

**MINUTES**  
**Regular Meeting of Lake Shore City Council**  
**Monday, January 28, 2019**  
**7:00 PM Lake Shore City Hall**

Mayor Kevin Egan called the January 28, 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 8 people in the audience. A quorum was present and the City Council was competent to conduct business.

**APPROVAL OF MINUTES**

MOTION BY DOUG MILLER TO APPROVE THE DECEMBER 17, 2018 REGULAR CITY COUNCIL MINUTES AS PRESENTED. WAYNE ANDERSON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

**REPORTS**

**Police Report** – Chief Steve Sundstrom –

Incident Report - From December 17, 2018 to January 27, 2019 there were 158 incidents in the City. There were 109 traffic-related incidents and 49 were miscellaneous department activity.

2018 Year-end Report – There were a total of 1,636 incidents in 2018. That is a slight increase from 2017 when we had 1,624 incidents.

In 2018, thefts and other property crimes continue to remain low. The department responded to 13 theft related calls, 13 reports of property damage, 41 medicals, 94 residential or business alarms, 62 disorderly and disturbance complaints, 10 assault complaints, 89 public assists and 43 property watch requests. The department was awarded \$3,850 from drug related cash forfeiture. There were no structure fires in Lake Shore.

We had no fatalities or serious crashes on our city roads. The department arrested 12 drivers for DWI and issued 142 traffic citations and warned 753 motorists for various offenses. The department responded to 27 vehicle crashes.

The department continued its participation with the Office of Traffic Safety and Cass County in *TZD (Toward Zero Deaths)* enforcement throughout 2018. The department contracted with Zorbaz to provide an additional officer stationed at Zorbaz during the summer weekends. The department contracted with GCOLA providing an officer at the DNR boat access throughout the boating season.

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

**Mayor's Report**– Kevin Egan said the Broadband Committee will meet February 5<sup>th</sup> and have asked Tom Runkle to assist with this endeavor.

2019 Appointments –

MOTION BY KRISTA KNUDSEN TO APPROVE THE 2019 APPOINTMENT LIST AS PRESENTED. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

**Clerk/Treasurer's Report** – Patti McDonald

Financials – MOTION BY DOUG MILLER TO APPROVE THE DECEMBER FINANCIALS AS PRESENTED (CLAIM NUMBERS 37010 THROUGH 37108 – TOTAL \$377,571.36). WAYNE ANDERSON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Pay Bills – MOTION BY DOUG MILLER TO PAY THE BILLS AS SUBMITTED (CLAIM NUMBERS 37052 THROUGH 37157 – TOTAL \$75,964.70). KRISTA KNUNDSSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

**City Administrator/Planning & Zoning Administrator** – Teri Hastings

Resolution 2019-01-01 – 2019 Fee Schedule – There are eleven increases to the fee schedule this year; zoning fees for Commercial Buildings increased to \$750; Residential buildings increased to \$600; Additions went to \$175; Decks and Porches up to \$60 as well as Garages and Pole Barns increased to \$60; City Sewer permits went up to \$100, this does not include the connection fee and a permit for Grading/Filling or Shoreline Alteration is now \$30. An Address Sign will now be \$60; a Rental Home fee is \$200. An Assessment Search will now be \$10 and a returned check fee went up to \$35.

MOTION BY DOUG MILLER TO ADOPT RESOLUTION 2019-01-01 THE 2019 FEE SCHEDULE. WAYNE ANDERSON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

December Minutes and Permit Summary / Year-end Report – Teri included the December minutes and permit summary for review.

The year-end summary for 2018 included 10 dwellings; 4 relocate/guest dwellings; 5 residential additions; 30 accessory structures; 20 decks/porches/patios; 11 septic systems; 9 grading/shoreline alteration/steps; 0 new commercial; 3 commercial additions/landscaping/patios; no signs and no camping for a total of 59 zoning permits for a valuation of \$4,596,100.

**Wastewater/Road Committee** – Wayne Anderson said the committee met on January 15<sup>th</sup>. He referred to Dave Reese to go over the bids that were opened today for the 2019 Wastewater Improvements.

Bids Wastewater Improvement 2019 – Dave Reese, Widseth Smith Nolting prepared the results of the bids that were open at 2:00 p.m. today in accordance with the Advertisement for Bids; four bids pertaining to the 2019 Wastewater Improvements. Anderson Brothers - \$187,264.38; Tom's Backhoe Service, Inc. - \$215,917.00; DeChantal Excavating, LLC - \$250,576.25; Borden Excavating, Inc. - \$256,550.00. The Engineering Estimate for the construction is \$238,000. Given the range in bids between the low and second-low bidders, WSN inquired of Anderson Brothers if there were any errors made in their bid. Anderson Brothers is aware they have a 24-hour period within which to withdraw their bid if a material or substantive error was made in the preparation of their bid. Anderson Brothers wishes to take this time to consider their option. Therefore, the only recommendation WSN can make at this time is to conditionally award the project to Anderson Brothers Construction unless they issue, in writing, a letter formally withdrawing their bid by 2:00 p.m., Tuesday, January 29<sup>th</sup>. If that occurs, WSN recommends to accept their withdrawal letter and award the project to the second low-bidder, Tom's Backhoe Service, Inc.

MOTION BY DOUG MILLER TO APPROVE THE LOW BID FROM ANDERSON BROTHERS AS PRESENTED FOR THE 2019 WASTEWATER IMPROVEMENTS WITH THE CONDITION THAT THEY HAVE 24-HOURS TO WITHDRAW BECAUSE OF A MATERIAL OR SUBSTANTIVE ERROR IN THE PREPARATION OF THEIR BID. IN THAT CASE, THE SECOND LOW-BIDDER, TOM'S BACKHOE SERVICE, INC., WOULD BE APPROVED. WAYNE ANDERSON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

Townline Road – 21<sup>st</sup> Ave – Sec. 6 – Teri said this issue has previously come before the Council. Since that time more information has been provided as evidence to help their case to have a homeowner in Home Brook, the neighboring township and not in Lake Shore, to remove a fence she has placed across the road. City Attorney Dan Hawley explained that he couldn't find a document (source of authority) stating that the road is a public road. It could be a private road and there are many private roads in Cass County; it may be in a book at the county; there are no documents online stating this.

Mitch Crocker said the County Surveyor has advised them that the gates should be removed; he said there are actually two gates. There is one 12-foot gate about 100 yards past Emerson's and the other gate is near the gate owners driveway.

Dan Hawley said there are multiple easements on this road; the presence of the easements indicates that they need authorization to cross private property.

The Mayor suggested that Mitch wait for a month and the City Attorney will contact the County Surveyor to see if he has the information that Mitch is referring to.

Mitch will look into it himself.

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

December Minutes – The December minutes were included for review.

**Park and Recreation Committee** – Krista Knudsen said the committee met last week.

Resolution 2019-01-02 – Federal Recreation Trail Grant – This grant will help with a portion of last 1.3 miles of trail to be completed in Lake Shore.

MOTION BY KRISTA KNUDSEN TO ADOPT RESOLUTION 2019-01-02 A RESOLUTION SUPPORTING THE GRANT APPLICATION MADE TO THE MINNESOTA DEPARTMENT OF NATURAL RESOURCES FOR THE FEDERAL RECREATIONAL TRAIL PROGRAM. DOUG MILLER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.

November Minutes – The November minutes were included for review.

**Environmental Committee** – Doug Miller said the committee didn't meet in January. Teri said the financial audit was performed in January and it was brought up that the city shouldn't be funding shoreline improvements. Kevin will follow-up with the comments from the auditor.

**Trail 77** –

**Personnel** – Kevin Egan/Doug Miller – There were no personnel issues for the past month.

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

**City Engineer** – Widseth Smith Nolting – Dave Reese provided the 2018 recap for the council to review.

2018 Year-end Recap – Dave went over the end of year re-cap for 2018; it includes the 2019 fee schedule.

**OLD BUSINESS** –

TDS Franchise Proposal – TDS is upgrading their existing telecommunications system in the City of Lake Shore and is requesting a cable franchise to allow them to provide competitive video service to their

customers. They're asking that the city approve starting the franchising process by publishing a notice of intent to accept franchise applications. Publication of the notice doesn't commit the City to approve their application; it is simply the first step in the franchising process required by state law. Teri said that the City Attorney has reviewed the documents and found them in order for their request.

**MOTION BY KRISTA KNUDSEN TO PUBLISH NOTICE OF ITS INTENT TO CONSIDER AN APPLICATION TO ACCEPT FRANCHISE APPLICATIONS. WAYNE ANDERSON SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.**

**NEW BUSINESS –**

Cass County Request to Authorize Sale of Parcel 90-417-0272 – Cass County is seeking authorization for the sale of parcel number 90-417-0272 as it does not fit into the county's long-term land management plan and is better suited in other ownership and use. The City has 60 days from the date of this letter to notify the County in writing to withhold this parcel from public sale. If the City requests the County to withhold this parcel, the county will withhold this parcel from public sale for a period of 6 months from the date the county receives a written request from the City. If the City does not purchase this parcel within the 6-month period for the appraised value (\$1,000), the county may offer them for sale on the next scheduled public land sale. In addition, all adjoining landowners will be notified of the land sale.

Teri said that Pat Bundy was approached by a landowner adjoining the parcel mentioned expressing an interest in purchasing the property from Cass County (as it is tax forfeited land).

**MOTION BY WAYNE ANDERSON TO PERMIT CASS COUNTY TO SELL THE LAND AS PRESENTED FOR PUBLIC SALE. JOHN TERWILLIGER SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.**

**ANNOUNCEMENTS/PUBLIC FORUM** – Kris Driessen asked if the manholes in the middle of County 77 need attention. Teri explained the contract is still open and the manholes will be dealt with in the spring.

Sheila Johnston asked when the conversations are taking place regarding the short-term rentals (Airbnb's) in the city and how they can help. She asked for confirmation of why the \$50 fee was raised to \$200 for short term rentals. The Planning Commission has been working on the issue the past couple years. The new ordinance is in effect now and will be amended if it is found to not be working. The fee increased because the amount of administrative work being done for short-term rentals.

**MOTION BY DOUG MILLER TO ADJOURN THE REGULAR CITY COUNCIL MEETING OF JANUARY 28, 2019 AT 7:43 PM. KRISTA KNUDSEN SECONDED THE MOTION. MOTION PASSED UNANIMOUSLY.**

Transcribed by Patti McDonald  
Lake Shore City Clerk