

**MINUTES**  
**Regular Meeting of Lake Shore City Council**  
**Monday, September 26, 2011**  
**7:00 PM Lake Shore City Hall**

Mayor John Terwilliger called the September 26, 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, Susan Amacher, Doug Miller 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. There were 7 people in the audience.

**APPROVAL OF MINUTES**

MOTION BY SUSAN AMACHER TO APPROVE THE AUGUST 22, 2011 SPECIAL BUDGET CITY COUNCIL MINUTES AS PRESENTED. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY DOUG MILLER TO APPROVE THE AUGUST 22, 2011 MINUTES FOR THE DETTBARN ROAD PUBLIC HEARING AS PRESENTED. LYLE KLINE SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY DOUG MILLER TO APPROVE THE AUGUST 22, 2011 REGULAR CITY COUNCIL MINUTES AS PRESENTED. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

**REPORTS**

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

Incident Report - From August 22, 2011 to September 25, 2011 there were 179 incidents in the City. There were 107 traffic-related incidents and 72 were miscellaneous department activity.

**Mayor's Report**– John Terwilliger

Appoint Trail 77 Team – There are a lot of people interested in some sort of trail along County Road 77. Rather than just have the park committee work on the trail a group has volunteered to be on a trail committee. Steve Sundstrom, Kris Kachel Driessen, Perry Beaton, Don Hoger, Teri Hastings and Neil Gaalswyk when available. Other residents that were suggested: Ron Faust, Don and Gail Erickson, John and Julie Ingleman and Mark Kavanaugh. Lyle Kline volunteered to be the council liaison.

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

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

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

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

August Permit Summary – Teri included the August permit summary for review.

**Wastewater/Road Committee** – John Bukovich said the committee didn't meet in September.

**Park and Recreation Committee** – Lyle Kline reported that the committee met in September and they put together a list for the bathroom repairs.

Repairs to Park Bathrooms –

MOTION BY SUSAN AMACHER TO AUTHORIZE THE PARK COMMITTEE TO FIX THE BATHROOMS AT A COST OF \$767.00 TO BE TAKEN OUT OF THE PARK BUDGET. JOHN BUKOVICH SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

August Minutes – The August minutes were included for review.

**Environmental Committee** – Doug Miller said the committee didn't meet in September. FYI – The Lake Margaret Association has \$5,000.00 available for grants to use towards shoreline restoration.

**Personnel** – John Terwilliger/Susan Amacher reported there was no personnel business for the month.

**City Engineer** – Widseth Smith Nolting – Dave Reese

Final Pay Estimate – Tri City Paving, Inc. – Tri-City Paving, Inc. has submitted pay estimate number 2 for the 2011 Lake Shore Street Improvements. Widseth Smith Nolting recommends final payment in the amount of \$5,136.65.

MOTION BY JOHN BUKOVICH TO APPROVE PAYMENT ESTIMATE NUMBER 2 OF \$5,136.65 TO TRI-CITY PAVING FOR THE 2011 LAKE SHORE STREET IMPROVEMENTS. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

#### **OLD BUSINESS**

Robinhood Bowl – Tom Fitzpatrick came before the council representing Kevin Hayford and Steve Sullivan. They were here in July with a petition to vacate Robinhood Way they have since dismissed the request. They would now like the approval of the council to have discussion with Dave Reese, Steve Qualley and Teri Hastings to have the ability to re-vegetate, stabilize and restore Robinhood Bowl. They know that the power lines have to be cleared, but would like to use plantings that won't get too tall to hit the power lines. Tim Ramerth said that the drainage catch basins get clogged on a regular basis and he has spoke with Dave Reese to help solve the problem. The City Council agrees to the request.

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

**ANNOUNCEMENTS/PUBLIC FORUM** – Steve Sullivan reported that Charles McQuinn passed away in a car accident on Friday; his service will be Friday at St Thomas Chapel at the University of St Thomas in St Paul. Steve's Uncle John Sullivan passed away today; there will be a service locally in Baxter.

MOTION BY LYLE KLINE TO PAY THE BILLS AS SUBMITTED (CLAIM NUMBERS 29912 THROUGH 30022- TOTAL \$98,257.73). SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

City Attorney – Gammello, Qualley & Pearson – Steve Qualley -- Len Schweich came before the council to discuss a potential solution to litigation against the city regarding the Judd Kirklin property.

MOTION BY SUSAN AMACHER TO MOVE TO A CLOSED SESSION TO DISCUSS LITIGATION AGAINST THE CITY. LYLE KLINE SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY SUSAN AMACHER TO ADJOURN THE CLOSED SESSION. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY DOUG MILLER TO OPEN THE REGULAR CITY COUNCIL MEETING. LYLE KLINE SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY DOUG MILLER TO AUTHORIZE LEN SCHWEICH TO MOVE FORWARD AND DRAFT A SETTLEMENT AGREEMENT WITH THE POINTS THAT WERE EXPLAINED TO THE CITY COUNCIL FROM THE SEPTEMBER 1<sup>ST</sup> COMMUNICATION. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY LYLE KLINE TO ALLOW MAYOR TERWILLIGER TO BE THE CONTACT PERSON FOR THE CITY REGARDING THE SETTLEMENT PROCEEDINGS. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY DOUG MILLER TO ADJOURN THE REGULAR CITY COUNCIL MEETING OF SEPTEMBER 26, 2011 AT 7:45 PM. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Transcribed by Patti McDonald  
Lake Shore City Clerk