

MINUTES
Regular Meeting of Lake Shore City Council
Monday, February 22, 2010
7:00 PM Lake Shore City Hall

Mayor John Terwilliger called the February 22, 2010 Regular City Council meeting to order at 7:00 p.m.

Roll Call: Mayor John Terwilliger. Council Members present: Lyle Kline; City Administrator/Planning and Zoning Administrator Teri Hastings. Council Members Vicki LaMere, John Bukovich and Doug Miller were absent. City Attorney Steve Qualley; City Engineer Dave Reese; Police Chief Steve Sundstrom; Public Works Jim Thomes and City Clerk Patti McDonald were absent.

After roll call the Mayor suspended the agenda items of February 22, 2010 for a lack of a quorum to March 1, 2010 at 7:00 p.m.

Mayor John Terwilliger called the meeting to order March 1, 2010 at 7:00 p.m. The Pledge of Allegiance was recited.

Roll Call: Mayor John Terwilliger. Council Members present: John Bukovich, Doug Miller and Lyle Kline; City Attorney Steve Qualley; City Administrator/Planning and Zoning Administrator Teri Hastings; Police Chief Steve Sundstrom; Public Works Jim Thomes and City Clerk Patti McDonald. . City Engineer Dave Reese was absent. There were three people in the audience.

APPROVAL OF MINUTES

MOTION BY LYLE KLINE TO APPROVE THE REGULAR CITY COUNCIL MEETING MINUTES OF JANUARY 25, 2010 AS PRESENTED. DOUG MILLER SECONDED THE MOTION. MOTION PASSED.

REPORTS

Police/Fire Report – Chief Steve Sundstrom

Incident Report – From January 25, 2010 to February 21, 2010 there were 86 incidents in the City. There were 45 traffic-related incidents and 41 were miscellaneous department activity.

Mayor's Report– John Terwilliger

Resolution Declaring Vacancy on City Council – Vicki LaMere has been unable to serve in the office of City Council Member or attend City Council meetings for a period in excess of 90 days because of illness. The City Council has determined that he City Council seat is vacant pursuant to Minnesota Statute, Section 412.02. subd 2b.

MOTION BY DOUG MILLER TO ADOPT RESOLUTION 2010-03-01 DECLARING VACANT COUNCIL SEAT. LYLE KLINE SECONDED THE MOTION. MOTION PASSED.

Resolution Appointing Council Member – Appointment of a council member is needed to fill vacant seat. John Bukovich asked if the city residents know that a member is needed. Steve Qualley said it is up to the city as to how they determine the process. The Mayor said that Vicki's illness has been heavily publicized. Teri said that the city is without the 5th councilperson and the vacancy should be filled sooner rather than later. The Mayor feels both Susan Amacher and John Poston are worthy candidates and recommends Susan Amacher with her experience being on the planning commission for 6 years.

MOTION BY JOHN TERWILLERGER TO ADOPT RESOLUTION 2010-03-02 TO APPOINT SUSAN AMACHER TO THE LAKE SHORE CITY COUNCIL MEMBER. LYLE KLINE SECONDED THE MOTION. MOTION PASSED.

Remainder of 2010 Appointments – Acting Mayor, Lyle Kline; Road Supervisor, delete position; Road/Wastewater Liaison, John Bukovich; Planning and Zoning Liaison, Doug Miller. Environmental Liaison is to remain open. Personnel, John Terwilliger and Susan Amacher.

Clerk/Treasurer's Report – Patti McDonald reported that the city audit is March 15, 2010.
MOTION BY DOUG MILLER TO APPROVE THE FINANCIALS AS SUBMITTED. LYLE KLINE SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Resolution Supporting HAVA Grant (Help America Vote Act) for Handicap Access – The State of MN Office of the Secretary of State is currently soliciting grant proposals from cities, townships, and counties for specifically the purchase and installation of automatic door openers to make polling places in MN more accessible.

MOTION BY DOUG MILLER TO ADOPT RESOLUTION 2010-03-03 SUPPORTING THE GRANT APPLICATION FOR FUNDS FOR ELECTION ASSISTANCE FOR INDIVIDUALS WITH DISABILITIES (EAID). JOHN BUKOVICH SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

City Administrator/Planning & Zoning Administrator – Teri Hastings
Board of Review Date – The Board of Review is scheduled for April 9, 2010 at 12:00 p.m. Teri suggested that the next time the class is available one more council member should get certified.

EDA Activity Report – The January Activity Report and the February Cass County Economic Development Corporation's News Flash and Activity Report were included for review.

December Minutes and January Permit Summary – Teri included the December minutes and January permit summary for review.

Donation Request – Nisswa Elementary PTO is requesting a donation for the 5th Bloom Fool's Auction Benefit for Nisswa School to provide educational programs at the school.

MOTION BY DOUG MILLER TO DONATE \$150.00 TO THE NISSWA PTO TO SUPPORT EDUCATIONAL PROGRAMS AT NISSWA ELEMENTARY SCHOOL EXTENDING THE OFFER TO PEQUOT LAKES AND PILLAGER SCHOOL DISTRICTS IF REQUESTED. LYLE KLINE SECONDED THE MOTION. MOTION PASSED.

2010 Fire Contract – The total contract amount is \$48,010.00, which includes the cost for the Fireman's Relief Association (\$2,971.00).

MOTION BY JOHN BUKOVICH TO APPROVE THE 2010 FIRE CONTRACT AS PRESENTED. DOUG MILLER SECONDED THE MOTION. MOTION PASSED.

Wastewater/Road Committee – John Bukovich

Recommend approval to have WSN prepare plans, specs & bidding documents for 2010 road projects – Jim Thomes said that at the committee meeting they suggested that WSN move forward with the plans,

specs and bidding documents. Teri said she did contact Ehlers about bonding and hadn't heard back from them.

MOTION BY JOHN BUKOVICH TO HAVE WSN PREPARE PLANS, SPECS AND BIDDING DOCUMENTS AS RECOMMENDED BY THE WASTEWATER/ROAD COMMITTEE. DOUG MILLER SECONDED THE MOTION. MOTION PASSED.

December & January Minutes – The minutes were included for review. Jim reported the new truck is in and he said it is set up really nice.

Cemetery Committee – Lyle Kline said there was nothing new at the cemetery.

Park and Recreation Committee – Lyle Kline referred to John Poston.

Resolution Supporting a Handicapped Fishing Pier – John said they have met with the DNR many times and the committee feels that the fishing pier could get built solely by donations. He said that the project was near and dear to Vicki's heart and they would like to dedicate the fishing pier in Vicki's name upon completion. He explained where the platform would be located. There was discussion for future plans to add another platform.

MOTION BY LYLE KLINE TO APPROVE THE PARK AND RECREATION COMMITTEE TO MOVE FORWARD WITH THE FISHING PIER/PLATFORM THAT IS HANDICAPPED ACCESSIBLE AT FRITZ LOVEN PARK. DOUG MILLER SECONDED THE MOTION. MOTION PASSED.

Resolution Supporting Parks and Trails Legacy Grant – John Poston explained the grant applications for a trail along County 77 (Interlachen Road) and the land on the south shore of Lake Margaret.

MOTION BY LYLE KLINE TO ADOPT RESOLUTION 2010-03-04 SUPPORTING A GRANT APPLICATION FOR A TRAIL ALONG COUNTY 77 (INTERLACHEN ROAD). DOUG MILLER SECONDED THE MOTION. MOTION PASSED.

Environmental Committee – The Environmental Committee did not meet in February; however the deadline for the Natural and Scenic Area Grant is March 31, 2010 and should be acted on.

MOTION BY DOUG MILLER TO ADOPT RESOLUTION 2010-03-05 SUPPORTING A GRANT APPLICATION FOR A NATURAL AND SCENIC AREA ON THE SOUTH SHORE OF LAKE MARGARET. LYLE KLINE SECONDED THE MOTION. MOTION PASSED.

Personnel – John Terwilliger/Susan Amacher – No personnel issues for the month.

City Attorney – Gammello & Qualley – Steve Qualley said the court approved the city's decision in the cartway matter and the details are being finalized to close out the financial end between the parties involved.

Hunting Property – Discussion of threatened litigation to follow in closed session after announcement/public forum and paying the bills.

City Engineer – Widseth Smith Nolting – Dave Reese was absent. He did send an email stating that no permit would be needed for Bishop's Landing improvements.

OLD BUSINESS – There was no old business.

NEW BUSINESS - There was no new business.

ANNOUNCEMENTS/PUBLIC FORUM – There were no announcements.

MOTION BY LYLE KLINE TO PAY THE BILLS AS SUBMITTED (CLAIM NUMBERS 28288 THROUGH 28365). DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY JOHN BUKOVICH TO MOVE TO A CLOSED SESSION TO DISCUSS THREATENED LITIGATION. DOUG MILLER SECONDED THE MOTION. MOTION PASSED.

MOTION BY DOUG MILLER TO ADJOURN THE CLOSED SESSION. LYLE KLINE SECONDED THE MOTION. MOTION PASSED.

MOTION BY DOUG MILLER TO ADJOURN THE REGULAR CITY COUNCIL MEETING OF (FEBRUARY 22, 2010) MARCH 1, 2010 AT 8:14 PM. LYLE KLINE SECONDED THE MOTION. MOTION PASSED.

Transcribed by Patti McDonald
Lake Shore City Clerk