

MINUTES
Regular Meeting of Lake Shore City Council
Monday, July 28, 2014
7:00 PM Lake Shore City Hall

Mayor John Terwilliger called the July 28, 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 7 people in the audience.

APPROVAL OF MINUTES

MOTION BY JOHN POSTON TO APPROVE THE JUNE 23, 2014 REGULAR CITY COUNCIL MINUTES AS PRESENTED. KRISTA KNUDSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

REPORTS

Police/Fire Report – Chief Steve Sundstrom

Donation Request – The Cass County Sheriff’s Office is in the process of organizing their child safety and drug education program for children and their parents. This is the 15th year for this very worthwhile program. They are asking for a donation to help provide safety materials and services for the program.

MOTION BY JOHN POSTON TO DONATE \$115.00 TO HELP OFFSET THE COST OF THE NATIONAL CHILD SAFETY PROGRAM SPONSORED BY CASS COUNTY SHERIFF’S DEPARTMENT. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Incident Report - From June 23, 2014 to July 27, 2014 there were 209 incidents in the City. There were 118 traffic-related incidents and 91 were miscellaneous department activity.

John Poston applauded the police department for all the hard work clearing after the storm last week. He also commended Teri Hastings for coming out at 3:00 a.m. to assist with the damage control.

John Poston commended Chief Sundstrom and said during the day of the storm clean up there was a call out to Agate Lake Resort for a 54 year old man in cardiac arrest. Steve assessed the victim/scene and shocked the victim back to life; he guided/controlled the scene until the helicopter lifted off with the victim.

Mayor John Terwilliger said there was great community effort during the storm clean up.

Mayor’s Report– John Terwilliger

Clerk/Treasurer’s Report – Patti McDonald

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

City Administrator/Planning & Zoning Administrator – Teri Hastings

Final Plat Lake Shore Village – Lake Shore Village Properties submitted the Final Plat for the additional garage units.

The final plat is in substantial compliance with the preliminary plat that was approved by the City. The settlement papers have all been signed and a deed for the encroachment has been recorded. A drainage plan has been submitted which includes a berm.

The association documents for the plat were submitted.

An independent plat check of the final plat is being completed. The final plat should not be signed until a letter documenting the plat check is on file.

The professional costs (city attorney & city engineer) have not been totaled yet; the association is responsible for these costs.

STAFF RECOMMENDATION

The Planning Commission recommended approval of the final plat as the final plat complies with the conditions on the preliminary plat approved by the Planning & Zoning Commission and City Council in February. The city attorney suggested holding off on the final signatures until all associated items are complete.

MOTION BY JOHN POSTON TO APPROVE THE FINAL PLAT FOR LAKE SHORE VILLAGE AS THE FINAL PLAT IS IN SUBSTANTIAL COMPLIANCE WITH THE PRELIMINARY PLAT THAT WAS ALREADY APPROVED. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Ordinance Amendment – Sale/Display of Vehicles – The Planning Commission recommended the approval of an ordinance amendment which will regulate the sale and display of vehicles and equipment within the city including residential property. The city has not had a lot of problems with this issue; however, it is becoming more prevalent. The ordinance would not disallow this type of activity, but would set some limits on it.

Krista Knudsen asked what prompted the change. Teri said the issue has been increasing; however, there was a property in particular that has had an abundance of vehicles for sale. Krista asked if this included vehicles in the parking lot of a business. Teri said it would also include that. Krista asked if just the number of vehicles is limited, but not the ownership of the vehicle for sale. The Mayor suggested striking the words saying ‘not owned by the owner of the property’ first paragraph and second paragraph ‘on his or her property’.

MOTION BY JOHN POSTON TO ADOPT ORDINANCE NO 2014-01, FIRST SERIES, AN ORDINANCE AMENDING CITY CODE CHAPTER IV RELATING TO THE SALE OR DISPLAY OF VEHICLES OR EQUIPMENT WITHIN THE CITY OF LAKE SHORE WITH THE WORDS STRICKEN IN THE FIRST PARAGRAPH ‘NOT OWNED BY THE OWNER OF THE PROPERTY’ AND SECOND PARAGRAPH ‘ON HIS OR HER PROPERTY’. KRISTA KNUDSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Local Board of Review – The city received a letter from Mark Peterson, Cass County Assessor regarding the Board of Review. The city can opt out of holding the Board of Review and the county will provide an alternative review option for the Lake Shore property owners. If the city decides to continue with the Board of Review we do need to have at a minimum one member of the council certified. Susan Amacher is certified until November 30, 2014. John Terwilliger, John Poston and Krista Knudsen are certified until July 2017.

MOTION BY JOHN POSTON TO CONTINUE TO KEEP THE BOARD OF REVIEW LOCAL AT CITY HALL. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

2013 Population Estimate – The 2013 Population Estimate from the state demographer’s office-estimated population is 1026. The 2012 population estimate was 1013.

Cass County EDC Activity Report – The EDC activity report included for review. The Mayor received a letter from the EDC to increase our annual donation by \$50.00 for the 2015 budget. He also said he had a donation request for the 2015 budget from the Initiative Foundation.

June Minutes and Permit Summary – The June minutes and permit summary were included for review.

Wastewater/Road Committee – John Poston

Pay Estimate #2 – DeChantal Excavating – DeChantal Excavating LLC has submitted pay estimate number 2 for the 2014 Lake Shore Street Improvements. Widseth Smith Nolting recommends payment in the amount of \$130,723.08. A 5% retainage fee has been applied.

MOTION BY KIRSTA KNUDSEN TO APPROVE PAYMENT ESTIMATE NUMBER 2 OF \$130,723.08 TO DECHANTAL EXCAVATING LLC FOR THE 2014 LAKE SHORE STREET IMPROVEMENTS. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

June Minutes – The June minutes were included for review.

Park and Recreation Committee – Krista Knudsen said the committee met to discuss the completed items from the park walk through in June.

June Minutes – The June minutes were included for review.

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

Trail 77 Team – John Poston/Susan Amacher – John Poston said the committee met in July for a brief recap of what is happening with the trail.

Draft Minutes – July Meeting – The draft minutes were included for review.

Personnel – John Terwilliger/Susan Amacher

Annual Review – Mike Heldt – Mike's review was postponed.

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

City Engineer – Widseth Smith Nolting – Dave Reese said that WSN is working on a few drainage projects at the direction of the Wastewater/Road Committee.

OLD BUSINESS – The Mayor said there had been discussion about opening part of the city to shotgun or muzzleloader to shoot deer to help keep the population down. He said there are some residents that don't agree. He will continue to work on the project.

NEW BUSINESS

Roof Repair – The roof was repaired a few years ago and has been leaking again. There were two quotes to repair the leaking roof. Thelen Heating and Roofing quoted \$54,000 which included a 1/2" HP Board and a 10 year warranty and Herzog Roofing quoted \$14,190 with a 15 year warranty. Dave Reese said they have recently worked on a similar project with another city and felt that the Herzog quote may have extras that the council will have to act on. He said that their end project was in the \$50,000 range.

MOTION BY JOHN POSTON TO APPROVE THE HERZOG QUOTE OF \$14,190 KNOWING THERE WILL BE ADDED EXPENSE FOR UNKNOWN ITEMS TO BE FIXED. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Sidewalk Replacement – Teri has spoken with two masonry companies and hasn't received any quotes to date.

ANNOUNCEMENTS/PUBLIC FORUM – Teri and the Personnel Committee (John and Susan) will interview three people for the public works position on Tuesday, July 29th. They each read all the applications and scored them to determine the three that they are interviewing. The Mayor asked if they could get approval to hire the best candidate without coming back before the full city council.

MOTION BY DOUG MILLER TO ALLOW TERI AND THE PERSONNEL COMMITTEE TO HIRE THE BEST CANDIDATE FOR THE PUBLIC WORKS POSITION. JOHN POSTON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY DOUG MILLER TO PAY THE BILLS AS SUBMITTED (CLAIM NUMBERS 32616 THROUGH 32739 – TOTAL \$148,243.76). JOHN POSTON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY DOUG MILLER TO ADJOURN THE REGULAR CITY COUNCIL MEETING OF JULY 28, 2014 AT 7:40 PM. JOHN POSTON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Transcribed by Patti McDonald
Lake Shore City Clerk