

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

Mayor John Terwilliger called the October 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, 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 4 people in the audience.

APPROVAL OF MINUTES

MOTION BY JOHN BUKOVICH TO APPROVE THE SEPTEMBER 26, 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 September 26, 2011 to October 23, 2011 there were 125 incidents in the City. There were 78 traffic-related incidents and 47 were miscellaneous department activity.

Mayor's Report– John Terwilliger

Letter from Pillager Area Fire Protection Assoc. – The Pillager Area Fire Department sent a letter to the Lake Shore City Council offering their first response and fire protection to the city. The letter states that two of the Pillager fire fighters live in Lake Shore. Chief Steve Sundstrom said there are no problems with the response time of the current fire department (Nisswa) it is excellent; they also include the officers in their training. John Bukovich said the city should send them a letter thanking them for the offer and the city will remain with the Nisswa Fire Department for protection.

John received a letter for scholarship opportunities for municipal employee's that have seniors in high school. The League of MN Cities Insurance Trust noticed the City of Lake Shore with a certificate of appreciation for their participation in the Lakes Safety Region - Regional Safety Group.

Clerk/Treasurer's Report – Patti McDonald

MOTION BY DOUG MILLER TO APPROVE THE FINANCIALS AS SUBMITTED. LYLE KLINE SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Resolution to Certify Delinquent Sewer Accounts – As of October 1, 2011 there are two sewer accounts delinquent for a total of \$1,080.00 that can be certified to the tax rolls.

MOTION BY DOUG MILLER TO ADOPT RESOLUTION NUMBER 2011-10-01 TO CERTIFY TWO DELINQUENT ACCOUNTS TO THE CASS COUNTY AUDITOR IN THE AMOUNT OF \$1,080.00. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

City Administrator/Planning & Zoning Administrator – Teri Hastings

September Cass EDA Activity Report - The September Cass EDA Activity report was included for review. The Mayor plans to attend the Cass County Economic Development Corporation Annual Meeting on Thursday, October 27th at the Chase in Walker.

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

Wastewater/Road Committee – John Bukovich – Jim Thomes reported that the committee recommends releasing the retainage to Tri-City for their 2011 Lake Shore road projects. John Bukovich said that Agate Lake Road is really bad right now. Jim Thomes said he would give Rardin a call to grade the road. The Mayor brought up striping on some city streets at the committee meeting and Teri Hastings will check on pricing.

Release Remainder of Retainage – 2011 Road Projects – Tri-City Paving, Inc. has submitted final pay estimate to release the remainder of retainage for the 2011 Lake Shore Street Improvements. Widseth Smith Nolting recommends final payment in the amount of \$4,414.05.

MOTION BY JOHN BUKOVICH TO APPROVE FINAL PAYMENT ESTIMATE TO RELEASE THE REMAINDER OF RETAINAGE OF \$4,414.05 TO TRI-CITY PAVING FOR THE 2011 LAKE SHORE STREET IMPROVEMENTS. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

August Minutes – The August minutes were included for review.

Park and Recreation Committee – Lyle Kline said that the committee didn't meet in October. There will be a meeting in November. The bathrooms were closed at the end of October and the construction/improvements are on hold until spring; however, Jim Thomes has done some work there recently.

Teri Hastings said that the Trail 77 Team met for their first meeting today with a positive and enthusiastic outcome. Steve Sundstrom was appointed the chair of the team.

Environmental Committee – Doug Miller said the committee didn't meet in October. The public access near Sherwood Forest runs into Lake Margaret; there is grant money available for shoreline restoration projects through the Lake Margaret Conservation Association from a previous grant award. Doug suggested that the city could tie in the example for shoreline restoration and rain gardens into this project.

MOTION BY LYLE KLINE TO AUTHORIZE THE CITY TO SUBMIT AN APPLICATION FOR A SHORELINE RESTORATION GRANT TO CONSTRUCT A RAIN GARDEN AT THE SHERWOOD FOREST PUBLIC ACCESS. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Personnel – John Terwilliger/Susan Amacher

Annual Review – Jim Thomes – Susan Amacher reported that the city administrator and the personnel committee met with Jim Thomes for his annual review.

MOTION BY JOHN BUKOVICH TO APPROVE JIM THOMES' REVIEW AND GRANT HIM AN ADDITIONAL 8 HOURS OF VACATION AS HE IS AT THE TOP OF HIS STEP PAY SCALE AND AT THE MAXIMUM FOR ADDED VACATION HOURS AFTER THE 8 HOURS IN 2011. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

City Attorney – Gammello, Qualley & Pearson – Steve Qualley said that Teri Hastings, Dave Reese and he will be meeting on Thursday, October 27th with Tom Fitzpatrick in Brainerd regarding Nottingham Road.

Steve received a copy of the proposed settlement agreement in the Kirklin matter. If it is approved by the opposing side the city council can approve it at the November meeting.

The City Code is ready for review. He said that a public hearing will need to be held for some minor changes in the Land Use Ordinance. There were not a lot of changes; there were some grammatical changes.

City Engineer – Widseth Smith Nolting – Dave Reese said that they will tour the city streets to make recommendations for improvements in 2012.

OLD BUSINESS – There was no old business.

NEW BUSINESS

Cemetery Request – Dan Moe – Teri Hastings said that Dan requested two cremation burials in one grave site. This is not allowed without council approval.

MOTION BY JOHN BUKOVICH TO ALLOW TWO CREMATION BURIALS IN ONE (DAN MOE’S PLOT) CEMETERY GRAVE SITE. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

ANNOUNCEMENTS/PUBLIC FORUM – Teri Hastings read a letter from Crow Wing Power regarding the cooperative’s municipal meter relief. The city has five meters that the cooperative relieves the monthly service fee; in 2011 the city saved \$720.00. In the past 16 years the city has saved over \$9,000.00 in meter relief.

Last Thursday, the Lake Margaret Stakeholders and the planning committee for the 2011 the Land and Water Tour were awarded a lake stewardship award from the MPCA and the Brainerd Area Learning Environmental Network.

MOTION BY SUSAN AMACHER TO PAY THE BILLS AS SUBMITTED (CLAIM NUMBERS 30023 THROUGH 30101 - TOTAL \$42,177.25). JOHN BUKOVICH SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Lyle Kline is moving out of the City limits and submitted his letter of resignation from the Lake Shore City Council. Lyle said that he has sold the motel to John and Sue Poston. He said that he has enjoyed his 11 years on the council. Lyle said it was a pleasure to serve with the council and he thanked the city staff for their quality of management and work they do for the city.

MOTION BY JOHN TERWILLIGER TO ACCEPT THE RESIGNATION OF LYLE KLINE FROM THE LAKE SHORE CITY COUNCIL. JOHH BUKOVICH SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

The Mayor said there is a vacancy on the Lake Shore City Council.

MOTION BY JOHN BUKOVICH TO DECLARE A VACANCY ON THE LAKE SHORE CITY COUNCIL. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

The Mayor said that the council would like to appoint John Poston to the vacant position. John Poston requested to resign from the Lake Shore Park and Recreation Committee and the Board of Adjustment/Planning Commission.

MOTION BY JOHN BUKOVICH TO ACCEPT THE RESIGNATION OF JOHN POSTON FROM THE PARK AND RECREATION COMMITTEE AND THE BOARD OF

ADJUSTMENT/PLANNING COMMISSION. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY JOHN BUKOVICH TO APPOINT JOHN POSTON TO THE OPEN LAKE SHORE CITY COUNCIL POSITION. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY DOUG MILLER TO ADJOURN THE REGULAR CITY COUNCIL MEETING OF OCTOBER 24, 2011 AT 7:30 PM. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Transcribed by Patti McDonald
Lake Shore City Clerk