

**Lake City Common Council
Regular Meeting
Monday, July 9, 2012 6:00 p.m.
City Hall Council Chambers**

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

Members Absent: None

Staff Present: City Clerk Kari Schreck, Planning & Community Development Director Rob Keehn

Mayor Dunbar 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 Dunbar led the Pledge of Allegiance.

Introductions

Introductions were made.

Disclose Conflicts and Relationships

None

Review and Adopt Agenda

Dunbar requested that item 12 Close meeting to discuss litigation strategy related to the Weber et.al. v. Bremer et.al. case be pulled per request from City Attorney England. The matter will be discussed under 5c. Authorize City Attorney England to conduct work on behalf of the city related to Weber et.al. v. Bremer et.al.case.

Dunbar requested to add to consent agenda items 7s. Approve hiring of Daran Atkinson as Volunteer Casual Paramedic and 7t. Approve hiring of James Kellner and Kyle Kingan as Volunteer EMT.

Gartner requested to pull item 7f. Approve Lake Pepin Plaza 2013 budget, and 7g. Approve agreement with West Central Wisconsin Biosolids Commission. 7e. Spence requested to pull Approve 2013 budget calendar change. 7l. Waltman requested to pull approve submittal of Hok Si La Park trail project for 2016-2017 Transportation Enhancement Funding and Construction.

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

Public Forum

None

Adopt Resolution 12-052, authorizing sale of \$1,420,000 general obligation street reconstruction bonds, series 2012A

A bond recommendation was presented by Mike Bubany, David Drown Associates, for funding of the 2012 street reconstruction project (mill & overlay). This project was initially approved with the City's adoption of Resolution 12-008, 5-year street reconstruction plan. Project costs including construction, engineering, and contingency and bonding expenses are estimated at \$1,420,000. Six bids were received with United Bankers Bank as the low bid.

Motion Beckman, second Gartner to adopt Resolution 12-052, authorizing sale of \$1,420,000 general obligation street reconstruction bonds, series 2012A. All ayes 7-0-0.

Department manager 2011 presentation: Marina

7e. Approve 2013 budget calendar change

Mark Spence will not be available in the calendar was presented. The 2013 Budget Calendar was adopted by the City Council on February 13, 2012. Changes in the Budget Calendar should also be approved by the City Council. Key staff members will not be available the week ending July 13 and the week ending July 20 has numerous meetings already scheduled.

Motion Waltman, second Powers to approve changing the date Council reviews the 2013 budgets with Department Managers from the week ending July 13th to the July 30 and 31, 2012 beginning at 5:00 p.m. All ayes 7-0-0.

Conduct first reading of Ordinance No. 512 designating 315 W Marion St as Heritage Preservation Site

Designations require the Heritage Preservation Commission conduct a public hearing, which was held on June 13, 2012, as well as review by the Planning Commission, which occurred July 3, 2012. Both Commissions are forwarding recommendations of approval to designate the site. The property at 315 West Marion Street, historically known as the Hoyt House, and currently owned by Dr. Neal Olson and Mrs. Marianne Olson, is being recommended for designation as a Heritage Preservation Site. The property is eligible for local designation based on its affiliation with the Hoyt Family, who were co-founders for the Tennant and Hoyt Flour Company, later Golden Loaf, and also because the home is an exceptional and well preserved example of the Craftsman Style of Architecture.

Motion Spence, seconded Peters to introduce, and conduct the first reading of Ordinance No. 512, an Ordinance designating the site at 315 West Marion Street as a Heritage Preservation Site. All ayes 7-0-0.

Authorize City Attorney England to conduct work on behalf of the city related to Weber et.al. v. Bremer et.al.case

The City of Lake City at this time is not named in the case and has not been served. The League of Minnesota Cities has assigned League attorney Paul Merwin, to represent the City should the need arise. Because of the July 4th holiday, and the packet going out early, the potential was there for a closed session to be disclosed at the time of publication, and the agenda reflected this. That is however not the case, therefore, tonight's pulling of the item is because the city was not named.

Motion Gartner, second Waltman to authorize City Attorney England to attend the hearing on July 2, 2012 on behalf of the City related to the Weber et.al. v. Bremer et.al. case. All ayes 7-0-0.

Council requested that the Planning Commission review the joint planning agreement and provide an update at the next council meeting.

Approve community assessment contract with Crescendo Consulting, L.L.P.

Crescendo Consulting, Winona, MN is a firm that specializes in fundraising, and is based out of Winona, MN. They provided Council with a presentation of their services on May 7, and

Council subsequently discussed a potential agreement with them to conduct a community assessment study to conduct fund raising for a library expansion and/or construction of a new public safety facility. The agreement that was reviewed at the June 11 meeting, proposed a \$15,000 initial payment to the consultant with the remaining \$10,000 to be paid upon submittal of the final report. Council indicated they would like to see a lesser amount paid up front with subsequent payments being tied to benchmarks. Staff indicated they would work with Crescendo Consulting on a new payment schedule. City Attorney England indicated that she has reviewed the proposed contract and will be recommending a revised contract primarily to include the new payment schedule and to reduce redundancies in the proposed agreement. With Council discussion on 5/7/12 and 6/11/12, staff was directed to bring this back to the July 9 regular meeting as revised. The community assessment is not to be exclusive to the library, but other community facilities as well may be considered.

Motion Spence, second Powers to approve the community assessment contract with Crescendo Consulting, L.L.P as reviewed by City Attorney. All ayes 7-0-0.

Consent Agenda

7. Consent Agenda
 - a. Approve May 7, 2012 special meeting minutes
 - b. Approve council minutes from June 11, 2012
 - c. Approve expense claims
 - d. Approve one utility billing person and one clerk/finance person to attend the 12th annual Civic Symposium in Madison, WI
 - e. ~~Approve 2013 budget calendar change~~
 - f. ~~Approve the Lake Pepin Plaza 2013 budget~~
 - g. ~~Approve agreement with West Central Wisconsin Biosolids Commission~~
 - h. Approve change order #5 to MP Systems, Inc. for (\$2,143.03) for Underwood Substation construction
 - i. Approve hiring of Stephen K. Brown at \$7.92/hour and Teresa Yoder at \$7.92/hour for Hok-Si-La part-time employees for the 2012 season
 - j. Approve pay certificate #1 for 2012 water main improvements to SL Contracting for \$90,101.80
 - k. Approve preparation of design and estimate for bike/pedestrian trail segment extending trail from N. 10th St. to Wabasha County 5
 - l. ~~Approve submittal of Hok-Si-La Park trail project for 2016-2017 Transportation Enhancement funding and construction~~
 - m. Approve study and preparation of cost estimate for 3 lane traffic on Lakeshore Drive from Elm Street to Park Street
 - n. Approve City Council meeting date change for the month of November
 - o. Approve cable franchise renewal letter to Mediacom
 - p. Approve hiring of up to 28 Election Judges for the upcoming Primary and General elections
 - q. Approve NGI Sports quote to refurbish lakeside tennis courts
 - r. Approve hiring Clayton Brandt as volunteer fire fighter pending background check
 - s. Approve hiring of Daran Atkinson as Volunteer Casual Paramedic pending background check
 - t. Approve hiring of James Kellner and Kyle Kingan as Volunteer EMT. pending background check

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

7f. Approve the Lake Pepin Plaza 2013 budget

This item was pulled by Gartner for discussion. The Development Agreement between the City of Lake City and the SEMMCHRA dated November 1, 2004 Section 2.e. states: The Authority shall submit the annual budget for the Project to the City for the City's approval by August 1 of each year commencing on August 1, 2005. The City received the 2013 budget on June 29th from SEMMCHRA Fiscal Director. The 2013 Lake Pepin Plaza budget is submitted and requested to be approved by council. Gartner requested that the budget be sent back to SEMMCHRA for revisions. 3 years of historical data and comparison of budget to actual.

Motion Gartner, seconded Powers to refer the 2013 submitted budget back to SEMMCHRA for 3 years of budget and actual figures. All ayes 7-0-0.

7g. Approve agreement with West Central Wisconsin Biosolids Commission

Gartner noted that West Central Wisconsin Biosolids Commission addressed all issues of the city, but they did not approve the changes. After the original objection to the proposal (from WCWBS) C/M Gartner, City Attorney England and Administrator Johnson met with WCWBS reps to discuss various items of contestation/clarification. The current 10 year agreement with the West Central Wisconsin Biosolids Commission expired December 31, 2011, and extensions to the agreement have been verbally agreed to. Beckman stated that 3.073 of City Code states that the Utility Board is responsible for approval of this document. It should not be at council.

Motion Beckman, seconded Powers to approve the agreement with West Central Wisconsin Biosolids Commission as reviewed by the City Attorney. Roll call: Beckman, Spence, Peters, Dunbar, Waltman, Powers voting aye, Gartner voting nay Motion passed 6-1-0.

7l. Approve submittal of Hok-Si-La Park trail project for 2016-2017 Transportation Enhancement funding and construction

Waltman questioned if we receive the grant, and the city does not have the funds at the time, does the city have to do the project. Keehn addressed the concern and stated that the project is 2016-2017 but the cities only obligation would be for the matching portion of the grant.

Motion Spence, seconded Beckman to approve submittal of Hok-Si-La Park trail project for 2016-2017 Transportation Enhancement funding and construction. All ayes 7-0-0.

Communication Updates

- a. Lake City Gilbert Creek Bridge
- b. Lake City Police Department staffing memo
- c. Lake City Ambulance AFG grant memo
- d. Library Administrator vacancy/position description

Miscellaneous Discussion

Thank you to all who participated with the Waterski Days celebration and the Chamber for organizing all the activities.

The July 4th fireworks were best ever according to comments heard by council members.

A Library Board memo defining a clear set of consistent goals for the potential renovation project was read aloud by Dunbar.

There was an issue of parking by the Villas and blocking mailboxes. City has noted the concern.

Discuss memorial in honor of Officer Shawn Schneider

Council appointed a task force to explore the establishment of a permanent memorial in honor of Officer Shawn Schneider, who, in the line of duty, lost his life on December 30, 2011 as a result of a gunshot on December 19, 2011. The task force submitted a proposal and diagram for the park to be located at Ohuta Park. Council had discussion on the proposal. Council suggested a memorial for all fallen public servants who died in the line of duty. Costs of maintenance as well, and what specific department is responsible for maintenance and upkeep of the memorial was also discussed. Park areas for consideration as discussed by Council were Ohuta, and Gold Star Mother's Park. There would be a need to define criteria for designation of whose name(s) are nominated for the recognition. Budgeting for this was also discussed and if the city had a source of financing in 2012 or 2013. Dunbar requested that the Marina Board and Street Park Commission review the proposal and forward their action to the September Council meeting for further discussion.

Informational Reports:

As presented.

Future Meeting Dates:

As presented.

Adjourn

Motion Beckman, seconded Powers to adjourn at 8:05 p.m. All ayes 7-0-0.

Jerry M. Dunbar, Mayor

ATTEST:

Kari Schreck, City Clerk