for 2011-2012 Winter season

Gartner is requesting that signage be placed notifying residents that the sidewalk is closed.

Motion Gartner, second Beckman to table resolution 11-078 exempting certain sidewalks from snow removal requirements for 2011-2012 winter season and that the City Attorney contact the city's insurer to determine possible liability issues. All ayes 7-0-0.

Miscellaneous Discussion

Dunbar reminded the council to get their top 3 goals for 2012 to the City Administrator.

Thank you to all who participated in the numerous holiday events held in the city over the weekend.

Informational Reports:

As presented.

Future Meeting Dates:

As presented.

Adjourn

Motion Beckman, seconded Powers to adjourn at 9:12 p.m. All ayes 7-0-0.

Jerry M. Dunbar, Mayor

ATTEST:

Kari Schreck, City Clerk