

**Lake City Common Council
Regular Meeting
Monday, September 14, 2015 6:00 p.m.
City Hall Council Chambers**

Members Present: Mayor Joel Beckman, Andru Peters, Mary Lou Waltman, Randy Klipfel, Greg Schreck, Mark Spence, Russell Boe

Members Absent: None

Staff Present: City Clerk Kari Schreck, City Attorney Melissa Manerchied, Public Works Director Scott Jensen, Planning and Community Development Director Rob Keehn, Finance Director Barbara Pratt

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 Peters, second Waltman to adopt the agenda as presented. All ayes 7-0-0.

Public Forum

None

Approve revised Policy on Insurance requirements for Contractors and Consultants

City staff requested that the City Attorney and the City's insurance agent review the City's Policy on insurance requirements for Contractors and Consultants. This Policy was last updated in 2008. Both the City's insurance agent and the City Attorney were in agreement that the Policy was in need of an update. The City Attorney revised the Policy so that it is in conformance with League of Minnesota Cities Insurance Trust guidelines. The City's insurance agent Bob Kemp of C.O Brown Agency briefed the council on the need for the revisions.

Motion Spence, second Klipfel to approve the revised Policy on insurance requirements for Contractors and Consultants. All ayes 7-0-0.

Adopt the Drug and Alcohol testing and drug free workplace act policy for non-commercial drivers. (NON-DOT POLICY)

The City of Lake City (the "City") has a vital interest in maintaining safe, healthful, and efficient working conditions for employees, and recognizes that individuals who are impaired because of drugs or alcohol jeopardize the safety and health of other workers as well as themselves. The city does not currently have a policy to address any concerns staff may have regarding personnel. At staff's request, City Attorney Sonsalla has drafted the policy based on the definitions from the League of Minnesota Cities, and other cities that Kennedy Graven represents.

Motion Klipfel, second Peters to adopt the Drug and Alcohol testing and drug free workplace act policy for non-commercial drivers. (NON-DOT POLICY). All ayes 7-0-0.

Approve Fire Department request for increase in service benefit and the updated bylaws.

The Lake City Fire Department Relief Association is seeking an increase in the per year service benefit from \$4500.00 to \$5675.00.

The city's contribution for 2015 is currently set at \$20725.00. Allowing for this increase will not increase the city's contribution for 2015. The fire department received an increase in 2014. The contribution that the city has to make is based on a formula determined by the state. At the current contribution level the city is allocating \$942.00 per year per firefighter into the pension. The amount budgeted in 2015 will cover the current cost of the increase

Motion Spence, second Waltman to approve the Fire Department Relief Association request for increase in service benefit from \$4,500 per year to \$5,675 per year. All ayes 7-0-0.

Motion Spence, second Klipfel to approve updated Lake City Fire Department bylaws with increased pension benefit from \$4,500 per year to \$5,675 per year and increased death benefit to \$11,350. All ayes 7-0-0.

Introduce and conduct the first reading of Ordinance No. 552 amending Title IX, Chapter 95 of the Lake City Municipal Code related to permitting chickens

The City Council directed staff at its June 8, 2015, meeting to bring an ordinance forward allowing chickens within the City. Staff has reviewed the regulations of several cities that allow chickens in City limits, and has drafted an ordinance meant to minimize impact on neighbors if the City Council adopts it. The key points of the ordinance are:

- The number of birds is restricted
- Roosters are not allowed
- Permits will only be issued for single-family homes on individual lots
- Outdoor butchering is not allowed
- The birds must be contained at all times/no free-range chickens
- Chicken coops must be permanent, durable, and their location is restricted to minimize impact on adjoining property owners
- Chickens are allowed by permit, renewed annually. Failure to comply with the requirements of the ordinance can result in permits being denied
- Enforcement is by the local Animal Control officer

The Council then directed staff at its July 13, 2015 meeting to forward the proposed ordinance to both the Public Safety Board and the Planning Commission for review and recommendation. On August 4, 2015, the Planning Commission voted (5 yes, 0 no) that the ordinance is in compliance with, and does not impact, the Comprehensive Plan.

On August 5, 2015, the Public Safety Board voted (5 yes, 0 no) to recommend that no changes be made to the current animal ordinance. The board did have discussion that if the ordinance had provisions in it allowing for neighbors to sign off on the permit, that they would view that as a favorable amendment. That is not in the current draft. Enforcement of the Ordinance falls to the Planning and Zoning department of the city.

Motion Klipfel, second Boe to introduce and conduct the first reading of Ordinance No. 552 amending Title IX, Chapter 95 of the Lake City Municipal Code related to permitting chickens. Motion carried 7-0-0.

The Ordinance was read aloud by Planning/Community Development Director Keehn.

Council discussed the addition of language providing for 80% of the neighbors within 100 feet of the requested permit be added. Adjoining neighbors consent/ dissent should be part of the approval

process prior to the permit being issued. It was acknowledged that 100 foot requirement may not be workable in Lake City due to larger lot sizes.

Motion Schreck, second Waltman to amend Ordinance 552 with the following language: An 80 % approval of neighbors living within a certain number of feet (to be determined by City staff) is required.

Roll call vote: Beckman aye, Schreck aye, Boe nay, Peters aye, Spence aye, Waltman aye, Klipfel aye. Motion carried 6-1-0.

The City Attorney will format the language for insertion in Ordinance 552.

Introduce and conduct the first reading in summary form of Ordinance 553 - An Ordinance Amending Title V, Chapter 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'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. The Ordinance was read aloud by Public Works Director Jensen.

Motion Waltman, second Klipfel to introduce Ordinance No. 553- An Ordinance Amending Title V, Chapters 52 and 53 and Chapter 150 and conduct the first reading.

Introduce and conduct the first reading in summary form of Ordinance 554 - An Ordinance Amending Title VII, Chapter 76 relating to Winter Parking

The Police Department requested that the City Attorney draft an amendment to the City's winter parking regulations. Winter parking restrictions will now begin on October 1st instead of November 1st. 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 Spence, second Klipfel to introduce Ordinance No554- an Ordinance Amending Title VII, Chapter 76 of the Lake City Municipal Code Relating to Winter Parking and conduct the first reading. All ayes 7-0-0.

Adopt Resolution 15-082 the proposed property tax levy collectible in 2016

The City of Lake City is required by Minnesota Statute 275.0065, on or before September 30, 2015 to certify to the home county auditor the proposed taxes payable in the following year. Wabasha County is Lake City's home county. Adopting Resolution 15-082 will establish the maximum levy collectible in 2016 thereby establishing the maximum amount of revenues to be collected from property taxes in 2016.

Motion Peters, to reduce the general fund levy by 29.1 % with \$124,742.00 from temporary salaries line item in the general fund budget and \$16258.00 from the overtime budget creating a proposed general fund levy amount of \$3,000,030.00

Motion fails for lack of a second

Motion Spence, second Boe to adopt Resolution 15-083 the proposed General Fund revenue budget for 2016 at \$5,574,683 and the proposed General Fund expenditure budget for 2016 at \$5,543,661.

Roll call vote: Beckman aye, Schreck aye, Boe aye, Peters nay, Spence aye, Waltman aye, Klipfel aye. Motion carried 6-1-0.

Adopt Resolution 15-083 approving the 2016 proposed General Fund total revenues and expenditures

The City of Lake City is required by Minnesota Statute 275.065, on or before September 30, 2015 to adopt a proposed General Fund budget for the following year. The resolution will establish the 2016 proposed General Fund total revenues and expenditures.

Motion Spence, second Waltman to adopt Resolution 15-083 the proposed General Fund revenue budget for 2016 at \$5,574,683 and the proposed General Fund expenditure budget for 2016 at \$5,543,661.

Roll call vote: Beckman aye, Schreck aye, Boe aye, Peters nay, Spence aye, Waltman aye, Klipfel aye. Motion carried 6-1-0.

Approve the purchase of a general use vehicle in 2015 and removing the budgeted amount from the 2016 budget

The current general use vehicle is a 2003 Jeep with 123,000 miles. The vehicle currently needs a new oil pan and gasket, left rear axle seal and bearing should be replaced. In addition the front rotors are rusty, the front differential oil requires changing, the front shocks are leaking and the steering is loose. As this vehicle ages, repair and maintenance costs will increase.

The 2016 proposed budget includes \$20,000 for the purchase of a general use vehicle. The state contract prices list several vehicles that would be at or near the \$20,000 amount. The jeep would be traded in. Amount would come from reserves in 2015 and reserves would be replenished in 2016.

Motion Waltman, second Spence to approve the purchase of a general use vehicle in 2015 and remove the budgeted amount from the 2016 budget. All ayes 7-0-0.

Consent Agenda

- a. Approve City Council retreat meeting minutes August 10, 2015
- b. Approve City Council retreat meeting minutes August 12, 2015
- c. Approve City Council regular minutes August 10, 2015
- d. Approve expense claims 8.6.15-9.8.15
- e. Adopt Resolution 15-067 budget adjustments for the building maintenance fund of \$17,250 the additional cost of repairing the Public Safety Building roof.
- f. Adopt Resolution 15-074 confirming new board and commission appointments
- g. Adopt Resolution 15-075 accepting donations totaling \$3,775.00 for the renovation/addition of the Lake City Public Library.
- h. Adopt Resolution 15-077 approving a Registered Land Survey combining two lots at 2021 S. Highway 61, for Engineering Lab Design
- i. Adopt Resolution 15-078 requesting variance allowing parking on both sides of Iowa from S. 6th to S. 7th and S. 7th from Iowa to Lakewood
- j. Adopt Resolution 15-079 accepting and designating donations for Hok Si La Park

- k. Adopt Resolution 15-080 transferring \$22,000 from Capital Projects fund to Highway 61 fund for approved corridor study
- l. Adopt Resolution 15-081 approving public auction of forfeited properties
- m. Submit to the Chief Judge of the District Court the name of Bruce Schumacher as the name of an individual that the City Council is recommending to be appointed to the Charter Commission.
- n. Confirm the appointment of Greg Schreck to the Economic Development Authority Board.

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

Communication Updates

Library fundraising summary August 31, 2015

Pledges in August	<u>\$3750.00</u>
Monies received in August	<u>\$3775.00</u>
Total pledges to date:	<u>\$277188.00</u>
Total receipts to date:	<u>\$261868.00</u>

Miscellaneous Discussion

Rylee Main from the Lake Pepin Legacy Alliance addressed council requesting a resolution of support for the Upper Pool 4 & Lake Pepin Habitat Restoration project. The Alliance is a citizen lead organization spreading awareness about the increased sediment issues at the head of Lake Pepin 80-90 % of the sediment is coming from the Minnesota River, and working on a habitation and water quality restoration project with Audubon of Minnesota as well as the Minnesota and Wisconsin Department of Natural Resources and the Army Corp of Engineers. Council directed staff to prepare a resolution of support for action in October.

Councilmember Klipfel requested that the EDA minutes contain more information as well as first and last names of those present. Council requested staff will pass comments along to the EDA director.

Informational Reports

As presented

Motion Waltman, second Schreck to adjourn at 7:40 p.m. All ayes 7-0-0.

ATTEST:

Joel T. Beckman, Mayor

Kari Schreck, City Clerk