

MINUTES
Regular Meeting of Lake Shore City Council
Monday, February 25, 2013
7:00 PM Lake Shore City Hall

Mayor John Terwilliger called the February 25, 2013 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: Susan Amacher, John Poston, Krista Knudsen and Doug Miller. 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 were present. There were 5 people in the audience.

PUBLIC HEARING – Road Vacation of a Portion of Cumberland Way - Marc and Beth Swiontkowski submitted a petition to vacate a portion of Cumberland Way (also known as Robinhood Way). At the December City Council meeting, the council established by resolution February 25th as the public hearing for the road vacation.

The Commissioner of the Department of Natural Resources was notified 60 days in advance of the hearing. The DNR is required to be notified since the roadway terminates at public water and is adjacent to public water. A written response from the DNR was received with no objections to the proposed road vacation.

All property owners within the Tingdale Brothers Sherwood Forest plat which included all property owners within 350 feet of the proposed vacation were notified via mail of the road vacation hearing. The notice of the road vacation was also published twice as required by state statute in the city's official newspaper.

The road vacation petition went before the Road/Wastewater committee and the committee made a recommendation to support the vacation provided the variance for the garage was approved by the Planning Commission. The applicants (Swiontkowski's) would like to build a garage in the area that is being proposed to be vacated.

The road vacation must be approved by council resolution. Since the road vacation is by petition a simple majority of the council is required. In addition, detailed findings must be given for the road vacation. These finding should include a public benefit of the road vacation and means other than those in the immediate vicinity of the vacation. A private benefit derived from the vacation does not bar the vacation so long as a public benefit can be substantiated. A resolution approving the vacation which includes findings is included in the packet if the council decides to approve the vacation.

The Mayor said that the city doesn't normally vacate roads, but this request makes sense. Mr. Swiontkowski was available for questions. There were no others in attendance that spoke regarding the road vacations. No letters were received regarding the road vacation.

MOTION BY JOHN POSTON TO ADOPT RESOLUTION NUMBER 2013-02-01. A RESOLUTION VACATING A PORTION OF CUMBERLAND WAY. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

APPROVAL OF MINUTES

MOTION BY DOUG MILLER TO APPROVE THE JANUARY 28, 2013 REGULAR CITY COUNCIL MINUTES AS PRESENTED. JOHN POSTON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

REPORTS

Police/Fire Report – Chief Steve Sundstrom

Incident Report - From January 28, 2013 to February 24, 2013 there were 120 incidents in the City. There were 80 traffic-related incidents and 40 were miscellaneous department activity. The Mayor asked if the thefts are fish house related. The Chief said they were not.

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

Clerk/Treasurer's Report – Patti McDonald

MOTION BY JOHN POSTON TO APPROVE THE FINANCIALS AS SUBMITTED. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

City Administrator/Planning & Zoning Administrator – Teri Hastings

Board of Review Date – The City has received notification from the County Assessor's Office that this year's Board of Review will be held Thursday, April 11th at 12:00 p.m. City Hall; a quorum must be present. There is a class offered if anyone is interested to become certified.

Fire Contract 2013 – Teri attended the 2013 Fire Contract meeting on Tuesday, February 5th. Lake Shore's total contract amount for 2013 is \$57,006.28 based on the land and building values of each entity being served by the Nisswa Fire Department; this includes the Firemen's Relief Association (\$4,863.28). The city budgeted \$57,000.00 for 2013 for fire services. The Nisswa First Responders have been incorporated into the Nisswa Fire Department and due to the change the city will need to increase the fire services budget by \$7,500.00 for the year 2014.

MOTION BY DOUG MILLER TO APPROVE THE 2013 FIRE CONTRACT AS PRESENTED. KRISTA KNUDSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Nisswa PTO Donation – The Nisswa PTO is seeking a donation for the 8th Bloom Fool's Auction Benefit for Nisswa School. The city has contributed \$150.00 in previous years. The same donation amount is available to ISD 116 and 186 upon request.

MOTION BY DOUG MILLER TO DONATE \$150.00 TO THE NISSWA PTO'S 8TH BLOOM FOOL'S AUCTION BENEFIT FOR NISSWA SCHOOL. JOHN POSTON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Cass County Fair Donation – The Cass County Fair is seeking donations to help fund a portion of the fair including payment of the 4-H youth program premiums for judging, ribbons and awards.

MOTION BY SUSAN AMACHER TO DONATE \$100.00 TO THE CASS COUNTY FAIR. JOHN POSTON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Cass County Historical Society Donation – The Cass County Historical Society is seeking donations so that they may grow and continue to provide their services to the county. The city has been an annual business sponsor in years past.

MOTION BY SUSAN AMACHER TO DONATE \$150.00 TO THE CASS COUNTY HISTORICAL SOCIETY. JOHN POSTON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Appointment of Roger Smeby as an Alternate to the Planning Commission – Roger Smeby has submitted his application expressing an interest in an Alternate position on the Board of Adjustment/Planning Commission.

MOTION BY JOHN POSTON TO APPOINT ROGER SMEBY TO AN ALTERNATE POSITION ON THE BOARD OF ADJUSTMENT/PLANNING COMMISSION. KRISTA KNUDSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

EDA Activity Report – The February EDC activity report and newsflash were included for your review.

January P&Z Minutes and Permit Summary – Teri included the January Planning and Zoning minutes and permit summary.

Wastewater/Road Committee – John Poston said the committee didn't meet in February.

Park and Recreation Committee – Krista Knudsen said the committee didn't meet in February.

Environmental Committee – Doug Miller said the committee didn't meet in February.

Trail 77 Team – John Poston/Susan Amacher – There is nothing new to report.

Personnel – John Terwilliger/Susan Amacher – There was no personnel business.

City Attorney – Gammello, Qualley, Pearson & Mallak – Steve Qualley had nothing to report.

City Engineer – Widseth Smith Nolting – Dave Reese had nothing to report.

OLD BUSINESS – John Poston said he talked to Aardvark signs and the city signs should be back in place next week.

NEW BUSINESS – There was no new business.

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

MOTION BY DOUG MILLER TO PAY THE BILLS AS SUBMITTED (CLAIM NUMBERS 31313 THROUGH 31371 - TOTAL \$40,260.86). JOHN POSTON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY DOUG MILLER TO ADJOURN THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 25, 2013 AT 7:15 PM. SUSAN AMACHERSECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Transcribed by Patti McDonald
Lake Shore City Clerk