



Agenda
Lake City Common Council
Regular Meeting March 11, 2024
6:00 PM
City Hall Council Chambers

-
1. Pledge of Allegiance/Call to Order/Introductions
 - a. Key to the City - Joan and Ron Schimbeno
 2. Review and adopt/amend agenda
 - a. Disclose conflicts relating to agenda items
 - b. Mayor and Councilmember minute
 3. Public Forum
 4. Informational Reports
 - a. Wabasha County Open Book meeting to appeal 2025 taxes
 - b. Chamber of Commerce and Visit Lake City 2023 reports
 - c. Planning Commission minutes February 6, 2024
 - d. Marina Board minutes February 13, 2024
 - e. Heritage Preservation Commission minutes February 14, 2024
 - f. Port Authority Board minutes February 15, 2024
 - g. Street/Park/Public Safety Commission minutes February 20, 2024
 - h. Port Authority Board minutes February 21, 2024
 - i. Environmental Commission minutes February 28, 2024
 - j. Fire department minutes February 29, 2024
 - k. Utility Board Minutes February 29, 2024
 5. New Business
 - a. Waive first reading of Ordinance 638 re-zoning 2101 S Highway 61
 - b. Waive the first reading of Ordinance 637 naming public road Quartz Drive
 - c. Approve Port Authority By-Law amendment
 - d. Approve Hok Si La Park sewer design task order 11 - amendment 1
 - e. Approve Ohuta Park seawall replacement design, task order 12 amendment 1
 - f. Approve hire of Carson Matzke as 2024 O'Neil Pool Manager
 6. Unfinished Business

- a. Waive second reading and adopt Ordinance 635, an ordinance amending Title 15, Articles 3 and 6 relating to grading permits, storm water management, site erosion, and sediment control
- b. Waive second reading and adopt Ordinance 636, an ordinance amending Title V, Chapter 57 of the City Code by repealing Chapter 57 and replacing it with a new Chapter 57 regarding storm water, erosion, and sediment control
- c. Approve memorials list and proposed available memorial locations

7. Consent Agenda

- a. Review and approve Council retreat minutes February 7, 2024
- b. Review and approve Council workshop minutes February 12, 2024
- c. Review and approve Council minutes February 12, 2024
- d. Review and approve expense claims February 8, 2024- March 7, 2024
- e. Approve 1-4 Day Temporary On-sale Liquor License for Lake City Chamber of Commerce Governor's Fishing Opener event May 10, 2024.
- f. Approve request for the Lake City Lions Club to host a raffle event on May 1, 2024 at the Lake City VFW.
- g. Adopt Resolution 24-010 confirming board and commission appointments – Dennis Probst Planning Commission, Anna Karsten Library Board
- h. Approve 12 Month Contract with Safebuilt LLC for Building Inspection Services
- i. Approve 2024 Fire Department officers
- j. Amend 2024 Fee Schedule (Resolution 23-049) to include changes to building permit fees

8. Future Meeting Dates

- a. March 2024 Calendar
- b. April 2024 Draft Calendar

9. Adjourn



March 11, 2024

Agenda Item Description: Key to the City - Joan and Ron Schimbeno

Originating Department: City Clerk

Board/Commission/Committee Action: **Consent Agenda?:** No

Action Requested:

Presentation of Key to the City to Joan and Ron Schimbeno

Introduction/ Background/Justification/Key/Legal Issues:

The tradition of awarding a key to the city is a symbolic gesture of significant importance, signifying the highest honor a city can bestow upon an individual. This time-honored tradition represents the city's open arms, trust, and respect towards the recipients, acknowledging their extraordinary contributions, achievements, or service to the community.

Celebrating success through such gestures not only honors the individual's accomplishments but also serves as a powerful motivator for others in the community. It highlights the value of hard work, dedication, and the positive impact one can have on society, encouraging a culture of excellence and recognition. Moreover, these celebrations strengthen community bonds, foster a sense of pride among residents, and inspire future generations to contribute meaningfully to their communities.

Reviewed By: Administration

Preparer: Mark Nichols, Mayor



March 11, 2024

Agenda Item Description: Disclose conflicts relating to agenda items

Originating Department: City Clerk

Board/Commission/Committee Action:

Consent Agenda?: No

Action Requested:

Disclose conflicts relating to agenda items.

Reviewed By: Administration

Preparer: Kari Schreck, City Clerk



March 11, 2024

Agenda Item Description: Mayor and Councilmember minute

Originating Department: City Clerk

Board/Commission/Committee Action: **Consent Agenda?:** No

Reviewed By: Administration

Preparer: Kari Schreck, City Clerk



March 11, 2024

Agenda Item Description: Wabasha County Open Book meeting to appeal 2025 taxes

Originating Department: City Clerk

Board/Commission/Committee Action: **Consent Agenda?:** No

Action Requested:

Wabasha County Assessor

Board of Appeal and Equalization

April 11- May 17, 2024 Call 651-565-3669

email: LBAE@co.wabasha.mn.us

TO SCHEDULE AN APPOINTMENT

Reviewed By: Administration, Finance

Preparer: Kari Schreck, City Clerk

ATTACHMENTS:

Description

- ▣ Open Book Wabasha Cty

Important Information Regarding Assessment and Classification of Property

This may affect your 2025 property taxes.

OPEN BOOK APPEAL

NOTICE IS HEREBY GIVEN that the Board of Appeal and Equalization for **Lake City** will be open from **April 11, 2024 to May 17, 2024** – Contact the Assessor’s Office for an Appointment Monday through Friday, 8:00 am to 4:00 pm – Phone: 651-565-3669 or Email: LBAE@co.wabasha.mn.us. The purpose of this meeting is to determine whether taxable property in the jurisdiction has been properly valued and classified by the assessor, and to determine whether corrections need to be made.

If you believe the value or classification of your property is incorrect, please contact your assessor’s office to discuss your concerns. If you are still not satisfied with the valuation or classification after discussing it with your assessor, you may appear before the local board of appeal and equalization. The board shall review the valuation, classification, or both if necessary, and shall correct it as needed. Generally, an appearance before your local board of appeal and equalization is required by law before an appeal can be taken to the county board of appeal and equalization.

Given under my hand this 20 day of February 2024

Kari Schneck
Clerk of the City of Lake City



March 11, 2024

Agenda Item Description: Chamber of Commerce and Visit Lake City
2023 reports

Originating Department: City Administrator

Board/Commission/Committee Action:

Consent Agenda?:

Action Requested:

None

Introduction/ Background/Justification/Key/Legal Issues:

Included are the 2023 and 2024 budgets and funding request for the Chamber of Commerce, as well as the 2023 annual report for Visit Lake City.

Budgetary/Fiscal Impact:

The City has budgeted \$15,000 in Chamber support for 2024.

Reviewed By: City Administrator

Preparer: Rob Keehn, City Administrator

ATTACHMENTS:

Description

- ▣ **Chamber Budgets and Funding Request**
- ▣ **VLC 2023 Annual Report**

February 15, 2024
City of Lake City
c/o Rob Keehn & Jerome Illg
205 W. Center St.
Lake City, MN 55041

Dear Mayor and Council Members:

Thank you for considering our request for event funding in 2024.

The Lake City Chamber of Commerce holds the community's premier events throughout the year that are essential to not only the local economy and civic pride, but also to branding Lake City as one of the best destinations in the upper Midwest. Coming off such a special year in 2022, which included the 100th Anniversary of Water Skiing, 50 years of Water Ski Days, Lake City's Sesquicentennial, and the subsequent record-breaking year for lodging tax intake, the chamber worked hard to build on momentum of milestones we saw in 2022 by forging full steam ahead. Whether building greater attendance for the 16th Tour de Pepin or keeping the 51st Annual Water Ski Days rocking by bringing in another national rising star during the 4-day event, the Chamber is showing no signs of slowing down. We saw gains in attendance and revenue at our signature events throughout the year and added two remarkably successful new events.

As we look ahead to 2024 it is going to be a special year in Lake City. Not only will we have our regularly scheduled events, we have been selected to host the Governor's Fishing Opener in May. We are humbled with the opportunity and thrilled to highlight Lake City and the countless assets we have to offer. The Chamber is responsible for financially hosting over 45 media outlets over the course of the three-day event, which includes everything from lodging and food to different activities that showcase Lake City. We will also host a community event in Ohuta Park which will be open to the public.

The City's support of our events is fundamentally essential in making sure that we have the resources we need to do this work as well as we can. You have been a key partner in collaboration, sponsorship, and volunteering, for which we are incredibly thankful. We need the continued support of the City of Lake City in 2024 to continue this important work, and we are requesting the same dollar amount that we did last year - \$17,500.

The Chamber has risen to the occasion to enhance and facilitate these community events while also successfully promoting Lake City tourism, holding networking and educational events for our membership, promoting local business, and advocating on behalf Lake City with local, statewide, and national organizations. This is no small task for a 2 ½ person office.

On behalf of the Chamber, I want to thank you and kindly ask you again for your continued support. Please let me know if you have any questions about our events or the attached budgets. Feel free to email our office at director@lakecity.org or call (651) 345-4123.

Sincerely,



Elizabeth Greenawalt
Executive Director
Lake City Chamber of Commerce

TOUR DE PEPIN BUDGET 2024

REVENUES	2022 BUDGET	2022 ACTUAL	2023 BUDGET	2023 ACTUAL	2024 BUDGET
SPONSORSHIPS	\$ 9,000.00	\$ 10,270.00	\$ 10,000.00	\$ 13,300.00	\$11,000.00
REGISTRATION	\$ 45,000.00	\$ 48,127.00	\$ 50,000.00	\$ 56,576.33	\$58,000.00
JERSEYS	\$ 1,000.00	\$ 1,980.00	\$ 2,200.00	\$ 1,621.00	\$2,000.00
MERCHANDISE		\$ 250.00	\$ 250.00	\$ 689.00	\$600.00
TOTAL REVENUES	\$ 55,000.00	\$ 60,627.00	\$ 62,450.00	\$ 72,186.33	\$71,600.00

EXPENDITURES	2022 BUDGET	2022 ACTUAL	2023 BUDGET	2023 ACTUAL	2024 BUDGET
ADVERTISING	\$ 1,750.00	\$ 1,109.54	\$ 1,200.00	\$687.84	\$1,000.00
PERMITS	\$ 200.00	\$ 165.00	\$ 200.00	\$327.00	\$350.00
SUPPLIES	\$ 2,500.00	\$ 2,754.84	\$ 2,500.00	\$1,637.54	\$2,000.00
DONATIONS (LPLA)	\$ 1,500.00	\$ 3,030.00	\$ 2,000.00	\$730.00	\$2,000.00
ENTERTAINMENT	\$ 400.00	\$ 950.00	\$ 500.00	\$650.00	\$500.00
PORTA POTTIES	\$ 1,000.00	\$ 1,518.35	\$ 1,500.00	\$1,443.34	\$1,500.00
JERSEYS	\$ 750.00	\$ 1,803.00	\$ 1,800.00	\$1,795.00	\$1,800.00
SHUTTLES	\$ 5,500.00	\$ 5,840.15	\$ 6,000.00	\$3,466.46	\$7,500.00
FOOD	\$ 2,000.00	\$ 3,164.89	\$ 3,000.00	\$1,750.72	\$2,500.00
WEBSITE		\$ 23.34	\$ 40.00	\$0.00	\$40.00
T-SHIRTS	\$ 5,000.00	\$ 6,501.42	\$ 5,500.00	\$8,522.95	\$7,000.00
Mileage		\$ 274.61	\$ 275.00	\$509.59	\$300.00
TENT					
TOTAL EXPENDITURES	\$ 20,600.00	\$27,135.14	\$ 24,515.00	\$21,520.44	\$26,990.00
NET REVENUES	\$ 34,400.00	\$ 33,491.86	\$ 37,935.00	\$50,665.89	\$44,610.00

Fall Fest	2022 Budget	2022 Actual	2023 Budget	2023 Actual	2024 Budget
Revenue					
Vendor Fees	\$3,000.00	\$2,625	\$3,500	\$2,500.00	\$3,500
Haunted Hok Si La		\$4,405	\$4,500	\$2,597.00	\$3,000
Sponsorship	\$7,500.00	\$10,751	\$11,000	\$15,635.00	\$12,000
Merchandise	\$1,000.00	\$1,431	\$2,200	\$2,601.52	\$500
Beer/Wine/Cider Sales	\$4,000.00			\$6,694.32	\$5,500
TOTAL REVENUE	\$15,500.00	\$19,212.00	\$21,200.00	\$30,027.84	\$24,500.00
Expenses					
Advertising	\$750.00	\$1,326.92	\$750.00	\$1,761.81	\$750.00
Tent	\$500.00		\$500.00	\$0.00	\$2,000.00
Entertainment	\$3,200.00	\$2,194.43	\$3,200.00	\$3,579.00	\$3,200.00
Supplies	\$1,750.00	\$2,397.64	\$1,750.00	\$4,854.63	\$3,000.00
Licenses and Permits	\$175.00	\$50.00	\$125.00	\$125.00	\$175.00
Insurance	\$900.00		\$900.00	\$0.00	\$0.00
Beer/Wine/Cider	\$1,500.00		\$1,500.00	\$1,745.62	\$2,000.00
Portable Toilets/Garbage	\$750.00	\$1,257.78	\$925.00	\$2,157.93	\$1,200.00
Fall Fest Merchandise			\$500.00	\$2,921.00	\$250.00
Total Expense	\$9,525.00	\$7,226.77	\$10,150.00	\$17,144.99	\$12,575.00
Net Revenues	\$5,975.00	\$11,985.23	\$11,050.00	\$12,882.85	\$11,925.00

Water Ski Days Budget 2024					
Revenue	2022 Budget	2022 Actual	2023 Budget	2023 Actual	2024 Budget
Arts & Crafts	\$ 11,000.00	\$ 9,080.00	\$ 11,000.00	\$ 10,762.05	\$ 11,000.00
Beer Tent	\$ 46,000.00	\$ 71,239.15	\$ 62,000.00	\$ 71,322.00	\$ 77,000.00
Buttons	\$ 10,000.00	\$ 18,049.50	\$ 12,000.00	\$ 7,265.64	\$ -
Carnival	\$ 15,000.00	\$ 29,696.30	\$ 25,000.00	\$ 34,190.00	\$ 28,000.00
Concessions	\$ 3,250.00	\$ 3,831.00	\$ 4,200.00	\$ 2,650.00	\$ 3,500.00
Entertainment	\$ 35,000.00	\$ 51,753.00	\$ 47,500.00	\$ 48,573.00	\$ 48,500.00
Parade	\$ 1,000.00	\$ 3,100.00	\$ 500.00	\$ 375.00	\$ 500.00
Sponsor Fees	\$ 30,000.00	\$ 46,450.00	\$ 40,000.00	\$ 44,825.00	\$ 40,000.00
Raffle					
T-Shirts	\$ 2,250.00	\$ 3,143.01	\$ 2,500.00	\$ 1,939.00	\$ 1,500.00
Miscellaneous				\$ 4.21	
TOTAL REVENUE	\$ 153,500.00	\$ 236,341.96	\$ 204,700.00	\$ 221,905.90	\$ 210,000.00
Expenses	2022 Budget	2022 Actual	2023 Budget	2023 Actual	2024 Budget
Advertising	\$ 4,000.00	\$ 2,989.10	\$ 3,000.00	\$ 6,238.81	\$ 4,000.00
Arts & Crafts	\$ 2,500.00	\$ 4,290.10	\$ 2,500.00	\$ 2,188.83	\$ 2,500.00
Beer Tent	\$ 20,000.00	\$ 27,062.23	\$ 25,000.00	\$ 24,593.16	\$ 25,000.00
Buttons	\$ 4,000.00	\$ 4,305.88	\$ 4,000.00	\$ 4,468.77	\$ -
Carnival	\$ 12,000.00	\$ 15,347.09	\$ 13,000.00	\$ 21,221.74	\$ 14,000.00
Entertainment	\$ 30,000.00	\$ 39,918.80	\$ 37,000.00	\$ 44,046.72	\$ 40,000.00
Insurance	\$ 6,000.00	\$ 5,954.00	\$ 6,000.00	\$ 3,348.00	\$ 4,000.00
Miscellaneous	\$ 200.00	\$ 37.84	\$ 250.00	\$ 175.00	
Parade	\$ 7,500.00	\$ 6,631.75	\$ 6,500.00	\$ 8,275.00	\$ 7,000.00
Portable Toilets	\$ 8,000.00	\$ 11,305.53	\$ 11,000.00	\$ 8,955.03	\$ 9,500.00
T-Shirts	\$ 750.00	\$ 4,909.67	\$ 2,000.00	\$ 2,115.50	\$ 2,000.00
Utilities	\$ 2,000.00		\$ 2,000.00	\$ -	\$ -
Water Ski Show	\$ 5,500.00	\$ 10,643.00	\$ 10,000.00	\$ 5,500.00	\$ 6,000.00
Raffle					
TOTAL EXPENSES	\$ 102,450.00	\$ 133,394.99	\$ 122,250.00	\$ 131,126.56	\$ 114,000.00
Net Revenues	\$ 51,050.00	\$ 102,946.97	\$ 82,450.00	\$ 90,779.34	\$ 96,000.00

Governor's Fishing Opener Budget Income 2024	
Projected Sponsorship/Donations	\$25,000
Explore MN Grant (exclusive fishing opener)	\$20,000
Visit Lake City Contribution	\$5,000
Registrations	\$2,000
Total income	\$52,000

Governor's Fishing Opener Expenses 2024		
Media Hotel	\$17,000	100 room nights @ \$170 (incl taxes)
GFO Baseball Cap	\$2,500	
Transportation	\$500	Shuttles
Insurance	\$2,500	\$2M policy
Food	\$8,000	shore lunch + friday media breakfast and community celebration
Celebration Activities	\$10,000	tents, talent, stage, donations, rentals, activities, swag, etc.
Marketing/Advertising	\$5,000	
Venue Rentals and Permits	\$2,000	sportsmans, yacht club, tents
Boat Host Gift Cards	\$2,500	50 @ \$50
Miscellaneous Expenses	\$2,000	
Total expenses	\$52,000	



2023 ANNUAL REPORT

VISIT LAKE CITY SUPPLEMENT

PREPARED FEBRUARY 2024
VISITLAKECITY.ORG





REFLECTION ON 2023

When we began 2023, we indeed had some big shoes to fill. Coming off a such a special year in 2022, which included the 100th Anniversary of Water Skiing, 50 years of Water Ski Days, Lake City's Sesquicentennial, and the subsequent record breaking year for lodging tax intake, even I will admit I was afraid there would be a good chance we might take a step backwards in 2023.

However, now as I sit down to write this reflection and pour over the information included in this report, I am thrilled to say that not only was 2023 able to hang with 2022, but by most metrics, it exceeded the success of that monumental year. We had another record year for lodging tax intake (including adding another record quarter), we grew our web traffic by over 40%, we saw gains in attendance and revenue at the Chamber's signature events, and we significantly grew our social media numbers.

Perhaps even more meaningful, VLC launched exciting and groundbreaking new video advertisements, added new (and strengthened older) creative partnerships, continued to receive incredible earned media, ventured into new geographic and demographic markets, and successfully experimented with new marketing initiatives.

Oh... and then there's the small distinction of winning Explore Minnesota's prestigious "Only in MN Award" and being honored by having our proposal selected to host the 2024 Governor's Fishing Opener!

It is safe to say that 2023 exceeded our expectations.



ED HOFFMAN

Visit Lake City
Tourism Specialist

TOURISM ADVISORY COMMITTEE

The Chamber has an 11-person tourism advisory committee populated by Lake City stakeholders.

The Committee meets or is provided with detailed written reports monthly.

The committee operates under a commission approved by the Chamber Board of Directors.



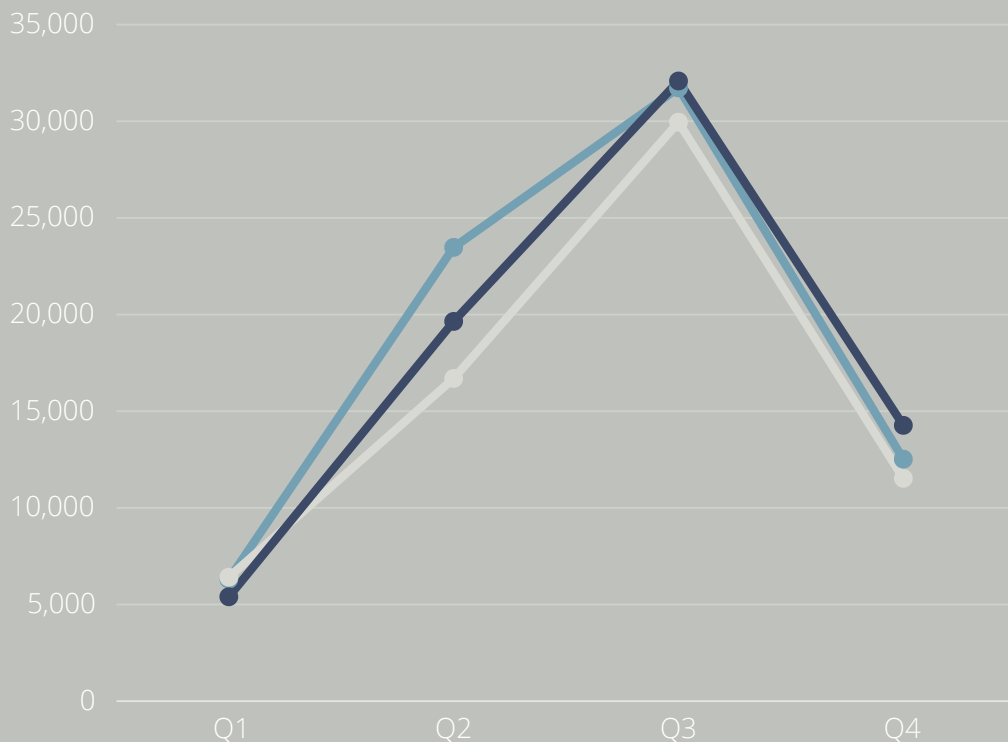
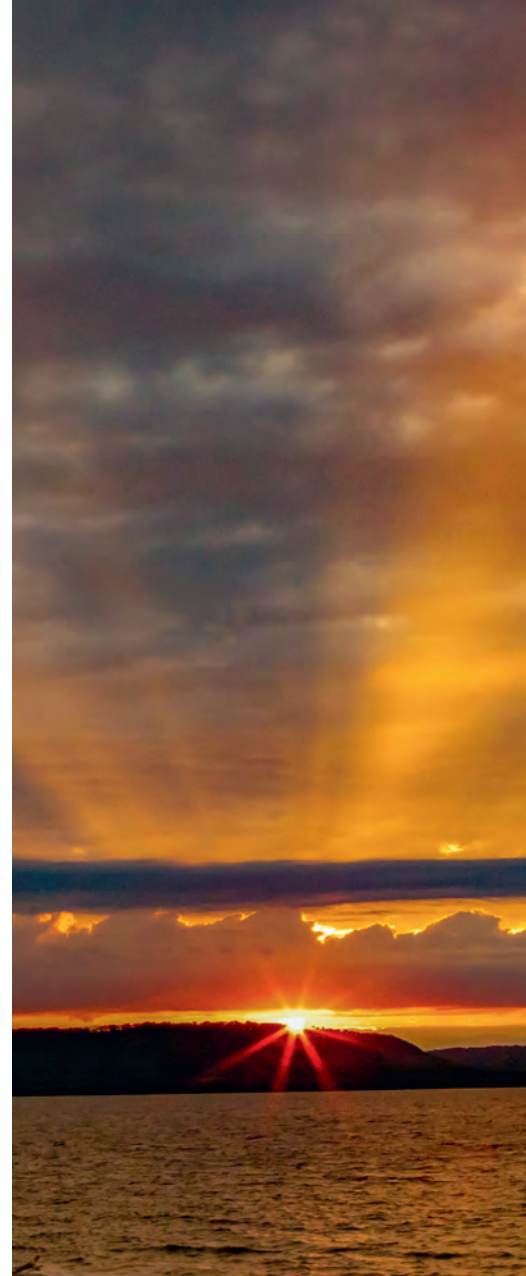
THANK YOU 2023 COMMITTEE VOLUNTEERS

Justin Hawryluk - Chair
Ed Hruska - Vice Chair
Kjelgren Alkire - Chamber Representative

Lisa Quest (Hok Si La Park and Campground)
Angie Stewart (Pearl Button Co.)
Megan Kramer (City Council)
Amy Brinkman (Lake City Sportsman's Club)
Cailin Richard (Lake City Port Authority)
John Hutchinson (Destination Lake City)
Rick Berdahl (Kelly's Lake House)
Vacant

FINANCIAL OVERVIEW

In 2023 Lake City saw success in the form of second record year in a row for lodging tax intake and added another record quarter. Q2 greatly surpassed any other spring quarter on record, making 3 of the past 6 quarters record breaking. Our sustained success and growth indicates that Lake City's tourism continues to recover from the pandemic, and continues to perform better than in pre-pandemic times. VLC continued to hold expenses to budget in 2023, and are able to continue an aggressive spending strategy in 2024. In addition to lodging tax revenue, Visit Lake City also collected nearly \$15,000 in grant funding from Explore Minnesota in 2023, and at this time expect a similar amount to come in 2024, with \$10,000 currently being reconciled. The Chamber continues to work with Lori Anderson, CPA to handle accounting for Visit Lake City.



2023 Lodging Tax Dollars
by Quarter
*Q4 not finalized
(estimated only)

2022 Lodging Tax Dollars
by Quarter

Average of Lodging Tax
Dollars by Quarter (2010-
2023)
*2020 Removed from
Averages

A SEAT AT THE TABLE



Lake City continues to engage with regional and statewide agencies to create strategies for larger marketing projects and to promote Lake City's place therein.

Ed Hoffman continued in his position on the Southern Minnesota Tourism Association's (SMTA) Executive Committee and as a Governor appointee on the Explore Minnesota Tourism Council.

ONLY IN MN AWARD



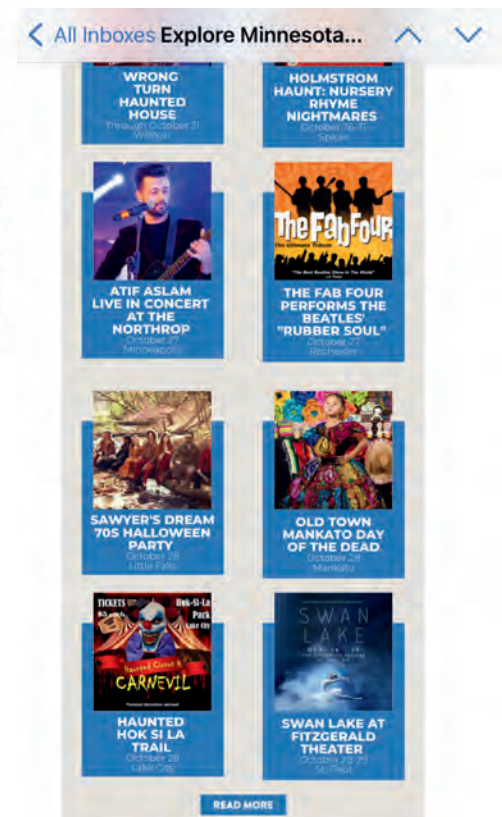
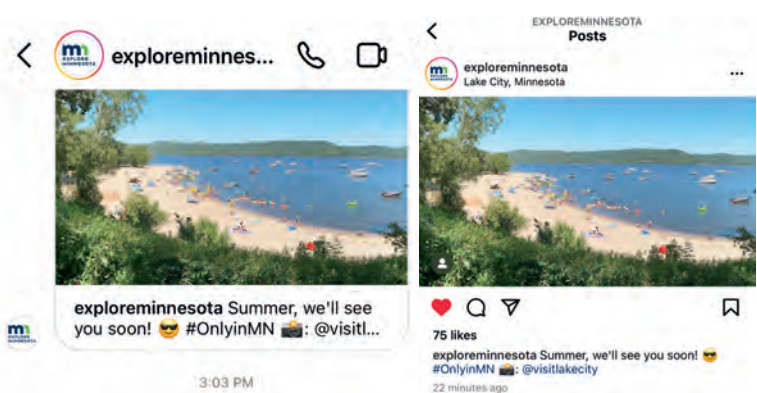
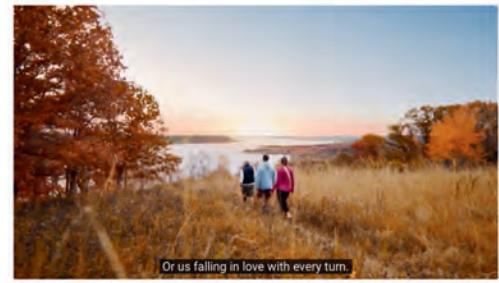
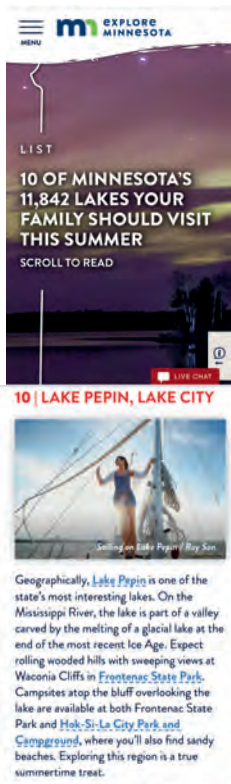
Visit Lake City began the year by taking home the prestigious "Only In Minnesota Award" at the annual Explore Minnesota conference in the Twin Cities.

Elizabeth Greenawalt attended the event in person to accept the award for our efforts in promoting the 100th Anniversary of Water Skiing and 50th Water Ski Days. EMT chooses only one recipient per year. Past award winners have included the St. Paul Winter Carnival and Minnesota State Fair.

EARNED MEDIA

The holy grail of destination marketing is always earned media. Nothing can compare to the impact that comes from a trusted publication or other media outlet choosing freely to extoll the virtues of a location. Visit Lake City is always hunting for PR and publicity opportunities.

Building on the all the added attention from last year, and strengthening our relationships with Explore Minnesota and regional media, 2023 was another banner year for publicity focusing on our area.



Lake City area was featured in Explore Minnesota's national ad campaign and on the homepage of exploreminnesota.com all fall!

EARNED MEDIA, CONT.



Mayyadda - Enough (Official Music Video)

34,100 views Premiered Sep 15, 2023
 Listen to Enough on your favorite music platform!
 Spotify: <https://open.spotify.com/track/4d467751...>
 Apple Music: <https://music.apple.com/us/album/enough...>

Director: Adja Gildersleeve
 Cinematographer: Bakari Elmi
 Production Assistant: Isatu Shinku
 Editor/Colorist/Director: Adja Gildersleeve
 Styling: Mayyadda

Featuring:
 Chris
 Daria
 Emmanuel
 Evelyn
 Janellethe Kike
 Luchessa

Special thanks to Visit Lake City



Lake City



Lake City is surrounded by the Mississippi River and Lake Pepin, as well as forests of trees that put on a dazzling color show each fall. Although the small town is an exciting place to visit all year round, the autumn months are particularly ideal to offer. Tourists flock to Lake City to enjoy the annual Johnny Appleseed Days, which takes place at the end of September and features local and regional beer and cider, food trucks, live entertainment, and arts and crafts for sale. Lakeside explodes into a fiery array of colors at both the Fall St. La Park or Frontenac State Park, which offer miles of trails for hikers and bikers.



ADVERTISMENT
 GREAT ACADEMIC RESULTS!
 Rochester, MN 507-258-6038

Lake City Events

Published: Aug. 11, 2023 at 12:34 AM GMT-1

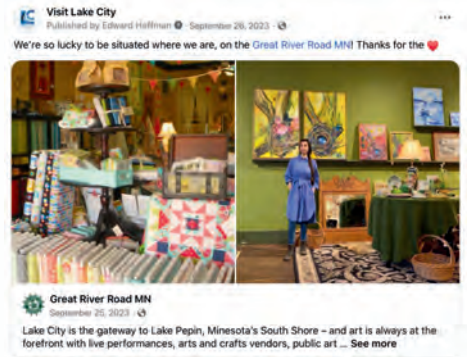


3. Lake Pepin Pearl Button Company

See locally harvested clamshells once used to make pearly buttons, and browse antiques and gifts in Lake City's [historic 1866 former button factory](#).



Take a tip from the Star Tribune and start your summer of fishing right here in Lake City!
 #lakecitymn #lakepepin #onlyinmn



Just 15 miles south, Frontenac State Park, spells paradise for bird-watchers. Follow 13 miles of trails to high bluffs, dense forest and restored prairie. Further south, Lake City Marina, loans bikes; tool around Lake Pepin to look for one of the Mississippi's only working lighthouses and Pepee the Lake Monster (Bluff Country's Nessie).



The Jewel Golf Club, Lake City

Shining bright in the Mississippi River valley bluffs of Lake City, 70 miles southeast of Minneapolis, is The Jewel, a 2005 Hale Irwin design that sparkles with variety from start to finish. Each nine on the 7,050-yard par-71 layout begins with open, prairie-style holes then darts into the woods. Among the memorable tests are the drivable, 512-yard par-four 6th and two holes, the 209-yard par-three 18th and the 437-yard par-four 14th that head straight into the face of steep, tree-lined bluffs.



Lake City receives 'Only in Minnesota' tourism award from Explore Minnesota

The Lake City Chamber of Commerce/Visit Lake City took home a top award at the Explore Minnesota 2023 annual conference held on Feb. 28 at the Bloomington/Minneapolis South Double Tree by Hilton.

EARNED MEDIA, CONT.



Lake City to host Governor's Fishing Opener in 2024

Kevin Martin KALTY
November 1, 2023 - 9:23 AM



(ABC 6 NEWS) - Plans for the 2024 Governor's Fishing Opener have been released. Lake City will host the 76th annual celebration of fishing next spring.

5 Eyewitness News

Walz announces 2024 Governor's Fishing Opener to be held in Lake City

The official celebration for next year's fishing opener is headed to southeastern Minnesota. On Tuesday, Governor Tim Walz announced that...

Duluth News-Tribune

Minnesota Governor's Fishing Opener set for 2024

LAKE CITY, Minn. — Governor Tim Walz announced Tuesday that Lake City will host the 76th Minnesota Governor's Fishing Opener on May 10-11, 2024.

KNSI

Lake City to Host 2024 Minnesota Governor's Fishing Opener

(KNSI) - The 2024 Minnesota Governor's Fishing Opener is set for Lake City, Lake City, known as the birthplace...
Nov 1, 2023



The programmed Hardware, Installation, Guest Portal with Your Brand

Here Are The Most Beautiful, Charming Small Towns In Minnesota

14 Lake City



Lake City is the location of Lake Pepin, the birthplace of waterskiing. Many water sports are still enjoyed there today. The [Eagles Minnesota](#) website has additional information.



USA-WWF
7 hours ago

We Celebrate the 101st Anniversary of Water Skiing by Getting on the Water!

We love water skiing... and all towed water sports.

At the USA Water Ski & Wake Sports Foundation, we always want to share the love by celebrating our past with the [Hall of Fame](#) or supporting our young athletes

Hok Si La in the News!

Star Tribune

If summer plans fall apart, Minnesota will provide a wondrous alternative

When the writer's plans for a summer trip to the BWCA went bad — and he was already packed for an adventure — a new plan was hatched and the...

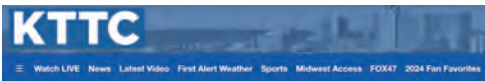
Jun 23, 2023

Star Tribune

Already popular, park cabins rise in value as a gateway to winter camping

A national report found even more people have plans to camp this winter than last. Here are five ways to try the activity.

Oct 12, 2023



Lake City hosts 51st Water Ski Days



Johnny Appleseed Days in Lake City

By KSTP
September 29, 2023 - 4:47 PM



JOHNNY APPLESEED DAYS
THIS WEEKEND IN LAKE CITY

"Located on the Wisconsin-Minnesota border, Lake Pepin is the largest lake on the Mississippi River and it might just be one of the most scenic in... See more



About this website

ONLY IN YOUR STATE · 4 MIN READ
Here Are 11 Of The Most Beautiful Lakes In Minnesota, According To Our Readers

Jason DeRusha
October 22, 2023

Ideal day visiting Southeastern Minnesota and Western Wisconsin in the Mississippi River Valley! The colors were especially nice in the Lake City - Wabasha corridor. We stopped in Hastings (great river town, cool-looking new hotel), went to Kings in Miesville for burgers (properly rated! Excellent!), Red Wing is one of my favorite towns (had to go to Harisch Bakery), then Lake City and back on the other side - Nelson, Maiden Rock, Stockholm and back to town. Nice quality trip... See more



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NEWS LOCAL

Lake City takes home 'Only in Minnesota' award

The city was recognized by Explore Minnesota for its 50th annual Water Ski Days celebration last year.



Boaters enjoy the warm weather on Lake Pepin at Lake City on Thursday, June 23, 2022, during the 50th annual Water Ski Days. Lake City recently earned an Explore Minnesota

Jack and Kitty are back at it giving you what they love most about Lake City and Wabasha! Check out their 2023 travel guide for exploring these two quaint and fun Mississippi River towns right here!

<https://jackandkitty.com/2023/03/weekend-in-lake-city-and-wabasha-minnesota?fbclid=IwART1TICK0zUBAicgk5z8lc7KIN8Xtocw-FdBNCEWixucqCTL8jmFDVw5zl>



jackandkitty.com
Weekend in Lake City and Wabasha, Minnesota
| JackAndKitty.com

Bring Me The News

Kid gives up shoveling snow in Lake City, MN

Kid gives up shoveling snow in Lake City, MN. Author: Video Duration: 14. Tags: funny, Lake City MN, Minnesota, MN Snow, Feature...



MPR News

Small land transfer may be a big deal in tribal lands debate

In what could become a blueprint for similar Minnesota communities, Lake City, southeast of the Twin Cities, has returned ownership of...

1 month ago




DIGITAL ADVERTISING

Digital advertising continued to be the focal point of Visit Lake City's Advertising efforts in 2023.

With partners like Sievers Creative, Media One, Star Tribune, Greenspring Media, and Orange 142, we collaboratively designed a robust marketing strategy that includes digital display (ie. banner ads), paid social media (Facebook, Instagram, Tik Tok), content marketing, and email blasts. Each of these channels work in consort with our continually updated website, and serves ads to those who fit within our targeted location, interests, and income demographics, as well as to those who have searched for and visited [visitlakecity.org](https://www.visitlakecity.org).

We are continually monitoring data to better refine which demographics and locations we focus our advertising on, and are active in serving new images and copy to viewers on a month by month basis.

Meta

 Visit Lake City with Explore Minnesota Tourism.

Posted by Brandon Lau

Paid Partnership · 

Lake City, Minnesota, is a dream destination in Autumn. Brimming with a full spectrum of colors and activities, here's 10 of our favorite things to do in the area in fall.



Visit Lake City this Fall

<https://www.visitlakecity.org>

Learn more

Visit Lake City

<https://www.visitlakecity.org>

Tik Tok



MailChimp



Lake City adventures are waiting for you!

You set the pace. From nice and slow to exciting and active, Lake City has it all!

Display



 **ADVANTAGE**

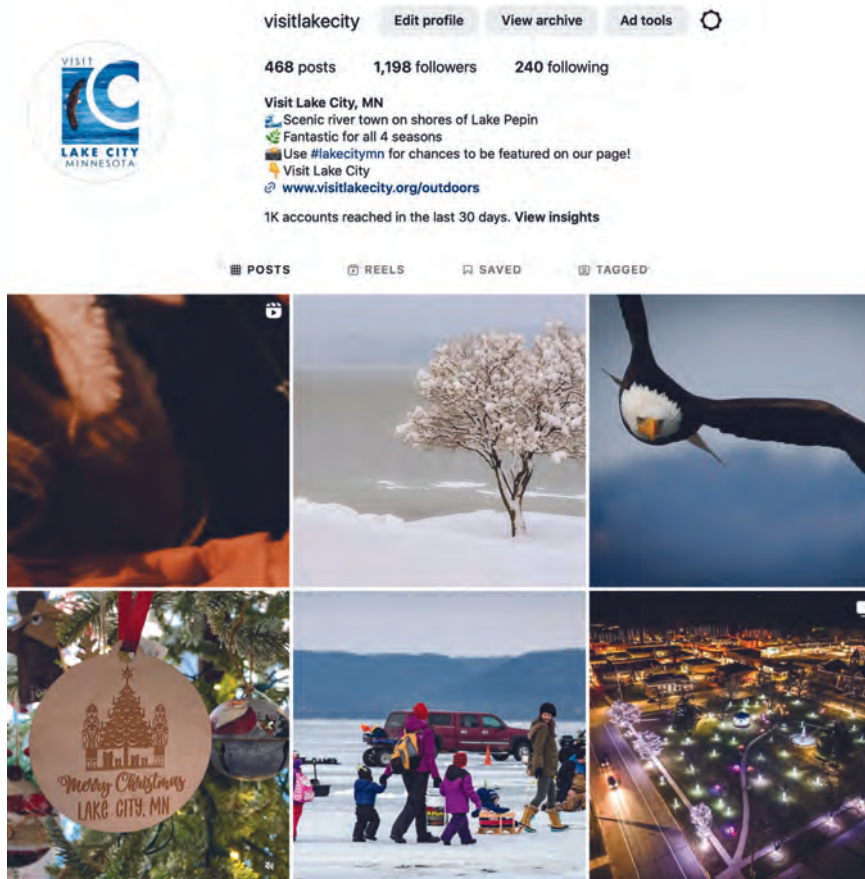
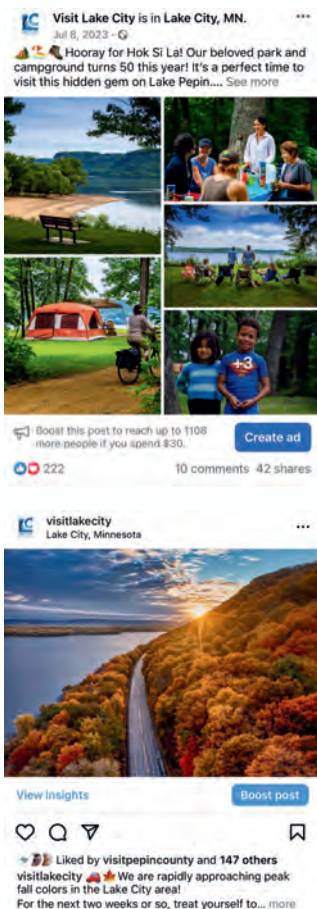


Star Trib

SOCIAL MEDIA

When discussing tourism marketing today, not enough can be said about the power of social media. Beautiful images, short videos, shared content, rapid and personalized responses to comments and messages, and snappy, conversational copy continued to be a winning combination in 2023. Visit Lake City saw growth in all important Facebook and Instagram metrics over the past year: Engagement, Reach, Impressions, and New Page Likes. Overall, our advertising on Meta platforms through Sievers Creative delivered over 1.2 million impressions, with an additional reach of almost 500,000 more between organic and in-house boosted posts. Our click through and engagement rate maintains well above the industry average.

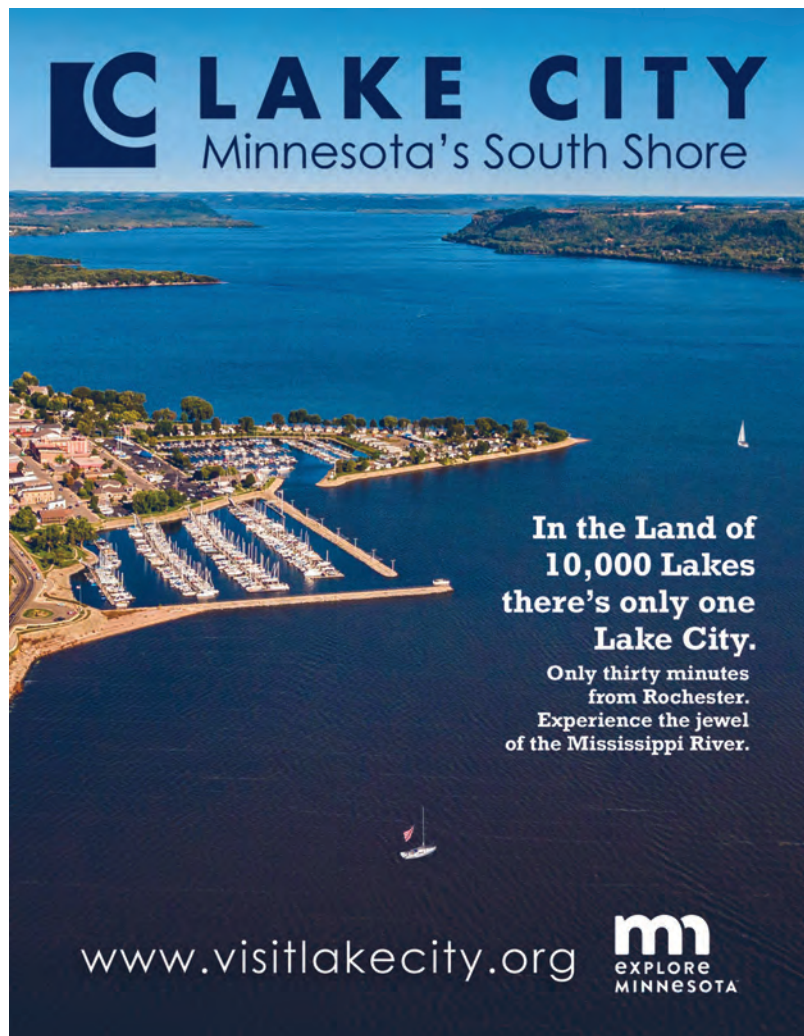
We identified an opportunity to capitalize on user generated content, repeatedly asking our followers to tag their local photos with #LakeCityMN and sharing selected images to our accounts. We have also continued to contract with Ben Threinen for the use of a database of professional photos.



PRINT ADVERTISING

While we continued to grow our focus on digital advertising, we remained committed to targeted print ads and content marketing in publications that we felt reached those most likely to travel to Lake City.

In 2023 we maintained a monthly 2 page spread in Rochester Visitor Magazine, and placed ads in Today, Big River, Minnesota Monthly, MSP Magazine, and AAA Magazine. We also advertised in Explore Minnesota's official state guide, and took out a full page ad in Experience Rochester, the official guidebook for Rochester's CVB.



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LAKE CITY
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NEW FRONTIERS VIA GRANTS AND COOP ADS

Visit Lake City continually looks for grant opportunities and the best values wherever it can find them. In 2023 we collected nearly \$15,000 in grant revenue, and have been awarded \$10,000 more to date, which will be collected in 2024. We also took advantage of state subsidized programs that allowed us to buy ads in coops with savings of up to 70%.

We took advantage of these opportunities by branching into new markets, new publications, and new media partnerships, while dipping our toes into new forms of advertising such as highly targeted digital travel intent marketing and YouTube advertising (debuting professional and groundbreaking video advertisements created during last year's grant cycle). In doing so, in total, we were able to reach hundreds of thousands of potential visitors that we would not otherwise have been able to.



Visit Lake City Minnesota this Fall

12K views • 5 months ago



Visit Lake City Minnesota this Fall

22K views • 5 months ago



Visit Lake City Minnesota this Summer

36K views • 6 months ago



Visit Lake City Minnesota in Spring: Feel Good by Sweet & Lonely - Dir....

25K views • 1 year ago



Visit Lake City Minnesota in Spring: Feel Good by Sweet and Lonely - D...

10K views • 1 year ago



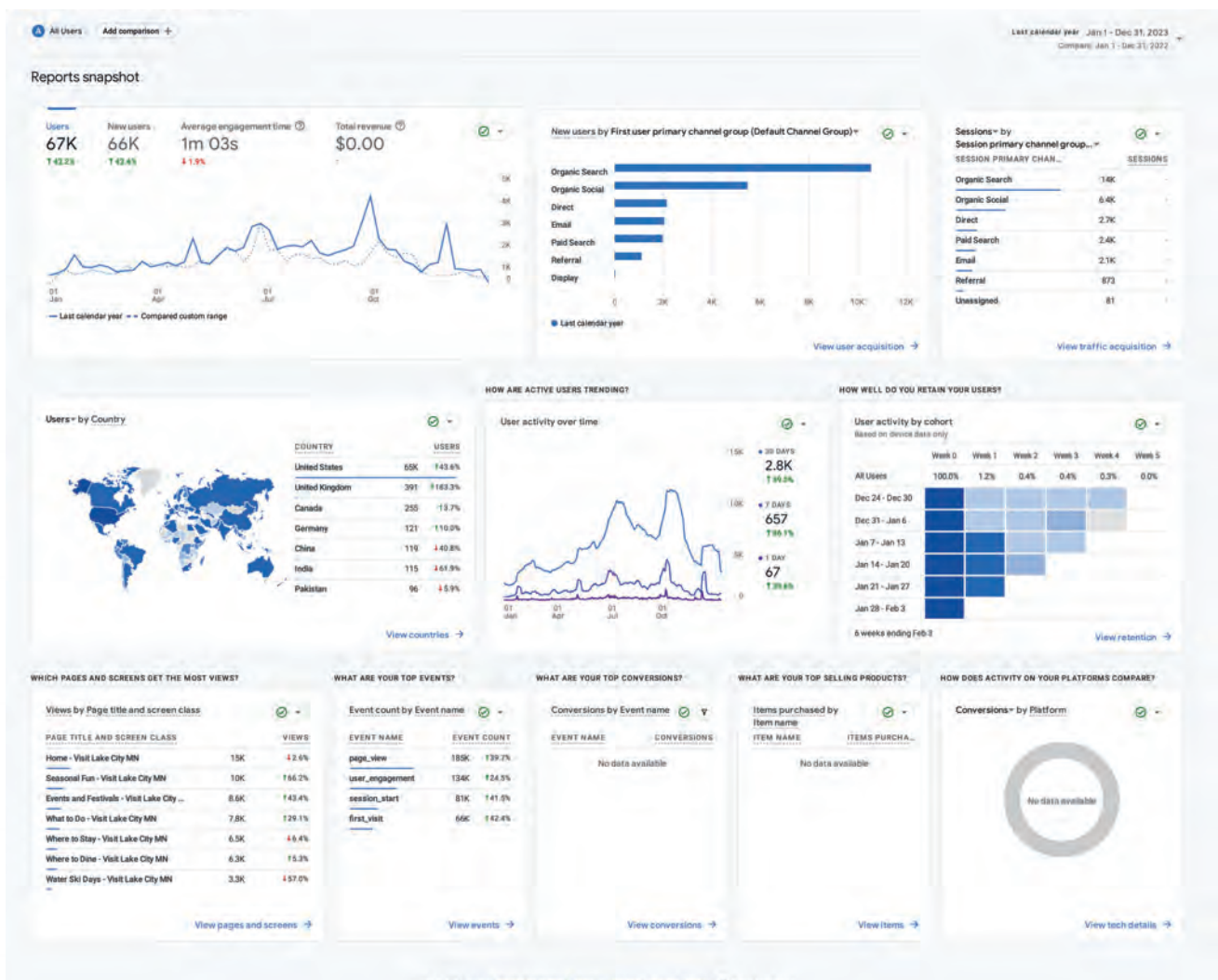
Visit Lake City in Winter: Eagles on the Ice by The Heavy Set - Dir. Nat...

36K views • 1 year ago

WEBSITE GAINS



Website visits are the gateway to actual visits to our community. Whether it is through clickable social media advertising, display ads, or newsletters, we strive to deliver content that directs people to our site where we give them an engaging experience and optimal performance. We place an emphasis on SEO and referrals which keep visitlakecity.org at the top of search engine suggestions. In 2023 we saw 67,000 people visit our site, an increase of a 42.4% over 2022. With 2022's gains of 67% over 2021, we can confidently report that we continue on the right track since taking over and rebuilding the site in mid-2021.



WEBSITE GAINS, CONT.

2023



2022



USA-WWF HALL OF FAME



VLC's Ed Hoffman joined Mayor Mark Nichols and Destination Lake City's Marco Molinari in Lakeland, Florida, at the USA Water Ski and Wake Sport Foundation's Hall of Fame induction ceremony.

The foundation seated our delegation at the head table, and a Lake City promotional video created by VLC was shown to the attendees and live-streamers of the event. Nichols and Molinari were invited to deliver remarks on stage, and a table was set up to distribute Lake City maps, guides, and memorabilia.

Hoffman also visited the Hall of Fame museum in Davenport and met with staff at Visit Central Florida about ideas for future collaborations.



COMMUNITY EVENTS

ANOTHER BIG YEAR OF FUN!

In 2023, we built on the momentum of the milestones we saw in 2022 by forging full head of steam. Whether building greater attendance for the 16th Tour de Pepin or keeping the 51st Annual Water Ski Days rocking by bringing in another national rising star, the Chamber showed no signs of slowing down.

In 2024, we continue this pattern, by hosting the Governor's Fishing Opener Weekend, making huge plans for Tour de Pepin, and with some big surprises awaiting announcement for the 52nd Water Ski Days.



TOUR DE PEPIN

The Chamber celebrated the 16th annual Tour de Pepin with approximately 850 riders on June 2nd, 2023. By all accounts the event was a major success, with participants, vendors, and sponsors providing positive feedback and a desire to return in 2024. Dozens of volunteers in Lake City and around the Lake Pepin route helped the Chamber facilitate a fun and safe ride. Brent and Sheena provided festive tunes at the finish line and Winona's Island City Brewery was there for a third consecutive year to pour the post-tour beverages.



WATER SKI DAYS

Water Ski Days wowed locals and visitors alike in 2023, with national talent and local favorites rocking the stage at Ohuta Park. We continued our collaboration with the USA Water Ski and Wake Sport Foundation, as well as all of our local partner organizations and volunteers for another incredible year.

Building upon the momentum of the 100th anniversary of Ralph Samuelson's moment was no easy task, but in almost every metric we either met or surpassed the success of 2022.



ANNUAL GOLF TOURNAMENT

The 2nd Annual golf event was held at Lake City Golf on July 21st, with over 20 teams participating. Hole sponsors, golfers and volunteers were very happy with the turnout and success of the tournament. Lunch and Dinner were provided by Heidi's Huggamug and Rebel Fire Que'N Company, respectively. The Chamber is excited to host and grow this event again on July 19th, 2024.

COMMUNITY EVENTS, CONT.



Y-KNOT TRI

The 2nd annual Lake City Y-Knot Tri took place at Ohuta Park on Saturday, August 12th, 2023. The event consisted of a 2.5 mile paddle on beautiful Lake Pepin, a 14 mile bike ride on a 'there and back' route to Frontenac, and a 5K run along the river side.

The Chamber was proud to collaborate with the Y-Knot committee, offering administrative services and its expertise in event planning. The event was a huge success, garnering many participants and a massive outpouring of community support. The Y-Knot Tri will return on August 10th, 2024.



FLOAT A PALOOZA

Sharing a date and Ohuta Park with the Y-Knot Tri, Float a Palooza returned for another iteration in 2023 on August 12th.

Dozens of families joined at Ohuta Beach to play in the sand with a widely successful sand dig, listen to the musical renditions of Ryan Sullivan Music and local Victor Holland, snack on Huettl's fare and wash it all down with Charlie's Lemonade. Look for some new exciting pairings August 10th of this year!



FALL FEST

The Chamber continued its partnership with the Fall Fest Committee in 2023 to bring a wildly successful fall chocked full of family friendly events. A bucket raffle was paired with the fundraiser luncheon and a Trunk or Treat event was added on Halloween. Touch a Truck and Fun Zone in Patton Park continue to be local favorites. The frighteningly good Haunted Hok Si La, while cold, was a cut above the rest! The Fall Fest Committee is committed to continuing this fall tradition in 2024.



JOHNNY APPLESEED DAYS

The Chamber organized Johnny Appleseed Days September 30th and October 1st. The event was a 2-day block party that featured numerous bands, dozens of vendors, kid's art activities, a pie eating contest, and more.

New this year, the Chamber added a Beer and Cider Fest that exceeded all expectations; selling out tickets before the doors opened on Saturday. This event will have additional tickets in 2024 with more vendors and breweries in attendance.



LIGHT UP LAKE CITY

In what has become a wonderful collaboration between the Chamber of Commerce and various City of Lake City departments and other community organizations, the holiday lights lit up our community on Shop Small Saturday, November 25th, 2023.

The event featured hot beverages and cookies in Patton Park sponsored by Heidi's Huggamug. There was also a fire truck parade through town that brought Old Saint Nick to the festivities where he and Mrs. Claus greeted Lake City's children.

LOOKING FORWARD



We have so much to look forward to in 2024.

The Governor's Fishing Opener is approaching quickly, landing in Lake City on May 9-11. This event will bring dozens of media members and state dignitaries to our town for 3 days of fishing and fun. The event will allow us to garner numerous new periodical and newspaper articles, TV and radio spots, and introduce new media influencers and content creators to Lake City. It gives us the opportunity to solidify and build new relationships with media members and writers. Not only will this event boost our reputation for having some of the best fishing and outdoor recreation opportunities in the Midwest, but will give us a chance to show off *all* that Lake City has to offer. It is our chance to put on our best face and really WOW our distinguished visitors.

Being awarded the Governor's Fishing Opener is part of a positive pattern in a relationship with Explore Minnesota and other statewide agencies that Visit Lake City has been working hard to cultivate over the past 3 years. Since 2021, we have been invited to a seat on the Governor's Council on Tourism, we've won one of the most prestigious tourism awards in the state, we've been featured in one of Explore Minnesota's national advertising campaigns and repeatedly are featured in their social media posts, and we've been awarded numerous competitive grants that have allowed us to make groundbreaking advertisements that have caught the eyes of officials at the state level. In 2024, we will continue to broaden our horizons with by reaching into new markets and experimenting with new forms of marketing. We will continue to capitalize on grant opportunities and relationships that we've built with media members. We will work to form even more collaboration with, and buy-in from, Lake City community members and stakeholders.

Lake City has momentum on our side.





March 11, 2024

Agenda Item Description: Planning Commission minutes February 6, 2024

Originating Department: Planning

Board/Commission/Committee Action: **Consent Agenda?:** No

Action Requested:

No action requested; minutes are for informational purposes.

Reviewed By: Planning, Administration

Preparer: Megan Smith, Planning and Community Development Director

ATTACHMENTS:

Description

- ▣ **Planning Commission Minutes February 6, 2024 Draft**

**PLANNING COMMISSION
FEBRUARY 6, 2024 6:30 P.M.
CITY COUNCIL CHAMBERS**

Member's present: Joe Kjelland, Tom Rasmussen, Randi Kirchner, Stephanie Atkinson

Member's absent: Steve Prigge, Carrie Cronin, Dennis Branum

Others present: Planning and Community Development Director Megan Smith, Planning and Community Development Administrative Assistant Keeley Roach, Council Liaison Brian Quinn

CALL TO ORDER/INTRODUCTION/DISCLOSE CONFLICTS

Chair, Kjelland called the meeting to order at 6:00 p.m. with a quorum present.

REVIEW AND ADOPT AGENDA

MOTION BY RASMUSSEN TO ADOPT THE AGENDA, SECONDED BY KIRCHNER, ALL AYES.

ELECTION OF CHAIRPERSON & VICE-CHAIR

TABLED UNTIL MORE COMMISSIONERS ARE IN ATTENDANCE

PUBLIC FORUM

No one from the public spoke.

MEETING MINUTES

MOTION BY KIRCHNER SECONDED BY RASMUSSEN TO APPROVE THE PLANNING COMMISSION WORKSHOP MEETING MINUTES, AS PRESENTED, FOR DECEMBER 5, 2023. ALL AYES.

MOTION BY KIRCHNER, SECONDED BY ATKINSON TO APPROVE THE PLANNING COMMISSION MEETING MINUTES WITH AMENDMENT BY KIRCHNER, FOR DECEMBER 5, 2023. ALL AYES.

NEW BUSINESS:

Downtown & Waterfront Prioritization:

Director Smith explained that the City developed a Waterfront Plan in 2017. The Council has never formally adopted this, however elements of the plan have been implemented. This is an opportunity for the Planning Commission & Council to work together to develop a 3, 5, and 10 year plan. Provided to the Planning Commission is the current table that the Planning Department has tracked over 2018-current date.

The commissioners discussed the pros to having this list. It is especially informative to have the "finished column" to observe what has been accomplished in the formative years. The

Commission also agreed that this reflects well thought out; long-term, mid, and short-term goals for not only the planning commission but collectively working with other groups as well as other departments within the City.

Chairman Kjelland stated he would like a draft of this master plan sent around The City for input from other departments. As well as readdress this workplan in 45-60 days to satisfy the needs in each department. Then re-work the document to present to Council.

Changes to Lake City Zoning Ordinance related to Stormwater & Grading:

Director Smith explained that the Planning Commission will hold a public hearing in regards to the upcoming changes to the stormwater ordinance. The City code requires that the Planning Commission review any changes to the City's zoning ordinance. A draft ordinance reflects proposed changes that will reference Chapter 57 of the City's Code.

Commissioner Rasmussen stated that he has had local contractors contact him about the changes in the enforcement of stormwater, erosion, and sediment control plans. The contractors and landowners are seeing an increase in building costs, causing contractors to rethink building within Lake City's city limits.

Smith explained that the builders and contractors that have concerns, need to be present at the public hearing in March. Smith also included that the City of Lake City has reached a threshold considering The City as an MS-4 community. This criterion is guided by the State and Minnesota Pollution Control. The City must update the ordinance to reflect the state's guidelines to stop stormwater, erosion and sedimentation from discharging into the streams, river, and bodies of water within our community. Smith also noted that the fees in reference to Commissioner Rasmussen's inquiry is not a City fees, this is the cost of the contractor's work.

Informational Reports:

Cemstone Platting & Rezoning:

Director Smith explained; City Staff have been working with Johnson Scofield Land Surveyors to develop a plan creating parcels and lots within Cemstone. This work is a high priority to the City Council and will review of the preliminary plat. The Planning Commission will be tasked with rezoning, via public hearing.

Planning Commission Trainings Opportunities:

Smith explained that she has done some research into educational opportunities for the Planning Commission. Director Smith polled the commissioners for preference of in-person training or virtual. Two resources were provided to the commission, a majority prefer and in person setting. Smith will research the in-person option and bring more details to the workshop on March 6, 2024.

FUTURE MEETING DATES

March 6, 2024 Planning Commission Workshop at 5:00 P.M.

March 6, 2024 Planning Commission Meeting 6:00 P.M.

ADJOURN

ATKINSON MOVED, SECONDED BY KIRCHNER TO ADJOURN AT 7:09 P.M. ALL AYES

Joe Kjelland, Chairperson

Submitted by: Keeley Roach, Planning & Community Development Administrative Assistant



March 11, 2024

Agenda Item Description: Marina Board minutes February 13, 2024

Originating Department: Marina

Board/Commission/Committee Action: **Consent Agenda?:**

Action Requested:

Marina Board minutes February 13, 2024

Reviewed By: Deb Kranz

Preparer: Deb Kranz

ATTACHMENTS:

Description

- ▣ **Marina Board Minutes February 13, 2024**

MARINA BOARD
STATED MEETING
FEBRUARY 13, 2024

MEMBERS PRESENT: Mark Dieltz, Mary Jane Rasmussen, Lee Kirchner, Mary Nelson
Catherine Langer

MEMBERS ABSENT: Jennifer Cobb, Ann Nibbe

OTHERS PRESENT: Jeff Brand, Matt Herzig, Deb Kranz, Faye Brown

The Marina Board meeting was called to order at 5:00 p.m., by Chairman Mark Dieltz.
Faye Brown was introduced as the new Council Liaison.

APPROVAL OF AGENDA:

Motion by Mary Jane Rasmussen to approve the agenda, seconded by Mary Nelson. All aye.

APPROVAL OF MINUTES:

Motion by Lee Kirchner to approve the minutes of December 12, 2023, seconded by Catherine Langer. All aye.

APPROVAL OF EXPENSE CLAIMS:

Motion by Mary Jane Rasmussen to approve expense claims December 6, 2023 to February 6, 2024, seconded by Lee Kirchner. All aye.

OPEN HOUSE UPDATE:

Mark Dieltz informed the Board that the City Council has approved \$7,300 to be used for the open house expenses. The open house will be held on August 17, 2024 from 1:00 to 4:00. Faye Brown suggested a local band for the open house, which Matt Herzig will contact and then get back to Dieltz regarding their availability.

Dieltz also suggested to the Board that an apparel store be posted on Facebook so that people could order Marina apparel directly from the store. Dieltz would also put a link out there so people that are not on Facebook could also get access to the store. Dieltz informed the Board that the logo on the apparel will not be the Lake City Marina Logo.

PERSONNEL DISCUSSION:

Jeff Brand explained to the Board that he would like to hire another full-time employee. Brand explained that in the past the Marina would use seasonal employees for a longer period of time but that doesn't happen anymore. This employee would allow more time for Brand to do things that need to be done on a day-to-day basis in the office. Brand is working on a job description for this position. Lee Kirchner asked if this person would be doing just maintenance. Brand explained this person would be doing both maintenance and customer service. After some

further general discussion a motion was made by Mark Dieltz to explore the full-time position based on Brand's needs, seconded by Catherine Langer. All Aye.

ELECTION OF OFFICERS:

Mary Jane Rasmussen was nominated for Chairman of the Marina Board. Motion by Mark Dieltz seconded by Mary Nelson to cease the nomination and elect Mary Jane Rasmussen as Chairman of the Marina Board. All Aye.

Lee Kirchner was nominated for Vice-Chairman of the Marina Board. Motion by Catherine Langer seconded by Mary Jane Rasmussen to cease the nomination and elect Lee Kirchner as Vice-Chairman of the Marina Board. All Aye.

Being no further discussion, a motion was made by Mary Nelson to adjourn the meeting at 5:53 p.m.

Mark Dieltz, Marina Board Chairman

Respectfully submitted by D. Kranz



March 11, 2024

Agenda Item Description: Heritage Preservation Commission
minutes February 14, 2024

Originating Department: Planning

Board/Commission/Committee Action: **Consent Agenda?:** No

Action Requested:

No action requested. Minutes are for informational purposes.

Reviewed By: Planning, Administration

Preparer: Megan Smith, Planning and Community Development Director

ATTACHMENTS:

Description

- ▣ **HPC Minutes February 14, 2024 Draft**

HERITAGE PRESERVATION COMMISSION

REGULAR MEETING

**WEDNESDAY, NOVEMBER 8, 2023 6:00 P.M.
SECOND FLOOR CONFERENCE ROOM AT CITY HALL**

MEETING MINUTES

Commissioners Present: Nancy Spooner-Walsh, Georgene Arndt, Katie Himanga

Commissioners Absent: Ben Threinen

Others Present: Planning and Community Development Administrative Assistant Keeley Roach.

The meeting was called to order by Spooner-Walsh at 6:00 PM with a quorum present.

REVIEW AND ADOPT AGENDA

**MOTION BY HIMANGA TO ADOPT THE AGENDA, SECOND BY ARNDT.
ALL AYES.**

REVIEW AND APPROVE MEETING MINUTES

**MOTION BY HIMANGA TO APPROVE NOVEMBER, MEETING MINUTES-WITH
COMMISSIONER HIMANGA'S REVISIONS, SECOND BY ARNDT. ALL AYES.**

ELECTION OF CHAIRPERSON AND VICE CHAIRPERSON:

Discussion was started by Chairperson Spooner-Walsh to take nominations for Chairperson; Himanga nominated Nancy Spooner-Walsh to return as Chairperson. Chairperson Spooner-Walsh accepted the nomination.

**ARNDT MADE A MOTION TO ELECT NANCY SPOONER-WALSH AS THE 2024
CHAIRPERSON FOR THE HERITAGE PRESERVATION COMMISSION, SECONDED BY
HIMANGA. ALL AYES.**

Chairperson Nancy Spooner-Walsh nominated Katie Himanga as Vice Chairperson; Himanga accepted the nomination.

**ARNDT MADE A MOTION TO ELECT HIMANGA AS THE 2024 VICE CHAIRPERSON
FOR THE HERITAGE PRESERVATION COMMISSION, SECONDED BY SPOONER-
WALSH. ALL AYES.**

NEW BUSINESS:

CENTURY HOME PLAQUE PROGRAM

Two homes within Lake City have applied for the Century Home Plaque Program.

Discussion occurred about the property at 1004 S Lakeshore Dr. Current owners are Clif & Susan Berke. An extensive history on the land purchase, house, additions, and interior features were presented in the application.

MOTION BY HIMANGA TO APPROVE 1004 SOUTH LAKESHORE DRIVE AS A CENTURY HOME. HIMANGA REQUESTS THAT STATED IN THE MINUTES THAT THE ORIGINAL OWNERS ON THE DEED RECORD; J.W. AND LILY C. KLINKER. THE APPLICANTS ARE CLIFF AND SUSAN BERKE, SECONDED BY ARNDT. ALL AYES.

Commissioners examined the history and ownership that was provided in the application for 410 South Oak Street. The application stated that there have only been two owners in it's 100 years; all of which were related.

HIMANGA MADE A MOTION, SECONDED BY SPOONER-WALSH TO APPROVE THE APPLICATION FOR 410 SOUTH OAK STREET AS A CENTURY HOME. ALL AYES.

2024 HERITAGE PRESERVATION WORK PLAN

Adjustments to the work plan to better reflect the plans for 2024 are below:

City of Lake City, Minnesota Heritage Preservation Commission – 2024 Work Plan

~~1. Support a plan including City and the Prairie Island Indian Community for long term care and ownership of the burial mound site in Lake City near North 10th Street and Mounds Court.~~

1. Continue the collaborative work with the Lake City Historical Society to develop and implement a heritage building identification signage/plaque program for downtown.

~~2. Develop a Historical and Cultural Resources Disaster Plan for the community.~~

~~3.~~ 2. Respond to requests for reviews of locally designated historic sites.

~~4.~~ 3. Transcript historic handwritten City records and City Council minutes, preservation of City history. Partnering with the Lake City Historical Society in re-writing information for preservation of historical minute record books and municipal court records. Along with creating an electronic record of these documents.

~~5.~~ 4. Continue advocating for preservation through existing programs including Certificates of Merit Program and activities during May, National Historic Preservation month, and conduct public education centered around the value of Historic Preservation.

~~6.~~ 5. Continue education and training for Heritage Commissioners.

6. Conceptual planning for the interpretive panels at Ohuta Park.

7. Develop a Historical and Cultural Resources Disaster Plan for the community. Currently no progress has been made.

~~7. Continue the collaborative work with the Lake City Historical Society to develop and implement a heritage building identification signage/plaque program for downtown.~~

8. Continue the Century Home Plaque Program.

MOTION BY ARNDT, SECONDED BY HIMANGA TO ACCEPT THE 2024 CHANGES TO THE WORK PLAN. ALL AYES.

ADJOURNMENT

MOTION TO ADJOURN THE MEETING AT 6:43 P.M. BY HIMANGA, SECOND BY SPOONER-WALSH.

Nancy Spooner-Walsh, Chairperson



March 11, 2024

Agenda Item Description: Port Authority Board minutes February 15, 2024

Originating Department: EDA

Board/Commission/Committee Action: Board

Consent Agenda?: No

Action Requested:

No action requested; item is an informational update only.

Reviewed By: Port Authority

Preparer: Cailin Richard, Executive Director

ATTACHMENTS:

Description

- ▣ **Port Authority Board Meeting Minutes February 15, 2024**

Lake City Port Authority Meeting Minutes

4:30 pm, February 15, 2024

In-Person Meeting, Second Floor Conference Room, City Hall

Board Members Present: Amy Alkire, Gregg Moyer, Kevin Beauvais, Tom Dwelle, Mark Fayette, Mark Nichols

Board Members Absent: John Hutchinson

Port Authority Staff: Cailin Richard, Ben Strand

Guests: James Rainwater

Call to Order

4:30 pm

Adoption of Agenda

Unanimous adoption of agenda with a motion from Nichols and a second from Moyer (6-0-0) with no amendments to the agenda.

Public Forum

The Public Forum was opened and James Rainwater presented to the Board, sharing his opposition to the proposed condominium development at 303 South Lakeshore Drive. Rainwater cited closing access to the lakeshore, misuse of prime real estate and a lack of affordable housing options in the development as reasons for his opposition. Rainwater suggested the Port Authority Board reconsider the project and suggested alternative uses for the site.

Consent Agenda

Unanimous approval of the Consent Agenda with a motion from Fayette and a second from Alkire (6-0-0), including Port Authority Meeting Minutes from January 18th, Monthly Invoices and the Small Cities Development Program reports. January Monthly Financials were unavailable for the meeting, and will be presented at the regularly scheduled March Board meeting for approval. Board President Dwelle recognized that the Small Cities Development Program funds were almost completely allocated and deemed the program a success.

Informational Reports

Staff provided an update on the **Purchase Agreement for 303 South Lakeshore Drive**, sharing that Meier Companies density variance was approved by the Board of Adjustments, the projected closing date on the property and details of a project open house scheduled in Lake City. There was discussion amongst the Board on the project open house hours and location, the expectations for the project open house and the ability for Meier Companies to market their condominiums at the event. Board member Nichols did not support hosting the project open house on City property. There was discussion amongst the Board on the proof of financing documents provided to staff by the developer to satisfy the Financing contingency in the Purchase Agreement. There was additional discussion amongst the Board on transparency and how staff distributes

information to the Board. The Board directed staff to communicate project open house expectations to Meier Companies, distribute the proof of financing documents to the Board and develop a one-page sheet of talking points about the project for the Board.

Staff provided an update on the **Cemstone site**, sharing the Planning Department's process for rezoning the 10th Street parcel, interest in housing development on the site and working with the Army Corp of Engineers to fill the pit with dredged sand. There was discussion amongst the Board on relocating the community gardens, providing an update on the Cemstone site to City Council and bonding to develop a road through the site. Board member Nichols provided more information on working with the Army Corp of Engineers, recapping a conversation he had with their staff and sharing viable options for working with them to transport dredged sand to the pit.

Staff presented a draft **Business Challenge** proposal for discussion and feedback. There was discussion amongst the Board on the type of business the challenge would target, creating competition for existing businesses, the value of a new business opening in the community and other communities who had successfully hosted business challenges. Staff will update the business challenge proposal based on the Board's feedback and finalize a proposed prize package to present to the Board for approval at the regularly scheduled March Board meeting.

Staff provided information on **Short-Term Rental Ordinances**, sharing the maximum number of short-term rentals allowed in other Minnesota communities, examples of alternative ways to limit short term rentals and proposed amendments to Lake City's existing short-term rental ordinance. There was discussion amongst the Board on state inspections for rental units, implementing a means to monitor rental occupant behavior and the rate of licensure non-compliance in Lake City. The Board directed staff to complete additional research on rentals in Lake City and bring forward a draft policy for licensure non-compliance at the regularly scheduled March Board meeting.

New Business

Staff presented a draft **amendment to the Port Authority By-laws** for approval. There was no additional discussion. With a motion from Beauvais and a second from Moyer (6-0-0), the Board unanimously recommended approval of the amended Port Authority By-laws to City Council.

Staff presented an **AARP Community Challenge Grant** application proposal, sharing the successes of the 2023 AARP grant award and plans to market and promote Accessory Dwelling Units with the 2024 grant, if awarded. There was no additional discussion. With a motion from Beauvais and a second from Nichols (6-0-0), the Board unanimously approved staff to author and submit an application to the AARP Community Challenge Grant program.

Staff presented the University of Minnesota and Blandin Foundation's **Ripple Effect Mapping project**, sharing information on what ripple effect mapping was and what participation in the project would entail. There was a brief discussion amongst the Board on the benefits of gathering data and using past success as a marketing tool. With a motion from Beauvais and a second from Fayette (6-0-0), the Board unanimously approved staff to author and submit an application to the University of Minnesota and Blandin Foundation's Ripple Effect Mapping project.

Staff presented the **DEED Childcare Economic Development Grant Program**, sharing information on eligible projects, grant regulations and previously awarded projects. Staff recommended waiting to submit an application until the next funding cycle in 2025, allowing them time to secure matching funds and coordinate a shovel-ready project. There was discussion amongst the Board on what a shovel-ready project was, potential projects in Lake City and potential community partners for the grant application. The Board unanimously agreed to wait until 2025 to submit an application to the Childcare Economic Development Grant program.

Staff presented the **property sale funding allocation** item for discussion, requesting the Board begin to think about how they would like to utilize the proceeds from the sale of 303 South Lakeshore Drive. Staff provided a list of ideas for the Board to consider, developed from past discussions. There was discussion amongst the Board on investing in initiatives with a long-lasting impact, putting some funds in the reserve account and marketing initiatives. The Board unanimously agreed to keep the item on future meeting agendas for discussion.

Unfinished Business

Staff provided an update on the **MnDOT property located on South Oak Street** that was under consideration by the City for purchase, sharing information on the purchase price, the City's interest in securing a right-of-way and City Council's most recent discussion on the purchase. There was discussion amongst the Board on prescriptive easements and the amount of developable land on the site. The Board unanimously agreed that the Port Authority was not interested in purchasing the property from MnDOT and will be removing the item from future meeting agendas.

Staff presented the **Cemstone property conveyance request** for discussion. There was discussion amongst the Board on requesting the entire site from the City, gathering direction from Council on the Port Authority's role in the site development, the future of the 10th street parcel, how the Port Authority can facilitate housing development and housing development in surrounding communities. There was additional discussion on bonding to build a road through Cemstone and creating a working group to focus on preparing for a bonding project. Board members Dwelle and Fayette volunteered to lead the working group, and directed staff to update the GDP with new construction numbers and reach out to MnDOT about a road connection on Highway 63 as the first steps.

Adjournment

Motion to adjourn was made at 7:14 pm by Alkire and seconded by Beauvais (6-0-0).

Respectfully submitted,
Executive Directors, Lake City Port Authority

These Minutes are scheduled for approval on the consent agenda of the regular meeting of the Lake City Port Authority Board at 4:30 pm on Thursday, March 21, 2024.



March 11, 2024

Agenda Item Description: Street/Park/Public Safety Commission
minutes February 20, 2024

Originating Department: Street/Park/Public Safety

Board/Commission/Committee Action: Commission

Consent Agenda?: No

Action Requested:

Street/Park/Public Safety Commission minutes February 20, 2024.

Introduction/ Background/Justification/Key/Legal Issues:

None

Budgetary/Fiscal Impact:

None

Reviewed By: Administration

Preparer: Public Works Director Scott Jensen

ATTACHMENTS:

Description

☐ **Minutes**



Minutes
Lake City Street, Parks and Public Safety
Commission
February 20, 2024
4:30 PM
601 N 10th Street / Training Room

1. Call to Order/Introductions/Disclose conflicts

Chair Streed called the meeting to order at 4:30 p.m. with a quorum present.

Members present: Kurt Streed, Margie Harkins, Terrance Wingert, Robbie Smith

Others present: Roy Fenstermacher and Chandi Katoch with DLC, Assistant Public Works Director Travis Dunn, Public Works Director Scott Jensen

2. Review and adopt/amend agenda

Approved as presented

3. Public Forum

Chandi Katoch and Roy Fenstermacher talked to the commission about locating a disc golf course in Lake City. Location on city property has been considered such as Cemstone or Hok Si La Park. If a city location was identified, what would the process be to move forward? 10 acres is a guideline for such a location. The commission felt that Hok Si La Park would not be a good option due to potential conflicts with park users. Cemstone was discussed but is a high priority on the Council work plan for continued development. No locations were immediately identified.

4. Informational Reports

a. January 16, 2024 Minutes

Motion Smith, second Wingert to approve the January minutes. All ayes, motion carried.

b. Bonding Projects Update

Dunn explained the necessary surveys that need to be completed including cultural, natural and historical. Both Hok Si La Park and Ohuta Park projects will have to follow through with these, which increases design costs to both.

5. New Business

a. Emerald Lake Drive - Dead End Signage

The commission discussed whether there is a defined need for such signage. They asked if traffic counts are something the city does. Staff stated that this is something seldom, if ever, needed on city streets. Without any quantitative data to guide a decision, the commission did not see a reason to add the signage.

Motion Harkins, second Wingert to deny addition of the sign. All ayes, motion carried.

6. Unfinished Business

Smith stated he (the commission) would appreciate a heads-up when a lot of people are going to show up to a meeting (if staff knows), and in this case it was not known regarding the group that spoke at the public forum in January toward no smoking, etc. in public spaces. Staff stated that they have and would continue to let the commission know if possible.

7. Adjourn

Motion Harkins, second Streed to adjourn at 5:08 p.m. All ayes, motion carried.

Kurt Streed, Chair

Minutes submitted by Public Works Director Scott Jensen



March 11, 2024

Agenda Item Description: Port Authority Board minutes February 21, 2024

Originating Department: EDA

Board/Commission/Committee Action:

Consent Agenda?:

Action Requested:

No action requested; item is an informational update only.

Reviewed By: Port Authority

Preparer: Cailin Richard, Executive Director

ATTACHMENTS:

Description

▣ **2.21.24 minutes**

Lake City Port Authority Meeting Minutes

4:30 pm, February 21, 2024

In-Person Meeting, Wild Wings Plaza (2101 US-61, Lake City, MN 55041)

Board Members Present: Gregg Moyer, Kevin Beauvais, Tom Dwelle, Mark Fayette, Mark Nichols

Board Members Absent: John Hutchinson, Amy Alkire

Port Authority Staff: Cailin Richard, Ben Strand

Guests: Barbara Milhem, Terry Bowling

Call to Order

4:27 pm

Adoption of Agenda

Unanimous adoption of agenda with a motion from Fayette and a second from Beauvais (5-0-0) with no amendments to the agenda.

New Business

Staff and Board members were given a **tour of Wild Wings Plaza** by owners Barbara Milhem and Terry Bowling. Milhem and Bowling showed the Board the cafe, dining room and kitchen, sharing that an existing local business would be operating alongside them in the space. The tour continued to the family fun room, an outfitters store and open space for local businesses and creatives to rent. Milhem and Bowling showed the group a space for sports simulators, a future event center, a community meeting space and their offices. Milhem shared that they have around 100 parking spaces and will be hiring an undetermined number of staff to work in the business.

Nichols left the meeting at 5:17 pm.

Milhem and Bowling shared that their rezoning application would go in front of the Planning Commission at their meeting on March 5, 2024. Board member Fayette suggested they reach out to the Planning Commissioners individually to share their plans for the business. Milhem and Bowling discussed their marketing plans for the business, and Board member Beauvais advised them to market to local residents in addition to tourists.

Adjournment

Motion to adjourn was made at 5:33 pm by Beauvais and seconded by Fayette (4-0-0).

Respectfully submitted,
Executive Directors, Lake City Port Authority

These Minutes are scheduled for approval on the consent agenda of the regular meeting of the Lake City Port Authority Board at 4:30 pm on Thursday, March 21, 2024.



March 11, 2024

Agenda Item Description: Environmental Commission minutes
February 28, 2024

Originating Department: Environmental

Board/Commission/Committee Action: Commission

Consent Agenda?: No

Action Requested:

Environmental Commission minutes February 28, 2024.

Introduction/ Background/Justification/Key/Legal Issues:

None

Budgetary/Fiscal Impact:

None

Reviewed By: Administration

Preparer: Public Works Director Scott Jensen

ATTACHMENTS:

Description

☐ **Minutes**



Minutes
Lake City Environmental Commission Meeting
February 28, 2024
City Hall 1st Floor Conference 5:00 PM

1. Call to Order/Introductions/Disclose conflicts

The meeting was called to order by Chapman with a quorum present.

Introductions were made with Jennifer Lindahl from CERTS (Clean Energy Resource TeamS) in attendance to speak about GreenStep Cities.

Members present: Andrea Chapman and Linda Eisterhold-Karli.

Others present: Jennifer Lindahl (CERTS), Assistant Public Works Director Travis Dunn, Public Works Director Scott Jensen.

The group discussed ways to increase membership of the commission. Staff and members will look at groups and individuals to reach out to.

2. Review and adopt/amend agenda

Approved as presented.

3. Public Forum

None

4. Consent Agenda

a. Environmental Commission Minutes November 29, 2023

Motion Eisterhold-Karli, second Chapman to approve consent agenda. All ayes, motion carried.

5. Informational Reports

6. New Business

a. Environmental Commission Focuses

Jennifer Lindahl with CERTS gave a short presentation on GreenStep Cities including its origin, how it is structured throughout Minnesota and what the steps might look like for Lake City. She is very willing to help the city progress through the program.

Continued work on articles through the Graphic and Facebook were discussed. Staff and commission members will look for subjects to distribute.

Chapman asked about the SolarChoice program and how that has been marketed. Staff shared that flyers went to all utility customers and that it was pushed out on Facebook. The

Graphic also did an article on the program that was published the week of February 19th. Staff will put information out on it again to spur more interest.

b. Chair and Vice Chair Positions

Motion Chapman, second Eisterhold-Karli to keep Chapman as chair and Eisterhold-Karli as vice chair. All ayes, motion carried.

7. Future Meeting Dates

The commission tentatively plans to meet again in April.

8. Adjourn

Motion Chapman, second Eisterhold-Karli to adjourn at 5:41 pm. All ayes, motion carried.

Andrea Chapman, Chair

Minutes submitted by Public Works Director Scott Jensen



March 11, 2024

Agenda Item Description: Fire department minutes February 29, 2024

Originating Department: City Clerk

Board/Commission/Committee Action: **Consent Agenda?:**

Action Requested:

Review Fire department minutes February 28, 2024

Reviewed By: Administration

Preparer: Anthony Schultz, Fire dept secretary

ATTACHMENTS:

Description

▣ **2.29.24 minutes**

**Lake City Fire Department
Monthly Business Meeting Minutes
February 29th, 2024**

Chief Patterson called meeting to order at 7:01 P.M.

ROLL CALL

Active Members Present: Dave Glomski, Brandon Herzig, Jack Weyer, Tom Reckmann, Derek Nibbe, Dan Patterson, Chris Tourney, Mike Lafferty, Jon Dose, Matt Herzig, Justin Cerwinske, Travis Coyle, Dan Cox, Brian Smith, Tony Schultz, Baxter O'Reilly, Luke Hartzell and Logan Peters

Active members absent: Zach Vanberg, Jacob Schumacher, Garten Haeska, Sam Nutt

Retired members present: Gene Durand, Dewey Sprick, Tom Brown, Tom Haase, Rob Huppert, Dan Moyer

City Officials present: Cindy McGrath - *City Council Liaison*, Faye Brown - *City Council*, Jerome Illg – *Finance Director*

SECRETARIES REPORT

1. January 25, 2024 minutes presented.

MOTION TO ACCEPT JANUARY MINUTES BY Chris Tourney SECOND BY Matt Herzig. VOTE TAKEN AND MOTION CARRIED.

TREASURERS REPORT

1. Treasurer's report presented and reviewed.

COMMITTEE REPORTS

EQUIPMENT:

1. Report from Smith that pumps on 17 and the UTV will get primed and wet this weekend. Boat motor will be installed as soon as the City allows.
2. Report from retired member Durand that we may have a local citizen with an airboat that we should check into.
3. Request from Chief Patterson that we need somebody to apply for the People Co-Op grant for new gas monitors.

TRAINING:

1. State school signup, get signed up soon.

SAFETY:

1. Nothing to report at this time.

DANCE COMMITTEE:

1. Next meeting before March training at 5:30pm.

FIRE PREVENTION:

1. Nothing to report at this time.

ELECTION OF DEPARTMENT OFFICERS

1. Secretary opened nominations for Chief. Weyer nominated Dan Patterson. Second by Dose. Lafferty moved that nominations cease and cast a unanimous ballot. Vote taken and motion carried.

2. Chief opened nominations for Asst Chief. Weyer nominated Dave Glomski. Second by Reckmann. Lafferty moved that nominations cease and cast a unanimous ballot. Vote taken and motion carried. *Elected as Asst Chief, Glomski is appointed Captain of Company #2.*
3. Chief opened nominations for Captain Company #1. Weyer nominated Derek Nibbe. Second by Dose. Lafferty moved that nominations cease and cast a unanimous ballot. Vote taken and motion carried.
4. Chief opened nominations for Captain Company #3. Weyer nominated Matt Herzig. Second by Smith. Lafferty moved that nominations cease and cast a unanimous ballot. Vote taken and motion carried.
5. Chief opened nominations for First Training Officer. Weyer nominated Zach Vanberg. Second by Smith. Lafferty moved that nominations cease and cast a unanimous ballot. Vote taken and motion carried.
6. Chief opened nominations for Second Training Officer. Weyer nominated Jake Schumacher. Second by Dose. Lafferty moved that nominations cease and cast a unanimous ballot. Vote taken and motion carried.
7. Chief opened nominations for Secretary. Weyer nominated Tony Schultz. Second by Dose. Lafferty moved that nominations cease and cast a unanimous ballot. Vote taken and motion carried.
8. Chief opened nominations for First Executive Committee Member. Weyer nominated Tom Reckmann. Second by Dose. Lafferty moved that nominations cease and cast a unanimous ballot. Vote taken and motion carried.
9. Chief opened nominations for Second Executive Committee Member. Smith nominated Jack Weyer. Second by Dose. Lafferty moved that nominations cease and cast a unanimous ballot. Vote taken and motion carried.

CORRESPONDENCE & COMMUNICATIONS

1. Several letters of thanks and donations in memory of Bruce Schumacher.
2. Boy Scouts sent Thank You's from their tour of the firehall.

OLD BUSINESS

1. None at this time.

NEW BUSINESS

1. None at this time.

OTHER BUSINESS FOR THE GOOD OF THE ORDER

1. None at this time.

MOTION TO ADJOURN BY Dave Glomski SECOND BY Brandon Herzig. VOTE TAKEN AND MOTION CARRIED.

Meeting adjourned at 7:18pm

Minutes Recorded and Prepared By: Tony Schultz



March 11, 2024

Agenda Item Description: Utility Board Minutes February 29, 2024

Originating Department: Utility

Board/Commission/Committee Action: Board

Consent Agenda?: No

Action Requested:

Review Utility Board minutes February 29, 2024.

Introduction/ Background/Justification/Key/Legal Issues:

None

Budgetary/Fiscal Impact:

None

Reviewed By: Administration

Preparer: Public Works Director Scott Jensen

ATTACHMENTS:

Description

☐ **Minutes**



Minutes
Lake City Utility Board Meeting
February 29, 2024
5:30 PM
City Hall 1st Floor Conference

1. Call to Order/Introductions/Disclose conflicts

Chair Hawryluk called the meeting to order at 5:40pm with a quorum present.

Members present: Justin Hawryluk, Peter Coyle, Brent Blattner.

Others present: Council liaison Megan Kramer, Assistant Public Works Director Travis Dunn, Public Works Director Scott Jensen.

2. Review and adopt/amend agenda

Motion Coyle, second Blattner to approve agenda as presented. All ayes, motion carried.

3. Public Forum

None

4. Consent Agenda

a. Utility Board Minutes January 17, 2024

b. 2023 Year-End Financials

Jensen reviewed the 2023 financials with the board. It was noted that actual revenues came in above those budgeted throughout all funds while expenses came in below budget in all funds. Only the Water fund came in with expenses exceeding revenues for the year.

Motion Hawryluk, second Coyle to approve the consent agenda. All ayes, motion carried.

5. Informational Reports

a. Xcel Energy Proposed Rate Structure

Jensen shared Xcel Energy's proposed time of use (TOU) rates that have been submitted to the MPUC. Under this structure summer peak rates (3pm to 8pm M-F) would go from approximately 13 cents per kWh to 28 cents per kWh. This is to incentivize customers to use less energy when the electric grid is reaching capacity. Jensen stated that he has looked to put TOU rates in place for Lake City. Increased energy use, such as charging electric vehicles, should be directed toward off peak hours that TOU rates provide.

b. DGR Electric System Study

Jensen provided an update on the study stating that all requested information has been provided to DGR. They are beginning their modeling processes and should have a list of

deficiencies in 2 to 4 weeks. Further system details and recommended actions will come in the following months.

6. New Business

a. Designate Chair and Vice Chair

Motion Coyle, second Blattner to designate Hawryluk as chair and Blattner as vice chair. All ayes, motion carried.

b. Annual Distributed Energy Resources (DER) Reporting

Jensen shared the attached documents that are to be reported to the board annually.

Motion Coyle, second Hawryluk to accept the annual DER reporting. All ayes, motion carried.

7. Next Regular Meeting: March 20, 2024

8. Adjourn

Motion Blattner, second Coyle to adjourn at 6:09pm. All ayes, motion carried.

Justin Hawryluk, Chair

Minutes submitted by Public Works Director Scott Jensen



March 11, 2024

Agenda Item Description: Waive first reading of Ordinance 638 re-zoning 2101 S Highway 61

Originating Department: Planning

Board/Commission/Committee Action: Commission

Consent Agenda?: No

Action Requested:

Motion _____, second _____, to introduce and waive the first reading of Ordinance 638, rezoning the property at 2101 South Highway 61, Lake City, from Light Industrial to Highway Commercial.

Introduction/ Background/Justification/Key/Legal Issues:

An application has been submitted by Terry Bowling and Barb Milhem, for their property located at 2101 S Highway 61, Lake City. The application made to the City is a request to re-zone the site from LI – Light Industrial, to B2- Highway Commercial.

The property owners are proposing a re-use of the existing building, and have provided information on the types of uses that are being proposed for the site. Uses include making and/or selling candies, sweets, cinnamon rolls, and ice cream, general retail, outdoor recreation equipment rental and retail, office rental space, a golf simulator, pickleball courts, future small and large event space, and other uses described in the application. Most of the proposed uses are commercial in nature, with a focus on retail sales and events, which are not allowed in the City's industrial districts, but are allowed in its commercial districts.

The Planning Commission held a public hearing, and considered the re-zoning of the property at 2101 S Highway 61 at their March 6, 2024, meeting. The full application and supporting documentation is available in that agenda packet or by contacting Planning staff.

The Planning Commission voted to support the re-zoning and made the following findings of fact:

1. The City's Comprehensive Plan supports commercial use on this lot.
2. The City finds that allocating land for commercial use supports the City's demographic and economic needs, as well as embracing growing demand for a diverse mix of economic opportunities in the community.
3. The City finds that the site contains a well-built, solid building that offers an opportunity for re-use, and supports the building being put to use instead of being vacant.
4. The development of the site will not put an undue burden on City infrastructure or services.

Budgetary/Fiscal Impact:

No impact

Reviewed By: Planning, Administration

Preparer: Megan Smith, Planning and Community Development Director

ATTACHMENTS:

Description

- ▣ **Ordinance 638**
- ▣ **Map of area to be re-zoned**

ORDINANCE 638

AN ORDINANCE AMENDING THE LAKE CITY MUNICIPAL CODE TITLE XV: LAND USE, CHAPTER 155: ZONING ORDINANCE ARTICLE 8, SECTION 155.122 ZONING MAP

THE CITY OF LAKE CITY ORDAINS:

The Official Zoning Map of the City of Lake City is hereby amended to reflect the zoning district changes of the property described below from Light Industrial to Highway Commercial.

Section 1. The properties commonly known as 2101 South Highway 61, Lake City, shall be re-zoned from Light Industrial (LI) to Highway Commercial (B2), legally described as follows:

THAT PART OF GOVERNMENT LOT 1, SECTION 10, AND GOVERNMENT LOT 3, SECTION 15, TOWNSHIP 111 NORTH, RANGE 12 WEST, WABASHA COUNTY, MN DESCRIBED AS FOLLOWS: COMMENCING AT THE SW CORNER OF SAID SECTION 10; THENCE NLY ON AN ASSUMED AZIMUTH FROM N OF 00 DEGREES 00'00" ALONG THE W LINE OF SAID SECTION 10, A DISTANCE OF 851.71 FT TO A JUDICIAL MONUMENT (2 INCH PIPE); THENCE NELY 33 DEGREES 07'43" AZIMUTH 100.00 FT; THENCE SELY 123 DEGREES 07' 43" AZIMUTH ALONG THE NELY LINE OF THE STATE HIGHWAY RIGHT-A-WAY 1143.54 FT TO THE POINT OF BEGINNING; THENCE NELY 28 DEGREES 56'03" AZIMUTH 456.18 FT; THENCE SELY 130 DEGREES 42'12" AZIMUTH 536.63 FT; THENCE SWLY 208 DEGREES 56'03" AZIMUTH 278.93 FEET TO THE S LINE OF SAID SECTION 10; THENCE 208 DEGREES 56'03" AZIMUTH 80.80 FT; THENCE NWLY ALONG THE NELY LINE OF THE STATE HIGHWAY RIGHT-OF-WAY ON A NON-TANGENTIAL CURVE CONCAVE TO THE NE HAVING A RADIUS OF 2811.32 FT; A CENTRAL ANGLE OF 02 DEGREES 39' 39" AND A CHORD AZIMUTH OF 296 DEGREES 44'44", A DISTANCE OF 130.56 FT TO SAID SECTION LINE; THENCE CONTINUING NWLY ALONG SAID RIGHT-OF-WAY LINE ON TANGENTIAL CURVE CONCAVE TO THE NE HAVING A RADIUS OF 2811.32 FT AND A CENTRAL ANGLE OF 05 DEGREES 03' 15" , 247.99 FT; THENCE NWLY TANGENT TO SAID CURVE 303 DEGREES 07' 43" AZIMUTH ALONG SAID RIGHT-OF-WAY LINE 147.48 FT TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 5.00 ACRES MORE OR LESS.

EXCEPTING THEREFROM, THE FOLLOWING DESCRIBED PROPERTY: THAT PART OF GOVERNMENT LOT 1 OF SEC. 10 AND GOVERNMENT LOT 3 OF SEC. 15, BOTH IN 111-12, SHOWN AS PARCEL 211F ON THE PLAT DESIGNATED AS MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAT NO. 79-4; THE TITLE THERETO BEING REGISTERED AS EVIDENCED BY CERTIFICATE OF TITLE NO. 1182; CONTAINING 0.30 ACRES, MORE OR LESS, TOGETHER WITH OTHER RIGHTS AS SET FORTH BELOW, FORMING AND BEING PART OF SAID PARCEL 211F.

AND

THAT PART OF GOVERNMENT LOT 1, SECTION 10 AND GOVERNMENT LOT 3, SECTION 15, TOWNSHIP 111 NORTH, RANGE 12 WEST, WABASHA COUNTY, MINNESOTA, DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST

CORNER OF SAID SECTION 10; THENCE NORTHERLY ON AN ASSUMED AZIMUTH FROM NORTH OF 00 DEGREES 00 MINUTES 00 SECONDS ALONG THE WEST LINE OF SAID SECTION 10 A DISTANCE OF 851 .71 TO A JUDICIAL MONUMENT (2 INCH PIPE); THENCE NORTHEASTERLY 33 DEGREES 07 MINUTES 43 SECONDS AZIMUTH 100.00 FEET; THENCE SOUTHEASTERLY 123 DEGREES 07 MINUTES 43 SECONDS AZIMUTH ALONG THE NORTHEASTERLY LINE OF THE STATE HIGHWAY RIGHT-OF-WAY 1291.02 FET; THENCE SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY ON A TANGENTIAL CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 2811.32 FEET AND A CENTRAL ANGLE OF 07 DEGREES 42 MINUTES 54 SECONDS A DISTANCE OF 378.55 FEET TO THE POINT OF BEGINNING; THENCE NORTHEASTERLY 28 DEGREES 56 MINUTES 03 SECONDS AZIMUTH 80.80 FEET TO THE NORTH LINE OF SECTION 15; THENCE NORTHEASTERLY 28 DEGREES 56 MINUTES 03 SECONDS AZIMUTH 278.93 FEET; THENCE SOUTHEASTERLY 130 DEGREES 42 MINUTES 12 SECONDS AZIMUTH 329.02 FEET TO THE NORTH LINE OF SAID SECTION 15; THENCE SOUTHEASTERLY 130 DEGREES 42 MINUTES 12 SECONDS AZIMUTH 531.27 FEET; THENCE NORTHWESTERLY ALONG THE NORTHEASTERLY LINE OF THE STATE HIGHWAY RIGHT-OF-WAY ON A NONTANGENTIAL CURVE CONCAVE TO THE NORTHEAST HAVING A RADIUS OF 2811.32 FEET, CENTRAL ANGLE OF 17 DEGREES 38 MINUTES 24 SECONDS AND A CHRD AZIMUTH OF 286 DEGREES 35 MINUTES 37 SECONDS A DISTANCE OF 865.54 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 3.92 ACRES MORE OR LESS.

EXCEPTING THEREFROM THE FOLLOWING DESCRIBED PROPERTY: THAT PART OF GOVERNMENT LOT 3 OF SECTION 15, TOWNSHIP 111, RANGE 12, SHOWN AS PARCEL 211 G ON THE PLAT DESIGNATED AS MINNESOTA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY PLAT NUMBERED 79-4.

Introduced by the Lake City Common Council the 11th day March, 2024

Adopted by the Lake City Common Council ____ day of _____, 2024

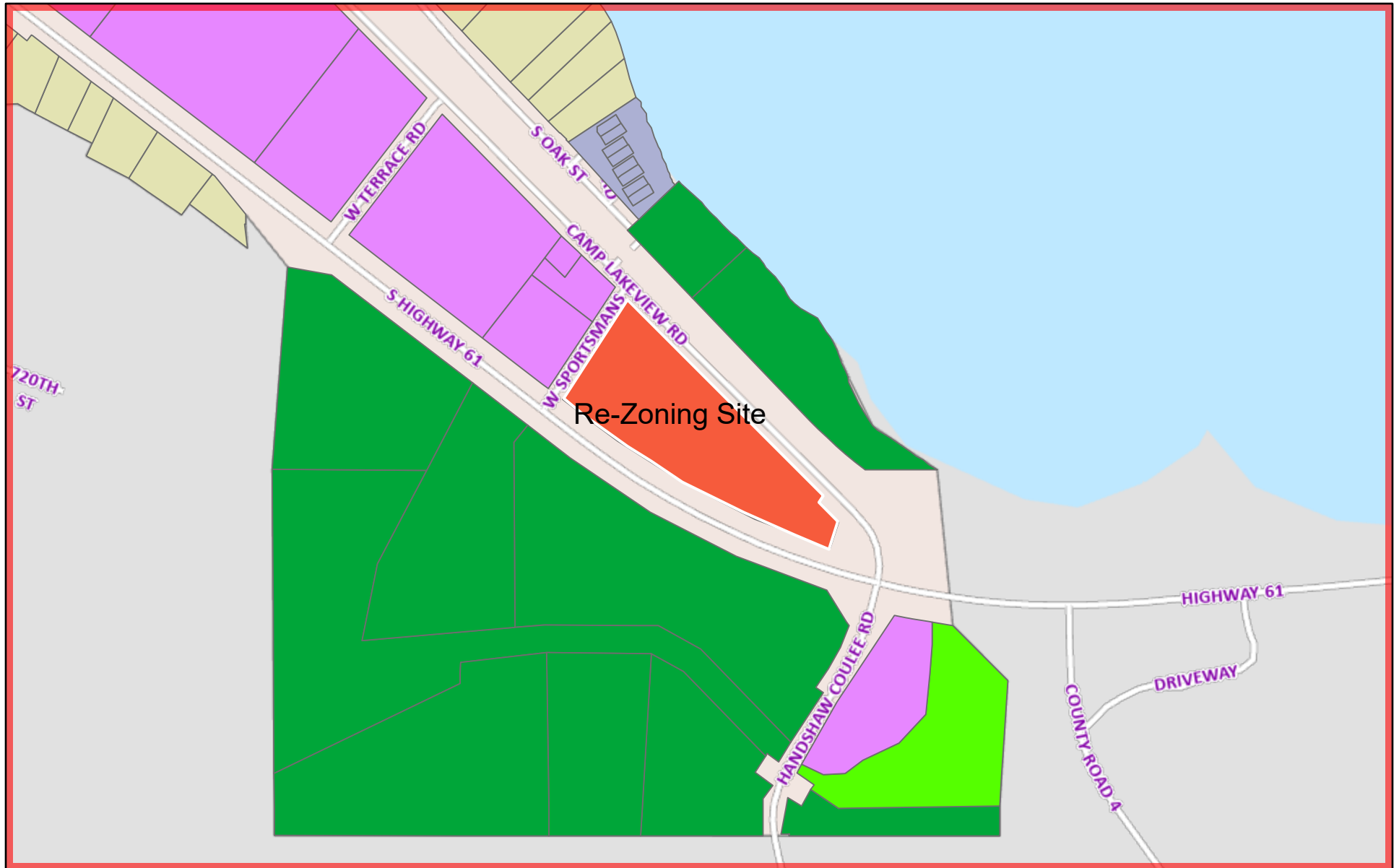
Mark Nichols, Mayor

Attest:

Kari Schreck, City Clerk

Published in *The Graphic* on the _____ day of _____, 2016.

Wild Wings Plaza Re-Zoning



February 29, 2024

Lake City Zoning

LDR - LOW DENSITY RESIDENTIAL

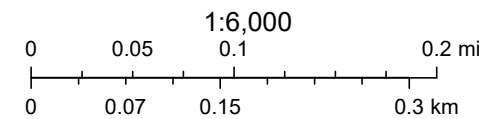
LI - LIGHT INDUSTRIAL

OSP - OPEN SPACE/PARK

PUD - PLANNED UNIT DEVELOPMENT

RD - RURAL DEVELOPMENT TRANSITIONAL

Lake City Roads





March 11, 2024

Agenda Item Description: Waive the first reading of Ordinance 637
naming public road Quartz Drive

Originating Department: Planning

Board/Commission/Committee Action: **Consent Agenda?:** No

Action Requested:

Motion _____, second _____ to introduce and waive the first reading of Ordinance 637, naming Quartz Drive, the new public road constructed off of North 10th Street.

Introduction/ Background/Justification/Key/Legal Issues:

The City Council considered the naming of the new road between the Public Safety Building and Underwood Terrace at their February meeting. The Council supported the name Quartz Drive, and considered Galena Drive.

The attached ordinance represents the direction to proceed with Quartz Drive. Quartz is one of the predominant minerals found in gravel and sand, and this mineral reflects the heritage of the sites geology, and also its use in gravel mining operations that occurred on the site for decades.

Budgetary/Fiscal Impact:

The City will need to order street signs with the road name.

Reviewed By: Planning, Public Works, Administration

Preparer: Megan Smith, Planning and Community Development Director

ATTACHMENTS:

Description

▣ **ORD 637**

ORDINANCE 637

AN ORDINANCE NAMING A NEW STREET IN THE UNDERWOOD TERRACE DEVELOPMENT AS QUARTZ DRIVE

THE CITY OF LAKE CITY ORDAINS:

Section 1. Authority and Procedure. The City Council of the City of Lake City hereby finds and determines as follows:

- a. Pursuant to Minnesota Statutes, Section 440.11, the city council of each home rule charter city of the second, third, or fourth class may by ordinance change the name of and rename any of the streets, lanes, avenues, or public highways within the city.
- b. The City Council proposes that a new street lying adjacent to the Underwood Terrace development within the City of Lake City, be named “Quartz Drive.” The portion of the street to be named is depicted in **Exhibit A** attached hereto.
- c. Immediately after publication, this Ordinance shall be recorded in the office of the Wabasha County Recorder.
- d. The naming of this street does not require any change in address.
- e. City staff are authorized and directed to transmit a copy of this Ordinance to all affected landowners, the Wabasha County Recorder for recording, the Wabasha County Auditor, the U.S. Postal Service, the providers of local emergency services and other relevant parties for the purposes of updating their records.

Section 2. Title IX, Chapter 96 of the Lake City Municipal Code is hereby amended by adding the underlined language as follows:

§ 96.91 RECORDED STREET NAME CHANGES.

(B) QUARTZ DRIVE. The new street adjacent to the Underwood Terrace development is hereby named Quartz Drive.

Section 3. This Ordinance shall take effect 10 days after publication, in accordance with Section 3.09 of the City Charter.

Introduced by the Lake City Common Council the 11th day of March, 2024.

Adopted by the Lake City Common Council the ____ day of April, 2024.

Mark Nichols, Mayor

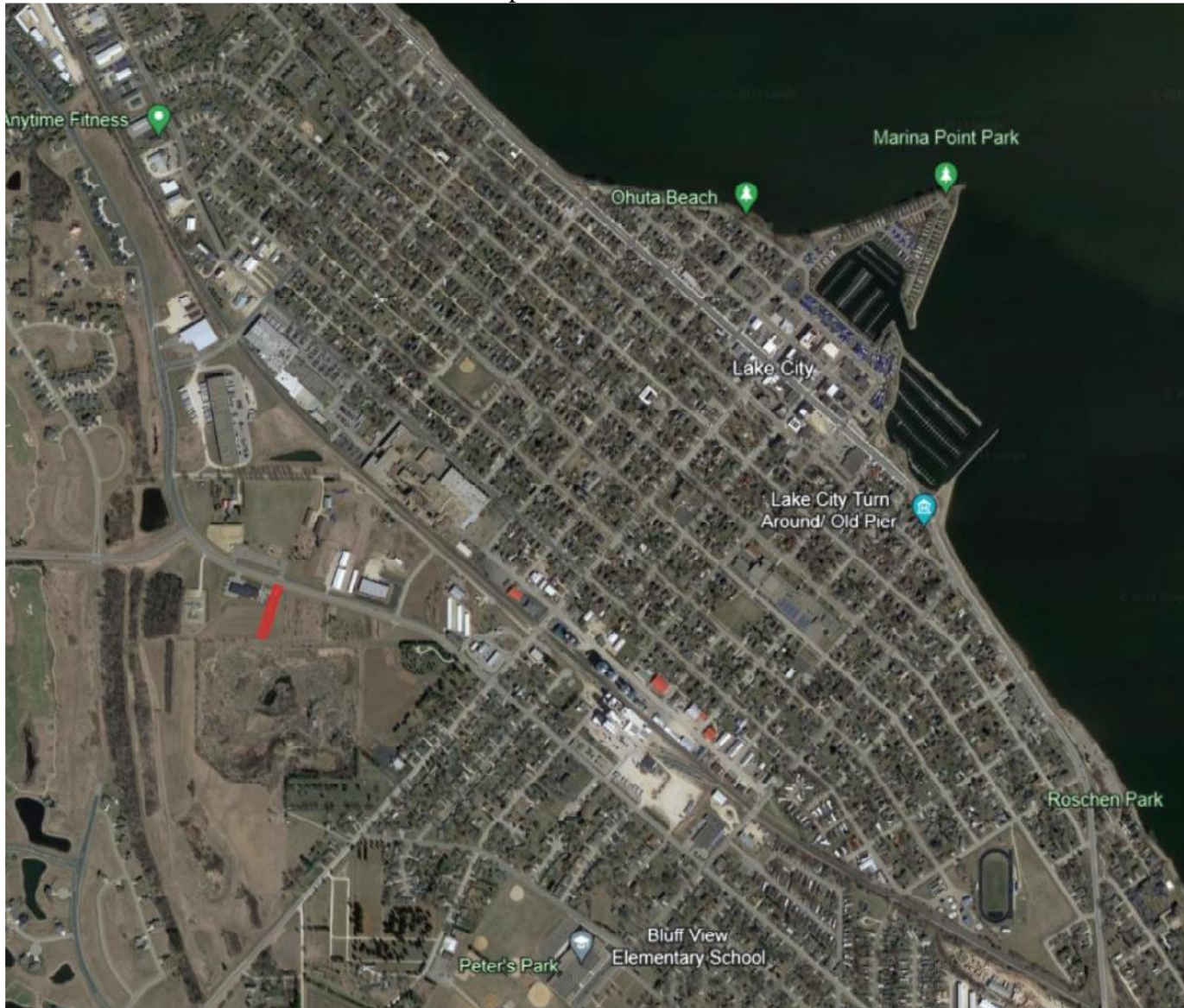
Attest:

Kari Schreck, City Clerk

Publication Date:

Published in *The Lake City Graphic* on _____

EXHIBIT A
Map of Affected Street





March 11, 2024

Agenda Item Description: Approve Port Authority By-Law amendment

Originating Department: EDA

Board/Commission/Committee Action: Board

Consent Agenda?: No

Action Requested:

Motion _____, second _____ to approve the Port Authority By-law amendment.

Introduction/ Background/Justification/Key/Legal Issues:

City Council approved the original By-laws of the Port Authority on December 13, 2021. In September of 2023, the Port Authority Board began discussing implementing an attendance policy for Board members. The Board discussed attendance at three separate meetings before directing staff to draft an amendment to the By-laws that addressed virtual meeting attendance and unexcused absences. There is a state statute that addresses virtual meeting attendance, but there are no state statutes or city policies that regulate Board member absences. The amendment has been reviewed by the City attorney. All revisions are on page five (5) of the By-laws. At the Port Authority Board Meeting on February 15, 2024 the Board unanimously approved a recommended to City Council to amend the Port Authority By-laws.

Reviewed By: Port Authority

Preparer: Cailin Richard, Executive Director

ATTACHMENTS:

Description

- ▣ **Port Authority By-laws: Proposed Amendment**

BYLAWS OF THE LAKE CITY PORT AUTHORITY

ARTICLE I - THE PORT AUTHORITY

Section 1. Name of Port Authority. Per Section 2.01 of the Enabling Resolution, City Council Resolution No. 21-050 (the “Enabling Resolution”), the name of the Port Authority is “The Lake City Port Authority” (the “Authority”).

Section 2. Seal of the Authority. The seal of the Authority shall be in the form of a circle and shall bear the name of the Authority.

Section 3. Office of the Authority. The office of the Authority shall be located at Lake City City Hall, 205 West Center Street, Lake City, MN 55041 or at such other location as the Authority may designate by resolution.

Section 4. Establishment. The Minnesota State Legislature has enacted Minnesota Statutes, Sections 469.048 to 469.068 (the “Port Authority Act”), which authorizes the establishment of port authorities. Laws 2021, Regular Session, Chapter 19, Section 1, to be codified as Minnesota Statutes Section 469.0773 (the “Special Law”) authorizes the City of Lake City to establish a port authority that has the same powers as a port authority established under Section 469.049 of the Port Authority Act or other law. The powers and limitations of power of the Authority shall be in accordance with the Enabling Resolution and the State statute.

ARTICLE II - MEMBERSHIP

Section 1. Membership. The Board of Commissioners of the Authority (the “Board”) shall consist of two representatives of the Lake City City Council, and five members at large, appointed by the Mayor of the City with approval of a majority of the City Council.

Section 2. Composition of the Board. As to the members of the Board who are not City Council members, reasonable efforts will be made to appoint members whose personal or professional experience relate to economic development. The Mayor and City Council will also endeavor to maintain diversity of membership on the Board with respect to individual members’ geographic location, gender, and race. Additional criteria that will be used by the Mayor and the City Council to evaluate Board member candidates includes the candidate’s knowledge of the community, knowledge of city government/port authority processes, and experience from similar appointments. Board members need not be residents of the City of Lake City.

Section 3. Term Limits. No Commissioner shall serve more than one full term of six years. A person may be reappointed by the City Council to the Board if he or she has served on the Board for a term that was less than six years. However, a former member of the Board may be reappointed to the Board by the City Council if two or more years have passed since the person’s last day of membership

on the Board.

Section 4. Removal of Commissioners. A Commissioner may be removed by the City Council for cause.

ARTICLE III - OFFICERS

Section 1. Officers. The officers of the Authority shall be the President, Vice-President, Treasurer, Secretary, and Assistant Treasurer. The officers shall be elected by the Authority at the Authority's first meeting of each calendar year from among the Commissioners of the Authority. An officer of the Authority shall hold office for one year or until his or her successor is elected and qualified. A Commissioner may not serve as President and Vice-President at the same time. The other offices may be held by one Commissioner. The offices of Secretary and Assistant Treasurer need not be held by a Commissioner.

Section 2. President. The President shall preside at all meetings of the Authority. Except as otherwise authorized by resolution of the Board, the President and the Executive Director (the Secretary, in the Executive Director's absence or incapacity) shall sign all contracts, deeds, and other instruments made or executed by the Authority. At each meeting, the President shall submit such recommendations and information as he or she may consider proper concerning the business, affairs, and policies of the Authority.

Section 3. Vice-President. The Vice-President shall perform the duties of the President in the absence or incapacity of the President, including signing all contracts, deeds, and other instruments made or executed by the Authority, and in case of the resignation or death of the President, the Vice-President shall perform such duties as are imposed on the President until such time as the Board shall elect a new President.

Section 4. Secretary. The Secretary shall keep minutes of all meetings of the Board and shall maintain all records of the Authority or shall supervise professional staff's performance of these duties. The Secretary shall keep in safe custody the seal of the Authority and shall have power to affix such seal to all contracts and instruments authorized to be executed by the Authority. The office of Secretary may be combined with that of Treasurer upon approval thereof by the Authority.

Section 5. Treasurer. The Treasurer shall receive, review, and be responsible for all monies. The City Finance Director is responsible for source derived and the same shall be deemed public funds. Monies shall be disbursed only on accounting, investment, fund maintenance, and disbursement consistent with City procedures under the direction and control of the Authority. Other accounting procedures shall be in accordance with Minnesota Statutes Section 469.051 and the Enabling Resolution. The City Finance Director shall keep regular records of accounts showing Authority receipts and disbursements, including the nature, purpose, and authority of all disbursements and shall render to the Authority monthly an account of the Authority's financial transactions and also of the financial condition of the Authority. The Treasurer, in conjunction with the City Finance Director and the Executive Director, shall file a report describing the Authority's activities and providing an accurate statement of its financial condition with the Secretary at least monthly. The Treasurer may delegate any of his or her duties to the Assistant Treasurer, at the Treasurer's discretion. The Treasurer is responsible

for the acts of the Assistant Treasurer. The Treasurer shall give bond to the State conditioned for the faithful discharge of official duties. The bond must be approved as to form and surety by the Authority and filed with the Secretary. The bond must be for twice the amount of money likely to be on hand at any one time, as determined at least annually by the Authority, except that the bond must not exceed \$300,000.

Section 6. Assistant Treasurer. The Assistant Treasurer shall perform all duties of the Treasurer if the Treasurer is absent or disabled or as delegated by the Treasurer. If the office of the Treasurer becomes vacant, the Assistant Treasurer shall perform all duties incident to the office of Treasurer until such time as the Authority elects a successor from its membership at its next regular meeting, and such election shall be for the unexpired term of the office.

Section 7. Additional Duties. The officers of the Authority shall perform such other duties and functions as may from time to time be required by the Authority or these Bylaws.

Section 8. Vacancies. Should the office of any Authority officer become vacant as defined by Minnesota Statutes Section 351.02 or by other applicable provision of law, the Authority shall elect a successor from its membership at the next regular meeting, and such election shall be for the unexpired term of the office.

ARTICLE IV - EXECUTIVE DIRECTOR

Section 1. Appointment. The Executive Director of the Authority shall be appointed by a majority of the Board. The Executive Director shall have general supervision over the administration of the Authority's business and affairs, subject to the direction of the Board. Any person appointed to fill the office of Executive Director, or any vacancy in such office, shall have such term as the Authority fixes, but no Commissioner of the Authority shall be eligible to serve as the Executive Director.

Section 2. Powers and Duties. The Executive Director of the Authority shall have the following powers and duties:

- a. To see that all resolutions, rules, regulations, or orders of the Authority are enforced or carried out;
- b. To present to the Board plans, studies, and reports prepared for Authority purposes and recommend to the Board for adoption such measures as are deemed necessary to enforce or carry out the powers and duties of the Authority or the efficient administration of affairs of the Authority;
- c. To keep the Board fully advised as to the financial condition of the Authority, and to prepare and submit to the Authority the annual budget, annual report, and such other information as requested;
- d. To recommend to the Board for adoption such rules and regulations as are deemed necessary for the efficient operation of the Authority's functions;

- e. To make necessary purchases and supplies for the operation of the Authority in accordance with State and City regulations;
- f. To establish and maintain a system of record keeping and filing for the Authority;
- g. To be responsible for the proper maintenance and safekeeping of all Authority property and equipment; and
- h. To perform such other duties as may be prescribed by the Board.
- i. To approve monthly invoices, as budgeted and at the direction of the Authority.

ARTICLE V - STAFF; SERVICES; SUPPLIES

Section 1. Staff; Compensation. The Authority shall, as specified and directed by the Board, may employ or contract for professional staff as needed for carrying out the purposes of the Authority, including but not limited to engineering, legal, clerical, stenographic, accounting, and other assistance it considers advisable, including, but not limited to, the Executive Director. The compensation of the personnel of the Authority shall be determined by the Board. Such personnel may be employees of the Authority, employees of other governmental organizations, or independent contractors. The selection and compensation of such personnel shall be determined by the Authority subject to the laws of the State of Minnesota.

Section 2. Supplies. The Authority may purchase the supplies and materials it needs to carry out its functions pursuant to State statute. Said purchasing shall be in accordance with Minnesota Statutes Section 471.345 (Uniform Municipal Contracting Law), as it may be amended from time to time.

Section 3. City Purchasing. The Authority may use the facilities of the City's various departments in connection with its purchase of equipment, supplies, or materials.

Section 4. City Facilities, Services. The City may, but is not obligated to, furnish office and meeting space, stenographic and clerical services, legal services, engineering services, or other assistance to the Authority.

Section 5. Delegation of Powers and Duties. The Board may delegate to one or more of the Authority's agents or employees' powers or duties as it may deem proper.

ARTICLE VI - MEETINGS

Section 1. Annual Meeting. The annual meeting of the Authority shall be at a place, date, and time determined by the Board. The annual meeting shall be held between January 1st and March 31st of each calendar year.

Section 2. Regular Meetings. Regular meetings of the Authority shall be at a time and place set by the Board but must be in compliance with the board and commission meeting requirements set forth in Section 30.01(L) of the Lake City Code, as it may be amended from time to time.

Section 3. Special Meetings. Special meetings of the Authority may be called by the President or two members of the Authority for the purpose of transacting any business designated in the call. The call for a special meeting may be delivered at any time prior to the time of the proposed meeting to each member of the Authority or may be mailed to the business or home address of each member of the Authority at least 72 hours prior to the date of such special meeting. At such special meeting, no business shall be considered other than as designated in the call. Said notice of a special meeting shall be in compliance with Minnesota Statutes Section 13D.04, as it may be amended from time to time.

Section 4. Virtual Meetings. Regular and special meetings of the Authority may provide the option for Commissioners to join virtually. All virtual meetings must be in compliance with all requirements set forth in Minnesota Statutes Section 13D.02.

Section 5. Quorum. The powers of the Authority shall be vested in the Commissioners in office. Four Commissioners shall constitute a quorum for the purpose of conducting the Authority's business and exercising its powers at a meeting. If a quorum is lost due to the departure of members in attendance at a meeting of the Board, a smaller number of commissioners may not conduct business and the meeting must be adjourned.

Section 6. Attendance. Unexcused absences of any Commissioner from more than three regularly called and scheduled meetings in a year may be considered cause for removal by the City Council. Commissioners who will be absent from a meeting must notify the Executive Director in writing at least 72 hours in advance of the meeting, or as soon as they are aware of their intended absence. The notification shall include the reason for the absence. Excused absences include:

- a. Personal or family illness;
- b. Death of a family member;
- c. Jury duty;
- d. Service in the armed forces;
- e. Testifying before the Legislature; or
- f. Another genuine extenuating circumstance affecting the Commissioner (whether the absence is a "genuine extenuating circumstance" shall be determined by a majority of the Authority).

If a Commissioner is within one meeting of reaching the maximum number of unexcused absences, they must be notified by the Executive Director of their attendance record. If a Commissioner reaches the maximum number of unexcused absences, the Executive Director will bring the matter forward to the Board for recommended action to the City Council. The Commissioner with the unexcused absences will be notified of the Board's recommendation to the City Council within 72 hours of the decision. An office that has been vacated under the provisions of this section shall be filled for the remainder of the term using the standard appointment process.

Section 7. Resolutions and Meeting Conduct. All resolutions of the Authority shall be in writing and shall be copied in the journal of the proceedings of the Authority. All meetings of the Authority shall be conducted in accordance with the most recent version of Robert's Rules of Order.

Section 8. Manner of Voting. The voting by the Board on all questions coming before the Authority shall be entered upon the minutes of the meeting. When a quorum of the Board is in attendance, action may be taken by the Board upon a vote of a simple majority of the Commissioners in attendance at the meeting unless a different voting requirement is required by law or these Bylaws.

ARTICLE VII - ANNUAL BUDGET AND ANNUAL REPORT

Section 1. Annual Budget. The Authority shall have an annual budget consistent with the requirements of the Enabling Resolution, the City Charter, and the Port Authority Act. Each year, by July 1st or the date established in the City's budget calendar as approved by the City Council, the Authority shall submit its annual budget (the "Budget") to the City Administrator in a form prescribed by the City Administrator. The Budget shall include a detailed written estimate of the amount of money that the Authority expects to need from the City for Authority business during the next fiscal year and shall otherwise comply with Minnesota Statutes Section 469.053. The City Council may impose such conditions upon the approval of a transfer of City funds as it may determine. The City Administrator must submit the Budget to the City Council for review and approval as part of the City budgetary process. Commissioners of the Authority or the Executive Director must appear before the City Council as requested to explain and discuss the content of the proposed Authority Budget. Upon approval of the Budget, the Authority shall not exceed total budgeted expenditures without approval of corresponding budget amendments by the City Council; provided, however, that this provision shall not preclude the Authority from unilaterally making such line-item changes as it deems appropriate.

Section 2. Accounting, Budgets, and Fiscal Year. The accounting, maintenance of books and records, establishment and maintenance of funds and accounts, investment of cash surpluses, disbursement of monies, and other necessary financial matters of the Authority shall be the responsibility of the City Finance Director. Direction of and control over the City Finance Director with respect to Authority financial matters shall reside in the Authority commissioners and the Executive Director; provided, however, that Authority accounting, investment, fund maintenance and disbursement shall be consistent with City procedures. Any conflict between the Authority or its Executive Director and the City Finance Director with respect to the appropriate interpretation of this Section shall be resolved by the City Council. The fiscal year of the Authority shall be the same of that of the City.

Section 3. Annual Report. An annual report must be presented by the Authority to the City Council each year during the month of July reviewing Authority plans, projects, and financials for the previous year and any proposed changes in the Enabling Resolution and the Bylaws. At least once annually by July 1st, the Executive Director or an Authority commissioner shall appear at a regularly scheduled City Council meeting and report to the Council on the operational status of the Authority. Such report must comply with Minnesota Statutes Section 469.055, subdivision 2 and must include a description of the current and proposed projects as well as general development goals for the City.

Section 4. Other Reports. All other reports must be kept and distributed in accordance with applicable statutes and the Enabling Resolution.

Section 5. Filings. The Authority shall be responsible for all filings and reports required by various statutes under which it operates. Copies of all such filings and reports must be provided by the Executive Director to the City Council and must be available to members of the public unless otherwise required by law.

ARTICLE VIII - AMENDMENTS

Section 1. Amendments to Bylaws. These Bylaws shall be amended only with the approval of at least five of the members of the Authority at a regular or a special meeting. All amendments to the Bylaws shall require approval of the City Council.

These Bylaws were unanimously adopted at a meeting of the Commissioners of the Authority held on this ____ day of _____, 2021 with the following members present:

Approved by the City Council on December 13, 2021.

By: _____
Authority Secretary



March 11, 2024

Agenda Item Description: Approve Hok Si La Park sewer design task order 11 - amendment 1

Originating Department: Street/Park

Board/Commission/Committee Action: **Consent Agenda?:** No

Action Requested:

Motion _____, second _____ to approve Hok Si La Park sewer design Task Order 11 - Amendment 1.

Introduction/ Background/Justification/Key/Legal Issues:

In 2020 Lake City was awarded state bonding bill funds for two projects. Proposed was a breakwater off of Ohuta Beach and an extension of water and sewer utilities to Hok Si La Park. Since then, the projects have been altered to conform to greatest needs and affordability.

Through design and permitting efforts since October 2023 it has become clear that the State of Minnesota is requiring agencies to conduct more thorough cultural and natural resource surveys. Specifically:

- Minnesota has recently increased awareness of cultural resources compliance and are requesting more intensive reviews, including increased requests for construction monitoring and archaeological surveys (which is being proposed in Amendment No. 1 for both projects).
- Minnesota has also recently increased penalties for lack of compliance, particularly with the Minnesota Private Cemeteries Act (which applies both on public and private land).
- Minnesota has recently increased its commitment to engage Tribes on projects led by non-federal public agencies.

These changes have led to the proposed amendment and are shown in *italics* in Task IV and Task V. Section 2.0 Fees show the amended dollar amounts in lines d and e.

Budgetary/Fiscal Impact:

Design costs:

Previous design total: \$123,700

Amendment 1, Task IV \$ 9,775

Amendment 1, Task V \$ 29,775

Amended total: \$163,250

Since approval of the original task order, staff has learned that the state bond proceeds do not require local match and can be used for engineering and design costs. Therefore, bond dollars will be spent first, with any balance

financed through the capital project fund.

Reviewed By: Administration, Finance

Preparer: Public Works Director Scott Jensen

ATTACHMENTS:

Description

- ▣ **Task Order 11 - Amendment 1**

LAKE CITY AND BOLTON & MENK, INC.
TASK ORDER TO AGREEMENT FOR PROFESSIONAL SERVICES

TASK ORDER NO: 11 with Amendment No. 1

CLIENT: Lake City, MN

CONSULTANT: Bolton & Menk, Inc.

DATE OF THIS TASK ORDER: September 29, 2023

DATE OF AMENDMENT NO. 1: March 1, 2024

DATE OF MASTER AGREEMENT FOR PROFESSIONAL SERVICES: December 14, 2020

Whereas, CLIENT and CONSULTANT entered into a Master Agreement for Professional Services (“Master Agreement”) as dated above; and CONSULTANT agrees to perform and complete the following Services for CLIENT in accordance with this Task Order and the terms and conditions of the Master Agreement. CLIENT and CONSULTANT agree as follows:

1.0 Scope of Services:

CONSULTANT shall perform the Services listed below. All terms and conditions of the Master Agreement are incorporated by reference in this Task Order, except as explicitly modified in writing herein.

Project Name: Hok Si La Park Sanitary Sewer Improvements

*Items related to Amendment No. 1 are noted and shown in italics.

The task order generally consists of the following components:

Task I – Wetland Delineation

We will investigate the available background information needed prior to visiting the site. This includes compiling information from the following sources:

- a. Available Aerial Photographs,
- b. Goodhue County LiDAR Maps,
- c. National Wetlands Inventory Maps,
- d. Goodhue County Soil Survey Maps, and
- e. MNDNR Public Waters Map.

Sub-Task 101 Level II Wetland Delineation: We will visit the study area to delineate all wetland boundaries along the alignment of the proposed forcemain and along the outer edge of the parking lot by the office building. The delineation will include performing transects and sampling in the vicinity of any wetlands, placing 3-foot pin flags at the limits of any wetlands found. Our delineator will use a sub-meter GPS unit to accurately locate and map each point and prepare a written report of our findings. This report will be submitted to the appropriate agencies for approval.

Sub-Task 102 Meetings and Additional Requests: In some cases, the reviewing agencies request additional information and/or an on-site meeting during the review process. If our attendance is requested at a meeting to discuss the acceptance of the delineated boundaries or the agencies request additional information, this service will be provided on an hourly basis at our Wetland Specialist rate. ***Please note that if these tasks are not requested, the client will not be billed.***

Task II – Topographic Survey & Easement Exhibit

- a. Obtain topographic survey data and Right-of-Way / boundary information within the park and at the forcemain discharge point along Lakeshore Drive / TH 61.
 - City staff will locate, mark, obtain invert measurements, and sketch parameters of all septic systems on site.
 - City staff will locate, mark, and obtain invert measurements on all individual building sewer services.
 - Bolton & Menk staff will meet with City staff on-site to review and collect locations and measurements noted in the above bullets as part of the survey.
- b. Include LIDAR data for the wetland between the lift station and discharge point.
- c. Create a CAD file for the basis of the design.
- d. A Gopher State One Call (GSOC) will be made to identify public utilities in the project boundaries.
- e. Field inventory sanitary sewer manhole and other utility information pertinent to the design.
- f. One drone flight to capture aerial photography. This includes the flight and all data processing.
- g. Visit the site, take pictures, and document existing conditions.
- h. Send existing conditions map to all utilities on the GSOC ticket for review of the field collected data. Incorporate utility comments into the existing conditions drawings.
- i. Create an easement exhibit and legal description for the new sanitary sewer system. The recordable easement document is to be prepared by the City attorney.

Task III – Design, Permitting, & Bidding

- a. Facilitate soil borings and the geotechnical report.
- b. Facilitate and lead the following in-person meetings, document meeting notes, and maintain design records and action item assignments:
 - Sanitary sewer system layout planning incorporating field collected sewer system data, topographic and LIDAR survey, wetland delineation, and known floodplain and floodway parameters,
 - Post Design Review, and
 - Utility company design review meeting (held at 60%).
- c. Create a Civil 3D model for the existing utilities, site grading, and proposed utility design.
- d. Lift station and forcemain design:
 - Process and electrical design of the proposed lift station that includes a pre-packaged fiberglass wet-well structure, submersible duplex grinder-style pumps, guiderails, piping, valves, and local control system. *Note – the design does not assume installation of a remote telemetry unit (RTU) for radio or cellular communication with the City's existing SCADA system, which can be added for an additional fee at the Client's request.

- Design of a new 3-inch HDPE forcemain that extends from the proposed lift station to the existing sanitary manhole located along Highway 61. This work includes routing across the existing wetland, one (1) creek crossing, and design of cleanout and air release structures (as required).
 - REVIT-based modeling and drawings of the proposed lift station structure.
- e. Create final design plan set including:
- Title sheet, legend, and location plan,
 - Statement of Estimated Quantities,
 - Phasing plan,
 - Existing conditions and removals plan,
 - General notes, details, and typical sections,
 - Quantity tabulation sheets,
 - Erosion control and Storm Water Pollution Prevention Plan,
 - Lift Station Grading Plan,
 - Sanitary Sewer Plan and Profile sheets, and
 - Traffic control plan.
- f. Perform quantity take-off and create quantity tabulations,
- g. Prepare final design cost estimate,
- h. Prepare project specifications that include the following requirements for funding via General Obligation Bond Proceeds:
- Prevailing Wages, and
 - American-Made Steel.
- i. Prepare the following permits:
- Sanitary Sewer Extension (MPCA),
 - Application for Utility License to Cross State Lands or Public Waters (MnDNR), and
 - Application for Utility Accommodation on Trunk Highway Right of Way (MnDOT).
- j. Facilitate bid advertisement,
- k. Answer contractor calls,
- l. Issue addenda (if needed),
- m. Facilitate and attend (in-person) on-line Bid Opening, and
- n. Prepare bid tabulation and letter of recommendation.

*This scope of services assumes that State Aid plan approval is not required for the planned funding sources.

Task IV – Aquatic Resources Permitting (Amendment No. 1)

The project will need three permits for the construction of a sanitary sewer forcemain:

- *No-Loss, Temporary Impacts Permit for the tree removal and soil boring exploration portion of the project,*
- *No-Loss, Temporary Impacts for the construction of the forcemain, and*
- *License to Cross Gilbert Creek (included in Task III).*

- a. **Project Management and Coordination:** *This is an ongoing effort to facilitate project coordination and planning meetings with City staff and agency staff.*
- b. **No-Loss, Temporary Impacts Permit (pre-Construction):** *The wetland has been classified by the DNR as an area of high biological diversity and requires a WCA No-Loss application to show no impacts to areas of special concern and for temporary impacts as part of the tree clearing and soil boring procedures. A detailed permit application will be developed that shows areas of disturbance, type of disturbance, and length of disturbance. This application will be submitted to the local government unit (LGU) for review and approval.*
- c. **No-Loss, Temporary Impacts Permit (during Construction):** *The construction of the forcemain in the wetland will require a WCA No-Loss permit application for temporary impacts created by bore pits, inadvertent returns, and site access. We will develop a detailed permit application showing areas of disturbance, type of disturbance and length of disturbance. This application will be submitted to the local government unit (LGU) for review and approval.*
- d. **Meetings and Additional Requests (only as needed – assumed at 8 hours):** *In some cases, the reviewing agencies request additional information and/or an on-site meeting during the review process. If our attendance is requested at a meeting to discuss the acceptance of the delineated boundaries or the agencies request additional information, this service will be provided on an hourly basis at our Wetland Specialist rate.*

Task V – Cultural Resources Permitting (Amendment No. 1)

The project proposes to construct gravity sanitary sewer facilities within the park that flows to a lift station and directionally drilling a new sanitary sewer forcemain that will discharge to the existing gravity sanitary sewer system in the Frontage Road adjacent to Lakeshore Drive. All work will take place within Hok-Si-La Park owned by Lake City and non-federal public right-of-way. As proposed improvements are predominantly located below-ground or at grade with the only above-ground improvement a proposed lift station, there is not anticipated to be any adverse effects to above-ground historic resources and therefore, a Phase I Architecture/History survey is deemed unnecessary at this time and is not reflected in this proposal.

Due to the project's location on non-federal public lands, the Minnesota Field Archaeology Act (MS 138.32-.42) applies. This project is funded through Minnesota Capital projects, which exclusively uses state funding. Because of the project's proximity to navigable waterways, a US Army Corps of Engineers permit is currently being pursued and as such, Section 106 of the National Historic Preservation Act (NHPA; 54 USC § 306108) and implementing regulations at 36 CFR § 800 also apply. Given the project's proximity to a known Indigenous burial mound site (21GD0007), the Minnesota Private Cemeteries Act (MS 307.08) applies.

Applicable Laws

Title	Basic Description	Applicability
Minnesota State statutes regarding cultural resources		
Minnesota Field Archaeology Act (MS 138.32-.42)*	Applies to non-federal public lands	Anticipated to apply
*Please note that MS 138.40 Subd. 3 "Review of Plans" states that when "significant archaeological or historic sites are known or based on scientific investigations, are predicted to exist" proposed development plans shall be submitted to SHPO and OSA who shall "make recommendations for the preservation of archaeological or historic sites which may be endangered by construction or development activities" within 30 days.		Early coordination is recommended in order to get timely feedback to inform design.
Minnesota Historic Sites Act (MS 138.661-.669)	Applies to National/State listed historic properties	May apply (proximity to/presence of NRHP listed properties will determine applicability)
Minnesota Private Cemeteries Act (MS 307.08) – applies to cemeteries in Minnesota	Applies to cemeteries on public and private land in Minnesota	Anticipated to apply due to proximity of 21GD0007
Minnesota Executive Order 19-24	Agencies must consider the input gathered from tribal consultation into their decision-making processes, with the goal of achieving mutually beneficial solutions	May apply
Wetland Conservation Act (Minnesota Rules Chapter 8420.0515), Subpart 5	Agencies must determine if proposed wetland replacement activities will have significant adverse effects to known archaeological, historical, or cultural resources sites on or eligible for listing to the NRHP	May apply
Federal regulations regarding cultural resources		
Section 106 of the National Historic Preservation Act (54 USC § 306108) and implementing regulations at 36 CFR § 800	Applicable where there is Federal involvement (funding, permitting, land ownership)	Anticipated to apply

Project Approach

Project Management and Coordination will be ongoing throughout the project and includes project planning, project oversight, and coordination with consulting parties.

Consultation Guidance will be ongoing throughout the project and includes guiding Lake City in their government-to-government consultation with agencies. Consultation guidance will include drafting a letter for Lake City to submit to agencies to initiate consultation and attending and helping the City facilitate two (2) meetings.

***Assumption:** Only one round of edits will be needed for the letter initiating consultation. Bolton & Menk staff will attend and help the City facilitate one (1) virtual meeting and one (1) onsite meeting.

Phase I Archaeological Survey & Reporting

A Phase I archaeological reconnaissance survey will be conducted for the project. The recommended Area of Potential Effects (APE) will follow the proposed ground disturbance limits which occurs within Lake City-owned Hok-Si-La Park and adjacent public right-of-way and will account for all ground disturbing activities associated with the proposed project.

The Phase I survey will begin with a background and literature review to seek information regarding previously conducted surveys and recorded archaeological sites. Existing information for the area within one mile of the APE will be reviewed to inform the development of a preliminary archaeological probability model.

A visual inspection of the APE will precede archaeological survey fieldwork. At the time of the visual inspection, the APE will be staked/field denoted for subsequent Gopher State One Call (GSOC) utility locate requests in areas of anticipated subsurface testing. Underground utilities must be located ahead of the survey to ensure worker safety and that no damage occurs to underground utilities, if present. Surficial (pedestrian) and subsurface (shovel testing) survey will be completed in accordance with the SHPO Manual for Archaeological Projects in Minnesota; these guidelines state that areas with moderate to high archaeological probability with limited ground surface visibility or with high potential to contain deeply buried archaeological materials must undergo shovel testing. The project's proximity to the Mississippi River and the associated high probability for subsurface archaeological resources to exist in the area necessitate regular-interval shovel testing (15-meter intervals) and is reflected in the total cost estimate below.

A report meeting the State Historic Preservation Office's (SHPO) standards will be prepared summarizing the results of investigations above. The report will include the results of the field survey and recommendations for next steps.

The report will be provided to Lake City for review and further submittal to SHPO, the Office of the State Archaeologist (OSA), the US Army Corps of Engineers, and other consulting parties, if required. Bolton & Menk will provide instructions on submission of the report to pertinent consulting parties.

***Assumption:** Scoping assumes Bolton & Menk has the most recent GIS shapefiles of the project area. Bolton & Menk cultural resources staff will conduct utility staking for Gopher State One Call utility locates and assumes one (1) day for utility locate staking. Scoping assumes two (2) days of fieldwork in favorable field conditions with a 2-person crew. Scoping assumes no unconventional excavation techniques (i.e. deep testing and/or remote sensing) will be required. No materials associated with particularly sensitive (i.e. burial) cultural resources contexts will be encountered at the Phase I level.

Potential Additional Services (if needed)

If archaeological or potentially significant historic artifacts are identified, then the following work must be performed at the Phase I level:

- Laboratory Work
- State Archaeological Site Form Completion
- Curation
- Agency Coordination

If archaeological materials are identified, then these additional fees typically cost between \$2,000 and \$3,500 per site at the Phase I level, depending upon the nature of the site – these fees would be in addition to the fees for basic services provided below. If potential significance of archaeological sites cannot be ruled out at the Phase I level and the resources cannot be avoided, then a Phase II evaluation may be required. A new scope of work, schedule, and associated fees can be negotiated for Phase II tasks. This proposal does not include any work toward a Phase II or Phase III.

Task Schedule

- a. Approval to Proceed assumed on or before March 18, 2024
- b. Consultation is Ongoing
- c. Phase I Background Literature Review – Winter / Spring 2024
- d. Phase I Fieldwork – Spring 2024
- e. Phase I Reporting – Spring / Summer 2024
- f. Consulting Parties Report & Review – 60 days (anticipated Summer 2024)

Background research and report setup will begin within three (3) weeks of approval of Amendment No.

1. Soils must be thawed through at least the top one meter from ground surface and the ground surface must be free of snow in order for archaeological survey to take place. Fieldwork is anticipated to occur in Spring 2024 contingent upon licensing and favorable ground conditions. It is anticipated the Phase I archaeological fieldwork may take up to one (1) week to complete.

A report will be provided to Lake City within one month of fieldwork completion. Following the completion of the report and submission to consulting parties by Lake City, agencies will have a minimum period of 30 days to review and respond. Please note the Minnesota State Historic Preservation Office is taking approximately 45 – 60 days for their review at this time.

Reimbursable Items performed by American Engineering Testing (AET, sub-consultant)

- a. Perform geotechnical borings and prepare a report of geotechnical exploration.
- b. The work under this item generally includes:
 - Traffic control,
 - Perform four (4) borings within the park area ranging from 15' to 30' deep,
 - Perform four (4) borings along the proposed forcemain alignment at 15' deep, and
 - Geotechnical report with construction recommendations.

Not Included in this Task Order:

- a. Construction administration scope and fee – to be provided post bid,
- b. Construction observation scope and fee – to be provided post bid, and
- c. Construction staking scope and fee – to be provided post bid.

2.0 Fees:

CLIENT shall pay CONSULTANT in accordance with Section III of the Master Agreement and as follows:

- a. Complete Sub-Task 101 of Task I as described above for a Lump Sum of **\$3,800.**
- b. Complete Sub-Task 102 of Task I as described above for an Hourly Estimated fee of **\$400.**
- c. Complete Task II and III as described above for an Hourly Not-to-Exceed fee of **\$110,000.**
- d. **Amendment No. 1** – Complete Task IV as described above for an Hourly Estimated fee of **\$9,775.**
- e. **Amendment No. 1** – Complete Task V as described above for an Hourly Estimated fee of **\$29,775.**
- f. Reimbursable expenses for Geotechnical Engineering are estimated to be **\$9,500.**
- g. The city will be responsible for permit fees as a Reimbursable Expense.

3.0 Schedule:

Schedule for performance of Services will be as follows:

- a. Wetland Delineation, Topographic Survey, and Geotechnical Borings – Fall 2023
- ~~b. Submit DNR Public Waters Crossing Permit (60% design) – January 2024~~
- ~~c. Bidding – June / July 2024~~
- ~~d. Begin Construction – After Labor Day 2024~~
- e. *Amendment No. 1 – A revised design and permitting schedule will be developed after cultural resource clearances have been granted.*

4.0 Deliverables

Deliverables will be as follows:

- a. Geotechnical report with recommendations,
- b. DNR Public Waters Crossing Permit and Lease Agreement,
- c. Bid package with final plans and specifications,
- d. Final design cost estimate,
- e. *Amendment No. 1 – No Loss Permit (pre-Construction),*
- f. *Amendment No. 1 – No Loss Permit (during Construction),*
- g. *Amendment No. 1 – Phase I Archeological Survey Report, and*
- h. Post bid tabulation and letter of recommendation.

5.0 Term

In the event that the Schedule for this Task Order extends beyond the term of the Master Agreement, either intentionally or unintentionally by Task Order Scope or by Task Order extension, then this Task Order shall operate to extend the Master Agreement through the completion of CONSULTANT'S obligations under this Task Order or until a new Master Agreement is executed incorporating this Task Order.

6.0 Other Matters

None

7.0 Project Managers

Contact information for the CLIENT and CONSULTANT for this Task Order, if different than the Master Agreement, are as follows:

CLIENT:
Scott Jensen
205 West Center Street
Lake City, MN 55041
Office Phone: (651) 345-6850
Email: sjensen@ci.lake-city.mn.us

BOLTON & MENK, INC.
Brian Malm, P.E.
2900 43rd Street NW, Suite 100
Rochester, MN 55901
Office Phone: (507) 208-4332
Email: brian.malm@bolton-menk.com

CITY OF LAKE CITY:

By: _____

Printed Name: Scott Jensen

Title: Public Works Director

By: _____

Printed Name: Mark Nichols

Title: Mayor

By: _____

Printed Name: Kari Schreck

Title: City Clerk

ATTACHMENTS TO THIS TASK ORDER: None

BOLTON & MENK, INC.

By:  _____

Printed Name: Brian Malm, P.E.

Title: Principal Engineer



March 11, 2024

Agenda Item Description: Approve Ohuta Park seawall replacement design, task order 12 amendment 1

Originating Department: Street/Park

Board/Commission/Committee Action: **Consent Agenda?:** Yes

Action Requested:

Motion _____, second _____ to approve Ohuta Park seawall replacement design task order 12 - amendment 1 for \$39,200.

Introduction/ Background/Justification/Key/Legal Issues:

In 2020 Lake City was awarded state bonding bill funds for two projects. Proposed was a breakwater off of Ohuta Beach and an extension of water and sewer utilities to Hok Si La Park. Since then this projects state bonding language was altered to conform to our greatest need and affordability.

Through design and permitting efforts since October 2023 it has become clear that the State of Minnesota is requiring agencies to conduct more thorough cultural and natural resource surveys. Specifically:

- Minnesota has recently increased awareness of cultural resources compliance and are requesting more intensive reviews, including increased requests for construction monitoring and archaeological surveys (which is being proposed in Amendment No. 1 for both projects).
- Minnesota has also recently increased penalties for lack of compliance, particularly with the Minnesota Private Cemeteries Act (which applies both on public and private land).
- Minnesota has recently increased its commitment to engage Tribes on projects led by non-federal public agencies.

These changes have led to the proposed amendment and are shown in *italics* in Task V and Task VI. Section 2.0 Fees show the amended dollar amounts in lines e and f.

Budgetary/Fiscal Impact:

Design costs:

Previous design total: \$128,600

Amendment 1, Task V \$ 3,075

Amendment 1, Task VI \$ 36,125

Amended total: \$167,800

The project is estimated at \$2,041,000 and includes all design costs shown above. This does not include

construction costs for the 8' trail segment proposed.

Since approval of the original task order, staff has learned that the state bond proceeds do not require local match and can be used for engineering and design costs. Therefore, bond dollars will be spent first, with any balance financed through the capital project fund.

Reviewed By: Administration, Finance

Preparer: Public Works Director Scott Jensen

ATTACHMENTS:

Description

- ▣ **Task Order 12 - Amendment 1**

LAKE CITY AND BOLTON & MENK, INC.
TASK ORDER TO AGREEMENT FOR PROFESSIONAL SERVICES

TASK ORDER NO: 12 with Amendment No. 1

CLIENT: Lake City, MN

CONSULTANT: Bolton & Menk, Inc.

DATE OF THIS TASK ORDER: September 29, 2023

DATE OF AMENDMENT NO. 1: March 1, 2024

DATE OF MASTER AGREEMENT FOR PROFESSIONAL SERVICES: December 14, 2020

Whereas, CLIENT and CONSULTANT entered into a Master Agreement for Professional Services (“Master Agreement”) as dated above; and CONSULTANT agrees to perform and complete the following Services for CLIENT in accordance with this Task Order and the terms and conditions of the Master Agreement. CLIENT and CONSULTANT agree as follows:

1.0 Scope of Services:

CONSULTANT shall perform the Services listed below. All terms and conditions of the Master Agreement are incorporated by reference in this Task Order, except as explicitly modified in writing herein.

Project Name: Ohuta Park Retaining Wall Improvements

*Items related to Amendment No. 1 are noted and shown in italics.

The task order generally consists of the following components:

Task I – Wetland Delineation

We will investigate the available background information needed prior to visiting the site. This includes compiling information from the following sources:

- a. Available Aerial Photographs,
- b. Goodhue County LiDAR Maps,
- c. National Wetlands Inventory Maps,
- d. Goodhue County Soil Survey Maps, and
- e. MNDNR Public Waters Map.

Sub-Task 101 Level II Wetland Delineation: We will visit the study area to delineate all wetland boundaries along the alignment of the proposed retaining wall. The delineation will include performing transects and sampling in the vicinity of any wetlands, placing 3-foot pin flags at the limits of any wetlands found. Our delineator will use a sub-meter GPS unit to accurately locate and map each point and prepare a written report of our findings. This report will be submitted to the appropriate agencies for approval.

Sub-Task 102 Meetings and Additional Requests: In some cases, the reviewing agencies request additional information and/or an on-site meeting during the review process. If our attendance is requested at a meeting to discuss the acceptance of the delineated boundaries or the agencies request additional information, this service will be provided on an hourly basis at our Wetland Specialist rate. ***Please note that if these tasks are not requested, the client will not be billed.***

Task II - Topographic Survey

- a. Obtain topographic survey data within the park.
- b. Create a CAD file for the basis of the design.
- c. A Gopher State One Call (GSOC) will be made to identify public utilities in the project boundaries.
- d. Field inventory utilities pertinent to the design.
- e. One drone flight to capture aerial photography. This includes the flight and all data processing.
- f. Visit the site, take pictures, and document existing conditions.
- g. Send existing conditions map to all utilities on the GSOC ticket for review of the field collected data. Incorporate utility comments into the existing conditions drawings.

Task III – Preliminary Design, Waterway Analysis & Permitting

- a. Develop a concept layout for evaluation of footprint impacts, cost and permitting requirements that achieves the following:
 - Replaces the deteriorated East wall with a wall similar in style and elevation to the existing concrete faced wall at Ohuta Beach.
 - Replaces the deteriorated West wall with an armored slope and raises the elevation of the park wall such that frequency of flood events is reduced (match concrete faced wall at Ohuta Beach).
 - Includes elements that improve access to the water.
- b. Perform waterway analysis and as necessary to determine design constraints for wall footprint.
 - Request Effective FEMA floodplain Models of the Mississippi River from the MnDNR and USACE,
 - Update the model to reflect existing site conditions,
 - Prepare preliminary HEC-RAS modeling of the proposed wall alignment alternatives (assumes 3 scenarios),
 - Prepare preliminary riprap sizing for shoreline protection, and
 - Prepare a memo summarizing each alternatives hydraulic impacts and compliance with no rise requirements.
- c. Perform preliminary wall design to establish a refined cost-basis.
 - Evaluate wall limits, needs for shoreline armoring & railing.
- d. Prepare preliminary cost estimate to submit with proposed layout for City review.
- e. Meet with City (in-person) and discuss design approach and scope of work prior to moving into final design.

Task IV – Final Design & Bidding Assistance

Assuming general concurrence on the design approach developed from Task III, perform the following work to provide bid documents:

- a. Prepare Final Civil Plans (Grading and Site Plans)
 - Title sheet & general notes,
 - Existing conditions & removal plan,
 - Erosion control, turf establishment, & SWPPP, and
 - Standard & Miscellaneous Details.
- b. Retaining Wall Design & Plan Preparation
 - Retaining wall plan & profile,
 - Structural design of retaining wall elements,
 - Sheet pile retaining wall details, and
 - i. Evaluate inclusion of an element that improves access to the water
 - ii. Cap & railing details
 - iii. Concrete encasement detail
 - Armored slope details.
- c. Final Hydraulic Analysis & Permitting
 - Update the proposed condition modeling to reflect the final design alternative,
 - Finalize riprap sizing and details,
 - Complete a No Rise Certification report for the project, and
 - Prepare and submit applicable permitting documents to MnDNR and USACE.
- d. Prepare project specifications that include the following requirements for funding via General Obligation Bond Proceeds:
 - Prevailing Wages, and
 - American-Made Steel.
- e. Final Engineers Estimate of Probable Construction Cost,
- f. Facilitate bid advertisement,
- g. Answer contractor calls,
- h. Issue addenda (if needed),
- i. Facilitate and attend (in-person) on-line Bid Opening, and
- j. Prepare bid tabulation and letter of recommendation.

*This scope of Final Design services assumes that State Aid plan approval is not required for the planned funding sources.

Alternate Design Addition – Trail Along Park Street

Include the removal of the existing sidewalk and construction of an 8-foot trail along Park Street between the boat launch and Highway 61 as a part of the Final Civil Plans.

- a. Coordinate lighting changes along Park Street with the City Electric Department and show planned improvements (design not included – showing the general intention of system changes).
- b. Expand the topographic survey and drone flight parameters noted in Task II.

- c. Expand the existing conditions & removal plan parameters noted in Task IV.
- d. Include plan and profile sheets for an 8-foot trail along Park Street between the boat launch and Hwy 61.
- e. Include two (2) pedestrian ramp designs.
- f. Expand the erosion control, turf establishment, & Storm Water Pollution Prevention Plan (SWPPP) parameters noted in Task IV.
- g. Assumption – there will be no changes to Park Street. Changes to Park Street will require a scope and fee amendment.
- h. Assumption – there are no special permits (beyond a Construction Storm Water Permit) required for this construction. Additional permitting will require a scope and fee amendment.

Task V – Aquatic Resources Permitting (Amendment No. 1)

The project will require permits from the MnDNR and through Section 404 of the Clean Water Act. The preparation of each permit (listed under V.b and V.c) was included in Task IV and is listed for reference.

- a. **Project Management and Coordination:** *This is an ongoing effort to facilitate project coordination and planning meetings with City staff and agency staff.*
- b. **Section 404 Clean Water Act Permit:** *The Clean Water Act will require permitting for all impacts below the OHW of the Mississippi River. Bolton & Menk will develop the permit application using the 60% design to identify the purpose and need of the project with the goal of showing that the design has minimized impacts to the greatest extent and proposing no requirement for mitigation as a result of the impacts. This application will be submitted to the St. Paul District of the Army Corps of Engineers for approval.*
- c. **MNDNR Work in Public Waters Permit:** *The MnDNR will require a permit to work in Public Waters. Bolton & Menk will prepare this permit application through the Minnesota DNR Permits and Reporting System (MPARS).*
- d. **Meetings and Additional Requests (only as needed – assumed at 8 hours):** *In some cases, the reviewing agencies request additional information and/or an on-site meeting during the review process. If our attendance is requested at a meeting to discuss the acceptance of the delineated boundaries or the agencies request additional information, this service will be provided on an hourly basis at our Wetland Specialist rate.*

Task VI – Cultural Resources Permitting (Amendment No. 1)

The project proposes demolition and replacement of existing retaining walls within the park, existing rip rap removal, slope grading, existing storm drain realignment, and safety fence construction. All work will take place within Ohuta Park, owned by Lake City.

Due to the project's location on non-federal public lands, the Minnesota Field Archaeology Act (MS 138.32-.42) applies. This project is funded through Minnesota Capital projects, which exclusively uses state funding. Because of the project's proximity to navigable waterways, a US Army Corps of Engineers permit is currently being pursued and as such, Section 106 of the National Historic Preservation Act (NHPA; 54 USC § 306108) and implementing regulations at 36 CFR § 800 also apply.

Applicable Laws

Title	Basic Description	Applicability
Minnesota State statutes regarding cultural resources		
<i>Minnesota Field Archaeology Act (MS 138.32-.42)*</i>	<i>Applies to non-federal public lands</i>	<i>Anticipated to apply</i>
<i>*Please note that MS 138.40 Subd. 3 "Review of Plans" states that when "significant archaeological or historic sites are known or, based on scientific investigations, are predicted to exist" proposed development plans shall be submitted to SHPO and OSA who shall "make recommendations for the preservation of archaeological or historic sites which may be endangered by construction or development activities" within 30 days.</i>		<i>Early coordination is recommended in order to get timely feedback to inform design.</i>
<i>Minnesota Historic Sites Act (MS 138.661-.669)</i>	<i>Applies to National/State listed historic properties</i>	<i>May apply (proximity to/presence of NRHP listed properties will determine applicability)</i>
<i>Minnesota Private Cemeteries Act (MS 307.08) – applies to cemeteries in Minnesota</i>	<i>Applies to cemeteries on public and private land in Minnesota</i>	<i>Not anticipated to apply</i>
<i>Minnesota Executive Order 19-24</i>	<i>Agencies must consider the input gathered from tribal consultation into their decision-making processes, with the goal of achieving mutually beneficial solutions</i>	<i>May apply</i>
<i>Wetland Conservation Act (Minnesota Rules Chapter 8420.0515), Subpart 5</i>	<i>Agencies must determine if proposed wetland replacement activities will have significant adverse effects to known archaeological, historical, or cultural resources sites on or eligible for listing to the NRHP</i>	<i>May apply</i>
Federal regulations regarding cultural resources		
<i>Section 106 of the National Historic Preservation Act (54 USC § 306108) and implementing regulations at 36 CFR § 800</i>	<i>Applicable where there is Federal involvement (funding, permitting, land ownership)</i>	<i>Anticipated to apply</i>

Project Approach

Project Management and Coordination will be ongoing throughout the project and includes project planning, project oversight, and coordination with consulting parties.

Phase I Archaeological Survey & Reporting

A Phase I archaeological reconnaissance survey will be conducted for the project. The recommended Area of Potential Effects (APE) will follow the proposed ground disturbance limits which occurs within Lake City-owned Ohuta Park, and will account for all ground disturbing activities associated with the proposed project.

The Phase I survey will begin with a background and literature review to seek information regarding previously conducted surveys and recorded archaeological sites. Existing information for the area within one mile of the APE will be reviewed to inform the development of a preliminary archaeological probability model.

A visual inspection of the APE will precede archaeological survey fieldwork. At the time of the visual inspection, the APE will be staked/field denoted for subsequent Gopher State One Call (GSOC) utility locate requests in areas of anticipated subsurface testing. Underground utilities must be located ahead of the survey to ensure worker safety and that no damage occurs to underground utilities, if present. Surficial (pedestrian) and subsurface (shovel testing) survey will be completed in accordance with the SHPO Manual for Archaeological Projects in Minnesota; these guidelines state that areas with moderate to high archaeological probability with limited ground surface visibility or with high potential to contain deeply buried archaeological materials must undergo shovel testing. The project's proximity to the Mississippi River and the associated high probability for subsurface archaeological resources to exist in the area necessitate regular-interval shovel testing (15-meter intervals) and is reflected in the total cost estimate below.

A report meeting the State Historic Preservation Office's (SHPO) standards will be prepared summarizing the results of investigations above. The report will include the results of the field survey and recommendations for next steps.

The report will be provided to Lake City for review and further submittal to SHPO, the Office of the State Archaeologist (OSA), and the US Army Corps of Engineers, if required. Bolton & Menk will provide instructions on submission of the report to pertinent consulting parties.

***Task Assumption:** *Scoping assumes Bolton & Menk has the most recent GIS shapefiles of the project area. Bolton & Menk cultural resources staff will conduct utility staking for Gopher State One Call utility locates and assumes one (1) day for utility locate staking. Scoping assumes one (1) day of fieldwork in favorable field conditions with a 2-person crew. Scoping assumes no unconventional excavation techniques (i.e. deep testing and/or remote sensing) will be required. No materials associated with particularly sensitive (i.e. burial) cultural resources contexts will be encountered at the Phase I level.*

Potential Additional Services (if needed)

If archaeological or potentially significant historic artifacts are identified, then the following work must be performed at the Phase I level:

- *Laboratory Work*
- *State Archaeological Site Form Completion*
- *Curation*
- *Agency Coordination*

If archaeological materials are identified, then these additional fees typically cost between \$2,000 and \$3,500 per site at the Phase I level, depending upon the nature of the site – these fees would be in addition to the fees for basic services provided below. If potential significance of archaeological sites cannot be ruled out at the Phase I level and the resources cannot be avoided, then a Phase II evaluation may be required. A new scope of work, schedule, and associated fees can be negotiated for Phase II tasks. This proposal does not include any work toward a Phase II or Phase III.

Phase I Architecture / History Survey & Reporting

A Phase I Architecture / History Survey consists of identifying all historic resources, including standing structures, within direct (ground-disturbing impacts) and indirect (visual impacts) APEs surrounding and containing the proposed retaining wall construction. Historic resources include properties 45 years or older with construction dates prior to 1978. An existing stone retaining wall and associated steps, possibly constructed as part of the Works Progress Administration (WPA), is located within the proposed construction limits and will be studied further to make any recommendations for eligibility within the National Register of Historic Places and if there will be any adverse effects to this structure from the proposed project.

The Phase I architecture / history survey will begin with a background and literature review to seek information regarding previously inventoried properties. Existing information for the area within a half-mile of the APE will be reviewed to inform the potential for historic properties to exist within the direct and indirect APEs.

Fieldwork will consist of photographing historic properties within the direct and indirect APEs from multiple viewpoints and writing property descriptions. These photographs and descriptions are based on guidelines established in the SHPO Historic and Architectural Survey Manual.

A technical report will be prepared that describes any notable findings and will include recommendations for next steps. If survey results in potentially significant cultural resources and more information is needed to make an eligibility determination, recommendations will be made for a subsequent Phase II Architecture / History Evaluation to determine National Register eligibility of the historic property or properties. This proposal does not include any work toward a Phase II.

****Task Assumption:*** *Scoping assumes one (1) day of fieldwork in favorable field conditions with a 1-person crew. Favorable field conditions include limited snowpack on/around historic properties.*

Task Schedule

- a. Notice to Proceed assumed on or before March 18, 2024*
- b. Phase I Background Literature Review – Winter / Spring 2024*
- c. Phase I Fieldwork – Spring 2024*
- d. Phase I Reporting – Spring / Summer 2024*
- e. Consulting Parties Report & Review – 60 days (anticipated Summer 2024)*

Background research and report setup will begin within three (3) weeks of approval of Amendment No. 1. Soils must be thawed through at least the top one meter from ground surface and the ground surface must be free of snow in order for archaeological survey to take place. Fieldwork is anticipated to occur in Spring 2024 contingent upon licensing and favorable ground conditions. It is anticipated the Phase I archaeological fieldwork may take up to one (1) week to complete.

A report will be provided to Lake City within one month of fieldwork completion. Following the completion of the report and submission to consulting parties by Lake City, agencies will have a minimum period of 30 days to review and respond. Please note the Minnesota State Historic Preservation Office is taking approximately 45 – 60 days for their review at this time.

Reimbursable Items performed by American Engineering Testing (AET, sub-consultant)

- a. Perform geotechnical borings:
 - Includes 2 borings for the East wall at 25' deep and 2 borings for the West wall at 40' deep.
- b. Provide lab testing and design recommendations/parameters for retaining wall design.
- c. Perform global stability analysis of final retaining wall and slope design.
- d. Present findings and recommendations in a report of geotechnical exploration.

Not Included in this Task Order:

- a. Construction administration scope and fee – to be provided post bid,
- b. Construction observation scope and fee – to be provided post bid, and
- c. Construction staking scope and fee – to be provided post bid.

2.0 Fees:

CLIENT shall pay CONSULTANT in accordance with Section III of the Master Agreement and as follows:

- a. Complete Sub-Task 101 of Task I as described above for a Lump Sum of **\$3,200.**
- b. Complete Sub-Task 102 of Task I as described above for an Hourly Estimated fee of **\$400.**
- c. Complete the following Tasks II, III, and IV as described above for an Hourly Not-to-Exceed fee of **\$91,500.**
- d. Include the Alternate Design described above as part of Task IV for an Hourly Not-to-Exceed fee of **\$16,500.**
- e. ***Amendment No. 1 – Complete Task V as described above for an Hourly Estimated fee of \$3,075.***
- f. ***Amendment No. 1 – Complete Task VI as described above for an Hourly Estimated fee of \$36,125.***
- g. Reimbursable expenses for Geotechnical services are estimated to be **\$17,000.**
- h. The city will be responsible for permit fees as a Reimbursable Expense.

3.0 Schedule:

Schedule for performance of Services will be as follows:

- a. Wetland Delineation, Topographic Survey, and Soil Borings – Fall 2023
- b. ~~Preliminary & Final Design – Fall/Winter 2023 into 2024~~
- c. ~~Anticipated Bid Date – Spring 2024~~
- d. ~~Anticipated Project Completion – Fall 2024~~
- e. *Amendment No. 1 – A revised design and permitting schedule will be developed after cultural resource clearances have been granted.*

4.0 Deliverables

Deliverables will be as follows:

- a. Level 2 Wetland Delineation,
- b. Preliminary concept layout & cost estimate,
- c. Final plans, Specifications and Estimate,
- d. No-Rise Certification,
- e. MnDNR/USACE Permit Applications,
- f. *Amendment No. 1 – Phase 1 Cultural Resources Report, and*
- g. Bidding documents.

5.0 Term

In the event that the Schedule for this Task Order extends beyond the term of the Master Agreement, either intentionally or unintentionally by Task Order Scope or by Task Order extension, then this Task Order shall operate to extend the Master Agreement through the completion of CONSULTANT'S obligations under this Task Order or until a new Master Agreement is executed incorporating this Task Order.

6.0 Other Matters

None

7.0 Project Managers

Contact information for the CLIENT and CONSULTANT for this Task Order, if different than the Master Agreement, are as follows:

CLIENT:

Scott Jensen
205 West Center Street
Lake City, MN 55041
Office Phone: (651) 345-6850
Email: sjensen@ci.lake-city.mn.us

BOLTON & MENK, INC.

Brian Malm, P.E.
2900 43rd Street NW, Suite 100
Rochester, MN 55901
Office Phone: (507) 208-4332
Email: brian.malm@bolton-menk.com

CITY OF LAKE CITY:

By: _____

Printed Name: Scott Jensen

Title: Public Works Director

By: _____

Printed Name: Mark Nichols

Title: Mayor

By: _____

Printed Name: Kari Schreck

Title: City Clerk

ATTACHMENTS TO THIS TASK ORDER: None

BOLTON & MENK, INC.

By:  _____

Printed Name: Brian Malm, P.E.

Title: Principal Engineer



March 11, 2024

Agenda Item Description: Approve hire of Carson Matzke as 2024 O'Neil Pool Manager

Originating Department: Public Works

Board/Commission/Committee Action: **Consent Agenda?:** No

Action Requested:

Motion _____, second _____ to approve hire of Carson Matzke as 2024 O'Neil Pool manager.

Effective start date of May 13, 2024.

Introduction/ Background/Justification/Key/Legal Issues:

The O'Neil Pool is expected to operate with full city staff for the 2024 season. Two to three returning employees are planned to take Red Cross lifeguard training in order to oversee all lessons.

Budgetary/Fiscal Impact:

The budgeted salary set for the manager position for 2024 is \$4,900, a 3% increase over 2023. An additional hourly rate will be provided if the individual covers lifeguard or swimming lesson hours. This hourly rate is based on past employment experience with the city.

Reviewed By: Administration

Preparer: Public Works Director Scott Jensen



March 11, 2024

Agenda Item Description: Waive second reading and adopt Ordinance 635, an ordinance amending Title 15, Articles 3 and 6 relating to grading permits, storm water management, site erosion, and sediment control

Originating Department: Street/Park

Board/Commission/Committee Action: Board

Consent Agenda?: No

Action Requested:

Motion _____, second _____ to waive second reading and adopt Ordinance 635, an ordinance amending Title 15, Articles 3 and 6 relating to grading permits, storm water management, site erosion, and sediment control.

Motion _____, second _____ to adopt Resolution 24-011 summary publication.

Introduction/ Background/Justification/Key/Legal Issues:

As a designated MS4 community (Municipal Separate Storm Sewer System), as defined by the MPCA (Minnesota Pollution Control Agency), Lake City is required to formalize several documents, practices and procedures with regard to stormwater. Part of this effort includes an ordinance that regulates stormwater illicit discharges, erosion and sediment control.

Following the 2023 MPCA audit, modifications were required towards both ordinances and standards. Ordinance 635, attached, clarifies process and procedure for city staff. This includes revisions to grading and storm water management standards (formerly Grading and Storm Water Management Handbook, 2007).

This ordinance gains compliancy with State and Federal regulations.

Budgetary/Fiscal Impact:

City staff and city engineering staff drafted and modified the attached documents followed by legal and MPCA staff review.

Reviewed By: Administration, Legal

Preparer: Public Works Director Scott Jensen, Assistant Public Works Director Travis Dunn

ATTACHMENTS:

Description

- ▣ **Ordinance 635**
- ▣ **Res 24-011**

ORDINANCE 635

AN ORDINANCE AMENDING TITLE 15, ARTICLES 3 AND 6 RELATING TO GRADING PERMITS, STORM WATER MANAGEMENT, SITE EROSION, AND SEDIMENT CONTROL

THE CITY OF LAKE CITY ORDAINS:

Section 1. Title 15, Article 3, Section 155.34 is hereby amended to remove the ~~stricken~~ language and insert the underlined language as follows:

(G) *Grading permit.* A permit shall be required for all non-agricultural project(s) or activities that will result in the movement of more than fifty (50) cubic yards of earth or the disturbance of more than one-half acre of land, and for construction of a building or structure on steep slopes, as specified in ~~Article 6, Section 155.84~~ Chapter 57 of the City Code. The ~~Director of Planning~~ City may issue a grading permit only if the grading plan meets the requirements of ~~the Lake City Grading and Stormwater Management Handbook~~ Chapter 57 of the City Code.

Section 2. Title 15, Article 6, Section 155.86 is hereby amended to remove the ~~stricken~~ language and insert the underlined language as follows:

§155.86 GRADING AND STORM WATER MANAGEMENT.

No land shall be developed and no use shall be permitted that results in water run-off causing flooding or erosion on adjacent property. Such run-off shall be properly channeled into a storm drain, watercourse, ponding area or other suitable facility. The 2-year, 10-year and 100-year 24-hour storm event discharge rates from the developed site shall not exceed the predevelopment runoff discharge rates for the same storm events. These predevelopment rates shall be based on the last ten (10) years of how the land was used. Storm water management plans shall be prepared in accordance with ~~the Lake City Grading and Storm Water Management Handbook. Requirements for grading permits are included in Article 3, Section 155.34(G).~~ Chapter 57 of the City Code.

Section 3. Title 15, Article 6, Section 155.87 is hereby amended to remove the ~~stricken~~ language and insert the underlined language as follows:

§155.87 SITE EROSION AND SEDIMENT CONTROL.

All development and activity that necessitates the grading, stripping, cutting, filling or exposure of soils shall be undertaken with site erosion and sediment control measures as specified in ~~the Grading and Stormwater Management Handbook~~

Chapter 57 of the City Code, and the following standards:

(A) *Placement of structures.* All new structures shall be located in such a manner as to minimize the removal of native vegetation and alteration of the natural topography.

(B) *Slopes.* Development on slopes with a grade of thirteen percent (13%) or more shall conform to Section 155.84 of this Article to ensure that adequate measures have been taken to prevent erosion, sedimentation and structural damage.

(C) *Coordination.* Erosion and siltation control measures shall be coordinated with the different stages of development. Appropriate control measures shall be installed prior to development to control erosion.

(D) *Incremental development.* Land shall be developed in increments of workable size such that adequate erosion and siltation controls can be provided as construction progresses. The smallest practical area of land shall be exposed at any one period of time.

Section 4. This ordinance shall take effect after its passage and publication in accordance with Section 3.09 of the Lake City Charter.

Introduced by the Lake City Common Council the 12th day of February, 2024.

Adopted by the Lake City Common Council the 11th day of March, 2024.

Mark Nichols, Mayor

Attest:

Kari Schreck, City Clerk

RESOLUTION 24-011

CITY OF LAKE CITY, MINNESOTA

**A RESOLUTION AUTHORIZING PUBLICATION OF
ORDINANCE NO. 635 BY TITLE AND SUMMARY**

WHEREAS, the City Council of the City of Lake City has adopted Ordinance No. 635, titled “An Ordinance Amending Title 15, Articles 3 and 6 Relating to Grading Permits, Storm Water Management, Site Erosion, and Sediment Control;” and

WHEREAS, the City Charter allows publication by title and summary in the case of lengthy ordinances; and

WHEREAS, the Ordinance is two pages in length; and

WHEREAS, the City Council believes that the following summary will clearly inform the public of the intent and effect of the Ordinance; and

NOW, THEREFORE, BE IT RESOLVED BY the City of Lake City City Council:

1. The City of Lake City City Council has adopted Ordinance No. 635, titled “An Ordinance Amending Title 15, Articles 3 and 6 Relating to Grading Permits, Storm Water Management, Site Erosion, and Sediment Control;” The Ordinance requires that grading plans for grading permits and site erosion and sediment control measures meet the requirements of Chapter 57 of the City Code.
2. The City Clerk is directed to publish this summary in lieu of publication of the entire ordinance.
3. The City Clerk is directed to post a copy of the entire text of Ordinance No. 635 at City Hall, the City of Lake City Public Library, and on the City of Lake City web site for a period of not less than 10 days. In addition, a printed copy of Ordinance No. 635 is available for inspection by any person during regular office hours at the Lake City City Hall.

Resolution adopted this 11th day of March, 2024.

Mark Nichols, Mayor

ATTEST:

Kari Schreck, City Clerk



March 11, 2024

Agenda Item Description:

Waive second reading and adopt Ordinance 636, an ordinance amending Title V, Chapter 57 of the City Code by repealing Chapter 57 and replacing it with a new Chapter 57 regarding storm water, erosion, and sediment control

Originating Department:

Street/Park

Board/Commission/Committee Action: Board

Consent Agenda?: No

Action Requested:

Motion _____, second _____ to waive second reading and adopt Ordinance 636, an ordinance amending Title V, Chapter 57 of the City Code by repealing Chapter 57 and replacing it with a new Chapter 57 regarding storm water, erosion, and sediment control.

Motion _____, second _____ to adopt Resolution 24-012 summary publication.

Introduction/ Background/Justification/Key/Legal Issues:

As a designated MS4 community (Municipal Separate Storm Sewer System), as defined by the MPCA (Minnesota Pollution Control Agency), Lake City is required to formalize several documents, practices and procedures with regard to stormwater. Part of this effort includes amending this ordinance, which regulates stormwater illicit discharges, erosion and sediment control.

Authorization for the City of Lake City to discharge stormwater is granted by MPCA as a permittee and as an MS4 community. The goal of the MS4 permit is to reduce pollutant levels in point source discharges and protect water quality in accordance with the U.S Clean Water act, Minnesota statutes, allowing the small MS4 (Lake City) to discharge to receiving waters, in accordance with MS4 General Permit.

This ordinance gains compliancy with State and Federal regulations.

Since the first reading at the February 12, 2024 Council meeting, MPCA staff reviewed the ordinance again and the following modifications were made:

- 57.01 (B) Added definition of Common Plan of Development Or Sale
- 57.01 (B) Construction Activity - clarifying disturbance of equal to or greater than one acre, including

the disturbance of less than one acre in a common plan of development or sale. This language is repeated in 57.02 (A) (1), 57.02 (B) and 57.03.

- 57.01 (M) Addition of Minnesota Duty Officer and contact number
- 57.02 Addition of language stating SWPPP must be kept on site and amended as needed
- 57.02 (A) (1) Addition of language from MPCA general permit
- 57.02 (C) (4) (c) Remove "greater than 10 cubic yards"
- 57.03 (C) (8) Addition of language for mitigating stormwater off-site

Budgetary/Fiscal Impact:

City staff and city engineering staff drafted and modified the attached documents followed by legal and MPCA staff review.

Reviewed By: Administration, Legal

Preparer: Public Works Director Scott Jensen, Assistant Public Works Director Travis Dunn

ATTACHMENTS:

Description

- ▣ **Ord 626**
- ▣ **Resolution 24-012**

ORDINANCE 636

AN ORDINANCE AMENDING TITLE V, CHAPTER 57 OF THE CITY CODE BY REPEALING CHAPTER 57 AND REPLACING IT WITH A NEW CHAPTER 57 REGARDING STORM WATER, EROSION, AND SEDIMENT CONTROL

THE CITY OF LAKE CITY ORDAINS:

Section 1. Title V, Chapter 57 of the Lake City City Code, Stormwater, Erosion, and Sediment Control is hereby repealed in its entirety and replaced with the following new Chapter 57:

CHAPTER 57 STORMWATER, EROSION, AND SEDIMENT CONTROL

Section

- 57.01 Illicit Discharge Detection and Elimination.
- 57.02 Erosion and Sediment Control.
- 57.03 Stormwater Management

§ 57.01 ILLICIT DISCHARGE DETECTION AND ELIMINATION.

(A) *Purpose and objectives.* The purpose of this Section is to provide for the health, safety, and general welfare of the citizens of the City through the regulation of non-stormwater discharges to the storm sewer system to the maximum extent practicable as required by state and federal law. This Section establishes methods for controlling the introduction of pollutants into the municipal separate storm sewer system (MS4) in order to comply with requirements of the National Pollutant Discharge Elimination System (NPDES) MS4 permit process. The objectives of this Section are:

- (1) To regulate the contribution of pollutants to the municipal separate storm sewer system by stormwater discharges by any user;
- (2) To prohibit illicit connections and discharges to the municipal separate storm sewer system; and
- (3) To establish legal authority to carry out all inspection, surveillance, and monitoring procedures necessary to ensure compliance with this Section.

(B) *Definitions.* For the purposes of this Section, the following definitions shall apply unless the context clearly indicates or requires a different meaning:

AUTHORIZED ENFORCEMENT AGENCY. Employees or designees of the City or the Minnesota Pollution Control Agency as designated to enforce this Section.

BEST MANAGEMENT PRACTICES (BMPs). Schedules of activities, prohibitions of practices, general good housekeeping practices, pollution prevention and educational practices, maintenance procedures, and other management practices to prevent or reduce the discharge of pollutants directly or indirectly into stormwater, receiving waters, or stormwater conveyance systems. BMPs also include treatment practices, operating procedures, and practices to control site runoff, spillage or leaks, sludge or water disposal, or drainage from raw materials storage.

CLEAN WATER ACT. The Federal Water Pollution Control Act (33 U.S.C. § 1251 et seq.), and any subsequent amendments thereto.

COMMON PLAN OF DEVELOPMENT OR SALE. A contiguous area where multiple separate and distinct land disturbing activities may be taking place at different times, on different schedules, but under one proposed plan. One plan is broadly defined to include design, permit application, advertisement or physical demarcation indicating that land-disturbing activities may occur.

CONSTRUCTION ACTIVITY. Activities subject to NPDES construction permits. These include construction project activities including clearing, grading, and excavating, that result in land disturbance of equal to or greater than one acre, including the disturbance of less than one acre of total land area that is part of a larger common plan of development or sale if the larger common plan will ultimately disturb equal to or greater than one acre. This includes a disturbance to the land that results in a change in the topography, existing soil cover, both vegetative and non-vegetative, or the existing soil topography that may result in accelerated stormwater runoff that may lead to soil erosion and movement of sediment. Construction activity does not include a disturbance to the land of less than five acres for the purpose of routine maintenance performed to maintain the original purpose of the facility. Routine maintenance does not include activities such as repairs, replacement, and other types of non-routine maintenance. Pavement rehabilitation that does not disturb the underlying soils (e.g., mill and overlay projects) is not construction activity.

DISCHARGE. Adding, introducing, releasing, leaking, spilling, casting, throwing, or emitting any pollutant, or placing any pollutant where it is likely to pollute public waters.

GROUNDWATER. Water contained below the surface of the earth in the saturated zone, including, without limitation, all waters whether under confined, unconfined, or perched conditions, in near surface unconsolidated sediment or in rock formations deeper underground.

HAZARDOUS MATERIALS. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment, when improperly treated, stored, transported, disposed of, or otherwise managed.

ILLEGAL DISCHARGE. Any direct or indirect non-stormwater discharge to the storm sewer system, except as exempted in this Section.

ILLCIT CONNECTION. An illicit connection is defined as either of the following:

- (1) Any drain or conveyance, whether on the surface or subsurface, which allows an illegal discharge to enter the storm sewer system including, but not limited to, any conveyances which allow any non-stormwater discharge including sewage, process wastewater, and wash water to enter the storm sewer system and any connections to the storm sewer system from indoor drains and sinks, regardless of whether said drain or connection had been previously allowed, permitted, or approved by an authorized enforcement agency; or
- (2) Any drain or conveyance connected from commercial or industrial land use to the storm sewer system which has not been documented in plans, maps, or equivalent records and approved by the City.

INDUSTRIAL ACTIVITY. Activities subject to NPDES industrial permits as defined in 40 CFR, Section 122.26 (b)(14).

MPCA. The Minnesota Pollution Control Agency.

MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4). The system of conveyances (including sidewalks, roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, constructed channels, or storm drains) owned or operated by the City and designed or used for collecting or conveying stormwater, and not used for collecting or conveying wastewater that discharges to waters of the United States.

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) STORMWATER DISCHARGE PERMIT. A permit issued by EPA (or by the State of Minnesota under authority delegated pursuant to 33 USC § 1342(b)) that authorizes the discharge of pollutants to Waters of the State, whether the permit is applicable on an individual, group, or general area-wide basis.

NON-STORMWATER DISCHARGE. Any discharge to the storm sewer system that is not composed entirely of storm water.

PERSON. Any individual, association, franchise, organization, partnership, firm, corporation, or other entity recognized by law and acting as either the owner or as the owner's agent.

POLLUTANT. Anything that causes or contributes to pollution. Pollutants may include, but are not limited to: paints, varnishes, and solvents; oil and other automotive fluids; non-hazardous liquids, solid wastes, and yard wastes; refuse, rubbish, garbage, litter, or other

discarded or abandoned objects, and accumulations, so that same may cause or contribute to pollution; floatables; pesticides, herbicides, and fertilizers; hazardous substances and wastes; sewage, fecal coliform and pathogens; dissolved and particulate metals; animal wastes; wastes and residues that result from constructing a building or structure; and noxious or offensive matter of any kind that may degrade, impair or pollute ground or surface waters.

PREMISES. Any building, lot, parcel of land, or portion of land whether improved or unimproved including adjacent sidewalks and boulevards.

STORM SEWER SYSTEM. Publicly owned facilities by which stormwater is collected and/or conveyed, including, but not limited to, any roads with drainage systems, municipal streets, gutters, curbs, inlets, piped storm drains, pumping facilities, infiltration, retention and detention basins, natural and human-made or altered drainage channels, reservoirs, and other drainage structures.

STORMWATER. Any surface flow, runoff, and drainage consisting entirely of water from any form of natural precipitation and resulting from such precipitation.

STORMWATER POLLUTION PREVENTION PLAN (SWPPP). A document which describes the BMPs and activities to be implemented by a person or business to identify sources of pollution or contamination at a site and the actions to eliminate or reduce pollutant discharges from leaving the site to the maximum extent practicable in accordance with the standards set forth by the MPCA and the City Code.

WASTEWATER. Any water or other liquid, other than uncontaminated stormwater, discharged from a facility or property.

WATERS OF THE STATE. All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the state of Minnesota or any portion thereof.

(C) *Applicability.* This Chapter shall apply to all water entering the storm sewer system generated on any developed or undeveloped lands unless explicitly exempted by an authorized enforcement agency.

(D) *Responsibility for Administration.* The City and its authorized representatives are authorized to administer, implement, and enforce the provisions of this Chapter.

(E) *Severability.* The provisions of this Chapter are hereby declared to be severable. If any provision, clause, sentence, or paragraph of this Chapter or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this Chapter.

(F) *Illegal Disposal and Dumping.*

- (1) No person shall throw, deposit, place, leave, maintain, or keep any substance upon any street, alley, sidewalk, storm drain inlet, catch basin conduit or drainage structure, business, or upon any public or private land, so that the same might be or become a pollutant, unless the substance is in containers, recycling bags, or any other lawfully established waste disposal device.
- (2) No person shall intentionally dispose of grass, leaves, dirt, or landscape material into a water resource, buffer, street, road, alley, catch basin, culvert, curb, gutter, inlet, ditch, natural watercourse, flood control channel, canal, storm drain or any fabricated natural conveyance.

(G) *Discharge Prohibitions.*

- (1) No person shall discharge or cause to be discharged into the municipal storm sewer system or watercourses any materials, including but not limited to pollutants or waters containing any pollutants that cause or contribute to a violation of applicable water quality standards, other than stormwater. The commencement, conduct or continuance of any illegal discharge to the storm sewer system is prohibited except as described as follows:

(a) *Discharge Exemptions:*

- (i) The following discharges are exempt from discharge prohibitions established by this Section: water line flushing or other potable water sources, landscape irrigation or lawn watering, diverted stream flows, rising groundwater, groundwater infiltration to storm drains, uncontaminated pumped groundwater, foundation or footing drains (not including active groundwater dewatering systems), crawl space pumps, air conditioning condensation, springs, non-commercial washing of vehicles, natural riparian habitat or wetland flows, swimming pools (the water must be allowed to sit seven days without the addition of chlorine to allow for chlorine to evaporate before discharging to the storm sewer system), firefighting activities, and any other water source not containing pollutants, and the use of fertilizers, herbicides, and pesticides for agricultural or landscaping purposes when applied for their intended purpose in accordance with label directions and with all

applicable local, state, and federal ordinances, laws and regulations.

- (ii) Discharges specified in writing by the MPCA as being necessary to protect public health and safety.
 - (iii) Dye testing is an allowable discharge but requires verbal notification to the Public Works Director 48 hours before the test starts.
- (2) The prohibition shall not apply to any non-stormwater discharge permitted under an NPDES permit, waiver, or waste discharge order issued to the discharger and administered under the authority of the MPCA or Federal Environmental Protection Agency, provided that the discharger is in full compliance with all requirements of the permit, waiver, or order and other applicable laws and regulations, and provided that written approval has been granted for any discharge to the storm sewer system.
- (3) *Prohibition of Illicit Connections:*
 - (a) The construction, use, maintenance, or continued existence of illicit connections to the storm sewer system is prohibited.
 - (b) This prohibition expressly includes, without limitation, illicit connections made in the past, regardless of whether the connection was permissible under law or practices applicable or prevailing at the time of connection.
 - (c) A person is considered in violation of this Section if they connect a line conveying sewage to the storm sewer system or allow such a connection to continue.

(H) *Suspension Due to Illicit Discharges in Emergency Situations.*

- (1) The City may, without prior notice, suspend MS4 discharge access to a person when such suspension is necessary to stop an actual or threatened discharge which presents or may present imminent and substantial danger to the environment, or to the health or welfare of persons, or to the MS4 or Waters of the State. If the violator fails to comply with a suspension order issued in an emergency, the City may take such steps as deemed necessary to prevent or minimize damage to the MS4 or Waters of the State, or to minimize danger to persons.

- (2) Suspension due to the detection of illicit discharge. Any person discharging to the MS4 in violation of this Section may have his or her MS4 access terminated if such termination would abate or reduce an illicit discharge. The City will notify a violator of the proposed termination of its MS4 access.
- (3) A person commits an offense if the person reinstates MS4 access to premises terminated pursuant to this Section, without the prior approval of the City.

(I) *Industrial or Construction Activity Discharges.* Any person subject to an industrial or construction activity NPDES stormwater discharge permit shall comply with all provisions of such permit. Written proof of compliance may be required prior to discharge to the City's MS4.

(J) *Monitoring of Discharges.*

- (1) The City shall be permitted to enter and inspect facilities subject to regulation under this Section as often as may be necessary to determine compliance with this Section. If a discharger does not wish to allow the City to enter a building to conduct the required activity, he or she may retain a private inspector to conduct the activity. The private inspector must have credentials that are acceptable to the City. The private inspector shall provide the City with relevant samples, test results, reports, or any other information that is being requested.
- (2) Facility operators shall allow the City ready access to all parts of the premises for the purposes of inspection, sampling, examination, and copying of records that must be kept under the conditions of the NPDES permit to discharge stormwater, and the performance of any additional duties as defined by state and federal law.
- (3) The City has the right to require the discharger to install monitoring equipment, as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the discharger at its own expense. All devices used to measure stormwater flow and quality shall be calibrated to ensure their accuracy per manufacturer's recommendations.
- (4) Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the operator at the written or oral request of the City and shall not be replaced. The costs of clearing such access shall be borne by the operator.

- (5) Unreasonable delays in allowing the City access to a permitted facility are a violation of a stormwater discharge permit and of this Section. A person who is the operator of the facility with an NPDES permit to discharge stormwater associated with industrial activity commits an offense if the person denies the City reasonable access to the permitted facility for the purpose of conducting any activity authorized or required by this Section.
- (6) If the City has been refused access to any part of the premises from which stormwater is discharged, and the City is able to demonstrate probable cause to believe that there may be a violation of this Section, or that there is a need to inspect or sample as part of a routine inspection and sampling program designed to verify compliance with this Section or any order issued hereunder, or to protect the overall public health, safety, and welfare of the community, then the City may seek issuance of a search warrant from any court of competent jurisdiction.

(K) *Requirement to Prevent, Control, and Reduce Stormwater Pollutants by the Use of Best Management Practices.* Compliance with all terms and conditions of a valid NPDES permit shall be deemed compliant with the provisions of this Section. The City will adopt requirements identifying BMPs for any activity, operation, or facility which may cause or contribute to pollution or contamination of stormwater, the storm sewer system, or waters of the state. The owner or operator of such activity, operation, or facility shall provide, at their own expense, reasonable protection from accidental discharge of prohibited materials or other wastes into the storm sewer system or waters of the state through the use of these structural and non-structural BMPs. These BMPs shall be part of a stormwater pollution prevention plan (SWPPP) as necessary for compliance with requirements of the NPDES permit. Any person responsible for a property or premise, which is, or may be, the source of an illicit discharge, may be required to implement, at their expense, additional BMPs to prevent the further discharge of pollutants to the City's MS4. Compliance with all terms and conditions of a valid NPDES permit authorizing the discharge of stormwater associated with industrial activity, to the extent practicable, shall be deemed compliant with the provisions of this Section. These BMPs shall be part of a stormwater pollution prevention plan (SWPPP) as necessary for compliance with requirements of the NPDES permit.

- (1) *Salt Storage:* The following requirements apply to all commercial, institutional, and non-NPDES permitted facilities:
 - (a) Designated salt storage areas must be covered or indoors;
 - (b) Designated salt storage areas must be located on an impervious surface; and

- (c) Practices to reduce exposure when transferring material in designated salt storage areas such as sweeping, diversions, and/or containment must be employed.

(L) *Watercourse Protection.* Every person owning property through which a watercourse passes, or such person's lessee, shall keep and maintain that part of the watercourse within the property free of trash, debris, excessive vegetation, and other obstacles that would pollute, contaminate, or significantly retard the flow of water through the watercourse. In addition, the owner or lessee shall maintain existing privately owned structures within or adjacent to a watercourse, so that such structures will not become a hazard to the use, function, or physical integrity of the watercourse.

(M) *Notification of Discharges.* Notwithstanding other requirements of law, as soon as any person responsible for a facility or operation, or responsible for emergency response for a facility or operation has information of any known or suspected release of materials which are resulting or may result in illegal discharges or pollutants discharging into the storm sewer system, or waters of the state, said person shall take all necessary steps to ensure the discovery, containment, and cleanup of such a release. In the event of such a release of hazardous materials, the said person shall immediately notify emergency response agencies of the occurrence via emergency dispatch services. Any person that has knowledge of a discharge to the municipal separate storm sewer system must immediately notify the Minnesota Department of Public Safety Duty Officer at 1-800-422-0798 or 651-649-5451 if the source of the discharge may cause pollution of waters of the state as described in Minnesota Statutes Section 115.061. In the event of a release of non-hazardous materials, said person shall notify the City in person or by telephone, email, or facsimile no later than the next business day. Notifications in person or by phone shall be confirmed by written notice addressed and mailed to the City within three business days of the telephone notice. If the discharge of prohibited materials emanates from a commercial or industrial establishment, the owner or operator of such establishment shall also retain an on-site written record of the discharge and the actions taken to prevent its recurrence. Such records shall be retained for at least three years.

§ 57.02 EROSION AND SEDIMENT CONTROL.

(A) *Construction and Post-Construction Site Plan*

- (1) *Construction stormwater management.* Any applicant proposing a land disturbance activity within the City that is one acre or larger, including projects less than one acre that are part of a larger common plan of development or sale, must apply to the City for a grading, erosion, and sediment control permit. Any applicant proposing a land disturbance activity within the City that is one acre or larger, including projects less than one acre that are part of a larger common plan of development or sale, will also have to obtain coverage under the Minnesota Pollution Control Agency's Construction Stormwater General Permit – MNR100001 (CSW

Commented [GB(1): I didn't see anything that requires the owner and/or operator of the project to keep site plans (SWPPP) up-to-date- with regard to stormwater runoff controls (Basically a requirement that they must implement and amend the SWPPP as needed).

permit). The applicant shall submit a grading plan and a site plan with the application. No construction activity shall begin until the site plan is approved by the city engineer and the grading permit is issued. At a minimum, the applicant's site plan must include all items as required by the most current CSW permit, including but not limited to:

- (a) Erosion prevention practices;
- (b) Sediment control practices;
- (c) Dewatering and basin draining;
- (d) Inspection and maintenance;
- (e) Pollution prevention management measures;
- (f) Temporary sediment basins; and
- (g) Termination condition.

(B) *Stormwater Pollution Prevention Plan (SWPPP)*. A stormwater pollution prevention plan shall be submitted for review and approval by the City for construction activities less than one acre that are part of a larger common plan of development or sale that disturbs one acre or more, or one acre or more of land outside of a common plan of development. Owners and operators of construction activities must keep site plans up to date with regard to stormwater runoff controls. The SWPPP shall comply with the latest version of the NPDES Construction Stormwater General Permit (MNR100001) and include: adjacent areas, neighboring streams, lakes, residential areas, roads, etc., within 100 feet of the subject site, which may be affected by the land disturbing activity.

(C) The methods that will be used to control erosion and sedimentation on the site, both during and after construction must include the following items:

(1) **Minimum SWPPP Requirements.** The following minimum control measures are required where bare soil is exposed. Due to the diversity of individual construction sites, each site will be individually evaluated. Where additional control measures are needed, they will be specified at the discretion of the City.

- (a) Diversion of channeled runoff around disturbed areas, if practical, or the protection of the channel.

- (b) The scheduling of the site's activities to lessen their impact on erosion and sediment control measures.
- (c) Minimize the amount of exposed soil.
- (d) Control runoff as follows:
 - (i) Stabilize inactive disturbed areas with sod or seed with mulch.
 - (ii) Construction of temporary or permanent sedimentation basins. Sedimentation basins must be constructed in accordance with the Construction Stormwater General Permit. Sedimentation basins must be maintained regularly, including sediment removal, to maintain a three-foot depth. Basin discharge rates must also be controlled to prevent erosion in the discharge channel.
 - (iii) For soil stockpiles, the toe of the pile must be more than 25 feet from a road, drainage channel or stormwater inlet. If left for less than seven days erosion from stockpiles must be controlled immediately with silt fences or rock check dams. If for any reason a soil stockpile is located closer than 25 feet from a road, drainage channel, or stormwater inlet, and left for more than seven days, it must be covered with tarps or controlled in some other manner.
 - (iv) Temporary stockpiling of 50 or more cubic yards of excess soil on any lot or other vacant area will not be allowed without issuance of a grading permit for the earthmoving activity in question.
 - (v) Sediment control measures shall be properly installed and maintained before construction activity begins. Such structures may be adjusted during dry weather to accommodate short term activities, such as those that require very large vehicles. As soon as this activity is finished or before rainfall, the erosion and sediment control structures must be returned to a functioning configuration.

- (vi) Streets shall be cleaned and swept whenever tracking of sediments occurs and before sites are left idle for weekends and holidays.
- (vii) To limit soil erosion, all exposed soil areas must be stabilized as soon as possible but in no case later than 14 days after the construction activity in that portion of the site has temporarily or permanently ceased. If the site is within one mile and discharges to a special or impaired water, the soil must be stabilized within seven days after the construction activity has ceased.
- (viii) A structure with a three-foot sump, minimum depth, for collecting coarse grained material shall be provided with new storm sewer systems. The sump catch basin or manhole shall be located within the street and just prior to discharge into a water body. Such basins shall be cleaned when they are half filled with material.
- (ix) If a stormwater management plan involves directing some or all runoff off the site, the applicant shall obtain from adjacent property owners any necessary easements or other property interests concerning flowage of water.
- (x) Stormwater pollution controls shall be installed on all down gradient perimeters before commencing the land disturbing activity and shall not be removed without City approval. Upon the City acceptance of turf establishment and other such permanent erosion control measures, the owner shall remove all silt fence and other temporary erosion control measures.
- (xi) If the activity is taking place on a site where the soils are currently disturbed (e.g., a tilled agricultural site that is being developed), areas that will not be disturbed as part of the development and areas that will not be disturbed according to the time frames and slopes specified in the NPDES/SDS permit, shall be seeded with temporary or permanent cover before commencing the proposed land disturbing activity.

- (xii) Slopes steeper than four to one shall have an erosion control blanket installed immediately after finished grading.
- (xiii) All erosion prevention and sediment control BMPs must be inspected to ensure integrity and effectiveness. All nonfunctional BMPs must be repaired, replaced, or supplemented with functional BMPs within 24 hours after discovery, or as soon as field conditions allow access.

§ 57.03 STORMWATER MANAGEMENT

Post-construction stormwater management applies to all land disturbances of greater than one acre, including projects less than one acre that are part of a larger common plan of development or sale. Applicants shall submit a site plan with post-construction stormwater management BMPs designed with accepted engineering practices to the city engineer for review and approval prior to any construction activity.

(A) *Water Quality Standards.* Land disturbances shall be governed by the following minimum water quality standards:

- (1) Post construction stormwater runoff quality measurements shall be designed in accordance with the requirements of the Construction Stormwater General Permit (MNR100001), or as otherwise specified by the City; and
- (2) Unless specifically exempted, land development and land disturbing activities shall comply with the Grading and Storm Water Management Standards adopted by the City Council in 2024 and any future amendments. The City shall determine whether the development meets the goals, policy, and design standards of the adopted standards.

(B) *Peak Runoff Rate Control Standards.* Land disturbances shall be governed by the following minimum runoff rate control standards:

- (1) A hydrograph method approved by the City and based on sound hydrologic theory will be used to analyze runoff for the design or analysis of flows and water levels.
- (2) Precipitation depths using NOAA Atlas 14 Volume 8 precipitation frequency estimates, published June 2013, or its most recent version, shall be used for each project location.

- (3) Not exceed existing runoff rates for the 2-year, 10-year, and 100-year, 24-hour storm events.

(C) *Runoff Volume Control Standards.* Volume reduction practices to retain the water quality volume on-site must first be considered when designing permanent stormwater management systems. The water quality volume shall be calculated as follows:

- (1) New and redevelopment projects (excluding linear projects) proposing one acre or more of newly constructed or fully reconstructed impervious surfaces shall treat a water quality volume calculated as one-inch times the sum of the new and fully reconstructed impervious surface.
- (2) Design standards and prohibitions for infiltration are described by the Minnesota Pollution Control Agency's Construction Stormwater General Permit – MNR100001 (CSW permit), MS4 General Permit (MNR040000), and the Minnesota Stormwater Manual. The requirements outlined in the most recent version of these publications must be followed.
- (3) For linear projects, the water quality volume must be calculated as the larger of one-inch times the new impervious surface or one-half inch times the sum of the new and the fully reconstructed impervious surface. Where the entire water quality volume cannot be treated within the existing right-of-way, a reasonable attempt to obtain additional right-of-way through obtaining an easement or other permission to treat the stormwater during the project planning process must be made. Volume reduction practices must be considered first but are not required if the practices cannot be provided cost-effectively. If additional right-of-way, easements, or other permission cannot be obtained, owners of construction activity must maximize the treatment of the water quality volume prior to discharge from the MS4.
- (4) The water quality control volumes necessary to meet the NPDES Construction Stormwater Permit that are satisfied using infiltration or filtration technologies (filtration only on Type C and D soils) can count toward the Volume Control requirements of this Ordinance.
- (5) Before infiltrating runoff, pretreatment shall be required for gravel and paved surface lot runoff that will enter the infiltration system. The pretreatment shall be designed to protect the infiltration system from clogging and to protect ground water quality. Pretreatment options may include, but are not limited to, oil/grease separation, sedimentation, biofiltration, filtration, swales, or filter strips. To minimize potential groundwater impacts, it is desirable to infiltrate the cleanest runoff. To

achieve this, a design may propose greater infiltration of runoff from low pollutant sources such as roofs, and less from higher pollution source areas such as parking lots.

- (6) All infiltration features shall have at least one soil boring, test pit or infiltrometer test in the location of the infiltration practice for determining infiltration rates. If an infiltrometer test is performed and the results are below 8.3 inches/hour, the field measured infiltration rate shall be divided by two as a factor of safety. Infiltration in Type C soils is prohibited without soil corrections and proof of infiltration rate. Infiltration in Type D soils is prohibited. If the applicant is proposing infiltration on site, the MPCA Contamination Screening Checklist for Stormwater Infiltration must be completed and submitted with the SWPPP.
- (7) For linear projects that lack right-of-way for the installation of volume control practices, a reasonable attempt must be made to obtain right-of-way during the planning process. Exceptions may be made for a lesser volume on site if any limitations are encountered as allowed per the Minnesota Pollution Control Agency's Construction Stormwater General Permit – MNR100001 (CSW permit) and MS4 General Permit (MNR040000).
- (8) If the owner or operator of a construction activity believes that the water quality volume cannot be met on the site of the original construction activity, the owner or operator must provide appropriate documentation to the City as support. The stormwater requirements for the water quality volume not met on the site of the original construction activity must be mitigated off-site. If the entire water quality volume is not addressed on the site of the original construction activity, the remaining water quality volume must be addressed through off-site treatment and, at a minimum, the permittee must mitigate off-site according to the mitigation provisions below.
- (9) Mitigation Provisions: For non-linear projects, if the owner or operator of a construction activity believes that the requirements for the water quality volume cannot be met on the site of the original construction activity, the owner or operator must provide appropriate documentation to the City as support. Stormwater discharges that do not meet the water quality volume, on the site of the original construction activity must be mitigated off-site. If the entire water quality volume is not addressed on the site of the original construction activity, the remaining water quality volume must be addressed through off-site treatment and, at a minimum, the permittee must mitigate. The proposed mitigation must meet the following criteria:

- (a) Mitigation project areas should be selected in the following order of preference and in consultation and with approval by the City:
 - (i) Locations that yield benefits to the same receiving water that receives runoff from the original construction activity;
 - (ii) Locations within the same Department of Natural Resources (DNR) catchment area as the original construction activity;
 - (iii) Locations in the next adjacent DNR catchment area upstream; or
 - (iv) Locations within the City.
- (b) Mitigation projects must involve the creation of new structural stormwater BMPs, the retrofit of existing structural stormwater BMPs, or the use of a properly designed regional structural stormwater BMP.
- (c) Routine maintenance of structural stormwater BMPs required by this Section cannot be used to meet mitigation requirements.
- (d) Mitigation projects shall be completed within 24 months after the start of the original construction activity. If the owner determines more time is needed to complete the treatment project, the owner must provide the reason(s) and schedule(s) for completing the project.
- (e) If the mitigation project is a private structural stormwater BMP and the City is not responsible for long-term maintenance of the project, the City will require a legal document from the applicant that includes the following:
 - (i) Allow the City to conduct inspections of structural stormwater BMPs not owned or operated by the City, perform necessary maintenance, and assess costs for those structural stormwater BMPs when the City determines the owner of that structural stormwater BMP has not ensured proper function.

- (ii) Designed to preserve the City's right to ensure maintenance responsibility for structural stormwater BMPs not owned or operated by the City when those responsibilities are legally transferred to another party.
- (iii) Designed to protect/preserve structural stormwater BMPs. If structural stormwater BMPs change, causing decreased effectiveness, new, repaired, or improved structural stormwater BMPs must be implemented to provide equivalent treatment to the original BMP.

(D) *Enforcement.* Whenever the City finds that a person has violated a prohibition or failed to meet a requirement of this Chapter, the City may order compliance by sending a written notice of violation to the person responsible. Such notice may require without limitation:

- (1) The performance of monitoring, analyses, and reporting;
- (2) The elimination of illicit connections or discharges;
- (3) The violating discharges, practices, or operations shall cease and desist;
- (4) The abatement or remediation of stormwater pollution or contamination hazards and the restoration of any affected property;
- (5) Payment of a fine to cover administrative and remediation costs;
- (6) The implementation of source control or treatment BMPs; and
- (7) The deadline within which to remedy the violation.

(E) If abatement of a violation or restoration of affected property is required, the notice shall set forth a deadline within which such remediation or restoration must be completed. Said notice shall further advise that, should the violator fail to remediate or restore within the established deadline, the work will be done by a designated governmental agency, or a contractor and the expense thereof shall be charged to the violator.

- (1) *Appeal of a Notice of Violation.* Any person receiving a notice of violation may appeal to the determination of the City by filing a written notice of appeal with the City Clerk. The notice of appeal must be received by the City Clerk within seven calendar days from the date of

the notice of violation. The appeal shall be heard by the City Council within 30 calendar days from the date of receipt of the notice of appeal. The decision of the City Council shall be final.

- (2) *Enforcement Measures after Appeal.* If the violation has not been corrected pursuant to the requirements set forth in the notice of violation, or, in the event of an appeal, within the deadline extended by the decision of the City Council, then representatives of the City shall enter upon the subject private property and are authorized to take any and all measures necessary to abate the violation or restore the property. It shall be unlawful for any person, owner, agent, or person in possession of any premises to refuse to allow the City or its designated contractor to enter upon the premises for the purposes set forth above.
- (3) *Cost of Abatement of the Violation.* Within 30 days after abatement of the violation, the owner of the property will be notified of the cost of abatement, including administrative costs, and the deadline to pay the abatement costs. If the amount due is not paid in a timely manner as determined by the decision of the City Council after hearing the appeal, the charges shall be certified against the property for collection with the property taxes.
- (4) *Penalty.* Violation of any provision of this Chapter, including maintaining a violation after being notified in writing by first class mail of a violation of any provision of this chapter, shall be a misdemeanor and punished as provided in Section 10.99 or Section 130.10 of the City Code.

Section 3. This ordinance shall take effect after its passage and publication in accordance with Section 3.09 of the Lake City Charter.

Introduced by the Lake City Common Council the 12th day of February 2024.

Adopted by the Lake City Common Council the 11th day of March, 2024

Mark Nichols, Mayor

Attest:

Kari Schreck, City Clerk

RESOLUTION 24-012

CITY OF LAKE CITY, MINNESOTA

A RESOLUTION AUTHORIZING PUBLICATION OF ORDINANCE NO. 636 BY TITLE AND SUMMARY

WHEREAS, the City Council of the City of Lake City has adopted Ordinance No. 636, titled “An Ordinance Amending Title V, Chapter 57 of the City Code by Repealing Chapter 57 and Replacing it with a New Chapter 57 Regarding Storm Water, Erosion, and Sediment Control;” and

WHEREAS, the City Charter allows publication by title and summary in the case of lengthy ordinances; and

WHEREAS, the Ordinance is 16 pages in length; and

WHEREAS, the City Council believes that the following summary will clearly inform the public of the intent and effect of the Ordinance; and

NOW, THEREFORE, BE IT RESOLVED BY the City of Lake City City Council:

1. The City of Lake City City Council has adopted Ordinance No. 636, titled “An Ordinance Amending Title V, Chapter 57 of the City Code by Repealing Chapter 57 and Replacing it with a New Chapter 57 Regarding Storm Water, Erosion, and Sediment Control;” The Ordinance repeals the City’s current stormwater, erosion and sediment control requirements and replaces them with new requirements. The changes to the City’s ordinance were required by the Minnesota Pollution Control Agency and are required for the City to be a MS4 (municipal separate storm sewer system) community and for the City to be able to discharge storm water into receiving waters in accordance with the MS4 general permit.
2. The City Clerk is directed to publish this summary in lieu of publication of the entire ordinance.
3. The City Clerk is directed to post a copy of the entire text of Ordinance No. 636 at City Hall, the City of Lake City Public Library, and on the City of Lake City web site for a period of not less than 10 days. In addition, a printed copy of Ordinance No. 636 is available for inspection by any person during regular office hours at the Lake City City Hall.

Resolution adopted this 11th day of March, 2024.

Mark Nichols, Mayor

ATTEST:

Kari Schreck, City Clerk



March 11, 2024

Agenda Item Description: Approve memorials list and proposed available memorial locations

Originating Department: City Administrator

Board/Commission/Committee Action:

Consent Agenda?:

Action Requested:

Motion _____, second _____, to approve memorials list and proposed available memorial locations.

Introduction/ Background/Justification/Key/Legal Issues:

Staff is seeking to define the areas that are currently at capacity for memorial benches and picnic tables, as well as provide a list of options for members of the public that are seeking to place memorials on public property. This issue was previously discussed at the City Council level at the September 2023 regular meeting, where staff requested a cessation of accepting memorial donations. This current proposal would limit donations in areas that are currently at capacity, but provide a clear list of options available to those who are seeking to make a memorial donation.

Reviewed By: City Administrator, Public Works

Preparer: Rob Keehn, City Administrator

ATTACHMENTS:

Description

- ❑ Existing Memorial Benches and Picnic Tables 2024
- ❑ Proposed Memorial Locations 2024

Memorials

Location	In Memory of	Bench/Table
Roschen Park (By Boat Launch)	Don Parrish	Bench
Roschen Park(N side of boat landing)	Hollace & Lucille Abraham	Bench
Riverwalk(across from Dakota St.)	Jack & Ruth Thorson	Bench
Pier Turnaround (Southend)	The Harold (Schmidty) & Katie Schmidt & Family	Bench
Pier Turnaround	John"Mac" Mc Donald	Bench
Pier Turnaround (Northend)	Richard (Dick) Dahman,Bill & Marian Dahman	Bench
McCahil Play Park (Southend)	Sandra Fritz McConnell	Bench
McCahil Play Park	Gary Blum(The Goose Poop Guy)	Bench
McCahil Play Park	Roy & Marie Heise & Son Charles	Bench
McCahil Play Park	Lisa M. Heitman 1965-2015	Picnic Table
McCahil Play Park	Haven 1933-1999 & Chuck Miller 1957-2011	Bench
McCahil Play Park	Phil Juhl 1926-2012, Jackie Juhl 1927-2016	Picnic Table
McCahil Play Park	Fred Kenitz	Picnic Table
McCahil Play Park	Linda Alhers 2018 & Larry Watson 2019	Picnic Table
Ohuta Park (Southend)	Yvonne (Bonnie) Hill Feb 29,2008	Picnic Table
Ohuta Park (Southend by riverwalk)	Lawson K. Bowen-Meredith 2011	Bench
Ohuta Park (top of wall)	Dorene D. Donnay 1942-2008	Bench
Ohuta Park (Middle by river walk)	Marie and Bob Burfeind 2007	Bench
Ohuta Park (by riverwalk above the wave)	Dal & Rose Eggenberger 2005	Bench
Ohuta (Northend)	Shawn Schneider 2017	Statue
Ohuta (Northend)	Shelly,Mille,& Dr Brad Peterson 2018	Picnic Table
Ohuta Park (Northend)	Kenneth (Ken) Willers 1937-2018	Picnic Table
Ohuta Park(Northend)	Gene Glander 1914-2016	Bench
Riverwalk (Park & Franklin)	Kay Fleming (From the Boemer family and friends)	Picnic Table
Riverwalk (Park & Washington)	Verner Wise 1907-1989,Myrtle Wise 1913-2005	Bench
Mother Star Park (Southend)	James L. Seiwert,Sr 1939-2008	Bench
Mother Star Park	Thomas 9/14/1954-11/17/2010	Picnic Table
Mother Star Park (Northend)	Capt Cole Black Nov 1932- Nov 2007	Bench
Mother Star	In Memory of Veterans	2 Monuments & Star
Air Plane Rock (Riverwalk & Clay St)	Harold & Elaine Walton	Bench
Air Plane Rock (Riverwalk & Clay St)	Frank & Pat Coyle	Picnic Table
Air Plane Rock (Riverwalk & Clay St)	Karol Jo Richter 1956-1977	Bench
Riverwalk (Across from Grant St)	Marge Heppner	Bench
Riverwalk (Across Lincoln St)	Clint Moe 1932-2013	Bench
Patton Park (Across from post office)	Reynolds family	Bench
Patton Park (Across from City Hall)	John " Jack " Gabor 1943-2011	Bench
Patton Park (By Gazebo)	Jean McDonald	Bench
Patton Park (Oak & Lyon)	Pat Johnson	Bench
Patton Park	George Patton & Eliza Kellogg	Monument
Patton Park	William R. Murray	Concrete Bench
Patton Park (By pond)	Bernice & Werner Plote	Bench
N 10th St trail behind Hearth & Home	Walter & Lois Buck	Bench
Trail between N 10th & Hidden Meadow	Gerald"Jerry" Link March11,1948-Jan 5,2015	Bench
Trail between N 10th & Hidden Meadow	Marve Patton -/3/46-2/22/19	Bench
63 & 61 corner	Meryln Brunkow	Bench
61 S. & Center	Hans Peters	Bench
Peters Park	Tony Hebert	Flag Pole
Hok-Si-La	John "Jack" & Wyvona Schmauss	Bench
Hok-Si-La	Jon Koellner	Bench
Hok-Si-La	Deanna S. Earl	Bench
Hok-Si-La	Sherry Mills	Bench
Hok-Si-La	Bill Anderson	Bench
Hok-Si-La	Rachel E. Stori	Bench
Hok-Si-La	Victor Hoeft	Bench
Hok-Si-La	Henning & Ruth Swanson	Bench
Hok-Si-La	Donald R. Halpaus, Sr.	Bench
Hok-Si-La	Mark Joseph Haefner	Picnic Table

Purposed Locations	Bench/ Table	Qty
Lower Shelter at Roschen Park	Tables	4
Pier Turnaround	Tables	2
Underwood Shelter	Tables	3
New Dog Park	Tables	2
New Dog Park	Benches	2
Patton Park	Tables	4
Downtown District	Benches	?

3/6/2024



March 11, 2024

Agenda Item Description: Review and approve Council retreat minutes February 7, 2024

Originating Department: City Clerk

Board/Commission/Committee Action: **Consent Agenda?:** Yes

Action Requested:
Review and approve Council retreat minutes February 7, 2024.

Reviewed By: Administration

Preparer: Kari Schreck, City Clerk

ATTACHMENTS:

Description

- ▣ 2.7.24 retreat minutes

**Lake City Common Council
Retreat Meeting
February 7, 2024, 4:30 p.m.
2nd floor conference room
City Hall**

Members Present: Mayor Mark Nichols, Amy Alkire, Russell Boe, Faye Brown, Brian Quinn, Megan Kramer, Cindy McGrath

Members Absent: None

Staff Present: City Administrator Rob Keehn, City Clerk Kari Schreck, Police Chief Cory Kubista

Mayor Nichols called the meeting to order at 4:30 p.m. with a quorum present.

Review adopt/ amend agenda

Motion Brown, second Quinn to adopt the agenda as presented. All ayes 7-0-0. All ayes Motion carried

The council reviewed MN State Statue 419 and the City Code section 30.10 regarding the Civil Service Commission.

Motion McGrath, second Boe to adjourn the meeting at 6:05 p.m. All ayes 7-0-0. Motion carried.

ATTEST:

Mark Nichols, Mayor

Kari Schreck, City Clerk



March 11, 2024

Agenda Item Description: Review and approve Council workshop minutes February 12, 2024

Originating Department: City Clerk

Board/Commission/Committee Action: **Consent Agenda?:** Yes

Action Requested:

Review and approve council workshop minutes February 12, 2024.

Reviewed By: Administration, Finance

Preparer: Kari Schreck, City Clerk

ATTACHMENTS:

Description

- ▣ 2.12.24 wkshop

**Lake City Common Council
Workshop Meeting
February 12, 2024, 5:00 p.m.
City Hall Chambers**

Members Present: Mayor Mark Nichols, Amy Alkire, Russell Boe, Faye Brown, Brian Quinn, Megan Kramer, Cindy McGrath

Members Absent: None

Staff Present: City Administrator Rob Keehn, Finance Director Jerome Illg, City Clerk Kari Schreck

Mayor Nichols called the meeting to order at 5:00 p.m. with a quorum present.

Review adopt/ amend agenda

Motion Brown, second Kramer to adopt the agenda as presented. All ayes 7-0-0. All ayes Motion carried

Communication Updates:

2023 Lake City-Goodhue County Tax Update

Finance Director Jerome Illg discussed with Council the tax error that occurred in 2023 taxes. We had several residents from the Goodhue County side of Lake City speak at the December 2023 City Council meeting during TNT (Truth and Taxation) Public Hearing. They questioned some of the large increases in their taxes on their TNT notices. The City subsequently and coincidentally received notice from Wabasha County a few days later that disclosed an inadvertent error that had occurred 2023 taxes.

The City collects taxes from Wabasha and Goodhue County taxpayers. Wabasha County (home county) does the tax rate calculations and communicates it with Goodhue County since the city taxpayers are in more than 1 county. Unfortunately, Wabasha County made an inadvertent error when communicating Lake City's 2023 tax rate to Goodhue County.

There is a state statute (275.075) along with others that provides some guidance on how this type of error is corrected. The state provided some original guidance to Wabasha County on how the city is, and each county should correct this error. That original guidance and direction from the Department of Revenue was for the city to increase its 2025 levy by the shortfall amount calculated (\$47,331.81), since 2024 levy technically at this point cannot be increased (from a not-to-exceed standpoint). The effect of Department of Revenue's recommendation would cause our Wabasha County taxpayers having to pay some of this shortfall, instead of the Goodhue taxpayers paying 100% of this shortfall, since the Lake City-Goodhue County taxpayers are the ones that should have rightfully paid this amount originally (in 2023). I viewed this as disproportionate, unfair, and not right.

Therefore, I recommended to the Department of Revenue that we do the following: Wabasha County calculates the 2024 Lake City tax rate, which I believe should be 59.5951% based upon our recently approved 2024 levy. The inadvertent 2023 tax rate shortfall for Lake City-Goodhue County taxpayers was 3% (55.2850% versus 52.2850%). The inadvertent error caused an under-collection of \$47,331.81 in 2023. If we apply that, to be collected in 2024 from Lake City-

Goodhue County taxpayers, that tax rate should be 62.5720%. And the Lake City-Wabasha County taxpayers 2024 tax rate should be 59.5951%.

Unfortunately, the Department of Revenue will not allow this correction in 2024 according to state statute and truth and taxation notification requirements to the taxpayers. However, they agreed to my recommended methodology for a solution for 2025 tax collection. This will allow us to receive the tax revenue from the Lake City-Goodhue County taxpayers which is where we should have received the taxes from originally, although 2 years later than we should have. This does not violate state statutes, because it can be properly noticed (for TNT purposes) and will be added as an additional amount to our 2025 levy (on Goodhue County side only) for this inadvertent error.

Therefore, each county along with the city will work together to make this correction for 2025 taxes payable. It is understood that the tax rate may be modestly different from the 3% correction. The 2025 taxes payable formula and methodology will be updated using 2025 Goodhue County Tax Capacity Amount and along appropriate/applicable tax rates at that time. Thus, it will be included on the Lake City-Goodhue County taxpayers Truth and Taxation notices that they received in the fall of 2024 (for 2025 tax collection).

2024 Council Work plan discussion

Administrator Keehn tabulated the council members responses from the January 8th meeting. Council discussed the items and recommended taking action at the 6:00 meeting to adopt the 2024 work plan.

Motion McGrath, second Boe to adjourn the meeting at 5:55 p.m. All ayes 7-0-0. Motion carried.

Mark Nichols, Mayor

ATTEST:

Kari Schreck, City Clerk



March 11, 2024

Agenda Item Description: Review and approve Council minutes
February 12, 2024

Originating Department: City Clerk

Board/Commission/Committee Action: **Consent Agenda?:** Yes

Action Requested:
Review and approve council meeting minutes February 12, 2024

Reviewed By: Administration

Preparer: Kari Schreck, City Clerk

ATTACHMENTS:

Description

▣ **2.12.24 minutes**

**Lake City Common Council
Regular Meeting
February 12, 2024, 6:00 p.m.
City Hall Chambers**

Members Present: Mayor Mark Nichols, Amy Alkire, Russell Boe, Faye Brown, Brian Quinn, Megan Kramer, Cindy McGrath

Members Absent: None

Staff Present: City Administrator Rob Keehn, City Clerk Kari Schreck, City Attorney Sarah Sonsalla, Finance Director Jerome Illg, Planning and Community Development Director Megan Smith, Public Works Director Scott Jensen

Mayor Nichols called the meeting to order at 6:00 p.m. with a quorum present.

Pledge of Allegiance

Review and adopt/amend the agenda.

Motion Brown, second Alkire to adopt the agenda as amended. All ayes 7-0-0. Motion carried.

Disclose conflicts relating to agenda items

None

Mayor and Councilmember minute

Public Forum

Mary Nelson, Mary Jane Rassmussen, Sandy Meier, and Eric Meier spoke in support of a smoking ban on public property.

Lake City Area Arts Presentation

Lake City Area Arts (LCAA) has gone through some transition in leadership and visioning. Terri Orth, chairperson and Jim Rahm, board member were present to answer questions regarding the 2023 review of activities, and expenditure report that was provided in the council packet.

Police Department 2023 Annual report

Councilmember Boe requested year over year comparisons be included in the report for context.

Bonding Project Updates

Assistant Public Works director Travis Dunn discussed with the Council status of the Hok-si- La and Ohuta Park bonding initiatives which began last year. Compliance with the State in conducting a Cultural Resource survey. The projects are both set to begin in 2024 with projected completion by December of 2025.

Informational Reports:

Street, Parks, Public Safety Commission minutes January 16, 2024

Utility Board minutes January 17, 2024

Port Authority minutes January 18, 2024

Library board minutes January 22, 2024

Fire department minutes January 25, 2024

Board of Adjustment minutes January 25, 2024

Civil Service minutes January 29, 2024

Update on MnDot property located on South Oak Street

Staff discussed the property with the MnDot representative in charge of selling it. The key points of the discussion are as follows:

The price is not negotiable. The sale price is \$524,500.00, and the property is being sold as-is.

The price considers the issues related to encroachment and developable areas.

MnDot considered the need for ROW.

Moving forward, staff must determine the best route for securing ROW as relying on prescriptive easements can be problematic.

If the Council wishes to move forward with the purchase, the item will be placed on the next Planning Commission agenda to review for compliance with the Comprehensive Plan. If not, staff will begin exploring the right of way access to the city owned property adjacent to this directly with the State prior to them listing the property for sale.

New Business

Direct staff to research local smoking bans on public property and return with a draft ordinance for review

The Marina Board voted to forward a recommendation to ban smoking, e cigarettes and cannabis (all inhalants) in all City parks and properties at its December 12, 2023, meeting based on a presentation by Mary Nelson, a concerned citizen.

The same proposal was presented at the public forum of the Streets, Parks, and Public Safety Board at its January 16, 2024, meeting. The board took no action on the request as it was not on the agenda for action. The City Council considered a ban of cannabis product usage in City parks at its August 14, 2023, regular meeting and took no action on the item.

Staff has concerns with a ban defined as broadly as proposed. Primarily, there is a concern for enforcement. The proposal for banning in "all City parks and properties" is very broad and would need to be narrowed if there would be any way to feasibly enforce the ban.

A second concern regards locally restricting legal activity in a way that exceeds State and Federal regulations. For a ban to be enforceable and not an over-reach of local authority, it should be more narrowly defined.

The council had discussion on narrowing the scope as public property has a broad definition. There was also discussion on all smoking and vaping, versus changing the definition to the use of THC products.

Motion Nichols, second Alkire, to direct staff to research local smoking bans on public property and bring back a draft ordinance for Council review. Roll call vote: Boe nay, Brown nay, Alkire aye, Nichols aye, Kramer nay, McGrath nay, Quinn nay. Motion fails 2-5-0.

Waive the second reading and adopt Ordinance 634 vacating drainage and utility easements in Grand Bluffs at The Jewel

At the December City Council meeting, action was taken to introduce and waive the first reading of Ordinance 634, vacating drainage and utility easements separating Lots 4 and 5 in Block 3 of Grand Bluffs at The Jewel.

The petition from the property owners, and a survey of the lots identifying the area to be vacated was presented. The two lots have already been combined so that they will be one large, buildable lot. A home will be constructed on this lot starting the spring of 2024. The easements must be vacated before any construction takes place. No utilities exist in the easement area defined by Ordinance 634. In accordance with Lake City's charter, the City must hold a public hearing on any street, alley, or easement vacation.

There is no budgetary impact. Application fees paid by applicant cover the basic costs of processing the application.

Motion Brown, second McGrath to open the public hearing at 7:30 p.m. All ayes 7-0-0. Motion carried

No one from the public spoke.

Motion McGrath, second Kramer to close the public hearing at 7:31 p.m. All ayes 7-0-0. Motion carried

Motion Alkire, second Brown to waive the second reading and adopt Ordinance No. 634 vacating drainage and utility easements separating Lots 4 and 5 in Block 3 of Grand Bluffs at The Jewel. All ayes 7-0-0. Motion carried.

Introduce and waive first reading of Ordinance 635, an ordinance amending Title 15, Articles 3 and 6 relating to grading permits, storm water management, site erosion, and sediment control

As a designated MS4 community (Municipal Separate Storm Sewer System), as defined by the MPCA (Minnesota Pollution Control Agency), Lake City is required to formalize several documents, practices, and procedures regarding stormwater. Part of this effort includes an ordinance that regulates stormwater illicit discharges, erosion, and sediment control.

Following the 2023 MPCA audit, modifications were required towards both ordinances and standards. Ordinance 635 clarifies process and procedure for city staff. This includes revisions to grading and storm water management standards (formerly Grading and Storm Water Management Handbook, 2007).

This ordinance gains compliance with State and Federal regulations.

City staff and city engineering staff, legal and MPCA staff drafted, modified, and reviewed the documents presented this meeting.

Motion Boe, second Brown to introduce and waive first reading of Ordinance 635, an ordinance amending Title 15, Articles 3 and 6 relating to grading permits, storm water management, site erosion, and sediment control. All ayes 7-0-0. Motion carried.

Introduce and waive first reading of Ordinance 636, an ordinance amending Title V, Chapter 57 of the City Code by repealing Chapter 57 and replacing it with a new Chapter 57 regarding storm water, erosion, and sediment control

As a designated MS4 community (Municipal Separate Storm Sewer System), as defined by the MPCA (Minnesota Pollution Control Agency), Lake City is required to formalize several documents, practices, and procedures regarding stormwater. Part of this effort includes amending this ordinance, which regulates stormwater illicit discharges, erosion, and sediment control.

Authorization for the City of Lake City to discharge stormwater is granted by MPCA as a permittee and as an MS4 community. The goal of the MS4 permit is to reduce pollutant levels in point source discharges and protect water quality in accordance with the U.S Clean Water act, Minnesota statutes, allowing the small MS4 (Lake City) to discharge to receiving waters, in accordance with MS4 General Permit.

This ordinance gains compliance with State and Federal regulations.

City staff and city engineering staff, legal and MPCA staff drafted, reviewed, and modified the documents presented at this meeting.

Motion Kramer, second Alkire to introduce and waive first reading of Ordinance 636, an ordinance amending Title V, Chapter 57 of the City Code by repealing Chapter 57 and replacing it with a new Chapter 57 regarding storm water, erosion, and sediment control. All ayes 7-0-0. Motion carried.

Adopt Resolution 24-009 accepting public developer improvements for Underwood Terrace

A request was submitted by Three Rivers, the Developer of the Underwood Terrace Apartment building, to accept the public improvements made to the site that were agreed upon in accordance with the Contract for Private Development between the City and the Developer, which was entered into in Sept. of 2022.

The City has verified that the road has been constructed in accordance with the approved plans and specs. Acceptance of the road means the road will officially become a public roadway and the City will be responsible for all maintenance and enforcement on the roadway.

Motion McGrath, second Brown, to adopt Resolution 24-009 certifying proper completion of the public developer improvements and accepting the public developer improvements for Underwood Terrace. All ayes 7-0-0. Motion carried.

Hire MNSPECT as the City's Building Official

City staff has been exploring options for building official services. This began after staff identified the need for improvements in several areas with the City's current contract with CMS - Construction Management Services, which was acquired by WSE/Massey.

After it was determined that bringing this service in house was not financially responsible due to the size of Lake City, a decision was made to recommend the City Council keep this relationship contractual in nature.

Options have historically been very limited in rural, southeast Minnesota on availability of building inspectors and building officials. Recently however, a group of local neighboring communities in southeast Minnesota were approached by MNSPECT, a division of SafeBuilt. This firm has been operating in 19 jurisdictions in Minnesota and is looking at establishing a presence in southeast Minnesota and opening an office in the area. They can only do so if several cities sign on as clients. A proposal from MNSPECT is attached.

Hiring MNSPECT will be a change for the community. Most impacted are going to be contractors who have a relationship with the City's current building official. Also impacted will be City Planning Dept. staff who will have to make office procedure adjustments, learn new processes, and help educate the public about the change. After careful consideration, it has been determined that this is the right time to make this change.

The City has a contract with CMS that expired at the end of 2023. The City and CMS have a verbal agreement to continue services "as is" until a decision is made on the hiring of a new building official.

It is important to be clear to the City Council that three proposals were obtained. They are all available for viewing if requested. One of these proposals is from the City's current building

official, CMS - Construction Management Services. CMS is proposing fee structure changes that would increase costs to the City and the customer. Although MNSPECT is proposing a fee increase to the customer, the City fee remains the same. The fee increases for the customer, for the most common type of permits the city issues, fixed rate permits, will increase from \$60 to \$63. The third proposal is from Dunn Solutions, a qualified firm with extensive knowledge of the building code. The principle building official at this company is also a full time city employee and staff is not comfortable at this time recommending moving forward this type of arrangement.

The City can pay for the building official contract with permit and plan review fees. The proposal from MNSPECT will allow the city to retain 20% of the permit fees, which is the same fee structure as the City currently uses with CMS. A fee schedule amendment should be anticipated to be presented to Council in February for final review and approval.

Motion McGrath, second Alkire to hire MNSPECT for administration of the Minnesota Building Code, pending contract review by the City attorney, effective April 1, 2024 to December 31, 2024. All ayes 7-0-0. Motion carried.

The City council will need to act at a future meeting to amend the 2024 fee schedule, and also adopt a resolution declaring the City's new building official.

Approve 2023 budget carryovers to 2024 budget

As of December 31, 2023, there were remaining projects that were still in progress. To complete these projects, we need to carryover unspent funds from 2023 to the 2024 budget. Provided at this meeting are the requests from Department Managers for ongoing 2024 needs.

All the listed projects/requests were approved within the 2023 budget but unspent as of year-end. The General Fund, Capital Project Fund, Library Fund, Port Authority Fund, Electric Fund, Water Fund, Sewer Fund, Storm Water Fund, Marina Fund, and Building Maintenance Fund all have sufficient 2023 budgetary resources remaining at year-end to support carrying over these project dollars.

Motion Brown, second Alkire, to approve budget carryovers from the 2023 Budget to the 2024 budget. All ayes 7-0-0. Motion carried.

Approve naming new street segment at Underwood Terrace

City staff have considered at length the street naming in this area. The site has long been related to material mined from the property. After significant discussion, the Street/Parks/Public Safety Commission recommended to Council that the street segment be named after a precious stone or gem. Following further staff discussion, it is recommended to name the street either Quartz Drive or Galena Drive. Street signage will be purchased out of the 2024 Streets operational budget.

Motion McGrath, second Brown to name new street segment off N. 10th St. between Underwood Terrace and the Public Safety Building as Quartz. Roll call vote: Quinn aye, McGrath aye, Kramer aye Nichols nay, Alkire nay, Brown aye, Boe nay. Motion carried 4-3-0.

Approve removal of Ohuta Park Cottonwood Tree

In 2020 the City of Lake City was awarded State Bonding Bill funds to replace the failing retaining walls in Ohuta Park. As part of project design, the current and future health of the large Cottonwood tree adjacent to the wall needed to be determined.

An ISA TRAQ (International Society of Arboriculture - Tree Risk Assessment Qualification) tree assessment was completed by Davey Tree to determine its health and potential impact to park users. That assessment identifies significant risks the tree poses.

City code addresses situations such as this in § 55.03 PUBLIC TREE CARE. The City shall have the right to plant, prune, maintain, and remove trees, plants, and shrubs within the public right-of-way and public grounds as may be necessary to ensure the public safety or to preserve or enhance the symmetry and beauty of such public right-of-way or public grounds.

Two bids were solicited for complete removal of the tree. Wabasha Tree Company was low bid. The amounts are \$4,000 for removal of Cottonwood through Wabasha Tree Company and J&J Crane and \$975 fee towards ISA TRAQ tree assessment

Motion McGrath, second Brown to approve removal of Ohuta Park Cottonwood tree. All ayes 7-0-0. Motion carried

Approve 2024 Council work plan

The City Council began its review of the 2024 work plan at the January 8, 2024, workshop meeting. Council members submitted requested changes after the meeting, which are reflected in the submitted plan. At the 5:00 council workshop, the plan was edited.

2024	Council Members						
<u>Vibrant Community and Economy</u>	BQ	CM	MK	MN	AA	FB	RB
Expand All Types of Housing (not just affordable)/Seek out development partners for vacant land	X	X	X	X	X	X	X
Plan for Bonding Projects (Ohuta Dock & Hok Si La Sewer/Water)	X	X	X	X	X	X	X
Move Forward with Cemstone Development	X	X	X	X	X	X	
Continue Exploration of Riverboats Landing in Lake City (Target congressionally directed spending, other sources)	X			X			X
Signage and Wayfinding Program Designed and Implemented		X	X	X			X
Move Community Gardens to Allow for Cemstone Lot	X		X	X	X		
Execute on Bonding Project for Ohuta and Hoksila		X	X	X	X		X
Block 15 alley clean-up (grease/trash containers adjacent TH 61 sidewalk)		X	X	X	X	X	X
Seek congressionally directed funds for projects (to be identified by staff and council)	X			X	X		X
<u>Public Safety</u>							
Support Low Vision Group Initiatives/focus on pedestrian improvements for accessibility	X	X		X	X		X
<u>City Operations</u>							
Improve Municipal communication with citizens and community stakeholders through social media, websites, news media, and other modes of communication	X	X	X	X	X		X
Review and implement a Boards and commission process for onboarding, training, and reappointment evaluation		X	X	X	X	X	X
Develop plan for use of the old Public Safety Building	X	X	X		X	X	X
Explore options for managing short-term rentals (Fees, controlling ordinances, limit location)	X	X	X		X	X	X
Consider adding City ordinances to limit/block additional dollar stores from being opened					X		X
Add new City policy for vehicle purchases/sales				X	X		X
For City work that does not require competitive bidding, add policy to review for adequate advertising				X	X		X
Ensure bids for City projects are not split to avoid competitive bidding				X	X		X
Committee to review Ohuta Park usage, hours, strengths, opportunities, weakness, bathroom hours, and make recommendations to Council (Internal/add external input as needed)			X	X			X
<u>Wellness</u>							
City involvement with Mayo Clinic to plan for completion of City / Mayo contract in 2026		X	X		X	X	X
Continue Support to Mississippi Blufflands Trail from a policy perspective	X	X	X	X			X
<u>Environmental</u>							
Progress on the GreenStep Cities program, step 2	X	X		X	X		X

Motion McGrath, second Kramer, to approve the 2024 Council work plan. All ayes 7-0-0. Motion carried

Approve out of state travel to the IIMC annual conference for City Clerk

In 2013, Clerk Schreck attained the Certified Municipal Clerk designation.

The final designation is that of Master Municipal Clerk. Continuing education toward the IIMC credentialing status to obtain the MMC, education requirements are necessary. The MMC program is an advanced continuing education program that prepares participants to perform complex municipal duties. The program has extensive, rigorous educational components and a professional contribution component. The applicant must demonstrate that they have actively pursued educational and professional activities.

Motion McGrath, second Boe to approve travel to the IIMC annual conference in Calgary May 18-May 24, 2024. All ayes 7-0-0. Motion carried.

Consent Agenda

- a. Review and approve Council workshop minutes January 8, 2024
- b. Review and approve Council minutes January 8, 2024
- c. Review and approve expense claims January 5, 2024, thru February 7, 2024
- d. Adopt Resolution 24-005 confirming board and commission re-appointments
- e. Adopt Resolution 24-006 appointing Election judges for the 2024 Election
- f. Adopt Resolution 24-007 approving 2024 seasonal hires for Public Works, Pool and Marina
- g. Adopt Resolution 24-008 supporting a regional park designation application in greater Minnesota for Hok Si la Park and approve updated Hok Si La Park master plan
- h. Approve 2025 budget preparation calendar
- i. Approve \$9000 budget transfer from Building Maintenance fund- Public Safety building to Council
- ~~j. Approve out of state travel to IIMC annual conference for City Clerk~~
- k. Approve loading zone sign changes on 200 block of S. Lakeshore Drive
- l. Approve installation of No Parking signs at Underwood Terrace
- m. Approve installation of Autistic Children in area signage on the 300 block of Doughty Street
- n. Approve hire of part time Paramedics Jessica Hauschild and Joseph Kuzma
- o. Approve 2024 Port Authority budget adjustment for housing study

Motion Brown, second Kramer to adopt the consent agenda as amended. All ayes 7-0-0. Motion carried

Future Meeting Dates:

February 2024

March 2024 draft

Motion McGrath, second Quinn to adjourn at 8:05 p.m. All ayes 7-0-0. Motion carried

ATTEST:

Mark Nichols, Mayor

Kari Schreck, City Clerk



March 11, 2024

Agenda Item Description: Review and approve expense claims
February 8, 2024- March7, 2024

Originating Department: City Clerk

Board/Commission/Committee Action: **Consent Agenda?:** Yes

Action Requested:

Review and approve expense claims February 8 2024 thru March 7, 2024.

Reviewed By: Administration, Finance

Preparer: Kari Schreck, City Clerk

ATTACHMENTS:

Description

- ▣ exp claims 2.8.24-3.7.24

Account Description	Total Invoice Amounts
Total 101-44011-340 Council Printing/Publishing:	348.40
Total 101-44011-360 Council Food Shelf Utilities:	57.63
Total 101-44011-361 Council Old PS Building:	236.69
Total 101-44011-391 Council Donations:	2,000.00
Total 101-44051-210 Clerk/Finance Operating Suppli:	69.89
Total 101-44051-310 Clerk/Finance Communication:	308.90
Total 101-44051-320 Clerk/Finance Travel, Conf, Sc:	701.36
Total 101-44051-400 Clerk/Finance Miscellaneous:	.02-
Total 101-44060-390 Legal Contractual-Prosecutions:	2,650.00
Total 101-44060-391 Legal Contractual-Civil:	3,400.00
Total 101-44091-210 Planning Operating Supplies:	50.70
Total 101-44091-301 Planning Bld Permit Inspection:	3,628.02
Total 101-44091-310 Planning Communication:	27.06
Total 101-44091-320 Planning Travel, Conf, School:	100.00
Total 101-44091-340 Planning Printing/Publishing:	67.60
Total 101-44110-210 Police Operating Supplies:	1,102.94
Total 101-44110-220 Police Maint/Repair:	99.09
Total 101-44110-240 Police Books/Periodicals:	48.00
Total 101-44110-310 Police Communication:	47.96
Total 101-44120-220 Fire Maint/Repair:	3,045.09
Total 101-44140-140 Ambulance PERA:	11.88
Total 101-44140-210 Ambulance Operating Supplies:	4,955.72
Total 101-44140-270 Ambulance Uniform:	2,742.20
Total 101-44140-300 Ambulance Professional Service:	73.00
Total 101-44140-321 Ambulance Training Classes:	600.00
Total 101-44140-340 Ambulance Printing/Publishing:	168.75
Total 101-44140-390 Ambulance Contractual:	3,438.08
Total 101-44191-210 EOC Operating Supplies:	177.67
Total 101-44212-210 Streets Operating Supplies:	96.50

Account Description	Total Invoice Amounts
Total 101-44212-220 Streets Maint/Repair:	185.00
Total 101-44212-230 Streets Tools/Equip:	107.85
Total 101-44212-310 Streets Communication:	29.38
Total 101-44212-320 Streets Travel, Conf, School:	450.00
Total 101-44212-340 Streets Printing/Publishing:	74.20
Total 101-44212-390 Streets Contractual:	174.58
Total 101-44212-450 Streets Trees:	400.00
Total 101-44250-220 Snow Removal Maint/Repair:	14.01
Total 101-44510-210 Parks Operating Supplies:	147.53
Total 101-44510-220 Parks Maint/Repair:	93.75
Total 101-44510-390 Parks Contractual:	148.54
Total 101-44524-210 Pool Operating Supplies:	20.00
Total 101-44543-220 HSL Maint/Repair:	1,245.04
Total 101-44543-310 HSL Communication:	29.38
Total 101-44543-390 HSL Contractual:	18.99
Total 210-45210-210 Library Operating Supplies:	309.45
Total 210-45210-240 Library Books & Materials:	1,425.95
Total 210-45210-320 Library Travel, Conf, School:	72.00
Total 210-45210-390 Library Contractual:	230.00
Total 210-45210-391 Library Programs:	588.25
Total 210-45210-401 Donation Expenses:	93.27
Total 400-44212-530 Cap Proj Streets-Mach/Equip:	99,829.76
Total 400-44543-510 HSL Capital-Building:	12,665.67
Total 501-45575-300 Port Auth Professional Service:	115.00
Total 501-45575-320 Port Auth Travel, Conf, School:	184.69
Total 501-45575-390 Port Auth Contractual-CEDA:	9,627.50
Total 602-44602-210 City Hall-Operating Supplies:	120.75
Total 602-44602-310 City Hall-Communication:	146.87
Total 602-44602-360 City Hall-Utilities:	1,105.17

Account Description	Total Invoice Amounts
Total 602-44602-390 City Hall Building-Contractual:	
	3,851.29
Total 602-44603-310 Library Building-Communication:	
	29.38
Total 602-44603-360 Library Building-Utilities:	
	435.34
Total 602-44603-390 Library Building-Contractual:	
	37.48
Total 602-44604-210 PS Building-Operating Supplies:	
	3.96
Total 602-44604-310 PS Building-Communication:	
	146.87
Total 602-44604-390 PS Building-Contractual:	
	3,110.24
Total 602-44605-310 Fire Hall-Communication:	
	29.38
Total 602-44605-360 Fire Hall-Utilities:	
	619.46
Total 701-41920-210 Electric Operating Supplies:	
	1,832.61
Total 701-41920-230 Electric Tools/Equip:	
	107.87
Total 701-41920-310 Electric Communication:	
	194.32
Total 701-41920-320 Electric Travel, Conf, School:	
	947.42
Total 701-41920-360 Electric Utilities:	
	1,662.85
Total 701-41920-370 Electric Maint/Repair:	
	1,195.83
Total 701-41920-390 Electric Contractual:	
	843.58
Total 702-22333 MDH Safe Water Payable:	
	5,783.40
Total 702-42920-210 Water Admin Operating Supplies:	
	161.11
Total 702-42920-230 Water Admin Tools/Equip:	
	107.85
Total 702-42920-310 Water Admin Communication:	
	111.84
Total 702-42920-370 Water Admin Maint/Repair:	
	400.00
Total 702-42920-390 Water Admin Contractual:	
	417.58
Total 702-42920-530 Water Capital-Machin/Equip:	
	2,342.77
Total 703-43500-210 Treatment Operating Supplies:	
	585.12
Total 703-43500-360 Treatment Utilities:	
	1,460.29
Total 703-43500-370 Treatment Maint/Repair:	
	1,560.83
Total 703-43500-390 Treatment Contractual:	
	33,814.70
Total 703-43920-210 Sewer Admin Operating Supplies:	
	161.11
Total 703-43920-230 Sewer Admin Tools/Equip:	
	107.85

Account Description	Total Invoice Amounts
Total 703-43920-310 Sewer Admin Communication:	
	111.84
Total 703-43920-360 Sewer Admin Utilities:	
	36.35
Total 703-43920-370 Sewer Admin Maint/Repair:	
	932.50
Total 703-43920-390 Sewer Admin Contractual:	
	273.60
Total 703-43920-530 Sewer Capital-Machin/Equip:	
	2,342.80
Total 706-47706-210 Storm Water Operating Supplies:	
	62.54
Total 706-47706-220 Storm Water Maint/Repair:	
	293.87
Total 706-47706-390 Storm Water Contractual:	
	6,699.58
Total 710-40746-360 Marina Beach Utilities:	
	739.37
Total 710-40773-210 Marina Harbor Operating Suppli:	
	2,044.99
Total 710-40773-220 Marina Harbor Maint/Repair:	
	8,451.40
Total 710-40773-310 Marina Harbor Communications:	
	374.35
Total 710-40773-390 Marina Harbor Contractual:	
	217.81
Total 720-47720-210 Compost/Leaf Vac Operating Sup:	
	5.00
Grand Totals:	
	244,554.02



March 11, 2024

Agenda Item Description: Approve 1-4 Day Temporary On-sale Liquor License for Lake City Chamber of Commerce Governor's Fishing Opener event May 10,2024.

Originating Department: City Clerk

Board/Commission/Committee Action: Committee

Consent Agenda?: Yes

Action Requested:

Approve 1-4 Day Temporary On-Sale Liquor License for the Lake City Chamber of Commerce for the Governor's Fishing Opener event held May 10, 2024 at Ohuta Park.

Introduction/ Background/Justification/Key/Legal Issues:

Lake City Chamber of Commerce has requested a temporary liquor license for an event held at Ohuta Park area May 10, 2024. The Lake City Chamber of Commerce has submitted the required documentation and paid the temporary liquor license fee.

The event will be held at Ohuta Park located at 100 Park Street. All alcohol being served will be confined to this area.

All liquor licenses require council approval.

Budgetary/Fiscal Impact:

Revenues are generated from permit and license fees. Temporary permit fees are \$75.00.

Reviewed By: Police/Administration

Preparer: Diane Johnson, Administrative Clerk



March 11, 2024

Agenda Item Description: Approve request for the Lake City Lions Club to host a raffle event on May 1, 2024 at the Lake City VFW.

Originating Department: City Clerk

Board/Commission/Committee Action: Committee

Consent Agenda?: Yes

Action Requested:

Approve the request for the Lake City Lions Club to host a raffle event on May 1, 2024. The raffle event will be held at the Lake City VFW, 115 N Franklin Street.

Introduction/ Background/Justification/Key/Legal Issues:

The Lake City Lions Club has completed an LG220 Application to Conduct Lawful Gambling to be submitted to the State of Minnesota Gambling Control Board, along with our city application and the \$25.00 fee. Pursuant to Ordinance 538, the information received from the Lake City Lions Club was transferred to the Chief of Police for review and recommendation (see recommendation below). City Council shall approve or deny the application.

Chief of Police Recommendation:

An application and fee have been received from the Lake City Lions Club with a request to host a raffle event on May 1, 2024 at the Lake City VFW, 115 N Franklin Street. I have reviewed the information and find no reason to deny the request.

Budgetary/Fiscal Impact:

\$25.00

Reviewed By: Chief of Police Kubista

Preparer: Diane Johnson, Administrative Clerk



March 11, 2024

Agenda Item Description: Adopt Resolution 24-010 confirming board and commission appointments – Dennis Probst Planning Commission, Anna Karsten Library Board

Originating Department: City Clerk

Board/Commission/Committee Action: Committee

Consent Agenda?: Yes

Action Requested:

Adopt Resolution 24-010 confirming:

Planning Commission appointment – Dennis Probst for 2024 - New (F1) through 3/1/2027 replaces Randi Kirchner vacancy

Library Board appointment - Anna Karsten for 2024 - New (F1) through 3/1/2027 replaces Katie Christensen vacancy

Introduction/ Background/Justification/Key/Legal Issues:

Pursuant to §30.01 of the City Code, the Mayor shall appoint Board and Commission members eligible for appointment and only a confirmation by a majority of the Council shall be required. No board or commission member shall serve more than three full consecutive terms and no board or commission member shall have entitlement to the second or third full consecutive term.

Member terms are listed and tracked by the City Clerk's office and are included in the Resolution.

Budgetary/Fiscal Impact:

None

Reviewed By: Administration

Preparer: Diane Johnson, Administrative Clerk

ATTACHMENTS:

Description

- Resolution 24-010

RESOLUTION 24-010

CITY OF LAKE CITY, MINNESOTA

**A RESOLUTION CONFIRMING THE APPOINTMENT OF PERSONS TO BOARDS
AND COMMISSIONS**

WHEREAS, the City Council pursuant §30.01 of the City Code, is responsible for confirmation by a majority of its body, for the appointment of members to the Boards and Commissions; and

WHEREAS, the Mayor has recommended for appointment, the hereinafter named persons to the positions on said Boards and Commission; and

WHEREAS, the City Council does consider the confirmation of the hereinafter named persons to the positions on the noted Board and Commissions

NOW THEREFORE BE IT RESOLVED, that on the appointment by the Mayor, the Lake City Common Council does hereby confirm the following named persons to the noted Board or Commission:

Planning Commission

Dennis Probst 2024 – **NEW– F1** thru 03/01/2027 – 3-year term replaces Randi Kirchner vacancy

Library Board

Anna Karsten 2024 – **NEW– F1** thru 03/01/2027 – 3-year term replaces Katie Christensen vacancy

Resolution adopted this 11th day of March, 2024.

Mark Nichols, Mayor

Attest:

Kari Schreck, City Clerk



March 11, 2024

Agenda Item Description: Approve 12 Month Contract with Safebuilt LLC for Building Inspection Services

Originating Department: Planning

Board/Commission/Committee Action: **Consent Agenda?:** Yes

Action Requested:

Approve the contract with Safebuilt LLC for contractual services assisting the City in administering the State Building Code.

MNSPECT is the Minnesota division of Safebuilt.

Introduction/ Background/Justification/Key/Legal Issues:

At the February council meeting, the council approved hiring MNSPECT to be the city's building official contract, with the primary duty of reviewing and administering building permits for the city, and also conducting building inspections. The contract that has been reviewed by the City Attorney for adoption by Council.

Budgetary/Fiscal Impact:

The contract with MNSPECT is consistent with the City's previous building inspection service contracts, and staff is not anticipating budgetary impacts.

Reviewed By: Planning, Legal, Administration

Preparer: Megan Smith, Planning and Community Development Director

ATTACHMENTS:

Description

- ▣ Lake City Contract

**PROFESSIONAL SERVICES AGREEMENT
BETWEEN CITY OF CITY OF LAKE CITY, MN
AND SAFEUILT, LLC**

This Professional Services Agreement ("Agreement") is made and entered into by and between City of Lake City, MN ("Municipality") and SAFEuilt, LLC ("Consultant"). Municipality and Consultant shall be jointly referred to as "Parties".

RECITALS

WHEREAS, Municipality is seeking a consultant to perform the services listed in Exhibit A – List of Services, ("Services"); and

WHEREAS, Consultant is ready, willing, and able to perform Services.

NOW THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, Municipality and Consultant agree as follows:

1. SCOPE OF SERVICES

Consultant will perform Services in accordance with construction codes, amendments and ordinances adopted by the elected body of Municipality, state laws and regulations that are applicable to the Services provided under this Agreement. The qualified professionals employed by Consultant will maintain current certifications, certificates, licenses as required for Services that they provide to Municipality. Consultant is not obligated to perform services beyond what is contemplated by this Agreement.

Unless otherwise provided in Exhibit C, Consultant shall provide the Services using hardware and Consultant's standard software package. In the event that Municipality requires that Consultant utilize hardware or software specified by or provided by Municipality, Municipality shall provide the information specified in Exhibit C. Consultant shall use reasonable commercial efforts to comply with the requirements of Exhibit C and Municipality, at its sole expense, shall provide such technical support, equipment or other facilities as Consultant may reasonably request to permit Consultant to comply with the requirements of Exhibit C.

Consultant shall provide the Services using Community Core Solutions hardware and software package in accordance with the provisions of Exhibit C.

2. CHANGES TO SCOPE OF SERVICES

Any changes to Services between Municipality and Consultant shall be made in writing that shall specifically designate changes in Service levels and compensation for Services. Both Parties shall determine a mutually agreed upon solution to alter services levels and a transitional timeframe that is mutually beneficial to both Parties. No changes shall be binding absent a written Agreement or Amendment executed by both Parties.

3. FEE STRUCTURE

In consideration of Consultant providing services, Municipality shall pay Consultant for Services performed in accordance with Exhibit B – Fee Schedule for Services.

4. INVOICE & PAYMENT STRUCTURE

Consultant will invoice Municipality, on a monthly basis and provide all necessary supporting documentation. All payments are due to Consultant within 30 days of Consultant's invoice date. Payments owed to Consultant but not made within sixty (60) days of invoice date shall bear simple interest at the

rate of one and one-half percent (1.5%) per month. If payment is not received within ninety (90) days of invoice date, Services will be discontinued until all invoices and interest are paid in full. Municipality may request, and Consultant shall provide, additional information before approving the invoice. When additional information is requested Municipality will identify specific disputed item(s) and give specific reasons for any request. Undisputed portions of any invoice shall be due within 30 days of Consultants invoice date, if additional information is requested, Municipality will submit payment within thirty (30) days of resolution of the dispute.

5. TERM

This Agreement shall be effective on the latest date on which this Agreement is fully executed by both Parties. The initial term of this Agreement shall be twelve (12) months. ~~Agreement shall automatically renew for subsequent twelve (12) month terms until such time as either Party notifies the other of their desire to terminate this Agreement.~~

6. TERMINATION

Either Party may terminate this Agreement upon ninety (90) days written notice without cause and with no penalty or additional cost beyond the rates stated in this Agreement.

This Agreement may be terminated for cause at any time if either Party to this Agreement should materially breach any material provision herein. In such case, the non-breaching party will notify the breaching party in writing specifying the respect in which such party has breached the Agreement. In the event that such breach is not remedied to the reasonable satisfaction of the non-breaching party within thirty (30) calendar days after delivery of the above notice, the non-breaching party may, by written notice to the breaching party, terminate this Agreement, effective immediately. If the breach is cured to the satisfaction of the non-breaching party, this Agreement shall continue as if no breach had occurred.

Consultant shall be entitled to receive payment for work completed up to and including the date of termination within thirty (30) days of termination with or without cause.

7. FISCAL NON-APPROPRIATION CLAUSE

Financial obligations of Municipality payable after the current fiscal year are contingent upon funds for that purpose being appropriated, budgeted, and otherwise made available in accordance with the rules, regulations, and resolutions of Municipality, and other applicable law. Upon the failure to appropriate such funds, this Agreement shall be terminated.

8. MUNICIPALITY OBLIGATIONS

Municipality shall timely provide all data information, plans, specifications and other documentation reasonably required by Consultant to perform Services (Materials). Municipality has the right to grant and hereby grants Consultant a fully paid up, non-exclusive, non-transferable license to use the Materials in accordance with the terms of this Agreement.

9. PERFORMANCE STANDARDS

Consultant shall perform the Services using that degree of care, skill, and professionalism ordinarily exercised under similar circumstances by members of the same profession practicing or performing the substantially same or similar services. Consultant represents to Municipality that Consultant retains employees that possess the skills, knowledge, and abilities to competently, timely, and professionally perform Services in accordance with this Agreement.

10. INDEPENDENT CONTRACTOR

Consultant is an independent contractor, and, except as provided otherwise in this section, neither Consultant, nor any employee or agent thereof, shall be deemed for any reason to be an employee or

agent of Municipality. Municipality shall have no liability or responsibility for any direct payment of any salaries, wages, payroll taxes, or any and all other forms or types of compensation or benefits to any personnel performing services for Municipality under this Agreement. Consultant shall be solely responsible for all compensation, benefits, insurance and employment-related rights of any person providing Services hereunder during the course of or arising or accruing as a result of any employment, whether past or present, with Consultant.

Consultant and Municipality agree that Consultant will provide similar service to other clients while under contract with Municipality and Municipality acknowledges that Consultant employees may provide similar services to multiple clients. Consultant shall at its sole discretion assign and reassign qualified employees, as determined by Consultant, to perform services for Municipality. Municipality may request that a specific employee be assigned to or reassigned from work under this Agreement and Consultant shall consider that request when determining staffing. Consultant shall determine all conditions of employment for its employees, including hours, wages, working conditions, promotion, discipline, hiring and discharge. Consultant exclusively controls the manner, means and methods by which services are provided to Municipality, including attendance at meetings, and Consultant's employees are not subject to the direction and control of Municipality. Except where required by Municipality to use Municipality information technology equipment or when requested to perform the services from office space provided by the Municipality, Consultant employees shall perform the services using Consultant information technology equipment and from such locations as Consultant shall specify. No Consultant employee shall be assigned a Municipal email address as their exclusive email address and any business cards or other IDs shall state that the person is an employee of Consultant or providing Services pursuant to a contractual agreement between Municipality and Consultant.

It is the intention of the Parties that, to the greatest extent permitted by applicable law, Consultant shall be entitled to protection under the doctrines of governmental immunity and governmental contractor immunity, including limitations of liability, to the same extent as Municipality would be in the event that the services provided by Consultant were being provided by Municipality. Nothing in this Agreement shall be deemed a waiver of such protections.

11. ASSIGNMENT AND SUBCONTRACT

Neither party shall assign all or part of its rights or obligations under this Agreement to another entity without the written approval of both Parties; consent shall not be unreasonably withheld. Notwithstanding the preceding, Consultant may assign this Agreement in connection with the sale of all or substantially all of its assets or ownership interest, effective upon notice to Municipality, and may assign this Agreement to its parent, subsidiaries or sister companies (Affiliates) without notice to Municipality. Consultant may subcontract any or all of the services to its Affiliates without notice to Municipality. Any subcontracting by Consultant to non-Affiliates shall require advance written approval of Municipality. Consultant remains responsible for any Affiliate's or subcontractor's performance or failure to perform. Affiliates and subcontractors will be subject to the same performance criteria expected of Consultant. Performance clauses will be included in agreements with all subcontractors to assure quality levels and agreed upon schedules are met.

12. INDEMNIFICATION

To the fullest extent permitted by law, Consultant shall defend, indemnify, and hold harmless Municipality, its elected and appointed officials, employees and volunteers and others working on behalf of Municipality, from and against any and all third-party claims, demands, suits, costs (including reasonable legal costs), expenses, and liabilities ("Claims") alleging personal injury, including bodily injury or death, and/or property damage, but only to the extent that any such Claims are caused by the negligence of Consultant or any officer, employee, representative, or agent of Consultant.

To the fullest extent permitted by law and without waiver of governmental immunity, Municipality shall defend, indemnify, and hold harmless Consultant, its officers, employees, representatives, and agents, from and against any and all Claims alleging personal injury, including bodily injury or death, and/or property damage, but only to the extent that such Claims are caused by the negligence of, or material breach of any obligation under this Agreement by, Municipality or any officer, employee, representative, or agent of Municipality. If either Party becomes aware of any incident likely to give rise to a Claim under the above indemnities, it shall notify the other and both Parties shall cooperate fully in investigating the incident.

LIMITS OF LIABILITY

EXCEPT ONLY AS MAY BE EXPRESSLY SET FORTH HEREIN, CONSULTANT EXPRESSLY DISCLAIMS ANY AND ALL WARRANTIES OF ANY KIND, WHETHER EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION ANY WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, ERROR-FREE OPERATION, PERFORMANCE, ACCURACY, OR NON-INFRINGEMENT. EXCEPT TO THE EXTENT ARISING FROM MUNICIPALITY'S PAYMENT OBLIGATIONS FOR SERVICES, IN NO EVENT SHALL CONSULTANT OR MUNICIPALITY BE LIABLE TO ONE ANOTHER FOR INDIRECT, INCIDENTAL, CONSEQUENTIAL, RELIANCE, EXEMPLARY, OR SPECIAL DAMAGES INCLUDING WITHOUT LIMITATION, DAMAGES FOR LOST PROFITS, LOST REVENUES, LOST DATA OR OTHER INFORMATION, OR LOST BUSINESS OPPORTUNITY, REGARDLESS OF THE FORM OF ACTION, WHETHER IN CONTRACT, INDEMNITY, NEGLIGENCE, WARRANTY, STRICT LIABILITY, OR TORT, EVEN IF ADVISED OF THE POSSIBILITY OF SUCH DAMAGES AND NOTWITHSTANDING THE FAILURE OF ESSENTIAL PURPOSE OF ANY REMAINING REMEDY. EXCEPT WITH RESPECT TO PAYMENT OBLIGATIONS FOR SERVICES, IN NO EVENT SHALL THE LIABILITY OF MUNICIPALITY OR CONSULTANT UNDER THIS AGREEMENT FROM ANY CAUSE OF ACTION WHATSOEVER (REGARDLESS OF THE FORM OF ACTION, WHETHER IN CONTRACT, TORT OR UNDER ANY OTHER LEGAL THEORY, AND WHETHER ARISING BY NEGLIGENCE, INTENTIONAL CONDUCT, OR OTHERWISE) EXCEED THE GREATER OF THE AMOUNT OF FEES PAID TO CONSULTANT PURSUANT TO THIS AGREEMENT OR THE AVAILABLE LIMITS OF CONSULTANTS INSURANCE (SUCH LIMITS DEFINE MUNICIPAL MAXIMUM LIABILITY TO THE SAME EXTENT AS IF MUNICIPALITY HAD BEEN OBLIGATED TO PURCHASE THE POLICIES).

13. INSURANCE

- A. Consultant shall procure and maintain and shall cause any subcontractor of Consultant to procure and maintain, the minimum insurance coverages listed below throughout the term of this Agreement. Such coverages shall be procured and maintained with forms and insurers acceptable to Municipality. In the case of any claims-made policy, the necessary retroactive dates and extended reporting periods shall be procured to maintain such continuous coverage.
- B. Worker's compensation insurance to cover obligations imposed by applicable law for any employee engaged in the performance of work under this Agreement, and Employer's Liability insurance with minimum limits of one million dollars (\$1,000,000) bodily injury each accident, one million dollars (\$1,000,000) bodily injury by disease – policy limit, and one million dollars (\$1,000,000) bodily injury by disease – each employee. Worker's compensation coverage in "monopolistic" states is administered by the individual state and coverage is not provided by private insurers. Individual states operate a state administered fund of workers compensation insurance which set coverage limits and rates. Monopolistic states: Ohio, North Dakota, Washington, Wyoming.
- C. Commercial general liability insurance with minimum combined single limits of one million dollars (\$1,000,000) each occurrence and two million dollars (\$2,000,000) general aggregate. The policy shall be applicable to all premises and operations. The policy shall include coverage for bodily injury, broad form property damage, personal injury (including coverage for contractual and

employee acts), blanket contractual, independent Consultant's, and products. The policy shall contain a severability of interest provision and shall be endorsed to include Municipality and Municipality's officers, employees, and consultants as additional insureds.

- D. Professional liability insurance with minimum limits of one million dollars (\$1,000,000) each claim and two million dollars (\$2,000,000) general aggregate.
- E. Automobile Liability: If performance of this Agreement requires use of motor vehicles licensed for highway use, Automobile Liability Coverage is required that shall cover all owned, non-owned, and hired automobiles with a limit of not less than \$1,000,000 combined single limit each accident.
- F. Municipality shall be named as an additional insured on Consultant's insurance coverage.
- G. Prior to commencement of Services, Consultant shall submit certificates of insurance acceptable to Municipality.

14. THIRD PARTY RELIANCE

This Agreement is intended for the mutual benefit of Parties hereto and no third-party rights are intended or implied.

OWNERSHIP OF DOCUMENTS

Except as expressly provided in this Agreement, Municipality shall retain ownership of all Materials and of all work product and deliverables created by Consultant pursuant to this Agreement. The Materials, work product and deliverables shall be used by Consultant solely as provided in this Agreement and for no other purposes without the express prior written consent of Municipality. As between Municipality and Consultant, all work product and deliverables shall become the exclusive property of Municipality when Consultant has been compensated for the same as set forth herein, and Municipality shall thereafter retain sole and exclusive rights to receive and use such materials in such manner and for such purposes as determined by it. Notwithstanding the preceding, Consultant may use the Materials, work product, deliverables, applications, records, documents and other materials provided to perform the Services or resulting from the Services, for purposes of (i) benchmarking of Municipality's and other client's performance relative to that of other groups of customers served by Consultant; (ii) improvement, development marketing and sales of existing and future Consultant services, tools and products; (iii) monitoring Service performance and making improvements to the Services. For the avoidance of doubt, Municipality Data will be provided to third parties, other than hosting providers, development consultants and other third parties providing services for Consultant, only on an anonymized basis and only as part of a larger body of anonymized data. If this Agreement expires or is terminated for any reason, all records, documents, notes, data and other materials maintained or stored in Consultant's secure proprietary software pertaining to Municipality will be exported into a CSV file and become property of Municipality. Notwithstanding the preceding, Consultant shall own all rights and title to any Consultant provided software and any improvements or derivative works thereof.

Upon reasonable prior written notice, Municipality and its duly authorized representatives shall have access to any books, documents, papers and records of Consultant that are related to this Agreement for the purposes of audit or examination, other than Consultant's financial records, and may make excerpts and transcriptions of the same at the cost and expense of Municipality.

15. CONSULTANT ACCESS TO RECORDS

Parties acknowledge that Consultant requires access to Records in order for Consultant to perform its obligations under this Agreement. Accordingly, Municipality will either provide to Consultant on a daily basis such data from the Records as Consultant may reasonably request (in an agreed electronic format) or grant Consultant access to its Records and Record management systems so that Consultant may

download such data. Data provided to or downloaded by Consultant pursuant to this Section shall be used by Consultant solely in accordance with the terms of this Agreement.

16. CONFIDENTIALITY

Consultant shall not disclose, directly or indirectly, any confidential information or trade secrets of Municipality without the prior written consent of Municipality or pursuant to a lawful court order directing such disclosure. Consultant shall comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13 and all other applicable state or federal rules, regulations, or orders pertaining to privacy or confidentiality. Consultant understands that all of the data created, collected, received, stored, used, maintained, or disseminated by Consultant in performing those functions that Municipality would perform is subject to the requirements of Chapter 13, and Consultant will cooperate with Municipality to furnish or provide requested data to Municipality. This does not create a duty on the part of Consultant to provide the public with access to public data if the public data is available from Municipality, except as required by the terms of this Agreement or applicable law.

17. CONSULTANT PERSONNEL

Consultant shall employ a sufficient number of experienced and knowledgeable employees to perform Services in a timely, polite, courteous and prompt manner. Consultant shall determine appropriate staffing levels and shall promptly inform Municipality of any reasonably anticipated or known employment-related actions which may affect the performance of Services. Additional staffing resources shall be made available to Municipality when assigned employee(s) is unavailable.

18. DISCRIMINATION & ADA COMPLIANCE

Consultant will not discriminate against any employee or applicant for employment because of race, color, religion, age, sex, disability, national origin or any other category protected by applicable federal or state law. Such action shall include but not be limited to the following: employment, upgrading, demotion or transfer, recruitment or recruitment advertising, layoff or termination, rates of pay or other forms of compensation, and selection for training, including apprenticeship. Consultant agrees to post in conspicuous places, available to employees and applicants for employment, notice to be provided by an agency of the federal government, setting forth the provisions of Equal Opportunity laws. Consultant shall comply with the appropriate provisions of the Americans with Disabilities Act (the "ADA"), as enacted and as from time to time amended, and any other applicable federal regulations. A signed certificate confirming compliance with the ADA may be requested by Municipality at any time during the term of this Agreement.

19. E-VERIFY/VERIFICATION OF EMPLOYMENT STATUS

Pursuant to FS 448.095, Consultant certifies that it is registered with and uses the U.S. Department of Homeland Security's E-Verify system to verify the employment eligibility of all new employees hired by Consultant during the term of the Agreement. Consultant shall not knowingly employ or contract with an illegal alien to perform work under this Agreement and will verify immigration status to confirm employment eligibility. If Consultant enters into a contract with a subcontractor to perform work or provide services pursuant to the Agreement, Consultant shall likewise require the subcontractor to comply with the requirements of FS 448.095, and the subcontractor shall provide to Consultant an affidavit stating that the subcontractor does not employ, contract with or subcontract with an unauthorized alien. Consultant will maintain a copy of such affidavit for the duration of its contract with owner. Consultant is prohibited from using the E-Verify program procedures to undertake pre-employment screening of job applicants while this Agreement is being performed.

20. SOLICITATION/HIRING OF CONSULTANT'S EMPLOYEES

During the term of this Agreement and for one year thereafter, Municipality shall not solicit, recruit or hire, or attempt to solicit, recruit or hire, any employee or former employee of Consultant who provided services to Municipality pursuant to this Agreement ("Service Providers"), or who interacted with Municipality in connection with the provision of such services (including but not limited to supervisors or managers of Service Providers, customer relations personnel, accounting personnel, and other support personnel of Consultant). Parties agree that this provision is reasonable and necessary in order to preserve and protect Consultant's trade secrets and other confidential information, its investment in the training of its employees, the stability of its workforce, and its ability to provide competitive building department programs in this market. If any provision of this section is found by a court or arbitrator to be overly broad, unreasonable in scope or otherwise unenforceable, Parties agree that such court or arbitrator shall modify such provision to the minimum extent necessary to render this section enforceable. In the event that Municipality hires any such employee during the specified period, Municipality shall pay to Consultant a placement fee equal to 100% of the employee's annual salary including bonus and training cost.

21. COMPLAINTS AND APPEALS

Any complaint about Consultant received by Municipality shall be forwarded to Consultant's representative listed in Notices Section of this Agreement. Municipality shall provide specific complaint details to the extent allowed by law. Consultant will submit a response to the Municipality within ten (10) business days of receipt. MN Rule 1300.0230 provides a mechanism for persons aggrieved by an order, decision, or determination of the Building Official to appeal under the State Building Code. In the event a Municipality does not have an appeals board, appeals will be heard by the State of Minnesota appeals board. All other appeals of Consultant decisions will proceed as required by applicable section of the Municipal code or state law.

22. NOTICES

Any notice under this Agreement shall be in writing and shall be deemed sufficient when presented in person, or sent, pre-paid, first class United States Mail, or delivered by electronic mail to the following addresses:

If to Client:

Rob Keehn, Administrator
City of Lake City, MN
205 West Center Street
Lake City, MN 55041
Email: rkeehn@ci.lake-city.mn.us

If to Consultant:

Joe DeRosa, CRO
SAFEbuilt, LLC
444 North Cleveland, Suite 444
Loveland, CO 80537
Email: jderosa@safebuilt.com

23. FORCE MAJEURE

Any delay or nonperformance of any provision of this Agreement by either Party (with the exception of payment obligations) which is caused by events beyond the reasonable control of such party, shall not constitute a breach of this Agreement, and the time for performance of such provision, if any, shall be deemed to be extended for a period equal to the duration of the conditions preventing such performance.

24. DISPUTE RESOLUTION

In the event a dispute arises out of or relates to this Agreement, or the breach thereof, and if said dispute cannot be settled through negotiation, Parties agree first to try in good faith to settle the dispute by mediation, before resorting to arbitration, litigation, or some other dispute resolution procedure. The cost thereof shall be borne equally by each Party.

25. ATTORNEY'S FEES

In the event of dispute resolution or litigation to enforce any of the terms herein, each Party shall pay all its own costs and attorney's fees.

26. AUTHORITY TO EXECUTE

The person or persons executing this Agreement represent and warrant that they are fully authorized to sign and so execute this Agreement and to bind their respective entities to the performance of its obligations hereunder.

27. CONFLICT OF INTEREST

Consultant shall refrain from providing services to other persons, firms, or entities that would create a conflict of interest for Consultant with regard to providing the Services pursuant to this Agreement. Consultant shall not offer or provide anything of benefit to any Municipal official or employee that would place the official or employee in a position of violating the public trust as provided under Municipality's charter and code of ordinances, state or federal statute, case law or ethical principles.

28. GOVERNING LAW AND VENUE

The negotiation and interpretation of this Agreement shall be construed under and governed by the laws of the State of Minnesota, without regards to its choice of laws provisions. Exclusive venue for any action under this Agreement, other than an action solely for equitable relief, shall be in the state and federal courts serving Municipality and each party waives any and all jurisdictional and other objections to such exclusive venue.

29. COUNTERPARTS

This Agreement and any amendments or task orders may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. For purposes of executing this Agreement, scanned signatures shall be as valid as the original.

30. ELECTRONIC REPRESENTATIONS AND RECORDS

Parties hereby agree to regard electronic representations of original signatures as legally sufficient for executing this Agreement and scanned signatures emailed by PDF or otherwise shall be as valid as the original. Parties agree not to deny the legal effect or enforceability of the Agreement solely because it is in electronic form or because an electronic record was used in its formation. Parties agree not to object to the admissibility of the Agreement in the form of an electronic record, or a paper copy of an electronic document, or a paper copy of a document bearing an electronic signature, on the ground that it is an electronic record or electronic signature or that it is not in its original form or is not an original.

31. WAIVER

Failure to enforce any provision of this Agreement shall not be deemed a waiver of that provision. Waiver of any right or power arising out of this Agreement shall not be deemed waiver of any other right or power.

32. COMPLIANCE

Consultant agrees to comply with all federal, state, and local laws and ordinances applicable to the services to be performed under this Agreement, including safety standards. Consultant shall be solely responsible

for the safety of all persons and property during the performance of such services. Consultant represents and warrants that it has the requisite training, skills, and experience necessary to provide the services and is and will remain appropriately licensed by all applicable agencies and governmental entities and will perform the services with reasonable skill and care.

33. ENTIRE AGREEMENT

This Agreement, along with attached exhibits, constitutes the complete, entire and final agreement of the Parties hereto with respect to the subject matter hereof, and shall supersede any and all previous agreements, communications, representations, whether oral or written, with respect to the subject matter hereof. Invalidity of any of the provisions of this Agreement or any paragraph sentence, clause, phrase, or word herein or the application thereof in any given circumstance shall not affect the validity of any other provision of this Agreement.

IN WITNESS HEREOF, the undersigned have caused this Agreement to be executed in their respective names on the dates hereinafter enumerated.

SAFEBUILT, LLC

CITY OF LAKE CITY, MN

By: _____

By: _____

Name: Gary Amato

Name: Mark Nichols

Title: Chief Administrative Officer

Title: Mayor

Date: _____

Date: _____

By: _____

Name: Kari Schreck

Title: City Clerk

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EXHIBIT A – LIST OF SERVICES

1. LIST OF SERVICES

Building Official Services

- Be a resource for Consultant team members, Municipal staff, and applicants
- Help guide citizens through the complexities of the codes in order to obtain compliance
- Monitor changes to the codes including state or local requirements and determine how they may impact projects in the area and make recommendations regarding local amendments
- Provide Building Code interpretations for final approval
- Oversee our quality assurance program and will make sure that we are meeting our agreed upon performance measurements and your expectations
- Oversee certificate of occupancy issuance to prevent issuance without compliance of all departments
- Attend staff and council meetings as requested
- Responsible for reporting for Municipality – frequency and content to be mutually agreed upon
- Issue stop-work notices for non-conforming activities related to provided services – as needed

Building, Plumbing, Mechanical Inspection Services

- Consultant utilizes an educational, informative approach to improve the customer's experience
- Perform code compliance inspections to determine that construction complies with approved plans
- Meet or exceed agreed upon performance metrics regarding inspections
- Provide onsite inspection consultations to citizens and contractors while performing inspections
- Return calls and emails from permit holders in reference to code and inspection concerns
- Identify and document any areas of non-compliance
- Leave a copy or provide an electronic version of the inspection results and discuss inspection results with site personnel

Plan Review Services

- Provide plan review services electronically or in the traditional paper format
- Review plans for compliance with adopted building codes, local building amendments or building ordinances
- Be available for pre-submittal meetings by appointment
- Coordinate plan review tracking, reporting, and interaction with applicable departments
- Provide feedback to keep plan review process on schedule
- Communicate plan review findings and recommendations in writing
- Return a set of finalized plans and all supporting documentation
- Provide review of plan revisions and remain available to applicant after the review is complete
- Consultant will return plans and supporting documents

Reporting Services

- Consultant will work with Municipality to develop a mutually agreeable reporting schedule and format

2. COMMUNITY CORE SOLUTIONS TERMS AND CONDITIONS

- Provide Community Core in accordance with the terms and conditions of Exhibit C.

3. MUNICIPAL OBLIGATIONS

- Municipality will issue permits and collect all fees

- Municipality will provide Consultant with a list of requested inspections and supporting documents
- Municipality will intake plans and related documents for pick up by Consultant or submit electronically
- Municipality will provide a monthly activity report that will be used for monthly invoicing
- Municipality will provide zoning administration for projects assigned to Consultant
- Municipality will provide codes books for front counter use
- Municipality will provide office space, desk, desk chairs, file cabinets, local phone service, internet, use of copier and fax
- Municipality will adopt a fee schedule for building department services agreed upon by both Parties

4. TIME OF PERFORMANCE

- Consultant will perform Services during normal business hours excluding Municipal holidays
- Services will be performed on an as-requested basis
- Services will be performed during mutually agreed upon hours
- Building Official or designated representative will be available at the Municipal offices as mutually agreed upon
- Inspectors will be dispatched on an as-requested basis
- Consultant representative(s) will be on-site weekly based on activity levels
- Consultant representative(s) will be available by phone and email
- Consultant representative(s) will meet with the public by appointment

Deliverables			
INSPECTION SERVICES	Perform inspections scheduled prior to 4:00 pm by the end of the next business day or as agreed upon		
PRE-SUBMITTAL MEETINGS	Provide pre-submittal meetings to applicants by appointment		
PLAN REVIEW TURNAROUND TIMES	Provide comments within the following timeframes: Day 1 = first full business day after receipt of plans and all supporting documents		
	<u>Project Type:</u>	<u>Completeness Check</u>	<u>From Complete Submittal</u>
	– Commercial (IBC)	5 business days or less	10 - 15 business days or less
	– Residential (IRC)	2 business days or less	5 - 7 business days or less
Note: Submittal of 8.5" x 11" and/or 11" x 17" color plans may reduce turnaround time by up to two (2) days			

EXHIBIT B – FEE SCHEDULE FOR SERVICES

FEE SCHEDULE

1. Municipality and Consultant will review the Municipal Fee Schedule and valuation tables annually to discuss making adjustments to reflect increases in the costs incurred by Consultant to provide Services.
2. Upon completion of the initial term and annually thereafter, the hourly and flat rates listed shall be increased based upon the annual increase in the Department of Labor, Bureau of Labor Statistics or successor thereof, Consumer Price Index (United States City Average, All Items (CPI-U), Not Seasonally adjusted, All Urban Consumers, referred to herein as the "CPI") for the Municipality or, if not reported for the Municipality the CPI for cities of a similar size within the applicable region from the previous calendar year, such increase, however, not to exceed 4% per annum. The increase will become effective upon publication of the applicable CPI data. If the index decreases, the rates listed shall remain unchanged.
3. Consultant fees for Services provided pursuant to this Agreement will be as follows:

Service Fee Schedule:	
Inspection Services	\$95.00 per hour/One Half Hour Minimum
<ul style="list-style-type: none"> Permits Issued Prior to Start Date 	
Inspection Services	80% of permit fees (min. \$50.00) for the initial term.
Plan Review Services*	100% of Municipal Permit Fee as established by ordinance or resolution
Misc Services Includes: <ul style="list-style-type: none"> Re-inspection fee License look-up fee Site inspection Moved and pre-moved building fee Manufactured home fee Copies Inspections beyond normal business hours Special investigation fees Additional plan review fees 	100% of permit fees
Print Fees for Plan Sheets <ul style="list-style-type: none"> 8.5x11 8.5x14 11x17 Large Plans 	<ul style="list-style-type: none"> \$1.00/side (color) \$.25/side (black and white) \$1.00/side (color) \$.25/side (black and white) \$2.00/side (color) \$.50/side (black and white) \$4.00/side (color) \$4.00/side (black and white)
Building Official Services	\$150.00 per hour
State Delegation Projects	\$150.00 per hour
Certified Building Official	105.00 per hour
Limited Building Official	\$95.00 per hour
Office/Support Staff	\$75.00 per hour
Code Enforcement/Nuisance Abatement	\$90.00 per hour
Municipality will adopt a fee schedule for building department services agreed upon by both Parties	
Hourly inspection time tracked will start when Consultant checks in at Municipality or first inspection site. Time tracked will end when the inspector completes the last scheduled inspection or leaves Municipal office. Time tracked will include travel time between inspection sites and all administrative work related to inspection support.	

*Plan reviews are required on all commercial and residential projects, with the exception of the following residential projects (as defined in the Minnesota Residential Code): residential roof covering replacements, exterior siding replacement, like-for-like window and exterior door replacements, plumbing work and mechanical work



March 11, 2024

Agenda Item Description: Approve 2024 Fire Department officers

Originating Department: City Administrator

Board/Commission/Committee Action: **Consent Agenda?:** Yes

Action Requested:

Approve the Lake City Fire Department Officers for 2024

Introduction/ Background/Justification/Key/Legal Issues:

Elections were conducted on February 29, 2024, to select Fire Department Officers for 2024. Results from elections were:

Chief – Dan Patterson

Asst Chief – Dave Glomski (appointed Captain Company 2)

Captain Company 1 – Derek Nibbe

Captain Company 3 – Matt Herzig

First Training Officer – Zach Vanberg

Second Training Officer – Jake Schumacher

Secretary – Tony Schultz

First Executive Committee – Tom Reckmann

Second Executive Committee – Jack Weyer

Budgetary/Fiscal Impact:

Fire officer pay is included in the 2024 Fire Department budget

Reviewed By: Administration

Preparer: Rob Keehn, City Administrator



March 11, 2024

Agenda Item Description: Amend 2024 Fee Schedule (Resolution 23-049) to include changes to building permit fees

Originating Department: Planning

Board/Commission/Committee Action: **Consent Agenda?:** Yes

Action Requested:

Amend the 2024 Fee Schedule (Resolution 23-049) integrating the attached fee schedule for building permits for the remainder of 2024.

Introduction/ Background/Justification/Key/Legal Issues:

The attached three page fee schedule explains all the types of fees that are collected with building permits, and how they are calculated. This fee schedule keeps the two main fee structures in place: flat-rate fee permits, and permits that require plan review. Flat rate permits are those that are typically issued in 3 days or less, and are the majority of the permits issued by the City. Since time spent processing these permits in plan review is minimal, the City is able to keep the costs down when issuing them. Examples include siding, roofs, windows, and most types of plumbing and mechanical permits.

The second type of permit is plan review permits, which are those where the fee is calculated based on the total project valuation. These permits include remodels, additions, and new construction. These are based on a valuation table that is attached.

Budgetary/Fiscal Impact:

The fee schedule is consistent with the City's previous building inspection service contracts, and staff is not anticipating budgetary impacts. Minimal cost increases will be passed on to persons applying for building permits.

Reviewed By: Planning, Administration

Preparer: Megan Smith, Planning and Community Development Director

ATTACHMENTS:

Description

▢ **Building Permit Fee Schedule**

City of Lake City

BUILDING CODE FEE SCHEDULE

Effective Date: Proposed

Residential Fees

(for permits that are issued over-the-counter and have flat-rate fees)

(Definition of residential: **IRC-1 Single Family Dwelling:** Any building that contains one dwelling unit used, intended, or designed to be built, used, rented, leased, let, or hired out to be occupied, or occupied for living purposes. **IRC-2 Two-Family Dwelling:** Any building that contains two separate dwelling units with separation either horizontal or vertical on one lot used, intended, or designed to be built, used, rented, leased, let, or hired out to be occupied, or occupied for living purposes. **IRC-3 – Townhouse:** Definition: A single-family dwelling unit constructed in a group of two or more attached units in which each unit extends from the foundation to the roof and having open space on at least two sides of each unit. Each single-family dwelling unit shall be considered to be a separate building. Separate building service utilities shall be provided to each single-family dwelling unit when required by other chapters of the State Building Code. **IRC-4 Accessory Structure:** Definition: A structure not greater than 3000 ft² in floor area, and not over two stories in height, the use of which is customarily accessory to and incidental to that of the dwelling(s) and which is located on the same lot.

Maintenance Permit Fees:

- Re-Roof: \$63.00 see handout for when building permit is required.
 - Re-Side: \$63.00 see handout for when building permit is required.
 - Re-Window: \$63.00 see handout for when building permit is required; replacement of same size windows
 - Re-Door/Garage door: \$63.00 replacement of same size doors
- (Fences over 7' in height and retaining walls over 4' in height require building permits submitted for plan review and are based on valuation)

Plumbing Permit Fees:

- New fixtures: \$80.00 (minimum) (\$10.00 per fixture after 8 fixtures)
- Lawn Irrigation: \$63.00
- Fixture Maintenance: \$63.00

Mechanical Permit Fees:

- New appliances: \$37.50 each, minimum \$75.00.
- Gas Line (with mechanical permit): \$20.00 per gas line, \$40.00 minimum
- Gas Line only permit: \$63.00
- Appliance Replacement: \$75.00
- Fire Place insert – see Above (Mechanical Permits)
- Fire Place masonry – Based on valuation (building permit required)

Commercial Fees (everything that is not Residential, as defined above)

ALL Commercial permit applications require plan review and permit fees are based on valuation (includes, re-roof, re-side, re-window, re-door, and demolition).

Building Permit minimum: \$75.00
Plumbing Permit minimum: \$75.00
Mechanical Permit minimum: \$75.00
Gas line minimum (unless included with other mechanical work): \$75.00

Fire Sprinkler Systems require regular building permit; fees are based on valuation
Fire Alarm Systems require regular building permit; fees are based on valuation

Sprinkler Permit minimum: \$75.00
Fire Alarm Permit minimum: \$75.00

City of Lake City

BUILDING CODE FEE SCHEDULE

Valuation Based Fees

Fee Schedule Base: 1988 (modified)

Value up to (and including):		For the first:	Plus	For each additional:
\$4000.00	\$63.00			
\$25,000.00	\$63.00	\$4,000.00	\$9.00	\$1,000 or fraction thereof
\$50,000.00	\$252.00	\$25,000.00	\$6.50	\$1,000 or fraction thereof
\$100,000.00	\$414.50	\$50,000.00	\$4.50	\$1,000 or fraction thereof
\$500,000.00	\$639.50	\$100,000.00	\$3.50	\$1,000 or fraction thereof
\$1,000,000.00	\$2039.50	\$500,000.00	\$3.00	\$1,000 or fraction thereof
\$1,000,000.01 & up	\$3539.50	\$1,000,000.00	\$2.75	\$1,000 or fraction thereof

*Pursuant to MN Rules Chapter 1300.0160 subpart 3, Building permit valuations shall be set by the Building Official. For determining the permit valuation, the Building Official will use the supplied valuation with a minimum value as calculated by the current Building Valuation Data Table, published each May by the Department of Labor and Industry and other data, as needed, for projects not otherwise specified.

Building Permit Related Fees – (commercial and residential)

- **Plan Check/Document Evaluation fee:** 65% of the Permit Fee for Residential and Commercial Projects
- **Master Plan:** When submittal documents for similar plans are approved, plan review fees shall not exceed 25 percent of the normal building permit fee established and charged for the same structure. Plan review fees for the original plan review is 65% of the permit fee.
- **Review of state approved plans:** 25% of the plan review required by the adopted fee schedule (for orientation to the plans)
- **Residential Site Inspection (including initial S.E.C.):** required for all new construction (new homes, detached garages, accessory structures) \$65.00. (Optional Service)
- **Commercial Site Inspection (including initial S.E.C.):** required for all new construction (new buildings and accessory structures) \$95.00. (Optional Service)
- **S.E.C. (Sediment and Erosion Control)** .0006 x permit valuation for all *Building* Permits except Re-Roof, Re-Side, Re-Window, Decks & Interior Remodels; Minimum \$150.00 New Home or Commercial Construction, Minimum \$50.00 on any other non-exempt Construction. (Optional Service)
- **Demolition Permit Fees:** based on valuation. Demolition is the deconstruction of a building or structure.
- **Exterior Structures:**
 - Retaining Wall (over 4' in height): based on valuation
 - Fence (over 7' in height): based on valuation
 - Sheds (over 200 sq. feet): based on valuation
 - Seasonal Swimming Pools: \$
 - (Seasonal residential swimming pools requiring permits (over 24" deep or 5000 gallons in capacity, installed entirely above grade) are allowed to be installed with a single application and approval provided that the same pool is installed in the same location each year. Once approved, the pool may be put up and taken down any number of times. A site plan is required to be approved as a part of the permit submittal, and it must be kept on site for review as needed.)
 - Permanent and In-ground Swimming Pools: Based on Valuation
- **Pre-moved in single family dwelling:** \$175.00 plus travel time and mileage from municipality office (as calculated by Google maps)
- **Pre-moved in accessory structure:** \$125.00 plus travel time and mileage from municipality office (as calculated by Google maps)
- **Connection fee – Moved in structure:** \$275.00 (does not include foundation/interior remodel)
- **Connection fee – Accessory structure:** \$200.00
- **Connection fee – plumbing:** \$75.00
- **Connection fee – mechanical:** \$75.00
- **Manufactured home installation:** \$275.00 (does not include foundation)
- **Site work for manufactured, prefab, or moved in home (foundation, basement, etc.):** based on valuation
- **Pre-fabricated SFD, "base permit only" -** \$275.00 plus state surcharge, Pre-fabricated SFD foundation is based on Valuation for permit, plan review and state surcharge

City of Lake City

BUILDING CODE FEE SCHEDULE

State Surcharge Fees

State Surcharge: Schedule is based on the currently adopted State Surcharge Table – per MN Statute 326B

State Surcharge is applicable on all permits unless otherwise noted.

Other Inspections and Fees

1.	Re-inspection Fee - A re-inspection fee may be assessed for each inspection or re-inspection when such portion of work for which inspection is called is not complete or when corrections called for are not made. On valuation-based building permits, this fee is not to be interpreted as requiring re-inspection fees the first time a job is rejected for failure to comply with the requirements of the code, but as controlling the practice of calling for inspections before the job is ready for such inspection or re-inspection. Re-inspection fees shall also be assessed when 1) the address of the jobsite is not posted, 2) the inspection record card is not posted or provided at the worksite, 3) the approved plans are not readily available for the inspector, 4) full access to the site is not provided for the inspector, 5) the inspector is not met by the responsible individual (no show), 6) on residential (IRC) maintenance permits where corrections are required to be inspected, and 7) deviations from the approved plans occur without prior building official approval. Re-inspection fees are due on or before the re-inspection. Payment made payable to the Municipality:	\$60.00
2.	Inspections outside of normal business hours (will include travel time both ways – 2 hour minimum):	\$95.00/hr
3.	Inspections for which no fee is indicated, Miscellaneous and Special Services (1/2 hour minimum):	\$95.00/hr
4.	Additional Plan Review required by changes, additions, or revisions to approved plans (½ hour minimum)	\$95.00/hr
5.	Special Investigation fee (work started without obtaining a permit) – this fee is due whether or not a permit is ultimately issued.	100% of permit fee
6.	Copy charge (black/white 8 ½ x 11 and 8 ½ x 14)	\$.25
7.	Copy charge (black/white 11 x 17)	\$.50
8.	Copy charge (color 8 ½ x 11 and 8 ½ x 14)	\$1.00
9.	Copy charge (color 11 x 17)	\$2.00
10.	Print or copy charge (large plan sheet)	\$4.00
11.	Duplicate permit card fee – short card (8 ½ x 7)	\$25.00
12.	Duplicate permit card fee – long card (8 ½ x 14)	\$35.00
13.	License Look-Up (contractor license verification)	\$5.00
14.	Lead Certification verification (for eligible construction)	\$5.00
15.	Permit Renewal within 6 mos. of expiration (no plan changes, no code changes, new permit number)	½ the original permit fee
16.	Change of Use with no other permits issued	\$100.00
17.	Pre-Final inspection (new home or structure)	\$75.00
19.	Refunds:	
	Plan review (if plan review has not started)	100%
	Plan review (if plan review has started)	0%
	Permit fee (if work not started) within 6 months of permit issuance by municipality	60%
	Permit fee (if plan review is complete, but permit is not issued)	80%
	Maintenance Permits	0%



March 11, 2024

Agenda Item Description: March 2024 Calendar

Originating Department: City Clerk

Board/Commission/Committee Action: Committee **Consent Agenda?:** No

Introduction/ Background/Justification/Key/Legal Issues:

March 2024 calendar

Budgetary/Fiscal Impact:

None

Reviewed By: Administration

Preparer: Diane Johnson, Administrative Clerk

ATTACHMENTS:

Description

- ▣ **March 2024 Calendar**

March 2024

MON	TUE	WED	THU	FRI	SAT/SUN
				1	2/3
4	5 Presidential Primary Election 	6 Planning Workshop 5:00 PM Planning Commission 6:00 PM	7	8	9/10 Day light Savings Time Begins Spring Ahead! 
11 Council Workshop 5:00 PM Common Council 6:00 PM	12	13 Heritage Preservation Commission 5:00 PM	14	15	16/17 
18 Ambulance Commission 6:00 PM Council-Special 5:00 PM	19 Street/Parks/Public Safety Commission 4:30 PM	20 Utility Board 5:30 PM	21 Port Authority 4:30 PM	22	23/24
25	26	27 Environmental Commission 5:00 PM	28 Fire Department 7:00 PM	29 Good Friday City Hall Closed	30/31 



March 11, 2024

Agenda Item Description: April 2024 Draft Calendar

Originating Department: City Clerk

Board/Commission/Committee Action: Committee

Consent Agenda?: No

Introduction/ Background/Justification/Key/Legal Issues:

April 2024 draft calendar

Budgetary/Fiscal Impact:

None

Reviewed By: Administration

Preparer: Diane Johnson, Administrative Clerk

ATTACHMENTS:

Description

- April 2024 draft calendar

April 2024

MON	TUE	WED	THU	FRI	SAT/SUN
1	2 Planning Workshop 5:00 PM Planning Commission 6:00 PM	3	4	5	6/7
8 Council Workshop 5:00 PM Common Council 6:00 PM	9 Marina Board 5:00 PM	10 Heritage Preservation Commission 5:00 PM	11	12	13/14
15 Library Board 6:00 PM Ambulance Commission 6:00 PM	16 Streets/Parks/Public Safety Commission 4:30 PM	17 Utility Board 5:30 PM	18 Port Authority 4:30PM	19	20/21
22 Council Retreat 4:30 PM	23 Charter Commission 4:30 PM	24	25 Fire Department 7:00 PM	26	27/28
29	30				

