

MINUTES
Lake Shore City Council
Monday, May 24, 2010
7:00 PM Lake Shore City Hall

Mayor John Terwilliger called the May 24, 2010 Regular City Council meeting to order at 7:00 p.m. The pledge of allegiance was recited.

Roll Call: Mayor John Terwilliger. Council Members present: John Bukovich, Susan Amacher, Doug Miller and Lyle Kline; City Attorney Steve Qualley; City Engineer Dave Reese; City Administrator/Planning and Zoning Administrator Teri Hastings; Police Chief Steve Sundstrom; Public Works Jim Thomes and City Clerk Patti McDonald. There were 4 people in the audience.

APPROVAL OF MINUTES

MOTION BY JOHN BUKOVICH TO APPROVE THE REGULAR CITY COUNCIL MINUTES OF APRIL 26, 2010 AS PRESENTED. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

REPORTS

Police/Fire Report – Chief Steve Sundstrom

Agreement for Prosecution Services – Recently the State of Minnesota changed to an automated fine allocation system. It means, absent an agreement for prosecution services, all fines paid within this municipality will be paid directly into the State general fund with no payback out to Lake Shore. As a result the state asked the Cass County Attorney to review the status of their municipal prosecution agreements. Lake Shore does not have an agreement with Cass County. Historically, due to the nature of the offenses and the relatively low volume of cases, Cass County simply just handles the prosecutions as part of their normal caseload. The County Attorney recommends that an Agreement for Criminal Prosecution Services should be entered into by both Cass County and the City of Lake Shore.

MOTION BY JOHN BUKOVICH TO ENTER INTO AN AGREEMENT FOR CRIMINAL PROSECUTION SERVICES WITH CASS COUNTY. LYLE KLINE SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Resolution for Safe & Sober for 2010 – 2011 – Safe and Sober Communities runs from October 1, 2010 to September 30, 2011.

MOTION BY JOHN BUKOVICH TO ADOPT RESOLUTION NUMBER 2010-05-01 TO AGREE FOR THE LAKE SHORE POLICE DEPARTMENT TO PARTICIPATE IN THE SAFE AND SOBER COMMUNITIES FROM OCTOBER 1, 2010 TO SEPTEMBER 30, 2011. LYLE KLINE SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Incident Report – From April 27, 2010 to May 23, 2010 there were 118 incidents in the City. There were 49 traffic-related incidents and 69 were miscellaneous department activity. John Bukovich asked if the police department goes through the DNR lot and asked if the garbage runs over. Yes, they do and they haven't noticed a lot of garbage. The thefts are gas cans out of boats.

Mayor's Report– John Terwilliger had nothing to report.

Clerk/Treasurer's Report – Patti McDonald

MOTION BY DOUG MILLER TO APPROVE THE FINANCIALS AS SUBMITTED. LYLE KLINE SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

City Administrator/Planning & Zoning Administrator – Teri Hastings

Resolution Requiring Municipal Approval of Subdivisions – This is needed for the Cass County Recorders office so they are aware that a subdivision has been approved by the city.

MOTION BY DOUG MILLER TO ADOPT RESOLUTION NUMBER 2010-05-02 REQUIRING MUNICIPAL APPROVAL OF SUBDIVISIONS OF LAND, WHETHER THROUGH LOTS SPLITS, METES AND BOUNDS SUBDIVISION, PLATS OR ANY OTHER FORMS OF SUBDIVISION OF LAND. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

April EDA Activity Report – The April activity report was included for review.

April Minutes and Permit Summary – Teri provided the April minutes and permit summary for review.

Wastewater/Road Committee – John Bukovich referred to Jim Thomes for the report.

Excess Class V from Road Projects – When Pebble Beach Drive was reclaimed it was discovered that there is eight inches of blacktop and the bid included 2 to 3 inches of Class V before the blacktop was put down. Jim said with that much reclaim the Class V wouldn't help anything, so there is an excess of approximately 1000 tons of Class V. The Wastewater/Road committee is recommending to use the excess Class V on other city roads; possibly on Anderson Road as there has been a wash out that revealed a high voltage power line at one time. Dave Reese said that Tri-City offered to do the project for \$9.00 per ton rather than \$11.00 that was quoted.

MOTION BY SUSAN AMACHER TO ALLOW TRI-CITY TO PUT THE EXCESS CLASS V ON ANDERSON ROAD. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Jacobs Road – Two quotes for additional patch on Jacobs Road were received, one from Anderson Brothers and the other from Tri-City Paving. The Wastewater/Road committee is recommending that Tri City provide services for items one and two on their quote and Rardin Excavating will do the re-shouldering. Items one and two include: 1) sawcut and remove existing edge at the south end of Jacobs Road replace with new bituminous surface 3" and shoulder approximately 100' X 3' patch = \$1,500.00; and, 2) sawcut, remove bad area approximately 200' X 22' on Jacobs Road. Shape sub bas, replace with 3" bituminous surface and should = \$5,500.00.

MOTION BY JOHN BUKOVICH TO HIRE TRI CITY TO PROVIDE PATCHWORK ON JACOBS ROAD FOR ITEMS ONE AND TWO ON THEIR QUOTE DATED MAY 4, 2010. LYLE KLINE SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

ISTS Inspection Program – Last year the ISTS on-site septic inspection program was put on hold for one year. The Wastewater/Road committee is recommending that the program remain on hold until an assessment program is finalized with Cass County vs. the inspection program. Teri Hastings said that the assessment program would be a full compliance inspection, but more focus on maintenance which would include pumping of the tank. She said there are a few holdouts from the ISTS inspection program that need to complete their compliance inspection that she will contact again. Teri said the assessment program is the next step instead of requiring the compliance inspections every three years. She said point of sale and permits will still trigger the compliance inspections, but figures the assessment program will be a better fit in the city. The program was discussed at the wastewater portion of a Micropolitan meeting and Cass County, Crow Wing County, City of East Gull and Nisswa were all in agreement that a compliance inspection program every three years was overkill. Direct Steve Qualley to draft an ordinance amendment to change the required time period for compliance inspections.

April Minutes – The April minutes were included for review.

Cemetery Committee – Lyle Kline said there is nothing new at the cemetery.

Park and Recreation Committee – Lyle Kline – John Terwilliger said that the park committee met and discussed their recent regular agenda items. There was a group (The Wild Ones) out at the park identifying wild flowers. John Bukovich wanted to comment that the spearing in Stony Brook is not allowed because it is a designated Trout stream.

April Minutes – The April minutes were included for review.

Environmental Committee – Doug Miller said the committee met and there was a quorum present so they could do business. He said that Ron registered his disappointment that the council rejected the shoreline display at city hall. There will be a Cass County Household Hazardous Waste at city hall on Monday, June 28th from noon to 4:30. On June 26th the Crow Wing 4H will do the tour of farms and one of the farms is in the Lake Margaret watershed. This is where they will discuss best practices for the health of the lake. On August 28th there will be a Harvest dinner in Nisswa. Doug said that they discussed the sediment core that was talked about at the recent Stakeholders meeting. Teri said that Earl North drafted a memo to Joe Bischoff for Joe's input on the recent report given at the stakeholders meeting.

Appoint Rose Mary Goff – Rose Mary Goff submitted an application requesting to serve on the Environmental committee.

MOTION BY DOUG MILLER TO APPOINT ROSE MARY GOFF TO THE LAKE SHORE ENVIRONMENTAL COMMITTEE. LYLE KLINE SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Personnel – John Terwilliger/Susan Amacher

Annual Review Steve Sundstrom – Mayor John Terwilliger, Council Member Susan Amacher and Teri Hastings met with Steve Sundstrom for his annual review with a positive outcome.

MOTION BY SUSAN AMACHER TO APPROVE A STEP INCREASE FOR STEVE SUNDSTROM. JOHN BUKOVICH SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Recommend Hiring Part-time Officer – Last month the City Council approved the hiring of Shawn Birr as a part-time police officer. Since that time it was learned that Shawn is unable to work the necessary hours and weekends throughout the summer due to scheduling conflicts with the Cass County Jail.

The Personnel Committee recently interviewed Matthew Jorgens for the part-time police officer position and recommends hiring. Matt is a member of the Nisswa Fire Department and is an EMT with Zone 2 First Responders. He is POST eligible to be licensed and has been riding and training with us all month. His background check found nothing that would disqualify him.

MOTION BY SUSAN AMACHER TO HIRE MATTHEW JORGENS AS A TEMPORARY PART-TIME OFFICER FOR THE CITY OF LAKE SHORE. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

City Attorney – Gammello & Qualley – Steve Qualley had nothing new to report.

City Engineer – Widseth Smith Nolting – Dave Reese said that Tri-City would probably have a pay request at the next council meeting.

Monitoring Well Site – The MPCA program is requesting approval from out-state residents to install ground water monitoring wells. They are interested in an area at Fritz Loven Park.

MOTION BY JOHN BUKOVICH TO ALLOW THE MPCA TO PLACE AN AMBIENT GROUNDWATER MONITORING SYSTEM AT FRITZ LOVEN PARK WITH THE APPROVAL OF THE MINNESOTA LAND TRUST. AND ALLOW THE MPCA EASEMENT TO GET TO THE WELL. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

OLD BUSINESS – There was no old business.

NEW BUSINESS - There was no new business.

ANNOUNCEMENTS/PUBLIC FORUM – There were no announcements or public forum.

MOTION BY DOUG MILLER TO PAY THE BILLS AS SUBMITTED (CLAIM NUMBERS 28578 THROUGH 28676 - TOTAL \$47,738.40). JOHN BUKOVICH SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY DOUG MILLER TO ADJOURN THE REGULAR CITY COUNCIL MEETING OF MAY 24 2010 AT 7:35 PM. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Transcribed by Patti McDonald
Lake Shore City Clerk