

**MINUTES**  
**Regular Meeting of Lake Shore City Council**  
**Monday, August 22, 2016**  
**7:00 PM Lake Shore City Hall**

Mayor John Poston called the August 22, 2016 Regular City Council meeting to order at 7:00 p.m. The pledge of allegiance was recited.

**Roll Call:** Mayor John Poston. Council Members present: Earl North, John Terwilliger, 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 3 people in the audience.

**APPROVAL OF MINUTES**

MOTION BY EARL NORTH TO APPROVE THE JULY 25, 2016 REGULAR CITY COUNCIL MINUTES AS PRESENTED. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

**REPORTS**

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

Incident Report - From July 25, 2016 to August 21, 2016 there were 170 incidents in the City. There were 97 traffic-related incidents and 73 were miscellaneous department activity.

Acceptance of Donation – A donation of \$4,500.00 was received from the Nisswa American Legion. These funds will be used to purchase body cameras for all officers in the department and a computer system to handle the data retention as required by state law.

MOTION BY JOHN TERWILLIGER TO ACCEPT THE \$4,500 FROM THE NISSWA AMERICAN LEGION TO BE USED FOR BODY-WORN CAMERAS AND A COMPUTER FOR DATA RETENTION. KRISTA KNUDSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Adoption of Body Camera Policy – Purpose of Policy - The primary purpose of using body-worn-cameras (BWCs) is to capture evidence arising from police-citizen encounters. The policy sets forth guidelines governing the use of BWCs and administering the data the results. Compliance with the guidelines is mandatory, but it is recognized that officers must also attend to other primary duties and the safety of all concerned, sometimes in circumstances that are tense, uncertain, and rapidly evolving.

MOTION BY KRISTA KNUDSEN TO ADOPT THE LAKE SHORE POLICE DEPARTMENT USE OF BODY-WORN CAMERAS POLICY AS PRESENTED. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

**Mayor's Report**– John Poston said that with the recent storms he thanked the city personnel, the utilities and anyone involved; everyone really pulled together to get things cleaned up quickly. He thanked Kevin (Cowboy) Knudsen for all of his help.

City Hall Building Committee Update – The Mayor said the building assessment was received and the building committee will meet soon for discussion.

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

Financials – MOTION BY DOUG MILLER TO APPROVE THE JULY FINANCIALS AS PRESENTED (CLAIM NUMBERS 34606 THROUGH 34687 – TOTAL \$61,231.96). KRISTA KNUDSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

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

Resolution – Healthcare Dwellings – Teri provided information relating to a new law enacted in the most recent legislative session relating to temporary family health care dwellings. The law will add a new Minnesota Statute Section 462.3593 (provided to the Council). The law basically allows a small temporary structure to be placed on land, more than likely, a structure that has not been contemplated by the city. If the city chooses to do nothing, persons can make an application, and even if the city's current zoning ordinance would not allow the structure, this statute could force the city to issue a permit.

The legislation specifically allows cities to opt-out. Opting out would allow the city to study the issue to determine if this type of housing is appropriate for the city and would allow the city to set its own guidelines. In order to opt-out, the City Council will need to pass a resolution by the end of August 2016.

The Planning Commission reviewed the information and recommended that the City Council adopt the resolution opting out in order to study the matter further.

Steve Qualley said that almost every city that this has been put forward to has opted out for further discussion. Earl North said Cass County has also opted out at this point. Krista gave an example of someone that has benefitted from the temporary family health care dwelling.

MOTION BY KRISTA KNUDSEN TO ADOPT RESOLUTION NO. 2016-08-01, A RESOLUTION OPTING-OUT OF THE REQUIREMENTS OF MINNESOTA STATUTE SECTION 462.3593. EARL NORTH SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Lake Shore City Council Meeting Procedures – After the last two City Council meetings where we had long presentations, city staff felt it may be best to have in place written procedures for City Council meetings. In addition, it specifies expectations of the audience, length of presentations, audience response, and deadline for submission of items for the agenda.

The City Council reviewed the procedures as presented. Krista suggested changing a time frame to 15 minutes rather than 10-15 minutes for presentations. John Terwilliger questioned whether an item added to the agenda requires a majority for approval. Steve Qualley explained the formal way to add an agenda item is to take a vote and a majority of the members present would rule. John Terwilliger asked for clarification of 5 days (or 5 business days) prior to the council packet going out. Teri said we count the weekend, so the Wednesday before.

MOTION BY KRISTA KNUDSEN TO ADOPT THE LAKE SHORE CITY COUNCIL MEETING PROCEDURES AS PRESENTED. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

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

**Wastewater/Road Committee** – John Terwilliger referred to Dave Reese.

Change Order Lift Station 4 & 5 Project – WSN provided change order no. 1 for the Lift Station Nos. 4 & 5 Reconstruction project. During construction of the wet well piping replacements within LS #5, the existing Schedule 80 PVC flange coupling that was to be used for coupling the new ductile iron discharge piping was found to be cracked, resulting in a persistent leak during Pump #2 operation. Dave said the new part was tested with the pump on and it seemed to have resolved the issue.

Earl asked if we are now capable of electronically/accurately monitoring flow. Dave said we are and PRASD is in the process of setting it up. Earl asked if the information that the city will send to the state be more accurate. Dave said yes, and commented that the pumps are operating fine; the previous flows from

lift station 4 to the drainfield were at 90 gallons per minute and are now at 130 gpm which is plenty of capacity.

MOTION BY JOHN TERWILLIGER TO ACCEPT THE CHANGE ORDER FROM PRATT'S AFFORDABLE EXCAVATING TO COMPLETE REPAIRS FOUND DURING PROJECT FOR A TOTAL OF \$1,987. EARL NORTH SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Release of Retainage for Lift Station 4 & 5 Project – Dave Reese said WSN has supplied the final pay estimate for a total of \$13,072.20 and that includes releasing 100% of the retainage.

MOTION BY JOHN TERILLIGER TO CLOSE THE CONTRACT AND RELEASE THE BALANCE OF \$13,072.20 (WHICH INCLUDES THE CHANGE ORDER) TO PRATT'S AFFORDABLE EXCAVATING. KRISTA KNUDSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Wastewater Monthly Report – PRASD – The operations report for August was included for review.

July Minutes – The July minutes were included for review.

John also shared an email from Andy Schwartz from PRASD stating they changed a step station pump at Point Narrows Road and had a call out to Baywood Townhomes for a broken check valve, which he will replace soon.

**Park and Recreation Committee** – Krista Knudsen said they didn't meet for the month of August.

**Environmental Committee** – Doug Miller said the committee met last week to follow up on the projects from July; the White Goods Recycling and the Shoreline Tour and both were very successful. The committee also discussed curbside recycling and decided not to move forward with that discussion.

**Trail 77 Team** – John Poston referred to Teri to explain. Last Fall the City received notification that the City received funding from the Greater Minnesota Regional Parks and Trails Commission and at that time passed a resolution supporting the application that was submitted. She has now prepared an application stating that the City will accept the funding offered and this requires another resolution.

Resolution Supporting Legacy Funding – The City of Lake Shore has been awarded \$495,448 from the Parks and Trails Legacy Grant Program by the Greater Minnesota Regional Parks and Trails Commission to construct 2.25 miles of paved trail for the Gull Trail. The trail system is located along CSAH 77 in Lake Shore, Cass County, and the City of Lake Shore recognizes that it has secured ten percent in non-state cash matching funds for this project.

MOTION BY EARL NORTH TO ADOPT RESOLUTION NO. 2016-08-02, A RESOLUTION SUPPORTING LEGACY FUNDING. KRISTA KNUDSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

**Personnel** – John Poston/Earl North –

Reviews for City Personnel – John Poston said the Personnel Committee met with Bob Heidelberger, Patti McDonald, Mike Heldt and Teri Hastings to perform their annual reviews. He said that Bob, Mike, Patti and Teri had excellent reviews and recommend that they each receive a step increase. Earl said that it's always a pleasure to do reviews with quality people the city is very blessed to have them.

MOTION BY JOHN POSTON TO APPROVE A ONE STEP INCREASE FOR BOB HEIDELBERGER, PATTI MCDONALD, TERI HASTINGS AND MIKE HELDT. EARL NORTH SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

**City Attorney** – Gammello, Qualley, Pearson & Mallak – Steve Qualley said gave an update regarding the Freisen/Stone Ridge Townhome case. He wants to give them a deadline so he has something to present to the Council next month.

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

**OLD BUSINESS** – John Terwilliger asked if the storm clean up is affecting the budget. Teri said we haven't received the bills yet. She commented that one man came in to tell her that his taxes should pay for storm clean up from his yard. Teri told him that the city cannot budget for storms and if they did the city would have to budget heavily. The City will receive disaster relief from the State at a 75% recovery and she is meeting with the Disaster Relief Team tomorrow. Earl asked if the city could utilize the Sentence to Serve crew from Cass County Corrections. Steve said we did use them right after the storm.

**NEW BUSINESS** – There was no new business.

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

MOTION BY DOUG MILLER TO PAY THE BILLS AS SUBMITTED (CLAIM NUMBERS 34688 THROUGH 34782 – TOTAL \$73,122.96). KRISTA KNUDSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY DOUG MILLER TO ADJOURN THE REGULAR CITY COUNCIL MEETING OF AUGUST 22, 2016 AT 7:27 PM. KRISTA KNUDSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Transcribed by Patti McDonald  
Lake Shore City Clerk