

**MINUTES**  
**Regular Meeting of Lake Shore City Council**  
**Monday, June 23, 2014**  
**7:00 PM Lake Shore City Hall**

Mayor John Terwilliger called the June 23, 2014 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 and City Clerk Patti McDonald were present. There were 9 people in the audience.

**APPROVAL OF MINUTES**

MOTION BY JOHN POSTON TO APPROVE THE MAY 18, 2014 REGULAR CITY COUNCIL MINUTES AS PRESENTED. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

**REPORTS**

**Police/Fire Report** – Chief Steve Sundstrom

Resolution for Toward Zero Death 2014-2015 – Toward Zero Deaths runs from October 1, 2014 to September 30, 2015.

MOTION BY JOHN POSTON TO ADOPT RESOLUTION 2014-06-01 TO APPROVE THE LAKE SHORE POLICE DEPARTMENT TO PARTICIPATE IN THE TOWARD ZERO DEATHS FROM OCTOBER 1, 2014 TO SEPTEMBER 30, 2015. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Incident Report - From May 19, 2014 to June 22, 2014 there were 224 incidents in the City. There were 125 traffic-related incidents and 99 were miscellaneous department activity.

**Mayor's Report**– John Terwilliger

**Clerk/Treasurer's Report** – Patti McDonald

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

Approval of Election Judges – The State of Minnesota primary election is August 12, 2014. Seven people have agreed to attend training to be an election judge for the City of Lake Shore. They are Carol Greaves, Jo Quam, Earl North, Robert Toborg, Dick Miles, Linda Halverson and Mary Toms. We need five people at city hall throughout the day. By appointing seven people, this would allow for breaks, lunch and replacement if someone were unable to be here.

MOTION BY JOHN POSTON TO APPOINT THE SEVEN ELECTION JUDGES AS PRESENTED FOR THE AUGUST 12, 2014 PRIMARY ELECTION. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

**City Administrator/Planning & Zoning Administrator** – Teri Hastings

Waiver of Tort Liability – Our insurance carrier is requesting that the City Council act annually on whether or not it would like to waive tort liability limits.

MOTION BY JOHN POSTON TO NOT WAIVE THE STATUTORY TORT LIABILITY COVERAGE LIMIT AND SUBMIT THE PROPER WAIVER FORM TO WEIZENEGGER/ENGEL INSURANCE TO FORWARD TO LMCIT. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

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

April Minutes and May Permit Summary – The April minutes and the May permit summary were included for review.

**Wastewater/Road Committee** – John Poston asked Dave Reese to give an update on the road projects. DeChantal was paving today and will finish paving if the weather cooperates; they completed 72<sup>nd</sup> Street and Jacobs Road.

Recommendation for City Engineer on Various Road/Drainage Issues – John Poston asked Dave for recommendations on the various road drainage issues. Portview Road has a 4' culvert with drainage issues; he said that with direction from the council he could get cost estimates if needed. Lincoln Green has some standing water issues at the entrance of a driveway. He took some elevations of the area and suggested raising the road in that area and putting a drainage swale on the opposite side of the road. Pohl Road has had quite a bit of gravel added to it the past couple years and the gravel is dumping into the ditch; he suggested ditching along Pohl Road. Robinhood Way has had a few drainage issues with all the recent rain; there are no ditches along this road. Dave said possibly paving Robinhood Way or using crushed asphalt. Wienzel Point has had problems in the past and there is one driveway/yard in particular that the water collects at; he said that the lake level is only about 2 feet below this water is standing. The wastewater/road committee will discuss this further.

John Poston said there was an issue during the Jacobs Road project with the unofficial detour going through Mitchell Road. The city has graded Mitchell Road (as was done in the past) for residents using their road as a detour. Mitchell Road is not a city maintained road. Rod Pierzinski asked what the process is to get the road maintained by the city. Teri said that a road improvement to bring the road up to city standards could be initiated by the council with a 4/5<sup>ths</sup> vote and it is 100% assessed to the land owners. The landowners can present a petition with 35% (by road frontage) of the landowners in agreement to have the road brought up to city standards which is also 100% assessed to the landowners. Al Moberg asked if it could be an upgraded gravel road. Teri said it goes against city policy; if it is improved it must be brought up to city standards. The road committee will take up the discussion for improvements at their next meeting.

May Minutes – The May minutes were included for review.

**Park and Recreation Committee** – Krista Knudsen said the committee met last week for the annual walk through at Fritz Loven Park to check the condition of the park. With the exit of the Public Works employee the lawn wasn't mowed. Teri said that mowing for the city was hired out until someone is hired. Teri said the garbage's will be emptied. Krista said the bathrooms need attention. Teri said that the bathrooms could be power washed and pumped. Kevin Egan offered to refurbish the park entrance sign. There are also some minimum maintenance items to be done.

Sign – Fritz Loven Park – The committee would like to purchase another directional sign similar the one on top of the Ridge Road sign to place on top of the sign at the corner of County 78 & County 77. Teri will contact the county.

The project to replant the buffer at Stony Brook in Fritz Loven Park and the project to build the fence along the buffer was postponed to July 8<sup>th</sup> due to rain.

May Minutes – The May minutes were included for review.

**Environmental Committee** – Doug Miller said the committee met last week. He said at the May meeting Ron gave a presentation of ‘Lessons Learned on the Shore of Gull Lake’ that Ron was presenting at ‘The State of Water’ conference at Craguns. He said Ron Faust, Lake Shore Environmental Committee; Heather Baird, DNR and Kelly Condiff, Cass County SWCD attended ‘Habitat Night’ at the Gull Lake Yacht Club with 70 people in attendance. The committee intends to schedule a white goods collection in 2015.

Doug said at the June meeting the topic of deer came up again and Teri and Ron suggested that John Terwilliger help with a plan for extra hunting permits in to help resolve the issue of too many deer in Lake Shore. Teri said there may be some contact information for the city that Jim Thomes had made contact with that had a program similar to what Lake Shore would like to start. John will check with the DNR to move forward with options. Rod Pierzinski asked if hunters and landowners could be paired up. Teri said it could be done. Doug said the hunter should make sure they have permission from the landowner. Doug asked the council for their opinion on bringing back the question to ‘ban feeding the deer’. Krista said it is pretty hard to regulate. Ron Faust said this is a health issue and gave examples of people that are battling Lyme disease. The Chief said that most people have probably been treated for Lyme disease. Jim Olin (Wienzel Point Road) asked if there was a law on the State books for not feeding the deer. The DNR has been here a few times with no suggestions that there is a state law. Ron Faust said that the city of Brooklyn Center has passed an ordinance to not feed the deer. Krista asked if there was an article was in the newsletter of the negative affects of feeding the deer. Ryan Amacher said that a large demographic characteristic of people that feed the deer are older women. The Mayor said deer are not the only animals that carry the deer ticks.

Doug said that the committee talked about alternatives to riprap for shoreline alteration/preservation. Teri said that Darren Hoverson from the DNR will work with shoreline owner’s for alternatives to riprap.

**Trail 77 Team** – John Poston/Susan Amacher – Nothing to report.

**Personnel** – John Terwilliger/Susan Amacher – With the resignation of Jim Thomes, the position can be split into two positions as there is not enough work for a full-time wastewater or public works person. Teri said that the city needs a wastewater operator with a Class D license along with a service provider license. Lee Bundy from the Pine River Area Sanitary Sewer District has his Class A license and will go test for his service provider license this fall; he will contract with Martin Joyce who has is service provider certificate until then.

Lee Bundy went through the city with Electric Pump to check the condition of the city’s seven sewer lift stations. They will provide a prioritized repair list. The city engineer will review the list and provide guidance to the city for the repairs.

Geraldyn Olin said they were pleased with the city for helping remove the water ponding on their property. She also asked for clarification of the classification of wastewater operator. Teri explained the difference.

Jim Olin had a suggestion to the problems of freeze ups in the sewer system with such a cold winter. Dave Reese said there have been a number of freeze ups over the years. Jim said Lake Shore did there job to help them with the freeze up problems this year.

Contract for Wastewater Operations – Pine River Area Sanitary District – The Pine River Area Sewer District has prepared a temporary contract for \$1305 per month to provide service to the Lake Shore wastewater system. The city was supposed to give the MPCA a 30 day notice and without that notice Lee Bundy of PRASD has stepped up and filled the position for us.

MOTION BY DOUG MILLER TO APPROVE THE TEMPORARY CONTRACT FOR THE PINE RIVER AREA SANITARY SEWER DISTRICT TO PROVIDE SERVICE TO THE LAKE SHORE WASTEWATER SYSTEM AT \$1305 PER MONTH. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Job Description – Maintenance Position – There isn't enough work for a full time maintenance position. Teri will advertise for a part-time maintenance position.

MOTION BY DOUG MILLER TO APPROVE THE PART-TIME MAINTENANCE POSITION JOB DESCRIPTION. KRISTA KNUDSEN SECONDED THE POSITION. MOTION PASSED UNANIMOUSLY.

The next step will be to advertise to fill the position.

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

**City Engineer** – Widseth Smith Nolting – Dave Reese said he had an addition to the agenda for a partial pay estimate for DeChantal.

Partial Payment Estimate – DeChantal Excavating LLC – DeChantal Excavating LLC has submitted pay estimate number 1 for the 2014 Lake Shore Street Improvements. Widseth Smith Nolting recommends payment in the amount of \$43,790.73. A 5% retainage fee has been applied.

MOTION BY JOHN POSTON TO APPROVE PAYMENT ESTIMATE NUMBER 1 OF \$43,790.73 TO DECHANTAL EXCAVATING LLC FOR THE 2014 LAKE SHORE STREET IMPROVEMENTS. KRISTA KNUDSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

**OLD BUSINESS** – There was no old business.

**NEW BUSINESS** –

Quote to Refurbish Cemetery Sign – The sign at the cemetery is in poor condition. Mike Sedivy, Aardvark Signs provided an estimate of \$2,800.00 to refurbish the sign. Doug asked if there is enough in the budget. Teri said that the cemetery budget may be short; however, there is enough in the general fund.

MOTION BY JOHN POSTON TO ACCEPT THE QUOTE OF AARDVARK SIGNS TO REFURBISH THE SIGN. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

**ANNOUNCEMENTS/PUBLIC FORUM** – Teri said the Household Hazardous Waste is at city hall from noon to 4:00 p.m.

MOTION BY DOUG MILLER TO PAY THE BILLS AS SUBMITTED (CLAIM NUMBERS 32521 THROUGH 32615 – TOTAL \$60,957.76). JOHN POSTON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY DOUG MILLER TO ADJOURN THE REGULAR CITY COUNCIL MEETING OF JUNE 23, 2014 AT 8:02 PM. JOHN POSTON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Transcribed by Patti McDonald  
Lake Shore City Clerk