

MINUTES
Regular Meeting of Lake Shore City Council
Monday, January 24, 2011
7:00 PM Lake Shore City Hall

Mayor John Terwilliger called the January 24, 2011 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 and Lyle Kline; City Attorney Steve Qualley; City Engineer Dave Reese; Police Chief Steve Sundstrom; City Administrator/Planning and Zoning Administrator Teri Hastings; Public; Works Jim Thomes and City Clerk Patti McDonald. Susan Amacher and Doug Miller were absent. There were 2 people in the audience.

APPROVAL OF MINUTES

MOTION BY JOHN BUKOVICH TO APPROVE THE DECEMBER 27, 2010 REGULAR CITY COUNCIL MINUTES AS PRESENTED. JOHN TERWILLIGER SECONDED THE MOTION. MOTION PASSED.

REPORTS

Police/Fire Report – Chief Steve Sundstrom

Forfeiture Policy – Motion to Adopt – Minnesota POST Board requires the department to have a policy for ‘Procession of Property Seized for Administrative Forfeiture’. Lyle asked if anything was retroactive.

MOTION BY JOHN BUKOVICH TO ADOPT THE POLICY AS PRESENTED FOR PROCESSION OF PROPERTY SEIZED FOR ADMINISTRATIVE FORFEITURE. LYLE KLINE SECONDED THE MOTION. MOTION PASSED.

Incident Report – From December 27, 2010 to January 23, 2011 there were 93 incidents in the City. There were 56 traffic-related incidents and 37 were miscellaneous department activity. The condition of the county road has played a large part of all the cars in the ditch. Dave Reese commented that the trees that hang over the road also make a difference in the ability of the sun to shine on the asphalt.

2010 Year End Report – There were a total of 1,538 incidents in 2010. That is a slight increase from 2009 when we had 1,453 incidents. Calls over the past 5 years have continued to remain about the same.

In 2010, burglary and property crimes continue to remain low. The department arrested 7 drivers for DWI and issued 146 traffic citations. The department responded to 54 medicals, 85 alarms and 96 disorderly or disturbance type complaints.

There were no fatalities or serious injuries on our city roads. The department responded to 30 crashes and 16 vehicles in the ditch.

The department issued 81 speed citations and warned 237 speeders. The department participated with Cass County in Safe & Sober enforcement throughout 2010.

Mayor’s Report– John Terwilliger

Appointments for 2011 – Mayor Terwilliger reviewed the changes for appointments for 2011 as presented on the staff report. No changes in a majority of the appointments and committees. The Wastewater/Road committee had two committee members that have served for two terms. Ray Rasinski

was elected the Chair of the Wastewater/Road Committee at the January meeting. The Cemetery Committee members have served two terms and the Mayor suggests that there isn't a need for the Cemetery Committee. The Environmental Committee should meet 4 times per year or as needed.

MOTION BY JOHN BUKOVICH TO APPROVE THE APPOINTMENT DESIGNATIONS FOR 2011 AS PRESENTED, WHICH WILL BE POSTED AT CITY HALL. LYLE KLINE SECONDED THE MOTION. MOTION PASSED.

Clerk/Treasurer's Report – Patti McDonald

MOTION BY LYLE KLINE TO APPROVE THE FINANCIALS AS PRESENTED. JOHN BUKOVICH SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

City Administrator/Planning & Zoning Administrator – Teri Hastings

Resolution Setting Fees for the City – The council members reviewed the fee schedule for adoption. Need to add Special City Council meeting at \$200.00 plus all costs associated with the meeting including, city engineer, city attorney and publication costs.

MOTION BY JOHN TERWILLIGER TO ADOPT RESOLUTION 2011-01-01 ADOPTING THE LAKE SHORE CITY FEE SCHEDULE. JOHN BUKOVICH SECONDED THE MOTION. MOTION PASSED.

Funding Request – Compliance Inspections - Cass County Environmental Service has been awarded a grant of \$16,579 from the Board of Water and Soil Resources (BWSR) to conduct a septic compliance project on up to 284 parcels in the Lake Margaret Watershed. This is funding from the Clean Water Legacy Fund or commonly known as the sales tax amendment. The grant does require a match of funds. Cass County has allocated \$4350 from the Cass County Environmental Fund. John Ringle, Cass County Environmental Services Director has requested participation from the City of Lake Shore. Compliance inspections are one of the tasks identified in the implementation plan of the Lake Margaret TMDL (Total Maximum Daily Load). This will be a voluntary program but would provide a key piece of information on septic systems within the watershed. The Lake Shore Environmental Fund currently has a balance of \$68,056.36 and Teri recommends that the city contribute \$4350 from the Lake Shore Environmental Fund as part of the match. The Mayor asked if people in Homebrook Twp would have to pay for their inspection. Teri said the charge would be minimal to the homeowner.

MOTION BY JOHN BUKOVICH TO CONTRIBUTE \$4,350.00 FROM THE LAKE SHORE ENVIRONMENTAL FUND AS THE MATCH BEING REQUESTED TO SUPPORT THE GRANT. LYLE KLINE SECONDED THE MOTION. MOTION PASSED.

Pay Equity Report – Motion to Approve – The Pay Equity report is complete and needs council approval before it is sent to the Department of Employee Relations.

MOTION BY JOHN TERWILLIGER TO APPROVE THE PAY EQUITY REPORT AS PRESENTED. LYLE KLINE SECONDED THE MOTION. MOTION PASSED.

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

December Permit Summary/2010 Year End Report – Teri provided the December permit summary for review. The year end summary for 2010 included 6 dwellings; 2 relocation of dwellings; 7 residential additions; 20 accessory structures; 25 decks/porches/patios; 13 septic systems; no grading, no new commercial and no commercial additions for a total of 48 zoning permits for a valuation of \$2,662,150.00.

Wastewater/Road Committee – John Bukovich said the committee met in January and had a recommendation on Dettbarn Road; however, there are two council members absent and the action needed a 4/5ths council vote. The committee watched a video on how roads should be graded. John Rardin was at the meeting to offer his guidance.

December Minutes – The December Wastewater/Road Committee minutes were included for review.

Cemetery Committee – Lyle Kline said that everything is fine at the cemetery.

Park and Recreation Committee – Lyle Kline said the committee didn't meet in January.

Environmental Committee – Doug Miller was absent and the committee didn't meet in January.

Personnel – John Terwilliger/Susan Amacher – John Terwilliger said that the committee hasn't had to meet for personnel issues.

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

City Engineer – Widseth Smith Nolting – Dave Reese

Recap of 2010 – Dave reported on the projects that WSN worked on for the City of Lake Shore in the 2010-year consisting of a few road projects and wrap up from past projects. The recap covered the projected road projects for 2011.

OLD BUSINESS

Liquor Ordinance Changes – In September 2010 the Police Chief suggested a few changes to the Lake Shore Liquor Ordinance. Council members were asked to review and supply their suggestions to the proposed changes.

All patrons and employees off the clock must be off the premises 30 minutes after the establishment is closed. Steve said that if the employee is off the clock they should be gone after 30 minutes.

Shuttle or Taxi service should have patrons off the property 30 minutes after the establishment has closed. Steve said there have been assaults in some parking lots close to 3:00 a.m.

The establishment is responsible to see that all noticeable trash be cleaned up after closing time from the parking lot or other areas where the general public may view the property.

All outdoor amusement type games that create noise or additional patron noise shall be stopped at (what time) each night. Additional patron noise includes such things as hollering, cheering or applauding. This is a major complaint with games being played outdoors at unreasonable hours. The preferred time to shut down the outside games is 10:00 p.m.

Steve wants the bars to be responsible for their patrons. Ray Rasinski said he has a client in the Bar Harbor Townhouses and they had commented on what it would be like to live across from Zorbaz.

All outdoor music/speakers must be turned off at (what time) Sunday thru Thursday and (what time) Friday and Saturday nights. All outdoor music must comply with the noise db readings as set forth by the Minnesota Pollution Control and the City of Lake Shore Noise Ordinance.

Susan gave her suggestions over the phone to Teri and had nothing objectionable to the proposed changes. She suggested 10:00 p.m. Sunday through Thursday and Midnight on Friday and Saturday.

John Bukovich said shut it down by 10:00 p.m.; there is music inside.

Teri said it could be later by special request. The council said no exceptions.

Lyle Kline said during the week 10:00 p.m. and 11:00 p.m. on weekends

Ray Rasinski suggested that by setting the time at 11:00 p.m. for everyday to help them out during the week when they are looking for business.

The Mayor asked if the Liquor License is tied to this ordinance. Yes, you cannot violate the ordinance penalty provisions.

The draft ordinance review for the council will be the February meeting. The public hearing can be set for an hour before the March meeting.

NEW BUSINESS - There was no new business.

ANNOUNCEMENTS/PUBLIC FORUM

New Website – The new website is up. WWW.CITYOFLAKESHORE.COM.

MOTION BY LYLE KLINE TO PAY THE BILLS AS SUBMITTED (CLAIM NUMBERS 29286 THROUGH 29366 - TOTAL \$144,082.48). JOHN BUKOVICH SECONDED THE MOTION. MOTION PASSED.

MOTION BY JOHN BUKOVICH TO ADJOURN THE REGULAR CITY COUNCIL MEETING OF JANUARY 24, 2011 AT 7:58 PM. LYLE KLINE SECONDED THE MOTION. MOTION PASSED.

Transcribed by Patti McDonald
Lake Shore City Clerk