

MINUTES
Regular Meeting of Lake Shore City Council
Monday, November 27, 2023
6:00 PM Lake Shore City Hall

Mayor Andy Stewart called the November 27, 2023, Regular City Council meeting to order at 6:00 p.m. The Pledge of Allegiance was recited.

Attendance: Mayor Andy Stewart; Council Members: Henry Cote, Wayne Anderson; and John Terwilliger. City Attorney Dan Hawley; City Engineer Dave Reese; Police Chief Steve Sundstrom; City Administrator/Planning Zoning Administrator Teri Hastings; and City Clerk Patti McDonald were present. The audience included Jim Woll, Board of Adjustment Planning Commission Chair; Kris Driessen, Troy Magnuson, Sheila Johnston, Emma Clarke, Widseth; and Nancy Vogt, Pineandlakes Echo Journal Editor. A quorum was present, and the City Council was competent to conduct business.

APPROVAL OF MINUTES

MOTION BY JOHN TERWILLIGER AND SECONDED BY WAYNE ANDERSON TO APPROVE THE OCTOBER 23, 2023, REGULAR CITY COUNCIL MEETING MINUTES AS PRESENTED. MOTION PASSED.

MOTION BY JOHN TERWILLIGER AND SECONDED BY WAYNE ANDERSON TO APPROVE THE NOVEMBER 14, 2023, SPECIAL CITY COUNCIL MEETING MINUTES AS PRESENTED. MOTION PASSED.

REPORTS

Police Report – Police Chief Steve Sundstrom

Incident Report – In October 2023 there were 59 incidents in the city. There were 18 traffic-related incidents and 41 were miscellaneous department activity.

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

Mayor's Report – Andy Stewart said that this is his first meeting as mayor, he said we are in the process of putting together the advertisement to publish for the city clerk position as she will retire in early April.

The Solar committee is continuing their work gathering information regarding how Lake Shore would like to proceed with alternative energy.

Clerk/Treasurer's Report – Patti McDonald

Financials – MOTION BY JOHN TERWILLIGER AND SECONDED BY HENRY COTE TO APPROVE THE OCTOBER FINANCIALS AS PRESENTED (CLAIM NUMBERS 41369 THRU 41436 AND NON-CHECK CLAIMS LISTED TO ATTACHED REPORT – TOTAL \$89,384.43). MOTION PASSED.

Pay Bills – MOTION BY WAYNE ANDERSON AND SECONDED BY JOHN TERWILLIGER TO PAY THE BILLS AS SUBMITTED (CLAIM NUMBERS 41435 THRU 41497; AND CLAIMS 1277 THRU 1286 – TOTAL – \$143,370.56). MOTION PASSED.

City Administrator/Planning & Zoning Administrator – Teri Hastings

Resolution 2023-11-02 Adoption of Ch IV. Land Use & Subd. ORDIN. – The Planning Commission has completed the revisions to the ordinance and held a public hearing November 13, 2023. The Planning Commission is recommending approval of the ordinance.

The Planning Commission had two persons in attendance for the hearing (letters attached from both); one of their concerns was the allowance for water oriented accessory structures, particularly the shed near the lake. A letter was also received (attached) in support of allowing the water oriented accessory structure (shed). Teri has had at least two other property owners (in support) contact me throughout the summer regarding the status of the water-oriented storage shed. The Planning Commission did review how other surrounding communities oversee water oriented accessory structures and most allow a structure (Nisswa, Crosslake, Breezy Point, Cass County and Crow Wing County). Jim Woll, chairman, has provided some additional language (that was included) on lighting that would address some of the concerns presented by the two attendees. The City Council could consider including this language in adoption of the ordinance.

Also included was a summary of the significant modifications to the ordinance.

The MN DNR also has to review and approve the ordinance; the DNR has given provisional approval. Once approved, the ordinance will be sent to the DNR for their final approval. The ordinance becomes effective after publication.

Sheila Johnston, 7693 Lost Lake Road, asked the council if they read the letter she supplied against the water-oriented accessory structures. Yes, it was included in the council packet.

Kris Driessen (1390 Pinehurst Lane) asked for the reasoning behind the change in the ordinance.

Jim Woll, Chair of the Planning Commission, answered the (logic) is the language mirrors what the MN DNR allows to a certain extent, they allow up to a 250 square-foot structure. Lake Shore’s Planning Commission chose to be more restrictive than the DNR’s language, but less restrictive than the current ordinance by allowing a 120 square feet structure, and up to 250 square feet including a patio.

Sheila Johnston, GCOLA Co-founder of the Lake Steward program and Loon Legacy said she and her husband grew up on Gull Lake, they would like to see the lake protected and have the water related accessory structure portion eliminated from the ordinance. They are both opposed to the water-oriented accessory structure changes. She feels very strongly about being opposed to increasing impervious surfaces near the shoreline.

MOTION BY JOHN TERWILLIGER AND SECONDED BY WAYNE ANDERSON TO ADOPT RESOLUTION 2023-11-02 A RESOLUTION FOR ADOPTION OF ORDINANCE 2023-03 AN ORDINANCE AMENDING THE CITY CODE REVISING AND REPLACING THE ZONING AND SUBDIVISION ORDINANCES OF THE CITY OF LAKE SHORE AS RECOMMENDED BY THE PLANNING COMMISSION; AND PUBLISH A SUMMARY OF SAID ORDINANCE 2023-03. Henry Cote said they look to the Planning and Zoning Board for their recommendations because they are the board that put the work into why these changes were presented. They get some of their rules or requirements from the MN DNR and the State of MN. He said that with the Chair of the Planning Commission answering the comment for the reasoning behind the changes to the water oriented accessory structures that Kris Driessen challenged of the council motion, saying that the Planning Commission chose to be more restrictive than the DNR’s rules.

MOTION PASSED.

Sheila Johnston left with one last comment, she is counting on the Council to hire an inspector to help Teri, she cannot do all the inspections herself.

Holiday Schedule – The City Council has typically met at a half hour prior to the regular start time of the December meeting to enjoy a short holiday gathering with the public invited. The gathering will be noticed but no public business will be conducted. The regular City Council meeting on December 18th will then begin promptly at 6 pm.

MOTION BY HENRY COTE AND SECONDED BY JOHN TERWILLIGER TO APPROVE THE HOLIDAY SCHEDULE AS PRESENTED. MOTION PASSED.

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

Wastewater/Road Committee – Wayne Anderson

Final Pay Estimate – 2023 Road Projects – Emma Clarke reported that Widseth has received all the final closing paperwork from Knife River with a final pay estimate being \$24,512.75.

MOTION BY JOHN TERWILLIGER AND SECONDED BY WAYNE ANDERSON TO APPROVE THE FINAL PAY ESTIMATE FOR \$24,512.75 FOR KNIFE RIVER AS THE FINAL CLOSING DOCUMENTS ARE COMPLETE. MOTION PASSED.

Preliminary Bridge Plans – Widseth provided the preliminary bridge plans for the council to review. It is consistent to what has been discussed to this point with one exception with a change because a prefabricated steel bridge doesn't have a crash rated guard rail that MN DOT would accept. So, this is a little bit different style bridge, a concrete beam bridge with crash rated timber railings for the aesthetics for this particular area. The DNR hasn't reviewed these plans yet, so there may be changes. It will then be submitted for the state engineers review for approval and variance approval. This is a concurrent process.

If the bridge plans are approved, the city's cost remains the same if the plans are approved and entered into the queue for construction.

Wastewater Monthly Report – Pequot Lakes – The operations report for November was included for review.

October Minutes – The October minutes were included for review.

Teri Hastings reported that the Toolcat has arrived, so the council will see that out and about. The north drainfield was mowed for Andy Schwartz so the city can remain compliant with the MPCA.

Park and Recreation Committee – Henry Cote said the committee did not meet.

Trail 77 –

Letter from Greater MN Regional Parks & Trails Commission – Teri Hastings reported that the city received the official letter stating that Lake Shore was unfortunately cut from the grant award on the super application. The Lake Shore portion was too much cost for them to fully fund the entire grant. Fairview Township and Nisswa both were approved for their funding.

Henry Cote asked if there was a reason for Lake Shore to be turned down. Teri answered that Lake Shore's costs for completion are a concern for the review committee, it's too costly, and they have asked if Lake Shore could search out less expensive materials for constructing the boardwalk. Teri is searching out alternative materials.

Wayne Anderson asked if there are any other grant sources. Teri said there are options, we can reapply for the Greater MN Regional Parks and Trails grant next year, and they are very encouraging; they want to see the trail completed. Wayne Anderson commented that the council appreciates Teri's efforts for her work on the trail funding.

Personnel – Andy Stewart/Wayne Anderson – Andy said nothing more to report.

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

City Engineer – Widseth – Dave Reese had nothing additional to report.

OLD BUSINESS – There was no old business.

NEW BUSINESS – There was no new business.

ANNOUNCEMENTS/PUBLIC FORUM – There was no public forum or announcements.

MOTION BY WAYNE ANDERSON AND SECONDED BY HENRY COTE TO ADJOURN THE REGULAR CITY COUNCIL MEETING OF NOVEMBER 27, 2023, AT 6:37. PM. MOTION PASSED.

Transcribed by Patti McDonald
Lake Shore City Clerk