

MINUTES
Regular Meeting of Lake Shore City Council
Monday, December 27, 2010
7:00 PM Lake Shore City Hall

Mayor John Terwilliger called the December 27, 2010 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: John Bukovich, Susan Amacher, Lyle Kline and Doug Miller; City Attorney Steve Qualley; City Engineer Dave Reese; Police Chief Steve Sundstrom; City Administrator/Planning and Zoning Administrator Teri Hastings and City Clerk Patti McDonald. Public Works Jim Thomes was absent. There were 10 people in the audience.

APPROVAL OF MINUTES

MOTION BY DOUG MILLER TO APPROVE THE PUBLIC HEARING FOR DETTBARN ROAD MINUTES OF NOVEMBER 22, 2010 AS PRESENTED. JOHN BUKOVICH SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY JOHN BUKOVICH TO APPROVE THE NOVEMBER 22, 2010 REGULAR CITY COUNCIL MINUTES AS PRESENTED. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY JOHN BUKOVICH TO APPROVE THE DECEMBER 13, 2010 SPECIAL CITY COUNCIL MINUTES AS PRESENTED. LYLE KLINE SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

REPORTS

Police/Fire Report – Chief Steve Sundstrom

Incident Report – From November 22, 2010 to December 26, 2010 there were 111 incidents in the City. There were 56 traffic-related incidents and 55 were miscellaneous department activity.

Mayor's Report– John Terwilliger

Clerk/Treasurer's Report – Patti McDonald

MOTION BY DOUG MILLER TO APPROVE THE FINANCIALS AS PRESENTED. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

City Administrator/Planning & Zoning Administrator – Teri Hastings

2011 COLA – City Staff – A cost of living adjustment for city staff was included in the budget that was passed at the truth in taxation meeting on December 13, 2010.

MOTION BY LYLE KLINE TO APPROVE THE BUDGETED COST OF LIVING ADJUSTMENT AS PASSED AT THE DECEMBER TRUTH IN TAXATION MEETING. SUSAN AMACHER 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. At this time, 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. The certification is good for four years. Currently John Terwilliger and Susan Amacher are certified.

MOTION BY LYLE KLINE TO HAVE LAKE SHORE OPT TO KEEP LOCAL CONTROL AND HOLD THE BOARD OF REVIEW AT LAKE SHORE CITY HALL. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

December Cass EDA Activity Report – The December Cass EDA activity report was included for review.

November Permit Summary – Teri included the November permit summary for review. No new homes in November; however, she did issue a new home permit today.

Wastewater/Road Committee – John Bukovich

Resolution 2010-12-01 Ordering Improvement & Preparation of Plans – Dettbarn Road –

MOTION BY JOHN BUKOVICH TO APPROVE RESOLUTION 2010-12-01 ORDERING IMPROVEMENT AND DIRECTING PREPARATION OF FINAL PLANS AND SPECIFICATIONS FOR DETTBARN ROAD. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED.

Proposal for Design/Engineer Services – Dettbarn Road – At the direction of the Lake Shore City Council at the November 22nd council meeting Widseth Smith Nolting provided a proposal for the preparation of bidding documents and construction phase services for Dettbarn Road reconstruction/upgrade project anticipated for 2011. The estimated engineering fees for the scope of the work are a total of \$15,500.00.

MOTION BY JOHN BUKOVICH TO AUTHORIZE WIDSETH SMITH NOLTING TO DESIGN AND SUPERVISE THE CONSTRUCTION OF DETTBARN ROAD FOR A TOTAL \$15,500.00. LYLE KLINE SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Proposal for Engineer Design/Construction Services for 2011 Road Projects – At the request of the Lake Shore City Council Widseth Smith Nolting provided a proposal for the preparation of bidding documents and construction phase services for the following roadway surface rehabilitation projects anticipated for 2011: Miller Lane, Esther Lane and Harold Lane. These roads are listed for bituminous surface reconstruction in 2011 on the 5-year Road Plan. City sewer is located along a portion of all three roads, which will require adjustments for manhole castings. The project costs are not intended to be assessed as these are paved roads that are currently maintained by the City. The estimated engineering fees for the scope of the work are: Design and bidding, \$9,500.00 and Construction Observation and Contracting Assistance, \$8,000.00.

MOTION BY JOHN BUKOVICH TO APPROVE WIDSETH SMITH NOLTING TO MOVE FORWARD WITH THE 2011 STREET IMPROVMENTS FOR ENGINEERING DESIGN AND CONSTRUCTION SERVICES FOR THE RESURFACING OF MILLER LANE, ESTHER LANE AND HAROLD LANE FOR A TOTAL OF \$17,500.00. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Ray Rasinski said that the Mayor and representatives from Rardin were invited to the last Wastewater/Road committee meeting as they would like to create a gravel road maintenance plan and prioritize the plan at the committee level. There was a review of roads in the spring; however, nothing was put in writing as to what was discussed about gravel roads. The Mayor said that Jim should ask the surrounding cities to see what their gravel road plans are. Jim is on all the city roads quite often and he should make a recommendation as to which roads should be prioritized. The council suggested that Jim make a list of the roads that need the most work; he can ask Rardin for their input. It was suggested to take a portion of the annual road budget and include gravel roads. Dave Reese said that the committee talked about including the gravel roads on the annual projects in the 5-year road plan.

Recommendation on Sewer Bond/Sewer Rate – The Public Facilities Authority holds our bond for the initial sewer construction financing, they request a copy of our annual audit for review. They have instructed us to increase our sewer user fee to cover the annual loss of the sewer fund. The city is in good financial standing and with only 3 payments remaining it is in the best interest of the city to pay off the sewer bond. The Wastewater committee is recommending to the council to approve paying off the sewer bond.

MOTION BY JOHN BUKOVICH TO PAY OFF THE SEWER BOND FOR APPROXIMATELY \$50,000.00. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Ray asked if the current sewer rates would keep the sewer fund operating at a profit or at least stable. Yes, it will.

November Minutes – The November minutes were included for review.

Cemetery Committee – Lyle Kline said there was no meeting.

Park and Recreation Committee – Lyle Kline said there was no meeting. Cindy Terwilliger reported that the MN Land Trust met at the park with John Poston and had a successful mid year review.

Environmental Committee – Doug Miller said there was no meeting for December.

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

City Attorney – Gammello, Qualley & Pearson – Steve Qualley reported that the appraisal the city requested for the Gustafson cartway damages is complete. He will contact the parties involved for the status on their appraisals so the matter can be scheduled on the next council agenda. No news for the Kirklin issue.

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

OLD BUSINESS - There was no old business.

NEW BUSINESS

Robinhood Bowl Park Tree Removal – Steve Sullivan (8367 Nottingham Road) said that he wrote a letter regarding the tree thinning by Crow Wing Power in Robinhood Bowl Park and felt it was an aggressive cut. He is worried about erosion concerns. He said that CWP removes the debris and they remove what is left and he is offering to bring the trees that were left out of the hole and cut and stack it. He would also like to replant hill for stabilization all at his cost. He explained where they would enter onto the property to remove the trees and which company they would use for the clean up. He is asking that Robinhood Bowl be recognized as a park. He also suggested that the road be vacated to help minimize the weight load that could lead to possible erosion issues.

The Mayor said that the tree-removal and replanting plan should be submitted to Teri for final approval. Teri said there is a road vacation ordinance and this would have to be followed through the district court. She will explain and work with Mr. Sullivan. Dave Reese said that typically rights of ways are vacated within a plat is because they aren't serving a purpose. The easements for utilities should try to be retained. He suggested input from the neighboring property owners. He said pros and cons should be discussed regarding the road vacation on Nottingham. Steve said it is not a road that is limiting normal access to the other properties; the road is not used on the portion mentioned for vacation. The road vacation issue will be discussed at the committee level for pros and cons. Steve said that if it is not vacated the city should provide an engineering study regarding the stabilization of the bowl. Doug said that they are being very gracious for their part of the plan in a situation that was not created by them.

ANNOUNCEMENTS/PUBLIC FORUM –

Liquor Ordinance Changes/Suggestions Due for January – Teri said the proposed changes that were to be discussed at this meeting would be postponed for the January meeting. If the council members have suggestions before January let Teri know.

Leadership Conference for Experienced Officials – January 7th & 8th at Grand View – If any council members are interested in attending the leadership conference let Teri or Patti know so they can get the registration done.

MOTION BY DOUG MILLER TO PAY THE BILLS AS SUBMITTED (CLAIM NUMBERS 29218 THROUGH 29285 - TOTAL \$43,239.38). SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY DOUG MILLER TO ADJOURN THE REGULAR CITY COUNCIL MEETING OF DECEMBER 27, 2010 AT 7:52 PM. JOHN BUKOVICH SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Transcribed by Patti McDonald
Lake Shore City Clerk