

MINUTES
Regular Meeting of Lake Shore City Council
Monday, June 24, 2019
7:00 PM Lake Shore City Hall

Mayor Kevin Egan called the June 24, 2019 Regular City Council meeting to order at 7:00 p.m. The pledge of allegiance was recited.

Roll Call: Mayor Kevin Egan. Council Members present: Wayne Anderson, John Terwilliger, Krista Knudsen and Doug Miller. City Attorney Dan Hawley; City Engineer Dave Reese; City Administrator/Planning and Zoning Administrator Teri Hastings; Police Chief Steve Sundstrom and City Clerk Patti McDonald were present. There were 12 people in the audience. A quorum was present and the City Council was competent to conduct business.

APPROVAL OF MINUTES

MOTION BY WAYNE ANDERSON TO APPROVE THE MAY 20, 2019 SPECIAL CITY COUNCIL WORKSHOP RE: INFRASTRUCTURE MINUTES AS PRESENTED. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY DOUG MILLER TO APPROVE THE MAY 20, 2019 REGULAR CITY COUNCIL MINUTES AS PRESENTED. KRISTA KNUDSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY DOUG MILLER TO APPROVE THE MAY 23, 2019 SPECIAL CITY COUNCIL WORKSHOP RE: LMC COLLABORATION MINUTES AS PRESENTED. WAYNE ANDERSON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

REPORTS

Police Report – Officer Steve Sundstrom

Incident Report – In May 2019 there were 196 incidents in the City. There were 141 traffic-related incidents and 55 were miscellaneous department activity. Typical summer activity.

Nisswa Fire Department Report – The May Nisswa Fire Department report was included for review.

Mayor's Report– Kevin Egan said that he, Teri and Cheryal Hills from Region 5 have had discussions regarding broadband. They will continue to push hard to help get all of Lake Shore served with broadband.

Clerk/Treasurer's Report – Patti McDonald

Financials – MOTION BY DOUG MILLER TO APPROVE THE MAY FINANCIALS AS PRESENTED (CLAIM NUMBERS 37402 THROUGH 37483 – TOTAL \$81,148.54). JOHN TERWILLIGER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Pay Bills – MOTION BY DOUG MILLER TO PAY THE BILLS AS SUBMITTED (CLAIM NUMBERS 37434 THROUGH 37557 – TOTAL \$94,540.72 / 37434 – VOID AND 37435 TO 37446 IS PAYROLL). WAYNE ANDERSON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

City Administrator/Planning & Zoning Administrator – Teri Hastings

Waiver of Tort Liability – Our insurance carrier is requesting that the City Council act annually on whether or not it would like to waive tort liability limits.

MOTION BY DOUG MILLER TO NOT WAIVE THE STATUTORY TORT LIABILITY COVERAGE LIMIT AND SUBMIT THE PROPER WAIVER FORM TO THE LEAGUE OF MINNESOTA CITIES INSURANCE TRUST. KRISTA KNUDSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Annual Population and Household Estimates – The 2018 Population Estimate from the state demographer’s office – estimated population as of April 1, 2018 is 1,067. The 2017 population estimate was 1,062. Lake Shore’s April 1, 2018 household estimate is 487. Lake Shore is still the most populated city in Cass County.

Request to Close City Hall – This year the Fourth of July falls on a Thursday and city hall employees are requesting to close City Hall on Friday, July 5th. Employees will use a vacation day or accrued compensatory time if approved.

MOTION BY KRISTA KNUDSEN TO APPROVE THE REQUEST TO CLOSE CITY HALL ON JULY 5, 2018 WITH CITY STAFF USING VACATION OR ACCRUED COMPENSATORY TIME. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

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

Wastewater/Road Committee – Wayne Anderson said the committee met on June 18th.

Final Payment Road Projects 2018 – Anderson Brothers –

MOTION BY WAYNE ANDERSON TO APPROVE THE FINAL PAYMENT REQUEST FOR THE 2018 ROAD PROJECTS FROM ANDERSON BROTHER’S CONSTRUCTION COMPANY FOR \$14,989.34 RELEASING THE 5% RETAINAGE. JOHN TERWILLIGER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Partial Payment Road Projects 2019 – Anderson Brothers – The base contract is coming in under budget and there are a couple of change orders; at Point Narrows Road they leveled up around some manhole covers and lowered a couple of manhole covers on Lost Lake Road. There is also a change order to repair Jacobs Road the quote from Anderson Brothers is \$47,962.14; Wayne commented that the city include that in the 2019 Lake Shore Street Improvements as the bonding and insurance are already in place.

MOTION BY JOHN TERWILLIGER TO APPROVE THE PARTIAL PAYMENT REQUEST FOR THE 2019 ROAD PROJECTS FROM ANDERSON BROTHER’S CONSTRUCTION COMPANY FOR \$208,311.43. WAYNE ANDERSON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

MOTION BY KEVIN EGAN TO APPROVE THE CHANGE ORDERS FOR ANDERSON BROTHERS FOR THE 2019 ROAD IMPROVEMENTS. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Partial Payment #2 – Wastewater 2019 – Tom’s Backhoe – Tom’s Backhoe is requesting partial payment #2 for a total of \$26,321.51.

MOTION BY KRISTA KNUDSEN TO APPROVE PARTIAL PAYMENT #2 PAYMENT FOR 2019 WASTEWATER IMPROVEMENTS TO TOM’S BACKHOE SERVICE INC FOR \$26,321.51 LEAVING A PORTION OF THE RETAINAGE FOR COMPLETION OF THE PROJECT. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Resolution Declaring Adequacy of Petition and Ordering Preparation of Report – The petition was received and reviewed by city staff and the city engineer; they found it to be a valid petition receiving 35% of benefitting land owner’s signatures. Dave did state that some of the benefitting landowners are not Lake Shore residents and some are not owners of front footage on Port View Road. Resolution 2019-06-01 A Resolution Declaring Adequacy of Petition and Ordering Preparation of Report requesting improvement of Port View Road west of County 107 to the end of the city-maintained portion of the road.

Ray Rasinski asked Dave for confirmation how the names on the petition were counted. Dave said the names that were counted making the 35% valid were based on available information of front footage property owners.

Mark Nelson and his wife Debbie, 1776 Port View Road, said they are not in favor of putting asphalt on Port View Road. They do not want their taxes to be raised any more than they already are; they feel this will drive them out of their property.

John Terwilliger said that even though there is 35% of the resident’s on the petition this doesn’t have to move forward. Dave Reese said the petition allows the process to move onto the next step with a 3/5ths vote by the council. John Terwilliger asked to what extent of asphalt, easements, etc. does this petition allow. Dave said that it would be determined by a feasibility study.

Ray Rasinski compared the project to the project done last year for Pohl Road. He asked Anderson Brother’s to give him a comparable number for this road, he figures it would be double what Pohl Road cost the city; he also felt Port View wouldn’t need as much done to bring it up to city standard. Ray said that of the Port View Road owners that he has spoken with, the consensus is to move forward if it is a reasonable project cost and they pave what is existing. He said that there are also people that use the road that would contribute to the cost of the road.

John Terwilliger asked if the road would have to be brought up to city standard. Yes, it would be. Dave said that on Pohl Road they didn’t acquire easements and the minimum city standard for pavement width is 18 feet and goes from there. Teri said it is going be similar to Schaefer’s Point Road that was just improved this year. Mark Nelson asked if they are going by traffic count; all the other roads (like Jacobs Road) get more traffic than dead end roads. Teri answered that Jacobs Road has had a traffic count and the down side of that is how many people that are not Lake Shore residents that use it. John Terwilliger said that another problem is spending city and private money on a road that will get more benefit. The Mayor said we are not here for Jacobs Road this evening.

Mark Nelson said the feasibility study for Port View Road was exorbitant; he said that Pohl Road was \$180,000 for the study. Teri said that it was probably the feasibility study showed that would be the cost of the project. Mark said that John Terwilliger shared with him that this is also taxpayer’s money that will be used for the project. John asked what’s the city portion of the payment. Teri answered it is 40% of the project.

MOTION BY KRISTA KNUDSEN TO ADOPT RESOLUTION 2019-06-01 A RESOLUTION DECLARING ADEQUACY OF PETITION AND ORDERING PREPARATION OF REPORT. WAYNE ANDERSON SECONDED THE MOTION. MOTION PASSED WITH JOHN TERWILLIGER IN OPPOSITION.

Proposal for Feasibility Report – Port View Road –

MOTION BY KRISTA KNUDSEN TO APPROVE THE PROPOSAL FOR FEASIBILITY REPORT FOR PORT VIEW ROAD AND AUTHORIZE WSN TO MOVE FORWARD FOR A TOTAL OF \$2,500. WAYNE ANDERSON SECONDED THE MOTION. MOTION PASSED WITH JOHN TERWILLIGER IN OPPOSITION.

Wastewater Monthly Report – PRASD – The operations report for June was included for review.

April Minutes – The April minutes were included for review.

Park and Recreation Committee – Krista Knudsen said the committee met June 17th .

May Minutes – The May minutes were included for review.

Environmental Committee – Doug Miller said the committee didn't meet in the month of June.

Trail 77 –

Resolution /Memorandum of Agreement – Legacy Submission 2019 – This resolution is a memorandum of understanding which memorializes the current status of Lake Shore, which has applied for a grant from the Greater Minnesota Regional Parks and Trails Commission as a designated regional park or trail.

MOTION BY KRISTA KNUDSEN TO APPROVE RESOLUTION 2019-06-02, A RESOLUTION APPROVING MEMORANDUM AGREEMENT FOR THE CITY OF LAKE SHORE. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Personnel – Kevin Egan/Doug Miller – There was no Personnel business for the month of June.

City Attorney – Gammello - Pearson – Dan Hawley had nothing more to report.

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

OLD BUSINESS – There was no old business.

NEW BUSINESS –

IT Proposal – New Computer and Network Upgrades – Additional information relating to the upgrades needed to accommodate the IT proposal approved last month was reviewed. The computer in the city council chambers and the public works office are quite old and are not able to be upgraded. There is money for a new computer in the Capital Outlay-PZ account for the new computer. The cost of the network upgrades can be taken from the mapping capital outlay account.

MOTION BY JOHN TERWILLIGER TO APPROVE THE ON SYSTEM QUOTES AS PRESENTED FOR THE NEW ZONING OFFICE COMPUTER AT \$775.00 AND THE REFURBISHED EQUIPMENT FOR THE NETWORK AT \$1,365. KRISTA KNUDSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

ANNOUNCEMENTS/PUBLIC FORUM – The Mayor announced that Teri and Pat Hastings are leaving early in the morning to Colorado and congratulated them as their son Nick Hastings has been accepted into Air Force Academy.

The Paper Storm will be here Tuesday, June 25th from 11:30 a.m. to 12:30 p.m.

Teri said there will be fireworks on July 4th in the same location as last year near Causeway.

Scott Flategraff, 1899 72nd St. SW along with Terry Flattegraff, 1859 72nd St. SW said they checked with the Homebrook Township Board and were told that the township board has a signed document from the county that 21st Ave SW is a city road owned by Homebrook Township and Lake Shore. Teri made a copy of the document and will make sure Dan Hawley has a copy. There was discussion regarding whether the

city owns the road or not. Dan Hawley has left a message with the county surveyor a number of times and hasn't ever had a call back. Dan also said that he hasn't found in any documentation that the road was dedicated to a public purpose nor acquired by the City. Mitch Crocker said when his dad was on the council the road had never been closed. After much discussion, the Mayor said that the City Attorney will reach out to Homebrook Town Board and report back to the Lake Shore Wastewater/Road committee.

Don McFarland asked how much is being spent on Jacobs Road. Wayne explained the contract that was voted on earlier this evening to fix Jacobs Road. Teri said that the contract approved was \$47,962.14. Don asked if anything was going to happen with the other roads that were in the bonding issue. Teri said that the council voted to increase the 2019 road budget \$200,000 to continue moving forward with the Road Inventory and Capital Improvement Plan that was designed to maintain the city streets to a help keep them in a condition that would not need a total reclaim. This year Schaefer's Point Road and Bass Lake Road were overlaid. Mitch Crocker asked why the roads were not maintained over the years and not kept in good condition. John Terwilliger said in the past it wasn't in the budget. Krista said it could've been budgeted. After much discussion, the roads need to be kept in good condition before they get to the reclamation point. The Wastewater Road Committee meets once a month on the third Tuesday; they met at 7:00 p.m. at city hall.

MOTION BY DOUG MILLER TO ADJOURN THE REGULAR CITY COUNCIL MEETING OF JUNE 24, 2019 AT 8:08 PM. KRISTA KNUDSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Transcribed by Patti McDonald
Lake Shore City Clerk