

MINUTES
Regular Meeting of Lake Shore City Council
Monday, January 23, 2012
7:00 PM Lake Shore City Hall

Mayor John Terwilliger called the January 23, 2012 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 John Poston. 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 were present. There were 6 people in the audience.

APPROVAL OF MINUTES

MOTION BY JOHN BUKOVICH TO APPROVE THE DECEMBER 19, 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 December 19, 2011 to January 22, 2012 there were 101 incidents in the City. There were 46 traffic-related incidents and 55 were miscellaneous department activity.

2011 Year End Report – There were a total of 1,747 incidents in 2011. That is an increase from 2010 when we had 1,538 incidents. The increase was due to higher traffic volumes this past summer and additional enforcement.

In 2011, burglary and property crimes continue to remain low. There were 16 drivers arrested for DWI's and 185 traffic citations were issued. The department responded to 39 medicals, 84 alarms and 63 disorderly and disturbance type complaints. There were no fatalities or serious injuries on our city roads. The department responded to 20 crashes and 11 vehicles in the ditch. There were 100 speed citations issued and 324 warnings. The department participated with Cass County in *Safe & Sober* enforcement throughout 2011 and will continue the *Safe & Sober* in 2012.

Doug Miller asked if there have been fish houses broken into. Steve said that there were 3 late last month.

Mayor's Report– John Terwilliger went to Walker for a Mayor's roundtable with Chip Cravaack (MN 8). Perry Nouis from Chip Cravaack's office will be at city hall for an open forum on Friday, January 27, 2012 at 9:00 a.m. till 10:30 a.m.

Appointments for 2012 – 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. John Bukovich was appointed to the position of acting mayor.

MOTION BY DOUG MILLER TO APPROVE THE APPOINTMENT DESIGNATIONS FOR 2012 AS PRESENTED, WHICH WILL BE POSTED AT CITY HALL. JOHN POSTON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Clerk/Treasurer's Report – Patti McDonald

MOTION BY DOUG MILLER TO APPROVE THE FINANCIALS AS SUBMITTED. JOHN POSTON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Liquor License – Bar Harbor – Bar Harbor Supper Club has submitted an application to the City of Lake Shore requesting an On-Sale, Sunday On-Sale and Off-Sale liquor licenses. John Allen has provided all the required documentation with his application to show proof of liquor liability insurance and workers compensation insurance. Chief Sundstrom did a background checks on John Allen and the Chris McHugh the general manager; there are no concerns that would prevent the approval of license application.

MOTION BY JOHN BUKOVICH TO APPROVE THE LIQUOR LICENSE APPLICATION FOR BAR HARBOR. DOUG MILLER 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. The police department added new fees.

MOTION BY DOUG MILLER TO ADOPT RESOLUTION 2012-01-01 ADOPTING THE LAKE SHORE CITY FEE SCHEDULE. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Resolution Authorizing Gambling (Pull Tabs) at Zorbaz – Brainerd Elks Lodge requested the Lake Shore City Council to adopt a resolution to allow pull-tabs on their behalf at Zorbaz on Gull.

MOTION BY JOHN BUKOVICH TO ADOPT RESOLUTION 2012-01-02 TO ALLOW BRAINERD ELKS LODGE TO SELL PULL-TABS AT ZORBAZ ON GULL. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

EDA Activity Report – The December 30th Cass EDA Activity report was included for review.

December Permit Summary/2011 Year End Report – Teri provided the December permit summary for review. The year-end summary for 2011 included 11 dwellings; 2 relocation of dwellings; 10 residential additions; 20 accessory structures; 26 decks/porches/patios; 7 septic systems; 3 grading, no new commercial and no commercial additions for a total of 47 zoning permits for a valuation of \$4,920,760.00.

Wastewater/Road Committee – John Bukovich – Jim Thomes said as he performed the annual maintenance of the city’s lift stations he found that lift station #5 at Bar Harbor requires structural rehabilitation; this is the only lift station that he was concerned with. Jim talked with Nisswa Public Works for a recommendation to perform the work and they suggested Infratech. At the committee meeting last week the committee talked about a trail along Lost Lake Road as someone was run off the road. They also discussed the hump at the end of Lost Lake Road could be removed. No action taken.

Quote from Infratech – Lift Station #5 – Jim requested a quote to perform structural rehabilitation of Lift Station #5 at Bar Harbor. Infratech recommends the use of the Quadex-Dynastone gunite applied mortar system, manufactured as a sewer rehabilitation mortar for use in corrosive wastewater environments, for rehabilitation of the structure.

Infratech proposes to mobilize one time and furnish labor, material, skill and equipment necessary to perform this structural rehabilitation for the remuneration stated. Location, Bar Harbor Lift Station; unit, 6’ dia x 18’; service, Quadex; quote, \$8,000.00.

MOTION BY JOHN BUKOVICH TO ACCEPT THE QUOTE FROM INFRATECH AS PRESENTED IN THE PROJECT QUOTE FOR TOTAL OF \$8,000.00. JOHN POSTON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

December Minutes – The December minutes were included for review.

Park and Recreation Committee – John Poston said the committee met last week. They discussed the chairperson position with no interest from the current committee members. The committee needs one more member and an alternate.

Environmental Committee – Doug Miller said the committee met last week. The Sherwood Forest Rain Garden project is moving forward. They requested quotes from four companies and received one back. Kelly Condiff from Cass County announced they will fund 75% of the project and Lake Shore will fund the balance. Heather Baird will help get the plants at a reduced price for the project and there will be volunteers to help with planting them.

November Minutes – The November minutes were included for review.

Personnel – John Terwilliger/Susan Amacher

City Attorney – Gammello & Qualley – Steve Qualley said there has been some communication on the Kirklin issue with no action taken. The Gustafson cartway is moving through the courts.

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

Recap of 2011 – Dave provided the annual report for review.

OLD BUSINESS - John Bukovich thanked Jim for brushing out the Ridge Road intersection. Jim said he has someone working with him doing community service so he is continuing to brush intersections where needed.

NEW BUSINESS

Request funding from Cass County (Fund 73) – The Trail 77 Team is recommending that the City Council request from Cass County Conservation Fund 73 money to pay for the consultant. Conservation Fund 73 is interest earnings from the proceeds of selling lakeshore lease lots during the years of 1998-2000. The interest earnings are available to Cass County for improvement of natural resources.

MOTION BY JOHN POSTON TO REQUEST CASS COUNTY 73 FUNDS TO HELP OFFSET THE COST OF THE CONSULTANT. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Recommendation from Trail 77 Team on Consultant for Trail 77 – The Trail 77 Team interviewed three very qualified firms for the Trail 77 project. The request for proposal included what would be evaluated for each firm. The firm of SEH received the highest ranking by all team members. The proposal costs ranged from \$34,300 to \$89,000. The firm of SEH was the lowest quote received.

The Trail 77 Team is recommending the City Council approve SEH as the consultant for the Trail 77 project.

MOTION BY JOHN POSTON TO APPROVE SEH AS THE TRAIL 77 CONSULTANT. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

ANNOUNCEMENTS/PUBLIC FORUM – - Cass County Commissioner Neal Gaalswyk was in attendance to answer any questions that may come up regarding the trail. He said there is approximately \$340,000.00 in the fund and the Trail 77 project fits in realm of the Fund 73 dollars available.

John Bukovich asked about a sewer that was installed by a landowner. He would like to see the city adopt a rule that a sewer must be put in by a licensed installer. Teri said that Cass County is in the

process of updating their Rule 7080 and the city will have to follow the updated rules. She said that there are very few homeowners that install their own sewer and if they do they still need to have a sewer design and it has to be inspected. Neal Gaalswyk said that Cass County is in the process of updating their planning and zoning ordinance which is in the comment stage. He also said that the city is responsible for the inspection. Jim Thomes said that at the inspection the sewer in question met the criteria of the inspection; however, when it was back filled it appeared to bow the service line. Teri reiterated that there have been very few problems regarding homeowner sewer installs.

MOTION BY DOUG MILLER TO PAY THE BILLS AS SUBMITTED (CLAIM NUMBERS 30228 THROUGH 30294 - TOTAL \$26,767.03). SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY DOUG MILLER TO MOVE INTO CLOSED SESSION TO DISCUSS ONGOING LITIGATION. SUSAN AMACHER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY DOUG MILLER TO OPEN THE REGULAR CITY COUNCIL MEETING. JOHN POSTON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY DOUG MILLER TO ADJOURN THE REGULAR CITY COUNCIL MEETING OF JANUARY 23, 2012 8:24 AT PM. JOHN POSTON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Transcribed by Patti McDonald
Lake Shore City Clerk