

MINUTES
Regular Meeting of Lake Shore City Council
Monday, February 24, 2014
7:00 PM Lake Shore City Hall

Mayor John Terwilliger called the February 24, 2014 Regular City Council meeting to order at 7:15 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 4 people in the audience.

APPROVAL OF MINUTES

MOTION BY JOHN POSTON TO APPROVE THE JANUARY 27, 2014 REGULAR CITY COUNCIL MINUTES AS PRESENTED. KRISTA KNUDSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

REPORTS

Police/Fire Report – Chief Steve Sundstrom

Incident Report – From January 27, 2014 to February 24, 2014 there were 88 incidents in the City. There were 51 traffic-related incidents and 37 were miscellaneous department activity.

Mayor's Report– John Terwilliger said he received a letter from GCOLA thanking the City for allowing Officer's Johnson and Pallanch for working at the DNR boat landing last summer. They are extending the contract for the 2014 summer season.

Clerk/Treasurer's Report – Patti McDonald

Financials – MOTION BY DOUG MILLER TO APPROVE THE FINANCIALS AS SUBMITTED. JOHN POSTON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

City Administrator/Planning & Zoning Administrator – Teri Hastings

Preliminary Approval CIC #20 – The Planning Commission is recommending approval of the First Supplemental CIC Plat #20 for Lake Shore Village Properties to the City Council with conditions. The preliminary plat is in substantial compliance with the city's zoning and subdivision ordinance. The conditions on approval are submittal of signed settlement documents regarding the encroachment and submittal of a grading and drainage plan before final plat approval.

MOTION BY JOHN POSTON TO APPROVE THE FIRST SUPPLEMENTAL CIC PLAT #20 FOR LAKE SHORE VILLAGE PROPERTIES AS PRESENTED. KRISTA KNUDSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Recommendation on Nottingham Property – Teri's staff report indicated the following: The Nottingham property that the city owns was discussed at the February Planning Commission meeting. It was the consensus of the commission that the property should be put back on the tax rolls. The rationale for the recommendation is that the property is not adjacent to the city hall property and the property is not conducive as a site for a storage building for the city (would not be consistent with the city's Comprehensive Plan). The surrounding properties are used and zoned residential. Lots 7-9 are zoned public and should they be sold, should be rezoned to Low Density Residential (R-1).

The Nottingham property consists of three 50' lots and would need to be sold together. They are legally described as Lots 7-9, Block 15, Tingdale Brothers Sherwood Forest. Below is the statute dealing with the acquisition, disposal of real property that is publicly owned.

462.356 PROCEDURE TO EFFECT PLAN: GENERALLY.

Subd. 2. Compliance with plan.

After a comprehensive municipal plan or section thereof has been recommended by the planning agency and a copy filed with the governing body, no publicly owned interest in real property within the municipality shall be acquired or disposed of, nor shall any capital improvement be authorized by the municipality or special district or agency thereof or any other political subdivision having jurisdiction within the municipality until after the planning agency has reviewed the proposed acquisition, disposal, or capital improvement and reported in writing to the governing body or other special district or agency or political subdivision concerned, its findings as to compliance of the proposed acquisition, disposal or improvement with the comprehensive municipal plan. Failure of the planning agency to report on the proposal within 45 days after such a reference, or such other period as may be designated by the governing body shall be deemed to have satisfied the requirements of this subdivision. The governing body may, by resolution adopted by two-thirds vote dispense with the requirements of this subdivision when in its judgment it finds that the proposed acquisition or disposal of real property or capital improvement has no relationship to the comprehensive municipal plan.

Teri said that the assessed value is around \$15,000; however, there have been surrounding properties sold for \$39,000.00. City Attorney Steve Qualley said the city doesn't have to go through an appraisal process; they can refer to a Realtor or 'for sale' by owner.

MOTION BY DOUG MILLER TO APPROVE THE PLANNING COMMISSIONS RECOMMENDATION TO SELL LOTS 7-9, BLOCK 15, TINGDALE BROTHERS SHERWOOD FOREST ON NOTTINGHAM ROAD. JOHN POSTON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Board of Review – Thursday, April 10, 2014 @ Noon – The City has received notification from the County Assessor's Office that this year's Board of Review will be held Thursday, April 10th at 12:00 p.m. at City Hall; a quorum must be present.

Cass County EDC Activity Report – The EDC Activity Report was included for review.

January Permit Summary – The January permit summary was included for review.

Wastewater/Road Committee – John Poston
Resolution Ordering Improvement & Preparation of Plans –

MOTION BY JOHN POSTON TO APPROVE RESOLUTION NUMBER 2014-02-01 ORDERING IMPROVEMENT AND DIRECTING PREPARATION OF PLANS FOR 72ND STREET. KRISTA KNUDSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

January Minutes – The January minutes were included for review.

Park and Recreation Committee – Krista Knudsen said there was no committee meeting in February.

Environmental Committee – Doug Miller said there was no committee meeting in February.

Trail 77 Team – John Poston/Susan Amacher - John Poston said there was nothing to report.

Personnel – John Terwilliger/Susan Amacher – The Mayor said there was nothing to report.

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 – There was no old business.

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 32243 THROUGH 32308 - TOTAL \$43,373.72). JOHN POSTON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY KRISTA KNUDSEN TO ADJOURN THE REGULAR CITY COUNCIL MEETING OF FEBRUARY 24, 2014 AT 7:29 PM. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Transcribed by Patti McDonald
Lake Shore City Clerk